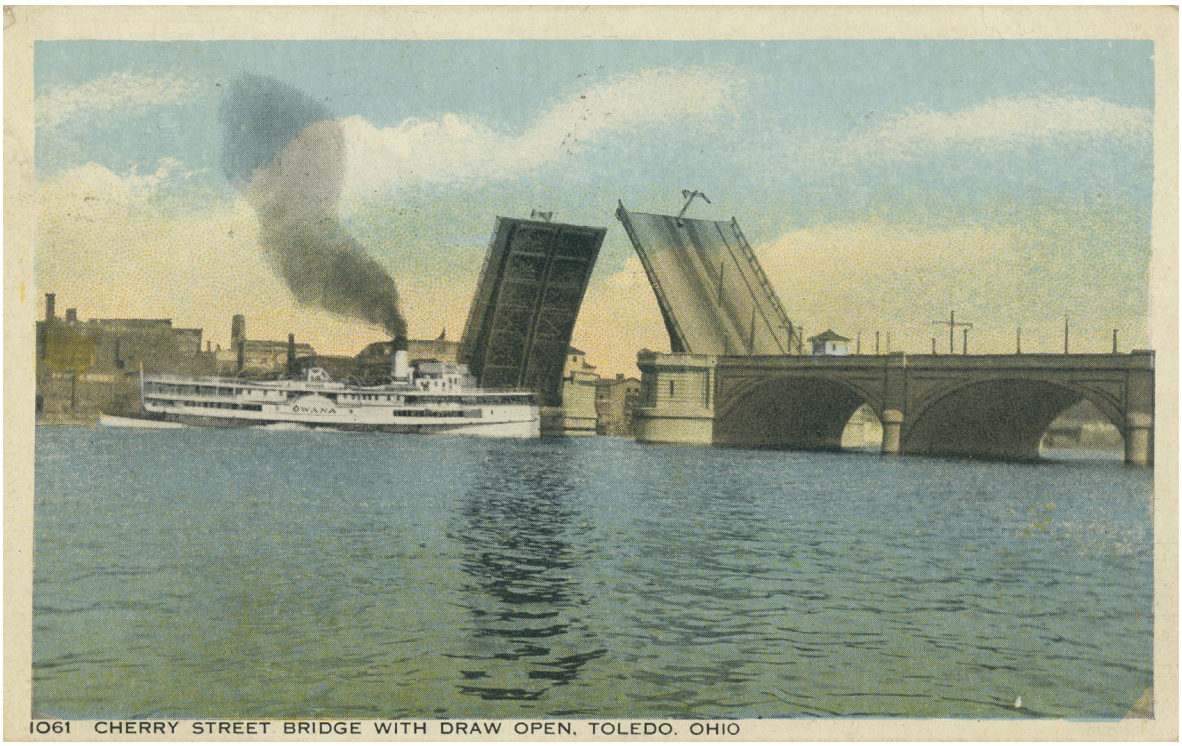
TOLEDO CITY PLAN COMMISSION

REPORT
March 10, 2022



A postcard from the Ken Levin Toledo Postcard Collection
Photograph Retrieved from en.wikipedia.org/wiki/File:Cherry_Street_Bridge_with_Draw_Open

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

TOLEDO-LUCAS COUNTY PLAN COMMISSIONS
APPLICATION DEADLINE, AGENDA, STAFF REPORT AND HEARING SCHEDULE - 2022

APPLICATION DEADLINE*	AGENDA SET	STAFF REPORT DISTRIBUTED	HEARING DATE
CITY PLAN COMMISSION *(HEARINGS BEGIN AT 2PM)*			
November 28	December 26	December 31	January 13
December 27	January 24	January 28	February 10
January 24	February 21	February 25	March 10
February 28	March 21	April 1	April 14
March 28	April 25	April 29	May 18
April 25	May 23	May 27	June 9
May 30	June 27	July 1	July 13
June 27	July 25	July 29	August 11
July 27	August 22	August 26	September 8
August 29	September 26	September 30	October 13
September 19	October 17	October 21	November 3**
October 17	November 21	November 18	December 1**
COUNTY PLANNING COMMISSION *(HEARINGS BEGIN AT 9AM)*			
December 13	January 10	January 14	January 26
January 10	February 7	February 11	February 23
February 7	March 7	March 11	March 23
March 14	April 11	April 15	April 27
April 11	May 9	May 13	May 25
May 9	June 5	June 10	June 22
June 13	July 11	July 15	July 27
July 11	August 8	August 12	August 24
August 15	September 12	September 16	September 28
September 12	October 10	October 14	October 26
October 3	October 31	November 4	November 16**
November 7	December 5	December 9	December 21**

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

TCG/tg: 8/9/21

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**

AN, 3-31-11

TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

March 10, 2022 **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

MINUTES

FINAL PLATS

ORDERS OF THE DAY (APPROVAL)

NO.

1. SUP-12007-21: Special Use Permit for Sweepstakes Terminal Café at 1122 N. Byrne, Unit 14 (nh)
2. SUP-9003-21: Special Use Permit for Scrap and Salvage Yard at 2351 Hill Avenue (jgl)
3. Z-1005-22: Zone Change from RM36 to CO at 2131 Collingwood Blvd (jgl)
4. SUP-1010-22: Special Use Permit for School at 3912 Sunforest Court (jl)
5. Z-1004-22: Zone Change from RD6 to CN at 2126 Consaul Street (ml)
6. SUP-1003-22: Special Use Permit for new AMI Pole (Wireless Communication Facility) at 925 Palmwood Avenue (ml
7. SUP-1007-22: Special Use Permit for new AMI Pole Wireless Communication Facility) at 114 Wellington Street (ml)
8. SUP-1006-22: Special Use Permit for Used Auto Sales at 1633 W. Laskey Road (jgl)

9. V-87-22: Vacation of the North-South alley bounded by 13th Street, 14th Street, Jackson Street, and Adams Street (jgl)

CHAIRMAN'S REPORT

DIRECTOR'S REPORT

ADJOURNMENT

REF: SUP-12007-21
DATE: March 10, 2022

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for a sweepstake terminal café
Location	-	1122 N Byrne Road Unit 14
Tenant	-	George Brkat & Khalill Kezi 1122 N Byrne Road Unit 14 Toledo, OH 43607
Owner	-	Sanyoura Management LTD 1122 N Byrne Road Unit 12 Toledo, OH 43607
Architect	-	John Sperry Thomas DuBose & Associates, Inc 350 S Reynolds Road Suite B Toledo, OH 43615

Site Description

Zoning	-	CR Regional Commercial
Area	-	± 2.0 acres
Frontage	-	± 189.2’ along N Byrne Road
Existing Use	-	Vacant structure
Proposed Use	-	Sweepstakes Terminal Cafe

Area Description

North	-	Laundromat & vacant lots / CR
East	-	Single-family residential / RS6
South	-	Single-family residential / RS6
West	-	Student housing, dollar store & restaurants / RM36 & CR

Parcel History

Z-16-C133	-	Zone change from R-1 to C-2. PC approved 12-01-1960.
Z-16-C144	-	Zone change from R-1 to C-2. PC approved 8-03-1961.

GENERAL INFORMATION (cont'd)

D-8-82	-	Proposed drive-thru at 1114 N Byrne Rd.
M-12-62	-	Interim zoning for area bounded by Nebraska, Dorr, Brentwood, and City Line. PC approved 5-3-1962.

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 a sweepstakes terminal café located at 1122 N Byrne Road Unit 14. The ±2.0-acre site is comprised of two (2) parcels: a five-unit strip mall with an attached apartment complex. Surrounding land uses include student housing, a dollar store and restaurants to the west, a laundromat and vacant lots to the north, and single-family residential to the east and south.

An overview of project details is included in this analysis. A detailed list of all project related items is included in the agency conditions at the end of this report.

Use Specific Regulations

The TMC 1116.0248 defines a sweepstake terminal cafe as:

Any business, establishment, room or place where four (4) or more games of chance entertainment devices are kept for use by the public or by persons other than the owner of the devices, where persons give anything of value to access the use of the computerized sweepstake terminal or the premises, and the person may be given anything of value by the operator, whether the giving occurs on or off the premise or at the same time or a later time.

The applicant is proposing the development of a sweepstakes terminal café within an existing vacant strip mall unit.

Spacing

1104.2501 A Sweepstake Terminal Cafe shall not be located within a 2,000-foot radius of another Sweepstake Terminal Cafe. This spacing shall apply to Sweepstake Terminal Cafes operating pursuant to a Special Use Permit or operating without such Special Use Permit, by virtue of having been in operation prior to the requirement to obtain such permit. A Sweepstake Terminal Cafe shall not be located within a 1,000-foot radius of a church, school, public park, public library, licensed child day care center, or other use established specifically for the activities of minors. This location is complaint with all spacing requirements.

STAFF ANALYSIS (cont'd)

Parking

Per TMC 1107.0300 Off-Street Parking Schedule A, the minimum number of required spaces must be 1 space per 300 square feet of business and 1 bike rack per 10 parking spaces. The tenant space is 1,500 square feet and the site plan indicates eighteen (18) parking spaces and is compliant.

Landscaping

The reuse of an existing site is not required to comply fully with current landscape standards. However, the site should have a Type A landscape buffer along 125' of the southern boundary between the residential and commercial zoning districts from the existing fence to the sidewalk. A Type A landscape buffer is a 10' deep buffer including four (4) canopy trees and fifteen (15) shrubs for every 100' of distance. This would equal five (5) canopy trees and eighteen (18) shrubs in total to bring the site closer to compliance. Frontage Greenbelt requirements indicate that at least one (1) tree must be provided for every thirty (30) feet of lot frontage or fraction thereof. No landscaping is indicated in the frontage along Byrne Road. To be compliant a revised site plan must include three (3) trees and a solid evergreen hedge within a 15-foot greenbelt adjacent to the existing tree lawn within the right of way. This could be achieved in the area surrounding the existing tenant sign. All improvements are listed as conditions.

Elevations

The building is existing, therefore there is no review of the building elevation.

In keeping with current Plan Commission policy and the requirements of the updated Sign Code (soon to be adopted); new ground signage will be limited to low-profile monument signage.

20/20 Plan

The *Toledo 20/20 Comprehensive Plan* targets this area as CN Neighborhood Commercial zoning district is intended to accommodate pedestrian oriented small-scale retail and service businesses which serve nearby residential areas. Staff is recommending approval because the use conforms to the 20/20 Plan and meets all applicable zoning code requirements.

THIS CASE WAS DEFERRED FROM THE PLAN COMMISSION HEARING ON 02/10/2022

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-12007-21, a request for a Special Use Permit for a sweepstakes terminal cafe located at 1122 N Byrne Road Suite 14, to the Toledo City Council, for the following **two (2) reasons:**

STAFF RECOMMENDATION (cont'd)

1. The use complies with all applicable provisions of the Zoning Code **TMC 1111.0706.A; and**

2. The use is compatible with adjacent uses in terms of scale, site design, and operating characteristics per **TMC 1111.0706.C**.

The staff recommends approval subject to the following **twenty-eight (28)** conditions:

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

Engineering Services

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

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

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, Toledo Municipal Code, and Americans with Disabilities Act guidelines.

3. All commercial drive approaches, (along with the sidewalk through the drive) shall be constructed with 8" 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 Joe Warnka at (419) 245-1341 for inspection of above-mentioned items.

Sewer and Drainage Services

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

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

Environmental Services

7. Applicant shall maintain compliance with the City of Toledo's Storm Water regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential storm water impacts from the modification of the site, including but not limited to long-term operation and maintenance of existing structural and non-structural Best Management Practices.

8. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.

9. Applicant is strongly encouraged to include multiple green infra-structure measures to minimize runoff and increase infiltration, and to minimize the amount of new and/or additional impervious surface on the site.

10. Applicant is strongly encouraged to plant native, low maintenance and non-invasive trees, shrubs and perennials.
http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives_to_Ohio_Invasive_Plant_Species.pdf

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

Fire Department

12. It appears that this building will undergo a change of use. This will require compliance with all applicable Fire Sprinkler and Alarm, Building, Electrical, Mechanical and Plumbing code requirements.

13. Approved premise identification is required.

Transportation

14. Bicycle parking must be shown per TMC 1107.0900.

Transportation (cont'd)

15. One van accessible parking with an 8' loading aisle for van is required per TMC 1107.1701 and TMC 1107.1702.

16. Parking areas loading areas, driveways, drive aisles and maneuvering areas are required to be made of concrete, asphalt, and or other dust-free material per TMC 1107.1906. (Stone and gravel are not permitted.)

17. Wheel stops are required at all parking spaces abutting sidewalks, buildings, planting areas and property lines per TMC 1107.1907.

18. 25' wide drive aisle is required where there is two-way traffic per TMC 1107.1911. (Perpendicular parking spaces that abut the existing sign is not permitted.)

19. If one is not already established, a cross-access agreement is required with all adjacent property owners.

Plan Commission

20. If applicable, dumpsters shall be screened from view and may not be located in any required setback or landscape buffers and as far from residential areas as possible per TMC 1108.0203.G.

21. Two (2) bicycle parking racks must be shown per TMC 1107.0300.

22. 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.

23. Whenever a parking lot extends to a property line, sidewalk, planting strip, or building, a wheel stop device consisting of a concrete stop, a permanent concrete curb, an expanded sidewalk or other suitable restraint as approved by the Planning Director must be installed to prevent any part of a parked motor vehicle from extending beyond the property line, overhanging a pedestrian walkway, or sidewalk, or damaging any structure or landscaping (TMC§1107.1907(A)). **Not acceptable as indicated on site plan.**

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

STAFF RECOMMENDATION (cont'd)

Plan Commission

a. Per TMC 1108.0202.B.1 Frontage Greenbelt requirements indicate that at least one (1) tree must be provided for every thirty (30) feet of lot frontage or fraction thereof. No landscaping is indicated in the two (2) frontages along Byrne Road. To be compliant a revised site plan must include three (3) trees and a solid evergreen hedge within a 15-foot greenbelt adjacent to the existing tree lawn within the right of way.

b. In addition to the existing landscaping at the site, a Type A landscape buffer along 125' of the southern boundary between the residential and commercial zoning districts from the existing fence to the sidewalk must be included. This would equal five (5) canopy trees and eighteen (18) shrubs in total to bring the site closer to compliance.

c. Landscape areas within the parking area must be peninsular or island types and must be constructed with 6-inch by 18-inch concrete curbing, cast-in-place, extruded, or by some other process approved by the Planning Director;

d. Topsoil must be back filled to provide positive drainage of the landscape area.

e. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage.

f. 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 shall meet the standards included in TMC 1108.0400 Landscape Materials Standards. **Calculations shall also be provided indicating compliance will all required landscaping requirements.**

25. No new free-standing signs greater than forty-two (42) inches from grade are permitted – any proposed signage must meet the requirements of Toledo Municipal Code Title Nine – Sign Code.

26. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Zoning Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.

27. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission. Major adjustments will require an amendment to the Special Use Permit.

STAFF RECOMMENDATION (cont'd)

Plan Commission

28. No permits shall be issued until arrangements satisfactory to the Director of the Toledo City Plan Commission have been made for compliance with the conditions as set forth above.

SPECIAL USE PERMIT
TOLEDO PLAN COMMISSION
REF: SUP-12007-21
DATE: March 10, 2022
TIME: 2:00 P.M.

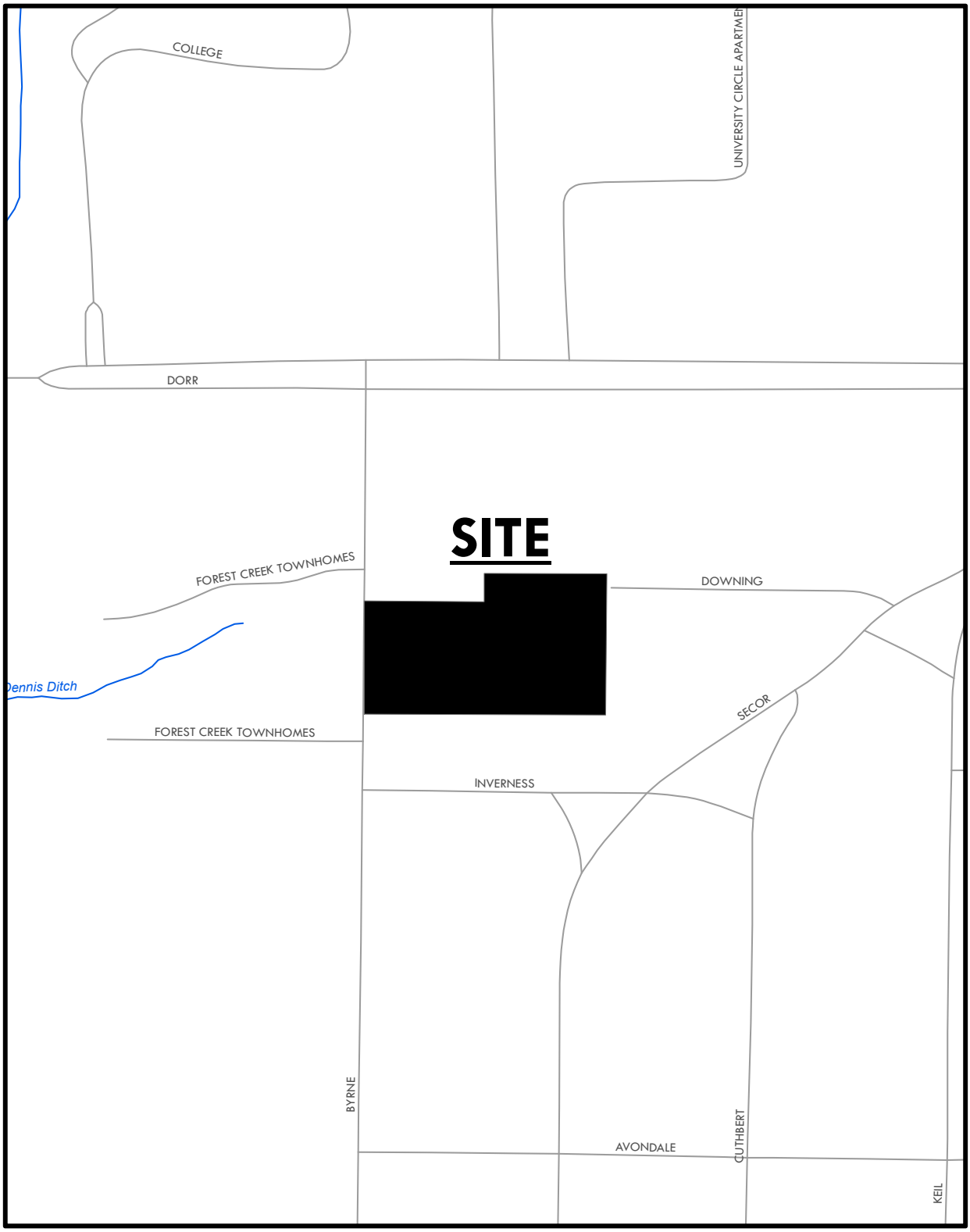
TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: April 13, 2022
TIME: 4:00 P.M.

NH
Three (3) Sketches Follow

GENERAL LOCATION

SUP-12007-21

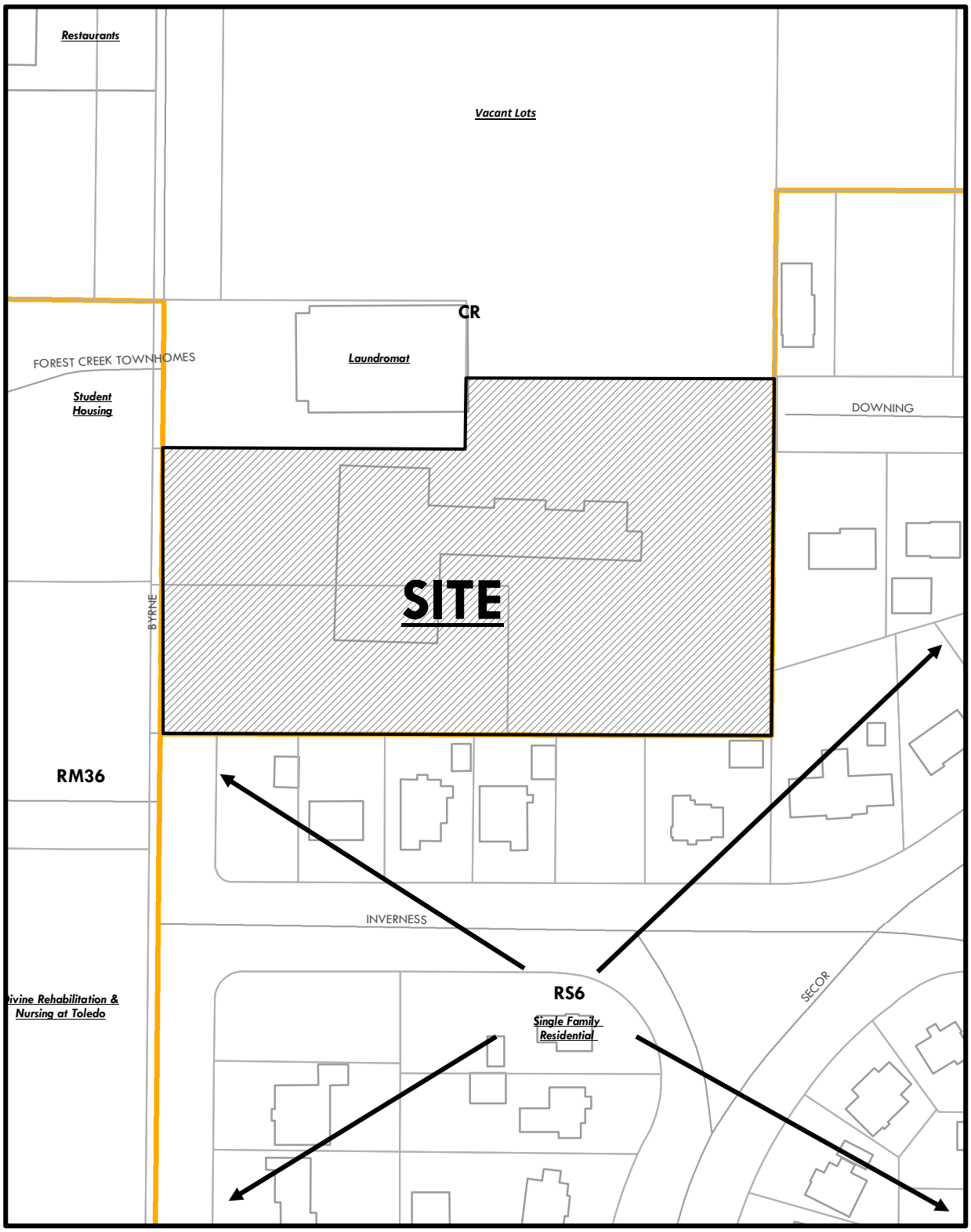
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ZONING & LAND USE

SUP-12007-21

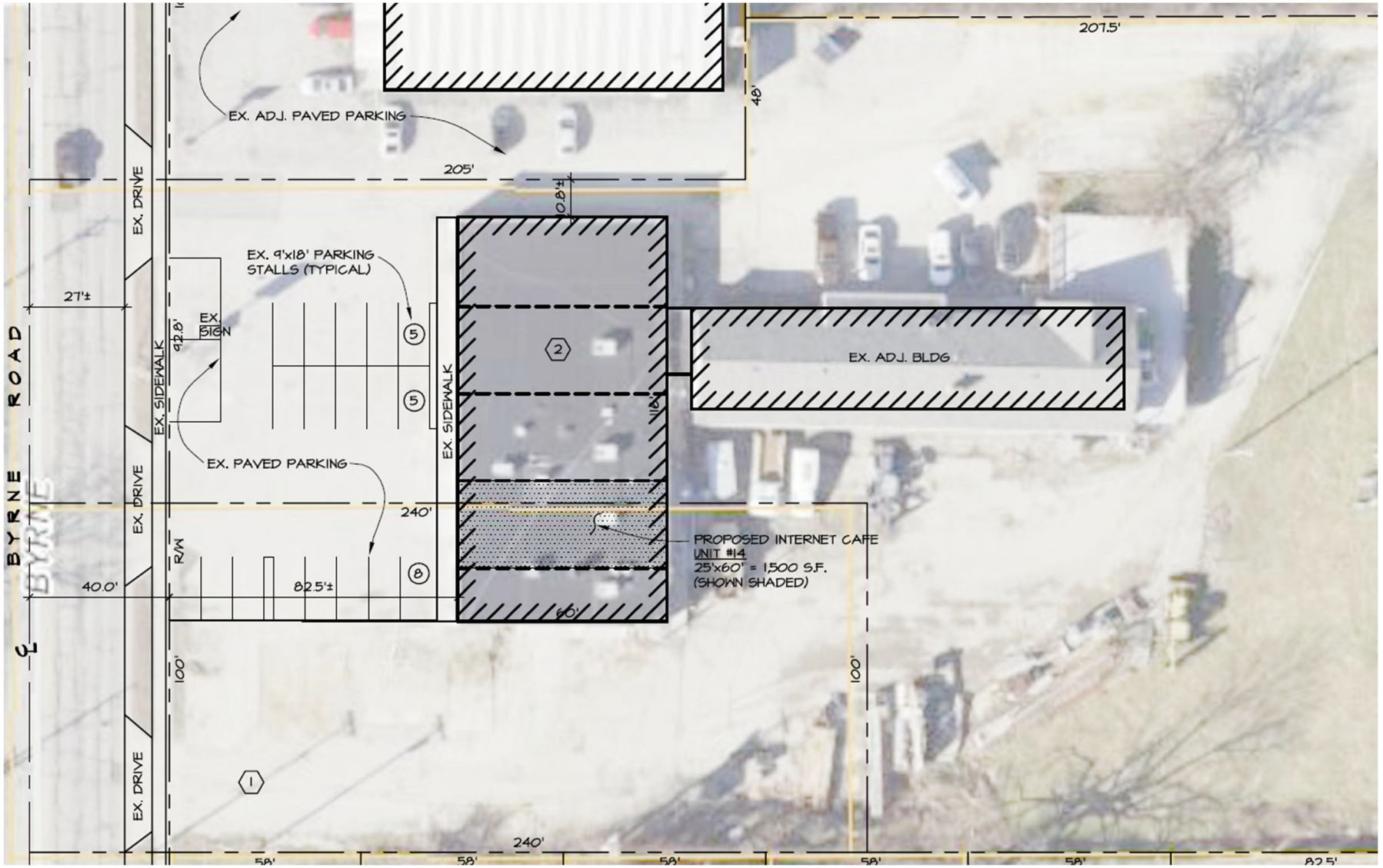
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SITE PLAN

SUP-12007-21

N



REF: SUP-9003-21
DATE: March 10, 2022

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for a Scrap & Salvage Facility
Location	-	2351 Hill Avenue
Applicant	-	Ferrous Processing & Training 3400 E. Lafayette Detroit, MI 48207
Owner	-	L&M Toledo Properties LLC 2351 Hill Ave. Toledo, OH 43607

Site Description

Zoning	-	IG / General Industrial
Area	-	± 4.84 acres
Frontage	-	± 915' along Hill Avenue.
Existing Use	-	Metal Recycling and Vacant Industrial Land
Proposed Use	-	Scrap & Salvage Facility

Area Description

North	-	UT Scott Park Campus / RS6, IG
South	-	Railroad / IG
East	-	Railroad / IG, IL
West	-	Scrap & Salvage / IG

Parcel History

M-32-59	-	Interim Zoning of the Area Bounded by Dorr, Richards, Wenz, Scott Park, NYC R.R., Nebraska, and Byrne (PC Approved 9/20/62).
SPR-22-14	-	Site Plan Review of a new Parking lot for Norfolk-Southern at 2101 Hill Avenue (PC Approved 7/10/14)

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a Scrap & Salvage Facility at 2351 Hill Avenue. The ± 4.84 acres site is zoned IG General Industrial and is currently occupied by former metal recycling facility as well as undeveloped industrial land. To the north of the site is the University of Toledo Scott Park Campus, to the South and East is Railroad, and to the west is another scrap & salvage like facility. A special use permit is required for all new Scrap and Salvage operations, and can only be applied for in IG General Industrial zoning districts.

Parking and Circulation

Pursuant to TMC§1107.0304 – *Parking, Loading, and Access*, one (1) parking space is required per one (1) acre of land. The ± 4.84 acre site would require five (5) spaces. The existing parking lot contains greater than the minimum number of spaces and is not being modified. Additionally, one (1) van and one (1) car accessible space is required and not shown.

The site plan depicts a gravel surface to be used for the proposed metal storage area. A revised site plan shall be required showing paved drive aisles and loading spaces. The area that materials are stored on (any areas not for driving, loading, or parking) shall need approval from the Board of Zoning Appeals.

Additionally, one (1) bicycle parking space per ten (10) vehicle parking spaces are required per TMC§1107.0304 – *Parking, Loading, and Access.* At least one (1) bicycle parking space shall be required.

Landscaping

Pursuant to TMC§1108.0202 – *Frontage Greenbelt,* the site is required to have a thirty-foot (30') planted landscape buffer with one (1) tree per thirty feet (30') of frontage. The site plan depicts existing landscaping towards the frontage of the site, however upon a site visit on 10/18/2021, existing trees did not match the site plan depiction. A revised site plan shall be required providing a total of twenty-nine (29) trees within the Frontage Greenbelt. Existing slat fencing set further back on the property meets the screening requirements for industrial areas along right-of-way. Barbed wire or razer wire shall be removed along public right-of-way. Outdoor storage areas not along the right-of-way shall be screened with opaque fencing pursuant to TMC§1108.0203 - *Buffer and Screening Requirements.*

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Heavy Industrial Land Uses. The land use designation is intended for heavy industry and other moderate and high-impact uses, including large scale or specialized industrial operations requiring good transportation access and public facilities and services. The proposed scrap & salvage facility aligns with the comprehensive plan.

This case was deferred on November 11, 2021 by the Toledo City Plan Commission.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-9003-21, Special Use Permit for a Scrap & Salvage Facility at 2351 Hill Avenue, to Toledo City Council for the following two (2) reasons:

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

2. The request is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other impacts associated with the use's operation) (TMC§1111.0706(C) – *Review & Decision-Making Criteria*).

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-9003-21, a special use permit for a Scrap & Salvage Facility at 2351 Hill Avenue to the Toledo City Council subject to the following **forty-seven (47)** 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. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

2. 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.

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.

4. Contact Division Of Engineering Services for inspection of above mentioned items.

5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.

6. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with BSIonlinetracking.com @ 800-414-4990. In the case of renovation, expansion or modification projects, all existing backflow devices must be verified and registered. Where devices are missing, they shall be added. Contact the Division of Water Distribution (419-392-2032) to verify the backflow prevention requirements for this site.

7. The design professional or property owner shall submit written documentation to the Division of Water Distribution that no changes are being made to the existing water service line, meter setting or backflow protection device and that these devices are properly installed, tested and in good working order. The City, at its discretion, has the authority to mandate the entire service, including meter and backflow prevention device, be brought into compliance with current City of Toledo standards.

8. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.

9. Water service is not available to 2341 Hill Avenue. If water service is required for 2341 Hill Avenue, a public water main shall be extended along Hill Avenue, across the property frontage, at the developer's expense. This public water main can then be tapped for water service to 2341 Hill Avenue.

10. In the event of site plan approval as-is without stormwater planning shown, the applicant understands that the city intends to give no assurance at this time that the plan appears to be feasible for stormwater compliance. Rather, the city assumes that

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

preliminary engineering review by the applicant has determined that the site plan is stormwater feasible and will be shown to be so at the time of the full stormwater submittal. Changes to the site plan prior to final stormwater acceptance will require coordination with the Plan Commission.

11. Being in or adjacent to a flood hazard zone, this area is subject to Toledo Municipal Code, Chapter 1110, which must be complied with in full. Application shall be made for a Floodplain Hazard Development Permit through City Building Inspection One Stop Shop. An escrow agreement may be required if a Conditional Letter of Map Revision or Letter of Map Revision are required to be submitted to the Federal Emergency Management Agency per TMC 1110.

12. To allow for maintenance access; structures, permanent fences, walls or other obstructions are not permitted within 12 feet of the top of bank or ordinary high water mark of the ditch, or within the floodway. Clearing of vegetation/storage of materials/development within 40 feet of the ordinary high water mark is discouraged due to water quality impacts.

13. 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.

14. Pre-submittal correspondence is welcome, but a stormwater review of stormwater design plans requires submittal of all of the following:

    a) Engineering drawings and calculations compliant with the City of Toledo Infrastructure Design and Construction Requirements. https://cdn.toledo.oh.gov/uploads/documents/Public-Utilities/Engineering-Services/2014-infrastructure-requirements.pdf

    b) Long term operations and maintenance (O&M) plan for Detention and Post-Construction BMP's.
    c) A Storm Water Pollution Prevention Plan (SWP3) including a completed Ohio EPA SWP3 checklist.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

15. Following the review process, the following will be needed for final stormwater approval:
    a) Fee for the sewer construction permit, which also requires a sewer contractor, licensed with the City of Toledo, to be named for the project.
    b) SWP3 contact list for responsible parties. Form is available at http://www.tmacog.org/storc/swp3.htm.
    c) Notice of Intent to construct under the OEPA construction general permit.
    d) Covenant for the approved O&M plan. If an OEPA Multi Sector SWP3 approval is applicable, then the O&M plan must be approved through that process as well prior to recording the post construction O&M covenant.

16. At the time of approval of stormwater plans, the applicant will likely be eligible for a percent reduction in the property's stormwater utility fee through the Stormwater Credit Program. Information on the application process can be found at https://toledo.oh.gov/business/environment/storm-water-program

Division of Environmental Services

17. Applicant shall maintain compliance with the City of Toledo's Storm Water regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential storm water impacts from the modification of the site, including but not limited to long-term operation and maintenance of existing structural and non-structural Best Management Practices.

    a. Notification shall be made to the Division of Environmental Services (419-936-3015) no later than three days prior to the commencement of construction activities.

    b. Construction BMPs shall be in place prior to the start of construction activities.

    a. SWP3 inspection reports shall be kept on site with the SWP3 and readily accessible during normal work hours.

18. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.

19. Applicant should determine if the facility and associated activities are eligible for coverage under the Ohio's Industrial Storm Water permit. Facilities and activities eligible for coverage are identified in Appendix D of the Ohio Multi-Sector General Permit No.: OH000006. If applicable, your facility should apply for coverage by submitting a Notice of Intent to the Ohio EPA by the end of construction.

STAFF RECOMMENDATION (cont'd)

Division of Environmental Services (cont'd)

20. Applicant is strongly encouraged to include multiple green infrastructure measures to minimize runoff and increase infiltration and to minimize the amount of new and/or additional impervious surface on the site.

21. Applicant is strongly encouraged to plant low maintenance and non-invasive trees, shrubs and perennials. http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives_to_ohio_Invasive_Plant_Species.pdf

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

Division of Transportation

23. Bicycle parking is required per TMC 1107.0900.

24. One van and one auto accessible parking with 5' loading aisle for auto and 8' loading aisle for van is required per TMC 1107.1701 & TMC 1107.1702.

25. Parking areas, loading areas, driveways, drive aisles and maneuvering areas are required to be made of concrete, asphalt and or other dust free material per TMC 1107.1906. (Stone and gravel are not permitted.)

26. Wheel stops are required at all parking spaces abutting sidewalks, buildings, planting areas and property lines per TMC 1107.1907.

27. All parking spaces are required to be a minimum of 9'x18' with dimensions for all driveways, drive aisles and parking spaces clearly shown per TMC 1107.1911.

28. All unused curb cuts and driveways must be removed with new curb and grass to be installed to match adjacent areas.

29. Sidewalk is required to be installed on Hill Avenue per TMC 1107.1300.

Fire Prevention

30. More information is required to better determine the requirements for this site. Such as what type of metal is to be stored, is there a shredding process taking place, how high are the storage piles going to be. A revised site plan shall be submitted addressing this concern.

STAFF RECOMMENDATION (cont'd)

Fire Prevention

31. Private fire service mains and appurtenance may be required for the metal storage area.

32. Approved fire apparatus access shall be required throughout the facility including the proposed metal storage area.

Plan Commission

33. One (1) car accessible parking space shall be provided. At least one (1) van accessible parking space shall be provided (TMC§1107.1701). **Not Acceptable as Depicted.**

34. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700.

35. Both lots occupied by the facility shall be combined.

36. Litter receptacles for the use of parking area users and others, must be provided in off-street parking areas per TMC§1107.1910. **Not shown on Site Plan.**

37. 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 **Not Shown on Site Plan**.

38. The minimum number of parking spaces for this site as indicated in TMC§1107.0300 – Off-street parking schedule "A" is five (5). Parking is not changing and therefore does not need to be reduced to meet parking maximum. **No new parking shall be added.**

39. Bicycle parking shall be placed within proximity to the primary entrance of the building to allow for safe use of the facility for cyclists entering the site from any frontage.

40. 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.

41. A pedestrian path shall be provided connecting the sidewalk to be installed along Hill Avenue to the primary entrance of the building. **Not acceptable as depicted**.

42. No new free-standing signs greater than forty-two (42) inches from grade are permitted – any proposed signage must meet the requirements of Toledo Municipal Code Title Nine – Sign Code.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

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

    a. A fifteen-foot (15') greenbelt is required along Hill Ave, and shall include one (1) tree per every thirty feet (30') of frontage. A total of twenty-nine (29) trees are required. **Not acceptable as depicted.**

    b. An opaque fence between six-feet (6') and ten-feet (10') in height shall be installed around all outdoor storage areas. Fence height and material shall be indicated on a revised plan. Where feasible a Type A landscape buffer shall be used to soften the appearance of the fence (Type A buffer requirements can be found in TMC§1108.0203E). **Not acceptable as depicted. Barbed wire along the right-of-way shall be removed and an opaque fence material around the entire storage area shall be clarified on a revised site plan.**

    c. Additional shrubs lining the paved portion of the western parking area along Hill Avenue shall be required **Not acceptable as depicted.**

    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. **Acceptable as depicted.**

    e. Canopy trees must be a minimum of 12' in overall height or a minimum caliper of 2 inches and evergreen trees must be a minimum of 5'.

44. 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.

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

46. 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.

47. 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-9003-21
DATE: March 10, 2022
TIME: 2:00 P.M.

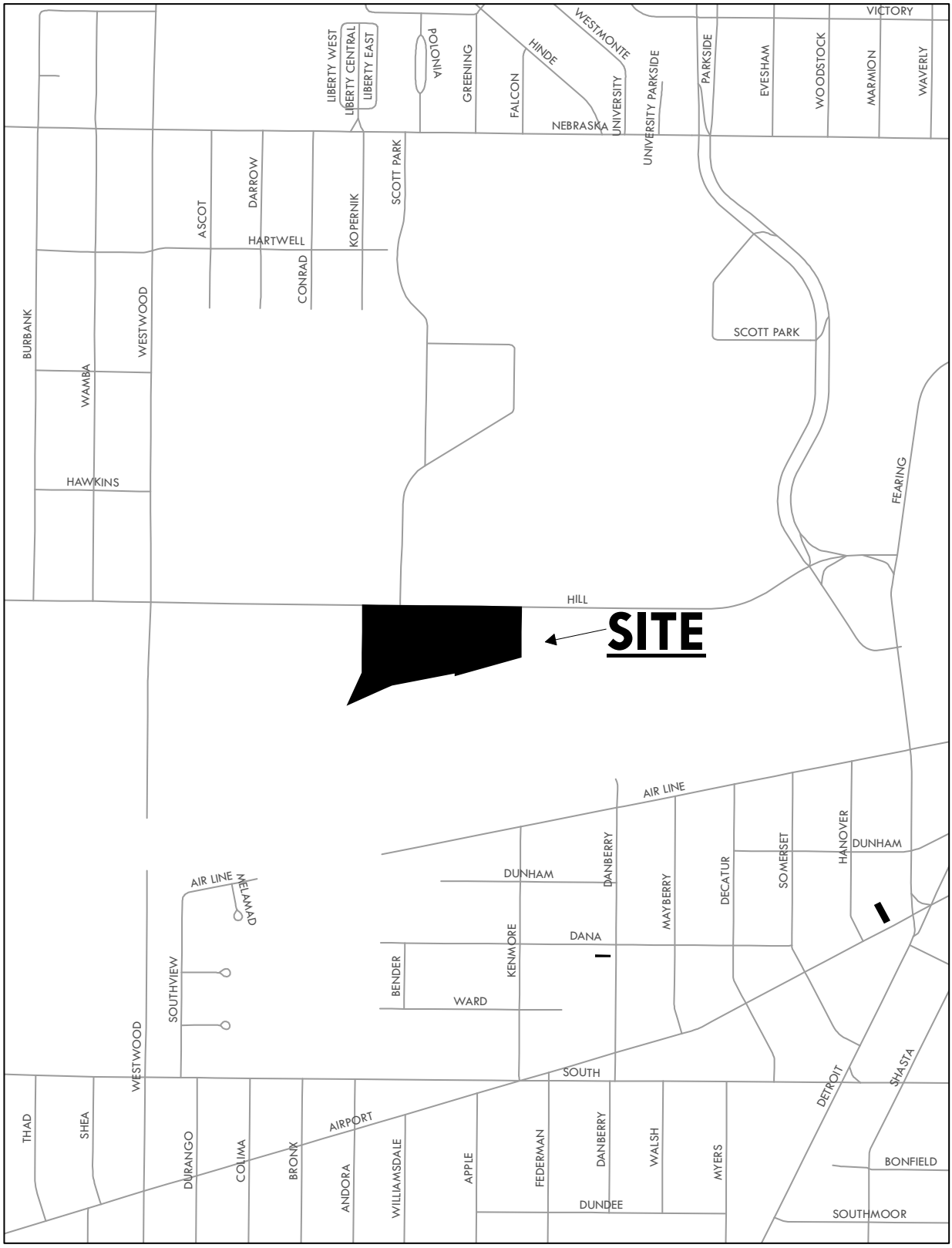
CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: April 13, 2022
TIME: 4:00 P.M.

JGL
Three (3) sketches follow

GENERAL LOCATION

SUP-9003-21
ID 33

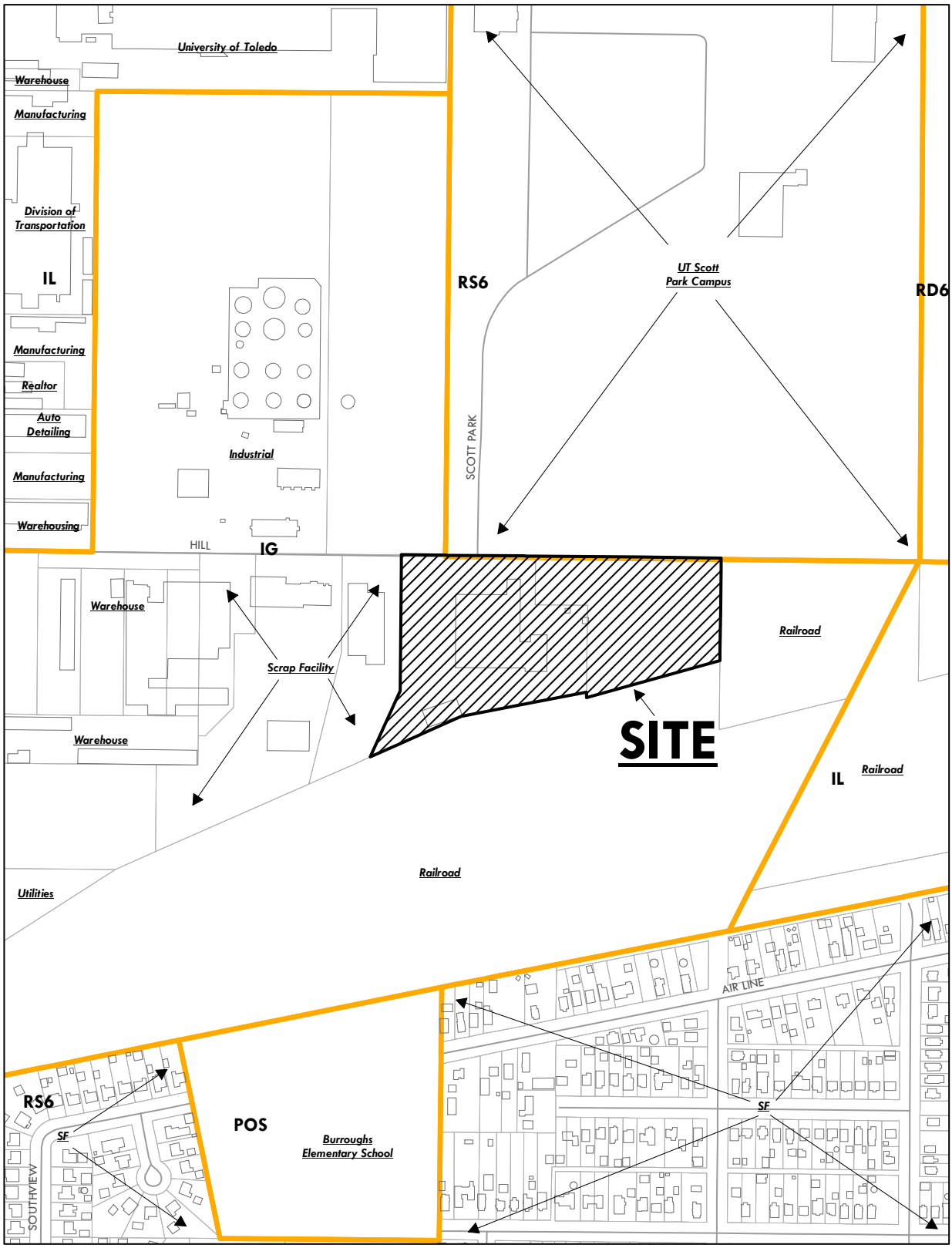
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ZONING & LAND USE

SUP-9003-21
ID 33

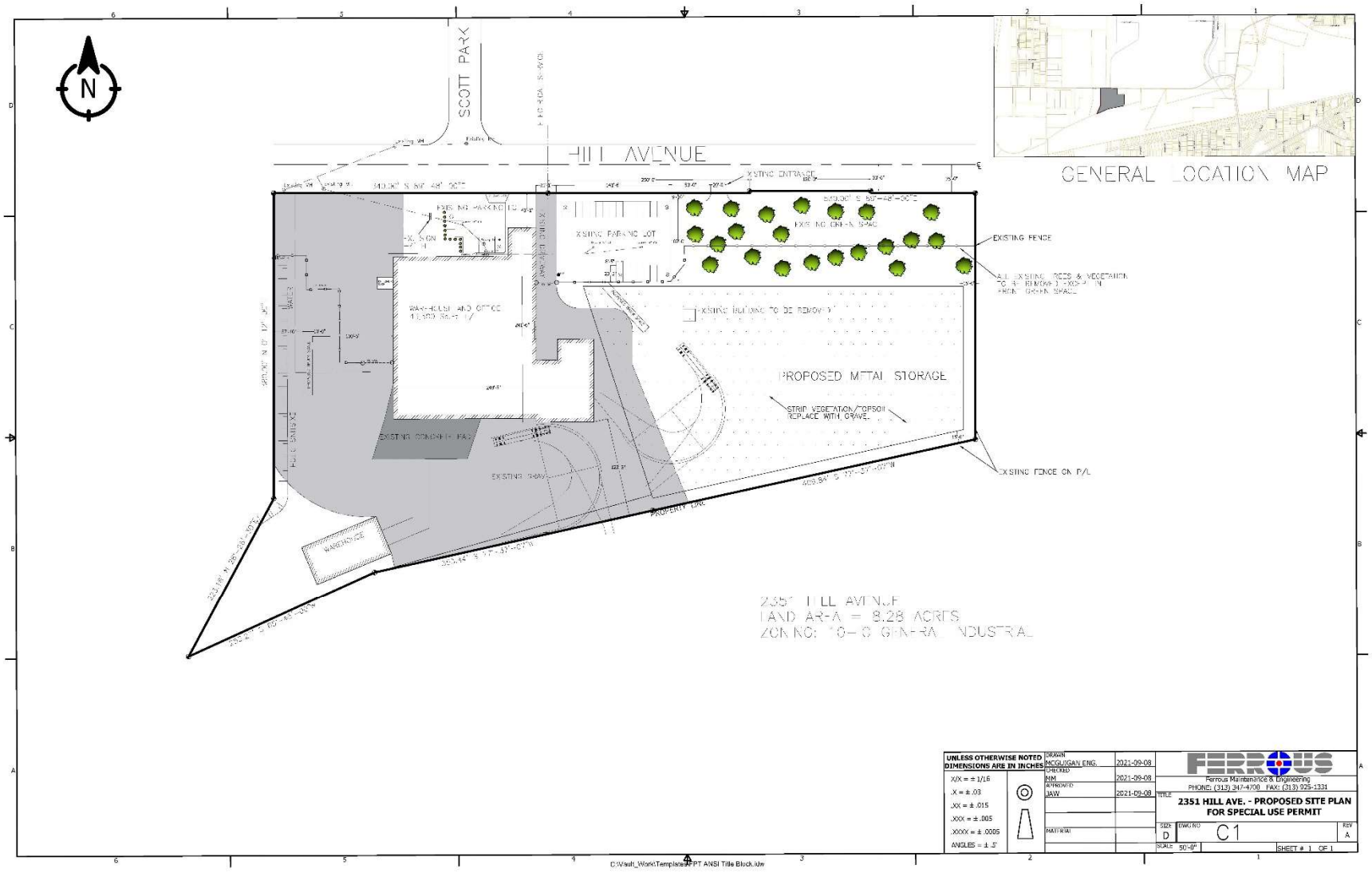
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SITE PLAN

SUP-9003-21
ID 33

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REF: Z-1005-22
DATE: March 10, 2022

GENERAL INFORMATION

Subject

Request	-	Zone Change from RM36 Multifamily Residential to CO Office Commercial.
Location	-	2131 Collingwood Blvd.
Applicant + Owner	-	Lutheran Social Services of Northwestern Ohio 2149 Collingwood Toledo, OH 43620

Site Description

Zoning	-	RM36 / Multifamily Residential
Area	-	± 0.65 Acres
Frontage	-	± 95' along Collingwood
Existing Use	-	Vacant
Proposed Use	-	Parking and Office

Area Description

North	-	CO / Lutheran Social Services Office
South	-	RM36 / Vacant Lot, Apartment Building
East	-	RM36 / Churches, Parking,
West	-	RD6 / One and Two Family Houses

Combined Parcel History

OWE-30-07	-	Demolish Structure (OWEHDC approved 7/9/07)
OWE-3-22	-	Construction of a one-story building addition, parking lot, and install a fence in the front yard setback of the property (Companion case, OWEHDC approved 2/14/22)
SPR-5-22	-	Minor Site Plan Review for new parking lot & building addition at 2321 & 2133 Collingwood (Companion case, Pending).

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a zone change from RM36 Multifamily Residential to CO Office Commercial. The ±0.65 acre site is currently vacant. It is surrounded by a vacant lot and apartment building to the south, churches to the east, single- and two-family homes to the west, and an office building owned by the applicant to the north. The applicant is requesting the zone change to facilitate expansion of the office building and its parking area onto the vacant lot.

Collingwood Boulevard is a corridor defined by a variety of residential, institutional, and commercial uses. The extension of CO zoning southward would not be unconventional, nor would it be detrimental to the surrounding land uses. The retention of a vacant lot to the south still zoned RM36 ensures there is a buffer between uses, as well as room for infill and redevelopment should the opportunity arise.

The site is within the Old West End Historic Overlay. Changing the zoning of the site shall not remove the requirements for historic review. Additionally, at the time of publication the design for the proposed expansion have been reviewed and approved by the Old West End Historic Commission on 2/14/2022 via OWE-3-22.

Toledo 20/20 Comprehensive Plan

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

While the land-use plan does not specifically call this site out for office use, the proposed use expands an office that has been harmonious with the existing development along Collingwood Boulevard. Additionally, the combination of site plan and historic district review required for this development shall ensure that office use does not negatively impact nearby residential uses.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of Z-1005-22, a request for Zone Change from RM36 Multifamily Residential to CO Office Commercial at 2131 Collingwood to Toledo City Council for the following **two (2) reasons:**

1. The rezoning is compatible with the existing land uses within the general vicinity of the subject property **(TMC§1111.0606(B));**

2. The rezoning is compatible with the zoning classifications of properties within the general vicinity of the subject property (**TMC§111.0606(C)).**

ZONE CHANGE
TOLEDO CITY PLAN COMMISSION
REF: Z-1005-22
DATE: March 10, 2022
TIME: 2:00 P.M.

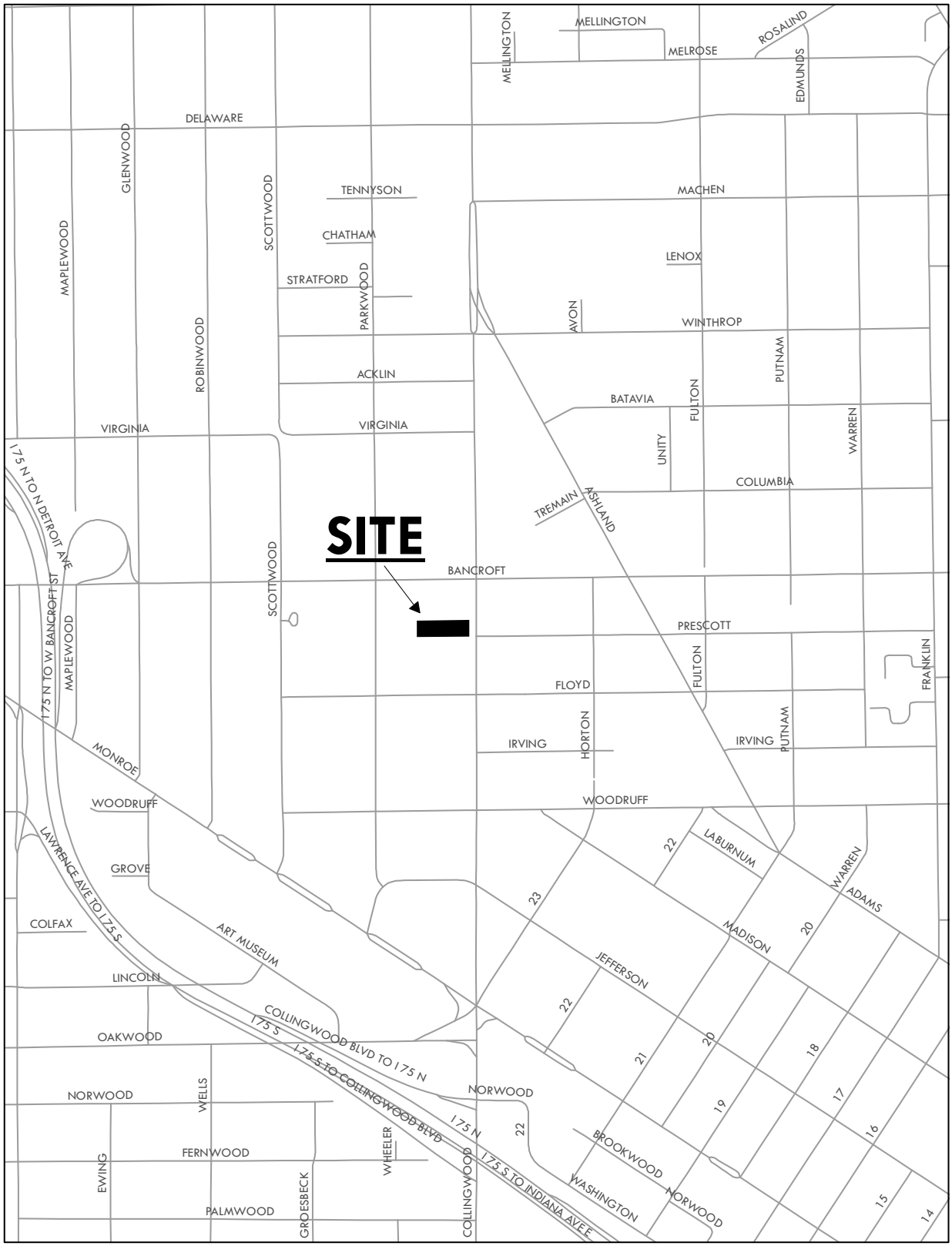
CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: April 13, 2022
TIME: 4:00 P.M.

JGL
Two (2) sketches follow

GENERAL LOCATION

Z-1005-22
ID 14

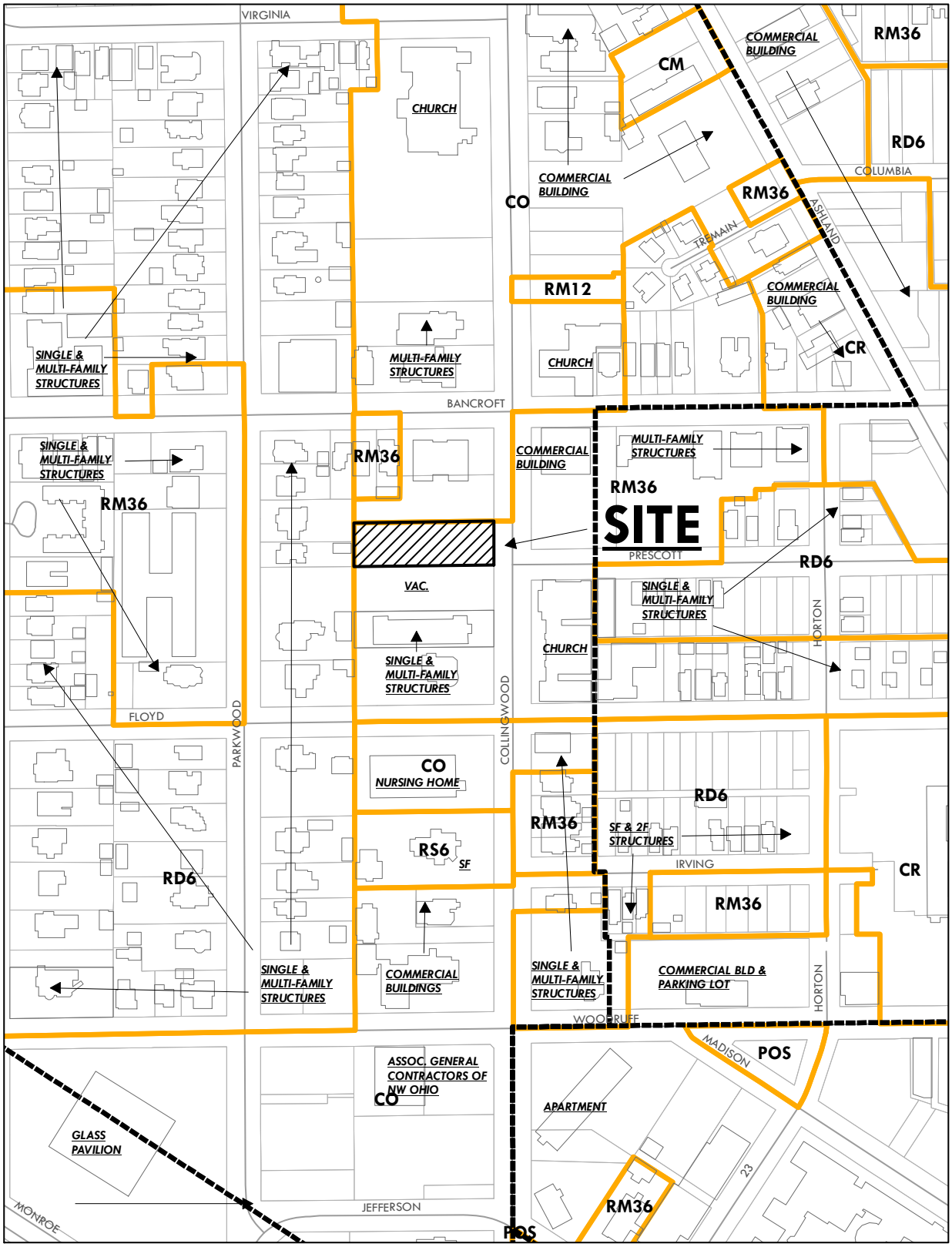
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ZONING & LAND USE

Z-1005-22
ID 14

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REF: SUP-1010-22
DATE: March 10, 2022

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for a School
Location	-	3912 Sunforest Court
Applicant	-	Tina Walsh Skyway Career Prep High School 1462 Brittain Road Akron, Ohio 44310
Owner	-	Wellington F. Roemer III Wellington Enterprises II LLC 3912 Sunforest Court Toledo, Ohio 43623

Site Description

Zoning	-	CO / Office Commercial
Area	-	± 1.20 acres
Frontage	-	± 125’ along Sunforest Court
Existing Use	-	Office
Proposed Use	-	School

Area Description

North	-	Office / CO
South	-	Office / CO
East	-	Notre Dame Academy / RS9
West	-	Office / CO

GENERAL INFORMATION (cont'd)

Parcel History

S-42-76	-	Preliminary drawing for a proposed plat of Woodbury Park. Plan Commission approved 1/6/77.
Z-315-76	-	Zone change from R-1 to C-2. Plan commission recommended approval 1/6/77. Toledo City Council approved 1/25/77 Ord. 67-77.

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 a school at 3912 Sunforest Court. The ± 1.20 acre site is zoned CO and contains a 19,587 sq. ft. commercial building that was previously used as an insurance business. Adjacent land uses include offices to the north, south, and west and Notre Dame Academy to the east.

The proposed use is a high school for students at risk of not graduating, but also offers occasional evening classes for adults. The standard hours of operation are 7AM to 4PM Monday through Friday. There are around 80 students and 20 staff members (7-8 teachers, 12-13 support staff) at the site daily. The letter of intent indicates that the majority of students use TARTA for transportation. The school has operated in Toledo for 20 years and will be moving from its current location Adam Street.

An overview of project details is included in this analysis. A detailed list of all project related items is included in the agency conditions at the end of this report.

Use Specific Regulations

a. There are no use specific land use regulations for this use type.

Parking

a. The Division of Transportation is requesting the reconfiguration of the one way parking on the south side of the building that dead ends into the property line.

b. Planning staff is requesting that the paved area on the southern side of the building be removed and landscaped instead of reconfigured leaving enough room for a sidewalk and dumpster area. This would reduce the amount of impervious surface coverage and increase the landscaped area bringing the site closer into compliance with current regulations.

STAFF ANALYSIS (cont'd)

Parking (cont'd)

c. The school requires 20 parking spaces for the proposed number of students and staff. The site provides over 60 spaces and has enough parking to accommodate the school as well as the potential reuse of an office in the future.

Landscaping

a. The reuse of an existing site is not required to comply fully with current landscape standards, but must bring the site closer to compliance. Staff is requesting the additional landscaped area along the southern portion of the building and the relocation of the dumpster area screened by privacy fencing.

Elevations

a. There are no changes proposed for the exterior of the building.

20/20 Plan

The Toledo 20/20 Comprehensive Plan recommends this site for Office uses. This category primarily encourages office and similar type uses. The operating characteristics of the school as described in the letter of intent are compatible with this designation.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-1010-22, a request for a Special Use Permit for a School located at 3912 Sunforest Court, to the Toledo City Council, for the following **two (2) reasons:**

1. The use complies with all applicable provisions of the Zoning Code **TMC 1104.0701.B; and**

2. The use is compatible with adjacent uses in terms of operating characteristics (such as noise, traffic generation, and other impacts associated with the use's operation) **TMC 1111.0706.C.**

The staff recommends approval of SUP-1010-22, a request for a Special Use Permit for a School located at 3912 Sunforest Court, subject to the following **fifteen (15)** 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.

STAFF RECOMMENDATION (cont'd)

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 419-245-1344
   Water: Andrea Kroma 419-936-2163
   Stormwater Drainage: Lorie Haslinger 419-245-3221; Andy Stepnick 419-245-1338
   Sanitary Sewers: Mike Elling 419-936-2276

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, Toledo Municipal Code, and Americans with Disabilities Act guidelines.

3. All commercial drive approaches, (along with the sidewalk through the drive) shall be constructed with 8" 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 Joe Warnka at (419) 245-1341 for inspection of above mentioned items.

Fire Department

5. It appears that this building will undergo a change of use. This will require compliance with all applicable Fire Sprinkler and Alarm, Building, Electrical, Mechanical and Plumbing code requirements

STAFF RECOMMENDATION (cont'd)

Transportation

6. Bicycle parking is required per TMC 1107.0900. **The number of spaces installed shall be subject to the review and approval of the Planning Director. The Zoning Code requires 29 spaces.**

7. Two auto and one van accessible parking spaces with 8' loading aisle for van and 5' loading aisle for auto is required per TMC 1107.1701 & TMC 1107.1702. **Shall be noted on a revised site plan.**

8. Wheel stops are required at all parking spaces abutting sidewalks, property lines, buildings, and planting areas per TMC 1107. **Shall be noted on a revised site plan.**

9. Minimum of 25' is required for two-way traffic flow at south side of building per TMC 11070.1911. (Parking needs to be perpendicular at south side of building.) **Shall be noted on a revised site plan.**

Plan Commission

10. The paved area on the southern side of the building shall be removed and landscaped instead of reconfigured leaving enough room for a sidewalk and dumpster area. This would reduce the amount of impervious surface coverage and increase the landscaped area bringing the site closer into compliance with current regulations. **Shall be noted on a revised site plan.**

11. The dumpster shall be relocated closer to the remaining portion of the parking area and screened with privacy fencing. **TMC 1108.0203.G. Shall be indicated on a revised site plan.**

12. There is a discrepancy between the amount of space between the southernmost portion of the circular drive aisle compared to our records. The site plan shows 36'2" compared to our records showing closer to 24'. **Distance shall be clarified or indicated on a revised site plan.**

13. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Zoning Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.

14. 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.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

15. No permits shall be issued until arrangements satisfactory to the Director of the Toledo City Plan Commission have been made for compliance with the conditions as set forth above.

SPECIAL USE PERMIT
TOLEDO PLAN COMMISSION
REF: SUP-1010-22
DATE: March 10, 2022
TIME: 2:00 P.M.

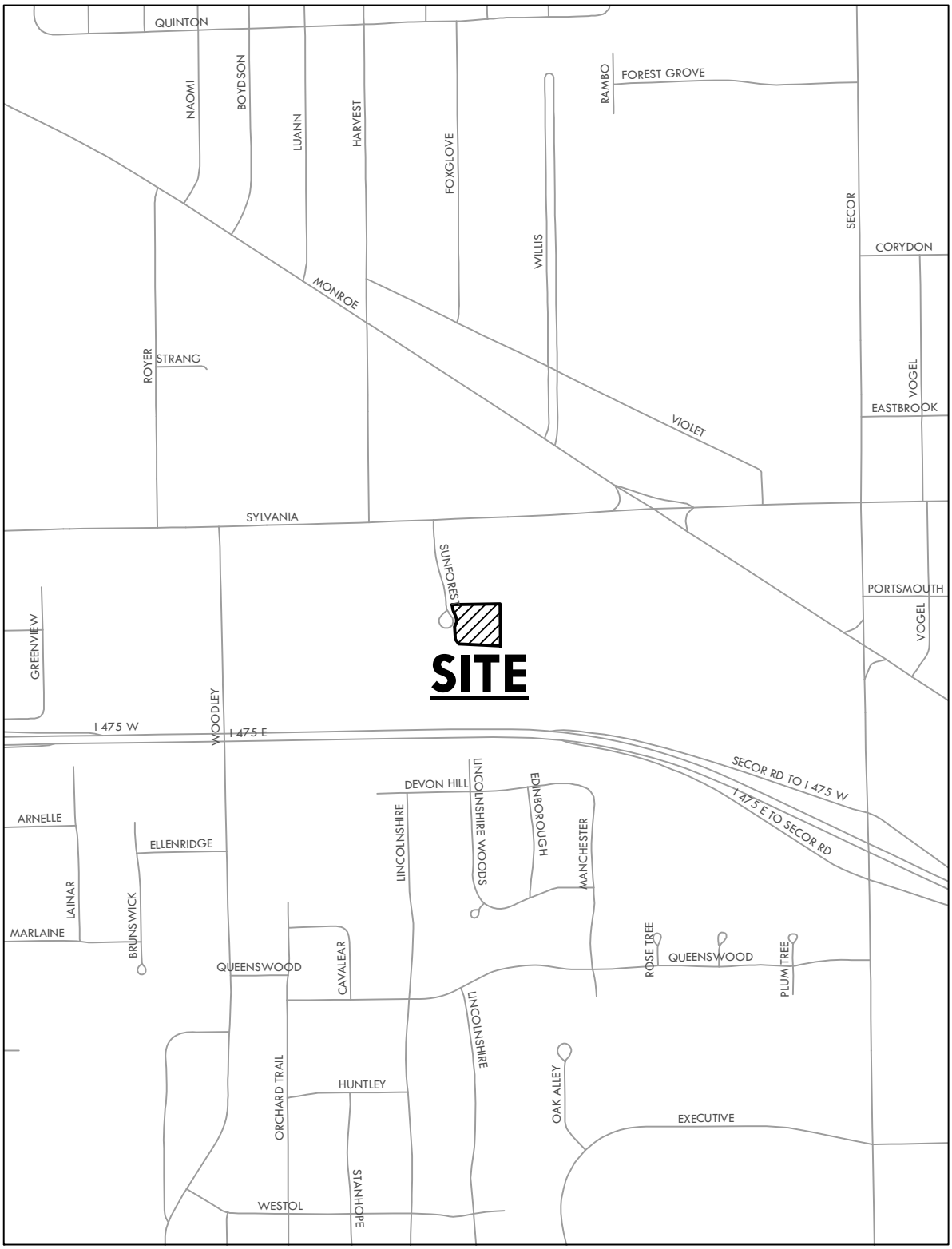
TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: April 13, 2022
TIME: 4:00 P.M.

JL
Three (3) Sketches Follow

GENERAL LOCATION

SUP-1010-22
ID 78

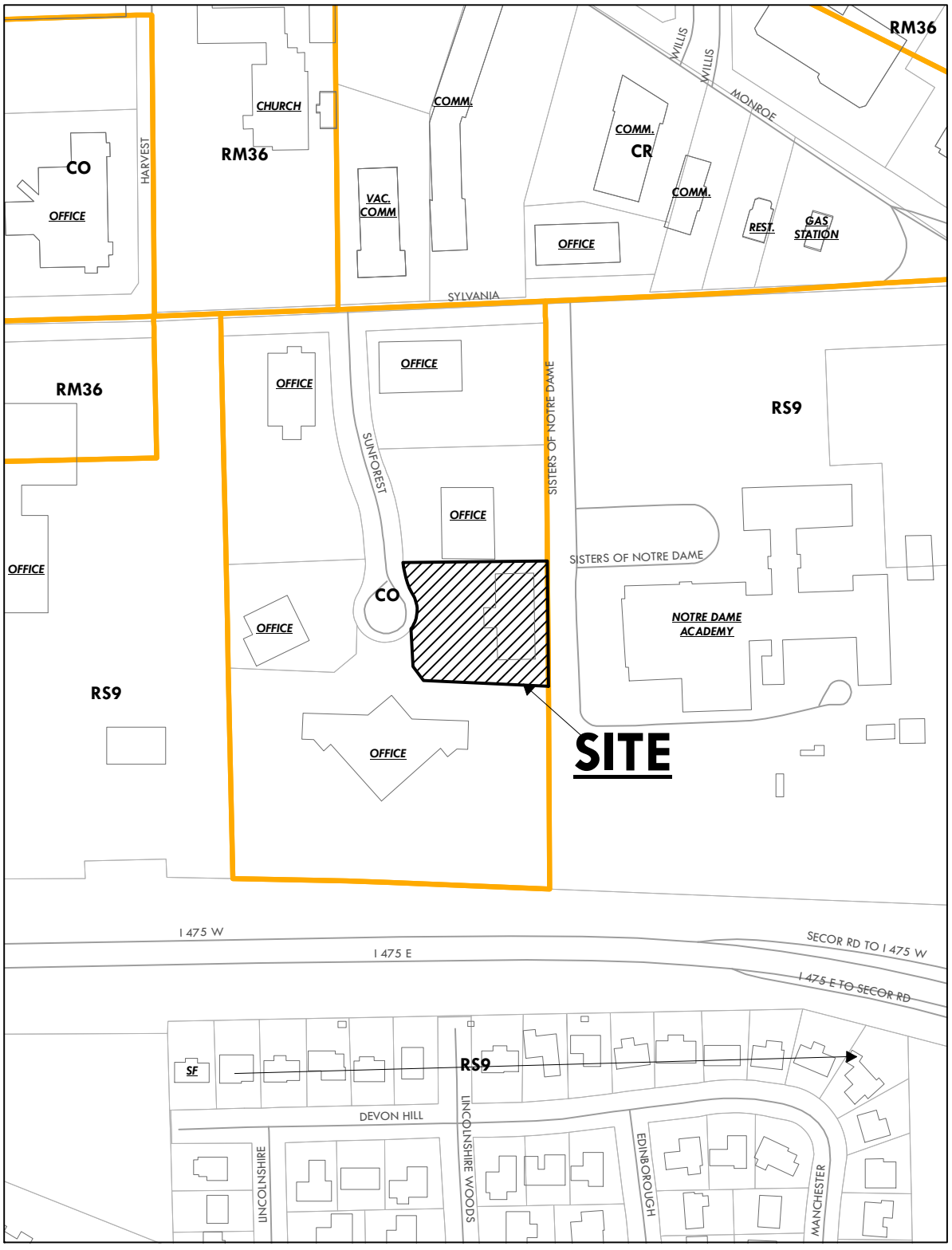
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ZONING AND LAND USE

SUP-1010-22
ID 78

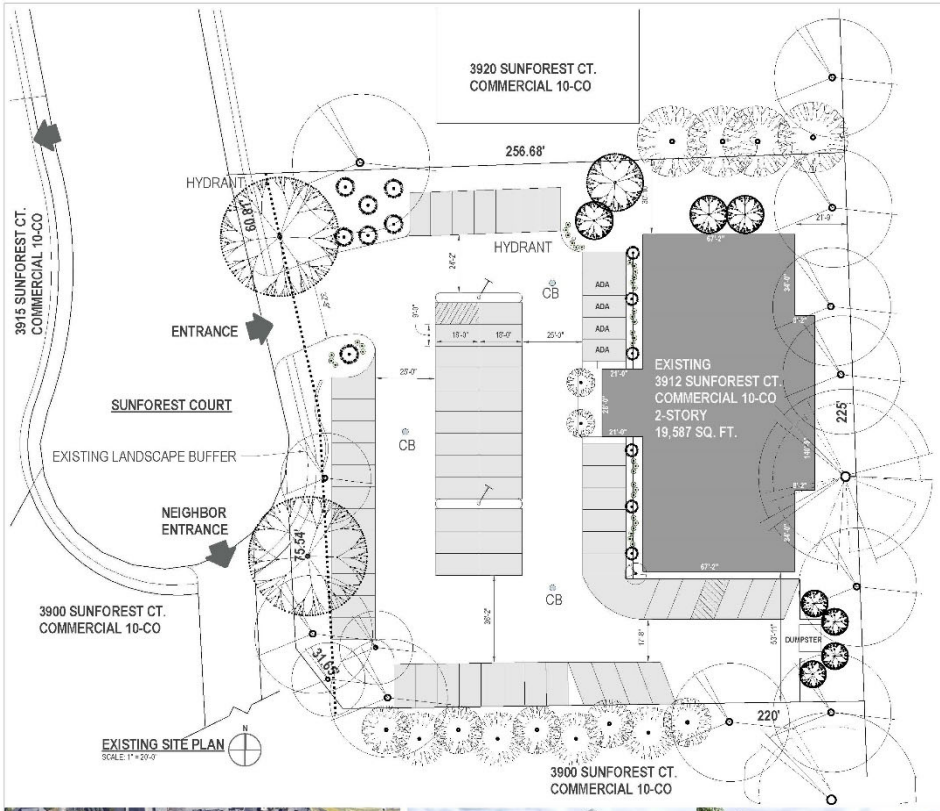
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SITE PLAN

SUP-1010-22
ID 78

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EXISTING SITE PLAN
SCALE: 1" = 20'-0"

SPECIAL USE PERMIT
WITH
MINOR SITE PLAN REVIEW
FOR
3912 SUNFOREST COURT
TOLEDO, OH 43606
FOR
SKYWAY CAREER PREP HIGH SCHOOL

LEGAL DESCRIPTION

FOR
3912 Sunforest Court
Toledo, OH 43623

Classification: Commercial
Land Use 447: C- Office Building 1-2 Stories
Market Area: 5003C
Zoning Code: 10-CO
Zoning Description: Office Commercial
Legal Description: The Woods Lot 6
County Auditor Parcel Number: 2273267
Assessor Number: 83606093
Year Constructed: 1978
Square Feet:
First Floor: 8,976 SF + Second Floor 10,611 SF = 19,587 Gross Square Feet

GENERAL NOTES:

Information regarding building elevations and site are all existing conditions. No work is proposed to either condition

No buildings are being removed or altered.

All parking spaces and landscape are also existing

Existing parking spaces = 74, 4 are ADA accessible

Driver aisles are 25'-0" wide, Parking spaces are 18'-0 x 9'-0".



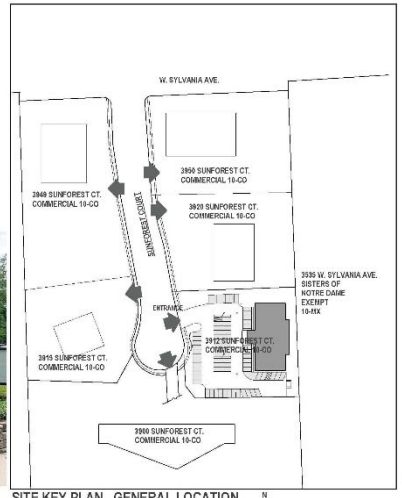
GOOGLE SITE AERIAL
SCALE: NOT TO SCALE



EXISTING EXTERIOR BUILDING CONDITIONS
SCALE: NOT TO SCALE



NOTE: EXTERIOR OF BUILDING SHALL REMAIN THE SAME IN AS-IS CONDITION. NO WORK IS INTENDED TO ALTER THE EXTERIOR ELEVATIONS.



SITE KEY PLAN - GENERAL LOCATION
SCALE: 1" = 100'-0"

DRAWING PREPARED BY:
William H. Steele, AIA
Architect
Ohio 97-11770 exp. 12/24
2520 Talmadge Rd
Ottawa Hills, OH 43606
419.704.5149

NOTE: THIS IS AN ARCHITECTURAL SITE PLAN DRAWN FROM AERIALS AND LUCAS COUNTY AUDITOR'S AREIS WEBSITE FOR GENERAL USE ONLY

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REF: Z-1004-22
DATE: March 10, 2022

GENERAL INFORMATION

Subject

Request	-	Zone Change from RD6 (Duplex Residential) to CN (Neighborhood Commercial)
Location	-	2126 Consaul Street
Applicant	-	Tracey Britt 1925 Consaul St. Toledo, OH 43605

Site Description

Zoning	-	RD6 / Duplex Residential
Area	-	± 0.12 Acres
Frontage	-	± 50' along Consaul St ± 110' along Burger St
Existing Use	-	Vacant Mixed-Use
Proposed Use	-	Mixed-Use

Area Description

North	-	RD6 / Single and Two-Family Residential
South	-	RD6 / Single and Two-Family Residential
East	-	RD6 / Single and Two-Family Residential
West	-	RD6 / Single and Two-Family Residential

Parcel History

Z-2-79	-	Zone Change along 2000 and 2100 block of Consaul St.

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a zone change from RD6 (Duplex Residential) to CN (Neighborhood Commercial). The ±0.50 acre site houses a historic commercial building which is currently vacant. The building is a former corner store along Consaul Street in the Birmingham neighborhood, and is surrounded by single and two-family homes primarily constructed in the early 1900s. The applicant is requesting the zone change to allow this historically commercial building to be revitalized for storefront commercial uses with apartments upstairs. The Neighborhood Commercial zoning classification will allow the applicant to restore the building to its original purpose, and is appropriate given the commercial history of the building and its corner location in a historic walkable neighborhood.

Toledo 20/20 Comprehensive Plan

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

While the land-use plan does not specifically call this site out for neighborhood commercial use, the proposed zoning classification is in harmony with other Neighborhood Commercial zoning recommendations and existing uses in the area. Neighborhood Commercial is intended to facilitate the small-scale, neighborhood-serving uses that would have historically been found within walking distance of homes in older neighborhoods. This site is located where a residential street (Burger St) abuts a commercial street (Consaul St) and the Neighborhood Commercial zoning classification is appropriate.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of Z-1004-22, a request for Zone Change from RD6 Duplex Residential to CN Neighborhood Commercial to Toledo City Council for the following **two (2) reasons:**

1. The rezoning is compatible with the existing land uses within the general vicinity of the subject property **(TMC§1111.0606(B);**

2. The rezoning is compatible with the zoning classifications of properties within the general vicinity of the subject property (**TMC§111.0606(C).**

ZONE CHANGE
TOLEDO CITY PLAN COMMISSION
REF: Z-1004-22
DATE: March 10, 2022
TIME: 2:00 P.M.

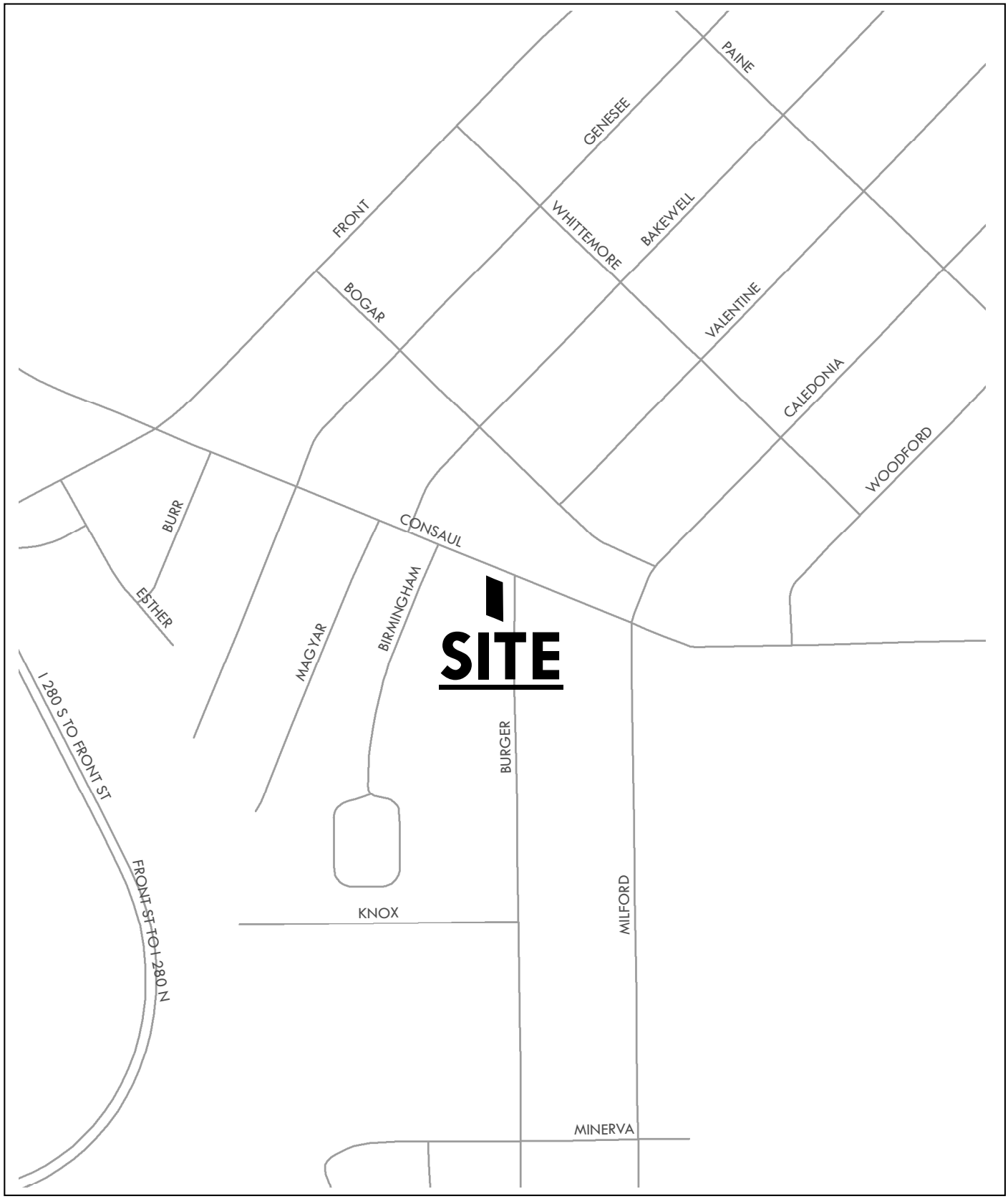
CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: April 13, 2022
TIME: 4:00 P.M.

ML
Two (2) sketches follow

General Location

Z-1004-22

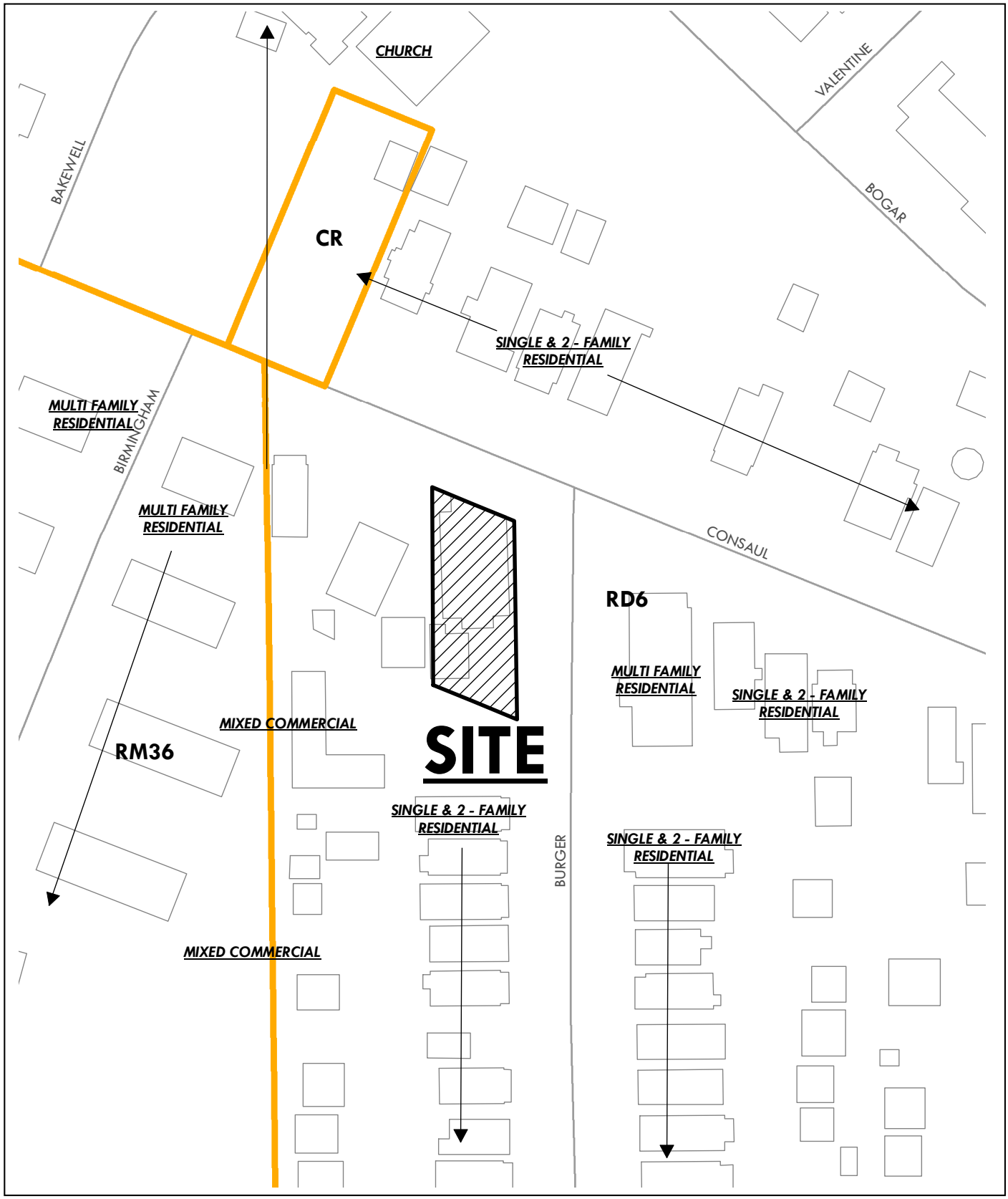
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General Location

Z-1004-22

N



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REF: SUP-1003-22
DATE: March 10, 2022

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for new AMI pole
Location	-	925 Palmwood Ave
Applicant	-	City of Toledo Dept. of Public Utilities 420 Madison Avenue, 4th Floor Toledo, OH 43605

Site Description

Zoning	-	POS / Parks and Open Space
Area	-	± 6.88 Acres
Frontage	-	± 680' along Dorr St ± 220' along Lawrence Ave ± 625' along Fernwood Ave
Existing Use	-	Public Park
Proposed Use	-	Public Park

Area Description

North	-	RD6 & RS6 / Two and Single Family Residential
South	-	RM36 / Multi-Family Residential
East	-	RM36 / Single and Multi-Family Residential
West	-	RD6 / School and Library

Parcel History

Ord. 446-70	-	Vacation of Palmwood Ave, Waite Ave, and all alleys within the block bounded by Dorr, Lawrence, Fernwood, and Forest.
Z-24-94	-	Collective zone change to "P" / Park. Approved by Ord. 513-94 on 9-8-1994.

Applicable Plans and Regulations

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

STAFF ANALYSIS

The City of Toledo Department of Public Utilities is in the process of updating their meter reading technology, including the installation of a new Automatic Metering Infrastructure (AMI) poles across the City of Toledo. These towers are 65' tall monopoles and will be a rust/copper color. Poles will help the City to read water meters remotely, reducing the need for City staff to visit properties to read meters. This pole is proposed to be located in Smith Park, west of Roosevelt Pool, north of Dorr St. in the Junction Neighborhood. The pole is proposed to be located in the northern portion of the park, abutting Fernwood Ave. As **condition #1** of approval, the location of the pole shall be moved south so that it is at least 100' from any property line abutting residential zoning, and distanced from activity areas within the park. These poles are classified in the Planning and Zoning Code as "Wireless Telecommunications Facilities, Freestanding" and a Special Use Permit is required because the site is located within the Parks and Open Space zoning district.

TMC§1104.1800 | Wireless Telecommunications Facilities

The Planning and Zoning Code outlines specific requirements for freestanding wireless facilities. Towers shall be of monopole design and located at least 100' from property lines where abutting residential zoning districts. Towers shall be screened by a Type A landscape buffer; this buffer shall include a solid fence and canopy trees surrounding the tower per TMC§1104.1801. Fencing and landscaping requirements are addressed as **condition #2** of approval.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-1003-22, a Special Use Permit for new AMI pole at 925 Palmwood Ave, to Toledo City Council for the following **one (1) reason:**

1. 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 for existing development (TMC§1111.0706.E)

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-1003-22, a Special Use Permit for a new AMI pole at 925 Palmwood Ave, 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.

STAFF RECOMMENDATION (Cont'd)
Division of Engineering Services

Comments not received at time of print.

Fire Prevention

Comments not received at time of print.

Plan Commissions

1. TMC§1104.1804.C requires that the pole be located at least 100 feet from any property line where abutting a residential zoning district or use. **The proposed pole shall be moved south so that it is at least 100 feet from the northern property line.** Staff recommends areas further from neighboring residential uses and less visible from publicly travelled rights-of-way. Possible sites include areas close to the rear of the Mott Branch library parking lot, or adjacent to the tennis courts. Final location shall be subject to the approval of the Director.

2. The proposed pole shall be protected and visually screened by an 8 foot solid wood privacy fence, as well as a combination of evergreen and canopy trees surrounding the facility, subject to the approval of the Director. (TMC§1104.1801.C)

3. All operation of the facility shall be in accordance with the requirements of TMC§1104.1800, *"Wireless Telecommunications Facilities"*.

4. 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.

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. 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.

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-1003-22
DATE: March 10, 2022
TIME: 2:00 P.M.

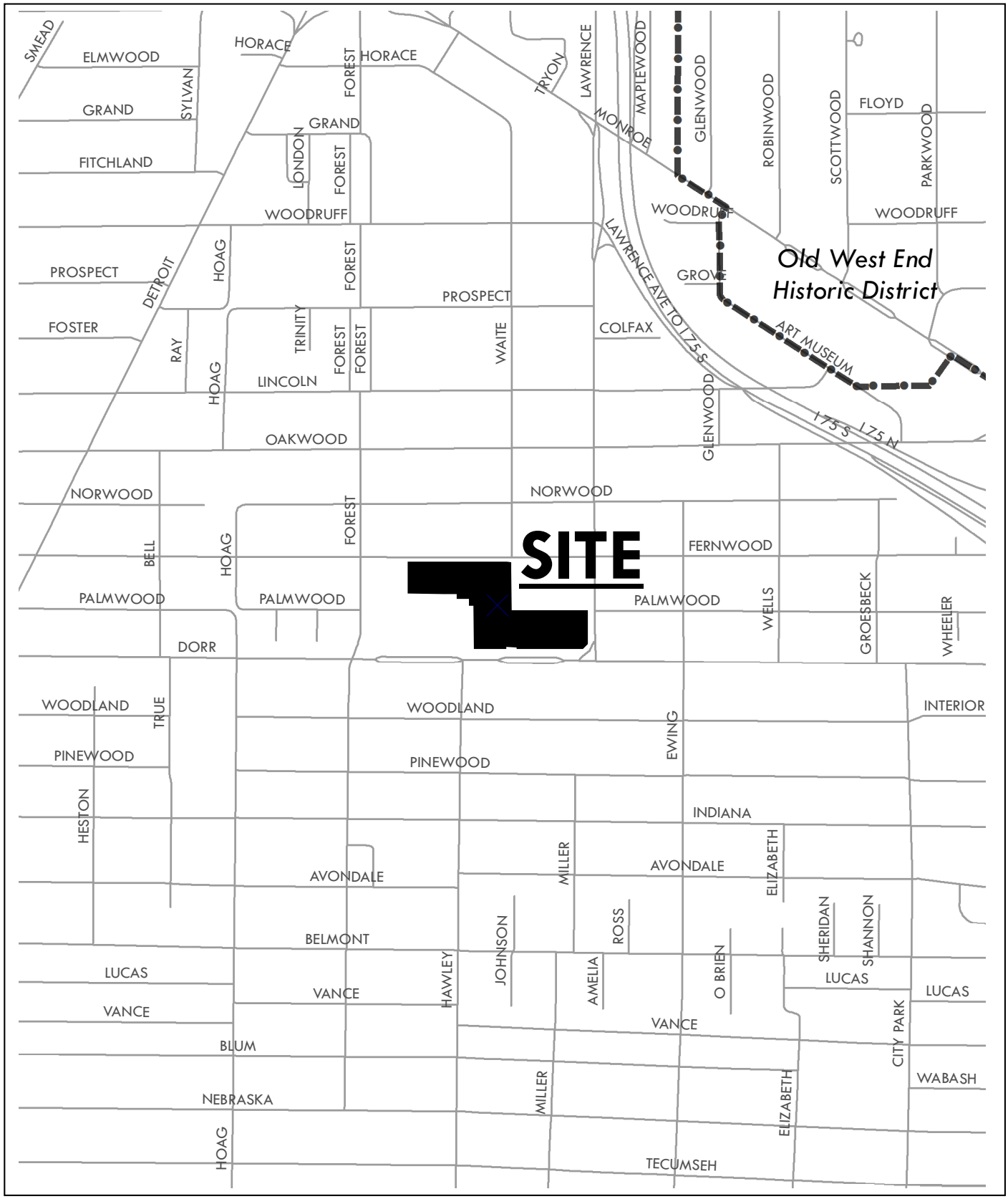
TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: April 13, 2022
TIME: 4:00 P.M.

ML
Three (3) sketches follow

General Location

SUP-1003-22

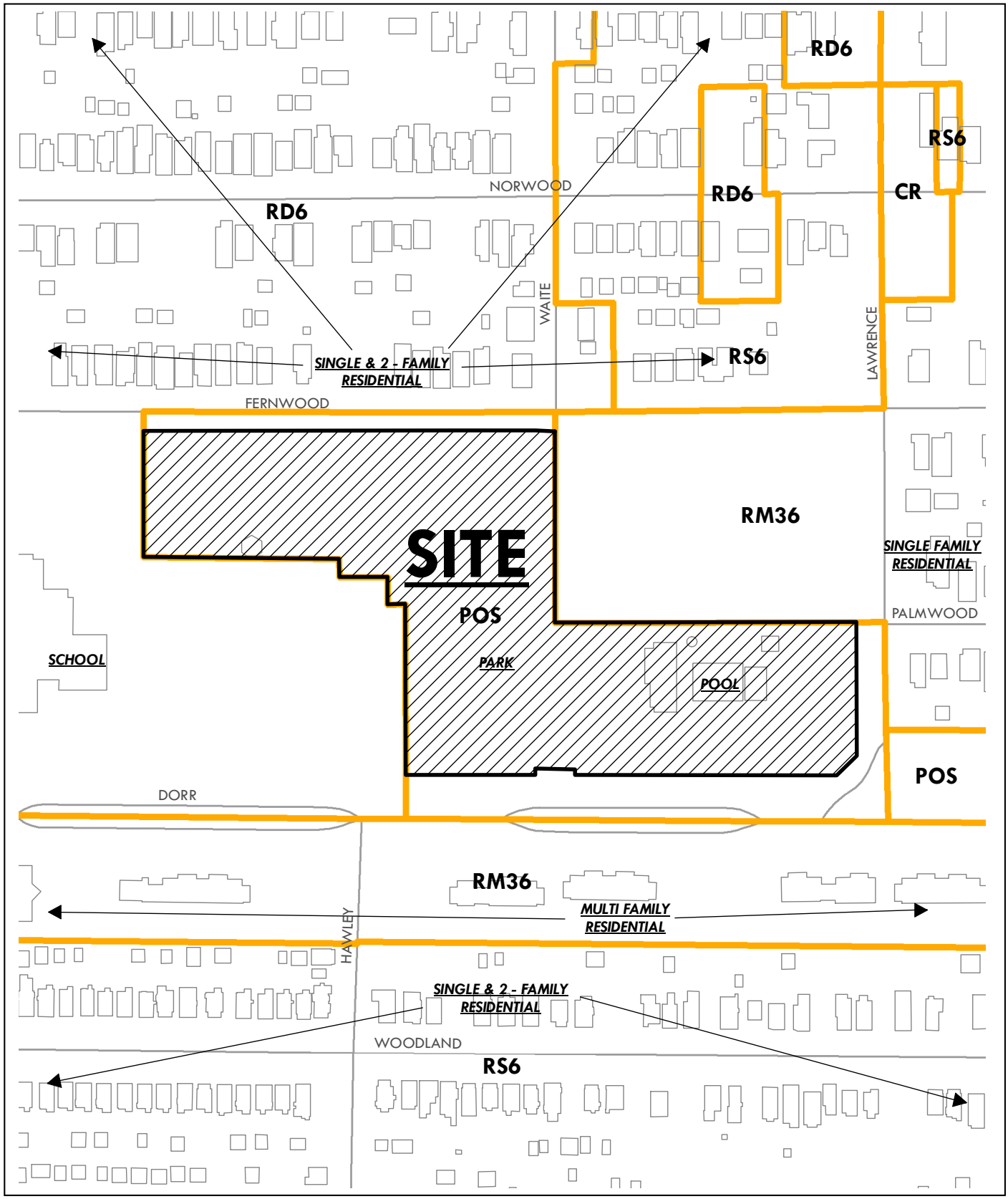
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General Location

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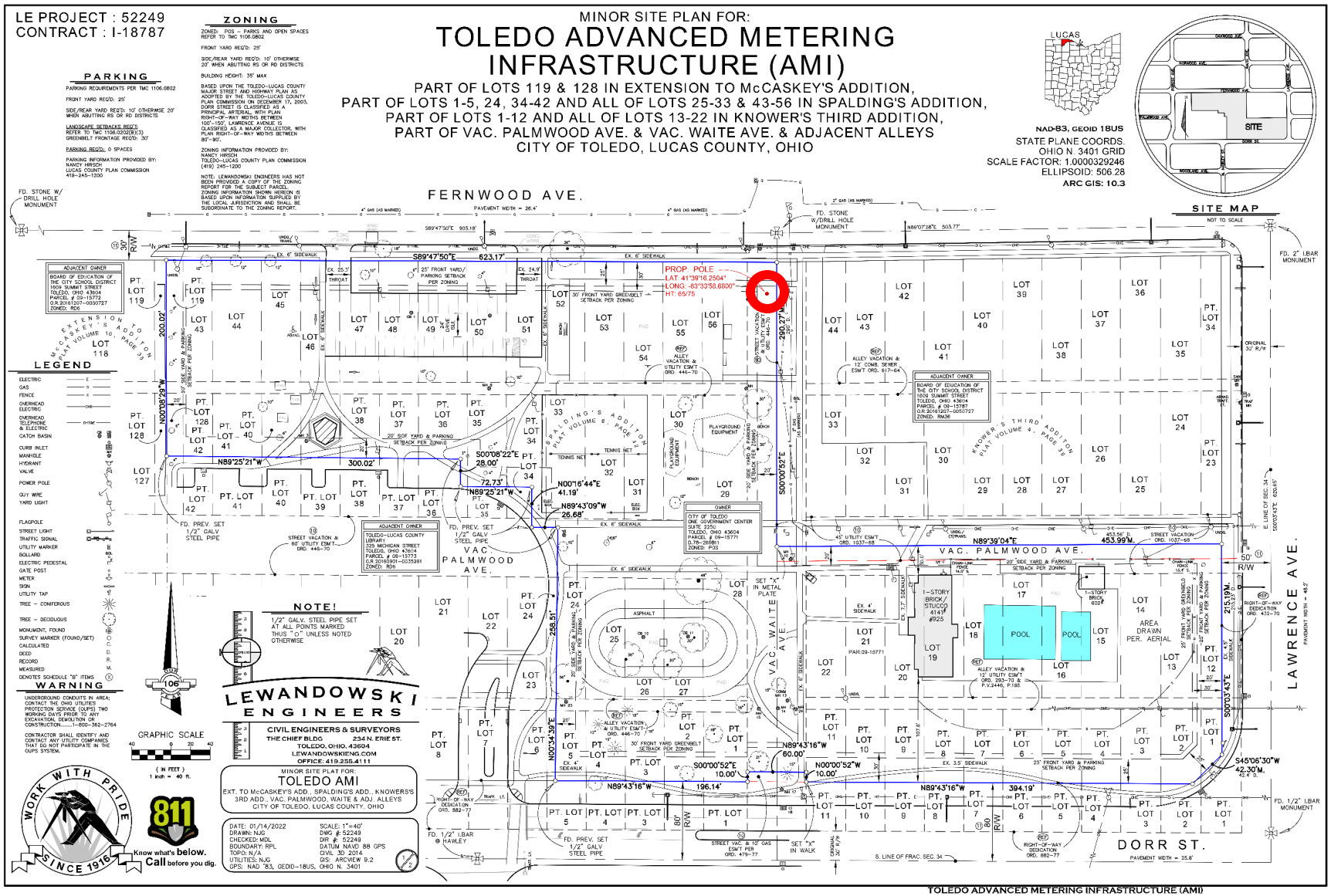
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Site Plan

SUP-1003-22

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REF: SUP-1007-22
DATE: March 10, 2022

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for new AMI pole
Location	-	114 Willington Street
Applicant	-	City of Toledo Dept. of Public Utilities 420 Madison Avenue, 4th Floor Toledo, OH 43605

Site Description

Zoning	-	RD6 / Duplex Residential
Area	-	± 5.54 Acres
Frontage	-	± 980' along Wellington St
Existing Use	-	Public Park
Proposed Use	-	Public Park

Area Description

North	-	IG / General Industrial
South	-	IL / Railroad
East	-	IG / General Industrial
West	-	RS6 / Single Family Residential

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 City of Toledo Department of Public Utilities is in the process of updating their meter reading technology, including the installation of a new Automatic Metering Infrastructure (AMI) poles across the City of Toledo. These towers are 65' tall monopoles and will be a rust/copper color. Poles will help the City to read residents' water meters remotely, reducing the need for City staff to visit properties to read water meters. This pole is proposed to be located in Landers Park, west of Swan Creek, south of Nebraska Ave, and east of Hawley Street. The pole is located in the center of the park. As condition #1 of approval, staff recommends the location of the pole be moved to the southern edge of the park, either due south or south east, so that it is furthest from neighboring residential properties and activity areas within the park. These poles are classified in the Planning and Zoning Code as "Wireless Telecommunications Facilities, Freestanding" and a Special Use Permit is required because the site is located within a residential zoning district.

TMC§1104.1800 | Wireless Telecommunications Facilities

The Planning and Zoning Code outlines specific requirements for freestanding wireless facilities. Towers shall be of monopole design and located at least 100' from property lines where abutting residential zoning districts. Towers shall be screened by a Type A landscape buffer; this buffer shall include a solid fence and canopy trees surrounding the tower per TMC§1104.1801. Fencing and landscaping requirements are addressed as condition #2 of approval.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-1007-22, a Special Use Permit for new AMI pole at 114 Willington St, to Toledo City Council for the following **one (1) reason:**

1. 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 for existing development (TMC§1111.0706.E)

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-1007-22, a Special Use Permit for a new AMI pole at 114 Willington 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.

STAFF RECOMMENDATION (Cont'd)

Division of Engineering Services

Comments not received at time of print.

Fire Prevention

Comments not received at time of print.

Plan Commissions

1. The proposed pole shall be moved to the southern edge of the property so that it is spatially separated from existing baseball fields and other recreation areas where children and other members of the public frequently gather.

2. The proposed pole shall be protected and visually screened by an 8 foot solid wood privacy fence, as well as a combination of evergreen and canopy trees surrounding the facility, subject to the approval of the Director. (TMC§1104.1801.C)

3. All operation of the facility shall be in accordance with the requirements of TMC§1104.1800, *"Wireless Telecommunications Facilities"*.

4. 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.

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. 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.

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-1007-22
DATE: March 10, 2022
TIME: 2:00 P.M.

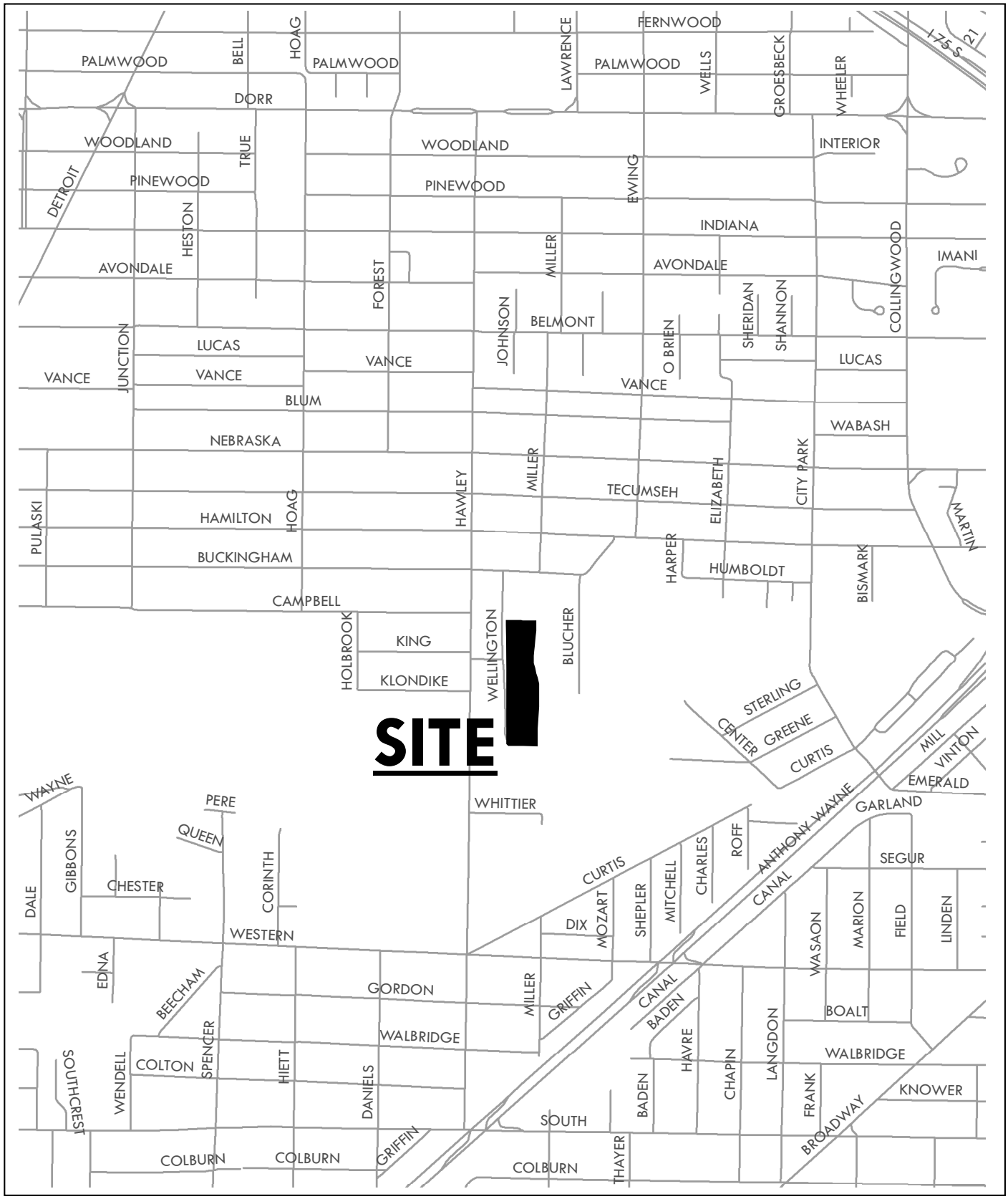
TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: April 13, 2022
TIME: 4:00 P.M.

ML
Three (3) sketches follow

General Location

SUP-1007-22

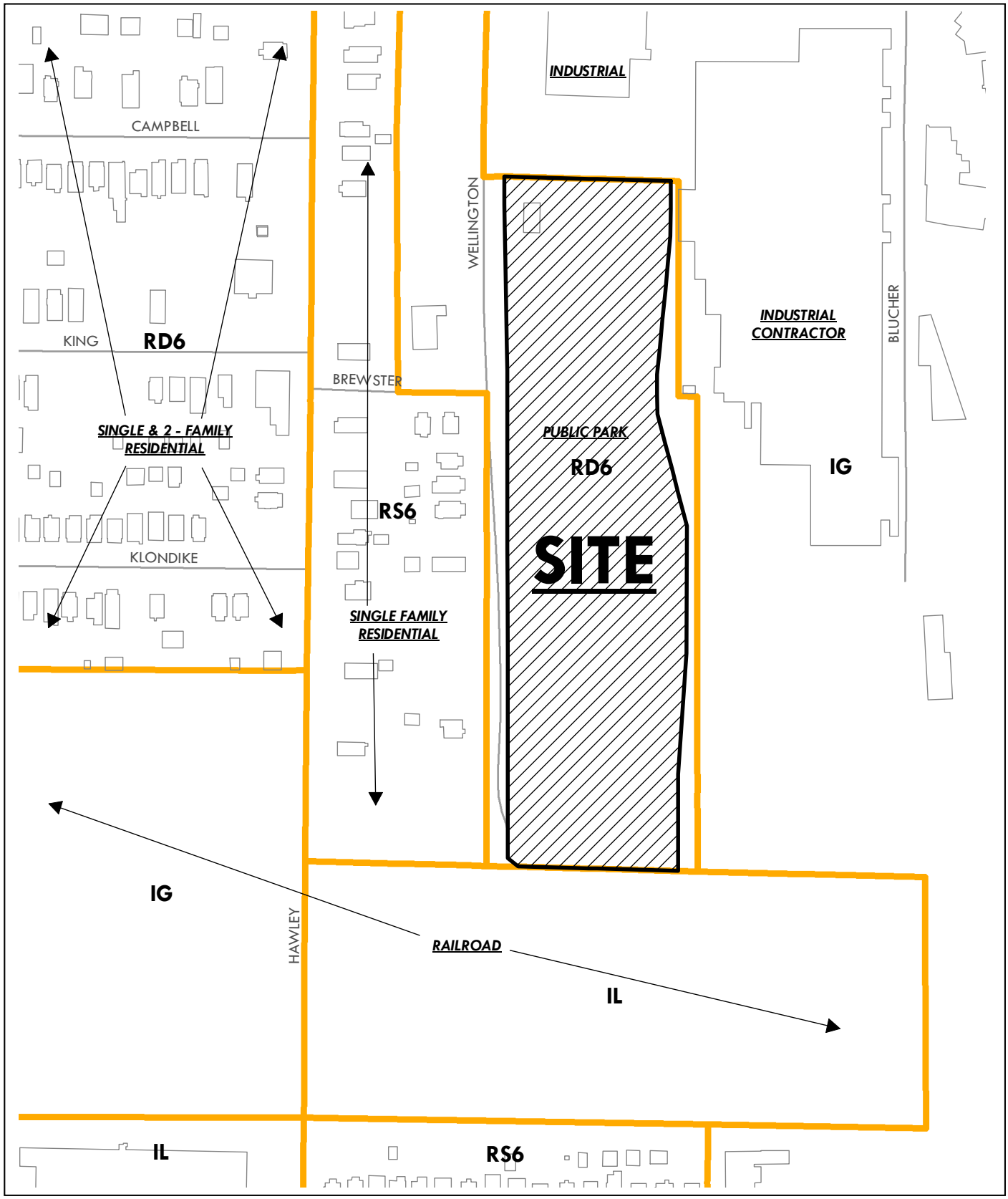
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General Location

SUP-1007-22

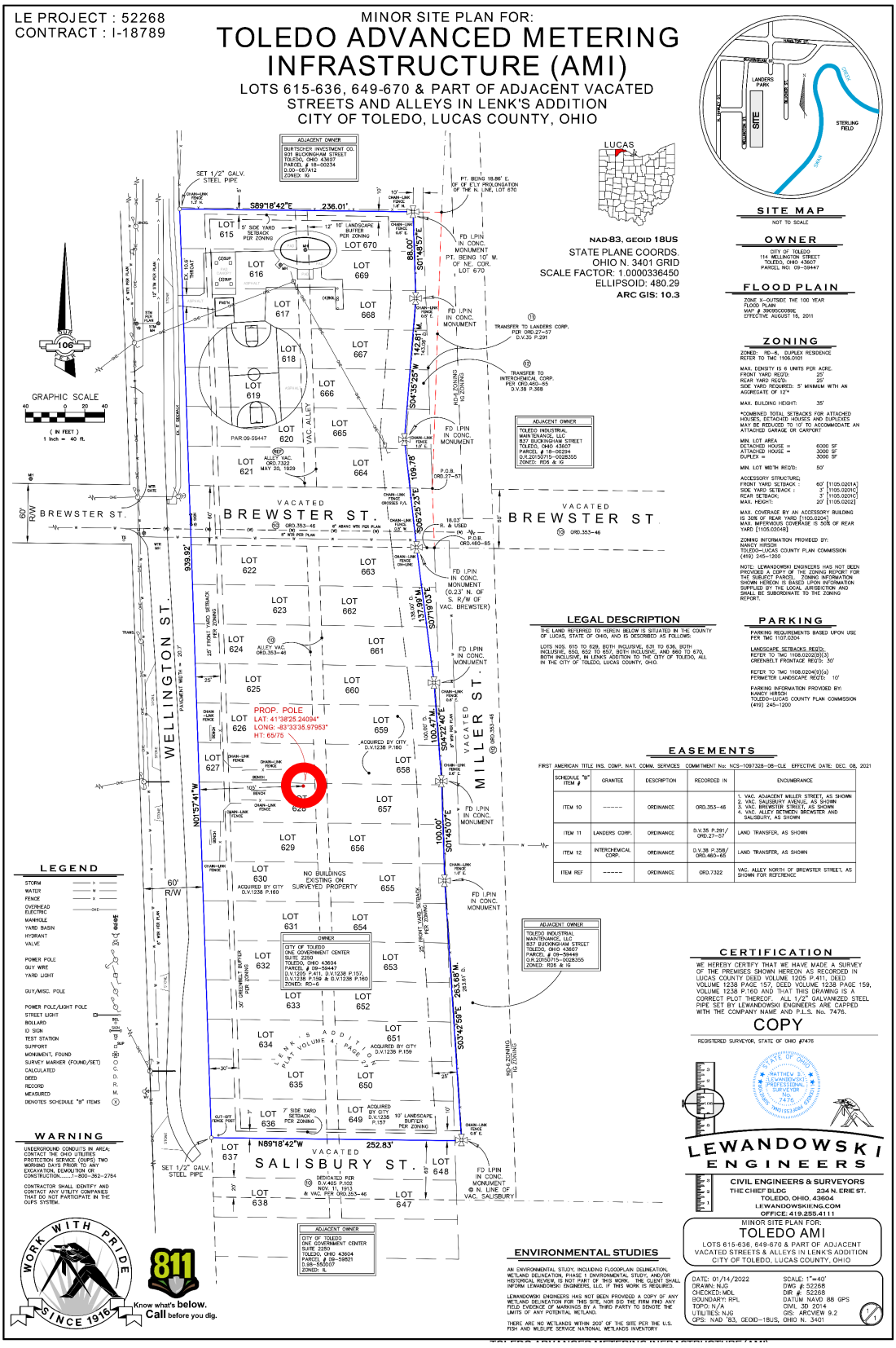
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General Location

SUP-1007-22

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REF: SUP-1006-22
DATE: March 10, 2022

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for used auto sales
Location	-	1633 W. Laskey Road
Applicant + Owner	-	Brixmor Miracle Mile, LLC 500 E Broward Blvd, Suite 1130 Fort Lauderdale, FL 33394
Design Professional	-	Architecture by Design, ltd. 5622 Mayberry Square Sylvania, OH 43560

Site Description

Zoning	-	CR / Regional Commercial
Area	-	± 0.48 Acres
Frontage	-	± 90’ Along W Laskey Rd
Existing Use	-	Vacant Commercial
Proposed Use	-	Used Auto Sales

Area Description

North	-	CR / Used Auto Sales, Auto Repair, Medical Office
South	-	IL / Electrical Utilities Substation
East	-	IL / Electrical Utilities Substation
West	-	CR / Drive-thru Restaurant

Parcel History

M-17-59	-	Interim Zoning of Washington Township area for Bowman Park and adjacent area. (PC Approved 11/19/59).
Z-384-68	-	Request for a Zone Change from M-1 to C-3 on the SE corner of Jackman and Laskey (PC Approved 1/9/69)

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit (SUP) to facilitate the operation of a used auto sales facility at 5655 Secor Road. Due to geometric constraints of the site, the applicant has requested two (2) waivers to the zoning code, which are detailed within this report. The ± 0.48 acre site, zoned CR Regional Commercial, is currently occupied by a vacant commercial structure. The site was most recently used by a Title and Cash Loans business. To the north of the site, across West Laskey, is a Used Auto Dealer and Auto Service Center, to the east and south is a large electrical utility substation, and to the west is a drive-thru restaurant. A Special Use Permit is required to operate Used Auto Sales in CR Regional Commercial districts.

Use Regulations for Used Auto Sales

TMC§1104.0306(A)(B) – *Auto and RV Sales, Used Only* outlines site design criteria for used auto sales, including criteria governing minimum lot size and frontage. Used auto facilities must be located on a lot with no less than one-half (1/2) acre and have a minimum average width of 150 feet along the main road frontage. The subject site fails to meet either of these criteria with a total of acreage of ± 0.48 on record with the county auditor, and a total frontage of ninety feet (90') along W Laskey. The applicant has requested a waiver from these standards.

The dimensional requirements for used auto sales were added to the Toledo Municipal Code on 11/26/2013 via Ordinance 502-13. The staff report for the amendment states that the requirements are intended to provide adequate space to display inventory while also meeting landscaping standards. The requirement assists in the creation of attractive sites which "enhance the long-term economic viability of the City." Staff feels that approval of this request and the code waiver would be counterproductive to long-term economic and land use development aims of the city.

Parking and Circulation

Used auto sales are required to have one (1) parking space per every five thousand (5,000) square feet of open sale area, plus one (1) per every five-hundred (500) square feet of enclosed sale area. Based on the open area of 10,544 square feet, and the indoor area of 2,709 square feet, seven (7) parking spaces are required with at least one (1) van accessible parking space. Eight (8) spaces are provided at the rear of the site, one (1) van accessible space is provided at the front of the site.

STAFF ANALYSIS (cont'd)

Parking and Circulation

An existing entrance to the parking lot from West Laskey Road provides direct access to the site. Secondary access is provided through a driveway on the rear connecting to the west adjacent restaurant's parking area. A cross access agreement is required to allow patrons of either establishment sufficient ingress and egress. The architect has noted the requirement on the submitted site plan. Additionally, a sidewalk shall be installed to bridge the gap between the two (2) neighboring properties along West Laskey Road.

Landscaping

A fifteen-foot (15') frontage greenbelt is required along all public streets per **TMC§1108.0202** – *Frontage Greenbelt.* The frontage greenbelt for this site shall be measured from the sidewalk, and if approved shall require the following:

- Three (3) canopy trees.
- Grass, mulch, or a similar approved ground cover.
- A continuous row of evergreen hedges, or an alternative screening method as approved by the Planning Director.

Additionally, internal landscaping is required per **TMC§1108.0204 –** *Parking Lot Landscaping (Interior and Perimeter).* Twenty (20) square feet of landscaping is required per parking and stacking space on site, landscaping in the frontage greenbelt does not contribute to this count. The landscape island at the south end of the western parking row shall be widened to provide a minimum of one-hundred sixty (160) square feet as required. Other internal landscape requirements are as follows:

- Four canopy trees (two (2) per ten (10) spaces). The depicted ornamental trees do not qualify for this requirement.
- Twelve (12) total interior shrubs (six (6) per ten (10) spaces).
- Some degree of planting around the primary entrance - either by foundation planting, concrete planter, or similar method - shall be utilized.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Regional Commercial land uses. The intent of the Regional Commercial land use designation is to accommodate auto-oriented commercial development as well as accommodate community and regional-oriented commercial uses. Buffering and other improvements are recommended to make these areas more valuable and useful to surrounding neighborhoods as well as regional shoppers. The proposed use conforms to the Toledo 20/20 Comprehensive Plan.

While the proposed use conforms with the comprehensive plan, due to geometric constraints mentioned earlier in this report, the staff does not recommend approval of this request. Staff is recommending disapproval of this request for a Special Use Permit, however review agencies conditions are attached as EXHIBIT "A" for informational purposes.

AGENCY COMMENTS

The following are agency comments on the submitted site plan. Agency comments are intended to help guide applicants during the planning stage and produce a more efficient permitting process as well as more cohesive land development throughout the city. Comments are listed by agency of origin:

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend disapproval of SUP-1006-22, a Special Use Permit for used auto sales at 1633 W Laskey Rd, to Toledo City Council for the following two (2) reasons:

1. The proposed use does not meet the stated purpose of the Zoning Code [**TMC§1111.0706(A)** – *Review & Decision Making Criteria*], and

2. The proposed use does not comply with all applicable provisions of this Zoning Code [**TMC§1111.0706(B)** – *Review & Decision-Making Criteria*].

The staff recommends that the Toledo City Plan Commission recommend disapproval of the following waiver to the Toledo City Council:

Chapter 1104 Use Regulations
1104.0306 – Auto and RV Sales, Used Only - Lot Size

A. The minimum lot size shall be no less than one-half (1/2) acre.
B. Each lot shall have a minimum average width of 150 feet along the main road frontage. Lot Width shall be measured as outlined in Sec. 1106.0204.

Disapprove a waiver to allow Auto and RV Sales, Used Only on a lot that is less than one-half (1/2) acre and has a minimum average width of less than 150 feet.

SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-1006-22
DATE: March 10, 2022
TIME: 2:00 P.M.

CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: April 13, 2022
TIME: 4:00 P.M.

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

Exhibit "A"

REVIEW AGENCY CONDITIONS

The following twenty-eight (28) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Division of Engineering Services

1. All **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.

2. 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.

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.

4. At the proposed sidewalk along the roadway, an existing storm manhole is not shown on the plans and shall be adjusted to grade as a condition of the previously mentioned public right-of-way permit.

5. Site improvements will not require a stormwater pollution prevention plan; applicant shall use stormwater best practices for construction nonetheless.

6. The use of permanent inlet filters on the existing catch basins is recommended for the purposes of preventing clogging of the existing drains and preventing trash from entering the receiving waterway.

Division of Sewer and Drainage Services

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

8. S&DS requires that the existing 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.

Division of Environmental Services

9. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential storm water impacts from modification of the site, including but not limited to long-term operation and maintenance of existing structural and non-structural Best Management Practices.

10. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs.

11. Applicant is strongly encouraged to include multiple green infrastructure measures that can be included to minimize runoff and increase infiltration.

12. Applicant is strongly encouraged to plant native, low maintenance and non-invasive trees, shrubs and perennials. Information is at https://ohiodnr.gov/wps/portal/gov/odnr/discover-and-learn/plants-trees/invasive-plants; a list of invasive plants and alternative species can be downloaded from https://www.oipc.info/uploads/5/8/6/5/58652481/alternatives_to_ohio_invasive_plant_species.pdf

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

Plan Commission

14. Per **TMC§1107.1906** All off-street parking, loading, and other vehicle circulation areas shall be graded and continuously maintained and designed to preclude free flow of stormwater across or onto adjacent lots, properties, or streets.

15. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks. Dumpsters ma not be located in the public right-of-way. **Acceptable as depicted.**

16. 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.**

17. All vehicles on display shall 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. **Acceptable as depicted.**

18. All used motor vehicles parked or displayed outdoors shall conform to Chapter 337, Safety and Equipment, of the Traffic Code and shall be operable.

Plan Commission (cont'd)

19. Whenever a parking lot extends to a property line, sidewalk, planting strip, or building, a wheel stop device or other suitable restraint as approved by the Planning Director must be installed to prevent any part of the parked motor vehicle from extending beyond the property line, overhanging a pedestrian walkway or sidewalk, or damaging any structure or landscaping (TMC§1107.1907(A)). **Acceptable as depicted.**

20. Display areas shall incorporate curbs and other substantial permanent barriers as approved by the Planning Director to prevent encroachment of vehicles into the required setback and landscape areas.

21. A fifty (50') foot separation measured along the street frontage between any open display sales lot and a Residential district boundary line shall be maintained. This separation shall apply to both sides of a street and to intersecting streets on corner lots. **Acceptable as depicted.**

22. Off-street parking and loading spaces, parking lots, maneuvering areas, aisles and driveways must be surfaced with concrete, bituminous asphalt, or other dust-free material other than gravel or loose fill, and be graded to drain all surface water towards the interior of the parking lot or to a stormwater system subject to the regulations and approval of the Department of Public Utilities.

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

    a. Per **TMC§1108.0204** internal landscaping is required for the parking area. Twenty (20) square feet of landscaping is required per parking and stacking space on site. **Acceptable as depicted;**

    b. A fifteen-foot (15') greenbelt is required along the W Laskey frontage, and shall include one (1) tree per every thirty-feet (30') of frontage. A total of three (3) trees are required. A continuous line of evergreen shrubs shall be used to screen headlights. **Acceptable as depicted;**

    c. Landscape terminal islands must be provided at the end of each parking row per TMC§1108.0204. Landscape islands shall be a minimum of 160 square feet. The depicted island at the end of the parking row labeled area 'c' shall be widened to at least ninety-seven inches (97") in order to meet this requirement. **Acceptable as depicted;**

Plan Commission (cont'd)

d. All existing trees on site with a caliper of four (4") inches or more shall be shown and incorporated into the landscape plan to the maximum practical extent. Credit may be given for existing trees towards landscaping requirements based upon the crediting system outlined in TMC§1108.0407;

e. Four (4) interior canopy trees are required. **Not acceptable as depicted, one (1) additional tree required.**

f. Landscape areas within the parking area must be peninsular or island types and must be constructed with 6-inch by 18-inch concrete curbing, cast-in-place, extruded, or by some other process approved by the Planning Director;

g. All landscape material must be properly maintained. No approved plant material shall be removed for any reason without being replaced with like kind, or without submitting a revised landscape plan to the Planning Director for review or approval;

h. Landscaping shall be provided around the primary entrance to the building. **Planters acceptable as depicted;**

i. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage;

j. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties;

k. 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; and

l. The location, lighting, and size of any signs.

24. No new free-standing signs greater than forty-two inches (42") from grade are permitted – any proposed signage must meet the requirements of low-profile signs per Toledo Municipal Code Title Nine – Sign Code.

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

Plan Commission (cont'd)

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

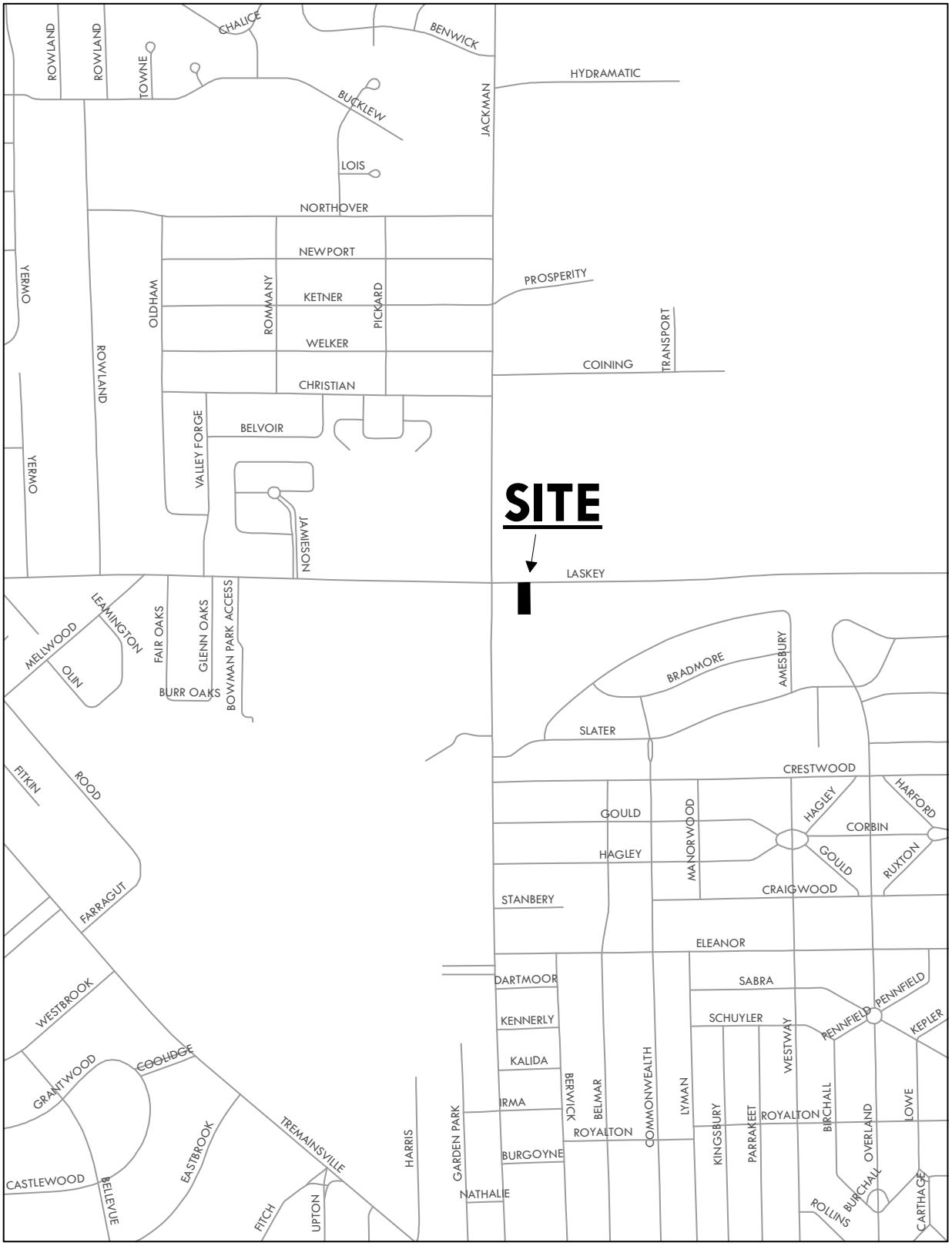
27. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.

28. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

GENERAL LOCATION

SUP-1006-22
ID 37

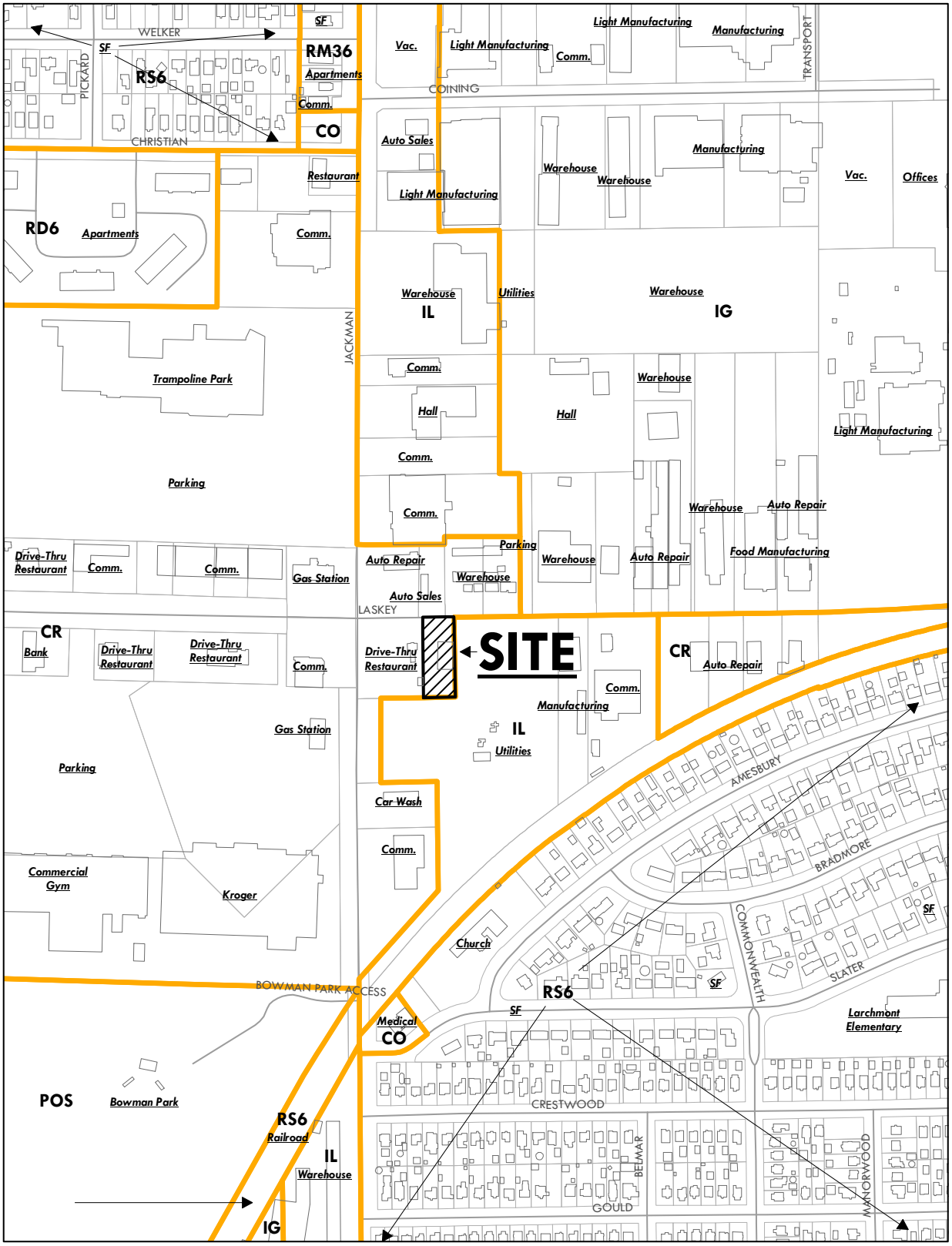
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ZONING & LAND USE

SUP-1006-22
ID 37

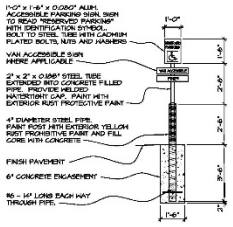
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SITE PLAN

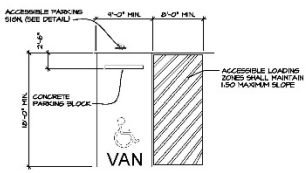
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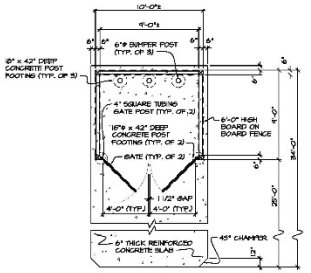
*NOTE:
FINE AMOUNT IS TO BE PLACED ON SIGN PER LOCAL GUIDELINES. (MINIMUM FINE: $250 AND MAXIMUM FINE $500)

ACCESSIBLE PARKING SIGN DETAIL
NOT TO SCALE

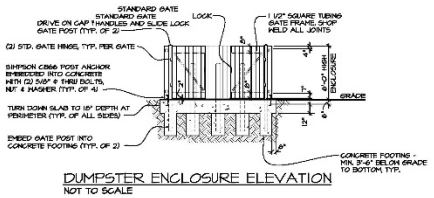


NOTE:
ACCESSIBLE PARKING AND WALKS SHALL BE CONSTRUCTED WITH STABLE, FIRM, SLIP RESISTANT MATERIALS SUCH AS CONCRETE OR ASPHALT

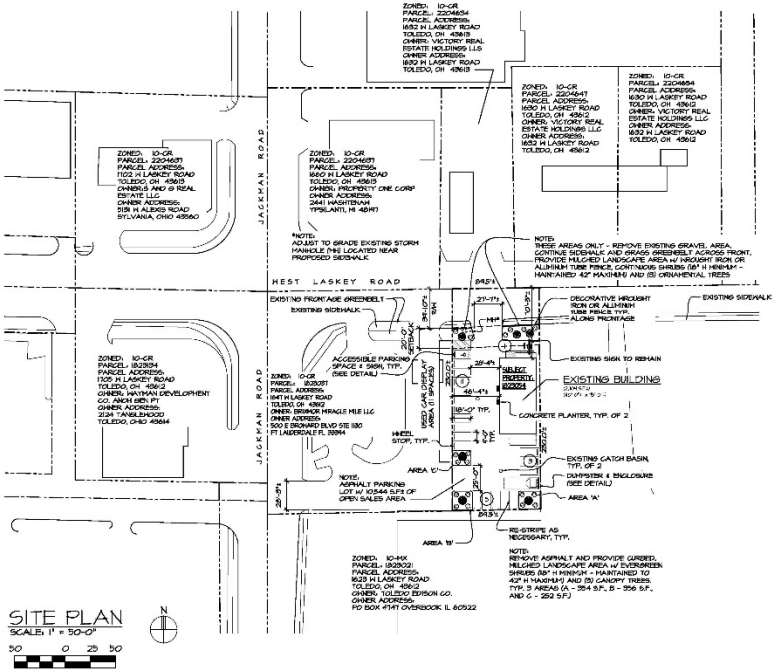
ACCESSIBLE PARKING DETAIL
SCALE: 1/8" = 1'-0"



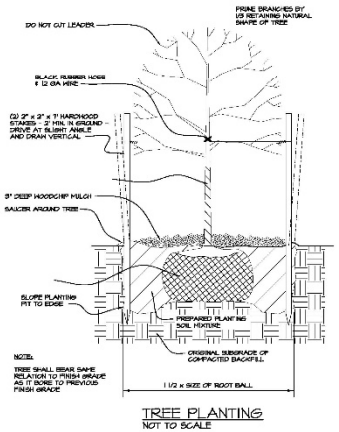
DUMPSTER ENCLOSURE PLAN
NOT TO SCALE



DUMPSTER ENCLOSURE ELEVATION
NOT TO SCALE

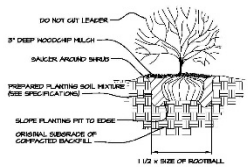


SITE PLAN
SCALE: 1" = 50'-0"
50 0 25 50



NOTE:
TREE SHALL BEAR SAME RELATION TO FINISH GRADE AS IT BORE TO PREVIOUS FINISH GRADE

TREE PLANTING
NOT TO SCALE



NOTES:
1. SHRUB SHALL BEAR SAME RELATION TO FINISH GRADE AS IT BORE TO PREVIOUS FINISH GRADE
2. REMOVE BURLAP FROM TOP AND SIDES OF ROOTBALL AFTER PLACEMENT - REMOVE ALL PLASTIC, TWINE AND TIES
3. PRUNE BRANCHES BY HAND TO RETAINING NATURAL SHAPE OF SHRUB

SHRUB PLANTING
NOT TO SCALE

WAIVER REQUESTED:

OWNER IS REQUESTING WAIVERS FOR THE FOLLOWING ITEMS:

THE SECTION 1104.0606

1. LOT SIZE: WAIVER REQUESTED FOR REDUCTION OF LOT SIZE FROM MINIMUM 1/2 ACRE. EXISTING LOT SIZE IS .3733 ACRES TO REMAIN.
2. LOT SIZE: WAIVER REQUESTED FOR REDUCTION OF MINIMUM FRONTAGE WIDTH OF 150' ALONG THE MAIN ROAD. EXISTING LOT WIDTH IS 84.3'± TO REMAIN.

LANDSCAPE NOTE:

NEW LANDSCAPE AREA SHALL CONSIST OF DENSE SHRUBBERY, GRASS, GROUND COVER, DECORATIONS, STONE, OR OTHER NATURAL LANDSCAPE MATERIALS. PLANTINGS SHALL NOT EXCEED THREE (3) FEET IN HEIGHT AND SHALL NOT IMPOSE VEHICULAR VISIBILITY.

PLANT MATERIAL LIST

●	5	MALUS 'PRAIRIFIRE' [PRAIRIFIRE FLOWERING CRABAPPLE] (2" CAL/BAB) WHITE SPRING FLOWERING MED. ORNAMENTAL TREE (1 PER 30'-0" OF FRONTAGE)
⊗	19	HYPERICUM FRONDOSUM 'SUNBURST' [SUNBURST ST. JOHN'S-WORT] (5'-6" HT., #3 CONT. @ 6OC C/C MAX.) YELLOW FLOWERING SALT TOLERANT MED. SHRUB
●	5	SUMMER RED MAPLE TREE (ACER RUBRUM 'HOSER') NARROW DENSE CANOPY COMPACT RED MAPLE (2 PER 10 PARKING SPACES)

ZONING CODE INFORMATION:

SUBJECT PROPERTY INFORMATION:

PARCEL - 1829014
PARCEL ADDRESS - 1633 WEST LASKEY ROAD TOLEDO, OH 43612
ZONING - IO-GR
OWNER - BRIXMOR MIRACLE MILE LLC.
OWNER ADDRESS - 500 EAST BROWARD BLVD., SUITE 1130 FORT LAUDERDALE, FLORIDA 33394

LEGAL DESCRIPTION:
T 4 IS R9 IN 1/4 E 843 FT M 274.5 FT W 1/4 EXG LASKEY RD MONENG

PARKING REQUIREMENTS (PER TMC SECTION 1107.0300 SCHEDULE 'A')

USE CATEGORY: VEHICLE SALES AND SERVICE (AUTO & RV SALES RENTAL)
REQUIRED: 6 (1 PER 3,000 S.F. OF OPEN SALES AREA) 6 (1 PER 500 S.F. OF ENCLOSED SALES AREA) 9 PARKING SPACES TOTAL
PROVIDED: 8 STANDARD PARKING SPACES 11 USED CAR DISPLAY SPACES 1 ACCESSIBLE SPACE (OBC 1106.1) 20 PARKING SPACES TOTAL

NOTE:
PROPERTY TO WEST OF SUBJECT PROPERTY IS UNDER SAME OWNERSHIP. THE OWNER SHALL PROVIDE A CROSS ACCESS AGREEMENT ASSURING THE RETENTION OF ACCESS TO THE SITE VIA JACKMAN ROAD THROUGH A WRITTEN AGREEMENT AND APPROVED BY THE LAW DEPARTMENT IN ACCORDANCE WITH 1107.1.1107 IN THE TOLEDO MUNICIPAL CODE. THE CROSS ACCESS AGREEMENT SHALL BE RECORDED WITH THE LUCAS COUNTY RECORDER'S OFFICE PRIOR TO ISSUANCE OF OCCUPANCY CERTIFICATE.

Architecture by Design, ltd.
5822 Mayberry Square, Sylvania, Ohio 43560
(419) 824-3311 | architecturebydesign.net

SITE PLAN, PARKING REQUIREMENTS, AND DETAILS
SPECIAL USE PERMIT FOR:
USED CAR LOT
1633 W LASKEY ROAD
TOLEDO, OHIO 43612

PROJECT NO/DATE: 2201 04/01/2022
DRAWN BY: KMJR
CHECKED BY: DMS
02/01/2022 REVISION
03/07/2022 REVISION
04/01/2022 PERMIT
DATE/SUBMISSION:
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C-1
1 OF 1 DRAWINGS

REF: V-87-22
DATE: March 10, 2022

GENERAL INFORMATION

Subject

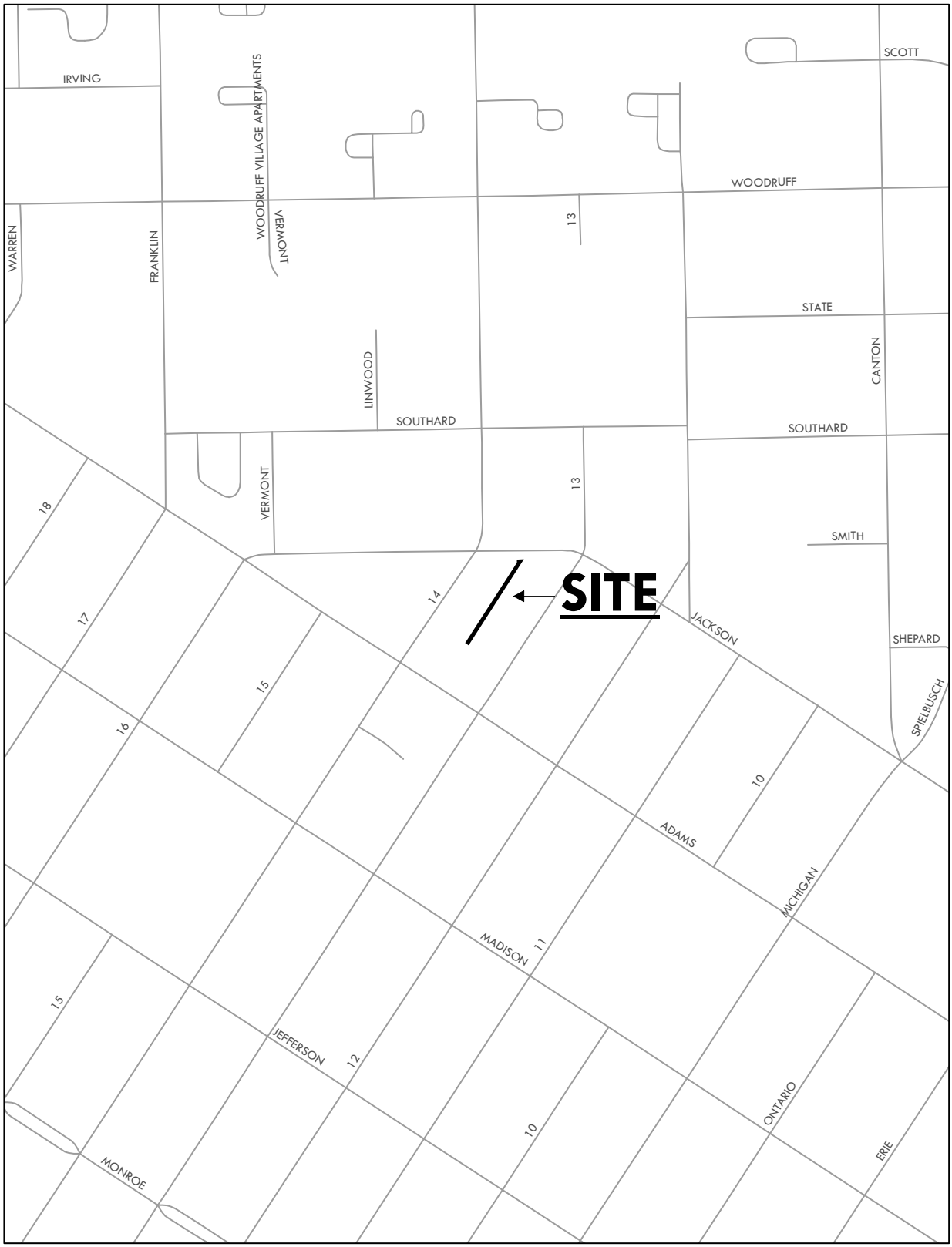
Request - Vacation of a North-South Alley bounded by 13th Street, 14th Street, Jackson Street, and Adams Street

Report Not Available at Time of Print

GENERAL LOCATION

V-87-22
ID 9

N



ZONING & LAND USE

V-87-22
ID 9

N



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
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
2201 OTTAWA PARKWAY
TOLEDO, OH 43606
419-936-2326

PUBLIC UTILITES
420 MADISON AVE, SUITE 100
TOLEDO, OH 43604
419-245-1853

DIVISION OF WATER
RECLAMATION
3900 N. SUMMIT STREET
TOLEDO, OH 43604
419-727-2602

DIVISION OF INSPECTION
ONE GOVERNMENT CENTER
SUITE 1600
MAUMEE, OH 43537
419-245-1220

LUCAS SOIL AND
CONSERVATION DISTRICT
130-A W. DUDLEY
TOLEDO, OH 43611
419-893-1966

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

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

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

PUBLIC SERVICE DEPARTMENT
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
1111 S. MCCORD ROAD
HOLLAND, OH 43528
419-213-2926

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

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

BUCKEYE BROADBAND
MICHAEL SHEAHAN
2700 OREGON ROAD
NORTHWOOD, OH 43619
419-724-3713

FRONTIER
AMY ROTH
3126 N MCCORD
TOLEDO, OH 43617
419-841-7281

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

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

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

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

CENTURYLINK
BILL PARSONS
375 E. RIVERVIEW AVE.
NAPOLEON, OH 43502

12/18 mp

Toledo - Lucas County General Street Map

