



TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

REF: SUP-9004-22

DATE: November 4, 2022

TO: President Matt Cherry and Members of Council, City of Toledo
FROM: Toledo City Plan Commission, Thomas C. Gibbons, Secretary
SUBJECT: Special Use Permit for Used Auto Sales

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, November 4, 2022 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for Used Auto Sales
Location	-	3939 W. Alexis Road
Applicant/Owner	-	Nour Taouil Dynamic Brothers Properties Inc. 3526 Williamsburg Drive Oregon, OH 43616
Engineer	-	Fernando Camargo 4841 Monroe Street, Ste. 103 Toledo, Ohio 43623

Site Description

Zoning	-	CR Regional Commercial
Area	-	± .59 acres
Frontage	-	± 156' along Alexis Road ± 166' along Clover Lane
Existing Use	-	Vacant
Proposed Use	-	Used Auto Sales

GENERAL INFORMATION (cont'd)

Area Description

- | | | |
|-------|---|------------------------------------------------------------------------------------------------------------------------------------|
| North | - | Offices, Commercial / CR Regional Commercial |
| South | - | Single Dwelling Residential / RS6 Single Dwelling Residential – 6,000 sq. ft. |
| East | - | Hall, Used Auto Sales, Commercial / CR Regional Commercial |
| West | - | Used Auto Sales, Commercial, Single Dwelling Residential / CR Regional Commercial, RS6 Single Dwelling Residential – 6,000 sq. ft. |

Parcel History

- | | | |
|------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SUP-293-78 | - | Amendment to Existing Service Station for Site Upgrades. Plan Commission recommended approval 12/8/78. City Council approves 1/24/79, Ord. 71-79. |
| SUP-87-87 | - | Special Use Permit to Construct New Canopy at Existing Service Station. Plan Commission recommended approval 6/25/87. City Council approves 6/14/88, Ord. 564-88. |

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit (SUP) for a Used Auto Sales at 3939 W. Alexis Road. The ± .59 acre site is zoned CR *Regional Commercial* and is currently unoccupied. The property was a former gas station. The applicant is proposing to use the site without any changes. Staff is requesting changes as the site has room to accommodate a number of current city code requirements. Adjacent land uses include: offices and commercial to the north, used auto sales, commercial, and single dwelling residential to the west, single dwelling residential to the south, and a VFW hall, auto sales, and commercial to the east.

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

STAFF ANALYSIS (cont'd)

Use Specific Regulations

- a. Used Auto Sales require a minimum of a ½ acre and 150 of frontage along the main roadway. The site is compliant with these conditions.

Parking

- a. The Division of Transportation is requesting the closure of the approach nearest Alexis & Clover and the relocation of the approach on Clover away from the intersection.
- b. The site plan provides the required 4 spaces for customers and employees, but does not include any spaces for vehicles for sale. This shall be shown on a revised plan.
- c. The existing canopy impairs the maneuverability through the site and is now considered a legal non-conforming structure with the closure of the gas station and shall be removed.

Landscaping

- a. The reuse of an existing site is generally not required to comply fully with current landscape standards, but must bring the site closer to compliance.
- b. The additional paving within the right of way shall be removed and a 15' landscape buffer shall be installed along Alexis Road and Clover Lane.
- c. Staff is also requesting a 6' privacy fence be installed along the southern property line adjacent to neighboring residences.

Elevations

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

20/20 Plan

The Toledo 20/20 Comprehensive Plan recommends this site for Neighborhood Commercial. uses. This category accommodates small and medium scale commercial uses that serve neighborhoods or small and medium scale office or mixed uses. The proposed use is compatible with this designation.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-9004-22, a request for a Special Use Permit for Used Auto Sales located at 3939 W. Alexis Road, to the Toledo City Council, for the following **two (2) reasons:**

1. The use with additional improvements complies with all applicable provisions of the Zoning Code **TMC 1111.0706.B; and**
2. The use is compatible with adjacent uses in terms of operating characteristics (such as noise, traffic generation, and other impacts associated with the use's operation) **TMC 1111.0706.C.**

PLAN COMMISSION RECOMMENDATION (cont'd)

The Plan Commission recommends approval of SUP-9004-22, a request for a Special Use Permit for a Used Auto Sales located at 3939 W. Alexis Road, subject to the following **twenty seven (27)** 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 curb cutting will be permitted to create a curb drop/opening. Existing drive approaches, including the curb drop, that will no longer be utilized shall be removed and restored with curb to match the adjacent curb.
3. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220.
4. 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.
5. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
6. 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.
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

PLAN COMMISSION RECOMMENDATION (cont'd)

Environmental Services (cont'd)

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.

Sewer & Drainage Services

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

Transportation

11. Auto and van accessible parking spaces are required per TMC 1107.1701.
12. All parking spaces and drive aisles are required to be shown per 1107.1911.
13. Existing driveway and approach on Alexis closest to the intersection of Alexis and Clover must be removed.
14. The driveway on Clover shall be moved to the south so it is away from the intersection.

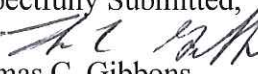
Plan Commission

15. All paving in the right of way that is not part of a remaining approach shall be removed and planted with grass. **Shall be submitted on a revised site plan.**
16. The existing canopy obstructs maneuverability through the site and is a legal non-conforming structure due the closure of the gas station and shall be removed. **Shall be submitted on a revised site plan.**
17. Used vehicle inventory shall only be displayed, parked, or located within parking spaces approved and defined on the site plan. **Shall be submitted on a revised site plan.**
18. There are discrepancies in distances between the submitted site plan and our internal records. Setback distances of structures from property lines shall be verified. **Shall be submitted on a revised site plan.**

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

19. Outdoor display areas must incorporate curbs or other substantial permanent barriers to prevent encroachment of the vehicles into the required setback and landscape areas. **Shall be submitted on a revised site plan.**
20. Paving shall be improved with a single, consistent material (e.g. asphalt or concrete) across the entire site, not a mismatch of the two. Paving shall be maintained in good condition indefinitely. **Shall be submitted on a revised site plan.**
21. A 15' frontage greenbelt shall be installed along Alexis Road and the developed portion of Clover Lane. The greenbelt shall include 10 trees (6 along Alexis, 4 along Clover) and a solid row of hedges in front of all parking areas. **Shall be submitted on a revised site plan.**
22. A solid 6' privacy fence shall be installed along the southern property line adjacent to neighboring residential uses. **Shall be submitted on a revised site plan and include material type.**
23. 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. **Shall be submitted on a revised site plan.**
24. 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 submitted on a revised site plan.**
25. All landscape material must be properly maintained. The landowner, or successors in interest, or agent, if any, or lessee must be jointly responsible for the regular maintenance of all landscape materials as well as any plant material removed.
26. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Zoning Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
27. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission. Major adjustments will require an amendment to the Special Use Permit.

Respectfully Submitted,

Thomas C. Gibbons
Secretary

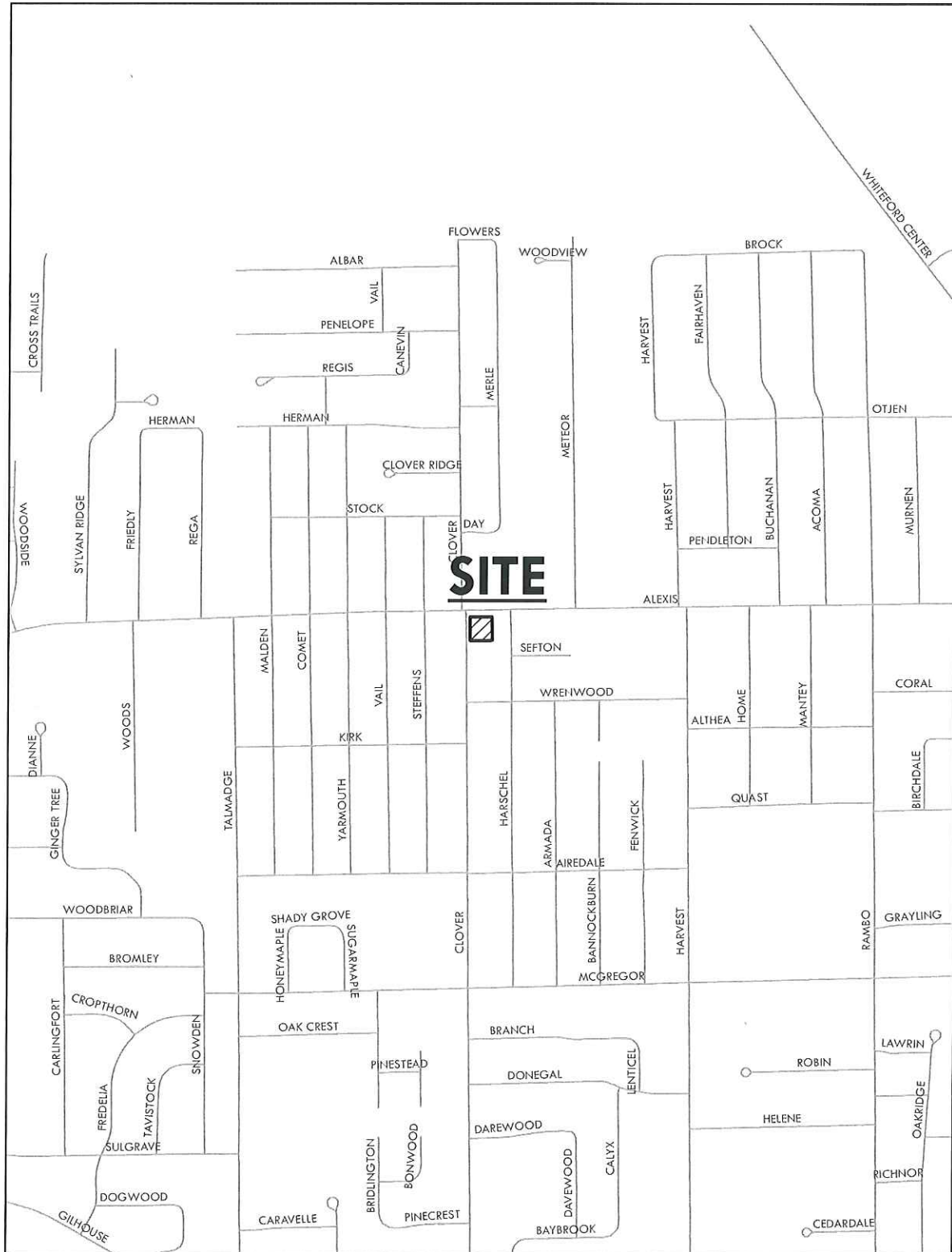
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Cc: Nour Taouil, Dynamic Brothers Properties Inc., 3526 Williamsburg Drive,
Oregon, OH 43616
Fernando Camargo, 4841 Monroe Street, Ste. 103, Toledo, Ohio 43623
Commissioner, Division of Engineering Services
Environmental Services
Sewer & Drainage Services
Commissioner, Division of Transportation
Lisa Cottrell, Administrator
Josh Lewandowski, Principal Planner

GENERAL LOCATION

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ID 76



ZONING AND LAND USE

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ID 76

