

*TOLEDO CITY
PLAN COMMISSION
REPORT*

July 14, 2016

*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 - 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

July 14, 2016

2:00 p.m.

PUBLIC HEARING WILL BE HELD AT ONE GOVERNMENT CENTER

AT JACKSON BOULEVARD AND ERIE STREET

IN COUNCIL CHAMBERS

ON THE FOLLOWING CASES

AGENDA

ROLL CALL - Toledo City Plan Commission

PROOF OF NOTICE

SWEARING IN

MINUTES

FINAL PLATS

DIRECTOR'S REPORT

CHAIRMAN'S REPORT

**ITEM
NO.**

CASE DESCRIPTION

- | | | |
|----|--------------|--|
| 1. | M-14-16: | Review of 2016 – 2020 CIP Plan |
| 2. | S-9-16: | Preliminary Drawing review of the Replat of OVERLAND INDUSTRIAL PARK PLAT 1, locate at 1000 Jeep Parkway (rs) |
| 3. | Z-5002-16: | Zone Change from RM36 to IC at 219 Page Street (gp) |
| 4. | Z-5003-16: | Amendment to Institutional Campus Master Plan, originally granted by Ordinance 1475-16, at 219 Page Street and 2213 Cherry Street (gp) |
| 5. | SUP-6001-16: | Special Use Permit for community recreation – active, at 1501 Monroe Street (rs) |
| 6. | SPR-16-16: | Minor Site Plan review for sports and recreation - and associated parking lots at 1902 Starr Avenue (rs) |

7. Z-5001-16: Zone Change from RS6 to CN at 5129 Bennett Road (rs)
8. SUP-3005-16: Special Use Permit for used auto sales facility at 4665 N. Detroit Avenue (rs)
9. SUP-2005-16: Special Use Permit for used auto sales facility at 2965-2975 Sylvania Avenue (rs)
10. SUP-10010-13: Consideration to revoke special use permit for used auto sales facility at 4154, 4158 and 4160 Monroe Street (bh)

GENERAL INFORMATION

Subject

- Request - Review of the 2016-2020 Capital Improvement Program for Impact on the Master Plan
- Applicant - Paula Hicks-Hudson, Mayor

Applicable Plans and Regulations

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

CIP Process

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

STAFF ANALYSIS

The 2016-2020 Capital Improvement Program (CIP) for Impact on the Master Plan has been forwarded to the Toledo City Plan Commission for review and recommendation pursuant to Toledo Municipal Code Chapter 165 - Capital Improvement Program. Although the 2016-2020 CIP includes capital expenditures from a variety of funding sources, the primary focus of this CIP review and analysis will be the “Traditional” (income tax-funded) portion of the Capital Improvement Program.

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

The administration has altered the CIP format from previous years and provided a more concise document. Exhibit “A” contains the sources and uses of funds for the income tax funded portion of the CIP, with an additional breakdown of specific categories in Exhibit “B” and “C”. As shown in Exhibit “A”, the total of the CIP sources over the next five years is \$304.6 million, before deducting debt service obligations of \$126.6 million also shown in Exhibit “A”. The CIP sources total \$55.9 million for 2016, before deducting \$26.7 million for debt service and \$11.0 million for transfers to the general fund.

STAFF ANALYSIS (cont'd)

Although the CIP is a five-year plan, traditionally the focus of City Council and the Administration has been those projects that are proposed for funding in the first year. The CIP in years two through five is a guide to future capital spending that may be revised due to changing priorities and special project needs necessitating re-direction of funds in future years. This analysis will focus primarily on the 2016 expenditures and how they relate to the goals of the Toledo 20/20 Comprehensive Plan, "Toledo By Choice", adopted by Toledo City Council in 2000, and subsequently amended, as the master plan for the City of Toledo. A list of income tax funded capital improvement projects for 2016 is included in Exhibit "D".

The Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Plan includes 193 recommendations grouped under the following categories: regional, overall policy, neighborhood and commercial land use, community design, marketplace, housing, recreation, transportation and other infrastructure. The 2016-2020 CIP projects are analyzed against the Toledo 20/20 Plan using the above categories, with special emphasis on those projects slated for 2016.

Regional

The 2016-2020 CIP does not specifically address regional needs, although a portion of the CIP will go towards bridges and major street paving which has an indirect impact on the region.

Citywide

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

The 2016-2020 CIP allocates \$82,121 to support Plan Commission staff in 2016. This funding is allocated under the project support costs for 2016 (Exhibit "B"). This project furthers the 20/20 Plan Recommendations #28 (Plan Commission staffing), #126 (promote self-sufficient neighborhoods by providing necessary amenities and services within the neighborhood) and other recommendations relating to the revitalization of existing neighborhoods.

Community Design

The 2016-2020 CIP provides for \$182,207 in 2016 to support the 1% For the Arts Program as shown in Exhibit "A". The Toledo Municipal Code requires that one percent of capital project funding be allocated for public art programs. An important element of community design is public art.

STAFF ANALYSIS (cont'd)

Marketplace

The 2016-2020 CIP does not address marketplace needs. In previous years, the CIP was used to help fund the Developer Incentive Pool to promote economic development within the City.

Development

The 2016-2020 CIP allocates \$300,000 towards the replacement of the Health Department Roof, \$250,000 to replace city owned building mechanical systems. In 2015, \$200,000 was allocated to the repair and replacement of HVAC and mechanical systems throughout city buildings.

Housing

There are no specific allocations in the 2016-2020 CIP to support housing programs. Prior to 2007, CIP funding was specifically allocated for demolition programs as well as infrastructure to support housing development projects. Currently, the funding for these activities is provided by the general fund, Lucas County Land Bank, and community development block grant.

Recreation

The 2016-2020 CIP does not address recreational needs. In 2015, \$50,000 dollars was allocated for the replacement of playground equipment through the city.

Transportation

The Toledo 20/20 Plan contains a number of recommendations pertaining to the construction and maintenance of infrastructure. Among the recommendations in the Plan that are met by the projects in the 2016-2020 CIP are Recommendation #75 (street resurfacing) and Recommendation #76 (bridge and culvert maintenance and construction).

A total of \$12.1 million is included for 2016 for major street projects (shown in Exhibit "B" as Major Street Paving and Bridges) to leverage state and federal funding. Information on the allocation from matching federal and state funds was not provided. Two other transportation related projects are included in the CIP budget for 2016: \$100,837 to support the mill and fill program and crack sealing and \$200,000 for transportation traffic signals.

STAFF ANALYSIS (cont'd)

Vacant Industrial Land Use Report

The 2016-2020 CIP does not specifically address infrastructure needs associated with the sites included in the Vacant Industrial Land Use Report.

Other Major 2016 CIP Expenditures

The only major 2016 CIP expenditures not previously mentioned includes \$190,000 for police body cameras and radios. In 2015, the allocations included the replacement of tax collection software, cemetery improvements, fire station renovations and equipment, and ICT infrastructure upgrades.

Summary

The 2016-2020 CIP furthers the implementation of at least four goals of the Toledo 20/20 Plan. The Toledo 20/20 Plan provides the framework to coordinate project planning between different City departments. The 2016 funding year encounters similar challenges to the 2015 funding year due to a severe reduction of over \$13,000,000 in local government funds from the State of Ohio, including the elimination of the estate tax. This has necessitated the transfer of millions from the Capital Improvement Fund to offset these losses in the General Fund. However, with targeted and coordinated project implementation, CIP dollars will have a greater and more lasting impact on the City of Toledo and its neighborhoods.

STAFF RECOMMENDATION

Staff recommends that the Toledo City Plan Commission recommends approval of the 2016-2020 Capital Improvement Program as in conformance with the Toledo 20/20 Comprehensive Plan, to the Toledo City Council, with the following provisions:

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

REF: M-14-16 ... July 14, 2016

SPECIAL STUDY
TOLEDO CITY PLAN COMMISSION
REF: M-14-16
DATE: July 14, 2016
TIME: 2:00 p.m.

JL

Exhibit "A": Capital Improvement Program Estimated Sources and Uses of Funds 2016-2020

Exhibit "B": Capital Improvement Program Project Support Costs 2016-2020

Exhibit "C": Capital Improvement Program Lease Payments 2016-2020

Exhibit "D": Capital Improvement Program Prior and New Projects 2016-2020

EXHIBIT "A"

M-14-16

Estimated Sources of Funds 2016-2020

	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>Total</u>
Income Taxes	\$ 37,377,778	\$ 37,377,778	\$ 37,377,778	\$ 37,377,778	\$ 37,377,778	\$ 224,014,646
Other Transfers	493,724	493,700	498,350	462,200	462,200	3,939,572
Interest and Premiums	578,000	200,000	200,000	200,000	200,000	1,956,000
Proceeds from Bond Issues	13,040,000	9,000,000	6,500,000	3,000,000	3,000,000	46,540,000
Proceeds from Refunded Notes	4,450,000	4,450,000	4,450,000	4,450,000	4,450,000	28,125,000
TOTAL SOURCES	\$ 55,939,502	\$ 51,521,478	\$ 49,026,128	\$ 45,489,978	\$ 45,489,978	\$ 304,575,218

Estimated Uses of Funds 2016-2020

	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>Total</u>
Debt Service	\$ 26,651,487	\$ 26,769,139	\$ 26,742,287	\$ 23,809,595	\$ 22,637,249	\$ 126,609,757
Project Support	3,048,338	3,109,305	3,171,491	3,234,921	3,299,619	15,863,673
Matches and Planning						
Bridges	2,200,000	800,000	1,080,000	1,750,000	1,750,000	7,580,000
Major Street Paving	9,900,000	7,100,000	8,000,000	8,500,000	8,500,000	42,000,000
Lease Payment Commitments	1,849,332	1,436,025	1,138,915	198,850	198,850	4,821,973
1% for the Arts Commitment	182,207	137,523	142,838	166,804	178,527	807,900
Transfer to General Fund**	11,067,300	11,000,000	8,000,000	5,000,000	5,000,000	40,067,300
New Projects	1,040,837	1,000,000	750,000	2,800,000	3,880,000	9,470,837
TOTAL USES	\$ 55,939,502	\$ 51,351,993	\$ 49,025,531	\$ 45,460,170	\$ 45,444,245	\$ 247,221,440

* 3/4% tax available through 2016

EXHIBIT "B"**M-14-16****Capital Improvement Program 2016-2020 Project Support Costs**

<u>Project Support Costs</u>	2016	2017	2018	2019	2020	Total
Transportation	\$644,750	\$657,645	\$670,798	\$684,214	\$697,898	\$3,355,305
SB&H	\$158,337	\$161,504	\$164,734	\$168,028	\$171,389	\$823,992
Engineering	\$1,510,429	\$1,540,638	\$1,571,450	\$1,602,879	\$1,634,937	\$7,860,333
Plan Comm	\$82,121	\$83,763	\$85,439	\$87,147	\$88,890	\$427,361
Finance ERP	\$91,309	\$93,135	\$94,998	\$96,898	\$98,836	\$475,176
Debt Management	\$181,919	\$185,557	\$189,269	\$193,054	\$196,915	\$946,714
Affirmative Action	\$20,480	\$20,890	\$21,307	\$21,734	\$22,168	\$106,579
Mayor's Office	\$12,654	\$12,907	\$13,165	\$13,429	\$13,697	\$65,852
Facilities	\$346,339	\$353,266	\$360,331	\$367,538	\$374,888	\$1,802,362
	<u>\$3,048,338</u>	<u>\$3,109,305</u>	<u>\$3,171,491</u>	<u>\$3,234,921</u>	<u>\$3,299,619</u>	<u>\$15,863,673</u>

EXHIBIT "C"

M-14-16

Capital Improvement Program - 2016- 2020

<u>Lease Payments:</u>	2016	2017	2018	2019	2020	Total
Compactor/ Dozer	\$413,307	\$0	\$0	\$0	\$0	\$413,307
Fire Transport Unit	\$297,111	\$297,111	\$0	\$0	\$0	\$594,222
Rescue Squad	\$196,308	\$196,308	\$196,308	\$0	\$0	\$588,924
Fire Engines & Bucket Truck	\$743,757	\$743,757	\$743,757	\$0	\$0	\$2,231,270
Fire Engines	\$198,850	\$198,850	\$198,850	\$198,850	\$198,850	\$994,250
	<u>\$1,849,332</u>	<u>\$1,436,025</u>	<u>\$1,138,915</u>	<u>\$198,850</u>	<u>\$198,850</u>	<u>\$4,821,973</u>

EXHIBIT "D"

M-14-16

Summary of Prior and New 2016 CIP Appropriations

Prior 2016 Appropriations

Street and Bridge Matches and Planning	\$12,100,000
Total Prior 2016 CIP Appropriations	\$12,100,000

New 2016 Appropriations

Police Body Cameras and Radios	\$190,000
Transportation Traffic Signals	\$200,000
Health Department Roof	\$300,000
Building Mechanical Sysytem Replacement	\$250,000
Mill and Fill, Crack Sealing	\$100,837
Total New 2016 Appropriations	\$1,040,837

1% For the Arts	\$182,207
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Total Amounts Yet to be Appropriated for CIP Ordinance	\$1,223,044
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Total 2016 Proposed Capital Improvement Appropriations	\$13,323,044
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GENERAL INFORMATION

Subject

- Request - Preliminary Drawing for the REPLAT OF OVERLAND INDUSTRIAL PARK PLAT 1
- Location - 1000 Jeep Parkway
- Applicant - Brian Perz
Toledo-Lucas County Port Authority
One Maritime Plaza
Toledo, OH 43604
- Engineer - Jeff Meyers
Mannik & Smith Group, Inc.
1800 Indian Wood Circle
Maumee, OH 43537
- Attorney - Dawn Wenk
Toledo-Lucas County Port Authority
One Maritime Plaza
Toledo, OH 43604

Site Description

- Zoning - IG General Industrial
- Area - ± 56.00 acres
- Frontage - ± 427' on Central Avenue
± 3,783' on Jeep Parkway
- Existing Use - Vacant Industrial
- Proposed Use - Overland Industrial Park

Area Description

- North - Vacant Industrial Land / IG
- South - Light Industrial & Central Avenue / IG
- East - Norfolk Southern Railroad & Vacant Industrial / IG
- West - Ottawa River & I-75 / POS

Parcel History

- S-5-13 - Preliminary plat for OVERLAND PARK PLAT 1.
Plan Commission approved on 5/9/2013.

GENERAL INFORMATION (cont'd)

Applicable Regulations

- Toledo Municipal Code, Part Eleven: Planning and Zoning
- Toledo Subdivision Rules and Regulations
- Toledo 20/20 Comprehensive Plan

STAFF ANALYSIS

The applicant is requesting a review of a Preliminary Drawing for the REPLAT OF OVERLAND INDUSTRIAL PARK PLAT 1, located at 1000 Jeep Parkway. This plat consists of the reconfiguration and enlargement of two lots with the addition of two new lots. The 18.40 and 14.61 acre lots to the north are new lots which have not previously been platted. The Preliminary Drawing submitted does not include any additional right-of-way however a proposed 60' wide driveway and 90' roadway, drainage and utility easement is shown on Lot 2a.

The proposed Preliminary Drawing complies with all City of Toledo Subdivision Rules and Regulations with the exception of one issue. The Preliminary Drawing shows lettered lots for buildable parcels. Lettered lots are reserved for the use of open space and other public improvements shared between lot owners in the subdivision. Buildable lots shall be numbered per Sections 311 and 317 of the City of Toledo Subdivision Rules and Regulations and is included as a condition of approval.

The Toledo 20/20 Comprehensive Plan targets this site for Heavy Industrial uses. This includes heavy industrial and other moderate and high-impact industrial uses, including large scale or specialized industrial operations requiring good transportation access and public facilities and services. The proposed use of this site is in compliance with the Toledo 20/20 Comprehensive Plan.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission approve S-9-16, the Preliminary Drawing for the REPLAT OF OVERLAND INDUSTRIAL PARK PLAT 1, located at 1000 Jeep Parkway, for the following two (2) reasons:

1. The proposed development is consistent with the Toledo 20/20 Comprehensive Plan; and
2. The proposed Preliminary Drawing meets the requirements for the City of Toledo's Subdivision Rules and Regulations.

The staff further recommends the Toledo City Plan Commission approve S-9-16, the Preliminary Drawing for the REPLAT OF OVERLAND INDUSTRIAL PARK PLAT 1, located at 1000 Jeep Parkway, subject to the following twelve (12) conditions.

STAFF RECOMMENDATION (cont'd)

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 construction shall be completed in accordance with City of Toledo Sub-Division Rules and Regulations, and Construction Standards and Specifications.
2. Required permits for all approved work in the public right-of-way shall be obtained before work begins from One Stop Shop, (419) 245-1220.

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

3. Discussions are ongoing regarding the proposed waterline relocation. Final location and ownership of the proposed waterline will dictate the need for, size and location of the utility easement. If the utility easement changes, the plat will need to be resubmitted for review and approval.
4. The ownership and maintenance responsibilities of Plat 1 Lot A – Storm-water Management shall remain the responsibility of the owner of that lot. The City of Toledo will not assume any responsibility for the maintenance of the storm-water management for the site development.

Toledo-Lucas County Health Department

5. Any well or septic issues be handled by this department.

Plan Commission

6. Lots shall be numbered, not lettered. Per Sections 311 and 317 of the City of Toledo Subdivision Regulations, all lots are required to be numbered. Lettered lots are allowed for unbuildable lots or retention areas. For the Replat of Plat 1, lots should be labeled sequentially as Lots 1, 2, and 3. **Not acceptable on submitted preliminary drawing. Shall be noted on Final Plat.**
7. Per section 517.1 of the City of Toledo Subdivision Regulations, sidewalks shall be installed along both sides of the public-right-way. **With the exception of any prior approvals for a 10' shared-use trail west of Jeep Parkway.**
8. Per section 703 of the City of Toledo Subdivision Regulations, street trees shall be installed along all streets in a major subdivision and shall meet the spacing criteria of said section.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

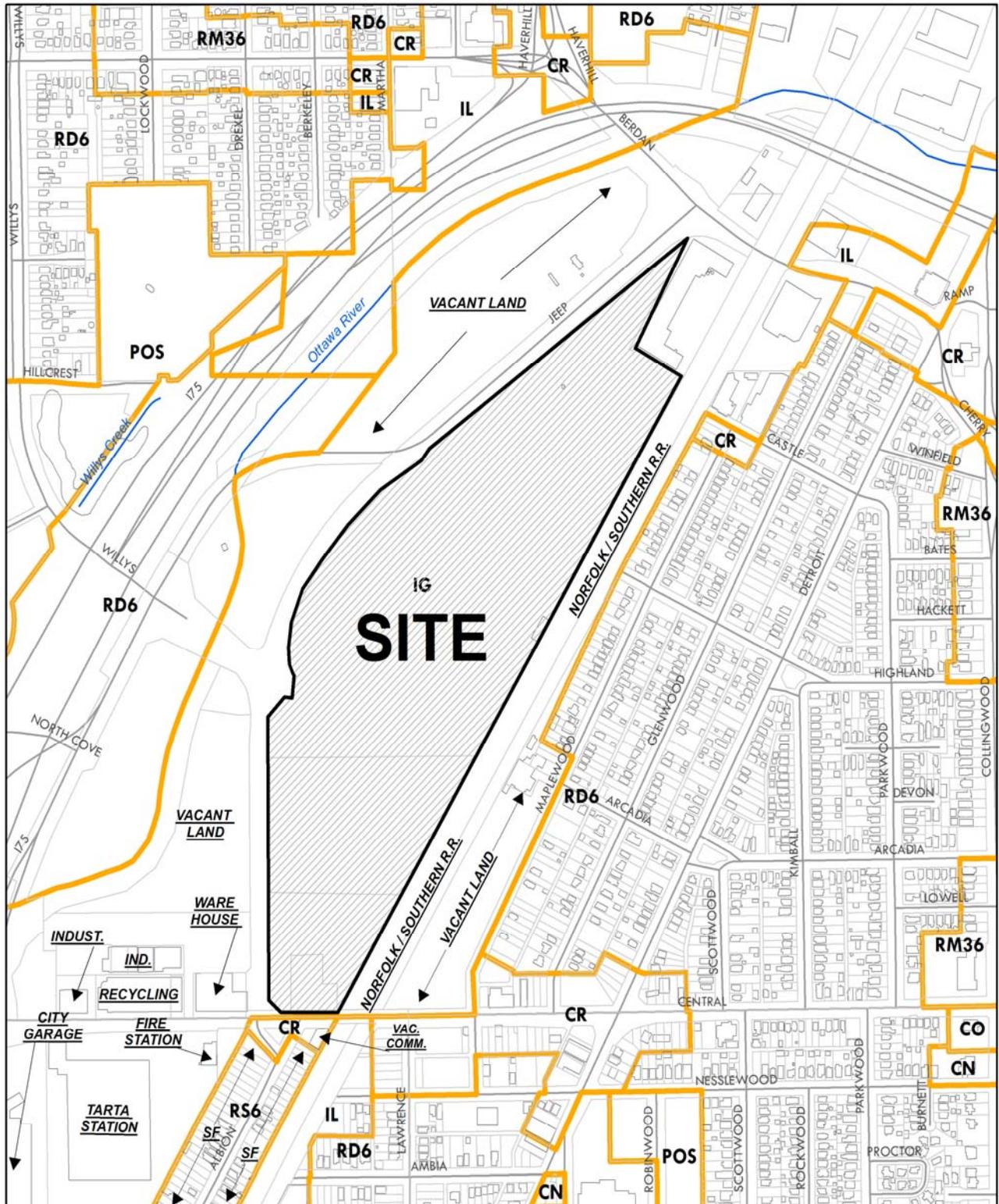
9. The final plat shall include the following recitation: The owner of each lot shall provide four (4') foot wide sidewalks along all street frontage within the subdivision where required. The sidewalks will be four (4") inches in depth except at drives where six (6") inch depth will be provided for the full width of the drive. It is the duty of each lot owner, at his/her expense, to keep and maintain the sidewalks adjacent to his/her lot in a good and sufficient manner and to clear the aforesaid sidewalk of snow, ice, dirt and any other debris within twenty-four (24) hours after such deposit, and the owner shall indemnify and hold the City of Toledo harmless from any liability to any person for his/her neglect, failure or refusal in performing such duty.
10. The final plat shall include the following recitation: All open space and/or detention areas within this plat and future plats of OVERLAND INDUSTRIAL PARK shall be the responsibility of the property owners association of all lots within this plat and future plats of OVERLAND INDUSTRIAL PARK. The property owners association shall be responsible for the maintenance and property tax liability. In the event a property owners association is not formed or ceases to exist, the property tax liability and maintenance of the open space and/or detention area(s) shall be shared and assessed to each individual lot owner within the plat and future plats of OVERLAND INDUSTRIAL PARK.
11. 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.
12. The Preliminary Drawing shall be valid for a three (3) year period from the date of approval by the Planning Commission.

PRELIMINARY DRAWING
TOLEDO CITY PLAN COMMISSION
REF: S-9-16
DATE: July 14, 2016
TIME: 2:00 P.M.

RS
Five (5) sketches follow

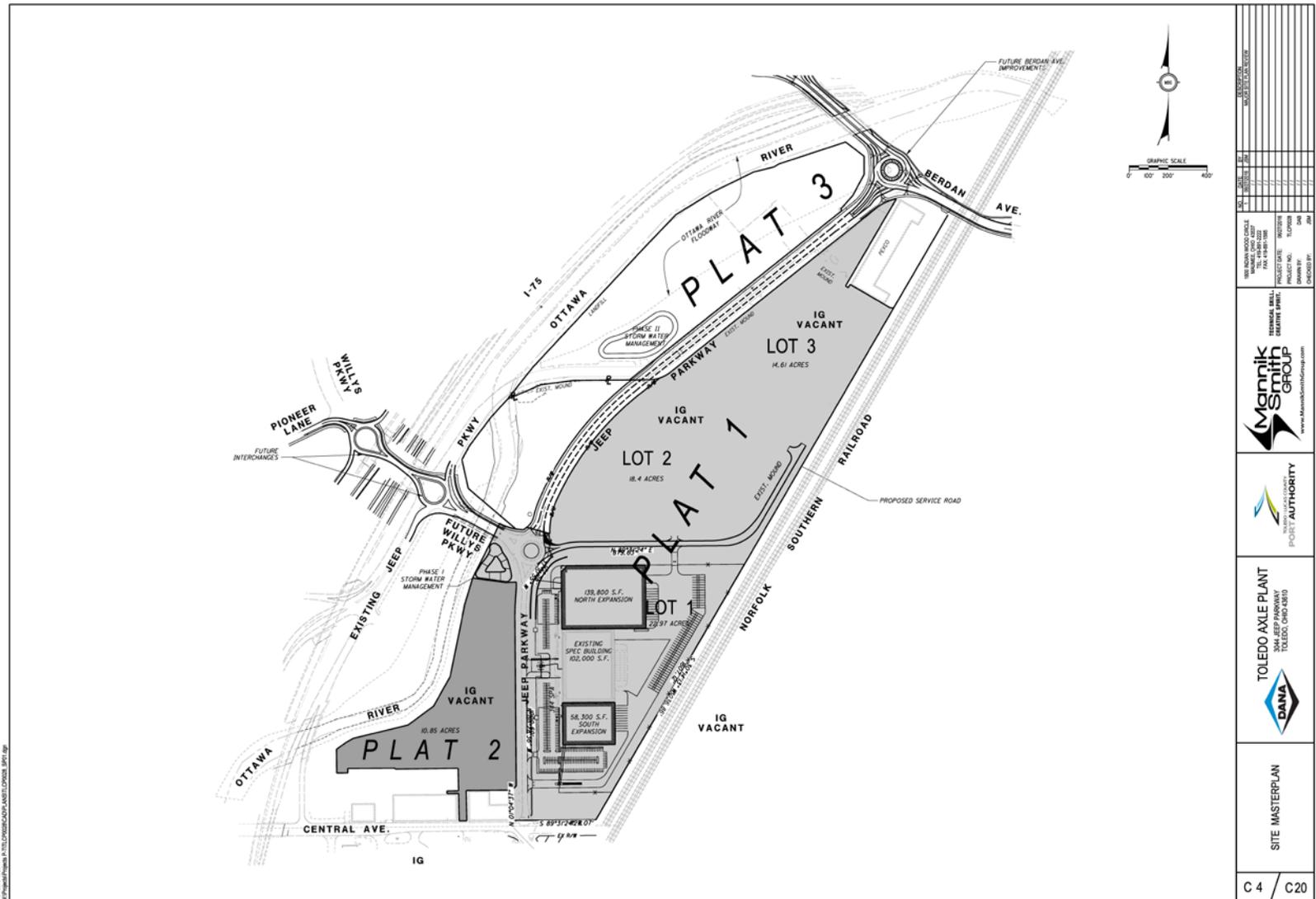
ZONING & LAND USE

S-9-16
ID 35/ 16



MASTER PLAN

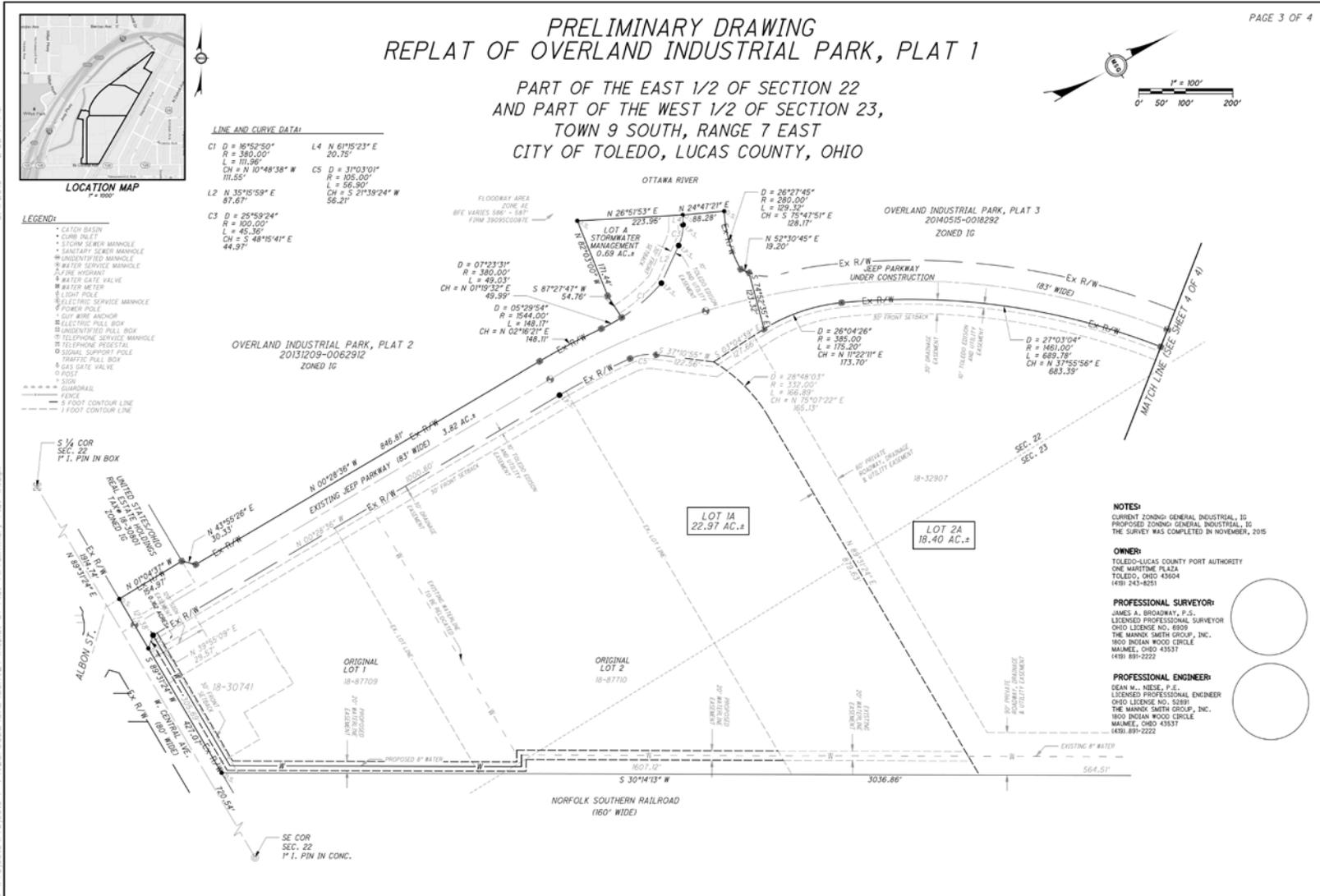
S-9-16
ID 35/16



<p>DESIGNATION: INDUSTRIAL DEVELOPMENT</p> <p>DATE: 08/11/2011</p> <p>PROJECT NO.: 11-001</p> <p>PROJECT NAME: TOLEDO AXLE PLANT</p> <p>OWNER: TOLEDO AXLE PLANT</p> <p>DESIGNER: MANNIK SMITH GROUP</p> <p>SCALE: AS SHOWN</p>
<p>PREPARED BY: MANNIK SMITH GROUP</p> <p>DATE: 08/11/2011</p> <p>PROJECT NO.: 11-001</p> <p>PROJECT NAME: TOLEDO AXLE PLANT</p> <p>OWNER: TOLEDO AXLE PLANT</p> <p>DESIGNER: MANNIK SMITH GROUP</p> <p>SCALE: AS SHOWN</p>
<p>TOLEDO AXLE PLANT</p> <p>3000 JEOP PARKWAY</p> <p>TOLEDO, OHIO 43615</p> <p>DANA</p>
<p>SITE MASTERPLAN</p>
<p>C 4 / C 20</p>

PRELIMINARY DRAWING #1

S-9-16
ID 35/16



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GENERAL INFORMATION

Subject

- Request - Zone Change from RM36 Multi-Family Residential to IC Institutional Campus
- Location - 219 Page Street
- Applicant - Mercy Health – St. Vincent’s Medical Center
2213 Cherry Street
Toledo, OH 43608
- Attorney - Richard E. Wolff
Four Seagate
Suite 400
Toledo, OH 43604

Site Description

- Zoning - RM36 / Multi-Family Residential
- Area - ± 2.55 acres
- Frontage - ±586’ along Page Street
- Frontage - ±192’ along Mayville Place
- Existing Use - Church and associated parking lot
- Proposed Use - St. Vincent Medical Center

Area Description

- North - Mercy Health – St. Vincent’s Medical Center / IC, UNO
- South - Multi-Family Residential / RM36
- East - Mercy Health – St. Vincent’s Medical Center / IC, UNO
- West - Mercy Health – St. Vincent’s Medical Center / IC, UNO

GENERAL INFORMATION (cont'd)

Parcel History

- | | | |
|--------------|---|---|
| M-5-07 | - | Request to Amend the Master Plan for St. Vincent's New Comprehensive Sign Plan, approved by Plan Commission on 7/12/07. |
| SUP-10003-08 | - | Request of a Special Use Permit for a residential facility (small), approved by Plan Commission on 12/4/08, approved by City Council on 1/20/09; Ord. 40-09. |
| M-14-10 | - | Request for the review of the Cherry Street Legacy Plan as an Amendment to the Toledo 20/20 Comprehensive Plan, approved by the Plan Commission on 12/2/10, approved by City Council on 1/22/11; Ord. 55-11. |
| M-9-13 | - | Request to establish an Urban Neighborhood Overlay (UNO) district for Cherry Street corridor from the Buckeye Basin to Detroit Avenue, approved by Plan Commission on 10/23/13, approved City Council on 1/2/14; Ord. 8-14. |
| SPR-21-16 | - | Request for a Minor Site Plan Review of building addition and parking lot modifications at 2213 Cherry Street, (companion case). |
| Z-5003-16 | - | Request to amend the Institutional Campus Master Plan originally granted via Ord. 147-16, (companion case). |
| CSDO-2-16 | - | Cherry Street Development Organization review of building addition and parking lot modifications at 2213 Cherry Street, (companion case). |

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan
- Mercy – Health St. Vincent Medical Center Institutional Master Plan
- The Cherry Street Legacy Plan

STAFF ANALYSIS

The applicant is requesting a Zone Change from RM36 Multi-Family Residential to IC Institutional Campus for a site located at 219 Page Street. The ±2.55 acre site is occupied by St. Mary's Catholic Church, various accessory structures, and a parking lot. The site is located within the Cherry Street Urban Neighborhood Overlay District. A companion Minor Site Plan Review, a request for an amendment to the Institutional Campus Master Plan, and a review by the Cherry Street Development Organization accompany this case.

The applicant is requesting a Zone Change to IC Institutional Campus to facilitate the expansion of the Surgical Building and the incorporation of an adjacent church and parking lot. The Medical Center plans to construct an addition to the newly proposed Surgical Building in order to relocate and consolidate its emergency and outpatient surgery services. The proposed expansion is approximately ±2,200 square feet and encroaches into the newly acquired property. The acquisition and combination of the new property to the main campus will produce a consolidated parcel that will accommodate the expansion. The acquired property will be required to be added to the Medical Center campus as part of its Institutional Master Plan.

Mercy Health – St. Vincent Medical Center Institutional Campus Master Plan

The Institutional Master Plan review and approval procedures are intended to provide a framework for development of large institutions in campus settings. Approval of an Institutional Master Plan is intended to permit flexibility in site development and in the design and arrangement of buildings that is not possible when development occurs on a lot-by-lot basis. Institutional Master Plans are intended to create efficient, functional, and attractive areas that incorporate a high level of amenities and meet public objectives.

The Cherry Street Legacy Plan

The Cherry Street Legacy Plan is a vision that reflects the views of Cherry Street neighbors and businesses as well as professional planners and developers. Cherry Street has been an important thoroughfare in Toledo for over a century connecting neighborhoods to downtown Toledo. Two (2) major institutions are located along Cherry Street: St. Vincent Medical Center and Central Catholic High School. Neighborhood plans play a vital role in the health and revitalization of Toledo's neighborhoods by investing in the development of housing, retail and commercial real estate to foster employment opportunities and by promoting improved quality of life in the areas they serve.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Institutional Campus land uses. The intent of the IC Institutional Campus district is to accommodate large institutional uses in campus-like settings, such as hospitals, schools and colleges. The IC district is intended to promote and enhance the development and expansion of medical, educational and other larger institutional uses while minimizing the adverse impacts that can result when such uses are located near residential neighborhoods. The Emergency/Outpatient Surgery Project is intended to demonstrate the Medical Center's commitment to provide the community with the most up-to-date healthcare services in an efficient and compassionate manner.

Staff recommends approval of the Zone Change because IC Institutional Campus is consistent with The Toledo 20/20 Comprehensive Plan. The IC Institutional Campus zoning is compatible with zoning classifications of properties within the general vicinity. Furthermore, the rezoning will not have a negative impact on the residential properties adjacent to the site.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of Z-5002-16, a request for a Zone Change from RM36 Multi-Family Residential to IC Institutional Campus for the sites located at 219 Page Street, to the Toledo City Council, for the following three (3) 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 CR Regional Commercial zoning is compatible with zoning classifications of properties within the general vicinity (TMC§1111.0606(C) Review and Decision Making Criteria); and
3. The request will not have a negative impact on the residential properties adjacent to the subject site (TMC§1111.0606(E) Review and Decision Making Criteria).

REF: Z-5002-16 . . . July 14, 2016

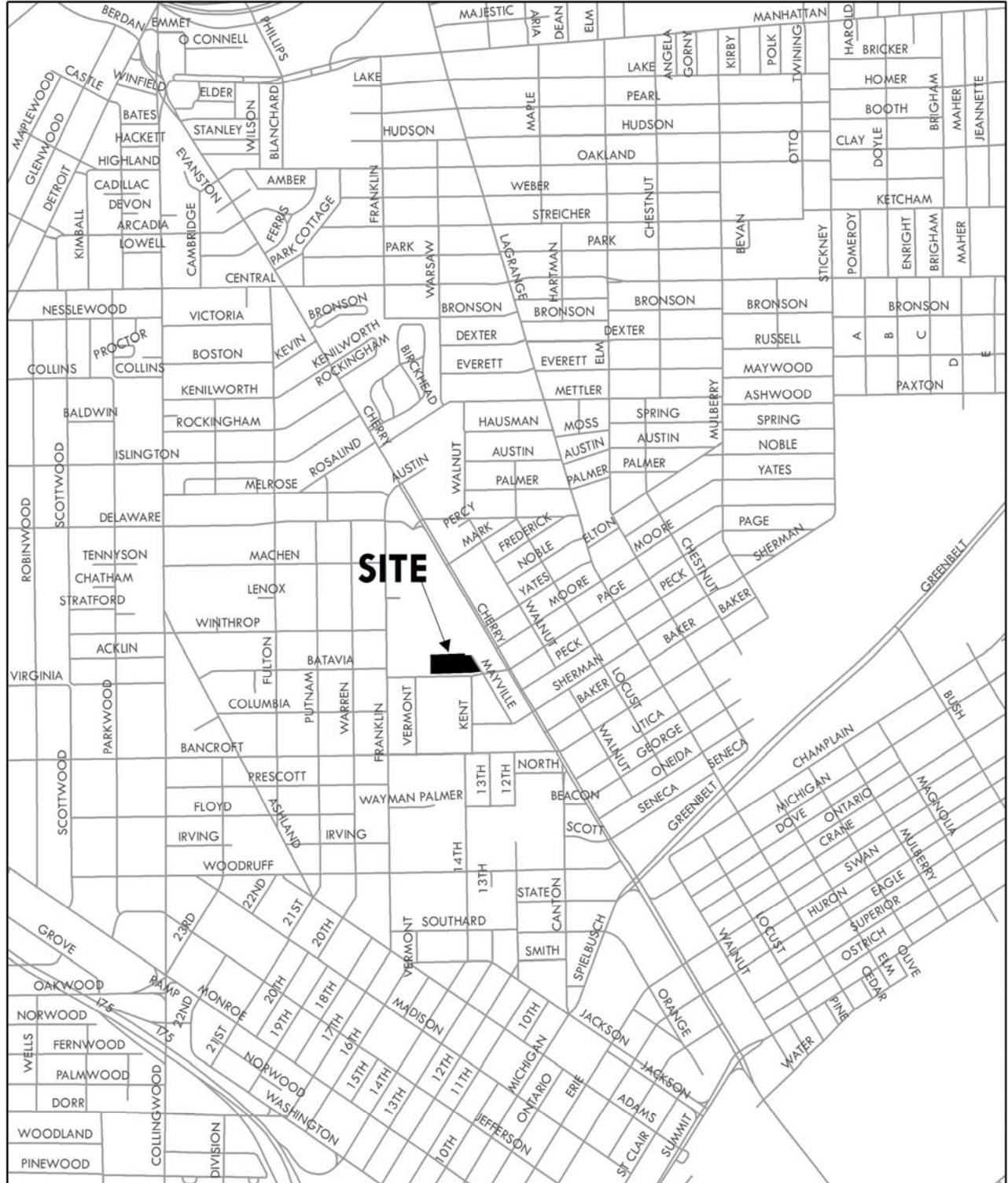
ZONE CHANGE
TOLEDO CITY PLAN COMMISSION
REF: Z-5002-16
DATE: July 14, 2016
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: August 17, 2016
TIME: 4:00 P.M.

GP
Three (3) sketches follow

GENERAL LOCATION

Z-5002-16
ID 8



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REF: Z-5003-16
DATE: July 14, 2016

GENERAL INFORMATION

Subject

- Request - An amendment of the Institutional Campus Master Plan for Mercy Health – St. Vincent’s Medical Center
- Location - 2213 Cherry Street
- Applicant - Mercy Health – St. Vincent’s Medical Center
2213 Cherry Street
Toledo, OH 43608
- Attorney - Richard E. Wolff
Four Seagate
Suite 400
Toledo, OH 43604

Site Description

- Zoning - IC, RM36 (IC Pending) / Institutional Campus, Multi-Family Residential (IC Pending)
- Area - ± 47 acres
- Frontage - ±3,200’ along Cherry Street
- Frontage - ±1,300’ along Page Street
- Frontage - ±400’ along Yates Street
- Frontage - ±400’ along Mark Street
- Frontage - ±1,200’ along Franklin Avenue
- Existing Use - St. Vincent’s Medical Center
- Proposed Use - St. Vincent’s Medical Center

Area Description

- North - Central Catholic High School and Mixed Residential / IC, RM36
- South - St. Mary’s Church, Mixed Residential, and Funeral Home / RM36, RD6
- East - Mixed Residential / RM36
- West - Mixed Residential / RS6, RD6, RM36

GENERAL INFORMATION (cont'd)

Parcel History

- SpP-78 - Revised Master Plan approved by Plan Commission on 10/5/78; Admin. Board of Zoning Appeals (BZA) approved on 11/2/78.
- SpP-1-84 - Amend Special Permit to revise Master Plan to add a medical office building and conference/education facility approved by Plan Commission on 12/20/84; BZA on 1/28/85.
- SpP-1-87 - Amend Special Permit to revise Master Plan to add a parking structure of 300+ spaces and other parking improvements approved by the Plan Commission 10/8/87; BZA approved 11/2/87.
- SpP-1-88 - Amend Special Permit to revise Master Plan to add a surgery building and a life flight facility approved by Plan commission on 1/19/89; BZA approved on 1/23/89.
- PL-1-90 - Parking lot north of Cherry Street between Noble and Yates Streets administratively approved 5/10/90.
- PL-7-92 - Parking Lot on Cherry Street between Frederick Street and Noble Street administratively approved 10/22/92.
- Pl-3-93 - Parking Lot at Cherry Street and Mark Street, northwest, approved administratively 8/3/93.
- V-8-98 - Vacation of alley and portion of streets in area bounded by Cherry, Yates, Walnut, & Mark Streets. Approved by Ord. 624-98 (3/31/98).
- M-1-98 - Amend Master Plan to add a three story medical office building, a five level 538 space parking garage, and an elevated walkway across Cherry Street.

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

- Z-1005-98 - Zone Change from C-2 & R-4 to R-5. Approved by Ord. 626-98 (4/28/98).
- M-6-04 - Amend master plan to add a 4 story cardiac care and surgical unit. (PC approved 6/10/04).
- M-5-07 - Amendment to St. Vincent Mercy Medical Center Master Plan for a comprehensive sign plan (PC approved 7/12/07).
- Z-11006-10 - Zone Change from “RD6” Duplex Residential District, “RM36” Multi Dwelling Residential District, “CO” Office Commercial, and “CR” Regional Commercial to “IC” Institutional Campus with “IC” Master Plan, approved by Plan Commission on 1/13/11; approved by City Council on 2/22/11; Ord. 92-11.
- SPR-21-16 - Request for a Minor Site Plan Review of building addition and parking lot modifications at 2213 Cherry Street, (companion case).
- Z-5002-16 - Zone Change from RM36 Multi-Family Residential to IC Institutional Campus at 219 Page Street (companion case).
- CSDO-2-16 - Cherry Street Development Organization review of building addition and parking lot modifications at 2213 Cherry Street, (companion case).
- CSDO-1-16 - Cherry Street Development Organization review of building and parking lot addition, building demolition, and modifications to ER at 2213 Cherry Street, approved on 5/12/16.
- SPR-2-16 - Minor Site Plan Review for building and parking lot addition, building demolition and modifications to ER at 2213 Cherry Street, Plan Commission approved metal building material on 5/12/16.

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

Z-1002-16 - Request for an amendment of the Institutional Campus Master Plan for Mercy Health – St. Vincent’s Medical Center at 2213 Cherry Street, approved by Plan Commission on 3/10/16; approved by City Council 4/13/16; Ord. 147-16.

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan
- Mercy – Health St. Vincent Medical Center Institutional Master Plan
- The Cherry Street Legacy Plan

STAFF ANALYSIS

The applicant is requesting an amendment of the Institutional Campus Master Plan for St. Vincent’s Mercy Medical Center campus to build an addition to the newly proposed Surgical Building and parking lot modifications. The amendment will facilitate the addition of the site at 219 Page Street to the overall site at 2213 Cherry Street. The Medical Center is comprised of a total of ±47 acres and has frontage on Cherry Street, Page Street, Yates Street, Mark Street, and Franklin Avenue. The main campus is occupied by fourteen (14) main structures, among which are: the D’Youville Education Center, the “E” Building (Surgical Building), and parking garages. The Institutional Master Plan for the campus was originally approved in 1978 and has been amended several times. A companion Minor Site Plan Review, a request for a Zone Change, and a review by the Cherry Street Development Organization accompany this case.

An amendment to the existing Mercy – Health St. Vincent’s Medical Center Institutional Campus Master Plan was most recently approved by Toledo City Council on April 13, 2016 to facilitate the demolition of the D’Youville Education Center and the subsequent expansion of the Emergency Room Outpatient and Surgery Building (the “E” Building). The project has been modified since the submission to include the acquisition of property located adjacent to the site and for a ±2,200 square foot expansion to the newly proposed Surgery Building. The Medical Center is petitioning to incorporate the newly acquired property into the IC Institutional Master Plan. The ±2.55 acre site is occupied by St. Mary’s Catholic Church, various accessory structures, and a parking lot. Although the parking lot is the main purpose for the acquisition, the Medical Center intends to use the structures as offices.

STAFF ANALYSIS (cont'd)

Mercy Health – St. Vincent Medical Center Institutional Campus Master Plan

The Institutional Master Plan review and approval procedures are intended to provide a framework for development of large institutions in campus settings. Approval of an Institutional Master Plan is intended to permit flexibility in site development and in the design and arrangement of buildings that is not possible when development occurs on a lot-by-lot basis. Institutional Master Plans are intended to create efficient, functional, and attractive areas that incorporate a high level of amenities and meet public objectives. The Medical Center anticipates future modifications to its campus which will require additional amendments to the Institutional Campus Master Plan.

The Cherry Street Legacy Plan

The Cherry Street Legacy Plan is a vision that reflects the views of Cherry Street neighbors and businesses as well as professional planners and developers. Cherry Street has been an important thoroughfare in Toledo for over a century connecting neighborhoods to downtown Toledo. Two (2) major institutions are located along Cherry Street: St. Vincent Medical Center and Central Catholic High School. Neighborhood plans play a vital role in the health and revitalization of Toledo's neighborhoods by investing in the development of housing, retail and commercial real estate to foster employment opportunities and by promoting improved quality of life in the areas they serve.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Institutional Campus land uses. The intent of the IC Institutional Campus district is to accommodate large institutional uses in campus-like settings, such as hospitals, schools and colleges. The IC district is intended to promote and enhance the development and expansion of medical, educational and other larger institutional uses while minimizing the adverse impacts that can result when such uses are located near residential neighborhoods. The Emergency/Outpatient Surgery Project is intended to demonstrate the Medical Center's commitment to provide the community with the most up-to-date healthcare services in an efficient and compassionate manner.

Staff recommends approval of the Amendment to the IC Institutional Campus Master Plan because the proposed Amendment is in conformance with the Toledo 20/20 Comprehensive Plan. Furthermore, the proposed amendment complies with all applicable standards of the Toledo Municipal Code. Finally, the proposed Amendment will not result in significant adverse impact to other property in the vicinity of the subject tract or to the natural environment.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of Z-5003-16, a request for an amendment of the Institutional Campus Master Plan for Mercy – Health St. Vincent Medical Center main campus for the sites located at 2213 Cherry Street and 219 Page Street, to the Toledo City Council, for the following three (3) reasons:

1. The proposed amendment to the IC Master Plan is in conformance with the Toledo 20/20 Comprehensive Plan (TMC§1111.1309(A) Institutional Campus, Approval Criteria).
2. The proposed amendment complies with all applicable standards of the Toledo Municipal Code (TMC§1111.1309(B) Institutional Campus, Approval Criteria); and
3. The proposed amendment will not result in significant adverse impact to other property in the vicinity of the subject tract or to the natural environment (TMC§1111.1309(C) Institutional Campus, Approval Criteria).

The staff further recommends that the Toledo City Plan Commission recommend approval Z-5003-16, a request for an amendment of the Institutional Campus Master Plan for Mercy – Health St. Vincent Medical Center for the site located at 2213 Cherry Street and Page Street, to Toledo City Council, subject to the following three (3) conditions:

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

Engineering Services

Comments not received at time of printing

Sewer & Drainage Services

No comments or objections to the amendment.

Fire Prevention

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

Transportation

Comments not received at time of printing

STAFF RECOMMENDATION (cont'd)

Plan Commission

1. Detailed site plans for the proposed site modifications and improvements shall be submitted to the Plan Commission for review and approval.
2. 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.
3. 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.

INSTITUTIONAL CAMPUS MASTER
PLAN AMENDMENT
TOLEDO CITY PLAN COMMISSION
REF: Z-5003-16
DATE: July 14, 2016
TIME: 2:00 P.M.

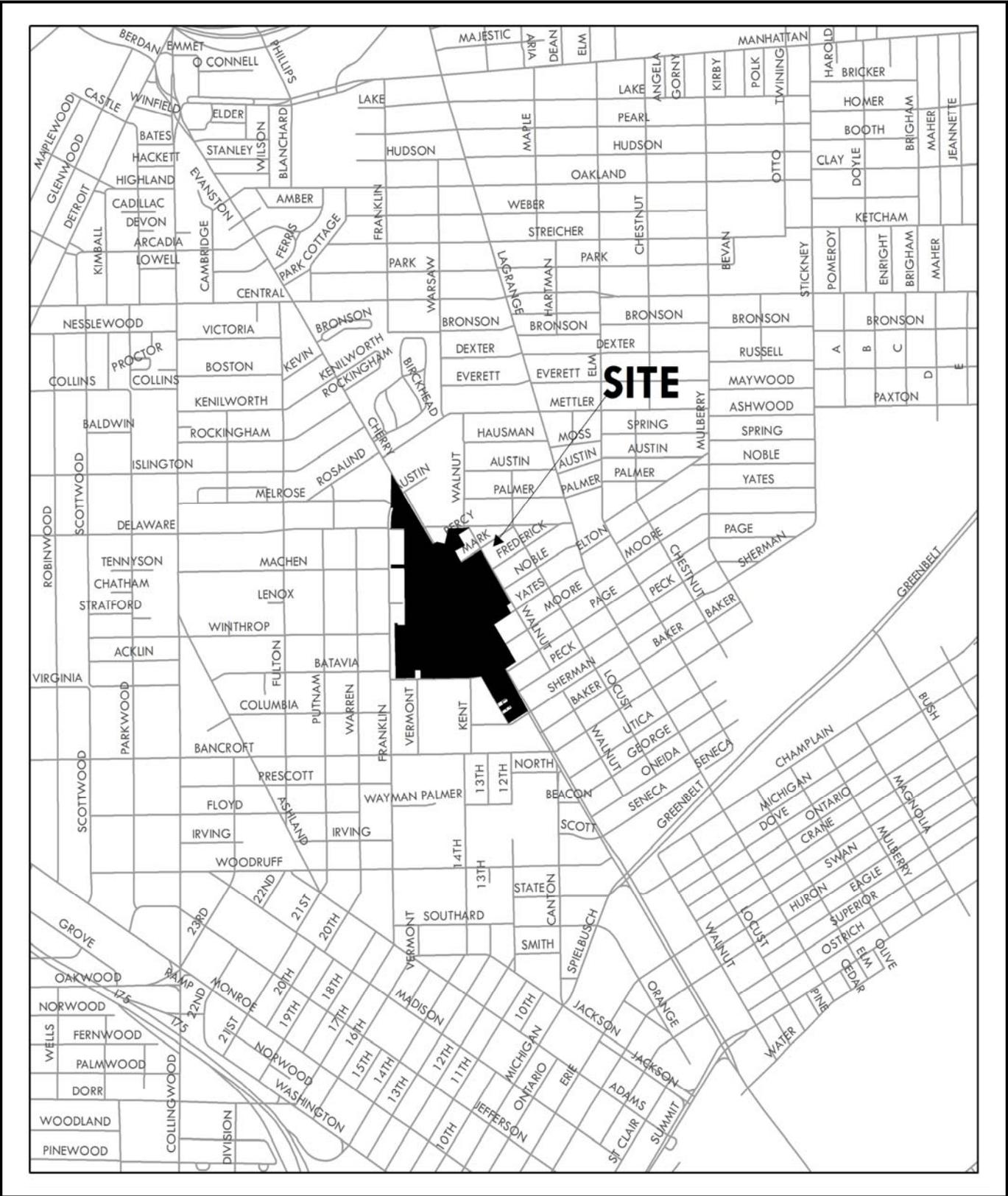
CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: August 17, 2016
TIME: 4:00 P.M.

GP

Three (3) sketches follow

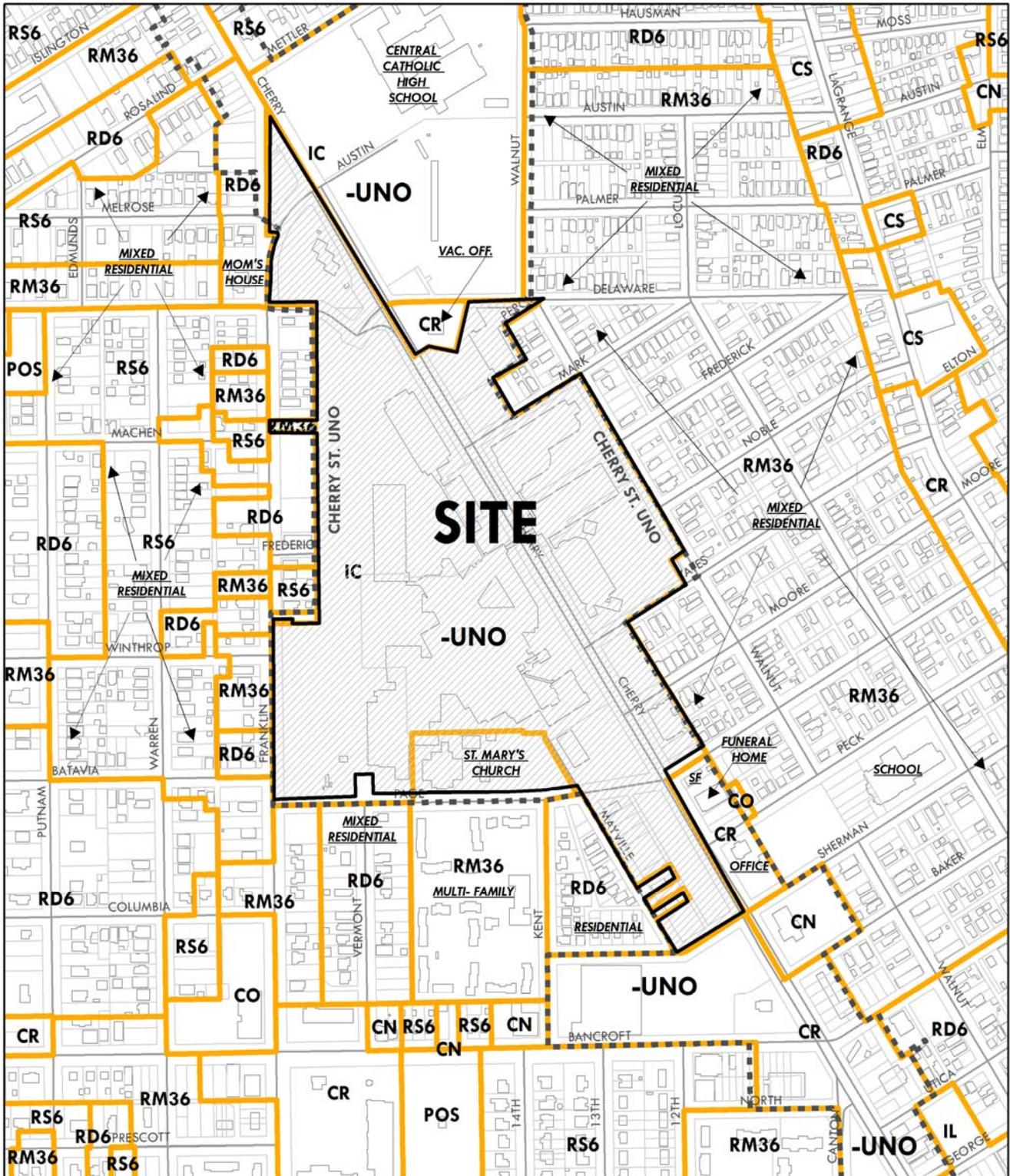
GENERAL LOCATION

Z-5003-16
ID 8



ZONING & LAND USE

Z-5003-16
ID 8



GENERAL INFORMATION

Subject

- Request - Special Use Permit for Community Recreation, Active
- Location - 1501 Monroe Street
- Applicant - Cherry Street Mission Ministries
1501 Monroe Street
Toledo, OH 43604
- Architect - Daniel Ebert, AIA
The Collaborative
500 Madison Avenue
Toledo, OH 43604

Site Description

- Zoning - CR Regional Commercial / IL Limited Industrial
- Area - ± 4.04 acres
- Frontage - ± 366' on Monroe Street
± 492' on 16th Street
± 326' on Washington Street
- Existing Use - Community Recreation, active
- Proposed Use - Community Recreation, active
- Parking Required - per Schedule D (TMC§1107.0600)
- Parking Provided - 146 spaces

Area Description

- North - Monroe St. & 16th St., vacant gas station, vacant commercial building, parking lot / CR
- South - Parking lot, 14th St. & Washington St., M&M Heating & Cooling, I-75 / IL
- East - Monroe St., parking lot, Taylor Body Shop, OhioMeansJobs Lucas Co. / CR
- West - 16th St. & Washington St., vacant lot, Construction Company / IL, CR

GENERAL INFORMATION (cont'd)

Parcel History

- | | | |
|--------------|---|---|
| V-268-74 | - | Vacate portion of 15 th Street that lies between Washington Street and Monroe Street (Approved on 9/19/1974 by Ord. 1007-74). |
| M-1-03 | - | Monroe Street Corridor Design & Livability Plan (Plan Commission recommended approval on 3/24/2003. Approved by City Council on 4/29/2003 by Ord. 368-03). |
| Z.1(j) 74-07 | - | Text Amendment adding Monroe St. Corridor Overlay District (Plan Commission recommended approval on 6/14/2007. Approved by City Council on 7/24/2007 by Ord. 497-07). |
| M-4-12 | - | UpTown Neighborhood District Plan (Plan Commission recommended approval on 12/05/2013. Approved by City Council on 1/14/2014 by Ord. 19-14). |

Applicable Regulations

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

STAFF ANALYSIS

The request is for a Special Use Permit for Community Recreation, Active at 1501 Monroe Street. The overall site is comprised of twelve (12) parcels and has frontage on Monroe Street, 16th Street and Washington Street. The 4.04 acre site is predominantly occupied by the historic Macomber school with a parking lot on the southeastern portion of the site. Surrounding land uses include a vacant gas station and commercial structures to the north, a heating and cooling company parking lot across Washington Street to the south, vacant commercial structures and parking lots to the east and undeveloped vacant space to the west across 16th Street.

STAFF ANALYSIS (cont'd)

The Cherry Street Mission Ministries owns the property and plans to renovate the interior of the structure to relocate a commercial kitchen to the center of the building which will service both the new Cherry Street Mission dining hall and Feed Lucas County Children Inc. (FLCC). FLCC is a 501(c)(3) charity which currently uses the space for meal preparation and staging for deliveries on the northwestern side of the building. The new Cherry Street Mission dining hall will be located on the southeastern portion of the building to accompany additional services provided by the Cherry Street Mission. Additional services provided include lifestyle courses and career path opportunities for clients involved with their services at their existing homeless shelter at 17th & Monroe Street.

Future Developments

In the event the property is modified by any physical changes which are visible from the right-of-way and constitute more than ten percent (10%) of the appraised value as listed through the auditor's office then there will be a separate review process by the UpTown District Architectural Review Committee (UDARC). Additionally, any fencing, new parking or signage proposed to be modified on site will require a separate application for UDARC approval.

Parking and Circulation

Pursuant to TMC§1107.0600 – Off-Street Parking Schedule “D”; Community Recreation facilities have widely varying parking demand characteristics, making it impossible to specify a single off-street parking standard. The site plan submitted depicts a total of 146 parking spaces with six (6) accessible parking spaces which exceed the minimum number of accessible spaces required. Based on the intended use, the existing parking provided on-site satisfies the parking demand.

The existing driveway accessing the parking lot from Monroe Street is not accurately depicted on the submitted site plan. Additionally, comments from the Division of Transportation addressed the existing drive aisles which do not meet the minimum 25' width requirements to accommodate two-way traffic. The Division of Transportation does not object to the approval of the site plan provided the appropriate modifications to the parking lot are made to meet the requirements of the Toledo Municipal Code. If approved, a revised site plan shall be submitted addressing the concerns raised by the Division of Transportation.

The applicant is requesting the Division of Transportation establish permanent shipping zones along the south side of 16th Street to provide distribution services for the FLCC organization. The proposed shipping zones will allow a vehicle to be parked for up to thirty (30) minutes while loading and unloading from the staging area located in the northwest portion of the building along 16th Street. The applicant is also requesting a curb cut for a loading ramp to be installed half way down 16th street in front of the existing overhead door to allow for a wheeled dolly or cart to access the facility.

STAFF ANALYSIS (cont'd)

Parking and Circulation (cont'd)

Concerns from the applicant identified a potential sinkhole hazard under 16th Street from a historic tunnel which connected to the previously demolished building across the street. Discussions with the Division of Transportation raised concerns with an increase in motor vehicle traffic weight limits on 16th Street however, the site plan was sent to the Division of Streets, Bridges and Harbor for review which confirmed the anticipated truck traffic would not significantly impact the pavement.

Landscaping

The site was developed before the 2004 zoning code and therefore not required to completely comply with the landscape standards of the 2004 code. However, TMC§1114.0500 Appearance Upgrade for Nonconforming Development, requires futures changes to bring a site closer into compliance with the 2004 code. The site plan submitted does not depict any proposed changes to the landscaping. Existing landscaping is shown on the submitted site plan and it was determined from the field check that landscaping on the site is adequate.

Toledo 20/20 Comprehensive Plan

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. The proposed use is consistent with the current zoning designations of abutting properties.

Staff recommends approval of the applicant's request because the proposed use is compatible with the adjacent land uses identified in the Toledo 20/20 Comprehensive Plan. Additionally, the proposed use will allow for the existing Cherry Street Mission Ministries facility to expand and be subject to special use regulations under the current Toledo Municipal Code. Furthermore, the proposed use complies with all applicable provisions of the zoning code as outlined in TMC§1111.0706 Review and Decision-making Criteria.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-6001-16, a Special Use Permit for Active Community Recreation at 1501 Monroe Street, to Toledo City Council for the following three (3) reasons:

1. The proposed use meets the stated purpose of this Zoning Code (TMC§1111.0706.A Review & Decision-Making Criteria);

STAFF RECOMMENDATION (cont'd)

2. The proposed use complies with all applicable provisions of this Zoning Code (TMC§1111.0706.B Review & Decision-Making Criteria); and
3. The request is compatible with adjacent uses in terms of scale, site design, and operating characteristics (TMC§1111.0706.C Review & Decision-Making Criteria).

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-6001-16, a Special Use Permit for Active Community Recreation at 1501 Monroe Street to the Toledo City Council subject to the following twenty-eight (28) 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.
2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
3. All commercial drive approaches (along with the sidewalk through the drive) shall be constructed with 8-inch-thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop or opening.** Existing drive approaches, including the curb drop, that will no longer be utilized shall be removed and restored with curb to match the adjacent curb.
4. Required permits for all approved work in the public right-of-way shall be obtained before work begins from One Stop Shop, (419) 245-1220.

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

5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

6. The existing full-width sewer and utility easement in vacated 15th Street between Washington and Monroe Streets shall be shown on the plans. There are existing 4-inch diameter and 12-inch diameter public waterlines within the easement area. No permanent or temporary structures shall be constructed within the easement area.
7. If existing public water facilities are in conflict and must be relocated, they will be relocated by the City of Toledo at the owner's cost.
8. All commercial properties are required to have approved backflow-protection devices installed on the domestic water service and fire-protection lines. Installation of the devices must be verified by the Division of Water Distribution, and all devices must be registered with BSIonlinetracking.com at 800-414-4990. In the case of renovation, expansion, or modification projects, all existing backflow devices must be verified and registered. Where devices are missing they shall be added. Contact the Division of Water Distribution (419-245-1395) to verify the backflow-prevention requirements for this site.
9. The design professional and/or property owner shall submit written documentation to the Division of Water Distribution that no changes are being made to the existing water service, meter setting, or backflow-protection device and that these devices are properly installed, tested, and in good working order. The City, at its discretion, has the authority to mandate the entire service, including meter and backflow-prevention device, be brought into compliance with current City of Toledo standards.
10. Plans for new water service or modifications to existing water service shall be submitted to the Division of Engineering Services for review and approval. Plan design and submittal shall comply with the current version of the City of Toledo DPU Infrastructure Design and Construction Requirements.
11. Plans for new water meter or modifications to existing water meter shall be submitted to the Division of Water Distribution for review and approval.
12. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire-protection requirements for this site.
13. Contractors performing work on new or existing fire systems shall be licensed by the State of Ohio Fire Marshall and certified by the City of Toledo Fire & Rescue Department.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

14. If existing fire and domestic services are not to be reused, they shall be abandoned by the City of Toledo at the developer's expense. New fire, domestic, and irrigation taps will be installed by City of Toledo at the owner's/developer's expense.
15. 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.
16. Free and clear access to sewer must be maintained at all times.

Sewer & Drainage Services

No comments at time of print.

Fire Prevention

No comments at time of print.

Division of Environmental Services

No comments at time of print.

Division of Streets, Bridges & Harbor

17. The pavement on 16th Street is in poor condition and will need to be reconstructed in the near future. The anticipated trucks to the site would not significantly impact the pavement. DPU/SBH does not have objections to the proposed site plan.

STAFF RECOMMENDATION (cont'd)

Division of Transportation

18. Drive aisles on the parking lot do not meet the 25' minimum width requirement to accommodate two-way traffic. Appropriate modifications to the parking lot shall be made that meet the requirements of the Toledo Municipal Code.

Plan Commission

19. All lots of the development site shall be combined into a single taxable parcel identification number.

20. 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 (**not applicable, unless relocated from existing location**).

21. Dumpsters may not be located in the public right-of-way as stated in TMC§1361.10(b)(10) of the Building Code (**not applicable, unless relocated from existing location**).

22. 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.

23. 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)).

24. 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.

25. A detailed site, lighting, sign, fencing and four (4) 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:

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- a. A fifteen foot greenbelt is required along the Monroe Street, 16th Street and Washington Street frontages, and shall include a solid evergreen hedge planting and one tree per every 30 feet of frontage (**not applicable**).
- b. A Type A Landscape Buffer is required along the side of the property where the site abuts residential zoning. This buffer shall include ten feet of landscaping and a solid wood, board on board fence (**not applicable**).
- c. Foundation plantings for the full street-facing building elevation; and landscape areas at major building entrances (**not applicable**).
- d. All parking spaces must be within 100 linear feet of a landscaped area (**not applicable**).
- e. Topsoil must be back filled to provide positive drainage of the landscape area.
- 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. Landscape terminal islands must be provided at the end of each parking row area (**not applicable**).
- h. 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 (**not applicable**).
- i. 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 (**not applicable**).
- j. 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.
- k. 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 (**not applicable**).

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- l. The location, height and materials for any fencing to be installed and maintained.
 - m. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); and
 - n. The location, lighting and size of any signs.
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 and 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.
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.

SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-6001-16
DATE: July 14, 2016
TIME: 2:00 P.M.

CITY COUNCIL
COMMITTEE OF ZONING AND PLANNING
DATE: August 17, 2016
TIME: 4:00 P.M.

RS
Three (3) sketches follow

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GENERAL INFORMATION

Subject

Request	-	Minor Site Plan Review for indoor shooting range
Location	-	1902 Starr Avenue
Applicant	-	Marvin Belknap Competitive Home Properties, Inc. 1625 Starr Avenue Toledo, OH 43605
Architect	-	William R. Steele, AIA 2529 Talmadge Road Ottawa Hills, OH 43606

Site Description

Zoning	-	Regional Commercial / CR
Area	-	± 0.12 acres
Frontage	-	± 40' along Starr Avenue ± 126' along Howland Avenue
Existing Use	-	Office building
Proposed Use	-	Indoor shooting range
Parking Required	-	18 spaces
Parking Provided	-	12 spaces

Area Description

North	-	Parker Steel / IL
South	-	Alley, Single-Family Residential / RD6
East	-	Single-Family Residential /CR, RD6
West	-	Howland Avenue, Single-Family Residential / CR

Parcel History

None on record.

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Minor Site Plan Review for an indoor shooting range at 1902 Starr Avenue. The ± 0.12 acre site is currently occupied by an existing office building with a garage outbuilding in the back. The applicant intends to renovate the outbuilding with a ten-foot (10') addition on the north side for the shooting range. The applicant currently owns and operates an existing shooting range at 1625 Starr Avenue and intends to consolidate training courses and the shooting range at 1902 Starr Avenue. Surrounding land uses include industrial land uses to the north, single-family residential homes to the east, west and south of the property across the alley.

As a use category, indoor shooting ranges are defined as Sports and Recreation, Participant Indoor. Pursuant to TMC§1111.0802(A)(3), a Minor Site Plan Review is required for any off-street parking developments with more than five (5) parking spaces. Due to parking constraints on the site, the applicant is proposing an alternative parking plan which could potentially impact surrounding property owners. As a result of the potential encroachment on surrounding residential properties, the Planning Director has requested a staff report be generated for Plan Commission review and action on the proposed site plan.

Parking and Circulation

The applicant is proposing an alternative parking plan to include two off-site parking lots at 1625 Starr Avenue and 1950/1956 Starr Avenue. Both properties are appropriately zoned CR Regional Commercial and occupied by existing commercial office buildings. The property at 1625 Starr Avenue is located approximately 720 feet away from the proposed shooting range 1902 Starr Avenue and currently operates as a shooting range which will be consolidated at the new location. The property at 1950/1956 Starr Avenue is located approximately 340' from the proposed shooting range.

The property at 1902 Starr Avenue has inadequate parking on site and only enough room for two (2) spaces. Pursuant to TMC§1107.0304 *Parking, Loading, and Access* – Schedule A, Sports and Recreation, Participant Indoor facilities are required to have one (1) parking space per 150 square feet of building. The site plan indicates that the total square footage of the building is 2,585 square feet. A total of eighteen (18) parking spaces are required with one (1) van accessible parking spaces for physically disabled persons. The site plan depicts a total of twelve (12) parking spaces including the off-site parking lots, two (2) of which are accessible parking spaces with one (1) of the accessible spaces on site. Dimensional limitations with the parking configurations on each site restrict the development from satisfying the minimum parking requirements.

STAFF ANALYSIS (cont'd)

Parking and Circulation (cont'd)

Ingress and egress to a parking lot in a Commercial district must be from a major street or from a street located in a Commercial or Industrial district with Commercial or Industrial zoning on the opposite side of the street (TMC§1107.1203.A.). Although the proposed off-site parking lot at 1625 Starr Avenue is conforming to this regulation, the submitted site plan depicts the ingress and egress to the off-site parking lot at 1950/1956 Starr Avenue from an alley which is not a major street nor does it abut commercial or industrial zoning to the south. Ingress/egress to Starr Avenue at this location would have the same issue. Therefore, there is no way to access the 1950/1956 Starr Avenue parking lot without a waiver of TMC1107.1203.A.

Comments from the Division of Transportation indicated that the proposed parking located at 1950/1956 Starr Avenue does not meet the criteria for use of parking at a commercially zone establishment due to the parking for 1902 Starr Avenue interfering with the commercial use and the availability of parking at 1950/56 Starr Avenue for which it is intended, regardless of its current occupancy status. Additionally, the Division of Transportation is concerned with the off-site parking lot located at 1625 Starr Avenue not being within a reasonable distance to the main building. A revised site plan or documentation shall be submitted addressing the Division of Transportations comments listed as conditions of approval. Additional off-street parking locations may be required.

Landscaping

Because the building sits at the property line, there is little opportunity to provide landscaping along the Starr Avenue and Howland Avenue. Per TMC 1108.0203 Landscape Buffer and Screening Requirements, a Type A landscape buffer is required along all adjoining residential zoning districts surrounding the site and each off-site parking lot. If approved, this buffer shall include a solid privacy fence or wall and ten feet of landscaping including a combination of four (4) trees and fifteen (15) shrubs every one-hundred (100) linear feet. The site plan submitted does not depict any proposed changes to the landscaping. Existing landscaping is shown on the submitted site plan as grass but does not meet the minimum requirements for a Type A landscape buffer. However, the submitted site plan does depict a six-foot (6') tall solid wood fence screening each parking lot from adjoining residential properties.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets included parcels for Single-Family Residential land uses. Staff recommends disapproval of the Site Plan Review for this location because the proposed use is not consistent with the Toledo 20/20 Comprehensive Plan. Additionally, the Division of Transportation has objected to the approval of the submitted site plan. Finally, the proposed off-site parking lots do not provide safe, efficient and convenient movement of vehicle or pedestrian traffic to the site.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission disapprove SPR-16-16, a Minor Site Plan Review for an indoor shooting range at 1902 Starr Avenue for the following four (4) reasons:

1. The Division of Transportation has objected to the approval of the submitted site plan provided by the Plan Commission.
2. The request is not consistent with all standards of the Toledo Municipal Code, this Zoning Code and other adopted City policies including the Toledo 20/20 Comprehensive Plan (TMC§1111.00809.A. Approval Criteria); and
3. Vehicular ingress and egress to and from the site does not provide for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well (TMC§1111.0809.C. Approval Criteria).
4. The off-site parking lots do not provide for the safe, efficient and convenient movement of pedestrians on the subject site (TMC§1111.0809.D. Approval Criteria).

Although the staff is recommending disapproval, conditions of approval are listed by agency of origin as Exhibit “A” for informational purposes.

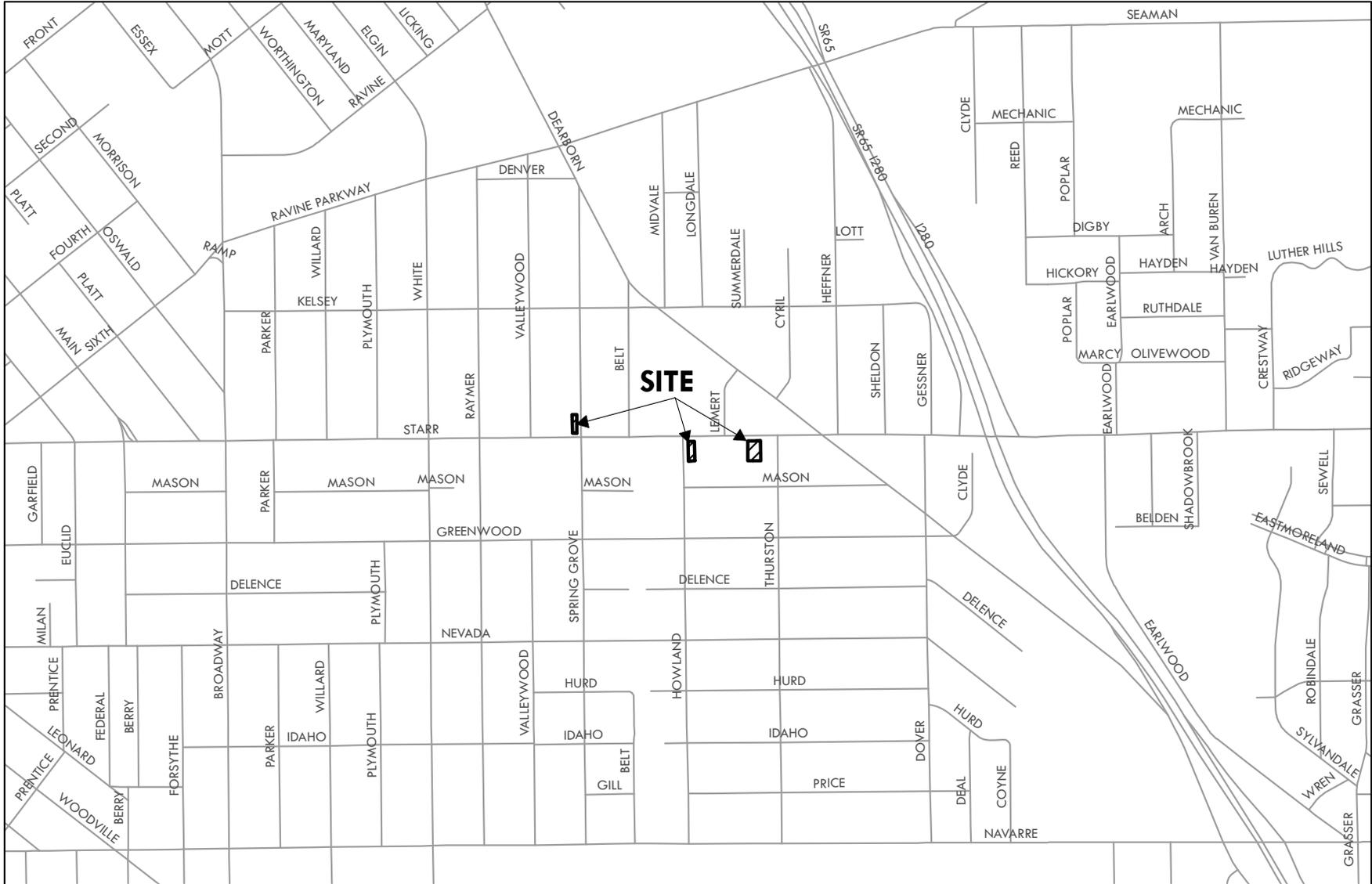
MINOR SITE PLAN REVIEW
TOLEDO CITY PLAN COMMISSION
REF: SPR-16-16
DATE: July 14, 2016
TIME: 2:00 P.M.

RS

Five (5) sketches and one (1) exhibit follows

GENERAL LOCATION

SPR-16-16
ID 26/28

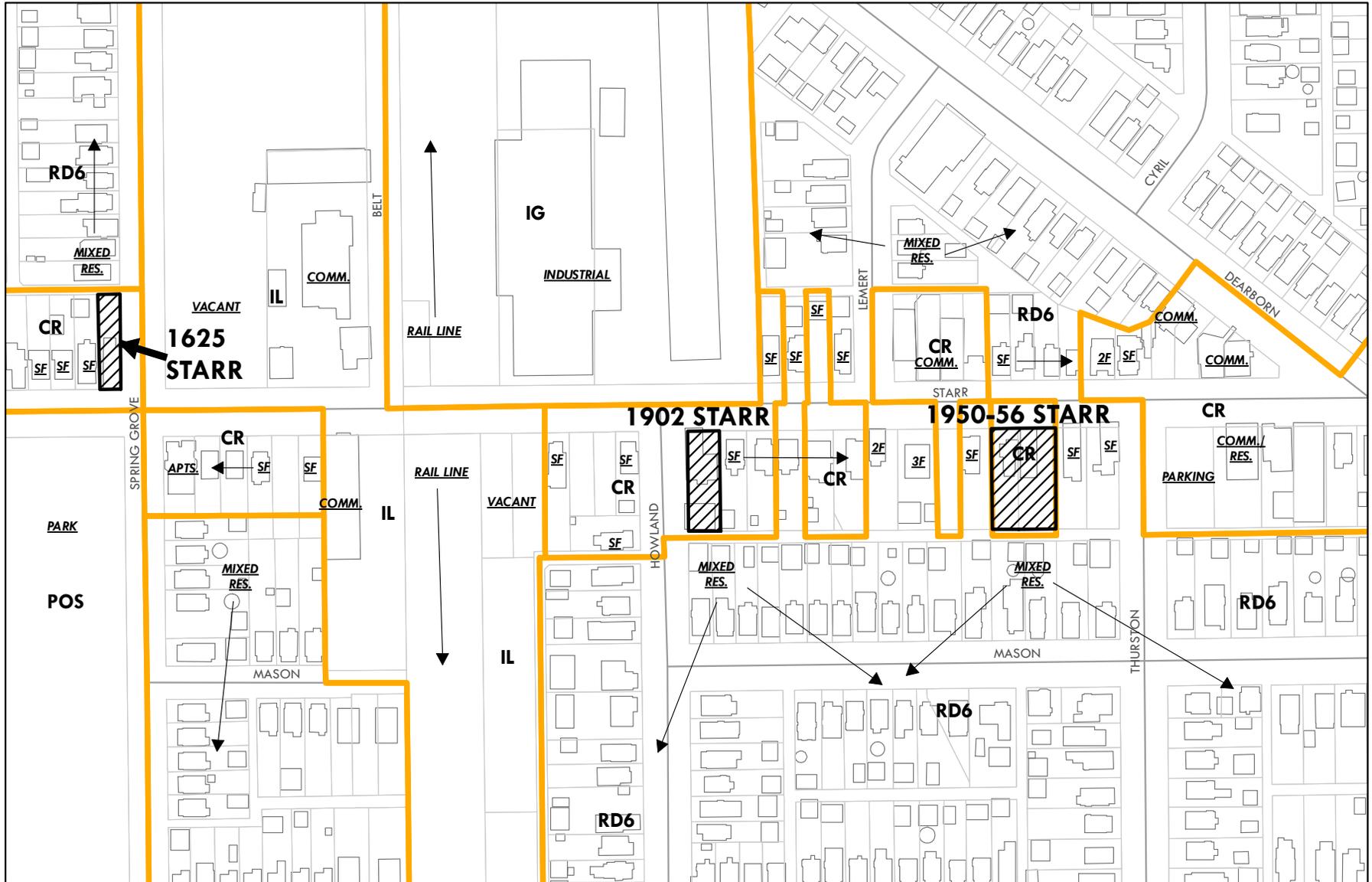


ZONING AND LAND USE

SPR-16-16
ID 26/28



9-9



SITE PLAN, 1625 STARR

SPR-16-16
ID 26/28



1625 STARR AVE.
LEGAL DESCRIPTION: HICKS FARM ADDITION BLOCK 22, LOT 53, CLEVELAND SUB.
 YEAR BUILT 1992
 STRUCTURE CODE: 048 RETAIL STORE / INDOOR PISTOL RANGE
ACRES: 0.0755 AC.
ABAL: 1,156 GROSS BUILDABLE AREA
ZONED: 10-CR NEIGHBOR DIRECTLY TO WEST AND NORTH ARE RESIDENTIAL.
CONCEPT: USE SOME OF THIS PARKING FOR USE AT OUR SHOOTING RANGE AT 1820 STARR AVENUE.
 EXISTING PARKING COMES DIRECTLY OFF OF — SPRING GROVE AVENUE.
 28 FEET FRONTAGE, 120 FEET DEPTH



OVERALL SITE PLAN for 1625, 1902 & 1956 STARR AVE.
SCALE: 1" = 200 FEET



SITE PLAN for 1625 STARR AVE.
SCALE: 1" = 10 FEET
NORTH



5/17/16
William R. Steen
Professional Engineer
2229 Tolandville Rd.
Toledo, Ohio 43606
419-704-9349
wsteen@wsteen.com
Ohio Architect #07-11770
Expiration 03/31/18

SITE PLAN AND RELATED ITEMS
 NEW CHP INDOOR PISTOL RANGE
 1902 STARR AVE.
 Toledo, OH 43605

SPLIT OF PARKING REQUIREMENTS SCHEDULE BY TMC CHAPTER 1107
 OFFICE USE
 1,156 SCHEDULED
 1941 = 225 = 1865
 1865/225 = 8.2 = 7 AUTOS
 5 CAR PARK AT 1956
 STARS AND 2 ON SITE AT SHOOTING RANGE. 1 IS VAN ACCESSIBLE.
 ALSO MR. BELANAP OWNS 1625 STARR FOR PARKING. SEE SP-3 FOR DETAILS.

02/12/16 Issued For Review
 02/26/16 Issued For Review
 03/29/16 Issued For Review
 04/12/16 Issued For Construction
 04/24/16 Issued For Site Plan Review
 05/07/16 Issued For Historical Approval
 05/11/16 Issued For Parking Striping
 05/11/16 Issued For City Approval
 05/17/16 Issued For Additional Parking



8-9

SITE PLAN, 1956 STARR

SPR-16-16
ID 26/28



1956 STARR AVE. PARKING LOT

LEGAL DESCRIPTION: YESJINS ADDITION LOT 8 AND EAST 8.5 FEET LOT 7.
YEAR BUILT 1922
OWNER: MICHAEL KABLE
STRUCTURE CODE: 046 RETAIL STORE
ZONE: 10-CF
NEIGHBOR DIRECTLY TO EAST IS RESIDENTIAL.
CONCEPT:
THE IDEA HERE IS TO ALLOW PARKING ON THIS SITE TO BE USED FOR SHOOTING RANGE AT 1820 STARR AVENUE.
46.5- FEET FRONTAGE, 126 FEET DEPTH
USE REAR OF YARD FROM ALLEY FOR PARKING TO BE USED AT 1820 STARR AVE. FOR SHOOTING RANGE PARKING.
UPGRADE PARKING WITH ASPHALT AND STRIPING 9' X 18' SPACES.

TO WHOM IT MAY CONCERN:
February 29, 2016

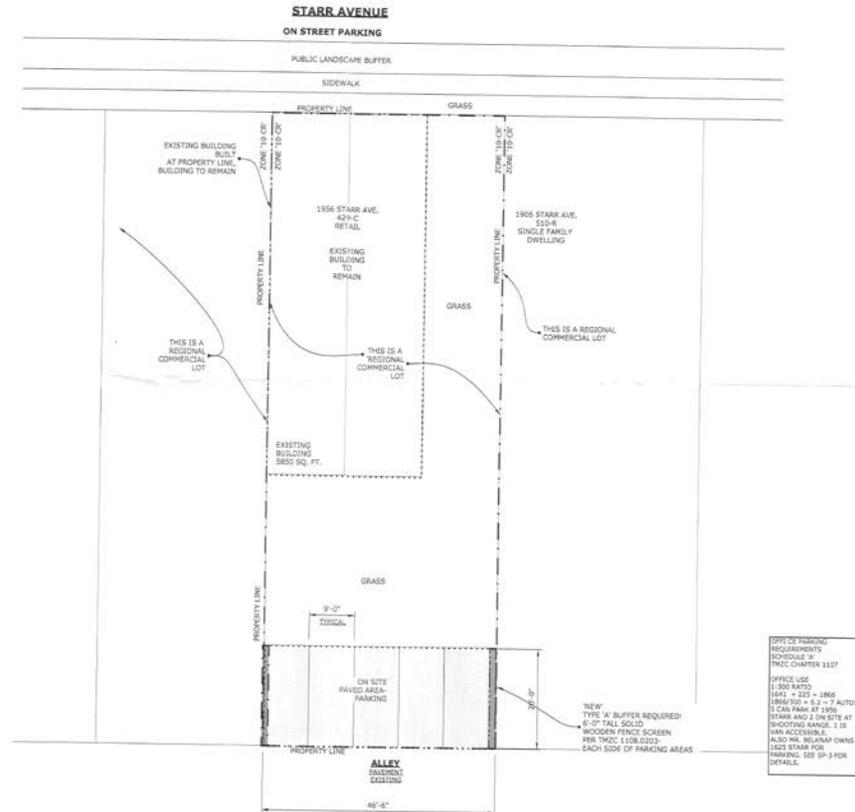
I hereby certify that the site of property located at 1956 & 1902 Starr Ave., Toledo, Ohio 43605, is now in my possession for THE PISTOL RANGE Indoor Pistol Range, Private Club, and CIPV (Center for Indoor Shooting) use of my property for the purpose of parking for their facility located at 1820 Starr Ave., Toledo, Ohio 43605. There are no other parking spaces located on the site of the property.

Respectfully,

Michael A. Kable
Michael A. Kable

FORM NUMBER 1107
SECTION 1603.02 AND 1603.03
SHARED PARKING
SHARED PARKING
LESS THAN 1,000 FEET
NON-RESIDENTIAL ZONING

NEIGHBOR CONCEPT LETTER FOR USE OF COMMERCIAL PARKING



OFFICE OF PARKING
REQUIREMENTS
SCHEDULE 'A'
TRUCK CHAPTER 1107
FR 1107
OFFICE USE
1:500 RATIO
1841' x 122' = 2866
1866/700 = 8.2 = 7 AUTOS
15 CAR PARK SP 1956
STARR AND 2 ON SITE AT
SHOOTING RANGE, 1 IS
VAN ACCESSIBLE.
ALSO, MR. KABLE OWNS
1820 STARR FOR
PARKING. SEE SP-3 FOR
DETAILS.



WILLIAM R. SHOUSE
Architect
13128 Kestrelville Ave.
Toledo, Ohio 43605
419-738-5149
wshouse@earthlink.net
Ohio Architect #0111173
Expiration 12/2014

SITE PLAN AND RELATED ITEMS
NEW CHIP INDOOR PISTOL RANGE
1902 STARR AVE.
Toledo, OH 43605

FOR CITY REVIEW FOR REVIEW
FOR CITY REVIEW FOR REVIEW

SITE PLAN for 1956 STARR AVE.
SCALE: 1" = 10 FEET
NORTH



SP-2
AAA

6-9

Exhibit “A”
Review Agency Conditions

The following twelve (12) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Fire Prevention

1. Owner shall comply with all applicable requirements (Ohio Fire Code NFPA 495) regarding the storage and use of small arms, ammunition, small arms primers, smokeless propellants and black powder. OFC Section 3306, NFPA 495.

Transportation

2. The proposed parking located at 1956 Starr Ave. does not meet the criteria for use as parking at a commercially zone establishment. The lot is for use at 1956 Starr Ave. regardless of its current habitation status. Use for patrons for 1902 Starr interferes with the availability of the parking at the structure for which it is intended.
3. The Division of Transportation desires to be judicious regarding the distance of the additional required parking located at 1625 Starr Ave. The proposed distance of this off-site parking lot is not within a reasonable distance to the main building.

Plan Commission

4. Applicant shall obtain a waiver to **TMC1107.1203.A.** to allow for ingress/egress to a commercial property outside of commercial district or major street with commercial or industrial zoning on the opposite side of the street.
5. 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 (**not applicable**).
6. 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)).
7. 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.

Exhibit “A” (cont’d)

Plan Commission (cont’d)

8. A detailed site, lighting, sign, fencing and four (4) 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 greenbelt is required along the Starr Avenue frontage, and shall include a solid evergreen hedge planting and one tree per every 30 feet of frontage; **(not applicable)**.
 - b. A Type A Landscape Buffer is required along the rear and side of the property where the site abuts residential zoning. This buffer shall include ten feet of landscaping and a solid wood, board on board fence; **not acceptable as depicted on site plan.**
 - c. 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 **(not applicable)**.
 - d. Foundation plantings for the full street-facing building elevation; and landscape areas at major building entrances;
 - e. Total interior landscaping shall be 20 square feet per parking space. Landscape areas within the parking area shall be peninsular or island types and must be constructed with 6 inch by 18 inch concrete curbing; **(not applicable)**.
 - f. All parking spaces must be within 100 linear feet of a landscaped area; **(not applicable)**.
 - g. Topsoil must be back filled to provide positive drainage of the landscape area.
 - h. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage;
 - i. 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; **not acceptable as depicted on site plan.**

Exhibit “A” (cont’d)

Plan Commission (cont’d)

- j. 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.
 - k. The location, height and materials for any fencing to be installed and maintained.
 - 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.
9. 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.**
 10. 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.
 11. Per TMC§1111.0814, if a building permit is not issued within one year of this approval date (7-14-2016) then the site plan approval shall become null and void.
 12. 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 - Zone Change from RS6 Single-Family Residential to CN Neighborhood Commercial
- Location - 5129 Bennett Road
- Applicant - Daphne Zimmerman
Mayfair Appliance
633 State Street
Elmore, OH 43416
- Property Owner - Fatme Ismail
5905 Donnelly
Toledo, OH 48144

Site Description

- Zoning - RS6 Single-Family Residential
- Area - ± 0.21 Acres
- Frontage - ± 78' along Bennett Road
± 117' along Cloverdale Road
- Existing Use - Vacant convenience store
- Proposed Use - General Retail, new and used appliance store

Area Description

- North - Single-family and Duplex Residential / RS6
- South - Single-family and Duplex Residential / RS6
- East - Bennett Venture Academy (school) / RS6
- West - Single-family Residential / RS6

Parcel History

None on record.

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Zone Change from RS6 Single-family Residential to CN Neighborhood Commercial for a site located at 5129 Bennett Road. The .21-acre site is located at the southeast corner of Bennett and Cloverdale Road. The site is occupied by an existing commercial structure that was built in 1947 and has an area of 3,128 square feet. The applicant is proposing to use the site for General Retail, including the sales of new and used appliances, and repair services on existing appliances. A Zone Change is required for the location because General Retail sales are not permitted in RS6 single-family residential zoning districts.

Surrounding land uses include single-family residential uses to the north, south, east and west. A school is located immediately across Bennett Road to the east. The parcels surrounding the site are all zoned RS6 single-family residential uses. The existing commercial structure is out of context within the neighborhood and is considered a non-conforming use within the RS6 zoning district.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area and the neighborhood around the site for Single-Family Residential land uses. Staff recommends disapproval of the applicant's request because the proposed rezoning is not consistent with the Toledo 20/20 Comprehensive Plan. Furthermore, this area of Bennett Road is residential in terms of surrounding land uses and zoning classifications. The character of this area is overwhelmingly residential. The proposed CN zoning is out of character and would constitute a spot zoning. A Zone Change to CN could set a precedent and make nearby properties vulnerable to commercial encroachment.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend disapproval of Z-5001-16, a Zone Change from RS6 Single-family Residential to CN Neighborhood Commercial at 5129 Bennett Road to Toledo City Council for the following four (4) reasons:

1. The request is not consistent with The Toledo 20/20 Comprehensive Plan (TMC§1111.0606(A) Review and Decision Making Criteria).
2. The requested CN Neighborhood Commercial zoning is not compatible with existing land uses within the general vicinity (TMC§1111.0606(B) Review and Decision Making Criteria); and
3. The requested CN Neighborhood Commercial zoning is not compatible with zoning classifications of properties within the general vicinity (TMC§1111.0606(C) Review and Decision Making Criteria).

STAFF RECOMMENDATION (cont'd)

4. The proposed zoning is out of character with the surrounding area and would constitute a spot zoning, resulting in nearby properties being vulnerable to commercial encroachment.

ZONE CHANGE
TOLEDO CITY PLAN COMMISSION
REF: Z-5001-16
DATE: July 14 2016
TIME: 2:00 P.M.

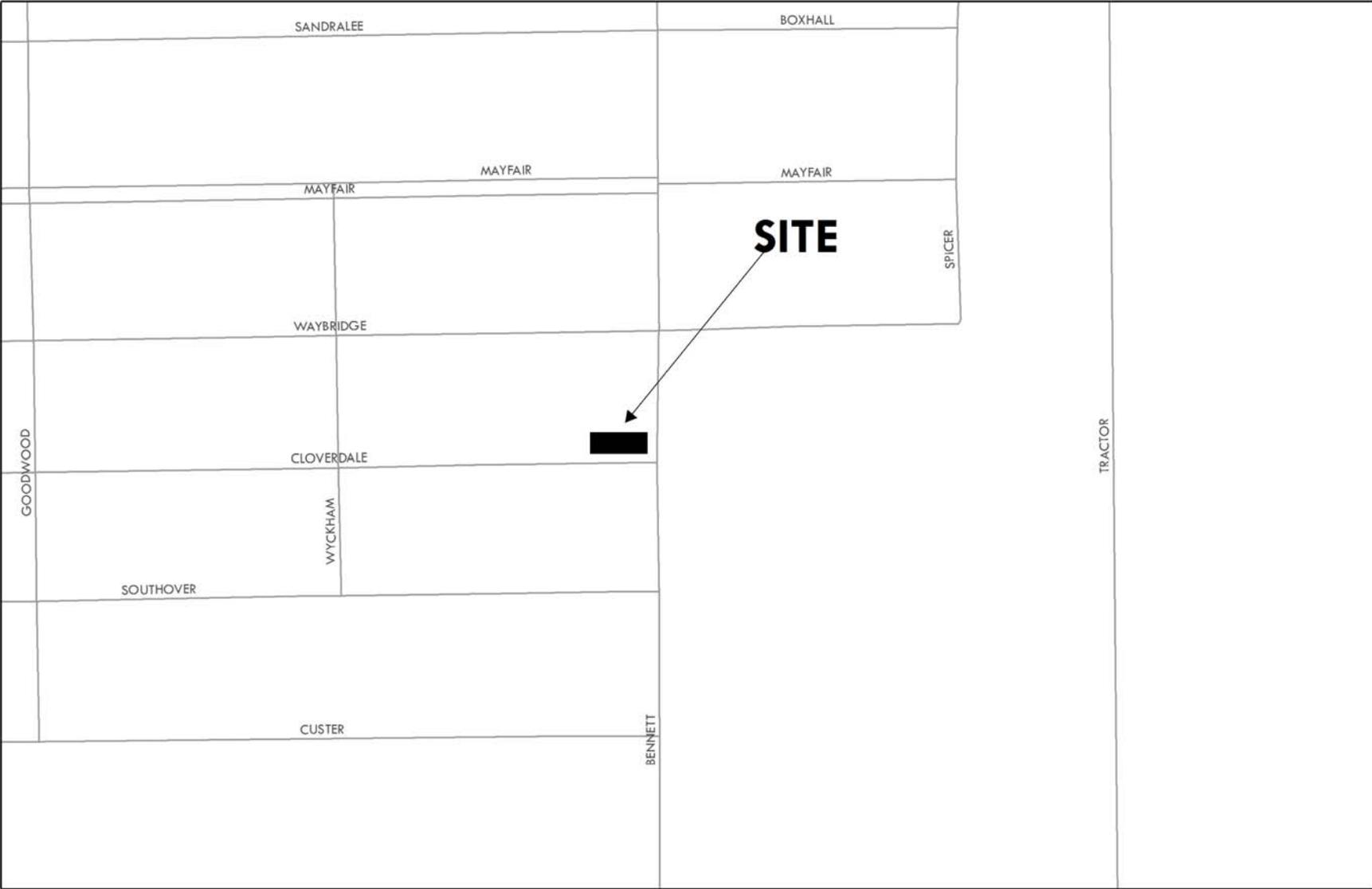
CITY COUNCIL
COMMITTEE OF ZONING AND PLANNING
DATE: August 17, 2016
TIME: 4:00 P.M.

RS

Two (2) sketches follow

GENERAL LOCATION

Z-5001-16
ID 58

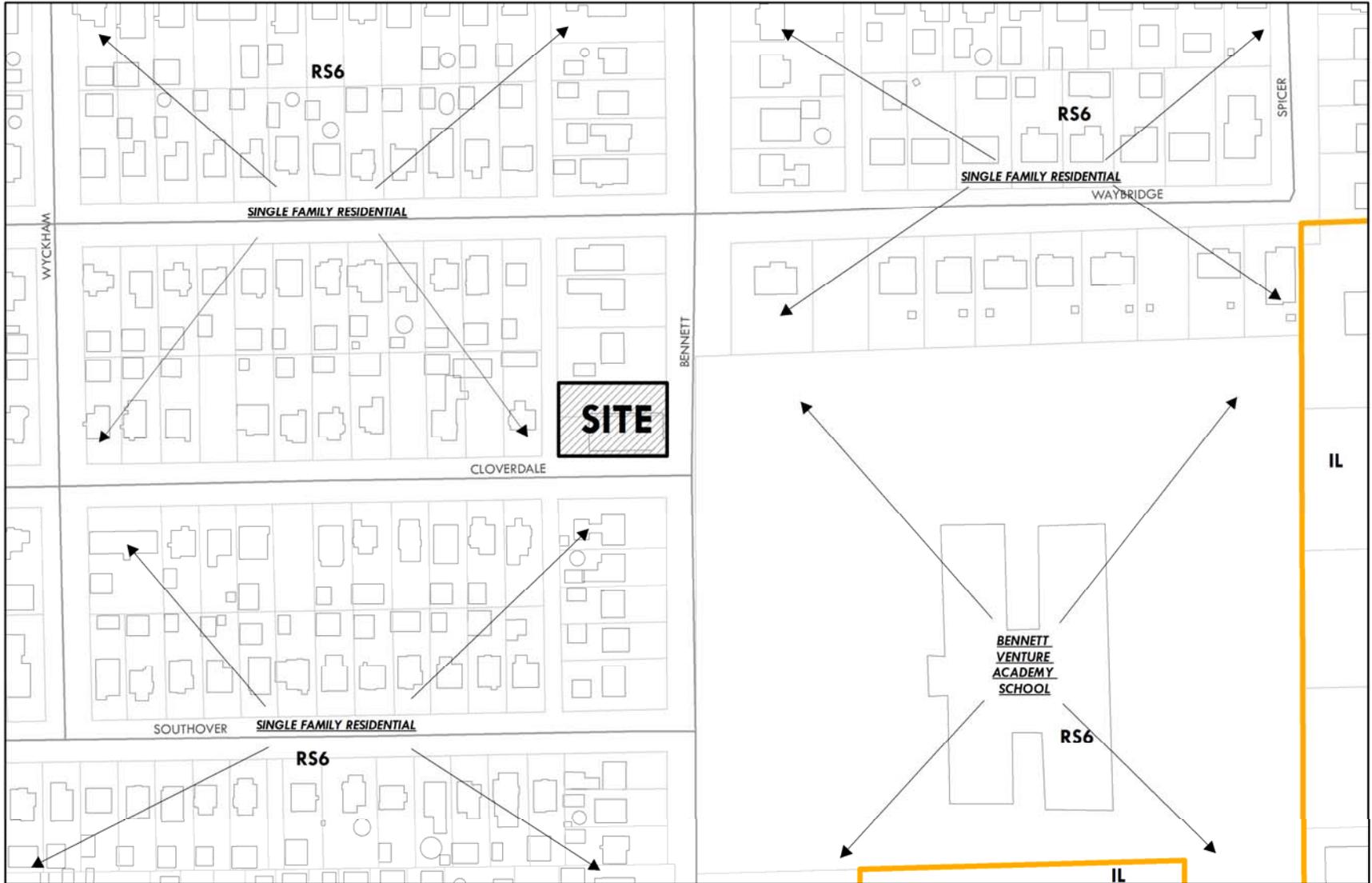


ZONING & LAND USE

Z-5001-16
ID 58



7-5



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GENERAL INFORMATION

Subject

- Request - Special Use Permit for a Used Auto Sales Lot
- Location - 4656-4665 North Detroit Avenue
- Applicant - Ibrahim Ismail
3426 Kenwood Boulevard
Toledo, Ohio 43606
- Engineer - John Weithman, P.E.
P.O. Box 184
Waterville, Ohio 43566

Site Description

- Zoning - Regional Commercial / CR
- Area - ± 0.41 acres
- Frontage - ±215' on North Detroit Avenue
±78' on California Boulevard
- Existing Use - Used Auto Sales Lot
- Proposed Use - Used Auto Sales Lot
- Parking Required - 14 total customer parking spaces (1 per 5,000 square feet of open sales area (±5,460 sq ft) plus 1 per 500 square feet of enclosed sales area (±1,935 sq ft), plus 1.5 per service bay (5 service bays))
- Parking Provided - 29 spaces with no customer parking depicted

Area Description

- North - California Blvd, vacant used auto sales lot / CR
- East - N. Detroit Avenue, Vacant used auto sales lot, open surface parking, K-Limited Carrier truck depot / CR
- South - Mixed use building, Pasedena Blvd, Restaurant Supply / CR, IL
- West - Single Family Residential / RS6

Parcel History

No records on file.

GENERAL INFORMATION (cont'd)

Applicable Regulations

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

STAFF ANALYSIS

This case was deferred from the May 12, 2016 Plan Commission hearing in order for the applicant to prepare a revised site plan addressing the comments from the Division of Transportation. The request is for a Special Use Permit to operate a used auto sales lot at 4656-4665 North Detroit Avenue. The overall site is 0.41 acres and consists of two (2) parcels which have frontage on Detroit Avenue and California Street. The current site is occupied by an auto repair/sales structure with a gross building area of 7,552 square feet and contains seven (7) service bays. Surrounding land uses include a mixture of single and multi-family homes immediately behind the subject property to the west with Regional Commercial land uses abutting the subject property to the north and south along Detroit Avenue.

The used auto sales lot was established without a Special Use Permit and has operated as a non-conforming use since the current owner purchased the building four years ago, as listed by the Lucas County Auditor's Real Estate Information System. A Special Use Permit has been required for all Used Automobile and Recreational Vehicle Sales facilities since 2004.

A revised site plan was submitted in response to the concerns and comments made in the initial staff report. However, intensity and dimensional constraints still restrict the site in meeting minimum requirements for used auto sales lots, landscaping and parking standards, as well as the conditions from the Division of Transportation.

Used Auto Regulations

TMC§1104.0300 – *Auto and RV Sales, Used Only* outlines site design criteria for used auto sales facilities, including criteria governing minimum lot size and frontage. Used auto sales facilities shall be located on a lot with a minimum lot area of no less than one-half (0.5) acre and have minimum average width of 150 feet along the main road frontage. The site meets the minimum frontage requirements. The calculated property area submitted on the site plan is not consistent with the area listed by the County Auditor's. However, the acreage of the site per the site plan is 0.425 acres and not in compliance with the regulation.

Site plans for Used Automobile and Recreational Vehicle Sales shall delineate, with dimensions, parking areas and drive aisles for the outdoor display area and customer/employee parking area. Used vehicle inventory shall only be displayed, parked or located within designated parking spaces approved and defined on the plan. Required customer/employee parking may not be used for used vehicle inventory (TMC§1104.0308). The revised site plan submitted does not delineate the outdoor display areas with customer parking and therefore not in compliance with this regulation.

STAFF ANALYSIS (cont'd)Parking and Circulation

Pursuant to TMC§1107.0304 – *Parking, Loading, and Access*: Schedule A, a Used Auto and Recreational Vehicle Sales/Rental facility is required to have one (1) parking space per every 5,000 square feet of open sales area, plus one (1) parking space per every 500 square feet of enclosed sales area, plus one and one half (1.5) spaces per every service bay. The revised site plan submitted did not depict outdoor display areas with customer parking therefore staff is unable to determine if parking requirements can be met on site. Calculations using the square footage open sales area (5,460 sq. ft.), enclosed sales area (1,935 sq. ft.) and five (5) service bays conclude that a total of fourteen (14) customer spaces are required. The revised site plan submitted depicts a total of twenty-nine (29) parking spaces but no customer parking spaces.

The revised site plan submitted depicts parking spaces in front of the existing service bays which are not permitted unless the service bays are removed. Additionally, current conditions on the site include vehicles being displayed in the right-of-way along North Detroit Avenue. This is not permitted as it restricts pedestrian traffic and obstructs visibility from California Boulevard to North Detroit Avenue, increasing the risk for collisions. Furthermore, the Division of Transportation has objected to the approval of the revised site plan submitted. Comments from the Division of Transportation identifying several issues with the site are listed as conditions of approval in Exhibit “A”. If approved, a revised site plan shall be submitted addressing the parking requirements and comments by the Division of Transportation.

Landscaping

A fifteen (15') foot frontage greenbelt is required along North Detroit Avenue and California Boulevard. The frontage greenbelt shall include a solid evergreen hedge along North Detroit Avenue to screen the parking lot. Low, undulating (horizontal and vertical) earth berms or decorative stone or brick walls (no concrete block), or ornamental metal fencing or combinations thereof may also be approved by the Planning Director. The revised site plan submitted did not depict any proposed landscaping in the frontage greenbelt. However, due to a high percentage of building coverage on the property ($\pm 42\%$) and the current front building setback, the installation of a frontage greenbelt is limited on site without encroaching into city right-of-way.

If approved, a Type A landscape buffer will be required along the western property line of the site that abuts the residential zoning district. Said screen and buffer shall consist of a solid six to eight foot (6'-8') tall fence or wall. Fencing is to be installed so that the smooth/flush side faces away from the development site. The revised site plan depicts a six foot (6') tall chain link fence which is not an acceptable buffer along the western property boundary. Although the building setback restricts the installation of landscaping buffer along the whole western property line to the north, staff will require a ten foot (10') landscaping buffer between the residential properties and the parking lot behind the indoor sales area. The landscaping buffer shall consist of two (2) canopy trees with eight (8) shrubs. A completed Landscaping Plan must be submitted in compliance with TMC§1108.0000.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Neighborhood Commercial land uses. CN land uses typically include predominantly small and medium scale commercial uses that serve neighborhoods. Small and medium scale office and mixed uses are permitted uses in the CN zoning designation. Auto oriented uses are not considered as a land use that serves neighborhood zoning districts.

Staff recommends disapproval of the Special Use Permit for this location for several reasons. First, it does not meet the minimum lot size requirements for used auto sales lots per TMC§1104.0306. Second, the Division of Transportation has objected to the approval of the site plan for multiple reasons. Third, the proposal does not comply with all applicable provisions of the zoning code as outlined in TMC§1111.0706 Review and Decision-making Criteria. Finally, the site is too small to comply with applicable parking and landscaping requirements.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend disapproval of SUP-3005-15, a Special Use Permit for a used car lot located at 4656-4665 North Detroit Avenue, to Toledo City Council for the following four (4) reasons:

1. The request does not meet the provisions of TMC§1104.0306 for used auto sales requiring a minimum lot size of one-half (0.5) acre of area.
2. The Division of Transportation has objected to the approval of the submitted site plan provided by the Plan Commission.
3. The proposed use does not comply with all applicable provisions of this Zoning Code (TMC§1111.0706.B Review & Decision-Making Criteria); and
4. The site is too small to meet minimum applicable parking and landscaping requirements.

Although staff is recommending disapproval, conditions of approval are included and listed by agency of origin as Exhibit "A" for informational purposes.

REF: SUP-3005-16. . July 14, 2016

SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-3005-16
DATE: July 14, 2016
TIME: 2:00 P.M.

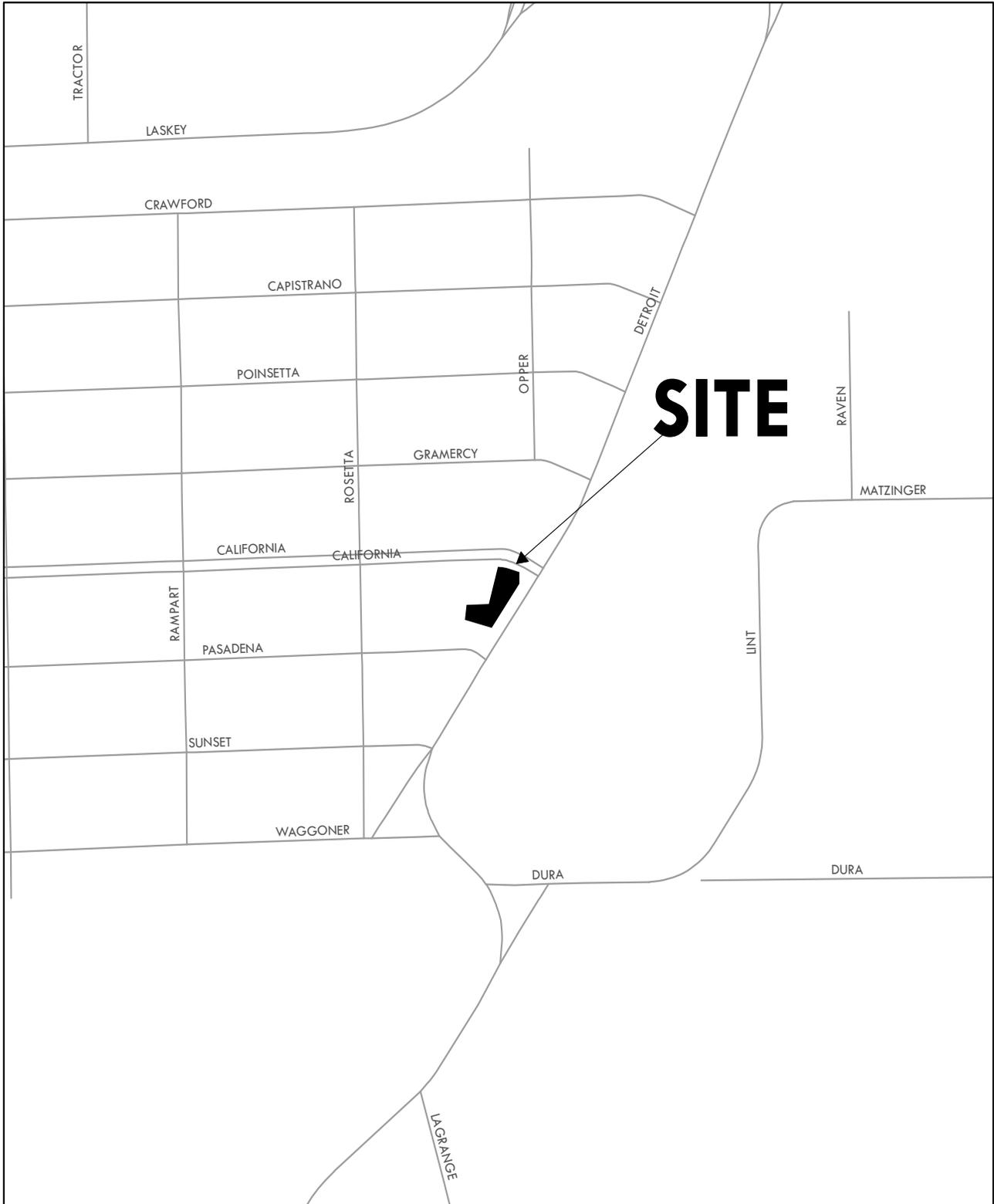
TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: August 17, 2016
TIME: 4:00 P.M.

RS

Three (3) sketches and One (1) exhibit follow

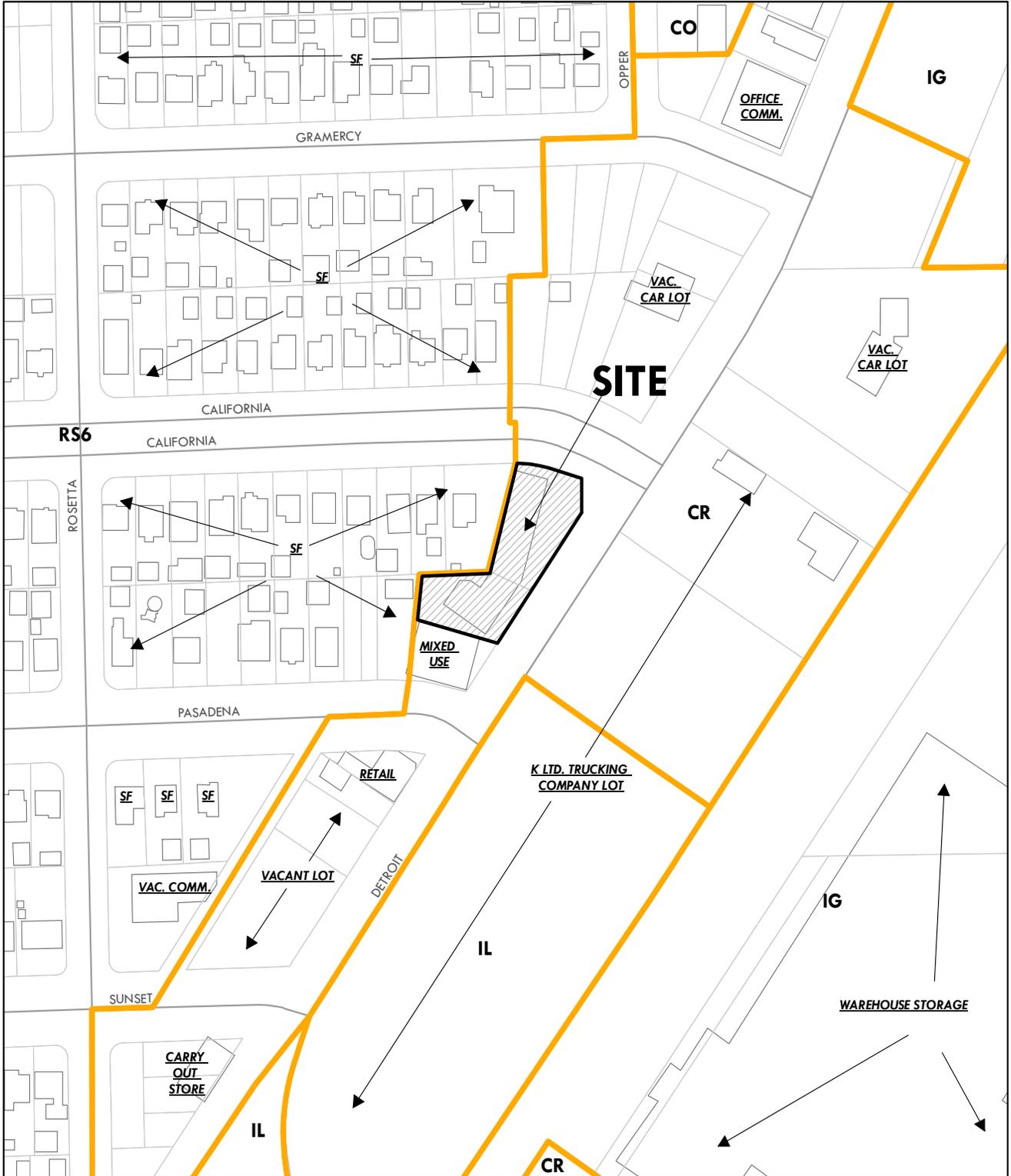
GENERAL LOCATION

SUP-3005-16
ID 38



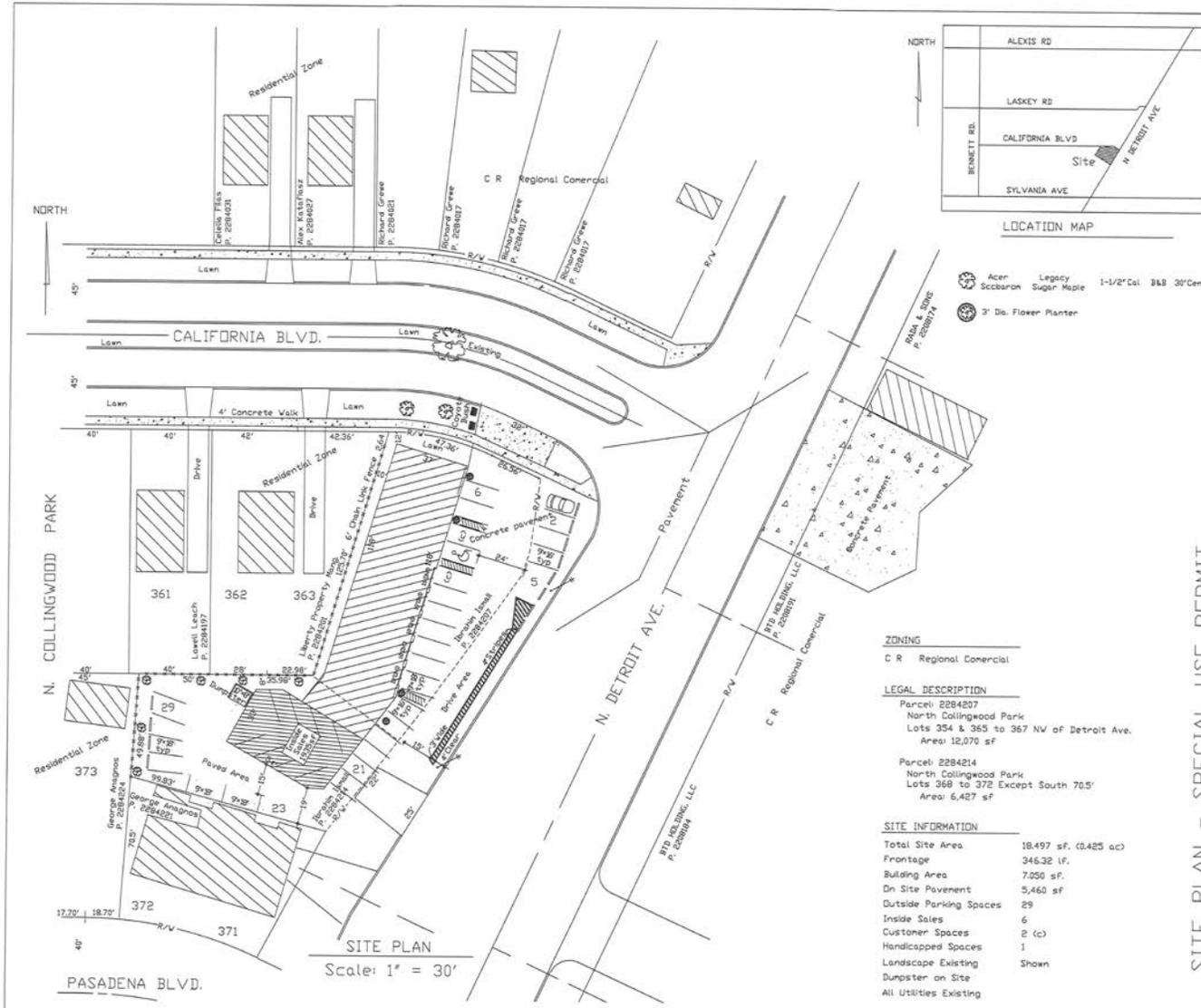
ZONING AND LAND USE

SUP-3005-16
ID 38



SITE PLAN

SUP- 3005-16
ID 38



- Acer Legacy 1-1/2" Cal 3x3 30"Cent.
- Scabron Sugar Maple 1-1/2" Cal 3x3 30"Cent.
- 3' Dia. Flower Planter

ZONING
C R Regional Commercial

LEGAL DESCRIPTION
Parcel: 2284207
North Collingwood Park
Lots 354 & 365 to 367 NV of Detroit Ave.
Area: 12,070 sf

Parcel: 2284214
North Collingwood Park
Lots 368 to 372 Except South 70.5'
Area: 6,427 sf

SITE INFORMATION

Total Site Area	18,497 sf. (0.425 ac)
Frontage	346.32 (f.)
Building Area	7,050 sf.
On Site Pavement	5,460 sf
Outside Parking Spaces	29
Inside Sales	6
Customer Spaces	2 (c)
Handicapped Spaces	1
Landscape Existing	Shown
Dumpster on Site	
All Utilities Existing	

SITE PLAN
Scale: 1" = 30'



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

IBRAHIM ISMAIL dba. DIRECT AUTO SALES
4665 N. DETROIT AVE.
TOLEDO, OHIO

SITE PLAN - SPECIAL USE PERMIT

REVISION	06/06/16
DATE	03/24/16
DRAWING	1 of 1

EXHIBIT “A”
Review Agency Conditions

The following thirty-eight (38) 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.** Existing drive approaches, including the curb drop, that will no longer be utilized shall be removed and restored with curb to match the adjacent curb.
4. Required permits for all approved work in the public right-of-way shall be obtained before work begins from One Stop Shop, (419) 245-1220.

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

5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
6. Plans for new water service or modifications to existing water service shall be submitted to the Division of Engineering Services for review and approval.
7. All commercial properties are required to have approved backflow-protection devices installed on the domestic water service and fire-protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with BSIonlinetracking.com at 800-414-4990. Where devices are missing, they shall be added. Contact the Division of Water Distribution (419-245-1395) to verify the backflow-prevention requirements for this site.

EXHIBIT “A” (cont’d)

Division of Engineering Services (cont’d)

8. The design professional and/or property owner shall submit written documentation to the Division of Water Distribution that no changes are being made to the existing water service, meter setting, or backflow-protection device and that these devices are properly installed, tested, and in good working order. The City, at its discretion, has the authority to mandate the entire service, including meter and backflow prevention device, be brought into compliance with current City of Toledo’s standards.
9. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire-protection requirements for this site.
10. 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

11. All private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
12. All 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

No concerns.

EXHIBIT “A” (cont’d)

Division of Environmental Services

13. Applicant shall maintain compliance with the City of Toledo’s Stormwater regulations as specified in the Toledo Municipal Code.
14. Applicant shall maintain compliance with Ohio EPA’s General Stormwater NPDES permit programs.
15. Any green infrastructure measures that can be included to minimize runoff and increase infiltration are highly advisable. An in-depth Stormwater Pollution Prevention Plan is also recommended especially containment of all pollutants associated with the proposed operation.
16. Applicant shall maintain compliance with the City of Toledo’s stormwater regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential stormwater impacts from the facility, including but not limited to long-term operation and maintenance of both structural and non-structural Best Management Practices.
17. Applicant shall maintain compliance with the City of Toledo 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.

Building Inspection

No comments at time of print.

Division of Transportation

18. Vehicles are not permitted to be parked in the right of way. The site plan shows vehicles parked in the right of way.
19. All drive aisles must be a minimum of 25’ to accommodate two-way traffic. The drive aisles shown do not meet this requirement.
20. The minimum dimensional requirement for all standard parking stalls dimensions is 9’x 18’; some parking spaces are shown 9’x16’.
21. The site plan must indicate what parking is designated for customer use, what parking is designated for employee use and what parking is designated for sales vehicles. The site plan does not label these areas.
22. Parking spaces are not permitted to block building access. The site plan shows parking located in front of the building labeled “inside sales.”

EXHIBIT “A” (cont’d)

Division of Transportation (cont’d)

23. The building labeled inside sales is inadequate for the proposed use.
24. The proposed use of the site for auto sales is too intense for the site. Minimum requirements for parking stalls, drive aisles and approaches and will be difficult to meet given the disposition of the site. The size and configuration of the site leaves it with limited options for use in commercial purposes.

Division of Economic Development

No comments at time of print.

Plan Commission

25. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks; **acceptable as depicted on revised site plan.**
26. Dumpsters may not be located in the public right-of-way as stated in TMC§1361.10(B)(10) of the Building Code; **acceptable as depicted on revised site plan.**
27. All lots of the development site shall be combined into a single taxable parcel identification number.
28. Elevated displays lifts or metal structures used in conjunction with the display of motor vehicles shall be permitted only within those areas specifically designated upon the Site Plan and shall not be allowed in any required front yard. (TMC§1104.0302(A)) **(if applicable).**
29. 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.
30. All vehicles on display must be parked in striped parking spaces that shall be designated on an approved Site Plan. Vehicle parking that deviates from the approved Site Plan shall not be permitted.
31. Repairs and services of vehicles shall be conducted wholly within an enclosed building permanently located on the site.

EXHIBIT “A” (cont’d)

Plan Commission (cont’d)

32. 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)).
33. 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.
34. If the existing sales building is rebuilt or modified in the future, 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.
35. A detailed site, lighting, sign, fencing and four (4) 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 15’ greenbelt is required along the North Detroit Avenue and California Boulevard frontages, and shall include a solid evergreen hedge planting and one tree per every 30 feet of frontage; **applicable where building setback allows for landscaping. Shall be noted on completed landscaping plan.**
 - b. A Type A Landscape Buffer is required along the rear of the property where the site abuts residential zoning. This buffer shall include ten feet of landscaping and a solid wood, board on board fence; **applicable where building setback allows for landscaping, required around the parking lot behind the indoor sales area. Shall be noted on completed landscaping plan.**
 - c. 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.
 - d. Foundation plantings for the full street-facing building elevation; and landscape areas at major building entrances; **acceptable as depicted on revised site plan.**

EXHIBIT “A” (cont’d)

Plan Commission (cont’d)

- e. Total interior landscaping shall be 20 square feet per parking space. Landscape areas within the parking area shall be peninsular or island types and must be constructed with 6 inch by 18 inch concrete curbing; **shall be noted on completed landscaping plan.**
 - f. All parking spaces must be within 100 linear feet of a landscaped area;
 - g. Topsoil must be back filled to provide positive drainage of the landscape area.
 - h. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage; **shall be noted on completed landscaping plan.**
 - i. Landscape terminal islands must be provided at the end of each parking row; **shall be noted on completed landscaping plan.**
 - j. 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); **shall be noted on completed landscaping plan.**
 - k. 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; **shall be noted on completed landscaping plan.**
 - l. 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.
 - m. The location, height and materials for any fencing to be installed and maintained.
 - n. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); and
 - o. The location, lighting and size of any signs.
36. 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.**

EXHIBIT “A” (cont’d)

Plan Commission (cont’d)

37. 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.
38. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

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GENERAL INFORMATION

Subject

- Request - Special Use Permit for a Used Auto Sales Lot
- Location - 2965-2975 West Sylvania Avenue
- Applicant - John Murphy
Murphy Properties
3749 W. Erie Road
Temperance, MI 48182
- Engineer - George Oravec
Oravec & Associates, LLC.
5333 Secor Road #2
Toledo, Ohio 43623

Site Description

- Zoning - CR Regional Commercial
- Area - ± 0.34 acres
- Frontage - ±135' on Sylvania Avenue
±109' on Doty Street
- Existing Use - Used Auto Sales Lot
- Proposed Use - Used Auto Sales Lot
- Parking Required - 6 total required spaces (1 per 5,000 square feet of open sales area (±10,000 sq ft) plus 1 per 500 square feet of enclosed sales area (±500 sq ft), plus 1.5 per service bay (2 service bays))
- Parking Provided - 25 spaces with no customer parking depicted

Area Description

- North - Office, Photography Studio, Funeral Home / CR
- South - Single Family Residential / RS6
- East - Chiropractor / CN
- West - Comic Bookstore / CR

Parcel History

No records on file.

GENERAL INFORMATION (cont'd)

Applicable Regulations

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

STAFF ANALYSIS

This case was deferred from the April 14, 2016 and June 9, 2016 Plan Commission hearing in order for a representative to be present. The request is for a Special Use Permit to operate a used auto sales lot at 2965-2975 West Sylvania Avenue. The overall site is comprised of four (4) parcels and has frontage on West Sylvania Avenue and Doty Street. The current site is occupied by one (1) auto repair structure with an area of roughly 1,400 square feet and contains two service bays. Surrounding land uses include a mixture of single and multi-family homes immediately behind the subject property with Neighborhood Commercial land uses abutting the subject property along Sylvania Avenue.

The applicant is requesting a Special Use Permit to continue to operate a used auto sales lot. On November 24, 2015, the Division of Code Enforcement issued a citation for motor vehicles parked in the City right-of-way and operating a used auto sales lot without a Special Use Permit. A Special Use Permit has been required for all Used Automobile and Recreational Vehicle Sales facilities since 2004.

Used Auto Regulations

TMC§1104.0300 – *Auto and RV Sales, Used Only* outlines site design criteria for used auto sales facilities, including criteria governing minimum lot size and frontage. Used auto sales facilities shall be located on a lot with no less than one-half (1/2) acre and have a minimum average width of 150 feet along the main road frontage. The site plan submitted is not in compliance with these regulations.

Site plans for Used Automobile and Recreational Vehicle Sales shall be delineated, with dimensions, parking areas and drive aisles for the outdoor display area and customer/employee parking area. Used vehicle inventory shall only be displayed, parked or located within designated parking spaces approved and defined on the plan. Required customer/employee parking may not be used for used vehicle inventory (TMC§1104.0308). The site plan submitted does not delineate the outdoor display areas with customer parking and therefore not in compliance with this regulation.

STAFF ANALYSIS (cont'd)

Parking and Circulation

Pursuant to TMC§1107.0304 – *Parking, Loading, and Access*: Schedule A, a Used Auto and Recreational Vehicle Sales/Rental facility is required to have one (1) parking space per every 5,000 square feet of open sales area, plus one (1) parking space per every 500 square feet of enclosed sales area, plus one and one half (1.5) per every service bay. The site plan depicts a total 10,000 square feet of open sales area, requiring two (2) customer parking spaces on the site.

Calculations using the square footage of enclosed sales (1 per 500 sq. ft.) and two (2) service bays would require an additional four (4) customer spaces. The site plan submitted depicts a total of twenty-five (25) parking spaces but does not depict the total number of customer parking spaces. Total customer parking required for this site is six (6) spaces and these spaces shall be noted on a revised site plan.

Comments from the Division of Transportation identified several issues with the site required to be in conformance with the Toledo Municipal Code. The drive on to Doty Street is not permitted in its current location and shall be removed. The parking space closest to Sylvania Avenue does not meet the minimum dimension requirements. The drive aisles on the eastern portion of the property do not meet the requirement of twenty-five foot (25') wide access drive aisles. The parking spaces proposed in the center of the lot are not permitted to be perpendicular to other parking spaces. Finally, there is no parking for persons with disabilities shown on the site plan. ADA parking is required and must meet the requirements of the Toledo Municipal Code. If approved, a revised site plan shall be submitted addressing the concerns raised by the Division of Transportation.

Landscaping

The site was developed before the 2004 zoning code and therefore not required to completely comply with the landscape standards of the 2004 code. However, TMC§1114.0500 Appearance Upgrade for Nonconforming Development, requires futures changes to bring a site closer into compliance with the 2004 code. The site plan submitted did not depict any landscaping proposed on the site however, conditions of approval are listed in Exhibit "A".

A fifteen (15') foot frontage greenbelt is required along Sylvania Avenue and Doty Street. The frontage greenbelt shall include a solid evergreen hedge along both frontages to screen the parking lot. Low, undulating (horizontal and vertical) earth berms or decorative stone or brick walls (no concrete block), or ornamental metal fencing or combinations thereof may also be approved by the Planning Director.

STAFF ANALYSIS (cont'd)

Landscaping (cont'd)

A Type A landscape screen and buffer will be required along the southern property line of the site that abuts the residential zoning district. Said screen and buffer shall consist of a solid six (6') to eight foot (8') tall fence or wall with a ten foot (10') wide landscape buffer abutting the screening with canopy trees and shrubs. Fencing is to be installed so that the smooth/flush side faces away from the development site. Additionally, per TMC§1108.0203, a Type B landscape buffer is required with a ten foot (10') perimeter landscaping buffer between the eastern property line and the parking lot consisting of two (2) canopy trees with eight (8) shrubs. If approved, a completed Landscaping Plan must be submitted in compliance with TMC§1108.0200 Landscape Standards.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Neighborhood Commercial land uses. CN land uses typically include predominantly small and medium scale commercial uses that serve neighborhoods. Small and medium scale office and mixed uses are permitted uses in the CN zoning designation. Used car sale lots are not considered a compatible land use within the CN zoning designation and therefore it does not conform to the Toledo 20/20 Comprehensive Plan.

Staff recommends disapproval of the Special Use Permit for this location because it does not meet the minimum lot width and area requirements for used auto sales lots per TMC§1104.0306. Additionally, the request is not compatible with the adjacent land uses along Sylvania Avenue and not consistent with the Toledo 20/20 Comprehensive Plan. Finally, the proposal does not comply with all applicable provisions of the zoning code as outlined in TMC§1111.0706 Review and Decision-making Criteria.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend disapproval of SUP-2005-16, a Special Use Permit for a used car lot located at 2965-2975 West Sylvania Avenue, to Toledo City Council for the following four (4) reasons:

1. The request does not meet the provisions of TMC§1104.0306 for used auto sales requiring a minimum lot size of half (0.5) acre of area and one-hundred fifty feet (150') of major street frontage.
2. The proposed use does not meet the stated purpose of this Zoning Code (TMC§1111.0706.A Review & Decision-Making Criteria);

STAFF RECOMMENDATION (cont'd)

3. The proposed use does not comply with all applicable provisions of this Zoning Code (TMC§1111.0706.B Review & Decision-Making Criteria); and
4. The request is not 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).

Although staff is recommending disapproval, conditions of approval are included and listed by agency of origin as Exhibit "A" for informational purposes.

SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-2005-16
DATE: July 14, 2016
TIME: 2:00 P.M.

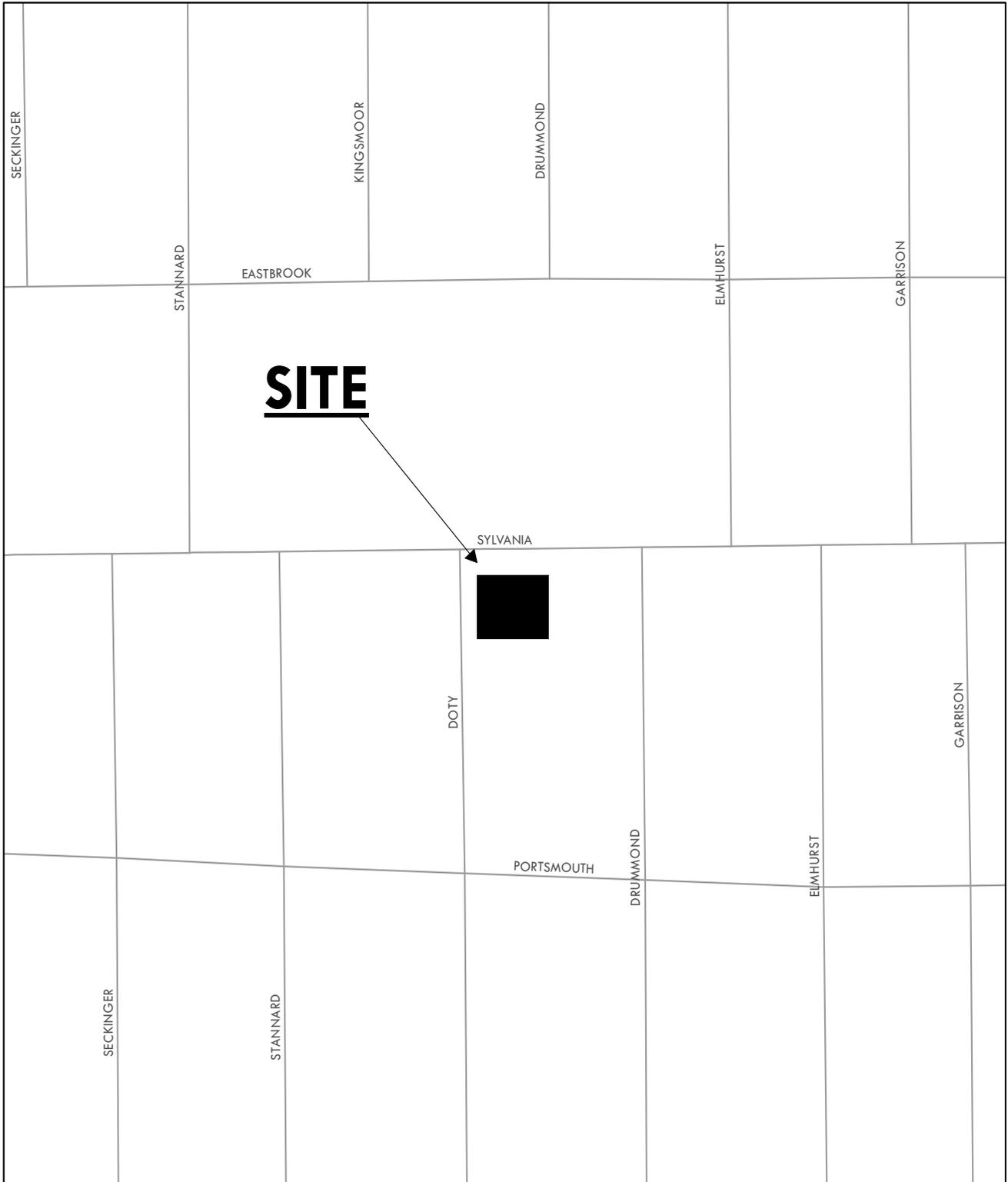
CITY COUNCIL
COMMITTEE OF ZONING AND PLANNING
DATE: August 17, 2016
TIME: 4:00 P.M.

RS

Three (3) sketches follow
One (1) exhibit follows

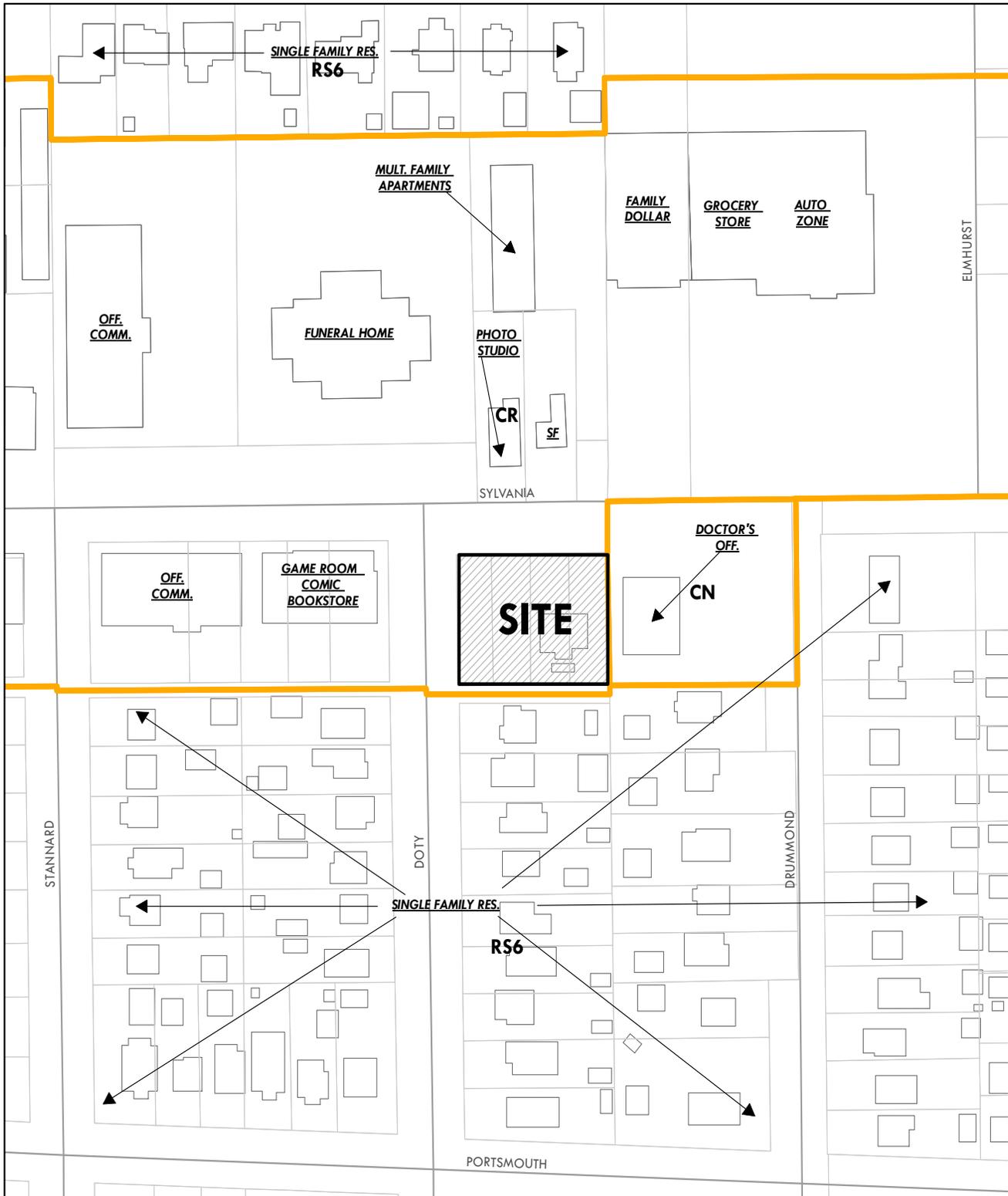
GENERAL LOCATION

SUP-2005-16
ID 46



ZONING & LAND USE

SUP-2005-16
ID 46



SITE PLAN

SUP-2005-16
ID 46



ORAVECZ & ASSOCIATES, LLC

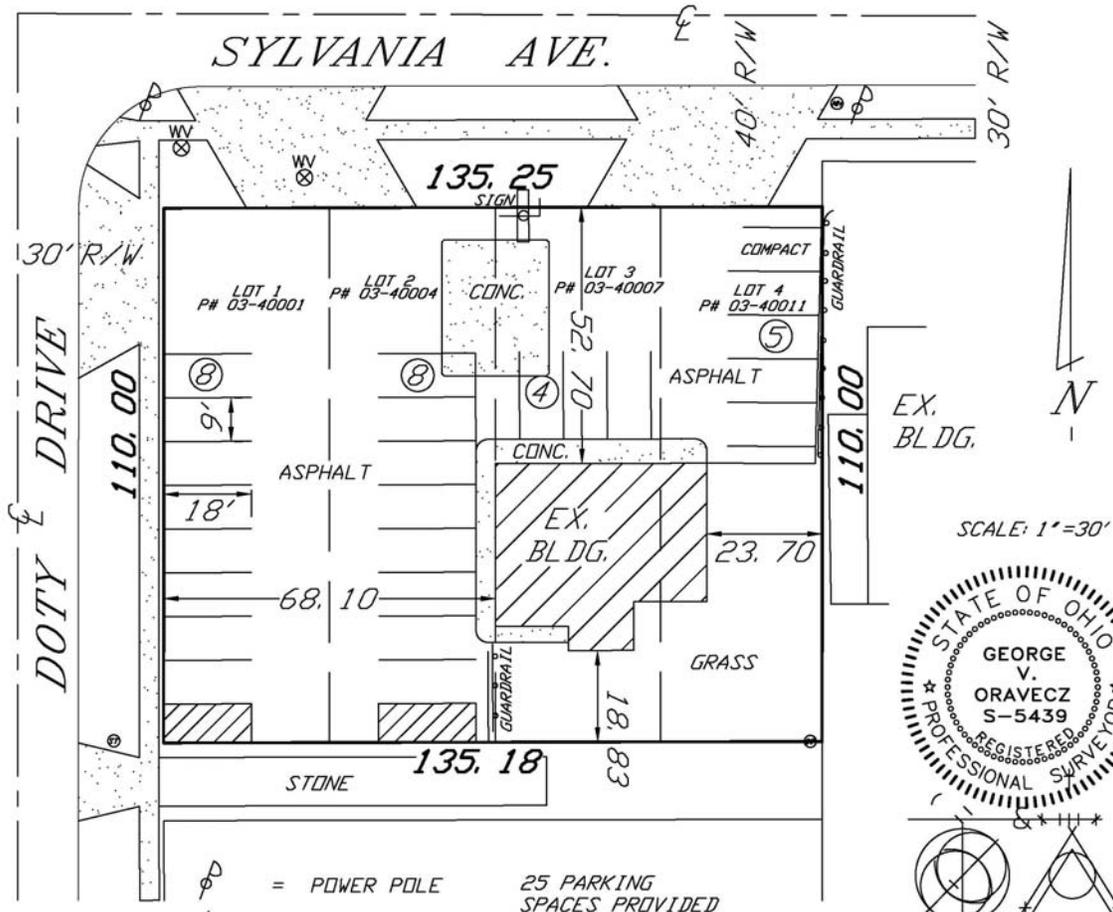
SURVEYORS & ENGINEERS

PH 474-6664 FAX 474-5059 www.oraveczassociates.com 474-2405
5333 SECOR ROAD SUITE TWO TOLEDO, OHIO 43623

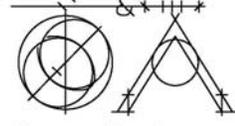
SITE PLAN

of
LOTS 1, 2, 3, & 4, CHIEFTON SUBDIVISION
CITY OF TOLEDO, LUCAS COUNTY, OHIO
for

MURPHY FAMILY PROPERTIES, LLC



SCALE: 1" = 30'



George V. Oravec
GEORGE V. ORAVECZ
REG. SUR. NO. 5439
ORDER NO. 23411
DATE: 03/01/2016
DRAWN BY: M.M.D.

- = POWER POLE
 - = LIGHT POLE
 - = STORM MANHOLE
 - = WATER VALVE
- 25 PARKING SPACES PROVIDED

**EXHIBIT “A”
Review Agency Conditions**

The following thirty-two (32) 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.** Existing drive approaches, including the curb drop, that will no longer be utilized shall be removed and restored with curb to match the adjacent curb.
4. Required permits for all approved work in the public right-of-way shall be obtained before work begins from One Stop Shop, (419) 245-1220.

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

5. Contact the City of Toledo Fire Prevention Bureau to determine the fire-protection requirements for this site.
6. 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.

EXHIBIT “A” (cont’d)

Sewer & Drainage Services

7. Recommend that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
8. 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

No concerns.

Division of Environmental Services

9. Applicant shall maintain compliance with the City of Toledo’s Stormwater regulations as specified in the Toledo Municipal Code.
10. Applicant shall maintain compliance with Ohio EPA’s General Stormwater NPDES permit programs.
11. Any green infrastructure measures that can be included to minimize runoff and increase infiltration are highly advisable. An in-depth Stormwater Pollution Prevention Plan is also recommended especially containment of all pollutants associated with the proposed operation.
12. Applicant shall maintain compliance with the City of Toledo’s stormwater regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential stormwater impacts from the facility, including but not limited to long-term operation and maintenance of both structural and non-structural Best Management Practices.
13. Applicant shall maintain compliance with the City of Toledo 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.

Building Inspection

No comments at time of print.

EXHIBIT “A” (cont’d)

Division of Transportation

14. In accordance with the Toledo Municipal Code, drive approaches shall be a minimum of 65’ from the stop side of an intersection. The drive on Doty Street is not permitted in its current location and shall be removed.
15. 25’ wide access drive aisles shall be maintained throughout the site to accommodate two-way traffic. Drive aisles on the eastern portion of the property do not meet this requirement.
16. Parking spaces are not permitted to perpendicularly about other parking spaces as proposed in the center of the lot.
17. The compact car space does not meet the minimum dimension requirements for standard parking and shall not be permitted.
18. There is no parking for persons with disabilities shown on the site plan. ADA parking is required and must meet the requirements of the Toledo Municipal Code.

Plan Commission

19. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks **(if applicable)**.
20. Dumpsters may not be located in the public right-of-way as stated in TMC§1361.10(b)(10) of the Building Code.
21. All lots of the development site shall be combined into a single taxable parcel identification number.
22. Elevated displays lifts or metal structures used in conjunction with the display of motor vehicles shall be permitted only within those areas specifically designated upon the Site Plan and shall not be allowed in any required front yard. (TMC§1104.0302(A)) **(if applicable)**.
23. 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.
24. All vehicles on display must be parked in striped parking spaces that shall be designated on an approved Site Plan. Vehicle parking that deviates from the approved Site Plan shall not be permitted.

EXHIBIT “A” (cont’d)

Plan Commission (cont’d)

25. Repairs and services of vehicles shall be conducted wholly within an enclosed building permanently located on the site.
26. 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)).
27. 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.
28. If the existing sales building is rebuilt or modified in the future, 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.
29. A detailed site, lighting, sign, fencing and four (4) 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 fifteen foot greenbelt is required along the Sylvania Avenue and Doty Street frontages, and shall include a solid evergreen hedge planting and one tree per every 30 feet of frontage; **shall be noted on completed landscaping plan.**
 - b. A Type A Landscape Buffer is required along the rear of the property where the site abuts residential zoning. This buffer shall include ten feet of landscaping and a solid wood, board on board fence; **shall be noted on completed landscaping plan.**
 - c. A Type B Landscape Buffer is required along the side of the property where the site abuts CN Neighborhood Commercial zoning. This buffer shall include ten feet of landscaping consisting of two (2) canopy trees with eight (8) shrubs; **shall be noted on completed landscaping plan.**

EXHIBIT “A” (cont’d)

Plan Commission (cont’d)

- d. Foundation plantings for the full street-facing building elevation; and landscape areas at major building entrances; **shall be noted on completed landscaping plan.**
 - e. Topsoil must be back filled to provide positive drainage of the landscape area.
 - f. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage; **shall be noted on completed landscaping plan.**
 - g. 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; **shall be noted on completed landscaping plan.**
 - h. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards.
 - i. The location, height and materials for any fencing to be installed and maintained.
 - j. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); and
 - k. The location, lighting and size of any signs.
30. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. **Landscaping shall be installed and maintained indefinitely.**
31. Minor adjustments to the Site Plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
32. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

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GENERAL INFORMATION

Subject

- Request - Review of the Special Use Permit for a Used Auto Sales Facility approved via Ord. 70-14.
- Location - 4154, 4158 & 4160 Monroe Street
- Applicant - KCA Investments, LLC
4410 Charles Street
Dearborn, MI 48126

Site Description

- Zoning - CR Regional Commercial
- Area - ± .324 Acres
- Frontage - ± 124' along Monroe Street
± 98' along Harley Road
- Existing Use - Light Equipment Repair Shop
- Proposed Use - Used Car Lot

Area Description

- North - Single Family Residential / RD6
- South - Commercial / CR
- East - Gas Station and Residential / CR, RD6 & RM36
- West - Commercial / CR

Parcel History

- SUP-10010-13 - Request for a Special Use Permit for a Used Auto Sales Facility (PC approved 01/9/14, Ord. 70-14 approved 2/25/14)
- SUP-10010-13 - Review of the Special Use Permit for a Used Auto Sales Facility approved via Ord. 70-14 (PC set a review and compliance date to the July 14, 2016 meeting)

Applicable Plans and Regulations

Toledo Municipal Code (TMC), Chapter Eleven: Planning and Zoning
Toledo 20/20 Comprehensive Plan

STAFF ANALYSIS

City Council requested a review and possible revocation of Special Use Permit SUP-10010-13, granted by Ordinance 70-14 because of concerns that the used auto sales facility, located at the corner of Monroe Street and Harley Road was operating in a manner that is inconsistent with the approved plan, zoning code and the conditions of approval. The Special Use Permit process recognizes that certain businesses having the right to be located within certain districts also have extenuating circumstances or additional effects on the surrounding community more than others. Therefore additional criteria and conditions are often included to reduce the effects on neighboring properties. The Plan Commission reviewed the existing conditions of the site at their March 10, 2016 meeting and set a compliance date of July 14, 2016. Staff's findings are outlined in the report below and within Exhibits "A" & "B".

Background and Site Conditions

In 2014, the used auto sales facility was approved to operate in conjunction with the existing light equipment repair business that is located on the site. The .324 acre parcel is zoned CR Regional Commercial and was approved prior to the adoption of the current used car standards that require a minimum of .5 acres.

The existing building has four (4) service bays and an approximate 195 square foot office area. Prior to 2014, the site was accessed via two (2) curb cuts on Monroe Street and one (1) curb cut on Harley Road. A large pole sign currently exists on the property and is situated toward the corner of Monroe Street and Harley Road within the drive aisle. On January 20, 2016, an inspection of the site was conducted by staff and found approximately thirty-five (35) vehicles on the lot with only thirteen (13) parking spaces provided (see Exhibit B). The applicant contacted staff regarding a noncompliance letter that was sent on January 28, 2016. A meeting was held on February 24, 2016 and the applicant indicated that he has started to bring the site into compliance with Ord. 70-14. On June 10, 2016, the applicant requested staff come to the site and document the improvements that had been made prior to the July 14th Plan Commission hearing.

Access and Circulation

As part of the June 10, 2016 compliance inspection, staff found that the site still had three (3) curb cuts, one (1) along Harley Road and two (2) on Monroe Street. The curbs and sidewalks did not appear to have been restored as required in Ord. 70-14. The applicant did install a concrete block planter bed across the area of the former curb cut to be removed on Monroe Street. Staff has found that the concrete blocks are simply stacked on edge does not constitute the removal and restoration of a curb cut.

STAFF ANALYSIS (cont'd)

Access and Circulation (cont'd)

Outlined in the March 10, 2016 staff report, the Division of Transportation had conditions that required the remaining curb cut along Monroe Street to be narrowed to twenty-five (25) feet and shifted eastward to prevent a conflict with the parking spaces in the northwest corner of the site along Monroe Street. The Division of Transportation also required that the curb cut along Harley Road be narrowed to twenty-five (25) feet to reduce the conflict with the existing pole sign and to increase the distance from the Monroe Street/Harley Road intersection. Staff did not find that any evidence that these improvements had been made. **As a result, Conditions # 1, #2, #3, #4, #13 & #14 are still not in compliance with requirements of the Division of Engineering Services and the Division of Transportation.**

Parking and Display Areas

Light equipment repairs have a parking requirement of 1.5 spaces per service bay, while the used car sales portion of the site has a parking requirement of one (1) space. As a result, the applicant was required to dedicate seven (7) total customer and employee parking spaces for the uses on site. Prior to the March 10, 2016 Plan Commission meeting, staff found that used cars were being double and triple parked, parked in unapproved areas and parked in the drive aisles. Upon the compliance inspection on June 10, 2016, Staff found that cars were being parked in designated spots according the approved plan. However, the applicant is required to denote a minimum of seven (7) spaces for customer use and encourages the use of signage. **As a result, staff has found that condition # 18 has not been brought into compliance.**

In an effort to buffer residential uses from used car sales lots TMC§1104.0301 states that a fifty (50) foot separation measured along the street frontage shall be maintained between any open display area and a residential district boundary line. The northeast corner of the property (with fifty (50) feet of residential boundary) was approved for customer and employee parking and not open display areas. Prior to the March Plan Commission hearing, staff observed unlicensed vehicles triple parked and presumably for sale. **Upon the compliance inspection on June 10, 2016, staff found that the parking spaces appeared to be for customer and employee parking (although needs to be further denoted) resulting in condition # 19 being brought into compliance.**

STAFF ANALYSIS (cont'd)

Landscaping

At the time of the 2014 approval, the site was only required to be brought closer into compliance with the landscape requirements of the zoning code. The revised plan offered a twenty (20) foot Type "A" Landscape Buffer with a three (3) foot solid fence along the northern property line, where the site abuts residential zoning. In an effort to install this buffer, the applicant was to remove approximately eleven (11) feet of asphalt and the fencing was to be raised to six feet (6') once located out of the front yard setback. Upon the compliance inspection on June 10, 2016, staff found that a forty-two inch (42") solid fence and a planting bed had been installed. **Condition # 23(b) has not been brought into compliance with the Type A Landscape Buffer requirement, fencing needs to be raised to six feet (6') when located out of the front yard and the asphalt needs to be removed beneath the planting beds to provide an adequate growing environment.**

Additionally, the site plan offered a landscape area anchoring the corner of Monroe Street and Harley Road and five (5) foot greenbelts along Monroe Street and the Harley Road frontages. Since the March meeting, the applicant has installed planting beds along Monroe Street and Harley Road according to the approved plan. Staff has concerns that the asphalt located beneath the planting beds was not removed, resulting in a less than ideal environment for tree and shrub growth. The March 10, 2016 staff report indicated that the six (6) inch planting beds appeared to be sited over asphalt and that was not a conducive environment for trees and/or shrubs to grow. The applicant indicated that three feet (3') x three feet (3') sections of asphalt were removed beneath the newly installed trees and ensured the landscaping would be maintained indefinitely. Furthermore, staff once again found that the placed concrete blocks do not provide a permanent barrier to prevent the encroachment of vehicles into the required setback and landscape areas and wheel stops or permanent curbing should be installed.

Although the applicant has taken steps to comply with the landscaping requirements outlined in Ord. 70-14, staff has found that not removing the entire asphalt beneath the planting beds does not provide a suitable environment for landscaping to grow and thrive and permanent barriers need to be installed where parking spaces abuts landscaping. Furthermore, staff found that three (3) trees were to be installed within the Type A Buffer along the northern property line where abutting residential zoning. Both of these issues were outlined in the March 10, 2016 staff report and staff recommends that they be corrected prior to compliance being determined. Furthermore, the planting beds were not finished with mulch or grass as required by code. **Condition # 23(a)&(c) is not in compliance as the Type A Buffer along the northern property line does not contain the required plantings as shown on the landscape plan. In addition the beds are sited over existing asphalt, providing an unfavorable environment for tree and shrub growth and all landscaped areas need to be finished with mulch or grass.**

STAFF ANALYSIS (cont'd)

Landscaping (cont'd)

Finally in 2014, staff asked that City Council approve a condition so that in the event the dumpster was needed to be located outside the building the applicant would be aware of the improvements required. As a result, the condition stated that the dumpster would be shown on a revised site plan, on a concrete pad and surrounded by a solid wooden fence or masonry screen enclosure with landscaping. On June 10, 2016 staff observed a dumpster located on the southwest corner of the lot, which was enclosed with a solid board-on-board fence and sited on paved surface. **Condition # 17 is has been brought into compliance.**

The conditions outlined in Ord. 70-14 are provided in Exhibit “A”. Staff has included the status of compliance with each condition. In addition, photographs from the Plan Commission staff site inspection are included in Exhibit “B”.

STAFF RECOMMENDATION

Staff has found that improvement have been made towards full compliance with Ord. 70-14 and recommends that the Plan Commission recommend that the site be brought fully into compliance with Ord. 70-14 prior to the August 17, 2016 City Council Planning and Zoning Committee hearing or the Special Use Permit for a Used Auto Sales Facility be revoked, for the site located at 4154, 4158 & 4160 Monroe Street, to the Toledo City Council.

REVIEW OF SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-10010-13
DATE: July 14, 2016
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: August 17, 2016
TIME: 4:00 P.M.

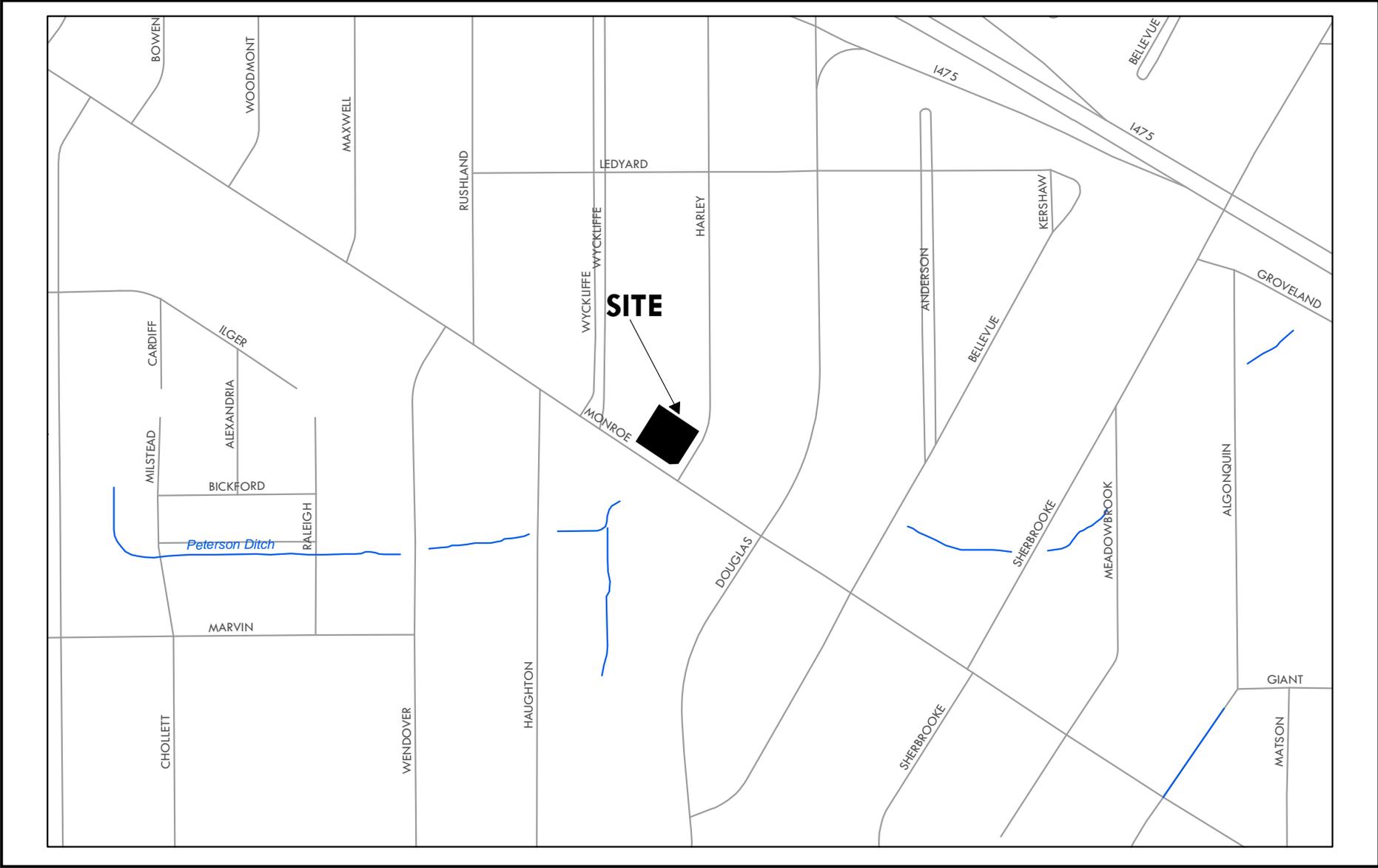
BH
Three (3) sketches follow
Exhibit A follow
Exhibit B follow

GENERAL LOCATION

SUP-10010-13
ID 45



10 - 9

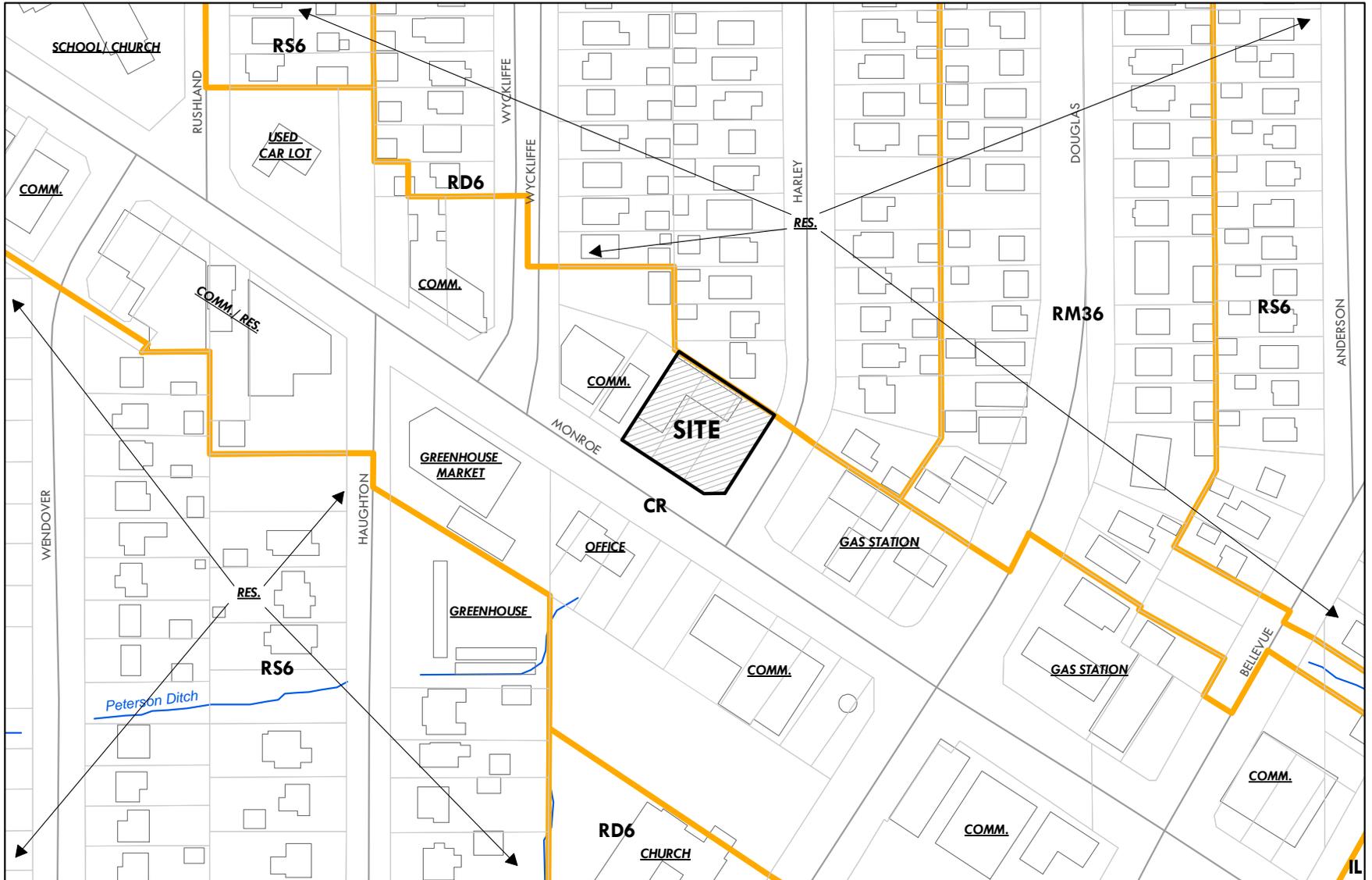


ZONING & LAND USE

SUP-10010-13
ID 45



10 - 7



SITE PLAN

SUP-10010-13
ID 45



PROPOSED SITE CONDITIONS:

ZONING: CR COMMERCIAL
AREA: 0.24 AC ±
CURRENT USE: AUTO SERVICE CENTER AND USED CAR SALES
BUILDINGS - EXISTING:
BUILDING SERVICE AREA = 2,500 SF
BUILDING STORAGE AREA = 800 SF
BUILDING OFFICE AREA = 300 SF
BUILDINGS SETBACKS:

BUILDING SETBACKS PER ZONING CODE IN CR ZONE (CODE 1106.010)
FRONT BUILDING LINE: 20'
SIDE: 0 ADJACENT C OR I ZONING, HOWEVER 10' ADJACENT TO RESIDENTIAL
REAR: 0 ADJACENT C OR I ZONING, HOWEVER 15' ADJACENT TO RESIDENTIAL
MAX. SWELLING HEIGHT: 45'
MAX. SWELLING LOT COVERAGE: 85%

PROPOSED PARKING (CR ZONING)

REQUIRED PARKING - AUTO SERVICE STATION
FLOOR AREA: 1 PER 300 SF (CODE 1107.0400 SCHEDULE "B")
SERVICE AREA TOTAL: 2,500 SF
2,500 SF / 300 SF = 8.3 SPACES, USE 9 SPACES
SERVICE BAY: 1.5 CUSTOMER SPACES PER BAY
CUSTOMER PARKING = 1.5 * 4 = 6 SPOTS

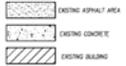
REQUIRED PARKING - USED VEHICLE SALES
OPEN SALES AREA: 1 PER 5,000 SF (CODE 1107.0204 SCHEDULE "A")
ENCLOSED SALES AREA: 1 PER 200 SF (CODE 1107.0204 SCHEDULE "A")
OPEN SALES AREA TOTAL: 8,000 SF
8,000 SF / 5,000 SF = USE 2 SPACES
ENCLOSED SALES AREA TOTAL: 14154 = 195 SF
300 SF / 500 SF = USE 1 SPACE

TOTAL USED CAR PARKING REQUIRED: 3 SPACES
REQUIRED ACCESSIBLE PARKING BY ADA (CODE 208. OF ADA) WITH BUILDING ADDITION
TOTAL PARKING: 1 TO 25 = 9 ACCESSIBLE SPACE (16/207) PER TABLE 208.2
MINIMUM 9 IN 6 ACCESSIBLE SPACES MUST BE VAN ACCESSIBLE (21417) 208.2.4 ADA CODE
TOTAL = 1 VAN ACCESSIBLE SPACE

PARKING REQUIRED:
11 STANDARD SPACES + 1 VAN ACCESSIBLE = 12 TOTAL SPACES REQUIRED

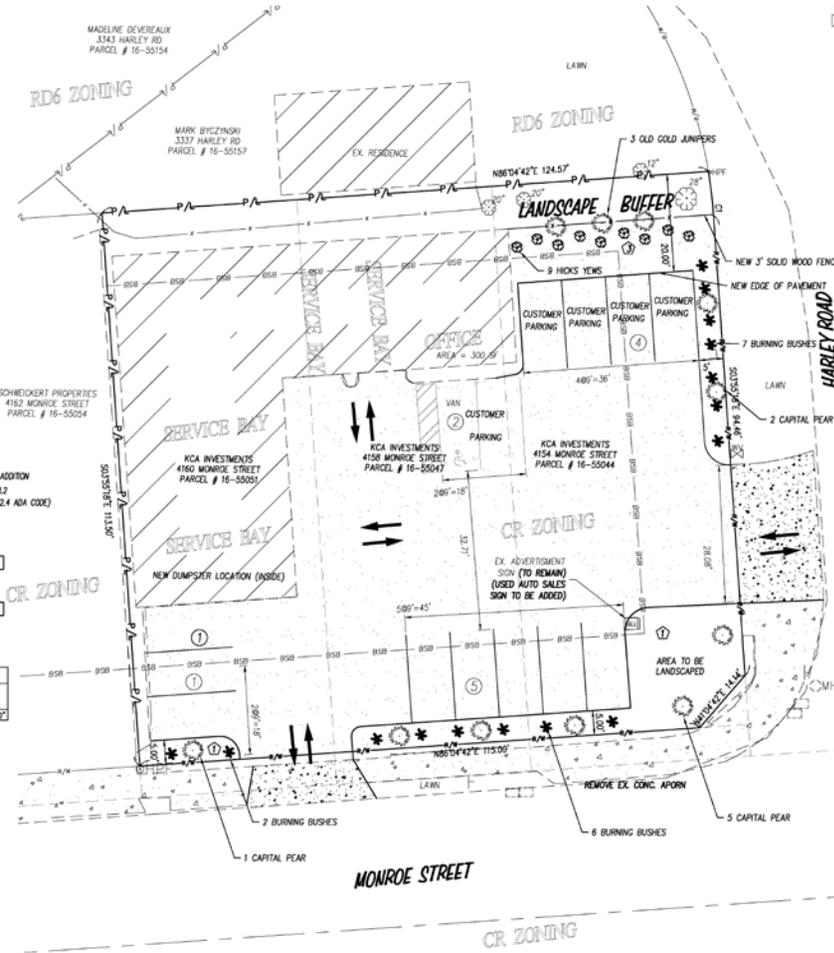
PARKING EXISTING:
12 STANDARD SPACES + 1 VAN ACCESSIBLE = 13 TOTAL SPACES EXISTING

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD DELTA
C1	9.05'	85.75'	N06°37'48"W	9.05'
				329.20'

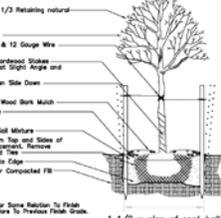


NOTE: 6" MINIMUM TOPSOIL TO BE PROVIDED IN ALL LANDSCAPE AREAS.

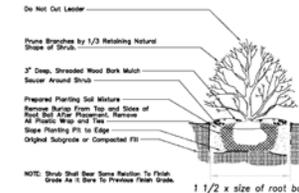
SUP REQUEST USED AUTO SALES



RD6 ZONING



TREE PLANTING DETAIL
NOT TO SCALE



SHRUB PLANTING DETAIL
NOT TO SCALE

- ① LAWN AREA, FILL WITH TOPSOIL, MINIMUM DEPTH SHALL BE 6". TYPICAL MEET ADJACENT SURFACES FLUSH. MOUND TO PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
- ② LANDSCAPE AREA, FILL WITH TOPSOIL, MINIMUM DEPTH SHALL BE 24" TYPICAL. MEET ADJACENT SURFACES FLUSH. MOUND TO PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
- ③ REPAIR EXISTING LAWN AREAS DISTURBED BY CONSTRUCTION.
- ④ EXISTING TREE - TO REMAIN.

PLANS PREPARED BY:

[Signature]
BRYAN D. ELLIS
P.S. 8292



DATE:	12-20-13
DESIGNED FOR:	REV. PLAN COMMISSION
NO:	2

GLASS CITY ENGINEERING & SURVEYING, LLC.
2105 PERTH ST.
TOLEDO, OHIO 43607
419-285-8962, FAX 419-639-9867
EMAIL: BLACKBIRD_1@MSN.COM

MONROE AUTO SALES
4184 MONROE STREET
CITY OF TOLEDO, LUCAS CO., OH
PROPOSED SITE CONDITIONS

DRAWN BY: BDE
JOB NUMBER: 722-1301
REVIEWED BY: BDE

SP-2/2

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Exhibit "A"
REVIEW AGENCY CONDITIONS

The following twenty-six (26) conditions were approved in Ord. 70-14 and are listed by agency of origin. The applicant agreed to all conditions at the January 9, 2014 Plan Commission and February 12, 2014 Planning and Zoning Committee.

Engineering Services

1. All **existing substandard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced/upgraded to conform to the current City of Toledo Construction Standards Specifications; The Toledo Municipal Code; and The Americans with Disabilities Act Guidelines. The existing drive approach along Monroe Street that will remain, does not meet the above standards and shall be removed and replaced in order to be brought into compliance. **Not in Compliance.**
2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, The Toledo Municipal Code, and The Americans with Disabilities Act Guidelines. **Not in Compliance.**
3. All commercial drive approaches, (along with the sidewalk through the drive) shall be constructed with eight-inch (8") thick concrete per The City of Toledo Construction Standards and Specifications. Existing drive along Monroe Street that will not be reused shall be removed and the area restored to match the adjacent landscape. Curb drops through unused drives shall be removed and replaced with full height curb to match the adjacent curb. No curb shall be permitted in the right-of-way along either side of a drive approach. No horizontal curb cutting will be permitted to create a curb drop/opening. **Not in Compliance.**
4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from the One Stop Shop, ph. (419) 245-1220. **Not in Compliance.**

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

5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities. **In Compliance.**
6. Plans for a new water service or modifications to the existing water service shall be submitted to the Division of Engineering Services for review and approval. **In Compliance.**
7. Contact the City of Toledo Fire Prevention Bureau to determine if a fire line is needed for this site. **Compliance to be determined.**

Exhibit "A" (cont'd)

Engineering Services (cont'd)

8. Contact the Division of Water Distribution for backflow prevention requirements. **Compliance to be determined.**
9. New fire, domestic, and irrigation taps will be installed by the City of Toledo at the owner/developer's expense. **Compliance to be determined.**
10. Plans submitted for review do not detail any revisions to the existing site, except for removing asphalt, a concrete apron and new landscaping. It therefore appears that there is no items requiring a storm water utility plan review. If in the future plans for the site change and result in revisions to the site drainage, the Storm Water Utility should be contacted. **In Compliance.**

Building Inspection

11. Demolition of the existing building will require a demolition permit issued from the City of Toledo through its Division of Building Inspection requiring termination of all utilities. Documentation from Columbia Gas and Toledo Edison/Energy One must be provided to Building Inspection that this has occurred. If the existing water and sewer taps are to be re-used, the applicant/contractor must identify this to the Department of Public Utilities and secure their release for the demolition permit to be processed and issued. **In Compliance.**
12. Construction of any new structures or alterations to any existing building will require construction documents stamped by a design professional to be submitted to the Division of Building Inspection for plan review and approval showing the construction to be in compliance with the City of Toledo's building mechanical and fire codes and, by referenced standards, those of the State of Ohio. Plans must identify the correct building type, use group, occupancy load, plumbing fixture count, egress and emergency egress locations, emergency evacuation routes and other life-safety and ADA compliancy facilities, in accordance with the Administrative Code of the Ohio Building Code Chapter 106. **In Compliance.**

Transportation

13. The two parking spaces south of the dumpster area encroach the Monroe St. access drive. This drive shall be narrowed to 25' and shifted eastward to prevent this conflict. **Not in Compliance.**
14. The width of the Harley Rd. drive shall be narrowed to 25' to reduce the conflict with the existing advertising sign and to increase the distance from the Monroe St. / Harley Rd. intersection. **Not in Compliance.**

Exhibit "A" (cont'd)

Plan Commission

15. Incorporate curbs or other substantial permanent barriers to prevent encroachment of the vehicles into the required setback and landscape areas. (TMC 1108.0302.B. Use Regulations). **Not in Compliance.**
16. Elevated displays lifts or metal structures used in conjunction with the display of motor vehicles shall be permitted only within those areas specifically designated upon the site plan and shall not be allowed in any required front yard. (TMC 1104.0302.A. Use Regulations). **In Compliance.**
17. In the event a dumpster is to be located outside the building, a revised site plan shall indicate a concrete pad surrounded by a solid wooden fence or a masonry screen enclosure with landscaping shall be installed and the dumpster shall not be located in any required setbacks. **In Compliance**
18. Seven (7) parking spaces shall be denoted and reserved for "Customer and Employee Only" and shall not be used for open auto display. **Not in Compliance**
19. Open display sales lots may not be located within the "Front Yard Setback" for 50ft when bordering a residential district boundary. **In Compliance**
20. All used motor vehicles parked or displayed outdoors shall conform to Chapter 337, Safety and Equipment, of the Traffic Code and shall be operable. **In Compliance.**
21. Repairs and service of inoperable auto and RV motor vehicles shall be conducted wholly within an enclosed structure permanently located on the lot. **In Compliance.**
22. Fencing of customer display areas shall conform to TMC 1105.0302, outside storage screening shall comply with TMC 1108.0203.H. **In Compliance.**
23. A detailed site, lighting, sign, fencing and landscaping plan shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. A 5' frontage greenbelt is required along the Harley Road and Monroe Street frontages; the greenbelt shall include one tree for every 30' of lot frontage and a solid evergreen hedge to screen the parking lot. **Not in Compliance.**
 - b. A Type "A" buffer with solid fencing shall be installed along the northern property line. The solid fencing shall not exceed 42" in height in the front yard setback and shall be raised to six (6) feet for the remainder. **Not in Compliance.**

Exhibit "A" (cont'd)

Plan Commission (cont'd)

- c. The corner of Monroe Street and Harley Road shall remain landscaped indefinitely (as shown on site plan). **Compliance to be determined.**
 - d. 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. **In Compliance.**
 - e. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage; shall be noted on revised landscape plan. **Not in Compliance.**
 - f. The location, height and materials for any fencing to be installed and maintained. **Not in Compliance.**
 - g. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties). **In Compliance.**
 - h. The location, lighting and size of any signs. **In Compliance.**
24. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year; landscaping shall be installed & maintained indefinitely. **In Compliance.**
25. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission. **In Compliance.**
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. **In Compliance.**

**PLAN COMMISSION
PHOTOGRAPHS 06-10-16**

**EXHIBIT
"B"**

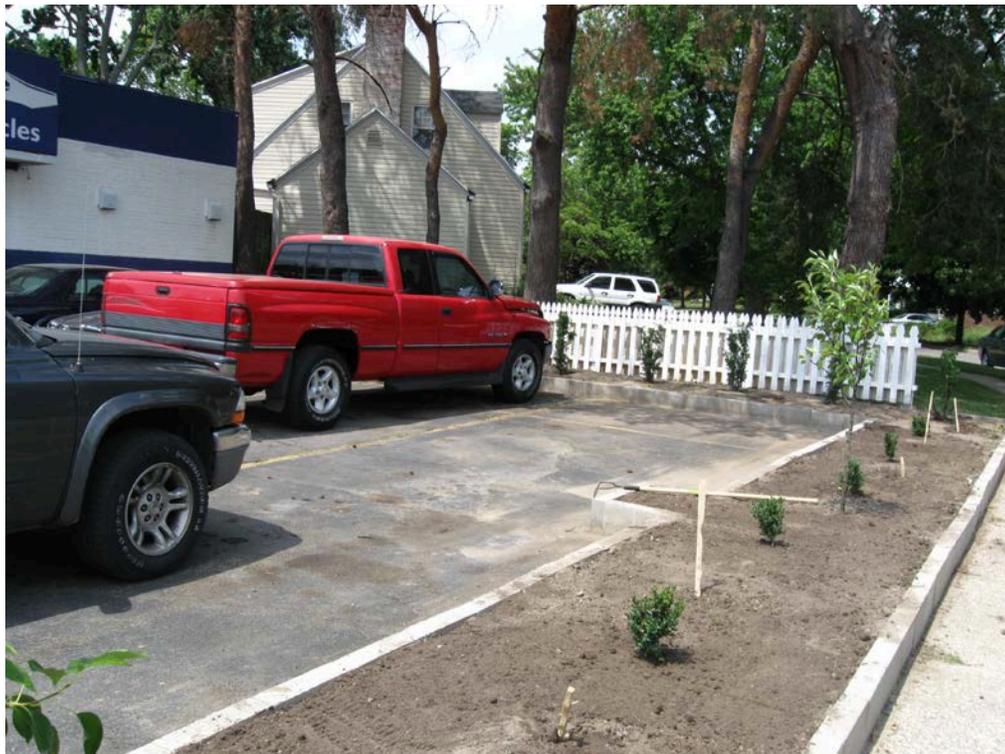
SUP-10010-13



**PLAN COMMISSION
PHOTOGRAPHS 06-10-16**

**EXHIBIT
"B"**

SUP-10010-13





**PLAN COMMISSION
PHOTOGRAPHS 06-10-16**

**EXHIBIT
"B"**

SUP-10010-13



**PLAN COMMISSION
PHOTOGRAPHS 06-10-16**

**EXHIBIT
"B"**

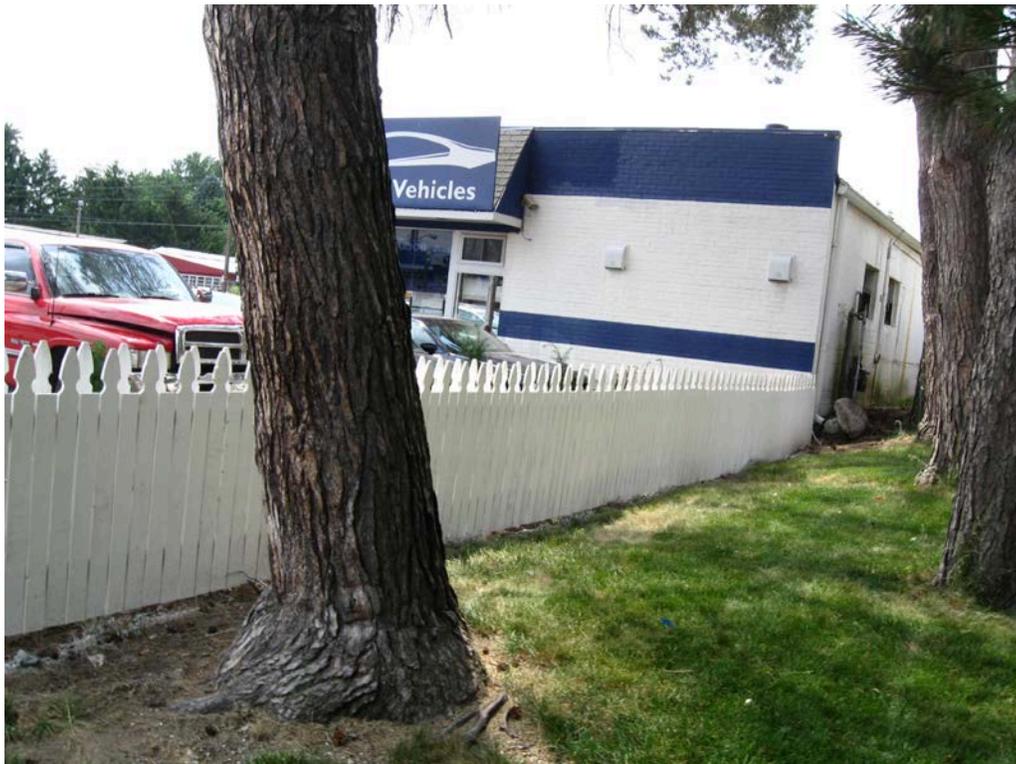
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**PLAN COMMISSION
PHOTOGRAPHS 06-10-16**

**EXHIBIT
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SUP-10010-13



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STAFF REPORT CONDITIONS OF APPROVAL – AGENCY SOURCE IDENTIFICATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

