

*TOLEDO CITY  
PLAN COMMISSION  
REPORT*

*December 1, 2016*

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

## **MEMBERS OF THE TOLEDO-LUCAS COUNTY PLAN COMMISSIONS**

### TOLEDO CITY PLAN COMMISSION

CATHERINE G. HOOLAHAN  
(Chairman)

KEN FALLOWS  
(Vice Chairman)

BALSHARAN SINGH GREWAL

OLIVIA HOLDEN

MARTIN JARRET

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**TOLEDO-LUCAS COUNTY PLAN COMMISSIONS  
APPLICATION DEADLINE, AGENDA, STAFF REPORT AND HEARING  
SCHEDULE - 2017**

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

\* County deadlines are for Preliminary Drawings

\*\* Date shifts are due to holidays

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

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

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

**TOLEDO-LUCAS COUNTY PLAN COMMISSIONS**

**December 1, 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-10001-16: | Special Use Permit for Type A Day Care at 4903 W. Bancroft Street (gp)   |
| 2. Z-10003-16:   | Zone Change from RM12 to RS6 and RD6 at 5301 Nebraska (gp)   |
| 3. SPR-43-16:    | Major Site Plan Review for New Multi-Dwelling Development at 5301 Nebraska (gp)  |
| 4. V-409-16:     | Vacation of alley running east west from Canton Street to Cherry Street, south of Beacon Street and north of Scott Street (gp) |

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- 5. Z-10005-16: Zone Change from RD6 to RM36 at 1324 Lincoln Avenue and 1779 N. Detroit Avenue (jl)
  - 6. SPR-45-16: Major Site Plan Review for New Multi-Dwelling Development at 1779 N. Detroit Avenue and 1324 Lincoln Avenue (jl)
  - 7. SUP-10006-16: Special Use Permit for Community Recreation – Active, at 1779 N. Detroit Avenue and 1324 Lincoln Avenue (jl)

**GENERAL INFORMATION**

Subject

- Request - Special Use Permit for a Type A Day Care facility
- Location - 4903 West Bancroft Street
- Applicant - Laura Green  
316 Hargrave Road  
Toledo, OH 43615

Site Description

- Zoning - RS6 / Single Family Residential
- Area - ±0.38 acres
- Frontage - ±81' along West Bancroft Street
- Existing Use - Single Family Dwelling
- Proposed Use - Type A Daycare

Area Description

- North - Single Family Dwelling / RS9
- South - Single Family Dwelling / RS9
- East - Single Family Dwelling / RS9
- West - Single Family Dwelling / RS9

Parcel History

- S-21-97 - Final Plat for the Re-plat of Lot 76 in Sunnybrook Farms Plat II located south of West Bancroft Street and east of Willowhill Lane. Approved by Plan Commission on 11/20/97.

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 4903 West Bancroft Street. The site consists of one (1) parcel that is comprised of ±0.38 acres of total land area and is occupied by a two-story single family dwelling. The site is zoned RS9 Single Family Residential and has ±81' of frontage along West Bancroft Street. A Special Use Permit is required because the site is located in a residentially zoned district.

The applicant is proposing to operate a Type A Day Care facility. The proposed use is defined as “uses providing care, protection, and supervision for children or adults on a regular basis away from their primary residence for less than twenty-four (24) hours per day”. The applicant currently operates as a Type A daycare facility at a different location and is looking to relocate and maintain current clientele at the new site. Although the proposed use allows for the care of up to twelve (12) children at a time, the letter of intent states that the daycare intends to provide child care services for 6 -7 children and operate twenty-four (24) hours a day in order to accommodate parents with flexible work hours.

Although the operation hours are extensive, the daycare provider does not anticipate having clients on site for the entire duration but would like to have the option available. The applicant must restrict operation hours to less than twenty-four (24) hours per day or obtain a waiver from the Plan Commission. Services will be restricted to the first floor and children will be prohibited from accessing the second story or basement levels. The applicant does not propose any alterations to the exterior of the building.

### Use Regulations

In residential zoning districts, the owner or lessee of the subject dwelling shall be both the licensee and the administrator of the Type A Home. Each licensee/administrator is limited to one (1) Type A Family Day Care facility in the City of Toledo. The Type A Home licensee/administrator shall be an individual person and resident domiciliary of the subject home (TMC§1104.0701.A – *Type A Family Day Care Home*). The applicant has provided a purchase agreement to the Plan Commission for their records and is in compliance with this regulation.

In residential zoning districts, a Type A Family Day Care must have building frontage on a major street. According to the Toledo-Lucas County Major Street and Highway Plan, 4903 Bancroft Street is located on what is identified as a “major street”. Additionally, Type A Day Care facilities are subject to the spacing requirements outlined in TMC§1104.1000. The proposed use is prohibited within a 500 foot radius of any group living facility, Type A Family Day Care Home, and/or a non-residential drug and alcohol center. The site is in compliance with this regulation.

**STAFF ANALYSIS** (cont'd)

Parking and Circulation

A paved area for dropping off and picking up persons in care at the facility must be provided with the approval of the Division of Transportation. The applicant intends to utilize the existing driveway and adjoined bump-out area for this activity. Drop off and pick up times vary from parent to parent and the applicant does not anticipate more than two (2) at a time. To accommodate two way traffic, the Division of Transportation requires that a minimum drive aisle and access drive widths must be twenty-five (25') feet. Customers must be able to adequately maneuver the site without impeding the path of another driver. Sufficient employee and customer parking must be made available for the daycare.

Pursuant to TMC§1107.0304 *Parking, Loading, and Access* – Schedule A, a Type A daycare is required to provide one (1) parking space plus the required parking for the residential dwelling. Single family dwelling units require that two (2) parking spaces be provided for such a land use. Calculations conclude that a total of three (3) parking spaces are required. All parking must be properly marked and meet the dimensional requirements of Toledo Municipal Code 1107. The applicant shall work with the Division of Transportation to ensure the previously mentioned conditions can be met to the satisfaction of the Division.

Finally, the paved area of driveways serving detached houses, attached houses, or duplexes may not cover more than forty (40%) percent of the front yard up to a maximum driveway width of twenty-four (24') feet (TMC§1107.1202.A.2). Off-street parking and loading spaces, parking lots, maneuvering areas, aisles and driveway 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 and approval of the Department of Public Utilities. The applicant must obtain a waiver of TMC§1107.1202.A.2 to allow for more than forty (40%) of the front yard to be used as a paved driveway and to allow for a twenty-five (25') foot wide driveway per condition of approval from the Division of Transportation. Staff supports this waiver.

Landscaping

Sixty (60) square feet of usable outdoor space must be provided for each person in care using the outdoor area at any one time. The site plan offers a ±10,700 square foot outdoor play area that can accommodate more than the maximum number of twelve (12) children allowed. A Type B landscape buffer with solid board on board fence is required to be around the outdoor play area. The site plan depicts a six (6) foot high board on board privacy fence around the play area and is in compliance with the Toledo Municipal Code.

**STAFF ANALYSIS** (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Single-Family Residential districts land uses. The intent of the Single-Family Residential designation is to accommodate the development of single dwelling units on individual lots. The districts are intended to create, maintain and promote housing opportunities for individual households, although they do permit nonresidential uses that are typically compatible with residential neighborhoods. The proposed development conforms to this land use designation. Additionally, all site requirements for a Type A day care have been met for the subject site. Finally, the proposed Type A Day Care is not out of character with adjacent uses.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission make the following recommendations to the Toledo City Council on the following waiver requests to the Special Use Permit, for a Type A daycare facility located at 4903 West Bancroft Street:

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

**Sec. 1107.1202.A.2 Setbacks - Residential**

Approve waiver to allow for more than forty (40%) of the front yard to be used as a paved driveway and to allow for a twenty-five (25') foot wide driveway per condition of approval from the Division of Transportation.

**Chapter 1116 Terminology**

**Sec. 1116.0212 – Day Care**

Approve waiver to allow for the Type A Day Care facility to operate twenty-four (24) hours per day.

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-10001-16, a request for a Special Use Permit for a Type A Day Care located at 4903 West Bancroft Street, to the Toledo City Council, for the following three (3) reasons:

1. The proposed use complies with all applicable provisions of this Zoning Code (TMC§1111.0706.B);
2. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (TMC§1111.0706.C);
3. The proposed use complies with the Toledo 20/20 Comprehensive Plan.

**STAFF RECOMMENDATION** (cont'd)

The staff additionally recommends that the Toledo City Plan Commission recommend approval of SUP-10001-16, a request for a Special Use Permit for a Type A daycare located at 4903 West Bancroft Street, to the Toledo City Council, subject to the following twenty four (24) conditions:

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

Engineering Services

1. All **existing substandard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced/upgraded to conform to current City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, The 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 eight-inch (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.
4. Required permits for all approved work in the public right-of-way shall be obtained before work begins from One Stop Shop, (419) 245-1220.

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

5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
6. Plans for new water service or modifications to the existing water service shall be submitted to the Division of Engineering Services for review and approval.

**STAFF RECOMMENDATION** (cont'd)

Sewer & Drainage Services

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

9. Approved address numbers are required to be on the building, in building, in a contrasting color, facing the street fronting the property. Minimum size of numbers is 4 inches high by ½ inches wide.

Transportation

10. To accommodate two way traffic, minimum drive aisle and access drive widths must be 25'.
11. All parking must be properly marked and meet the dimensional requirements of Toledo Municipal Code 1107.
12. Sufficient employee and customer parking must be made available for the daycare. Customers must be able to adequately maneuver the site without impeding the path of another driver. The current configuration of the site does not allow for these movements.

Plan Commission

13. In residential zoning districts, a Type A Family Day Care must have building frontage on a major street. **Acceptable as depicted on site plan.** (TMC 1104.0701.C).
14. Group Living facilities, Type A Day Care Home, and Nonresidential Drug and Alcohol Centers that subject to this spacing requirement Section in the Use Table of Sec. 1104.0100, must be at least 500 feet from a site with any other Group Living facilities, Type A Day Care Home, and Nonresidential Drug and Alcohol Center that is subject to this spacing requirement. (TMC 1104.1001).

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

15. 35 square feet of usable indoor space per person in care must be regularly available to the Type A Day Care.
16. 60 square feet of usable outdoor space must be provided for each person in care using the outdoor area at any one time.
17. A Type B landscape buffer or fence shall be placed around the outdoor play area. **Acceptable as depicted on site plan.**
18. 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.
19. A paved off-street area for dropping off and picking up persons in care at the facility must be provided and approved by the Division of Transportation.
20. A detailed site, lighting, fencing and landscaping plan shall be submitted to the Plan Director for review and approval.
  - a. An extensively landscaped frontage greenbelt shall be provided along public right-of-ways, but not including alleys. Frontage greenbelts shall be a minimum width of fifteen (15') feet.
  - b. 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 **(acceptable as depicted on the site plan);**
21. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
22. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

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

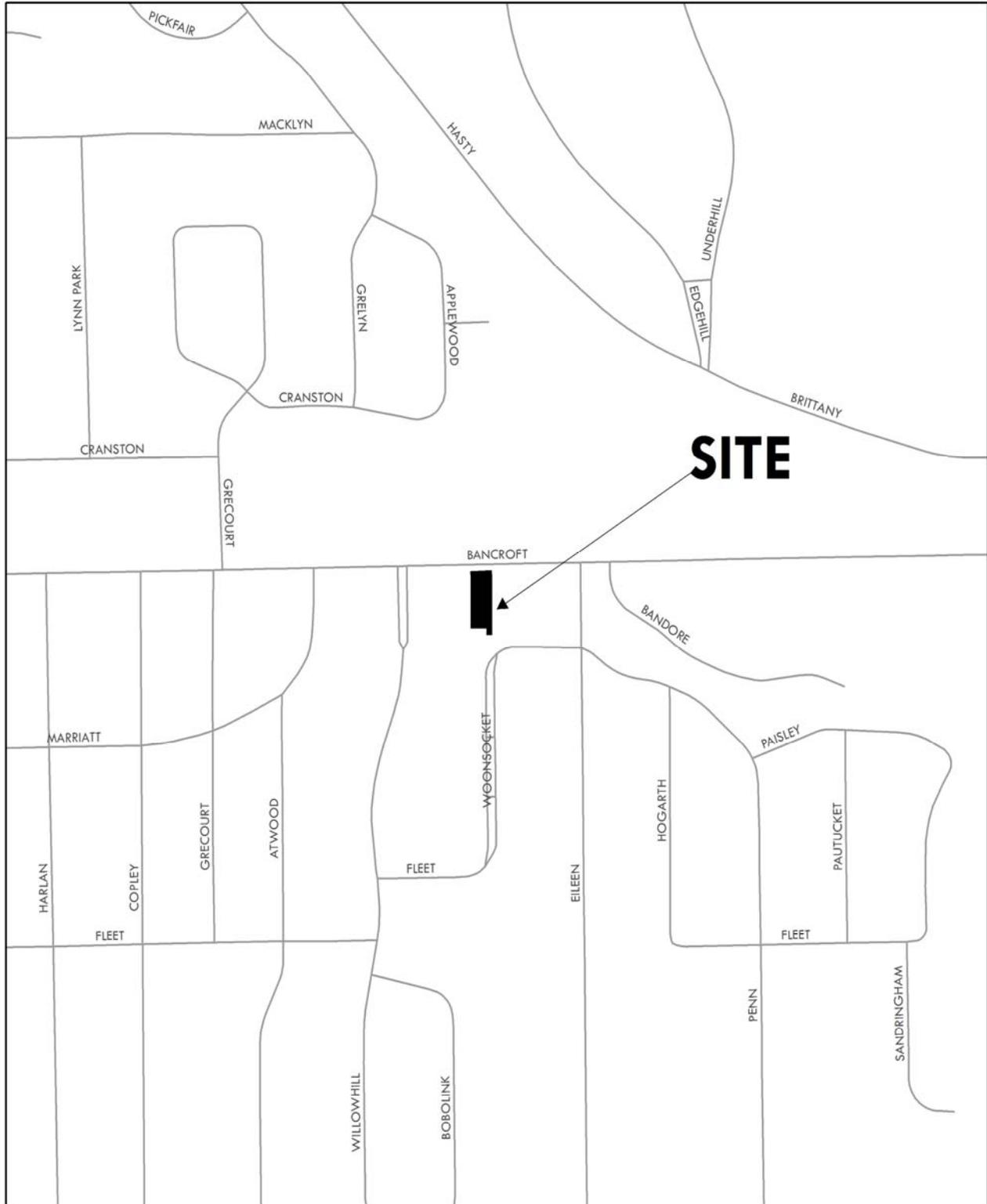
SPECIAL USE PERMIT  
TOLEDO CITY PLAN COMMISSION  
REF: SUP-10001-16  
DATE: December 1, 2016  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: January 11, 2017  
TIME: 4:00 P.M.

GP  
Three (3) sketches follow

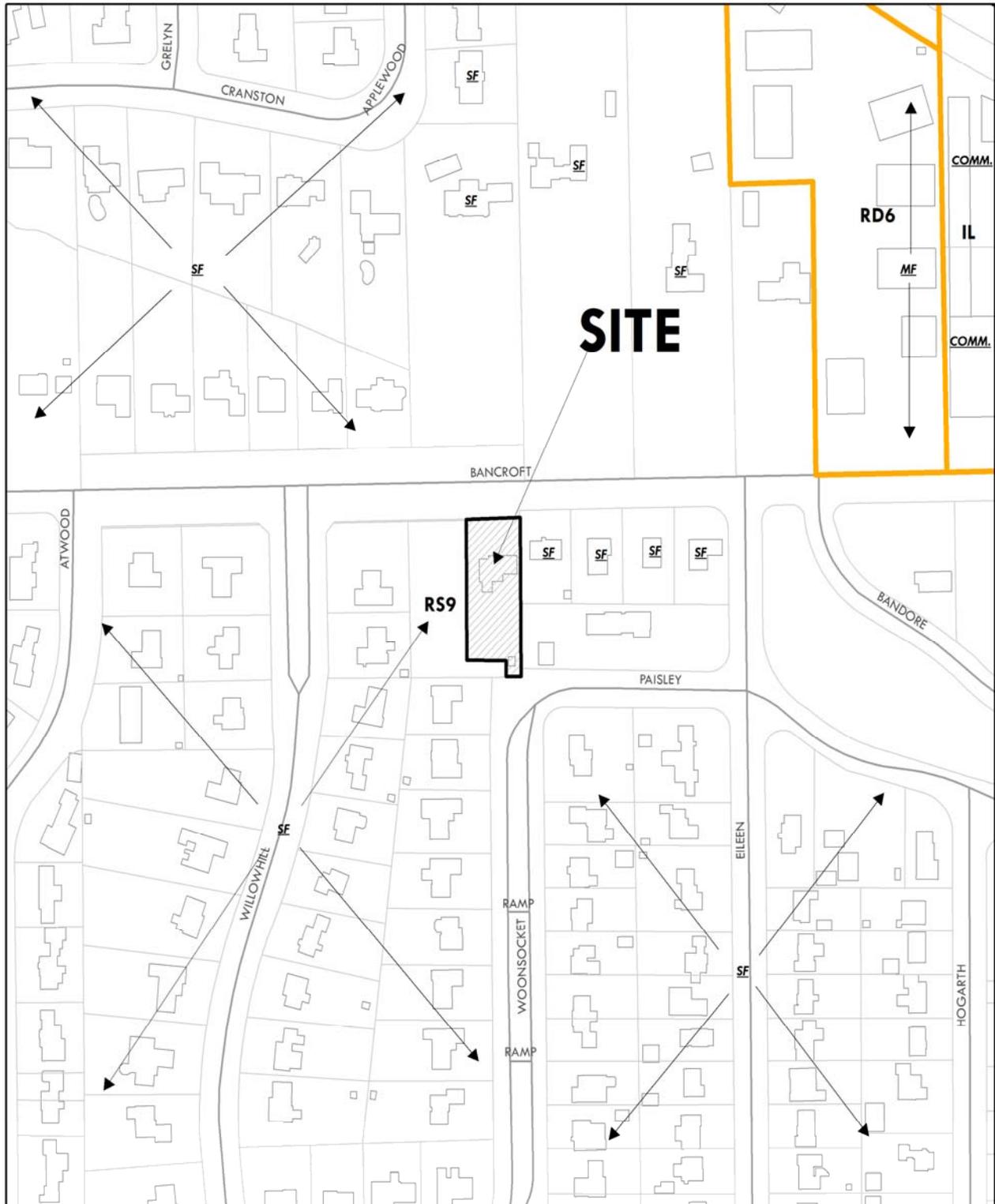
# GENERAL LOCATION

SUP-10001-16  
ID 82



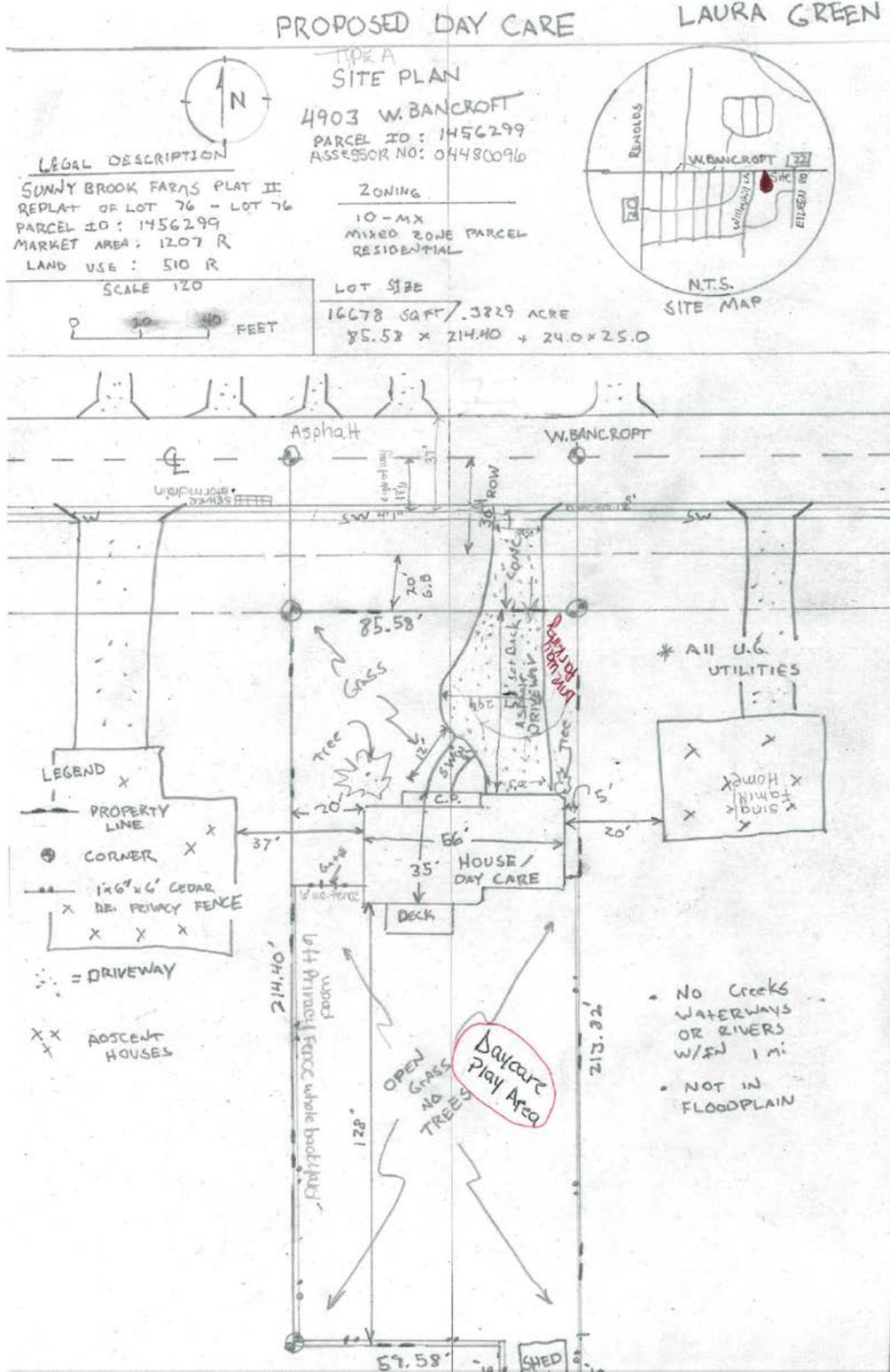
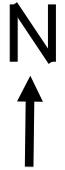
# ZONING & LAND USE

SUP-10001-16  
ID 82



# SITE PLAN

SUP-10001-16  
ID 82



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REF: Z-10003-16  
DATE: December 1, 2016

## GENERAL INFORMATION

### Subject

- Request - Request a for Zone Change from RM12 Multi-Family Residential to RS6 Single Family Residential and RD6 Duplex Residential
- Location - 5301 Nebraska Avenue
- Applicant - Friendship Baptist Church  
C/O: Don Tisdale  
5301 Nebraska Avenue  
Toledo, OH 43615
- Contact - National Church Residences  
C/O: Amy Rosenthal  
2245 North Bank Drive  
Columbus, OH 43220
- Engineer - Lewandowski Engineers  
C/O: Troy Barman, P.E.  
234 N. Erie Street  
Toledo, OH 43604

### Site Description

- Zoning - RM12 / Multi-Family Residential
- Area - ± 0.61 acres
- Frontage - ±27' along Nebraska Avenue
- Existing Use - Driveway for Friendship Baptist Church
- Proposed Use - Driveway for Friendship Baptist Church

### Area Description

- North - Single Family Dwellings / RS6
- South - Undeveloped / RD6
- East - Friendship Baptist Church / RS6, RD6
- West - Parking Lot / RM12

**GENERAL INFORMATION (cont'd)**

Parcel History

- Z-130-68 - Request for Zone Change for a 40 acre parcel located on the southwest corner of Reynolds Road and Nebraska Avenue from R – 2 Single Family Residential District to C – 3 Commercial District. Plan Commission denied approval on 5/29/68.
- Z-130-68 - Request for Zone Change for a 34 acre parcel located on the southwest corner of Reynolds Road and Nebraska Avenue from R – 2 Single Family Residential District to C – 3 Commercial District. Plan Commission denied approval on 10/17/68.
- Z-45-89 - Request to rezone 3 acre parcel from R-2 Single Family Residential to C-2 Restricted Office, deferred by Plan Commission on 5/4/89, withdrawn by applicant on 5/17/89.
- T-21-89 - Request for deed transfer, denied administratively on 2/28/89.
- PL-6-95 - Request for parking lot review for Friendship Baptist Church, approved administratively on 9/28/95.
- Z-2008-04 - Request for zone change from R-2 and C-3 to R-3, approved by Plan Commission on 4/8/04, City Council approved on 6/12/04, Ord. 359-04.
- CUP-2007-04 - Request for community unit plan for 168 unit senior housing complex, approved by Plan Commission on 4/8/04, City Council approved on 6/12/04, Ord. 360-04.
- SPR-24-05 - Request for Major Site Plan Review for a 55 unit senior housing development, approved by Plan Commission on 5/12/05. Minor adjustment approved administratively on 5/14/07, granting a third curb cut onto Nebraska Avenue if a deed transfer was successfully completed.

**GENERAL INFORMATION (cont'd)**

Parcel History

- |             |   |  |
|-------------|---|--|
| SUP-8006-05 | - | Request for a Special Use Permit for an addition to existing church to include new educational facility. Plan Commission recommended approval on 12/1/05, approved by City Council 3/14/06, Ord. 64-06.                  |
| SPR-40-10   | - | Request for a Major Site Plan Review for Valley Bridge Senior Housing. Plan Commission approved on 1/14/11.  |
| Z-10008-14  | - | Request for a Zone Change from RS6 Single Family Residential and RD6 Duplex Residential to RM12 Multi-Family Residential. Plan Commission recommended approval on 12/4/14, approved by City Council 1/20/15, Ord. 35-15. |
| T-78-16     | - | Request for a Lot Split and combination, companion case.   |
| SPR-43-16   | - | Request for a Major Site Plan Review for a 70 unit senior housing development; companion case.   |

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 RM12 Multi-Family Residential to RS6 Single Family Residential and RD6 Duplex Residential for a site located at 5301 Nebraska Avenue. The ±0.61 acre site is occupied by a driveway that provides access to the adjacent church and an associated parking area. The applicant wants to split this small section of land from the purchased property and combine it with the existing church property. A companion Major Site Plan Review and Lot Split with land transfer accompanies this case.

**STAFF ANALYSIS** (cont'd)

The applicant is requesting a Zone Change to facilitate the acquisition of the development site and to respond to a request made by the seller. Friendship Baptist Church has agreed to split off a portion of its land and sell it to National Church Residences. The original split included the driveway on the west side of the church's retained property. A new lot split has been requested and approved that would allocate said driveway back to the church. Friendship Baptist Church desires to maintain ownership of the driveway in order to provide access to a special parking area that is located closer to the building's entrance and designated for the use of elderly members.

The property occupied by the church is mixed zoned between RS6 Single Family Residential and RD6 Duplex Residential. The driveway that is to be acquired by the church is zoned RM12 Multi-Family Residential and is approximately 27 feet wide by 989 feet in depth. As a condition of approval for the Lot Split, this slender piece of property is required to be combined with the property of the adjacent church and the zoning request would match existing conditions of the parent property. Staff recognizes that the request is unique but views it as converting a small portion of the split parcel back to its original condition.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Single-Family Residential districts land uses. The intent of the Single-Family Residential designation is to accommodate the development of single dwelling units on individual lots. The districts are intended to create, maintain and promote housing opportunities for individual households, although they do permit nonresidential uses that are typically compatible with residential neighborhoods. The proposed development conforms to this land use designation and meets the intent of the Toledo 20/20 Comprehensive Plan.

Staff recommends approval of the Zone Change from RM12 Multi-Family Residential to RS6 Single Family Residential and RD6 Duplex Residential because the proposed Zone Change meets the challenge of a changing condition and would prevent an error or inconsistency of the Zoning Code.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z-10003-16, a request for a Zone Change from RM12 Multi-Family Residential to RS6 Single Family Residential and RD6 Duplex Residential for the site located at 5301 Nebraska Avenue, to the Toledo City Council, for the following two (2) reasons:

1. The proposed Zone Change meets the challenge of a changing condition (TMC§1111.0606(F) Review and Decision Making Criteria).
2. The proposed Zone Change request is consistent with The Toledo 20/20 Comprehensive Plan (TMC§1111.0606(A) Review and Decision Making Criteria).

ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z-10003-16  
DATE: December 1, 2016  
TIME: 2:00 P.M.

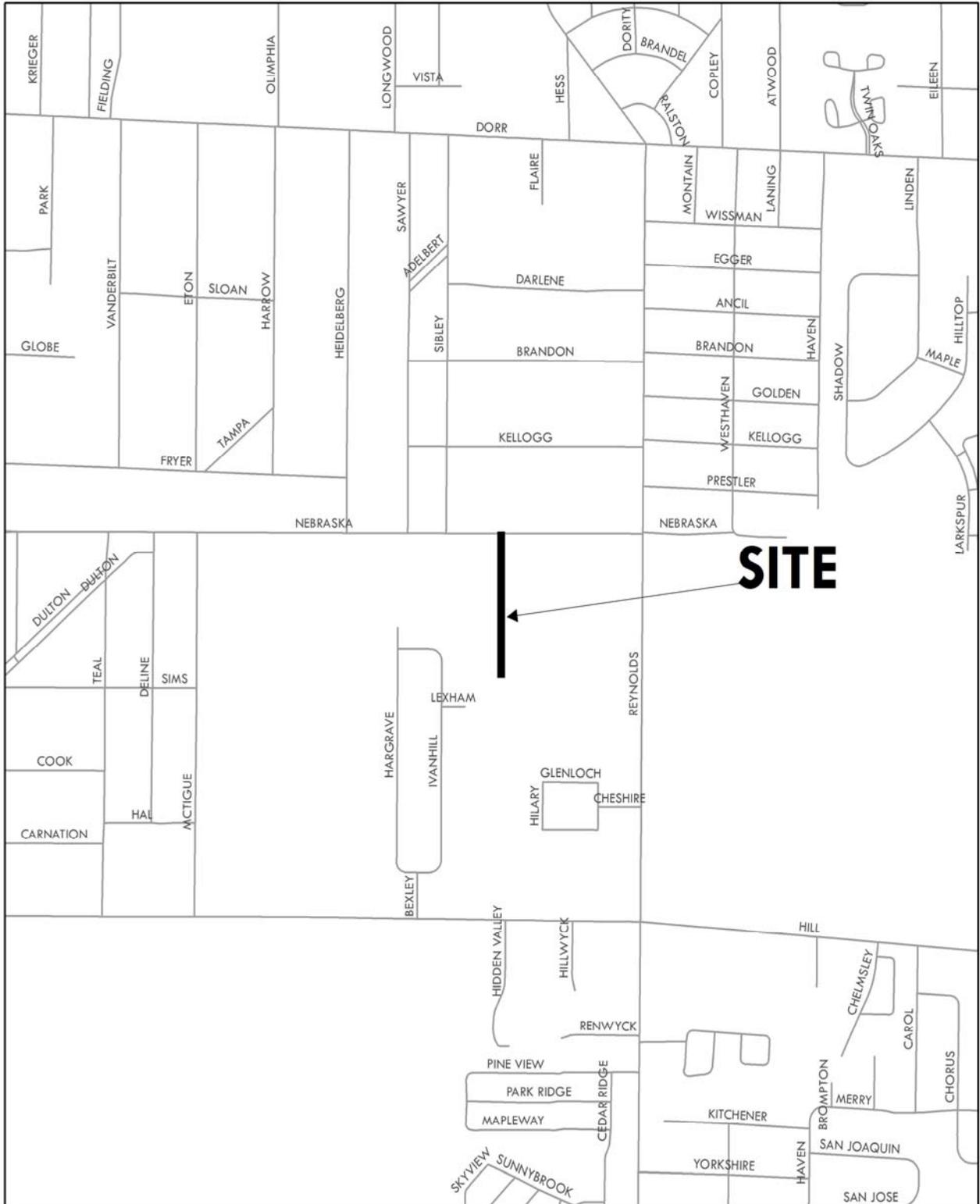
CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: January 11, 2017  
TIME: 4:00 P.M.

GP

Three (3) sketches follow

# GENERAL LOCATION

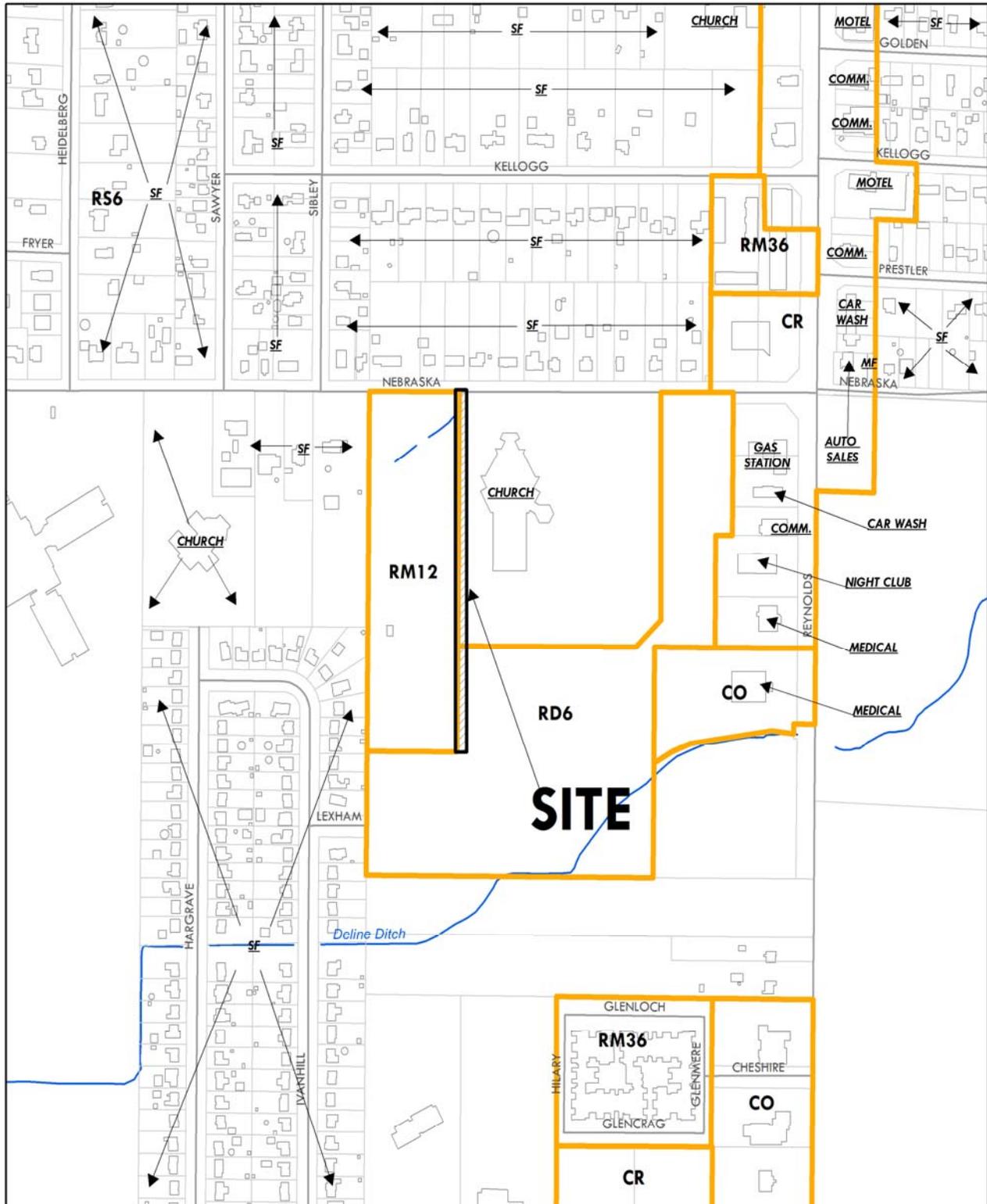
Z-10003-16  
ID 119



**SITE**

# ZONING & LAND USE

Z-10003-16  
ID 119





**GENERAL INFORMATION**

Subject

- Request - Major Site Plan Review for a new elderly housing facility and adjacent parking lot area
- Location - 5301 Nebraska Avenue
- Applicant - Friendship Baptist Church  
C/O: Don Tisdale  
5301 Nebraska Avenue  
Toledo, OH 43615
- Contact - National Church Residences  
C/O: Amy Rosenthal  
2245 North Bank Drive  
Columbus, OH 43220
- Engineer - Lewandowski Engineers  
C/O: Troy Barman, P.E.  
234 N. Erie Street  
Toledo, OH 43604

Site Description

- Zoning - RM12 Multi-Family Residential
- Area - ±5.86 acres
- Frontage - ±258' along Nebraska Avenue
- Existing Use - Partially developed (parking lot)
- Proposed Use - Senior Housing Facility
- CDC - None

Area Description

- North - Single Family Residential / RS6
- South - Undeveloped / RD6
- East - Friendship Baptist Church / RS6, RD6
- West - Single Family Residential / RS6

**GENERAL INFORMATION (cont'd)**

Parcel History

- Z-130-68 - Request for Zone Change for a 40 acre parcel located on the southwest corner of Reynolds Road and Nebraska Avenue from R – 2 Single Family Residential District to C – 3 Commercial District. Plan Commission denied approval on 5/29/68.
- Z-130-68 - Request for Zone Change for a 34 acre parcel located on the southwest corner of Reynolds Road and Nebraska Avenue from R – 2 Single Family Residential District to C – 3 Commercial District. Plan Commission denied approval on 10/17/68.
- Z-45-89 - Request to rezone 3 acre parcel from R-2 Single Family Residential to C-2 Restricted Office, deferred by Plan Commission on 5/4/89, withdrawn by applicant on 5/17/89.
- T-21-89 - Request for deed transfer, denied administratively on 2/28/89.
- PL-6-95 - Request for parking lot review for Friendship Baptist Church, approved administratively on 9/28/95.
- Z-2008-04 - Request for zone change from R-2 and C-3 to R-3, approved by Plan Commission on 4/8/04, City Council approved on 6/12/04, Ord. 359-04.
- CUP-2007-04 - Request for community unit plan for 168 unit senior housing complex, approved by Plan Commission on 4/8/04, City Council approved on 6/12/04, Ord. 360-04.
- SPR-24-05 - Request for Major Site Plan Review for a 55 unit senior housing development, approved by Plan Commission on 5/12/05. Minor adjustment approved administratively on 5/14/07, granting a third curb cut onto Nebraska Avenue if a deed transfer was successfully completed.

**GENERAL INFORMATION (cont'd)**

Parcel History

- SUP-8006-05 - Request for a Special Use Permit for an addition to existing church to include new educational facility. Plan Commission recommended approval on 12/1/05, approved by City Council 3/14/06, Ord. 64-06.
  
- SPR-40-10 - Request for a Major Site Plan Review for Valley Bridge Senior Housing. Plan Commission approved on 1/14/11.
  
- Z-10008-14 - Request for a Zone Change from RS6 Single Family Residential and RD6 Duplex Residential to RM12 Multi-Family Residential. Plan Commission recommended approval on 12/4/14, approved by City Council 1/20/15, Ord. 35-15.
  
- T-78-16 - Request for a Lot Split and combination, companion case.
  
- Z-10003-16 - Request for a Zone Change from RM12 Multi-Family Residential to RS6 Single Family Residential and RD6 Duplex Residential; companion case.

Applicable Regulations

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

**STAFF ANALYSIS**

The applicant is requesting a Major Site Plan Review to facilitate the development of a new elderly housing facility and adjacent parking lot at 5301 Nebraska Avenue. The ±5.86 acre site is zoned RM12 Multi-Family Residential and is occupied by an overflow parking lot for the adjacent church. This existing parking area is comprised of 273 parking spaces but will be redeveloped to accommodate the proposal. The applicant wants to split this small section of land from the parent property and purchase it from the owner. The existing church is required to provide 250 parking spaces per TMC§1107.0304 – Off-Street Parking Schedule “A”. The church still provides 303 parking spaces and will remain in compliance with the Toledo Municipal Zoning Code. Pursuant to TMC§1111.0802.B.2, all nonresidential developments that propose sixty (60) or more off-street parking spaces require a Major Site Plan review. A companion Zone Change and Lot Split with land transfer accompanies this case.

**STAFF ANALYSIS** (cont'd)

The applicant has requested the Major Site Plan Review to build a ±29,000 square foot multi-dwelling building that will be three (3)-stories tall and offer independent living and on-site health care for elderly persons. The new building will consist of seventy (70) units and will provide a total of eighty (80) beds. The applicant is requesting a variance for the required ten (10') foot wide sideyard landscape buffer to allow for a four (4') foot buffer along the east property line. The developer is also requesting a waiver for the required bicycle parking. The Planning Director may waive the bicycle parking requirements for a particular use if the owner or operator can demonstrate in writing, supported by evidence, that the use does not generate any bicycle usage.

Connecting sidewalks are provided for internal pedestrian circulation within the site to connect the street and parking spaces to the main building entrance. All internal pedestrian walkways that cross parking aisles or driveways shall be distinguished from driving surfaces through the use of durable, low-maintenance surface material such as pavers, bricks, scored concrete, or scored and painted asphalt to enhance pedestrian safety and comfort. The on-site pedestrian circulation system must be illuminated to a level where the system can be used at night by residents and visitors. A neighborhood meeting was held on November 16, 2016.

Parking and Circulation

Pursuant to TMC§1107.0700 Elderly and Disabled Housing Parking Reduction, a development of this type is required to have one (1) parking space for every two (2) units plus an area on the site reserved for future parking to accommodate one (1) parking space per dwelling unit. Calculations conclude that a total of thirty-five (35) parking spaces are required. The site plan shows that this establishment will provide a total of sixty (60) parking spaces for the residents. The number of parking spaces offered on the site plan is in compliance with the Zoning Code. A total of three (3) handicap parking spaces are required. The site plan submitted is in compliance with this requirement.

According to TMC§1107.1905 Parking, Loading, and Access – Surfacing and Drainage, off street parking and loading spaces, parking lots, maneuvering 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 site plan depicts an internal storm drainage system that will service the parking lot and outlet into an underground storage detention system that will outlet in the existing stormwater sewer line located along Nebraska Avenue.

**STAFF ANALYSIS** (cont'd)

Density

The site is zoned RM12 Multi-Family Residential. The maximum number of dwelling units permitted in the zoning district 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 density allowed in this zoning district is twenty (20) dwelling units per acre. The area of a lot includes the total horizontal surface area within the lot's boundaries, not including rights-of-ways. Calculations conclude that the site can accommodate 117 units. The proposal of seventy (70) units is below the maximum density allowed and is in compliance with the Zoning Code.

The maximum building coverage of the site is 85 percent (TMC§1106.0102 Intensity and Dimensional Standards Table). Building coverage refers to the total area of a lot covered by buildings or roofed areas. Ground level parking, open recreation areas, courtyards, patios and plazas are not to be counted as building coverage (TMC§1106.0207). The proposed site plan coverage is nine (9%) percent, which is well below the 85 percent allowed in the RM12 zoning district.

Landscaping

A landscape plan has been submitted as part of the Major Site Plan Review. Pursuant to TMC§1108.0202 “Landscaping and Screening”, the following criteria apply: At least one (1) tree must be provided for every thirty (30') feet of lot frontage or fraction thereof. Frontage greenbelts are required be a minimum of thirty (30') feet. Trees are not required to be evenly spaced and may be clustered. Credit may be given to existing canopy trees, evergreen trees and understory trees according to the criteria outlined in TMC§1108.0407. Any part of a lot area not used for buildings, other structures, or for roads, walks, parking, service areas or accessways must be landscaped with a combination of groundcover, trees and shrubs. Grass may be used in conjunction with other plant material.

Calculations for the Nebraska Avenue Frontage Greenbelt ( $\pm 258'$ ) require that nine (9) trees are to be incorporated into the greenbelt. Existing trees should be incorporated into the landscape plan to the maximum extent. Landscaped areas must be properly maintained and irrigated as necessary to assure good and healthy conditions for the required plant material. Landscape terminal islands are also required to be provided at the end of each parking row. For projects over one-half ( $\frac{1}{2}$ ) acre in site area, irrigation plans that contain all construction details must be submitted with development plans. Irrigation will be required for this site.

**STAFF ANALYSIS** (cont'd)

Landscaping (cont'd)

The standards outlined in TMC§1108.0204 – Parking Lot Landscaping apply to all off-street parking lot containing five (5) or more off-street parking spaces for any use, except by the zoning code. A perimeter landscape buffer is required to be provided abutting the parking area and to visually screen all off-street loading facilities from view of residential districts and public right-of-ways. Two (2) canopy trees are required to be installed in interior landscape areas for each ten (10) parking spaces within the parking lot. Six (6) shrubs are required to be installed in interior landscape areas for each ten (10) parking spaces within the parking lot. One (1) canopy tree may substitute for three (3) shrubs. The landscape plan submitted is in compliance with these landscape requirements.

Pursuant to TMC§1108.0205, interior site landscaping must consist of foundation shrub plantings and new tree plantings or the preservation of existing trees or hedges within the development site. Foundation plantings are required along all portions of the building that are visible from the public right-of-way; and landscaping at all major building entrances shall be provided. The landscape plan fulfills this requirement and offers foundation plantings along all facades, not just those visible from the public right-of-way.

Building Design

The intent of building design standards is to ensure a base level of quality architecture that is responsible to its context and contributes to the established architectural character of an area. Exterior walls are articulated in order to add architectural interest and variety and avoid the effect of a single, long or massive wall with no relation to human scale. The building design reduces its mass by dividing the building into smaller masses through the use of reveals and projections and changes in texture and color of wall surfaces.

Buildings in the RM12 district have a maximum height limit of thirty-five (35) feet. The elevation drawings and site plan for the proposed facility indicate the total height of the structure will be ±34 feet. The elevation renderings indicate the use of low-reflectance, subtle, neutral or earth tone materials throughout the proposed development. The proposed design is in compliance with the Zoning Code.

Predominate exterior building materials shall be high-quality materials. For facades visible from the public right-of-way, predominate materials must comprise at least seventy-five percent (75%) of the total wall area of the façade. The building materials meet the requirements of TMC§1109.0500 Building Façade Materials and Color. Exterior building materials do not include any prohibited materials such as concrete blocks, concrete panels or wood sheet goods. The submitted building elevations are in compliance with said section of the Toledo Municipal Zoning Code.

**STAFF ANALYSIS** (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for single-dwelling districts land uses. The intent of the Single-Dwelling Districts designation is to accommodate the development of single dwelling units on individual lots. The districts are intended to create, maintain and promote housing opportunities for individual households, although they do permit nonresidential uses that are typically compatible with residential neighborhoods. The proposed development conforms to this land use designation.

Staff has reviewed the proposed Major Site Plan Review in accordance with the criteria of TMC§1111.0809 and based on the results of the review, staff has determined that the Major Site Plan is suitable for this location because the approval of the proposed use is allowed within the zoning district in which it is located in and the development complies with all standards of the Toledo Municipal Zoning Code.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission make the following recommendations on a variance for the required ten (10') foot wide sideyard landscape buffer to allow for a four (4') foot buffer along the east property line and a waiver of the required bicycle parking as proposed at 5301 Nebraska Avenue:

**Chapter 1108 Landscaping and Screening**

**Sec. 1108.0203 Screening Requirements Matrix**

Approve variance to allow for a four (4') foot landscape buffer with a solid board on board fence along the east property line.

**Chapter 1107 Bicycle Parking**

**Sec. 1107.0901 Number of required bicycle parking**

Approve to waive the required bicycle parking slots pursuant to Off-Street Parking Schedule "A".

The staff further recommends that the Toledo City Plan Commission recommends approval of SPR-43-16, a request for a Major Site Plan Review for a new elderly housing facility and adjacent parking area for a site located at 5301 Nebraska Avenue for the following two (2) reasons:

1. The proposed use complies with all the standards or the Toledo Municipal Zoning Code and other adopted City policies (TMC§1111.0809(A)).
2. The proposed use is allowed within the zoning district in which it is located in (TMC§1111.0809(B)).

**STAFF RECOMMENDATION** (cont'd)

The staff recommends that the Toledo City Plan Commission approve SPR-43-16, a Major Site Plan Review for a new senior housing facility and adjacent parking lot area located at 5301 Nebraska Avenue, subject to the following forty-six (46) 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, ph. 419-245-1338  
Sanitary Sewers: Mike Elling, ph. 419-936-2276

2. All **existing substandard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced and/or upgraded to conform to current City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
3. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
4. All commercial drive approaches (along with the sidewalk through the drive) shall be constructed with 8-inch-thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop or opening.** Existing drive approaches, including the curb drop, that will no longer be utilized shall be removed and restored with curb to match the adjacent curb

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

5. Required permits for all approved work in the public right-of-way shall be obtained before work begins from One Stop Shop, (419) 245-1220.  
  
Contact Joe Warnka at (419) 245-1341 for inspection of above-mentioned items.
6. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
7. 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](http://BSIonlinetracking.com) at 800-414-4990. Contact the Division of Water Distribution at 419-245-1395 to verify the backflow prevention requirements for this site.
8. Contact the City of Toledo Fire Prevention Bureau at 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. 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.
11. Plans for the water service shall be submitted to and approved by the Ohio EPA prior to starting construction of the water service.
12. 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 and 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 and approval.
13. No construction work, including any earth disturbing work will be permitted without approved plans and inspection.

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

14. Plan submittals shall be in conformance with the latest version of Infrastructure Design and Construction Requirements available at <http://toledo.oh.gov/services/public-utilities/div-engineering-services/plan-review-process/>, including the requirements for storm water detention and post-construction storm water BMP's.
15. 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.
16. Designs incorporating low impact development solutions, such as grassy swales and bio-retention areas in lieu of curb, storm sewers, and underground detention are encouraged and may be eligible for a percent reduction in the property's storm water utility fee through the Storm Water Credit Program.
17. All disturbed land areas over 1 acre must submit an NOI to and obtain a permit from the Ohio EPA.
18. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
19. 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 [www.tmacog.org/storc/swp3.htm](http://www.tmacog.org/storc/swp3.htm).
20. Dredging, filling, clearing, or otherwise altering wetlands is prohibited without first providing proof of compliance with the following permits: Section 401 of the Clean Water Act, Ohio EPA Isolated Wetland Permit, and Section 404 of the Clean Water Act. If a permit does not apply, provide a letter from a qualified professional certifying that they have surveyed the site and determined that the permit is not applicable. All certifications and delineations shall include written concurrence from the U.S. Army Corps of Engineers and/or Ohio EPA, as appropriate, in accordance with protocols currently accepted by the U.S. Army Corps of Engineers.

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

21. The Contractor shall have the Underground Detention System manufacturer's representative on-site during the installation of the UDS. This representative shall advise the contractor as to the required installation procedures for the UDS.
22. The City of Toledo will be provided with as-built plan sheets signed and sealed by an Ohio P.E. representing the detention system manufacturer with the certification statement to the effect of: 'I certify that the underground detention system was installed in accordance with the manufacturer's installation requirements and that the underground detention system will function as designed in accordance with the contract documents' on each sheet.
23. Maintenance plans shall include specific instructions and schedule for inspection and cleaning, with access explained in the format of an owner's manual for future use by buildings and grounds personnel.
24. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
25. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. The Developer shall use the existing sanitary tap, when available.

Sewer & Drainage Services

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

28. Approved private hydrants shall be located within 350' of all exterior portions of the new facility (OFC 507.5.1).
29. Hydrants shall be located along fire service access road (OFC 503.1.1).

**STAFF RECOMMENDATION** (cont'd)

Fire Prevention (cont'd)

30. Access for fire vehicles shall be designed to support the imposed load of fire apparatus and shall provide all-weather driving capabilities (OFC 503.2.3).
31. Approved address numbers shall be located in a position that is plainly visible from the street fronting the property (OFC 505.1).

Transportation

32. The Division of Transportation questions the reason for the shift of the access drive eastward and requests more information regarding the alignment.
33. The “Y” shaped drive is one that does not clearly indicate right of way for vehicles approaching the intersection simultaneously. The intersection should be reconfigured to a 90 degree angle to designate vehicle right of way.

Plan Commission

34. A copy of the proposed cross-access agreement with the property to the east shall be submitted to the Plan Director.
35. 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.
36. Off-street parking and loading spaces, parking lots, maneuvering 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 toward the interior of the parking lot (TMC§1107.1906).
37. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping area.
38. Parking lots must be maintained in a safe operating condition so as not to create a hazard or nuisance. All materials used in the construction of paving, lighting fixtures, retaining walls, fences, curbs and benches must be continuously maintained and kept free of debris (TMC§1107.1909).
39. All internal pedestrian walkways that cross parking aisles of driveways shall be distinguished from driving surfaces through the use of durable, low-maintenance surface material such as pavers, bricks, scored concrete, or scored and painted asphalt to enhance pedestrian safety and comfort.

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

40. The on-site pedestrian circulation system must be illuminated to a level where the system can be used at night by residents and visitors.
41. 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. At least one (1) tree must be provided for every thirty (30) feet of lot frontage or fraction thereof. Frontage greenbelts are required be a minimum of fifteen (15) feet. Trees are not required to be evenly spaced and may be clustered.
  - b. Frontage greenbelts shall be constructed of grass, trees and shrub plantings. The Nebraska Avenue Frontage Greenbelt ( $\pm 258'$ ) requires that nine (9) trees are to be incorporated into the greenbelt.
  - c. Topsoil must be back filled to provide positive drainage of the landscape area;
  - 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. Credit may be given to existing canopy trees, evergreen trees and understory trees according to the criteria outlined in TMC§1108.0407.
  - f. Landscape terminal islands must be provided at the end of each parking row. **(acceptable as depicted on landscape plan);**
  - g. Two canopy trees and six shrubs are required to be installed in interior landscape areas for each 10 parking spaces within the parking lot. **(acceptable as depicted on landscape plan);**
  - h. Foundation plantings for the full street facing building elevation; and landscape areas at major building entrances; **acceptable as depicted on landscape plan.**
  - i. Perimeter landscaping must be installed along any parking lot area adjacent to a street, place or driveway, or which is visible from an adjacent property, and shall be ten feet (10') in width. **(acceptable as depicted on landscape plan);**

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

- j. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC§1108.0400 Landscape Materials Standards;
  - k. 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. Irrigation plan can be provided up to one year following site plan approval;
  - l. 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); **compliance to be determined.**
42. The location, lighting and size of any signs, all signage is subject to TMC§1387. No free-standing signs greater than forty (42”) inches from grade are permitted. Proposed signage must meet the requirements of low-profile signs per *Toledo Municipal Code Title Nine – Sign Code*; **acceptable as submitted.**
43. Landscape materials shall be installed to satisfy the minimum requirements of TMC§1108.0401.
44. 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.
45. 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.
46. 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.

REF: SPR-43-16...December 1, 2016

MAJOR SITE PLAN REVIEW  
TOLEDO CITY PLAN COMMISSION

REF: SPR-43-16

DATE: December 1, 2016

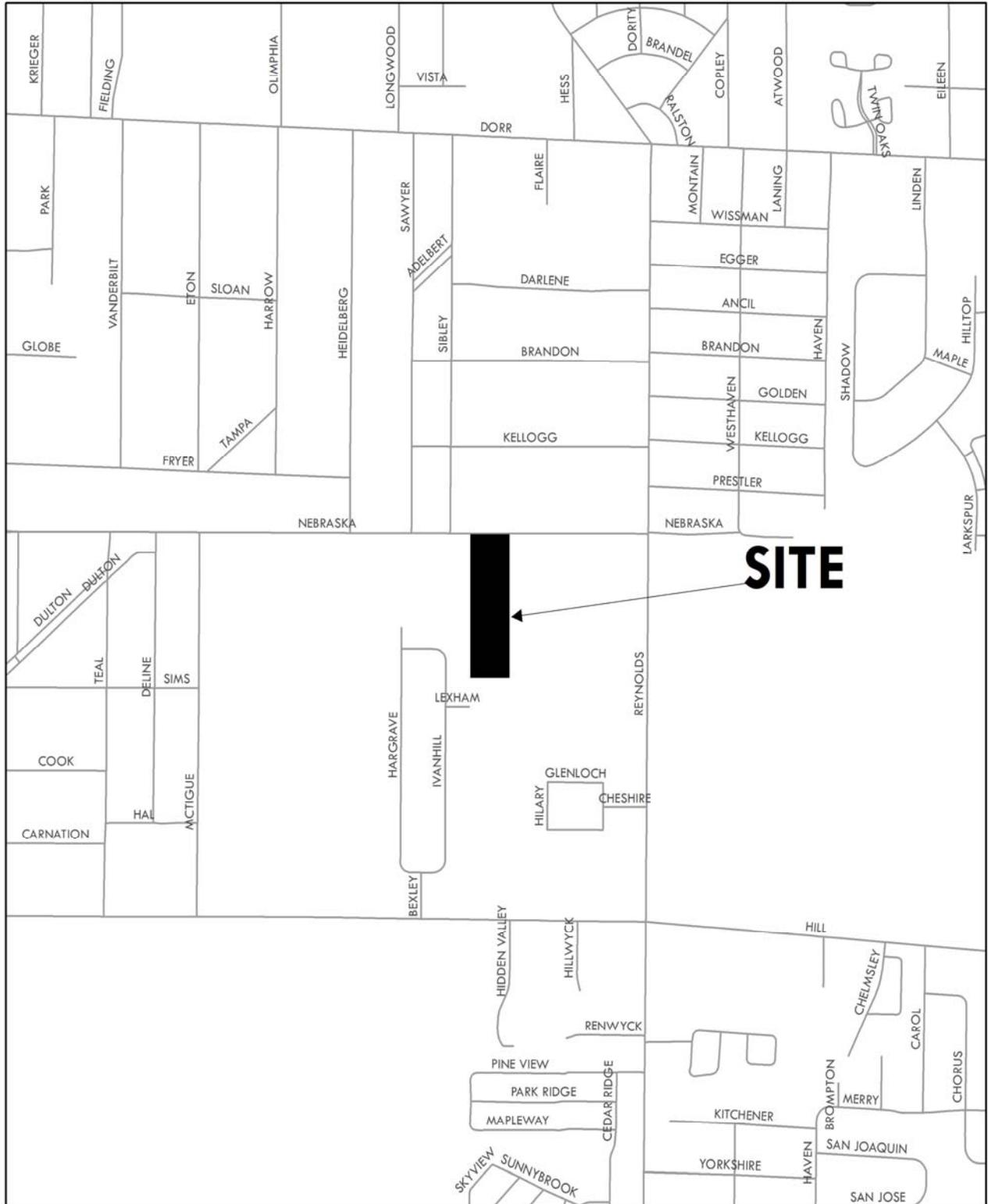
TIME: 2:00 P.M.

GP

Six (6) sketches follow

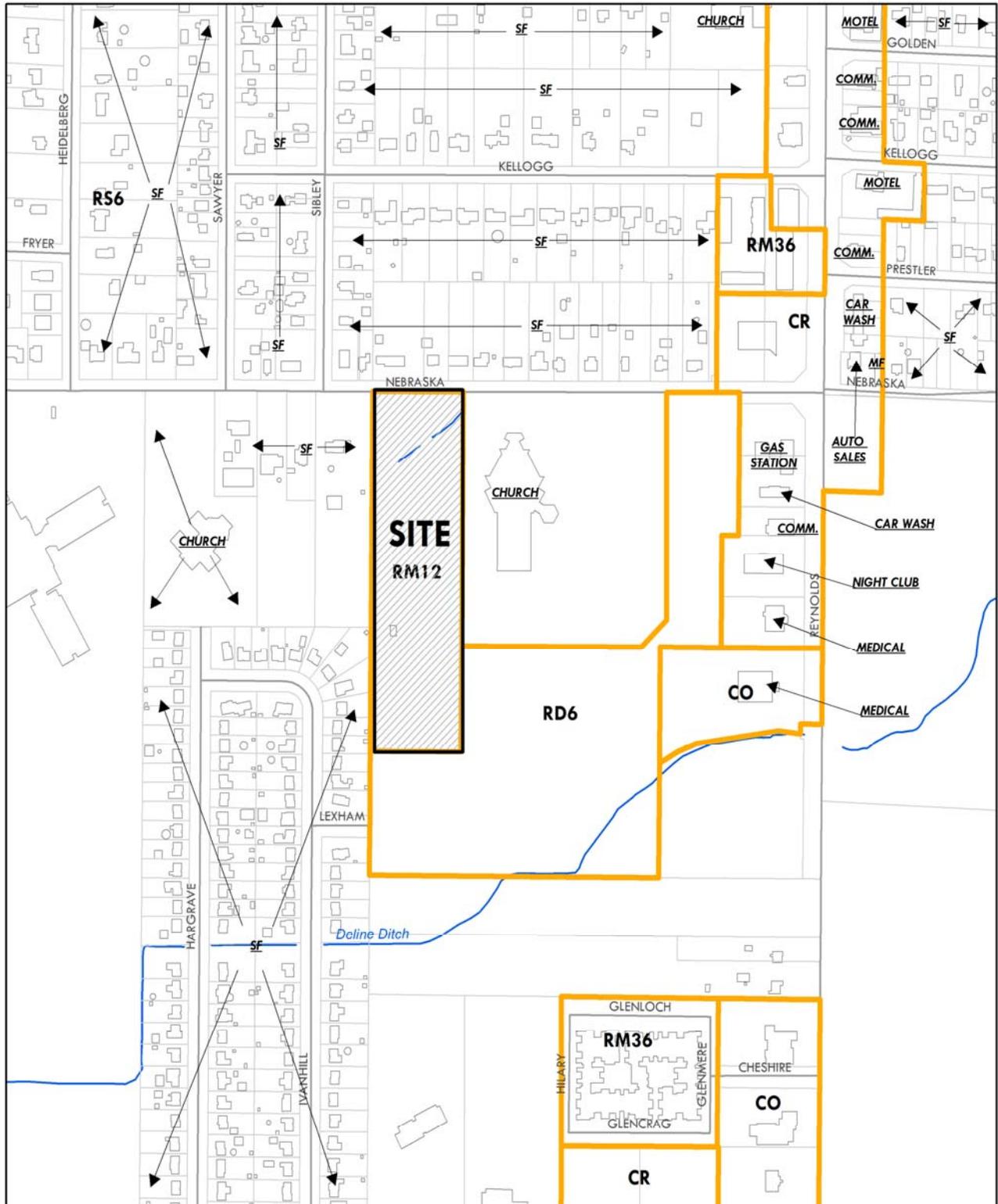
# GENERAL LOCATION

SPR-43-16  
ID 119



# ZONING & LAND USE

SPR-43-16  
ID 119









# RENDERING

**SPR-43-16**  
ID 119



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VALLEY BRIDGE  
TOLEDO, OHIO



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## GENERAL INFORMATION

### Subject

- Request - Vacation of an alley running east and west from Canton Street, south of Beacon Street and north of Scott Street
- Applicant - Chad Middendorf  
10531 Timberwood Circle  
Suite D  
Louisville, KY 40223
- Engineer - Lewandowski Engineers  
C/O: Troy Barman, P.E.  
234 N. Erie Street  
Toledo, OH 43604
- Engineer - Lewandowski Engineers  
C/O: Nicole Gilford  
234 N. Erie Street  
Toledo, OH 43604

### Site Description

- Zoning - CR / Regional Commercial
- Area - ±0.12 acres
- Dimensions - ±16' X 323'
- Existing Use - Alleyway

### Area Description

- North - Commercial Sales, Undeveloped Land / CR
- South - Vacant Church, Undeveloped Land / CR
- East - Auto Repair, Medical Service / IL, CR
- West - Multi-Family Housing Complex / RM36

### Parcel History

- SPR-42-16 - Request for a Minor Site Plan Review for a new medical facility at 2054 Canton Street. Administratively approved by the Plan Commission on 11/2/16.

**GENERAL INFORMATION (cont'd)**

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Cherry Street Legacy Plan
- Cherry Street Urban Neighborhood Overlay (UNO) District
- Toledo 20/20 Comprehensive Plan

**STAFF ANALYSIS**

The applicant is requesting the Vacation of an alley running east and west from Canton Street, south of Beacon Street and north of Scott Street. The ±0.12 acre site is zoned CR Regional Commercial and is also located in the Cherry Street Urban Neighborhood Overlay District. Surrounding land uses include multi-family housing to the west, commercial and industrial land uses to the east across Cherry Street, commercial and undeveloped land uses to the north, and a vacant church and undeveloped land to the south.

The intent of the proposal is to facilitate the assemblage of the alley and surrounding parcels to develop a medical facility. The applicant owns all the surrounding properties and needs to vacate the alley to use as an access drive for the private development. The alley will provide access to twenty-four (24) parking spaces that will be used by the facility. The subject alley is currently sixteen (16') feet wide but will be widened to accommodate two-way traffic per Division of Transportation recommendation of review of the site plan.

The Cherry Street Legacy Plan

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

**STAFF ANALYSIS (cont'd)**

The Cherry Street Legacy Plan (cont'd)

The Cherry Street Urban Neighborhood Overlay (UNO) District establishes additional design standards for development allowed by the underlying zoning district. The UNO is intended to create an area that has an urban, pedestrian friendly, walkable character that promotes a healthy community. The Cherry Street Legacy Plan identifies the intersection of Cherry Street and Bancroft Street as the “Bancroft Commercial Cluster”. Building on the existing commercial cluster through new construction that utilizes building design standards that are complimentary to the original nature of the street will create a cohesive neighborhood business district.

The undeveloped “island” north of the site offers the opportunity to provide a park-like setting through landscaping or perhaps sculpture to soften the appearance of the street and make it more pedestrian friendly. The proposed use of a medical facility conforms to the Cherry Street Urban Neighborhood Overlay (UNO) District and the Cherry Street Legacy Plan.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets the areas surrounding the subject right of way for Neighborhood Commercial land uses. This zoning district is intended to accommodate pedestrian oriented small-scale retail and service businesses that serve nearby residential areas. Small and medium scale office and mixed use developments are also included in the intent of the zoning district. The proposed use of a medical facility conforms to the Toledo 20/20 Comprehensive Plan.

Staff recommends approval of the Vacation request because it will facilitate development that is permitted in the underlying zoning district and the request conforms to The Toledo 20/20 Comprehensive Plan. Additionally, the City and other service providers will be able to provide sufficient public safety, transportation, and utility facilities and services to the subject property, while maintaining sufficient levels of service to existing developments.

## **STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of V-409-16, a request for the Vacation of an alley running east and west from Canton Street, south of Beacon Street and north of Scott Street, to Toledo City Council, for the following three (3) reasons:

1. The proposed vacation will facilitate development that is permitted in the underlying zoning district.
2. The request is consistent with The Toledo 20/20 Comprehensive Plan; and
3. The City and other service providers will be able to provide sufficient public safety, transportation, and utility facilities and services to the subject property, while maintaining sufficient levels of service to existing developments.

The staff further recommends that the Toledo City Plan Commission recommend approval of V-409-16, a request for the Vacation of an alley running east and west from Canton Street, south of Beacon Street and north of Scott Street, to Toledo City Council, subject to the following seven (7) 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. Eliminate access of all Streets and the Alley proposed for vacation by installing new curb and sidewalk through existing right-of-way. The curb height should match the exiting curb on abutting roads.
2. Required permits for all approved work in the public right-of-way shall be obtained before work begins from One Stop Shop, (419) 245-1220.
3. Contact Joe Warnka at (419) 245-1341 for inspection of above-mentioned items.
4. Right-of-way is needed to maintain the 24-inch brick public combined sewer within this alley
5. Applicant shall relocate existing public combined sewer from the proposed vacated right of way or a full width easement shall be retained by the City of Toledo over vacated right of way. The following language shall appear in the authorizing vacation ordinance which shall be recorded and a notation placed in the remarks section of the County's real estate records:

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

That a full width (60 foot) easement is hereby retained over, across, under and through said vacated area as described in Section 1 herein, for the existing public combined sewer located in said vacated right of way. All City of Toledo facilities located within said easement are hereby dedicated to the City of Toledo, for City utility use only, to allow for future maintenance, repairs, replacements, etc. and shall not be combined with easements for other utilities. The easement hereby retained by the City of Toledo herein shall be primary in nature to any other utilities located therein, and any easement retained by any other utility as a result of this Ordinance shall be subject first to the easement rights of the City of Toledo. Said easement herein shall be permanent in nature for each utility currently located thereon and shall run with the land. Said easement also includes reasonable rights of ingress and egress over and through the utility easement area for the purpose of operating, maintaining, replacing, repairing and/or constructing any utilities located within the easement. The property owner shall not construct fences, walls or other barriers, which would impede access onto the easement. No temporary or permanent structure including building foundations, roof overhangs or other barriers denying access, may be constructed on or within the easement. Driveways, parking lots, walkways and other similar improvements are acceptable. The property owner hereby releases the City of Toledo, only, from any liability, responsibility or costs resulting from the City's removal of any barriers which deny ingress or egress from the easement or which obstruct access to the public utilities located on said property, and the City of Toledo shall have no obligation or duty to restore or compensate the property owner for the removed facilities. Further, any modification and/or release of any easement granted or retained by any utility as a result of this Ordinance shall be obtained by the owner separately from each utility, as to their interest(s) only, by separate, recordable instrument.

**STAFF RECOMMENDATION (cont'd)**

Division of Transportation

6. Within the limits allowed by law, the applicant shall indemnify the City of Toledo, its officials, agents or employees, from any and all claims, demands, causes of action, suits or liability in connection with the performance of any and all acts authorized or permitted under this vacation. Said indemnification language shall be contained within and evidenced by the endorsement on a certified copy of the final vacating legislation by the owner which indemnification shall be kept in the permanent file of the Clerk of Council.

Fire Prevention

No comments or objections to this vacation.

Division of Streets, Bridges, and Harbors

No comments or objections to this vacation.

Columbia Gas Company

Comments not received at time of printing.

AT&T (Ohio)

Comments not received at time of printing.

Toledo Edison Company

Comments not received at time of printing.

Buckeye Cablevision

Comments not received at time of printing.

TARTA

No comments or objections to this vacation.

Lucas County Solid Waste

Comments not received at time of printing.

**STAFF RECOMMENDATION (cont'd)**

Lucas County Tax Map

No comments or objections to this vacation.

Republic Services

Comments not received at time of printing.

Plan Commission

7. Vacated alley and all lots associated with the development shall be combined under a single taxable identification number.

ALLEY VACATION  
TOLEDO CITY PLAN COMMISSION  
REF: V-409-16  
DATE: December 1, 2016  
TIME: 2:00 P.M.

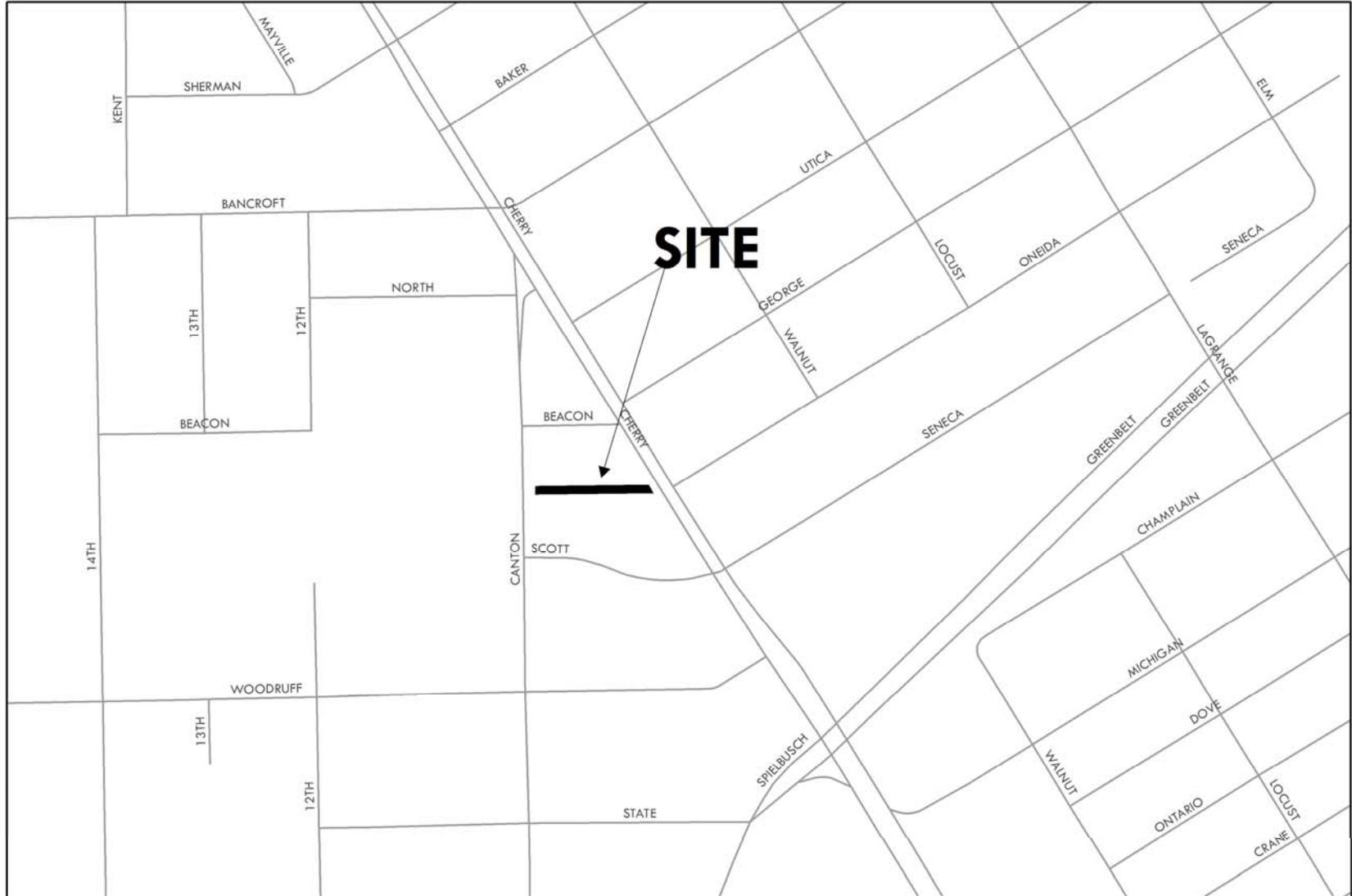
CITY COUNCIL COMMITTEE OF  
COMMITTEE OF ZONING AND PLANNING  
DATE: January 11, 2017  
TIME: 4:00 P.M.

GP

Three (3) sketches follow

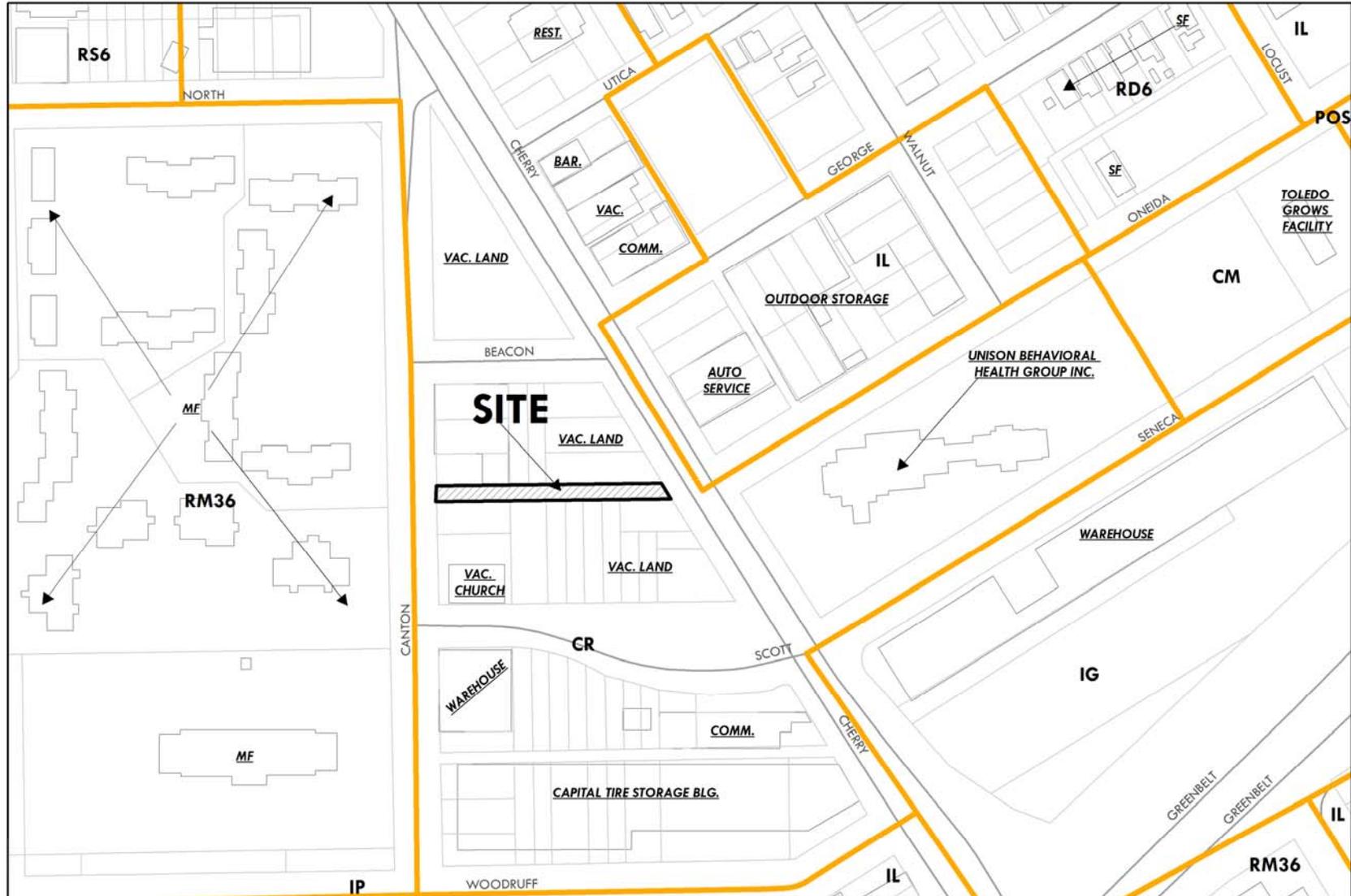
# GENERAL LOCATION

V-409-16  
ID 09



# ZONING & LAND USE

V-409-16  
ID 09



# SURVEY

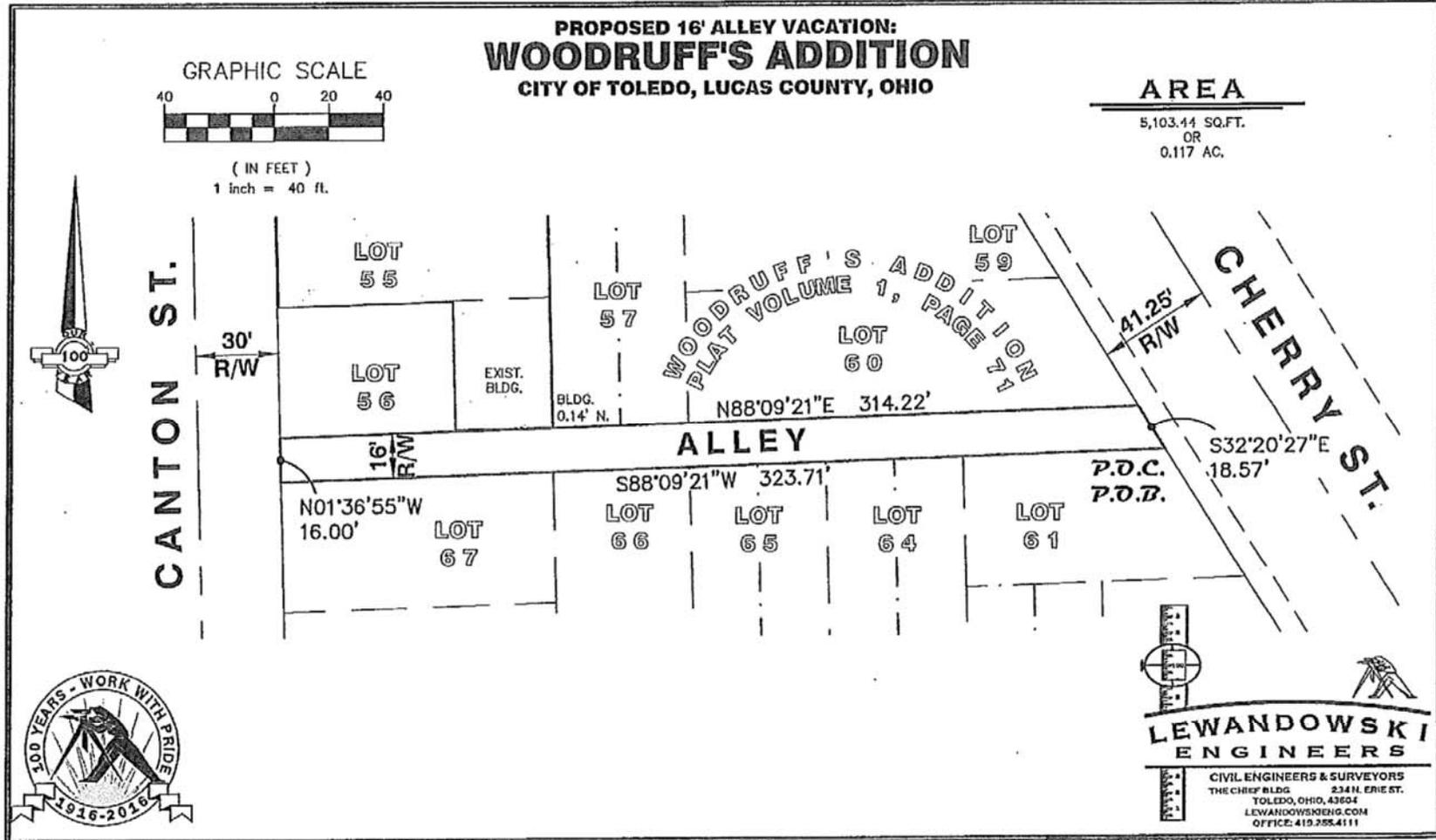
V-409-16  
ID 09



SURVEY #48253

SURVEY MADE FOR: CHAD MIDDENDORF

OCTOBER 27, 2016



4 - 10

**GENERAL INFORMATION**

Subject

- Request - Zone Change from RD6 *Duplex Residential* & RM36 *Multi-Dwelling Residential* to RM36 *Multi-Dwelling Residential*
- Location - 1779 N. Detroit Ave. & 1324 Lincoln Ave.
- Applicant - Johnetta McCollough  
TASC  
701 Jefferson Ave., Ste. 101  
Toledo, OH 43604
- Kevin Brown  
PIRHL  
800 West St. Clair Ave. 4<sup>th</sup> Floor  
Cleveland, OH 44113
- Architect - Bill Steele  
Poggemeyer Design Group  
1168 N. Main St.  
Bowling Green, OH 43402
- Owner - Toledo Public Schools  
1609 Summit St  
Toledo, OH 43604
- Economic Development  
City of Toledo  
One Government Center, Ste. 2250  
Toledo, OH 43604

Site Description

- Zoning - RD6 *Duplex Residential* & RM36 *Multi-Dwelling Residential*
- Area - ± 2.19 Acres
- Frontage - ± 303 Feet along Lincoln Ave.  
± 295 Feet along Detroit Ave.  
± 433 Feet along Foster Ave.
- Existing Use - Vacant Land
- Proposed Use - Apartments & Job Training Facility

**GENERAL INFORMATION (cont'd)**

Area Description

North	-	Single Family Residential / RS6 <i>Single Dwelling Residential</i>
South	-	Small-Scale Commercial & Single Family Residential / CN <i>Neighborhood Commercial</i> & RS6 <i>Single Dwelling Residential</i>
East	-	Single Family Residential, Small-Scale Commercial, & Vacant Land / RM36 <i>Multi-Dwelling Residential</i> , CN <i>Neighborhood Commercial</i>
West	-	Single Family Residential / RS6 <i>Single Dwelling Residential</i>

Parcel History

No parcel history on file.

Applicable Plans and Regulations

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

**STAFF ANALYSIS**

The request is a Zone Change from RD6 *Duplex Residential* and RM36 *Multi-Dwelling Residential* to RM36 *Multi-Dwelling Residential* for a ±2.19 acre site located at 1779 N. Detroit Avenue and 1324 Lincoln Avenue. The site is currently vacant land, but was previously occupied by Lincoln Elementary School. Surrounding land uses include single family residential to the north and west, neighborhood commercial and single family residential to the south, and vacant land and single family residential to the east. SPR-45-16, a Major Site Review for sixty seven (67) apartments and SUP-10006-16, a Special Use Permit for Community Recreation, Active, are companion cases.

The letter of intent states that the zoning request is being made in order to construct sixty seven (67) one bedroom apartments in a four story apartment building and a job training facility. The job training will provide construction trade services at no cost to tenants of the proposed apartments, as well as to other members of the neighborhood as openings are available.

**STAFF ANALYSIS (cont'd)**

The 1959 zoning maps recommended commercial zoning along most of Detroit Avenue between Bancroft Street and Dorr Street. However, that designation was more a recommendation than a reality. The historical land use pattern along Detroit Avenue has primarily been a mixture of single and two family residential with pockets of smaller scale commercial since that plan was proposed. Commercial land uses have continued to shift and are primarily concentrated to the north near the intersection of Bancroft Street and Monroe Street. Additionally, most structures in this neighborhood are one and two stories. The proposed RM36 zoning district allows for the potential of five story structures and densities that greatly exceed the existing pattern in the neighborhood.

The Toledo 20/20 Plan recommends this portion of Detroit Avenue for Single Family Residential land uses. This recommendation was made because of existing land use patterns along this portion of Detroit Avenue. The plan also encourages the City to identify areas for viable infill development. While challenges remain in this neighborhood, this site could serve as a catalyst for further change. The proposed Zone Change would eliminate the opportunity for single family development on this property.

**STAFF RECOMMENDATION**

Staff recommends that the Toledo City Plan Commission, recommend disapproval of Z-10005-16, a Zone Change from RS6 *Single Dwelling Residential* and RM36 *Multi-Dwelling Residential* to RM36 *Multi-Dwelling Residential*, located at 1779 N. Detroit Avenue and 1324 Lincoln Avenue, to the Toledo City Council, for the following three (3) reasons:

1. The request is not consistent the Toledo 20/20 Plan - **TMC 1111.0606.A;**
2. The request would allow a range of uses that are not compatible with the surrounding single family neighborhood – **TMC 1111.0606.B;** and
3. The request would remove a larger site from single family infill development.

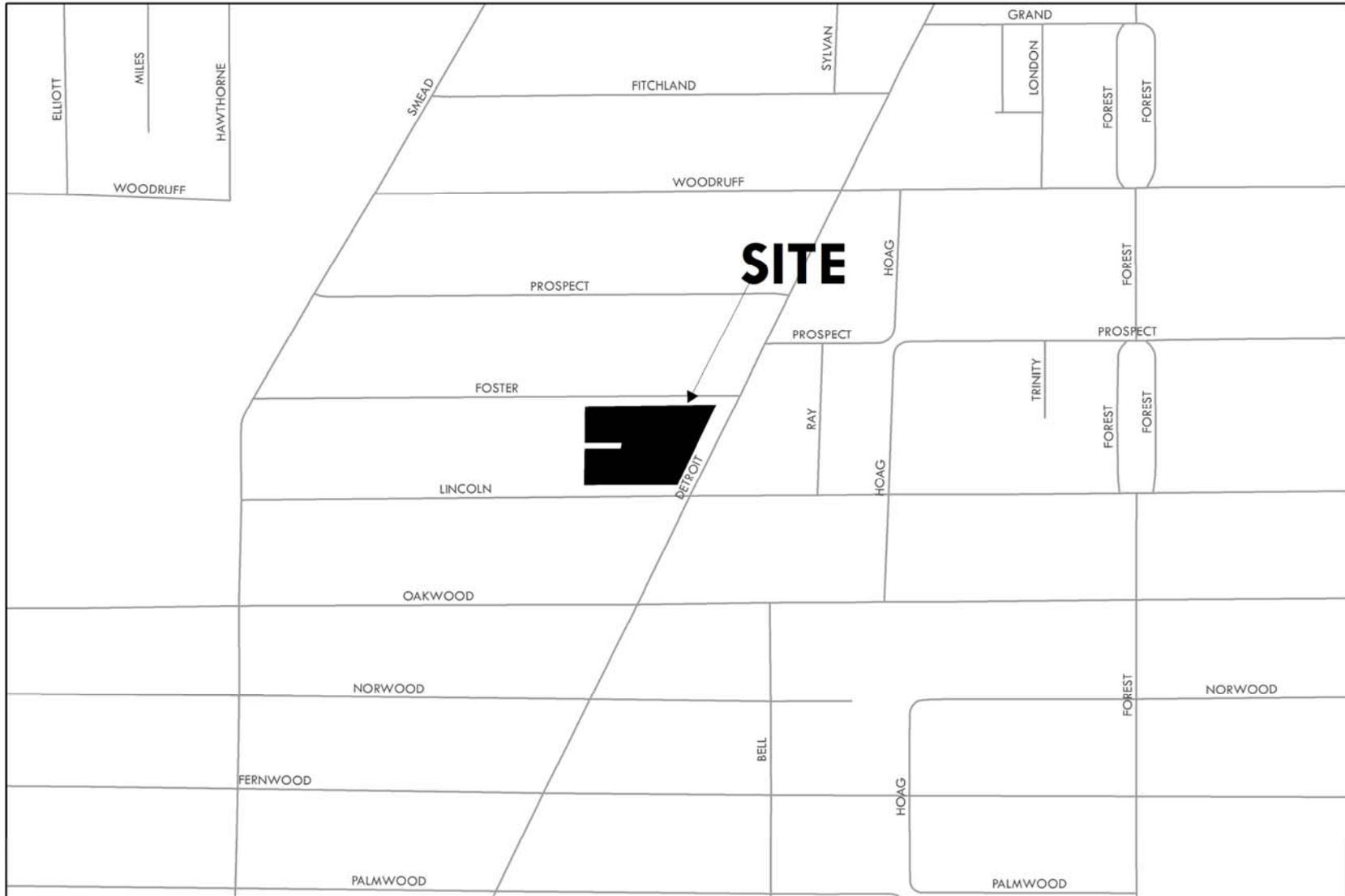
ZONE CHANGE  
 TOLEDO CITY PLAN COMMISSION  
 REF: Z-10005-16  
 DATE: December 1, 2016  
 TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
 ZONING AND PLANNING  
 DATE: January 11, 2017  
 TIME: 4:00 P.M.

JL  
Two (2) sketches follow

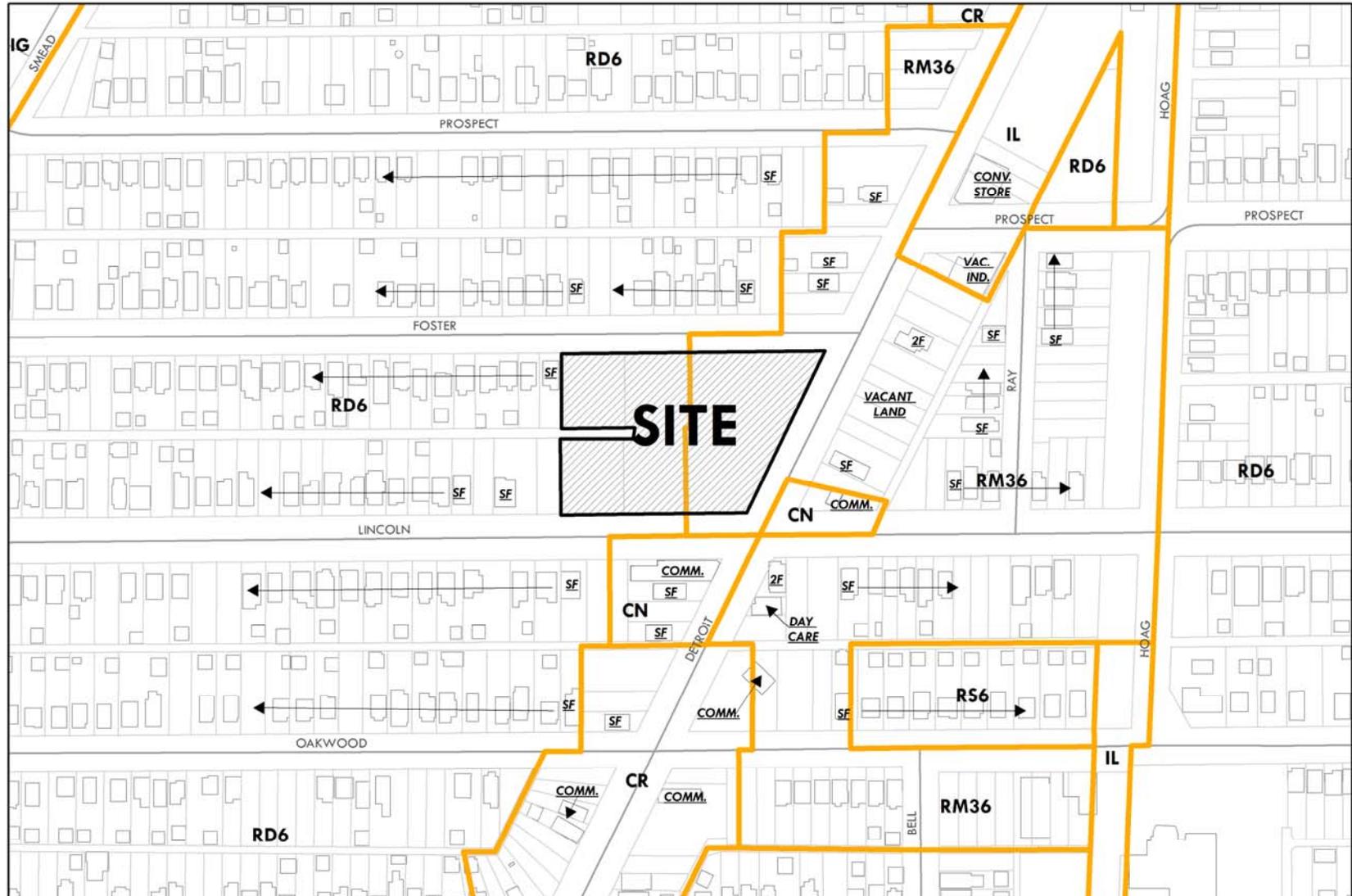
# GENERAL LOCATION

SPR-45-16  
SUP-10006-16  
Z-10005-16  
ID 14



# ZONING & LAND USE

SPR-45-16  
SUP-10006-16  
Z-10005-16  
ID 14



S - 5

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**GENERAL INFORMATION**

Subject

- Request - Major Site Plan Review for a Sixty Seven (67) Unit Apartment Building
- Location - 1779 N. Detroit Avenue & 1324 Lincoln Avenue
- Applicant - Johnetta McCollough  
TASC  
701 Jefferson Avenue, Ste. 101  
Toledo, OH 43604
- Kevin Brown  
PIRHL  
800 West St. Clair Avenue 4<sup>th</sup> Floor  
Cleveland, OH 44113
- Architect - Bill Steele  
Poggemeyer Design Group  
1168 N. Main Street  
Bowling Green, OH 43402
- Owner - Toledo Public Schools  
1609 Summit Street  
Toledo, OH 43604
- Economic Development  
City of Toledo  
One Government Center, Ste. 2250  
Toledo, OH 43604

Site Description

- Zoning - *RD6 Duplex Residential & RM36 Multi-Dwelling Residential*
- Area - ± 2.19 Acres
- Frontage - ± 303 Feet along Lincoln Avenue  
± 295 Feet along Detroit Avenue  
± 433 Feet along Foster Avenue
- Existing Use - Vacant Land
- Proposed Use - Apartments & Job Training Facility

**GENERAL INFORMATION (cont'd)**

Area Description

North	-	Single Family Residential / RS6 <i>Single Dwelling Residential</i>
South	-	Small-Scale Commercial & Single Family Residential / CN <i>Neighborhood Commercial</i> & RS6 <i>Single Dwelling Residential</i>
East	-	Single Family Residential, Small-Scale Commercial, & Vacant Land / RM36 <i>Multi-Dwelling Residential</i> , CN <i>Neighborhood Commercial</i>
West	-	Single Family Residential / RS6 <i>Single Dwelling Residential</i>

Parcel History

SUP-10006-16	-	Special Use Permit for Community Recreation, Active (Companion Case)
Z-10005-16	-	Zone Change from RD6 and RM36 to RM36 (Companion Case)

Applicable Plans and Regulations

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

**STAFF ANALYSIS**

The request is a Major Site Plan Review for sixty seven (67) permanent supportive housing apartments at 1779 N. Detroit Avenue and 1324 Lincoln Avenue. The apartments will provide fully furnished single family apartments for the homeless and those homeless who are involved with the criminal justice system. Special approvals are not required because each unit will be a fully functioning apartment with housing vouchers provided to tenants.

Surrounding land uses include single family residential to the north and west, neighborhood commercial and single family residential to the south, and vacant land and single family residential to the east. SUP-10006-16, a Special Use Permit for Community Recreation, Active for a job training facility, and Z-10005-16, a Zone Change from RD6 and RM36 to RM36, are companion cases. The job training facility will offer training in construction trades at no cost to tenants of the proposed apartments, as well as to residents of the neighborhood as openings are available.

**STAFF ANALYSIS** (cont'd)

*LAYOUT*

The site plan includes a five story, 70,895 sq. ft., building that will be shared between the apartments and job training facility. The building is located fifteen (15) feet from Detroit Avenue. RM36 zoning requires a twenty five (25) foot setback. The applicant is requesting a waiver to keep the building in close proximity to Detroit Avenue. The plan also provides a thirty three (33) space parking lot in the rear of the property with a single access point off Foster Avenue. The western portion of the site will serve as a buffer between residential uses and includes a community garden. There is an alley that divides the western portion of the property making it difficult to develop. The site indicates that the dumpster will be stored inside the building and accessed using an existing driveway along Lincoln Avenue.

*PARKING*

The site plan provides thirty three (33) parking spaces on site. Apartments require 1.5 parking spaces per unit, plus 1 per 10 units for visitors. The job training facility requires a written justification of parking demands. The applicant expects the facility will need a maximum of nine (9) spaces (one for the instructor and eight for half of the potential class). The apartments require one hundred and eight (108) parking spaces for a total of one hundred and seventeen (117) spaces. The applicant is requesting a waiver of the parking requirement because the apartments will largely house the homeless or those leaving the criminal justice system, two population groups that have limited access to vehicles.

The thirty three (33) space parking lot does not indicate surface type, but **TMC 1107.1906** requires all off-street parking, loading, and maneuvering areas be surfaced with a dust-free material other than gravel or loose fill. The site plan provides a single bicycle rack adjacent to the parking lot on the interior of the site. The code requires twenty (20) bicycle parking spaces (one (1) space per ten (10) parking spaces). A bicycle space is required to be two (2) foot by six (6) foot. The site plan shows an area that could accommodate seven (7) spaces. An additional thirteen (13) bicycle parking spaces shall be indicated on the plan.

*FENCING*

The plan proposes a four (4) foot tall wrought iron fence along the public roadways and a six (6) foot tall wooden dog ear fence along the west property line abutting residential. The fence includes a four (4) foot tall gate to the parking facility that will be accessed by key fobs provided to staff and residents of the facility. It may be open during certain time periods when classes are in session. The four (4) fence will exceed the three and a half (3½) foot height limit in the front setback and will require a waiver of **TMC 1105.0301.A** and **TMC. 1007.0200 Sight Distance Setback**. The fence also appears to cross and block the existing alley to the west. The fencing shall be revised to follow the existing right-of-way of the alley.

**STAFF ANALYSIS (cont'd)**

*LANDSCAPING*

A fifteen (15) foot frontage greenbelt is required along all frontages that are under five hundred (500) feet or parcels under two (2) acres. The site plan provides the fifteen (15) foot frontage greenbelt along Lincoln Avenue and Foster Avenue, but only a ten (10) foot frontage greenbelt along Detroit Avenue. The greenbelt is reduced in this area to accommodate a ten (10) foot sidewalk. A standard sidewalk is between four (4) feet and six (6) feet. This should be revised in order to accommodate the full frontage greenbelt. The greenbelt is compliant with plantings providing one (1) tree per thirty (30) feet of frontage for a total for thirty four (34) trees and a solid evergreen hedge for any parking visible from the right-of-way.

A Type B landscape buffer is required along the western property line. This area shall be ten (10) feet in depth with 4 trees and 15 shrubs per one hundred (100) linear feet. Fencing is not required, but is provided. The western property line is two hundred forty seven (247) feet long and requires thirty (37) shrubs and ten (10) trees. The plan provides forty five (45) arborvitae shrubs and zero (0) trees. The shrubs shown in the alley right-of-way shall be relocated and trees shall be provided on a revised landscape plan.

Twenty feet of interior parking lot landscaping is required per parking space. The plan is required to provide 660 sq. ft. for the thirty (33) spaces shown. It provides close to 6,000 sq. ft. around these spaces. Endcap islands are required at the end of every parking row and shall be provided on both sides of the interior parking spaces **TMC 1108.0204.B.7**. Interior parking also requires two trees and six shrubs for every ten spaces. The thirty three (33) spaces shown would require seven (7) trees and twenty (20) shrubs. The landscape plan provides fifteen (15) trees but does not specify the number of shrubs. The quantity of flowering shrubs shall be provided on a revised landscape plan.

Foundation plantings are required along all building elevations facing a public right-of-way. This requires foundation plantings along the building, landscaping at all major building entrances, and one (1) tree for every 500 sq. ft. of building coverage **TMC 1108.0205**. Trees in the right-of-way may count towards this requirement. A 20,000 sq. ft. building requires forty (40) trees and only thirty four (34) are provided. A revised plan shall be submitted showing foundation plantings and six (6) additional trees along the street facing building elevations and landscaping at major entrances.

*DESIGN*

The apartment building will be four (4) stories, with the total height of the building reaching the fifty (50) foot maximum height requirement. The portion of the apartment with the job training facility on the first floor will be thirty four (34) feet tall. The building will be designed using synthetic stone, brick, and cement board siding along the Detroit Avenue and Lincoln Avenue frontage. These meet the high quality materials listed in **TMC 1109.0501**. Additional elevations shall be submitted for Foster Avenue and the western façade facing residential. All sides are visible from the right-of-way and are subject to the high quality materials requirement for 75% of the façade.

**STAFF ANALYSIS (cont'd)**

*DESIGN (cont'd)*

The design standards of **TMC 1109.0100** for multiple dwellings and duplexes also include requirements about orientation of a building facing a street, one main entrance facing a street, and a connecting walkway for internal pedestrian circulation from parking areas to the main building and to adjacent streets or sidewalks. The plan is compliant with the first two requirements as the building frontage is parallel to Detroit Avenue and has an entrance along Detroit Avenue. There is no pedestrian connection from the rear of the site to the public roadway or sidewalk. This would make it difficult for pedestrians to exit the facility as the only access, the drive aisle, will be gated. A revised site plan shall be submitted providing a pedestrian connection from the parking area to Foster Avenue.

*TOLEDO 20/20 PLAN*

The Toledo 20/20 recommends Single Family Residential uses for this property. The district is intended to create, maintain and promote housing opportunities for individual households, although it may include nonresidential uses, duplexes, and planned unit developments that are typically compatible with residential neighborhoods. The proposed multi-four (4) story, fifty (50) foot multiple family development is not consistent with this designation.

Additionally, staff received comments from the Division of Engineering Services that a 24” brick combined sewer line runs east to west through the middle of the property and request that no temporary or permanent structures or fencing be installed that obstructs access to this utility. The buildings and the fencing near the alley would need to be reconfigured or the combine sewer rerouted at the developer’s expense.

Finally, the site does not offer adequate parking and therefore does not meet all of the standards of the Zoning Code **TMC 1111.0809.A**

Although staff is recommending disapproval, agency conditions are attached to this report as Exhibit “A” for reference purposes.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission disapprove SPR-45-16, a Major Site Plan Review for a sixty seven (67) unit apartment building for the following **three (3)** reasons:

1. The site plan does not comply with all standards of the Toledo Municipal Code, this Zoning Code, and other adopted City policies - **TMC 1111.0809.A.**
2. The proposed use is not allowed in the RD6 zoned portion of the property – **TMC 1111.0809.B,** and

**STAFF RECOMMENDATION (cont'd)**

3. The Division of Engineering Services indicates that a 24" brick combined sewer runs west to east through the property and requests that no temporary or permanent structures or fencing be installed that obstructs access to the utility.

The staff recommends that the Toledo City Plan Commission make the following decisions regarding necessary waivers:

**Chapter 1108 Landscaping and Screening**

Disapprove a waiver for five (5) foot reduction in the fifteen (15) foot frontage greenbelt along Detroit Avenue.

The staff indicates the following items as not being in conformance with the Toledo Municipal Code, the Toledo Zoning Code, or other adopted City policies:

**Chapter 1105 Accessory Uses**

**TMC 1105.0301 Residential Districts**

&

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

**TMC 1107.2000 Site Distance Setback**

Fencing exceeds three and a half (3½) feet in the required front setback along Detroit Avenue and Foster Avenue.

**Chapter 1106 Intensity and Dimensional Standards**

**TMC 1106.0101 Residential Districts**

The front setback along Detroit Avenue is only fifteen (15) feet does not meet the required twenty (25) feet setback for the RM36 district.

**Chapter 1107 Parking, Loading and Access**

**TMC 1107.0304 Schedule A Parking**

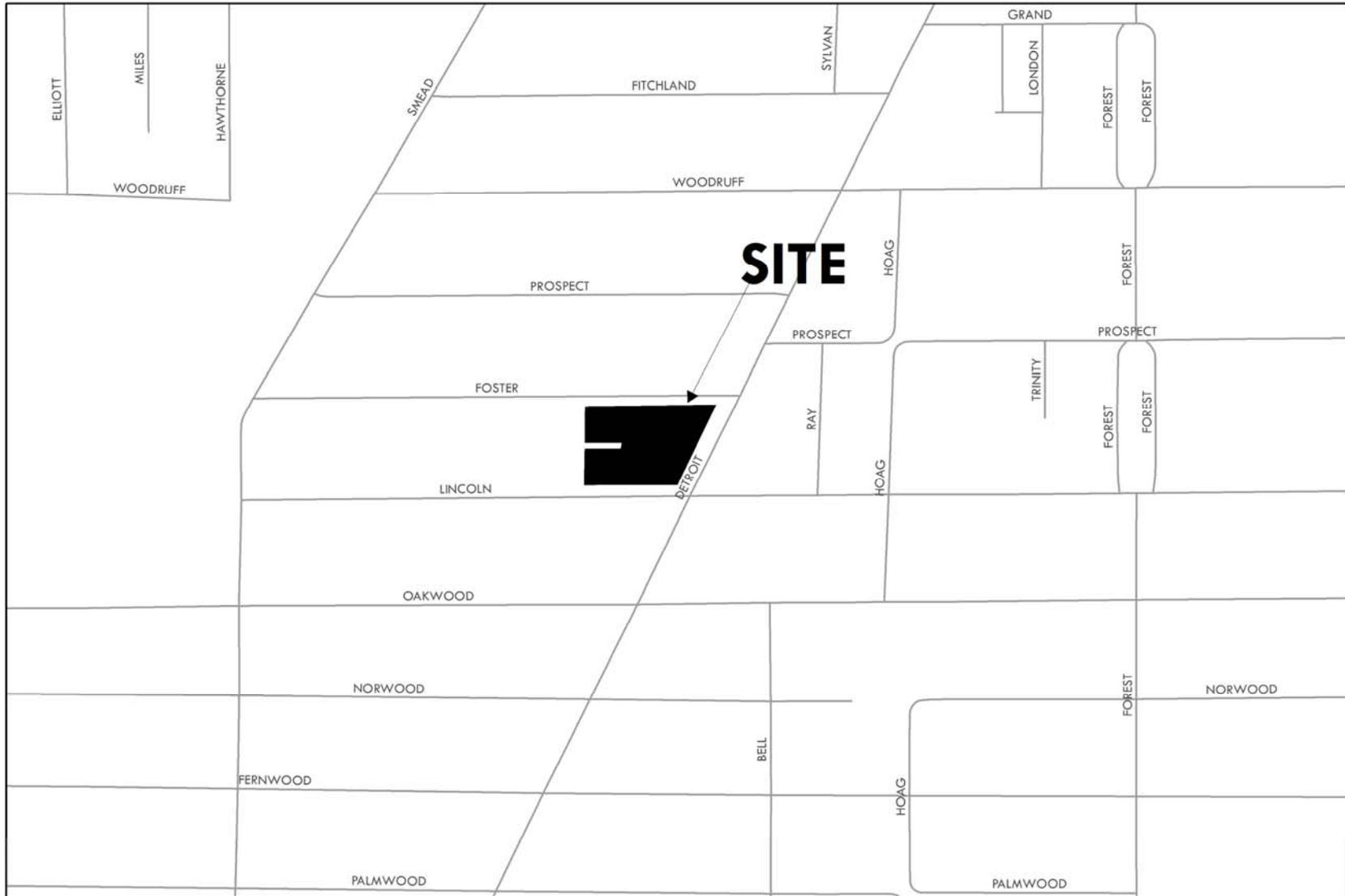
The apartment provides thirty three (33) spaces and is required to provide one hundred seventeen (117) spaces.

SITE PLAN REVIEW  
TOLEDO PLAN COMMISSION  
REF: SPR-45-16  
DATE: December 1, 2016  
TIME: 2:00 P.M.

JL  
Six (6) sketches follow  
Exhibit "A"

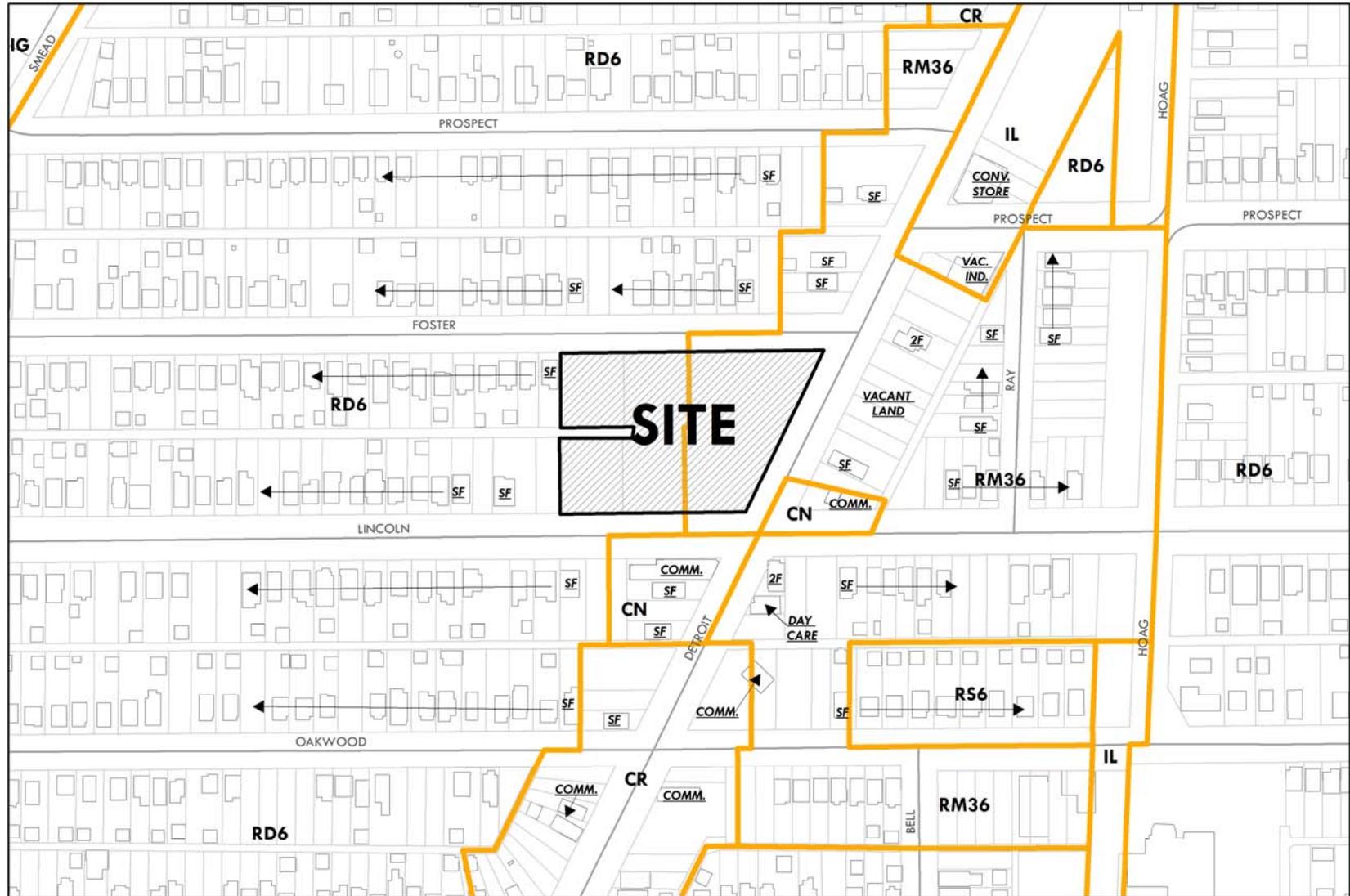
# GENERAL LOCATION

SPR-45-16  
SUP-10006-16  
Z-10005-16  
ID 14



# ZONING & LAND USE

SPR-45-16  
SUP-10006-16  
Z-10005-16  
ID 14





# LANDSCAPE PLAN

SPR-45-16  
SUP-10006-16  
ID 18

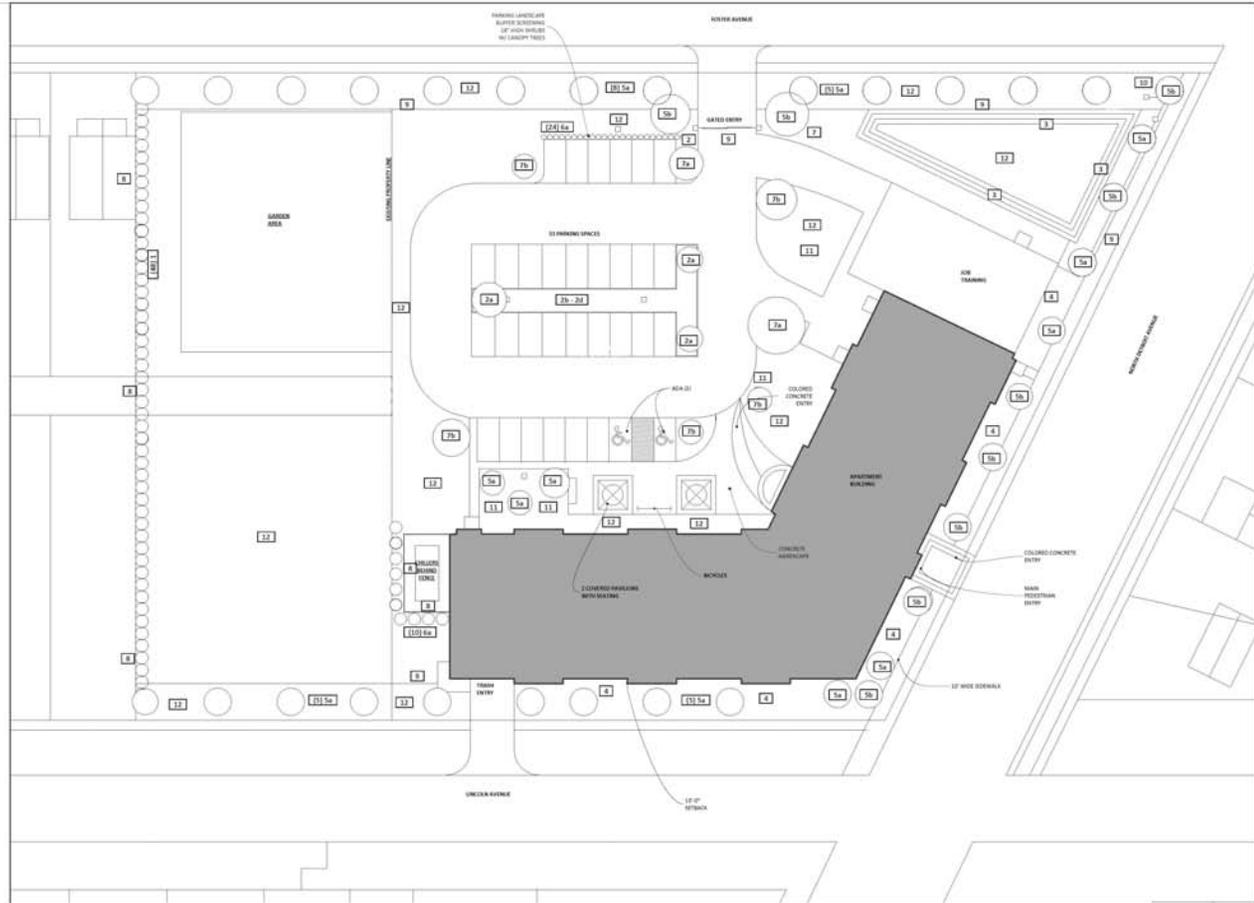


**LANDSCAPE MATERIALS:**

- 1) PERIMETER SHRUBBERY HEDGE ROW:
  - a) Thuja plicata x standishii "Green Giant" (Arborvitae)
- 2) PARKING LOT ISLAND PLANTINGS:
  - a) Tree: Fraxus "Weeping Cherry" Stone Fountain
  - b) Hamamelis virginiana "Dyflite" (Yellow)
  - c) Sialia x Grandiflora "Golden Fasta Delicia" (Red, Yellow, Gold/Orange)
  - d) Grass (Blended see Item #12)
- 3) WATER DETENTION POND PLANTINGS:
  - a) Lonicera x superbum "Alaska Sheeta Daisy" (White)
  - b) Cortaderia selloana "Pink Pampas Grass"
  - c) Miscanthus sinensis Johnson "Zebra Grass"
  - d) Hamamelis virginiana "Dyflite" (Yellow)
  - e) Lonicera purpurea "Purple Coneflower", & "Flame Thrower" (Purple and Orange)
  - f) Phila sordida "Carpet Pink" Ground Cover (Red, Blue, Pink and White)
- 4) FRONT YARD PLANTING BEDS:
  - a) Penstemon orientalis "Earley Rose Fountain Grass"
  - b) Berberis thunbergii "Barberry Shrub" (Crimson Pagoda)
  - c) Phila sordida "Carpet Pink" Ground Cover (Red, Blue, Pink and White)
  - d) Buddleia "Butterfly Bush" (Purple Haze)
  - e) Hydrangea "Butterfly Purple Hydrangea"
  - f) Taxus canadensis "English Yew" Shrub
  - g) Lonicera "Lorenda" (Purple)
  - h) Cortaderia selloana "Pink Pampas Grass"

**LANDSCAPE MATERIALS:**

- 5) STREET TREES:
  - a) Prunus x Cerasifera "Newport" (Purple Leaf Plum), or per City of Toledo Recommendations
  - b) Gleditsia triacanthos inermis Impicola "Imperial" (Honey Locust)
- 6) SCREENING SHRUBBERY HEDGE ROW:
  - a) Thuja occidentalis "Can-Can Green Giant" (Arborvitae)
- 7) SPECIALTY TREES:
  - a) Acer glabrum "Flame" (Japanese Maple family)
  - b) Crataegus crus galli "Cockspur Hawthorn"
- 8) FENCING:
  - a) 6'-0" Wood "Dog Eared" Fencing
- 9) ALUMINUM WROUGHT IRON STYLE PERIMETER FENCE & ENTRY GATE WITH BRICK PILLARS: 4'-0" fence and 6'-0" gate
- 10) CORNER LANDSCAPE TREATMENT:
  - a) Cortaderia selloana "Pink Pampas Grass"
  - b) Hamamelis virginiana "Dyflite" (multi-color)
  - c) Lonicera purpurea "Purple Coneflower", & "Flame Thrower" (Purple and Orange)
  - d) Hydrangea "Lime Ricky" Smooth Hydrangea (White)
- 11) SHADE PLANTS:
  - a) Ficus benjamina "Lady Fern", and "Dutch Fern"
  - b) Lillium maculatum (Yellow Lily), and Hosta "Unshelute"
  - c) Conoclinium maculatum "City of the Valley"
  - d) Chamaecyparis "Tara Leaf Bleeding Heart"
  - e) Liriodendron "Clumping Monkey Grass"
- 12) GRASS:
  - a) Mixture of ryegrass, fescue, and Kentucky blue grass



LANDSCAPE PLAN

SCALE: 1" = 20'-0"



October 17, 2016

POGGEMEYER  
DESIGN GROUP

6-10



# ELEVATIONS #2

SPR-45-16  
SUP-10006-16  
ID 18



**MATERIAL SCHEDULE:**

- 01 MANAGOCY LARGE SCALE SYNTHETIC STONE (DANLAP)
- 02 MANAGOCY PERFORMANCE FINISHED
- 03 LARGE SCALE SYNTHETIC STONE STYLE CEMENT BOARD
- 04 BRICK
- 05 CONCRETE BLOCK AND BATTEN SIDING
- 06 ASPHALTIC SHINGLES

FIRST FLOOR: 28,261 SQUARE FEET  
SECOND FLOOR: 28,458 SQUARE FEET  
THIRD FLOOR: 28,458 SQUARE FEET  
FOURTH FLOOR: 28,458 SQUARE FEET  
TOTAL: 113,635 SQUARE FEET

**WEST ELEVATION - Massing Study (White Model)**

SCALE: 1" = 20' 0"



**MATERIAL SCHEDULE:**

- 01 MANAGOCY LARGE SCALE SYNTHETIC STONE (DANLAP)
- 02 MANAGOCY PERFORMANCE FINISHED
- 03 LARGE SCALE SYNTHETIC STONE STYLE CEMENT BOARD
- 04 BRICK
- 05 CONCRETE BLOCK AND BATTEN SIDING
- 06 ASPHALTIC SHINGLES

FIRST FLOOR: 28,261 SQUARE FEET  
SECOND FLOOR: 28,458 SQUARE FEET  
THIRD FLOOR: 28,458 SQUARE FEET  
FOURTH FLOOR: 28,458 SQUARE FEET  
TOTAL: 113,635 SQUARE FEET

**NORTH ELEVATION - Massing Study (White Model)**

SCALE: 1" = 20' 0"



**COURTYARD VIEW - Massing Study (White Model)**

6-12

POGGEMEYER



November 17, 2016

POGGEMEYER  
DESIGN GROUP

Detroit Ave., Toledo, OH | TASC Lincoln Place - REQUESTS: Rezoning, Special Use Permit, & Major Site Plan Review

A 06

**Exhibit “A”**  
Agency Conditions

The following conditions forty eight (48) 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.
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.

**Exhibit “A” (cont’d)**

Engineering Services (cont’d)

8. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with BSIonlinetracking.com @ 800-414-4990.
9. The water meter setting detail, including meter bypass and backflow preventer, shall be submitted to the City of Toledo Backflow Prevention Coordinator, 401 S. Erie Street, Toledo, OH 43602.
10. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site. Contractors performing work on new or existing fire systems shall be licensed by the State of Ohio Fire Marshall and certified by the City of Toledo Fire & Rescue Department.
11. Detailed plans for the water services shall be submitted to the Division of Engineering Services for review and approval. Plan design and submittal shall comply with the current version of the City of Toledo DPU Infrastructure Design and Construction Requirements.
12. New fire, domestic, and irrigation taps will be installed by City of Toledo at the owner/developer’s expense.
13. Plans for the water service shall be submitted to and approved by the Ohio EPA prior to starting construction of the water service.
14. No temporary or permanent structures, foundations, fences, etc. may be constructed over the existing 24” public combined brick sewer. Alternately, the property owner may relocate the public sewer around the property at his 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.
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.

**Exhibit “A” (cont’d)**

Engineering Services (cont’d)

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. 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. 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. No temporary or permanent structures, foundations, fences, etc. may be constructed over the existing 24” public combined brick sewer. Alternately, the property owner may relocate the public sewer around the property at his expense.
24. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
25. 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.
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.

**Exhibit “A” (cont’d)**

Engineering Services (cont’d)

27. Developer shall be responsible for meeting the requirements of the Ohio EPA anti-degradation policy. Requirements shall be met before any taps are made into the sanitary sewer system.
28. Any previous kills that were not done at the right-of-way line shall be re-killed at the right-of-way to eliminate any active pipes on the property.

Sewer and Drainage Services

Comments not received at the time of printing.

Fire Prevention

29. The Fire Prevention Bureau has not concerns regarding the site plan. Construction plans are required for the building itself and will indicate all fire protection systems required for the proposed use.
30. A fire department key box may be required for access thru the gated entry on Foster Avenue.

Transportation

31. A drive aisle shall be constructed connecting the currently leased storage lot with the proposed lot.
32. According to the information provided by the developer, 111 parking spaces are required yet only 33 parking spaces are provided. The reason given was that the majority of residents will not possess vehicles. The Division of Transportation contends that this is speculative and an inference that does not warrant a reduction of 70% of the parking requirements. Reasonable efforts shall be made to increase the number of parking provided which may include an alternative parking plan to be reviewed and approved by the Division.

Neighborhoods

33. There are no current active projects that this proposed site plan will have an effect on.
34. Concern as to the limited parking available. Although the project anticipates a small ratio of vehicles, the permanent housing aspect lends itself to the possibility of more vehicles as stability of clientele is achieved (i.e. increased income). An undue burden must not be placed neighboring residential streets.

**Exhibit “A” (cont’d)**

Neighborhoods (cont’d)

35. It is recommended that this project have community support, including the Toledo Lucas County Homelessness Board (HB) to ensure optimum project support / best practices. The HB is the recognized continuum of care agency for homeless efforts.

Plan Commission

36. Site Plan shall not receive final approval until the pending Zone Change from RD6 and RM36 to RM36 is approved.

37. The front setback along Detroit Avenue is only 15 feet does not meet the required 25 feet setback for the RM36 district. **TMC 1106.0101.**

38. The plan does not specify the surface type. 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. A revised plan shall be submitted indicate surface type.

39. The site plan provides thirty three (33) parking spaces on site and is not in compliance with the zoning requirements. The code requires one hundred eight (108) parking spaces for the apartments plus nine (9) parking spaces proposed for the job training facility. **TMC 1107.0304**

40. The code requires 20 bicycle parking spaces (1 space per 10 parking spaces). A bicycle space is required to be 2’ by 6’. The site plan shows an area that could accommodate 7’ spaces. An additional 13 bicycle parking spaces shall be indicated on a revised site plan.

41. The 4 foot wrought iron fence will exceed the 3 ½ feet height limit in the front setback along Detroit Avenue and Foster Avenue and shall be reduced unless a waiver is obtained for **TMC 1105.0301.A** and **TMC. 1007.0200**. The fence also appears to cross and block the existing alley to the west. The fencing shall be revised to be outside the existing right-of-way of the alley.

42. Four (4) copies of a revised detailed site, lighting, fencing, and landscaping plan shall be submitted to the Plan Director for review and approval (separate from the building and site plans). Such plan shall include:

- a. A fifteen (15) foot frontage greenbelt along Detroit Avenue.
- b. Ten (10) trees in the Type B landscape buffer along the western property line.

**Exhibit “A” (cont’d)**

Plan Commission (cont’d)

- c. Specify the quantity of flowering shrubs provided for the interior parking lot. The thirty three (33) spaces shown would require (20) shrubs.
  - d. Endcap islands on both sides of the interior rows of parking spaces in the parking lot.
  - e. Foundation plantings and six (6) additional trees along the street facing building elevations and landscaping at major entrances.
  - f. Type of groundcover for landscape areas. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground cover.
43. Irrigation shall be required for projects over ½ acre in site area. 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.
44. A revised site plan shall be submitted providing a pedestrian connection from the parking area to Foster Avenue.
45. Litter receptacles shall be provided in accordance with Toledo Municipal Code Section 963.22. These standards include two containers in easily accessible locations for first 25 spaces, one container for every fifty additional spaces or as approved by Director of Public Service. Containers shall have secured lids and secured to the ground to minimize spillage.
46. 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.
47. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission. Major adjustments will require an amendment to the Special Use Permit.
48. No permits shall be issued until arrangements satisfactory to the Director of the Toledo City Plan Commission have been made for compliance with the conditions as set forth above.

**GENERAL INFORMATION**

Subject

- Request - Special Use Permit for Community Recreation, Active
- Location - 1779 N. Detroit Avenue & 1324 Lincoln Avenue
- Applicant - Johnetta McCollough  
TASC  
701 Jefferson Avenue, Ste. 101  
Toledo, OH 43604
- Kevin Brown  
PIRHL  
800 West St. Clair Avenue 4<sup>th</sup> Floor  
Cleveland, OH 44113
- Architect - Bill Steele  
Poggemeyer Design Group  
1168 N. Main Street  
Bowling Green, OH 43402
- Owner - Toledo Public Schools  
1609 Summit Street  
Toledo, OH 43604
- Economic Development  
City of Toledo  
One Government Center, Ste. 2250  
Toledo, OH 43604

Site Description

- Zoning - *RD6 Duplex Residential & RM36 Multi-Dwelling Residential*
- Area - ± 2.19 Acres
- Frontage - ± 303 Feet along Lincoln Avenue  
± 295 Feet along Detroit Avenue  
± 433 Feet along Foster Avenue
- Existing Use - Vacant Land
- Proposed Use - Apartments & Job Training Facility

**GENERAL INFORMATION (cont'd)**

Area Description

North	-	Single Family Residential / RS6 <i>Single Dwelling Residential</i>
South	-	Small-Scale Commercial & Single Family Residential / CN <i>Neighborhood Commercial</i> & RS6 <i>Single Dwelling Residential</i>
East	-	Single Family Residential, Small-Scale Commercial, & Vacant Land / RM36 <i>Multi-Dwelling Residential</i> , CN <i>Neighborhood Commercial</i>
West	-	Single Family Residential / RS6 <i>Single Dwelling Residential</i>

Parcel History

Z-10005-16	-	Zone Change from RD6 and RM36 to RM36 (Companion Case)
SPR-45-16	-	Major Site Plan Review for sixty

Applicable Plans and Regulations

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

**STAFF ANALYSIS**

The request is a Special Use Permit for Community Recreation, Active for a job training facility, facilitated by PENTA Career Center at 1779 N. Detroit Avenue and 1324 Lincoln Avenue. The facility will be developed in conjunction with a sixty seven (67) unit apartment building for permanent supportive housing. Surrounding land uses include single family residential to the north and west, neighborhood commercial and single family residential to the south, and vacant land and single family residential to the east. SPR-45-16, a Major Site Plan Review for sixty seven (67) apartments, and Z-10005-16, a Zone Change from RD6 to RM36, are companion cases.

The letter of intent states that the job training facility will provide construction trade training at no cost to tenants of the proposed Lincoln Place apartments, as well as to residents of the neighborhood as openings are available.

**STAFF ANALYSIS** (cont'd)

*LAYOUT*

The site plan includes a five story, 70,895 sq. ft., building that will be shared between the apartments and job training facility. The job training facility will occupy about 3,000 sq. ft. on the first floor the building. The building is located fifteen (15) feet from Detroit Avenue. RM36 zoning requires a twenty five (25) foot setback. The applicant is requesting a waiver to keep the building in close proximity to Detroit Avenue. The plan also provides a thirty three (33) space parking lot in the rear of the property with a single access point off Foster Avenue. The western portion of the site will serve as a buffer between residential uses and includes a community garden. There is an alley that divides the western portion of the property making it difficult to develop. The site plan indicates that the dumpster will be stored inside the building and will be accessed using an existing driveway along Lincoln Avenue.

*PARKING*

The site plan provides thirty three (33) parking spaces on site. Apartments require 1.5 parking spaces per unit, plus 1 per 10 units for visitors. The job training facility requires a written justification of parking demands. The applicant expects the facility will need a maximum of nine (9) spaces (one for the instructor and eight for half of the potential class). The apartments require one hundred and eight (108) parking spaces for a total of one hundred and seventeen (117) spaces. The applicant is requesting a waiver of the parking requirement because the apartments will largely house the homeless or those leaving the criminal justice system, two population groups that have limited access to vehicles.

The thirty three (33) space parking lot does not indicate surface type, but **TMC 1107.1906** requires all off-street parking, loading, and maneuvering areas be surfaced with a dust-free material other than gravel or loose fill. The site plan provides a single bicycle rack adjacent to the parking lot on the interior of the site. The code requires twenty (20) bicycle parking spaces (one (1) space per ten (10) parking spaces). A bicycle space is required to be two (2) foot by six (6) foot. The site plan shows an area that could accommodate seven (7) spaces. An additional thirteen (13) bicycle parking spaces shall be indicated on the plan.

*FENCING*

The plan proposes a four (4) foot tall wrought iron fence along the public roadways and a six (6) foot tall wooden dog ear fence along the west property line abutting residential. The fence includes a four (4) foot tall gate to the parking facility that will be accessed by key fobs provided to staff and residents of the facility. It may be open during certain time periods when classes are in session. The four (4) fence will exceed the three and a half (3½) foot height limit in the front setback and will require a waiver of **TMC 1105.0301.A** and **TMC. 1007.0200 Sight Distance Setback**. The fence also appears to cross and block the existing alley to the west. The fencing shall be revised to follow the existing right-of-way of the alley.

*LANDSCAPING*

A fifteen (15) foot frontage greenbelt is required along all frontages that are under five hundred (500) feet or parcels under two (2) acres. The site plan provides the fifteen (15) foot frontage greenbelt along Lincoln Avenue and Foster Avenue, but only a ten (10) foot frontage greenbelt along Detroit Avenue. The greenbelt is reduced in this area to accommodate a ten (10) foot sidewalk. A standard sidewalk is between four (4) feet and six (6) feet. This should be revised in order to accommodate the full frontage greenbelt. The greenbelt is compliant with plantings providing one (1) tree per thirty (30) feet of frontage for a total for thirty four (34) trees and a solid evergreen hedge for any parking visible from the right-of-way.

A Type B landscape buffer is required along the western property line. This area shall be ten (10) feet in depth with 4 trees and 15 shrubs per one hundred (100) linear feet. Fencing is not required, but is provided. The western property line is two hundred forty seven (247) feet long and requires thirty (37) shrubs and ten (10) trees. The plan provides forty five (45) arborvitae shrubs and zero (0) trees. The shrubs shown in the alley right-of-way shall be relocated and trees shall be provided on a revised landscape plan.

Twenty feet of interior parking lot landscaping is required per parking space. The plan is required to provide 660 sq. ft. for the thirty (33) spaces shown. It provides close to 6,000 sq. ft. around these spaces. Endcap islands are required at the end of every parking row and shall be provided on both sides of the interior parking spaces **TMC 1108.0204.B.7**. Interior parking also requires two trees and six shrubs for every ten spaces. The thirty three (33) spaces shown would require seven (7) trees and twenty (20) shrubs. The landscape plan provides fifteen (15) trees but does not specify the number of shrubs. The quantity of flowering shrubs shall be provided on a revised landscape plan.

Foundation plantings are required along all building elevations facing a public right-of-way. This requires foundation plantings along the building, landscaping at all major building entrances, and one (1) tree for every 500 sq. ft. of building coverage **TMC 1108.0205**. Trees in the right-of-way may count towards this requirement. A 20,000 sq. ft. building requires forty (40) trees and only thirty four (34) are provided. A revised plan shall be submitted showing foundation plantings and six (6) additional trees along the street facing building elevations and landscaping at major entrances.

*DESIGN*

The apartment building will be four (4) stories, with the total height of the building reaching the fifty (50) foot maximum height requirement. The portion of the apartment with the job training facility on the first floor will be thirty four (34) feet tall. The building will be designed using synthetic stone, brick, and cement board siding along all four sides of the building. These meet the high quality material requirement for 75% of any façade visible from the right of way **TMC 1109.0501**.

**STAFF ANALYSIS** (cont'd)

*DESIGN* (cont'd)

The design standards of **TMC 1109.0100** for multiple dwellings and duplexes also include requirements about orientation of a building facing a street, one main entrance facing a street, and a connecting walkway for internal pedestrian circulation from parking areas to the main building and to adjacent streets or sidewalks. The plan is compliant with the first two requirements as the building frontage is parallel to Detroit Avenue and has an entrance along Detroit Avenue. There is no pedestrian connection from the rear of the site to the public roadway or sidewalk. This would make it difficult for pedestrians to exit the facility as the only access, the drive aisle, will be gated. A revised site plan shall be submitted providing a pedestrian connection from the parking area to Foster Avenue.

*TOLEDO 20/20 PLAN*

The Toledo 20/20 recommends Single Family Residential uses for this property. The district is intended to create, maintain and promote housing opportunities for individual households, although it may include nonresidential uses, duplexes, and planned unit developments that are typically compatible with residential neighborhoods. The proposed multi-four (4) story, fifty (50) foot multiple family development and job training facility is not consistent with this designation.

Additionally, staff received comments from the Division of Engineering Services that a 24” brick combined sewer line runs east to west through the middle of the property and request that no temporary or permanent structures or fencing be installed that obstructs access to this utility. The building and the fencing near the alley would need to be reconfigured or the combine sewer rerouted at the developer’s expense.

Although staff is recommending disapproval, agency conditions are attached to this report as Exhibit “A” for reference purposes.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend disapproval of SUP-10006-16, a Special Use Permit for Community Recreation, Active located at 1779 N. Detroit Avenue and 1324 Lincoln Avenue, to the Toledo City Council, for the following **three (3)** reasons:

1. The site plan does not comply with all standards of the Toledo Municipal Code, this Zoning Code, and other adopted City policies - **TMC 1111.0709.A.**

**STAFF RECOMMENDATION (cont'd)**

2. The proposed use is not compatible with adjacent uses in terms of scale and site design – **TMC 1111.0709.B**, and
3. The Division of Engineering Services indicates that a 24” brick combined sewer runs west to east through the property and requests that no temporary or permanent structures or fencing be installed that obstructs access to the utility.

The staff recommends that the Toledo City Plan Commission make the following decisions regarding necessary waivers:

**Chapter 1108 Landscaping and Screening**

Disapprove a waiver for five (5) foot reduction in the fifteen (15) foot frontage greenbelt along Detroit Avenue.

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

**Chapter 1105 Accessory Uses**

**TMC 1105.0301 Residential Districts**

&

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

**TMC 1107.2000 Site Distance Setback**

Disapprove a waiver to allow four (4) foot fencing in the front setback along Detroit Avenue and Foster Avenue.

**Chapter 1106 Intensity and Dimensional Standards**

**TMC 1106.0101 Residential Districts**

Disapprove a waiver to reduce the required twenty five (25) foot front building setback along Detroit Avenue to fifteen (15) feet.

**Chapter 1107 Parking, Loading and Access**

**TMC 1107.0304 Schedule A Parking**

Disapprove a waiver to reduce the required one hundred seventeen (117) spaces for both the apartment and job training facility to thirty three (33) parking spaces.

REF: SUP-10006-16. . .December 1, 2016

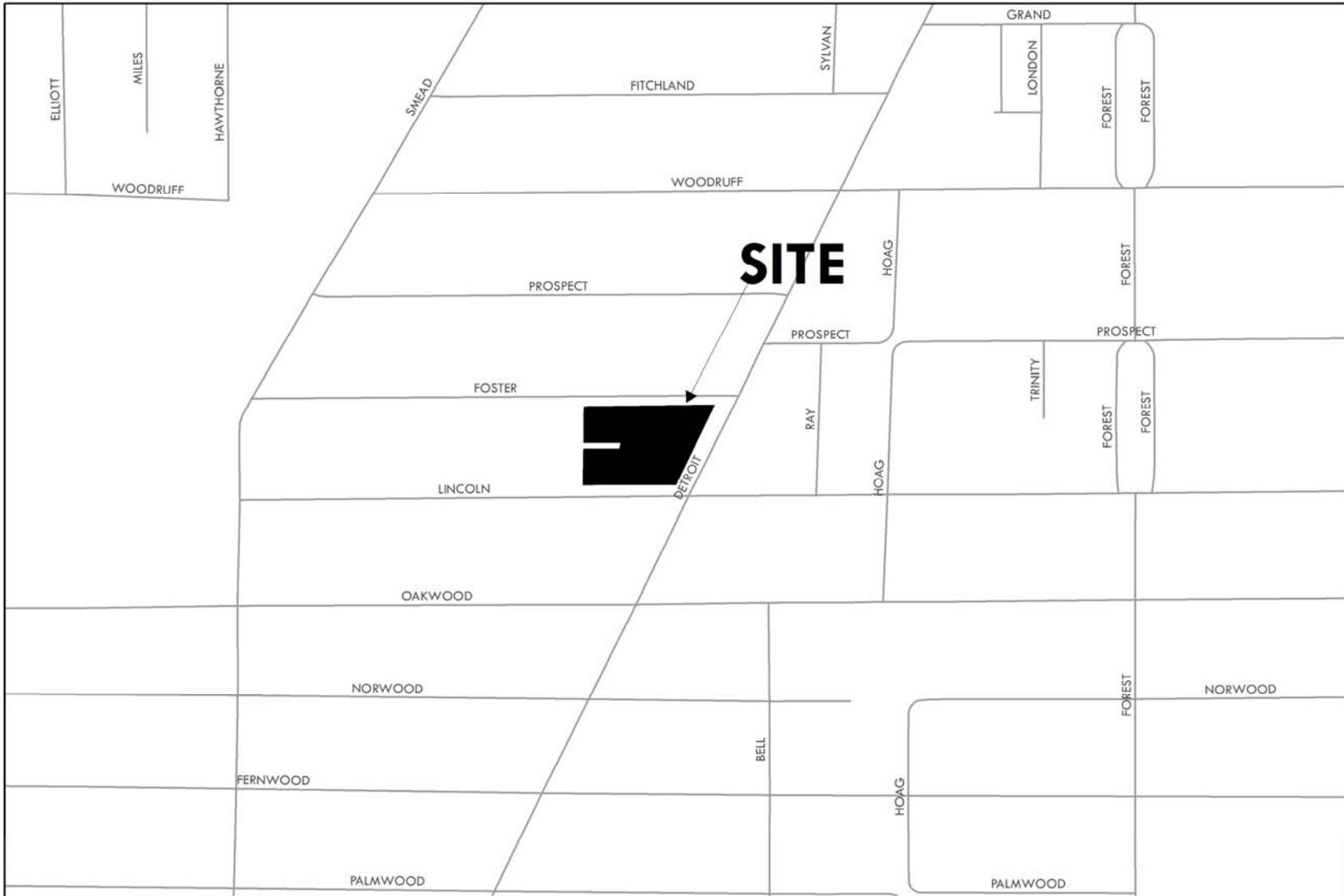
SPECIAL USE PERMIT  
TOLEDO PLAN COMMISSION  
REF: SUP-10006-16  
DATE: December 1, 2016  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: January 11, 2017  
TIME: 4:00 P.M.

JL  
Six (6) sketches follow  
Exhibit "A"

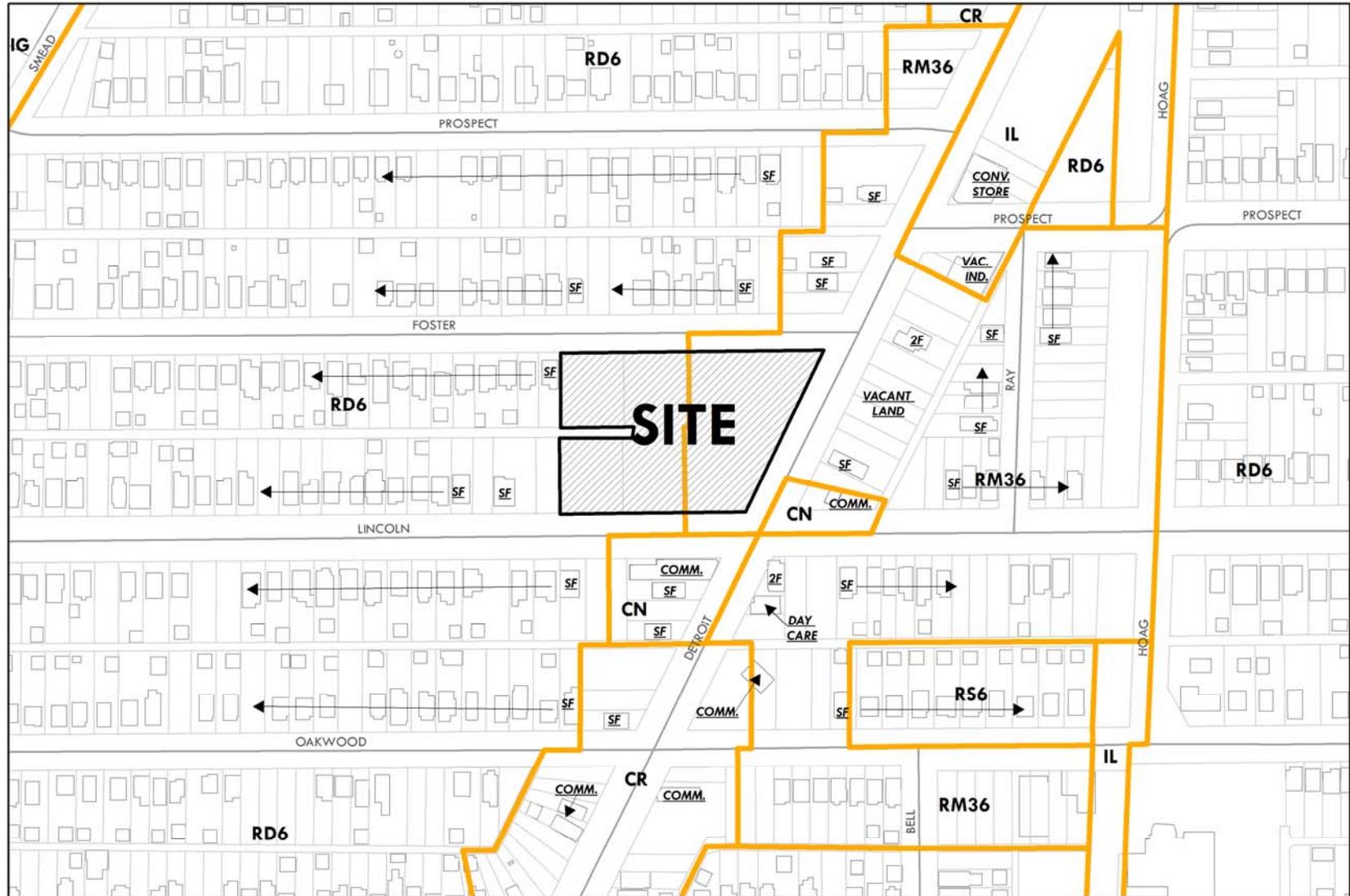
# GENERAL LOCATION

SPR-45-16  
SUP-10006-16  
Z-10005-16  
ID 14



# ZONING & LAND USE

SPR-45-16  
SUP-10006-16  
Z-10005-16  
ID 14



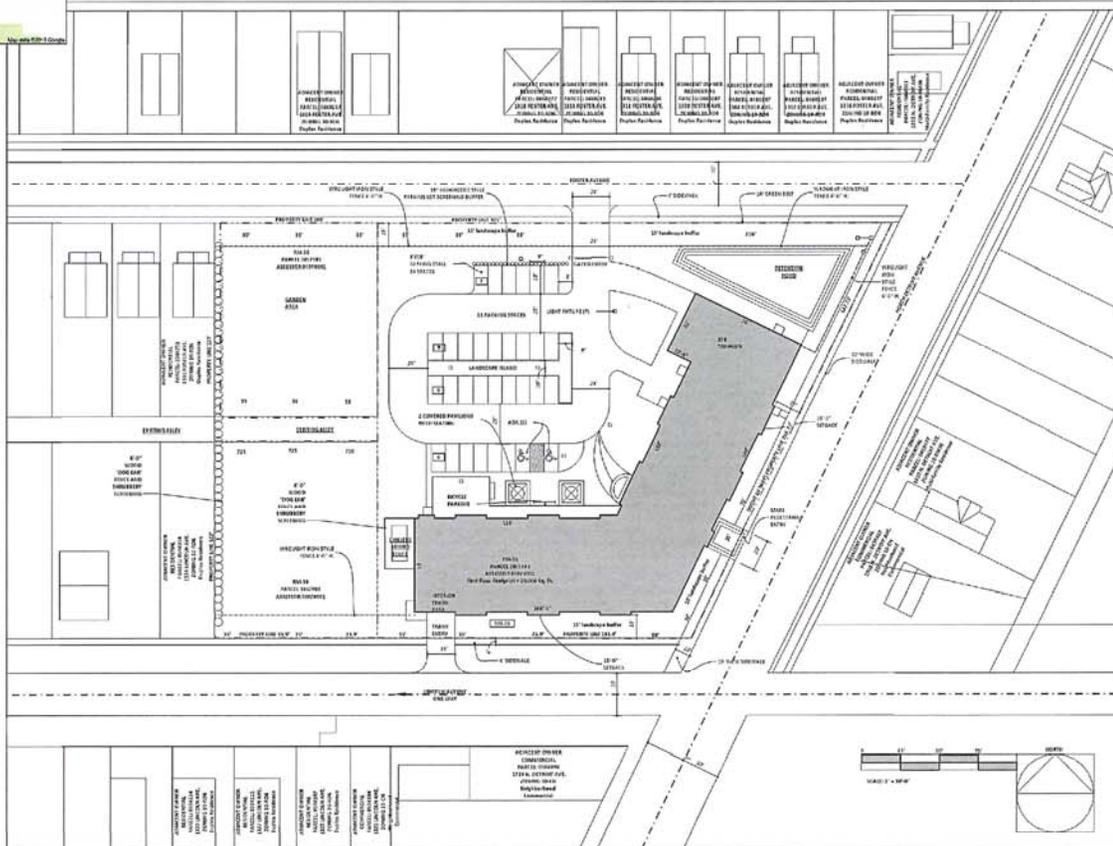
# SITE PLAN

**SPR-45-16  
SUP-10006-16  
ID 18**



GENERAL LOCATION MAP

## REZONING SPECIAL USE PERMIT AND MAJOR SITE PLAN REVIEW 1779 N. DETROIT AVE.



**LEGAL DESCRIPTION**  
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF TOLEDO, COUNTY OF LUCAS, STATE OF OHIO, AND IS DESCRIBED AS FOLLOWS:  
PARCELS 1:  
RELATED TO THE CITY OF TOLEDO, COUNTY OF LUCAS AND STATE OF OHIO, MORE PARTICULARLY AS FOLLOWS:  
THE FOLLOWING DESCRIBED PARCELS OF LAND IN THE NORTHWEST QUARTER, SECTION 24, TOWNSHIP 36 NORTH, RANGE 10 EAST, IN TOLEDO, LUCAS COUNTY, OHIO, ARE BEING RECORDED AS FOLLOWS:  
COMMENCED ON THE NORTH-SOUTH LINE OF DETROIT AVENUE, 101' EAST FROM THE WEST LINE OF 12 1/2' (12 1/2' AVERAGE WIDTH) THEREAFTER THREE FEET PARALLEL TO THE NORTH-SOUTH LINE OF DETROIT AVENUE, THENCE NORTH 112' 1/2' ALONG THE WEST LINE OF DETROIT AVENUE, THENCE SOUTH 112' 1/2' ALONG THE WEST LINE OF DETROIT AVENUE, THENCE EAST 133' 1/2' TO THE PLACE OF BEGINNING.

**AND**  
LOT NUMBER 221, 222, 223, 224, 225, 226, 227, 228 AND 229 IN THE EXTENSION OF AN ARCADE, SITUATED IN THE CITY OF TOLEDO, LUCAS COUNTY, OHIO, ARE BEING RECORDED IN VOLUME 16 OF PLATS, PAGE 16, TOGETHER WITH ONE HALF OF THE VACATED ARCADE AND PROPERTY.  
AND LOTS 18, 19, 20 AND 21 IN THE SUBDIVISION OF LOT 137 IN THE EXTENSION OF FAIR CIRCULAR ADDITION TO THE CITY OF TOLEDO, LUCAS COUNTY, OHIO, ARE BEING RECORDED IN VOLUME 19 OF PLATS, PAGE 41, TOGETHER WITH ONE HALF VACATED ALLEY ADJACENT SAID PROPERTY.  
PPN: 18-0281  
THE PROPERTY ADDRESS AND TAX PARCEL IDENTIFICATION NUMBER LISTED HEREIN ARE PROVIDED SOLELY FOR INFORMATIONAL PURPOSES WITHOUT WARRANTY AS TO ACCURACY OR COMPLETENESS.  
PROPERTY ADDRESS: 1779 NORTH DETROIT AVENUE, 1501 LINCOLN AVENUE, TOLEDO, OH 43607 PARCELS NO. 18-0281

**LEGAL DESCRIPTION**  
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF TOLEDO, COUNTY OF LUCAS, STATE OF OHIO, AND IS DESCRIBED AS FOLLOWS:  
RELATED TO THE CITY OF TOLEDO, COUNTY OF LUCAS AND STATE OF OHIO, MORE PARTICULARLY AS FOLLOWS:  
LOT NUMBERS 228, 229 AND 230 IN THE EXTENSION OF FAIR CIRCULAR ADDITION TO THE CITY OF TOLEDO, LUCAS COUNTY, OHIO, ARE BEING RECORDED IN VOLUME 19 OF PLATS, PAGE 41.  
**AND**  
LOT 28, 29, 30 AND 31 IN THE SUBDIVISION OF LOT 137 IN THE EXTENSION OF FAIR CIRCULAR ADDITION TO THE CITY OF TOLEDO, LUCAS COUNTY, OHIO, ARE BEING RECORDED IN VOLUME 19 OF PLATS, PAGE 41.  
PPN: 35-0687  
THE PROPERTY ADDRESS AND TAX PARCEL IDENTIFICATION NUMBER LISTED HEREIN ARE PROVIDED SOLELY FOR INFORMATIONAL PURPOSES WITHOUT WARRANTY AS TO ACCURACY OR COMPLETENESS.  
PROPERTY ADDRESS: 1779 NORTH DETROIT AVENUE, 1501 LINCOLN AVENUE, TOLEDO, OH 43607 PARCELS: 18-0281

**DEVELOPER**  
Pirhl, LLC  
800 W. Oak Ave.  
Toledo, OH 43603  
(419) 279-4900  
pirhl.com  
Pirhl, LLC, 800 W. Oak Ave., Toledo, OH 43607

**SITE ADDRESS**  
1779 N. Detroit Ave.  
1501 Lincoln Avenue  
Toledo, Ohio 43607

**ACRES**  
832,458 sq. ft. (18.988 ac.)  
Parcel Area 33, 24, 25 = 32,818 sq. ft. (0.749 ac.)  
Parcel Area 228, 229, 230 = 1,474 sq. ft. (0.033 ac.)  
TOTAL SQUARE FEET 832,458 sq. ft.

**ZONING**  
ZONING: S1-4500, Suburban Residential  
PLOT FOOTPRINT: 10,000 sq. ft.  
PLOT AREA: 33, 24, 25 = 32,818 sq. ft.  
SIDE YARD: 5' (11' if 10' or more from street)  
REAR YARD: 5' (10' if 10' or more from street)  
BUILDING FOOTPRINT: 20,000 sq. ft. (max. 2 stories)  
TOTAL SQUARE FEET: 832,458 sq. ft.

**VARIANCES REQUESTED**  
Front Yard Setback from 15' to 10' within 10' to 20' from Street  
Front Yard Setback from 15' to 10' along Detroit Ave.  
Parking Spaces from 15 to 20 per 1,000 sq. ft. of building area  
Special Use Permit for Training Facility

**LANDSCAPE REQUIREMENTS**  
1 Tree per 100 sq. ft. of building area  
2 Trees per 100 sq. ft. of parking area  
3 Shrubs per 100 sq. ft. of parking area  
4 Landscaping: 10' x 10' x 10' trees, 10' x 10' x 10' shrubs

**PARKING**  
1.5 spaces per 1,000 sq. ft. of building area  
1.5 spaces per 1,000 sq. ft. of parking area  
31 Parking Spaces Required  
Special Parking = 2000 = 6 spaces

**TRASH**  
SITE: Trash area in main building  
**BUILDING INFORMATION**  
BUILDING: 10,000 sq. ft.  
BUILDING: 20,000 sq. ft.  
TOTAL: 30,000 sq. ft.  
TOTAL: 30,000 sq. ft.



October 17, 2016

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# LANDSCAPE PLAN

SPR-45-16  
SUP-10006-16  
ID 18

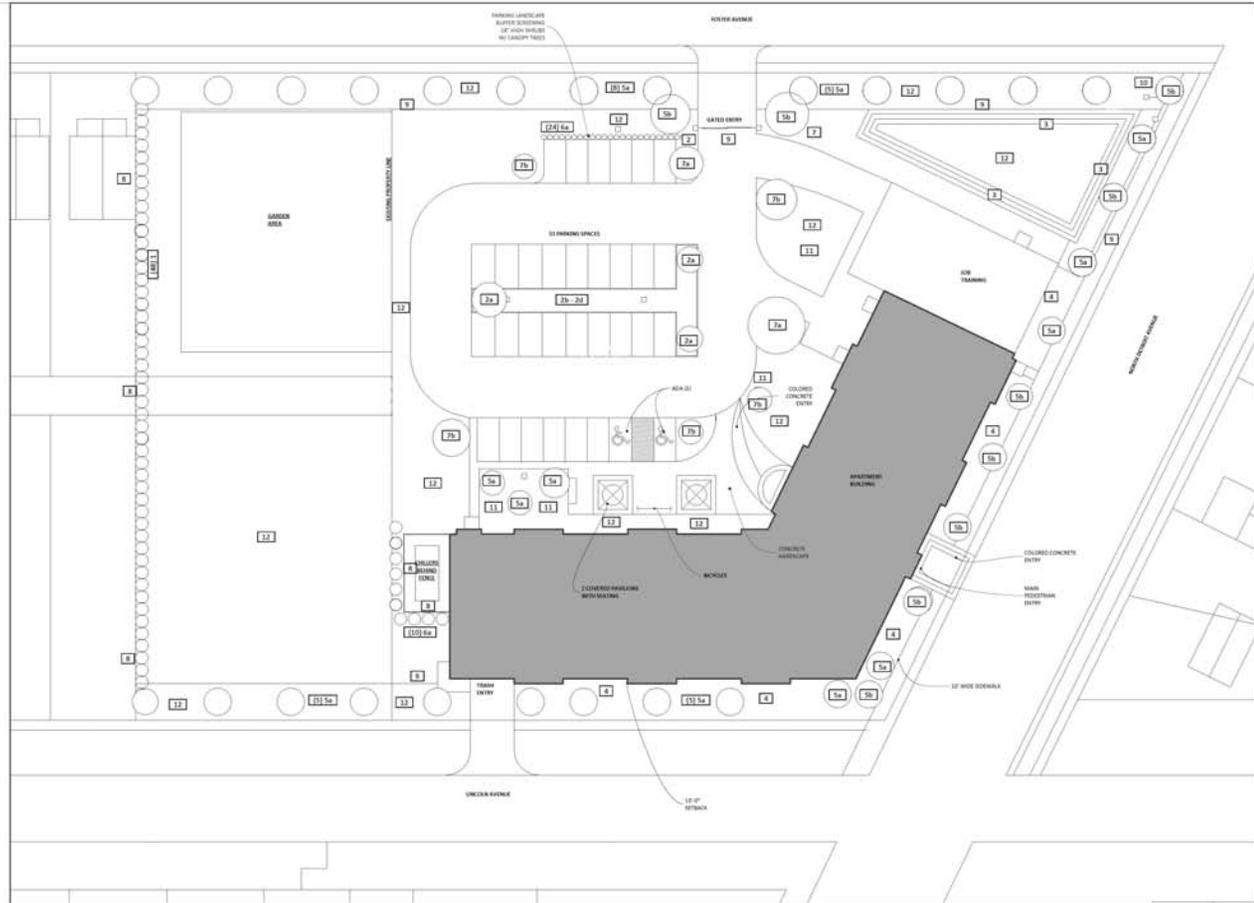


**LANDSCAPE MATERIALS:**

- 1) PERIMETER SHRUBBERY HEDGE ROW:
  - a) Thuja plicata x standishii "Green Giant" (A/Sorvite)
- 2) PARKING LOT ISLAND PLANTINGS:
  - a) Tree: Fraxus "Weeping Cherry" Stone Fountain
  - b) Hamamelis virginiana "Dyflite" (Yellow)
  - c) Sialaria x Grandiflora "Golden Fasta Delicia" (Red, Yellow, Gold/Orange)
  - d) Grass (Blended see Item #12)
- 3) WATER DETENTION POND PLANTINGS:
  - a) Lonicera x superbum "Alaska Sheeta Daisy" (White)
  - b) Cortaderia selloana "Pink Pampas Grass"
  - c) Miscanthus sinensis Johnson "Zebra Grass"
  - d) Hamamelis virginiana "Dyflite" (Yellow)
  - e) Lonicera purpurea "Purple Cowflower", & "Flame Thrower" (Purple and Orange)
  - f) Phila sordida "Carpet Flower" Ground Cover (Red, Blue, Pink and White)
- 4) FRONT YARD PLANTING BEDS:
  - a) Penstemon orientalis "Earley Rose Fountain Grass"
  - b) Berberis thunbergii "Barberry Shrub" (Crimson Pagoda)
  - c) Phila sordida "Carpet Flower" Ground Cover (Red, Blue, Pink and White)
  - d) Buddleia "Butterfly Bush" (Purple Haze)
  - e) Hydrangea "Butterfly Perennial Hydrangea"
  - f) Taxus canadensis "English Yew" Shrub
  - g) Lonicera "Lonicera" (Purple)
  - h) Cortaderia selloana "Pink Pampas Grass"

**LANDSCAPE MATERIALS:**

- 5) STREET TREES:
  - a) Prunus x Cerasifera "Newport" (Purple Leaf Plum), or per City of Toledo Recommendations
  - b) Gleditsia triacanthos inermis Impicola "Imperial" (Honey Locust)
- 6) SCREENING SHRUBBERY HEDGE ROW:
  - a) Thuja occidentalis "Can-Can Green Giant" (Arboretum)
- 7) SPECIALTY TREES:
  - a) Acer glabrum "Flame" (Japanese Maple family)
  - b) Crataegus crus galli "Cockspur Hawthorn"
- 8) FENCING:
  - a) 6'-0" Wood "Dog Eared" Fencing
- 9) ALUMINUM WROUGHT IRON STYLE PERIMETER FENCE & ENTRY GATE WITH BRICK PILLARS: 4'-0" fence and 6'-0" gate
- 10) CORNER LANDSCAPE TREATMENT:
  - a) Cortaderia selloana "Pink Pampas Grass"
  - b) Hamamelis virginiana "Dyflite" (multi-color)
  - c) Lonicera purpurea "Purple Cowflower", & "Flame Thrower" (Purple and Orange)
  - d) Hydrangea "Lime Ricky" Smooth Hydrangea (White)
- 11) SHADE PLANTS:
  - a) Ficus benjamina "Lady Fern", and "Dutch Fern"
  - b) Lillium maculatum (Yellow Lily), and Hosta "Unshelute"
  - c) Conoclinium "Lily of the Valley"
  - d) Chamaecyparis "Fern Leaf Bleeding Heart"
  - e) Liriodendron "Clumping Monkey Grass"
- 12) GRASS:
  - a) Mixture of ryegrass, fescue, tall fescue, and Kentucky blue grass



LANDSCAPE PLAN

SCALE: 1" = 20'-0"



October 17, 2016

POGGEMEYER  
DESIGN GROUP

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# ELEVATIONS #2

SPR-45-16  
SUP-10006-16  
ID 18



**MATERIAL SCHEDULE:**

- 01 MANUFACTURE LARGE SCALE SYNTHETIC STONE (DUAL-LAY)
- 02 MANUFACTURE PERFORMANCE FIBROCEMENT
- 03 LARGE SCALE SYNTHETIC STONE STYLE CEMENT BOARD
- 04 BRICK
- 05 CONCRETE BLOCK AND BATTEN SIDING
- 06 ASPHALTIC SHINGLES

FIRST FLOOR: 28,245 SQUARE FEET  
SECOND FLOOR: 28,458 SQUARE FEET  
THIRD FLOOR: 28,458 SQUARE FEET  
FOURTH FLOOR: 28,458 SQUARE FEET  
TOTAL: 113,621 SQUARE FEET

**WEST ELEVATION - Massing Study (White Model)**

SCALE: 1" = 20' 0"



**MATERIAL SCHEDULE:**

- 01 MANUFACTURE LARGE SCALE SYNTHETIC STONE (DUAL-LAY)
- 02 MANUFACTURE PERFORMANCE FIBROCEMENT
- 03 LARGE SCALE SYNTHETIC STONE STYLE CEMENT BOARD
- 04 BRICK
- 05 CONCRETE BLOCK AND BATTEN SIDING
- 06 ASPHALTIC SHINGLES

FIRST FLOOR: 28,245 SQUARE FEET  
SECOND FLOOR: 28,458 SQUARE FEET  
THIRD FLOOR: 28,458 SQUARE FEET  
FOURTH FLOOR: 28,458 SQUARE FEET  
TOTAL: 113,621 SQUARE FEET

**NORTH ELEVATION - Massing Study (White Model)**

SCALE: 1" = 20' 0"



**COURTYARD VIEW - Massing Study (White Model)**

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POGGEMEYER



November 17, 2016

POGGEMEYER  
DESIGN GROUP

Detroit Ave., Toledo, OH | TASC Lincoln Place - REQUESTS: Rezoning, Special Use Permit, & Major Site Plan Review

A 06

**Exhibit "A"**  
Agency Conditions

The following conditions forty eight (48) 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.
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.

**Exhibit “A” (cont’d)**

Engineering Services (cont’d)

8. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with BSIonlinetracking.com @ 800-414-4990.
9. The water meter setting detail, including meter bypass and backflow preventer, shall be submitted to the City of Toledo Backflow Prevention Coordinator, 401 S. Erie Street, Toledo, OH 43602.
10. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site. Contractors performing work on new or existing fire systems shall be licensed by the State of Ohio Fire Marshall and certified by the City of Toledo Fire & Rescue Department.
11. Detailed plans for the water services shall be submitted to the Division of Engineering Services for review and approval. Plan design and submittal shall comply with the current version of the City of Toledo DPU Infrastructure Design and Construction Requirements.
12. New fire, domestic, and irrigation taps will be installed by City of Toledo at the owner/developer’s expense.
13. Plans for the water service shall be submitted to and approved by the Ohio EPA prior to starting construction of the water service.
14. No temporary or permanent structures, foundations, fences, etc. may be constructed over the existing 24” public combined brick sewer. Alternately, the property owner may relocate the public sewer around the property at his 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.
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.

**Exhibit “A”** (cont’d)

Engineering Services (cont’d)

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. 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. 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. No temporary or permanent structures, foundations, fences, etc. may be constructed over the existing 24” public combined brick sewer. Alternately, the property owner may relocate the public sewer around the property at his expense.
24. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
25. 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.
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.

**Exhibit “A” (cont’d)**

Engineering Services (cont’d)

27. Developer shall be responsible for meeting the requirements of the Ohio EPA anti-degradation policy. Requirements shall be met before any taps are made into the sanitary sewer system.
28. Any previous kills that were not done at the right-of-way line shall be re-killed at the right-of-way to eliminate any active pipes on the property.

Sewer and Drainage Services

Comments not received at the time of printing.

Fire Prevention

29. The Fire Prevention Bureau has not concerns regarding the site plan. Construction plans are required for the building itself and will indicate all fire protection systems required for the proposed use.
30. A fire department key box may be required for access thru the gated entry on Foster Avenue.

Transportation

31. A drive aisle shall be constructed connecting the currently leased storage lot with the proposed lot.
32. According to the information provided by the developer, 111 parking spaces are required yet only 33 parking spaces are provided. The reason given was that the majority of residents will not possess vehicles. The Division of Transportation contends that this is speculative and an inference that does not warrant a reduction of 70% of the parking requirements. Reasonable efforts shall be made to increase the number of parking provided which may include an alternative parking plan to be reviewed and approved by the Division.

Neighborhoods

33. There are no current active projects that this proposed site plan will have an effect on.
34. Concern as to the limited parking available. Although the project anticipates a small ratio of vehicles, the permanent housing aspect lends itself to the possibility of more vehicles as stability of clientele is achieved (i.e. increased income). An undue burden must not be placed neighboring residential streets.

**Exhibit “A” (cont’d)**

Neighborhoods (cont’d)

35. It is recommended that this project have community support, including the Toledo Lucas County Homelessness Board (HB) to ensure optimum project support / best practices. The HB is the recognized continuum of care agency for homeless efforts.

Plan Commission

36. Site Plan shall not receive final approval until the pending Zone Change from RD6 and RM36 to RM36 is approved.

37. The front setback along Detroit Avenue is only 15 feet does not meet the required 25 feet setback for the RM36 district. **TMC 1106.0101.**

38. The plan does not specify the surface type. 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. A revised plan shall be submitted indicate surface type.

39. The site plan provides thirty three (33) parking spaces on site and is not in compliance with the zoning requirements. The code requires one hundred eight (108) parking spaces for the apartments plus nine (9) parking spaces proposed for the job training facility. **TMC 1107.0304**

40. The code requires 20 bicycle parking spaces (1 space per 10 parking spaces). A bicycle space is required to be 2’ by 6’. The site plan shows an area that could accommodate 7’ spaces. An additional 13 bicycle parking spaces shall be indicated on a revised site plan.

41. The 4 foot wrought iron fence will exceed the 3 ½ feet height limit in the front setback along Detroit Avenue and Foster Avenue and shall be reduced unless a waiver is obtained for **TMC 1105.0301.A** and **TMC. 1007.0200**. The fence also appears to cross and block the existing alley to the west. The fencing shall be revised to be outside the existing right-of-way of the alley.

42. Four (4) copies of a revised detailed site, lighting, fencing, and landscaping plan shall be submitted to the Plan Director for review and approval (separate from the building and site plans). Such plan shall include:

- a. A fifteen (15) foot frontage greenbelt along Detroit Avenue.
- b. Ten (10) trees in the Type B landscape buffer along the western property line.

**Exhibit “A” (cont’d)**

Plan Commission (cont’d)

- c. Specify the quantity of flowering shrubs provided for the interior parking lot. The thirty three (33) spaces shown would require (20) shrubs.
  - d. Endcap islands on both sides of the interior rows of parking spaces in the parking lot.
  - e. Foundation plantings and six (6) additional trees along the street facing building elevations and landscaping at major entrances.
  - f. Type of groundcover for landscape areas. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground cover.
43. Irrigation shall be required for projects over ½ acre in site area. 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.
44. A revised site plan shall be submitted providing a pedestrian connection from the parking area to Foster Avenue.
45. Litter receptacles shall be provided in accordance with Toledo Municipal Code Section 963.22. These standards include two containers in easily accessible locations for first 25 spaces, one container for every fifty additional spaces or as approved by Director of Public Service. Containers shall have secured lids and secured to the ground to minimize spillage.
46. 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.
47. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission. Major adjustments will require an amendment to the Special Use Permit.
48. No permits shall be issued until arrangements satisfactory to the Director of the Toledo City Plan Commission have been made for compliance with the conditions as set forth above.

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## STAFF REPORT CONDITIONS OF APPROVAL – AGENCY SOURCE IDENTIFICATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

