

# *TOLEDO CITY PLAN COMMISSION REPORT*

*November 7, 2024*



A black and white snapshot of the Wheeler Block, the 400 block of Monroe Street between St. Clair and Superior Streets in downtown Toledo, Ohio. The building was demolished in the mid-1980s to make room for the Seagate Convention Center. The photo was taken by Howard MacKenzie in November, 1974.

*Photograph Retrieved from the Toledo-Lucas County Public Library Digital Collections.*

## *Toledo-Lucas County Plan Commissions*

*One Government Center, Suite 1620, Toledo, OH 43604*

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

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

### **TOLEDO CITY PLAN COMMISSION**

BRANDON REHKOPF  
(Chairman)

KRISTOPHER BALL  
(Vice Chairman)

ERIC GROSSWILER

EMORY WHITTINGTON III

RACHEL MOMENEE

### **LUCAS COUNTY PLANNING COMMISSION**

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(Chairman)

JOSHUA HUGHES  
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(County Commissioner)

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LISA COTTRELL, ADMINISTRATOR



**TOLEDO-LUCAS COUNTY PLAN COMMISSIONS  
APPLICATION DEADLINE, AGENDA, STAFF REPORT AND HEARING  
SCHEDULE - 2024**

<b>APPLICATION DEADLINE*</b>	<b>AGENDA SET</b>	<b>STAFF REPORT DISTRIBUTED</b>	<b>HEARING DATE</b>
<b>CITY PLAN COMMISSION</b> <i>(HEARINGS BEGIN AT 2PM)</i>			
November 27	December 22	December 29	January 11
December 27	January 22	January 26	February 8
January 22	February 19	March 1	March 14
February 26	March 25	March 29	April 11
March 25	April 22	April 26	May 9
April 29	May 28	May 31	June 13
May 28	June 24	June 28	July 11
June 24	July 22	July 26	August 8
July 29	August 26	August 30	September 12
August 26	September 23	September 27	October 10
September 23	October 21	October 25	November 13**
October 21	November 18	November 22	December 5**
<b>COUNTY PLANNING COMMISSION</b> <i>(HEARINGS BEGIN AT 9AM)</i>			
December 11	January 8	January 12	January 24
January 15	February 12	February 16	February 28
February 12	March 11	March 15	March 27
March 11	April 8	April 12	April 24
April 8	May 6	May 10	May 22
May 13	June 10	June 14	June 26
June 10	July 8	July 12	July 24
July 15	August 12	August 16	August 28
August 12	September 9	September 13	September 25
September 9	October 7	October 11	October 23
October 7	November 4	November 8	November 20**
November 4	December 2	December 6	December 18**

\* County deadlines are for Preliminary Drawings

\*\* Date shifts are due to holidays

## Conversion Table

### Toledo Zoning Code Update - Zoning District Designations

Existing District	New District Effective June 6, 2004
R-A, Single Family	RS12, Single Dwelling
R-B, Single Family	
R-1, Single Family	RS9, Single Dwelling
R-2, Single Family	RS6, Single Dwelling
R-3, Two Family	RD6, Duplex
R-2A, Restricted Multi Family	RM12, Multi Dwelling
None	RM24, Multi Dwelling
R-4, Multi Family	RM36, Multi Dwelling
R-4A, Multi Family	
R-5, Multi Family	
R-MH, Manufactured Home	RMH, Manufactured Housing Park
<b>Commercial Districts</b>	
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
<b>Industrial District</b>	
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
<b>Special Purpose District</b>	
P, Parks	POS, Park & Open Space
None	IC, Institutional Campus
<b>Overlay Districts</b>	
CUP, Community Unit Plan	None
D.O.D, Downtown	-DO, Downtown
HD, Historic District	-HO, Historic District
MR-O, Maumee River	-MRO, Maumee River
None	-UNO, Urban Neighborhood
None	-PO, Pedestrian
None	-SO, Shopping Center Sign

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

# TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

November 7, 2024

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**

**NO.**

1. Z24-0003: Zone Change from RS6 to RD6 at 102 Melrose Avenue (lk)
2. Z24-0011: Zone Change from CR-SO to CR at 201 E. Alexis Road (lk)
3. Z24-0012: Zone Change from CN to CR at 4760 Glendale Avenue (lk)
- ◆ 4. Z24-0005: Zone Change from RM36 and CR to CN at 3219 Tremainsville Road (mm)
- ◆ 5. SUP24-00092: Special Use Permit for Gas Station with Convenience Store at 3220 Rulo Road (mm)
6. SUP24-00101: Special Use Permit for Community Center at 1339 S. Byrne Road (mm)
7. SUP24-00093: Special Use Permit for Used Auto Sales at 130 Towne Square Drive (as)
- ◆ 8. Z24-00010: Zone Change from RS6 and RM36 to RM12 at 2388 Tremainsville (as)
- ◆ 9. S24-0008: Preliminary Drawing of Tremainsville Farms, located at 2318 Rood Street (as)

**CHAIRMAN'S REPORT**

**DIRECTOR'S REPORT**

**ADJOURNMENT**

**GENERAL INFORMATION**

Subject

Request	-	Zone Change from RS6 Single-Dwelling Residential to RD6 Duplex Residential
Location	-	102 Melrose Avenue
Applicant/Owner	-	Bronson & Central LLC 23768 Timber Bluff Court Moreno Valley, CA 92557
Agent	-	Tom Yoder P.O. Box 818 Holland, OH 43528

Site Description

Zoning	-	RS6 / Single-Dwelling Residential
Area	-	± 0.11 Acres (4,600 SF)
Frontage	-	± 40' along Melrose Avenue
Existing Use	-	Duplex
Proposed Use	-	Duplex

Area Description

North	-	Single-family homes and duplexes / RD6
South	-	Melrose Street, single-family homes, duplexes and multi-family dwellings / RS6 and RM36
East	-	Single-family homes and a multi-family dwelling / RD6
West	-	Single-family homes and duplexes / RS6

Parcel History

Z-11-81	-	Zone Change from R-4 Multi-Family Residential to R-2 Single-Family Residential in area bounded by Cherry and Fulton; Victoria, Boston Place, Islington and Melrose (PC approved 2/19/1981; CC approved 3/10/1981 via Ord. 138-81).
M-1-81	-	Administrative Revisions to the Land Use Maps in the Old West End Conservation Area (PC approved 2/19/1981; CC approved 3/10/1981 via Ord. 140-81).

## **GENERAL INFORMATION (cont'd)**

### Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Forward Toledo Comprehensive Land Use Plan

## **STAFF ANALYSIS**

The Applicant is requesting a zone change from RS6 Single-Dwelling Residential to RD6 Duplex Residential for 102 Melrose Avenue. The subject property consists of ±0.11 acres and is located north of Melrose Avenue in the block between Edmund Lane and Franklin Avenue. There is currently a two-unit dwelling on the subject property. Surrounding land uses include a mix of single-family homes and duplexes to the north and west; a mix of single-family dwellings, duplexes and multi-family dwellings to the south across Melrose Avenue; and single-family homes and a multi-family dwelling to the east.

The subject property was rezoned from R-4 Multi-Family Residential to R-2 Single-Family Residential in 1981 as a result of a neighborhood rezoning study. The intention of the rezoning was to preserve the existing low density residential character of the neighborhood, prevent conversion of single-family homes to multi-family dwellings, and prevent construction of new multi-family dwelling units. The subject property was noted as a duplex in the study.

The applicant is requesting the zone change from RS6 to RD6 to allow for the continued use of the property as a duplex dwelling unit. Under the current RS6 Zoning District, duplex dwelling units are not permitted. The home is therefore considered a legal non-conforming use and will not be able to be rebuilt if destroyed beyond seventy-five percent (75%) of its fair market value per TMC§1114.0205(C). Legal non-conforming statuses can cause complications for home-insurance, home resale, and other financial considerations. In this case, a potential buyer is unable to secure financing because of the non-conforming use status. The proposed RD6 Duplex Residential zoning district permits both single-family dwellings and duplex units, but not multi-dwelling structures. Approval of this request will correct a legal non-conforming use and will appropriately zone the property according to its historic land use and the existing low density residential character of the neighborhood.

### Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan designates the subject property as Neighborhood Residential. The Neighborhood Residential land use designation is intended to provide space for low- and medium-density housing demands while making the best use of neighborhoods with constraints such as narrow lots. Typically, the majority of buildings are single- and two-unit houses; however, three-, four-, and multi-family homes are compatible when located near or along busier corridors where lot size and building height are most appropriate. The proposed zone change from RS6 Single-Dwelling Residential to RD6 Duplex Residential is consistent with the Neighborhood Residential land use designation of the Forward Toledo Plan as it permits both single- and two-unit dwellings.



**STAFF ANALYSIS (cont'd)**

Staff recommends approval of the Zone Change from RS6 Single-Dwelling Residential to RD6 Duplex Residential because the proposed Zone Change is consistent with the Forward Toledo Plan and with the existing zoning and land uses in the surrounding vicinity. Additionally, approval of this request will correct a legal non-conforming use and will appropriately zone the property according to its historic land use.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z24-0003, a request for Zone Change from RS6 Single-Dwelling Residential to RD6 Duplex Residential at 102 Melrose Avenue, to the Toledo City Council for the following **three (3) reasons**:

1. The rezoning is consistent with the Forward Toledo Comprehensive Land Use Plan;
2. The rezoning is compatible with the existing zoning and land uses in the general vicinity of the subject property (TMC§1111.0606(B)); and
3. The rezoning will correct a legal non-conforming land use with an appropriate zoning classification.

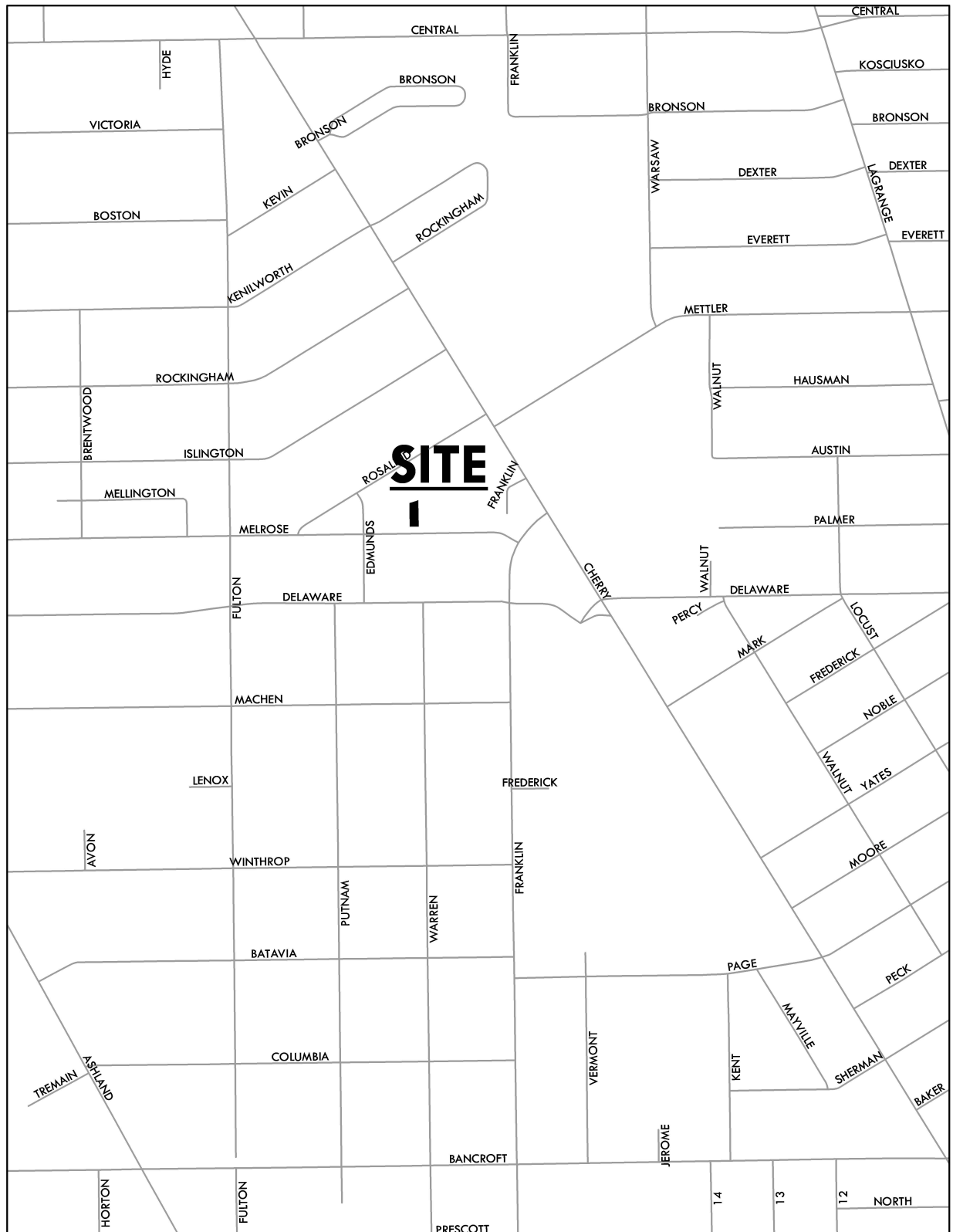
ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z24-0003  
DATE: November 7, 2024  
TIME: 2:00 P.M.

CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: December 10, 2024  
TIME: 4:00 P.M.

LK  
Two (2) sketches follow

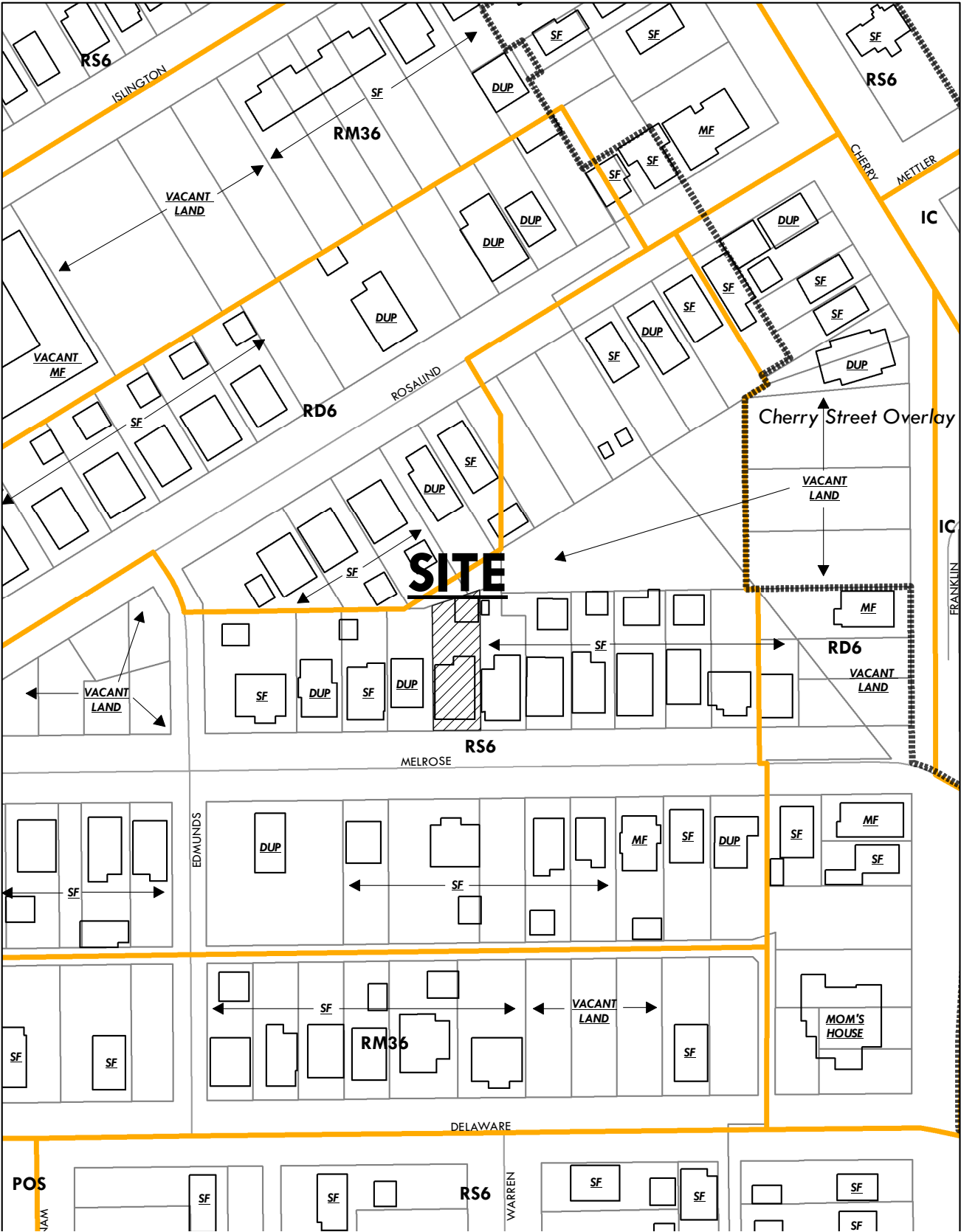
# GENERAL LOCATION

Z24-0003



# ZONING & LAND USE

Z24-0003



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## GENERAL INFORMATION

### Subject

- |                   |   |   |
|-------------------|---|---|
| Request           | - | Zone Change from CR-SO Regional Commercial-Shopping Center Sign Control Overlay to CR Regional Commercial |
| Location          | - | 201 E. Alexis Road (140 New Towne Square Drive)   |
| Applicant / Owner | - | CityLight Church<br>201 E. Alexis Road<br>Toledo, OH 43612  |

### Site Description

- |              |   |  |
|--------------|---|--|
| Zoning       | - | CR-SO / Regional Commercial-Shopping Center Sign Control Overlay |
| Area         | - | ± 1.06 Acres   |
| Frontage     | - | ± 149' along E. Alexis Road                                      |
| Frontage     | - | ± 152' along New Towne Square Drive                              |
| Existing Use | - | Church   |
| Proposed Use | - | Church   |

### Area Description

- |       |   |  |
|-------|---|--|
| North | - | New Towne Square Drive, fitness center, hair salon and tanning and nutrition store / IL, CR-SO               |
| South | - | Alexis Road, funeral home, entertainment/recreation facility with go karts, mini gold and batting cages / CR |
| East  | - | Two strip style shopping plazas with pool hall and retail stores, and auto repair / CR-SO                    |
| West  | - | Two vacant commercial buildings, restaurant / CR-SO  |

### Parcel History

- |              |   |   |
|--------------|---|---|
| M-35-60      | - | Interim zoning for area bounded by Detroit Avenue, the Ohio-Michigan State Line, Telegraph Road and Rozelle Drive, for annexation to the City of Toledo (PC approved on 8/25/1960). |
| TL-47-61 (A) | - | Transfer of Title Lease for Parcel 1 from National Aviation Corporation to National Flight Services, Inc. (PC approved on 2/17/1961).   |

**GENERAL INFORMATION (cont'd)**  
Parcel History (cont'd)

- |           |   |   |
|-----------|---|---|
| Z-118-64  | - | Permanent zoning established for area annexed in 1960 (PC approved on 6/25/1964).   |
| Z-26-73   | - | Zone change from M-2 and C-3 to C-4, R-3 and M-1 for Skyview National Plaza (PC rec. approval on 2/8/1973; CC approved on 3/20/1973 via Ord. 375-73. Amended by Res. 49-79, PC rec. approval on 5/24/1979; CC approved on 6/12/79 via Ord. 386-79). |
| S-11-73   | - | Preliminary Drawing approval for a proposed plat for Skyview National Plaza (PC approved on 2/15/1973).   |
| S-11-73   | - | Extension of Preliminary Drawing approval for a proposed plat for Skyview National Plaza, north side of Alexis Road, between Telegraph Road and Detroit Avenue (PC approved on 3/21/1974).  |
| S-3-77    | - | Preliminary Drawing for Skyview National Plaza at Detroit and Alexis Road on the north side of Telegraph Road (PC approved on 2/17/1977).   |
| Z-62-77   | - | Amendment to C-4 site plan at north side of Alexis Road between Telegraph Road and Detroit Avenue (PC rec. approval on 3/17/1977; CC approved on 4/20/1977 via Ord. 303-77).  |
| Z-8006-91 | - | Amendment to site plan granted by Ord. 375-73 as amended for Lot 4 (Aldi Store) at 130 New Towne Square Drive (PC rec. approval on 10/3/1991; CC approved on 10/22/1991 via Ord. 809-91).   |
| SPR-9-12  | - | Major Site Plan Review for a sign waiver at 236 New Towne Square Drive (PC approved on 5/10/2012).  |
| S-3-16    | - | Final Plat of the Replat of Part of Lot 4 of the New Towne Square Plat, located near the northeast corner of Telegraph and Alexis Roads (PC disapproved on 4/14/2016).  |
| SPR-47-17 | - | Major Site Plan Review for sign waivers in a Regional Commercial Shopping Center Sign Control Overlay (CR-SO) at 130 New Towne Square Drive (PC approved on 9/14/2017).   |



**GENERAL INFORMATION (cont'd)**Parcel History (cont'd)

SPR-41-18                      -                      Major Site Plan Review for sign waivers in the CR-SO at 130 New Towne Square Drive (PC approved 1/10/2019).

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Forward Toledo Comprehensive Land Use Plan

**STAFF ANALYSIS**

The applicant is requesting a Zone Change from CR-SO Regional Commercial-Shopping Center Sign Control Overlay to CR Regional Commercial at 201 E. Alexis Road, also known as 140 New Towne Square Drive. The subject property consists of ±1.06 acres and has frontage along both Alexis Road and New Towne Square Drive. There is a multi-tenant strip style shopping plaza on the subject site that is currently occupied by the applicant, CityLight Church. Surrounding land uses include a fitness center, hair salon and a tanning and nutrition store to the north across New Towne Square Drive; a funeral home, entertainment/recreation facility and other commercial businesses to the south across Alexis Road; two vacant commercial buildings and a restaurant to the west; and a pool hall, retail stores and an auto repair shop to the east.

The applicant is requesting the proposed zone change to remove the site from the Shopping Center Sign Control Overlay (-SO) district. The intent of the -SO district is to create a consolidated uniform sign plan used by tenants within a shopping center. The -SO district is a residual designation from when the property to the north and northeast was occupied by the North Towne Square Mall and the subject property was platted as an outlot in the shopping mall plat. The North Towne Square Mall, which opened in 1981, closed in 2005 and was subsequently demolished in 2013. The only remanent of the former shopping mall is the building occupied by Super Fitness to the north across New Towne Square Drive. The former shopping mall site has subsequently been zoned IL Limited Industrial and IG General Industrial. The Super Fitness site and other former shopping center outlots located between Alexis Road and New Towne Square Drive remain zoned CR-SO.

Properties within the -SO district are limited to a maximum of two (2) building signs for those buildings located on an outlot of a shopping center. One (1) low-profile sign per building lot may be installed instead of one (1) of the two (2) permitted building signs for those business establishments located on an outlot of a shopping center per TMC§1103.0707(D). Since the original shopping mall no longer exists to attract customers/traffic to the area, the associated -SO designation that limits signage is no longer appropriate. With the loss of the former shopping center, the businesses on the outlots must attract patrons as any other commercial business located in the City of Toledo. Limiting the size of ground signs to one (1) low-profile sign and one (1) wall sign would not provide the same permitted signage as allowed for the CR Regional Commercial zoning district, such as the lots south across Alexis Road are zoned.

**STAFF ANALYSIS (cont'd)**

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan designates the subject property as Neighborhood Mixed-Use. The Neighborhood Mixed-Use land use designation is intended to preserve and promote pedestrian-oriented commercial and mixed-use areas. These areas are the core component of neighborhoods and provide the highest density of commercial and housing opportunities. While the proposed CR Regional Commercial zoning district is intended to accommodate community and regional-oriented commercial uses, it does permit both commercial and multi-dwelling uses. In addition, the CR zoning district is also intended to accommodate auto-oriented development in areas already built in this manner. The area originally developed with a regional focus with the location of the North Towne Square Mall and was zoned CR-SO as such. Removal of the -SO district will allow for the current uses to remain.

Staff recommends approval of the Zone Change from CR-SO Regional Commercial-Shopping Center Sign Control Overlay to CR Regional Commercial because the -SO district is no longer appropriate as it does not reflect the absence/demolition of the former shopping mall to which the -SO district was related. In addition, the proposed zoning is consistent with the existing zoning and land uses in the area.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z24-0011, a request for Zone Change from CR-SO Regional Commercial-Shopping Center Sign Control Overlay District to CR Regional Commercial at 201 E. Alexis Road to Toledo City Council for the following **three (3) reasons**:

1. The proposed -SO district is no longer applicable and the CR Regional Commercial zoning is consistent with the development of the property;
2. The proposed CR Regional Commercial zoning is compatible with the existing land uses in the general vicinity of the subject property (TMC§1111.0606(B)); and
3. The proposed CR Regional Commercial zoning is consistent with the zoning classifications of the properties within the general vicinity property (TMC§1111.0606(C)).

ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z24-0011  
DATE: November 7, 2024  
TIME: 2:00 P.M.

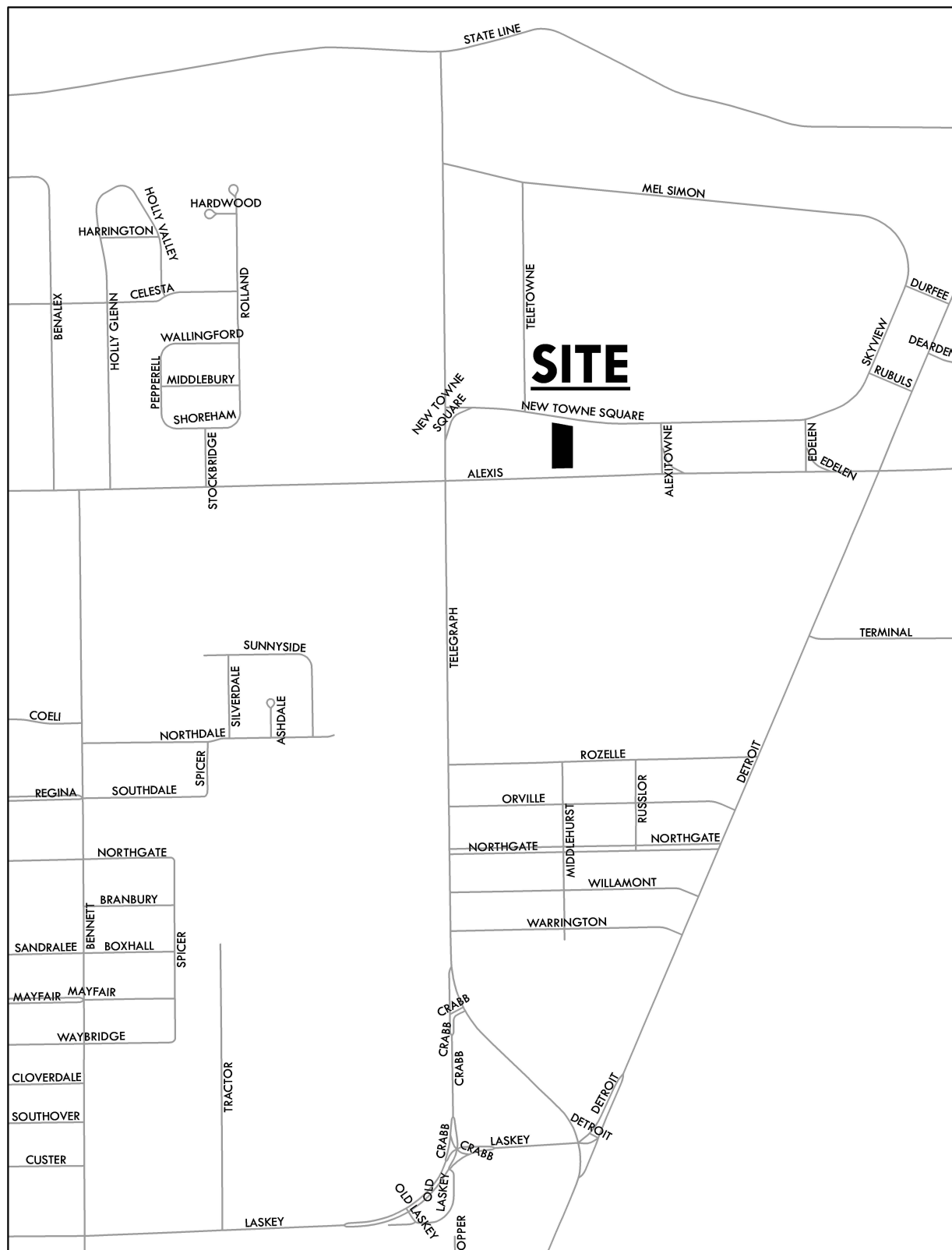
CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: December 10, 2024  
TIME: 4:00 P.M.

LK

Two (2) sketches follow

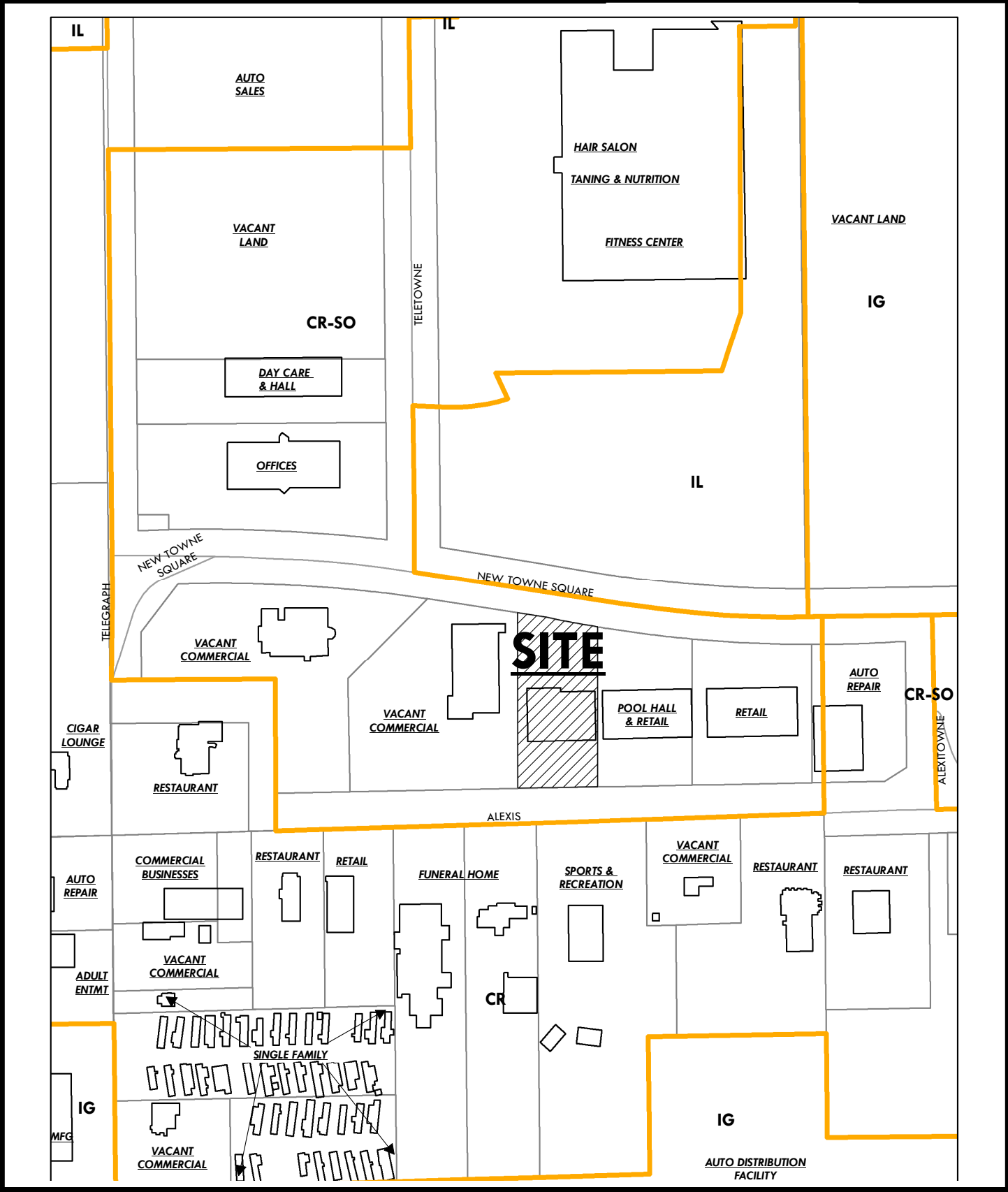
## GENERAL LOCATION

**Z24-0011**



# ZONING & LAND USE

Z24-0011



## GENERAL INFORMATION

### Subject

- |                   |   |  |
|-------------------|---|--|
| Request           | - | Zone Change from CN Neighborhood Commercial to CR Regional Commercial                |
| Location          | - | 4760 Glendale Avenue   |
| Applicant / Owner | - | Marc Monnette<br>Monnette's Market<br>19336 W. River Road<br>Bowling Green, OH 43402 |

### Site Description

- |              |   |                              |
|--------------|---|------------------------------|
| Zoning       | - | CN / Neighborhood Commercial |
| Area         | - | ± 1.00 Acres                 |
| Frontage     | - | ± 204' along Glendale Avenue |
|              | - | ± 270' along Eastgate Road   |
|              | - | ± 320' along Cass Road       |
| Existing Use | - | Monnette's Market            |
| Proposed Use | - | Monnette's Market            |

### Area Description

- |       |   |   |
|-------|---|---|
| North | - | Cass Road, church and single-family homes / RS9, RS12, RM36           |
| South | - | Glendale Avenue, bank, offices and single-family homes / CO, CR, RS12 |
| East  | - | Eastgate Road, condos and single-family homes / RM36                  |
| West  | - | Cass Road and apartments / RM36                                       |

### Parcel History

- |            |   |   |
|------------|---|---|
| SUP-182-83 | - | Request for Special Use Permit for addition of convenience store to existing gas station (PC rec. approval 3/8/1984; WITHDRAWN at request of applicant 5/1/1984). |
| SUP-793-90 | - | Special Use Permit for addition to existing gas station with convenience store (PC rec. approval 9/6/1990; CC approved 9/25/1990 via Ord. 969-90).                |

**GENERAL INFORMATION (cont'd)**Parcel History (cont'd)

V-811-06	-	Vacation of a portion of Cass Road between Glendale Avenue and Eastgate Road (PC rec. approval 2/8/2007; CC approved 1/6/2009 via Ord. 23-09. Amended by CC 1/16/2010 via Ord. 78-10 to correct legal description).
SPR-31-08	-	Minor Site Plan Review including frontage landscape waivers for Monnette's Market expansion at 4760 Glendale Avenue (PC approved 9/11/2008).
SPR-9-22	-	Minor Site Plan Review for new greenhouse at 4760 Glendale Avenue (Admin. approved 3/28/2022).

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Forward Toledo Comprehensive Land Use Plan

**STAFF ANALYSIS**

The applicant is requesting a Zone Change from CN Neighborhood Commercial to CR Regional Commercial at 4760 Glendale Avenue. The subject property consists of ±1.00 acres and is bounded on all sides by a right-of-way, including Cass Road on the north and west, Eastgate Road on the east, and Glendale Avenue on the south. The site is currently occupied by Monnette's Market. Surrounding land uses include a church and single-family homes to the north; a bank, an office building and single-family homes to the south; condos and single-family homes to the east; and apartments to the west.

Monnette's Market has undergone improvements and expansions over the years at this site. Since the store is larger, the applicant has indicated that it serves a larger community than the surrounding residential areas that it once did. Being that the site is surrounded on all sides by major roadways, the site accommodates more auto-oriented access and is not as well suited for pedestrian traffic. Per the applicant, the location receives ninety percent (90%) of its business from auto traffic via the major roadways. As such they are requesting the proposed zone change to allow for marketing/advertising, or signage that is consistent with CR Regional Commercial zoning district. Both high profile signs and electronic message center (EMC) signs are permitted signage in the CR zoning district, but not the CN zoning district.



**STAFF ANALYSIS (cont'd)**

**Forward Toledo Comprehensive Land Use Plan**

The Forward Toledo Comprehensive Land Use Plan designates the subject property as Neighborhood Mixed-Use. The Neighborhood Mixed-Use land use designation is intended to preserve and promote pedestrian-oriented commercial and mixed-use areas. These areas are the core component of neighborhoods and provide the highest density of commercial and housing opportunities. While the proposed CR Regional Commercial zoning district is intended to accommodate community and regional-oriented commercial uses, it does permit both commercial and multi-dwelling uses. In addition, the CR zoning district is also intended to accommodate auto-oriented development in areas already built in this manner. Since the subject property is surrounded on all sides by major roadways, it is more conducive to auto-oriented traffic.

Staff recommends approval of the Zone Change from CN Neighborhood Commercial to CR Regional Commercial as the subject property is surrounded on all sides by roadways and is consistent with the existing land uses and zoning to the south and southeast of the site.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z24-0012, a request for Zone Change from CN Neighborhood Commercial to CR Regional Commercial at 4760 Glendale Road to Toledo City Council for the following **two (2) reasons**:

1. The proposed CR Regional Commercial zoning district intent, to accommodate auto-oriented development, is consistent with the subject property as it is surrounded on all sides by three (3) major roadways; and
2. The proposed CR Regional Commercial zoning district is compatible with the existing land uses to the south and southeast of the subject property (TMC§1111.0606(B)).

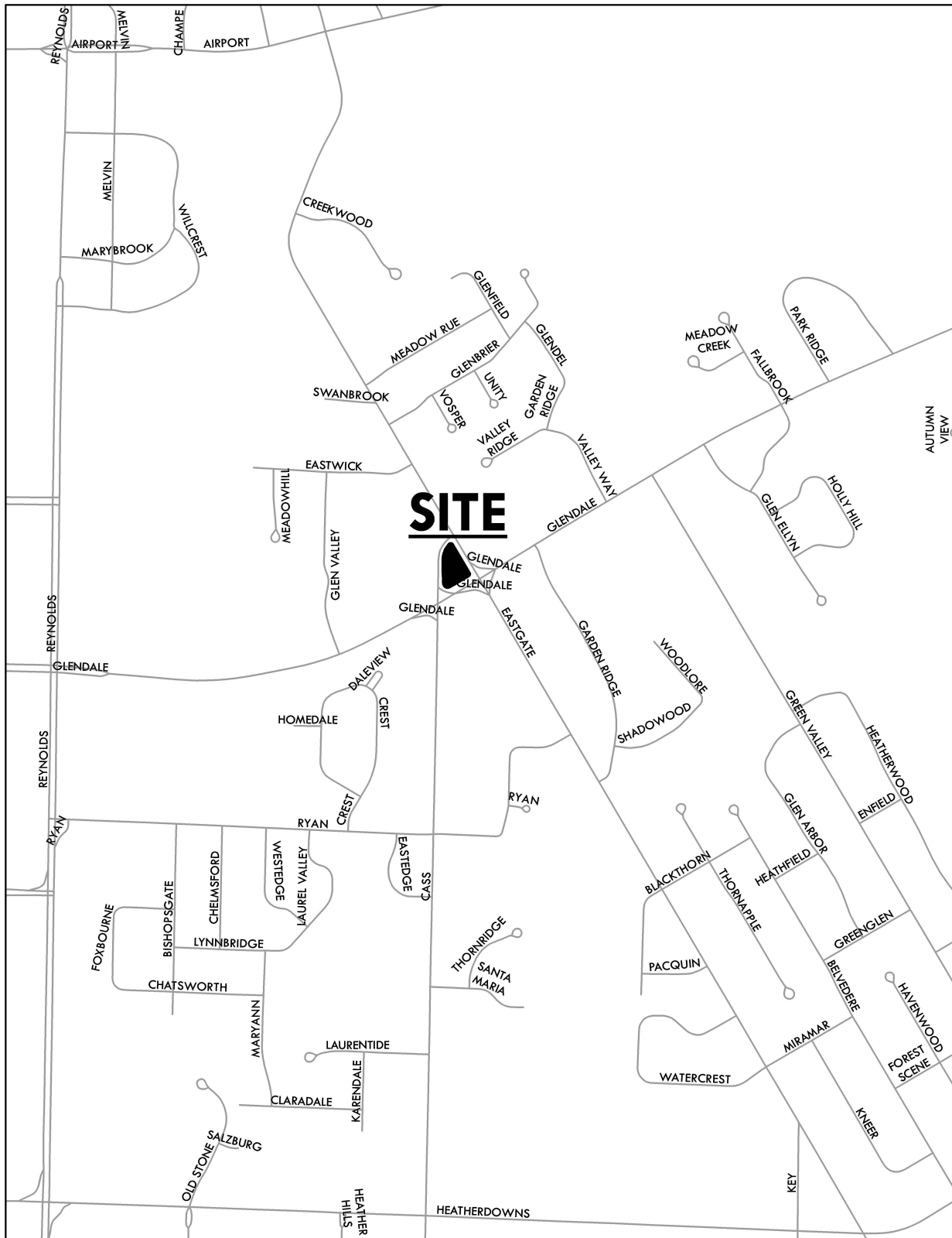
ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z24-0012  
DATE: November 7, 2024  
TIME: 2:00 P.M.

CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: December 10, 2024  
TIME: 4:00 P.M.

LK  
Two (2) sketches follow

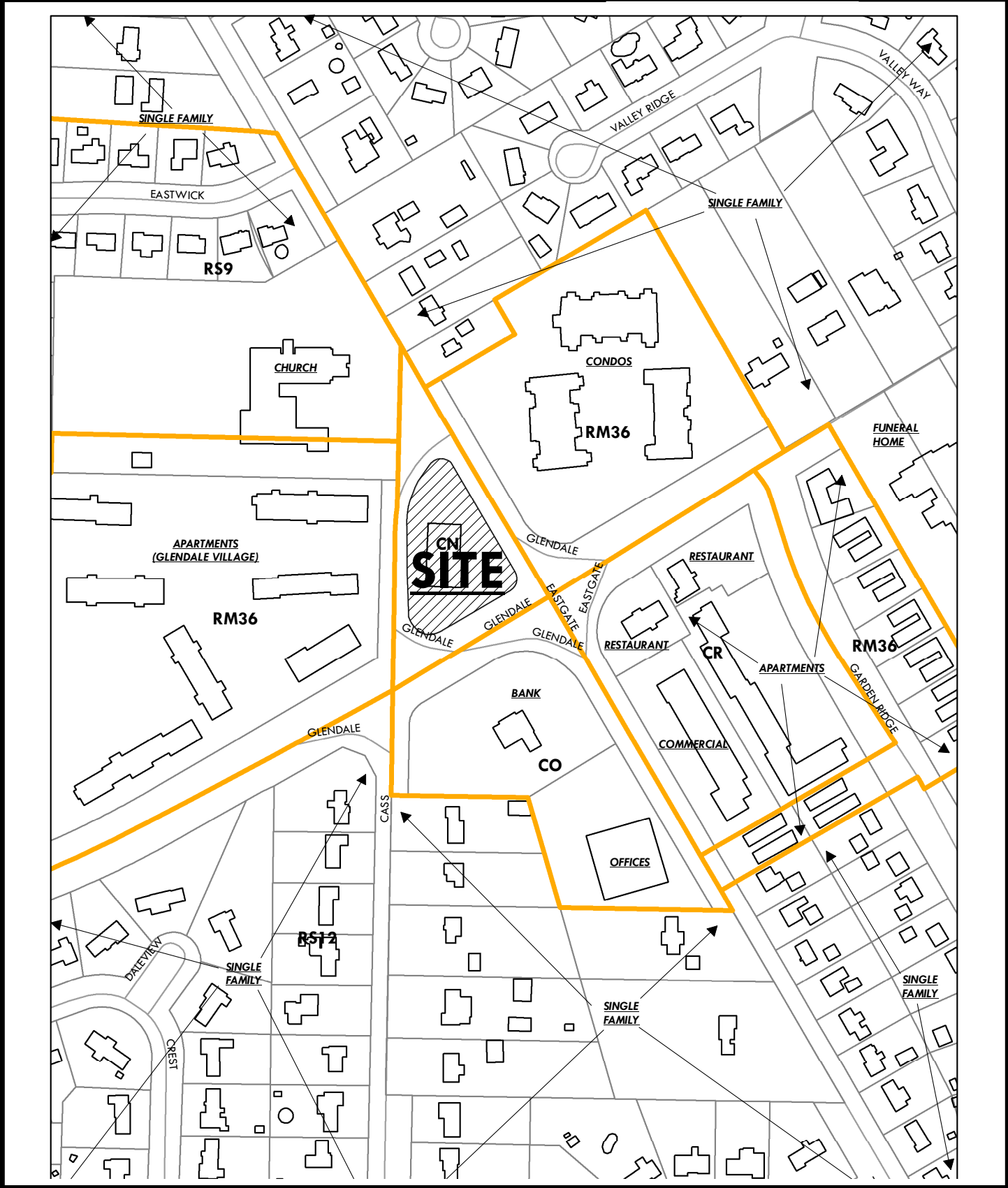
# GENERAL LOCATION

Z24-0012



# ZONING & LAND USE

Z24-0012



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## GENERAL INFORMATION

### Subject

Request	-	Zone Change from RM36 (Multi-family Residential) & CR (Regional Commercial) to CN (Neighborhood Commercial)
Location	-	3219 Tremainsville Road
Applicant	-	Mike Donoho   CESO Inc. 216 Centerview Drive Brentwood, TN 37027
Owner	-	Erik Nikkel 1 SE Convenience Blvd Ankeny, IA 50021

### Site Description

Zoning	-	RM36 (Multi-family Residential) & CR (Regional Commercial)
Area	-	± 1.49 acres (65,058 sq. ft.)
Frontage	-	±151' along Alexis Road ±212' along Tremainsville Road
Existing Use	-	Funeral Home
Proposed Use	-	Gas Station with Convenience Store

### Area Description

North	-	CR & RS6 / bank, restaurant, single-family homes
South	-	RM36 / multi-family residential
East	-	CR & RM36 / single-family home, bank, restaurant
West	-	CR / auto sales and multi-family residential

### Parcel History

Z-237-63	-	PC Approved Resolution 237-63 establishing permanent zoning for the Trilby Annexation Area, which lies southwest of Tremainsville Road, running from Laskey Road northwest to Alexis Road, and westerly to Secor Road.
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### Applicable Plans & Regulations

- Toledo Municipal Code (TMC), Part Eleven: Planning and Zoning Code

## GENERAL INFORMATION (cont'd)

- Forward Toledo Comprehensive Land Use Plan

## STAFF ANALYSIS

The applicant is requesting a zone change from RM36 (Multi-family Residential) and CR (Regional Commercial) to CN (Neighborhood Commercial) for thirteen parcels located at 3219 Tremainsville Road. The ±1.49 acre site currently contains a funeral home. The applicant is requesting the zone change in order to construct a gas station with a convenience store, which is a permitted use in CN districts with a Special Use Permit (reviewed in companion case SUP24-00092). To the north of the site is a bank, restaurant, and single-family homes; to the south is multi-family residential; to the east is a bank, restaurant, and single-family home; and to the west is auto sales and multi-family residential.

### Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan Future Land Use Map targets this site for Neighborhood Mixed-Use land uses. This designation aims to preserve and promote pedestrian-oriented commercial and mixed-use areas. While the applicant could have pursued CR-Regional Commercial zoning, they are proposing CN-Neighborhood Commercial zoning, which allows the proposed use and is more aligned with the vision of the Future Land Use Map. The proposed zoning will limit allowable future uses, deterring other auto-oriented development such as drive thrus and auto sales, and will hold new uses to the additional intensity standards of TMC§1106.0500 *Neighborhood Commercial District Maximum Floor Area*, overall lessening the intensity of development on this major intersection.

Staff recommends approval of the Zone Change from RM36 (Multi-family Residential) and CR (Regional Commercial) to CN (Neighborhood Commercial) for thirteen parcels located at 3219 Tremainsville Road because it aligns with the intent of the Forward Toledo Comprehensive Land Use Plan in promoting more pedestrian-friendly, mixed-use districts.

## STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of Z24-0005, a Zone Change from RM36 (Multi-family Residential) and CR (Regional Commercial) to CN (Neighborhood Commercial) for thirteen parcels located at 3219 Tremainsville Road, to Toledo City Council for the following two (2) reasons:

1. The proposed rezoning is consistent with the Comprehensive Plan and the stated purpose of the Zoning Code (**TMC§1111.0606(A)** *Review and Decision-Making Criteria*); and
2. The subject site is physically suitable for the uses permitted under the CN (Neighborhood Commercial) Zoning District (**TMC§1111.0606(D)** *Review and Decision-Making Criteria*).



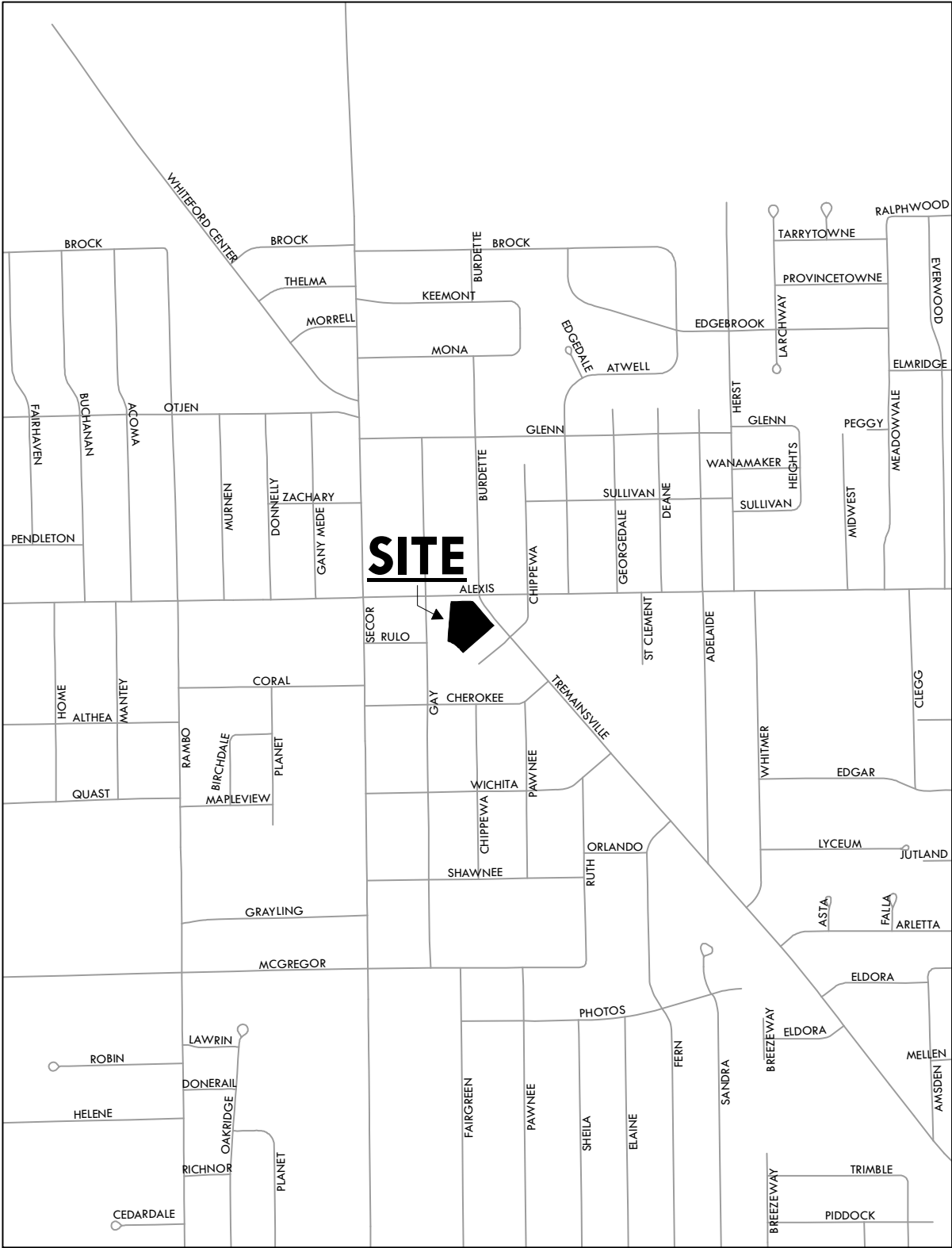
ZONE CHANGE  
TOLEDO PLAN COMMISSION  
REF: Z24-0005  
DATE: November 7, 2024  
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: December 10, 2024  
TIME: 4:00 P.M.

MJM  
Two (2) sketches follow

# GENERAL LOCATION

Z24-0005  
ID 55



ZONING & LAND USE

Z24-0005  
ID 55



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**REVISED**

REF: SUP24-00092  
DATE: November 7, 2024

## GENERAL INFORMATION

### Subject

- |                       |   |   |
|-----------------------|---|---|
| Request               | - | Special Use Permit for a New Gas Station  |
| Location              | - | 3219 Tremainsville Road (13parcels)   |
| Applicant / Architect | - | Mike Donoho   CESO Inc. (representing Casey's)<br>216 Centerview Drive<br>Brentwood, TN 37027 |
| Owner                 | - | Erik Nikkel<br>1 SE Convenience Blvd<br>Ankeny, IA 50021                                      |

### Site Description

- |              |   |  |
|--------------|---|--|
| Zoning       | - | RM36 (Multi-family Residential) & CR (Regional Commercial) |
| Area         | - | ±1.49 acres (65,058 sq. ft.)                               |
| Frontage     | - | ±151' along Alexis Road<br>±212' along Tremainsville Road  |
| Existing Use | - | Funeral Home   |
| Proposed Use | - | Gas Station with Convenience Store                         |

### Area Description

- |       |   |  |
|-------|---|--|
| North | - | CR & RS6 / bank, restaurant, single-family homes |
| South | - | RM36 / multi-family residential                  |
| East  | - | CR & RM36 / single-family home, bank, restaurant |
| West  | - | CR / auto sales and multi-family residential     |

### Parcel History

- |          |   |  |
|----------|---|--|
| Z-237-63 | - | PC Approved Resolution 237-63 establishing permanent zoning for the Trilby Annexation Area, which lies southwest of Tremainsville Road, running from Laskey Road northwest to Alexis Road, and westerly to Secor Road. |
|----------|---|--|

### Applicable Regulations

- Toledo Municipal Code (TMC), Part Eleven: Planning and Zoning Code
- Forward Toledo Comprehensive Land Use Plan

## STAFF ANALYSIS

The applicant is requesting a Special Use Permit (SUP) for a new gas station and convenience store at 3219 Tremainsville Road. The ±1.49-acre site, comprised of thirteen (13) parcels, is zoned CR (Regional Commercial) and RM36 (Multi-Dwelling Residential), the latter of which does not permit the proposed use. Companion case Z24-0005 was therefore submitted to change the zoning of all thirteen (13) subject parcels to CN (Neighborhood Commercial), which allows Gasoline and Fuel Sales with a Special Use Permit. To the north of the site is a bank, restaurant, and single-family homes; to the south is multi-family residential; to the east is a bank, restaurant, and single-family home; and to the west is auto sales and multi-family residential.

### Gasoline and Fuel Sales

TMC§1104.0900 *Gasoline and Fuel Sales* outlines use-specific criteria for gas stations. This section does not permit gas pumps and pump islands in the front yard within fifty feet (50') of a residential district. Other requirements include that pump islands be set back a minimum of fifteen feet (15') from the property line, that canopies be set back a minimum of ten feet (10') from the property line, and that non-petroleum displays be set back a minimum of twenty-five feet (25') from the right-of-way and be limited to a height of five feet (5'). Free air, water, and restrooms shall also be provided and maintained during the hours of operation of the gas station. The submitted site plan meets these requirements.

### Intensity and Dimensional Standards

TMC§1106.0102 *Commercial Districts* sets a maximum front setback of thirty-five feet (35') in CN (Neighborhood Commercial) districts. The proposed building is set back one-hundred and sixty feet (160') from Tremainsville Road. Plan Commission supports a waiver of this requirement to allow room for the canopy to be placed in the front of the site, away from the adjacent residentially-zoned district to the south.

### Parking and Circulation

TMC§1107.0300 *Off-Street Parking Schedule "A"* requires a minimum of twenty-five (25) off-street parking spaces for the proposed gas station / convenience store. The site plan depicts sixteen (16) off-street parking spaces and has been deemed acceptable by the Planning Director as the applicant is offering a sheltered bus-stop on site, which offers a reduction in parking needs per TMC§1107.1407(E) *Transit Stops*.

Based on the proposed parking spaces and TMC§1107.1700 *Accessible Parking*, one (1) van-accessible parking space with an 8-foot aisle abutting the space is required. Additionally, a minimum of two (2) bicycle spaces is required. The site plan shows both of these elements.

### Landscaping and Screening

Per TMC§1108.0202 *Frontage Greenbelt*, an extensively landscaped frontage greenbelt is required along all public rights-of-way with at least one (1) tree for every thirty feet (30') of lot frontage. The lot has ±151 feet of frontage along Alexis Road and ±212 feet of frontage along Tremainsville Road, requiring a total of twelve (12) trees. The site plan provides two (2) trees along Alexis Road and five (5) trees along Tremainsville Road. An additional five (5) trees shall

**STAFF ANALYSIS (cont'd)**Landscaping and Screening (cont'd)

be depicted in the frontage greenbelt on a revised landscape plan. Per the same code section, a solid evergreen hedge is also required to screen parking in the front of the property and prevent headlights from being seen from the right-of-way. The site plan depicts this landscape element.

The site plan must also adhere to TMC§1108.0203 *Buffer and Screening Requirements*. Existing tree canopy coverage on the site provides adequate screening along the western and southern edges of the site. A Type A landscape buffer is proposed along the eastern edge of the site with a total of twelve (12) trees, forty-two (42) shrubs, and a six-foot (6') high wooden fence. Per the code, this Type A buffer is only required where the proposed CN (Neighborhood Commercial) zoning district abuts the adjacent RM36 (Multi-family Residential) district. However, the applicant is extending the Type A buffer along the entire eastern edge of the site to help screen the adjacent single-family home (zoned CR-Regional Commercial). This landscape element requires the addition of two (2) shrubs to meet quantity requirements, but is otherwise acceptable as depicted.

Per TMC§1108.0204 *Parking Lot Landscaping*, the perimeter parking lot landscaping requirements overlap with and are satisfied by the frontage greenbelt provisions. For interior parking lot landscaping standards, the applicant is required to provide two (2) canopy trees and six (6) shrubs for each ten (10) parking spaces. The site plan depicts three (3) trees adjacent to the parking lot to meet this requirement. While not placed internally on the lot, staff is satisfied with this placement as the total impervious area on the site is being decreased by almost 4,000 square feet with the proposed parking layout, which meets the intent of this code section to reduce the heat island effect. Ten (10) additional shrubs shall be added a revised landscape plan to meet the quantity requirements for interior parking lot landscaping.

Finally, one (1) tree is required for every 1,000 square feet of building coverage to meet TMC§1108.0205 *Interior Site Landscaping*. The proposed building is 4,343 square feet and requires nine (9) additional trees, which are shown on the proposed landscape plan. This section also requires foundation plantings along all portions of the building that are visible from the right-of-way, as well as landscaping at all major entrances. Foundation plantings shall be added along the western and northern elevations, which are visible from the right-of-way.

Building Design and Materials

Per TMC§1109.0204(A) *Connecting Walkways*, at least one (1) main entrance of any commercial building shall face and open directly to a five-foot (5') wide connecting walkway to the street sidewalk. The site plan depicts two internal sidewalks that connect to the street sidewalks and will allow pedestrians to access the site from both Alexis Road and Tremainsville Road.

As required under TMC§1109.0500 *Building Façade Materials and Color*, the elevations must show that at least eighty percent (80%) of each elevation visible from the right-of-way is comprised of allowable predominant materials and colors. This standard applies to the front façade,

## STAFF ANALYSIS (cont'd)

### Building Design and Materials

visible from Tremainsville Road, and the western façade, visible from Alexis Road. The façade facing Tremainsville Road is 41% brick, 20% architectural metal, 19% glass, and 10% stone, and 10% metal trim. The façade facing Alexis Road is 63% brick, 19% glass, 9% stone, and 5% metal trim. The proposed elevations on the main structure are compliant with TMC§1109.0500.

For gas stations, support columns must be brick or stone compatible with the principal building per TMC§1104.0903(A). This brick or stone finish must span the entire column up to the canopy. The submitted canopy elevations are acceptable as depicted.

Finally, as per TMC§1109.0205 *Building Design Standards*, transparent windows shall occupy at least forty percent (40%) of the area between two and ten feet at grade from the base of the primary elevation facing the right-of-way. The proposed front elevation window coverage exceeds this area requirement; however, faux windows are proposed for a portion of the windows on the front façade. The applicant shall ensure that all windows along the front façade are transparent and not obstructed during business hours to meet the standards of this code section.

### Signs

The proposed ground sign meet must meet TMC§1113 *Signs* and sign permits will be required prior to sign installation. The largest sign permitted in CN (Neighborhood Commercial) districts is a medium profile sign, which has a maximum sign height of eight feet (8') and a maximum sign face area of sixty (60) square feet. Visible support poles are prohibited. All proposed building signs must also meet the requirements of TMC§1113 *Signs*.

### Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan Future Land Use Map targets this site for Neighborhood Mixed-Use land uses. This designation aims to preserve and promote pedestrian-oriented commercial and mixed-use areas. While auto-oriented uses such as gas stations are not preferable uses in Neighborhood Mixed-Use districts, several pedestrian-oriented features are built into the design of the proposed development, such as internal pedestrian walkways, bicycle parking, and reduced parking with an on-site bus shelter. Additionally, the site plan proposes adding significant landscaping upgrades and decreasing the overall impervious surface within the site substantially, both of which meet goals laid out in Forward Toledo.

Staff recommends approval of SUP24-00092, a Special Use Permit for a new gas station at 3219 Tremainsville Road because it achieves multiple objectives identified in the Forward Toledo Comprehensive Land Use Plan.

### Neighborhood Meeting

In response to Staff's recommendation, the applicant hosted a neighborhood meeting at St. Clement Banquet Hall on August 29<sup>th</sup> from 5:30pm through 6:30p.m. The applicant reported that



## STAFF ANALYSIS (cont'd)

### Neighborhood Meeting (cont'd)

about ten (10) community members attended. Concerns raised included security for the adjacent single-family home to the east. The applicant responded to these concerns by adding a six-foot (6') fence from the rear of the property line to the parking setback line to the site plan, in addition to landscape buffering.

## STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP24-00092, a Special Use Permit for a new gas station at 3219 Tremainsville Road to the 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 and Decision-Making Criteria*); and;
2. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (**TMC§1111.0706(B)** *Review and Decision-Making Criteria*).

The staff recommends that the Toledo City Plan Commission take the following action on the proposed waiver:

### **Chapter 1106 Intensity and Dimensional Standards**

**Sec. 1106.0102 Maximum Front Setback (CN)** – The maximum front setback in CN (Neighborhood Commercial) zoning districts is thirty-five feet (35') per TMC§1106.0102.

Approve waiver for setback greater than the maximum standard **because applicant agreed to a lesser intense commercially zoned district.**

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP24-00092, a Special Use Permit for a new gas station at 3219 Tremainsville Road, to the Toledo City Council, subject to the following **fifty-four (54)** conditions:

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

### Engineering Services

1. All 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)**

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 Ted Rousos, 419-245-1347. The application can be obtained online at Toledo.oh.gov search: Right of Way opening permit.
4. An existing 6-inch diameter public water main crosses the site. Per previous discussions between the applicant and the Division of Water Distribution, this water main is to be abandoned. Show the water main on the site plan, and note the work items needed to abandon the water main. Also note the work to be completed by the Division of Water Distribution, at the applicant's expense.
5. Refer to comments provided by the Division of Water Distribution regarding private water mains and/or service lines for the proposed development.
6. The stormwater planning is adequate for the Site Plan Review (SPR) phase; a future full stormwater review for comments requires an engineering submittal of multiple items, listed as items 1.a. - 1.g. on the SWP3 submittal coversheet provided to the applicant. The cover sheet includes a web link to Toledo's 2014 Infrastructure Requirements document.
7. SWP3 activities and sequencing shall account for any demolition if demolition may be sequenced prior to construction permitting.
8. The underground detention system (UDS) is proprietary and outside the scope of the City's services for sewer inspection. The following notes shall be added to the plans:
  - a. The contractor shall have the underground detention system manufacturer's representative on-site during the installation of the UDS. This representative shall advise the contractor as to the required installation procedures for the UDS.
  - b. The City of Toledo will be provided with an as-built signature by an Ohio P.E. representing the detention system manufacturer with the certification statement to the effect of: 'I certify that the underground detention system was installed in accordance with the manufacturer's installation requirements and that the underground detention system will function as designed in accordance with the contract documents.'
9. Following the stormwater review, additional items are needed to receive construction permission:

**STAFF RECOMMENDATION (cont'd)**

Engineering Services (cont'd)

- a. As listed on the SWP3 submittal cover sheet, items 2.a. - 2.c
  - b. Sewer fee and subcontracting for construction by a Toledo Licensed Sewer Contractor.
  - c. Project team shall provide advance copy of sample storm water permit to bidders and with the contract for construction. It states conditions for pre-con notifications, field inspection, and permit closure.
  - d. An electronic copy and one full size paper set of the civil drawings as issued for construction. Delivery to the same address as on the provided Sewer Fee form.
10. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
11. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.
12. If there are any existing structures to be demolished at the site, the sanitary services to such structures will be killed by the City of Toledo at the developers cost.
13. Any previous kills that were not done at the right-of-way line shall be re-killed at the right-of-way to eliminate any active pipes on the property.

Water Distribution

14. Taps 2" and smaller do not require plan submittal and approval by Water Department; standard water fees apply.
15. Taps larger than 2" must submit detailed site utility plan for review, approval, and fee assessment by Water Engineer. Plans must show all utilities within the right-of-way, water feature sizes and distances; include callouts for any new taps by the City of Toledo or tees by the contractor (example tap callout: "8"X4" tapping sleeve and valve by the City of Toledo at owner's expense. Excavation, shoring, valve box, backfill and restoration by Contractor").
16. Ally supply lines to fire sprinkler systems must be at least 6" and must have a PIV (Post Indicator Valve) properly protected against mechanical damage.
17. Maintain 18" vertical clearance and 10' horizontal between proposed water main and sani/storm sewers; maintain 12" vertical and 4' horizontal clearance with all other utilities.

**STAFF RECOMMENDATION (cont'd)**

Water Distribution (cont'd)

18. Existing water service lines to structures removed from the site will be abandoned by the City of Toledo at the developer's expense (water kill permit).
19. All Commercial, Irrigation and Domestic services (in which there is a lawn irrigation system downstream of the Domestic Meter), must have a containment-type backflow device (RPZ) installed at the meter. A backflow assembly diagram has to be submitted and approved by Backflow Coordinator.
20. Water service is subject to the Rules and Regulations of the Department of Public Utilities.
21. See current Construction Standards for allowed materials
22. Current Water General Notes must be included on the plans.

Division of Sewer & Drainage Services

No comments received at time of publication.

Division of Environmental Services

23. Applicant shall install at least a 1000-gallon (two compartment) outdoor grease separator/trap or submit plans from a State of Ohio registered design professional who has calculated the proper size of the grease separator/trap with menu and cooking activities included in the calculation.
24. 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 commencement of construction activities.
  - b. Construction BMPs shall be in place prior to the start of construction activities.
  - c. SWP3 inspection reports shall be kept on site with the SWP3 and readily accessible during normal working hours.
25. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.

**STAFF RECOMMENDATION (cont'd)**

Division of Environmental Services (cont'd)

26. 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.
27. 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](https://www.oipc.info/uploads/5/8/6/5/58652481/alternatives_to_ohio_invasive_plant_species.pdf)
28. 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.

Bureau of Fire Prevention

29. The proposed new building will require compliance with all applicable Building, Fire, Electrical, Mechanical and Plumbing code requirements. (OBC105.1 & 101.4)
30. Building construction plans to be submitted to the FD for review in addition to the Building Inspection Department plan submittal. (OFC104.2, OBC107.4.5)
31. New and existing buildings shall be provided with approved address identification that meets Building & Fire Code requirements. (OBC 501.2 & OFC 505.1)
32. Any addition of cooking equipment and suppression system for same will need plans submitted for review by the Building Dept, Health Dept and the FD. (OFC104.2, OFC901.2)
33. All permits for new UST systems for this fueling station to be submitted to the State of Ohio BUSTR (Bureau of Underground Storage Tank Registration) ORC 1301:7-9-10 Permits for UST systems
34. A fire safety inspection is required prior to occupancy. (OFC105.3.3.2)

Division of Transportation

Recommends approval after working with applicant to revise the original site plan to address initial circulation concerns. No additional comments provided.

Plan Commission

35. The thirteen (13) subject parcels shall be combined.

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

36. The hours of operation shall be limited to 5:30a.m. to 1a.m. per TMC§1104.0901(H).
37. Free air, water, and restrooms shall also be provided and maintained during the hours of operation of the gas station.
38. Off-street parking shall be provided pursuant to Off-Street Parking Schedule “A,” (TMC§1107.0304). A total of twenty-five (25) parking spaces are required for this site. The submitted site plan shows sixteen (16) parking spaces. **Acceptable as depicted, given that the applicant is providing a covered bus shelter as a pedestrian amenity on-site.**
39. Bicycle parking slots shall be provided pursuant to Off-Street Parking Schedule “A,” (TMC§1107.0300). Minimum number of bicycle parking slots required for a convenience store is one (1) bicycle parking per ten (10) parking spaces. A minimum of two (2) bicycle parking spaces is required. **Acceptable as depicted.**
40. Bicycle parking must be well-lighted, paved, and drained to be reasonably free of mud, dust, and standing water. The proposed walkway from provided bicycle parking to the building must be clearly marked though the use of durable, low maintenance surface materials such as pavers, bricks, scored concrete or scored and painted asphalt.
41. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. One (1) van accessible space with an eight-foot (8') drive aisle is required. **Acceptable as depicted.**
42. 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 treatment facility subject to the regulations and approval of the Department of Public Utilities.
43. 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. Dumpster location(s) shall also be as far away from residential areas as possible. **Acceptable as depicted.**
44. A detailed site, lighting, fencing and 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') buffer of landscaped frontage greenbelt is required along Alexis Road and Tremainsville Road. At least one tree must be provided for every thirty feet (30') of lot frontage. The frontage greenbelt shall also include a solid evergreen

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

hedge to screen parking in the front of the property and prevent headlights from being seen from the right-of-way. **Not acceptable as depicted. A revised landscaping plan shall be submitted depicting an additional five (5) trees in the frontage greenbelt.**

- b. A Type A landscape buffer is required along the eastern property line where abutting the residentially zoned district. **Applicant shall extend the required Type A buffer the full length of the site's eastern edge to screen the single-family home to the east. Two (2) additional shrubs shall be added to a revised landscape plan to meet quantity requirements.**
- c. Two (2) canopy trees and six (6) shrubs are required to be installed in interior landscape areas for each ten (10) parking spaces within the parking lot. A total of three (3) trees and ten (10) shrubs are required for this site. **Not acceptable as depicted. Ten (10) additional shrubs shall be added a revised landscape plan to meet the quantity requirements for interior parking lot landscaping.**
- d. One 2-inch caliper tree for every 1,000 square feet of building coverage shall be required for interior site landscaping. Nine (9) trees are required for this site. **Acceptable as depicted.**
- e. Foundation plantings shall be required along the portions of the building visible from the right-of-way. **Not acceptable as depicted. Foundation plantings shall be added along the western and northern elevations, which are visible from the right-of-way).**
- f. Topsoil must be back filled to provide positive drainage of the landscape areas.
- g. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage.
- h. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards.
- i. 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.
- j. The location, height and materials for any fencing to be installed and maintained.

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

- k. Because the site is greater than ½ acre, landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation plans must be submitted with development plans and must contain all construction details.
  - l. A photometric plan shall be submitted to the Plan Director for review and approval. Lighting is to be directed away from adjacent residential properties and public rights of way.
45. Per TMC§1109.0204(A)(1) At least one main entrance of any commercial, mixed-use, or institutional building shall face and open directly onto a 5-foot-wide connecting walkway to the street sidewalk without requiring pedestrians to walk around buildings or around parking lot outlines which are not aligned to a logical route. **Acceptable as depicted.**
46. Predominant exterior building materials shall be high-quality materials. For facades visible from the public right-of-way, predominant materials must comprise at least eighty percent (80%) of the total wall area of the façade. **Acceptable as submitted.**
- a. Facing Tremainsville Road: 41% brick, 20% architectural metal, 19% glass, and 10% stone, and 10% metal trim.
  - b. Facing Alexis Road is 63% brick, 19% glass, 9% stone, and 5% metal trim.
47. The façade colors shall be low-reflectance, subtle, neutral or earth tone colors (i.e. gray, brown, and tan). Building trim and accent areas may feature brighter colors, including primary colors subject to the approval of the Planning Director. **Acceptable as depicted.**
48. Per TMC§1109.0205, transparent windows shall occupy at least forty percent (40%) of the area between two and ten feet at grade from the base of the primary elevation facing the right-of-way. **Not acceptable as depicted. The proposed front elevation window coverage exceeds this area requirement; however, faux windows are proposed for a portion of the windows on the front façade. The applicant shall ensure that all windows along the front façade are transparent and not obstructed during business hours to meet the standards of this code section.**
49. Canopy support columns must be brick or stone which is compatible with the principal building's brick or stone. Canopies shall consist of that material for its entire length up to the canopy. **Acceptable as depicted.**
50. All proposed signage shall meet the requirements of TMC Chapter 1113 *Signs*. Applicant shall obtain appropriate permits for any proposed signage.
51. The Special Use Permit may be reviewed for compliance with the conditions of approval,



**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

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.

52. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
53. 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.
54. 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.

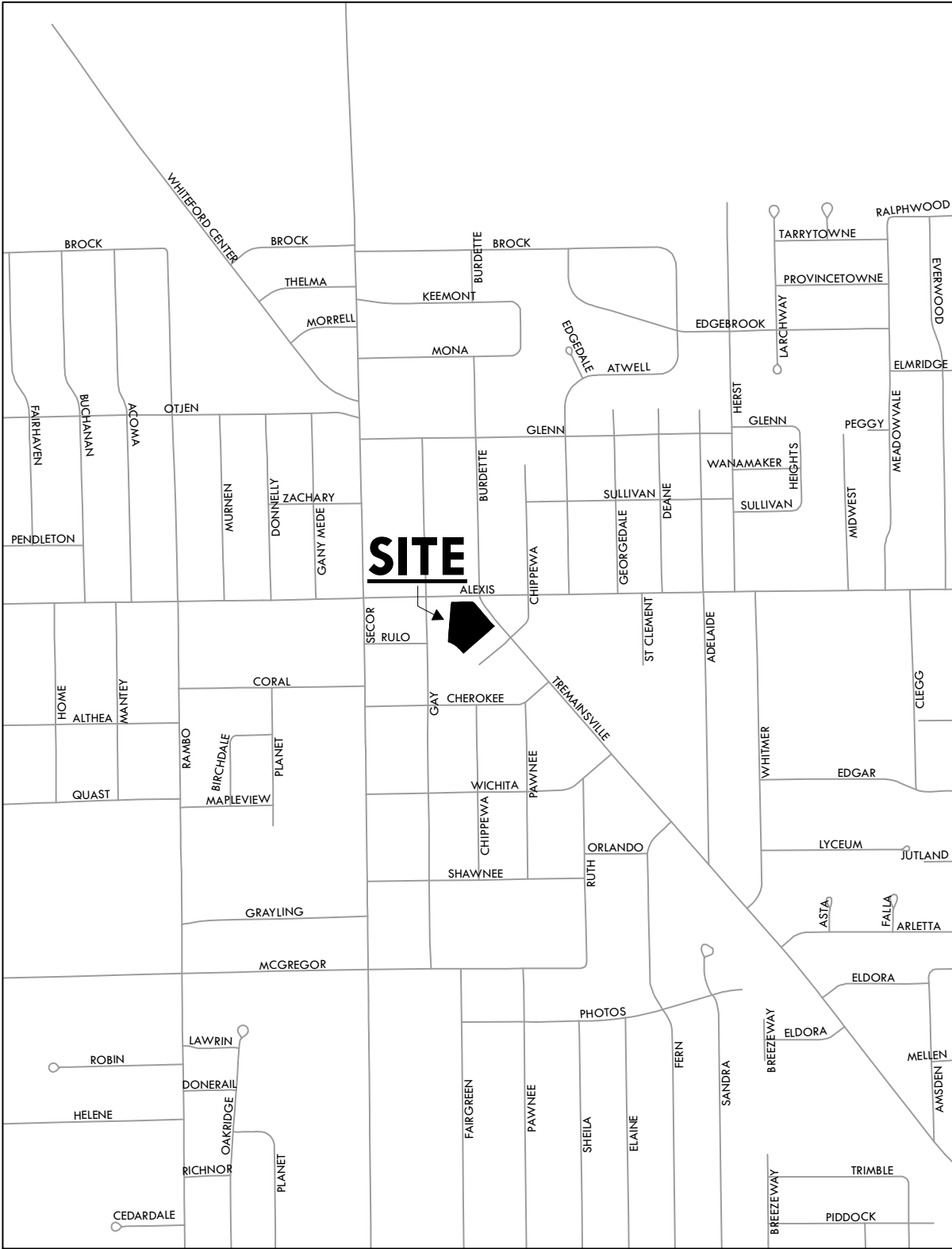
SPECIAL USE PERMIT  
TOLEDO CITY PLAN COMMISSION  
REF: SUP24-00092  
DATE: November 7, 2024  
TIME: 2:00 P.M.

CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: December 10, 2024  
TIME: 4:00 P.M.

MJM  
Nine (9) sketches follow

# GENERAL LOCATION

SUP24-00092  
ID 55



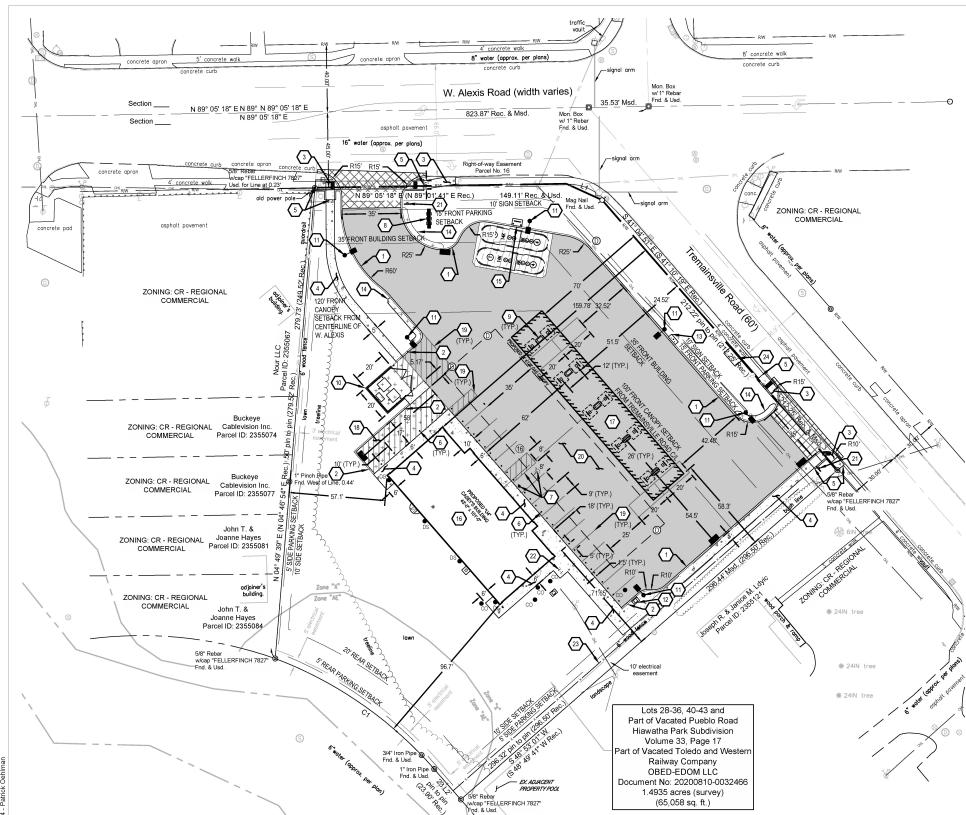
ZONING & LAND USE

SUP24-00092  
ID 55



# SITE PLAN

SUP24-00092  
ID 55



## CODED NOTES:

1. PROPOSED INTEGRAL CURB. SEE DETAIL 2 ON SHEET C-601.
2. CURB TAPER. SEE DETAIL ON SHEET C-604.
3. PROPOSED SIDEWALK WITHIN RIGHT-OF-WAY PER LUCAS COUNTY STANDARDS. SEE DETAIL ON SHEET C-604.
4. PROPOSED SIDEWALK. SEE DETAIL ON SHEET C-604.
5. PROPOSED ADA COMPLIANT RAMP WITHIN RIGHT-OF-WAY PER LUCAS COUNTY STANDARDS. SEE DETAIL ON SHEET C-604.
6. CASEY'S TYPICAL BOLLARD. SEE DETAIL 1 ON SHEET C-601.
7. CONTRACTOR TO CONSTRUCT ADA PARKING SPACE PER DETAILS 11 & 12 ON SHEET C-601 AND ACCORDING TO ALL LOCAL, STATE AND FEDERAL REGULATIONS.
8. CASEY'S Pylon SIGN, PER SIGNAGE PLAN.
9. PROPOSED GAS TAPERED FUEL ISLAND. SEE DETAIL 1 ON SHEET C-602.
10. PROPOSED 30' X 20' DUMPSTER ENCLOSURE AND PAD. SEE ARCHITECTURAL PLANS FOR DETAILS.
11. PROPOSED SITE LIGHT POLE AND FOUNDATION. SEE DETAIL 8 ON C-603 FOR DETAILS.
12. AIR COMPRESSOR BOX. SEE DETAIL 7 ON SHEET C-601.
13. EMERGENCY SHUTOFF FOR GASOLINE DISPENSERS. ALL DISPENSERS FALL WITHIN A 100-FOOT RADIUS OF SHUTOFF. SEE DETAIL 8 ON SHEET C-601.
14. PROPOSED LANDSCAPE PROTECTOR. SEE DETAIL 4 ON SHEET C-601.
15. PROPOSED FUEL TANK VENTS AND PAD. SEE DETAIL 5 ON SHEET C-602.
16. PROPOSED 4,319 SF BUILDING. REFER TO ARCHITECTURAL PLANS FOR DETAILS.
17. PROPOSED 24' X 120' X DISPENSER AUTO FUEL CANOPY. REFER TO ARCHITECTURAL PLANS FOR DETAILS.
18. PROPOSED 17' X 50' LOADING ZONE.
19. PROPOSED PAVEMENT MARKINGS.
20. PROPOSED UNDERGROUND DETENTION SYSTEM. REFER TO UTILITY PLAN FOR DETAILS.
21. PROPOSED "STOP" SIGN (R-1).
22. PROPOSED BICYCLE RACK.
23. PROPOSED FENCE.
24. PROPOSED BUS STOP SHELTER.

## SITE LEGEND

REFER TO C-601 FOR EXISTING FEATURES/LEGEND

### EXISTING

- PROPOSED STANDARD DUTY CONCRETE PAVEMENT. SEE DETAIL 2 ON SHEET C-601.
- PROPOSED FUEL TANK CONCRETE PAVEMENT. SEE DETAIL 2 ON SHEET C-602.
- PROPOSED HEAVY DUTY NON-REINFORCED CONCRETE PAVEMENT. SEE DETAIL 2 ON SHEET C-601.
- PROPOSED CONCRETE SIDEWALK. SEE DETAIL 1 ON SHEET C-601.
- PROPOSED APPROACH CONCRETE. SEE DETAIL 2 ON SHEET C-601.

### PROPOSED

- SETBACK
- EASEMENT
- BUILDING
- CANOPY
- CONCRETE CURB
- PAVEMENT/ALK
- PARKING SPACE COUNT
- BOX
- DETECTABLE WARNING MAT
- STORM MANHOLE
- CURB INLET
- CLEAROUT
- DOWN SPOUT
- LIGHT POLE
- BOLLARD

## IMPERVIOUS TABLE

EXISTING IMPERVIOUS	SQ. FT.
PROPOSED IMPERVIOUS	36,989 SF



CASEY'S #4617

TOLEDO, OH

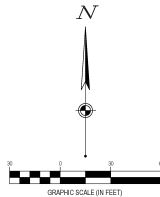
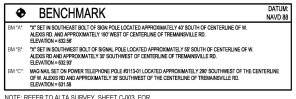
3219 TREMANVILLE ROAD  
TOLEDO, OH 43619

Revisions / Submissions

ID	Description	Date

Project Number: 794428  
Scale: AS SHOWN  
Drawn By: DPC  
Checked By: JMS  
Date: 07/26/2024  
Issue: NOT FOR CONSTRUCTION  
Drawing Title: SITE PLAN

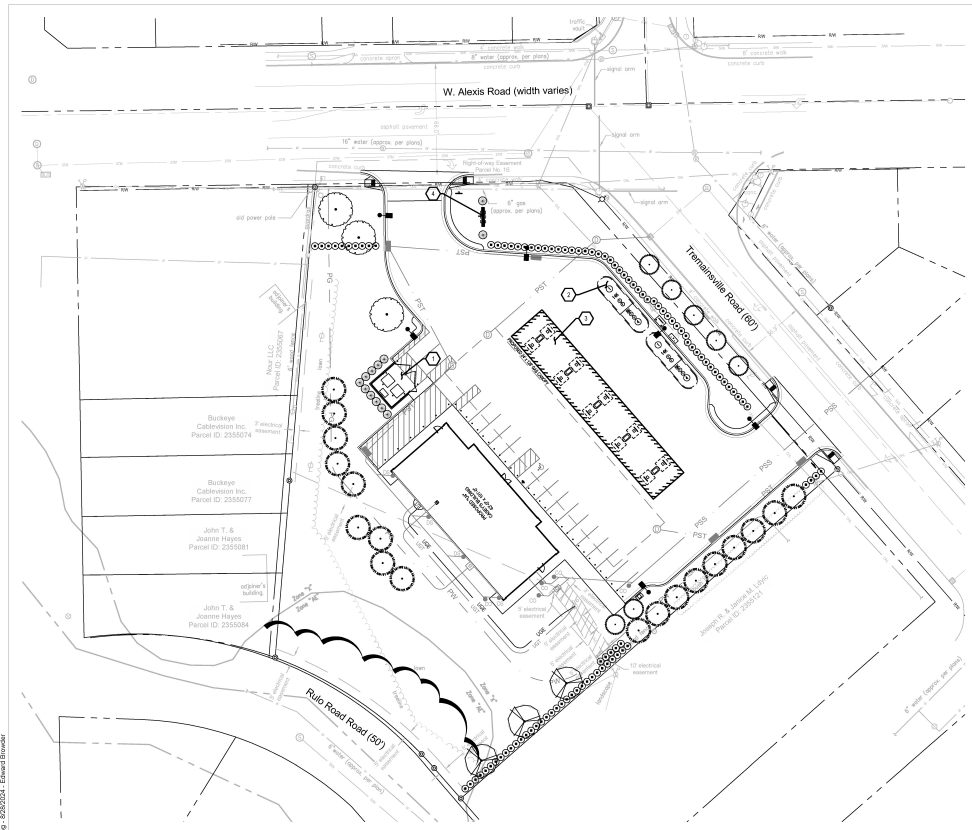
C-101



FORTY EIGHT (48) HOURS BEFORE BEGINNING TO COMMENCE, THE CONTRACTORS SHALL NOTIFY THE FOLLOWING AGENCIES: OHIO UTILITIES PROTECTION SERVICE AT 811 OR 800-363-2764 AND ALL OTHER AGENCIES WHICH MIGHT HAVE UNDERGROUND UTILITIES INVOLVED IN THIS PROJECT AND ARE NONMEMBERS OF STATE UTILITIES PROTECTION SERVICE.

LANDSCAPE PLAN

SUP24-00092  
ID 55



PLANT SCHEDULE

SYMBOL	QTY	BOTANICAL / COMMON NAME	SIZE	MIN HT / SPR	SPACING
<b>TREES</b>					
	3	CANOPY TREE A	2" CAL	12' HT	AS SHOWN
	3	CANOPY TREE B	2" CAL	12' HT	AS SHOWN
	7	UNDERSTORY TREE A	1.5" CAL	6' HT	AS SHOWN
<b>EVERGREEN TREES</b>					
	12	EVERGREEN TREE A	—	5' HT	AS SHOWN
	18	EVERGREEN TREE B	—	5' HT	AS SHOWN
<b>SHRUBS</b>					
	102	EVERGREEN SHRUB	—	18" HT	4'-0" OC

**IRRIGATION**  
THE CONTRACTOR SHALL DESIGN, SUPPLY, AND INSTALL IRRIGATION SYSTEM FOR ALL SODDED AND PLANTING AREAS AS SHOWN ON THIS SHEET. DESIGN SHALL BE APPROVED BY OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION. A SEPARATE WATER METER SHALL BE PROVIDED UNLESS NOT ALLOWED BY THE APL, METERS AND IRRIGATION TO BE COORDINATED WITH ARCHITECTURAL PLANS AS NEEDED. MOUNT RAIN SENSOR ON BACK OF RAILING OF ROOF.

**MULCH**  
ALL PLANT BEDS SHALL CONTAIN A 2" LAYER OF DOUBLE HAMMERED HARDWOOD MULCH (FROM A SUSTAINABLE SOURCE). CONTRACTOR TO PLACE A 4" DIAMETER MULCH RING AROUND ALL TREES IN LAWN.

**LANDSCAPE REQUIREMENTS**  
FRONTAGE GREENBELT (1 TREE PER 30 LF)  
W. ALEXIS RD & TREMAINEVILLE RD (256 LF NOT INCL DRIVEWAYS)  
REQUIRED: 9 TREES  
PROPOSED: 9 TREES  
REQUIRED: CONTINUOUS HEDGE ALONG PARKING  
REQUIRED: CONTINUOUS HEDGE ALONG PARKING

**LANDSCAPE BUFFERS**  
EAST - TYPE A (4 CANOPY TREES & 15 SHRUBS PER 100 LF, 50% MAY BE SUBSTITUTED FOR EVERGREEN)  
281 LF NOT INCL. ELEC. EASEMENTS  
REQUIRED: 12 CANOPY TREES  
PROPOSED: 8 EVERGREEN, 3 CANOPY TREES  
REQUIRED: 43  
PROPOSED: 43

SOUTH - NONE (RM ADJACENT TO RM)  
WEST - NONE (RM ADJACENT TO RM & OR ADJACENT TO OR)

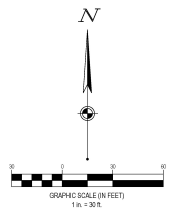
**PARKING LOT LANDSCAPING**  
INTERIOR (2 CANOPY TREES PER 10 PARKING SPACES)  
18 PARKING SPACES  
REQUIRED: 2 CANOPY TREES  
PROPOSED: 1 CANOPY TREE, 2 UNDERSTORY TREES

**PERIMETER**  
SATISFIED BY FRONTAGE GREENBELT  
INTERIOR SITE LANDSCAPING (1 TREE PER 500 SF OF BUILDING)  
4,345 SF BUILDING  
REQUIRED: 9 TREES  
PROPOSED: 5 EVERGREEN TREES

LEGEND

	RW	RIGHT OF WAY LINE
	LOT LINE	LOT LINE
	PROPERTY BOUNDARY LINE	PROPERTY BOUNDARY LINE
	EASEMENT LINE	EASEMENT LINE
	OVERHEAD POWERLINE	OVERHEAD POWERLINE
	STW	STORM DRAIN
	SW	SANITARY SEWER
	W	WATER LINE
	G	GAS LINE
	UT	UNDERGROUND TELEPHONE LINE
	UE	UNDERGROUND ELECTRIC LINE
		EXISTING TREE CANOPY TO REMAIN

- CODED NOTES:**
1. TRASH ENCLOSURE
  2. FUEL TANK AREA
  3. AUTO-FUEL CANOPY
  4. IDENTIFICATION SIGN



FORTY EIGHT (48) HOURS BEFORE DIGGING IS TO COMMENCE, THE CONTRACTORS SHALL NOTIFY THE FOLLOWING AGENCIES: OHIO UTILITIES PROTECTION SERVICE AT 811 OR 800-362-2764 AND ALL OTHER AGENCIES WHICH MIGHT HAVE UNDERGROUND UTILITIES INVOLVING THIS PROJECT AND ARE NONMEMBERS OF STATE UTILITIES PROTECTION SERVICE.



CASEY'S #4617  
**TOLEDO, OH**  
3219 TREMAINEVILLE ROAD  
TOLEDO, OH 43619

Revisions / Submissions

ID	Description	Date
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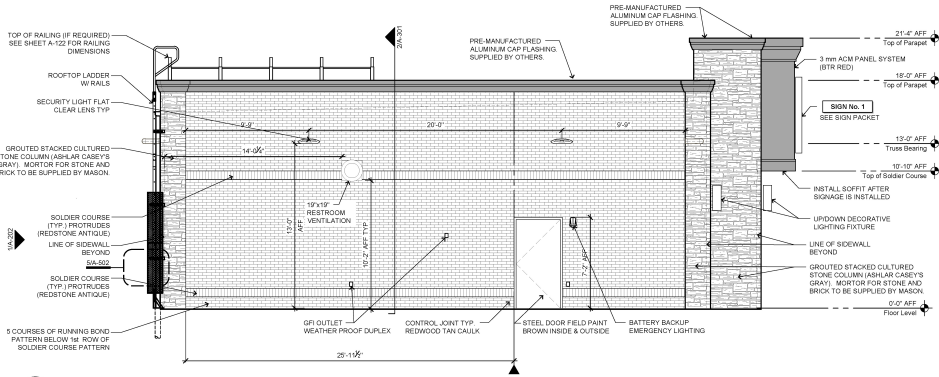
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Scale: AS SHOWN  
Drawn By: JR  
Checked By: EAB  
Date: 07/26/2024  
Issue: NOT FOR CONSTRUCTION

Drawing Title:  
**LANDSCAPE CONCEPT**

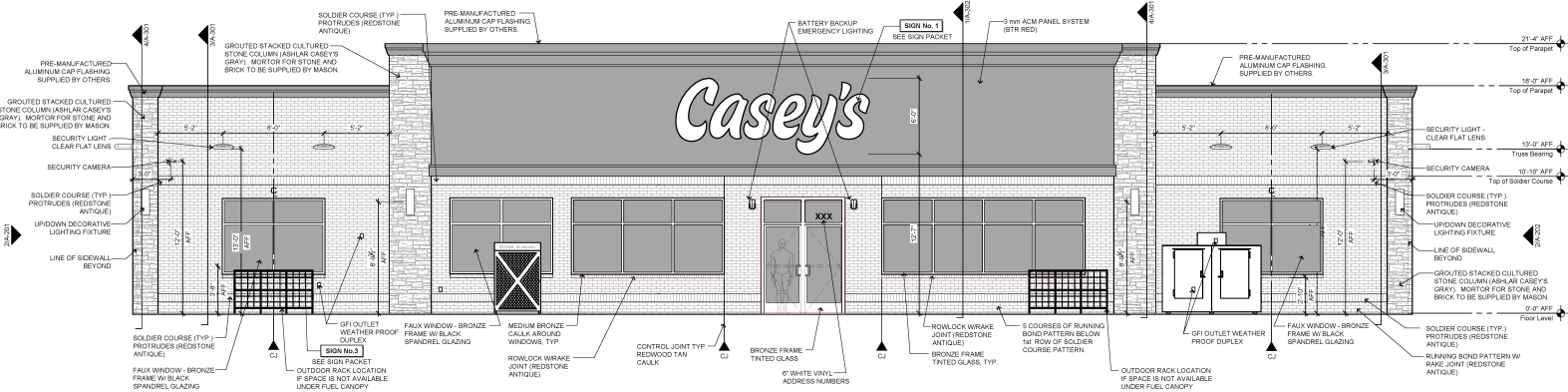
**C-701**

# EAST & NORTH ELEVATIONS

SUP24-00092  
ID 55



2 Exterior Elevation - Left Side of Building  
1/4"=1'-0"





1 Exterior Elevation - Front of Building  
1/4"=1'-0"

- General Notes**
- REVIEW AND COORDINATE WITH ALL DETAIL PAGES REFERENCED ON THIS PLAN. NOTIFY ARCHITECT AND OWNER OF DISCREPANCIES.
  - RELATED DRAWINGS SHEETS: REFER TO THE FOLLOWING:  
S-201 FOR BUILDING LOCATION ON SITE  
A-401 FOR INFORMATION RELATING TO SIGNAGE  
A-101 PRIMARY FLOOR PLAN FOR CONSTRUCTION LAYOUT  
A-101 ROOF PLAN/ROOF TOP EQUIPMENT  
A-101 DOOR & WINDOW SCHEDULES AND NOTES  
S-101 FOOTINGS AND FOUNDATIONS  
S-102 ROOF TRUSSES
  - WORKING POINT: THE WORKING POINT (WP) INDICATED ON THE DRAWINGS IS RELATIVE TO THE FACE OF SHEATHING ON THE EXTERIOR WALL AND IS A COMMON POINT OF REFERENCE WHERE EVER USED IN THESE DRAWINGS.
  - ALL VENT PENETRATIONS ON BACK OF BACKSIDE OF ROOF.

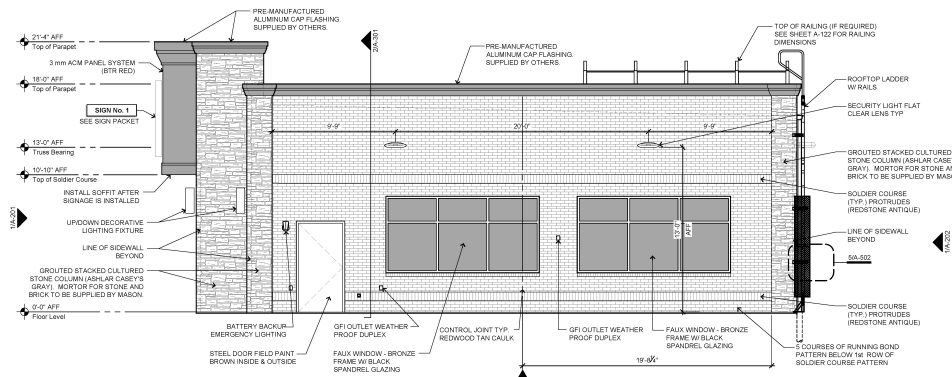


SHOWN  
FOR  
REFERENCE  
ONLY

		<i><b>Casey's</b></i>		
CASEY'S CONSTRUCTION DIVISION				
One Commerce Blvd., P.O. Box 3201, Ashland, IL 50521 515-965-6100				
PROJECT:	#4617 TOLEDO, OH #2	12/16/24	DRAWING INFORMATION:	
	3010 TREMONTVILLE ROAD TOLEDO, OH 43603	REVISED BY:	EXTERIOR ELEVATIONS	
	2024 1/4" STYLE STORE (FLAT ROOF) VERSION 1			
CESO PROJECT NO. 764426				
ALR	CLB		A-201	

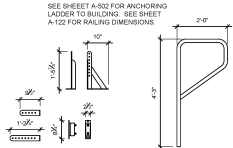
# WEST & SOUTH ELEVATIONS

SUP24-00092  
ID 55

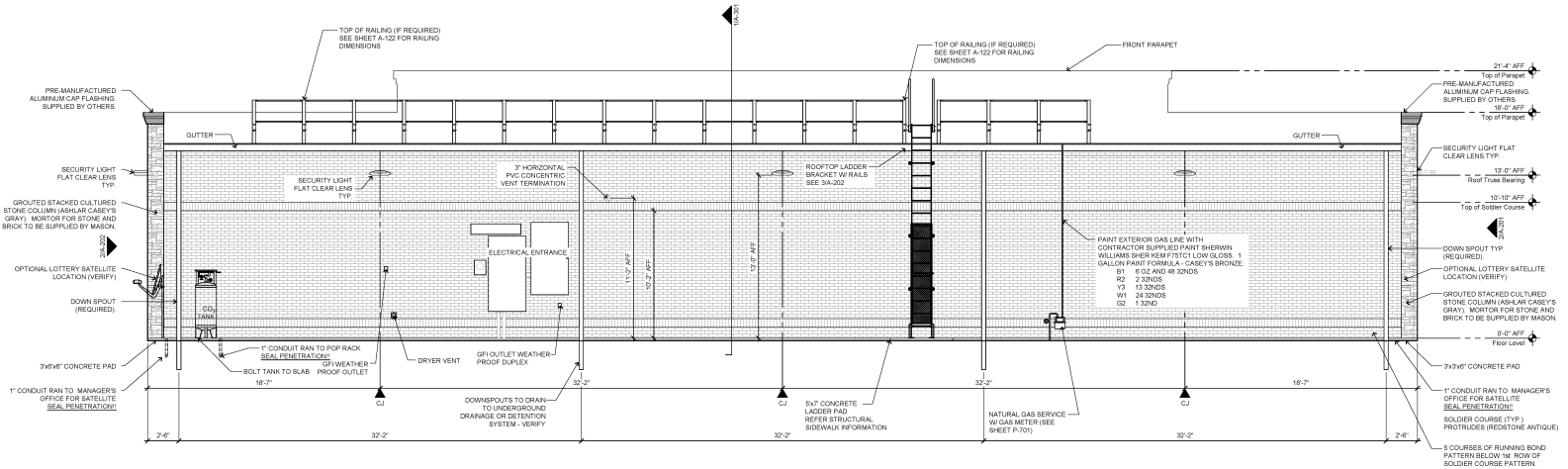


2 Exterior Elevation - Right Side of Building  
1/4"=1'-0"

- General Notes**
1. REVIEW AND COORDINATE WITH ALL DETAIL PAGES REFERENCED ON THIS PLAN, NOTIFY ARCHITECT AND OWNER OF DISCREPANCIES
  2. **RELATED DRAWING SHEETS:** REFER TO THE FOLLOWING:  
S-211 FOR BUILDING LOCATION ON SITE  
A-401 FOR INFORMATION RELATING TO SIGNAGE  
A-101 PRIMARY FLOOR PLAN FOR CONSTRUCTION LAYOUT  
A-101 ROOF PLAN/ROOF TOP EQUIPMENT  
A-101 DOOR & WINDOW SCHEDULES AND NOTES  
S-101 FOOTINGS AND FOUNDATIONS  
S-102 ROOF TRUSSES
  3. **WORKING POINT:** THE WORKING POINT (WP) INDICATED ON THE DRAWINGS IS RELATIVE TO THE FACE OF SHEATHING ON THE EXTERIOR WALL AND IS A COMMON POINT OF REFERENCE WHERE EVER USED IN THESE DRAWINGS
  4. ALL VENT PENETRATIONS ON BACK OF BACKSIDE OF ROOF





3 Ladder Bracket  
1/2"=1'-0"



1 Exterior Elevation - Back of Building  
1/4"=1'-0"

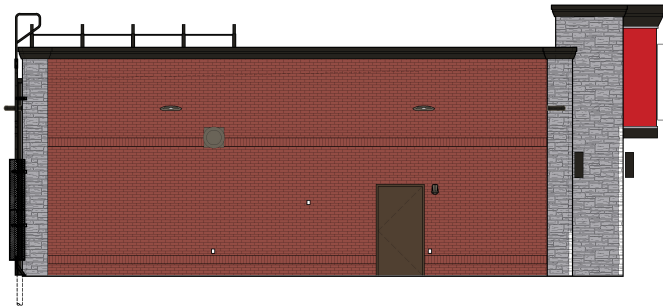


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REFERENCE  
ONLY

			
<h1>Casey's</h1>			
<h2>CASEY'S CONSTRUCTION DIVISION</h2>			
<p>One Convenience Blvd., P.O. Box 3007, Ashland, IL 60521 515-965-8100</p>			
<p>PROJECT #</p> <h3>#4617 TOLEDO, OH #2</h3> <p>3219 TREMANVILLE ROAD TOLEDO, OH 46013</p>		<p>DATE</p> <h3>12/16/24</h3> <p>REVISED ON</p>	
<p>2024 "10" - STYLE STORE (FLAT ROOF) VERSION 1</p> <p>PROFILING AND ELEVATIONS</p> <p>CESO PROJECT NO.: 764428</p> <p>ALR</p>		<p>EXTERIOR ELEVATIONS</p>	
<p>DESIGNED BY OLD</p>		<h1>A-202</h1>	

EAST & NORTH RENDERINGS

SUP24-00092  
ID 55



2 Exterior Elevation - Left Side of Building  
1/4"=1'-0"



1 Exterior Elevation - Front of Building  
1/4"=1'-0"



**CESO**  
COMMERCIAL EXTERIOR SIGNAGE OUTREACH

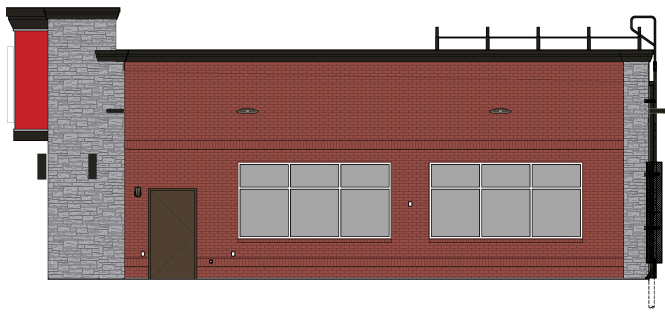
**SHOWN  
FOR  
REFERENCE  
ONLY**

<b>Casey's</b> CASEY'S CONSTRUCTION DIVISION One Commonwealth Blvd., P.O. Box 3007, Ashland, IL 60021 781-945-6100	
PROJECT #4017 TOLEDO, OH #2 3010 TREMANSVILLE ROAD TOLEDO, OH 44011 2024 "M" STYLE STORE FLAT ROOF VERSION 1 CESO PROJECT NO. 784426 ALC	DATE 12/16/24 SUBMITTED BY DESIGNED BY CHECKED BY DATE 12/16/24
EXTERIOR ELEVATIONS A-201	

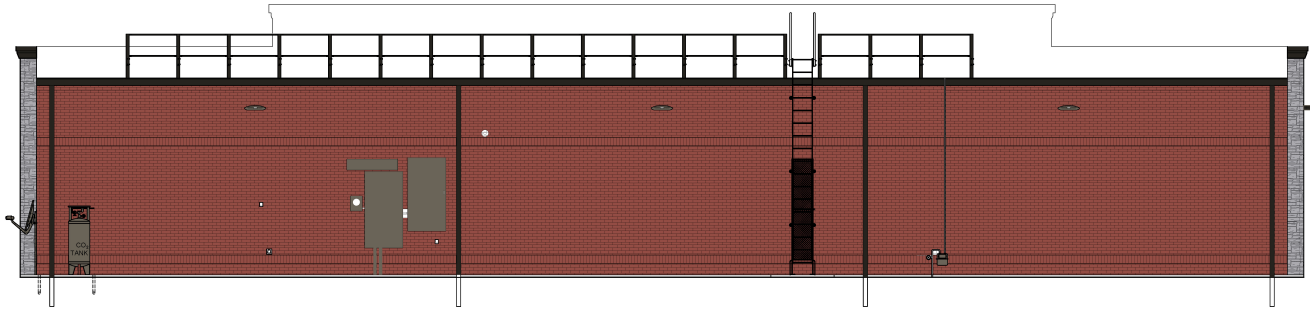


# WEST & SOUTH RENDERINGS

SUP24-00092  
ID 55



2 Exterior Elevation - Right Side of Building  
1/4"=1'-0"



1 Exterior Elevation - Back of Building  
1/4"=1'-0"

WWW.CESOINC.COM

3801 NORTH ALI, SUITE 100, WILMINGTON, OH 45390  
PH: 513.382.4000 FAX: 513.382.4001

**SHOWN  
FOR  
REFERENCE  
ONLY**

<b>Casey's</b>	
CASEY'S CONSTRUCTION DIVISION	
<small>One Commonwealth Blvd., P.O. Box 3007, Ashland, IL 60021 515-965-6100</small>	
PROJECT: #4017 TOLEDO, OH #2 3010 TREMANVILLE ROAD TOLEDO, OH 46011	DATE: 12/16/24
2024 "W" STYLE STORE-FLAT ROOF VERSION 1	
CESO PROJECT NO.: 754426	CELL 11
ALC1	CLB
EXTERIOR ELEVATIONS	
A-202	

CANOPY ELEVATION

SUP24-00092  
ID 55



FRONT

Casey's Canopy  
4 in Row Brick

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RLAtechnology.com  
513-574-9500



REF: SUP24-00101  
DATE: November 7, 2024

## GENERAL INFORMATION

### Subject

Request	-	Special Use Permit for a Community Center
Location	-	1339 S. Byrne Road
Applicant	-	Margaret Hunt Senior Center 1339 S. Byrne Road Toledo, OH 43614
Owner	-	Joseph Swolsky 3440 Secor Road Toledo, OH 43606
Architect	-	Alex Schrinel 314 Conant Street Maumee, OH 43537

### Site Description

Zoning	-	CR-SO / Regional Commercial Shopping Center Overlay
Area	-	± 15.5 acres
Frontage	-	± 210' along Glendale Avenue
Existing Use	-	Senior Center
Proposed Use	-	Senior Center

### Area Description

North	-	RM36 / multi-family residential
South	-	CR & CO / auto shop, restaurant, medical offices
East	-	RS12 / hospital campus
West	-	CR-SO & RS12 / shopping center, single-family homes

### Parcel History

Z-181-65	-	Erection of a sign. PC approved 8/16/65.
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**GENERAL INFORMATION (cont'd)**

Z-102-86	-	Amend C-4 Site Plan, granted by Ord. 207-691 as amended. CC approved via Ord. 460-86 on 06/19/86.
S-16-95	-	Final Plat for the Replat of the Replat of the Replat of Toledo's Great Southern Shopping Center. PC Approved 11/09/95.
S-35-19	-	Final Plat of the Replat of the Replat of the Replat of the Replat of Toledo's Great Southern Shopping Center. PC Approved 01/09/2020.
S-4-22	-	Final Plat of the Replat of the Replat of the Replat of the Replat of the Replat of Toledo's Great Southern Shopping Center. Case withdrawn.

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Forward Toledo Comprehensive Land Use Plan

**STAFF ANALYSIS**

The applicant is requesting a Special Use Permit (SUP) for a Community Center at 1339 S. Byrne Road. The ± 15.5-acre site is zoned CR-SO (Regional Commercial Shopping Center Overlay) and is part of the Southland Shopping Plaza. The applicant, the Margaret Hunt Senior Center, is moving from its previous location into a tenant space in the northeast corner of the site and is seeking occupancy permits and a SUP to ensure compliance with Toledo Municipal Code. Adjacent land uses are multi-family residential to the north; an auto shop, restaurant, and medical offices to the south; a hospital campus to the east; and a shopping center and single-family homes to the west.

Parking and Circulation

The reuse of a single unit in a multi-tenant space does not typically require significant site improvements, however the Division of Transportation included bicycle parking and wheel stops as conditions of approval for the existing parking lot. The applicant shall ensure that one (1) bicycle rack with a minimum of two (2) slots is provided on the site. No other changes to the parking plan are necessary as the shared lot has an adequate number of spaces to meet the needs of the community center.

**STAFF ANALYSIS (cont'd)**

Landscaping and Screening

The SUP is for a single unit within a multi-tenant space and will not require landscaping related site improvements. There is no new landscaping proposed.

Signs

No proposed signage was submitted with this Special Use Permit request. Any future proposed signage is subject to approval by Planning Director and shall conform to the CR-SO Shopping Center Sign Control Overlay regulations listed in TMC§1103.0700.

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan recommends this site for Neighborhood Mixed-Use land uses. This category promotes the development of institutional and public uses, including community centers. Staff recommends approval of SUP24-00101 as the proposed use is compatible with the Forward Toledo Comprehensive Land Use Plan.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of SUP24-00101, a request for a Special Use Permit for a Community Center located at 1339 S. Byrne, to the Toledo City Council, for the following **two (2) reasons**:

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

The staff recommends approval of SUP24-00101, a request for a Special Use Permit for a Community Center located at 1339 S. Byrne, to the Toledo City Council, subject to the following **seven (7) conditions**:

Bureau of Fire Prevention

Recommends approval. No comments provided.

Division of Transportation

1. Dimensions for all drive aisles and parking spots must be shown per TMC 1107.1911.

**STAFF RECOMMENDATION (cont'd)**

Division of Transportation (cont'd)

2. Wheel stops are required at all property lines, sidewalks, planting strips, and buildings per TMC 1107.1907.
3. Bicycle parking is required per TMC 1107.0900.

Plan Commission

4. A bicycle rack with a minimum of two (2) slots shall be provided on site per TMC§1107.0900.
5. Any future proposed signage is subject to approval by Planning Director and shall conform to the CR-SO Shopping Center Sign Control Overlay regulations listed in TMC§1103.0700. Applicant shall obtain any necessary permits for signage.
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 Zoning Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
7. 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.

SPECIAL USE PERMIT  
TOLEDO PLAN COMMISSION  
REF: SUP24-00101  
DATE: November 7, 2022  
TIME: 2:00 P.M.

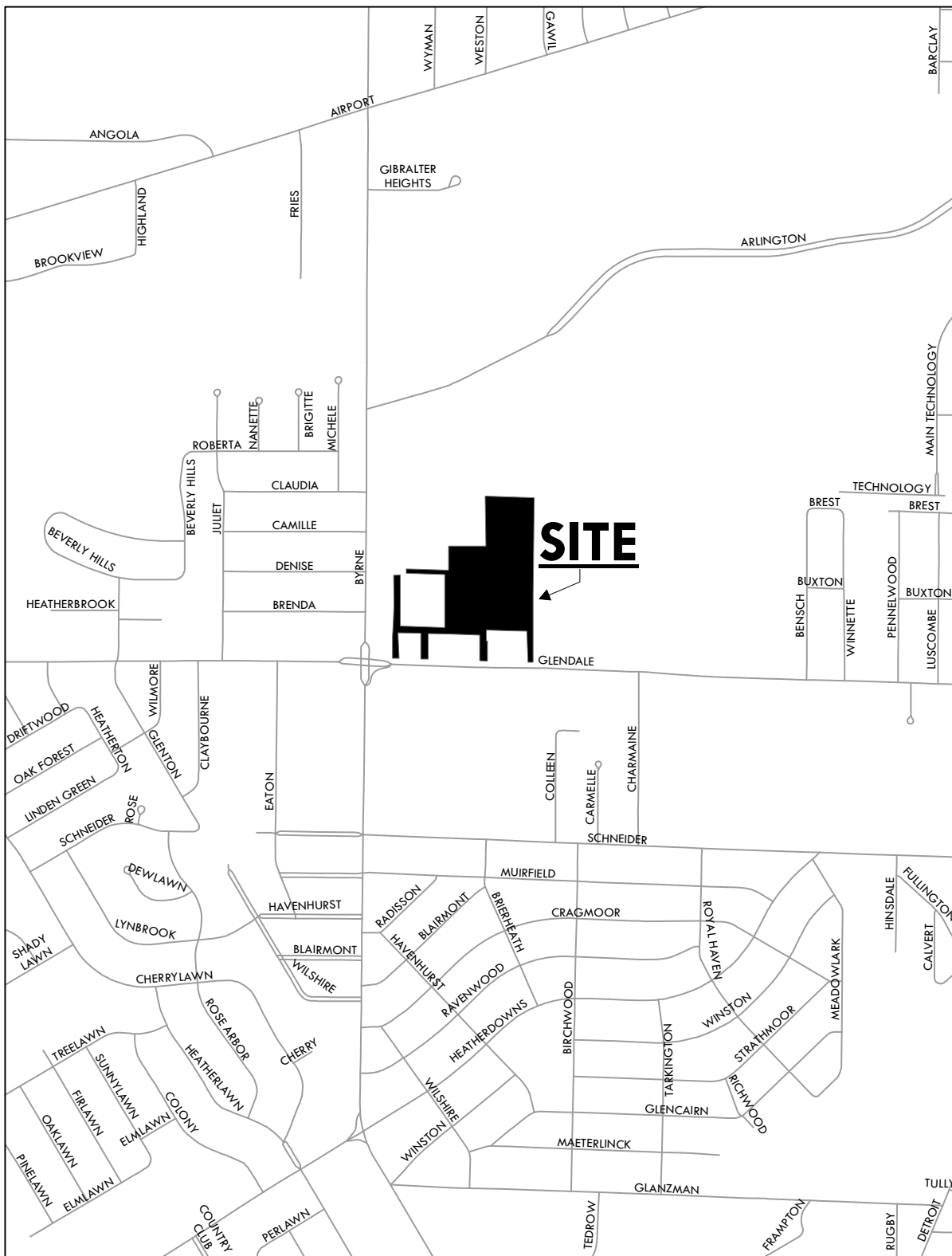
TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: December 10, 2024  
TIME: 4:00 P.M.

MJM

Three (3) sketches follow

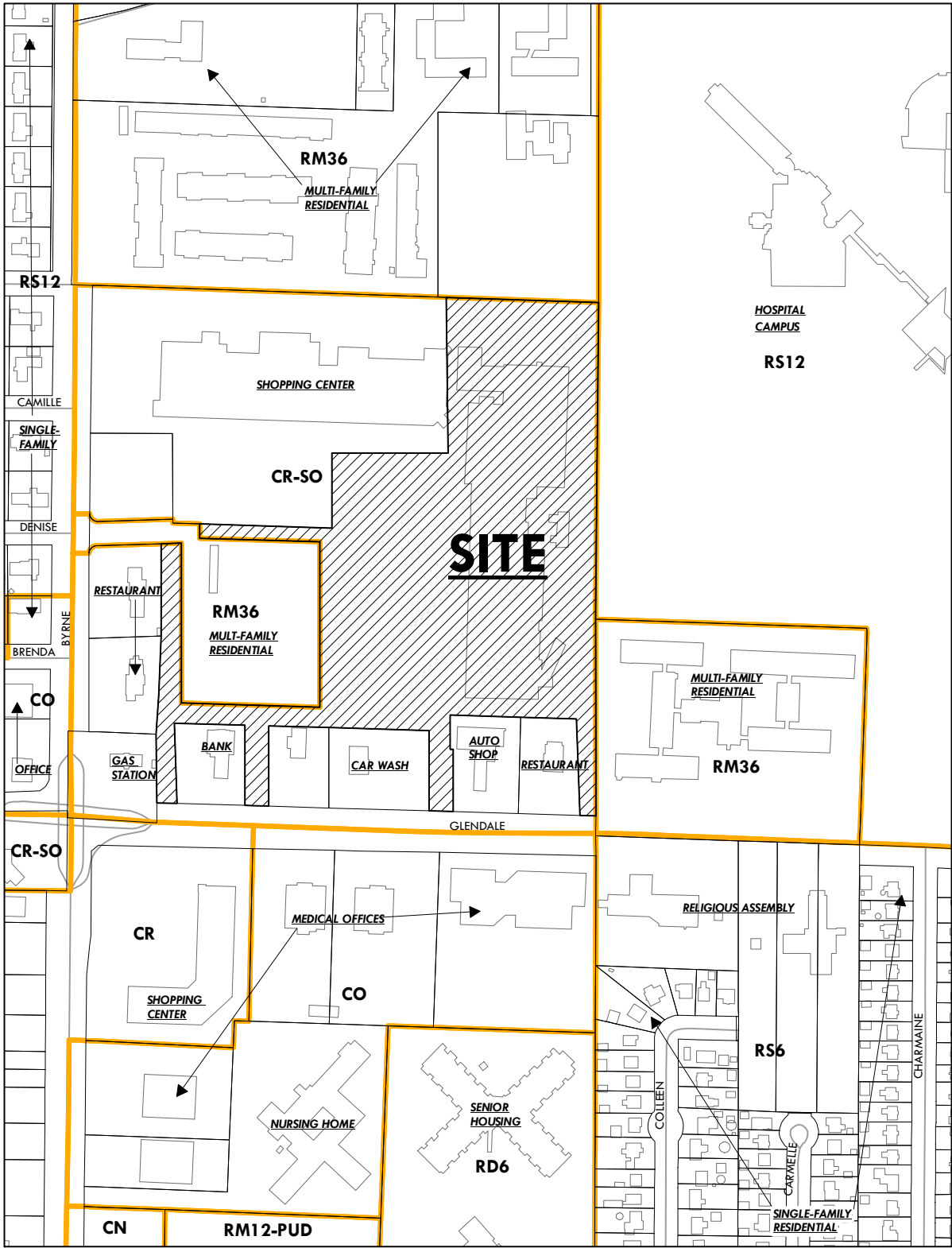
## GENERAL LOCATION

**SUP24-00101**  
**ID 54**



ZONING & LAND USE

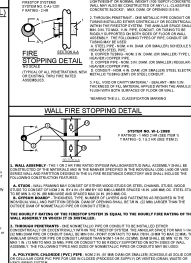
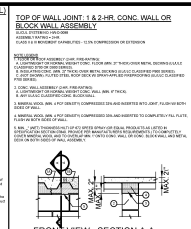
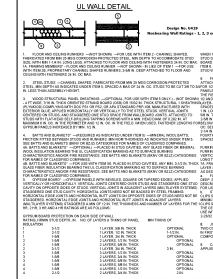
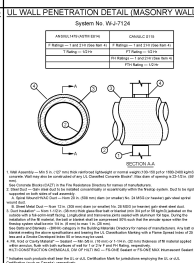
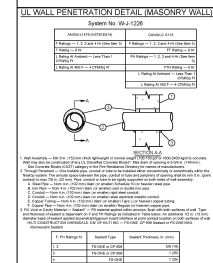
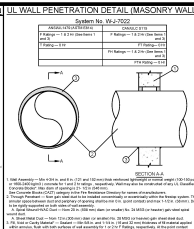
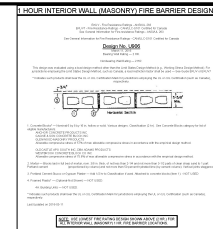
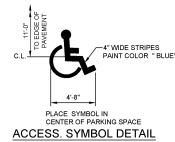
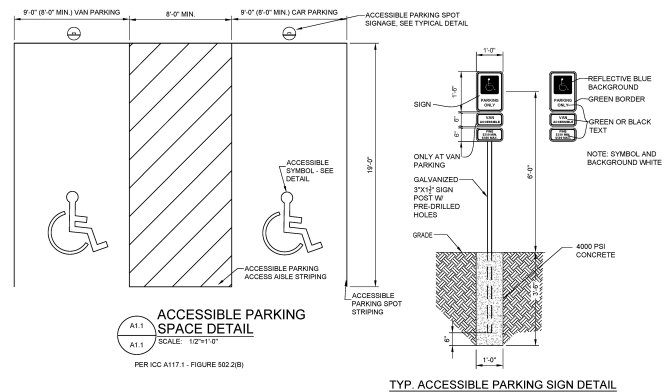
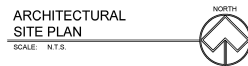
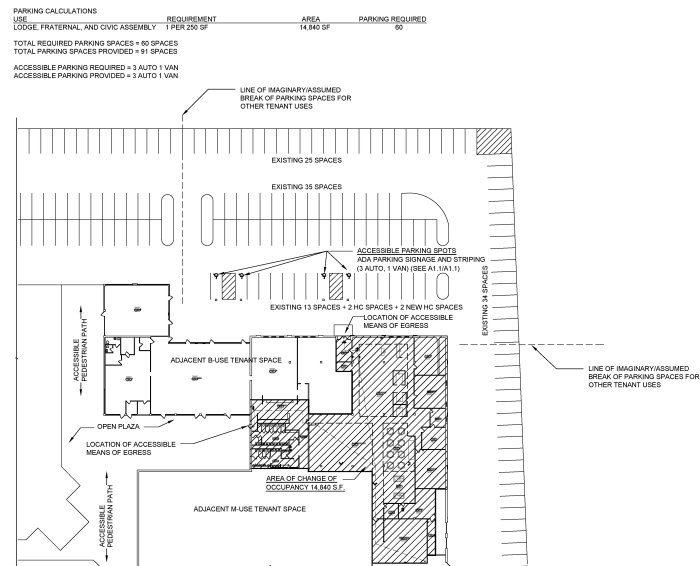
SUP24-00101  
ID 54





# SITE PLAN

**SUP24-00101**  
**ID 54**



CHANGE OF USE  
FOR  
SUITE 1339B @ SOUTHLAND



REVISION SCHEDULE	
	2024-09-05

ISSUE DATE: 08/05/24

JOB NUMBER: 240771

PERMIT SET

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## GENERAL INFORMATION

### Subject

- |                   |   |  |
|-------------------|---|--|
| Request           | - | Special Use Permit for used auto sales   |
| Location          | - | 130 New Towne Square Drive   |
| Applicant / Owner | - | Feeras Khan<br>Khans Investments LLC<br>130 New Towne Square Drive<br>Toledo, OH 43612                     |
| Architect         | - | Walter J. Hales, AIA<br>Hales Architecture & Planning<br>3601 W. Alexis Road, Ste. 200<br>Toledo, OH 43623 |

### Site Description

- |              |   |   |
|--------------|---|---|
| Zoning       | - | CR-SO (Regional Commercial – Shopping Center Sign Control Overlay)    |
| Area         | - | ±2.25 acres   |
| Frontage     | - | ±311 feet along Alexis Road<br>±168 feet along New Towne Square Drive |
| Existing Use | - | Family Entertainment Center   |
| Proposed Use | - | Used Auto Sales   |

### Area Description

- |       |   |   |
|-------|---|---|
| North | - | New Towne Square Drive / CR-SO (Regional Commercial – Shopping Center Sign Control Overlay) |
| South | - | Alexis Road, Funeral Home, Paint Store / CR (Regional Commercial)                           |
| East  | - | Citylight Church / CR-SO (Regional Commercial – Shopping Center Sign Control Overlay)       |
| West  | - | Vacant Commercial, Sidelines Restaurant / CR-SO & CR (Regional Commercial)                  |

### Parcel History

- |         |   |   |
|---------|---|---|
| M-35-60 | - | Interim Zoning at area bounded by Detroit Michigan-Ohio State Line, Telegraph Road, and Rozelle Drive (P.C. approved 8/25/60) |
|---------|---|---|

**GENERAL INFORMATION (cont'd)**Parcel History (cont'd)

- |              |   |  |
|--------------|---|--|
| TL-47-61 (A) | - | Transfer of Title Lease for Parcel 1 from National Aviation Corporation to National Flight Services, Inc. (P.C. approved 2/17/61)  |
| S-11-73      | - | Preliminary Drawing approval for a proposed plat for Skyview National Plaza (P.C. approved 2/15/73)  |
| S-11-73      | - | Extension of Preliminary Drawing approval for a proposed plat for Skyview National Plaza, north side of Alexis Road, between Telegraph Road and Detroit Avenue (P.C. approved on 3/21/74)  |
| Z-26-73      | - | M-2 & C-3 to C-4, R-3, & M-1 at N. Alexis Road, Telegraph to Detroit Avenue (P.C. recommended approval 2/8/73, C.C. approved 3/20/73 (Ord. 375-73), amended by Res. 49-79, P.C. recommended approval 5/24/79, C.C. approved 6/12/79) |
| S-3-77       | - | Preliminary Drawing of Skyview National Plaza at Detroit & Alexis Road, on the north side of Telegraph (P.C. approved 2/17/77)   |
| Z-62-77      | - | Amendment to C-4 site plan at north side of Alexis Road between Telegraph & Detroit (P.C. recommended approval 3/17/1977, C.C. approved 4/20/77 (Ord. 303-77))   |
| Z-8006-91    | - | Amend site plan granted by Ord. 375-73 as amended for Lot 4 at 130 New Towne Square Drive (P.C. recommended approval 10/3/91, C.C. approved 10/22/91 (Ord. 809-91))  |
| S-3-16       | - | Final Plat of the Replat of Part of Lot 4 of the NEW TOWNE SQUARE PLAT, located near the north-east corner of Telegraph and Alexis Road (P.C. disapproved 4/14/16)   |
| SPR-47-17    | - | Major Site Plan Review for sign waivers in a Regional Commercial Shopping Center Sign Control Overlay (CR-SO) at 130 New Towne Square Drive (P.C. approved 9/14/17)  |

## GENERAL INFORMATION (cont'd)

### Parcel History (cont'd)

SPR-41-18 - Major Site Plan Review for sign waivers in a Regional Commercial Shopping Center Sign Control Overlay (CR-SO) at 130 New Towne Square Drive (P.C. approved 1/10/19)

### Applicable Regulations

- Toledo Municipal Code (TMC) Part Eleven: Planning and Zoning Code
- Forward Toledo Comprehensive Land Use Plan

## STAFF ANALYSIS

The applicant is requesting a Special Use Permit to open a used car dealership at 130 New Towne Square Drive. The ±2.25-acre site is zoned CR-SO (Regional Commercial – Shopping Center Sign Control Overlay). Used auto sales is permitted in CR (Regional Commercial) zoning districts with a special use permit. To the North of the site is New Towne Square Drive. To the South of the site is Alexis Road, a funeral home, and a paint store. To the East is a church and a shopping center. To the West is a vacant commercial parcel and a restaurant.

### Used Auto Sales

TMC§1104.0300 outlines standards which apply to used automobile and recreational vehicle sales when not part of a new auto or RV dealership. 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 setback. No such elevated display, lift or mental structure are shown. Any future desires to install an elevated display, lift or mental structure for the purposes of outdoor display shall adhere to these requirements and listed as a condition of approval.

All used motor vehicles parked or displayed outdoors shall be operable and conform to Chapter 337, Safety and Equipment, of the Traffic Code. Repairs and service of inoperable auto and RV motor vehicles shall be conducted wholly within an enclosed structure permanently located on the lot. Used vehicle inventory shall only be displayed, parked or located within the outdoor display area defined on the site plan.

A four-foot (4') wood fence currently exists on the site south of the existing structure intersecting currently-delineated parking spaces. The site plan shows these spaces will be converted into outdoor display spaces. A revised site plan shall be submitted showing either the fence removed or the display spaces within the fence removed and listed as a condition of approval.

### Parking and Circulation

TMC§1107.0300 *Off-street parking Schedule "A"* requires a minimum of one (1) parking space per 5,000 square feet of open sales area, plus one (1) per 500 square feet of enclosed sales area, plus one and one-half (1.5) spaces per service bay. With the calculations shown on the site plan, twenty (20) off-street parking spaces are required. Twenty (20) off-street parking spaces have

**STAFF ANALYSIS (cont'd)****Parking and Circulation (cont'd)**

been shown; however, they are not clearly delineated from the outdoor display area spots. Per TMC§1104.0300, the required customer parking may not be used for used vehicle inventory. As a condition of approval, a revised site plan shall be submitted showing clear delineation between outdoor display area parking spots and customer/employee parking spots.

TMC§1107.1700 requires a portion of the total number of off-street parking spaces in each off-street parking area be specifically designated, located, and reserved for use by persons with physical disabilities. The submitted site plan shows four (4) of these accessible spaces for customer/employee parking and three (3) spaces within the outdoor display area. Since parking spaces within the outdoor display area are intended for the display of for-sale vehicles, not for customer/employee parking, there should be no need for accessible spaces within this area. A revised site plan shall be submitted showing no accessible parking spaces within the outdoor display area and listed as a condition of approval. With twenty (20) customer/employee parking spaces, one (1) van-accessible parking space is required per TMC§1107.1701. Should the number of proposed customer/employee parking spaces increase to twenty-six (26) or more based upon the previous delineation requirement, the number of required accessible parking spaces will also need to increase.

Required spaces for persons with disabilities must be identified with signs and pavement markings identifying them as reserved for persons with disabilities. Signs must be posted directly in front of the parking space at a height of no less than sixty inches (60") and no more than seventy-two inches (72") above pavement level. Additionally, aisles meeting the minimum dimensional standards of TMC§1107.1702 must be provided adjacent to all accessible parking spaces and listed as a condition of approval.

TMC§1107.1900 *Design Standards* applies to both customer/employee parking areas and outdoor display areas. Not all drive aisle and parking spot dimensions are shown; however, those that are shown reveal that the existing parking lot is not compliant with TMC§1107.1911 *Dimensions*. As a condition of approval, a revised site plan shall be submitted to both the Plan Director and the Division of Traffic Management showing all drive aisle and parking spot dimensions compliant with TMC§1107.1911.

**Landscaping and Screening**

An extensively landscaped frontage greenbelt is required along all public rights-of-way. At least one (1) tree must be provided for every thirty feet (30') of lot frontage, rounded up. The site has  $\pm$ three-hundred-eleven feet ( $\pm$ 311') of frontage on Alexis Road, which requires eleven (11) trees. Eleven (11) trees are shown and have been provided. The site has  $\pm$ one-hundred-sixty-eight feet ( $\pm$ 168') of frontage on New Towne Square Drive, which requires six (6) trees. Seven (7) existing trees are shown on the site plan and complies with the minimum frontage greenbelt requirements.

If a parking lot is proposed in the front of the property, the frontage greenbelt shall include a solid evergreen hedge planting to screen the parking lot so that no headlights of any vehicles can be seen from the public street. A low undulating earth berm may substitute the evergreen hedge if

**STAFF ANALYSIS (cont'd)****Landscaping and Screening (cont'd)**

approved by the Plan Director. An acceptable earth berm exists along Alexis Road; however, no such berm exists along New Towne Square Drive. A revised landscape plan shall be submitted depicting a solid evergreen hedge within the frontage greenbelt along New Towne Square Road in front of the parking lot and listed as a condition of approval.

Perimeter parking lot landscaping must be installed along any parking lot area adjacent to a street, place, or driveway, or which is visible from an immediately adjacent property. A minimum of one (1) canopy tree must be provided for each thirty linear feet (30'). A perimeter landscape strip currently exists along the western property line containing eight (8) existing trees. While these trees appear to be on the adjacent property, their existence meets the intent of this provision. Fourteen (14) trees are required along the western property line. The existing trees can be credited for multiple trees per TMC§1108.0407 *Tree Preservation and Credit for Existing Landscape Materials*. In order to count for tree credits, trees must have their species and caliper verified and depicted on a revised landscaping plan. Staff anticipates the existing trees will receive enough credit to meet the minimum fourteen (14) trees required.

Perimeter parking lot landscaping is also required along the eastern property line. There are two (2) existing trees between the parking lot and the property line. No other trees are proposed or shown on the submitted landscaping plan; however, eleven (11) trees are required on this area. While the existing trees may be credited as multiple trees, staff does not anticipate this requirement will be met. As a condition of approval, a revised landscaping plan must be submitted depicting additional trees to meet the eleven (11) trees required. In order to count for tree credits, existing trees must have their species and caliper verified and depicted on a revised landscaping plan.

Perimeter parking lot landscaping must also contain continuous shrubs with a minimum height of eighteen inches (18") when installed so as to achieve full screening at maturity. The submitted landscaping plan shows screening shrubs only along a small portion of the eastern property line. A revised landscaping plan must be submitted showing continuous shrub plantings along both the eastern and western property lines. If the applicant cannot receive permission to plant continuous shrubs within the existing landscape strip on the adjacent property to the west, the landscaping area may need to be expanded onto the subject property.

**Signs**

Per TMC§1113.0702(B), if a premises undergoes a Plan Commission review any nonconforming signage on the premises shall be brought fully into compliance with the Sign Code as a part of the review and approval process. As such, the existing nonconforming post-mounted sign along Alexis Road must be removed. This site is within an -SO Shopping Center Sign Control Overlay. Per TMC§1103.0707(D), a maximum of two (2) building signs are permitted on this outlot. One (1) ground sign may be installed as an alternative and substitute to one (1) of the two (2) permitted building signs. Applicant shall obtain appropriate permits for any proposed signage.

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Plan Future Land Use Map targets this site for Neighborhood Mixed-Use land uses. The Neighborhood Mixed-Use land use designation preserves and promotes pedestrian-oriented commercial and mixed-use areas. The proposed used car dealership is consistent with the Forward Toledo Plan as it reuses an existing commercial building, preventing blight and reducing waste materials that may have ended up in a landfill had the building been demolished. The reutilization of this structure supports the Building Preservation goal. Staff recommends approval of this special use permit as it meets the stated purpose of the zoning code, the proposed use complies with all applicable provisions of the zoning code, and the proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of SUP24-00093, a Special Use Permit for used car dealership at 130 New Towne Square Drive, to the Toledo City Council, for the following three (3) reasons:

1. The proposed use meets the stated purpose of the Zoning Code (**TMC§1111.0706(A)**);
2. The proposed use complies with all applicable provisions of this Zoning Code (**TMC§1111.0706(B)**); and
3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (**TMC§1111.0706(C)**).

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP24-00093, a Special Use Permit for a used car dealership at 130 New Towne Square Drive, to the Toledo City Council, subject to the following **forty (40)** 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. The City of Toledo public water system does not appear to be impacted by the project. Refer to comments provided by the Division of Water Distribution regarding private water mains and/or service lines.
2. A plan note states that the site might have detention through the metering of parking lot catch basins. Toledo does have calculations available to the applicant from 1992 for the detention provided on the surface of the parking lot at three existing catch basins.

Water Distribution

No comments received at time of publication.



**STAFF RECOMMENDATION (cont'd)**

Division of Environmental Services

3. 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.
4. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
5. Applicant is strongly encouraged to install permanent inlet filters with oil absorbent pillow in parking lot catch basins to treat stormwater.
6. Applicant is strongly encouraged to include multiple green infra-structure measures to minimize runoff and increase infiltration, and to minimize amount of new and/or additional impervious surface on site.
7. 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](https://www.oipc.info/uploads/5/8/6/5/58652481/alternatives_to_ohio_invasive_plant_species.pdf)
8. 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.

Bureau of Fire Prevention

9. It appears that this building will undergo a change of use. This will require compliance with all applicable Building, Fire, Electrical, Mechanical and Plumbing code requirements. (OBC105.1 & 101.4)
10. Building construction plans to be submitted to the FD for review in addition to the Building Inspection Department plan submittal. (OFC104.2, OBC107.4.5)
11. Fire Department to be notified and present for all fire systems acceptance testing. (OFC 901.5)
12. A fire safety inspection is required prior to occupancy. (OFC105.3.3.2)

**STAFF RECOMMENDATION (cont'd)**

Division of Transportation

13. Accessible parking is required with an 8' loading aisle for van and 5' loading aisle for auto per TMC 1107.1700.
14. Accessible parking signage sizes are required to meet TMC 1107.1704.
15. Wheel stops are required at all property lines, sidewalks, planting strips and buildings per TMC 1107.1907.
16. Dimensions for all drive aisles and parking spots must be shown per TMC 1107.1911.
17. All driveways and drive aisles must be a minimum width of 25' for two-way traffic per TMC 1107.1911.
18. The accessible parking spaces are required to be the closest parking space available to the accessible entrance with the shortest path of travel per TMC 1107.1703 and ADA (Americans with Disabilities Act).
19. All angled must be perpendicular parking with a 25' drive aisle for two-way traffic per TMC 1107.1911.
20. If one does not already exist, a cross access agreement is required with adjacent property owner to the West.

Plan Commission

21. No elevated displays, lifts, or metal structures used in conjunction with the display of motor vehicles shall be permitted without an amendment to this Special Use Permit.
22. All used motor vehicles parked or displayed outdoors shall be operable and conform to Chapter 337, Safety and Equipment, of the Traffic Code.
23. Repairs and service of inoperable auto and RV motor vehicles shall be conducted wholly within the enclosed structure.
24. Used vehicle inventory shall only be displayed, parked or located within the outdoor display area defined on the site plan.
25. The existing four foot (4') wooden fence between the structure and Alexis Road shall either be removed or have all parking/display spaces removed from within its enclosure. **This shall be depicted on a revised site plan submitted to the Plan Director.**
26. Off-street parking spaces for customers/employees shall be clearly delineated from spots within the outdoor display area. **Not acceptable as depicted. A revised site plan shall be submitted to the Plan Director depicting a clear delineation between outdoor display area parking spots and customer/employee parking spots.**

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

27. Off-street parking shall be provided pursuant to Off-Street Parking Schedule "A," (TMC§1107.0304).
28. Accessible parking spaces shall be provided according to TMC§1107.1701. All accessible parking spaces must comply with the parking space dimension standards of TMC§1107.1702.
29. Accessible spaces may not be included within the outdoor display area. **Not acceptable as depicted. A revised site plan shall be submitted to the Plan Director depicting no accessible parking spaces within the outdoor display area.**
30. Required spaces for persons with disabilities must be identified with signs and pavement markings identifying them as reserved for persons with disabilities. Signs must be posted directly in front of the parking space at a height of no less than 60 inches and no more than 72 inches above pavement level.
31. All drive aisle and parking spot dimensions shall be shown to be compliant with TMC§1107.1900 *Design Standards*. **Not acceptable as depicted. A revised site plan shall be submitted to the Plan Director and Division of Traffic Management showing compliance with all design standards.**
32. 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 treatment facility subject to the regulations and approval of the Department of Public Utilities. **Acceptable as depicted.**
33. 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. **Acceptable as depicted.**
34. A detailed site, lighting, fencing and 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') buffer of landscaped frontage greenbelt is required along Alexis Road. At least one tree must be provided for every 30 feet of lot frontage. The frontage greenbelt shall also include a solid evergreen hedge to screen parking in the front of the property and prevent headlights from being seen from the right-of-way. **Acceptable as depicted on landscaping plan. Berm is a suitable substitute for the evergreen hedge.**

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

- b. A fifteen-foot (15') buffer of landscaped frontage greenbelt is required along New Towne Square Drive. At least one tree must be provided for every 30 feet of lot frontage. The frontage greenbelt shall also include a solid evergreen hedge to screen parking in the front of the property and prevent headlights from being seen from the right-of-way. **Not acceptable as depicted. A revised landscaping plan shall be submitted to the Plan Director depicting a solid evergreen hedge within the frontage greenbelt along New Towne Square Road where the parking lot is visible.**
- c. Perimeter parking lot landscaping is required along the western property line. A minimum of one (1) canopy tree must be provided for each thirty linear feet (30'). **Not acceptable as depicted. Fourteen (14) trees required. Existing trees on the abutting property may be credited for multiple trees per TMC§1108.0407. In order to count for tree credits, trees must have their species and caliper verified and depicted on a revised landscaping plan.**
- d. Perimeter parking lot landscaping is required along the eastern property line. A minimum of one (1) canopy tree must be provided for each thirty linear feet (30'). **Not acceptable as depicted. Eleven (11) trees are required. Existing trees on the abutting property may be credited for multiple trees per TMC§1108.0407. In order to count for tree credits, trees must have their species and caliper verified and depicted on a revised landscaping plan.**
- e. Perimeter parking lot landscaping along the eastern and western property lines must contain continuous shrub plantings with a minimum height of eighteen inches (18") when installed so as to achieve full screening at maturity. **A revised landscaping plan shall be submitted to the Plan Director depicting continuous shrub plantings along both the eastern and western property lines. Western property line shrub plantings may be depicted on the adjacent property if permission is given by the adjacent property owner.**
- f. Topsoil must be back filled to provide positive drainage of the landscape areas.
- g. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage.
- h. 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.

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

- i. All landscaped areas shall be provided with a readily available water supply in accordance with TMC§1108.0406 *Irrigation/Watering*. Water outlets (hose bibbs) shall be provided within one-hundred feet (100') of all required plant material unless a subsurface irrigation system is used. **Irrigation plans must be submitted with development plans and, in the case of a subsurface irrigation system, contain all construction details.**
  - j. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained shall be depicted. Trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards.
  - k. The location, height and materials for any fencing to be installed and maintained.
  - l. The location of any proposed lighting (lights are to be directed away from adjacent residential properties).
35. Pursuant to TMC§1113.0700 *Legal nonconforming signs*, if the premises on which a legally nonconforming sign is located undergoes a Plan Commission review, including this Site Plan Review, any nonconforming signage on the premises shall be brought into full compliance with the Sign Code as a part of the review and approval process. The existing nonconforming ground sign on Alexis Road shall be removed.
36. This site is within an -SO Shopping Center Sign Control Overlay. Per TMC§1103.0707(D), a maximum of two (2) building signs are permitted on this outlot. One (1) ground sign may be installed as an alternative and substitute to one (1) of the two (2) permitted building signs. Applicant shall obtain appropriate sign permits for any proposed signage.
37. 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.
38. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
39. 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.
40. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

REF: SUP24-00093...November 7, 2024

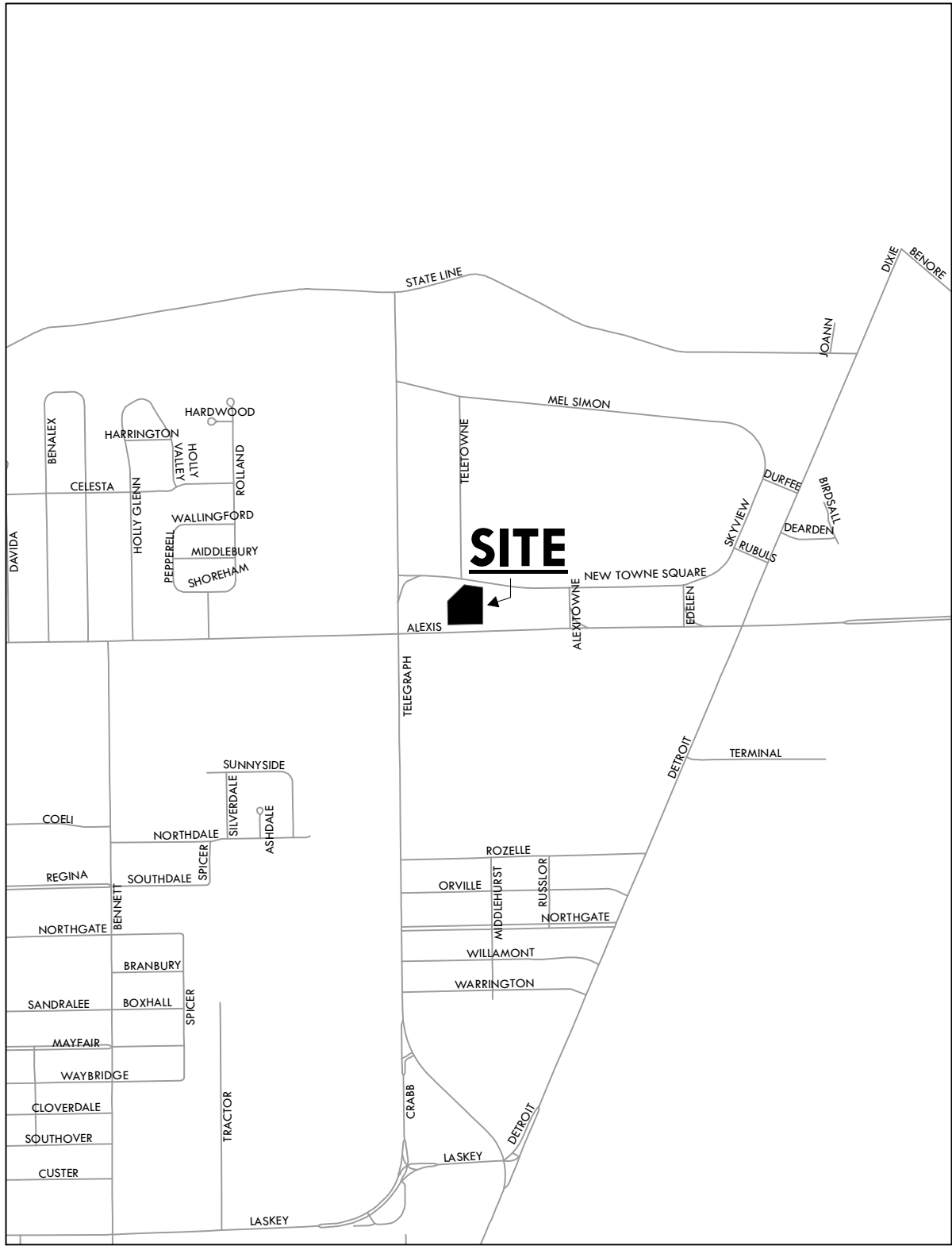
SPECIAL USE PERMIT  
TOLEDO CITY PLAN COMMISSION  
REF: SUP24-00093  
DATE: November 7, 2024  
TIME: 2:00 P.M.

CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: December 10, 2024  
TIME: 4:00 P.M.

AS  
Four (4) sketches follow

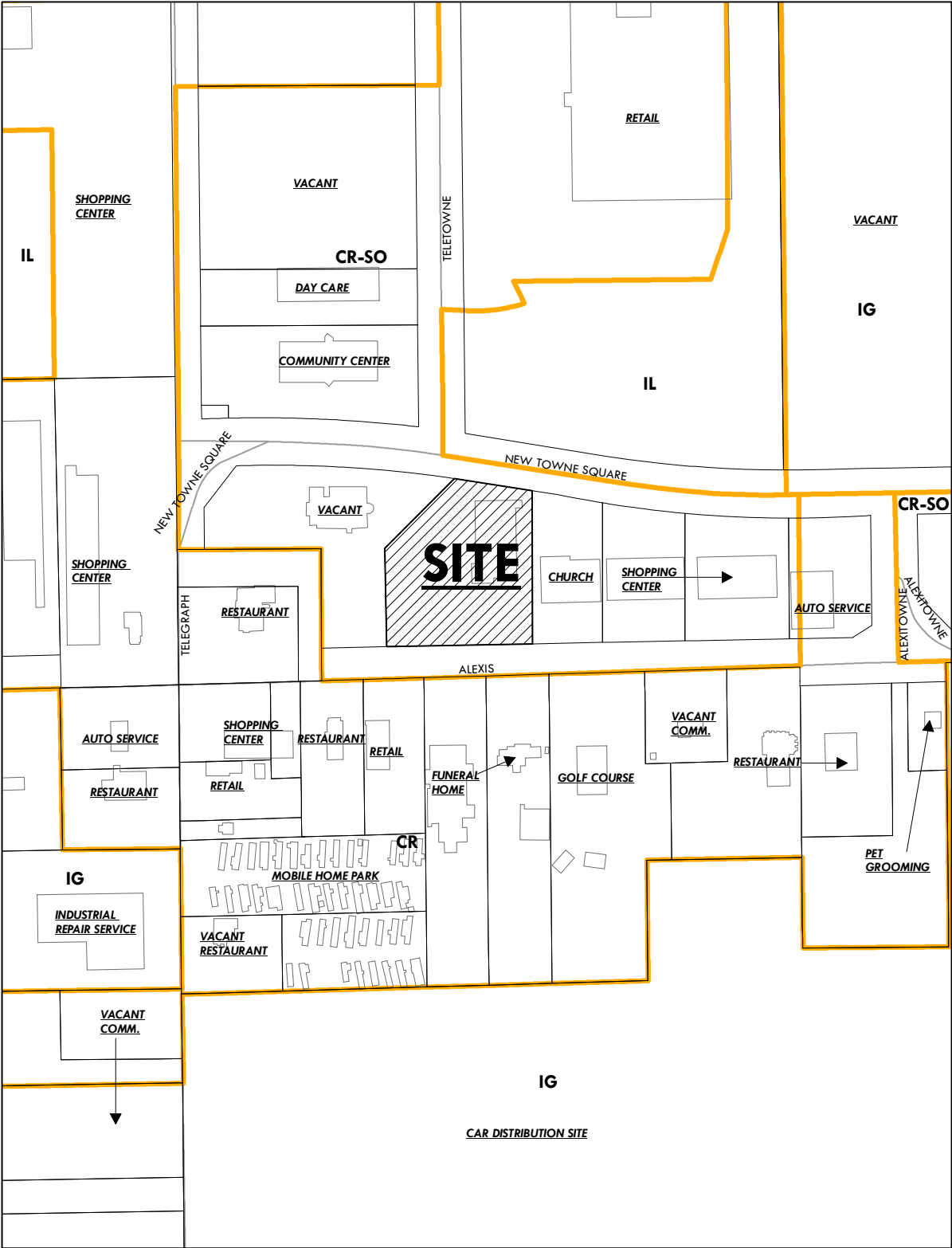
GENERAL LOCATION

SUP24-00093  
ID 70



ZONING & LAND USE

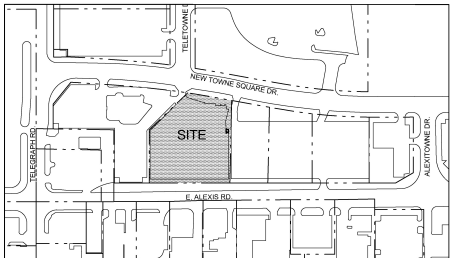
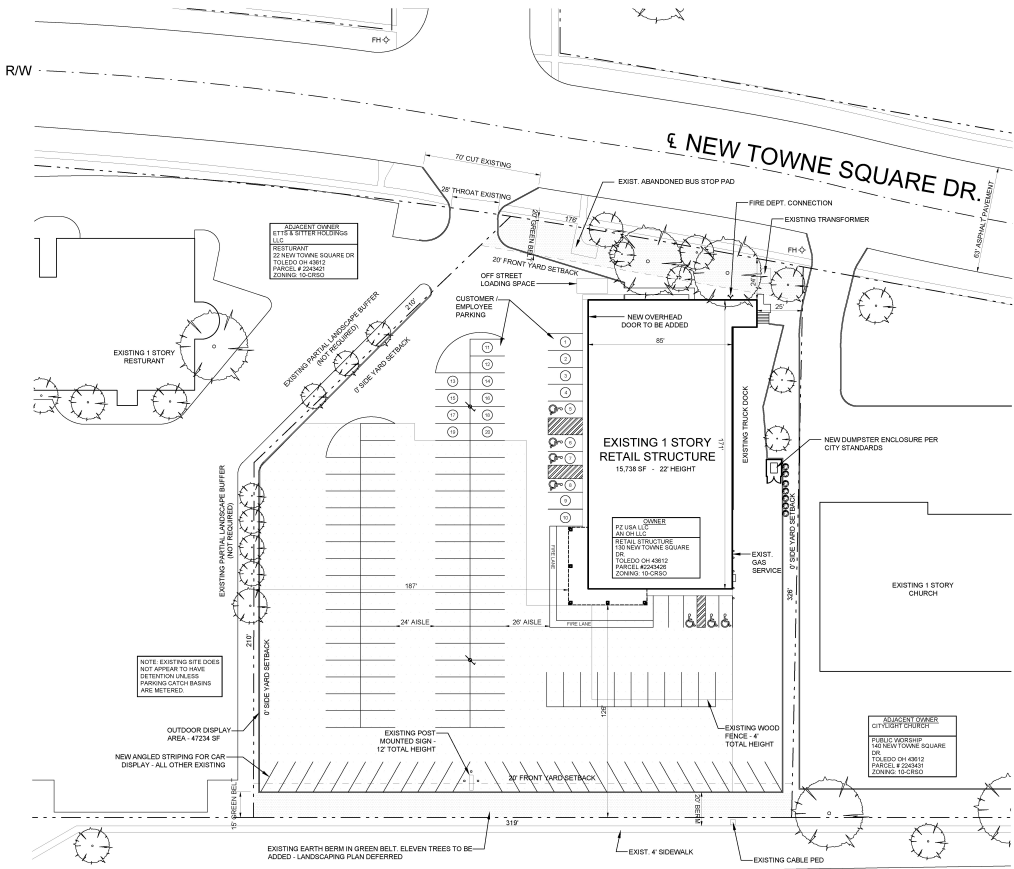
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ID 70





# SITE PLAN

SUP24-00093  
ID 70



GENERAL LOCATION SITE MAP

SCALE: 1" = 100'

## SITE ADDRESS

130 NEW TOWNE SQUARE DR.  
TOLEDO, OH 43612  
PARCEL # 2204408

## ZONING

CURRENTLY ZONED 10-CR20, REGIONAL COMMERCIAL. VEHICLE SALES AND SERVICE IS AN ACCEPTABLE USE. USED AUTO SALES REQUIRE SPECIAL USE PERMIT.

SECTION 1104.0301 - LOCATION: A 50' 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. NOT APPLICABLE.

SECTION 1104.0302 - OUTDOOR DISPLAY AREAS: 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. NONE PLANNED FOR. (INCORPORATE CURBS OR OTHER SUBSTANTIAL PERMANENT BARRIERS TO PREVENT ENCROACHMENT OF THE VEHICLES INTO THE REQUIRED SETBACK AND LANDSCAPE AREAS. WHEEL STOP MUST BE PROVIDED WHEN OUTDOOR DISPLAY AREAS ADJUT PUBLIC RIGHT-OF-WAY, ENSURING THAT DISPLAY VEHICLES DO NOT OVERHANG DIRECTLY ON SIDEWALKS. NOT APPLICABLE.

SECTION 1104.0303 - VEHICLE QUALITY: ALL USED MOTOR VEHICLES PARKED OR DISPLAYED OUTDOORS SHALL CONFORM TO CHAPTER 337, SAFETY AND EQUIPMENT, OF THE TRAFFIC CODE AND SHALL BE OPERABLE.

SECTION 1104.0304 - REPAIRS: REPAIRS AND SERVICE OF INOPERABLE AUTO AND RV MOTOR VEHICLES SHALL BE CONDUCTED WHOLLY WITHIN AN ENCLOSED STRUCTURE PERMANENTLY LOCATED ON THE LOT.

SECTION 1104.0305 - FENCING: FENCES SHALL NOT EXCEED 3' IN HEIGHT IN THE FRONT YARD. FENCES SHALL NOT EXCEED 10' IN ANY OTHER LOCATION ON A LOT. NO PART OF ANY FENCING OR SWING GATE SHALL EXTEND INTO THE PUBLIC RIGHT-OF-WAY. COMPLIES.

SECTION 1104.0306 - LOT SIZE: THE MINIMUM LOT SIZE SHALL BE NO LESS THAN ONE-HALF (1/2) ACRE. EACH LOT SHALL HAVE A MINIMUM AVERAGE WIDTH OF 150' ALONG THE MAIN ROAD FRONTAGE. COMPLIES.

SECTION 1104.0307 - SITE PLAN: SITE PLANS SHALL DELINEATE, WITH DIMENSIONAL, PARKING AREAS AND DRIVE AISLES FOR THE OUTDOOR DISPLAY AREA AND CUSTOMER/EMPLOYEE PARKING AREA. USED VEHICLE INVENTORY SHALL ONLY BE DISPLAYED, PARKED OR LOCATED WITHIN AREAS APPROVED AND DEFINED. REQUIRED CUSTOMER/EMPLOYEE PARKING MAY NOT BE USED FOR USED VEHICLE INVENTORY.

SECTION 1106.0205 - FRONT SETBACK: DOUBLE FRONTAGE LOTS - DOUBLE FRONTAGE LOTS MUST PROVIDE A FRONT SETBACK ON BOTH STREETS. FRONT YARD REQ'D - A MINIMUM OF 20' (1106.0102).

SECTION 1106.0206 - SIDE SETBACK: SIDE SETBACKS EXTEND FROM THE FRONT SETBACK LINE TO THE REAR SETBACK LINE AND ARE MEASURED FROM THE SIDE LOT LINE. IF NO FRONT, OR REAR, SETBACK IS REQUIRED, THE REQUIRED SETBACK AREA MUST RUN TO THE OPPOSITE LOT LINE. SIDE YARD REQ'D - NONE (1106.0102).

SECTION 1106.0102 - MINIMUM LOT SIZE = NONE. MAXIMUM FAR = 2.5. MAX. FRONT SETBACK = NONE. MAX. BUILDING HEIGHT = 60'. MAX. BUILDING COVERAGE = 85%. ALL COMPLY.

SECTION 1107.0300 - REQUIRED PARKING = 15,000 SF OPEN SALES AREA, PLUS 1,700 SF OF ENCLOSED SALES AREA, PLUS 1.5 PER SERVICE BAY = 47,234.50 SF + 5,000.00 SF + 21.5) = 50,734.50 SF + 3 = 50,737.50 SF.

SECTION 1107.1000 - OFF-STREET LOADING SCHEDULE: LOADING SPACES REQUIRED = 2.

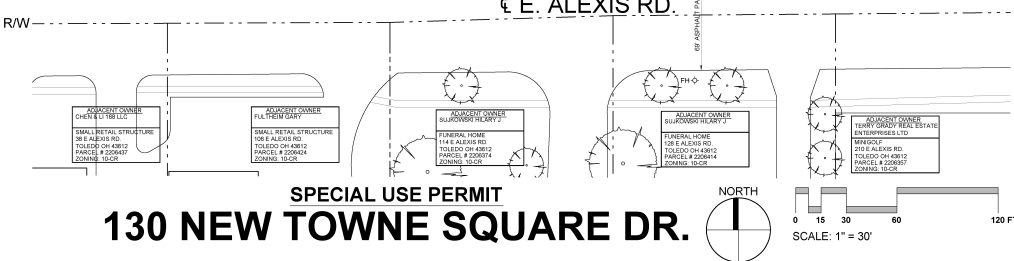
SECTION 1106.0203C - SCREENING REQUIREMENTS: NO SCREEN OR BUFFER REQUIRED FOR ADJOINING OR PROPERTIES.

SECTION 1106.0202 - AN EXTENSIVELY LANDSCAPED FRONTAGE GREENBELT SHALL BE PROVIDED ALONG PUBLIC RIGHT-OF-WAYS, AT LEAST ONE TREE MUST BE PROVIDED FOR EVERY 30 FEET OF LOT FRONTAGE OR FRACTION THEREOF. IF A PARKING LOT IS PROPOSED TO BE DEVELOPED IN THE FRONT OF THE PROPERTY, THE FRONTAGE GREENBELT SHALL INCLUDE LOW, UNLOADING DRAINAGE APPROVED BY THE PLANNING DIRECTOR TO SCREEN THE PARKING LOT SO THAT NO HEADLIGHTS OF ANY VEHICLES CAN BE SEEN FROM THE PUBLIC STREET. FRONTAGE GREENBELTS SHALL BE A MINIMUM WIDTH OF 15 FEET.

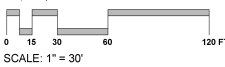
## LEGAL DESCRIPTION

NEW TOWNE SQUARE LOT 4 EXC E 199.33 FT

LEGEND	
WATER	—
SANITARY	—
STORM	—
GAS	—
ELECTRIC	—
TELEPHONE	—
FENCE	—
LIGHT POLE	—
FIRE HYDRANT	—
FIRE DEPARTMENT CONNECTION	—



SPECIAL USE PERMIT  
130 NEW TOWNE SQUARE DR.

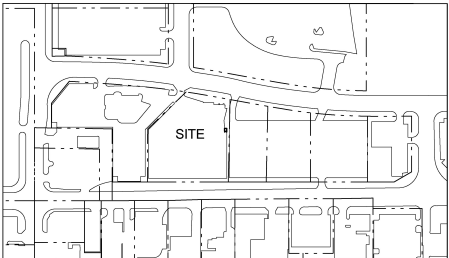
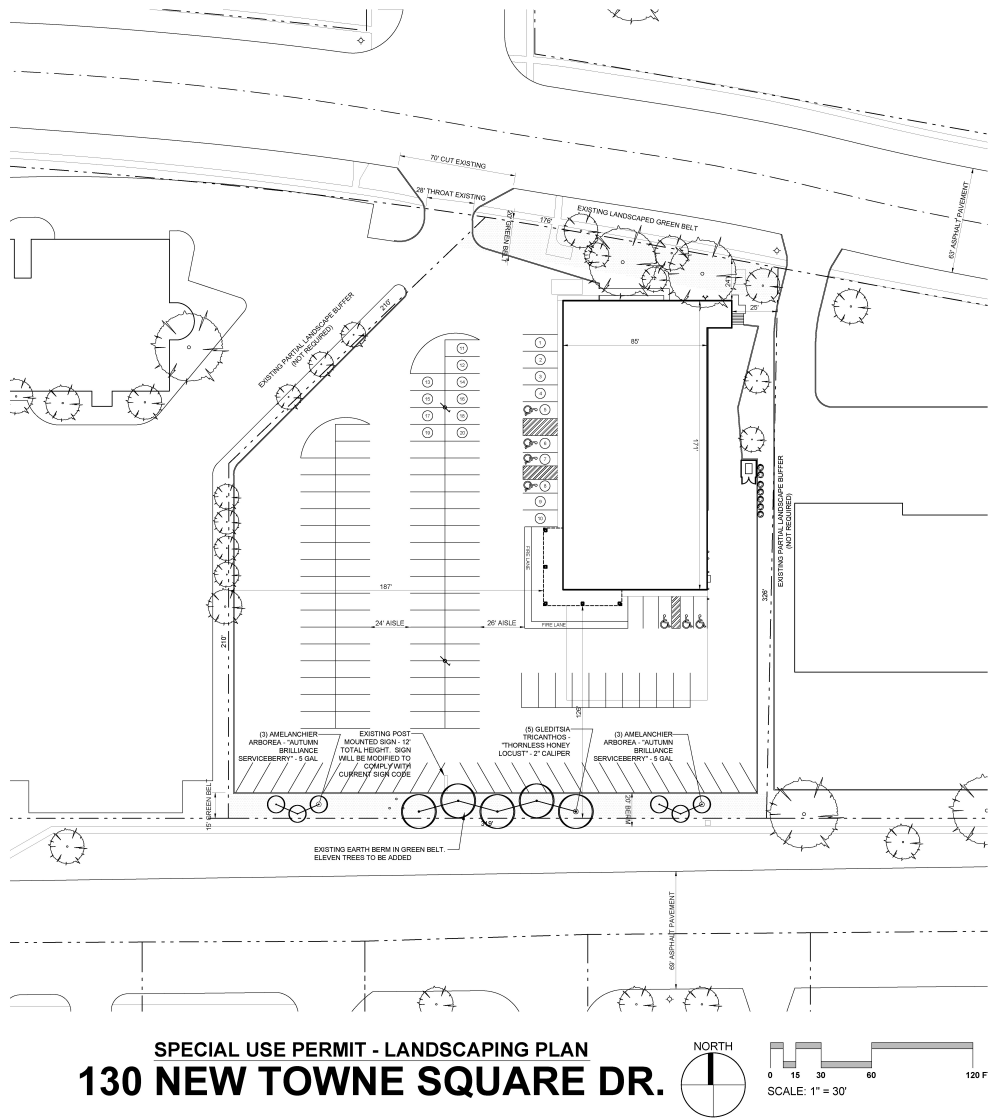


**Hales**  
ARCHITECTURE +  
PLANNING  
3901 W. Alexis Rd., Ste. 200  
Toledo, OH  
Phone: 419.460.3480  
Fax: 419.460.3401  
Website: www.halesarch.com

DRAWING DATE: AUGUST 26, 2024

# LANDSCAPE PLAN

SUP24-00093  
ID 70



GENERAL LOCATION SITE MAP  
SCALE: 1" = 200'

**SITE ADDRESS**

130 NEW TOWNE SQUARE DR.  
TOLEDO, OH 43612  
PARCEL #024302

**ZONING**

CURRENTLY ZONED 10-CR30: REGIONAL COMMERCIAL. VEHICLE SALES AND SERVICE IS AN ACCEPTABLE USE. USED AUTO SALES REQUIRE SPECIAL USE PERMIT.  
SECTION 1109.0203C - SCREENING REQUIREMENTS: NO SCREEN OR BUFFER REQUIRED FOR ADJOINING OR PROPERTIES.  
SECTION 1109.0202 - AN EXTENSIVELY LANDSCAPED FRONTAGE GREENBELT SHALL BE PROVIDED ALONG PUBLIC RIGHT-OF-WAY. AT LEAST ONE TREE MUST BE PROVIDED FOR EVERY 30 FEET OF LOT FRONTAGE OR PORTION THEREOF. IF A PARKING LOT IS PROPOSED TO BE DEVELOPED IN THE FRONT OF THE PROPERTY, THE FRONTAGE GREENBELT SHALL INCLUDE LOW UNOCCUPYING EARTH BERM APPROVED BY THE PLANNING DIRECTOR TO SCREEN THE PARKING LOT SO THAT NO HEADLIGHTS OF ANY VEHICLES CAN BE SEEN FROM THE PUBLIC STREET. FRONTAGE GREENBELTS SHALL BE A MINIMUM WIDTH OF 15 FEET.

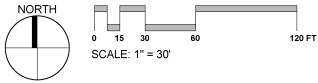
LEGEND

EXISTING TREE

EXISTING SHRUB

NEW TREE

SPECIAL USE PERMIT - LANDSCAPING PLAN  
130 NEW TOWNE SQUARE DR.



Hales  
ARCHITECTURE +  
PLANNING  
3601 W. Alexis Rd., Ste. 200  
Toledo, OH  
Phone: 419-469-3400  
Fax: 419-469-3480  
Website: www.halesarch.com

DRAWING DATE: SEPTEMBER 11, 2024

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## GENERAL INFORMATION

### Subject

- |                     |   |  |
|---------------------|---|--|
| Request             | - | Zone Change from RS6 (Single-Dwelling Residential) & RM36 (Multi-Dwelling Residential) to RM12 (Multi-Family Residential)                            |
| Location            | - | 2388 Tremainsville Road,<br>2317-2360 Rood Street,<br>2229-2237 McKeever Road,<br>2230, 2232, 2235, 2236 Gilliotte Avenue,<br>& 2312 Mellwood Avenue |
| Applicant / Owner   | - | WeTally, LLC<br>5439 Lewis Avenue<br>Toledo, OH 43612  |
| Surveyor / Engineer | - | Lewandowski Engineers, A Verdantas Company<br>234 N. Erie Street<br>Toledo, OH 43604   |

### Site Description

- |                 |   |   |
|-----------------|---|---|
| Current Zoning  | - | RS6 (Single-Dwelling Residential) & RM36 (Multi-Dwelling Residential)   |
| Proposed Zoning | - | RM12 (Multi-Dwelling Residential)   |
| Area            | - | ± 7.07 acres  |
| Frontage        | - | ± 198' along Rood Street<br>± 412' along Gilliotte Avenue<br>± 138' along Tremainsville Road<br>± 50' along Mellwood Avenue |
| Existing Use    | - | Open Space, Single Dwelling Home  |
| Proposed Use    | - | Duplex and Triplex Residential Neighborhood   |

### Area Description

- |       |   |  |
|-------|---|--|
| North | - | CR / Auto Sales, Auto Repair, Office Building                          |
| South | - | RS6 / Single Dwelling Homes  |
| East  | - | RM36, RS6 / Apartments & Single Dwelling Homes                         |
| West  | - | CR, RS6 / Apartments, Moving Company, Locksmith, Single Dwelling Homes |

### Parcel History

- |         |   |  |
|---------|---|--|
| M-38-60 | - | Interim Zoning for an area bounded by Tremainsville, Rowland, Semoff, Recamper, and the Michigan state line, Washington Twp. (P.C. approved 10/6/60) |
|---------|---|--|

**GENERAL INFORMATION (cont'd)**Parcel History (cont'd)

M-20-62	-	Interim Zoning for an area bounded by Talmadge, State Line, Semoff, Winona, Rowland, Laskey, Oak Grove, Tremainsville, and McGregor (P.C. approved 8/23/62)
V-951-98	-	Vacation of a portion of McKeever Ave. (P.C. approved 9/24/98; C.C. approved 8/17/99, Ord. 676-99)
V-952-98	-	Vacation of a portion of Rood Ave. between Gilliotte and McKeever (P.C. approved 9/24/98; C.C. approved 8/17/99, Ord. 675-99)
S-11-02	-	Preliminary Drawing for Tremain Place (P.C. approved 8/8/02)
S-11-02	-	Extension of Preliminary Plat approval for Tremain Place (P.C. approved 8/9/07)

Applicable Plans & Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Forward Toledo Comprehensive Land Use Plan

**STAFF ANALYSIS**

The applicant is requesting a Zone Change from RS6 (Single-Dwelling Residential) & RM36 (Multi-Dwelling Residential) to RM12 (Multi-Dwelling Residential) for 2388 Tremainsville Road, 2317-2360 Rood Street, 2229-2237 McKeever Road, 2230, 2232, 2235, 2236 Gilliotte Avenue, & 2312 Mellwood Avenue. The request is to accommodate a proposed duplex and triplex residential neighborhood development named Tremainsville Farms. The applicant has submitted companion case S24-0008, a Preliminary Drawing Review for Tremainsville Farms, alongside this zone change application. Surrounding land uses include commercial businesses to the north fronting on Laskey Road, abutting apartments to the east and west, and surrounding single-dwelling homes to the south, east, and west fronting on Tremainsville Road and Mellwood Avenue.

Density

The applicant has requested a zone change to RM12, the lowest density residential district which permits a combination of duplexes and triplexes. The RM12 district density requirements – 3,000 square feet per unit for duplexes and 3,600 square feet per unit for triplexes – will permit the requested development as shown on the companion preliminary drawing. For context, the current RS6 (Single-Dwelling Residential) district permits a density of 6,000 square feet per unit. The highest density residential district, RM36 – of which some of the requested property is already zoned – permits a density of 1,200 square feet per unit.

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan targets this area for Neighborhood Residential land uses. The neighborhood residential land use designation provides space for low- and medium-density housing demands in the city while making best use of neighborhoods with constraints such as narrow lots. Physical characteristics of the neighborhood residential designated areas should include higher unit count homes designed to match visual scale and character of nearby single-family houses. The proposed zone change is compatible with the Forward Toledo Plan as it facilitates higher unit count homes designed to match the visual scale and character of nearby single-family homes. The proposal also supports the Plan's Promote Housing Variety and Addressing Housing Affordability goals.

Staff recommends approval of the Zone Change from RS6 (Single-Dwelling Residential) & RM36 (Multi-Family Residential) to RM12 (Multi-Family Residential) for the proposed site because it is consistent with the Comprehensive Plan, the stated purpose of the Zoning Code, and existing land uses and zoning classifications within the general vicinity of the subject property.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z24-0008, a Zone Change from RS6 (Single-Dwelling Residential) & RM36 (Multi-Family Residential) to RM12 (Multi-Family Residential) for 2388 Tremainsville Road, 2317-2360 Rood Street, 2229-2237 McKeever Road, 2230, 2232, 2235, 2236 Gilliotte Avenue, & 2312 Mellwood Avenue, for the following three (3) reasons:

1. The proposed Zone Change is consistent with the Comprehensive Plan and the stated purpose of the Zoning Code (**TMC§1111.0606(A)**);
2. The proposed Zone Change is consistent with existing land uses within the general vicinity of the subject property (**TMC§1111.0606(B)**); and
3. The proposed Zone Change is consistent with the zoning classifications of properties within the general vicinity of the subject property (**TMC§1111.0606(C)**)

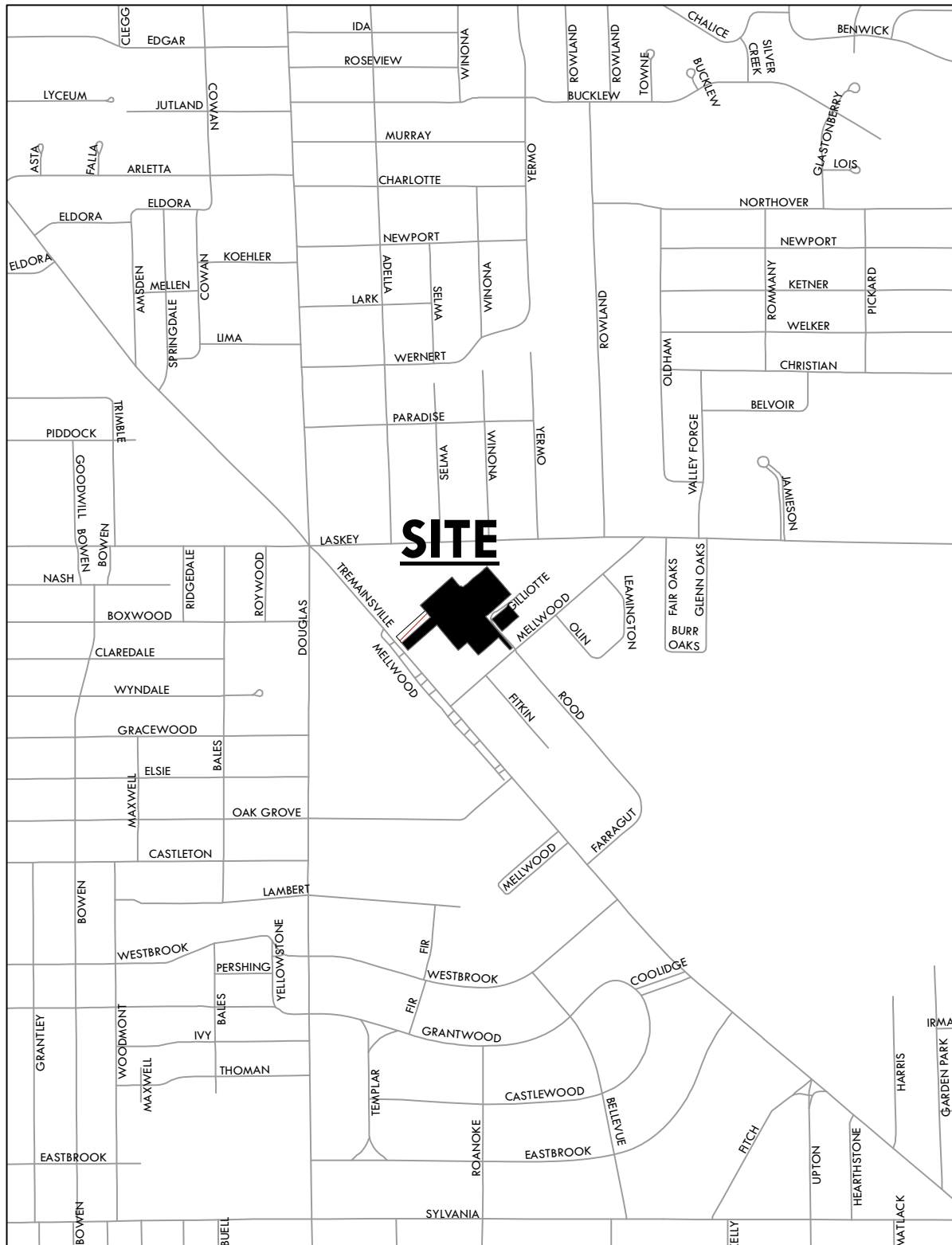
ZONE CHANGE  
TOLEDO PLAN COMMISSION  
REF: Z24-0008  
DATE: November 7, 2024  
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: December 10, 2024  
TIME: 4:00 P.M.

AS  
Two (2) sketches follow

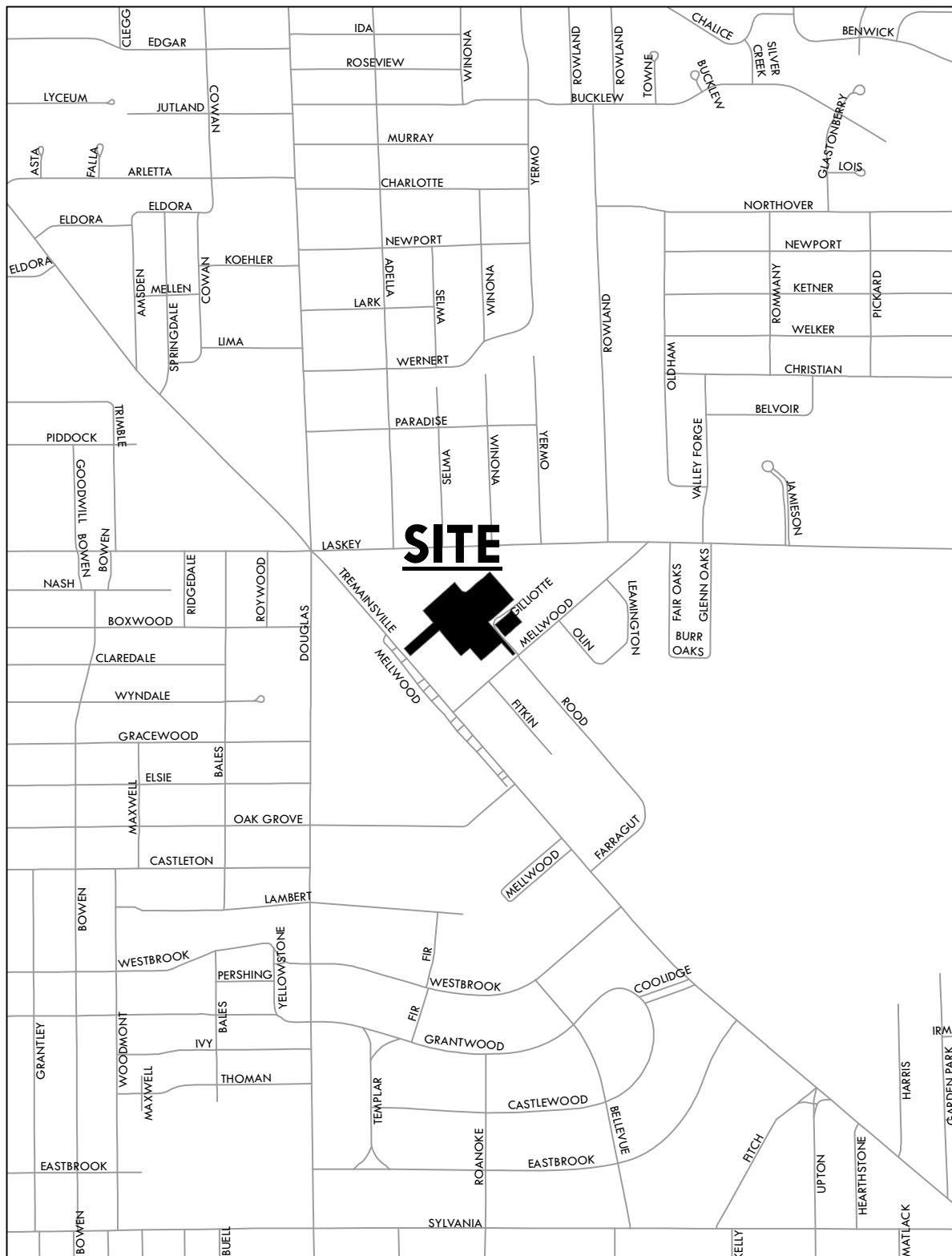
## GENERAL LOCATION

**Z24-0010**  
**ID 40**



## GENERAL LOCATION

**Z24-0010**  
**ID 40**



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## GENERAL INFORMATION

- |                     |   |  |
|---------------------|---|--|
| Location            | - | 2388 Tremainsville Road,<br>2317-2360 Rood Street,<br>2229-2237 McKeever Road,<br>2230, 2232, 2235, 2236 Gilliotte Avenue,<br>& 2312 Mellwood Avenue |
| Applicant / Owner   | - | WeTally, LLC<br>5439 Lewis Avenue<br>Toledo, OH 43612  |
| Surveyor / Engineer | - | Lewandowski Engineers, A Verdantas Company<br>234 N. Erie Street<br>Toledo, OH 43604   |

### Site Description

- |                 |   |   |
|-----------------|---|---|
| Current Zoning  | - | RS6 (Single-Dwelling Residential) & RM36 (Multi-Dwelling Residential)   |
| Proposed Zoning | - | RM12 (Multi-Family Residential)   |
| Area            | - | ± 7.07 acres  |
| Frontage        | - | ± 198' along Rood Street<br>± 412' along Gilliotte Avenue<br>± 138' along Tremainsville Road<br>± 50' along Mellwood Avenue |
| Existing Use    | - | Open Space, Single Dwelling Home  |
| Proposed Use    | - | Duplex and Triplex Residential Neighborhood   |

### Area Description

- |       |   |  |
|-------|---|--|
| North | - | CR / Auto Sales, Auto Repair, Office Building                          |
| South | - | RS6 / Single Dwelling Homes  |
| East  | - | RM36, RS6 / Apartments & Single Dwelling Homes                         |
| West  | - | CR, RS6 / Apartments, Moving Company, Locksmith, Single Dwelling Homes |

### Parcel History

- |         |   |  |
|---------|---|--|
| M-38-60 | - | Interim Zoning for an area bounded by Tremainsville, Rowland, Semoff, Recamper, and the Michigan state line, Washington Twp. (P.C. approved 10/6/60) |
|---------|---|--|

**GENERAL INFORMATION (cont'd)**Parcel History (cont'd)

M-20-62	-	Interim Zoning for an area bounded by Talmadge, State Line, Semoff, Winona, Rowland, Laskey, Oak Grove, Tremainsville, and McGregor (P.C. approved 8/23/62)
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S-11-02	-	Preliminary Drawing for Tremain Place (P.C. approved 8/8/02)
S-11-02	-	Extension of Preliminary Plat approval for Tremain Place (P.C. approved 8/9/07)

Applicable Plans & Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Subdivision Rules and Regulations for the City of Toledo
- Forward Toledo Comprehensive Land Use Plan

**STAFF ANALYSIS**

The applicant has submitted a Preliminary Drawing in order to develop an eighteen (18) lot duplex and triplex subdivision located at 2388 Tremainsville Road, 2317-2360 Rood Street, 2229-2237 McKeever Road, 2230, 2232, 2235, 2236 Gilliotte Avenue, & 2312 Mellwood Avenue. Pursuant to §307 of the *Subdivision Rules and Regulations for the City of Toledo*, subdivisions involving the creation of more than five (5) lots – or one (1) which creates, widens, or extends a public or private street – must be platted in accordance with major subdivision procedures. Surrounding land uses include commercial businesses to the north fronting on Laskey Road, abutting apartments to the east and west, and surrounding single dwelling homes to the south, east, and west fronting on Tremainsville Road and Mellwood Avenue.

Preliminary Drawing

The applicant has submitted a Preliminary Drawing for review and tentative approval prior to the formulation and submittal of detailed construction drawings. Preliminary Drawings are reviewed for the applicant's benefit and at their discretion. Approval of a Preliminary Drawing by the Toledo City Plan Commission shall be effective for a maximum of three (3) years from the date of its approval unless an extension of the approval has been granted by the Plan Director.

**STAFF ANALYSIS (cont'd)**Street Design and Layout

The preliminary drawing proposes right-of-way expansions to widen existing Rood Street and Gilliotte Avenue to sixty feet (60') where the applicant's property ownership allows. Some portions of Rood Street and Gilliotte Avenue retain a fifty-foot (50') right-of-way in those areas. The preliminary drawing also proposes a new street labeled "Firefly Lane". Proposed Firefly Lane would intersect Tremainsville at 2388 Tremainsville and extend east intersecting with Rood Street. The proposed street would then continue east to the eastern edge of the drawing, ending at an adjacent developed property similar to Gilliotte Avenue.

Permanent dead-end streets are not permitted per §307 of the *Subdivision Rules and Regulations for the City of Toledo*, hereby Subdivision Rules. Temporary dead-ends are permitted subject to certain rules; however, Firefly Lane dead-ends into a developed parcel, making the dead-end permanent rather temporary. The best solution to comply with the Subdivision Rules would be to turn Firefly Lane into a cul-de-sac; however, the site's unique layout constrains this possibility. Any redesign of Firefly Lane into a cul-de-sac would reduce the number of developable parcels, reducing the number of housing units provided by this missing-middle proposal. Leaving the dead-end as proposed, and applying the requirements of temporary dead-end streets, may also leave open the possibility of extending Firefly Lane in the far future. Staff recommends a waiver of this requirement as strict application of this regulation will result in an unnecessary hardship due to the site's unique existing conditions. As a condition of approval, a two foot (2') wide anti-vehicular access easement shall be incorporated into the Final Plat to preclude access until the right-of-way is extended.

Gilliotte Avenue currently exists as a permanent dead-end street due to its age and a series of vacations. A waiver is not required for this existing condition; however, a two foot (2') wide anti-vehicular access easement shall be incorporated into the Final Plat to preclude access until the right-of-way is extended. The dead-ends of both Firefly Lane and Gilliotte Avenue shall incorporate turnarounds satisfactory to the Division of Transportation and the Bureau of Fire Prevention, which is included as a condition of approval.

Sidewalks are shown as required by §517 of the Subdivision Rules; however, the Division of Traffic Management requests additional information on pedestrian ramps and crosswalks. The applicant shall submit any requested additional information on pedestrian circulation to the Division of Traffic Management for their review and approval.

Street lighting and street trees shall be installed along the proposed right-of-way. Lighting shall be of a quantity to sufficiently light the street and trees shall be spaced according to Section 703 of the Subdivision Rules.

Road design standards shall be in accordance with the requirements and specifications of the Division of Engineering Services and the Division of Transportation. All pavement, sanitary, water line and storm drainage improvements, sidewalk, seeding, mulching, monuments, landscape requirements and other public improvements as listed on the Preliminary Drawing and engineering plans shall be completed before the signing of the Final Plat. The developer shall

## **STAFF ANALYSIS (cont'd)**

### Street Design and Layout (cont'd)

complete these improvements to the satisfaction of the Division of Engineering Services, or other appropriate agency, or the subdivider/developer shall insure their completion with a performance guarantee acceptable to the Platting Commissioner.

### Lot Layout

The preliminary drawing proposes eighteen (18) lots – three (3) reserved for triplexes and fifteen (15) reserved for duplexes. The fifteen (15) lots reserved for duplexes are spread out along Firefly Lane, Rood Street, and Gilliotte Avenue. These lots are roughly sixty-one feet (61') wide by one-hundred-ten feet (110') in length totaling an average of 6,710 square feet each. Two (2) of the three (3) lots reserved for triplexes are located at the corners of Firefly Lane and Rood Street while the last is located behind 2394 and 2402 Tremainsville Road. These lots are roughly one-hundred feet (100') by one-hundred-ten feet (110') totaling an average of 11,000 square feet each. The applicant has submitted companion case Z24-0010 to rezone all lots to RM12 Multi-Dwelling Residential, which would permit the requested density of the duplexes and triplexes. Additionally, all the proposed lots meet the fifty foot (50') minimum lot width requirement of TMC§1106.0101.

Two (2) lettered lots are reserved on the preliminary drawing: one (1) for proposed detention and the other to preserve a wetland area. The detention lot is proposed behind lots one (1) through four (4) south-west of Rood Street and south-east of Firefly Lane. Stormwater lines are shown draining towards this lot. The proposed wetland conservation lot is located between lots eight (8) and nine (9) north-west of Firefly Lane.

### Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan targets this area for Neighborhood Residential land uses. The Neighborhood Residential land use designation provides space for low- and medium-density housing demands in the city while making best use of neighborhoods with constraints such as narrow lots. Physical characteristics of the neighborhood residential designated areas should include higher unit count homes designed to match visual scale and character of nearby single-family houses. The proposed preliminary drawing is compatible with the Forward Toledo Plan as it proposes higher unit count homes designed to match the visual scale and character of nearby single-family homes. The proposal also supports the Plan's Promote Housing Variety and Addressing Housing Affordability goals.

## **STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission approve S24-0008, a Preliminary Drawing for Tremainsville Farms, for the following **two (2)** reasons:

1. The proposed development is consistent with the Forward Toledo Comprehensive Land Use Plan; and
2. The proposed plat meets the requirements for the City of Toledo's Subdivision Regulations.

## STAFF RECOMMENDATION (cont'd)

The staff further recommends that the Toledo City Plan Commission approve of the following waiver:

### **Section 5 – Street Design and Construction Standards**

#### **506 – Special Street Types**

1. Permanent dead-end streets shall not be permitted. Temporary dead-end streets shall be permitted only as a segment of a continuing street plan subject to its extension into undeveloped acreage.

Approve of a waiver to allow a permanent dead-end street. A redesign of the current layout to comply with this standard would reduce the number of developable parcels, reducing the number of housing units provided by this missing-middle proposal. Leaving the dead-end as proposed, and applying the requirements of temporary dead-end streets, may also leave open the possibility of extending Firefly Lane in the far future.

The staff further recommends approval of S24-0008, a Preliminary Drawing for Tremainsville Farms, subject to the following **thirty-two (32)** conditions.

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

#### **Engineering Services**

1. All **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 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 Ted Rousos, 419-245-1347. The application can be obtained online at Toledo.oh.gov search: Right of Way opening permit.
4. The typical section for the pavement in the public right-of-way needs to be constructed in accordance with the City of Toledo Construction Standards.

**STAFF RECOMMENDATION (cont'd)**

Engineering Services (cont'd)

5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities. Plans shall be submitted to the Division of Engineering and Construction Management for review and approval.
6. The stormwater planning is adequate for a preliminary plat, although Toledo has not received engineering work by which it could be confirmed that the proposed detention will suffice for stormwater management needs. The basin design shall conform to the Toledo Infrastructure Standards and Ohio CGP and it shall be drained by gravity unless a defense is made and accepted that a pump must be used. Should any stormwater landscape changes be made in the process of receiving engineering approval, further coordination with the Plan Commission may be required to receive engineering approval.
7. Toledo's stormwater review excludes review of the surface water delineation. Dredging, filling, clearing, or working in and near wetlands is subject to the Clean Water Act Sections 401 and/or 404 and may require permit(s) from other agencies. 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.
8. Shared private storm lines within the subdivision shall have accompanying private easements shown on the plat.
9. Sanitary sewer service for this development is available subject to the Rules and Regulations for the Department of Public Utilities.
10. Sanitary sewer shall be completely within the proposed right-of-way. Sanitary sewer shall be a minimum of 10 feet inside the proposed right-of-way.
11. If there are any existing structures to be demolished at the site, the sanitary services to such structures will be killed by the City of Toledo at the developer's cost.

Chief Surveyor

12. Approved as noted. Mark-ups provided to applicant and surveyor.

Lucas County Health Department

13. Any well or septic concerns shall be forwarded to this department.

Lucas County Tax Map

No comments or concerns.

**STAFF RECOMMENDATION (cont'd)**

Columbia Gas

No comments received at time of publication.

Toledo Edison

No comments received at time of publication.

Buckeye Broadband

No comments received at time of publication.

Fire Prevention

14. Once streets are in – Unobstructed access to fire hydrants shall be maintained at all times. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants (OFC 507.5.4).
15. 3 feet of clear space shall be maintained around the circumference of fire hydrants at all times (OFC 507.5.5).
16. It appears Firefly Lane and possibly Gilliotte Ave may be dead-end streets. Both are 244 from Rood St to the end, shown on the plan submitted. Turn-around provisions are needed for dead-end streets over 150 feet. Please provide turn-arounds.

Division of Transportation

17. A turn around is required at the end of Firefly Lane and Gilliotte Avenue per City of Toledo Subdivision Rules and Regulations.
18. Pedestrian ramps and crosswalks are required to be shown on drawings.

Plan Commission

19. Approval of this Preliminary Drawing is subject to the approval of Z24-0010, a Zone Change from RS6 (Single-Dwelling Residential) & RM36 (Multi-Family Residential) to RM12 (Multi-Family Residential).
20. Street addresses shall be assigned by the Division of Engineering Services.
21. A two foot (2') wide anti-vehicular access easement shall be incorporated into the Final Plat at the ends of both Firefly Lane and Gilliotte Avenue to preclude access until the right-of-way is extended.
22. The dead-ends of both Firefly Lane and Gilliotte Avenue shall incorporate turnarounds satisfactory to the Division of Transportation and Bureau of Fire Prevention.
23. Additional pedestrian circulation information shall be provided to the Division of Traffic Management for their review and approval.

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

24. Per Section 703 of the City of Toledo Subdivision Regulations, street trees shall be installed along all streets in a major subdivision and shall meet the spacing criteria of said section. A street tree plan shall be submitted to the Plan Director for review and approval prior to the approval of a Final Plat.
25. Per Section 518 of the City of Toledo Subdivision Regulations, street lights shall be required along all streets and walkways. A street lighting plan shall be submitted to the Plan Director for review and approval prior to the approval of a Final Plat.
26. The location of utility line easements shall be subject to approval by the various utility providers and shall be a minimum width of ten feet (10').
27. All utilities shall be placed underground, according to the standards of the appropriate utility company.
28. Road design standards shall be in accordance with the requirements and specifications of the Division of Engineering Services and the Division of Transportation. All pavement, sanitary, water line and storm drainage improvements, sidewalk, seeding, mulching, monuments, landscape requirements and other public improvements as listed on the Preliminary Drawing and engineering plans shall be completed before the signing of the Final Plat. The subdivider/developer shall complete these improvements to the satisfaction of the Division of Engineering Services, or other appropriate agency, or the subdivider/developer shall insure their completion with a performance guarantee acceptable to the Platting Commissioner.
29. A statement on the Final Plat shall indicate: The owner of each lot shall provide a minimum four-foot (4') wide sidewalks along all street frontage within the subdivision where required. The sidewalks will be four-inches (4") in depth except at drives where six-inch (6") depth will be provided for the full width of the drive. It is the duty of each lot owner, at his/her expense, to keep and maintain the sidewalks adjacent to his/her lot in a good and sufficient manner and to clear the aforesaid sidewalk of snow, ice, dirt and any other debris within twenty-four (24) hours after such deposit, and the owner shall indemnify and hold the City of Toledo harmless from any liability to any person for his/her neglect, failure or refusal in performing such duty.
30. A statement on the Final Plat shall indicate: All open space and/or detention areas within this plat and future plats of Tremainsville Farms shall be the responsibility of a homeowners' association whose membership includes the owners of all lots within this plat and future plats of Tremainsville Farms. The homeowners' association shall be responsible for the maintenance and property tax liability. In the event a homeowner's association is not formed or ceases to exist, the property tax liability and maintenance of the open space and/or detention area(s) shall be equally shared and assessed to each individual lot owner within the plat and future plats of Tremainsville Farms.



**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

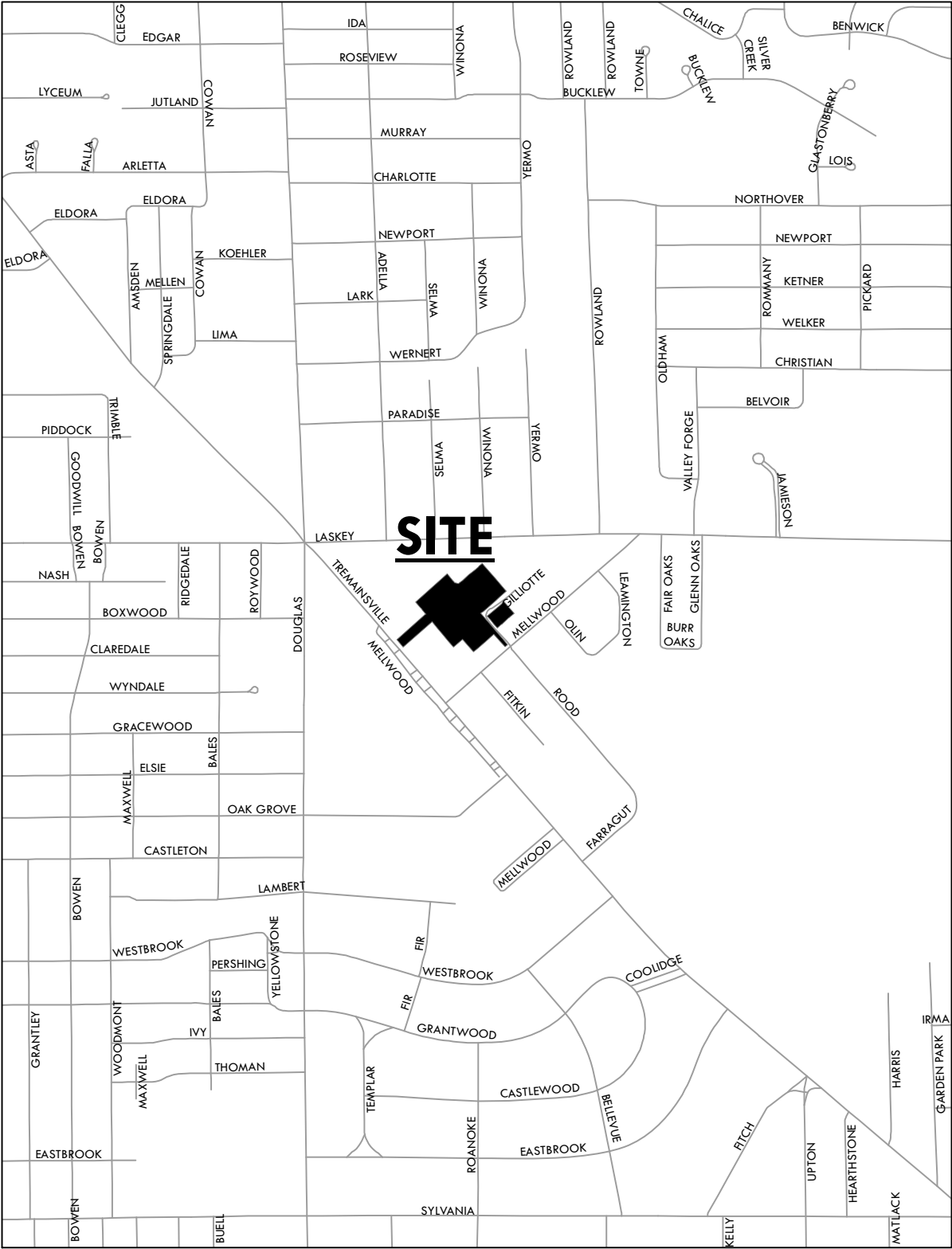
31. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.
32. The Preliminary Drawing shall be valid for a three (3) year period from the date of approval by the Planning Commission.

PRELIMINARY PLAT  
TOLEDO CITY PLAN COMMISSION  
REF: S24-0008  
DATE: November 7, 2024  
TIME: 2:00 P.M.

AS  
Three (3) sketches follow

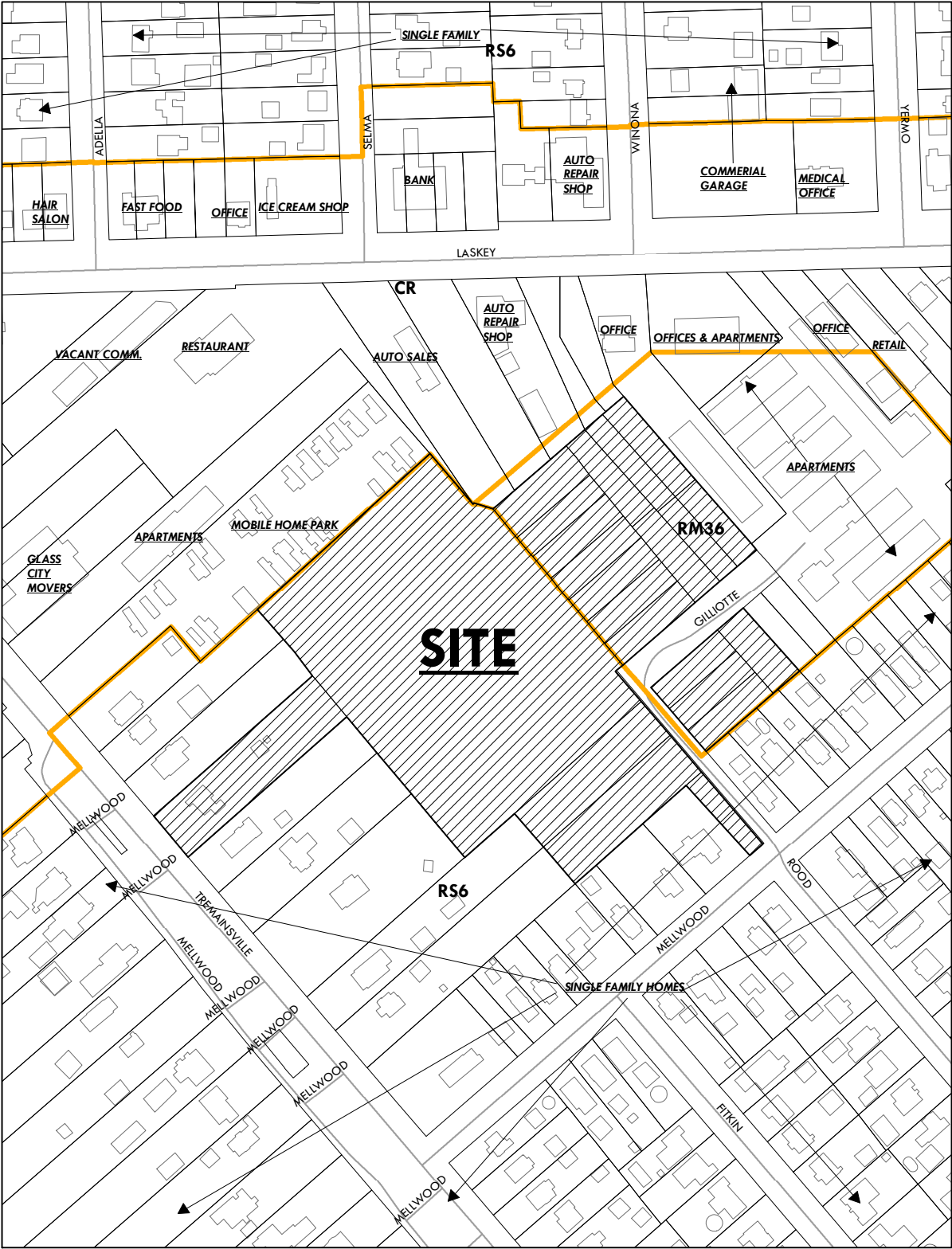
# GENERAL LOCATION

S24-0008  
ID 40



**ZONING & LAND USE**

**S24-0008**  
**ID 40**



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## STAFF REPORT CONDITIONS OF APPROVAL – AGENCY SOURCE IDENTIFICATION

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

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

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

TOLEDO EDISON COMPANY  
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

LUCAS COUNTY SOLID WASTE MGMT  
1011 MATZINGER ROAD  
TOLEDO, OH 43612  
419-213-2230

PUBLIC UTILITIES  
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 BUILDING INSPECTION  
ONE GOVERNMENT CENTER  
SUITE 1600  
TOLEDO, OH 43604  
419-245-1220

LUCAS SOIL AND  
CONSERVATION DISTRICT  
138 W. DUDLEY, SUITE A  
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

CENTURYLINK  
375 E. RIVERVIEW AVE  
NAPOLEON, OH 43502

OHIO GAS  
MIKE CREAGER  
13630 AIRPORT HWY.  
SWANTON, OH 43566  
419-636-1117

REPUBLIC SERVICES OF TOLEDO  
6749 DIXIE HIGHWAY  
ERIE, MI 48133  
734-848-3633

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

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

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

# Toledo - Lucas County General Street Map

