

*TOLEDO CITY
PLAN COMMISSION
REPORT*

October 13, 2016

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

MEMBERS OF THE TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

TOLEDO CITY PLAN COMMISSION

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(Vice Chairman)

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

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

* County deadlines are for Preliminary Drawings

** Date shifts are due to holidays

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

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

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

TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

October 13, 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. SUP-7007-16: | Special Use Permit for utilities and services – major, at 2619 Heather Hills Road (gp) |
| 2. PUD-8004-16: | Amendment to Planned Unit Development, originally granted by Ord. 291-71 and 172-73, at 3925 Hill Avenue, 4005 Hill Avenue, and 15 Tiffany Square Drive (gp) |
| 3. Z-9002-16: | Zone Change from CR to RD6 at 4136 Bennett Road (rs) |
| 4. SPR-38-16 | Major Site Plan Review for building addition at 1212 E. Alexis Road (rs) |
| 5. SUP-7003-16: | Special Use Permit for greenhouses/urban garden at 1320 Broadway (gp) |
| 6. SUP-8003-16: | Special Use Permit for convenience store at 4465 N. Summit Street (rs) |

- 7. Z-6002-16: Zone Change from RM36 to CR at 208 Woodruff Avenue (mm)
- 8. SUP-7002-16: Special Use Permit for community recreation –active, at 208 Woodruff Avenue (mm)
- 9. Z-1006-16: Zone Change from IL to CR at 5517 Lewis Avenue (gp)
- 10. SUP-2001-16: Special Use Permit for used auto sales facility at 5517 Lewis Avenue (gp)
- 11. M-19-16: Text amendment to clarify permissible façade materials for industrial buildings, amending TMC 1109.0404 (jl)

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, P.E. 3040 York Street Toledo, OH 43605
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 to assist in the operation of the pump station located on the site. 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. A neighborhood meeting was on September 27, 2016 in order to discuss the project and provide an opportunity for public comment.

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.

Staff recommends approval of the Special Use Permit because 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 recommends approval of 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 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** 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 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. 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.

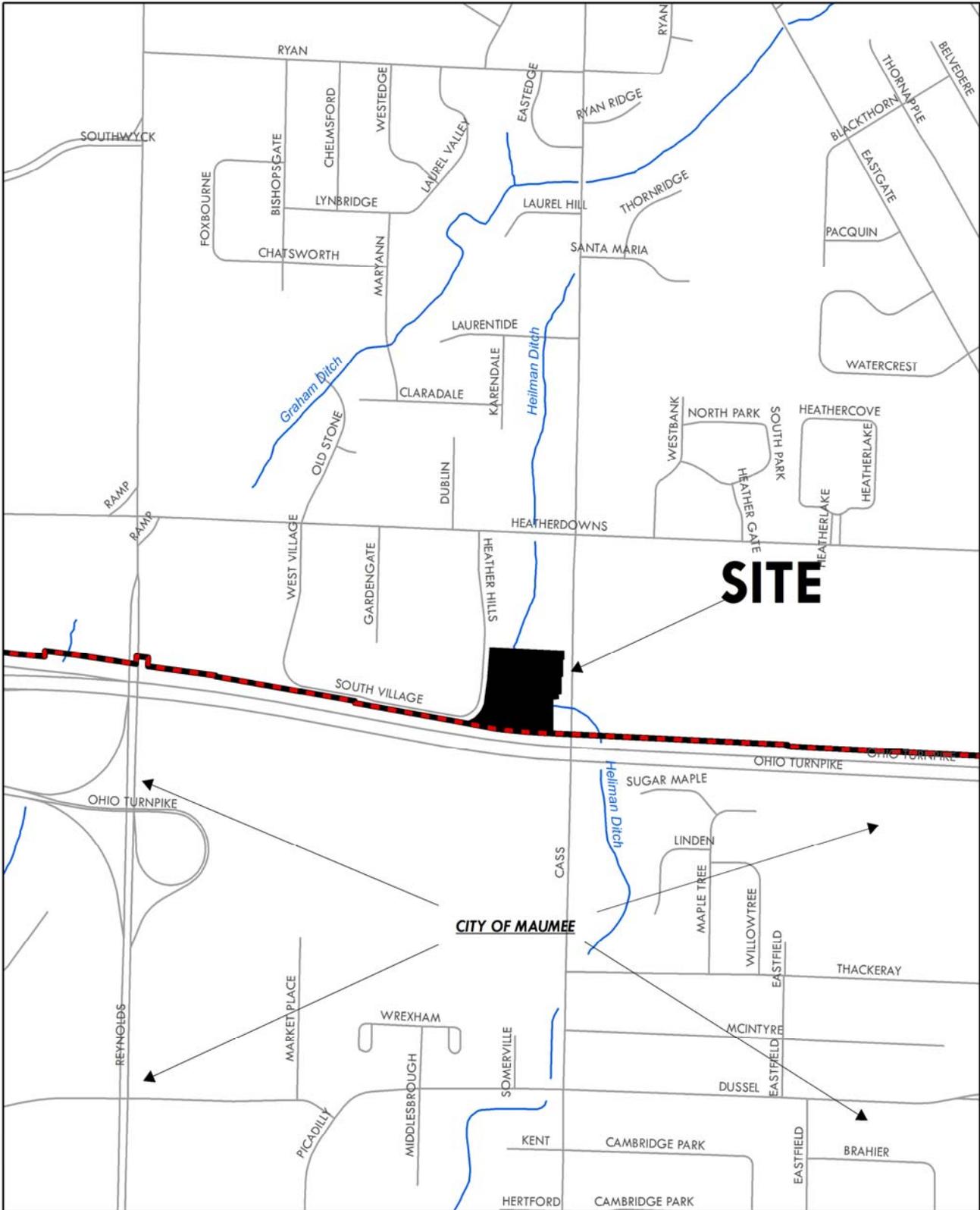
SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-7007-16
DATE: October 13, 2016
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
ZONING AND PLANNING
DATE: November 16, 2016
TIME: 4:00 P.M.

GP
Three (3) sketches follow

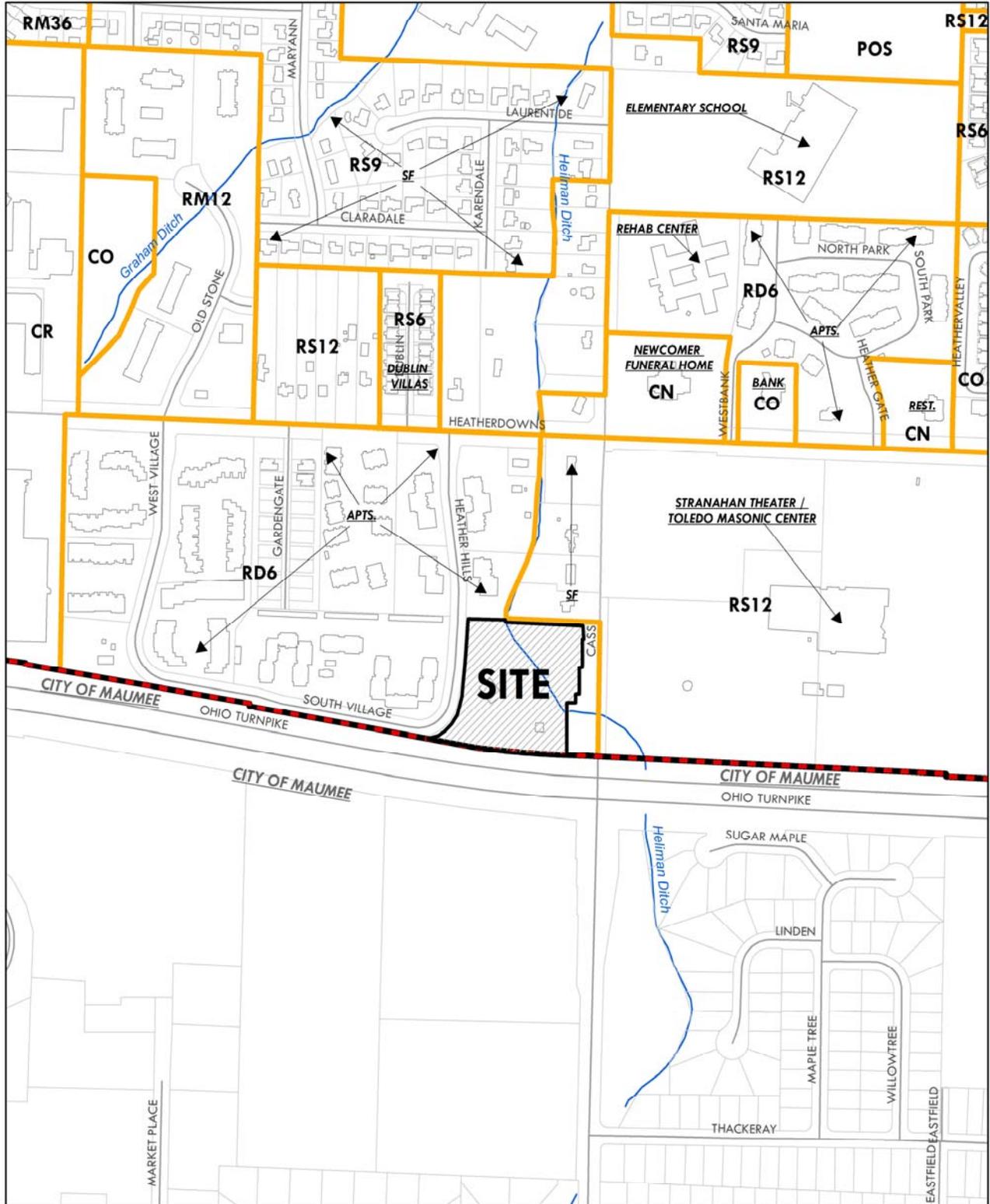
GENERAL LOCATION

SUP-7007-16
ID 142



ZONING & LAND USE

SUP-7007-16
ID 142



GENERAL INFORMATION

Subject

- Request - Amendment to a Planned Unit Development originally granted by Ord. 291-71 and Ord. 71-73
- Location - 3925 Hill Avenue, 4005 Hill Avenue, and 15 Tiffany Square Drive
- Applicant - DMG Rentals, LLC
C/O: Dan Greene
2050 Stapleton Court
Cincinnati, OH 45240
- Architect - Rossi Architects, LLC
C/O: Scot Rossi
970 S. Byrne Road
Toledo, OH 43609

Site Description

- Zoning - RD6 Single Family Residential with PUD
- Area - ± 8.11 acres
- Frontage - ± 338' along Hill Avenue
- Frontage - ± 688' along Tiffany Square Drive
- Existing Use - Multi-Family Housing Complex
- Proposed Use - Addition of an office

Area Description

- North - Fire Station / RS6
- South - Undeveloped Land, Ohlman's Market / RD6
- East - Ohlman's Market / RD6
- West - Single Family Homes / RS6

GENERAL INFORMATION (cont'd)

Parcel History

- Z-41-71 - Request for a Zone Change from R-2 to Single Family Residential to R-3 Two-Family Residential; approved by Plan Commission on 4-8-71.
- Z-42-71 - Request for a Community Unit Plan for an apartment development located on the south side of Hill Avenue, east of Richards Road; approved by Plan Commission on 4-8-71, Ord. 291-71.
- S-33-72 - Preliminary drawing review for a proposed plat of Tiffany Square Apartments located on the south side of Hill Avenue, west of Byrne; approved by Plan Commission on 12-14-72.
- Z-8-73 - Request for an amendment to a Community Unit Plan granted via Ord. 291-71, located on the south side of Hill Avenue, east of Richards Road; approved by Plan Commission on 2-8-73.
- Z-345-76 - Request for an amendment to a Community Unit Plan granted via Ord. 291-71, located on the south side of Hill Avenue, east of Richards Road; approved by Plan Commission on 2-3-77.
- S-13-79 - Preliminary drawing for Tiffany Square Plat 2 to develop a one lot Community Unit Plan located along Hill Avenue between Richards Road and Byrne Road; approved by Plan Commission on 9-6-79.

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting approval of an amendment to a Planned Unit Development (PUD), for a site located at 3925 Hill Avenue, 4005 Hill Avenue, and 15 Tiffany Square Drive. The ±8.11 acre site is zoned RD6 Duplex Residential and is located on the parcel that is occupied by multi-family housing units.

The applicant has requested an amendment to the PUD granted via Ord. 291-71 and most previously amended by Ord. 172-73. The purpose of the request is to allow the use of the existing house at 4005 Hill Avenue to be renovated into a small office for onsite management, to provide an exercise room for the tenants of the apartments, and one (1) apartment unit for rental. The current PUD includes the properties at 3925 Hill Avenue occupied by four (4) existing apartment buildings totaling ninety-six (96) units, and 15 Tiffany Square Drive with one (1) apartment building totaling twenty-four (24) units, for a total of 120 units. No new buildings or additions are planned to be constructed.

The site is legal non-conforming because multi-family units are not permitted in RD6 zoning, even with a PUD. However, at the time of approval this regulation did not apply. Additionally the proposed expansion is used less than ten (10%) percent of the total used area and is therefore allowed.

The Planned Unit Development (PUD) is a procedure that provides an overlay zoning district that is intended to encourage innovative design, conservation of significant natural features or consolidation of open space in order to provide for a mixture of uses with an integrated design. Planned Unit Development regulations are intended to promote consistency with the Comprehensive Plan and adopted Neighborhood Plans. The PUD development may be a residential, commercial, or industrial development or may be a combination of uses with no minimum site area required.

Parking and Circulation

Pursuant to TMC 1107.0701 – the required parking for multi-family housing is one and one-half (1 ½) spaces for every one (1) dwelling unit, plus one (1) space per ten (10) units for visitor parking. Calculations conclude that a 120 unit multi-family housing complex requires 192 parking spaces and one (1) bicycle parking slot per ten (10) parking spaces. According to the plan submitted 221 spaces are provided, requiring a total of twenty-two (22) bicycle parking slots and seven (7) handicapped accessible parking spaces. The applicant has indicated that existing parking areas are to receive new asphalt paving to restore to good condition.

STAFF ANALYSIS (cont'd)

Parking and Circulation (cont'd)

There must be safe, adequate, and convenient arrangement of pedestrian walkways, bikeways, roads, driveways, and off-street parking and loading spaces within off-street parking areas. Streets, pedestrian walks, parking areas, and open space areas, designed as integral parts of an overall site design, must be properly related to existing and proposed buildings, adjacent uses and landscaped areas. Ramps are required to be provided as needed for access to adjacent sidewalks or entrances. The site plan offers the appropriate amount of walkways and effectively addresses this issue.

Background

The original proposal for a Community Unit Plan (CUP) on a 15.7 acre parcel was approved in 1971 (Z-42-71). The developer proposed the construction of a total of 257 townhouse units, public roadways and private drives, parking areas, and a ½ acre of parkland. Accompanying the CUP was a request for a Zone Change of the parcel from R-2 Single Family Residential District to R-3 Two-Family Residential District (Z-41-71). The subsequent amendment request (Z-8-73) proposed a total of 258 units with a 50/50 mix of 1 and 2 bedroom units, a community building complete with a swimming pool, and a ±0.85 acre parkland addition at the northwest corner of the parcel. Also included in the amendment was a request to change the name of the CUP from Crofton Towne House to Tiffany Square Apartments. Initially, four (4) lots were to be developed to accommodate the CUP. Of the 15.7 acre site, only ±8.11 acres (2 lots) and 120 units were developed.

Density

The maximum number of dwelling units permitted in the Planned Unit Development is calculated by dividing the net residential acreage by the minimum lot area per dwelling unit as shown in TMC§1106.0100 – *Intensity and Dimensional Standards Table*. The maximum number of dwelling units allowed in the RD6 zoning district with a PUD is 5.8 units per gross acre. However, the site was developed under the 1959 zoning code, which allowed 14.92 units per acre for a total of 121 units. The site met maximum density standards at the time of development. No more than forty (40%) percent of gross site acreage shall be devoted to coverage by buildings, structures, street pavement, driveway and parking area pavement. The current site along with the proposal is in conformance with this regulation. The applicant is requesting the inclusion of an existing house that occupies a ±0.53 acre lot. New uses or improvements not previously approved require full review and approval.

STAFF ANALYSIS (cont'd)

Open Space Requirements

Open spaces are a great benefit to employees, residents, or visitor of the development. The common open space depicted on the site plan is located adjacent to the rear property line at the southwest corner of the site. As stated in TMC§1103.1007(E) –*Residential Standards*: no less than fifteen (15%) percent of the gross site acreage shall be allocated to usable, accessible, and consolidated common open space. The site plan is in compliance with this requirement.

All Planned Unit Developments require an open space area void of buildings, structures, parking areas, or other above ground improvements except fencing, to be maintained along all perimeter property lines. When abutting a Residential district, the open space perimeter area shall be provided with a minimum depth equal to the required rear yard setback of the PUD's underlying zoning district, thus requiring a twenty-five (25) foot open space area along the site's southern property line. The site plan submitted shows compliance with this requirement.

Landscaping

Landscaping for Planned Unit Developments are reviewed and approved in accordance with the procedures of the Chapter 1108 – *Landscaping and Screening*. The Toledo Municipal Code Landscape Standards are designed to be functional, reduce the urban heat island effect of impervious surfaces, help control runoff, and add aesthetics to the site. Landscaped frontage greenbelts are required to be provided along all public right-of-ways. A fifteen (15') foot wide frontage greenbelt is required along Hill Avenue and at least one tree must be provided for every thirty (30') feet of lot frontage or fraction thereof.

Calculations conclude that a total of fourteen (14) trees are required in the required thirty (30') foot frontage greenbelt along Hill Avenue. Trees are not required to be evenly spaced and may be clustered. Existing trees should be incorporated into the landscape plan to the maximum extent. Credit may be given to existing canopy trees, evergreen trees and understory trees according to the criteria outlined in TMC§1108.0407. Foundation plantings are required at the existing house located at 4005 Hill Avenue, for the full street-facing building elevation, and landscape areas at major building entrances shall be provided. If parking is proposed to be developed in the front of the property, the frontage greenbelt shall include a solid evergreen hedge planting to screen the parking lot so that no headlights of any vehicles can be seen from the public street. A landscape plan is required to be submitted as a condition of approval.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets the site for Multi-Family Residential land uses. The district is primarily intended to accommodate the development of multi-dwelling housing and also intended to create, maintain and promote higher density housing opportunities in areas with good transportation access. Development standards of the Toledo Municipal Code are intended to ensure that new development will be compatible with the City's character and to provide certainty to property owners, developers, and neighbors. Staff recommends approval of the applicant's request because proposal is an appropriate transitional use and conforms to the 20/20 Plan.

Staff has reviewed the proposed Plan Unit Development in accordance with the criteria of TMC§1103.1000. Based on the results of the review, the staff has determined that the amendment to the Plan Unit Development is suitable for this location because the proposed use complies with all applicable provisions of the Toledo Municipal Code, and the request is consistent with the Toledo 20/20 Comprehensive Plan. Finally, the proposed expansion is less than ten (10%) percent of the overall area, therefore the site's current legal non-conforming status will not be jeopardized.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of PUD-8004-16, an amendment to a Planned Unit Development originally granted via Ord. 291-71 and most previously amended by Ord. 172-73, for a site located at 3925 Hill Avenue, 4005 Hill Avenue, and 15 Tiffany Square Drive, to Toledo City Council for the following four (4) reasons:

1. The proposed use complies with all applicable provisions of the Toledo Municipal Code.
2. The proposed use meets the stated purpose of the Zoning Code (TMC 1111.0706.A Review & Decision-Making Criteria).
3. The proposed use conforms to the Toledo 20/20 Comprehensive Plan; and
4. The development's legal non-conforming status will not be jeopardized.

STAFF RECOMMENDATION (cont'd)

The staff further recommends that the Toledo City Plan Commission recommend approval of PUD-8004-16, a Planned Unit Development originally granted via Ord. 291-71 and most previously amended by Ord. 172-73, for a site located at 3925 Hill Avenue, 4005 Hill Avenue, and 15 Tiffany Square Drive, to 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 419-245-1341

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

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.

STAFF RECOMMENDATION (cont'd)

Engineering Services (cont'd)

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 services or modifications to the existing water services 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 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. 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.

Division of Transportation

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

Plan Commission

14. 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.
15. Off-street parking and loading spaces, parking lots, maneuvering areas, aisles and driveways must be surfaced with concrete, bituminous asphalt, or other dust-free material other than gravel or loose fill, and be graded to drain all surface water towards the interior of the parking lot or to a stormwater system subject to the regulations approval of the Department of Public Utilities.
16. 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)).
17. Pools must be surrounded by a minimum four (4') foot high (barrier) fence, with any access gates secured with locks, unless a portable aboveground pool is at least four (4') feet high and ladders are removed or locked up when not in use.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

18. No more than forty (40%) percent of gross site acreage shall be devoted to coverage by buildings, structures, street pavement, driveway and parking area pavement (**the site is in compliance**).
19. A detailed site, lighting, 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. Thirty (30') foot wide frontage greenbelts are required along all public right-of-way, but not including alleys. Calculations conclude that a total of fourteen (14) trees are required in the frontage greenbelt along Hill Avenue. Trees are not required to be evenly spaced and may be clustered.
 - b. Existing trees should be incorporated into the landscape plan to the maximum extent. Credit may be given to existing canopy trees, evergreen trees and understory trees according to the criteria outlined in TMC§1108.0407.
 - c. Foundation plantings for the full street-facing building elevation, and landscape areas at major building entrances shall be provided at the existing house at 4005 Hill Avenue;
 - d. Topsoil must be back filled to provide positive drainage of the landscape area;
 - e. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage;
 - f. Landscape terminal islands must be provided at the end of each parking row in the parking lot bordering the new building; **acceptable as depicted on landscape plan**;
 - g. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards;
 - h. Landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation shall be required for projects of over ½ acre in site area. Irrigation plans must be submitted with development plans and must contain all construction details.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- i. 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);
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.

PLANNED UNIT DEVELOPMENT
TOLEDO CITY PLAN COMMISSION
REF: PUD-8004-16
DATE: October 13, 2016
TIME: 2:00 P.M.

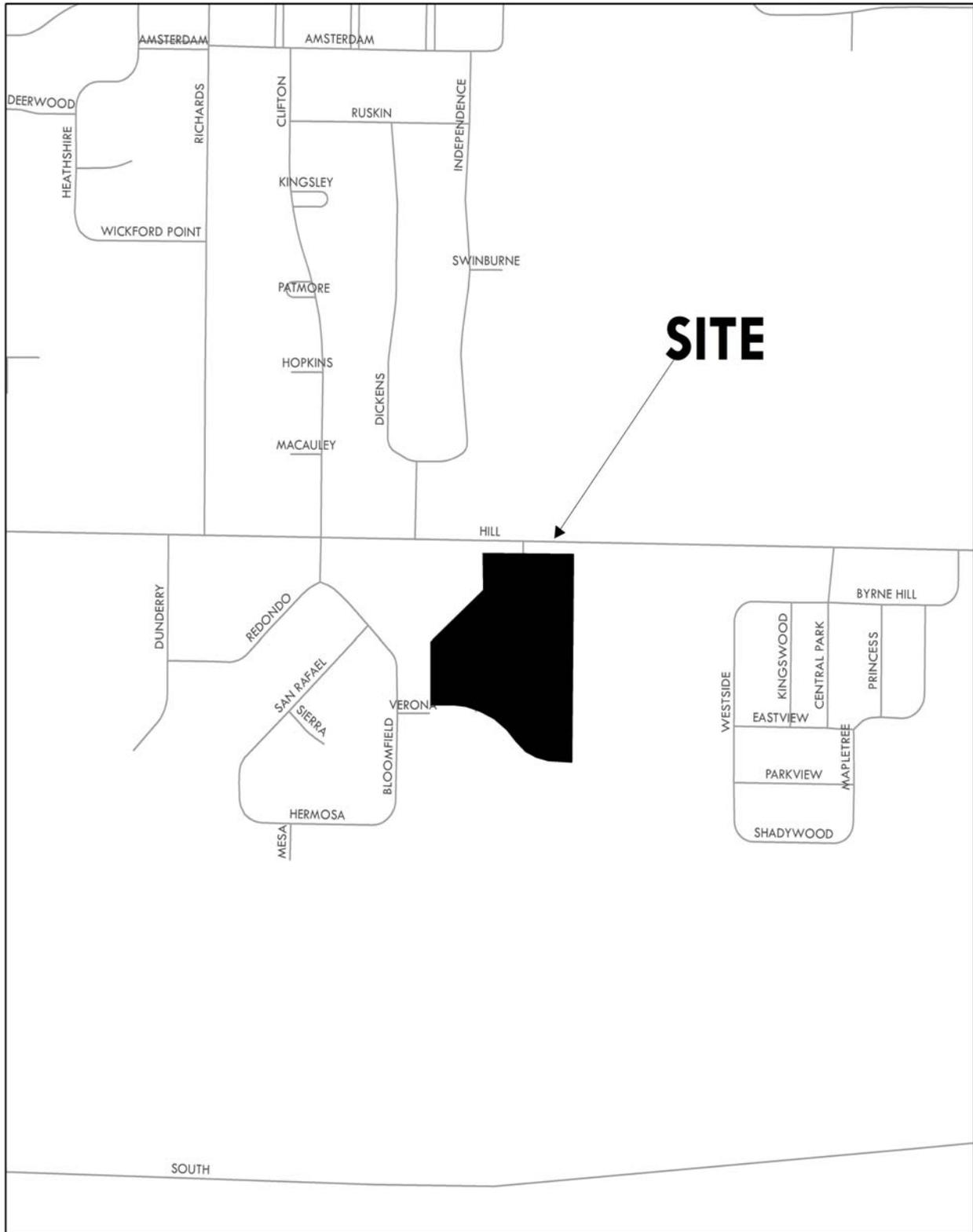
TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: November 16, 2016
TIME: 4:00 P.M.

GP

Three (3) sketches follow

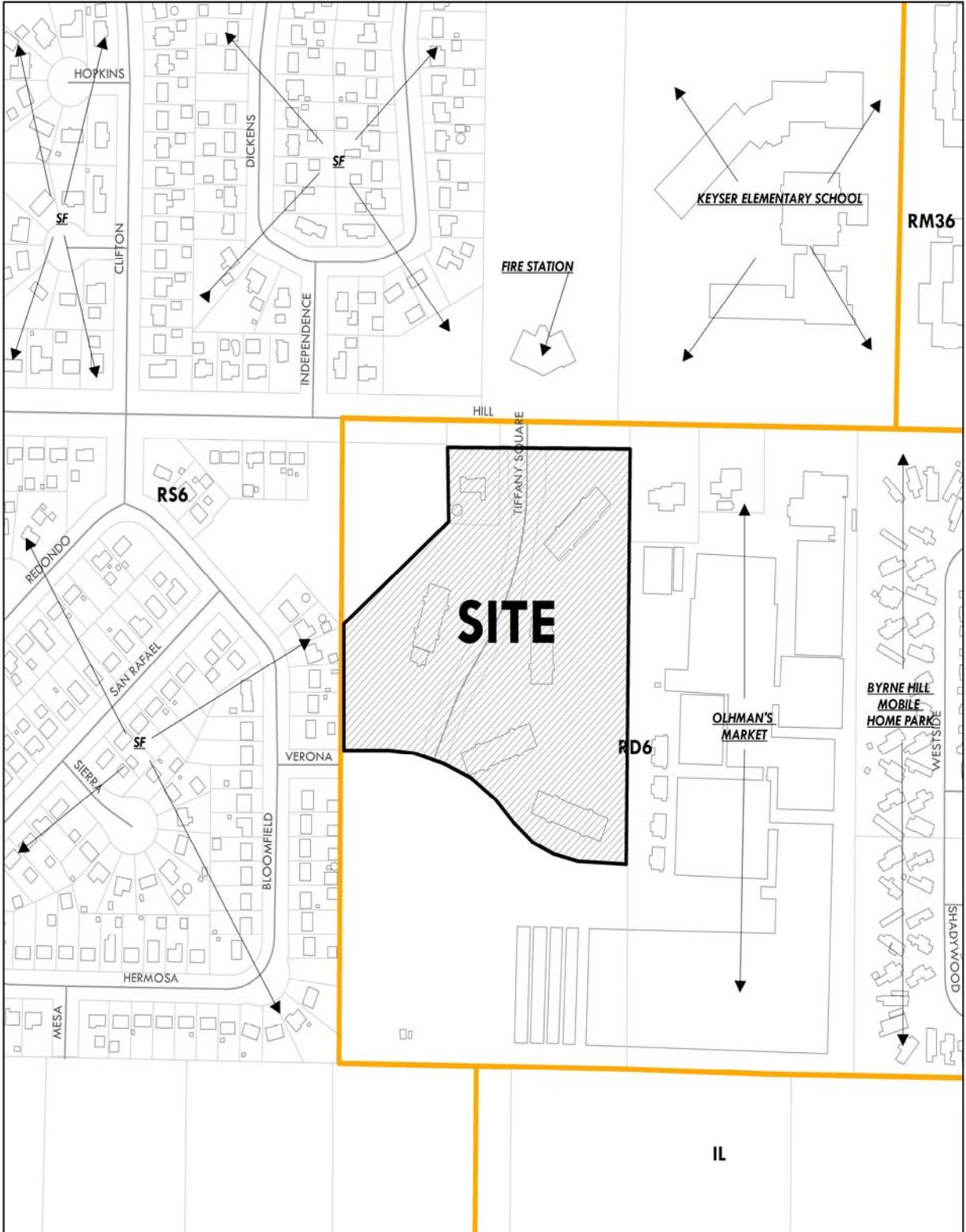
GENERAL LOCATION

PUD-8004-16
ID 84



ZONING & LAND USE

SUP-8004-16
ID 84



GENERAL INFORMATION

Subject

- Request - Request for Zone Change from CR Regional Commercial to RD6 Duplex Residential
- Location - 4139 Bennett Road
- Applicant - James Mills
4312 Willys Parkway
Toledo, Ohio 43612

Site Description

- Zoning - CR / Regional Commercial
- Area - ± 0.075 acres
- Frontage - ± 35' along Bennett Road
- Existing Use - Single-family Residence
- Proposed Use - Single-family Residence

Area Description

- North - Multi-family Residence / CR
- South - Single-family Residence / CR
- East - Industrial Warehouse / IG
- West - Single-family Residence / RD6

Parcel History

None on record.

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Zone Change from CR Regional Commercial to RD6 Duplex Residential for a site located at 4139 Bennett Road. The ±0.075 acre site is zoned Regional Commercial and is occupied by a single-family residential home. Single-family residential homes are not a permitted use in the CR Regional Commercial zoning district. The existing single-family residential home is legal non-conforming. Surrounding land uses include multi-family residential apartments to the north; industrial warehousing to the east of the property; single-family residential home to the south and west.

The applicant is requesting the Zone Change for financing purposes. Lending institutions have become increasingly uncomfortable with legal non-conforming land uses. In this case, in the event the home was demolished or destroyed by 75% of the appraised value listed by the Auditor, the single-family home could not be rebuilt without a change in zoning classification.

The Toledo 20/20 Comprehensive Plan targets this area for Neighborhood Commercial land uses. The site sits at the edge of a large single-family residential neighborhood. These land uses typically include predominantly small and medium scale commercial uses that serve neighborhoods although it may include small and medium scale office and mixed uses. Staff recommends approval of the Zone Change for this location because it is compatible with the zoning and land uses in the immediate area. Additionally, RD6 zoning is established to the immediate area west of the site. Finally, the proposed rezoning will correct an issue of a non-conforming land use in the proper zoning classification.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommends approval of Z-9002-16, a request for a Zone Change from CR Regional Commercial to RD6 Duplex Residential, for a site located at 4139 Bennett Road, to the Toledo City Council, for the following three (3) reasons:

1. The request is similar to existing land uses within the general vicinity of the subject property (TMC§1111.0606(B) Review and Decision Making Criteria);
2. The proposed RD6 Duplex Residential District zoning is compatible with the zoning districts within the general vicinity of the site (TMC§1111.0606(C) Review and Decision Making Criteria); and
3. The proposed rezoning corrects an error or inconsistency in the Zoning Code or meets the challenge of a changing condition (TMC§1111.0606(F) Review and Decision Making Criteria).

REF: Z-9002-16 . . . October 13, 2016

ZONE CHANGE
TOLEDO CITY PLAN COMMISSION
REF: Z-9002-16
DATE: October 13, 2016
TIME: 2:00 P.M.

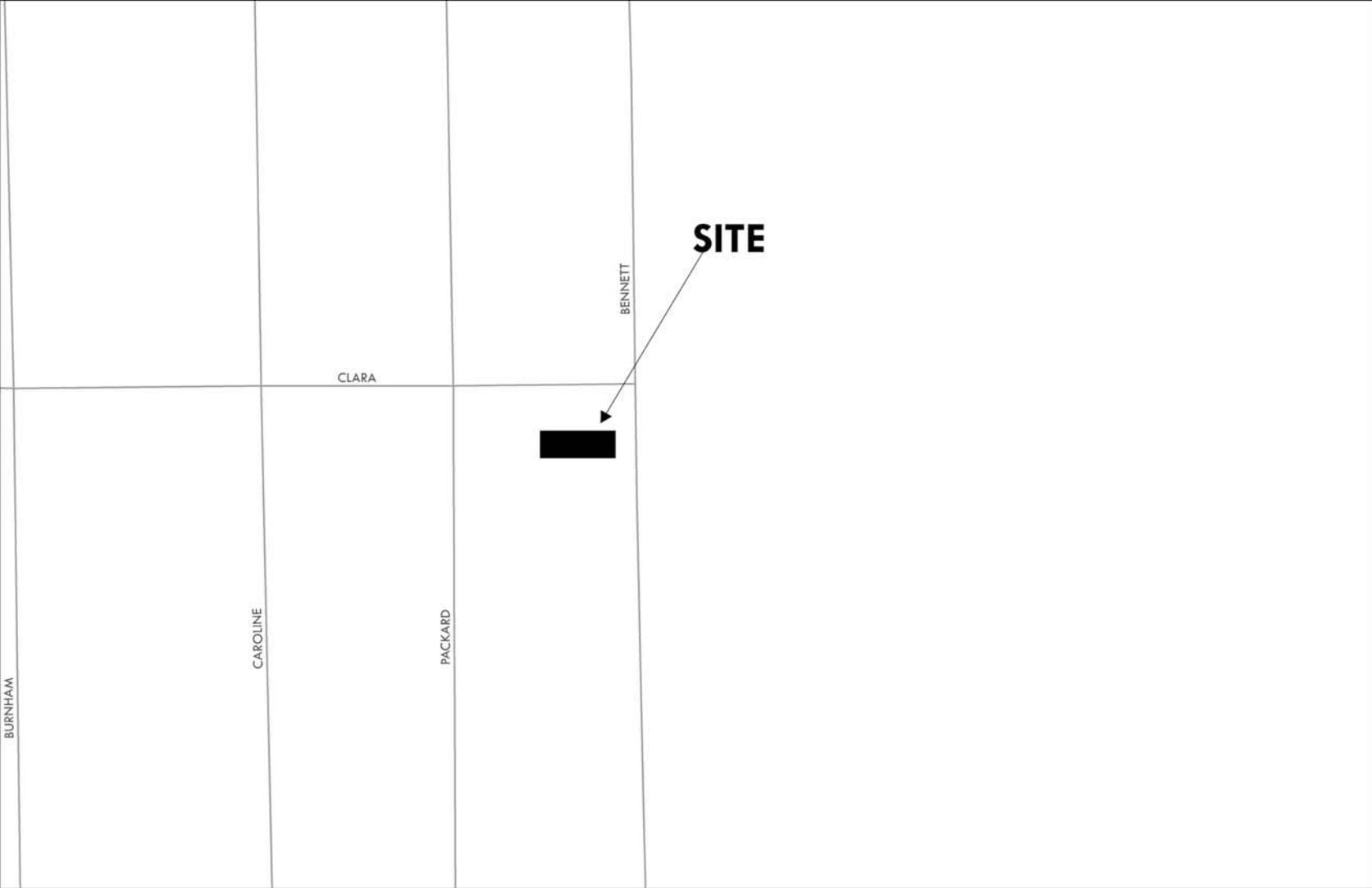
CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: November 16, 2016
TIME: 4:00 P.M.

RS

Two (2) sketches follow

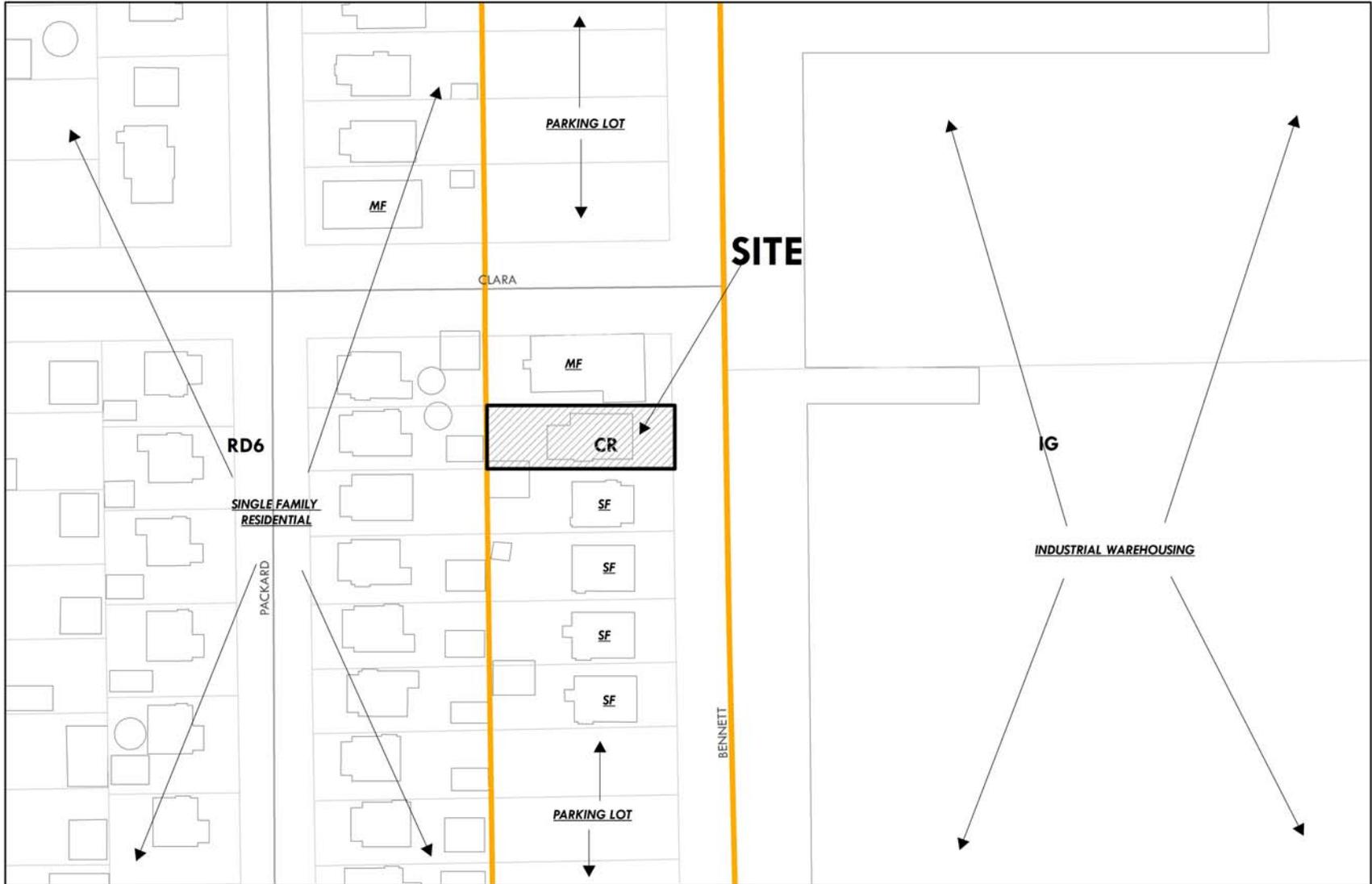
GENERAL LOCATION

Z-9002-16
ID 38



ZONING & LAND USE

Z-9002-16
ID 38



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GENERAL INFORMATION

Subject

- Request - Major Site Plan Review for building addition and parking lot
- Location - 1212 East Alexis Road
- Applicant - Alexis Commercial, LLC.
445 Wooster Street
Bowling Green, OH 43402
- Project Manager - Rich Livecchi
8345 Cherry Blossom Lane
Holland, OH 43402
- Engineer - Bryan Ellis, P.E.
Glass City Engineering & Surveying, LLC.
2001 River Road
Maumee, OH 43537

Site Description

- Zoning - General Industrial / IG
- Area - ± 25.7 acres
- Frontage - ± 700' along Alexis Road
± 425' along Benore Road
± 400' along Enterprise Boulevard
- Existing Use - Piston Group manufacturing plant
- Proposed Use - Building addition and parking lot
- Parking Required - 167 parking spaces
- Parking Provided - 377 parking spaces (286 existing + 91 new spaces)

Area Description

- North - Alexis Road, Stericycle Inc., Menards / IG
- South - Comfortline Limited / IG
- East - Fairfield Inn & Suites / CR
- West - Romanoff Electric, vacant industrial land,
Enterprise Boulevard / IG

GENERAL INFORMATION (cont'd)

Parcel History

V-162-87 - Vacation of a portion of Benore Road adjacent to Fort Industry Industrial Park Plat 1, Lot 17 (Ord. 1060-87).

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 building addition and parking lot at 1212 East Alexis Road. The site is currently occupied by a ±320,000 sq. ft. building with plans for a 76,800 square foot addition and parking lot to the south. The proposed addition with the existing building will result in a total floor area of nearly 400,000 square feet. 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 sixty (60) or more spaces.

Parking and Circulation

The site is accessed by two access points, one from Enterprise Boulevard to the west and one from the Benore Road to the east. Total number of parking spaces provided on site is 303. 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 167 parking spaces are required for the site. The required bicycle parking on site is one (1) space per ten (10) automobile spaces, resulting in thirty-eight (38) spaces. Additionally, the minimum number of accessible parking spaces that must be provided is eight (8) spaces, seven (7) auto-accessible and one (1) van-accessible space.

The site plan submitted depicts a total of 232 existing parking spaces and fifty-four (54) semi parking spaces on-site, with the addition of ninety-one (91) new parking spaces as part of the expansion for a total of 377 parking spaces. The site plan submitted did not depict any bicycle parking spaces or accessible parking spaces. If approved, a revised site plan depicting the bicycle parking and accessible parking shall be submitted in compliance with the Toledo Municipal Code (TMC§1107.0900 & TMC§1107.1700).

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 251 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.

The Division of Transportation does not object to the approval of the submitted site plan, however, they have identified several issues which are listed as conditions of approval. The first condition is the site plan must include the dimensions of the parking stalls and drive aisles, specifically in the area of the proposed modifications. Second, the Division of Transportation requests the existing gravel area shall be surfaced with concrete, bituminous asphalt, or other dust free material other than gravel or loose fill. Third, all parking areas must be marked and striped in accordance with the requirements of the Toledo Municipal Code, and finally the parking on site must include accessible parking for physically disabled persons and meet the requirements of the Toledo Municipal Code. If approved, a revised site plan shall be submitted addressing the Division of Transportations conditions.

As stated in TMC§1107.1906 *Surfacing and Drainage*, 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. The applicant is requesting a waiver of TMC§1107.1906 to allow for unpaved gravel to be used for the fifty-four (54) semi parking spaces located along the southern boundary of the site. Staff is supportive of this waiver because the gravel already exists on site, surrounding land uses are predominantly industrial, and the parking area has no visibility from the right-of-way.

Landscaping

The site was developed before the 2004 zoning code and therefore not required to completely comply with the landscape standards of the 2004 code. However, TMC§1114.0500 Appearance Upgrade for Nonconforming Development, requires futures changes to bring a site closer into compliance with the 2004 code.

STAFF ANALYSIS (cont'd)

Landscaping (cont'd)

The site plan submitted depicts a thirty (30) foot front setback along Alexis Road, Benore Road and Enterprise Boulevard but no existing or proposed landscaping in the frontage greenbelts. 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. Trees are not required to be evenly spaced and may be clustered. In order to bring the site closer into compliance, staff is recommending frontage greenbelts be installed along Benore Road and Enterprise Boulevard in conformance with TMC§1108.0202. If approved, a completed landscaping plan accurately depicting the frontage greenbelts shall be submitted.

Building Materials

The building elevations indicate the use of metal panel siding with concrete or masonry support at the base of the façade to maintain a consist appearance with the existing building. In addition, the elevations depict the addition of new loading/service bays along the south and west facing facades. The south facing elevation also provides a new entryway with a canopy over the door to access the facility. Pursuant to TMC§1109.0400 along major streets, 30% of the building frontage shall not consist of a blank wall and the building façade shall be low-reflectance, 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.

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 “Alexis East 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-38-16, a Major Site Plan Review for a building addition and parking lot at 1212 East Alexis Road 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.

STAFF RECOMMENDATION (cont'd)

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 recommends that the Toledo City Plan Commission approve the waiver requested for a building addition and parking lot at 1212 East Alexis Road:

Chapter 1107.1900 Design Standards

Sec. 1107.1906 Surfacing and Drainage

Approve a waiver of the required surface material, to allow gravel for the fifty-four (54) semi-truck parking spaces.

The staff further recommends that the Toledo City Plan Commission approve SPR-38-16, a Major Site Plan Review for a building addition and parking lot at 1212 East Alexis Road subject to the following fifty (50) 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/upgraded to conform to current 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)

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. Contact the City of Toledo Division of Engineering Services for information regarding the existing water facilities.
8. Submit to the Division of Engineering Services and the Fire Prevention Bureau, an overall plan of the site showing public and private waterlines and public and private hydrant locations. 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.
9. 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.
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.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

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. 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.
13. Proposed waterlines feeding proposed hydrants shall be minimum 8-inch diameter.
14. New fire, domestic, and irrigation taps will be installed by City of Toledo at the owner's expense.
15. The plan submitted for plan commission review indicates earth-disturbing activity greater than 2,500 square feet; therefore, a detailed site-grading plan, Stormwater Pollution Prevention Plan (SWP3) , calculations, plans for stormwater service and a maintenance plan & maintenance agreement for Post-Construction Stormwater Best Management Practices (BMP's) for this project shall be submitted directly to the Division of Engineering Services for stormwater review & approval.
16. Plan submittals shall be in conformance with the latest version of Infrastructure Design and Construction Requirements available at <http://toledo.oh.gov/services/public-utilities/div-engineering-services/plan-review-process/>, including the requirements for stormwater detention and post-construction stormwater BMP's.
17. Existing detention ponds on this site do not meet the current requirements for a Post-Construction BMP (water quality). New detention areas, as shown on plans, will need to meet the requirements for both stormwater detention and Post-Construction BMP's (water quality), and shall be sized, at a minimum, for the proposed disturbed area.
18. 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.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

19. All disturbed land areas over 1 acre must submit an NOI to and obtain a permit from the Ohio EPA.
20. 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>.
21. 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.
22. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
23. No construction work, including any earth disturbing work will be permitted without approved plans and inspection.
24. The property owner currently participates in the Stormwater Credit Program and is grandfathered into the program until March 2018. At which time the property owner will be subject to the requirements of the revised credit manual, including submittal of a Maintenance & Management Plan. It is suggested that the owner may want to consider working with the site engineer to develop a Maintenance & Management Plan for the existing detention or include it with the Maintenance & Management plan required for the new post-construction and detention areas. The property owner may also want to consider retrofitting the existing detention ponds to meet current water quality requirements, which could increase his overall stormwater credit. Information about the Stormwater Credit Program can be found at: <http://toledo.oh.gov/services/public-utilities/div-engineering-services/stormwater-utility-credit-program/>
25. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
26. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.
27. All sanitary sewer manholes in the project area shall have solid lids installed on them.

STAFF RECOMMENDATION (cont'd)

Sewer & Drainage Services

28. All private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
29. 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

30. Fire department access road around the building must be minimum 20' wide and must support the weight of fire apparatus.
31. Private hydrants shall be located along fire access road. Relocate south hydrant along proposed drive.

Division of Environmental Services

32. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.
33. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs.
34. 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.
35. Any green infrastructure measures that can be included to minimize runoff and increase infiltration are highly advisable.
36. 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.
37. 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.

STAFF RECOMMENDATION (cont'd)

Division of Transportation

38. The site plan must include the dimensions of the site including, parking stalls and drive aisles, specifically in the area of the proposed modifications.
39. The existing gravel area is shown to be utilized for parking; the gravel shall be surfaced with concrete, with bituminous asphalt, or other dust free material other than gravel or loose fill.
40. All parking areas must be marked and striped in accordance with the requirements of the Toledo Municipal Code.
41. ADA parking must be included on the site and meet the requirements of the Toledo Municipal Code.

Plan Commission

42. An alternative parking plan shall be submitted to the Director to justify the parking in excess of 150 percent.
43. A revised site plan shall be submitted depicting the location and quantity of proposed bicycle and accessible parking spaces.
44. 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**.
45. 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)).
46. No new free-standing signs greater than forty-two (42) inches from grade are permitted – any proposed signage must meet the requirements of low-profile signs per Toledo Municipal Code Title Nine – Sign Code.
47. A detailed site, lighting, fencing and four (4) copies of a landscaping plan (separate from building & site plans) shall be submitted to the Plan Director for review and approval. Such plan shall include:

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- a. A thirty-foot (30') greenbelt is required along the Benore Road and Enterprise Boulevard frontages, and shall one tree per every 30 feet of frontage; **unacceptable as depicted on site plan, shall be noted on revised landscaping plan.**
 - b. Topsoil must be back filled to provide positive drainage of the landscape area.
 - 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.
 - 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.
 - 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.
 - f. The location, height and materials for any fencing to be installed and maintained; and
 - g. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties).
48. 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.
49. 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.
50. 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.

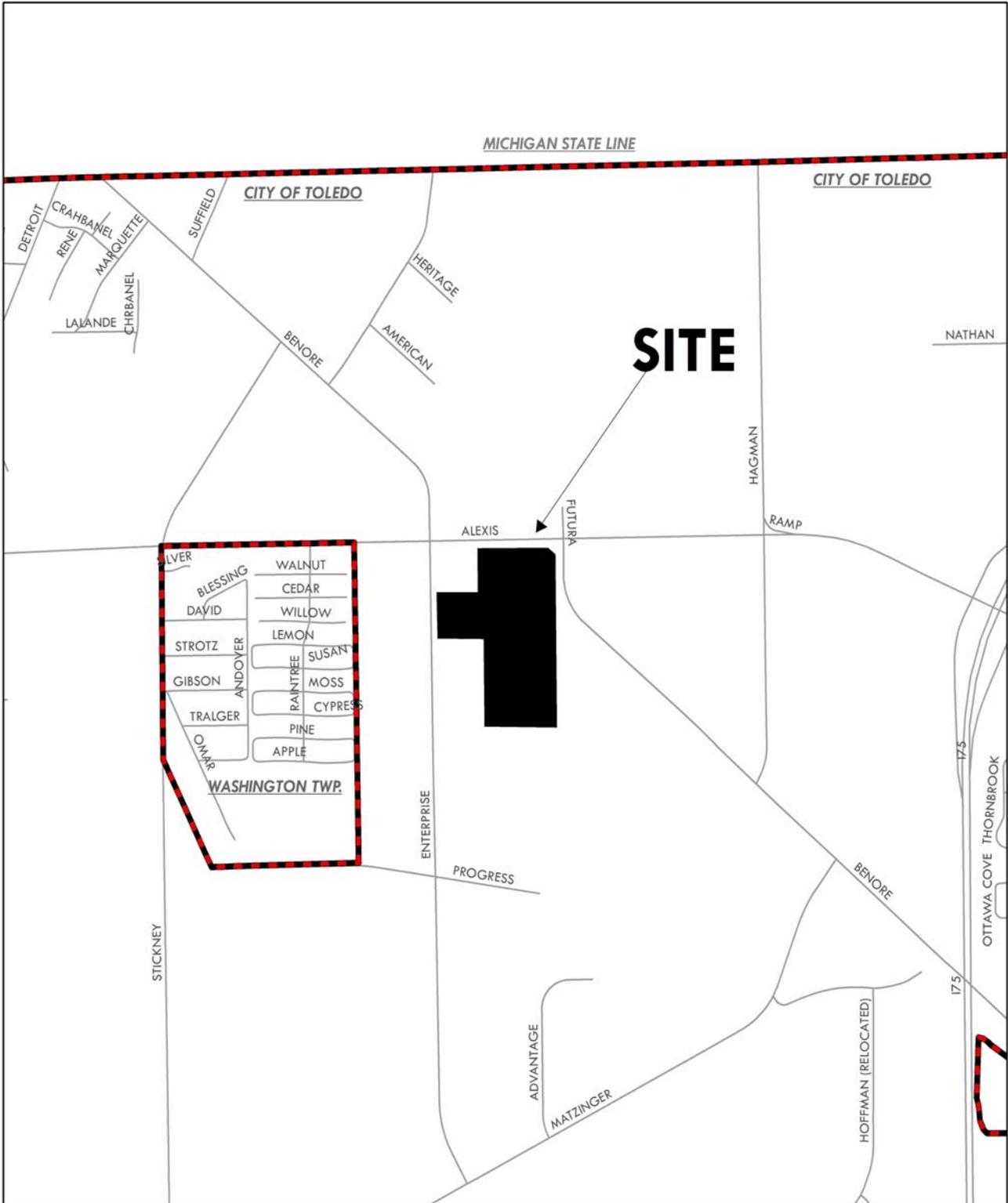
REF: SPR-38-16 . . . October 13, 2016

MAJOR SITE PLAN REVIEW
TOLEDO CITY PLAN COMMISSION
REF: SPR-38-16
DATE: October 13, 2016
TIME: 2:00 P.M.

RS
Five (5) sketches follow

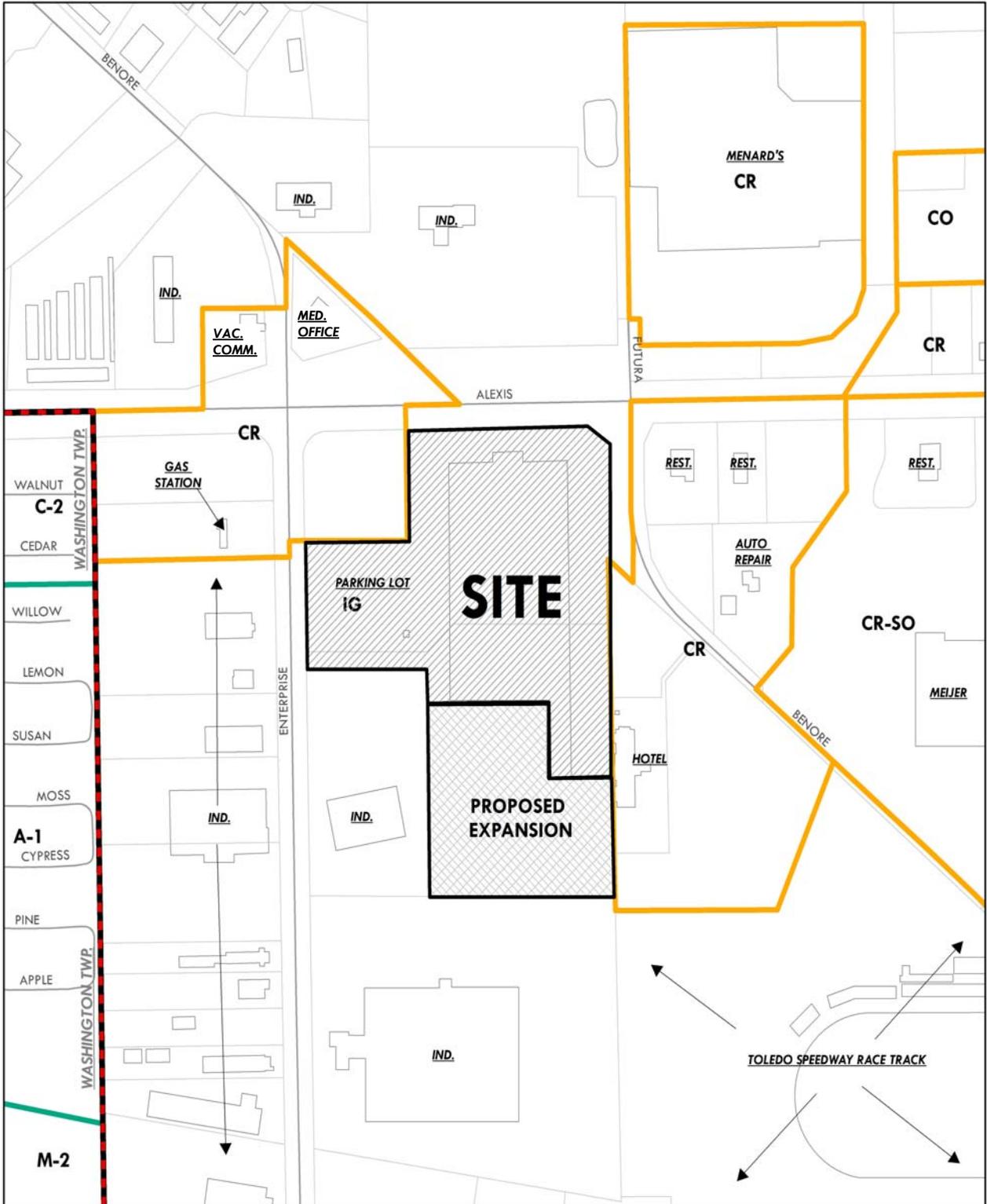
GENERAL LOCATION

SPR-38-16
ID 38



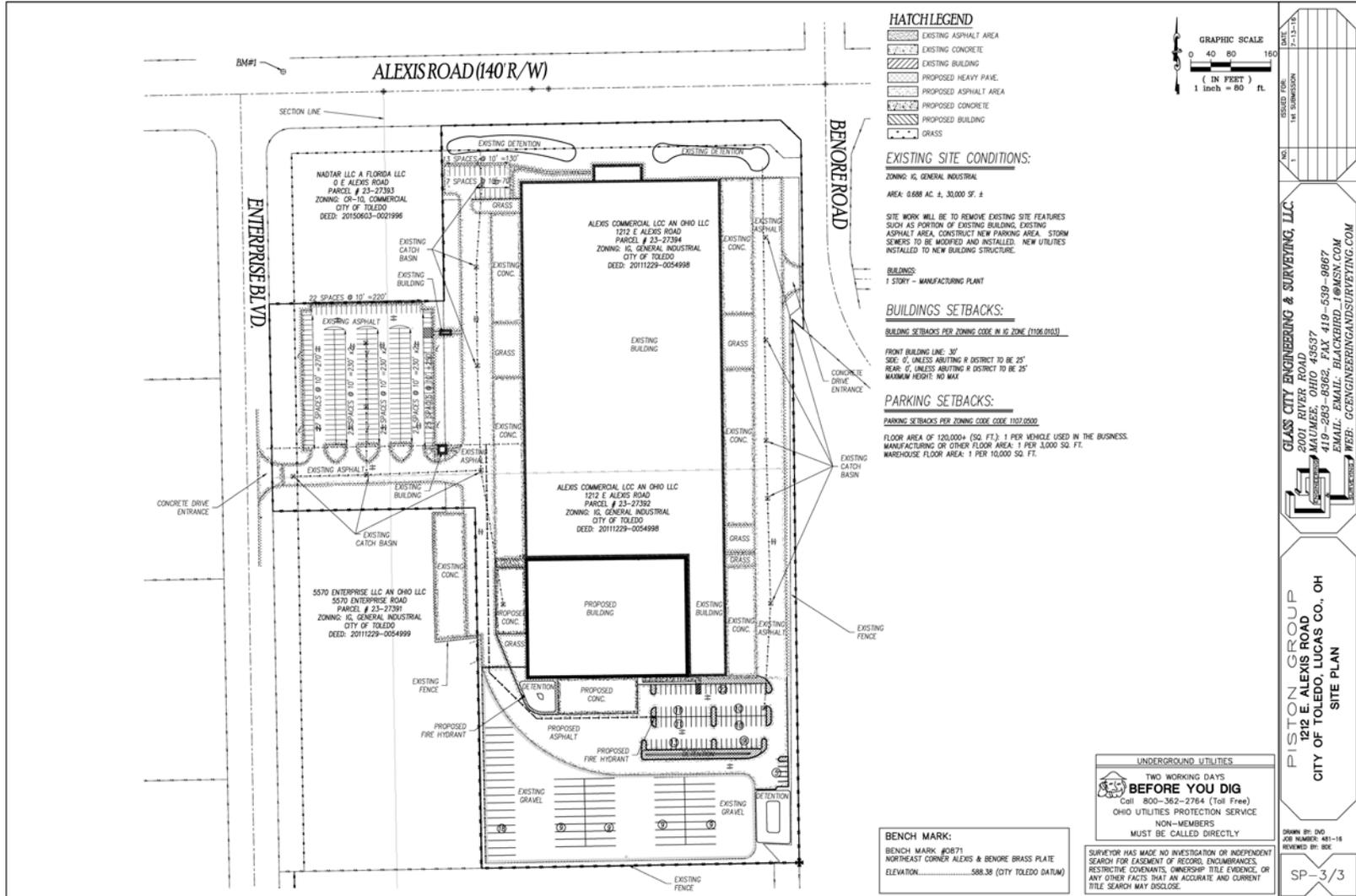
ZONING & LAND USE

SPR-38-16
ID 60



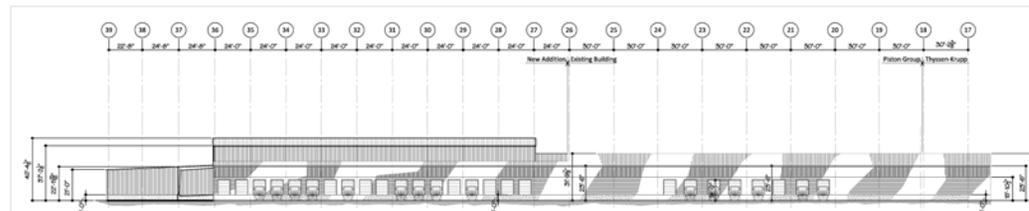
SITE PLAN

SPR-38-16
ID 60



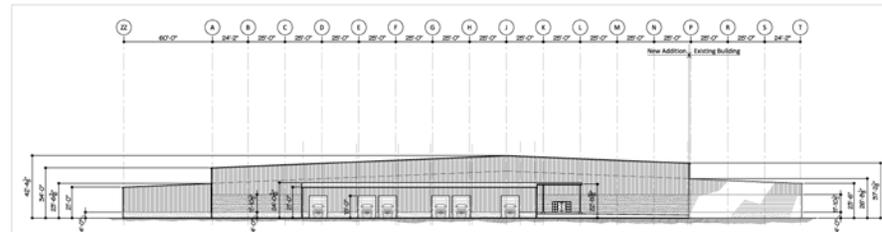
BUILDING ELEVATION

SPR-38-16
ID 60



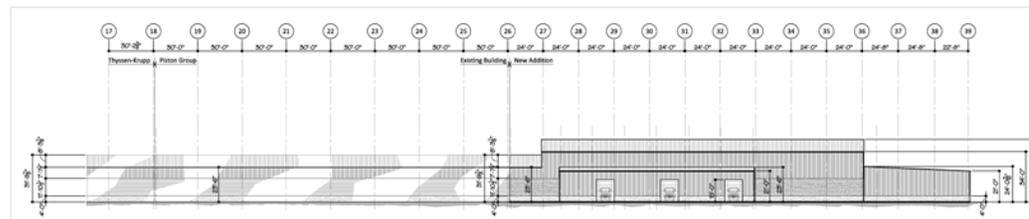
PARTIAL EAST ELEVATION
SCALE: 1/32" = 1'-0"

DIMENSIONS:
1. Contractor to verify all dimensions prior to the start of the Project and adjust items as necessary to achieve the intent of the Construction Documents. Major discrepancies should be reported to the Architect.



OVERALL SOUTH ELEVATION
SCALE: 1/32" = 1'-0"

DIMENSIONS:
1. Contractor to verify all dimensions prior to the start of the Project and adjust items as necessary to achieve the intent of the Construction Documents. Major discrepancies should be reported to the Architect.



PARTIAL WEST ELEVATION
SCALE: 1/32" = 1'-0"

DIMENSIONS:
1. Contractor to verify all dimensions prior to the start of the Project and adjust items as necessary to achieve the intent of the Construction Documents. Major discrepancies should be reported to the Architect.

August 25, 2016
09-25-16 Client Review
09-24-16 Client Review

Proposed South Expansion for the Piston Group
PISTON GROUP
1212 E. Alexis Rd., Toledo, Ohio
VISA NO. 100003

Richard Larson, AIA, NCARB
August 2, 2017
Project: 100003

4 - 16

RENDERING SOUTH & WEST

SPR-38-16
ID 60



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GENERAL INFORMATION

Subject

Request	-	Special Use Permit for urban gardening and hoopouses
Location	-	1320 Broadway Street
Applicant	-	Sophia Quintero Art and Cultural Inc. C/O: Joe Balderas 1225 Broadway Street Toledo, OH 43609
Consultant	-	HONG Inc. C/O: Corky Hong 300 Phillips Avenue Suite #4 Toledo, OH 43612

Site Description

Zoning	-	RD6 / Duplex Residential
Area	-	±1.62 acres
Frontage	-	±365' along Walbridge Avenue
Existing Use	-	Urban Gardening
Proposed Use	-	Addition of Greenhouses

Area Description

North	-	Unity Community Church / RD6
South	-	Two-Family Dwellings / RD6
East	-	Single Family Home / RD6
West	-	Two-Family Dwellings / RM36, CS

Parcel History

None on Record

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a site located at 1320 Broadway Street to facilitate the development of urban gardening and hoopouses in an urban area. The site consists of three (3) parcels and is ± 1.62 acres of total land area that is currently undeveloped. The site is a corner lot with frontage on Broadway Street and Walbridge Avenue. Efforts to revitalize Broadway Street and the surrounding community are currently underway. These efforts include (but not limited to) mural painting, urban gardening, land beautification, and vacant lot identification for reallocation. The letter of intent states that the existing gravel parking area on the site will be removed and landscaped with native plants.

The Sofia Quintero Art and Cultural Center (SQACC) intends on erecting hoopouses and utilize the existing above ground planter boxes to provide year-round production of fresh produce. The Seagate Food Bank has agreed to donate a 30' X 96' hoopouse to be placed on the site. The proposed development is part of the Broadway Urban Gardens and Greenspace (BUGG) initiative in the Old South End. The focus of the initiative is to develop plant-growing installations at this site and other community gardens throughout the neighborhood.

Urban gardening is becoming a popular trend in which vacant lots that are located in an urban setting are repurposed for producing fruits and vegetables. There are many benefits from urban gardening. One result of urban gardening is the food security movement where locally grown food is given precedence and thus providing low-cost and nutritious food. Gardening programs in inner-city schools have also become increasingly popular as a way to teach children about healthy eating habits and to encourage students to become active leaders. In addition, a community garden is more beneficial than a lawn or park and serves as a valuable access to nature where wilderness is unavailable.

The letter of intent states that the existing gravel parking area on the site will be removed and landscaped with native plants. A fifteen (15') foot wide frontage greenbelt is required along Broadway Street and at least one (1) tree must be provided for every thirty (30') feet of lot frontage or fraction thereof. Calculations conclude that a total of ten (10) trees are required in the frontage greenbelt along Broadway Street. Existing trees should be incorporated into the landscape plan to the maximum extent. Credit may be given to existing canopy trees, evergreen trees and understory trees according to the criteria outlined in TMC§1108.0407. Trees are not required to be evenly spaced and may be clustered. The site is existing and therefore is only required to be brought closer to compliance.

The site was once occupied by Jones Junior High School and the gravel area is a remnant of the former land use. As a condition of approval, the applicant is required to remove the gravel area and install the appropriate landscaping within two (2) years of the approval of the Special Use Permit. No on-site parking is intended and instead, parking is proposed a short distance (approximately 350 feet) away at the Sofia Quintero Art and Cultural Center. The Division of Transportation has deemed the proposed parking scheme acceptable.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Urban Village and Parks and Open Space land uses. The intent of the Urban Village designation is to accommodate the development of a neighborhood in a village-like setting. Some characteristics include walkability, important public spaces, and they are efficiently served by public transit. The POS Parks and Open Space district is a Special Purpose land use classification intended to preserve and enhance major open space and recreational areas by protecting the natural amenities they possess and by accommodating development that is compatible with those natural amenities. The POS classification may also be applied to privately-owned open space areas within residential developments.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-7003-16, a request for a Special Use Permit for urban gardening and greenhouses located at 1320 Broadway Street, to the Toledo City Council, for the following two (2) reasons:

1. The proposed use complies with all applicable provisions of this Zoning Code (TMC§1111.0706.B);
2. The proposed use complies with the Toledo 20/20 Comprehensive Plan.

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-7003-16, a request for a Special Use Permit for urban gardening and greenhouses located at 1320 Broadway Street, to the Toledo City Council, subject to the following thirty-five (35) conditions:

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

Engineering Services

1. 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 419-245-1341
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 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.

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. If water services exist that will not or cannot be reused, they shall be abandoned by the City of Toledo at the developer's expense.
8. Detailed plans for 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.
9. 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.

STAFF RECOMMENDATION (cont'd)

Engineering Services (cont'd)

10. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.
11. New fire, domestic, and irrigation taps will be installed by City of Toledo at the developer's expense.
12. Plans submitted plan commission review indicate 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 stormwater review & approval.
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/>. Since this project is located in a combined sewer area a post-construction stormwater best management practice (BMP) is not required, however stormwater detention and the use of construction BMP's (silt fences, catch basin protection, etc.) still apply.
14. Any person performing earth-disturbing activities within the City of Toledo shall employ Construction Best Management Practices (BMPs).
15. 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.
16. A site specific Stormwater Pollution Prevention Plan (SWP3) shall be submitted for review and approval. The SWP3 shall address all components required per the latest Ohio EPA General Stormwater NPDES permit.
17. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
18. No construction work, including grading, will be permitted without approved plans and inspection.

STAFF RECOMMENDATION (cont'd)

Sewer & Drainage Services

19. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm and sanitary) be cleaned and inspected.
20. 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.
21. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs.
22. 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.
23. Applicant shall follow contact the Lucas County Soil and Water District office for guidance on appropriate soil analysis to determine and reduce the risk of pollutants in the soil that are normally encountered in urban environments.
24. Applicant shall maintain compliance with the City of Toledo and the State of Ohio's Air Quality Regulations applicable in the Toledo Municipal Code including, but not limited to Anti-Noise Laws.

Fire Prevention

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

Transportation

25. The Division of Transportation accepts the alternative parking plan and does not object to the approval of the site plan by the Plan Commission.

Plan Commission

26. 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**).

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

27. Off-street parking and loading, spaces, parking lots, maneuvering areas, aisles and driveways must be surfaced with concrete, bituminous asphalt, or other dust free material other than gravel or loose fill, and be graded to drain all surface water towards the interior parking lot (TMC§1107.1906).
28. The applicant shall remove the gravel area and install the required landscaping within two (2) years of the approval of the Special Use Permit.
29. The construction of the hoop house shall be subject to the requirements of the City of Toledo Division of Building Inspection.
30. Outdoor storage of materials, if applicable, shall meet the requirements of TMC§1108.0203.H.
31. Any future fencing shall meet the requirements of TMC§1105.0300.
32. Accessory structures, if developed, shall meet the requirements of TMC§1105.0201.
33. A detailed site, lighting, 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. Thirty (30') foot wide frontage greenbelts are required along all public right-of-way, but not including alleys. Calculations conclude that a total of ten (10) trees are required in the frontage greenbelt along Broadway Street only. Trees are not required to be evenly spaced and may be clustered.
 - b. Existing trees should be incorporated into the landscape plan to the maximum extent. Credit may be given to existing canopy trees, evergreen trees and understory trees according to the following criteria outlined in TMC§1108.0407.
 - 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;
 - d. Topsoil must be back filled to provide positive drainage of the landscape area;

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- e. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards;
 - f. Landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation shall be required for projects of over ½ acre in site area. Irrigation plans must be submitted with development plans and must contain all construction details.
 - g. **If applicable;** 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).
34. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
35. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

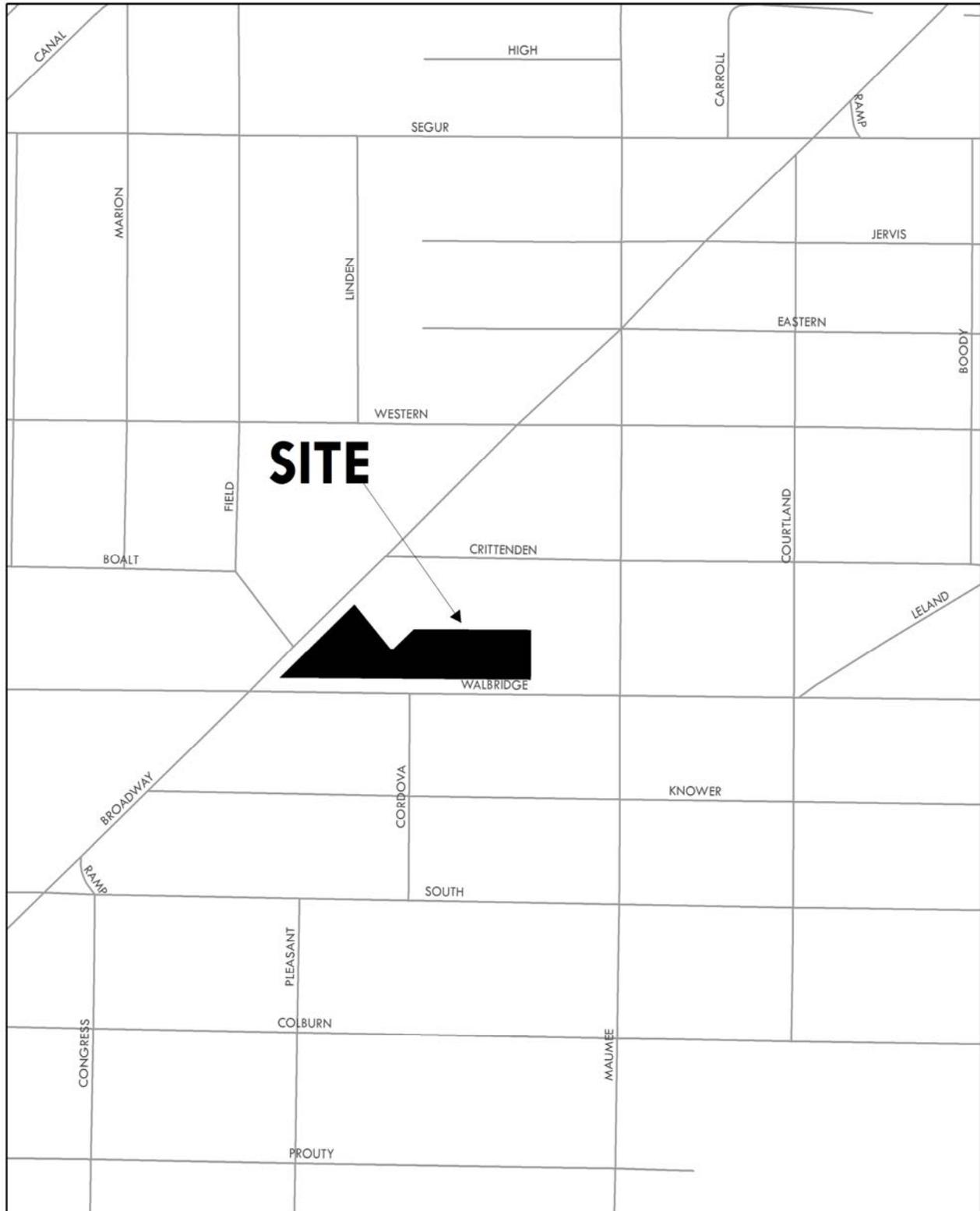
SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-7003-16
DATE: October 13, 2016
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: November 16, 2016
TIME: 4:00 P.M.

GP
Three (3) sketches follow

GENERAL LOCATION

SUP-7003-16
ID 12



ZONING & LAND USE

SUP-7003-16
ID 12



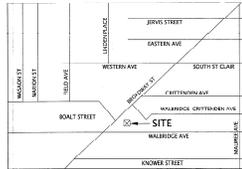
SITE PLAN

SUP-7003-16
ID 12



LEGAL DESCRIPTION

- 1320 BROADWAY AVENUE AND THE LOT NUMBERS 84, 85, 86, 87, 88, AND THE SOUTHWEST 20 FEET OF LOT 89, TOGETHER WITH THE ALLEY ADJACENT AND VACATED AND LOTS 149, 150, 151, 152, 153 154, 155 AND 156 ALL IN THE PLAT OF DANIELS ADDITION SUBDIVISION IN THE CITY OF TOLEDO, LUCAS COUNTY, OHIO IN ACCORDANCE WITH VOLUME 28 OF PLATS, PAGE 5 PARCEL NO. 04-0109] ASSESSOR NO. 07-246-012.0
- 522 WALBRIDGE AVENUE THE PLAT OF DANIELS ADDITION LOT 148 IN THE CITY OF TOLEDO, LUCAS COUNTY, OHIO PARCEL NO. 04-01461 ASSESSOR NO. 07-246-011.0
- 528 WALBRIDGE AVENUE THE PLAT OF DANIELS ADDITION LOT 147 IN THE CITY OF TOLEDO, LUCAS COUNTY, OHIO PARCEL NO. 04-01457 ASSESSOR NO. 07-246-010.0



LOCATION MAP
NOT TO SCALE

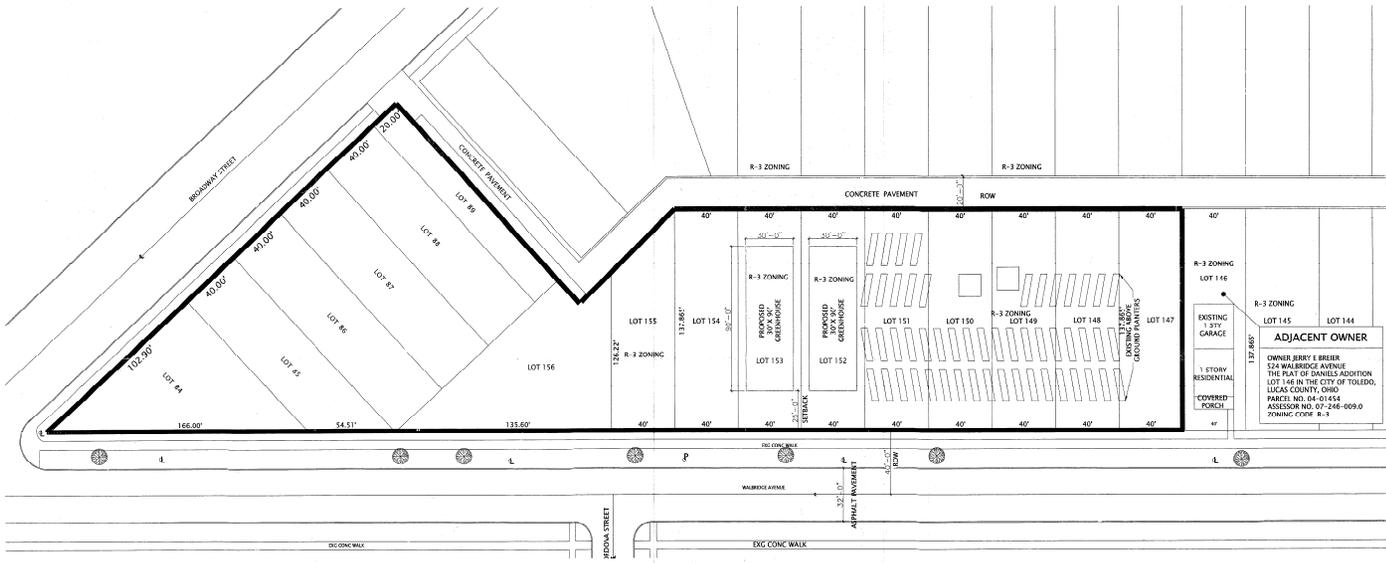
DEVELOPER:
SQUACC
1225 BROADWAY STREET
TOLEDO, OH 43609

NOTE:
SPECIAL USE PERMIT FOR
URBAN GARDEN AREA IN A
RESIDENTIAL ZONE R-3

HONG INC.
300 Phillips Avenue, Suite #4
Toledo, Ohio 43612
Cathy Hong
ph: 419-729-2000
email: cathy.hong@cbaink.net



Site Review Plan
Proposed Removations
Sofia Quintana Art & Cultural Center
1225 Broadway Street
Toledo, Ohio 43609



- GENERAL NOTES
1. DRAWINGS ARE SCHEMATIC AND EXACT CONDITIONS MUST BE VERIFIED AT THE SITE. ANY CONFLICTS BETWEEN THE CONSTRUCTION DOCUMENTS AND ACTUAL CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER FOR RESOLUTION BEFORE WORK CONTINUES.
 2. ALL WORK SHALL CONFORM TO ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS.
 3. PROVIDE BLOCKING IN WALLS FOR WALL MOUNTED ITEMS.

SITE PLAN
SCALE: 1"=30'-0"

REVISIONS

DATE	07.22.16
SCALE	AS NOTED
DRAWN BY	
CHECKED BY	
JOB NO	16-018
DATE PLOTTED	16-018.dwg(C1.0)

C1.0

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PLOTTED: 08-22-16

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GENERAL INFORMATION

Subject

- Request - Special Use Permit for convenience store with kayak rental facility
- Location - 4465 North Summit Street
- Applicant - Eric Renzhofer
Greater Metropolitan Title, LLC.
6325 Orchard Grove Lane
Toledo, OH 49267

Site Description

- Zoning - CR Regional Commercial
- Area - ± 0.5 acres
- Frontage - ± 115' on North Summit Street
± 178' on 101st Street
- Existing Use - vacant car wash/ drive-thru convenience store
- Proposed Use - convenience store with kayak rental facility
- Parking Required - 9 parking spaces (1 per 300 square feet of floor area (2,572 sq ft)) + 1 bicycle parking space
- Parking Provided - 12 parking spaces

Area Description

- North - 101st Street, commercial building / CR
- South - U.S. Post Office, Shopping Center / CR
- East - Summit Street, Cullen Park, Lake Erie / RS6
- West - Single-family Residential / RS6

Parcel History

- Z-203-60 - R-2 to C-3 at SW corner of 101st & Summit Street (P.C. rec. approval on 10/6/1960, C.C. approved on 10/31/1960 by Ord. 752-60).
- Z-238-82 - R-2 to C-3 at rear of 4465 N. Summit Street (P.C. rec. approval on 11/16/1982, C.C. approved on 1/12/1983 by Ord. 102-83).

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

- | | | |
|-------------|---|--|
| SUP-239-82 | - | SUP for a carwash bldg addition for office storage at 4465 N. Summit Street (P.C. rec. approval on 11/16/1982, C.C. approved on 1/12/1983 by Ord. 103-83). |
| SUP-239-82 | - | Minor change to Special Use Permit granted by Ord.103-83 for car wash/gas sales facility at 4465 N. Summit Street (Ord. 895-88). |
| SUP-4001-95 | - | SUP for drive-thru convenience store at 4465 N. Summit Street (P.C. rec. approval on 8/10/1995, C.C. approved on 10/4/1998 by Ord. 624-95). |
| D-2-95 | - | Drive-thru convenience store at 4465 N. Summit Street (P.C. approved with conditions on 8/10/1995). |

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 for a convenience store with kayak rental facility at 4465 North Summit Street. The 0.5 acres site is a corner lot with frontage on both North Summit Street and 101st Street. The site is occupied by an existing structure previously used as an automotive car wash and later a drive-through convenience store. Surrounding land uses include a commercial building to the north across 101st Street, the City of Toledo's Cullen Park and Lake Erie to the east across Summit Street, a U.S. Post Office to the south and a single family residence to the west.

The applicant is proposing to open a convenience store which will specialize in kayak/canoe rentals, bait/tackle, and typical marina supplies. The applicant also plans to install an indoor fish cleaning station in order to cater to the anglers and boaters that frequent the City of Toledo's Cullen Park and Lake Erie. A Special Use Permit is required due to the store selling additional food and beverage items. The site was previously occupied by a convenience store with a Special Use Permit, but because the site was vacant for a year (TMC§1111.0707(A)(3)), the permit is not longer valid.

STAFF ANALYSIS (cont'd)

Convenience Store Regulations

As defined in TMC§1116.0217, any prepackaged food and beverage retail sales facility that occupies a floor area of less than 5,000 square feet is considered a convenience store. The hours of operation of a convenience store may be limited to 5:30 a.m. to 1 a.m., or other hours consistent with a liquor permit issued by the State of Ohio, as a condition of development approval. Particular attention will be given to convenience stores located adjacent to any residential district, school, place of religious assembly, park, or playground (TMC§1104.0601).

The Special Use permit granted for a convenience store shall be subject to review on an annual basis and may be amended or revoked by action of City Council in consultation with the Plan Commission if said convenience store is determined to have significant negative secondary effects that have not been sufficiently alleviated under zoning, building or health code regulations (TMC§1104.0602).

A convenience store shall not be located within a 1,000 foot radius of a school, public park, public library, licensed child day care center, or other use established specifically for the activities of minors (TMC§1104.0603(B)). Separation distances between a proposed use and existing use or district are measured from property line to property line by the shortest distance. For leased space in multi-tenant properties, the measurement shall be from the outer boundaries of the leased space (TMC§1106.0208). There are two uses that trigger spacing violations established within the required 1,000 foot radius. The City of Toledo's Cullen Park is located directly across Summit Street from the proposed convenience store. As well as "Happiness Is...Child Care Center", located at 4549 North Summit Street, currently operates as a day care center and within 500 feet of the proposed convenience store.

Parking and Circulation

Pursuant to TMC§1107.0400 – *Off-Street Parking Schedule B*, a food and beverage retail sales facility under 50,000 square feet is required to have one (1) parking space per every 300 square feet of floor area and one (1) bicycle parking space per ten (10) parking spaces. Per TMC§1107.1700, a portion of the total number of required off-street parking spaces must be specifically for use by persons with physical disabilities. One (1) van-accessible parking space is required on site. Van-accessible spaces must have at least an eight (8) foot wide aisle abutting the designated parking space.

The site plan depicts two (2) access drives onto Summit Street and one (1) access drive on 101st Street and a total of 12 parking spaces on site. Calculations using the square footage of floor area conclude that nine (9) parking spaces are required. The site plan submitted meets the minimum parking spaces required however it does not depict the required one (1) bicycle parking space or one (1) van-accessible space. If approved, staff recommends one of the parking spaces closest to the entrance be designated as a van-accessible parking space.

STAFF ANALYSIS (cont'd)

Parking and Circulation (cont'd)

The Division of Transportation has requested the northern access drive onto Summit Street be closed. This item is listed as a condition of approval. In the event the northern 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 parking in the front and an expansion of the frontage greenbelt.

The site plan submitted did not depict the use of the existing drive-through facilities. A revised site plan depicting vehicle stacking spaces shall be submitted in conformance with TMC§1107.1600 and subject to approval by the Division of Transportation. Additionally, drive-through facilities are subject to additional use regulations as listed in TMC§1104.0800.

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 changes to bring a site closer into compliance with the 2004 code. The landscaping plan submitted depicts existing plantings along the foundation of the building and the residentially zoned parcel to the west. The landscaping plan proposes eight (8) shrubs and two (2) decorative trees in the frontage along Summit Street as well as sixteen (16) shrubs and seven (7) decorative trees in the frontage along 101st Street. The landscaping plan also depicts existing landscaping on site which consists of foundation plantings and arborvitae screening to the west. While the proposed landscaping brings the site closer into compliance with the zoning code, staff recommends the installation of additional shrubs along the northern half of the western property line in order to better screen the parking lot and vehicle headlights from the abutting residential home. Additionally, in the event recreational equipment is stored outside, a revised site plan shall be submitted depicting the location of the outdoor storage area with landscaping and fencing to screen from abutting properties.

Maumee Riverfront Overlay District

The location of the property sits directly across from the boundaries of the Maumee Riverfront Overlay District (MRO). As stated in TMC§1103.0403, the intention of the MRO District is to provide for public access to the waterfront; improved scenic and aesthetic controls, improved transportation coordination and capability, and the coordination of residential, recreational, commercial and industrial land uses. The proposed land use is comparable to the types of commercial uses that support recreational activities and typically locate along waterfronts or within marinas. The proposed land use is consistent with the intentions of the MRO and would provide services to visitors of Cullen Park and Lake Erie.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Neighborhood Commercial land uses. This portion of Summit Street is commercial in nature and the Toledo 20/20 Comprehensive Plan identifies the area as Neighborhood Commercial. CN land uses typically include predominantly small and medium scale commercial uses that serve neighborhoods although it may include small and medium scale office and mixed uses. The proposed land use is consistent with the current zoning designations of properties established in the immediate area north and south of the site. However, staff recommends disapproval of the Special Use Permit for this location because it is in violation of spacing requirements as listed in TMC§1104.0603(B). As a result, the proposed use does not meet 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 disapproval of SUP-8003-16, a Special Use Permit for a convenient store with kayak rental facility at 4465 N. Summit Street, to Toledo City Council for the following three (3) reasons:

1. The proposed use is in violation of spacing requirements as listed in TMC§1104.0603(B).
2. The proposed use does not meet the stated purpose of this Zoning Code (TMC§1111.0706.A Review & Decision Making Criteria);
3. The proposed use does not comply with all applicable provisions of this Zoning Code (TMC§1111.0706.B Review & Decision-Making Criteria); and

The staff recommends the Plan Commission make the following recommendation to the Toledo City Council on the waiver requested for a convenient store with kayak rental facility at 4465 N. Summit Street:

Chapter 1104.0600 Convenience Stores

Sec. 1104.0603 Spacing Requirements

No recommendation on a waiver of the 1,000 foot radius spacing requirement from a school, public park, public library, licensed child day care center, or other use established specifically for the activities of minors.

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

REF: SUP-8003-16... October 13, 2016

SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-8003-16
DATE: October 13, 2016
TIME: 2:00 P.M.

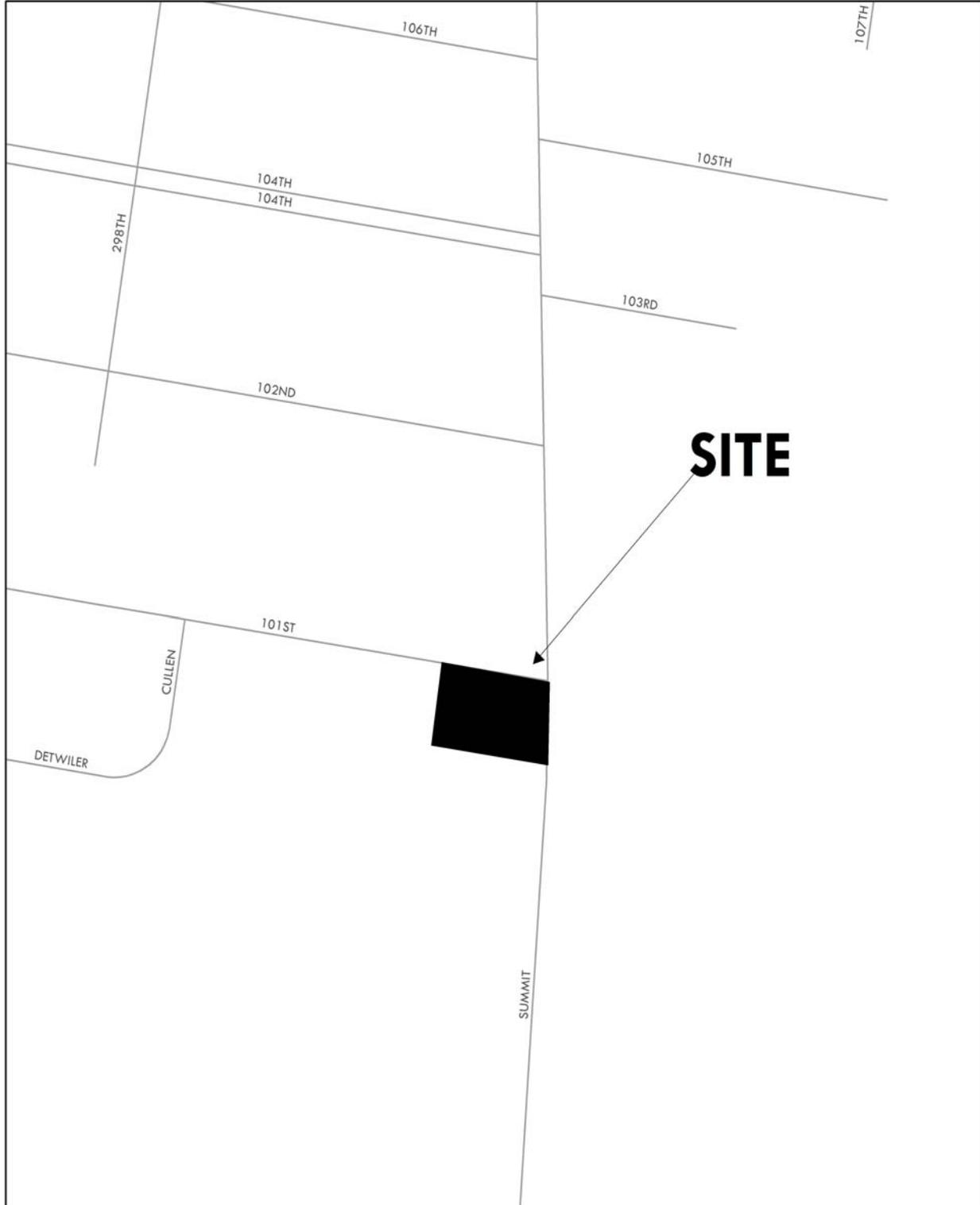
TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: November 16, 2016
TIME: 4:00 P.M.

RS

Four (4) sketches and one (1) exhibit follows

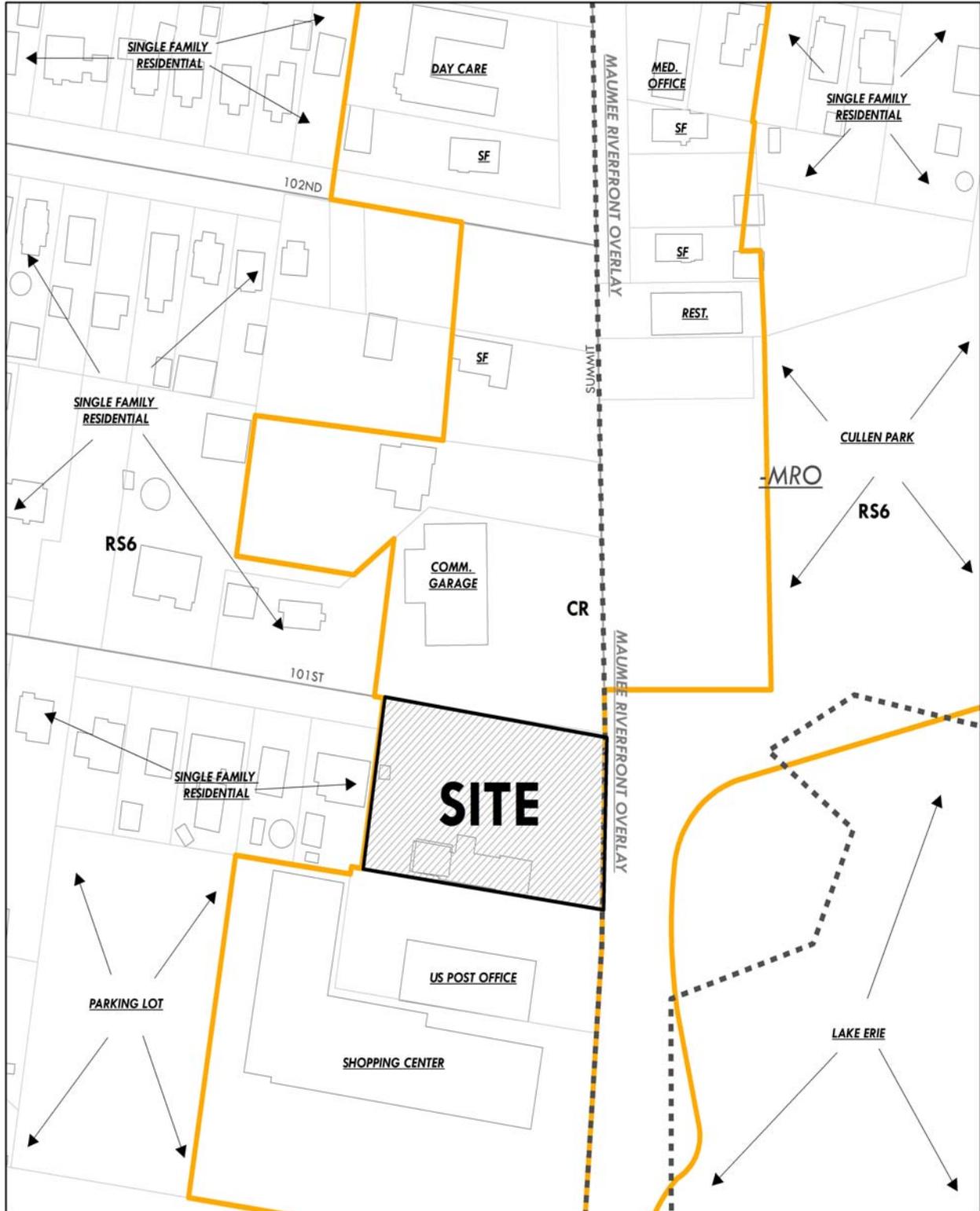
GENERAL LOCATION

SUP-8003-16
ID 63



ZONING & LAND USE

SUP-8003-16
ID 63



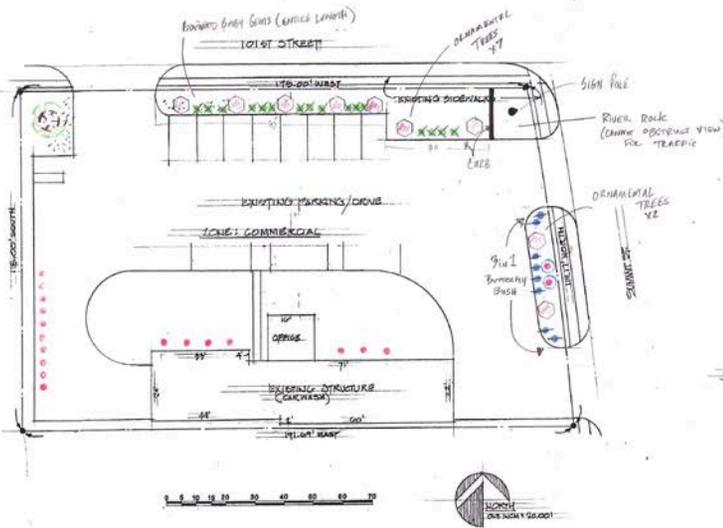
LANDSCAPE PLAN

SUP-8003-16
ID 63



SPECIAL USE PERMIT
4445 N. SUMMIT ST.
IN THE CITY OF TOLEDO, LUCAS COUNTY

LANDSCAPE PLAN



LEGEND

- - Existing Approximates 10'-12" Tall
- ⊗ - To Be Removed by Owner - OBSTRUCTS VIEW FROM 101ST STREET
- ⊙ - Existing Tree
- ⊗ - Ornamental Tree
- X - Butterfly Bush
- ◆ - 3 in 2 Butterfly Bush

LEGAL DESCRIPTION OF PARCEL # 18786641
That part of the A. Lamar Tract, City of Toledo, Lucas County, Ohio, bounded and described as follows: Beginning at the intersection of the southerly line of 101st Street with the westerly line of Summit Street (60 feet wide); thence West, along the southerly line of 101st Street, a distance of one hundred seventy-five (175.00) feet; thence South, at right angles to the southerly line of 101st Street, a distance of one hundred eighty-two (182.00) feet to a point which is two hundred eighty-two (282.00) feet North of the South line of said A. Lamar tract; thence East, parallel to the South line of said A. Lamar tract, a distance of one hundred sixty-one and sixty-six hundredths (161.66) feet to the westerly line of Summit Street; thence Northwesterly, along the westerly line of Summit Street, and along an arc having a radius of two thousand eight hundred thirty-four and seventy-nine hundredths (2834.79) feet with a closed bearing of North eight (08) degrees three (03) minutes two (02) seconds West, a distance of one hundred nineteen and seventeen hundredths (119.17) feet to the place of beginning.

Owner
Property Address
Mailing Address
GREATER METROPOLITAN TITLE LLC AS TR
(ERIC KEATZHOFFER)
4445 N SUMMIT ST
TOLEDO OH 43611
6325 ORCHARD GROVE LN
OTTAWA LAKE MI 49267
419-774-0016

Sheet One of One

6 - 10

Exhibit "A"
Review Agency Conditions

The following thirty-two (32) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Division of Engineering Services

1. 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 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.

Exhibit “A” (cont’d)

Division of Engineering Services (cont’d)

6. Plan commission submittal does not detail any revisions to the existing site that will require earth-disturbing activity of 2,500 or more square feet, nor are any changes shown to the existing storm sewer system. Therefore it appears that there are no items requiring a 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

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

Fire Prevention

No concerns.

Division of Environmental Services

9. Applicant shall maintain compliance with the City of Toledo’s Stormwater regulations as specified in the Toledo Municipal Code.
10. Applicant shall maintain compliance with Ohio EPA’s General Stormwater NPDES permit programs.
11. Any green infrastructure measures that can be included to minimize runoff and increase infiltration are highly advisable.

Exhibit “A” (cont’d)

Division of Environmental Services (cont’d)

12. Applicant shall maintain compliance with the City of Toledo’s stormwater regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential stormwater impacts from the facility, including but not limited to long-term operation and maintenance of both structural and non-structural Best Management Practices.
13. Applicant shall maintain compliance with the City of Toledo and State of Ohio’s Air Quality Regulations applicable in the Toledo Municipal Code and the Ohio Administrative Code including, but not limited to the Anti-Noise Laws and Asbestos abatement.

Division of Transportation

14. The northernmost Summit St. drive shall be removed. Unused drive approaches shall be completely removed and new curbs and sidewalks shall be installed in accordance with City of Toledo Construction Standards.
15. The dimension of standard parking spaces is 9’ x 18’; the 17’ parking stalls shall be extended to meet minimum requirements.
16. The parallel parking spaces shall be extended to a length of 22’ to meet best practices.
17. ADA parking must be included on the site and meet the requirements of the Toledo Municipal Code.

Plan Commission

18. One (1) van-accessible parking space is required on the site and must meet the requirements of the Toledo Municipal Code (TMC§1107.1700).
19. One (1) bicycle parking space is required on the site and must meet the requirements of the Toledo Municipal Code (TMC§1107.0900).
20. Drive-through facilities are subject to use regulations in TMC§1104.0800, number of vehicle stacking spaces in TMC§1107.1600 and subject to approval by the Division of Transportation. **If applicable, a revised site plan depicting vehicle stacking spaces shall be submitted.**
21. Recreational equipment stored outside shall be subject to additional landscaping and fencing to screen from abutting properties. **If applicable, a revised site plan shall be submitted depicting the location of the outdoor storage area.**

Exhibit “A” (cont’d)

Plan Commission (cont’d)

22. No free-standing signs greater than forty-two inches from grade are permitted – proposed signage must meet the requirements of low-profile signs per *Toledo Municipal Code Title Nine – Sign Code*.
23. 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**).
24. 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**).
25. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
26. Whenever a parking lot extends to a property line, sidewalk, planting strip, or building, a wheel stop device consisting of a concrete stop, a permanent concrete curb, an expanded sidewalk or other suitable restraint as approved by the Planning Director must be installed to prevent any part of a parked motor vehicle from extending beyond the property line, overhanging a pedestrian walkway or sidewalk, or damaging any structure or landscaping (TMC§1107.1907(A)).
27. Off-street parking and loading spaces, parking lots, maneuvering areas, aisles and driveways must be surfaced with concrete, bituminous asphalt, or other dust-free material other than gravel or loose fill, and be graded to drain all surface water towards the interior of the parking lot.
28. If the existing building is rebuilt or modified in the future, the building design shall meet the requirements of TMC§1109.0500 *Building Façade Materials and Color*. Exterior building materials shall not include concrete blocks, concrete panels or wood sheet goods as a predominant material. EIFS may not constitute more than 15% of the exterior for facades visible from the public right-of-way. The façade colors shall be low-reflectance, subtle, neutral or earth tone colors.
29. A detailed site, lighting, 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:

Exhibit “A” (cont’d)

Plan Commission (cont’d)

- a. A frontage greenbelt is required along the Summit Street and 101st Street frontages, and shall include a solid evergreen hedge planting and one canopy tree per every 30 feet of frontage; **acceptable as depicted on landscaping plan.**
- b. A Landscape Buffer is required along the rear of the property where the site abuts residential zoning. This buffer shall include a solid row of shrubs or fence or masonry wall; **acceptable as depicted on landscaping plan, staff recommends buffer be installed along the entire western property line.**
- 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; **acceptable as depicted on landscaping plan.**
- d. Foundation plantings for the full street-facing building elevation; and landscape areas at major building entrances; **acceptable as depicted on landscaping plan.**
- e. All parking spaces must be within 100 linear feet of a landscaped area; **acceptable as depicted on landscaping plan.**
- f. Topsoil must be back filled to provide positive drainage of the landscape area.
- g. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage; **acceptable as depicted on landscaping plan.**
- h. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards; **acceptable as depicted on landscaping plan.**
- i. 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.
- j. The location, height and materials for any fencing to be installed and maintained; and

Exhibit “A” (cont’d)

Plan Commission (cont’d)

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

GENERAL INFORMATION

Subject

- Request - Zone Change from RM36 Multi-Dwelling District and CR Regional Commercial to CR Regional Commercial
- Location - 208 Woodruff Avenue, 2002 Ashland, and 2016 Ashland including the portion of the alley
- Applicant - Thomas M. Wernert Center
208 Woodruff Ave
Toledo, OH 43604
- Architect - David B. Wilson
306 Industrial Pkwy
Bowling Green, OH 43402

Site Description

- Zoning - CR Commercial Regional and RM36 Multi-Dwelling District
- Area - 2.44-acres
- Frontage - 172' along 208 Woodruff Avenue, 128' along 2002 Ashland, and 141' along 2016 Ashland
- Existing Use - Community outreach center
- Proposed Use - Community outreach center to be expanded and campus

Area Description

- North - Apartment buildings / RM36
- South - Commercial buildings / CR
- East - Multi-Family Dwellings and parkland / RM36
- West - Church and Zepf Center / CO

Parcel History

- V-271-65 - Vacate a portion of the alleys bounded by Ashland, Floyd, Irving, and Putnam (Plan Commission recommended approval on 11/18/65).

GENERAL INFORMATION (cont'd)

Parcel History

- M-22-71 - Special Study for reduction in parking lots for an area bounded by Ashland, Irving, Putnam, and Floyd (Plan Commission recommended approval on 7/29/71).
- V-291-75 - Vacate portions of the alley bounded by Irvine St. from Ashland Ave. to Putnam St. (Plan Commission recommended approval on 10/22/75).
- Z-208-82 - Zone Change from C-2 to R5 located at NE side of Ashland between Floyd Irving St. (Plan Commission recommended approval on 10/5/82, City Council approved 12/1/82 by Ord. 44-83).
- Z-209-82 - Zone Change for an area bounded by Bancroft, Fulton, & Woodruff (Plan Commission recommended approval on 10/5/82, City Council approve on 12/1/82 by Ord. 44-83).
- M-22-82 - Admin changes in Warren Sherman Renewal Area (Plan Commission recommended approval on 10/5/82, City Council approved on 12/1/82 by Ord. 32-83).
- V-246-08 - Vacate alley bounded by Ashland, Woodruff, Putnam & Irving (Withdrawn by applicant in 2008).
- V-173-16 - Vacation of a portion of the alley bounded by Ashland, Woodruff, Putnam and Irving Streets (Plan Commission recommended approval on 6/19/16, awaiting City Council Ord. in the next 30 days).
- SUP-7002-16 - Special Use Permit for Community Recreation for an outreach community center expansion and campus.

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Zone Change from RM36 Multi-Dwelling District and CR Regional Commercial to CR Commercial Regional for a site located at 208 Woodruff Avenue, 2002 Ashland, and 2016 Ashland including a portion of the alley. The 2.44-acre site is located at the northeast corner of Ashland and Woodruff. The applicant is proposing to use the site for an expansion of the existing Wernert Center, which is currently a legal non-conforming use. A Zone Change is required for the location because uses are not permitted in the multi-family zoning classification. The proposed addition is greater than ten (10) percent, therefore requiring the use to be brought into conformance with the zoning code.

The site is occupied by the existing Wernert Center and a vacant auto shop facing Ashland. The existing structure is currently used for outreach programming and offices and is at its full capacity. The demand for community outreach programming warrants the center to expand their existing facility to continue providing services.

This structure appears to be residential in appearance and is comparable to the surrounding commercial buildings and apartments located between Woodruff, and Ashland. The property is located just outside the Uptown District and is in close proximity to the Old West End Historic District. The applicant will present their plan to the neighbors located near the site on October 4th, 2016 at the Wernert Center at 6 pm.

The proposed zoning is consistent with zoning classifications of the properties within the general vicinity of the site. The parcels to the west and south of the site are currently zoned CR Commercial Regional and CO Office Commercial. On the north and east side of parcel, the parcels are zoned RM36 Multi-Family Residential District. Surrounding land uses include outpatient medical offices, a church, apartments, parkland and single family houses.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Neighborhood Commercial uses with Multi Family abutting to the north and Single Family uses to the east. When the 20/20 Comprehensive Plan was updated in 2010, this property was in use as the Wernert Center and is considered a grandfathered use. The 20/20 Comprehensive Plan recommends the TOTCO/Warren-Sherman area introduce more service businesses into the area and improve schools.

Staff recommends approval of the Zone Change for this location since it will facilitate uses that are compatible with the land uses on Ashland and Woodruff. Additionally, the proposed CR Zoning is consistent with the current zoning designations of properties established in the immediate area of the site. The Zone Change will allow for the existing Wernert Center to expand their center and to apply for a Special Use Permit for Active Community Recreation under the current Toledo Municipal Code.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of Z-6002-16, a request for a Zone Change from RM36 Multi-Dwelling District and CR Regional Commercial to CR Commercial Regional for a site located at 208 Woodruff Avenue, 2002 Ashland, and 2016 Ashland including the portion of the alley, to the Toledo City Council, for the following three (3) reasons:

1. The proposed Zone Change is consistent with existing land uses within the general vicinity of the subject property (TMC 1111.0606.B *Review and Decision-Making Criteria*).
2. The proposed zoning will allow for the existing facility to apply and be subject to special use regulations under the current Toledo Municipal Code; and
3. The proposed CR Regional Commercial District zoning is compatible with the zoning classifications of properties within the general vicinity of the subject property (TMC 1111.0606.C *Review and Decision-Making Criteria*).

ZONE CHANGE
TOLEDO CITY PLAN COMMISSION
REF: Z-6002-16
DATE: October 13, 2016
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
ZONING AND PLANNING
DATE: November 16, 2016
TIME: 4:00 P.M.

MM
Two (2) sketches follow

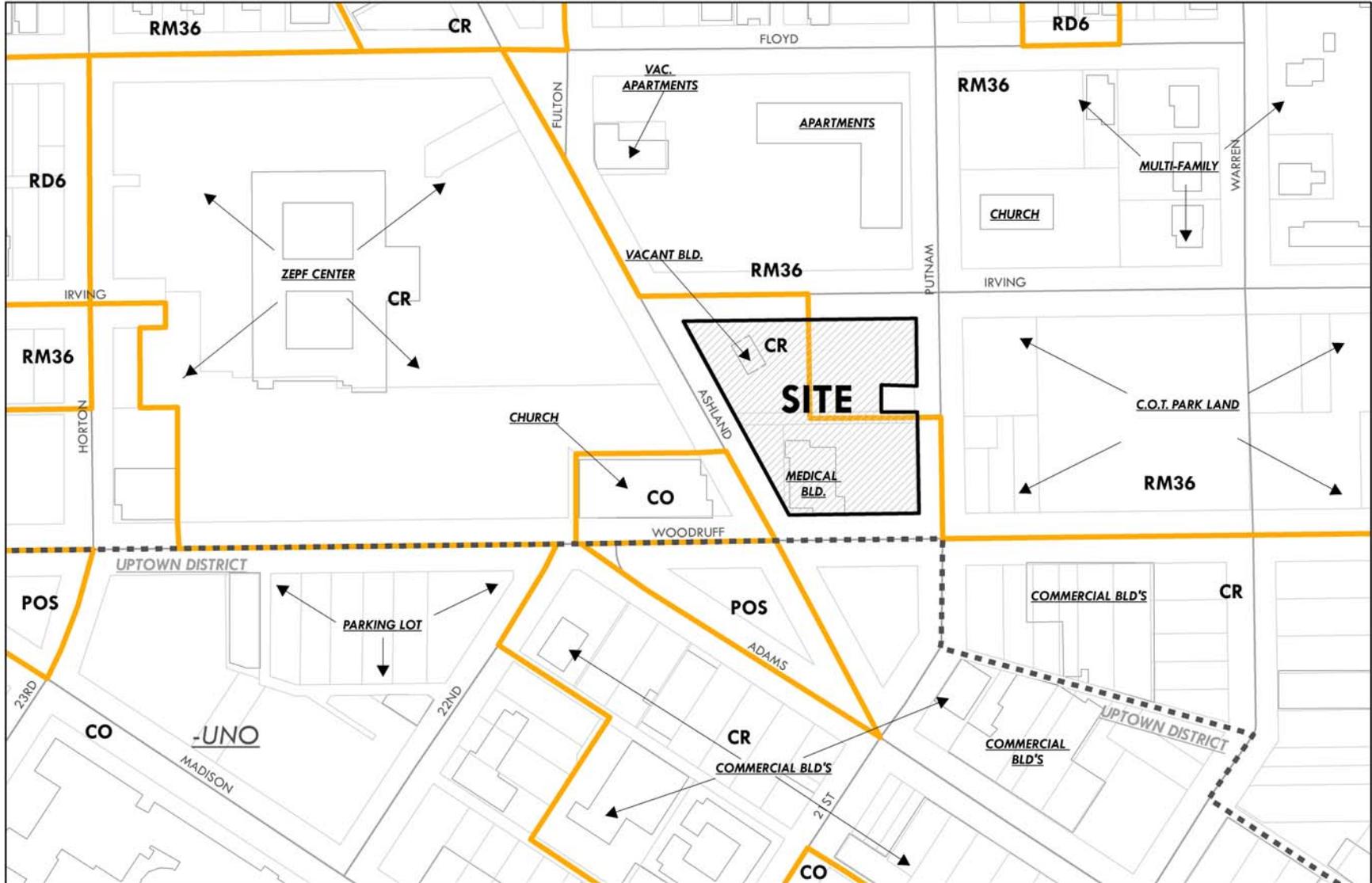
GENERAL LOCATION

Z-6002-16
ID 14



ZONING & LAND USE

Z-6002-16
ID 14



GENERAL INFORMATION

Subject

- Request - Special Use Permit for Community Recreation Active for an outreach community center
- Location - 208 Woodruff Avenue, 2002 Ashland, and 2016 Ashland including the portion of the alley
- Applicants - Thomas M. Wernert Center
208 Woodruff Ave
Toledo, OH 43604
- Architect - David B. Wilson
306 Industrial Pkwy
Bowling Green, OH 43402

Site Description

- Zoning - CR Commercial Regional and RM36 Multi-family Residential
- Area - 2.44-acres
- Frontage - 172' along 208 Woodruff Avenue, 128' along 2002 Ashland, and 141' along 2016 Ashland
- Existing Use - Outreach community center

Area Description

- North - Apartment buildings / RM36
- South - Commercial buildings / CR
- East - Multi-Family Dwellings and parkland / RM36
- West - Church and Zepf Center / CO

Parcel History

- V-271-65 - Vacate a portion of the alleys bounded by Ashland, Floyd, Irving, and Putnam (Plan Commission recommended approval on 11/18/65).
- M-22-71 - Special Study for reduction in parking lots for an area bounded by Ashland, Irving, Putnam, and Floyd (Plan Commission recommended approval on 7/29/71).

GENERAL INFORMATION (cont'd)

Parcel History

- V-291-75 - Vacate portions of the alley bounded by Irvine St. from Ashland Ave. to Putnam St. (Plan Commission recommended approval on 10/22/75).
- Z-208-82 - Zone Change from C-2 to R5 located at NE side of Ashland between Floyd Irving St. (Plan Commission recommended approval on 10/5/82, City Council approved 12/1/82 by Ord. 44-83).
- Z-209-82 - Zone Change for an area bounded by Bancroft, Fulton, & Woodruff (Plan Commission recommended approval on 10/5/82, City Council approve on 12/1/82 by Ord. 44-83).
- M-22-82 - Admin changes in Warren Sherman Renewal Area (Plan Commission recommended approval on 10/5/82, City Council approved on 12/1/82 by Ord. 32-83).
- V-246-08 - Vacate alley bounded by Ashland, Woodruff, Putnam & Irving (Withdrawn by applicant in 2008).
- V-173-16 - Vacation of a portion of the alley bounded by Ashland, Woodruff, Putnam and Irving Streets (Plan Commission recommended approval on 6/19/16, awaiting City Council Ord. in the next 30 days).
- Z-6002-16 - Zone Change from RM36 Multi-Dwelling District and CR Regional Commercial to CR Regional Commercial

Applicable Plans and Regulations

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

STAFF ANALYSIS

The request is for a Special Use Permit for a Community Recreation - Active is for the expansion of the existing outreach community center at 208 Woodruff Avenue, 2002 Ashland, and 2016 Ashland, including the portion of the alley. The applicant, Thomas M. Wernert Center, is proposing a new building addition to continue to provide community outreach programming. Surrounding land uses include apartment buildings and multi-family residences to the north and east, a church and a drug and alcohol rehabilitation center to the west, and commercial buildings to the south.

Since their existing building was constructed in 2003 providing 4,560 square feet, the demand to offer community services has grown in the Toledo area. The new building addition will be for 8,879 square feet that will allow for additional programming, a landscaped campus with outdoor activities and additional staff.

The current uses in the center focus on assisting those with mental illness through programs that pertain to recovery, peer support and advocacy. The center will continue to provide these services to both men and women in the new building addition. The new building addition will be constructed as a one-story building that will enable outdoor programming. The exterior of the building will match the existing siding 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 on the east and north side. The parking lot is accessed via three (3) curb cuts on Irving Street and Putnam Street. The site allows for forty-three (43) spaces for visitors and staff. The Community Recreation – Active requires Schedule D that does not specify the number of parking spaces based on a particular use. The minimum parking ratio is based on the parking demand study provided by the applicant. The applicant has provided this study and the proposed forty-three (43) parking spaces are deemed acceptable. The number of bicycle slots required is four (4) based on the forty vehicle spaces where the bicycle parking slots are calculated on every ten (10) parking spots.

The site plan does not show the bicycle slots but will be required as a condition of approval. The number of parking spaces provided for persons with disabilities is four (4) where two are required, one (1) for an auto and one (1) for a van with a total of two (2). The applicant stated that the center does offer visitors transportation services to and from the center for a low fee and most of the visitors will be utilizing public transit or bicycles.

Building Elevation

The applicant has submitted an elevation for the proposed building addition. The elevation shows the exterior building material to match the existing building with wainscot located in the lower half of the building profile which is a split faced, natural color block with a red brick color band. The siding will be lap board siding, yellow in color, with white trim, a pitched roofline with

STAFF ANALYSIS (cont'd)

Building Elevation (cont'd)

asphalt shingles, double pane insulated windows and aluminum gutters. The applicant will be required to provide percentages of the building material to the Plan Director for the approval of the vinyl siding and the colored concrete block.

Landscaping

This site is subject to the Type A Landscape standards in TMC 1108.0203 since the property is abutting a residential property that is zoned RM Multi-family. This standard requires a solid fence or wall with four (4) canopy trees and fifth-teen (15) shrubs for every ten (10) feet or four (4) canopy trees and twenty (20) shrubs with no fence or wall and the parking lot landscaping. In addition, a frontage greenbelt is required along the public right-of-way, foundation plantings and screening is required for the property to include the parking lot as shown in the Screening Requirements Matrix, Table 1108.203. A landscape plan was not submitted at the time of application but will be submitted to the Plan Commission Director at a later date.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Neighborhood Commercial uses with Multi Family abutting to the north and Single Family uses to the east. When the 20/20 Comprehensive Plan was updated in 2010, this property was in use as the Wernert Center and is considered a grandfathered use. The 20/20 Comprehensive Plan recommends the TOTCO/Warren-Sherman area introduce more service businesses into the area and improve schools.

Staff recommends approval of the Special Use Permit for Community Recreation – Active, for this location since it will facilitate uses that are compatible with the land uses on Ashland and Woodruff. Additionally, the companion case, Z-6002-16 is a Zone Change from RM36 Multi-Dwelling District and CR Regional Commercial to CR Regional Commercial, is consistent with the current zoning designations of properties established in the immediate area of the site.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-7002-16 a request for a Special Use Permit for Community Recreation - Active for a site located at 208 Woodruff Avenue, 2002 Ashland, and 2016 Ashland including the portion of the alley, 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-7002-16, a request for a Special Use Permit for a Community Recreation - Active, to be located at 208 Woodruff Avenue, 2002 Ashland, and 2016 Ashland including the portion of the alley, to the Toledo City Council, 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.

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 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.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

6. Contact Joe Warnka at (419) 245-1341 for inspection of above mentioned items.
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. All existing water services to structures removed from the site will be abandoned by the City of Toledo at the developer's expense.
14. If water services are not to be reused, they shall be abandoned by the City of Toledo at the developer's expense.
15. 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 stormwater review & approval.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

16. 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 stormwater best management practice (BMP) is not required, however stormwater detention and the use of construction BMP's (silt fences, catch basin protection, etc.) still apply.
17. Plans are also subject to the: Criteria and Regulations of The Departments of Public Utilities and Public Service; The Toledo Municipal Code, including but not limited to Chapters 941, 1110, and 1107; The Toledo City Charter; The "Subdivision Rules & Regulations" of Toledo-Lucas County Plan Commissions; City of Toledo Infrastructure Design and Construction requirements; and "The Comprehensive Ditch Plan."
18. Any person performing earth-disturbing activities within the City of Toledo shall employ Construction Best Management Practices (BMPs).
19. 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.
20. A site specific Stormwater Pollution Prevention Plan (SWP3) shall be submitted for review and approval. The SWP3 shall address all components required per the latest Ohio EPA General Stormwater NPDES permit.
21. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
22. No construction work, including grading, will be permitted without approved plans and inspection.
23. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
24. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.
25. If there are any existing structures to be demolished at the site, the sanitary services to such structures will be killed by the City of Toledo at the developers cost.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

26. Any existing sewers under proposed buildings shall be relocated or abandoned. Developer shall verify any sewers to be abandoned are no longer in service.

Sewer and Drainage Services

27. S&DS requires that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
28. 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

No conditions required.

Division of Transportation

29. Corrections to the dimensions on the drive aisles are not to scale. The proposed 9' x 18' parking spaces and 25' drive aisles should be measureable and meet the configuration requirements of the Toledo Municipal Code.
30. The Irving St. access is too close to the intersection and should be moved to align with access drive for the housing property north of the Thomas M. Wernert Center to reduce traffic conflicts.
31. The Division of Transportation questions the purpose of the northernmost Putnam St. drive. The configuration of the drawing does not appear to be consistent with the Putnam driving being used as a part of a circle / drive-thru pattern as described in the applicant reply.
32. A minimum width of 25' is required for two-way traffic; the 13' drive approach for the northernmost Putnam St. is not wide enough to accommodate two-way traffic.
33. For the parking for persons with disabilities, the pavement of the abutting access aisles should include hash markings to clearly prohibit use as parking. The dimension of the abutting aisles for cars and vans are 5' and 8' respectively.

STAFF RECOMMENDATION (cont'd)

Plan Commission

34. Setback abutting rear lot line of residential property must be 15' as stated in TMC Section 1106.0100. Site plan shows 10' on side and rear lot line.
35. Four bicycle slots shall be provided on site as stated in TMC Section 1107.0900.
36. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscape areas as stated in TMC Section 1107.1907.
37. The building elevation submitted is not acceptable, as the exterior building materials of the addition must be similar to those of the existing building with percentages of the massing provided. Applicant must present a detailed building elevation to the Plan Director for approval as stated in TMC Section 1109.0500.
38. No free-standing signs greater than forty-two inches from grade are permitted – proposed signage must meet the requirements of low-profile signs per *Toledo Municipal Code Title Nine – Sign Code*.
39. Four (4) copies of a landscape plan showing the proposed landscaping, fencing and dumpster location (separate from building & site plans) 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 1108.0203 Landscape Materials Standards for Type A Landscape standards.
 - b. A fifteen (15) foot greenbelt is required along the Ashland frontage, and shall include one tree per every 30 feet of frontage.
 - c. Foundation plantings for the full street-facing building elevation; and landscape areas at major building entrances.
 - d. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage.
 - 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. Perimeter landscaping must be installed along any parking lot area adjacent to a street, place, or driveway, or which is visible from an immediately adjacent property and must consist of at least 10 feet in width, exclusive of sidewalks, walkways, trails or right-of-way and must be located between the parking lot and the property line.
 - g. Landscaped terminal islands must be provided at the end of each parking.
 - h. The location, height and materials for any fencing to be installed and maintained.
 - i. The dumpster location 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. The dumpster location was identified on the site plan but a detail of the dumpster was not provided nor the setback measurement shall meet the standards as stated in TMC 1108.0200 Dumpster/Trash Receptacle Screening.
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 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.

SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-7002-16
DATE: October 13, 2016
TIME: 2:00 P.M.

REF: SUP-7002-16. . .October 13, 2016

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING

DATE: November 16, 2016

TIME: 4:00 P.M.

MM

Three (3) sketches follow

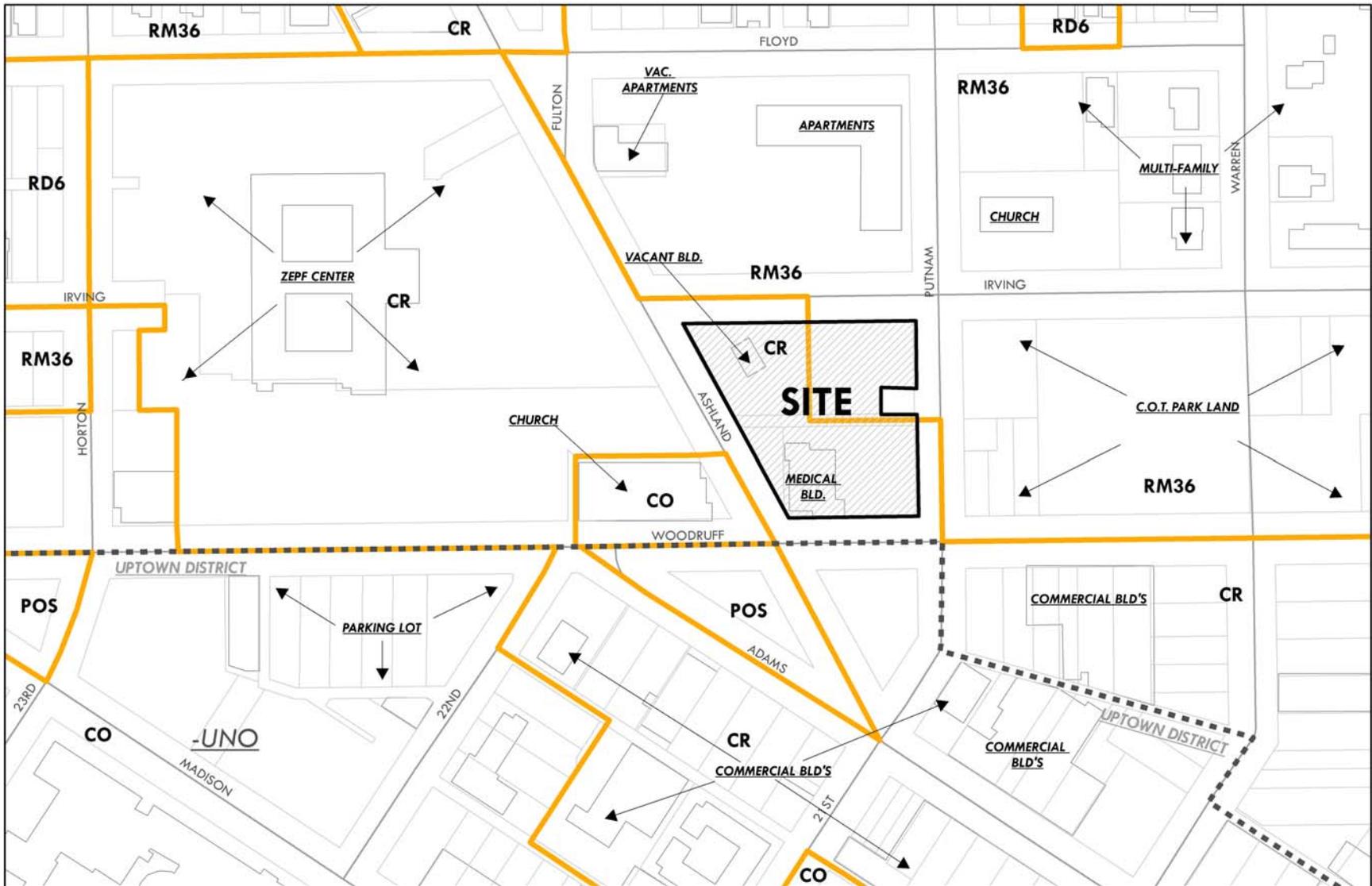
GENERAL LOCATION

SUP-7002-16
ID 14



ZONING & LAND USE

SUP-7002-16
ID 14



GENERAL INFORMATION

Subject

Request	-	Request a for Zone Change from IL Limited Industrial to CR Regional Commercial
Location	-	5517 Lewis Avenue
Applicant	-	Joan L. Peak 4949 Stickney Avenue Toledo, OH 43612
Contact	-	Donald Fish 4949 Stickney Avenue Toledo, OH 43612

Site Description

Zoning	-	IL / Limited Industrial
Area	-	± 0.47 acres
Frontage	-	±137' along Lewis Avenue
Existing Use	-	Vacant Building
Proposed Use	-	Used Auto Sales

Area Description

North	-	Silver Creek / IL
South	-	Single Family Dwelling / IL
East	-	Heritage Baptist Church / RS6
West	-	Sunny Brook Apartments / IL

Parcel History

SUP-2001-16	-	Request Special Use Permit for a used auto sales facility, companion case.
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Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Zone Change from IL Limited Industrial to CR Regional Commercial for a site located at 5517 Lewis Avenue. The ±0.47 acre site is occupied by a small vacant commercial building that was used for produce and food retail sales. The site is south of a major commercial intersection located at Alexis Road and Lewis Avenue. The subject site is bordered on the north by Silver Creek. This waterway forms a natural boundary between the commercial land uses to the north and primarily residential land uses to the south. To the east of the property across Lewis Avenue is a small Baptist church and to the south of the site is a single family home. To the west is Silver Creek and beyond is an apartment complex. A companion Special Use Permit (SUP-2001-16) request accompanies this case.

The applicant is requesting a Zone Change to CR Regional Commercial to facilitate the development of a used auto sales facility. The current zoning, IL Limited Industrial, does not permit used auto sales as an acceptable land use. Used auto sales facilities are a permitted land use under the requested CR zoning district but are subject to the review and approval of a Special Use Permit application. The letter of intent states that the applicant currently operates four (4) used auto sales facilities and is attempting to add a fifth location.

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 a minimum average width of 150 feet along the main road frontage and must have a minimum lot size of one-half (1/2) acre. Staff has concerns that the site does not meet these criteria and that the proposed land use would be too intense for the site. A submitted survey shows a primary site of ±0.47 acres and ±137' of main road frontage.

The character and physicality of Lewis Avenue is divided by Silver Creek. North of the Creek, Lewis Avenue is five (5) lanes wide including a central turning lane to service the commercial businesses to the east and west. Lewis Avenue is reduced to three (3) lanes including a central turning lane south of the Creek to service the residential and low impact land uses that border east and west of the avenue. The particular stretch of Lewis Avenue that is in front of the subject site is along the reduced portion, thus lending itself to neighborhood commercial developments deemed compatible with residential living.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan provides a set of recommendations to guide the future growth and development of the City. The Toledo 20/20 Comprehensive Plan targets this area for Neighborhood Commercial land uses. This district is intended to accommodate pedestrian oriented small-scale retail and service business that serve nearby residential areas. The district is also intended to contain the sprawl of commercial development and intrusion into residential neighborhoods.

STAFF ANALYSIS (cont'd)

Staff recommends disapproval of the Zone Change because CR Regional Commercial is not compatible with zoning districts or land uses in the immediate area. Furthermore, the proposed development of a used auto sales facility is not physically suitable for this location or to properties within the vicinity of the subject site. Additionally, the proposed zoning does not conform to the 20/20 Plan, which designates this portion of Lewis Avenue for Neighborhood Commercial land uses. Finally, the presence of Silver Creek and the reduction of pavement width at this site make the site more conducive to less intense commercial uses.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend disapproval of Z-1006-16, a request for a Zone Change from IL Limited Industrial to CR Regional Commercial for the site located at 5517 Lewis Avenue, to the Toledo City Council, for the following three (3) reasons:

1. The request is not consistent with The Toledo 20/20 Comprehensive Plan (TMC§1111.0606(A) Review and Decision Making Criteria).
2. The requested CR Regional Commercial zoning is not compatible with zoning classifications of properties within the general vicinity (TMC§1111.0606(C) Review and Decision Making Criteria); and
3. The request will have a negative impact on the residential properties adjacent to the subject site (TMC§1111.0606(E) Review and Decision Making Criteria).

ZONE CHANGE
TOLEDO CITY PLAN COMMISSION
REF: Z-1006-16
DATE: October 13, 2016
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: November 16, 2016
TIME: 4:00 P.M.

GP
Three (3) sketches follow

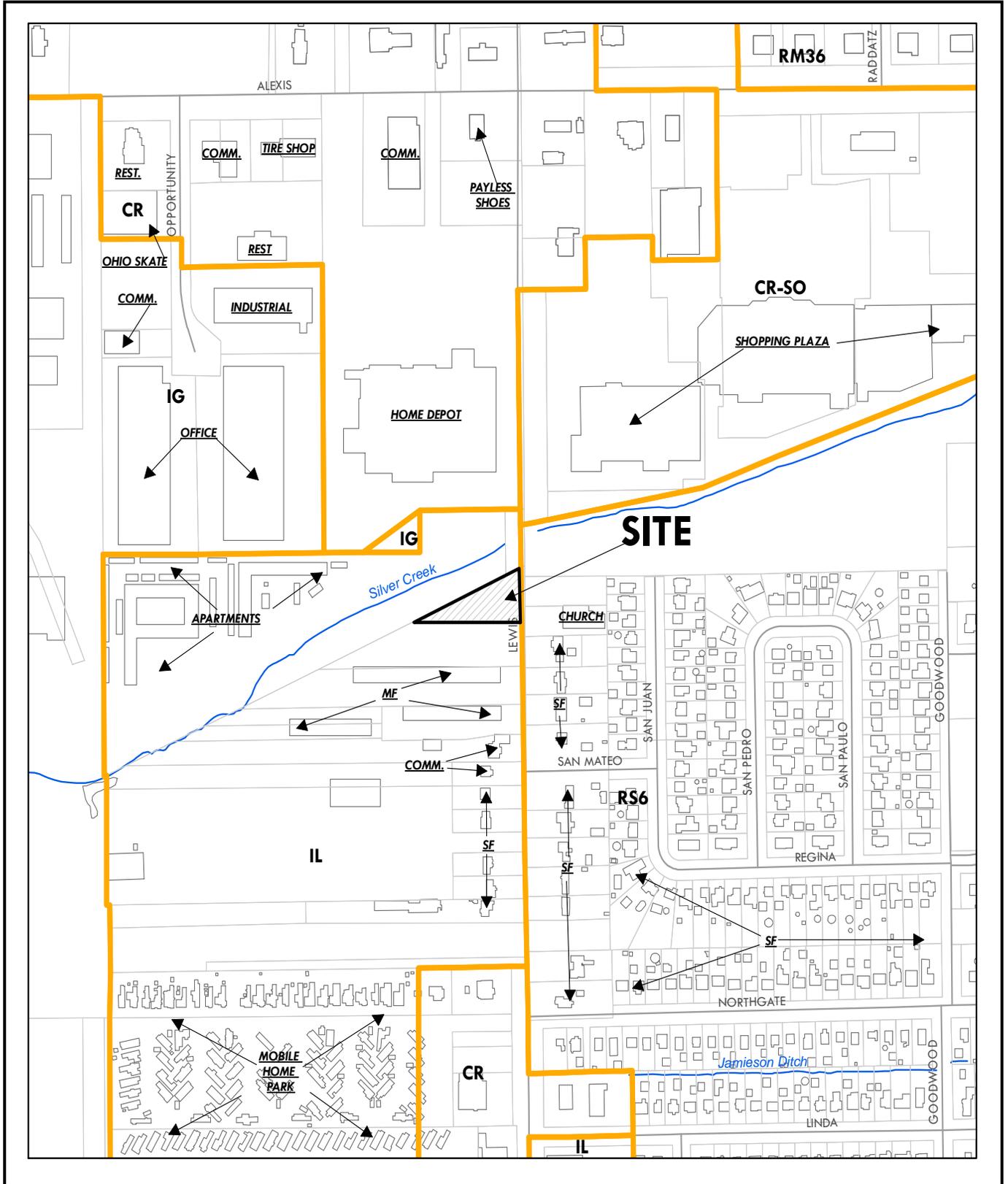
GENERAL LOCATION

Z-1006-16
ID 57



ZONING & LAND USE

Z-1006-16
ID 57



GENERAL INFORMATION

Subject

Request	-	Special Use Permit for a used auto sales facility
Location	-	5517 Lewis Avenue
Applicant	-	Joan L. Peak 4949 Stickney Avenue Toledo, OH 43612
Contact	-	Donald Fish 4949 Stickney Avenue Toledo, OH 43612

Site Description

Zoning	-	IL / Limited Industrial
Area	-	± 0.47 acres
Frontage	-	±137' along Lewis Avenue
Existing Use	-	Vacant Building
Proposed Use	-	Used Auto Sales

Area Description

North	-	Silver Creek / IL
South	-	Single Family Dwelling / IL
East	-	Heritage Baptist Church / RS6
West	-	Sunny Brook Apartments / IL

Parcel History

Z-1006-16	-	Request for a Zone Change from IL Limited Industrial to CR Regional Commercial, companion case.
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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 (SUP) to facilitate the development of a used auto sales facility at 5517 Lewis Avenue. The ±0.47 acre site is occupied by a small vacant commercial building that was used for produce and food retail sales. The site is south of a major commercial intersection located at Alexis Road and Lewis Avenue. The subject site is bordered on the north by Silver Creek. This waterway forms a natural boundary between the commercial land uses to the north and primarily residential land uses to the south. To the east of the property across Lewis Avenue is a small Baptist church and to the south of the site is a single family home. To the west is Silver Creek and beyond is an apartment complex. A companion Zone Change (Z-1006-16) request accompanies this case.

The applicant is requesting a Special Use Permit to facilitate the development of a used auto sales facility. The applicant intends to use the existing 1,221 square foot building on the site as an office building. The site plan offers modified site conditions in the form of striping for the entire parking/display area and fencing along the southern property line. The wooded area located at rear of the property will be preserved. The development is not in the flood plain of Silver Creek and will not affect any sensitive wetlands. The letter of intent states that the applicant currently operates four (4) used auto sales facilities and is attempting to add a fifth location. The applicant has stated that no auto repairs will take place in conjunction with the used auto sales facility.

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. These requirements are to ensure that used auto facilities are able to meet landscaping and site design standards. The site does not meet the minimum criteria for lot size or minimum main road frontage.

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. Required customer/employee parking may not be used for used vehicle inventory (TMC§1104.0308). The site plan depicts parking spaces that face Lewis Avenue that are adjacent to the required greenbelt frontage. Wheel stops must be provided when outdoor display areas abut public right-of-way, ensuring that display vehicles do not overhang directly on sidewalks.

STAFF ANALYSIS (cont'd)

Parking and Circulation

Pursuant to TMC§1107.0304 – *Parking, Loading, and Access*: Schedule A, a used auto and recreational vehicle sales/rental facility is required to have one (1) parking space per every 5,000 square feet of open sales area, plus one (1) parking space per every 500 square feet of enclosed sales area, plus one and one half (1.5) per every service bay. Calculations using the auto sales shop's square footage as enclosed sales area conclude that a total of eight (8) customer spaces and one (1) space for the physically disabled are required. The site plan depicts a total of twenty-seven (27) parking spaces with one (1) dedicated for the physically disabled. Nineteen (19) spaces are available for auto sales display. Two (2) ADA spaces are required for the site plan to show compliance with the number of required parking ADA spaces.

The applicant intends on accessing the property via the two (2) existing curb cuts, one (1) located at 5517 Lewis Avenue (parcel #22-04247) and another located at 5541 Lewis Avenue (22-04241). A vehicular cross access agreement shall be provided to allow ingress and egress through the southeasterly property at 5541 Lewis Avenue (22-04241).

Landscaping

If approved, staff will require a fifteen (15') foot frontage greenbelt along Lewis Avenue. At least one tree must be provided for every thirty (30') feet of lot frontage or fraction thereof. Calculations require a total of five (5) trees to be planted in the frontage greenbelt along Lewis Avenue. Trees are not required to be evenly spaced and may be clustered. If parking is proposed to be developed in the front of the property, the frontage greenbelt shall include a solid evergreen hedge planting to screen the parking lot so that no headlights of any vehicles can be seen from the public street. Additionally, a Type B landscape buffer is required along the northern and southern property lines. This buffer shall include ten (10') feet of landscaping per TMC§1108.0203.

The site plan depicts the utilization of a chain link fence along portions of the site. Fencing may not exceed four (4) feet in height in the required side setback adjacent to the main building and projected to the required front setback. No part of any fencing or swing gate may extend into the public right-of-way. Within Commercial and Industrial districts four (4) copies of a fencing plan shall be submitted to the Planning Director for review and approval prior to issuance of building permits. Any fence must be durable and constructed of wood, decorative rigid vinyl (polyvinyl chloride), metal, or wrought iron. Fence post must be structurally stable and top rail of the chain link fence must be installed.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan provides a set of recommendations to guide the future growth and development of the City. Toledo 20/20 Comprehensive Plan targets this site for Neighborhood Commercial land uses. The CN Neighborhood Commercial district is intended to accommodate predominately small and medium scale commercial uses that serve neighborhoods. Small and medium scale offices and mixed uses may be included. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape. The district is also intended to contain the sprawl of commercial development and intrusion into residential neighborhoods.

Staff has reviewed the proposed Special Use in accordance with the criteria of TMC§1111.0706. Based on the results of the review the staff has determined that the Special Use Permit is not suitable for this location because the proposed use is not compatible with adjacent uses in the immediate vicinity in terms of scale, site design, and/or operating characteristics. Additionally, the site does not meet the minimum lot requirements outlined in TMC§1104.0306.

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

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend disapproval of SUP-2001-16, a request for a Special Use Permit for a used auto sales facility, for a site located at 5517 Lewis Avenue, to the Toledo City Council, for the following two (2) reasons:

1. The proposed use is not compatible with adjacent uses in terms of scale, site design, and/or operating characteristics (TMC§1111.0706.C).
2. The proposed site plan does not meet all lot size requirements outlined in TMC§1104.0306.

REF: SUP-2001-16...October 13, 2016

SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-2001-16
DATE: October 13, 2016
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: November 16, 2016
TIME: 4:00 P.M.

GP
Three (3) sketches follow
Exhibit "A"

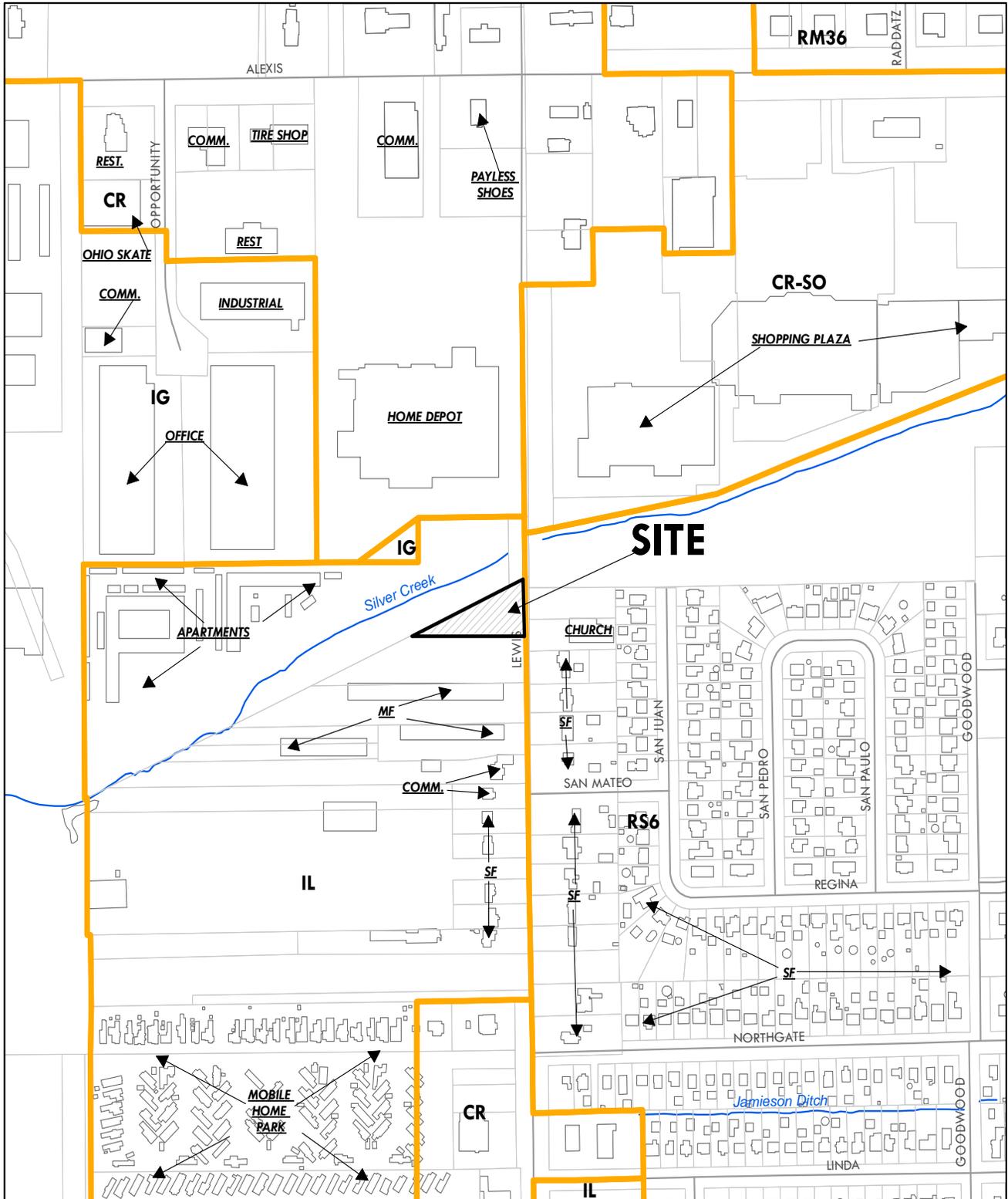
GENERAL LOCATION

SUP-2001-16
ID 57



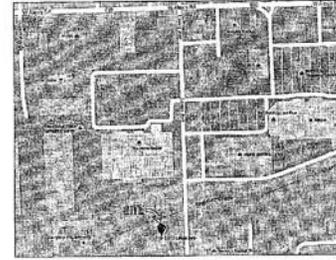
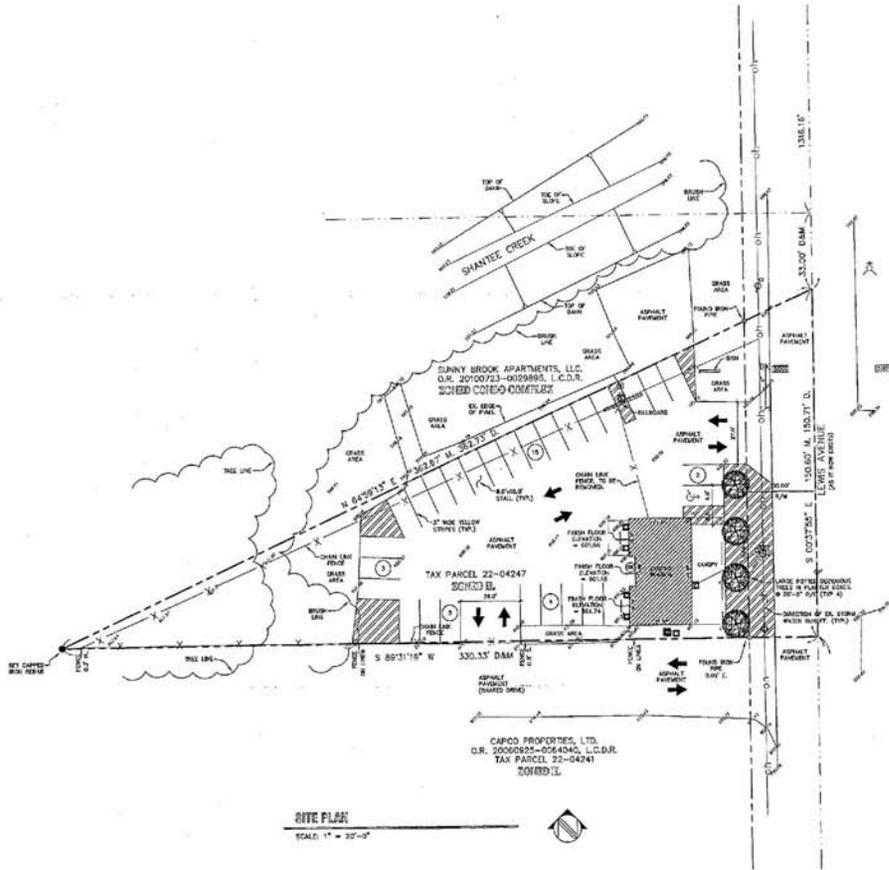
ZONING & LAND USE

SUP-2001-16
ID 57



SITE PLAN

SUP-2001-16
ID 57



SITE LOCATION MAP
SCALE: NONE

SITE ANALYSIS:

SUBJECT PARCEL CURRENTLY ZONED - L (SINGLE RESIDENTIAL, DISTRICT)
 PARCEL ID: 2204247
 ASSessor RECORDS:
 CURRENT PROPERTY USE: FRUIT AND VEGETABLE STAND
 PROPOSED USE: AUTO SALES
 REQUIRED RE-ZONING TO OR (ENDING LEGISLATION) BY SPECIAL USE APPROVAL
 MAXIMUM BUILDING SETBACKS REQUIRED:
 FRONT YARD SETBACK - 25.0'
 SIDE YARD SETBACK - 5.0' OR 10.0' (WHICHEVER IS GREATER)
 REAR YARD SETBACK - 5.0' OR 10.0' (WHICHEVER IS GREATER)
 EXISTING BUILDING AREA: 1,271.8 S.F. + GARAGE AREA
 TOTAL SITE AREA = 4,322 S.F. (0.10 AC) REAR YARD - 21,861 S.F. (0.50 AC)
 TOTAL = 22,133 S.F. (0.51 AC)
 LOT COVERAGE BY BUILDING = 1,271/4,322 = 29.4%
 PARKING PROVIDED: (1) EXISTING SPACE (2) NEW ACCESSIBLE SPACE (3) TOTAL SPACES

ISSUED FOR	DATE
ORDER REVIEW	02-18-18



PROPOSED AUTO SALES
 CITY OF HAMILTON, HAMILTON COUNTY, OHIO
 SITE PLAN

Dubose & Associates, Inc.
 ENGINEERS & ARCHITECTS
 100 S. WASHINGTON STREET
 SUITE 200
 HAMILTON, OHIO 45013
 PH: 513-263-1100
 FAX: 513-263-1101
 www.duboseinc.com

DESIGNED BY	DATE
J. SPERRY, E.I.	02-18-18
CHECKED BY	02-18-18
AS NOTED	02-18-18
DATE PLOTTED	02-18-18
BY	02-18-18

PG1
OF SHEETS

10 - 8

EXHIBIT "A"

The following thirty-five (35) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Engineering Services

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

Contact Joe Warnka at (419) 245-1341 for inspection of above mentioned items.
5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
6. Contact the City of Toledo Fire Prevention Bureau to determine the fire protection requirements for this site.
7. Contact the Division of Water Distribution to determine the backflow prevention requirements for this site.
8. Plans for new water service or modifications to existing water service shall be submitted to the Division of Engineering Services for review and approval.

EXHIBIT "A"

Engineering Services (cont'd)

9. Plans submitted for review do not detail any revisions to the existing site that will require earth-disturbing activity of 2,500 or more square feet, nor are any changes shown to the existing storm sewer system. Therefore, it appears that there are no items requiring a storm water plan review. However, if revisions are made to the Site plan that will result in earth-disturbing activity of 2,500 or more square feet or cause changes to the existing storm sewer, a full Site plan review and approval will be required. Plans will be subject to the rules and regulations of the City of Toledo, Storm Water Utility, including stormwater detention and post-construction stormwater Best Management Practices (BMPs) as specified in the City of Toledo Infrastructure Design and Construction Requirements and the Ohio EPA NPDES General Storm Water Permit for Construction Activities.

Sewer & Drainage Services

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

Fire Prevention

12. Facility address numbers are required on buildings and structures. They shall be visible from Lewis Avenue. Minimum size is 4" high by 1/2" wide in a color that contrasts the building.
13. If the property is fenced with restricted access gates, a key box may be required.
14. If future structures are built and are located more than 350' from a city fire hydrant, private hydrants may be required.

Transportation

15. If not already established, cross access agreements should be formalized with the adjacent property owners.

EXHIBIT "A"

Building Inspection

16. Any structural, mechanical or electrical installations or alterations will require plan approval, permit issuance and inspection.
17. Any parking lot modifications will require plan approval, permit issuance and inspection.
18. Any signage or fencing will require separate plan approval, permit issuance and inspection.

Plan Commission

19. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks (**not depicted on Site plan**).
20. Dumpsters may not be located in the public right-of-way as stated in TMC§1361.10(b)(10) of the Building Code.
21. 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**).
22. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
23. All vehicles on display must be parked in striped parking spaces that shall be designated on an approved site plan. Vehicle parking that deviates from the approved site plan shall not be permitted.

EXHIBIT “A” (cont’d)

Plan Commission (cont’d)

24. 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. Required customer/employee parking may not be used for used vehicle inventory (not depicted on site plan).
25. No freestanding signs greater than forty-two (42) inches from grade are permitted – proposed signage must meet the requirements of low-profile signs per Toledo Municipal Code Title Nine – Sign Code.
26. Ingress and egress to a parking lot in a Commercial or Industrial zoning district must be from a major street or from a street located in a Commercial or Industrial district with Commercial or Industrial zoning on the opposite side of the street **(acceptable as submitted)**.
27. 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)).
28. 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.
29. The minimum number of parking spaces designed for people with disabilities must adhere to the table shown in TMC§1107.1701.
30. Required spaces for persons with disabilities must be located in close proximity to building entrances and must be clearly identified with signs and pavement markings.
31. A vehicular cross access agreement shall be provided to allow ingress and egress through the southeasterly property at 5541 Lewis Avenue (22-04241).

EXHIBIT “A” (cont’d)

Plan Commission (cont’d)

32. A detailed site, lighting, 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. A fifteen (15’) foot greenbelt is required along the Lewis Avenue street frontage. Greenbelt frontage landscaping shall be a minimum width of fifteen (15’) feet. The greenbelt shall include at least one (1) tree must be provided for every thirty (30) feet of lot frontage or fraction thereof. Trees are not required to be evenly spaced and may be clustered;
 - b. Shrubs or a solid hedge row for a perimeter landscape buffer shall be provided abutting the parking area and to visually screen all off-street loading facilities from view of Residential districts and public right-of-way. A shrub or solid hedge row planting with a minimum height of eighteen (18”) inches (when installed so as to achieve full screening at maturity) shall be provided to minimize headlight glare onto the right-of-way.
 - c. A Type B landscape buffer is required along the northern and southern property lines where the site abuts industrial zoning. This buffer shall include ten (10’) feet of landscaping and solid board-on-board fencing per TMC§1108.0203.
 - d. Any fence must be durable and constructed of wood, decorative rigid vinyl (polyvinyl chloride), metal, or wrought iron. Fence post must be structurally stable and top rail of the chain link fence must be installed.
 - e. Topsoil must be back filled to provide positive drainage of the landscape area;
 - f. Foundation plantings along all portions of the building that is visible from the public right-of-way and landscaping at all major building entrances;
 - 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, **as pertaining to the foundation plantings;**

EXHIBIT “A” (cont’d)

Plan Commission (cont’d)

- h. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC§1108.0400 Landscape Materials Standards;
 - i. The location, 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).
- 33. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
- 34. Minor adjustments to the Site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
- 35. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

REF: M-19-16
DATE: October 13, 2016

GENERAL INFORMATION

Subject

- Request - Text Amendment to Clarify Permissible Façade Materials for Industrial Buildings, TMC 1109.040, amending Ord. 381-14
- Applicant - Toledo City Plan Commission

STAFF ANALYSIS

The request is a Text Amendment to clarify façade materials requirements for industrial buildings. City Council passed an amendment in 2014 that restricted the use of tents and air-supported structures with a vinyl coated polyester membrane (i.e. a golf dome) due to their temporary nature and long-term viability compared to more traditional construction. The amendment needs further clarification to ensure that appropriate, durable materials are used for industrial construction in the City of Toledo.

STAFF RECOMMENDATION

Staff recommends that the Toledo City Planning Commission recommend approval of M-19-16, a Text Amendment to Clarify Permissible Façade Materials for Industrial Building, as outlined in Exhibit “A”, to Toledo City Council.

TEXT AMENDMENT
TOLEDO CITY PLANNING COMMISSION
REF: M-19-16
DATE: October 13, 2016
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
ZONING AND PLANNING
DATE: November 16, 2016
TIME: 4:00 P.M.

JL
Exhibit “A” follows

Exhibit "A"

(Additions in bold italics. Deletions in strikethrough.)

1109.0404 Façade Materials

No tent or ***air-supported*** structure shall be permitted ~~that is air-supported~~ with a vinyl coated polyester membrane (golf dome) ***or similar pliable material***. ***All structures shall utilize durable building materials such as brick, stone, metal, or concrete***. A tent shall be considered to be a temporary structure or enclosure, the roof of which and /or one half or more of the sides are constructed of silk, cotton, canvas, fabric, or similar pliable material. An air-supported (or air-inflated) structure is any building or structure that derives its structural integrity from the use of internal pressurized air to inflate a pliable material (i.e. structural fabric) envelope, so that air is the main support of the structure, and where access is via airlocks.

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

