MEMBERS OF THE TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

<table>
<thead>
<tr>
<th>TOLEDO CITY PLAN COMMISSION</th>
<th>LUCAS COUNTY PLANNING COMMISSION</th>
</tr>
</thead>
<tbody>
<tr>
<td>KEN FALLOWS</td>
<td>DON MEWHORT</td>
</tr>
<tr>
<td>(Chairman)</td>
<td>(Chairman)</td>
</tr>
<tr>
<td>ERIC GROSSWILER</td>
<td>KEVIN X. SMITH</td>
</tr>
<tr>
<td>(Vice Chairman)</td>
<td>(Vice Chairman)</td>
</tr>
<tr>
<td>JULIA BRYANT</td>
<td>TINA SKELDON WOZNIAK</td>
</tr>
<tr>
<td>JOHN ESCOBAR</td>
<td>(County Commissioner)</td>
</tr>
<tr>
<td>BRANDON REHKOPF</td>
<td>PETER GERKEN</td>
</tr>
<tr>
<td></td>
<td>(County Commissioner)</td>
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<tr>
<td></td>
<td>CAROL CONTRADA</td>
</tr>
<tr>
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<td>(County Commissioner)</td>
</tr>
<tr>
<td></td>
<td>KEITH G. EARLEY</td>
</tr>
<tr>
<td></td>
<td>MICHAEL W. DUCEY</td>
</tr>
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<td></td>
<td>KEN FALLOWS</td>
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<td></td>
<td>MEGAN MALCZEWSKI</td>
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<td></td>
<td>JULIA BRYANT</td>
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<td></td>
<td>BRANDON REHKOPF</td>
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</tbody>
</table>

THOMAS C. GIBBONS, SECRETARY

LISA COTTRELL, ADMINISTRATOR
### TOLEDO-LUCAS COUNTY PLAN COMMISSIONS
APPLICATION DEADLINE, AGENDA, STAFF REPORT AND HEARING SCHEDULE - 2018

<table>
<thead>
<tr>
<th>APPLICATION DEADLINE*</th>
<th>AGENDA SET</th>
<th>STAFF REPORT DISTRIBUTED</th>
<th>HEARING DATE</th>
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<tbody>
<tr>
<td><strong>CITY PLAN COMMISSION</strong> <em>(HEARINGS BEGIN AT 2PM)</em></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>November 27</td>
<td>December 25</td>
<td>December 29</td>
<td>January 11</td>
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<td>December 26</td>
<td>January 22</td>
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<td>February 19</td>
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<td>June 25</td>
<td>July 23</td>
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<td>August 9</td>
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<td>July 30</td>
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<td>August 31</td>
<td>September 13</td>
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<td>August 27</td>
<td>September 24</td>
<td>September 28</td>
<td>October 11</td>
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<td>September 24</td>
<td>October 15</td>
<td>October 19</td>
<td>November 1**</td>
</tr>
<tr>
<td>October 22</td>
<td>November 19</td>
<td>November 23</td>
<td>December 6**</td>
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| **COUNTY PLANNING COMMISSION** *(HEARINGS BEGIN AT 9AM)* |
| December 11 | January 8 | January 12 | January 24 |
| January 16 | February 12 | February 16 | February 28 |
| February 12 | March 12 | March 16 | March 28 |
| March 12 | April 9 | April 13 | April 25 |
| April 9 | May 7 | May 11 | May 23 |
| May 14 | June 11 | June 15 | June 27 |
| June 11 | July 9 | July 13 | July 25 |
| July 9 | August 6 | August 10 | August 22 |
| August 13 | September 10 | September 14 | September 26 |
| September 10 | October 8 | October 12 | October 24 |
| October 1 | October 29 | November 2 | November 14** |
| November 5 | December 3 | December 7 | December 19** |

* County deadlines are for Preliminary Drawings
** Date shifts are due to holidays
# Conversion Table

## Toledo Zoning Code Update - Zoning District Designations

<table>
<thead>
<tr>
<th>Existing District</th>
<th>New District Effective June 6, 2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-A, Single Family</td>
<td>RS12, Single Dwelling</td>
</tr>
<tr>
<td>R-B, Single Family</td>
<td></td>
</tr>
<tr>
<td>R-1, Single Family</td>
<td>RS9, Single Dwelling</td>
</tr>
<tr>
<td>R-2, Single Family</td>
<td>RS6, Single Dwelling</td>
</tr>
<tr>
<td>R-3, Two Family</td>
<td>RD6, Duplex</td>
</tr>
<tr>
<td>R-2A, Restricted Multi Family</td>
<td>RM12, Multi Dwelling</td>
</tr>
<tr>
<td>None</td>
<td>RM24, Multi Dwelling</td>
</tr>
<tr>
<td>R-4, Multi Family</td>
<td></td>
</tr>
<tr>
<td>R-4A, Multi Family</td>
<td>RM36, Multi Dwelling</td>
</tr>
<tr>
<td>R-5, Multi Family</td>
<td></td>
</tr>
<tr>
<td>R-MH, Manufactured Home</td>
<td>RMH, Manufactured Housing Park</td>
</tr>
</tbody>
</table>

### Commercial Districts

<table>
<thead>
<tr>
<th>Existing District</th>
<th>New District Effective June 6, 2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>C-1, Neighborhood</td>
<td></td>
</tr>
<tr>
<td>N-MX, Neighborhood Mixed Use</td>
<td>CN, Neighborhood</td>
</tr>
<tr>
<td>C-2, Restricted Office</td>
<td></td>
</tr>
<tr>
<td>C-7, Office Park</td>
<td>CO, Office</td>
</tr>
<tr>
<td>C-6-HS Redevelopment - Heritage South*</td>
<td>CS, Storefront</td>
</tr>
<tr>
<td>C-6-LA, Redevelopment - Lagrange*</td>
<td></td>
</tr>
<tr>
<td>C-MX, Community Mixed Use</td>
<td>CM, Mixed Use</td>
</tr>
<tr>
<td>C-3, Commercial</td>
<td>CR, Regional</td>
</tr>
<tr>
<td>C-4, Shopping Center</td>
<td>CR-SO, Regional - Shopping Ctr. Sign Overlay</td>
</tr>
<tr>
<td>C-5, Central Business District</td>
<td>CD, Downtown</td>
</tr>
</tbody>
</table>

### Industrial District

<table>
<thead>
<tr>
<th>Existing District</th>
<th>New District Effective June 6, 2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>M-1, Restricted Industrial</td>
<td>IL, Limited Industrial</td>
</tr>
<tr>
<td>M-2, Industrial</td>
<td></td>
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<tr>
<td>M-4, Warehouse</td>
<td>IG, General Industrial</td>
</tr>
<tr>
<td>M-3, Planned Industrial</td>
<td>IP, Planned Industrial/Business Park</td>
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</table>

### Special Purpose District

<table>
<thead>
<tr>
<th>Existing District</th>
<th>New District Effective June 6, 2004</th>
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</thead>
<tbody>
<tr>
<td>P, Parks</td>
<td>POS, Park &amp; Open Space</td>
</tr>
<tr>
<td>None</td>
<td>IC, Institutional Campus</td>
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### Overlay Districts

<table>
<thead>
<tr>
<th>Existing District</th>
<th>New District Effective June 6, 2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>CUP, Community Unit Plan</td>
<td>None</td>
</tr>
<tr>
<td>D.O.D, Downtown</td>
<td>-DO, Downtown</td>
</tr>
<tr>
<td>HD, Historic District</td>
<td>-HO, Historic District</td>
</tr>
<tr>
<td>MR-O, Maumee River</td>
<td>-MRO, Maumee River</td>
</tr>
<tr>
<td>None</td>
<td>-UNO, Urban Neighborhood</td>
</tr>
<tr>
<td>None</td>
<td>-PO, Pedestrian</td>
</tr>
<tr>
<td>None</td>
<td>-SO, Shopping Center Sign</td>
</tr>
</tbody>
</table>

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

AN, 3-31-11
TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

October 11, 2018 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

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>CASE DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. M-11-18:</td>
<td>Review of 2018 Municipal Arts Plan (dg)</td>
</tr>
<tr>
<td>2. Z-9001-18:</td>
<td>Zone Change from IL to CD at 443-447 10th Street (mm)</td>
</tr>
<tr>
<td>3. SUP-8001-18:</td>
<td>Special Use Permit for a tobacco shop at 607 Monroe Street (rs)</td>
</tr>
<tr>
<td>4. Z-8003-18:</td>
<td>Zone Change from CO to RD6 at 2517 W. Sylvania Avenue (rs)</td>
</tr>
<tr>
<td>5. SUP-8002-18:</td>
<td>Special Use Permit for used auto sales facility at 2433-2435 Tremainsville Road (dg)</td>
</tr>
<tr>
<td>6. V-347-18:</td>
<td>Vacation of a portion of Riverside Drive in the Marina District (jl)</td>
</tr>
<tr>
<td>7. V-370-18:</td>
<td>Vacation of a portion of Amherst Drive, from Dartmouth Avenue to the Anthony Wayne Trail (rs)</td>
</tr>
</tbody>
</table>
GENERAL INFORMATION

Subject

Request - Review of the 2018 Toledo Municipal Art Plan

Applicant - Arts Commission of Greater Toledo
1838 Parkwood Avenue
Suite 120
Toledo, OH 43624

Applicable Plans and Regulations

• 1995 Public Art Master Plan “artoledo”
• 2018 Toledo Municipal Arts Plan
• Art in Public Places Program, TMC§167.06(a)(8): “Municipal Art Plan” means a prioritized list of art projects, developed annually by the Art in Public Places Committee, with budgets and recommended design approached, approved by the Arts Commission and subsequently by the Toledo City Plan Commission.
• Chapter X, Section 190 of the Toledo City Charter: The Toledo City Plan Commission shall have the power to control the design and location of works of art, which are, or may become, the property of the City.

STAFF ANALYSIS

The applicant is requesting approval of the 2018 Toledo Municipal Art Plan (see exhibit A) for the Art in Public Places Program. This annual plan is a prioritized list of projects with budgets, implementing the 1995 Public Art Master Plan for the City of Toledo. This submission fulfills the provisions of the Toledo City Charter, requiring the Toledo City Plan Commission to review the placement of public art.

The Art in Public Places Program includes three elements: acquisition of new works of art, restoration and conservation of the existing collection, and the establishment of education programs and activities. The Plan also details additional projects. The Arts Commission has budgeted $57,505 for new acquisitions, $56,747 for maintenance and conservation, $12,505 for education and outreach programs, and $96,000 for administration costs. The total budget for 2018 is $252,827 funded by the “one percent for the arts” allocation from the 2017 Capital Improvement Program.
Acquisition of New Works of Art:

The Arts in Public Places program has budgeted $57,505 for the acquisition of new works of art. Six (6) projects are discussed in the 2018 Toledo Municipal Art Plan. Three are underway and three are new projects. Details of the projects are summarized below and are as follows:

Underway in 2018

**Anthony Wayne Trail Gateway Project (Ongoing)**

Phase two of the project, including landscaping and sculptural elements is underway. Total completion is expected by September 2018.

**Close Park (Ongoing)**

Close Park, located across from Blessed Sacrament School in Wes Toledo, was identified as a site for new public art project for 2019. A request for qualifications was sent out in January 2018 resulting in over sixty artists responding. Minneapolis artist, Randy Walker’s proposal was selected. The proposal is entitled “Close, Closer, Closest” and features 400 painted colorful steel poles representing each house in the immediate neighborhood. The poles will stand in a small garden and vary in height and color. Installation is planned for spring 2019.

**INTER/ACTIVE (Completed)**

The Arts Commission, in April 2018, sought proposals for highly interactive, community-driven, collaborative works of art – accessible to the public and civic in scope. Seventeen proposals were submitted. Three were selected. These projects appeared at the Momentum Festival in Promenade Park in September 2018.

New Projects for 2018

**Roundabout Public Art**

The Art in Public Places Program is working with the Mercy Health Foundation to commission public art in one or two roundabouts at the Detroit/Berdan/Cherry and Cherry/Manhattan intersections. A Request for Qualifications is planned for August 2018. Art in Public Places has agreed to coordinate the project and fund the design phase of the project. The Mercy Health Foundation is funding the build phase.

**Mayor’s Office Art Displays**

The Art in Public Places-Art in Public Buildings Committee is working with local curators and artists to select art work for the lobby areas of the Mayor’s office with the goal of displaying high quality artwork from a variety of diverse artists from throughout the region.
STAFF ANALYSIS (cont’d)

Acquisition of New Works of Art: (cont’d)

Historical City Documents Display
The City of Toledo recently moved a huge archive of historic documents from a storage space to One Government Center.

Maintenance and Conservation:

The Arts in Public Places program has budgeted $56,747 for the maintenance and conservation of works of art. Three (3) projects are discussed in the 2018 Toledo Municipal Art Plan. One is completed. The other two are underway in 2018. Details of the projects are summarized below and are as follows:

Completed in 2018

**Soliloquy of the Origins of Aboriginal Abstractions**
Art in Public Places contracted with Ohio Building Restorations for a full restoration of the frieze, *Soliloquy of the Origins of Aboriginal Abstractions*, created by Toledo native JD Jackson, located at the Frederick Douglas Center. The piece was cleaned, underwent some minor concrete repair and was repainted.

Underway in 2018

**Major Ritual and City Candy Painting Projects**
In December 2017 the sculpture, *Major Ritual* was relocated to Boeschenstein Park on the southeast corner of Monroe and Summit Streets. It was scheduled to undergo major restoration and repainting in the summer of 2018.

The sculpture, *City Candy*, located at the Vistula Parking Garage on Summit Street, will be cleaned and repainted.

**Washing and Waxing / General Maintenance**
Conservation Activity included the routine washing, waxing, and general maintenance on eighteen (18) public art works.

Education Programs / Activities:

The Arts in Public Places program has budgeted $12,505 for Education Programs and Activities. Five (5) activities are discussed in the 2018 Toledo Municipal Art Plan. Three (3) projects are underway or completed. Two (2) projects are ongoing annual activities. Details of the projects are summarized below and are as follows:
STAFF ANALYSIS (cont’d)

Education Programs / Activities (cont’d):

Underway in 2018

**Video Work**
Art in Public Places has contracted to produce a short promotional video celebrating forty years of the *One Percent for Art Program* and why it is important to the City of Toledo. The program’s history and its future are discussed. The video features footage of sculptures in the *Art in Public Places* collection.

**Photography and New Public Art Brochure**
The effort to photograph the *Art in Public Places* collection began and will continue through 2018. The new photos will be used for a variety of promotional and educational purposes including the Arts Commission website, the display in City Council and a new *Art in Public Places* brochure.

**Public Art Master Plan**
A Request for Qualifications is in the works to identify an individual to develop a Public Art Master Plan (PAMP) to help guide the selection of sites for public art projects and provide a framework to evaluate new projects. The *Art in Public Places* program is currently operating under the guidelines of a master plan that was developed in 1995. The new plan will focus on the goals set in the area wide *Strategic Plan for Arts and Culture* developed in 2015 which was added as an addendum to the City’s 2020 Plan.

Ongoing

**ABC’s of Public Art**
The ABC’s of Public Art publication was printed in June of 2012 and will continue to be distributed to parents, mentors, schools and literacy programs. It features 28 works from the City’s One Percent for Art program along with ten works from other publicly accessible collections in the City of Toledo. Over 8,500 books have been distributed to local schools, libraries, early childhood health and literacy programs and home schoolers. An online version can be found on the Arts Commission’s website; [www.theartscommission.org/publicart](http://www.theartscommission.org/publicart)

**Americans for the Arts**
As a member of the Americans for the Arts Public Art network, the Arts Commission has a direct link to hundreds of public art administrators, publications, and artists from across the country and around the world. The Arts Commission has sent staff members to the Americans for the Arts National Conference since 2003. The conference presents essential information on developing concepts and innovation in the field of public art and provides opportunities to network with artists and public art administrators from around the country.
STAFF ANALYSIS (cont’d)

Administrative:

The Arts in Public Spaces program has budgeted $96,000 for staff expenses, overhead, and other operating costs associated with the operation of the Art in Public Places program.

Additional Community Projects and Partnership:

Two (2) additional projects were coordinated by Art in Public places but are not funded through the One Percent For Art Program.

Veterans Memorial Skyway Lighting Project
The Arts Commission is working with the Ohio Department of Transportation to commission sixteen design sequences from local artists to be added to the schedule of the lighting display.

City of Toledo Mural Ordinance
The City of Toledo is home to a variety of murals, created by artists from diverse cultural traditions and backgrounds. The Arts Commission encourages this activity and seeks to further promote mural making in Toledo through facilitating Toledo’s Mural Ordinance.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of M-11-18, Review of the 2018 Toledo Municipal Art Plan, to Toledo City Council for the following one (1) reason:

1. The proposed plan is in conformance with the 1995 Public Art Master Plan “artoledo.”
2018 Toledo Municipal Art Plan

Exhibit A: Art in Public Places Program

Prepared by:
Nathan Mattimoe
Art in Public Places Coordinator
Since 1977, The City of Toledo, by ordinance, has entrusted the administration of its Art in Public Places Program to The Arts Commission of Greater Toledo. The program includes three elements: acquisition of new works of art, restoration and conservation of the existing public art collection, and the establishment of public education programs and activities associated with the Art in Public Places Program. These elements are detailed in this year’s proposed Municipal Art Plan, developed by the Art in Public Places Committee and approved by the Board of Trustees of The Arts Commission.

Acquisition of New Works of Art

Underway in 2018

Anthony Wayne Trail Gateway Project
Phase two of the project, which includes the landscaping and sculptural elements designed by Seattle artists, Laura Haddad and Tom Drugan, is well underway with total completion of the project expected by September, 2018. Sub-contractors for the sculptural element include local fabricators, Flatlanders and Mitchell Welding, and local glass artist Jack Schmidt.

Close Park
Through an effort to further distribute Toledo’s public works of art more evenly by district, Close Park in District 5 was identified as a site for a new public art project for 2019. Nestled in a densely populated West Toledo neighborhood and across the street from Blessed Sacrament School, this site has been identified as a perfect location for a new public art project. A request for qualifications was sent out on January 4, 2018, which resulted in responses from over 60 artists from all over the United States.
Through an extensive review process, including community meetings with neighborhood stakeholders, the Design Review Board has selected Minneapolis artist, Randy Walker's, proposal entitled “Close, Closer, Closest.” The installation includes approximately 400 colorfully painted steel poles representing each house in the immediate neighborhood. The poles will stand in a small garden shaped to mimic Close Park's shape. The poles will vary in height and color determined by members of the community. Like the park, the Close, Closer, Closest will be an interactive life-filled space that changes as it is experienced from different vantage points and as one moves through and around it from season to season. Installation is planned for spring of 2019.

INTER/ACTIVE Public Art Projects
In April of 2018, The Arts Commission sought proposals for highly interactive, community-driven, collaborative works of art that are accessible to the public and civic in scope. Seventeen proposals were submitted from artists in a 150 mile radius including Detroit and Cleveland. Three new projects were selected from this pool. This year’s projects involve the spectator in a variety of activities including a participatory puppet parade, group music composition, and a sculptural photography project that explores the diversity of families. These projects will appear at Momentum Festival, a celebration of art, music, and glass in Promenade Park September 13, 14 and 15.

Examples of puppets by Jesse Mooney-Bullock to be used in parade project proposed by University of Toledo Professor, Matt Foss.

New Projects For 2018

Roundabout Public Art
The Art in Public Places Program is working with the foundation of Mercy Health Systems to commission public art work for one or two roundabouts located at the Detroit, Berdan, Collingwood and Manhattan intersections. Art in Public Places has agreed to coordinate the project and fund the design phase. The Foundation of Mercy Health Systems is funding the build phase of the project. A Request for Qualifications is planned for August, 2018.
**Mayor's Office Art Displays**
The Art in Public Places – Art in Public Buildings Committee is working with local curators and artists to select art work for the lobby areas of the Mayor’s office. The goal is to display high quality artwork from a variety of diverse artists from throughout the Toledo Region. New work will be installed every six months.

**Historical City Documents Display**
The City of Toledo recently moved a huge archive of historic documents from a storage space to One Government Center. The City, in conjunction with the Canaday Center of the University of Toledo identified a number of significant documents including the original City charter, the city flag charter, log books and other documents of historical significance and aesthetic interest. Originally requested by former Council President, Steve Steel, Art in Public Places is working with Council Clerk, Julie Gibbons, to select ten images to be enlarged, framed, and installed in City Council Chambers.

*Original City of Toledo Charter*

A total of $57,505 comprises the Acquisition line item of the 2018 plan.

**Maintenance and Conservation**

*Completed in 2018*

**Soliloquy on the Origins of Aboriginal Abstractions**
Art in Public Places contracted with Ohio Building Restorations for a full restoration of Soliloquy on the Origins of Aboriginal Abstractions, by artist and Toledo native, JD Jackson. Located at the Frederick Douglas Center, this large concrete frieze was cleaned, underwent some minor concrete repair, and was repainted.
**Underway in 2018**

**Major Ritual And City Candy Painting Projects**
In December, Major Ritual by artist, Beverly Pepper, was relocated to Boeschenstein Park at the corner of Monroe and Summit Streets. The sculpture will undergo a major restoration including repairs and re-painting this summer, 2018.

Located at the Vistula Parking Garage, City Candy by Pierre Clerk, will be cleaned and repainted as well. Once restored these works will further add to the increasing vibrancy of the Summit St. corridor complimenting the other public art installations.

**Washing and Waxing / General Maintenance**
2018 conservation activity also included the routine washing, waxing, and general maintenance performed on the following works: Radiance, General Steedman Monument, Who’s Up?, I Got It!, Artifacts of Childhood, Swan Waves, City Candy, Fire Station 13, Viet Nam Peace Arch, Houses on the Move, Perspective Arcade, Gosser Memorial, The Family, The Guardian, S.P. Jermain, Woman with Birds, Empathy and The Flame.

*A total of $56,747 comprises the Conservation line item of the 2018 plan.*

**Education Programs /Activities**

**Underway in 2018**

**Video Work**
Art in Public Places has contracted with Hanson Inc. to produce a short promotional video that celebrates 40 years of the program. The video explains why the One Percent for Art Program is so important to the City of Toledo and discusses the history of the Public Art program and what the future looks like – all accompanied with beautifully shot footage of sculptures in the Art in Public Places collection.

**Photography and New Public Art Brochure**
In 2018, the effort to photograph the Art in Public Places collection began and culminated in being featured in the Metzgers Printing Co. 2018 calendar. Photography of the remaining pieces will continue through 2018. The new photos will be used for a variety of promotional and educational purposes including The Arts Commission Cork Marcheschi’s Art Tatum Celebration Column. Photo by Bob Lubell
website, the display in City Council, and more. The photos will also be used for a new Art in Public Places brochure. As the world moves to more digital content, the need for a physical, take-away, type of brochure remains a common request from educators, and other community members that have interest in the collection but are not technologically savvy.

**Public Art Master Plan**
A Request for Qualifications is in the works to identify an individual to develop a Public Art Master Plan (PAMP) to help guide the selection of sites for public art projects and provide a framework to evaluate new projects. The new plan will focus on the goals set in the area wide Strategic Plan for Arts and Culture developed in 2015 which was added as an addendum to the City’s 2020 Plan.

The Art in Public Places Program is currently operating under the guidelines of a master plan that was developed in 1995. The public art master plan process is scheduled to start in the fall of 2018.

**Ongoing**

**ABC’s of Public Art**
The ABC’s of Public Art publication was printed in June of 2012, and will continue to be distributed to parents, mentors, schools and literacy programs.

Local graphic designer Merrill Rainey designed The ABC’s of Public Art with oversight from the Art in Public Places Committee and The Arts Commission. It features 28 works from the City of Toledo’s One Percent for Art Program along with 10 works from other publicly accessible collections in the City of Toledo. Over 8,500 books have been distributed to local schools, libraries, early childhood health and literacy programs and home schoolers. This publication is free and interested parties can contact The Arts Commission for more information. An online version can be found on The Arts Commission's web site: [www.theartscommission.org/publicart](http://www.theartscommission.org/publicart)

**Americans For the Arts**
As a member of the Americans for the Arts Public Art Network and the related Email List-Serve, The Arts Commission has a direct link to hundreds of public art administrators, publications, and artists from across the country and around the world. Additionally The Arts Commission has sent staff members to the Americans for the Arts National Conference since 2003. The conference presents essential information on developing concepts and innovation in the field of public art and provides opportunities to network with artists and public art administrators from around the country.
A total of $12,505 reflecting all the aforementioned projects comprises the Education line item of the 2018 plan.

**Administration**
The administration line item of the budget, which is $96,000, reflects compensation and benefits for The Arts Commission staff support, over-head, and other expenses associated with operating the Art in Public Places program.

**Additional Public Art Projects and Partnerships**

**Veterans Memorial Skyway Lighting Project**
In light of recent updates to the lighting system for the Veterans Memorial Skyway Bridge, The Arts Commission is working with the Ohio Department of Transportation to commission 16 design sequences from local artists to be added to the schedule of the lighting display, which will come back online in August of 2018.

**City of Toledo Mural Ordinance**
The City of Toledo is home to a variety of murals, which have been created by artists from diverse cultural traditions and backgrounds. These murals improve the aesthetic impact of the city and play an important role in defining our cultural identity by creating a sense of biography for the residents. The Arts Commission encourages this activity and seeks to further promote mural making in the City of Toledo through facilitating Toledo’s Mural Ordinance.

These projects were coordinated by Art in Public Places but are funded outside of the One Percent For Art Program.
One Percent for Art 2017 Program Budget

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Art in Public Places Committee Members 2018

Mike Duket  
Co-Chairperson

Libbey Call Best
Steve Day
Claude Fixler

Daniel Hernandez  
Co-Chairperson

Tom Gibbons
Patricia Levey
Bob Lubell
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Margy Trumbull
William Whittaker
Sandra Wiseley
Lori Young
Robert Zollweg
GENERAL INFORMATION

Subject

Request - Zone Change from IL Limited Industrial to Downtown Commercial

Address - 443-447 10th Street

Owner & Developer
Matthew Rubin
110 Ottawa St, APT 2A
Toledo, OH 43604

Site Description

Zoning - IL Limited Industrial
Area - .11-acres
Frontage - 47’ along 10th Street and 100’ along Jackson St
Existing Use - Warehouse
Proposed Use - Office space

Area Description

North - Office building / CD
South - Parking lot / IL and Office building / CD
East - Court building / CO
West - Parking lot / IL

Parcel History

M-4-12 - Adoption of Uptown District Neighborhood Plan (P.C. rec. approval on 12/5/13, C.C. approved on 1/8/14 by Ord. 19-14).

M-8-18 - Landmark designation (P.C. rec. approval on 6/14/18, C.C. approved on 7/31/18 by Ord. 298-18).
GENERAL INFORMATION (cont’d)

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting a Zone Change from IL Limited Industrial to CD Downtown Commercial for a site located at 443-447 10th Street. The .11-acre site is zoned Limited Industrial and is occupied by a historically significant building constructed between 1892 and 1906. Surrounding land uses include a large office building with a campus appearance to the north, court buildings to the east, and to the west and south are large surface lots for downtown parking.

The applicant is proposing to use the building for office space and possibly a retail use to mirror other uses in the area. The building is three stories tall and is situated at the corner of Jackson Street and 10th Street. The first floor is divided into two bays, the second and third floors both are 8-bays wide due to previous manufacturing uses. A Zone Change is required for the location because retail and commercial uses are not permitted in the industrial zoning classification. This application is a companion case to M-8-18, in which the building was designated as a local landmark.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan and Downtown Toledo Master Plan both target this site for Downtown Commercial uses. The Downtown Commercial land use category is intended to accommodate a broad range of uses to reflect the downtown’s role as a commercial, government, cultural and entertainment center. Land uses are intended to be intense with high building coverage, large buildings, and buildings placed close together. The Uptown District Plan, adopted in 2014, also targets this site for downtown commercial uses and urban village. Additionally, the land uses are intended to be intense with high building coverage, large buildings, buildings close together, and to accommodate mixed-use pedestrian oriented development.

The Toledo City Historic District Commission reviewed the zone change proposal at their monthly meeting on September 24, 2018. The commission took a motion of support was taken to endorse the application prior to the Toledo City Plan Commission hearing.
STAFF ANALYSIS (cont’d)

Staff recommends approval of the Zone Change for this location since the conversion to office space will allow the structure to remain a contributing building in the community. Additionally, the proposed CD Downtown Commercial Zoning is consistent with the current zoning designations of properties established in the immediate area of the site. This Zone Change will allow for the existing building to be repurposed.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of Zone Change located at 443-447 10th Street for the following three (3) reasons:

1. The proposed Zone Change is consistent with existing land uses within the general vicinity of the subject property (TMC 1111.0606.B Review and Decision-Making Criteria);

2. The proposed CD Downtown Commercial zoning is compatible with the zoning classifications of properties within the general vicinity of the subject property (TMC 1111.0606.C Review and Decision-Making Criteria); and

3. The proposed zone change conforms to the Toledo 20/20 Comprehensive Plan and the UpTown District Toledo and the UpTown District Plan Urban Neighborhood Overlay.

ZONE CHANGE
TOLEDO CITY PLAN COMMISSION
DATE: October 11, 2018
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE
ZONING AND PLANNING
DATE: November 14, 2018
TIME: 4:00 P.M.

MLM
Two (2) sketches follow
GENERAL INFORMATION

Subject

Request - Special Use Permit for a Tobacco Shop
Location - 607 Monroe Street
Applicant - Monroe-Huron LLC
        420 Madison Ave
        Toledo, OH 43604

Site Description

Zoning - CD / Downtown Commercial
Area - ± 0.15 acres
Frontage - ± 60’ along Monroe Street
Existing Use - Vacant commercial retail
Proposed use - Tobacco/cigar shop and lounge
Required Parking - 0 parking spaces
Proposed Parking - 0 parking spaces
Neighborhood Org. - Toledo Warehouse Association
Overlay - Warehouse District UNO & Downtown Overlay District

Area Description

North - Monroe Street, restaurant, parking lot / CD
South - Event center, distribution warehouse / CD
East - Restaurant, Huron Street / CD
West - Restaurant, alley, parking lot / CD

Parcel History

M-5-12 - Adoption of the Warehouse District Neighborhood Plan (P.C. approved on 1/10/2013. C.C. approved on 2/19/2013 by Ord. 86-13).

GENERAL INFORMATION (cont’d)

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a tobacco shop at 670 Monroe Street. The ±0.15-acre site is comprised of two buildings on one parcel that fronts on Monroe Street and Huron Street. One building is two stories and occupied by “The Blarney” restaurant and bar on the first floor with a vacant second floor which will be converted into a lounge and meeting rooms for the tobacco shop. The second building is three-stories and currently vacant. The applicant intends to occupy the first floor with a tobacco shop on along with a lounge, game room and meeting rooms on the upper floors. Tobacco shops are permitted in all commercial zoning districts, except CO Office Commercial, when a Special Use Permit is obtained.

The applicant intends to open “La Bueno Vida Cigar Lounge”, a high-end cigar lounge that will be open to both members and non-members. The first floor will be a cigar shop open to the public where customers can buy cigars that can be smoked upstairs or taken home. Members will have access to separate smoking rooms upstairs and conference rooms for meetings. Non-members will have access to a room upstairs for smoking cigars purchased in the shop. Adjacent land uses include parking lots and a restaurant across Monroe Street to the north, a restaurant to the west, an event center and distribution warehouse to the south, and a restaurant to the east across Huron Street.

Use Regulations

As stated in TMC§1104.1700, specific use regulations restrict the location and hours of operation of tobacco shops. A tobacco shop shall not be located within 500 feet of any of the following uses: school, public park, public library, child day care center, or other use established specifically for the activities of minors. The proposed location for the tobacco shop conforms to the applicable use regulation. Additionally, the hours of operation of a tobacco shop may be limited to 5:30 a.m. to 1 a.m., or other hours consistent with a liquor permit issued by the State of Ohio, and listed as a condition of approval.

Parking and Circulation

Pursuant to TMC§1107.0201(A), due to the unique characteristics of the central business district; including higher land values, integration with public transportation, and the presence of parking garages, non-residential uses in the CD Downtown Commercial zoning district are exempt from providing off-street parking spaces.
STAFF ANALYSIS (cont’d)

Warehouse District UNO

The property is located within the Warehouse District UNO. In accordance with TMC§1103.1505(A), the standards of the UNO apply to the physical change of any building or building addition that increases a building’s floor area by more than 10%. “Physical change” means any work such as alteration, remodeling, new construction or renovation of the exterior of a structure. The standards also apply to any signage installed on site. Any exterior physical changes and/or signage proposed on the building shall be submitted to the Toledo Warehouse District Architectural Review Committee (TWDARC) for review prior to any work conducted or permits issued by the city and listed as a condition of approval.

Downtown Overlay District (DOD)

The property is located within the Downtown Overlay District (DOD). The DOD mandates that wherever possible, examples of the City’s traditional commercial, civic and residential architecture should be preserved, renovated and where appropriate, adaptively reused. In the event the property is modified by any exterior physical changes which the total cost is more than $250,000 or 25% of the appraised value of the building, as listed by the County Auditor, whichever is the lesser amount, then the property will be subject to additional regulations per TMC§1103.0200.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Downtown Commercial land uses. The CD Downtown Commercial district is intended to accommodate a broad range of uses to reflect downtown’s roles as a commercial, cultural and government center. Development is intended to be dense with high amounts of building coverage and decreased setbacks which create a more built environment with increased accessibility. Development is largely pedestrian-oriented with a strong emphasis on safe and attractive streetscapes.

Staff recommends approval of the Special Use Permit for this location because it meets the location requirements of TMC§1104.1700. Additionally, the request meets the stated purpose of the Zoning Code and compatible with the adjacent commercial land uses along Monroe Street. Finally, the proposed use is consistent with the goals of the Toledo 20/20 Comprehensive Plan and allows for the adaptive reuse of a property within in the DOD, therefore meeting the goals of the DOD.
STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-8001-18, request for a Special Use Permit for a Tobacco Shop at 670 Monroe Street, to Toledo City Council for the following three (3) reasons:

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

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

3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (TMC§1111.0706(C) – Review & Decision-Making Criteria).

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-8001-18, request for a Special Use Permit Special Use Permit for a Tobacco Shop at 670 Monroe Street, to Toledo City Council subject to the following seven (7) conditions:

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

Fire Prevention

No comments or concerns.

Plan Commission

1. The hours of operation may be limited from 5:30 a.m. to 1 a.m., or other hours consistent with a liquor permit issued by the State of Ohio.

2. Per TMC§1103.1500, any exterior physical changes, and/or signage, for the building shall be submitted to the Toledo Warehouse District Architectural Review Committee (TWDARC) for review prior to any work conducted or permits issued by the city.

3. In the event the property is modified by any exterior physical changes which the total cost is more than $250,000 or 25% of the appraised value of the building, as listed by the County Auditor, whichever is the lesser amount, then the property will be subject to additional Downtown Overlay District regulations per TMC§1103.0200.

4. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
STAFF RECOMMENDATION (cont’d)

Plan Commission (cont’d)

5. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC §1111.0707 have not been met.

6. 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.

7. 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-8001-18
DATE: October 11, 2018
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: November 14, 2018
TIME: 4:00 P.M.

RS
Four (4) sketches follow
GENERAL INFORMATION

Subject

Request - Zone Change from CO Office Commercial to RD6 Duplex Residential
Location - 2517 West Sylvania Avenue
Applicant - Gary Choi
Blue Bay Properties LLC
6528 Saddle Ridge Lane
Toledo, OH 43615

Site Description

Zoning - CO / Office Commercial
Area - ± 0.10 acres
Frontage - ± 40’ along Sylvania Avenue
Existing Use - Duplex Residence
Proposed Use - Duplex Residence

Area Description

North - Sylvania Avenue, Restaurant, Diner / CR
South - Single-family Residence / RD6
East - Commercial offices / CO
West - Single-family Residence / RD6

Parcel History

None on record.

Applicable Plans and Regulations

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

The applicant is requesting a Zone Change from CO Office Commercial to RD6 Duplex Residential for a site located at 2517 West Sylvania Avenue. The ±0.10-acre site is zoned Office Commercial and is occupied by a duplex residence. Surrounding land uses include restaurants to the north across Sylvania Avenue; commercial offices to the east and single-family residential homes to the south and west of the subject site.

Duplexes are not permitted in the CO Office Commercial zoning district. The existing duplex residential home is considered legal non-conforming by the current Zoning Code. In this case, in the event the home was demolished or destroyed by 75% of the appraised value listed by the County Auditor’s office, the duplex could not be rebuilt. The applicant is requesting the Zone Change in order to continue using the building as a duplex.

Toledo 20/20 Comprehensive Plan

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

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommends approval of Z-8003-17, a request for a Zone Change from CO Office Commercial to RD6 Duplex Residential for a site located at 2517 West Sylvania Avenue, to the Toledo City Council, for the following three (3) reasons:

1. The proposed zoning is similar to existing land uses within the general vicinity of the subject property (TMC§1111.0606(B) Review and Decision Making Criteria).

2. The proposed RD6 Duplex Residential District zoning is compatible with the zoning districts within the general vicinity of the site (TMC§1111.0606(C) Review and Decision Making Criteria); and

3. The proposed zoning corrects an error or inconsistency in the Zoning Code or meets the challenge of a changing condition (TMC§1111.0606(F) Review and Decision Making Criteria).
ZONE CHANGE
TOLEDO CITY PLAN COMMISSION
REF: Z-8003-18
DATE: October 11, 2018
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: November 14, 2018
TIME: 4:00 P.M.

RS
Two (2) sketches follow
GENERAL INFORMATION

Subject

Request - Special Use Permit for Used Auto Sales
Location - 2433-2435 Tremainsville Road
Applicant - Mike M. Jaber
Liberty Auto Fair, LLC
2433 Tremainsville Road
Toledo, OH 43613
Architect - Scott J. Heacock
1303 Sabra Road
Toledo, OH 43612

Site Description

Zoning - CR/Regional Commercial & RS6/Single Dwelling
Area - ± 1.270 acres
Frontage - ± 132’ along Tremainsville Road
Existing Use - Used Auto Sales and Service
Proposed Use - Used Auto Sales and Service

Area Description

North - Multi Family, Single Family Residential / CR
South - Single Family Residential / RS6
East - Single Family Residential / RS6
West - Single Family Residential / RM36, RD6

Parcel History

Z-21-C64 - Zone Change from R-2 One Family Dwelling to C-2 General Commercial at 2435 Tremainsville Road (Washington Township) Approved on 6/11/57
GENERAL INFORMATION (cont’d)

Parcel History (cont’d)

ORD-14-65 - Annexation from Washington Township by City of Toledo. Zoning classification for 2435 Tremainsville Rd. converts from C-2 General Commercial (Washington Township) to C-3 Commercial (City of Toledo). Zoning classification for 2433 Tremainsville Rd. converts from R-2 One-Family Dwelling (Washington Township) to R-2 Single-Family Residence (City of Toledo).

Z-385-68 - Zone Change from R-2 Single Family to C-3 Commercial at 2433 Tremainsville Rd. with the exception of the rear 114.5’ to remain R-2 (Plan Commission recommended disapproval on 1/9/1969. City Council approved on 2/24/1969 by Ord. 148-69).

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for used auto sales at 2433 & 2435 Tremainsville Road. The site consists of two parcels fronting onto Tremainsville Road and Mellwood Lane with a combined acreage of ± 1.270 acres. A single-family dwelling used only for office/storage purposes sits on the parcel located at 2435 Tremainsville. A 2,700 square foot garage/office building occupies the larger adjoining parcel to the south at 2433 Tremainsville. Surrounding land uses include single-family to the east, south and west. Commercial uses are to the north and northeast.

The site is mixed-zoned. The rear ± 125’ of 2433 Tremainsville Rd. is zoned RS6, Single Dwelling. The remainder of that parcel, and all of the parcel at 2435 Tremainsville Road, is zoned CR, Regional Commercial.

Used auto sales is a pre-existing use on this site and one that has been conducted here for at least twenty years. An SUP was not required for used auto sales under the previous Zoning Code. The applicant intends to improve the site by expanding the existing facility. Intended new construction includes; a new 500 square foot office addition, a new 2,100 square foot auto repair building, and a new breezeway connecting the existing repair building with the new one. These proposed modifications generated the requirement for an SUP.
STAFF ANALYSIS (cont’d)

Used Auto Regulations

Used auto sales facilities shall be located on a lot with no less than one-half (1/2) acre and have a minimum average width of 150 feet along the main road frontage (TMC§1104.0300). Additionally, site plans for Used Auto Sales shall delineate, with dimensions, parking areas and drive aisles for the outdoor display area and customer/employee parking area. Used vehicle inventory shall only be displayed, parked or located within designated parking spaces approved and defined on the plan. The existing use is non-compliant with the requirement of 150’ frontage. The two parcels have a combined frontage of ±132’. Staff recommends the waiver of this requirement due to the long term pre-existing use.

Parking and Circulation

Ingress/egress to the site is via one 23.5’ wide access drive off of Tremainsville Road. The site plan indicates 97 parking stalls. Five of these are designated as handicap accessible parking spaces.

Landscaping/Screening

Per TMC§1114.0502, an existing site is only required to be brought closer into compliance of the 2004 Zoning Code landscape requirements. The applicant will be installing a maple tree along the Mellwood Lane frontage near the abutting residential use to the south of the subject property, as well as a row of taxus (yews) hedges along the northern edge of the access drive. A privacy fence currently exists around most of the perimeter as screening for the abutting residential properties. However, this fence appears to be in poor condition. Staff recommends that the existing fence be replaced with a new wood, board-on-board privacy fence. An anti-vehicular barrier consisting of three (3’) foot high pipes/bollards sited approximately ten (10’) feet apart connected with a chain extends ±70’ along the abutting commercial on the northern side. Staff recommends this barrier be replaced with a black chain-link fence and/or a five (5’) foot landscape strip containing a continuous row of shrubs with a minimum height (at planting) of eighteen (18”) inches. The residentially-zoned rear portion of the parcel at 2433 Tremainsville will remain undeveloped. A shed located on that portion of the parcel has been removed.

Signage

A low-profile sign currently exist on the front of the parcel. The applicant is proposing a new ten (10’) foot high pole sign along the Tremainsville Road frontage. It has been the Plan Commission’s policy to prohibit free standing signs higher than forty-two (42”) inches. Electronic Message Center (EMC) signs are permitted and limited to a maximum height of ten (10’) feet.
STAFF ANALYSIS (cont’d)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan recommends Regional Commercial uses for this area of Tremainsville Road; “Predominantly large-scale commercial uses intended to accommodate auto-oriented development. (e.g.: malls, big box retail stores, & mixed use developments) Offices and multiple family residential developments may also be interspersed within these districts.” (Toledo 20/20 Comprehensive Plan/Appendix D, Legend)

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-8002-18, a request for a Special Use Permit for used auto sales, at 2433 & 2435 Tremainsville Road, to Toledo City Council for the following four (4) reasons:

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

2. The request is compatible with adjacent uses in terms of scale, site design, and operating characteristics (TMC§1111.0706(C) – Review & Decision-Making Criteria); and

3. The proposed use will not have any adverse land or environmental impacts. (TMC§1111.0706(F) – Review & Decision Making Criteria)

4. The proposed use is consistent with the goals of the 20/20 Comprehensive Plan.

The staff recommends the Plan Commission make the following recommendations to the Toledo City Council on the waiver requested for SUP-8002-18, request for a Special Use Permit for Used Auto Sales at 2433 & 2435 Tremainsville Road:

Chapter 1104 Use Regulations

Sec. 1104.0300 Auto and RV Sales, Used Only

Approve a waiver of eighteen feet (18’) of the required minimum average width of 150’ along the main road frontage, to allow a 132’ wide frontage.

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-8002-18, a Special Use Permit for Used Auto Sales at 2433 & 2435 Tremainsville Rd., to Toledo City Council subject to the following eighteen (18) conditions:

The conditions of approval are as follows and are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.
STAFF RECOMMENDATION (cont’d)

Division of Engineering Services

No comments received at time of print.

Division of Water Distribution

No comments received at time of print.

Sewer and Drainage Services

No comments received at time of print.

Fire Prevention

No comments received at time of print.

Division of Environmental Services

No comments received at time of print.

Division of Transportation

No comments received at time of print.

Plan Commission

1. All spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700; acceptable as depicted on site plan.

2. Pursuant to TMC§1104.0308, all vehicles on display must be parked in striped parking spaces that shall be designated on an approved Site Plan. Vehicle parking that deviates from the approved Site Plan shall not be permitted.

3. Elevated displays lifts or metal structures used in conjunction with the display of motor vehicles shall be permitted only within those areas specifically designated upon the Site Plan and shall not be allowed in any required front yard (TMC§1104.0302(A)); if applicable.

4. 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.
5. Repairs and services of vehicles shall be conducted wholly within an enclosed building(s) permanently located on the site.

6. 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.

7. Existing perimeter stockade/privacy fence shall be replaced. A new wood, board-on-board fence shall adhere to the requirements of TMC§1105.0302 and TMC§1108.0203; shall be depicted on a revised site plan.

8. The existing bollard chain anti-vehicular barrier along the northern property line shall be replaced with a six (6’) foot high (except within the front setback) black coated chain-link fence and/or a five (5’) foot landscape strip containing a continuous row of shrubs with a minimum height (at planting) of eighteen (18”) inches; shall be depicted on a revised site plan.

9. The residentially zoned rear portion of the property shall not be used for any commercial purposes.

10. The proposed landscape along the Tremainsville Road frontage is acceptable as depicted on the site plan. 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.

11. If the buildings are modified in the future, the building design shall meet the requirements of TMC§1109.0500 Building Façade Materials and Color. Exterior building materials shall not include concrete blocks, concrete panels or wood sheet goods as a predominant material. EIFS may not constitute more than 15% of the exterior for facades visible from the public right-of-way. The façade colors shall be low-reflectance, subtle, neutral or earth tone colors.

12. 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 or the public right-of-way as stated in TMC§1361.10(b) (10) of the Building Code; if applicable.
STAFF RECOMMENDATION (cont’d)

Plan Commission (cont’d)

13. It has been the Plan Commission’s policy to prohibit free standing signs higher than forty-two (42") inches. Electronic Message Center (EMC) signs are limited to a maximum height of ten (10’) feet. Any proposed signage must meet the requirements of the Toledo Municipal Code Title Nine – Sign Code.

14. Pursuant to TMC§1104.0306, a used auto sales facility is required to have one-half (1/2) acre in area and 150’ feet of main road frontage. The site is compliant in terms of acreage but not the frontage. Applicant shall obtain a waiver of TMC§1104.0306(B).

15. Pursuant to TMC§1107.0304, a Used Auto Sales facility is required to have one (1) parking space per every 5,000 square feet of open sales area, plus one (1) parking space per every 500 square feet of enclosed sales area, plus one and one-half (1.5) parking spaces for each service bay. **Acceptable as depicted on site plan.**

16. 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.

17. 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.

18. 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-8002-18
DATE: October 11, 2018
TIME: 2:00 P.M.

CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: November 14, 2018
TIME: 4:00 P.M.

DG
Three (3) sketches follow
PROPPOSED SPECIAL USE PERMIT for:
LIBERTY AUTO FAIR
2433-2435 TREMAINSVILLE ROAD, TOLEDO, OHIO 43560

NORTH
WEST
EAST
SOUTH

PROPOSED ELEVATIONS OF NEW BUILDING
SCALE 1"=20'
NOTE:
OFFICE ADDITION IS SIMILAR TO EXISTING BUILDING ALSO.

SITE PLAN
SCALE 1"=20'
97 CARS TOTAL
LEGAL DESCRIPTION:
MELLWOOD LOT 41 NE 355.5 FT EXC NW 50 FT NE 120 FT
& LOT 45 & SWLY 12 VAC MELLWOOD LANE ADJ SE 16 FT
LOT41 & NW16 FT LOT 45 714.50 FT

RM36 ZONING
CR ZONING
RS6 ZONING
RD6 ZONING

5-10
GENERAL INFORMATION

Subject
Request - Vacation of a Portion of Riverside Drive in the Marina District

Applicant
- Emily Ziegler
  Metroparks Toledo
  5100 W. Central Avenue
  Toledo, OH 43615

Site Description
Zoning - CR Regional Commercial - MDO Marina District Overlay – MRO Maumee River Overlay
Area - ±3.74 Acres
Frontage - ± 2,307 Feet
Existing Use - Dedicated Right-of-Way
Proposed Use - Public Metropark

Area Description
North - Undeveloped (Future Metropark), Maumee River / CR Regional Commercial
South - Undeveloped (Future Metropark) / CR Regional Commercial
East - National Museum of the Great Lakes / CR Regional Commercial
West - Undeveloped Land (Future Mixed Use Project) / IG General Industrial

Parcel History
Z-8013-06 - Zone Change from IG, IL, CR and POS to CR. Plan Commission recommended approval 10/12/06. City Council approved 11/28/06, Ord. 807-06.

GENERAL INFORMATION (cont’d)

Parcel History (cont’d)


S-1-08 - Final Plat for the Marina District. Plan Commission approved 4/10/08.

M-21-09 - Amendments to the Marina District boundary, Ord. 273-07, to remove the Weber Block bounded by Front Street, Main Street, First Street, and Platt Street. Plan Commission recommended approval 1/14/10. City Council approved 3/2/10, Ord. 93-10.


S-6-18 - Final Plat of Marina District Deux, a Replat of all of Lot 12 and Common area “B” and part of City of Toledo Lot “A”, Lots 1, 10 and 11 and part of Private Place “C” and “D”, located at Front Street and Main Street. Plan Commission approved 7/12/18.

S-10-18 - Final Plat of the New Waterfront Metropark Plat a replat of all of Lots 2,3,4 and 9, private place "E", private place "F", part of lots 8, 10 and 13 and private place "G" in the Plat of the Marina District, located at Front Street and Main Street. Plan Commission approved 7/12/18.
GENERAL INFORMATION (cont’d)

Parcel History (cont’d)

MDO-3-18 - Marina District Overlay review for Roadway Vacation of a Portion of Riverside Drive (Companion Case)

Applicable Plans and Regulations

- Toledo Municipal Code, Part Eleven: Planning and Zoning Code
- Toledo 20/20 Comprehensive Plan
- 1981 Maumee Riverfront Plan – Executive Summary
- Marina District Overlay Zone Declaration of Restrictions, Easements, Design and Development Standards and Comprehensive Sign Plan

STAFF ANALYSIS

The request is a Vacation for a portion of Riverside Drive in the Marina District. Riverside Drive supported the original vision of a dense, mixed use, urban village within the Marina District, but conflicts with the current plans for a large, riverfront metropark on the majority of land within the district. The Vacation will allow the owner, Metropark Toledo, to better control access to the park and limit vehicular traffic to normal operating hours. A Marina District Overlay (MDO) review (MDO-3-18) accompanies this case. The MDO was reviewed by the Marina District Architectural Review Committee at its October 2nd meeting.

The applicant intends to close off the vacated portion of Riverside Drive upon possession. This will create a dead end street for the remainder of Riverside Drive until Morrison Drive is extended north as part of the mixed use project at the corner of Front Street and Main Street. The Department of Transportation has indicated that they will work with the applicant to post appropriate signage on Riverside Drive until Morrison Drive is extended.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of V-347-18, a Vacation of a Portion of Riverside Drive in the Marina District, to Toledo City Council subject to the following five (5) conditions:

The conditions of approval are as follows and are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.
STAFF RECOMMENDATION (cont’d)

Engineering Services

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

   Engineering Services: ph. 419-245-1315, fax 419-936-2850
   Right-of-Way and Inspection: Joe Warnka, 419-245-1341
   Roadway: Tim Grosjean, 419-245-1344
   Water: Andrea Kroma, 419-936-2163
   Stormwater Drainage: Lori Haslinger, 419-245-3221; Andy Stepnick, 419-245-1338
   Sanitary Sewers: Mike Elling, 419-936-2276

2. Right-of-way is needed to maintain the 16-inch diameter public water main in Riverside Drive, until such time as proposed water mains included in the “Morrison Road Extension in the Replat of the Marina District” project are constructed.

   A full width easement shall be retained by the City of Toledo over the vacated right of way until such time as the above-referenced project is constructed and the 16-inch water main in Riverside Drive is abandoned. 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:

   “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 water main, sanitary sewer and storm 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.”
3. A portion of the existing storm sewer within the proposed vacation shall remain in service to provide drainage from Marina Drive and the Museum Parking lot. The location of the storm sewer that shall remain in service is the eastern two hundred feet of the proposed vacation. All other storm sewers within the proposed vacation shall become privately owned and may be proposed to be removed at the owner’s discretion by submitting new drainage plans for city approval. No objection to vacation.

4. All sewers in the vacated area shall become private. New manholes shall be installed in the R/w where the sewers transition from public to private.

Transportation

5. 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.
GENERAL INFORMATION

Subject

Request - Vacation of a portion of Amherst Drive
Applicant - City of Toledo
Dept. of Economic and Business Development
One Government Center, Suite 2250
Toledo, OH 43604

Site Description

Zoning - RD6 & IC / Duplex Residential & Institutional Campus
Area (Total) - ± 0.22 acres
Frontage - ± 400’ along Amherst Drive
± 30’ along Dartmouth Drive
Dimensions - ± 400’ x 30’
Existing Use - Public right-of-way
Proposed Use - Bike trail

Area Description

North - Anthony Wayne Trail & Toledo Zoo / RD6 & IC
South - Single dwelling residential / RD6 & IC
East - Toledo Zoo / IC
West - Single dwelling residential / RD6

Parcel History

V-25-13 - Vacation of a portion of Amherst Drive (P.C. rec. approval on 3/14/2013, case withdrawn).

Applicable Regulations

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

The City is proposing to vacate a portion of Amherst Drive in order to facilitate construction of the Riverside Trail Bike Trail along the Anthony Wayne Trail. The street will be closed off from all traffic from the south at the Dartmouth intersection. This portion of Amherst Drive is a one-way street accessing the Anthony Wayne Trail. Residents can only egress the neighborhood on this portion of Amherst Drive while access to the neighborhood is still maintained via Harvard Boulevard.

The Toledo Zoo initially requested a Vacation of the subject area in 2013 but withdrew the application. Recently, a second request was submitted by the City to initiate the Vacation process. On 9/11/2018, City Council approved a declaration of intent (Res. 370-18) to vacate the portion of right-of-way with an area of 0.217 acres of land.

Typically, staff would have concerns over vacating streets that contribute to the connectivity of a neighborhood. However, the Anthony Wayne Trail is a limited access highway which is supposed to be only accessible via arterial or collector streets. Amherst Drive is the only residential street with direct access on to the Anthony Wayne Trail.

The future bike path will run parallel to the Anthony Wayne Trail and cross the Amherst Drive curb cut. Amherst Drive will be converted to a service drive and only accessible to Zoo traffic. The Zoo will likely install gates at the north and south ends of the vacated portion to allow access for Zoo traffic. As a condition of approval, an Institutional Campus Master Plan update shall be required for any future developments on the vacated area in accordance with the provisions of TMC§1111.1300.

Neighborhood Meeting

Due to the proximity of the proposed vacation to residential land uses, staff requested the applicant host a neighborhood meeting prior to the Plan Commission hearing. On September 26, 2018, the applicant held a neighborhood meeting at Holy Trinity Lutheran Church at 5:00 PM.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan does not provide a designation for the proposed Vacation area. However, the right-of-way in question is located between an Institutional Campus (IC) designation to the east and Single Family Residential designation to the west. If vacated, the property will be combined with contiguous property to the east. The Institutional Campus district was established to accommodate large institutional uses in campus-like settings, such as hospitals, schools and colleges. The IC designation is intended to promote and enhance the development and expansion of medical, educational and other large institutional uses, like the Toledo Zoo.
STAFF ANALYSIS (cont’d)

Toledo 20/20 Comprehensive Plan (cont’d)

Based on the nature of the proposed use and its location, the Vacation is consistent with the future land use designation as identified in the Toledo 20/20 Comprehensive Plan. Additionally, the Plan Commission staff supports the proposed Vacation since it will not impede or restrict access to any adjoining property owners abutting the site.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of V-370-18, the request to vacate a portion of Amherst Drive, to Toledo City Council for the following two (2) reasons:

1. The proposed Vacation will not impede or restrict access to any property owners abutting the site; and

2. The proposed Vacation is consistent with the future land use designation as identified in the Toledo 20/20 Comprehensive Plan

The staff further recommends that the Toledo City Plan Commission recommend approval of V-370-18, the request to vacate a portion of Amherst Drive, to Toledo City Council subject to the following seven (7) conditions:

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

Division of Engineering Services

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

   Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850
   Right-of-Way and Inspection: Joe Warnka 419-245-1341
   Roadway: Tim Grosjean, ph. 419-245-1344
   Water: Andrea Kroma, ph. 419-936-2163
   Stormwater Drainage: Lorie Haslinger, 419-245-3221; Andy Stepnick, 419-245-1338
   Sanitary Sewers: Mike Elling, ph. 419-936-2276

2. Eliminate access of Amherst Drive by installing new curb and sidewalk through existing right-of-way. The curb height should match the exiting curb on Dartmouth. The same procedure needs to be followed at the Anthony Wayne Trail end.
STAFF RECOMMENDATION (cont’d)

Division of Engineering Services (cont’d)

3. 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.

4. Easement shall be retained at north end for public sewer in that area.

Lucas County Solid Waste Management District

   No comments received at time of print.

Toledo Edison

   No comments received at time of print.

Columbia Gas

   No comments received at time of print.

Republic Services

   No comments received at time of print.

Buckeye Telesystems

   No comments or objections.

Fire Prevention

   No comments or objections.

Division of Streets Bridges and Harbors

   No comment or objections.

AT&T

   No comments received at time of print.
STAFF RECOMMENDATION (cont’d)

Toledo Area Regional Transit Authority

No comments or objections.

Division of Transportation

5. 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.

6. The owner of the newly vacated Amherst shall be required to work with the Division of Transportation to come up with a suitable termination at Dartmouth and Zoo gated entrance.

Plan Commissions

7. An Institutional Campus Master Plan update shall be required for any future developments on the Vacation area in accordance with the provisions of the Toledo Municipal Code Part Eleven, Planning and Zoning, Sec. 1111.1300, Institutional Master Plan.
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
419-245-6568

BUCEYE CABLESYSTEM, INC.
MANAGER 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