

*TOLEDO CITY
PLAN COMMISSION
REPORT*

September 8, 2016

Toledo-Lucas County Plan Commissions

One Government Center, Suite 1620, Toledo, OH 43604

Phone 419-245-1200, FAX 419-936-3730

MEMBERS OF THE TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

TOLEDO CITY PLAN COMMISSION

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KEN FALLOWS
(Vice Chairman)

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LISA COTTRELL, ADMINISTRATOR

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

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

* County deadlines are for Preliminary Drawings

** Date shifts are due to holidays

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

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

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

TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

September 8, 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. SPR-33-16 | Major Site Plan Review for new building and parking lot at 3400 Jeep Parkway (rs) |
| 2. SUP-7007-16: | Special Use Permit for utilities and services - at 2619 Heather Hills Road (gp) |
| 3. SUP-5004-16: | Special Use Permit for community recreation – active, at 3101 Lagrange Street (gp) |
| 4. V-313-16: | Vacation of a portion of an alley running south from Washington Street between Huron and Superior Streets, approximately 100 feet (rs) |
| 5. V-275-16: | Vacation of a portion of an alley running south of McDonald Street and adjacent to Lots 23 and 24 of the BAKER, MCDONALD AND DANA SUBDIVISION (rs) |
| 6. SUP-7004-16: | Special Use Permit for day care center at 4428 Secor Road (rs) |

7. SUP-7005-16: Amendment to Special Use Permit for halfway house, originally granted by Ordinance 227-14, at 1205 Champlain Street (mm)
8. SUP-7006-16: Special Use Permit for used auto sales facility at 2809 and 2815 W. Central Avenue (rs)
9. SUP-8001-11: Consideration to Revoke Special Use Permit granted by Ordinance 554-11, for used auto sales facility at 736 Woodville Road (gp)

GENERAL INFORMATION

Subject

- Request - Major Site Plan Review for new building and parking lot
- Location - 3400 Jeep Parkway
- Applicant - Overland Industrial Park Two, LLC.
4140 Lockbourne Road
Columbus, OH 43207
- Engineer - Jeff Myers
The Mannik & Smith Group, Inc.
1771 North Dixie Highway
Monroe, MI 48162

Site Description

- Zoning - General Industrial / IG
- Area - ± 16.53 acres
- Frontage - ± 800' along Jeep Parkway
- Existing Use - Vacant industrial land
- Proposed Use - Manufacturing facility and parking lot
- Parking Required - 102 parking spaces
- Parking Provided - 167 parking spaces

Area Description

- North - Vacant industrial land / IG
- South - Dana Corporation (future) / IG
- East - Pennsylvania Lines railroad / IG
- West - Jeep Parkway, Vacant industrial land / IG

Parcel History

- S-5-13 - Preliminary Drawing Review of Overland Industrial Park Plat 1 at 1000 Jeep Parkway (Plan Commission approved Preliminary Drawing with conditions on 5/9/2013. Final Plat approved 7/11/2013).

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

- S-9-16 - Preliminary Drawing Review of the Replat of Overland Industrial Park Plat 1 at 1000 Jeep Parkway (Plan Commission approved Preliminary Drawing on 7/14/2016. Final Plat set for 8/24/2016 P.C. Hearing).

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan
- Toledo Vacant Industrial Land Use Report

STAFF ANALYSIS

The applicant is requesting a Major Site Plan Review for a new building and parking lot at 3400 Jeep Parkway. The 16.53 acre site is zoned IG General Industrial and is located on Lot 2 which was created as part of the REPLAT OF OVERLAND INDUSTRIAL PARK PLAT 1. Pursuant to TMC§1111.0802(B)(1) & (2), a Major Site Plan Review is required for all nonresidential developments with a floor area of more than 50,000 square feet and for proposed off-street parking with 60 or more spaces. Surrounding land uses include vacant industrial land to the north and west of the property; railroads to the east and the recently approved Dana Corporation manufacturing facility to the south.

The site plan submitted proposes a 102,000 sq. ft. building with a future expansion of 30,000 square feet to the east. The site plan also depicts a sixty-foot (60') service drive for semis located along the southern boundary of the site. The proposed service drive is planned to be designed to city standards with the intention of being dedicated as future right-of-way.

Parking and Circulation

The site plan depicts two access points, one from Jeep Parkway and one from the proposed service drive to the south. Total number of parking spaces provided on site is 167 spaces. Parking requirements for industrial manufacturing and warehouse facilities are calculated cumulatively as listed in TMC§1107.0500 *Off-Street Parking Schedule "C" Additional Industrial Standards*. Calculations using the cumulative square feet of manufacturing floor area indicate a total of 102 parking spaces are required for the facility.

STAFF ANALYSIS (cont'd)

Parking and Circulation (cont'd)

Pursuant to TMC§1107.0302 *Maximums* – an applicant may provide up to 150 percent of the minimum required parking, or equal to 153 spaces. As stated in TMC§1107.1400 *Alternative Access and Parking Plans*, the Director of Planning is authorized to approve alternative parking plans that permit off-street parking spaces in excess of the allowed 150 percent maximum. The parking provided for the proposed expansions exceeds the minimum number of off-street parking spaces. An alternative parking plan shall be submitted to the Director to justify the parking in excess of 150 percent and is listed as a condition of approval. If employee considerations are listed, information shall be provided regarding the potential number of occupants and/or employees per shift.

In addition to the required off-street parking, loading zones and bicycle parking is also required. Per TMC§1107.1000 *Off-street Loading Schedule*, four (4) loading spaces are required for industrial uses with a floor area under 150,000 square feet. The site plan submitted indicates eleven (11) loading spaces along the southern portion of the proposed building. The required bicycle parking is one (1) bicycle space per ten (10) automobile spaces. The site plan submitted indicates eleven (11) bicycle parking spaces which exceed the minimum requirements.

Landscaping

Per TMC§1108.0202 *Frontage Greenbelts*, sites over five (5) acres are required to provide a thirty (30) foot frontage greenbelt along the right-of-ways. The frontage greenbelt shall include at least one tree for every 30 feet of lot frontage and a solid evergreen hedge to screen the parking lot. Trees are not required to be evenly spaced and may be clustered.

The landscape plan submitted depicts a thirty-foot (30') frontage greenbelt along Jeep Parkway and the service drive with landscaping to screen the proposed parking lot. The landscape plan provided offers sixty-one (61) trees in the required frontage greenbelt and roughly one-hundred fifteen (115) shrubs, most of which sit outside of the greenbelt but screen the parking lot. Additionally, the site plan also indicates that plantings will be installed along the foundation of the buildings and along all perimeter property lines. The landscape plan offers the appropriate amount of trees and shrubs and is acceptable as submitted.

Building Materials

The building elevations indicate the use of precast painted concrete wall panels with insulated glass windows in aluminum framing on all facades. In addition, the applicant will provide an aluminum curtain wall with an insulated glass façade and entry features on the southwest corner of the building. Pursuant to TMC§1109.0400 along major streets, 30% of the building frontage shall not consist of a blank wall and the building shall be painted subtle, neutral or earth tone colors with the exception of the trim and accent areas. The elevations provided meet the criteria required for a new industrial building of this size.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Heavy Industrial land uses. This includes industrial manufacturing and other moderate to high-impact industrial uses, including large scale or specialized industrial operations requiring good transportation access and public facilities and services. The Toledo Vacant Industrial Land Use Report recommends the parcels in the “Jeep Study Area” to be used for industrial purposes. The proposed use of this site is in compliance with the Toledo 20/20 Comprehensive Plan and the Toledo Vacant Industrial Land Use Report. Staff recommends approval of the Site Plan Review for this location because it complies with all standards of the Toledo Zoning Code. Additionally, the proposed land use is allowed within the current zoning district of the property. Finally, the proposed use will provide for safe, efficient and convenient movement of traffic.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission approve SPR-33-16, a Major Site Plan Review for a new building and parking lot at 3400 Jeep Parkway for the following four (4) reasons:

1. The proposed use conforms to the Toledo 20/20 Comprehensive Plan and the Toledo Vacant Industrial Land Use Report.
2. The proposed land use complies with all standards of the Toledo Municipal Code, Zoning Code and other adopted City policies (TMC§1111.0809.A Approval Criteria).
3. The proposed land use is allowed in the zoning district which it is located (TMC§1111.0809.B Approval Criteria); and
4. Vehicular ingress and egress to and from the site will provide for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well (TMC§1111.0809.C. Approval Criteria).

The staff further recommends that the Toledo City Plan Commission approve SPR-33-16, a Major Site Plan Review for a new building and parking lot at 3400 Jeep Parkway subject to the following forty-two (42) conditions:

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

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services

1. 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

Right-of-Way and Inspection: Joe Warnka 419-245-1220

Roadway: Tim Grosjean, ph. 419-245-1344

Water: Andrea Kroma, ph. 419-936-2163

Stormwater Drainage: Lorie Haslinger, 419-245-3221; Andy Stepnick, 419-245-1338

Sanitary Sewers: Mike Elling, ph. 419-936-2276

2. 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.
3. All **proposed** roadway, sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way or proposed for future 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.
4. 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.
5. 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.

6. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
7. The water meter setting detail, including meter bypass and backflow preventer, shall be submitted to the City of Toledo Backflow Prevention Coordinator, 401 S. Erie Street, Toledo, OH 43602.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

8. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with BSIonlinetracking.com @ 800-414-4990. Contact the Division of Water Distribution (419-245-1395) to verify the backflow prevention requirements for this site.
9. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site. Verify that the hydrant locations shown are acceptable to the Toledo Fire Prevention Bureau.
10. Contractors performing work on new or existing fire systems shall be licensed by the State of Ohio Fire Marshall and certified by the City of Toledo Fire & Rescue Department.
11. Detailed plans for the water services 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.
12. The plan submitted for plan commission review indicates earth-disturbing activity greater than 2,500 square feet; therefore, a detailed site-grading plan, and plans for stormwater service shall be submitted directly to the Division of Engineering Services for stormwater review & approval. The Phase I and Phase II Stormwater Management Ponds, shown on page C4 have been previously approved to satisfy the Post-Construction Stormwater Best Management Practices (BMP's) for this site.
13. 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/>.
14. Any person performing earth-disturbing activities within the City of Toledo shall employ Construction Best Management Practices (BMPs) to provide sediment and erosion control during construction. Construction BMP's shall be designed and installed per the latest Ohio EPA General Stormwater NPDES permit.
15. All disturbed land areas over 1 acre must submit an NOI to and obtain a permit from the Ohio EPA.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

16. All sites disturbing 2,500 sq. ft or more shall develop a site specific Stormwater Pollution Prevention Plan (SWP3) which shall be submitted for review and approval. The SWP3 shall address all components required per the latest Ohio EPA General Stormwater NPDES permit and shall be submitted with a completed submittal cover sheet, contact list, contractor certification form and the Ohio EPA SWP3 Checklist. The links to these documents can be found at <http://www.tmacog.org/storc/swp3.htm>.
17. Designs incorporating low impact development solutions, such as grassy swales and bio-retention areas in lieu of curb, storm sewers, and underground detention are encouraged and may be eligible for a percent reduction in the property's stormwater utility fee through the Stormwater Credit Program.
18. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
19. No construction work, including any earth disturbing work will be permitted without approved plans and inspection.
20. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
21. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap.

Sewer & Drainage Services

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

Fire Prevention

24. Private fire hydrants may be required. OFC 507.5.1.
25. Fire apparatus access roads shall be provided. They shall extend to within 150' of all portions of the exterior walls of the building. OFC 503.1.1.

STAFF RECOMMENDATION (cont'd)

Fire Prevention (cont'd)

26. Access roads shall be minimum 20' wide. OFC 503.2.1.
27. A facility address is required. The address must be visible from the street or road fronting the property. OFC Section 505.

Division of Environmental Services

28. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.
29. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs.
30. Applicant shall provide inspection and maintenance records on the existing Post-Construction BMP for this site. If Post-Construction BMP inspection hasn't been performed within the last 6 months, please proceed with a current inspection and submit inspection records to the City of Toledo, Division of Environmental Services.
31. Any green infrastructure measures that can be included to minimize runoff and increase infiltration are highly advisable.
32. 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.
33. 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.

Division of Transportation

34. 4' sidewalks shall be constructed on Jeep Parkway adjacent to the building frontage. The sidewalks shall be constructed in accordance with the Toledo Municipal Code.

Plan Commission

35. An alternative parking plan shall be submitted to the Director to justify the parking in excess of 150 percent.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

36. 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**.
37. 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)).
38. 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.
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 (**acceptable as submitted**). Such plan shall include:
 - a. A thirty-foot (30') greenbelt is required along the Jeep Parkway and Wrangler Drive frontages, and shall include a solid evergreen hedge planting and one tree per every 30 feet of frontage; **acceptable as depicted on landscape plan**.
 - b. Topsoil must be back filled to provide positive drainage of the landscape area ; **acceptable as submitted**.
 - c. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage; **acceptable as submitted**.
 - d. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC§1108.0400 Landscape Materials Standards; **acceptable as submitted**.
 - e. 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.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

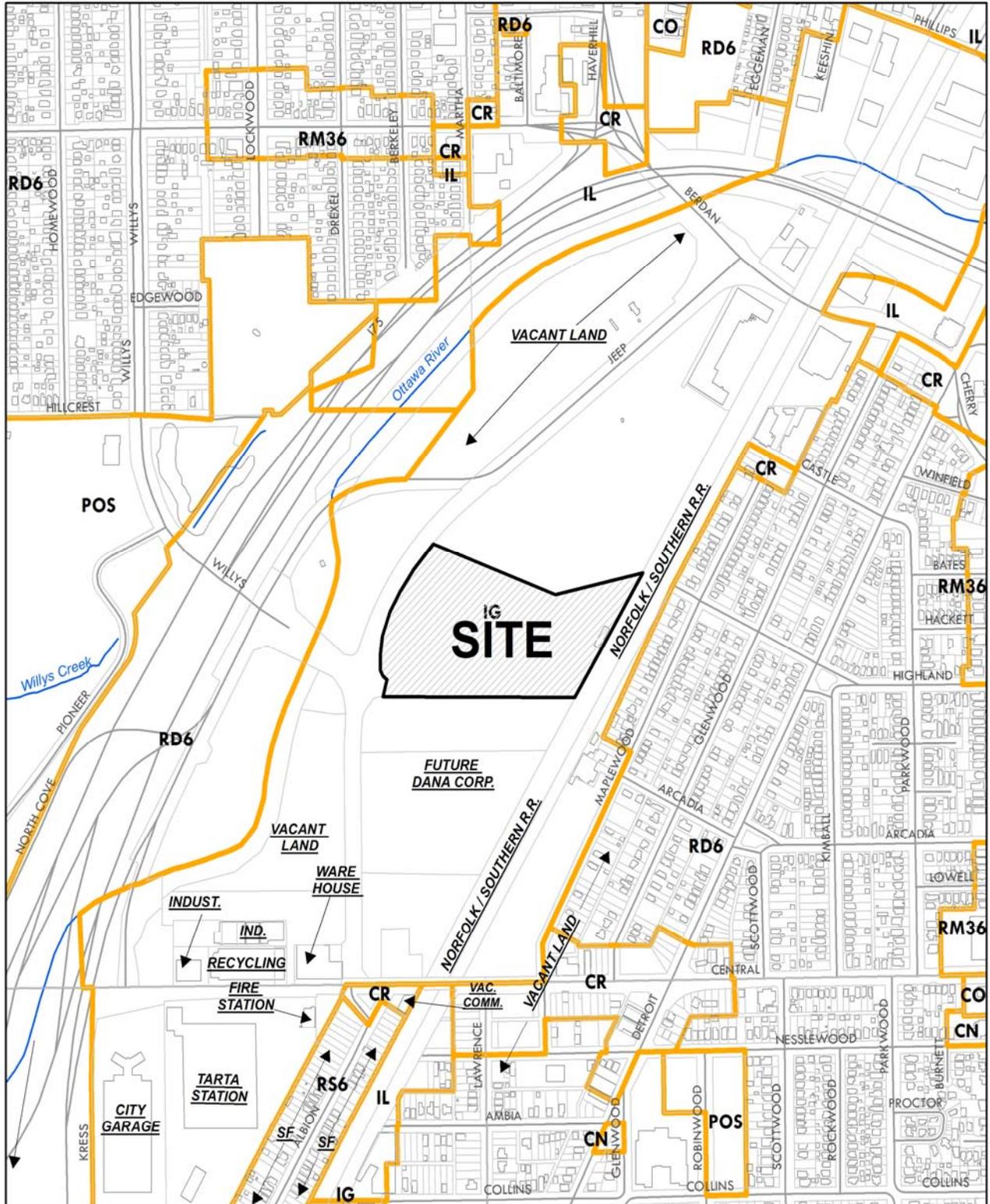
- f. The location, height and materials for any fencing to be installed and maintained; **acceptable as submitted.**
 - g. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); and
 - h. The location, lighting and size of any signs.
40. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. **Landscaping shall be installed and maintained indefinitely.**
41. Minor adjustments to the Site Plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
42. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

MAJOR SITE PLAN REVIEW
TOLEDO CITY PLAN COMMISSION
REF: SPR-33-16
DATE: September 8, 2016
TIME: 2:00 P.M.

RS
Seven (7) sketches follow

ZONING & LAND USE

SPR-33-16
ID 35/ 16

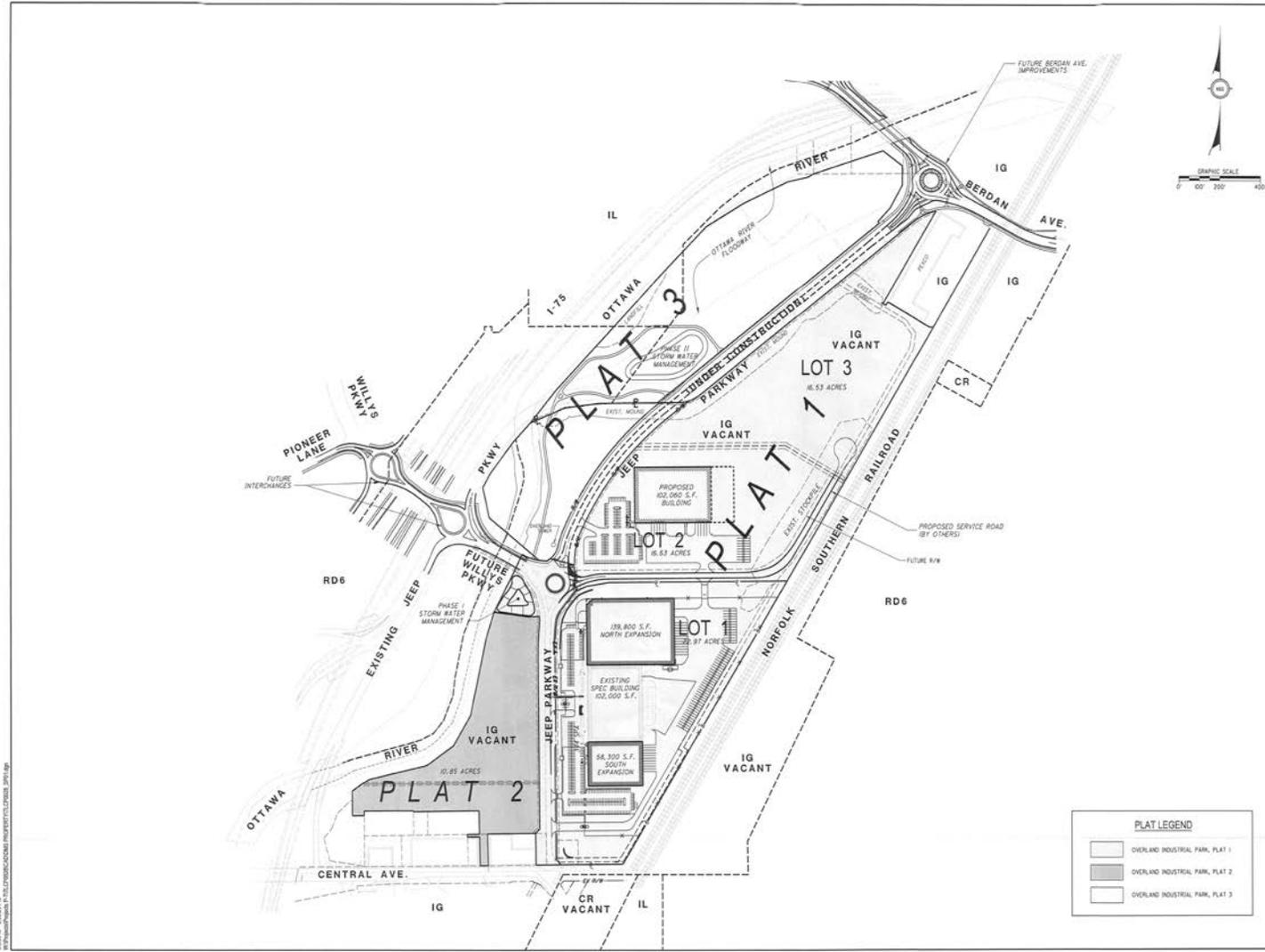


MASTER PLAN

SPR-33-16
ID 35/16



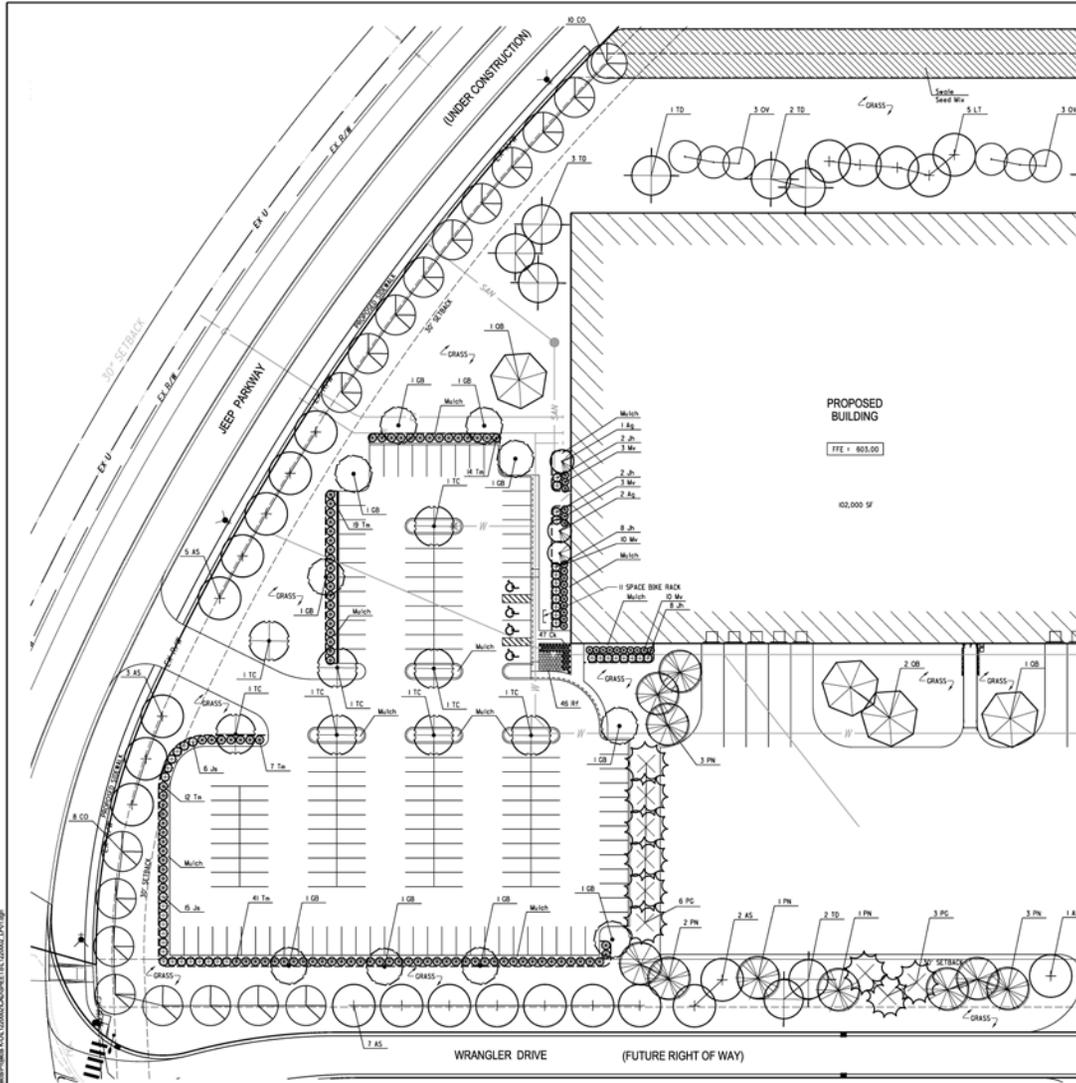
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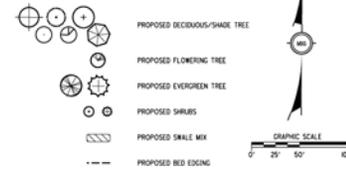
<p>DATE: 11/15/2016 PROJECT: SPR-33-16 SHEET: 1 OF 1</p>	
<p>DESIGNED BY: [Name] CHECKED BY: [Name] PROJECT ENGINEER: [Name]</p>	<p>DATE: 11/15/2016 PROJECT: SPR-33-16 SHEET: 1 OF 1</p>
<p>Mannik Smith Group CREATIVE ENGINEERS</p>	
<p>Legion Creek MIGlobal</p>	
<p>TOLEDO FACILITY 3400 JEEP PARKWAY TOLEDO, OHIO 43610</p>	
<p>SITE MASTERPLAN</p>	
<p>C 4 / C 13</p>	

LANDSCAPE PLAN

SPR-33-16
ID 35/16



LEGEND



PLANT LIST

ID	Qty	Botanical Name	Common Name	Size	Root	Spacing	Note
Deciduous Shade Trees							
AS	24	Acer saccharum 'Laciniatum'	Legacy Sugar Maple	2 1/2" Cal.	880	30' x 10' or per Plan	
ED	18	Quercus laevis 'Prinos Plena'	Prinos White Oak	2 1/2" Cal.	880	30' x 10' or per Plan	
OB	18	Crataegus mollis 'Candor'	Blackhaw Tree Candy	2 1/2" Cal.	880	30' x 10' or per Plan	Male Culture
LT	8	Lonicera xylosteum	Yellow Bellflower	2 1/2" Cal.	880	Per Plan	Only
OV	13	Osyrus virginiana	Forward	2 1/2" Cal.	880	Per Plan	
OS	10	Quercus prinus	Heavy White Oak	2 1/2" Cal.	880	Per Plan	
TC	8	Thuja occidentalis 'Green-Glo'	Green-Glo Blue Cedar	2 1/2" Cal.	880	Per Plan	
TD	13	Taxodium distichum 'Michauxii'	Shrevea Swamp Bald Cypress	2 1/2" Cal.	880	Per Plan	
Evergreen Trees							
PG	13	Thuja occidentalis 'Smaragdina'	White Spruce	7 1/2"	880	Per Plan	
PN	20	Pinus strobus	Autumn Pine	7 1/2"	880	Per Plan	
Flowering Trees							
Ag	3	Amelanchier canadensis 'Autumn Brillance'	Autumn Brilliance Serviceberry	2 1/2" Cal.	880	Per Plan	
Shrub							
Jk	21	Juniperus chinensis 'Suecica'	Blue Green Juniper	18" H.	Container	8' c.c.	
Jk	20	Juniperus horizontalis 'Plumosa'	Youngbluen Androm Juniper	18" H.	Container	8' c.c.	
Tn	53	Taxus canadensis 'Densata'	Dense Yew	18" H.	Container	8' c.c.	
Grasses and Perennials							
CK	47	Calamagrostis canadensis	Feather Reedgrass	3' Culture	Container	2' c.c.	
M	26	Muhlenbergia americana variegata	Variegated Japanese Silver Grass	2' Culture	Container	4' c.c.	
AO	46	Asplenium platyneuron	Goldstone Black Rock Fern	2' Culture	Container	2' c.c.	

LANDSCAPE PLAN NOTES

- ALL LANDSCAPE MATERIAL, INSTALLATION AND MAINTENANCE METHODS SHALL MEET CITY OF TOLEDO STANDARDS.
- ALL UNPAVED PORTIONS OF THE SITE SHALL BE MULCHED, SEED, OR PLANTED WITH GRASS/SEDGES, GRASSES OR OTHER LOW PLANT MATERIALS WITHIN PLANTING BEDS AS SHOWN ON THE PLANS FOR CITY STANDARDS.
- ALL LAWN AREAS SHALL HAVE A MINIMUM OF FOUR INCHES OF TOPSOIL. LANDSCAPE AREAS SHALL HAVE A MINIMUM OF TWELVE INCHES OF PLANT MIX.
- ALL LANDSCAPED AREAS, INCLUDING TREES, SHRUBS, PERENNIALS AND GROUNDCOVER SHALL BE COVERED WITH 3 INCHES OF SHREDED HARDWOOD BARK MULCH.
- AN AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED FOR ALL LANDSCAPE AREAS. AN IRRIGATION PLAN WILL BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL.
- PLANTS SHOWN ON THE SITE PLAN MUST BE KEPT TO REMAIN IN COMPLIANCE WITH THE SITE PLAN INDENTIFIED.
- ALL LANDSCAPING SHALL BE MAINTAINED IN A HEALTHY, NEAT AND ORDERLY STATE FREE FROM RUBBAGE AND DEBRIS. ANY DEAD OR DISEASED PLANTS SHALL BE REMOVED AND REPLACED.
- PLANT MATERIALS SHALL BE IN COMPLIANCE WITH THE AMERICAN STANDARDS FOR NURSERY STOCK, AND 2011.

LANDSCAPE REQUIREMENTS

- ORIENTAL GREENWELL**
- REQUIRED: 30-FOOT WIDE WITH A MINIMUM OF 1 TREE PER 30-FOOT OF FRONTAGE
- PROVIDED:
- FRONTAGE ALONG JEOP PARKWAY: 685 FEET 24 TREES
 - FRONTAGE ALONG WRANGLER DRIVE: 1305 FEET 51 TREES
- REQUIRED: 50-FOOT CONTINUOUS HEDGE ALONG THE FRONT OF THE PARKING LOT TO SCREEN HEIGHTS OF ANY VEHICLES THAT CAN BE SEEN FROM THE PUBLIC ROADS.
- PROVIDED: CONTINUOUS EVERGREEN HEDGE ALONG FRONT PARKING AREA.

NO.	DATE	BY	DESCRIPTION
1	01/15/2024	MM	ISSUED FOR PERMIT
2	01/15/2024	MM	ISSUED FOR PERMIT
3	01/15/2024	MM	ISSUED FOR PERMIT
4	01/15/2024	MM	ISSUED FOR PERMIT
5	01/15/2024	MM	ISSUED FOR PERMIT
6	01/15/2024	MM	ISSUED FOR PERMIT
7	01/15/2024	MM	ISSUED FOR PERMIT
8	01/15/2024	MM	ISSUED FOR PERMIT
9	01/15/2024	MM	ISSUED FOR PERMIT
10	01/15/2024	MM	ISSUED FOR PERMIT

Mannik Smith Group
LANDSCAPE ARCHITECTS
www.MannikSmithGroup.com

Legum Creek
MIGlobal

TOLEDO FACILITY
300 JEOP PARKWAY
TOLEDO, OHIO 43610

LANDSCAPE PLAN
SHEET 1

L 1 / L 3

LANDSCAPE PLAN

SPR-33-16
ID 35/16

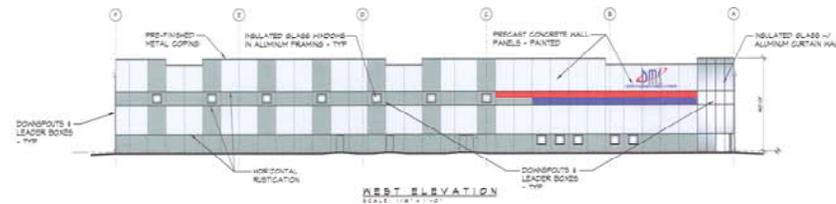
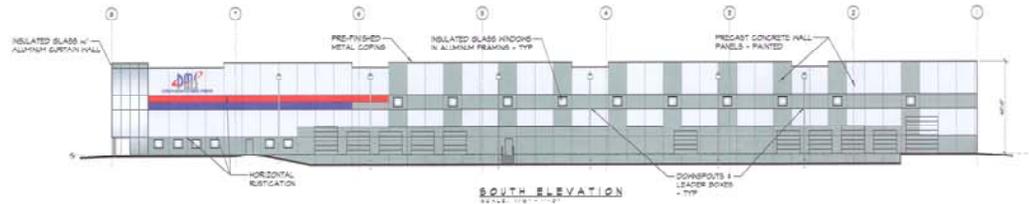
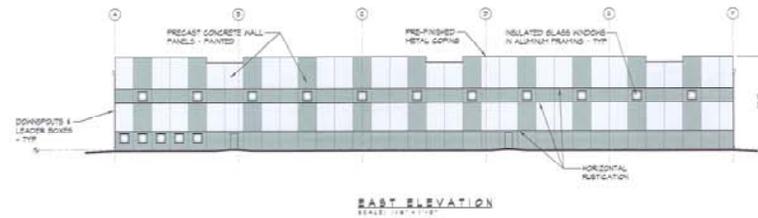
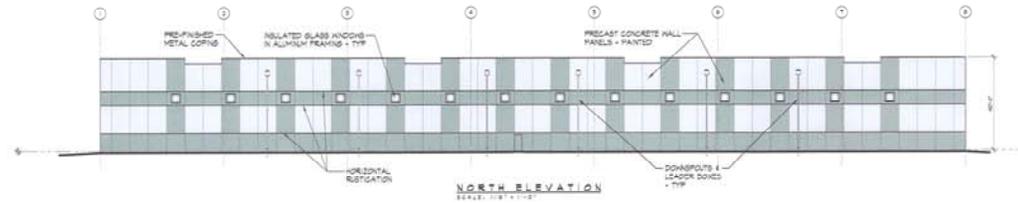


WEATHER BAND CIRCLE TEL: 419-243-7000 PROJECT NO: 1120000 DRAWN BY: JAC CHECKED BY: JAC	
Mannik Smith GROUP www.MannikSmithGroup.com	
Legum Group www.LegumGroup.com	
TOLEDO FACILITY TOLEDO, OHIO 43610	
LANDSCAPE PLAN SHEET 2	
L 2	L 3

1 - 16

BUILDING ELEVATION

SPR-33-16
ID 35/16



**COOPER/SHAMBERGER
ARCHITECT, P.C.**
4100 WOODLAND AVENUE
ANN ARBOR, MI 48106
TEL: 734.769.1200

Rayon Crest
CONCRETE PRODUCTS
10000 WOODLAND AVENUE
ANN ARBOR, MI 48106
TEL: 734.769.1200

**M/H
Harmon
Group**
10000 WOODLAND AVENUE
ANN ARBOR, MI 48106
TEL: 734.769.1200

DETROIT MANUFACTURING SYSTEMS
TECHNICAL GROUP
10000 WOODLAND AVENUE
ANN ARBOR, MI 48106
TEL: 734.769.1200

DATE: 11/11/16

C1

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GENERAL INFORMATION

Subject

Request	-	Special Use Permit for Utilities and Service, Major
Location	-	2619 Heather Hills Road
Applicant	-	City of Toledo C/O: Andrew McClure One Government Center Toledo, OH 43604
Consultant	-	Dmytryka Jacobs Engineering, Inc. 1101 Research Drive Toledo, OH 43614

Site Description

Zoning	-	RD6 Duplex Residential
Area	-	±4.83 acres
Frontage	-	±422' along Heather Hills Road
Existing Use	-	City of Toledo Pump Station
Proposed Use	-	Addition of a radio telemetry tower

Area Description

North	-	Single Family Homes, Apartments / RS6, RS12
South	-	Ohio Turnpike
East	-	Stranahan Theater / RS12
West	-	Apartments / RD6

Parcel History

SPR-12-14	-	Minor Site Plan Review for new City of Toledo pump station, Administratively approved 4/14/14.
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Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a new telemetry tower to be located at 2619 Heather Hills Road. The overall site is classified as Utilities and Services – Major. The site consists of a ±4.83 acre parcel that is occupied by a City owned pumpstation and accessory use buildings. The site is zoned RD6 Duplex Residential and is adjacent to multi-family residential uses to the north and west, the Stranahan Theater to the east, and the Ohio Turnpike is to the south. A Special Use Permit is required because the proposal is located in a residentially zoned district.

The applicant is proposing to develop a telemetry tower on the site that also includes the Heather Hills pump station and reservoir. The proposed tower will be 150' in height including a 12' base. The tower is only for public purposes and no commercial co-location will be allowed. There are no parking requirements associated with the proposed development.

Wireless Facilities are required to have a setback distance from the property line in all directions equal to the height of the tower or 100 feet, whichever is greater, if the site is in or abuts a Residential district or Household Living or Group Living uses. The proposed tower is adjacent to a parcel that is residentially zoned and will be required to meet these setbacks as a condition of approval.

Design

Pursuant to TMC§1104.1804(C) wireless telecommunications towers shall be designed, and shall have the capacity in all respects, to accommodate both the applicant's antenna and at least two comparable antennas if the tower is over 120 feet in height or at least one comparable antenna if the tower is over 70 feet in height but less than 120 feet in height. Towers shall be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights. Towers are required to be constructed of galvanized metal and must be of monopole design. Guyed or lattice towers are prohibited.

All Wireless Facilities may be inspected at any time by the City in order to determine compliance with original construction standards. Deviation from the original construction from which a permit is obtained constitutes a violation of this Zoning Code.

Landscaping

Per TMC§1104.1801(C)(2), wireless telecommunications facilities are to be landscaped in accordance with the buffer and screening requirements of section 1108.0203. For purposes of said section, a wireless facility shall be reviewed as an industrial use regardless of the zoning district in which the facility is located. A privacy fence or wall shall be installed according to the Landscaping and Screening Matrix, a Type A landscape buffer is required on all sides of the site. The use of barbed wire, razor wire, concertina wire or the like is not permitted. A landscape plan has not been submitted as part of the Special Use Permit review.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for multi-family residential uses. The intent of the RM36 Multi-Family Residential district is to accommodate the development of multi-dwelling housing. The district is intended to create, maintain and promote higher density housing opportunities in areas with good transportation areas. The regulations are intended to create desirable residential areas by promoting aesthetically pleasing environments, safety, privacy, and recreational opportunities.

The proposed development conforms to the current zoning of the site and meets the stated purpose of the zoning code.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-7007-16, a request for a Special Use Permit for Utilities and Services – Major located at 2619 Heather Hills Road, to the Toledo City Council, for the following two (2) reasons:

1. The proposed use conforms with the current zoning of the site.
2. The proposed use meets the stated intent of the zoning code (TMC§1111.0706.A); and

The staff further recommends that the Toledo City Plan Commission approve SUP-7007-16, amendment to a Special Use Permit for Utilities and Services – Major located at 2619 Heather Hills Road, to the Toledo City Council, subject to the following twenty-five (25) 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. 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

Right-of-Way and Inspection: Joe Warnka 419-245-1220

Roadway: Tim Grosjean, ph. 419-245-1344

Water: Andrea Kroma, ph. 419-936-2163

Storm-water Drainage: Lorie Haslinger, ph. 419-245-3221;

Andy Stepnick 419-245-1338

Sanitary Sewers: Mike Elling, ph. 419-936-2276

STAFF RECOMMENDATION (cont'd)

Engineering Services (cont'd)

2. 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.
3. 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.
4. 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.
5. 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.

6. The proposed conduits cross a 36-inch-diameter public water main. Maintain a minimum of 2 feet of vertical clearance between the proposed conduits and the water main. Do not construct the tower base within ten feet of the water main.

Sewer & Drainage Services

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

Fire Prevention

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

Transportation

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

STAFF RECOMMENDATION (cont'd)

Environmental Services

7. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs
8. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.
9. 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.
10. Applicant shall follow Ohio Department of Natural Resources guidelines on placement and operation of telemetry devices.
11. 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 Law.

Plan Commission

12. 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 parking lot (TMC§1107.1906).
13. The tower is intended for public purposes only; no commercial co-location is allowed.
14. Wireless Facilities shall be designed to reasonably blend into the surrounding environment through the use of neutral colors (such as gray), screening, landscaping and architecture, unless the Federal Aviation Administration, or other federal or state authorities, require otherwise. Tower shall be constructed of galvanized metal.
15. No commercial advertising shall be allowed on a tower or antenna, except for antennas attached to an existing and approved sign. Towers may have safety or warning signs in appropriate places.
16. Mobile or immobile equipment not used in direct support of a wireless facility shall not be stored or parked on the site, unless repairs to the facility are being made.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

17. The Wireless Facilities shall be setback from the property line in all directions a distance at least equal to the height of the tower or 100 feet, whichever is greater, if the site is in or abuts a Residential district or Household Living or Group Living areas.
18. The tower or antenna shall be constructed so that if failure does occur, it will collapse into itself and will not fall onto structures near the site.
19. Towers shall be of a monopole design, and guyed or lattice towers are prohibited.
20. Fence shall meet the criteria as set forth in TMC 1104.1801(C)(1) *Wireless Telecommunication Facilities*. Fence shall be an 8 foot privacy fence or wall, as measured from the finished grade of the site, constructed around the perimeter of the Wireless Facility. **The use of barbed wire is not permitted.**
21. A detailed site, lighting, sign, fencing and landscaping plan shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. A Type A Landscape buffer is required along all four sides of the wireless facility and shall be twenty-five feet (25') in width or ten feet (10') in width with a solid fence;
 - b. The location, number, height, diameter and species of any materials to be planted and maintained shall meet the standards included in TMC§1108.0400 Landscape Materials Standards;
 - c. The location, type and direction of any proposed lighting. The lighting is subject to the approval of the Director of the City of Toledo Plan Commission (lights are to be directed away from adjacent residential properties) **No signals, lights or other illumination shall be permitted, unless required by the FAA;**
 - d. The location and type of any proposed fencing. The fencing is subject to the approval of the Director of the City of Toledo Plan Commission.
 - e. **If applicable.** The location, lighting and size of any signs, all signage is subject to TMC§1387. No commercial advertising shall be allowed on a tower or antenna, except for antennas attached to an existing and approved sign. Towers may have safety or warning signs in appropriate places.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

22. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
23. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.
24. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
25. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.

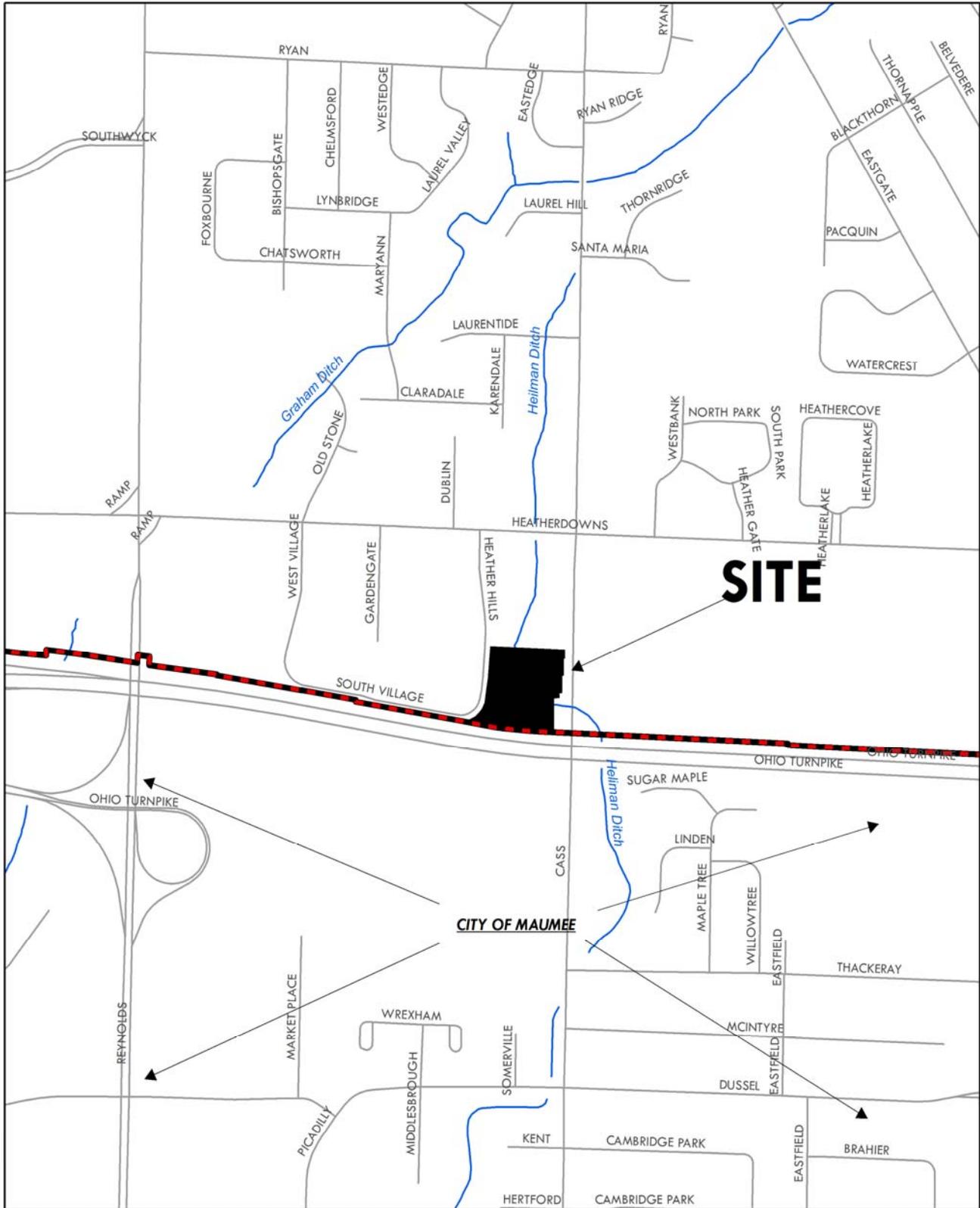
SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-7007-16
DATE: September 8, 2016
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
ZONING AND PLANNING
DATE: October 12, 2016
TIME: 4:00 P.M.

GP
Three (3) sketches follow

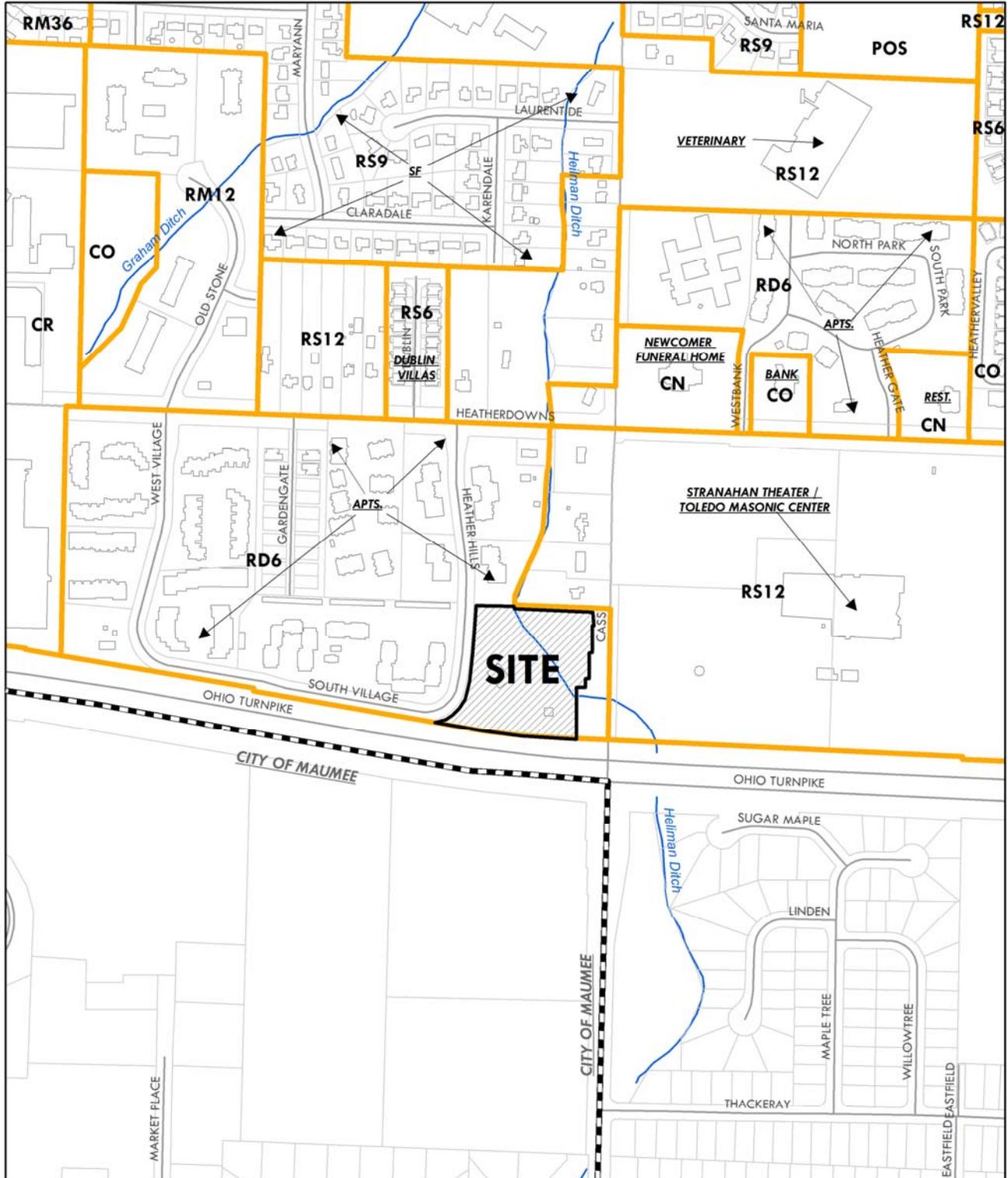
GENERAL LOCATION

SUP-7007-16
ID 142



ZONING & LAND USE

SUP-7007-16
ID 142



GENERAL INFORMATION

Subject

- Request - Special Use Permit for a Community Recreation – Active land use
- Location - 3101 Lagrange Street
- Applicant - Ashley L. Roberson
822 W. Sylvania Avenue
Toledo, OH 43612
- Owner - Lagrange Development Corporation
C/O: Steve Seaton
3101 Lagrange Street
Toledo, OH 43608
- Consultant - Glass City Engineering and Surveying, LLC
C/O: Bryan D. Ellis
2001 River Road
Maumee, OH 43537

Site Description

- Zoning - CS / Storefront Commercial
- Area - ±0.38 acres
- Frontage - ±125' along Central Avenue
- Frontage - ±157' along Lagrange Street
- Existing Use - Vacant Commercial Building
- Proposed Use - Indoor Play Land

Area Description

- North - J'Mae's Restaurant / CS
- South - Zablocki Senior Center / RD6
- East - United North Office Building / CS
- West - Single Family Dwelling / RD6

GENERAL INFORMATION (cont'd)

Parcel History

- | | | |
|----------|---|---|
| Z-33-84 | - | Request for a Neighborhood Plan Review for 2500 and 2600 blocks of Lagrange St. to rezone from C-3 to R-3; approved by City Council on 5/02/84; Ord. 340-84. |
| Z-33-84 | - | Request for a Neighborhood Plan Review for 2200-2500 block of Lagrange St. and 2700-3500 block of Lagrange St for Preliminary designation as C-6 District; from C-3 and R-3 to C-6; approved by City Council on 5/02/84; Ord. 341-84. |
| Z-128-84 | - | Request for a Neighborhood Plan Review for 2200-2500 block of Lagrange St. and 2700-3500 block of Lagrange St for Final designation as C-6 District; approved by City Council on 9/19/84; Ord. 730-84. |
| L-11-91 | - | Request for the adaptive reuse and new parking lot of "The Old Library Building", approved by Plan Commission on 8/8/91. |

Applicable Regulations

- Toledo Municipal Code, Part Eleven: Planning and Zoning Code
- Lagrange – Central Neighborhood Business District
- Toledo 20/20 Comprehensive Plan

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a site located at 3101 Lagrange Street to facilitate the development of a Community Recreation – Active land use. The site is a corner lot with frontage on Lagrange Street and Central Avenue. It consists of five (5) parcels and is a total of ±0.38 acres. The site is indentified as being located in the "Primary Retail Area" of the C-6 Lagrange – Central Neighborhood Business District. Once occupied by a pharmacy, the existing commercial building is now vacant. The property is owned by Lagrange Development Corporation. The applicant has submitted a letter of support from the owner and has entered into a lease agreement in order to begin operations.

STAFF ANALYSIS (cont'd)

The applicant intends on opening an indoor recreation area for children. Some of the amenities include: inflatable bounce houses, arcade games, and interactive toys/games. The letter of intent states that the business will provide a fun and safe environment for families and children at play. There is a fully functioning kitchen in the building and it will be utilized to serve refreshments to the patrons. The hours of operation will be from 11am to 9pm Monday thru Friday and 10am to 10pm Saturday and Sunday during winter months and from 11am to 9pm Monday thru Friday and 10am to 10pm Saturday and Sunday during the summer months. The business will employ 3 – 4 employees who will be required to have CPR and first aid certificates upon employment.

Parking and Circulation

Pursuant to TMC§1107.0304 – *Off Street Parking Schedule A*, Community Recreation land uses are subject to Parking Schedule D. A requirement of this parking schedule is to provide a parking study. The study must include estimates of parking demand based on recommendations 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 the uses that are the same as or comparable with the proposed use.

Per ITE, 4th edition, page 137, the proposed land use requires one (1) parking space per 323 square feet. The existing building is a total of 5,300 square feet and calculations conclude that a total of seventeen (17) parking spaces are required. The site offers twenty-one (21) parking spaces to be used by the proposed development.

Parking is shared by the proposed development and a restaurant that is adjacent to the parking area. It is the City's stated intention to encourage efficient use of land and resources by allowing users to share off-street parking facilities whenever feasible. The Planning Director may authorize a reduction in the number of required off-street parking spaces for multiple use developments or for uses that are located near one another and that have different peak parking demands or different operating hours. Staff is supportive of the proposed parking arrangement.

A shared parking plan, assuring the retention of the shared parking space, must be enforced through written agreement among the owners of record. The agreement must be properly drawn and executed by the parties concerned and approved as to form and execution by the Law Department. The agreement must be recorded as required in TMC§1107.1405. The applicant also intends on utilizing a nearby bus stop to appeal for a twenty (20%) percent reduction of the number of parking spaces. The Planning Director may authorize the request subject to TMC§1107.1407(E).

STAFF ANALYSIS (cont'd)

Landscaping

The site is existing and therefore is only required to be brought closer to compliance. Located in the CS Storefront Commercial zoning district, the site is required to adhere to TMC§1108.0300 – *Urban Commercial Landscape Standards*. The intent of the subsection is to recognize that compliance with the landscape standards of TMC§1108.0200 may be difficult or impossible for urban, pedestrian-oriented development and to therefore provide more flexible landscape standards for redevelopment of existing structures and infill development in such areas of the City.

Any part of a lot area not used for buildings, other structures, or for roads, walks, parking, service areas or accessways must be landscaped with a combination of groundcover, trees and shrubs. Grass may be used in conjunction with other plant material. Landscape improvements must be provided in the sidewalk or other paved area in front of a building with tree grates, or other walkable surface material treatment for open tree pits, in the form of on shrub or understory for every thirty (30) feet of lot frontage. The minimum tree pit size will be 4 feet by 4 feet unless otherwise approved by the Planning Director. Additionally, staff will require that the existing decorative fence along Lagrange Street be maintained indefinitely.

C-6 Lagrange – Central Neighborhood Business District

In 1984 a request was made for a neighborhood study to rezone property in the Lagrange – Central Neighborhood Business District. The proposed zoning change was initiated as part of the C-6 rezoning study in order to clearly define and revitalize the neighborhood business district. The purpose of the C-6 (CS Storefront Commercial) zoning is to insure a harmonious relationship between buildings and neighboring areas within the community. It is an attempt to provide flexibility and encourage imaginative design in the rehabilitation of buildings and new construction while maintaining the architectural integrity of the older buildings that presently exist along Lagrange Street. The C-6 Lagrange Street standards and guidelines are not meant to prohibit development or redevelopment, rather they are designed to encourage the revitalization of Lagrange Street as a viable commercial district serving the surrounding residential community.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Urban Village land uses. The intent of the Urban Village designation is to accommodate the development of a neighborhood in a village-like setting. The existing Lagrange – Central Urban Village fits the classic form of the urban village. It is a mix of higher and lower density housing interspersed throughout, a system of sidewalks to connect the pedestrian to the street, businesses and housing that is oriented street rather than the back yard, and important public spaces.

STAFF ANALYSIS (cont'd)

The Special Use Permit is suitable for this location because the use meets the intent of the C-6 Lagrange – Central Neighborhood Business District, the 20/20 Comprehensive Plan, and complies with all applicable provisions of the Zoning Code.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-5004-16, a request for a Special Use Permit for a Community Recreation – Active land use located at 3101 Lagrange Street, to the Toledo City Council, for the following three (3) reasons:

1. The proposed use complies with the Toledo 20/20 Comprehensive Plan.
2. The proposed use meets the stated intent of the C-6 Lagrange – Central Neighborhood Business District Plan; and
3. The proposed use complies with all applicable provisions of this Zoning Code (TMC§1111.0706.B);

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-5004-16, a request for a Special Use Permit for a Community Recreation – Active land use located at 3101 Lagrange Street, to the Toledo City Council, subject to the following twenty-two (22) 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. 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
Right-of-Way and Inspection: Joe Warnka 419-245-1220
Roadway: Tim Grosjean, ph. 419-245-1344
Water: Andrea Kroma, ph. 419-936-2163
Stormwater Drainage: Lorie Haslinger, ph. 419-245-3221;
Andy Stepnick 419-245-1338
Sanitary Sewers: Mike Elling, ph. 419-936-2276

STAFF RECOMMENDATION (cont'd)

Engineering Services (cont'd)

2. 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.
3. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.
4. All commercial drive approaches, (along with the sidewalk through the drive) shall be constructed with 8" thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop/opening.** 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.
5. 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.

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

STAFF RECOMMENDATION (cont'd)

Engineering Services (cont'd)

9. The design professional and/or property owner shall submit written documentation to the Division of Water Distribution that no changes are being made to the existing water service, meter setting or backflow protection device and that these devices are properly installed, tested and in good working order. The City, at its discretion, has the authority to mandate the entire service, including meter and backflow prevention device, be brought into compliance with current City of Toledo standards.
10. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.
11. 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 stormwater 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, Stormwater Utility, including stormwater detention and post-construction stormwater BMPs as specified in the City of Toledo Infrastructure Design and Construction Requirements and the Ohio EPA NPDES General Stormwater Permit for Construction Activities.

Sewer & Drainage Services

12. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm and sanitary) be cleaned and inspected.
13. 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) years. An electronic copy (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity.

Fire Prevention

No comments and/or recommendations for the site plan review. Compliance with sprinkler and alarm system codes may apply.

STAFF RECOMMENDATION (cont'd)

Transportation

14. The right of way at the Lagrange St. and E. Central Ave. intersection shall be dedicated to 0' from property line at the diagonal.

Plan Commission

15. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks.
16. A shared parking plan, assuring the retention of the shared parking space, must be enforce through written agreement among the owners of record. The agreement must be properly drawn and executed by the parties concerned and approved as to from and execution by the Law Department. The agreement must be recorded as required in TMC§1107.1405.
17. The study must include estimates of parking demand based on recommendations 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 the uses that are the same as or comparable with the proposed use.
18. A detailed site, lighting, sign, fencing and four (4) landscaping plans separate from the Building Plans shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. Perimeter landscaping must be installed along any parking lot area adjacent to a street, place, or driveway. Perimeter landscaping will consist of one the options listed in TMC§1108.0305;
 - b. Wheel stops must be provided to ensure that vehicles cannot overhang directly on plant material, if a landscape area is used;
 - c. Any part of a lot area not used for buildings, other structures, or for roads, walks, parking, service areas or accessways must be landscaped with a combination of groundcover, trees and shrubs. Grass may be used in conjunction with other plant material.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- d. Landscape improvements must be provided in the sidewalk or other paved area in front of a building with tree grates, or other walkable surface material treatment for open tree pits, in the form of on shrub or understory for ever thirty (30) feet of lot frontage. The minimum tree pit size will be 4 feet by 4 feet unless otherwise approved by the Planning Director.
 - e. Existing decorative fencing along Lagrange Street shall be maintained indefinitely.
19. 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.
20. 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.
21. 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.
22. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

REF: SUP-5004-16...September 8, 2016

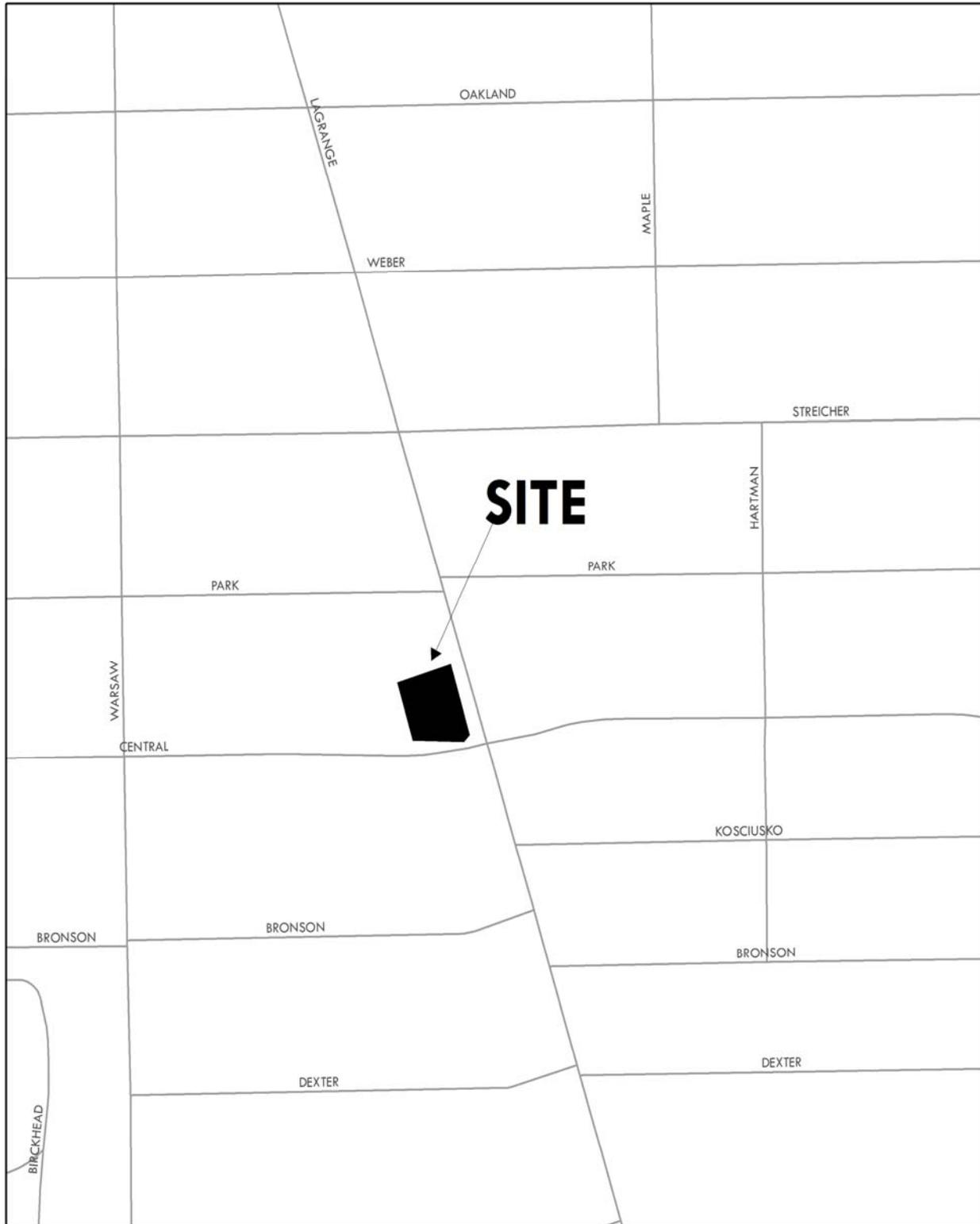
SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-5004-16
DATE: September 8, 2016
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: October 12, 2016
TIME: 4:00 P.M.

GP
Three (3) sketches follow

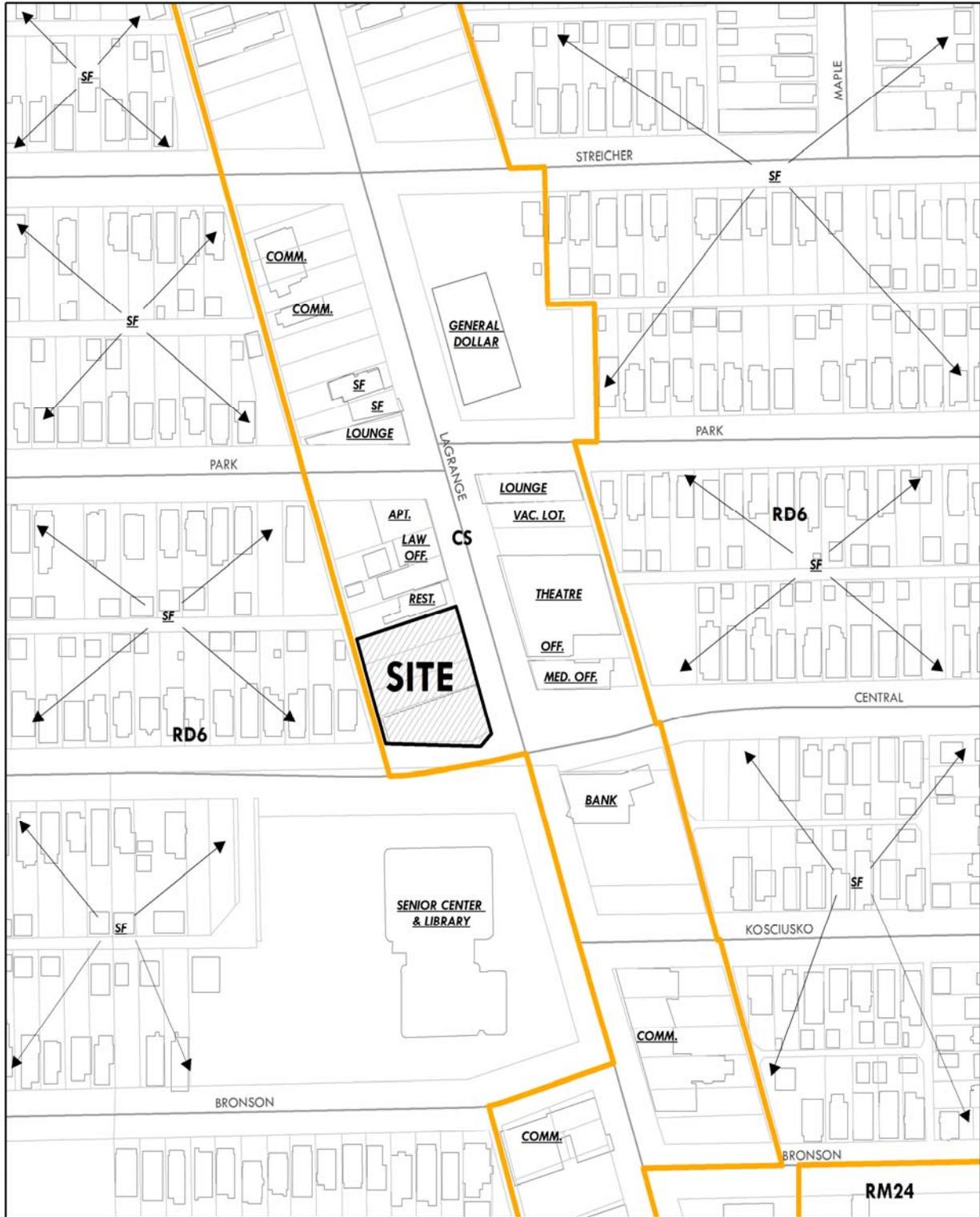
GENERAL LOCATION

SUP-5004-16
ID 7



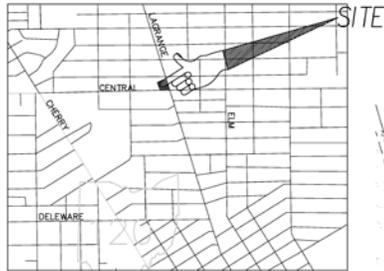
ZONING & LAND USE

SUP-5004-16
ID 7



SITE PLAN

SUP-5004-16
ID 7



LOCATION MAP
SCALE 1:200

LEGAL DESCRIPTION FOR SITE (12-02761)

SITUATED IN THE CITY OF TOLEDO, COUNTY OF LUCAS, STATE OF OHIO, IS DESCRIBED AS FOLLOWS:

LOTS NUMBERS ONE (1), TWO (2), THREE (3), FOUR (4), AND FIVE (5) IN PARKLAND ADDITION TO THE CITY OF TOLEDO, LUCAS COUNTY OHIO AS DESCRIBED IN GENERAL WARRANTY DEED 91-369-006

FLOOD CERTIFICATION

THE PROPERTY DESCRIBED HEREIN IS LOCATED IN ZONE "A" AREAS OUTSIDE THE 500 YEAR FLOODPLANE AS INDICATED ON THE F.I.R.M. FLOOD PANEL MAP No. 390950009E, EFFECTIVE DATE OF: AUGUST 16, 2011.

PROPERTY INFORMATION- OWNER/APPLICANT

OWNER:
LAGRANGE MANAGEMENT CORPORATION, INC.
3108 LAGRANGE STREET
TOLEDO, OHIO 43608

APPLICANT:
ASHLEY ROBERTS
822 W. SYLVANIA AVE.
TOLEDO, OHIO 43612
PHONE: 419-269-5764

SITE LOCATION:
3101, 3111, 3113, AND 3115 LAGRANGE STREET
TOLEDO, OHIO 43609
PARCEL # 12-02761, 12-02762, 12-02771, 12-02774
ZONING: COMMERCIAL

EXISTING SITE CONDITIONS:

ZONING: CS, COMMERCIAL
AREA: 0.381 AC ±
CURRENT USE: STOREFRONT COMMERCIAL (PHARMACY)
BUILDING: EXISTING
BUILDING TOTAL AREA = 5300 SF

BUILDINGS SETBACKS:

BUILDING SETBACKS PER ZONING CODE IN CS ZONE (CODE 1106.0140)
FRONT BUILDING LINE: 0'
SIDE: 0' ADJACENT TO C OR I ZONING, HOWEVER 10' ADJACENT TO RESIDENTIAL
REAR: 0' ADJACENT TO C OR I ZONING, HOWEVER 15' ADJACENT TO RESIDENTIAL
MAX. DWELLING HEIGHT: 45'
MAX. DWELLING LOT COVERAGE: 100%

EXISTING PARKING (CS ZONING)

REQUIRED PARKING - ACTIVE COMMUNITY CENTER
SHARED PARKING WITH REST OF BUILDING
COMMUNITY CENTER FLOOR AREA: 1 PER 323 SF (PER ITE, 4TH ED. PG. 127)
SF FLOOR AREA = 3216 SF
3216/250 SF = 8.9 SPACES
USE 9 SPACES
REST OF THE BUILDING FLOOR AREA: 1 PER 250 SF
SF FLOOR AREA = 2085 SF
2085/250 SF = 8.34 SPACES
USE 9 SPACES

REQUIRED ACCESSIBLE PARKING BY ADA (CODE 208 OF ADA) WITH BUILDING ADDITION

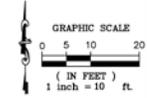
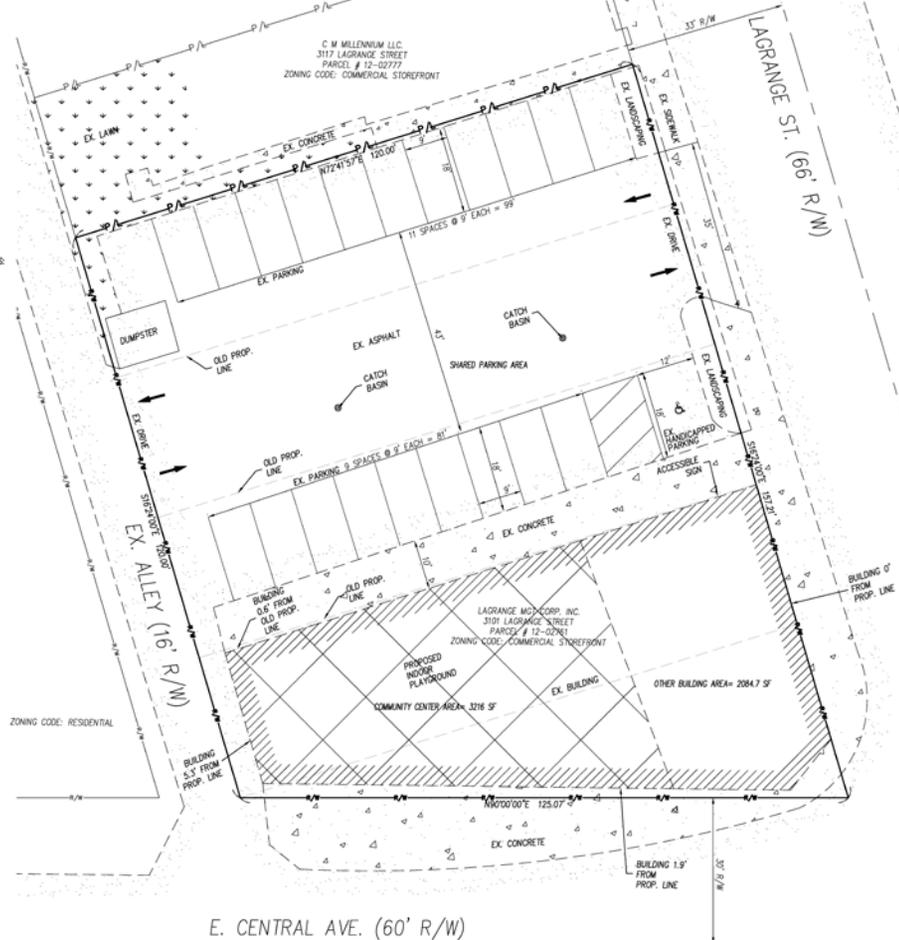
TOTAL PARKING: 1 TO 25 = 1 ACCESSIBLE SPACE (16427) PER TABLE 208.2
MINIMUM 1 IN 6 ACCESSIBLE SPACES MUST BE VAN ACCESSIBLE (9118.7206.2.4 ADA CODE)
TOTAL = 1 VAN ACCESSIBLE SPACE

PARKING REQUIRED:
[19] STANDARD SPACES + 1 VAN ACCESSIBLE = 20 TOTAL SPACES REQUIRED

PARKING EXISTING:
[20] STANDARD SPACES + 1 VAN ACCESSIBLE = 21 TOTAL SPACES EXISTING

NOTE: NO SITE WORK TO BE COMPLETED ON THIS APPLICATION

SUP REQUEST FOR INDOOR PLAY LAND EXISTING SITE LAYOUT



ZONING CODE:
COMMERCIAL STOREFRONT

LEGEND

- 652.23 EXISTING ELEVATION
- [] PROPOSED ELEVATION
- [] ASSESSABLE PARKING STALL
- [] FLOOD LIGHT
- [] TRANSFORMER
- [] STEEL POST
- [] SANITARY CLEAN OUT
- [] SANITARY MANHOLE
- [] CATCH BASIN ROUND
- [] CURB INLET
- [] CATCH BASIN SQUARE
- [] ELECTRIC OUTLET
- [] FIRE HYDRANT
- [] WATER MANHOLE
- [] WATER VALVE
- [] ELECTRIC MANHOLE
- [] POWER POLE
- [] LIGHT POLE
- [] GUY WIRE
- [] SOIL
- [] MANHOLE
- [] GAS TEST
- [] GAS METER
- [] GAS VALVE
- [] FINE
- [] TREE
- [] MONITORING WELL
- [] TRAFFIC MOVEMENT
- [] PROPOSED OVERLAND FLOW
- [] EXISTING OVERLAND FLOW
- [] EXISTING CONTROL POINT

CONVENTIONAL SIGNS

- EXISTING NATURAL GAS
- EXISTING FENCE
- EX. SANITARY — S — S
- EX. STORM — ST — ST
- EX. WATERLINE — W — W
- EX. TELEPHONE LINE (UNDERGROUND)
- OVERHEAD LINES — ONE — ONE
- UNDERGROUND ELECTRIC
- PROPERTY LINE — P/A
- RIGHT-OF-WAY LINE — R/W
- PARKING SETBACK — P50 — P50
- BUILDING SETBACK — B50 — B50

PLANS PREPARED BY:

BRYAN D. ELLIS
P.E. 6292, P.E. 70044



DATE	27-27-16
ISSUED FOR	15% SUBMISSION
NO.	1

GLASS CITY ENGINEERING & SURVEYING, LLC
 300 LAGRANGE STREET, SUITE 100
 TOLEDO, OHIO 43609
 PHONE: 419-263-8362 FAX: 419-539-8887
 EMAIL: BLACKBIRD_1@MSN.COM

300 LAGRANGE STREET
 CITY OF TOLEDO, LUCAS CO., OH
 EXISTING SITE CONDITIONS

DRAWN BY: APW
 JOB NUMBER: 436-16
 REVIEWED BY: BDE

SP-1/1

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GENERAL INFORMATION

Subject

- Request - Vacate a portion of an alley running south from Washington Street between Huron & Superior Street approximately 100 feet.

- Applicant - Root Family Investments
3316 Brantford Street
Toledo, OH 43606

- Attorney - Dennis E. Sawan, Esq.
416 North Erie Street, Suite 200
Toledo, OH 43604

Site Description

- Zoning - "IL" Limited Industrial
- Area (total) - ± 0.04 Acres
- Dimensions - ± 15' x 100'
- Existing Use - Public Alley
- Proposed Use - Consolidate property

Area Description

- North - Fifth Third Field / CD
- East - Parking lot, Tony Packo's / IL, CD
- South - Commercial warehouse, Cochrane Supply / IL
- West - Parking lot, Berdan Building / IL, CD

Applicable Regulations

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

STAFF ANALYSIS

The property owner at 8 South Superior Street and 513 Washington Street has petitioned Toledo City Council to vacate 100' of the ±15' wide alley which divides the two properties. The applicant operates a commercial parking lot on both properties and would like to combine the lots in order to consolidate the access points. Should the vacation request be approved the applicant intends to block off the alley through the use of automated sliding gates to allow service/delivery vehicles to continue access through the alley. The applicant has indicated that the parking space layout will not block or interfere with the gates in the event a service vehicle must access through the alley. The planning staff objects to the proposed vacation because other property owners use the alley in order to access their loading docks or to exit the alley and the potential logistical/maintenance problems posed by controlled access of automated gates.

Accessibility

The commercial properties located on Huron Street and South Superior Street can only access the rear of their buildings through the alley. If the Vacation would be approved, the property owners on Huron and Superior Streets would be restricted to one ingress/egress on Lafayette Street. Per the Parking, Loading, and Access Design Standards listed in TMC§1107.1901, off-street parking lots and loading areas must be designed with an appropriate means of vehicular access to a street, place, or alley in a manner that will least interfere with traffic movement. The proposed alley vacation would restrict pedestrian and vehicle access in an urban environment.

The Division of Streets, Bridges and Harbor objects to the proposed vacation because the remainder of the alley will still need to be accessed by city and commercial vehicles. Additionally, the Division of Engineering Services objects the proposed vacation due to a 24" combined sewer being located in the existing alley which is needs to be maintained. Furthermore, the Division of Transportation has also objected to the vacation due to the alley vacation creating a dead-end that negatively affects access to adjacent property owners.

Buckeye Cablevision has requested that a ten-foot (10') access easement shall be granted within the vacated alley. Located along the northwest portion of the alley, this easement will allow Buckeye Cablevision to access utility services connected to the billboard sign. The easement language and a drawing depicting the location of the proposed easement are located in the review agency conditions as Exhibit "A".

STAFF ANALYSIS (cont'd)

Warehouse District Overlay Regulations

The location of the proposed alley vacation is within the Warehouse District Urban Neighborhood Overlay District. As an Overlay District, there are additional zoning regulations which apply to any developments within the district. As stated in the Off-Street Parking section of TMC§1103.1510(D), access to parking lots shall be provided off alleys whenever possible in order to minimize curb cuts across pedestrian sidewalks. The proposed Vacation would eliminate potential access points to the parking lots from the alley and restrict pedestrian movement through an urban neighborhood.

Toledo 20/20 Comprehensive Plan

The 2011 Toledo Downtown Plan and the Toledo 20/20 Comprehensive Plan supports the preservation of urban neighborhoods, of which alleys are an integral part. The Warehouse District, with its proximity to the downtown, was designated as an Urban Village to identify a smaller urban district and support mixed-use developments. The Urban Village is a specialized residential and commercial district that possesses characteristics of Traditional Neighborhood Development (TND), such as pedestrian orientation, zero building setbacks, mixed uses, and distinct architectural character. Vacation of the alley would not support pedestrian oriented design and contradict the goals of the Toledo 20/20 Comprehensive Plan.

Neighborhood Meeting

Due to the access restrictions of the proposed Vacation on surrounding property owners, staff is requiring the applicant to host a neighborhood meeting. Meeting notifications will need to be sent to a mailing address list provided to the applicant generated by the staff.

Staff is recommending disapproval of this right-of-way Vacation. However, review agency conditions are attached as EXHIBIT "A" for informational purposes.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend disapproval of V-313-16, the request to vacate a portion of an alley running south from Washington Street between Huron & Superior Street approximately 100 feet, to Toledo City Council for the following four (4) reasons:

1. The Division of Engineering Services, Transportation along with Streets, Bridges and Harbor have all objected to the proposed alley vacation.
2. The proposed Vacation will interfere with pedestrian and traffic movement which is discouraged in multiple comprehensive plans.

STAFF RECOMMENDATION (cont'd)

3. The proposed Vacation will limit access for the remaining property owners within the block bounded by Huron, Lafayette, South Superior and Washington Streets; and
4. The Toledo 20/20 Comprehensive Plan supports the preservation of traditional neighborhoods, of which alleys are an integral part.

RIGHT OF WAY VACATION
TOLEDO CITY PLAN COMMISSION
REF: V-313-16
DATE: September 8, 2016
TIME: 2:00 P.M.

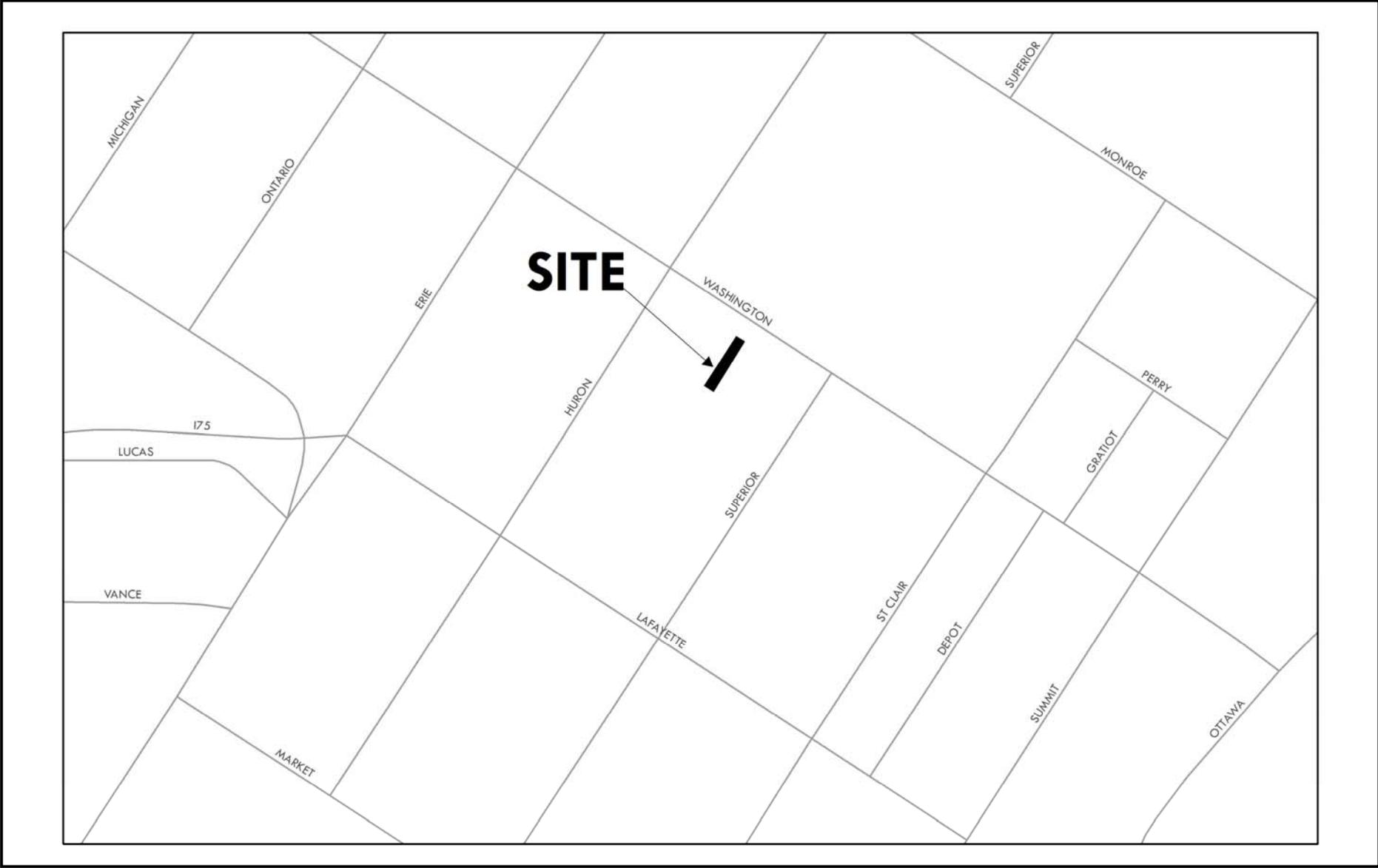
TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: October 12, 2016
TIME: 4:00 P.M.

RS

Two (2) sketches and one (1) exhibit follow

GENERAL LOCATION

V-313-16
ID 10



ZONING & LAND USE

V-313-16
ID 10



Exhibit “A”
REVIEW AGENCY CONDITIONS

The following six (6) 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. Eliminate access of Alley by installing new curb and sidewalk through existing right-of-way. The curb height should match the exiting curb on Washington Street.
2. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419)-245-1220.

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

Fire Department

No comments or objections.

Toledo Design Center

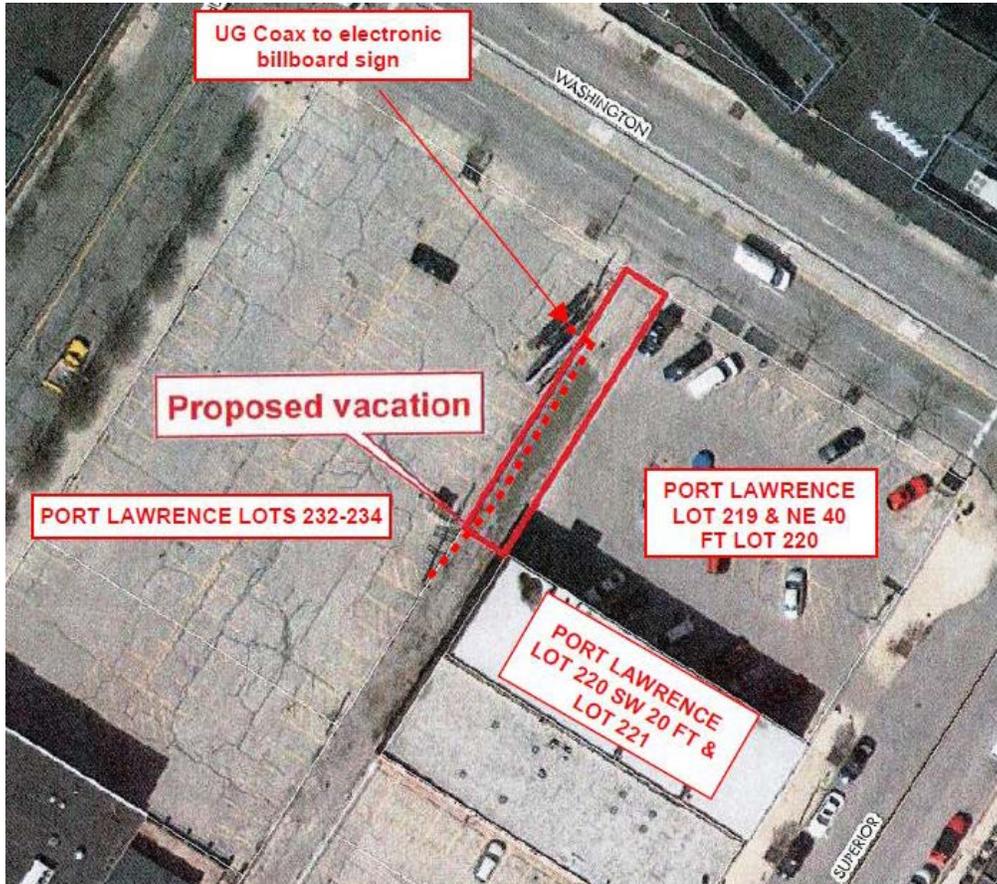
3. The approval of the vacation should be conditional on the landscape and perimeter treatment in accordance with the parking lot requirements in the Code.

Buckeye Cablevision

4. Buckeye Cablevision Inc. DBA Buckeye Broadband and its affiliates, including Buckeye TeleSystem, Inc. shall be granted a 10 foot easement within the vacated alley that borders Parcels 12-15271, 12-15367, & 12-15281, respectively Lot 219, Lot 232-234 & Lot 221 all of which are in Port Lawrence Plat. Below is a drawing showing the approximate location of Buckeye’s existing underground services in the proposed vacated alley. This 10 foot easement shall have the following conditions:
 - a. A perpetual, nonexclusive easement upon and through the portion of Grantor's Property to construct, install, inspect, maintain, repair, enlarge, reconstruct and/or replace telecommunications transmission lines, cables, power nodes, conduits, markers, signs and related equipment and facilities (collectively, the “facilities”); The right of ingress and egress over real property for the purposes stated herein.

Exhibit "A" (cont'd)

Buckeye Cablevision (cont'd)



Plan Commissions

5. Should the Vacation request be approved, all lots of the development site shall be combined into a single taxable parcel identification number.
6. Access through the alley shall be maintained without obstruction or impedance by parking spaces.

GENERAL INFORMATION

Subject

- Request - Vacate a portion of an alley running south of McDonald Street and adjacent to lots 23 & 24 of the Baker, McDonald & Dana Subdivision
- Applicant - Ann Eichenlaub
4317 Lewis Avenue
Toledo, OH 43612

Site Description

- Zoning - "RD6" Duplex Residential
Area (total) - ± 0.024 Acres
Dimensions - ± 16' x 65'
Existing Use - Public Alley
Proposed Use - Consolidate property

Area Description

- North - McDonald Street, Single-family Residential / RD6
East - Single-family Residential, Lewis Avenue / RD6
South - Single-family Residential / RD6
West - Single-family Residential / RD6

Applicable Regulations

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

STAFF ANALYSIS

The property owner at 4317 Lewis Avenue has petitioned Toledo City Council to vacate 65' of the 16' wide stub alley immediately west of their property. The applicant is requesting the vacation in order to eliminate vegetation overgrowth and accumulation of debris adjacent to the property and to extend the backyard. Should the vacation request be approved the alley will be split between adjoining property owners and the applicant will be entitled to the eastern half of the alley, roughly eight-feet (±8') added to the rear of the property.

STAFF ANALYSIS (cont'd)

The Plan Commission staff supports the proposed vacation because the dead end alley is all that remains of a previously vacated east-west alley. The proposed vacation will not impede or restrict access to any adjoining property owners who may use the alley to access their garage or back of property. If the vacation would be approved, the property owner on McDonald Street would still be able to access their garage from the remaining alley. Staff is recommending approval of this right-of-way vacation because no property access issues will occur.

Although Plan Commission staff is recommending approval of the proposed alley vacation, Buckeye Cablevision has objected to the vacation due to an existing power node that lies within the proposed vacation site. Buckeye Cablevision needs to maintain access to its equipment in order to construct, install, inspect, maintain, repair, enlarge, reconstruct and/or replace telecommunications transmission lines, cables, power nodes, conduits, markers, signs and related equipment and facilities (collectively, the “facilities”).

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of V-275-16, the request to vacate a portion of an alley running south of McDonald Street and adjacent to lots 23 & 24 of the Baker, McDonald & Dana Subdivision, to Toledo City Council for the following two (2) reasons:

1. The proposed Vacation will not limit or restrict access for the remaining property owners within the block; and
2. The proposed alley vacation will partially eliminate a stub alley which is susceptible to nuisance issues through debris accumulation due to lack of maintenance.

The staff further recommends that the Toledo City Plan Commission recommend approval of V-275-16, the request to vacate a portion of an alley running south of McDonald Street and adjacent to lots 23 & 24 of the Baker, McDonald & Dana Subdivision, to Toledo City Council subject to the following two (2) conditions:

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

Engineering Services

No issues in the right-of-way. No comments or objections.

STAFF RECOMMENDATION (cont'd)

Sewer & Drainage Services

Conditions not available at time of print.

Division of Transportation

1. If all affected and adjacent property owners agree to the vacation, then the Division of Transportation has no objections to this vacation.
2. Within the limits allowed by law, the applicant shall indemnify the City of Toledo, its officials, agents or employees, from any and all claims, demands, causes of action, suits or liability in connection with the performance of any and all acts authorized or permitted under this vacation. Said indemnification language shall be contained within and evidenced by the endorsement on a certified copy of the final vacating legislation by the owner which indemnification shall be kept in the permanent file of the Clerk of Council.

Plan Commissions

No comments or objections.

Fire Department

No comments or objections.

Streets Bridges and Harbors

No comment or objections.

RIGHT OF WAY VACATION
TOLEDO CITY PLAN COMMISSION
REF: V-275-16
DATE: September 8, 2016
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: October 12, 2016
TIME: 4:00 P.M.

RS
Two (2) sketches follow

GENERAL LOCATION

V-275-16
ID 37

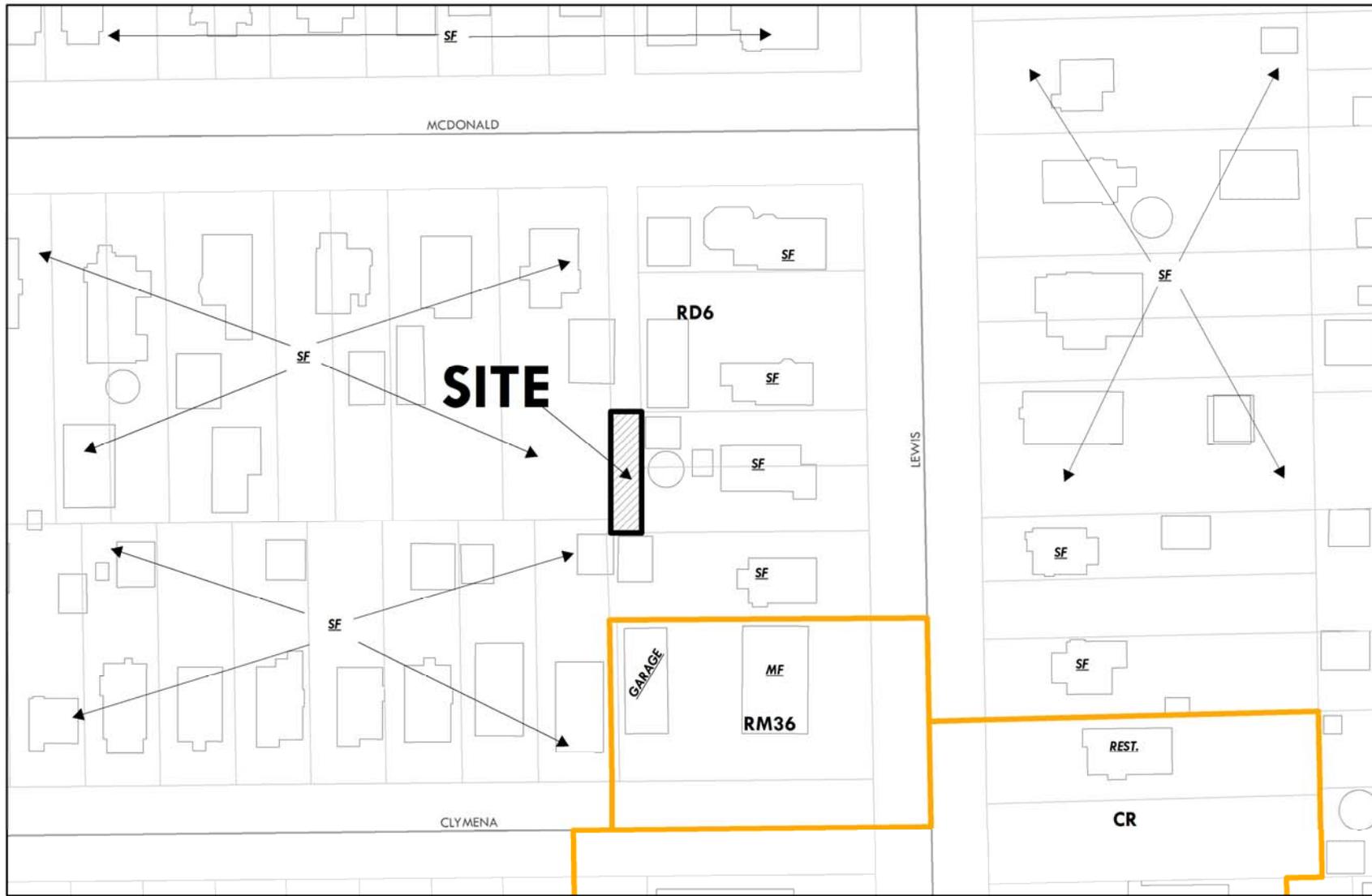


ZONING & LAND USE

V-275-16
ID 37



S - 5



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GENERAL INFORMATION

Subject

- Request - Special Use Permit for a Day Care Center
- Location - 4428 Secor Road
- Applicant - Natwiya Birchfield
Our Little Angels Daycare
748 Hilltop Lane
Toledo, Ohio 43615

Site Description

- Zoning - CR & RS6 / Regional Commercial & Single-family Residential
- Area - ± 1.26 acres
- Frontage - ± 90' along Secor Road
- Existing Use - Commercial office space
- Proposed Use - Day care Center
- Parking required - 17 spaces
- Parking provided - 62 spaces

Area Description

- North - Commercial space, Day Center / CR & RS6
- South - Jing Chuan Restaurant / CR & RS6
- East - Single-family Residential / RS6
- West - Bakery Unlimited, florist / CR

Parcel History

- P-9-69 - Off-street parking; east side of Secor Road, south of Oak Grove Place (Plan Commission approved on 10/16/1969).

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 operate a Day Care Center on a site located at 4428 Secor Road. The site consists of one (1) parcel that encompasses ±1.26 acres of total land area which is split zoned CR Regional Commercial and RS6 Single-family Residential. Surrounding land uses include a day care center and tenant building to the north, single-family homes to the east, a restaurant to the south and a bakery across Secor Road to the west.

The site is occupied by an existing two-story commercial office building which will be renovated into Our Little Angels Day Care Center. Our Little Angels Day Care will provide care services for children ages infant to five years. The applicant is planning to convert the commercial office space on the second floor into multi-room age-appropriate play areas with amenities and employee offices. The applicant is not proposing any alterations to the exterior of the building. A Special Use Permit is required for the site because it is partially located in a residentially zoned district.

Use Regulations

Per TMC§1104.0703(B), Day Care Centers must have building frontage on a major street. According to the Toledo-Lucas County Major Street and Highway Plan, Secor Road is classified as a major street. Additionally, in accordance with TMC§1104.0703 (D) & (E) the facility is required to provide thirty-five (35) square feet of useable indoor space for each child in care and sixty (60) square feet of useable outdoor space for each child in care using the outdoor area at any time. The site plan submitted indicates the total occupancy of ±79 children with an outdoor space depicted on site. The site plan submitted conforms to the applicable use regulations as stated in TMC§1104.0700 – Day Care.

Parking and Circulation

The drop off and pickup area is located at the rear of the building in conjunction with the parking lot. The site plan indicates that the existing asphalt parking lot will be used. Pursuant to TMC§1107.0304 *Parking, Loading, and Access* – Schedule A, a Day Care Center is required to have one (1) parking space per 6-person capacity or one (1) parking space per 400 square feet, whichever is greater. The site plan indicates that the total square footage of the building is 4,091 square feet. Calculations conclude that a total of seventeen (17) parking spaces are required with one (1) van accessible parking spaces for physically disabled persons to be included. The site plan depicts a total of sixty-two (62) parking spaces, four (4) of which are accessible parking spaces and in compliance with the Toledo Municipal Code.

STAFF ANALYSIS (cont'd)

Landscaping

The site was developed before the 2004 zoning code and therefore not required to completely comply with the landscape standards of the 2004 code. However, TMC§1114.0500 Appearance Upgrade for Nonconforming Development, requires future changes to bring a site closer into compliance with the 2004 code. A fifteen (15) foot frontage greenbelt is required along Secor Road and shall include at least one tree for every 30 feet of lot frontage. A total of three (3) trees are required along Secor Road. Trees are not required to be evenly spaced and may be clustered. The site plan submitted did not depict any landscaping improvements in the frontage greenbelt.

A Type B landscape buffer will be required around the designated outdoor play area. Said buffer shall include a ten (10) foot wide strip of landscaping with four (4) canopy trees and fifteen (15) shrubs for every 100 linear feet. A fence, wall, or berm six (6) to eight (8) feet in height may be used and can substitute for shrub requirements. The site plan submitted depicts a six (6) foot chain-link fence around the outdoor play area but no landscaping improvements. Canopy trees shall be installed in or around the outdoor play area to aide in screening. If approved, a completed Landscaping Plan shall be submitted in compliance with TMC§1108.0200 Landscape Standards.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Neighborhood Commercial land uses. CN land uses typically include predominantly small and medium scale commercial uses that serve neighborhoods. Small and medium scale office and mixed uses are permitted uses in the CR zoning designation. Staff recommends approval of the Special Use Permit for this location because it is compatible with the established land uses along Secor Road. Additionally, the proposed land use is consistent with the current zoning designations of properties established in the immediate area north and south of the site. Finally, the proposed use meets the purpose and all applicable provisions of the zoning code as outlined in TMC 1111.0706 Review and Decision-making Criteria.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-7004-16, a Special Use Permit for a Day Care Center on a site located at 4428 Secor Road, to Toledo City Council for the following four (4) reasons:

1. The proposed use meets the stated purpose of this Zoning Code (TMC 1111.0706.A Review & Decision Making Criteria).
2. The proposed use complies with all applicable provisions of this Zoning Code (TMC 1111.0706.B Review & Decision-Making Criteria).

STAFF RECOMMENDATION (cont'd)

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

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-7004-16, a Special Use Permit Day Care Center on a site located at 4428 Secor Road, to the Toledo City Council subject to the following twenty-four (24) conditions:

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

Division of Engineering Services

1. 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
Right-of-Way and Inspection: Joe Warnka 419-245-1220
Roadway: Tim Grosjean, ph. 419-245-1344
Water: Andrea Kroma, ph. 419-936-2163
Stormwater Drainage: Lorie Haslinger, 419-245-3221; Andy Stepnick 419-245-1338
Sanitary Sewers: Mike Elling, ph. 419-936-2276
2. 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.
3. 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.
4. 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.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

5. 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.

6. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
7. Plans for new water service or modifications to the existing water service shall be submitted to the Division of Engineering Services for review and approval.
8. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with BSIonlinetracking.com @ 800-414-4990. In the case of renovation, expansion or modification projects, all existing backflow devices must be verified and registered. Where devices are missing, they shall be added. Contact the Division of Water Distribution (419-245-1395) to verify the backflow prevention requirements for this site.
9. The design professional and/or property owner shall submit written documentation to the Division of Water Distribution that no changes are being made to the existing water service, meter setting or backflow protection device and that these devices are properly installed, tested and in good working order. The City, at its discretion, has the authority to mandate the entire service, including meter and backflow prevention device, be brought into compliance with current City of Toledo standards.
10. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.
11. 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 stormwater 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, Stormwater Utility, including stormwater detention and post-construction stormwater Best Management Practices (BMPs) as specified in the City of Toledo Infrastructure Design and Construction Requirements and the Ohio EPA NPDES General Stormwater Permit for Construction Activities.

STAFF RECOMMENDATION (cont'd)

Sewer & Drainage Services

12. Recommend that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
13. 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

14. An emergency voice/alarm communication system in accordance with Ohio Building Code Section 907.5.2.2 will be required.

Division of Transportation

15. The drive aisles in the parking lot do not meet the minimum requirement of 25' to accommodate two-way traffic. Appropriate modifications shall be made to the parking lot to address this issue. A revised site plan shall be submitted for review and approval by the Division of Transportation.

Plan Commission

16. Directional arrows or one-way pavement markings and signage shall be installed on site and subject to Division of Transportation review; **shall be noted on revised site plan.**
17. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks (**not applicable, unless relocated from existing location**).
18. Dumpsters may not be located in the public right-of-way as stated in TMC§1361.10(b)(10) of the Building Code (**not applicable, unless relocated from existing location**).
19. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

20. 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)).
21. 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 (15) foot greenbelt is required along the Secor Road frontage, and shall include one tree per every 30 feet of frontage; **shall be noted on completed landscaping plan.**
 - b. A Type B Landscape Buffer is required around the outdoor play area. A fence, wall, or berm six (6) feet to eight (8) feet in height may be used and can substitute for shrub requirements; **acceptable as depicted on site plan.**
 - c. Interior site landscaping shall include one tree per 1000 square feet of building coverage. Greenbelt frontage trees are included in this total, minimum of 2 trees in the front and side yards. Interior site landscaping may consist of foundation shrub plantings and new tree planting or preservation of existing trees; **not applicable.**
 - d. Foundation plantings for the full street-facing building elevation; and landscape areas at major building entrances.
 - e. All parking spaces must be within 100 linear feet of a landscaped area; **not applicable.**
 - f. All landscaped areas must have a minimum dimension of at least 9 feet and be at least 160 square feet in area; **not applicable.**
 - g. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage.
 - h. Divider medians that form a continuous landscaped strip may be installed between abutting rows of parking spaces, median shall be a minimum of 10' in width; **not applicable.**

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- i. 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); **not applicable.**
 - j. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards.
 - k. If site is ½ acre or larger, landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation plans must be submitted with development plans and must contain all construction details.
 - l. The location, height and materials for any fencing to be installed and maintained; **acceptable as depicted on site plan.**
 - 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.
22. 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.**
23. 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.
24. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

REF: SUP-7004-16 . . . September 8, 2016

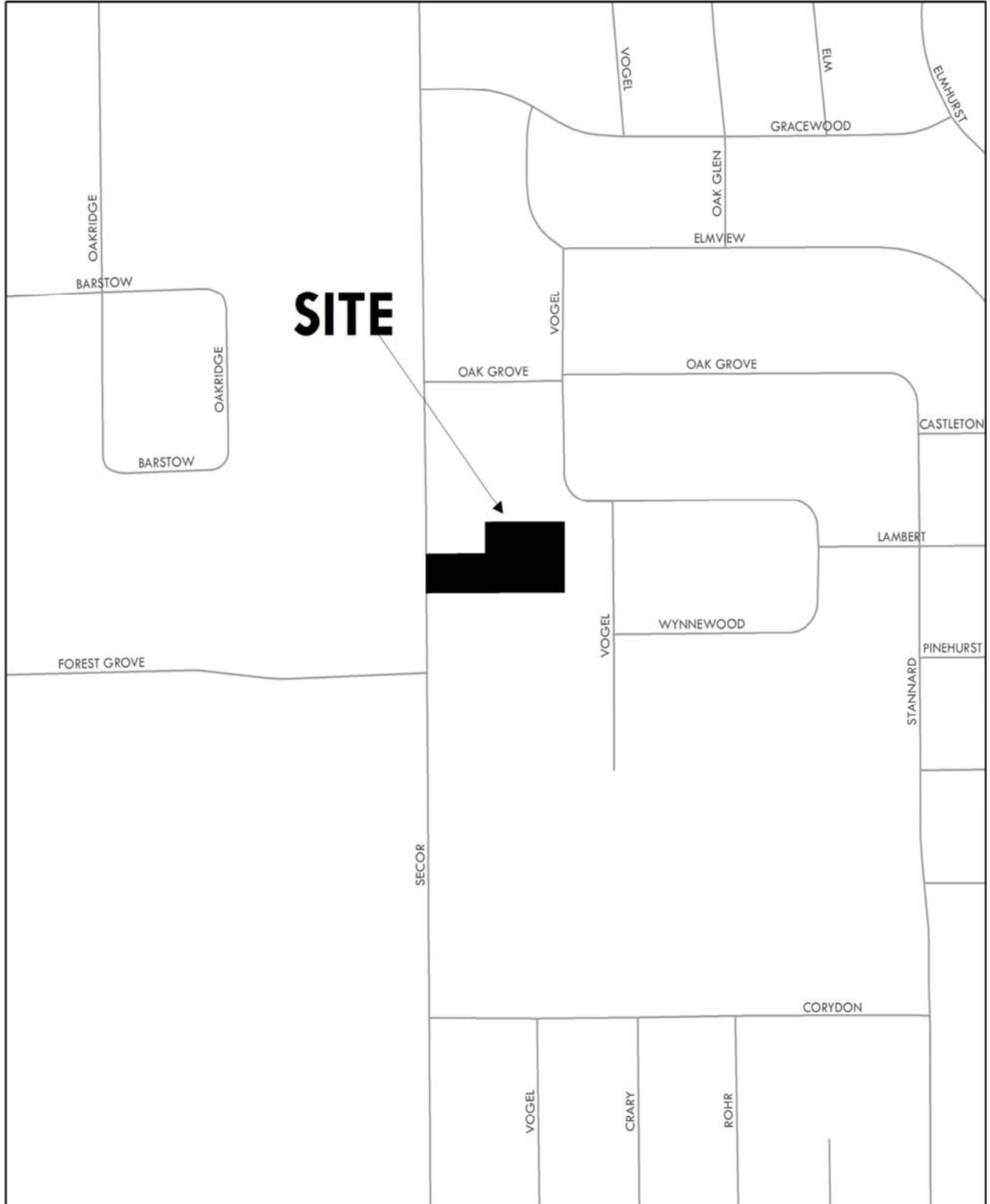
SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-7004-16
DATE: September 8, 2016
TIME: 2:00 P.M.

CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: October 12, 2016
TIME: 4:00 P.M.

RS
Three (3) sketches follow

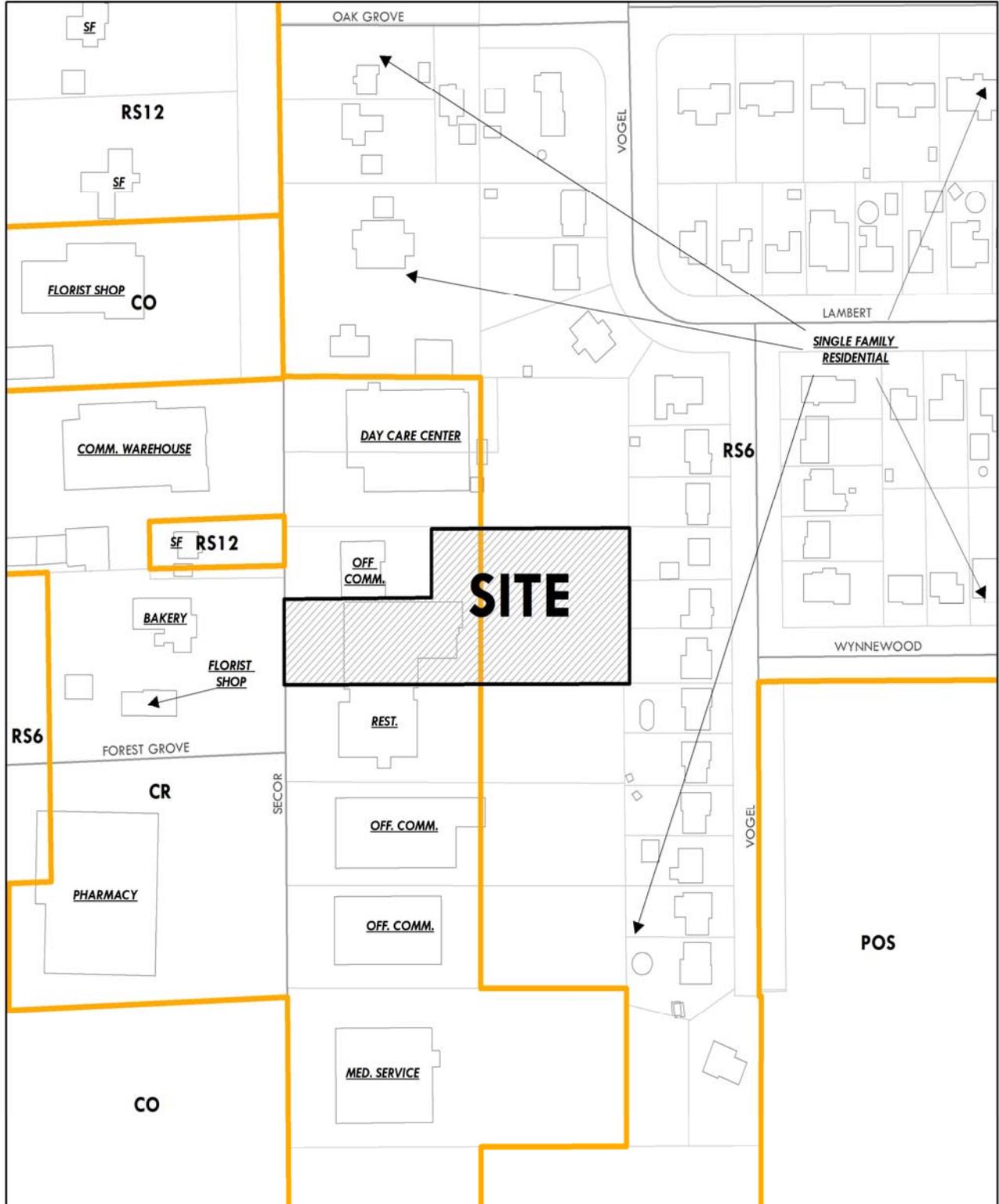
GENERAL LOCATION

SUP-7004-16
ID 49



ZONING AND LAND USE

SUP-7004-16
ID 49



GENERAL INFORMATION

Subject

- Request - Amendment to a Special Use Permit for a building addition to an existing halfway house facility, Originally Granted by Ord. 227-14 for 1205 Champlain

- Location - 1323 Champlain St

- Applicants - Dennis Kresak, President
Volunteers of America of Greater Ohio
8225 Brecksville Road, Suite 206
Cleveland, OH 44141

- Agent - Alan Price
Community Rehabilitation Company – Toledo, LLC
90 Hidden Ravines Dr
Powell, OH 43065

- Architect - John Meagan, AIA
MKC Associates
90 Hidden Ravines Dr
Powell, OH 43065

- Landscape Architect - Tedd Hardesty
Edge Group
330 W Spring St, Suite 350
Columbus, OH 43215

Site Description

- Zoning - CM Mixed Commercial
- Area - 3.807 acre
- Frontage - 565 feet
- Existing Use - Halfway house

GENERAL INFORMATION (cont'd)

Area Description

- | | | |
|-------|---|--|
| North | - | Vacant industrial land / IG |
| South | - | Commercial parking lot and single-family homes/
CR & Duplex Residential / RD6 |
| East | - | Factory building / IG |
| West | - | Vacant building and apartment building / IG &
Multiple Residential / RM36 |

Parcel History

- | | | |
|--------------|---|--|
| SUP-109-80 | - | Amendment to SUP, granted by Ord. No. 263-77,
1127-1205 Champlain St. Plan Commission
approved on 6/5/80, City council approved on
6/18/80. |
| SUP-5012-05 | - | Request for a Special Use Permit for other group
living, case withdrawn by applicant, City of Toledo
Real Estate department. |
| Z-12002-13 | - | Zone Change from IG to CM. Plan Commission
recommended approval on 2/13/14. City Council
approved on 5/14/14. Ord. 226-14. |
| SUP-12003-13 | - | Special Use Permit for Halfway House. Plan
Commission recommended approval on 2/13/14.
City Council approved on 5/14/14. Ord. 227-14. |

Applicable Plans and Regulations

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

STAFF ANALYSIS

The request is an amendment to a Special Use Permit for a building addition to an existing Halfway House facility at 1323 Champlain Street. The applicant, Volunteers of America, is requesting the new building addition to provide housing and treatment for females. Surrounding land uses include industrially zoned land to the north and east, residential and commercially zoned land to the south and west.

STAFF ANALYSIS (cont'd)

Since their new building was constructed in 2015, the demand to treat and house females has grown in the state of Ohio. This new building will be for females, and will have approximately twenty- four (24) beds. The current uses in the main facility range from employment/education services, marital/family services, substance abuse services, personal/emotional services to providing off-site program referrals as necessary. The overall facility will continue to provide these services to both men and women with a maximum capacity of 150 beds for transitional housing based on the density of the site and the number units permitted.

The new building addition will be constructed as a one-story building that will be connected by a breezeway for accessibility. The exterior of the building will match the existing brick veneer on the main building to include a similar roof line.

Parking and Circulation

The site plan indicates that an “L” shaped parking lot has been developed to wrap around the building. The parking lot is accessed via one (1) curb cut onto Champlain Street. The site requires eighteen (18) spaces for residents and fifteen (15) spaces for employees for a total of thirty-three (33) spaces. The site plan offers thirty-three (33) spaces and is compliant with the minimum number of requires spaces. The only change from the previous site plan submitted for the initial Special Use Permit is one less parking space for the employees. The applicant stated that most of the clients do not have personal vehicles and will be utilizing public transit or bicycles. Currently, there are two bicycle racks located behind the building in the rear parking lot that are in use.

Building Elevation

The applicant has submitted an elevation for the proposed building addition. The elevation shows the exterior building material to be earth tone in color with brick veneer, a pitched roofline with asphalt shingles, double pane insulating windows and aluminum gutters.

Landscaping

The site is subject to the Urban Commercial Landscape standards in TMC 1108.0300. The standards are divided into three (3) categories: areas required to be landscaped, buffers, and parking lot landscaping. The first, areas required to be landscaped, requires that any space not occupied by impervious coverage must be landscaped. The second, buffers, requires landscape buffers in areas deemed appropriate by the Plan Director. Buffers are intended to mitigate the impacts between uses. Finally, parking lot landscaping requires one of the three options along all public right-of-way:

- *Landscaped area at least 5 feet wide; or*

STAFF ANALYSIS (cont'd)

Landscaping (cont'd)

- *3½ feet high metal tube or solid bar fence, with at least one shrub for every 3 feet of property line planted on the outside of the fence; or*
- *Solid 3½ foot high brick or stone wall*

The landscape plan that was submitted for the initial Special Use Permit showed greenbelts along the front of the building and the parking lot that are compliant with the standards listed above. Additionally, interior and foundation plantings were depicted on the landscape plan. The applicant proposed to provide a six-foot (6') wrought iron style fence with brick piers along the front to provide additional screening. The CM Mixed Commercial-Residential zoning district does not require a minimum front yard setback so the height of the fence does not violate setback requirements. However, a waiver of TMC 1107.2000 Sight Distance Setback was granted as part of initial Special Use Permit.

Staff visited the site and found that the landscaping that was proposed in the original Special Use Permit was incomplete and the wrought iron style fence was never installed. Staff will be requiring the conditions of the original Special Use Permit granted by Ordinance 227-14 for 1205 Champlain are met prior to any new construction.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for General Industrial uses. The mixed commercial-residential category is intended to accommodate mixed use and is pedestrian-oriented development. The Special Use Permit that was permitted for this location is compatible with surrounding uses and will not negatively impact the adjacent neighborhood

The site is within 500 feet of the Vistula Historic District. A public meeting is required with the Toledo City Historic District Commission (TCHDC). TCHDC reviewed the application for this property at its regularly scheduled meeting held on July 25th, 2016 at 5:30 pm. The TCHDC is in support of the new building addition and requested the exterior match the existing main building.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-7005-16 a request for an amendment to the Special Use Permit for a building addition to an existing Halfway House facility for a site located at 1323 Champlain Street, to the Toledo City Council, for the following two (2) reasons:

1. The use is compatible with adjacent uses in terms of scale, sight design and operating characteristics; and

STAFF RECOMMENDATION (cont'd)

2. The proposed use complies with all applicable provisions of this Zoning Code (TMC 1111.0706.B Review & Decision-Making Criteria).

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-7005-16, a request for an amendment to the Special Use Permit for a building addition to an existing Halfway House facility, to be located at 1323 Champlain St, to the Toledo City Council, subject to the following thirty-four (34) conditions:

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

Division of Engineering Services

1. A pre-submittal meeting is not required, however one may be requested. Contact information is as follows:
Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850
Sanitary Sewers: Mike Elling, ph. 419-936-2276
Stormwater Drainage: Lorie Haslinger, ph. 419-245-3221; Andy Stepnick 419-245-1338
Water: Andrea Kroma, ph. 419-936-2163
Roadway: Tim Grosjean, ph. 419-245-1344
2. All **existing standard** 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.
3. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.
4. All commercial drive approaches, (along with the sidewalk through the drive) shall be constructed with 8" thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop/opening.** 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.
5. 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.
6. Contact Joe Warnka at (419) 245-1341 for inspection of above mentioned items.

Division of Engineering Services (cont'd)

7. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
8. Plans for new water service or modifications to the existing water service shall be submitted to the Division of Engineering Services for review and approval.
9. Plans for new water meter or modifications to the existing water meter shall be submitted to the Division of Water Distribution for review and approval.
10. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with BSIonlinetracking.com @ 800-414-4990. In the case of renovation, expansion or modification projects, all existing backflow devices must be verified and registered. Where devices are missing, they shall be added. Contact the Division of Water Distribution (419-245-1395) to verify the backflow prevention requirements for this site.
11. The design professional and/or property owner shall submit written documentation to the Division of Water Distribution that no changes are being made to the existing water service, meter setting or backflow protection device and that these devices are properly installed, tested and in good working order. The City, at its discretion, has the authority to mandate the entire service, including meter and backflow prevention device, be brought into compliance with current City of Toledo standards.
12. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.
13. The plan submitted for plan commission review indicates earth-disturbing activity greater than 2,500 square feet; therefore, a detailed site-grading plan, SWP3 plan, and plans for stormwater service for this project shall be submitted to the Division of Engineering Services for storm water review & approval.
14. 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/>. Since this project is located in a combined sewer area a post-construction storm water best management practice (BMP) is not required, however storm water detention and the use of construction BMP's (silt fences, catch basin protection, etc.) still apply.
15. This site does have an existing storm water detention area. Property Owner/Engineer shall verify that the current detention pond has the capacity to handle the additional flow from the proposed impervious surfaces.

Division of Engineering Services (cont'd)

16. Any person performing earth-disturbing activities within the City of Toledo shall employ Construction Best Management Practices (BMPs).
17. Designs incorporating low impact development solutions, such as grassy swales and bio-retention areas in lieu of curb, storm sewers, and underground detention are encouraged and may be eligible for a percent reduction in the property's stormwater utility fee through the Stormwater Credit Program.
18. All sites disturbing 2,500 sq. ft or more shall develop a site specific Stormwater Pollution Prevention Plan (SWP3) which shall be submitted for review and approval. The SWP3 shall address all components required per the latest Ohio EPA General Stormwater NPDES permit and shall be submitted with a completed submittal cover sheet, contact list, contractor certification form and the Ohio EPA SWP3 Checklist. The links to these documents can be found at <http://www.tmacog.org/storc/swp3.htm>.
19. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
20. No construction work, including grading, will be permitted without approved plans and inspection.
21. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
22. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap.

Sewer and Drainage Services

23. S&DS requires that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
24. 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 two (2) years. An electronic copy (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity.

Fire Prevention

25. Compliance with sprinkler and fire alarm requirements will apply.

STAFF RECOMMENDATION (cont'd)

Division of Transportation

26. The Division of Transportation does not object to the approval of the site plan by the Plan Commission provided the previously mentioned conditions are addressed to the satisfaction of this division.

Plan Commission

27. The building elevation is acceptable, as the exterior building materials (brick veneer) of the addition are similar to those of the existing building (**acceptable as submitted**).

28. If applicable, 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 submitted**).

29. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscape areas section 1107.1907.

30. A detailed site plan showing the proposed fencing and landscape plan shall be submitted to the Plan Director for review and approval. Such plan shall include:

a. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0300 Urban Commercial Landscape Materials Standards. This standard has three (3) categories: areas required to be landscaped, buffers, and parking lot landscaping. The first area to be landscaped is any space not occupied by impervious coverage must be landscaped. The second, buffers, requires landscape buffers in areas deemed appropriate by the Plan Director. Parking lot landscaping requires one of the three options along all public right-of-way:

- *Landscaped area at least 5 feet wide; or*
- *3½ feet high metal tube or solid bar fence, with at least one shrub for every 3 feet of property line planted on the outside of the fence; or*
- *Solid 3½ foot high brick or stone wall*

b. The location, height and materials for any fencing to be installed and maintained.

31. The conditions of approval from the original Special Use Permit must be completed prior to the start of any construction on the building addition this includes landscaping and the wrought iron fence with piers.

Plan Commission (cont'd)

32. 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.
33. Minor adjustments to the site plan that do not violate the above conditions or the Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
34. No permits shall be issued until arrangements satisfactory to the director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-7005-16
DATE: September 8, 2016
TIME: 2:00 P.M.

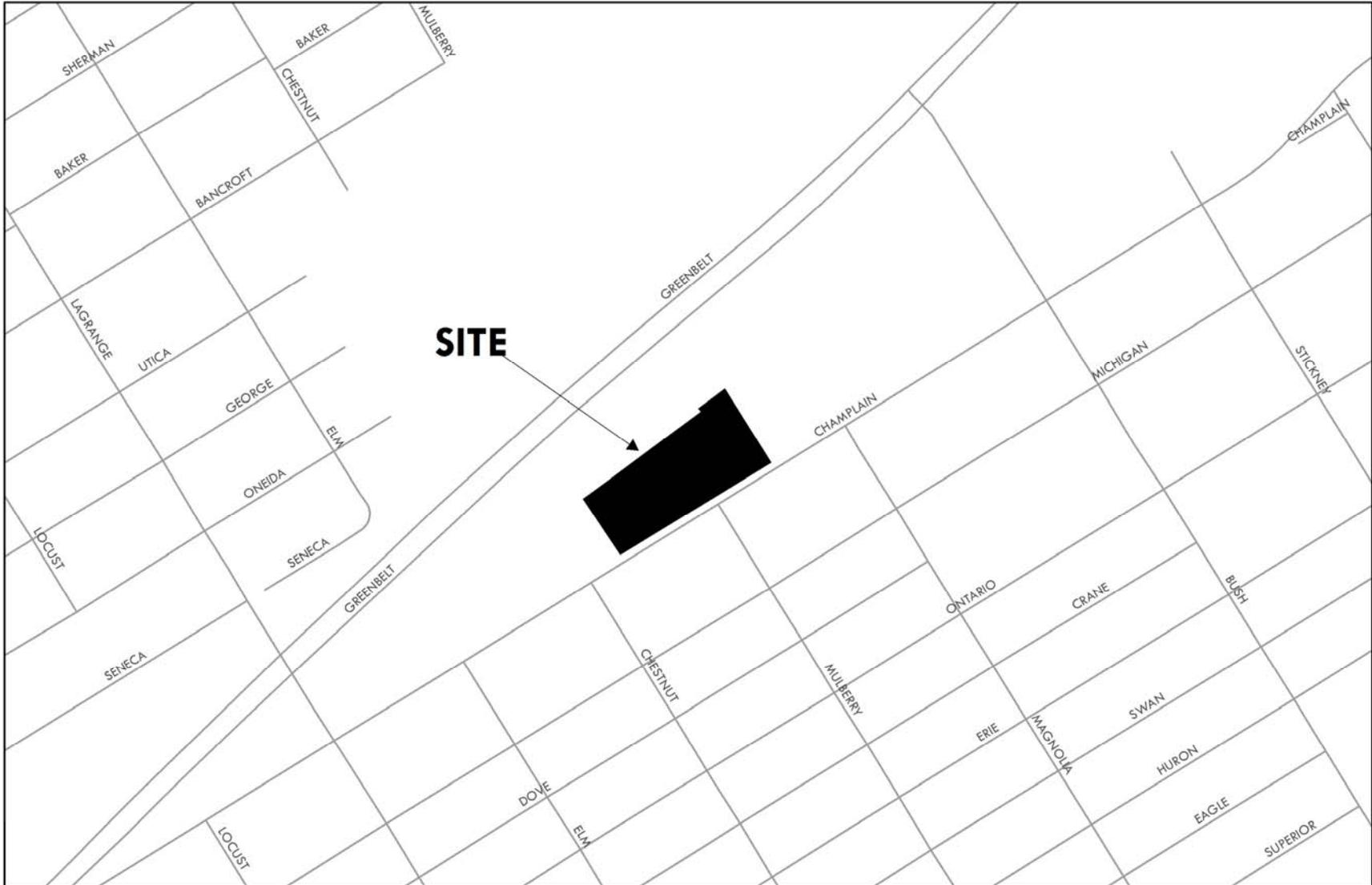
CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: October 12, 2016
TIME: 4:00 P.M.

MM

Four (4) sketches follow

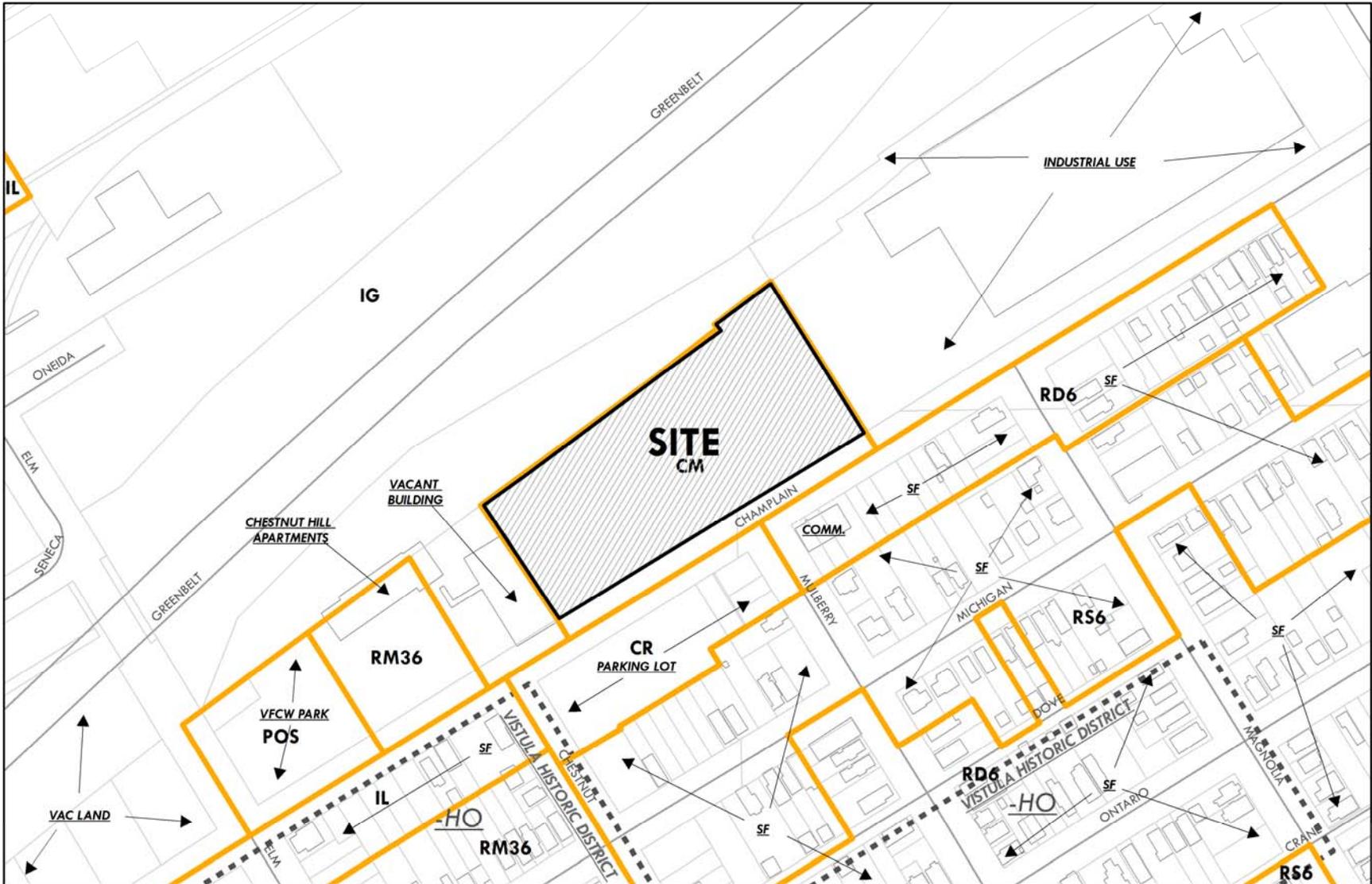
GENERAL LOCATION

SUP-7005-16
ID 4



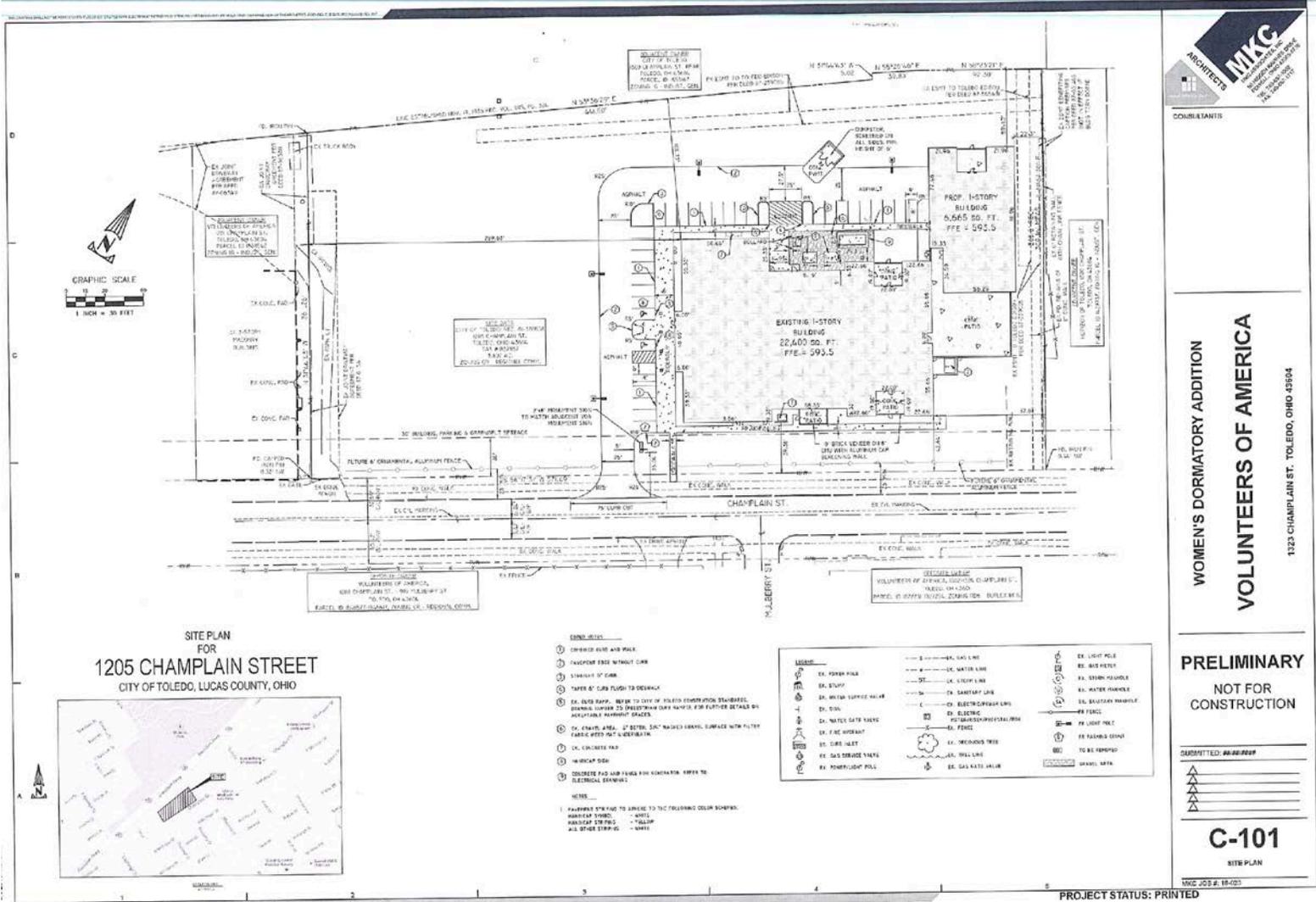
ZONING & LAND USE

SUP-7005-16
ID 4



SITE PLAN

SUP-7005-16
ID 4



7-12

ARCHITECTS
MKG
MORRISON KENNEDY GIBSON
1205 CHAMPLAIN STREET
TOLEDO, OHIO 43604

CONSULTANTS

WOMEN'S DORMITORY ADDITION
VOLUNTEERS OF AMERICA
1223 CHAMPLAIN ST., TOLEDO, OHIO 43604

PRELIMINARY
NOT FOR CONSTRUCTION

SUBMITTED: 08/08/08

C-101
SITE PLAN

INC. 205 & 18-021

PROJECT STATUS: PRINTED

BUILDING ELEVATION

SUP-7005-16
ID 4



CONCEPTUAL IMAGE - WOMEN'S OVERALL EXTERIOR



CONCEPTUAL IMAGE - WOMEN'S DORM ENTRANCE



CONCEPTUAL IMAGE - STREET VIEW



CONSTRUCTION

WOMEN'S DORMITORY ADDITION
VOLUNTEERS OF AMERICA
RESIDENTIAL REENTRY PROGRAM
1328 CHAMPLAIN ST., TOLEDO, OHIO 43604



PRELIMINARY
NOT FOR
CONSTRUCTION

SUBMITTED: 08/19/2016



G-002

CONCEPTUAL IMAGES

SCALE: 1/8" = 1'-0"

PROJECT STATUS: PRINTED

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GENERAL INFORMATION

Subject

- Request - Special Use Permit for a used auto sales facility
- Location - 2809 & 2815 West Central Avenue
- Applicant - Justin Lorenzen
2815 Central, LLC.
25 North Ontario Street
Toledo, OH 43604
- Engineer - Glass City Engineering & Surveying, LLC.
2001 River Road
Maumee, OH 43527

Site Description

- Zoning - CR Regional Commercial
- Area - ± 0.88 acres
- Frontage - ±150' on West Central Avenue
- Existing Use - Auto repair shop
- Proposed Use - Used Auto Sales Lot
- Parking Required - 10 total required spaces (1 per 5,000 square feet of open sales area (16,258 sq ft) plus 1 per 500 square feet of enclosed sales area (400 sq ft), plus 1.5 per service bay (3 service bays))
- Parking Provided - 11 customer parking spaces

Area Description

- North - Central Avenue, commercial offices / CO
- South - Single-family and multi-family residential / RS6 & RM36
- East - Veterinary clinic, Tire shop / CR
- West - Video rental store, retail / CR

Parcel History

None on record.

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 at 2809 & 2815 West Central Avenue. The overall site is 0.88 acres and comprised of two parcels with an existing mechanic shop occupying the parcel at 2815 West Central Avenue. Surrounding land uses include a mixture of single and multi-family homes immediately behind the subject property with Office Commercial and Regional Commercial land uses abutting the subject property along Central Avenue.

Used Auto Regulations

TMC§1104.0300 – *Auto and RV Sales, Used Only* outlines site design criteria for used auto sales facilities. Included are 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 is in compliance with the minimum lot area and width requirements.

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 areas approved and defined on the plan. Required customer/employee parking may not be used for used vehicle inventory (TMC§1104.0308). A revised site plan shall be submitted delineating customer parking from the open sales area and listed as a condition of approval.

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) customer 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 two (2) access drives on to Central Avenue with a total of 48 open sales parking spaces at 16,258 square feet, requiring four (4) customer parking spaces on site. Calculations using the square footage of enclosed sales area with three (3) service bays conclude that an additional six (6) customer parking spaces are required. Total customer parking required on site is ten (10) parking spaces. The site plan depicts a total of eleven (11) parking spaces with an additional three (3) ADA accessible spaces and complies with the number of required parking spaces.

STAFF ANALYSIS (cont'd)

Parking and Circulation

Although the site plan is in compliance with the parking space requirements, the Division of Transportation has requested the westerly access drive onto Central Avenue be closed and cross access agreements be formally established with adjacent properties to access the facility. These items are listed as conditions of approval. In the event the westerly access drive is removed, a revised site plan shall be submitted and subject to the approval by the Division of Transportation. Staff is supportive of this request since removing the access drive will reduce the number of conflict points with pedestrian and vehicular traffic but also allow for additional open sales/customer parking in the front of the lot and an expansion of the frontage greenbelt.

Landscaping

A fifteen (15) foot frontage greenbelt is required along Central Avenue. The frontage greenbelt shall include a solid evergreen hedge screen the parking lot so that no headlights of any vehicles can be seen from the public street. 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 depicts a fifteen (15) foot greenbelt with a total of four (4) canopy trees and nine (9) shrubs. If the westerly access drive is removed, a revised landscaping plan shall be submitted depicting an expansion of the frontage greenbelt completely to the western property boundary.

A Type A landscape buffer is required along the southwest property line of the site that abut the adjacent residentially zoned properties. Said buffer shall consist of a solid six (6) to eight (8) foot tall fence or wall and a ten (10) foot wide landscape buffer consisting of four (4) canopy trees with fifteen (15) shrubs every 100 linear feet. Fencing is to be installed so that the smooth/flush side faces away from the development site. The site plan submitted depicts a total of six (6) canopy trees and twenty-four (24) shrubs with one (1) existing 48" caliper tree counting toward credit. The landscaping proposed meets the requirements of TMC§1108.0200; however the fencing proposed as chain link is not compliant and shall be a solid privacy fence or wall. A final, separate landscape plan is required as a condition of approval.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Neighborhood Commercial and Regional Commercial land uses. This portion of Central Avenue is commercial in nature and the Toledo 20/20 Comprehensive Plan identifies the area of the existing auto service station as Neighborhood Commercial. Staff recommends approval of the Special Use Permit for this location because it is compatible with the established land uses along Central Avenue. Additionally, the proposed land use is consistent with the current zoning designations of properties established in the immediate area east and west of the site. Finally, the proposed use meets the purpose and all applicable provisions of the zoning code as outlined in TMC 1111.0706 Review and Decision-making Criteria.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-7006-16, a Special Use Permit for a used auto sales lot at 2809 & 2815 West Central Avenue, to Toledo City Council for the following three (3) reasons:

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

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-7006-16, a Special Use Permit for a used auto sales lot at 2809 & 2815 West Central Avenue to the Toledo City Council subject to the following thirty (30) conditions:

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

Division of Engineering Services

1. A pre-submittal meeting is not required, however one may be requested. Contact information is as follows:

Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850

Sanitary Sewers: Mike Elling, ph. 419-936-2276

Stormwater Drainage: Lorie Haslinger, 419-245-3221; Andy Stepnick 419-245-1338

Water: Andrea Kroma, ph. 419-936-2163

Roadway: Tim Grosjean, ph. 419-245-1344

2. All **existing standard** 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.
3. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

4. All commercial drive approaches, (along with the sidewalk through the drive) shall be constructed with 8" thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop/opening.** 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.
5. 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.

6. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
7. Plans for new water service or modifications to the existing water service shall be submitted to the Division of Engineering Services for review and approval.
8. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with BSIonlinetracking.com @ 800-414-4990. In the case of renovation, expansion or modification projects, all existing backflow devices must be verified and registered. Where devices are missing, they shall be added. Contact the Division of Water Distribution (419-245-1395) to verify the backflow prevention requirements for this site.
9. The design professional and/or property owner shall submit written documentation to the Division of Water Distribution that no changes are being made to the existing water service, meter setting or backflow protection device and that these devices are properly installed, tested and in good working order. The City, at its discretion, has the authority to mandate the entire service, including meter and backflow prevention device, be brought into compliance with current City of Toledo standards.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

10. Plan commission submittal does not detail any revisions to the existing site that will require earth-disturbing activity of 2,500 or more square feet, nor are any changes shown to the existing storm sewer system. Therefore, it appears that there are no items requiring a stormwater 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, Stormwater Utility, including stormwater detention and post-construction stormwater BMPs as specified in the City of Toledo Infrastructure Design and Construction Requirements and the Ohio EPA NPDES General Stormwater Permit for Construction Activities.

Sewer & Drainage Services

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

13. A building address is required per Ohio Fire Code Section 505. Numbers are to be a minimum of 4'' high and ½'' wide. The address must be visible from the street fronting the property.

Division of Transportation

14. The westerly access drive shall be closed and the adjacent drive and cross-access used as one of the means of entry into the auto sales facility.
15. If not already established, cross-access agreements shall be formalized with adjacent property owners with unobstructed access.

STAFF RECOMMENDATION (cont'd)

Plan Commission

16. A revised site plan shall be submitted delineating the eleven (11) customer parking spaces.
17. All lots of the development site shall be combined into a single taxable parcel identification number.
18. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks (**not applicable unless installed on site**).
19. Dumpsters may not be located in the public right-of-way as stated in TMC§1361.10(b)(10) of the Building Code (**not applicable unless installed on site**).
20. 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**).
21. 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.
22. 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.
23. Repairs and services of vehicles shall be conducted wholly within an enclosed building permanently located on the site.
24. 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)).
25. 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.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

26. If the existing 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.
27. 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 Central Avenue frontage, and shall include a solid evergreen hedge planting and one tree per every 30 feet of frontage; **acceptable as depicted on site 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 fence or masonry wall; **unacceptable as depicted on site plan, buffer shall include a solid privacy fence or wall, not chain link fence.**
 - 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.
 - 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; **acceptable as depicted on site plan.**
 - g. All landscaped areas must have a minimum dimension of at least 9 feet and be at least 160 square feet in area; **acceptable as depicted on site plan.**
 - h. Topsoil must be back filled to provide positive drainage of the landscape area.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- 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; **acceptable as depicted on site plan.**
 - j. Landscape terminal islands must be provided at the end of each parking row.
 - k. 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); **acceptable as depicted on site plan.**
 - l. Perimeter landscaping must be installed along any parking lot area adjacent to a street, place or driveway, or which is visible from an adjacent property, and shall be ten feet (10') in width; **acceptable as depicted on site plan..**
 - m. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards.
 - n. If site is ½ acre or larger, landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation plans must be submitted with development plans and must contain all construction details.
 - o. The location, height and materials for any fencing to be installed and maintained.
 - p. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); and
 - q. The location, lighting and size of any signs.
28. 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.**
29. 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.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

30. 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-7006-16
DATE: September 8, 2016
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: October 12, 2016
TIME: 4:00 P.M.

RS
Three (3) sketches follow

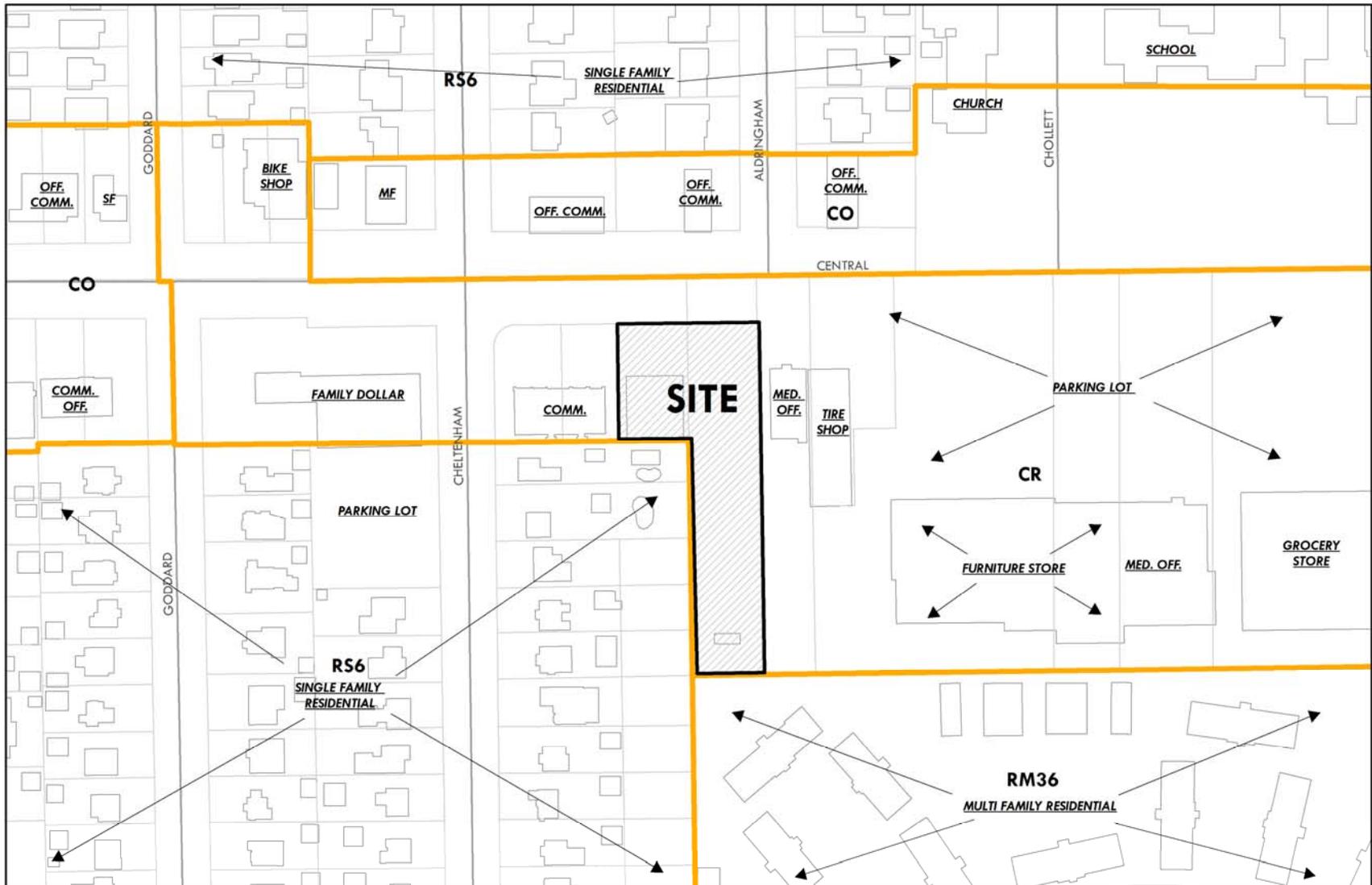
GENERAL LOCATION

SUP-7006-16
ID 50



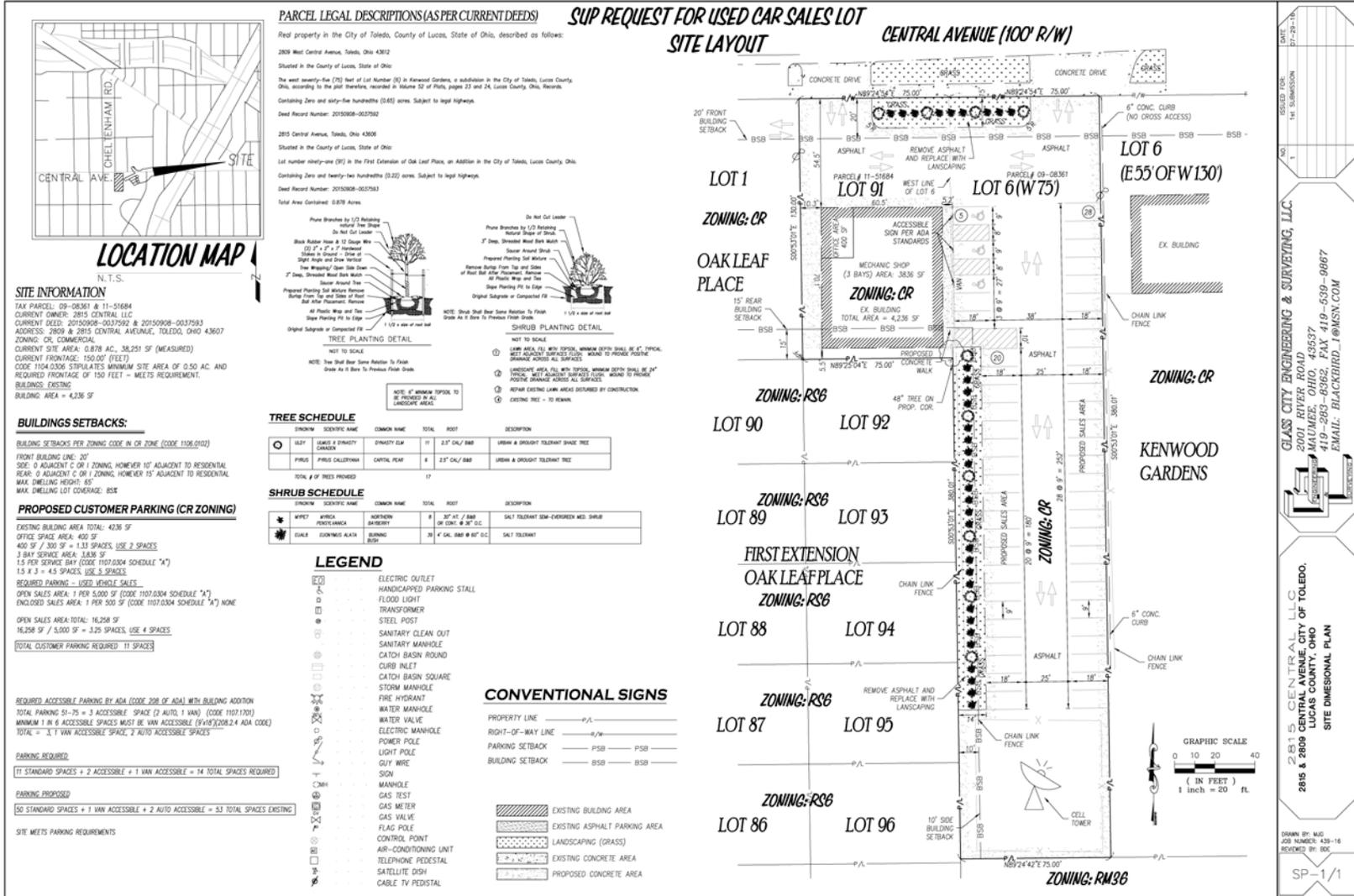
ZONING & LAND USE

SUP-7006-16
ID 50



SITE PLAN

SUP-7006-16
ID 50



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GENERAL INFORMATION

Subject

- Request - Review and possible revocation of the Special Use Permit for a Used Auto Sales Facility approved via Ord. 558-11.
- Location - 728-736 Woodville Road and 607, 611, and 627 Navarre Avenue
- Applicant - Mike Taouil
2255 Navarre Avenue
Oregon, OH 43616
- Engineer - Cappelletty Engineering
C/O: Mike Cappelletty
6145 Douglas Road
Toledo, OH 43613

Site Description

- Zoning - CR Regional Commercial
- Area - ± 0.54 Acres
- Frontage - ± 294' along Woodville Road
± 227' along Navarre Avenue
- Existing Use - Used Auto Sales
- Proposed Use - Used Auto Sales

Area Description

- North - Woodville Road & Mixed Residential / CR
- South - Single Family, Navarre Avenue, Commercial / RM36, RD6, and CR
- East - Woodville Road, Church, and Commercial / CR
- West - Grocery Store / CR and RM36

GENERAL INFORMATION (cont'd)

Parcel History

- | | | |
|------------|---|--|
| Z-69-75 | - | Special Use Permit for Gas Station Approved (5/1/75) |
| Z-43-77 | - | Special Use Permit for Gas Station Deferred (4/6/77) |
| SUP-274-80 | - | Special Use Permit to upgrade existing Auto Service Station (Ord. 823-80, 12/9/80) |

Applicable Plans and Regulations

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

STAFF ANALYSIS

City Council requested a review and possible revocation of Special Use Permit SUP-8001-11, granted by Ordinance 558-11 because of concerns that the used auto sales facility is operating in a manner that is inconsistent with the approved plan, zoning code and conditions of approval. The site is located at the corner of Woodville Road and Navarre Avenue. The Plan Commission issued a “non-compliance” warning letter notifying the applicant that the Special Use Permit would be considered for revocation at the August 11, 2016 hearing.

The Special Use Permit process recognizes that certain businesses having the right to be located within certain districts but that these uses also have extenuating circumstances or additional effects on the surrounding community more than others. Therefore additional criteria and conditions are often included to reduce the effects on neighboring properties. Staff’s findings are outlined in the report below and within Exhibits “A” & “B”.

Background and Site Conditions

In 2011, the Special Use Permit for a used auto sales facility was approved to be located on the site. A review of the Special Use Permit for a used vehicle sales lot located at 736 Woodville Road, via City Council Ordinance 558-11, was conducted on June 14, 2016 and found that several conditions were not being met.

STAFF ANALYSIS (cont'd)

Access and Circulation

As part of the June 14, 2016 compliance inspection review, staff found that the unused curb cut along Woodville Road has yet to be restored as required in condition #3. The curb cut along Navarre Avenue is required to be removed, landscaped and restored as shown on the approved landscape plan and in accordance with condition #3. The Division of Engineering Services requires the removal of these approaches and restored with curb and sidewalk section to match existing. Condition #3 has not been brought into compliance.

Parking and Display Areas

Used auto sales facilities have a parking requirement of one (1) space per 5,000 square feet of open space plus one (1) per 500 square feet of enclosed sales area, plus 1.5 spaces per service bay. The original staff report states that the applicant proposed building an 840 square foot sales building and providing an asphalt lot to display up to 45 vehicles. As a result, the applicant was required to dedicate seven (7) total customer and employee parking spaces for the uses on site. Prior to the September 8, 2016 Plan Commission meeting, staff found that used cars were being double parked and parked in unapproved areas. As of the inspection on June 14, 2016, staff found that cars were not being parked in designated spots according the approved plan. Concrete curb or wheel stops are required to be installed along the edge of all parking spaces (including display spaces) where parking spaces adjoin landscaped areas in accordance with condition #29. Condition #29 has not been brought into compliance.

Landscaping

Appropriate landscaping is needed to provide a buffer for the nearby residence and to adequately screen the site. A five (5') foot frontage greenbelt with approved landscaping is required to be installed as shown on the approved landscape plan as required in condition #27a. A perimeter landscaping is required to be installed as shown on the approved landscape plan and as required in condition #27b. The landscape buffers were required to be installed prior to operation. The site is over one half (½) acre therefore requiring irrigation. Irrigation shall be provided in accordance with condition #27d and fencing shall be installed and maintained (this includes the installation of top and side rails on all chain link fencing) in accordance with condition #27e. Upon the compliance inspection on June 14, 2016, staff found that the approved landscaping and top rail of the chain link fence has not been installed. Conditions 27a, b, d, & e have not been brought into compliance.

The conditions outlined in Ord. 588-11 are provided in Exhibit "A". In addition, photographs from the Plan Commission staff site inspection are included in Exhibit "B".

STAFF RECOMMENDATION

Staff has found that improvements have not been made towards full compliance with Ord. 588-11 and recommends that the Plan Commission recommend that the site be brought fully into compliance with Ord. 588-11 prior to the October 12, 2016 City Council Planning and Zoning Committee hearing or the Special Use Permit for a Used Auto Sales Facility be revoked, for the site located at 736 Woodville Road, to the Toledo City Council.

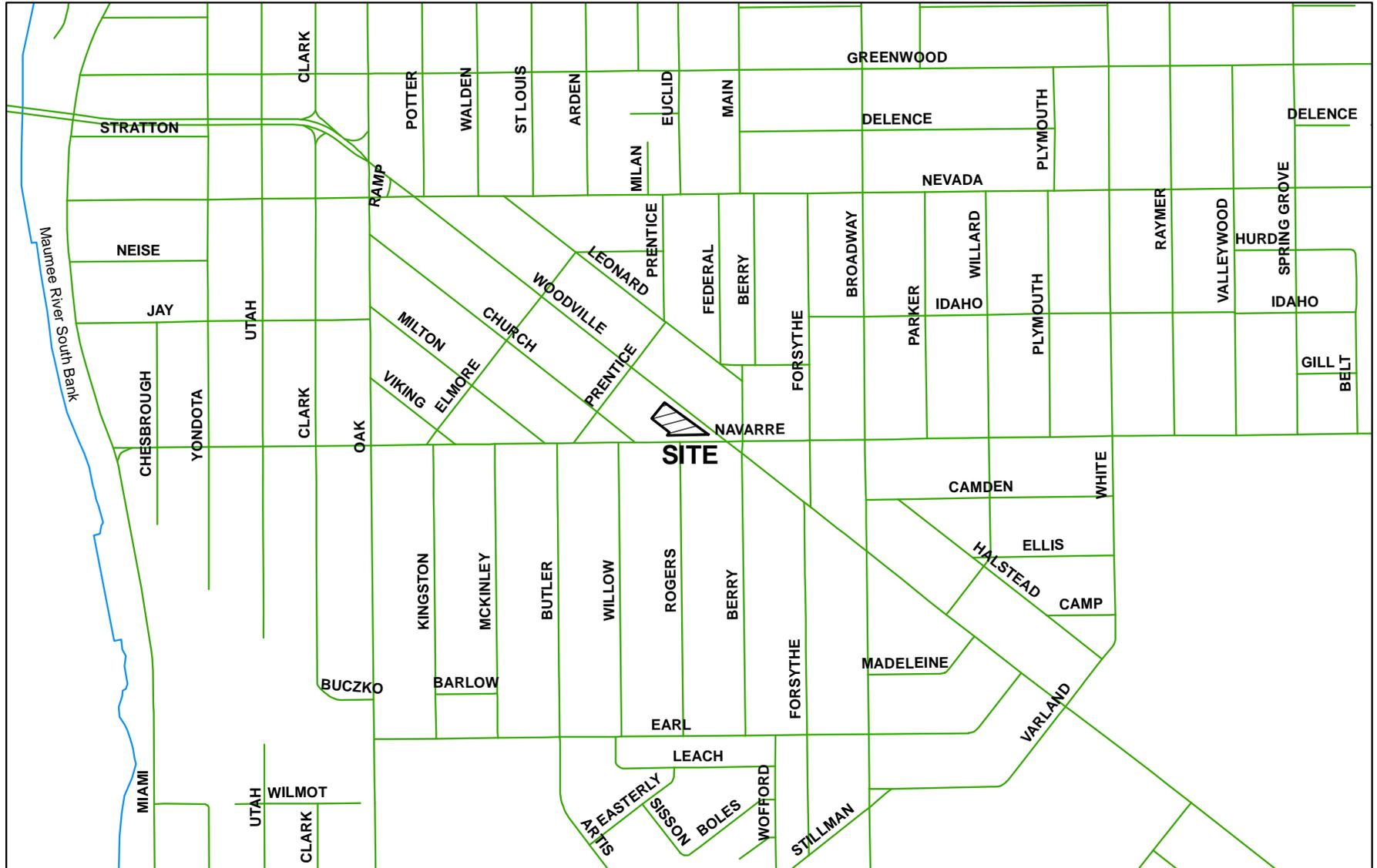
REVIEW OF SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-8001-11
DATE: September 8, 2016
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: October 12, 2016
TIME: 4:00 P.M.

GP
Four (4) sketches follow
Exhibit A follows
Exhibit B follows

GENERAL LOCATION

SUP-8001-11
ID 28

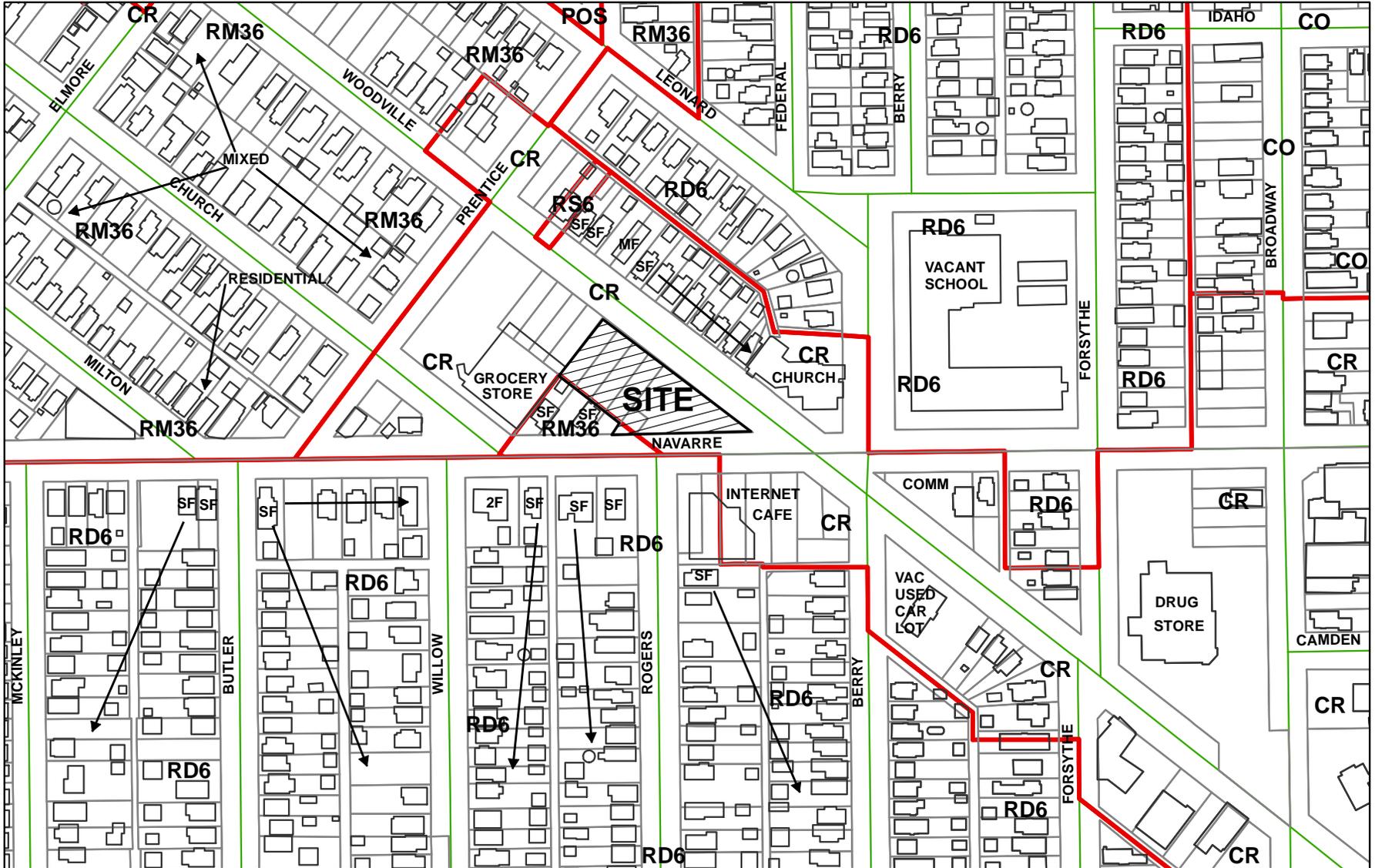


ZONING & LAND USE

SUP-8001-11
ID 28

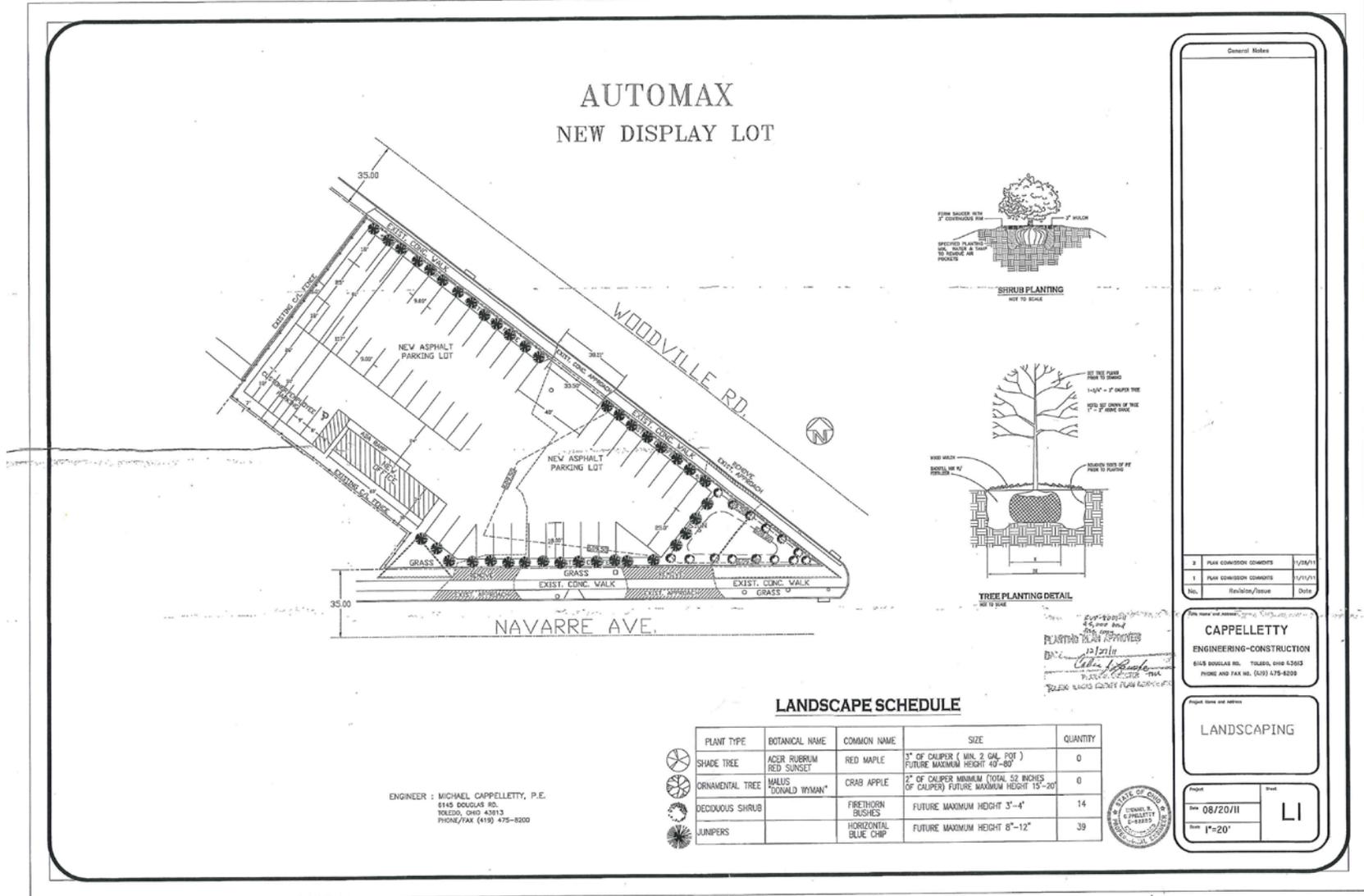


9-6



LANDSCAPE PLAN

SUP-8001-11
ID 28



LANDSCAPE SCHEDULE

PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
SHADE TREE	ACER RUBRUM RED SUNSET	RED MAPLE	3" OF CALIPER (MIN. 2 GAL. POT) FUTURE MAXIMUM HEIGHT 40'-60'	0
ORNAMENTAL TREE	MALUS "DONALD WYMAN"	CRAB APPLE	2" OF CALIPER MINIMUM (TOTAL 52 INCHES OF CALIPER) FUTURE MAXIMUM HEIGHT 15'-20'	0
DECCIDUOUS SHRUB		FIRETHORN BUSHES	FUTURE MAXIMUM HEIGHT 3'-4'	14
JUMPERS		HORIZONTAL BLUE CHIP	FUTURE MAXIMUM HEIGHT 8"-12"	39

ENGINEER : MICHAEL CAPPELLETY, P.E.
6145 DOUGLAS RD.
TOLEDO, OHIO 43613
PHONE/FAX (419) 475-8200

General Notes

2	PLANT CONSTRUCTION COMMENTS	1/27/11
1	PLANT CONSTRUCTION COMMENTS	1/11/11
No.	Revised/Issue	Date

CAPPELLETY
ENGINEERING-CONSTRUCTION
6145 DOUGLAS RD. TOLEDO, OHIO 43613
PHONE AND FAX NO. (419) 475-8200

Project Name and Address

LANDSCAPING

Project Date and Address

08/20/11

Sheet **LI**

Scale 1"=20'

8-6

Exhibit “A”
REVIEW AGENCY CONDITIONS

The following twenty-eight (28) conditions were approved in Ord. 588-11 and are listed by agency of origin. The applicant agreed to all conditions at the October 13, 2011 Plan Commission and November 11, 2011 Planning and Zoning Committee.

Engineering Services

1. Substandard or deteriorated sidewalk and curb sections that exist within the public right-of-way abutting the site shall be replaced in accordance with the City of Toledo Construction Standards. Contact Tracy Martin at (419) 936-2847 for inspections.
2. All proposed and existing drive approaches, curb, and sidewalk will be constructed in accordance with the City of Toledo Construction Standards. **No horizontal curb cutting will be permitted.** Approaches are to be barrier-free.
3. Existing approach removal shall be restored with curb and sidewalk section to match existing (**along Navarre Ave. and Woodville Rd.**).
4. Required permits for all approved work in the public right-of-way shall be obtained before work begins from the One Stop Shop Permit Center at (419) Occupancy permits will not be issued until all inspections have been completed.
5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
6. If existing water services are not to be reused they shall be abandoned by the City of Toledo at the developer’s cost.
7. Plans for water services 4-inch (4”) in diameter and larger shall be submitted to The Division of Engineering Services for review and approval.
8. Do not place water service within ten (10’) feet of sewer or within four (4’) feet of any other underground utility.
9. New fire, domestic, and irrigation taps will be installed by the City of Toledo at the owner’s expense.

Exhibit “A” (cont’d)

Engineering Services (cont’d)

10. Storm drainage service for this site is available subject to the Criteria and Regulations of The Department 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, The City of Toledo Infrastructure Design and Construction requirements and “The Comprehensive Ditch Plan.” All disturbed land areas over one (1) acre must submit an NOI to and obtain a permit from the Ohio EPA.
11. A detailed site-grading plan for this project will be submitted for approval. The plan will show the adjacent topography and grades for the land abutting the proposed development for a distance of approximately one hundred (100’) feet from the development boundaries. All storm drainage must be internal and not run off onto adjacent properties unless approved by The City of Toledo Drainage Engineer.
12. No construction work including grading, will be permitted without approval plans and inspection.
13. Plan submittals shall be in conformance with the latest version of Infrastructure Design and Construction Requirements available at www.ci.toledo.oh.us/Departments/PublicUtilities/DivisionofEngineeringServices/PlanReview/Process/Tabid/355/Default.aspx. It is advised that consulting engineers, architects, and developers contact the Department of Public Utilities, Division of Engineering Services to set up a pre-submittal meeting. This is suggested so that there is a full understanding of the City of Toledo requirements for the sanitary, storm, water, and roadway utilities. This will in turn help to eliminate costly design time, revisions to drawings, delays in plan reviews, and speed up the plan approval process.

Contact Information is:

Division of Engineering Services: ph. (419) 245-1315, fax (419) 936-2850

Sanitary Sewers: Mike Elling, ph. (419) 936-2276

Storm Water Drainage: Earl Boxell, ph. (419) 936-2848

Water: Andrea Kroma, ph. (419) 936-2163

Roadway: Doug Stephens, ph. (419) 936-2279

14. Post construction storm water Best Management Practices shall be incorporated into the design to provide treatment of runoff prior to discharging into the City’s system. Designs incorporating low impact development solutions such as grassy swales, bio-retention areas in lieu of curb, storm sewers, and underground detention are encouraged and often much less costly.

Exhibit "A" (cont'd)

Engineering Services (cont'd)

15. The site is in a combined sewer area and therefore does not require water quality treatment. However, detention is required for the twenty-five (25) year storm.
16. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
17. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. The Developer shall use existing sanitary tap when available.

Division of Transportation

18. Configuration of the parking stalls in the easternmost portion of the parking lot does not provide area for vehicles to efficiently maneuver.
19. Gravel surfaces shall be paved utilizing concrete, bituminous asphalt, or other dust free material other than gravel or loose fill per Toledo municipal Code 1107.1906.
20. All parking areas shall be clearly marked in accordance with TMC 1107.1902.

Fire Prevention

21. New and existing buildings shall have approved address numbers, building identification places in a position to be plainly legible and visible from the street or road fronting the property. Numbers shall be a minimum of 4 inches (102mm) high with minimum stroke width of 0.5 inches (12.7mm).

Plan Commission

22. Building elevations shall meet the requirements of Toledo Municipal Code Chapter 1109 Design Standards. **Elevations have not been submitted.**
23. Dumpster location(s) shall have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks; **Dumpster not depicted on site plan.**
24. A detailed site, lighting, sign, fencing and landscaping plan shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. Frontage greenbelt shall be a minimum width of fifteen feet (15'); **not acceptable as depicted on site plan;**

Exhibit “A” (cont’d)

Plan Commission (cont’d)

- b. Perimeter landscaping must be installed along any parking lot area adjacent to a street, place or driveway, or which is visible from an adjacent property, and shall be ten feet (10’) in width; **not acceptable as depicted on site plan;**
 - c. 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;
 - d. 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;
 - e. The location, height and materials (chain link, aluminum tube, or wrought iron) for any fencing to be installed and maintained; **Height and materials not depicted on site plan.**
 - f. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties);
 - g. The location, lighting and size of any signs. **Signs not depicted on site plan.**
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.
26. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscape areas.
27. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
28. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

**EXHIBIT B
(PHOTOS)**

**SUP-8001-11
ID 38**



**EXHIBIT B
(PHOTOS)**

**SUP-8001-11
ID 38**



**EXHIBIT B
(PHOTOS)**

**SUP-8001-11
ID 38**

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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

