

*TOLEDO CITY  
PLAN COMMISSION  
REPORT*

*April 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

CATHERINE G. HOOLAHAN  
(Chairman)

KEN FALLOWS  
(Vice Chairman)

BALSHARAN SINGH GREWAL

OLIVIA HOLDEN

MARTIN JARRET

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(Vice Chairman)

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(County Commissioner)

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(County Commissioner)

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LISA COTTRELL, ADMINISTRATOR

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

<b>APPLICATION DEADLINE*</b>	<b>AGENDA SET</b>	<b>STAFF REPORT DISTRIBUTED</b>	<b>HEARING DATE</b>
<b>CITY PLAN COMMISSION</b> ( <i>HEARINGS BEGIN AT 2PM</i> )			
November 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**
<b>COUNTY PLANNING COMMISSION</b> ( <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**

**April 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-4-16:      | Text Amendment to modify TMC 1106.0205.E (5) and (8) and TMC 1116 to address accessibility issues (mm)  |
| 2. Z-2003-16:   | Zone Change from POS to CO for a part of 1600 Mott Street (gp)  |
| 3. Z-2002-16:   | Zone Change from RD6 to IL at 1202 Prospect and a part of 1928 N. Detroit Avenue (rs)   |
| 4. Z-3001-16:   | Zone Change from CO to CR at 322 and 330 21 <sup>st</sup> Street (rs)   |
| 5. SUP-2004-16: | Amendment to Special Use Permit, originally granted by Ord.105-12 and 405-13, at 5520, 5530 and 5650 N. Detroit, 429 & 463 Terminal Road (jl) |
| 6. SUP-2006-16: | Special Use Permit for community recreation –active, at 5602 Swan Creek Drive (gp)  |

7. SUP-6004-15: Special Use Permit to add fuel sales to existing convenience store at 4819-4833 Summit St (mm)
8. Z-12004-15: Zone Change from CO to RM12 at 444 W. Bancroft Street (mm)
9. SUP-2005-16: Special Use Permit for used auto sales facility at 2965-2975 Sylvania Avenue (rs)
10. S-3-16: Final plat of the replat of part of Lot 4 of the New Towne Square plat, located at the northeast corner of Alexis Road and Telegraph Road (rs)
11. DOD-1-16: Downtown Overlay District review of Steam Plant smokestack demolition and replacement, located at 320 Water Street (bh)

## GENERAL INFORMATION

### Subject

- Request - Text Amendment to Chapter 1106.0205 of the City of Toledo Planning and Zoning Code to address accessibility issues.
- Applicant - The Ability Center of Greater Toledo  
5605 Monroe Street  
Sylvania, Ohio 43560

### Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning

## STAFF ANALYSIS

The request is a Text Amendment to TMC 1106.0205 Setbacks – *Permitted Exceptions to Setback Standards* to allow home modifications to accommodate a person’s disability when the need arises for the installation of accessibility ramps and accessibility lifts. The zoning code only exempts “enclosed balconies and fire escapes, unenclosed porches or metal awnings that may project into a front or rear setback by up to 10 feet, or into a side setback for up to 3 feet, provided that a porch with jalousies or windows will be considered an enclosed porch.” There is no exception listed that allows for home modifications as it pertains to a person’s disability.

The proposed Text Amendment will add accessibility ramps and accessibility lifts to the permitted setback exceptions to include any other modification deemed necessary to accommodate a person’s disability. Additionally, three definitions will be added: person with a disability; wheelchair lift; and wheelchair ramp. The new definitions will be added to assist with the interpretation.

Based on feedback from the applicant, most jurisdictions do not have anything in place to exempt a disabled homeowner or tenant from having to obtain a variance for installing a wheelchair ramp or lift in the front or side of the house or building. Most often the applicant has to apply for a variance in order to install a ramp or lift in the required setback that can take up 60 days to be reviewed and approved to include paying the fee for the application.

**STAFF ANALYSIS (cont'd)**

**Toledo 20/20 Comprehensive Plan**

The Toledo 20/20 Comprehensive Plan recommends that the City incorporate basic accessibility features for multifamily housing projects as provided for in the 1991 Fair Housing Amendments Act and consider the design needs of people with disabilities for other types of structures including single family, commercial, public and recreational.

The Staff has found supporting evidence to exempt accessibility ramps and accessibility lifts in the setback standards in order to support disabled persons who have to overcome vertical challenges when entering and exiting a structure. The proposed text amendment will remove an extra review and financial cost when applying for a building permit at the City of Toledo Building Inspections.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of the amendment to the Planning and Zoning Code as shown in Exhibit "A," to the Toledo City Council, for the following two (2) reasons:

1. The proposed Text Amendment is consistent with meeting the challenge of a changing condition (TMC 1111.0506 *Review and Decision-Making Criteria*); and
2. The proposed Text Amendment is consistent with the Comprehensive Plan and the stated purpose of the Zoning Code (TMC 1111.0506 *Review and Decision-Making Criteria*).

ZONING TEXT AMMENDMENT  
TOLEDO CITY PLAN COMMISSION  
REF: M-4-16  
DATE: April 14, 2016  
TIME: 2:00 p.m.

CITY COUNCIL PLANNING  
AND ZONING COMMITTEE  
DATE: May 18, 2016  
TIME: 4:00 p.m.

MM  
Exhibit "A" follows

**Exhibit “A”**

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

**1106.0205 Setbacks**

**E. Permitted Exceptions to Setback Standards**

The following features may project in required setbacks to the extent indicated:

1. sills, belt courses, cornices, eaves and ornamental features not to exceed 12 inches;
2. satellite dishes are allowed within rear setbacks, subject to the standards of 1105.0700;
3. terraces, uncovered porches and ornamental features that do not extend more than 3 feet above the ground, provided they are set back at least 2 feet from side lot lines;
4. enclosed balconies, enclosed fire escapes, **accessibility ramps, accessibility lifts,** unenclosed porches or metal awnings may project into a front or rear setback by up to 10 feet, or into a side setback for up to 3 feet, provided that a porch with jalousies or windows will be considered an enclosed porch (see Sec. 1111.1801D for enclosure of front porches); and
5. enclosed vestibules containing not more than 40 square feet may project into a front setback by up to 4 feet.
6. air conditioner condensing units may be placed within the required side yard setback but must be setback at least one (1) foot from the side lot line.
7. Whenever a lot abuts upon or adjoins an alley, one half of the alley width may be considered as a portion of the required rear yard setback.

(Ord. 589-07. Passed 09-04-07. Ord. 198-11. Passed. 04-15-11.)

8. ***The Plan Director may grant further exceptions to setback standards where the setback is needed to accommodate a person’s disability for accessibility ramps and accessibility lifts.***

***Chapter 1116 Terminology to be added:***

***Person with a disability - Any person who has a physical or mental impairment that limits activities; anyone who is regarded as having such impairment; or anyone who has a record of such impairment.***

***Wheelchair lift - A wheelchair lift, also known as a platform lift, or vertical platform lift is a fully powered device designed to raise a wheelchair and its occupant in order to overcome a step or similar vertical barrier.***

**Exhibit “A”** (cont’d)

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

*Chapter 1116 Terminology to be added:*

***Wheelchair ramp - A wheelchair ramp is an inclined plane installed in addition to or instead of stairs. A wheelchair ramp can be permanent, semi-permanent or portable. Permanent ramps are designed to be bolted or otherwise attached in place. Semi-permanent ramps rest on top of the ground or concrete pad and are commonly used for the short term.***

REF: Z-2003-16  
DATE: April 14, 2016

## GENERAL INFORMATION

### Subject

- Request - Request a for Zone Change from POS Parks and Open Space to CO Office Commercial
- Location - 1600 Mott Avenue
- Applicant - City of Toledo – Department of Development  
C/O: Bill Burkett - Commissioner  
One Government Center, Suite 2250  
Toledo, OH 43604

### Site Description

- Zoning - POS / Parks and Open Space
- Area - ± 3.95 acres
- Frontage - N/A
- Existing Use - Parks and Open Space
- Proposed Use - Building Trades Memorial

### Area Description

- North - Ravine Park II / IL
- South - Ravine Park II / IL
- East - Interstate 280 / IL
- West - Ravine Park II / IL

### Parcel History

- V-1-63 - Request for a Vacation of the northerly part of Boone Street from Justice Street to rear lot line of Lots No. 226 and 234. Approved by Plan Commission 2/14/63.
- S-11-72 - Preliminary Drawing of Preliminary Plat for Colorado Apartments located on the west side of the Detroit-Toledo Expressway between Front Street and the tracks of the Bay Terminal Railroad, approved by City Council 4/20/72.

**GENERAL INFORMATION (cont'd)**

Parcel History (cont'd)

- V-109-72                    -     Request for a Vacation of that portion of Mott Avenue between the Detroit-Expressway and Webb Street, that portion of Colorado Street between the Detroit-Toledo Expressway and Webb Street, that portion of Webb Street between Mott Avenue and Colorado Street, Mott Avenue, and that portion of Justice Street between Mott Avenue and Colorado Street. Approved by City Council 6/27/72.
  
- Z-107-72                    -     Request for a Zone Change for an area bounded on the north and northeast by the Detroit-Toledo Expressway, on the southeast by the Toledo Belt Railroad, on the south by North Ravine Parkway and on the southwest by the rear lot lines that lies between Justice Street and Graham Street, from M-1 Restricted Industry to R-3 Two Family Residence District. Approved by City Council 6/27/72.
  
- M-23-74                    -     Request for a Site Plan Review of the proposed Ravine Park II located between Mott Avenue, Colorado Street, and north of Justice Street, approved by City Council 10/31/74.
  
- V-190-74                    -     Request for a Vacation of portions of the public right-of-way of Justice Street, Webb Street, Colorado Street, and Mott Avenue, approved by Plan Commission 10/31/74.
  
- Z-158-81                    -     Request for a Zone Change for East Toledo Parks at 1600 Mott Avenue, approved by City Council 7/16/81, Ord. 591-81.

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 POS Parks and Open Space to CO Office Commercial for a site located at 1600 Mott Avenue. The ±3.95 acre site occupies a small portion of Ravine Park II, a City owned park adjacent to Interstate 280. Ravine Park II consists of two (2) baseball fields, a pavilion, a parking lot, an open space area, walking paths and a memorial (Tribute Park). Tribute Park is owned by the Ohio Department of Transportation but maintained by the City of Toledo.

The applicant is requesting a Zone Change and companion deed transfer to allow the Northwest Ohio Building Trades to develop a new facility on site and assume maintenance of the Tribute Park memorial. The portion of the park being considered for development is undeveloped and rarely used. Plans are to dedicate park space from the Ohio Department of Transportation and in exchange for the property, the Building Trades agree to maintain Tribute Park (portion of the site currently zoned Limited Industrial). Access to the Building Trades facility will be off Front Street through the extension of the current access drive.

### Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for POS Parks and Open Space land uses. The POS Parks and Open Space district is a special purpose zoning district intended to preserve and enhance major open space and recreational areas by protecting the natural amenities they possess and by accommodating development that is compatible with those natural amenities. The POS district may also be applied to privately-owned open space areas within residential developments. Such a designation is appropriate zoning classification for open space (no-development) parcels within subdivisions.

Staff recommends approval of the Zone Change because CO Office Commercial will allow for a low-intensity land use that will not be detrimental to properties within the general vicinity of the site while also maintaining open space for the memorial. Additionally, the proposed CO Office Commercial zoning is an appropriate transitional zoning district between the IL Limited Industrial to the west and south and the POS Parks and Open Space zoning to the south. Finally, the proposed Zone Change allows for a land use that is physically suitable for the subject site.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z-2003-16, a request for a Zone Change from POS Parks and Open Space to CO Office Commercial for the site located at 1600 Mott Street, to the Toledo City Council, for the following three (3) reasons:

1. The rezoning will not have a detrimental effect on properties within the general vicinity of the subject site (TMC§1111.0606(E) Review and Decision Making Criteria).
2. The proposed CO Office Commercial zoning is an appropriate transitional zoning district; and
3. The proposed Zone Change allows for a land use that is physically suitable for the site (TMC§1111.0606(D) Review and Decision Making Criteria).

ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z-2003-16  
DATE: April 14, 2016  
TIME: 2:00 P.M.

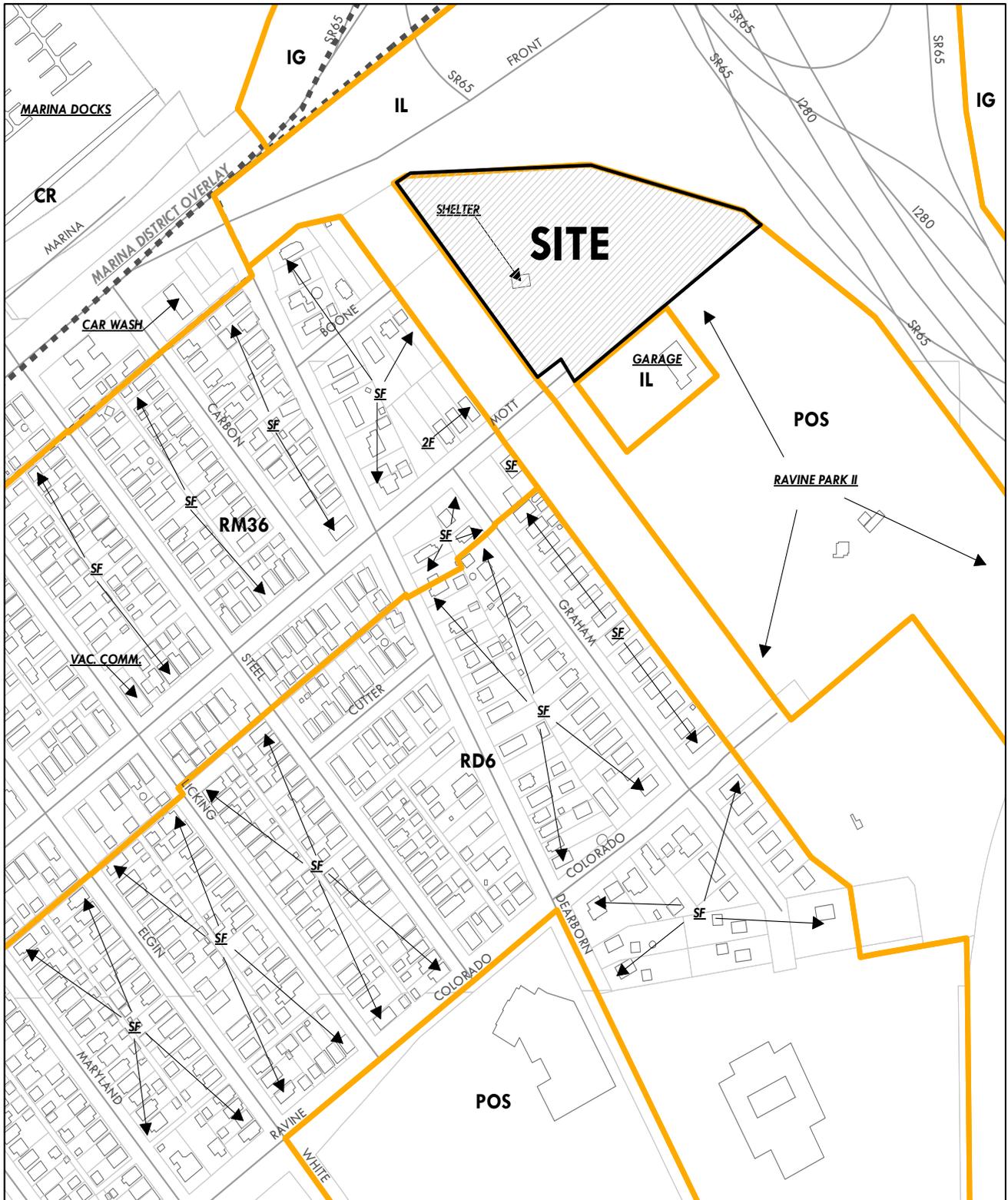
CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: May 18, 2016  
TIME: 4:00 P.M.

GP  
Two (2) sketches follow



# ZONING & LAND USE

Z-2003-16  
ID 27



## GENERAL INFORMATION

### Subject

- Request - Zone Change from RD6 Duplex Residential to IL Limited Industrial
- Location - 1202 Prospect Avenue & part of 1928 N. Detroit Avenue
- Applicant - Bill Burkett, Department of Economic Development  
City of Toledo  
One Government Center, Suite 2250  
Toledo, Ohio 43604

### Site Description

- Zoning - RD6 / Duplex Residential
- Area - ± 0.41 acres
- Frontage - ± 130' along Prospect Avenue  
± 67' along Detroit Avenue
- Existing Use - Vacant property
- Proposed Use - Warehouse and parking lot

### Area Description

- North - Outdoor stockpile materials / IL
- South - Prospect Avenue, Single Family Residential / RM36
- East - Vacant space, outdoor stockpile materials / IL
- West - Convenience store / IL

### Parcel History

- Z-13-82 - M-1 to C-3 at 1202 Prospect Ave. (PC recommended approval on 1/29/1982, CC approved on 3/31/1982 by Ord. 238-82).
- Z-1005-99 - R-3 to M-2 at 2020 N. Detroit Ave. (PC recommended disapproval on 4/08/1999).
- V-327-99 - Portion of alley north of Prospect Ave, west of Hoag (PC recommended approval on 6/10/1999, CC approved on 3/14/2000 by Ord. 253-00).

## **GENERAL INFORMATION (cont'd)**

### Applicable Plans and Regulations

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

## **STAFF ANALYSIS**

The applicant is requesting a Zone Change from RD6 Duplex Residential to IL Limited Industrial at 1202 Prospect Avenue and a portion of 1928 North Detroit Avenue. The ± 0.41 acre site is currently undeveloped. Surrounding land uses include vacant properties used for industrial material stockpiles to the north and east, the Red & White convenience store and vacant parcel to the west of the property, and single family homes across Prospect Avenue to the south.

The City of Toledo has worked with the Lucas County Land Bank to secure the property and plans to sell the property to the owner of the Red & White convenience store at the corner of Detroit and Prospect Avenues to construct a warehouse with parking spaces. The Red & White store has little space for storage and the construction of a warehouse will help improve current store operations. A Zone Change is required because wholesale, storage and distribution type land uses are not permitted in the RD6 zoning category.

In March of 2016, a Phase I Environmental Site Assessment (ESA) was conducted to identify any environmental contamination which had occurred throughout historical land uses. Results of the Phase I ESA determined there to be two Identified Areas (IA) or Recognized Environmental Conditions (REC) that are on or immediately adjacent to the site. One of the areas located on the site considered to be an IA/REC is the site of a former rubber manufacturer and tool stamping facility in the mid-1900's. The second area considered to be an IA/REC is east of the site in the parcel along Hoag Street which was based on the long term use as a railroad track and spur in the early to mid-1900's. In order to develop the property, the overall site will require a Phase II ESA to further evaluate and determine the IAs identified and if remediation will be required.

### Future Developments

Upon development of the site, a Minor Site Plan Review will be required with a landscaping plan. Through the installation of landscape buffers, efforts will be taken to protect visibility from the Right-of-Way and the neighboring residential properties Prospect Avenue and Hoag Street. Additionally, the site plan will be sent to the City of Toledo Division of Environmental Services to verify any environmental concerns are addressed and/or remediated before development.

**STAFF ANALYSIS (cont'd)**

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Single Family Residential land uses. Single Family land uses typically include the development of single dwelling units on individual lots and may also include libraries, schools, churches, and community centers that serve neighborhoods. The Single Family Residential district is intended to create, maintain and promote housing opportunities for individual households, although it may include nonresidential uses, duplexes, and planned unit developments that are typically compatible with residential neighborhoods.

The block of properties along Detroit Avenue between Woodruff Avenue and Prospect Avenue was primarily targeted for Single Family Residential as a result of neighborhood concerns with nuisance conditions from the previous industrial operations. However, unanticipated environmental concerns existing from historical land uses have restricted the residential opportunities for this block. Due to the environmental concerns described in the Phase I ESA the site is limited in development without further assessment and/or remediation.

Staff recommends approval of the Zone Change for this location because it is compatible with the established land uses to the north along Detroit Avenue, Woodruff Avenue and Hoag Street. Additionally, the proposed IL zoning is consistent with the current zoning designations of properties established in the immediate area north, east and west of the site and affects a small portion of a block that is largely zoned industrial. Finally, the proposed IL zoning will facilitate the development of a warehouse to support the existing convenience store at the corner of Detroit Avenue and Prospect Avenue.

Neighborhood Meeting

Due to the proximity of the site to a residential zoning and land uses, staff is requesting the applicant host a neighborhood meeting. Meeting notifications will need to be sent to the mailing address list provided to the applicant generated by the staff.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z-2002-16, a Zone Change from RD6 Duplex Residential to IL Limited Industrial at 1202 Prospect Avenue & part of 1928 N. Detroit Avenue to Toledo City Council for the following four (4) reasons:

1. Environmental concerns limit the development of Single Family Residential land uses, as proposed in the Toledo 20/20 Comprehensive Plan.
2. The IL Zone Change will facilitate the development of a warehouse that will support the existing convenience store at the intersection of Prospect Avenue and Detroit Avenue;
3. The IL zoning request is similar to existing land uses within the general vicinity of the subject property (TMC§1111.0606.B Review & Decision-Making Criteria).
4. A Zone Change to IL Limited Industrial is consistent with the zoning classification of properties within the general vicinity of the site (TMC§1111.0606.C Review & Decision-Making Criteria).

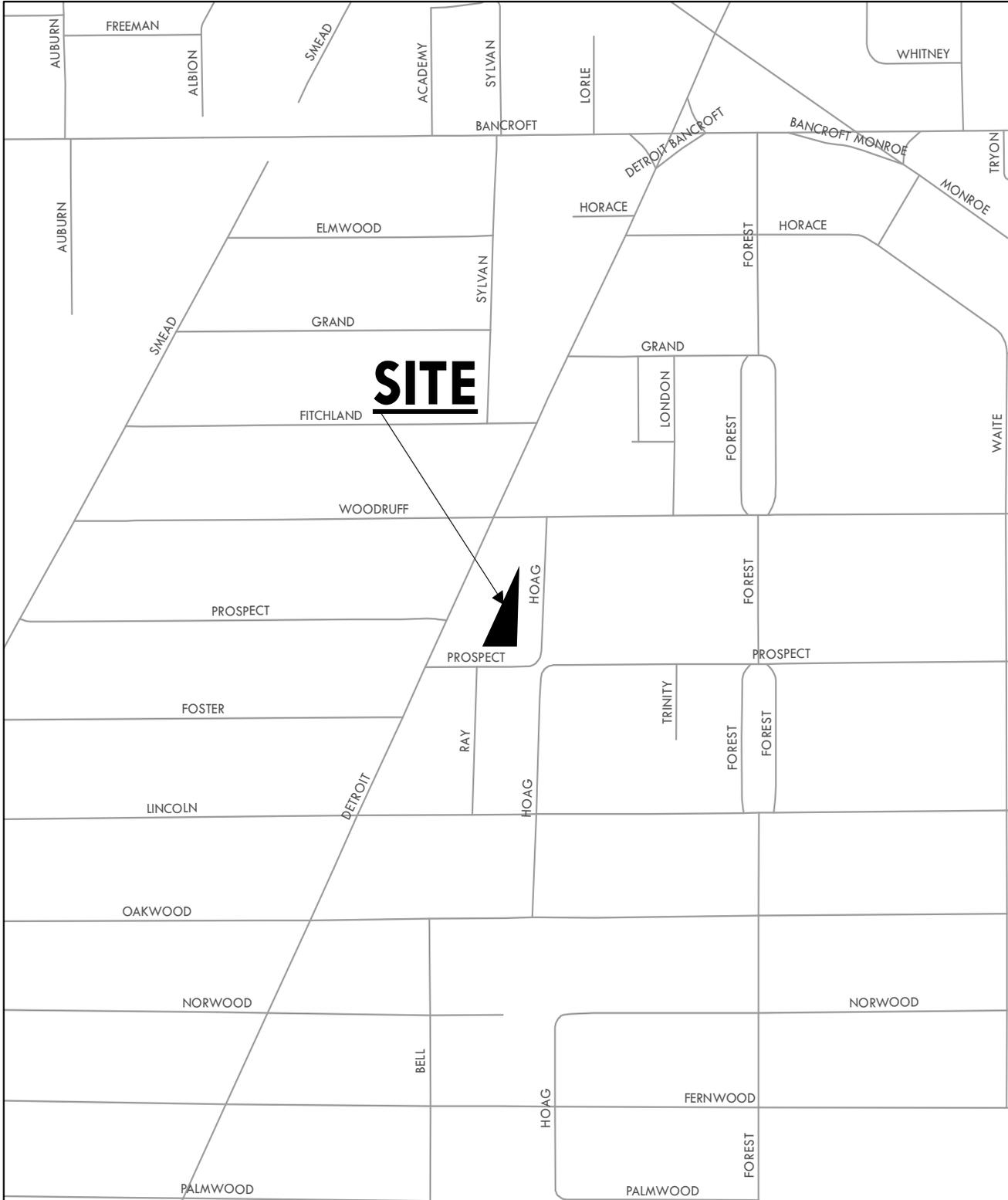
ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z-2002-16  
DATE: April 14, 2016  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: May 18, 2016  
TIME: 4:00 P.M.

RS  
Two (2) sketches follow

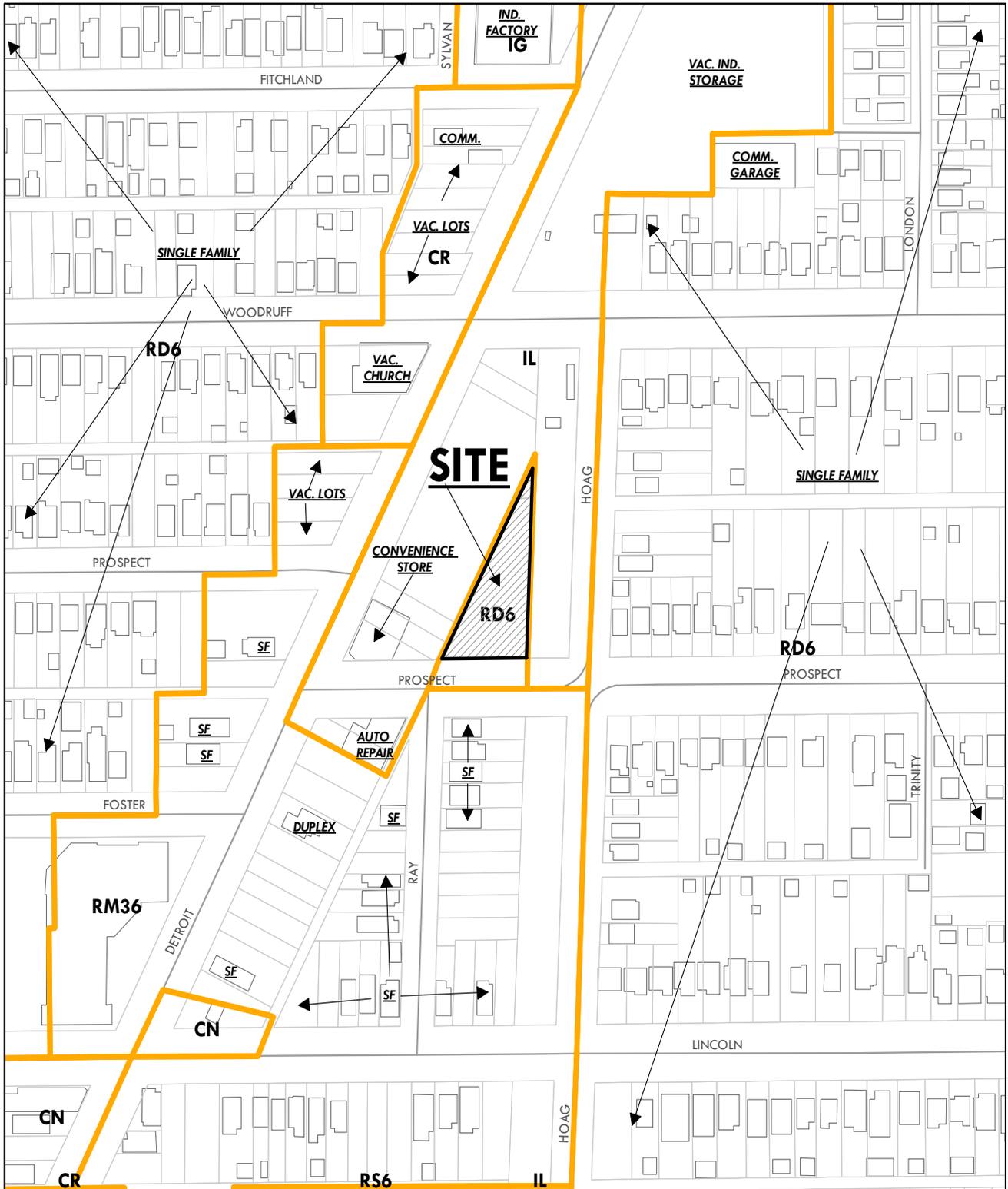
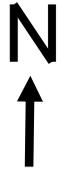
# GENERAL LOCATION

Z-2002-16  
ID 18



# ZONING & LAND USE

Z-2002-16  
ID 14



**GENERAL INFORMATION**

Subject

- Request - Zone Change from CO Office Commercial to CR Regional Commercial
- Location - 322 & 330 21<sup>st</sup> Street
- Applicant - James K. House, President  
Canaan Construction  
322 21<sup>st</sup> Street  
Toledo, Ohio 43604

Site Description

- Zoning - CO / Office Commercial
- Area - ± 0.48 acres
- Frontage - ± 130' along 21<sup>st</sup> Street  
± 160' along Laburnum Alley
- Existing Use - Vacant commercial property
- Proposed Use - Construction Sales / Services

Area Description

- North - 21<sup>st</sup> Street, Toledo Sign Inc. / CR
- South - Alley, vacant parking lot, green space / CO
- East - Toledo Sign Inc., Ramsey Brothers Boat Restoration / CR & CO
- West - Vacant warehouse / CO & CR

Parcel History

- M-22-65 - No records on file.
- M-9-69 - Special Study and recommendation for Toledo Central City General Neighborhood Renewal Plan by Res. 193-69.
- M-4-12 - UpTown Neighborhood District Plan (Plan Commission recommended approval on 12-05-2013. Approved by City Council by Ord. 19-14).

## **GENERAL INFORMATION (cont'd)**

### Applicable Plans and Regulations

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

## **STAFF ANALYSIS**

The applicant is requesting a Zone Change from CO Office Commercial to CR Regional Commercial at 322 & 330 21<sup>st</sup> Street. The ± 0.48 acre site is currently occupied by an existing vacant commercial storage building. Surrounding land uses include vacant properties used for warehousing to the west and east, a sign company and boat restoration business to the west of the property, and a vacant parking lot with green space to the south.

The applicant intends to occupy the site with a Construction Sales and Services Business. A Zone Change is required because Construction Sales and Services are only permitted in CR Regional Commercial or more intense zoning districts. A Zone Change is also needed to store building materials on site. In the CR district building materials must be stored indoors. Outside storage is not permitted.

### Landscaping

No changes are proposed to the existing site therefore additional landscaping improvements are not required. However, a Minor Site Plan Review may be required with a landscaping plan if any modification to the site or parking is proposed.

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 through the auditor's office then there will be a separate review process by the UpTown District Architectural Review Committee (UDARC). Additionally, any fencing, parking, driveways or signage proposed to be modified on site will require a separate application for UDARC approval.

### 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 although it may include small and medium scale office and mixed uses.

**STAFF ANALYSIS (cont'd)**

Staff recommends approval of the Zone Change for this location because it is compatible with the established land uses to the northeast. Additionally, the proposed CR zoning is consistent with the current zoning designations of properties established in the immediate area north, east and west of the site.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z-3001-16, a Zone Change from CO Office Commercial to CR Regional Commercial at 322 & 330 21<sup>st</sup> Street to Toledo City Council for the following three (3) reasons:

1. The CR Zone Change will facilitate the development of a commercial business that is similar to the existing Regional Commercial land uses along Adams Street;
2. The CR zoning request is similar to existing land uses within the general vicinity of the subject property (TMC§1111.0606.B Review & Decision-Making Criteria).
3. A Zone Change to CR Regional Commercial is consistent with the zoning classification of properties within the general vicinity of the site (TMC§1111.0606.C Review & Decision-Making Criteria).

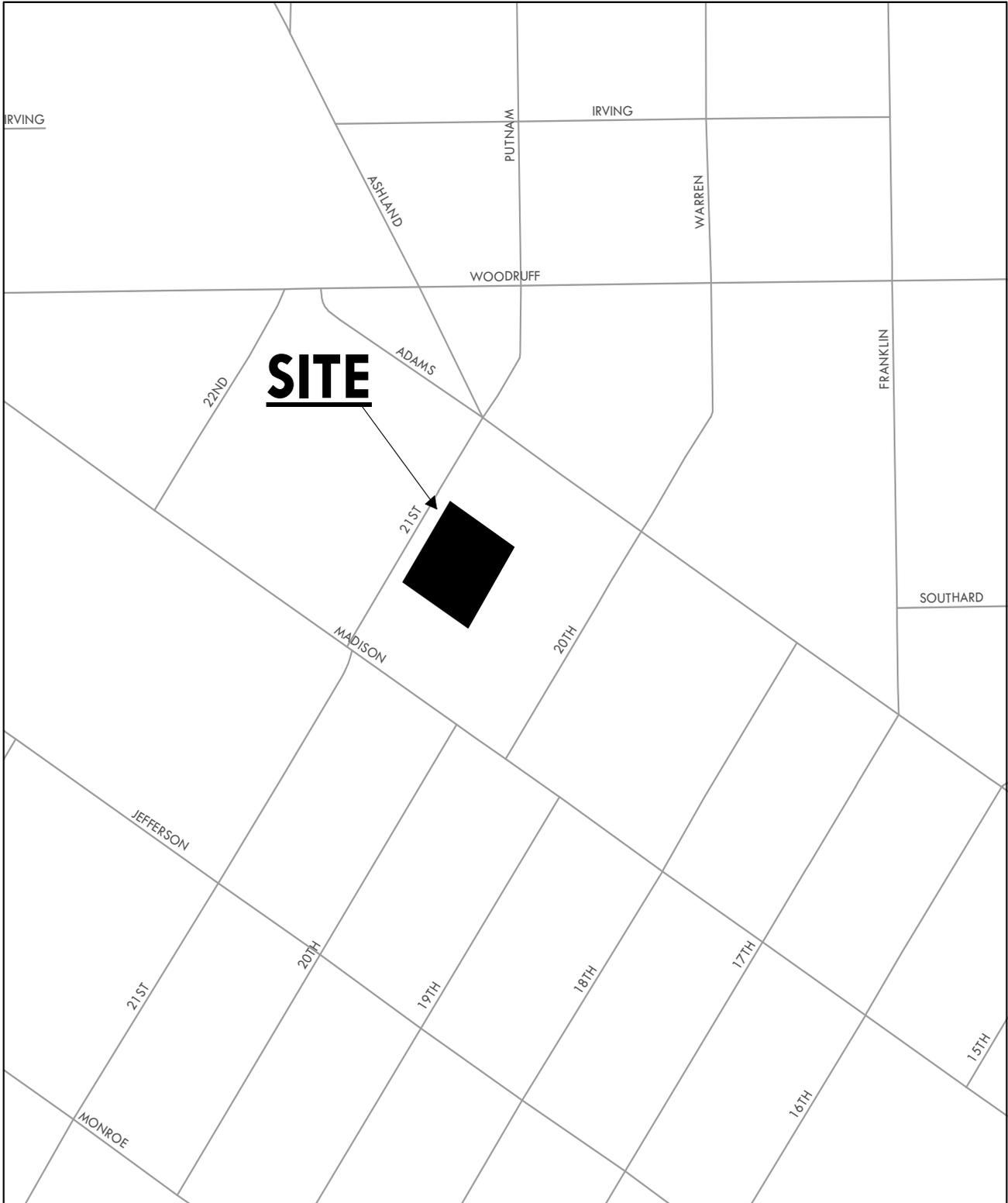
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Two (2) sketches follow

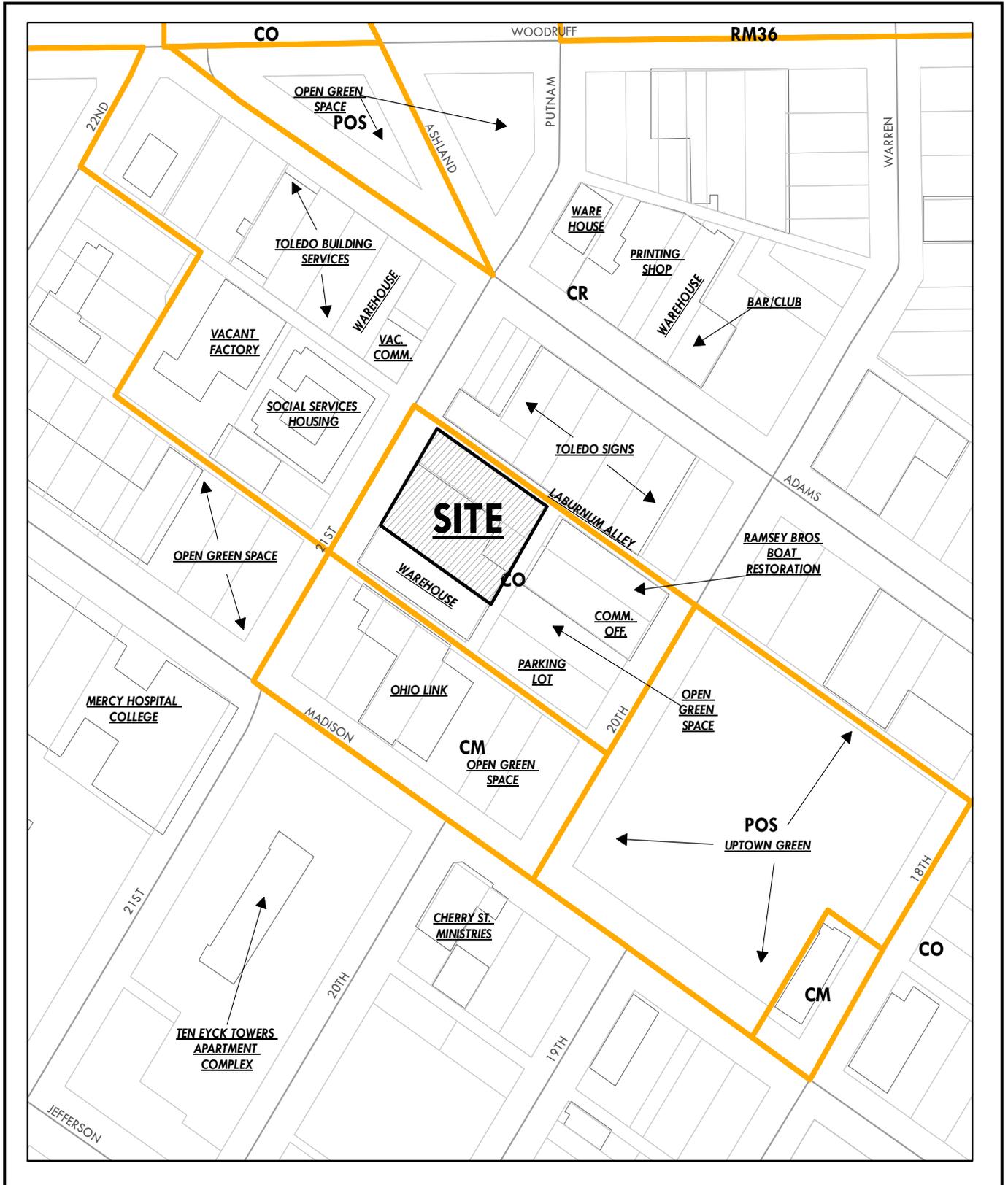
# GENERAL LOCATION

Z-3001-16  
ID 14



# ZONING & LAND USE

Z-3001-16  
ID 14



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## GENERAL INFORMATION

### Subject

- Request - Amendment to a Special Use Permit for a Scrap and Salvage Yard, Originally Granted by Ord. 105-12, and Ord. 405-13 at 5530 & 5650 N. Detroit and 429 & 463 Terminal Road
- Location - 5520 N. Detroit Avenue
- Applicant - Joel Beren  
Cherry Picked Auto Parts  
5650 N. Detroit Avenue  
Toledo, OH 43612
- Engineer - Lewandowski Engineers  
234 N. Erie Street  
Toledo, OH 43604
- Owner - 5400 Detroit Ave LLC  
1831 E. Highland Dr  
Twinsburg, OH 44087

### Site Description

- Zoning - *IG General Industrial*
- Area - 5.32 Acres
- Frontage - ±330 Feet along Detroit Avenue
- Existing Use - Undeveloped
- Proposed Use - Scrap and Salvage Yard

### Area Description

- North - Scrap and Salvage Yard & Agriculture / *IG General Industrial*
- South - Industrial / *IG General Industrial*
- East - Railroad & Undeveloped Land / *IG General Industrial*
- West - Undeveloped, Former Raceway Park & Single Family Residential / *IG General Industrial, CR Regional Commercial & RS6 Single Family Residential*

## GENERAL INFORMATION (cont'd)

### Parcel History

No parcel history on file.

### Applicable Plans and Regulations

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

## STAFF ANALYSIS

The request is an amendment to a Special Use Permit for a Scrap and Salvage Yard for a 5.32 acre site at 5520 Detroit Avenue. The site plan submitted indicates that only the western 2.98 acres will be used by the Scrap and Salvage Yard. The remaining acreage to the east will not be used because of drainage concerns with the soil. The applicant, Cherry Picked Auto Parts, has been in operation since 2009 and has expanded twice since opening. Once in 2012 and once in 2013.

The letter of intent states that the expansion “will be used for the placement of an additional 360 +/- customer accessible vehicles” and connect with the existing facility approved to the north in 2012. The ability for customers to access this area of the property differs from the 2012 request, however customers will only be able to access the site on foot or with a wheelbarrow.

### *LAYOUT*

The site plan indicates that the storage area will be accessible via a 25' stone drive aisle around the perimeter of the property. The expansion will not create a new curb cut on Detroit Avenue. It will instead use the existing access points on the current facility to the north and the Dohler Jarvis site to the south. **TMC 1107.1906** requires all off-street parking, loading, and maneuvering areas be surfaced with a dust-free material other than gravel or loose fill. Staff is supportive of waivers for the drive aisles and storage areas due to limited traffic on the site.

### *FENCING*

The plan proposes the replacement of the existing 6' chain link fence with barbed wire with a 9' forest green, steel panel fence. This steel panel fence would replace the existing chain link fence around the entire facility south of Terminal Road. The 9' fencing will exceed the 3 ½ feet height limit in the front setback - **TMC 1105.0302 Commercial and Industrial Districts**, **TMC 1107.2000 Sight Distance Setback**, and **TMC 1108.0203.H.1 Outdoor Storage Screening** and the use of pressed metal requires approval by the Plan Commission – **TMC 1108.0203.H.2. Outdoor Storage Screening**.

**STAFF ANALYSIS (cont'd)**

*FENCING (cont'd)*

Staff is supportive of the pressed metal fencing, which has been approved for other Scrap and Salvage Operations in the City, but has concerns approving a 9' tall fence along the property line. The existing fence is less than 10' from the pavement for Detroit Avenue. Additionally, the Board of Zoning Appeals approved an 8' steel panel fence around the entire perimeter of the Raceway Park Site, including the frontage along Detroit Avenue. The existing Raceway Park fence is also less than 10' from the pavement of Detroit Avenue. As a result, the approval of fencing at this height and proximity to Detroit Avenue would create a tunnel effect for traveling motorists and the single family neighborhood to the southwest.

A 9' steel panel fence was approved along a portion of Detroit Avenue for the 2013 expansion of Cherry Picked Auto Parts, however there was a 30' of separation between the fence and Detroit Avenue. That area also included existing pine trees. The additional setback and landscaping limits the impact of the fencing height. The applicant has indicated that the fencing at this height is needed to prevent thefts from vehicles. Staff does not object to the 9' fence height, but request that it be moved back 10' to create additional separation between Detroit Avenue that would lessen the impact of fencing at this height. Staff has also reached out to the owner's of the former Raceway Park site to discuss a similar request.

Additionally, given the nature of scrap and salvage operations, inventory shall not exceed the height of the fence. This item is included as a condition of approval.

A map of the existing and proposed fencing conditions is included as Exhibit "A."

*LANDSCAPING*

The applicant is not proposing any landscaping for the expanded facility. A 30-foot frontage greenbelt is required along a public right-of-way for an industrial parcel over 5 acres - **TMC 1108.0202**. Staff supported waivers for the previous expansions because the existing fence and height was maintained in the 2012 expansion and the development was largely focused on Terminal Road in 2013. Staff does not support a full waiver of the greenbelt given the previously discussed fencing issues and the proximity of a well-maintained residential neighborhood to the southwest. An additional 10' of width should be provided, along with the required 1 tree for every 30' of lot frontage along all areas of Detroit Avenue where the new fencing is installed.

*OTHER*

The Toledo 20/20 recommends Heavy Industrial uses for this property. A Scrap and Salvage Yard is consistent with this designation. Staff is supportive of the request with the attached conditions and recommendations on waiver request. The proposed use is compatible with adjacent industrial uses in terms of scale, site design and operating characteristics – **TMC 1111.0706.C**. The proposed use will not result in a decrease in industrial property values and will restore a vacant industrial site to use - **TMC 1111.0706.D**.

## **STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-2004-16, an Amendment to a Special Use Permit for a Scrap and Salvage Yard at 5520 N. Detroit Avenue, Originally Granted by Ord. 105-12 and Ord. 405-13 at 5530 & 5650 N. Detroit Avenue and 429 & 463 Terminal Road, to the Toledo City Council, for the following **two (2)** reasons:

1. The proposed use is compatible with adjacent industrial uses in terms of scale, site design and operating characteristics – **TMC 1111.0706.C.**
2. The proposed use will not result in a decrease in industrial property values and will restore a vacant industrial site to use. **TMC 1111.0706.D.**

The staff recommends that the Toledo City Plan Commission make the following recommendations to the Toledo City Council on the following waivers:

### **Chapter 1105 Accessory Uses**

#### **TMC 1105.0302.A.1. Commercial and Industrial Districts**

Approve a waiver to allow 9 foot steel panel fencing in the front setback; 10 feet from the property line.

### **Chapter 1107 Parking, Loading and Access**

#### **TMC 1107.1906 Surfacing and Drainage**

Approve a waiver to allow unpaved surface for storage areas and drive aisles.

#### **TMC 1107.2000 Site Distance Setback**

Approve a waiver to allow 9 foot steel panel fencing within 23' of the curb or pavement edge of any street.

### **Chapter 1108 Landscaping and Screening**

#### **TMC 1108.0202 Frontage Greenbelt**

Approve a waiver for a 20 foot reduction in the 30 foot frontage greenbelt.

#### **TMC 1108.0203.H.1 Outdoor Storage Screening**

Approve a waiver to allow 9 foot, steel panel fencing for outdoor storage 10 feet from the property line.

**STAFF RECOMMENDATION** (cont'd)

Staff further recommends approval subject to the following **twenty seven (27)** conditions:

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

Engineering Services

1. All **existing substandard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced and/or upgraded to conform to current City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
3. All commercial drive approaches (along with the sidewalk through the drive) shall be constructed with 8-inch-thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop or opening.**
4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220.
5. Contact Joe Warnka at (419) 245-1341 for inspection of above-mentioned items.
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 (including adding to or replacing the existing stone area) 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.

**STAFF RECOMMENDATION** (cont'd)

Sewer and Drainage Services

7. S&DS requires that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
8. S&DS requires 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) years. An electronic copy (DVD/memory stick) shall be provided to S&DS

Fire Prevention

9. 25' Fire Access Aisle within the facility **must be capable of supporting fire apparatus** and must be kept clear of vehicles. Additionally, it **must be useable all year** (i.e. **clear of snow, ice, and mud** that may disable a fire truck.) "Fire Department Entrance" signs may be required.
10. A Fire Department **key box will be required** due to locked / motorized entry gates.
11. **Approved address numbers** are required and must be visible to emergency vehicles.
12. Consideration should be given to the installation of private fire hydrants within the expanded facility due to the size of the facility and the distance to nearest city hydrants located on Detroit Ave.

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 your 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.

**STAFF RECOMMENDATION** (cont'd)

Fire Prevention (cont'd)

17. Applicant shall maintain compliance with the City of Toledo and the State of Ohio's Air Quality Regulations applicable in the Toledo Municipal Code and the Ohio Administrative Code including, but not limited to Anti-Noise Laws.

Building Inspection

Comments not received at the time of print.

Transportation

18. A drive aisle shall be constructed connecting the currently leased storage lot with the proposed lot.

Plan Commission

19. **TMC 1105.0302.A.1., TMC 1107.2000, TMC 1108.0203.H.1**, shall be waived to allow a 9' steel panel fence 10' from the property line.
20. **TMC 1007.1906** shall be waived to permit a gravel surface for storage areas and drive aisles.
21. **TMC 1108.0202** shall be waived to approve a 20' reduction in the required 30' frontage greenbelt. One tree shall be installed in the frontage greenbelt for every 30' of linear frontage.
22. A ten (10') greenbelt is required along the Detroit Avenue frontage; the greenbelt shall include at least one tree for every 30 feet of lot frontage (existing trees may be eligible for credits). The greenbelt and trees shall be installed along all frontage where the new fence will be installed; **shall be noted on a revised site plan.**
23. Outdoor storage shall not exceed the height of the fence on any portion of the property.
24. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Zoning Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

25. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed and maintained indefinitely.
26. 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. Major adjustments will require an amendment to the Special Use Permit.
27. No permits shall be issued until arrangements satisfactory to the Director of the Toledo City Plan Commission have been made for compliance with the conditions as set forth above.

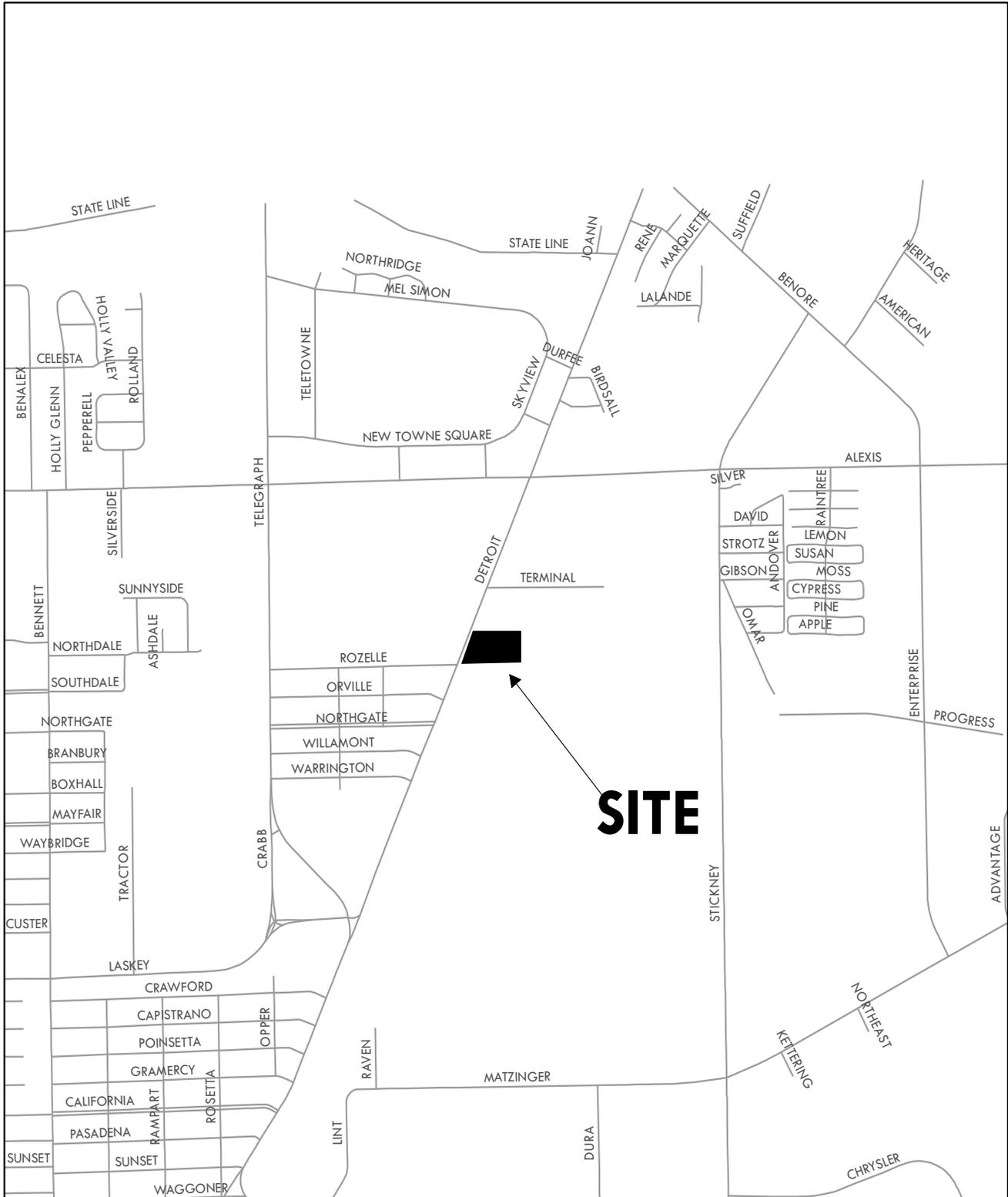
SPECIAL USE PERMIT  
TOLEDO PLAN COMMISSION  
REF: SUP-2004-16  
DATE: April 14, 2016  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: May 18, 2016  
TIME: 4:00 P.M.

JL  
Four (4) sketches follow

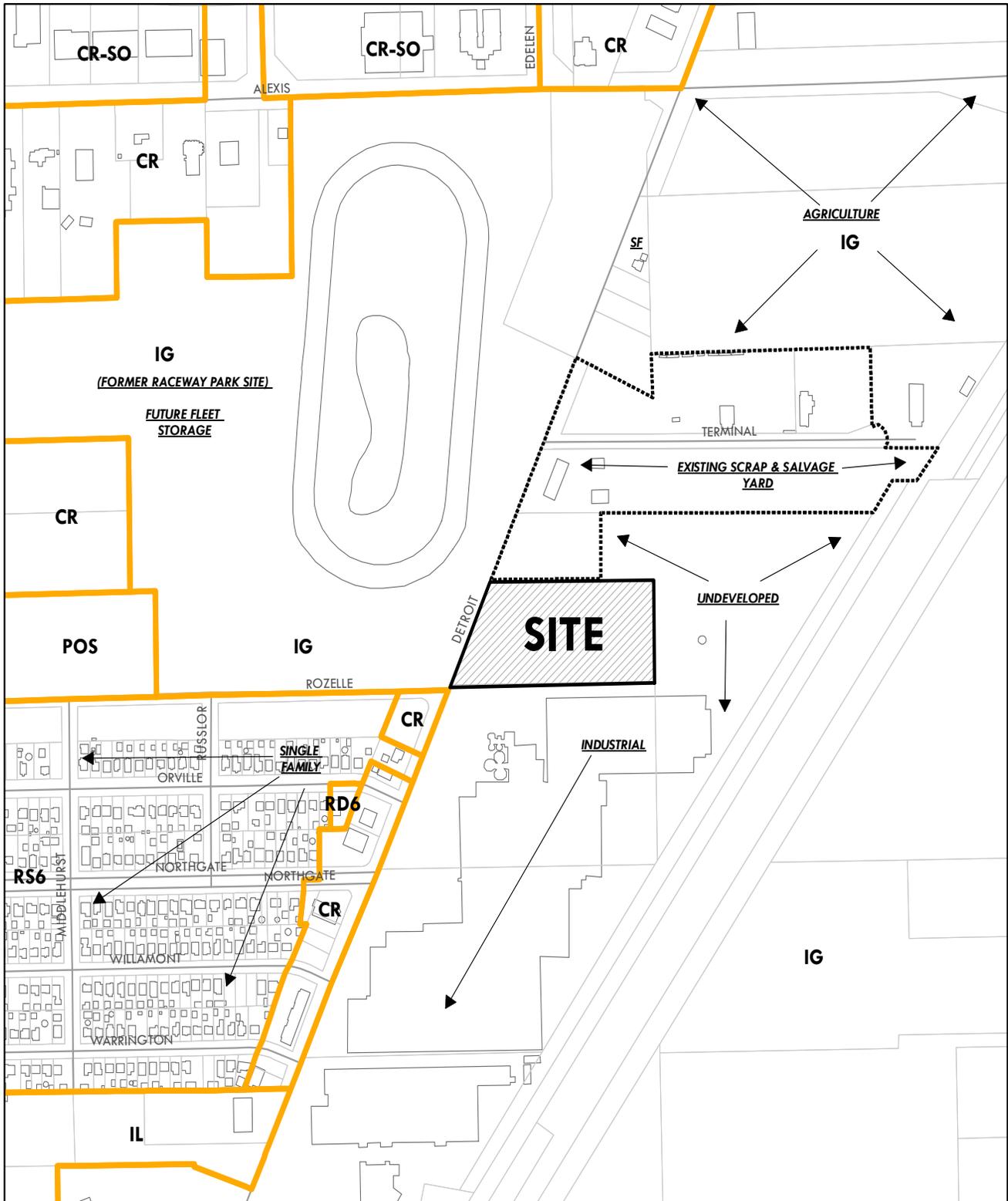
# GENERAL LOCATION

SUP-2004-16  
ID 59



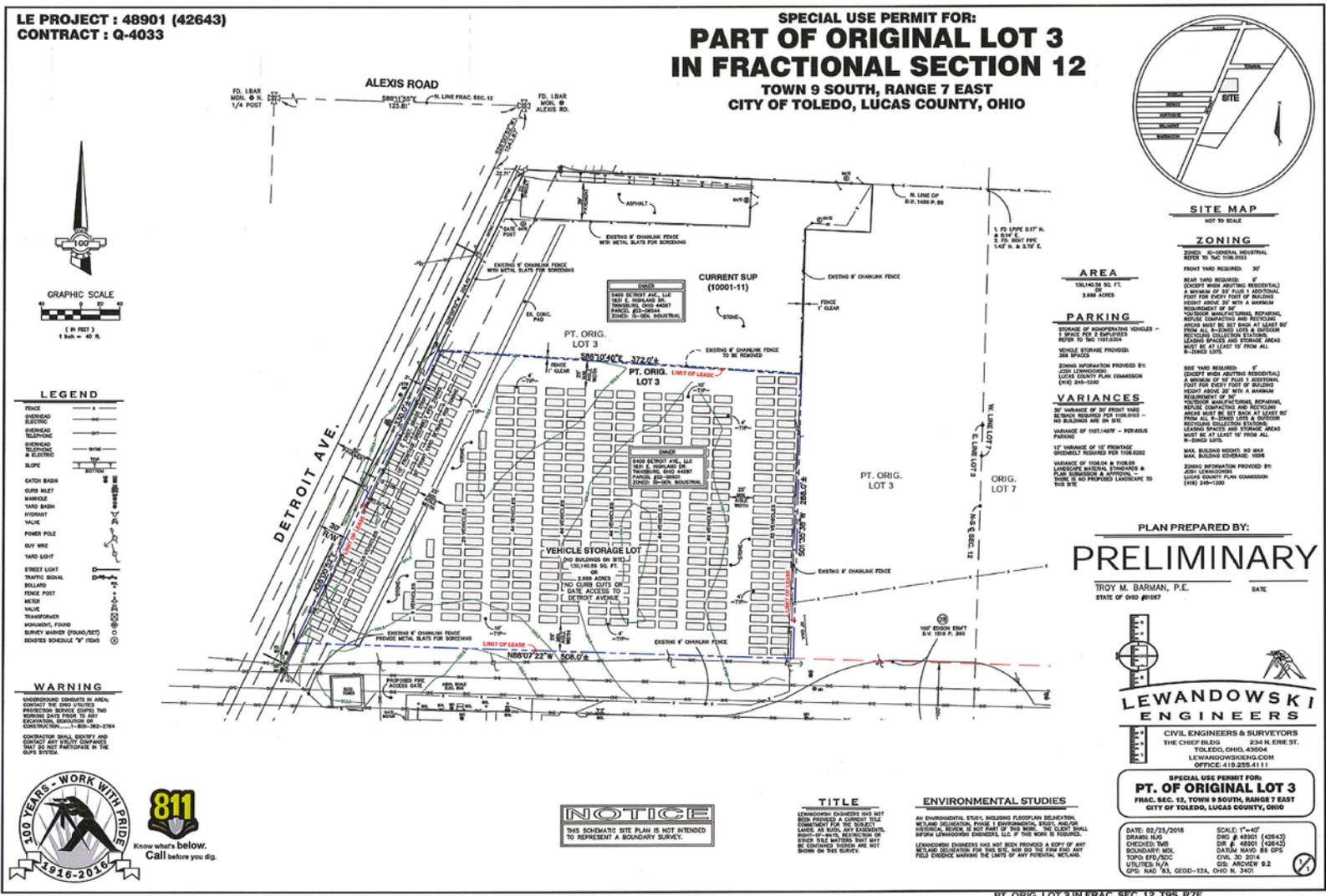
# ZONING & LAND USE

SUP-2004-16  
ID 59



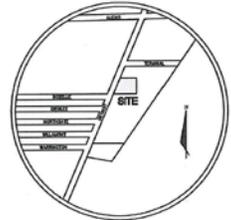
# SITE PLAN

SUP-2004-16  
ID 59



LE PROJECT : 48901 (42643)  
CONTRACT : Q-4033

SPECIAL USE PERMIT FOR:  
**PART OF ORIGINAL LOT 3  
IN FRACTIONAL SECTION 12**  
TOWN 9 SOUTH, RANGE 7 EAST  
CITY OF TOLEDO, LUCAS COUNTY, OHIO



SITE MAP  
NOT TO SCALE



**LEGEND**

—	FENCE
—	SEWER
—	ELECTRIC
—	TELEPHONE
—	SEWER
—	ELECTRIC
—	TELEPHONE
—	SEWER
—	ELECTRIC
—	TELEPHONE
—	SLOPE
—	CATCH BASIN
—	GRID INLET
—	MANHOLE
—	YARD BASH
—	WINDMILL
—	VALVE
—	POWER POLE
—	GUY WIRE
—	YARD LIGHT
—	STREET LIGHT
—	TRAVEL SIGNAL
—	FENCE POST
—	WATER
—	VALVE
—	TRANSFORMER
—	MONUMENT, FOUND
—	SURVEY MARKER (ROUND/RECT)
—	DEVIATOR BENCHMARK "B" MARK

**WARNING**  
UNDERGROUND UTILITIES IN AREA. CONTACT THE OHIO UTILITIES INSPECTION SERVICE (OUIS) TWO BUSINESS DAYS PRIOR TO ANY CONSTRUCTION. PHONE: 614-231-2344  
CONTRACTOR SHALL VERIFY AND CORRECT ALL UTILITY DATA IN THE OUIS SYSTEM.



**NOTICE**  
THIS SCHEMATIC SITE PLAN IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY.

**TITLE**  
LEWANDOWSKI ENGINEERS HAS NOT BEEN PROVIDED A CURRENT TITLE COMMITMENT FOR THE SUBJECT LAND. AS SUCH, ANY EXISTING ENCUMBRANCES, ETC., ARE NOT SHOWN ON THIS SURVEY.

**ENVIRONMENTAL STUDIES**  
AN ENVIRONMENTAL STUDY, INCLUDING FLOODPLAIN DELINEATION, WETLAND DELINEATION, PHASE I ENVIRONMENTAL ASSESSMENT, AND/OR HISTORICAL REVIEW, IS NOT PART OF THIS WORK. THE CLIENT SHALL EMPLOY LEWANDOWSKI ENGINEERS, LLC, OR SOME OTHER QUALIFIED PROFESSIONAL ENGINEER, ARCHITECT, OR LANDSCAPE ARCHITECT TO CONDUCT SUCH STUDY. THE RESULTS OF SUCH STUDY SHALL BE PROVIDED TO LEWANDOWSKI ENGINEERS, LLC, FOR REVIEW AND COMMENT. LEWANDOWSKI ENGINEERS HAS NOT BEEN PROVIDED A COPY OF ANY SUCH STUDY. THE CLIENT SHALL OBTAIN SUCH STUDY FROM THE PROFESSIONAL ENGINEER, ARCHITECT, OR LANDSCAPE ARCHITECT.

**AREA**  
134,143.50 SQ. FT.  
3.08 ACRES

**PARKING**  
PROVIDE 1 SPACE PER 2 EMPLOYEES  
REFER TO THE 105.05.010  
VEHICLE STORAGE PROVIDED:  
368 SPACES

**VARIANCES**  
30' VARIANCE OF 30' FRONT YARD SETBACK REQUIRED BY 105.05.010  
30' VARIANCE OF 10' FRONT YARD SETBACK REQUIRED BY 105.05.010  
30' VARIANCE OF 10' FRONT YARD SETBACK REQUIRED BY 105.05.010  
30' VARIANCE OF 10' FRONT YARD SETBACK REQUIRED BY 105.05.010

PLAN PREPARED BY:  
**PRELIMINARY**

TROY M. BARMAN, P.E.  
STATE OF OHIO #0087

**LEWANDOWSKI ENGINEERS**  
CIVIL ENGINEERS & SURVEYORS  
THE CHIEF BLDG. 234 N. ERNE ST.  
TOLEDO, OHIO 43604  
LEWANDOWSKIENR.COM  
OFFICE: 419-255-1111

SPECIAL USE PERMIT FOR:  
**PT. OF ORIGINAL LOT 3**  
FRAC. SEC. 12, TOWN 9 SOUTH, RANGE 7 EAST  
CITY OF TOLEDO, LUCAS COUNTY, OHIO

DATE: 02/23/2016  
DRAWN: NJO  
CHECKED: TMB  
BOUNDARY: MSL  
TPO: STJ/SCC  
UTILITIES: N/A  
GPS: NAD 83, G2011-12A, OHIO N. 3401

PT. ORIG. LOT 3 IN FRAC. SEC. 12, T9S, R7E

S - 11

# EXHIBIT "A" EXISTING/PROPOSED FENCING

SUP-2004-16  
ID 59



REF: SUP-2006-16  
DATE: April 14, 2016

## GENERAL INFORMATION

### Subject

- |            |   |   |
|------------|---|---|
| Request    | - | Special Use Permit for a Community Recreation – Active land use                                       |
| Location   | - | 5602 Swan Creek Drive   |
| Applicant  | - | Board of Park Commissioners of the Metroparks<br>6101 Fallen Timbers Lane<br>Maumee, OH 43537         |
| Contact    | - | Toledo Area Metroparks<br>C/O: Dave Zenk<br>5100 W. Central Avenue<br>Toledo, OH 43615                |
| Consultant | - | The EDGE Group, Inc.<br>C/O: Sharon Schultz<br>33 S. Michigan Street<br>Suite 304<br>Toledo, OH 43604 |

### Site Description

- |              |   |                                  |
|--------------|---|----------------------------------|
| Zoning       | - | RS12 / Single Family Residential |
| Area         | - | ± 5.18 acres                     |
| Frontage     | - | N/A                              |
| Existing Use | - | Single Family Dwelling           |
| Proposed Use | - | Park                             |

### Area Description

- |       |   |                                |
|-------|---|--------------------------------|
| North | - | Undeveloped / RS12             |
| South | - | Single Family Dwellings / RS12 |
| East  | - | Single Family Dwellings / RS12 |
| West  | - | Undeveloped / RS12             |

### Parcel History

No record on file

**GENERAL INFORMATION** (cont'd)

Applicable Regulations

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

**STAFF ANALYSIS**

The applicant is requesting a Special Use Permit (SUP) to facilitate the development of a Community Recreation – Active land use at 5602 Swan Creek Drive. The ±5.18 acre site is primarily undeveloped with the exception of two (2) small residential structures. The site is located within a wooded area that forms a natural barrier between the residential dwellings to the east and the south. The subject site is bordered on the north by Swan Creek. Beyond this waterway is a small pond and earthen mounds that occupy a grassy meadow opening in the wooded area. The site has a mix of wildflowers, maples, oak trees, and maple trees. It also attracts migratory birds and views of Swan Creek. A neighborhood meeting is scheduled to be held prior to the Plan Commission hearing.

TMC§1116.0209 defines Community Recreation as recreational, social, or multi-purpose uses typically associated with parks, play fields, golf courses, or community recreation buildings. Active Recreation uses typically include public and community recreation buildings, including enclosed and semi-enclosed buildings providing public assembly and activity areas, such as gymnasiums, meeting rooms, game rooms, arts and crafts, dancing and dining.

The Metropolitan Park District of Toledo is requesting a Special Use Permit to facilitate development of a Visitor's Center and small parking area to be located on a new park that will be known as the Belt House Park. The existing residence located at the north end of property will be converted into the Visitor's Center and will include restrooms and rental space. Parking will be located adjacent to the Visitor's Center. One of the main uses of the structure is to hold recitals and small gatherings such as baby/bridal showers. Other features proposed for the new park are walking trails, a tree house, a kayak/canoe deck along with a floating deck, and a creek overlook station. The small residence located at the south end of the property will be maintained as a rental residence for park staff.

Parking and Circulation

The applicant is proposing thirty-two (32) new parking spaces to be accessed via a new internal drive that loops around the southern portion of the site. The new drive will connect to an existing driveway that exits onto Swan Creek Drive. The proposed circulation is a one-way configuration. No access to the site is proposed for Larchwood Lane.

**STAFF ANALYSIS** (cont'd)

Parking and Circulation (cont'd)

Pursuant to TMC§1107.0304 – *Parking, Loading, and Access*: Schedule D outlines the parking requirements for Community Recreation land uses. Parking Schedule D requires a parking study prepared by the applicant to establish the minimum off-street parking requirements. According to TMC§1107.0602, the study must include estimates of parking demand based on recommendation of the Institute of Transportation Engineers (ITE), or other acceptable estimates as approved by the Planning Director and include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. A parking study is included as a condition of approval.

Landscaping

Among the intentions of landscaping and screening outlined in TMC§1108.0203 is the promotion of aesthetic appeal, the reduction of pollutants in stormwater runoff, and the improvement of the appearance of parking lots. The total interior landscaping required in parking lots is twenty (20) square feet per parking space. Where the landscape area is part of the drainage facility for the parking lot, curb openings or wheel stops must be used to allow for drainage into the swale or buffer area. Perimeter landscaping must be installed along any parking lot area adjacent to a street, place, or driveway, or which is visible from an immediately adjacent property. Additionally, landscaped end-caps are required at the end of each parking row. A minimum of at least one (1) canopy tree must be provided for each thirty (30) linear feet, plus a continuous shrub with a minimum height of eighteen (18) inches (when installed so as to achieve full screening at maturity). A landscape plan is required as a condition of approval.

The site plans submitted depict a substantial buffer along the east property line between the subject site and the residential neighborhood further east. The proposal utilizes an existing six (6') foot high wooden privacy fence and wooded tree line as a buffer installation along the east property line and a four (4) foot split rail fence along the southern property line. Where the existing wood line is deficient the site plan depicts reinforcement with heavy evergreen screening. Staff recommends that both fences remain indefinitely. The rendered site plan shows compliance with these requirements. In the event that the wood line is reduced or removed, adequate must be installed in it's place.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan provides a set of recommendations to guide the future growth and development of the City. The Toledo 20/20 Comprehensive Plan targets this site for POS Parks and Open Space land uses. The POS Parks and Open Space district is a Special Purpose zoning district intended to preserve and enhance major open space and recreational areas by protecting the natural amenities they possess and by accommodating development that is compatible with those natural amenities. The POS district may also be applied to privately-owned open space areas within residential developments. Such a designation is appropriate zoning classification for open space (no-development) parcels within subdivisions.

**STAFF ANALYSIS** (cont'd)

The Special Use Permit is suitable for this location because the use meets the intent of the 20/20 Plan and complies with all applicable provisions of the Zoning Code. Limited parking is intended to prevent the development of a full-fledged park and limit its use to events and special programs. Neighbors will be allowed to walk throughout the park.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-2006-16, a request for a Special Use Permit for a community recreation – active land use, for a site located at 5602 Swan Creek Drive, to the Toledo City Council, for the following two (2) reasons:

1. The proposed use complies with all applicable provisions of the Zoning Code (TMC§1111.0606(B) Review and Decision Making Criteria); and
2. The proposed use meets the intent of the Toledo 20/20 Comprehensive Plan.

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-2006-16, a request for a Special Use Permit for a community recreation – active land use, for a site located at 5602 Swan Creek Drive, to the Toledo City Council, subject to the following forty-three (43) conditions:

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

Engineering Services

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

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

3. All commercial drive approaches (along with the sidewalk through the drive) shall be constructed with 8-inch thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop or opening.** 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. Detailed plans for the 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.
7. Contact the City of Toledo Fire Prevention Bureau to determine the fire-protection requirements for this site. Verify that the hydrant location shown is acceptable to the Toledo Fire Prevention Bureau.
8. New fire, domestic, and irrigation taps will be installed by City of Toledo at the owner's/developer's expense.
9. 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.
10. A hydrant flow test is recommended to ensure that the available water flow and pressure in the area meet the anticipated demands of the facility. Contact the Division of Water Distribution to schedule a hydrant flow test.

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

11. Plans submitted for Plan Commission review indicate earth-disturbing activity greater than 2,500 square feet; therefore, a detailed site-grading plan, Storm Water Pollution Prevention Plan (SWP3), and plans for storm-water service for this project shall be submitted to the Division of Engineering Services for storm-water review and approval.
12. Plan submittals shall be in conformance with the latest version of Infrastructure Design and Construction Requirements available at <http://toledo.oh.gov/services/public-utilities/div-engineering-services/plan-review-process/>, including the requirements for storm-water detention and post-construction storm-water Best Management Practices (BMPs). The requirement for storm-water detention can be waived since the storm water will connect directly into Swan Creek. Requirements for post-construction storm-water BMPs will still apply.
13. Any person performing earth-disturbing activities within the City of Toledo shall employ Construction Best Management Practices (BMPs). All disturbed land areas over 1 acre must submit an NOI to and obtain a permit from the Ohio EPA.
14. Designs incorporating low impact development solutions, such as grassy swales and bio-retention areas in lieu of curb, storm sewers, and underground detention, are encouraged and may be eligible for a percent reduction in the property's storm-water utility fee through the Storm Water Credit Program.
15. A site-specific Storm Water Pollution Prevention Plan (SWP3) shall be submitted for review and approval. The SWP3 shall address all components required per the latest Ohio EPA General Storm Water NPDES permit and shall accompany a completed Ohio EPA SWP3 Checklist. The checklist can be found at the following link: [http://epa.ohio.gov/dsw/storm/const\\_SWP3\\_check.aspx](http://epa.ohio.gov/dsw/storm/const_SWP3_check.aspx).
16. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
17. No construction work, including any earth-disturbing work, including any earth-disturbing work, will be permitted without approved plans and inspection.

**STAFF RECOMMENDATION (cont'd)**

Engineering Services (cont'd)

18. Dredging, filling, clearing, or otherwise altering wetlands is prohibited without first providing proof of compliance with the following permits: Section 401 of the Clean Water Act, Ohio EPA Isolated Wetland Permit, and Section 404 of the Clean Water Act. If a permit does not apply, provide a letter from a qualified professional certifying that they have surveyed the site and determined that the permit is not applicable. All certifications and delineations shall include written concurrence from the U.S. Army Corps of Engineers and/or Ohio EPA, as appropriate, in accordance with protocols currently accepted by the U.S. Army Corps of Engineers.
19. Being in or adjacent to a flood hazard zone, this area is subject to Toledo Municipal Code, Chapter 1110, which must be complied with in full.
20. To allow for maintenance access, structures, permanent fences, walls, or other obstructions are not permitted within 12 feet of the top of bank or ordinary high-water mark of Swan Creek or within the floodway. Clearing of vegetation, storage of materials, and/or development within 40 feet of the ordinary high-water mark of Swan Creek is discouraged due to water-quality impacts.
21. A pre-submittal meeting is not required; however, one may be requested. Contact Information is as follows:
  - Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850
  - Sanitary Sewers: Mike Elling, ph. 419-936-2276
  - Storm-water Drainage: Lorie Haslinger, ph. 419-245-3221;  
Andy Stepnick 419-245-1338
  - Water: Andrea Kroma, ph. 419-936-2163
  - Roadway: Tim Grosjean, ph. 419-245-1344
22. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.

Sewer & Drainage Services

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

**STAFF RECOMMENDATION** (cont'd)

Sewer & Drainage Services (cont'd)

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

Economic Development

Comments not received at the time of printing.

Environmental Services

25. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.
26. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit program.
27. 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.
28. 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.
29. Applicant shall maintain compliance with the City of Toledo and the 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.

Fire Prevention

30. Building will undergo a change of use. It is located ±630' from the nearest usable City fire hydrant. A private fire hydrant may be required. There is a closer hydrant (end of Larchwood) but it is not accessible.
31. Facility address must be visible to responding emergency personnel. This should be located at the entrance to the facility at Swan Creek Drive.

**STAFF RECOMMENDATION** (cont'd)

Transportation

No objections or concerns to the approval of the site plan.

Building Inspection

Comments not received at the time of printing.

Plan Commission

32. Dumpster location(s) shall be clearly defined and adhere to the regulations outlined as follows:
  - a. Dumpsters may not be located in the public right-of-way as stated in TMC§1361.10(b)(10) of the Building Code.
  - b. Dumpster may not be in any required setbacks or landscape buffer and shall be located as far away from residential areas as possible.
  - c. Dumpster screening must be a minimum height of six (6') feet.
  - d. Screening material can be any combination of evergreen plantings, fence or wall structure.
  - e. The screen should incorporate access to the dumpster by using a wooden fence or other opaque device to serve as a gate.
33. Wheel stops (i.e., parking blocks) must be provided to ensure that vehicles cannot overhang directly on plant material, if a landscaped area is used (TMC§1108.0305(B)).
34. 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 or to a stormwater treatment facility.
35. A study that includes estimates of parking demand based on recommendation of the Institute of Transportation Engineers (ITE), or other acceptable estimates as approved by the Planning Director and including other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use shall be submitted. Comparability will be determined by density, scale, bulk, area, type of activity, and location (TMC§1107.0602).

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

36. Bicycle parking slots shall be provided in compliance with TMC§1107.0901 and shall adhere to the standards outlined in TMC§1107.0902.
37. Litter receptacles, for the use of parking area users and other, must be provided in off-street parking area in accordance with the provisions of Part 9 Street, Utilities and Public Services Code, Section 963.22. Litter receptacles are treated as accessory structures and must meet the criteria of TMC§1107.1910.
38. Where the landscape area is part of the drainage facility for the parking lot, curb openings or wheel stops must be used to allow for drainage into the swale or buffer area.
39. 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. 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.
  - b. All parking spaces must be within 100 linear feet of a landscaped area.
  - c. All landscaped areas must have a minimum dimension of at least 9 feet and be at least 160 square feet in area.
  - d. A minimum of at least one (1) canopy tree must be provided for each thirty (30) linear feet, plus a continuous shrub with a minimum height of eighteen (18) inches (when installed so as to achieve full screening at maturity).
  - 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.

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

- h. Two canopy trees and six shrubs are required to be installed in interior landscape areas for each 10 parking spaces within the parking lot (existing trees may be used for credits).
  - 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.
  - 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.
  - 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.
  - l. The location, height and materials for any fencing to be installed and maintained. Six (6) foot solid wood fence along eastern property line and four (4) foot split rail fence along southern property line shall remain indefinitely. In the event that the wood line is reduced or removed, adequate must be installed in it's place.
  - 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.
40. 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.
41. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

42. 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.
43. 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.

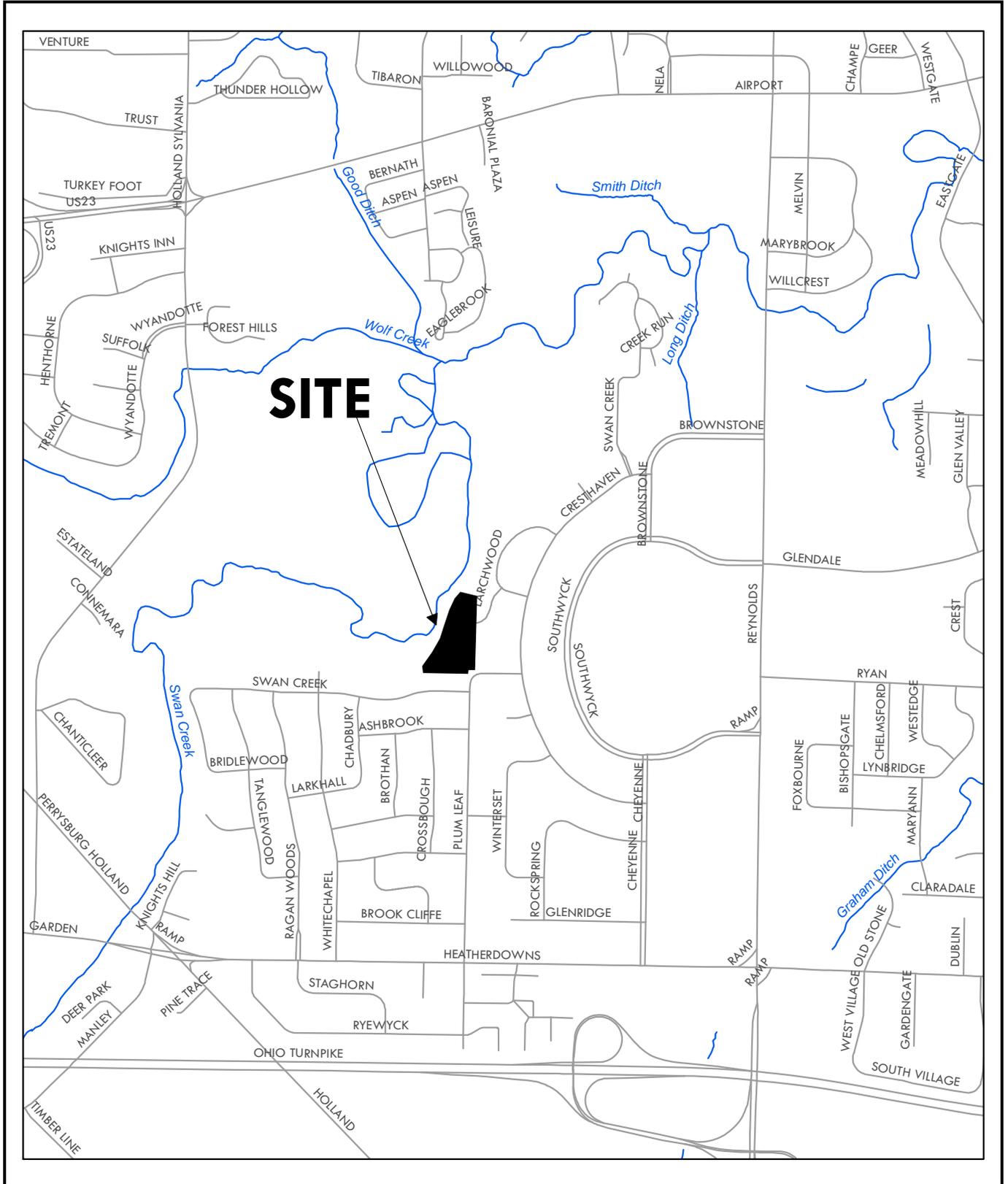
SPECIAL USE PERMIT  
TOLEDO CITY PLAN COMMISSION  
REF: SUP-2006-16  
DATE: April 14, 2016  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: May 18, 2016  
TIME: 4:00 P.M.

GP  
Five (5) sketches follow

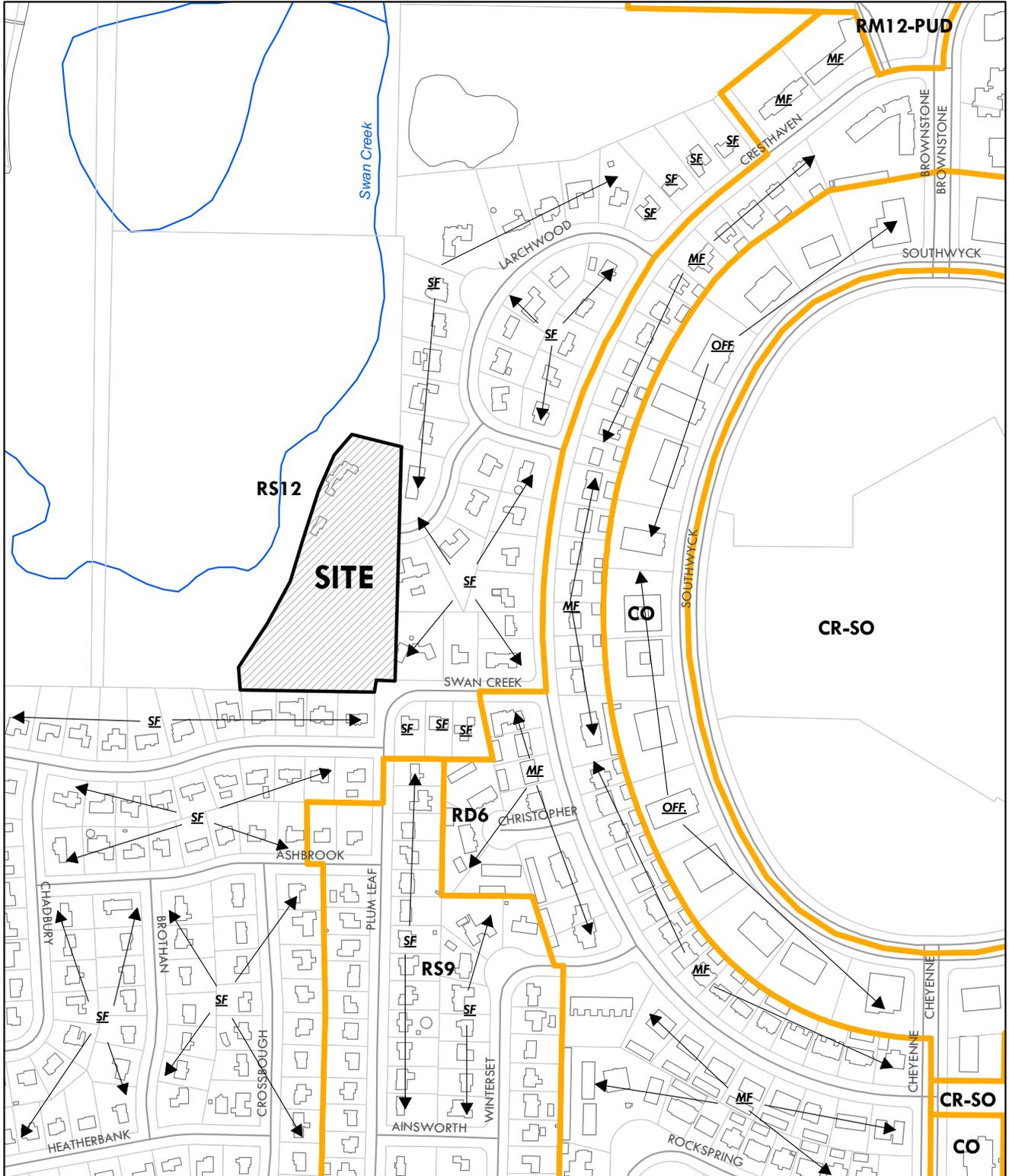
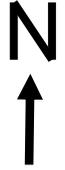
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SUP-2006-16  
ID 148



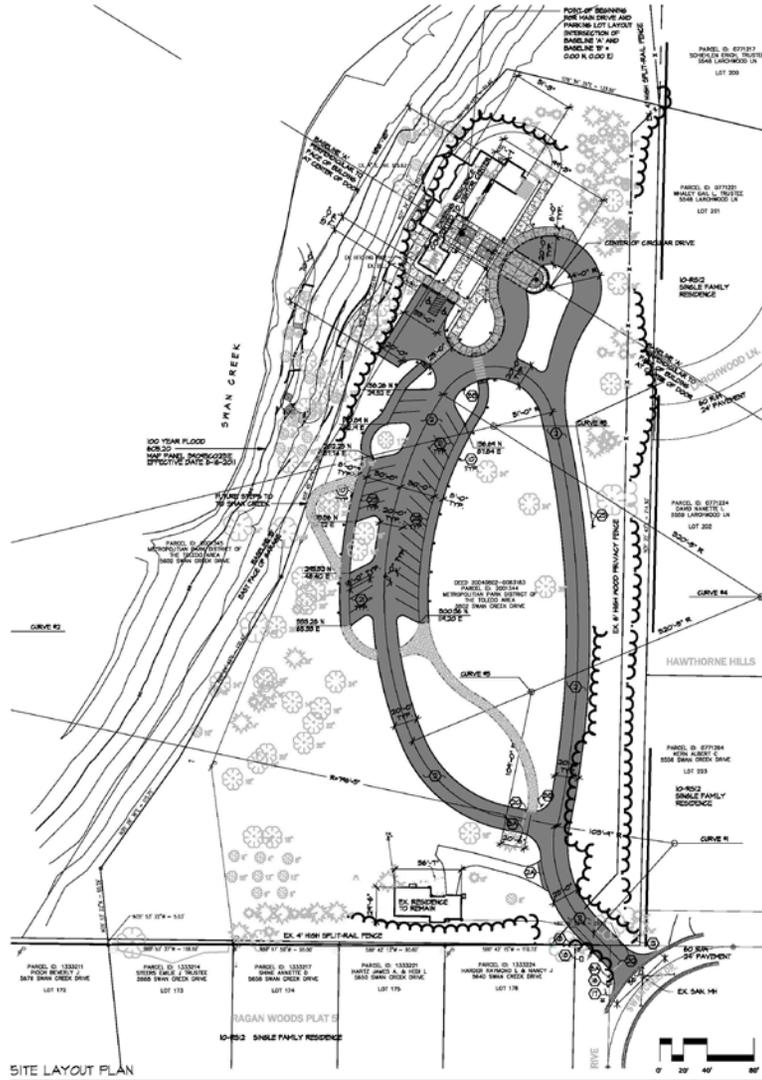
# ZONING & LAND USE

SUP-2006-16  
ID 148



# SITE PLAN

SUP-2006-16  
ID 148



**PRODUCT SPECIFICATIONS**

**DETECTABLE WARNING PLATES**  
CAST IRON DETECTABLE WARNING PLATE SHALL MEET CURRENT ADA SPECIFICATIONS. FINISH SHALL BE SERRATED, CAST IRON FINISH. PROVIDE PANELS AS REQUIRED EACH SIDE TO MAINTAIN A LENGTH LONG ENOUGH TO PROVIDE PANELS ACROSS THE FULL WIDTH OF THE PAVEMENT CROSSING. INSTALL TIGHT EDGE TO EDGE WITH NO GAPS BETWEEN PANELS AND PER MANUFACTURER'S SPECIFICATIONS.

**BASE OF DRIVE** - DETECTABLE WARNING PLATE IN CAST IRON BY TOWNSHIP PROJECTS, 222 BROOKS AVENUE, NEWMAN, MI 48864, 800-384-3075.

**OTHER ACCEPTABLE MANUFACTURERS:**  
IRON AGE DESIGN, 204 N 82ND STREET, SUITE 14, BUREN, IA 48864, 878-483644.  
DESTER FOUNDRY, P.O. BOX 21706, LINCOLN, NE 68521, 800-254-1466 OR APPROVED EQUAL.

**LOOP DRIVE RACK**  
LOOP DRIVE RACKS SHALL BE CONSTRUCTED FROM SCHEDULE 40 GALVANIZED STEEL TUBING WITH AN OUTSIDE DIAMETER OF NOT LESS THAN 2 1/2 INCHES AND SHALL HAVE A POLYESTER POWDER COAT FINISH SELECTED BY OWNER FROM MANUFACTURER'S STANDARD COLORS. THE METHOD OF METALLIZATION SHALL BE SHERROD HEAT TREATING CAST IRON CONCRETE.

**BASE OF DRIVE** - MODEL 88-006 P8 S-1, DUNOR, INC., P.O. BOX 142, HUNTSVILLE, TN 37401, 800-966-4028.

**OTHER ACCEPTABLE MANUFACTURERS:**  
COLMAN LANGRISH COMPANY, 3005 S. W. SIXTH AVENUE, SUITE 210, CREATIVITY PARK, WILSON, CA 92093, 800-841-9442.  
CREATIVE FPC, INC., P.O. BOX 2986, RANCHO MIRAGE, CA 92720, 800-848-8827.  
KEystone RESURFACING, INC., 870 HENCKEN ROAD, BUTLER, PA 16001, 800-848-8827 OR APPROVED EQUAL.

**LIMITED BOLLARDS** - SEE ELECTRICAL DRAWINGS.

**CURVE DATA**

Δ	R	PC	PT	PI	Δ	DELTA	R	PC	PT	PI
100.28°	100.28'	100.28' N / 100.28' E	100.28' N / 100.28' E	100.28' N / 100.28' E	100.28'	100.28'	100.28'	100.28' N / 100.28' E	100.28' N / 100.28' E	100.28' N / 100.28' E
100.28°	100.28'	100.28' N / 100.28' E	100.28' N / 100.28' E	100.28' N / 100.28' E	100.28'	100.28'	100.28'	100.28' N / 100.28' E	100.28' N / 100.28' E	100.28' N / 100.28' E



**LEGAL DESCRIPTION**  
7.23 NW 1/4 & W 25 FT NE 1/4 & PT LOTS 173-176 RAGAN WOODS PLAT S, BRIGG PCT. IN COR. NE AS 451.94 FT ON SLY LINE & 714.00 FT ON E LINE.

**SITE ZONING**  
D-4822 SINGLE FAMILY RESIDENCE

**GENERAL NOTES**

1. ALL DIMENSIONS SHOWN GREEN, BUILDING WALLS OR PAVEMENT AS A REFERENCE ARE FROM FACE OF CURB, FINISHED FACE OF BUILDING, FINISHED FACE OF WALL, OR EDGE OF PAVEMENT, UNLESS NOTED OTHERWISE.
2. EACH CONTRACTOR IS RESPONSIBLE FOR LOCATING AND PROTECTING ALL EXISTING UTILITIES.
3. EACH CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE IMMEDIATELY IF A DISCREPANCY IS FOUND BETWEEN THE DIMENSIONS SHOWN AND ACTUAL DIMENSIONS IN THE FIELD, PRIOR TO CONSTRUCTION.
4. ALL LAYOUT TO BE BY A REGISTERED SURVEYOR OR ENGINEER. THE OWNER'S REPRESENTATIVE WILL REVIEW THE LAYOUT FOR GENERAL CONFORMANCE PRIOR TO CONSTRUCTION.
5. POINT SHOWN IS BASED ON A SURVEY PROVIDED BY DSA ENGINEERS AND SURVEYORS, ASSOCIATES / 2222 SECOND ROAD / TOLEDO, OHIO 43623 / 414-757-7467 / jps@dsasurveyors.com
6. EXISTING PAVEMENT ELEVATIONS AT ALL SPACES TO BUILDING ARE TO BE FLUSH WITH THE FINISHED FLOOR ELEVATION OF THE BUILDING.

**CONSTRUCTION NOTES**

NOTE:  
NOT ALL ITEMS APPEAR ON EACH SHEET.

1. REINFORCED CONCRETE PAVEMENT - SEE DETAIL #4 ON SHEET L2.01.
2. ASPHALT PAVEMENT - SEE DETAIL #3 ON SHEET L2.01.
3. WEATHER RESISTANT SURFACE GARAGE TO MEET EXISTING GRADE FLUSH PER DOT SPECIFICATIONS.
4. HEAVY DUTY CONCRETE PAVEMENT - SEE DETAIL #2 ON SHEET L2.01.
5. SERRATED DRIVE EDGE METAL CONCRETE MEETS ASPHALT - SEE DETAIL ON SHEET L2.01.
6. CONCRETE RACK - SEE DETAIL #1 ON SHEET L2.01.
7. TYPICAL CONTROL JOINT - SPACE EQUALLY BETWEEN FEATURES.
8. TYPICAL EXPANSION JOINT - SEE SPECIFICATIONS.
9. CAST IRON DETECTABLE WARNING PLATE - SEE PRODUCT SPECIFICATION NOTES SHEET FOR ADDITIONAL INFORMATION.
10. STANDARD SIGN, SEE DETAILS #3 & #4 ON SHEET L2.01.
11. PROVIDE 20" HIGH FLAGPOLE WITH 3 FLOOD LIGHTS AT BASE OF POLE. SEE SHEET L2.01 FOR ELECTRICAL AND CONCRETE. INSTALL PER MANUFACTURER'S SPECIFICATIONS.
12. BOLLARD LIGHT - REFER TO ELECTRICAL DRAWINGS FOR MANUFACTURER AND CONCRETE.
13. HORSE HEAD HITTING POST - BY OWNER.
14. LOOP DRIVE RACK (TYPICAL D/S) - SEE SPECIFICATIONS. INSTALL PER MANUFACTURER'S SPECIFICATIONS.
15. STONE WALL - SEE DETAIL #5 ON SHEET L2.01.
16. FUTURE PICKET FENCE WITH POST TOP LIGHTING BY OWNER. CONTRACTOR TO PROVIDE T CONDUIT FOR FENCING.
17. FUTURE LIGHTED SIGN BY OWNER. PROVIDE 1" CONDUIT FOR FENCING.
18. RELOCATED MAILBOX - ONE MAILBOX ONLY REQUIRED, ADDRESS TO BE NUMBER 204.
19. RELOCATED STREET LIGHT POLE.
20. RELOCATED UTILITY BOX.
21. INDIVIDUAL PAVEMENT MARKINGS - PROVIDE 2" HOLE 8" LONG LINES EQUALLY SPACED IN THE AREA, APPROXIMATELY 2' APART.
22. 2" HOLE STOP BAR ON PAVEMENT - COLOR TO BE WHITE. MEET DOT SPECIFICATIONS.
23. 4" HOLE USE PARALLEL WALL MARKING - COLOR TO BE WHITE FOR STANDARD SPACES AND BLUE FOR ACCESSIBLE SPACES. ALL STANDARD SPACES TO BE 4" HOLE BY 8" LONG. ACCESSIBLE SPACES TO BE 8" HOLE BY 8" LONG AND SHALL BE SEPARATED BY AN 8" HOLE ACCESSIBLE ISLE.
24. ACCESSIBLE SPACES ON PAVEMENT WITH SERRATED ACCESSIBLE ISLE - COLOR TO BE BLUE. SYMBOL SIZE SHALL MEET DOT SPECIFICATIONS.
25. 4" HOLE EDGE LINE MARKING - COLOR TO BE WHITE, MEET DOT SPECIFICATIONS.
26. CONCRETE PANEL STOP.
27. IMPROVED FIRE HYDRANT AND WATER LINE EXTENDED FROM EXISTING HYDRANT ON LARGWOOD.

**PAVEMENT LEGEND**

	STANDARD CONCRETE WALKS FROM FINISH
	HEAVY DUTY CONCRETE DRIVE MEDIUM BROOM FINISH
	FLAGSTONE PAVERS
	NEW ASPHALT PAVEMENT
	NEW PRIMITIVE PATH BY OWNER

**EDGE**  
33 South Michigan Street  
Toledo, Ohio 43604  
419-255-5335

**PRELIMINARY**  
NOT FOR CONSTRUCTION

ACTIVE USE - SPECIAL USE PERMIT APPLICATION FOR:  
**PHASE TWO RENOVATIONS**  
**BELT HOUSE**  
Swan Creek Road



PROJECT NO. 151480  
Date 05/29/2016

Sheet Title  
**SITE LAYOUT PLAN**  
Sheet Number

**L2.01**

SITE LAYOUT PLAN

# RENDERING

SUP-2006-16  
ID 148



Plan View Rendering

February 29, 2016

BELT HOUSE • Toledo Metroparks  
1007 15144.0



# ELEVATIONS

SUP-2006-16  
ID 148



Existing Belt House Visitor Center



Existing Residence

Belt House Visitor Center & Existing Residence

February 29, 2016

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**GENERAL INFORMATION**

Subject

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

Site Description

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

Area Description

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

Parcel History

Nothing on file in the Plan Commissions office.

**GENERAL INFORMATION (cont'd)**

Applicable Plans and Regulations

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

**STAFF ANALYSIS**

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

**This case was referred back to the Plan Commission from City Council's Planning and Zoning review committee. The applicant was to consider revising the site plan in accordance with the conditions received from the City of Toledo Division of Transportation and other departments. A revised plan has been submitted and the staff report modified to reflect the new plan.**

Parking and Circulation

Pursuant to TMC§1107.0304 Parking, Loading, and Access – Schedule A, a convenience store with fuel sales is required to have one (1) parking space per pump (count as if parked at pump) plus one (1) parking space per 300 square feet of building area. The submitted plan indicates that a 2,964 square foot building currently exists on the site. The applicant is providing one-hundred percent (100%) of the required parking for a commercial retail building of this size.

The site is currently accessed via three (3) curb cuts, one (1) along Summit Street, one (1) along 114<sup>th</sup> Street frontage and one (1) access point at 112<sup>th</sup> Street frontage. The previous plan had shown four curb cuts, but has been modified to remove one curb cut along Summit Street. In addition, a ten foot by twenty foot (10'x20') vehicle space shall be provided at each pump plus one (1) additional stacked vehicle space shall be provided and still allow for maneuverability around the site.

**STAFF ANALYSIS (cont'd)**

Landscaping and Screening

A portion of the site is existing and per TMC§1114.0500 – Appearance Upgrade for Nonconforming Development, is only required to be brought closer into compliance with the 2004 zoning code in terms of landscaping. Currently, the site has little landscaping. The site plan offers landscaping around the perimeter and in the right-of-way. Pursuant to the TMC§1108.0202(A) Frontage Greenbelt plantings shall not be located within the public right-of-way. If approved, landscaping is required on the expanded portion of the site and shall include fifteen (15') greenbelts along Summit Street and 112<sup>th</sup> Street.

Canopy Design

Pursuant to TMC§1104.0903 Use Regulations – If canopies are installed, the set back shall be a minimum of (10) feet from the property line, and shall be designed to be consistent with the building materials and colors of the principle building. Support columns shall be brick, brick base, or other durable materials compatible with the principle building. The applicant provided an elevation showing the use of brick in the areas of the support columns. An elevation indicating compliance with this regulation is required as a condition of approval.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan this site for Neighborhood Commercial land uses. The CN Neighborhood Commercial district is intended to accommodate predominately small and medium scale commercial uses that serve neighborhoods. Small and medium scale offices and mixed uses may be included. The proposed Special Use Permit amendment is consistent with the Toledo 20/20 Comprehensive Plan, however, the addition of fuel pumps on an already intense commercial site will not be consistent with the intent of the Neighborhood Commercial district.

Staff is recommending disapproval of the request because the landscaping on the site does not comply with the frontage greenbelt requirement as stated in the TMC. The site is too small to facilitate the proposed additions and it cannot meet the applicable provisions of the zoning code. This will result in an over developed site that is not compatible with adjacent land uses.

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

**STAFF RECOMMENDATION**

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

1. The propose use does not meet the stated purpose of this Zoning Code (TMC§1111.0706.A Review & Decision-Making Criteria);
2. The proposed use does not comply with all applicable provisions of this Zoning Code; TMC§1111.0706 B Review & Decision-Making Criteria);
3. The proposed modifications will result in an over-developed site that will not be compatible with the surrounding land uses (TMC§1111.0706, letter C).
4. The proposed landscaping is not in accordance with TMC§1108.0202(A) Frontage Greenbelt plantings where landscaping shall not be located within the public right-of-way.

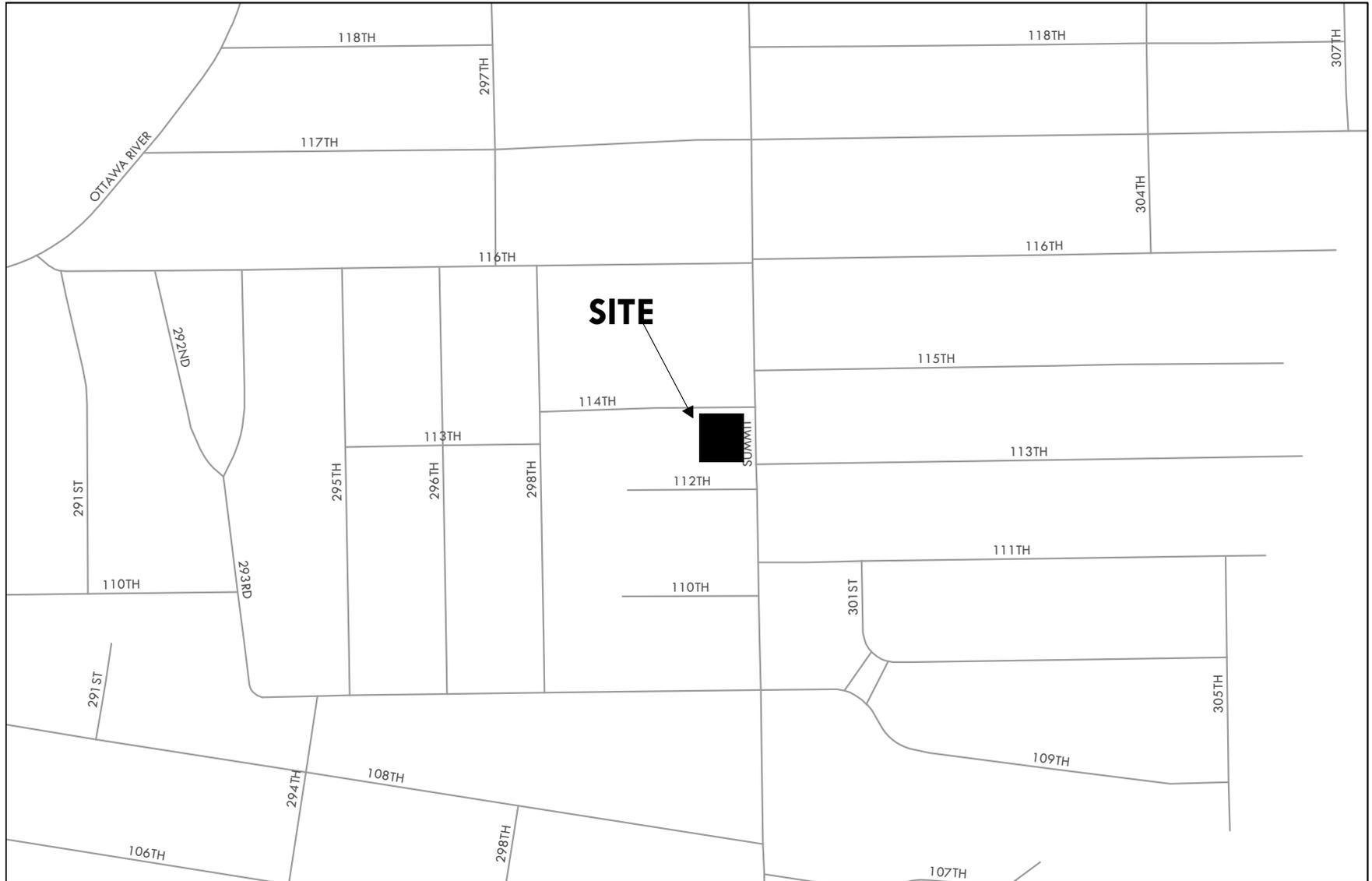
SPECIAL USE PERMIT  
TOLEDO CITY PLAN COMMISSION  
REF: SUP-6004-15  
DATE: April 14, 2016  
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: May 18, 2016  
TIME: 4:00 P.M.

MM  
Three (3) sketches follow  
Exhibit "A"

# GENERAL LOCATION

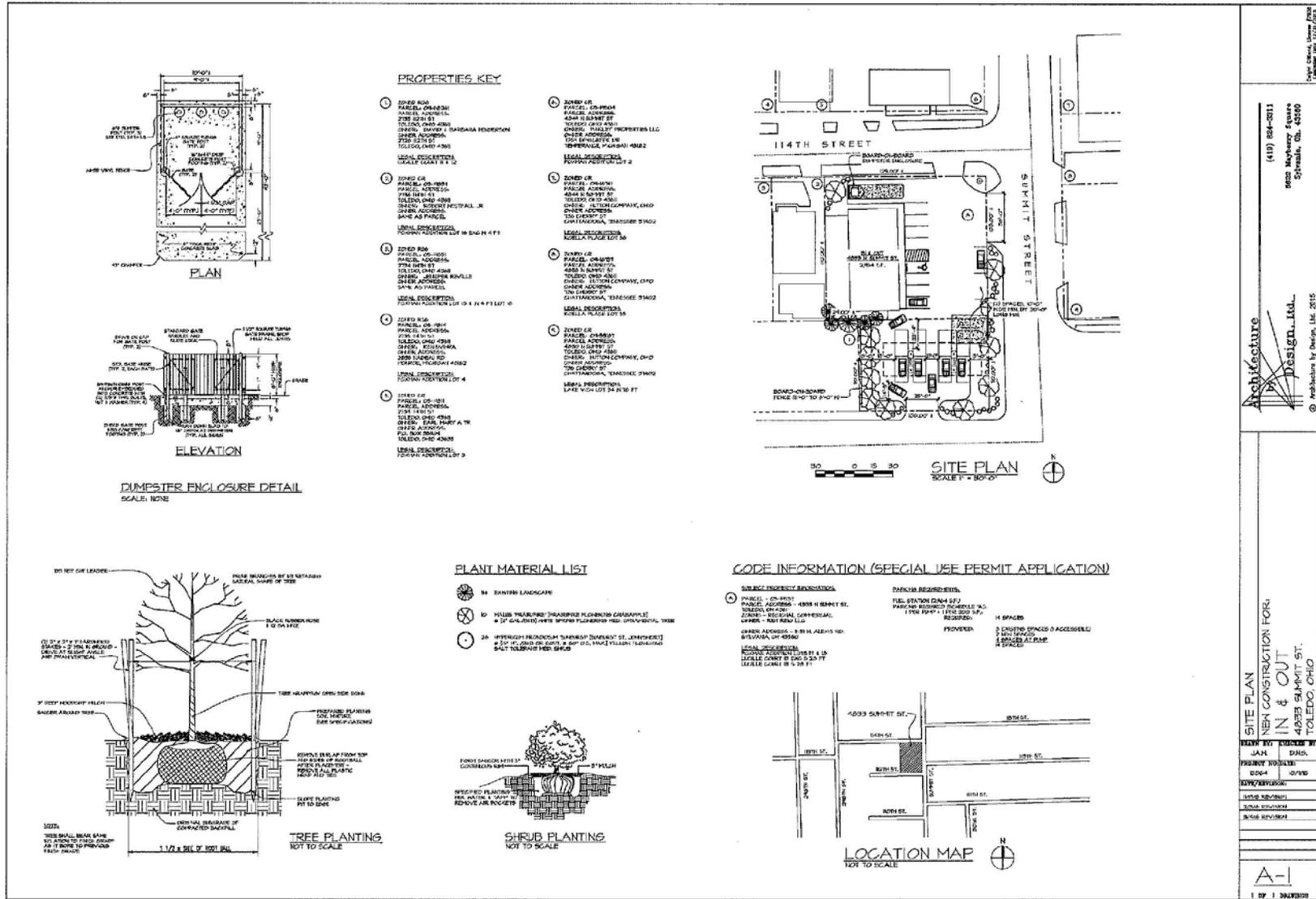
SUP-6004-15  
ID 65





# SITE PLAN (REVISED)

SUP-6004-15  
ID 65



7-7

**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 substandard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced and/or upgraded to conform to current City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
3. All commercial drive approaches (along with the sidewalk through the drive) shall be constructed with 8-inch-thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop or opening.**
4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220. Contact Joe Warnka at (419) 245-1341 for inspection of above-mentioned items.
5. Existing water services to structures removed from the site will be abandoned by the City of Toledo at the owner's/developer's expense.
6. Contact the City of Toledo Fire Prevention Bureau to determine the fire-protection requirements for this site.
7. Plans submitted indicate earth-disturbing activity greater than 2,500 square feet; therefore, a detailed site-grading plan for this project shall be submitted to the Division of Engineering Services for storm-water review and approval.
8. Plan submittals shall be in conformance with the latest version of Infrastructure Design and Construction Requirements available at <http://toledo.oh.gov/services/public-utilities/div-engineering-services/plan-review-process/>, including the requirements for storm-water detention and post-construction storm-water Best Management Practices (BMPs).

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

Division of Engineering Services (cont’d)

9. Plans are also subject to: the Criteria and Regulations of The Departments of Public Utilities and Public Service; The Toledo Municipal Code, including but not limited to Chapters 941, 1110, and 1107; The Toledo City Charter; the “Subdivision Rules & Regulations” of Toledo-Lucas County Plan Commissions; City of Toledo Infrastructure Design and Construction requirements; and “The Comprehensive Ditch Plan.”
10. Any person performing earth-disturbing activities within the City of Toledo shall employ Construction Best Management Practices (BMPs). All disturbed land areas over 1 acre must submit an NOI to and obtain a permit from the Ohio EPA.
11. Designs incorporating low impact development solutions, such as grassy swales and bio-retention areas in lieu of curb, storm sewers, and underground detention, are encouraged and may be eligible for a percent reduction in the property’s storm-water utility fee through the Storm Water Credit Program.
12. A site-specific Storm Water Pollution Prevention Plan (SWP3) and SWP3 Checklist shall be submitted for review and approval. The SWP3 shall address all components required per the latest Ohio EPA General Storm Water NPDES permit. The checklist can be found at [http://epa.ohio.gov/dsw/storm/const\\_SWP3\\_check.aspx](http://epa.ohio.gov/dsw/storm/const_SWP3_check.aspx).
13. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
14. No construction work, including any earth-disturbing work, will be permitted without approved plans and inspection.
15. A pre-submittal meeting is not required; however, one may be requested. Contact Information is as follows:  
  
Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850  
Sanitary Sewers: Mike Elling, ph. 419-936-2276  
Storm-water Drainage: Lorie Haslinger, ph. 419-245-3221;  
Andy Stepnick 419-245-1338  
Water: Andrea Kroma, ph. 419-936-2163  
Roadway: Tim Grosjean, ph. 419-245-1344
16. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.

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

Division of Engineering Services (cont'd)

17. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.
18. If there are any existing structures to be demolished at the site, the sanitary services to such structures will be killed by the City of Toledo at the developer's cost.
19. Any existing sewers under proposed buildings shall be relocated or abandoned. Developer shall verify any sewers to be abandoned are no longer in service.
20. Any previous kills that were not done at the right-of-way line shall be re-killed at the right-of-way to eliminate any active pipes on the property.
21. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.
22. Applicant shall maintain compliance with the City of Toledo's Sanitary Sewer Use Regulations specified in the Toledo Municipal Code.
23. Applicant shall maintain compliance with the City of Toledo's air quality regulations including, but not limited to, the Anti-Noise Law specified in the Toledo Municipal Code.
24. Applicant shall maintain compliance with the City of Toledo's Underground Storage Tank Requirements specified in the Toledo Municipal Code.

Fire Prevention

No concerns or objections.

Sewer & Drainage Services

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

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

Building Inspection

No comments received at the time of print.

Division of Transportation

27. The drive approach adjacent to 114<sup>th</sup> shall be narrowed to a maximum of 18 feet to facilitate the proposed one-way traffic flow.
28. “Do not enter” and “One-way” signage and/or pavement markings shall be installed where appropriate.

Plan Commission

29. The canopy and columns shall be designed to meet the criteria of TMC 1104.0903 Gasoline and Fuel Sales – General Requirements. The columns shall be brick. An elevation shall be submitted indicating compliance with this condition.
30. Free air (with the capability of filling standard automobile tires), water and restrooms shall be provided and maintained during operating hours of the station per TMC 1104.0903 (D).
31. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping areas.
32. Flat lens lighting shall be used for all outside lighting.
33. Non-petroleum displays must be within twenty-five (25) feet of the building but not within twenty-five (25) feet of any right-of-way. The maximum height of such display shall not exceed five (5) feet.
34. Dumpster location(s) shall have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks; **acceptable as depicted on plan.**
35. A detailed site, lighting, sign, fencing and landscaping plan shall be submitted to the Plan Director for review and approval. Such plan shall include:
  - a. Per TMC 1108.0202.B.3, a fifteen (15’) greenbelt is required along Summit Street and 112th frontages. This shall include one (1) tree per every 30 linear feet and a solid evergreen hedge along both rights-of-way, **shall be noted on revised plan.**

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

Plan Commission (cont’d)

- b. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standard, **shall be noted on revised plan.**
  - c. Topsoil must be back filled to provide positive drainage of the landscape area, **shall be noted on revised plan.**
  - d. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground cover, **shall be noted on revised plan.**
  - e. The location, height and materials of any fencing to be installed and maintained; **shall be noted on revised plan.**
  - f. The location, type and direction of any proposed lighting. The lighting is subject to the approval of the Director of the City of Toledo Plan Commission (lights are to be directed away from adjacent residential properties); **acceptable as depicted on plan.**
  - g. The location, lighting and size of any signs.
36. 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.
37. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
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.

## GENERAL INFORMATION

### Subject

Request	-	Request for Zone Change from CO Office Commercial to RM12 Multi-Dwelling District
Location	-	444 W. Bancroft Street
Applicant	-	Enterprise Construction and Real Estate 2101 Clarendon Dr Toledo, OH 43607
Lessee	-	Lakeila Carter 848 Prouty Toledo, OH 43609

### Site Description

Zoning	-	CO Office Commercial
Area	-	.139 acres
Frontage	-	101'
Existing Use	-	Office building
Proposed Use	-	Adult Family Group Home

### Area Description

North	-	Single Family / CO
South	-	Multi Family Dwelling / RM36
East	-	Multi Family Dwelling / RM36
West	-	Church / CO

### Parcel History

OWE-47-93	-	Handicap Ramp - OWEHDC approved 7/12/93.
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### Applicable Plans and Regulations

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

## STAFF ANALYSIS

The applicant is requesting a Zone Change from CO Office Commercial to RM12 Multi-Dwelling District for a site located at 444 W. Bancroft Street. The .139-acre site is occupied by an existing multi-family residence with seven bedrooms and 6,060 square feet in area. The residence is comparable to the surrounding houses and apartment buildings located between Collingwood Boulevard and Ashland Avenue. The property is located in the Old West End Historic District. **This case was deferred for 60 days to allow the applicant time to consult with staff regarding alternative uses of the site. Staff contacted the applicant several times to verify if the request would be withdrawn, changed or remain the same. The applicant did not respond with any changes after several phone calls and written correspondence from staff.**

This site was originally used by the adjacent church for office space and other support functions. It was also used as office space for the F.O.C.U.S. outreach center. The house was bought by Lucas County Land Bank on May 16, 2013 and sold to the current owner in December of that same year.

The owner met the rehabilitation criteria as required by the Lucas County Land Bank prior to signing off on the house title for any new property owner. However, the owner did not apply for a Certificate of Appropriateness as required for any exterior repair or renovation nor were any building permits applied for the interior work in the last two years. Paint and landscaping are not regulated therefore do not require permitting of any type.

The applicant is requesting a Zone Change to RM12 Multi-Dwelling District to lease the structure and to facilitate the development of a Residential Facility, Large. The Toledo Municipal Code does not allow large residential facilities to operate in commercially zoned districts therefore the applicant is seeking a Zone Change. The applicant will be required to apply for a Special Use Permit in order to open the facility. At this time, the Plan Commission staff has not received such application and will not support the Special Use Permit because of spacing violations.

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

The proposed zoning is consistent with zoning classifications of the properties within the general vicinity of the site. The parcels to the south and east of the site are currently zoned RM36 Multi-Dwelling District. On the north and west side of parcel, the parcels are zoned CO Office Commercial. Surrounding land uses include churches, a day care, single family houses and apartments.

**Toledo 20/20 Comprehensive Plan**

The Toledo 20/20 Comprehensive Plan targets this site for Institutional Campus (IC) uses. The Institutional Campus category is intended to accommodate large institutional uses in campus like settings, such hospitals, schools and colleges. This district is also intended to promote and enhance the development and expansion of medical, educational and other large institutional uses while minimizing the adverse impacts that can result when such uses are located near residential neighborhoods.

When the 20/20 Comprehensive Plan was updated in 2010, Collingwood Boulevard reviewed this designation because of the collection of historical churches and rectories. The intent of identifying this area as IC was to preserve the cultural structures and their accessory uses.

Staff recommends approval of the Zone Change for this location because it is compatible with the land uses in the immediate area. Additionally, the proposed RM12 Zoning is consistent with the current zoning designations of properties established in the immediate area of the site.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z-12004-15, a request for a Zone Change from CO Office Commercial to RM12 Multi-Dwelling District for a site located at 444 W. Bancroft Street, to the Toledo City Council, for the following two (2) reasons:

1. The proposed Zone Change is consistent with existing land uses within the general vicinity of the subject property (TMC 1111.0606.B *Review and Decision-Making Criteria*); and
2. The proposed RM12 Multi-Dwelling District zoning is compatible with the zoning classifications of properties within the general vicinity of the subject property (TMC 1111.0606.C *Review and Decision-Making Criteria*).

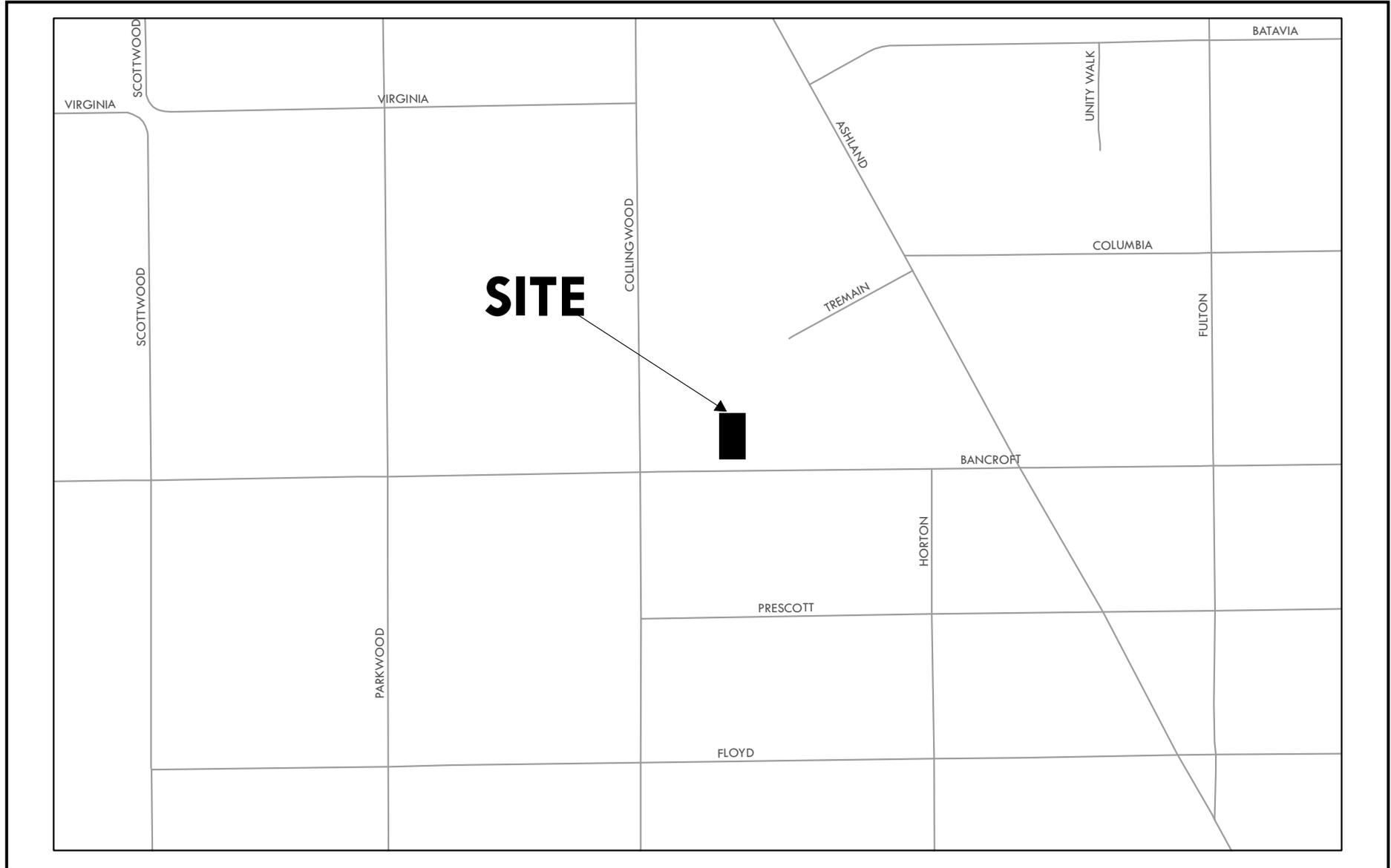
ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z-12004-15  
DATE: April 14, 2016  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: May 18, 2016  
TIME: 4:00 P.M.

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Two (2) sketches follow

# GENERAL LOCATION

Z-12004-15  
ID 15



# ZONING & LAND USE

Z-12004-15  
ID 15



8-5



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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

The request is for a Special Use Permit to operate a used auto sales lot to 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.

The used auto sales lot was established without a Special Use Permit nine years ago and has operated as a non-conforming use since. 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.

### 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 sale 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.

### 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 of 25 open sales parking spaces at 10,000 square feet, requiring two (2) customer parking spaces on the site.

**STAFF ANALYSIS (cont'd)**

Parking and Circulation (cont'd)

Calculations using the square footage of enclosed sales (500 sq. ft.) and two (2) service bays conclude that a total of four (4) customer spaces are required. 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.

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

A fifteen (15') foot frontage greenbelt is required along Sylvania Avenue and Doty Street. The frontage greenbelt shall include a solid evergreen hedge along Sylvania Avenue frontage 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 site plan submitted did not depict any landscaping proposed on the site.

A Type A landscape screen and buffer will be required along the southern property line of the site that abut 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, staff will require 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.

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.

**STAFF ANALYSIS (cont'd)**

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-7006-15, 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 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).
3. The request is not consistent with The Toledo 20/20 Comprehensive Plan (TMC§1111.0606.A Review & Decision Making Criteria);
4. The proposed use does not comply with all applicable provisions of this Zoning Code (TMC§1111.0706.B Review & Decision-Making Criteria); and

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

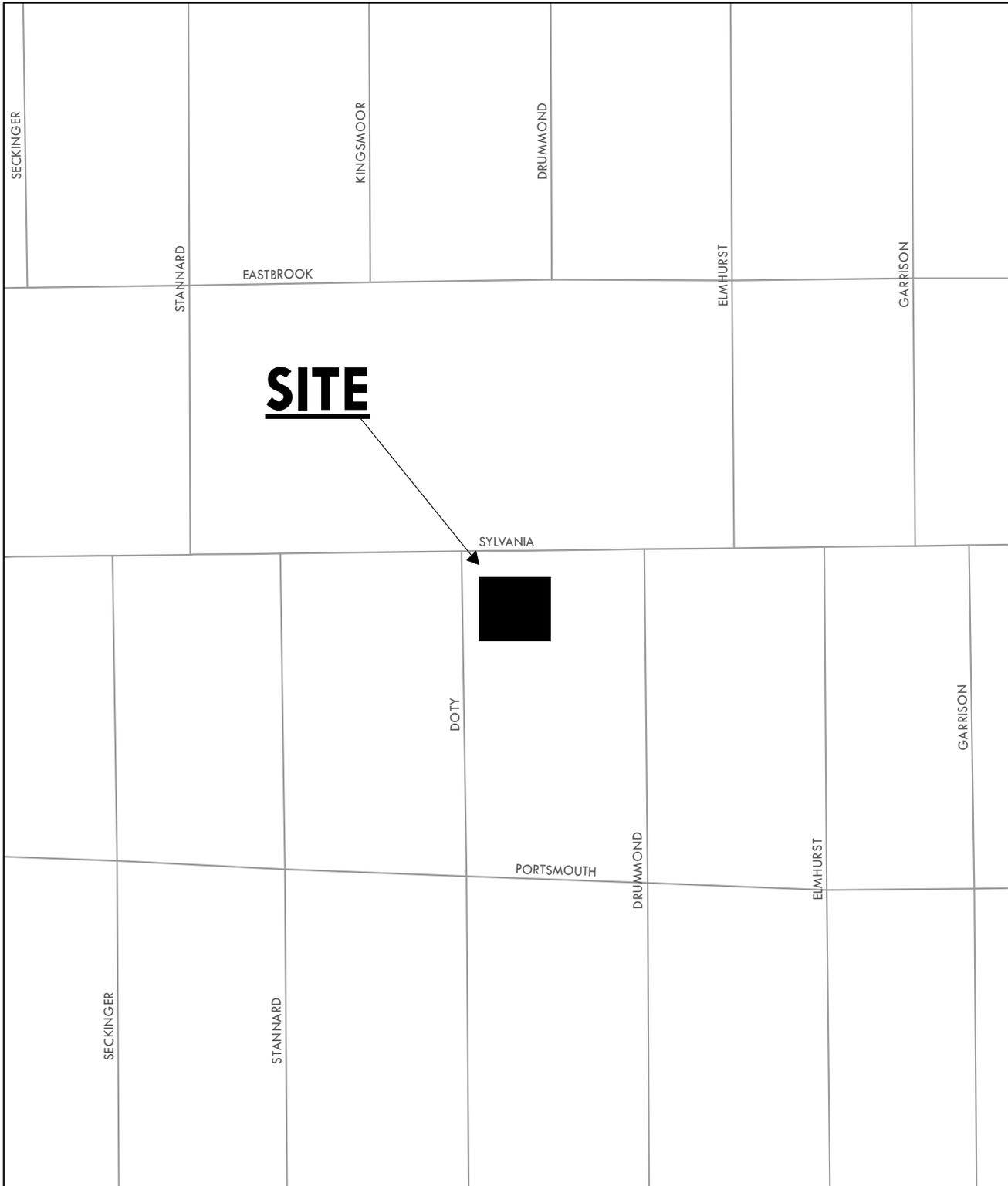
SPECIAL USE PERMIT  
TOLEDO CITY PLAN COMMISSION  
REF: SUP-2005-16  
DATE: April 14, 2016  
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: May 18, 2016  
TIME: 4:00 P.M.

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

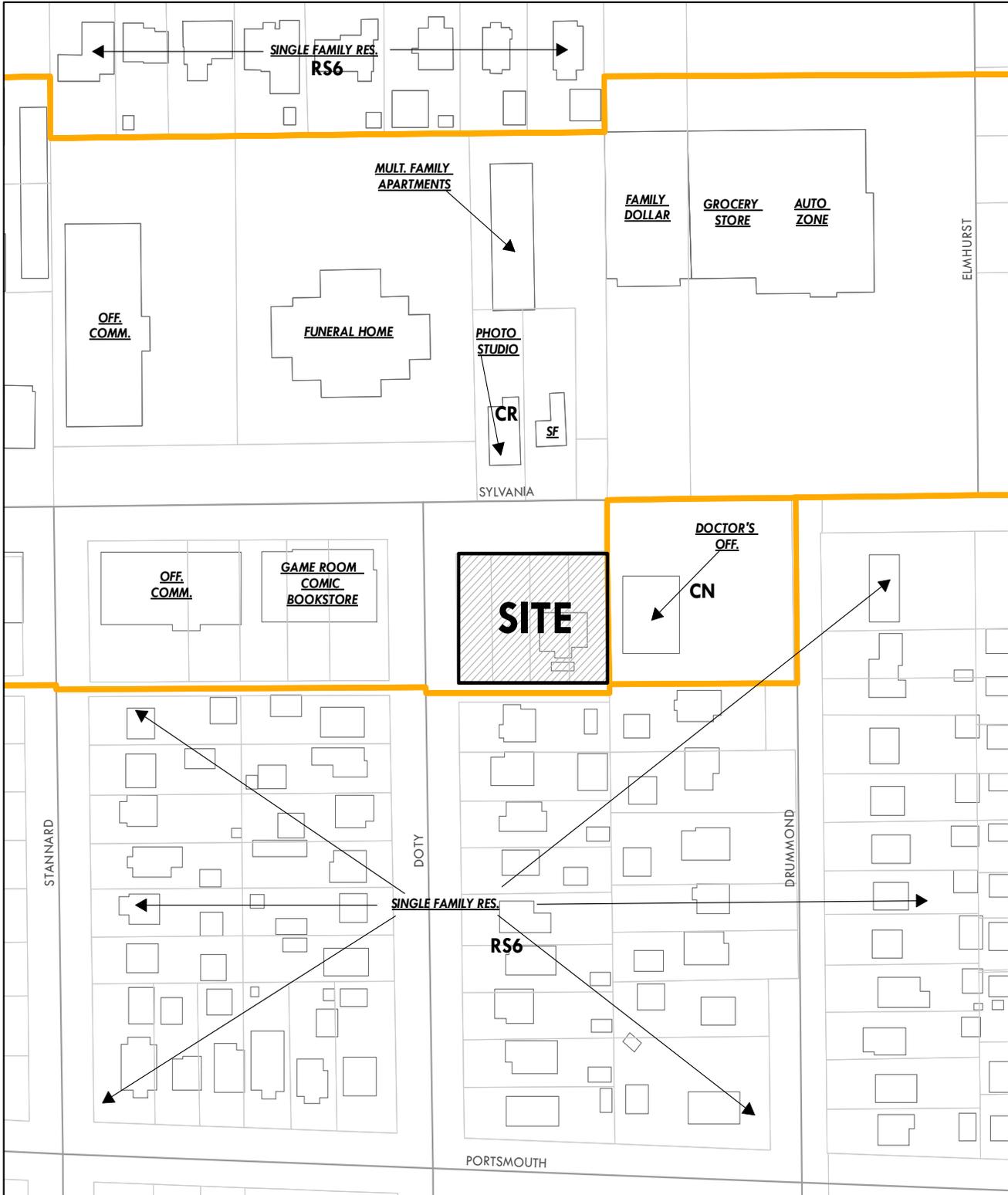
# GENERAL LOCATION

SUP-2005-16  
ID 46



# ZONING & LAND USE

SUP-2005-16  
ID 46



# SITE PLAN

**SUP-2005-16**  
ID 46



## ORAVECZ & ASSOCIATES, LLC

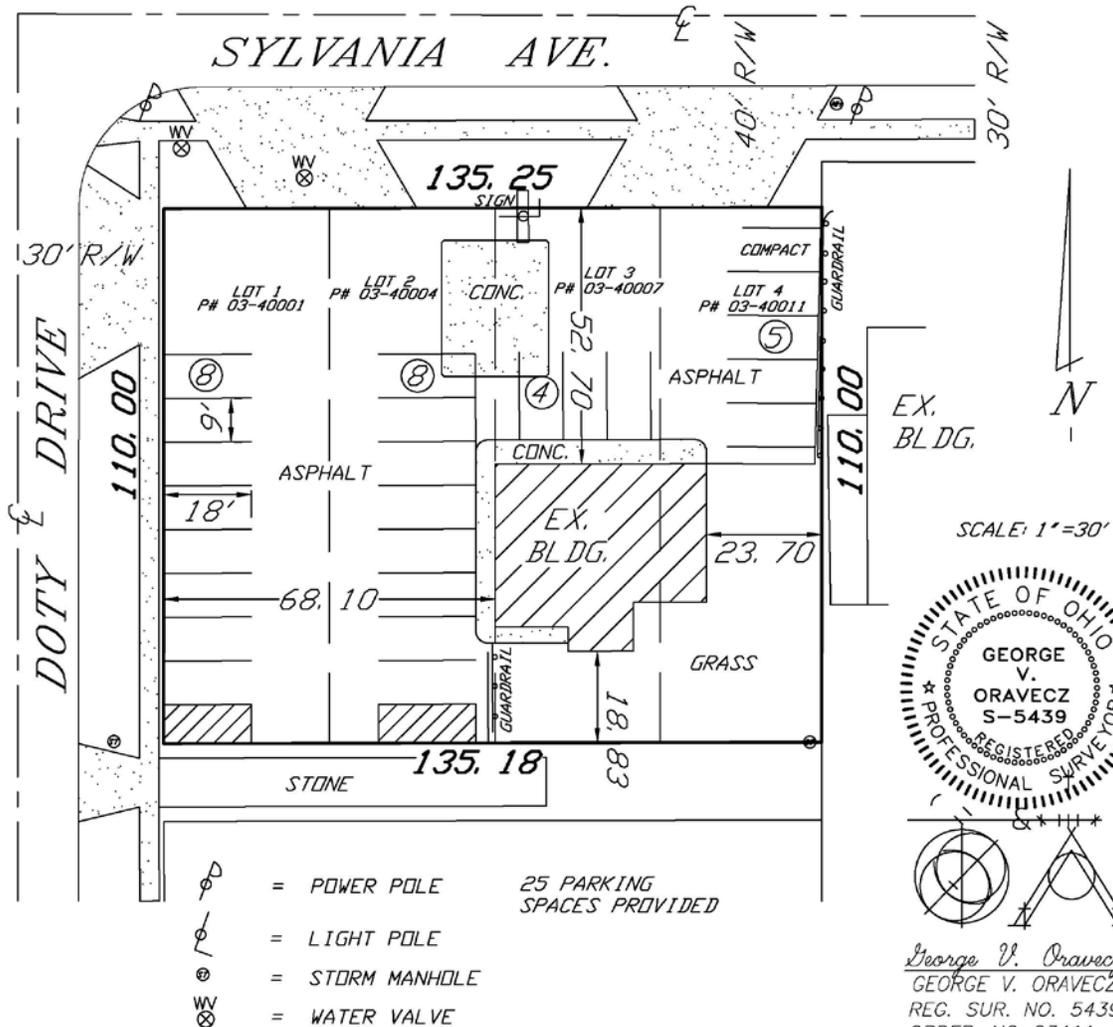
### SURVEYORS & ENGINEERS

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



**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.

Division of Economic Development

No comments at time of print.

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.

**EXHIBIT “A” (cont’d)**

Plan Commission (cont’d)

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.
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 Road frontage, 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.**

**EXHIBIT “A” (cont’d)**

Plan Commission (cont’d)

- 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; **shall be noted on completed landscaping plan.**
- 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.
- f. All parking spaces must be within 100 linear feet of a landscaped area; **shall be noted on completed landscaping plan.**
- g. All landscaped areas must have a minimum dimension of at least 9 feet and be at least 160 square feet in area; **shall be noted on completed landscaping plan.**
- h. Topsoil must be back filled to provide positive drainage of the landscape area.
- i. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage; **shall be noted on completed landscaping plan.**
- j. Landscape terminal islands must be provided at the end of each parking row; **shall be noted on completed landscaping plan.**
- k. 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.
- l. 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.**
- m. 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.**

**EXHIBIT “A” (cont’d)**

Plan Commission (cont’d)

- n. 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.
  - o. 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.
  - p. The location, height and materials for any fencing to be installed and maintained.
  - q. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); and
  - r. 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 - Final Plat of the Replat of Part of Lot 4 of New Towne Square
- Location - North of Alexis Road, east of Telegraph Road, City of Toledo
- Applicant - Mohamad Tawil  
PZ USA LLC.  
4510 Woodville Road  
Northwood, OH 43605
- Engineer - George Oravec  
Oravec & Associates  
5333 Secor Road  
Toledo, OH 43623

Site Description

- Zoning - Regional Commercial – Sign Overlay/ CR-SO
- Area - ± 2.25 acres
- Frontage - ±319’ on Alexis Road  
±169’ on New Towne Square Drive
- Existing Use - Vacant commercial building
- Proposed Use - Commercial Entertainment/ Recreation business

Area Description

- North - New Towne Square Drive, Commercial Office, Super Fitness / CR-SO
- East - Commercial Offices, Commercial Tenant Spaces/ CR-SO
- South - Alexis Road, Funeral Home, Commercial Retail, Restaurants / CR
- West - Commercial Restaurants / CR-SO

**GENERAL INFORMATION (cont'd)**

Parcel History

- |              |   |   |
|--------------|---|---|
| M-35-60      | - | Interim Zoning at Area bounded by Detroit, Michigan-OH State line, Telegraph Rd., and Rozelle Dr. (Plan Commission approved on 8/25/1960).  |
| TL-47-61 (A) | - | Transfer of Title Lease for Parcel 1 from National Aviation Corporation to National Flight Services, Inc. (Plan Commission approved on 2/17/1961).  |
| S-11-73      | - | Preliminary Drawing approval for a proposed plat for Skyview National Plaza (Plan Commission approved on 2/15/1973).  |
| S-11-73      | - | Extension of a Preliminary Drawing approval for a proposed plat for Skyview National Plaza, north side of Alexis Rd., between Telegraph Rd. and Detroit Ave. (Plan Commission approved on 3/21/1974). |
| Z-26-73      | - | M-2 & C-3 to C-4, R-3 & M-1 at N. Alexis Rd, Telegraph to Detroit Ave. (Plan commission recommended approval on 2/8/1973; City Council approved on 3/20/1973 by Ordinance 375-73.).                   |
| S-3-77       | - | Preliminary Drawing of Skyview National Plaza at Detroit & Alexis Rd. on the N. side of Telegraph (Plan Commission approved on 2/17/1977).  |
| Z-62-77      | - | Amendment to C-4 site plan at N. side of Alexis Rd. between Telegraph & Detroit (Plan Commission recommended approval on 3/17/1977; City Council approved on 4/20/1977 by Ordinance 303-77).          |

Applicable Regulations

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

## **STAFF ANALYSIS**

The request is a Final Plat for the Replat of Part of Lot 4 of New Towne Square. The Replat will remove an eighty-four foot (84') section of a two foot (2') anti-vehicular easement along Alexis Road for an ingress and egress access drive. It is included as an agenda in order to discuss the proposed change and give surrounding property owners and business operators the opportunity to provide input. The site is currently accessed from an interior roadway, New Towne Square Drive, which is accessed from Telegraph Road and Alexis Road.

The interior roadway was initially developed to provide access to the former North Towne Square Mall. The Preliminary Drawing was originally approved in 1974 as part of the overall development for the shopping center with the goal of maintaining the safe, efficient movement of vehicles on and around the site as well as minimizing traffic impacts on adjacent properties. A two foot (2') anti-access easement was established with the Preliminary Drawing to limit access on Alexis Road and Telegraph Road in order to reduce traffic congestion at the major intersection and direct traffic on to New Towne Square Drive.

The North Towne Square mall eventually became vacant and was demolished. An abundance of parking spaces remain, and interior roadways still provide adequate access to the site. Staff is not supportive of this proposal due to the inherent risk of locating an ingress and egress access drive on Alexis Road within five-hundred feet (500') of a heavily trafficked intersection at Telegraph Road. Since the site currently has access on New Towne Square Drive the removal of the vehicular anti-access easement along Alexis Road is not essential. Additionally, the Division of Transportation has objected to the removal of the anti-access easement due to safety concerns.

Staff is aware of the difficulty of accessing the site on the interior access drive due to pavement conditions, however, removing a section of anti-access will create higher impact points of conflict whereas pavement conditions can be improved without jeopardizing the traffic flow and access controls. Removing a section of the two foot (2') anti-access easement would set a precedent for future developments which will further undermine future redevelopment plans for the former shopping center. An alternative to removing the access restriction could be prioritizing the improvement of pavement conditions on New Towne Square Drive. This would also help better market the North Towne Square property for redevelopment.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission disapprove S-3-16, the Final Plat of the Replat of Part of Lot 4 of New Towne Square, located north of Alexis Road, east of Telegraph Road for the following three (3) reasons:

1. Removal of the vehicular anti-access easement undermines future redevelopment plans and sets a precedent for remaining outlots;
2. The Division of Transportation has objected to the proposed removal of a section of the anti-access easement due to safety concerns and adequate existing access to the site on New Towne Square Drive; and
3. Locating an ingress and egress access drive on Alexis Road within five-hundred feet (500') of a heavily trafficked intersection at Telegraph Road creates an inherent risk for automobile and pedestrian accidents.

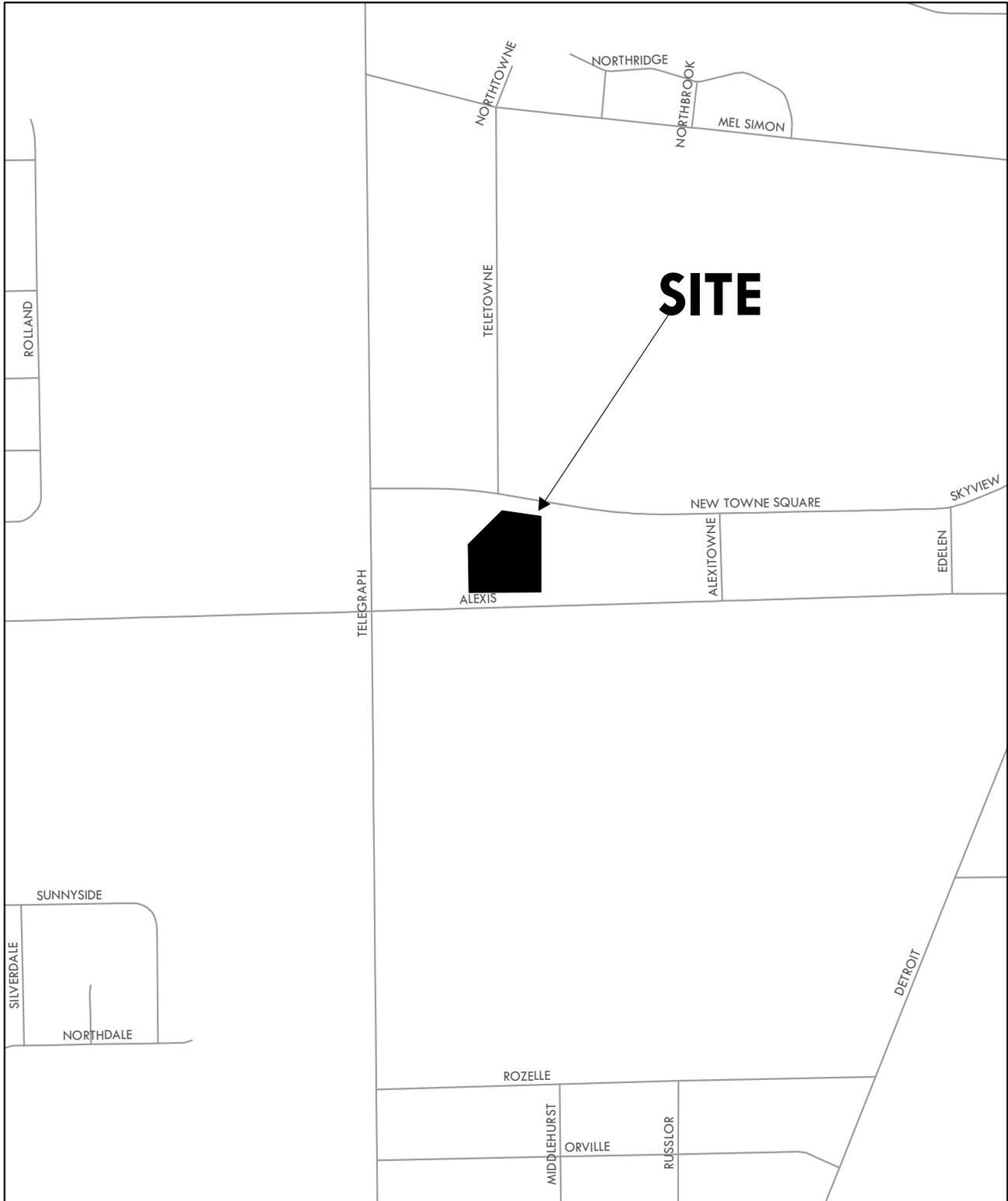
FINAL PLAT  
TOLEDO CITY PLAN COMMISSION  
REF: S-3-16  
DATE: April 14, 2016  
TIME: 2:00 P.M.

RS

Three (3) sketches follow

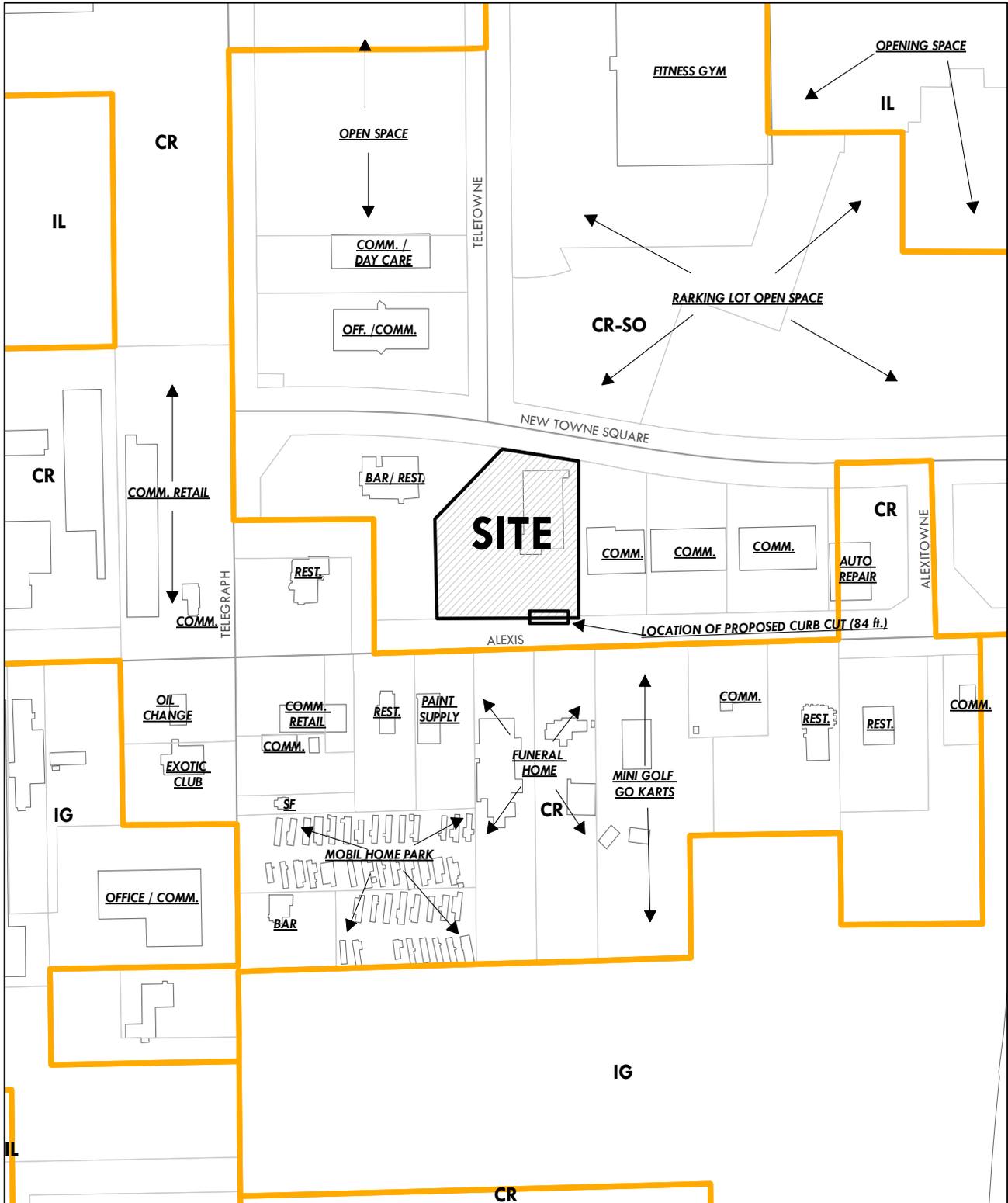
# GENERAL LOCATION

S-3-16  
ID 70



# ZONING & LAND USE

S-3-16  
ID 70



# FINAL PLAT

S-3-16  
ID 70



## REPLAT OF PART OF LOT 4 OF NEW TOWNE SQUARE CITY OF TOLEDO, LUCAS COUNTY, OHIO

NOTE: PURPOSE OF THIS PLAT IS TO REMOVE  
A SECTION OF THE 2' ANTI-ACCESS  
EASEMENT ALONG ALEXIS ROAD



### LEGEND

- (P) = PLAT RECORD DISTANCE
- (M) = MEASURED DISTANCE
- ⊙ = SET CONCRETE MONUMENT
- = FOUND IRON STAKE
- ⊗ = 6"x30" EX. CONCRETE MONUMENT IN BOX

PARCEL # 22-43421  
OWNER DUSTAS,  
MARGARET & STANLEY  
LOT 3

PARCEL # 22-43426  
OWNER P2 ODA LLC  
LOT 4A  
AREA = 2.2948 ACRES

PARCEL # 22-43433  
OWNER CITY LIGHT CHURCH  
PART OF  
LOT 4  
AREA = 1.209 ACRES

PARCEL # 22-43433  
OWNER BROWNSTONE  
PLAZA PROPERTIES  
LOT 5

8/10/2016  
22394 346

2/2

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**GENERAL INFORMATION**

Subject

- Request - Downtown Overlay District Review for Smokestack Demolition and Replacement for the Steam Plant.
- Location - 320 Water Street
- Applicant - Robin Whitney  
Promedica Health System  
1801 Richards Rd  
Toledo, OH 43607
- Attorney - Mark Rose  
Marshall & Melhorn, LLC  
Four Seagate, 8<sup>th</sup> Floor  
Toledo, OH 43604
- Engineer - Wendy Fry  
The Mannik & Smith Group, Inc  
2365 Haggerty Road South  
Canton, Michigan 48188

Site Description

- Zoning - CD Downtown Commercial
- Area - ± 2.982 acres
- Frontage - ± 517' on Water Street  
± 210' on Madison Avenue  
± 195' on Adams Street
- Existing Use - Vacant Steam Plant
- Proposed use - Promedica Headquarters

Area Description

- North - Festival Park & Imagination Station / POS & CD
- South - Promenade Park / POS
- East - Maumee River
- West - Key Bank Building / CD

**GENERAL INFORMATION (cont'd)**

Parcel History

- M-17-75 - Site Plan for Promenade Park proposed for an area bounded by Water St, Monroe St, The Cherry St Bridge and The Maumee River, to include Street closings within the above boundary of Jefferson Ave, Madison Ave and Adams St (PC approved 10/30/75).
- M-16-79 - Site Plan Review for Promenade Park (PC approved 10/17/79, Ord. 673-80, 10/31/80).
- M-5-81 - Study & Review Amendment for the Riverview Urban Renewal land Use Plan (PC approved 5/7/81)
- Z-139-86 - Zone Change from M-1 & C-5 to P Parks (PC approved 7/24/86, Ord. 643-86, 8/12/86)
- DOD-10-97 - Downtown Overlay District Review for the Demolition of a Portion of the Stream Plant (Administratively approve 8/21/97)
- Z-9008-98 - Zone Change from M-1 Limited Industrial to P Park for Open Space Wrapping around the Stream Plant (PC approved 12/3/98, Ord 57-99 1/19/99)
- Z-10002-98 - Zone Change from M-1 Limited Industrial to C-5 Downtown Commercial for Steam Plant (PC approved 12/3/98, Ord 58-99 2/2/99)
- Z-11002-01 - Zone Change from P Park to C-5 Downtown Commercial (PC approved 12/6/01, Ord 97-02 2/12/02)
- DOD-5-01 - Downtown Overlay District Review for the Redevelopment of the Edison Steam Plant (PC approved 7/11/02)
- DOD-2-05 - Downtown Overlay District Review for the Redevelopment of the Edison Steam Plant (PC approved 11/3/05)

**GENERAL INFORMATION (cont'd)**

Parcel History (cont'd)

- DOD-1-12 - Downtown Overlay District Review for the Redevelopment of the Edison Steam Plant (PC approved 7/12/12)
- SPR-21-15 - Major Site Plan Review for Steam Plant Improvements, Building Addition and New Parking Lot (PC approved 7/9/15)
- DOD-5-15 - Downtown Overlay District Review for Steam Plant Improvements, Building Addition and New Parking Lot (PC approved 7/9/15)

Applicable Regulations

Toledo Municipal Code, Part Eleven: Planning and Zoning  
Toledo 20/20 Comprehensive Plan  
Toledo Downtown Plan 2011

**STAFF ANALYSIS**

The applicant is requesting a Downtown Overlay District (DOD) review for the removal and replacement of the smoke stacks on the former Edison Steam Plant at 320 Water Street. The redevelopment of the steam plant was approved in 2015, as part of applications DOD-5-15 & SPR-21-15. These approvals considered the history, design, parking, landscaping, fencing, lighting and signage.

During the preliminary construction phase of the steam plant redevelopment process, the bases of the smoke stacks were found to be structurally unsound. The applicant has provided engineering reports that indicate three (3) options for stabilizing the stacks. These options included shortening the smoke stacks, erecting a steel frame within the pedestal or removal of the stack and repairing the pedestals. Based on the depleted condition of the existing brick near the top of the pedestals and the deterioration of the existing anchor rods that secure the stacks to the bases, it was determined that removing the stacks was the only viable option.

The applicant is proposing to remove each of the existing 160 foot tall stacks that are supported by fifty-five (55) foot tall brick pedestals. The current overall height of the stacks from grade is 215 feet. Once removed, the applicant will reinforce the interior of the pedestals and reconstruct the exterior brick façade, using salvaged bricks where available. The original smoke stack will be demolished and new stacks will be installed. The new stacks will be twenty (20) feet shorter than the existing stacks, for an overall height of 195 feet above grade.

**STAFF ANALYSIS (cont'd)**

The smoke stacks are an iconic part of the City of Toledo Skyline and should be preserved or constructed as part of this redevelopment process. TMC 1103.0205.A *Downtown Overlay District- Design Standards – Rehabilitation of Existing Structures* emphasizes the preservation of traditional architecture and refers to the 2002 Downtown Toledo Master Plan as a source for rehabilitation guidelines. These guidelines emphasize the proper use of materials and respect of architectural integrity and character when renovating a historic structure in the Downtown. The applicant has taken steps to rebuild the smoke stacks in a manner that respects these guidelines.

In addition, the redevelopment of the steam plant redevelopment cluster is recognized as “Primary Priority” in the Toledo Downtown Plan 2011 and essential for accomplishing the revitalization of Downtown. Staff does not object to the reconstruction plans as proposed as the overall aesthetics of the stacks will remain constant.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission approve DOD-1-16, a Downtown Overlay District Review for the Smokestack Demolition and Possible Replacement, located at 320 Water Street for the following three (3) reasons:

1. The proposed complements the goals and objectives of both the Downtown Master Plan and the Toledo Downtown Plan (TMC§1111.0903(C)(1)).
2. The proposal is compatible with the Downtown Urban Design Guidelines in TMC§1103.0205 (TMC§1111.0903(C)(2)) and the 2002 Downtown Toledo Master Plan; and
3. The applicant has taken steps to ensure that the new smoke stacks will honor the architectural integrity of the Steam Plant.

DOWNTOWN OVERLAY DISTRICT  
TOLEDO CITY PLAN COMMISSION  
REF: DOD-1-16  
DATE: April 14, 2016  
TIME: 2:00 P.M.

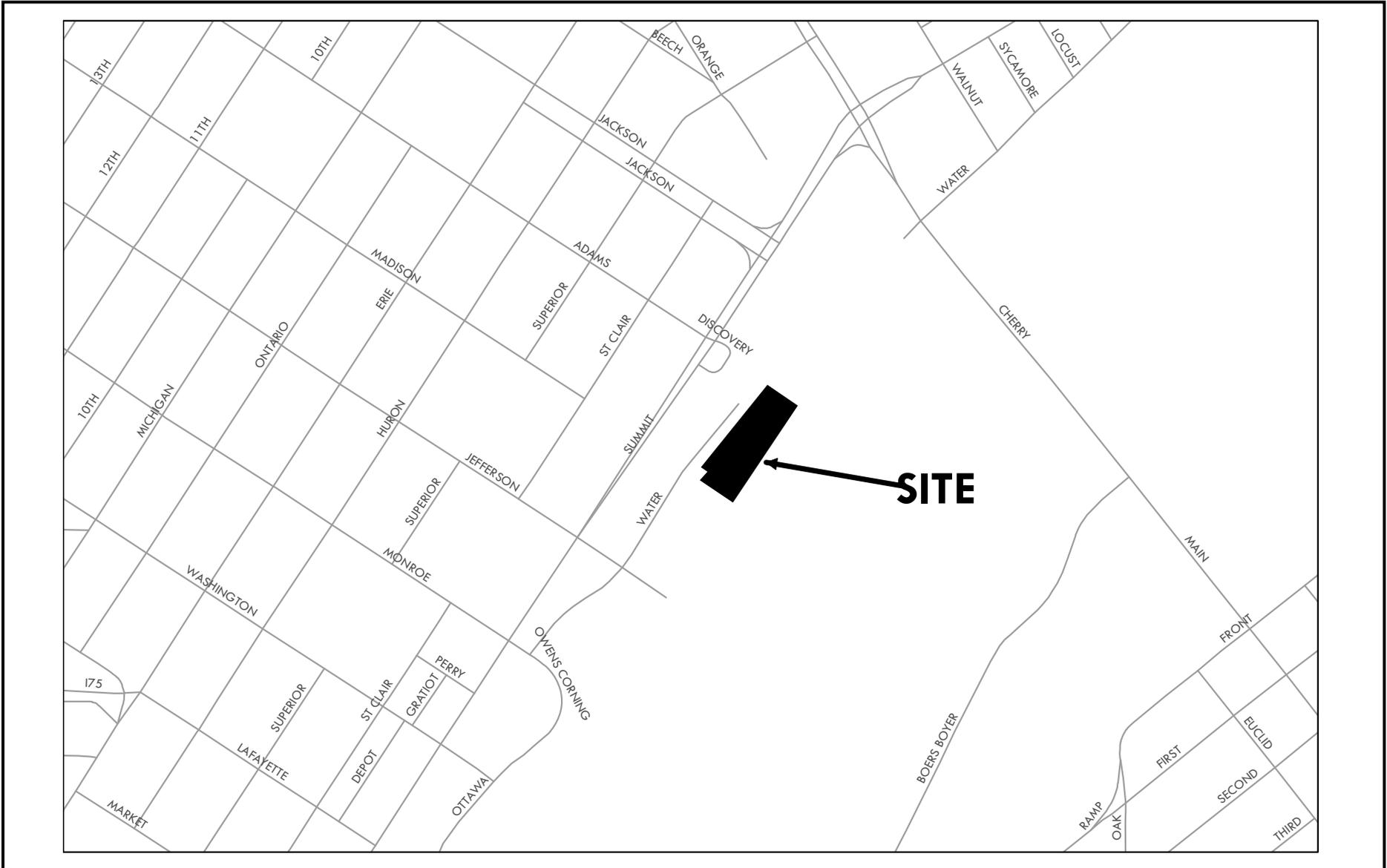
BH  
seven (7) sketches follow

# GENERAL LOCATION

DOD-1-16  
ID 9



11 - 5

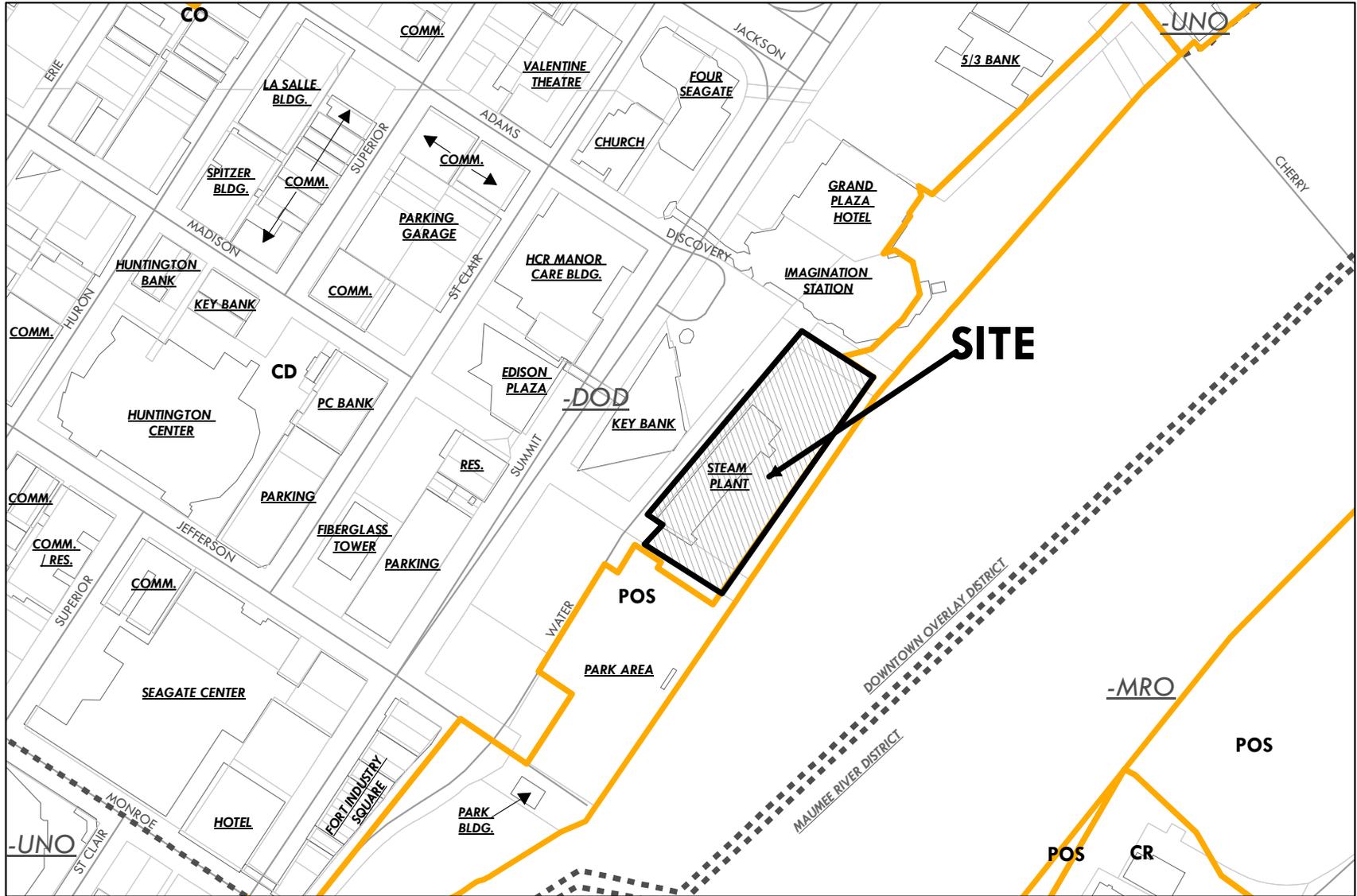


# ZONING & LAND USE

DOD-1-16  
ID 9



11 - 6



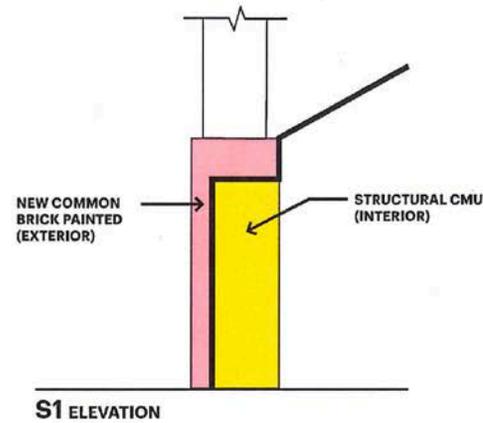
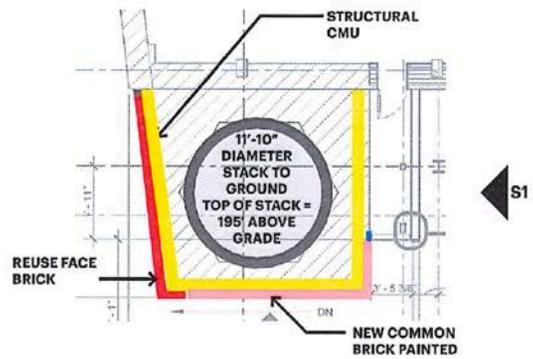
# CROSS SECTION - PROPOSED

DOD-1-16

## TWO STACKS - PROPOSED

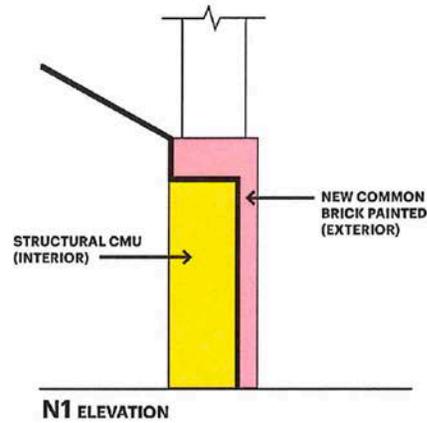
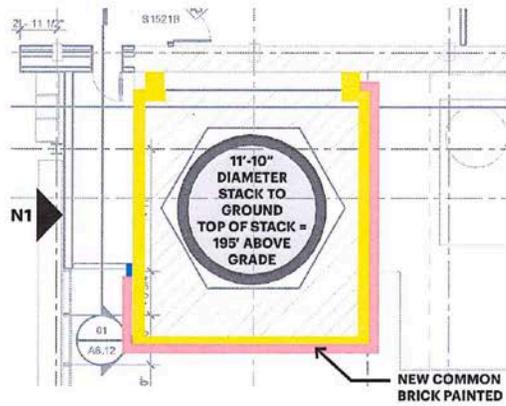
SOUTH STACK:

S1



NORTH STACK:

N1



ELEVATION TWO STACKS - PROPOSED

DOD-1-16

**TWO STACKS - PROPOSED**



# ELEVATION EXISTING STACKS

DOD-1-16

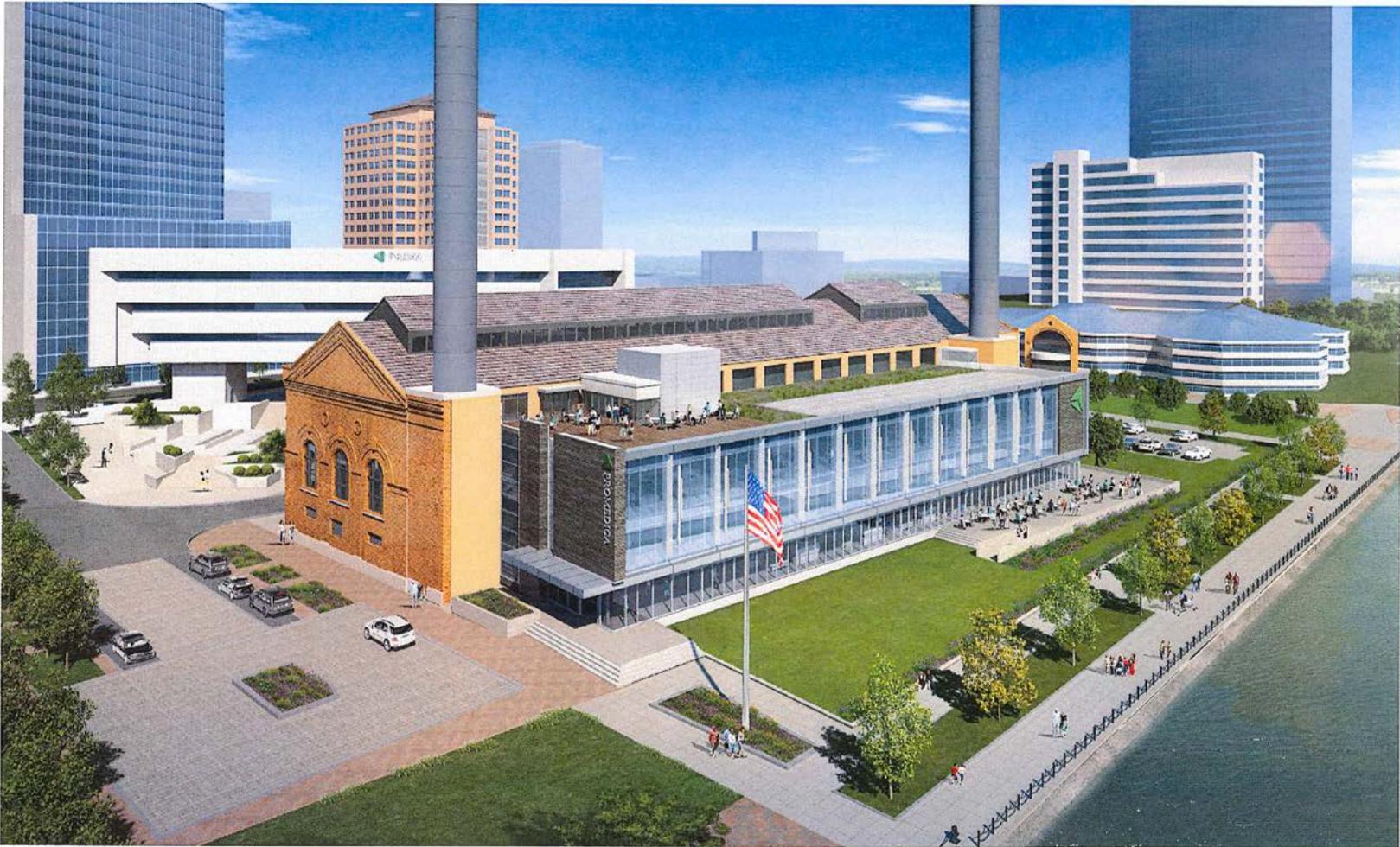
## EXISTING STACKS



ELEVATION TWO STACKS - PROPOSED

DOD-1-16

**TWO STACKS - PROPOSED**



# ELEVATION EXISTING STACKS

DOD-1-16

## EXISTING STACKS



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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

# Toledo - Lucas County General Street Map

