

**GENERAL INFORMATION**

Subject

- Request - Vacation of the 15' foot wide alley running east-west adjacent to Lot 17 and Lot 18; and the southern 55' feet of Lot 17 in the Clifton Park Plat.
- Location - Adjacent to the rear of 3360 Monroe Street
- Applicant - Kevin Roscoe  
2548 Rosedale Avenue  
Toledo, Ohio 43606

Site Description

- Zoning - Regional Commercial / CR
- Area - ± 0.0973 acres
- Dimensions - ± 60.46' x 70'
- Existing Use - Alley and dedicated turnaround
- Proposed Use - Consolidated land/Parking lot

Area Description

- North - Vacant residential land, Single- & Multi-Dwellings / CR, RD6, & RS6
- South - Vacant Commercial buildings / CR
- West - Retail / CR
- East - Single-Dwellings & Church / CR & RD6

Parcel History

- Z-252-82 - Request to rezone 3363 Bishop St. aka Clifton Park Plat Lot 17, from IL Limited Industrial to RD6 Duplex Residential. (PC recommended approval on 12/07/1982. CC approved on 02/02/1983, by Ord. 109-83).
- Z-5001-12 - Request to rezone 3363 Bishop St. aka Clifton Park Plat Lot 17, from RD6 Duplex Residential to CR Regional Commercial. (PC recommended approval on 06/14/2012. CC approved on 08/28/2012, by Ord. 450-12).

## GENERAL INFORMATION (cont'd)

### Parcel History (cont'd)

- |             |   |  |
|-------------|---|--|
| T-108-12    | - | Request for lot split of the northern 69.11 feet by 60.46 feet wide of Clifton Park Plat Lot 17. The southern remaining area of Lot 17 to be dedicated as public right-of-way. (Administratively approved 12/21/2012).   |
| ORD. 284-13 | - | Authorizing the acceptance and dedication of certain property as permanent right-of-way. The dedicated area described as follows: 55 feet by 60.46 feet of Lots 17 and 18 of Clifton Park Plat for a total land area of .0765 acres. (City Council approved 06/11/2013). |

### Applicable Regulations

- Toledo Municipal Code, Part Eleven: Planning and Zoning
- Monroe Street Corridor Design & Livability Plan (December 2002)
- Forward Toledo Comprehensive Land Use Plan

## STAFF ANALYSIS

The applicant is requesting to vacate a fifty-five foot (55') by 60.46-foot-wide area of land containing ±.0765 acres and an abutting 15-foot-wide alley running east-west 60.46 linear feet. The alley abuts all of Lot 9 and Lot 17; and parts of Lot 8 and Lot 18 in the Clifton Park Plat, containing ±.0208 acres. The total land area requested for Vacation is ± .0973 acres. Surrounding land uses include single & multi-dwelling residences to the north across Baxter Street, commercial buildings and Monroe Street to the south, retail to the west; and single- & multi- dwelling residences, Trowbridge Drive, and a church to the east.

The applicant is the owner of Lots 8 and 9 aka 3364 & 3360 Monroe Street adjacent south of the area proposed for Vacation. The applicant intends to renovate both buildings and establish a restaurant at 3364 Monroe Street, and a mixed-use residential over commercial structure at 3360 Monroe Street. The intent to vacate the subject area is for the development of a private parking lot to be used for both the restaurant and mixed-use structure. The owner of Lot 16 adjacent to the west and north, and the owner of Lot 18 adjacent to the east share ownership rights to half of the land where their properties abut. The northern area of 3364 Monroe St. adjacent to the alley is a grassy lawn; and the northern area of 3360 Monroe St. is partially paved however, it is not currently adequate to be utilized as a parking lot.

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

A request to vacate the 15-foot-wide alley between Lots 10, 11, 12, 13, and 14, 15 and 16 in the Clifton Park Plat to build a retail store was reviewed under case V-260-12 and approved by Ord. 579-12 on 12/04/2012. As a condition of approval, a turn-around was to be constructed and dedicated to the City as to not create a dead-end alley. The area requested for Vacation under this review is the dedicated land containing the vehicle turn-around accepted by Ord. 284-13; and the 15-foot-wide abutting alley. The approval of this Vacation request would result in the creation of a dead-end alley of which the Division of Traffic Management objects to.

### Monroe Street Corridor Design & Livability Plan (December 2002)

The subject site is within the Auburn Avenue & Monroe Street Neighborhood Commercial District of the Monroe Street Corridor Design & Livability Plan. The Plan calls for “consolidating and upgrading parking lots [to] further enhance the business district”, and parking lots should be located behind buildings along Monroe Street. The Plan further established the Monroe Street Corridor Urban Neighborhood Overlay District (-UNO). TMC§1103.0910(B) Off-street parking facilities shall be located in the rear portion of the subject property and behind the principal building or use; and TMC§1103.0910(D) Access to parking lots shall be provided off alleys when available.

Adjacent to the west of the site is a retail establishment and a thirty (30) space parking lot. Consideration of a shared parking agreement between the owners is supported by the Plan and by Staff. The Plan also supports the development of a parking lot in the rear of the building however, vacating the alley and area for vehicle turn-around is not practical. If the proposed area is Vacated, a means of egress through the alley would become unavailable. The proposal does not present as a hardship due to the existing available land area that could be developed as a parking lot. Staff recommends the applicant construct a parking lot behind the buildings of 3364 & 3360 Monroe Street subject to the standards of TMC§1111.0800 Site Plan Review.

### Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Future Land Use Plan designates this area as Neighborhood Mixed-Use (NM). The Neighborhood Mixed-Use land use designation is intended to accommodate pedestrian-oriented commercial, mixed-use residential and commercial, middle and high-density residential dwellings, institutional campuses, parks, offices, and minimally obtrusive industrial uses.

A typical characteristic of the NM land use designation includes consolidated parking areas that serve multiple users. Furthermore, the proposed Vacation goes against the Plan’s Goal of Quality Design. This goal is intended to support the improvement of a site’s design. The proposal to vacate the subject area creates a lack of access and vehicular maneuverability. The request for Vacation of a 15’ foot wide alley running east-west adjacent to Lot 17 and Lot 18; and the southern 55’ feet of Lot 17 in the Clifton Park Plat is not supported by the Forward Toledo Plan.

## STAFF ANALYSIS (cont'd)

Staff recommends disapproval to the Vacation of a 15' foot wide alley running east-west adjacent to Lot 17 and Lot 18; and the southern 55' feet of Lot 17 in the Clifton Park Plat because the proposal is not aligned with the Forward Toledo Comprehensive Land Use Plan nor the Monroe Street Corridor Design & Livability Plan. Both plans support the redevelopment and suggested reuse of the buildings, and construction of a parking lot in the rear of the buildings off of the subject alley. Staff further recommends disapproval to Vacate the subject area as there is available land within the vicinity to develop a parking lot; construction of a parking lot in the rear of the buildings is most appropriate for this site; and the Division of Traffic Management objects to this Vacation as to avoid a dead-end alley and lack of egress through.

## STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend **disapproval** of V-435-25, the request for the Vacation of a 15' foot wide alley running east-west adjacent to Lot 17 and Lot 18; and the southern 55' feet of Lot 17 in the Clifton Park Plat, to Toledo City Council for the following three (3) reasons:

1. The proposed alley vacation does not align with the Comprehensive Land Use Plan.
2. The proposed alley vacation will eliminate a means of egress.; and
3. The Division of Traffic Management objects to the proposed alley vacation.

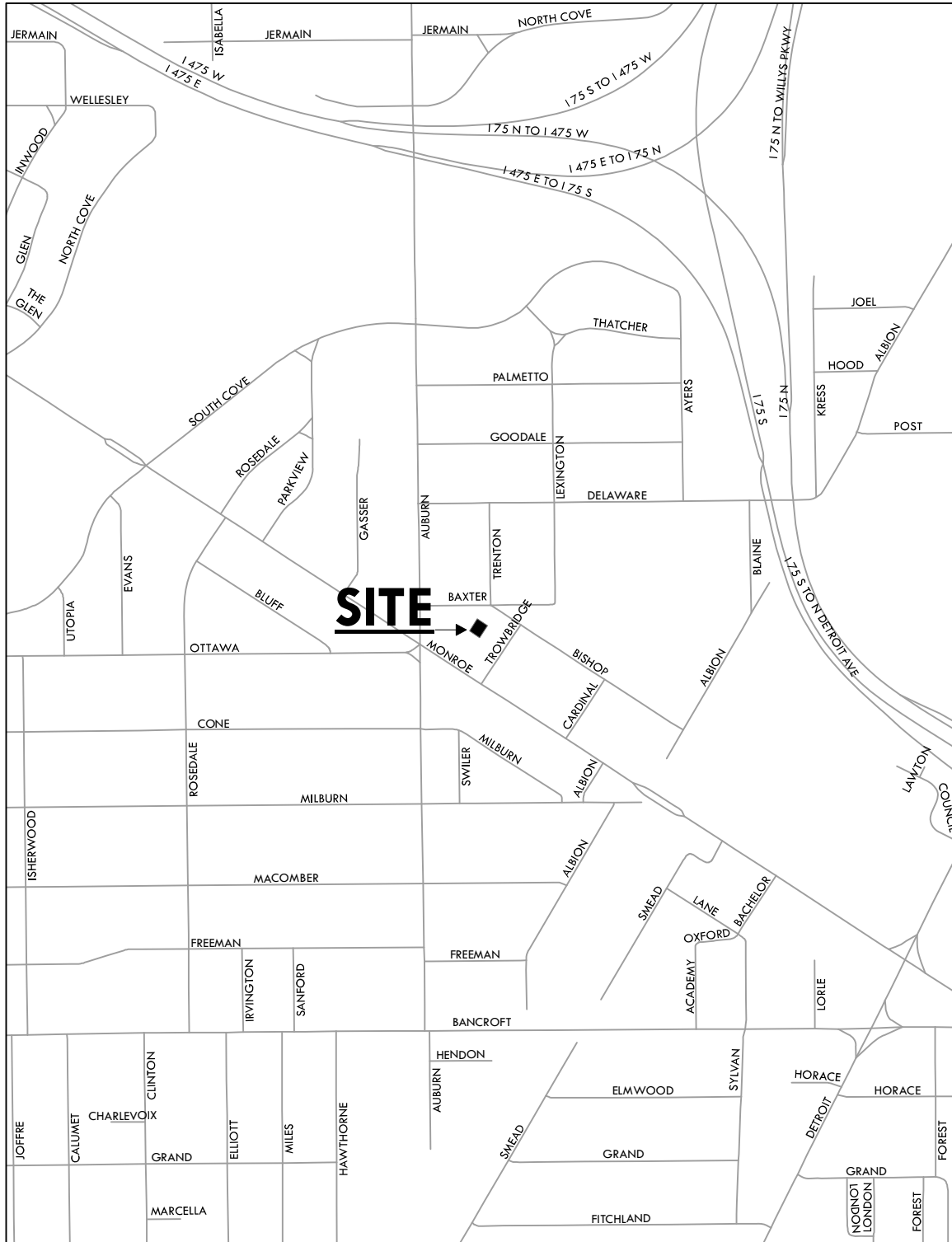
ALLEY VACATION  
TOLEDO CITY PLAN COMMISSION  
REF: V-435-25  
DATE: January 15, 2026  
TIME: 2:00 PM

CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: February 18, 2026  
TIME: 4:00 P.M.

AV  
Exhibit A and Two (2) sketches follow

# GENERAL LOCATION

V-435-25  
ID 17



# ZONING & LAND USE

V-435-25  
ID 17



## Exhibit "A"

The following **four (4)** conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

### Engineering & Construction Management

1. A full-width easement will be required to maintain the existing public utilities. The easement shall be dedicated to the City of Toledo, for City utility use only, to allow for future maintenance and shall not be combined with easements for other utilities. The following language shall appear in the authorizing vacation ordinance that shall be recorded and a notation placed in the remarks section of the County's real estate records: That a full width (15 foot) easement is hereby retained over, across, under and through said vacated area as described in Section I herein, for the existing combined sewer located in said vacated right of way. All City of Toledo facilities located within said easement are hereby dedicated to the City of Toledo, for City utility use only, to allow for future maintenance, repairs, replacements, etc., and shall not be combined with easements for other utilities. The easement hereby retained by the City of Toledo herein shall be primary in nature to any other utilities located therein, and any easement retained by any other utility as a result of this Ordinance shall be subject first to the easement rights of the City of Toledo. Said easement herein shall be permanent in nature for each utility currently located thereon and shall run with the land. Said easement also includes reasonable rights of ingress and egress over and through the utility easement area for the purpose of operating, maintaining, replacing, repairing, and/or constructing any utilities located within the easement. The property owner shall not construct fences, walls or other barriers that would impede access onto the easement. No temporary or permanent structure, including building foundations, roof overhangs, or other barriers denying access, may be constructed on or within the easement. Driveways, parking lots, walkways, and other similar improvements are acceptable. The property owner hereby releases the City of Toledo, only, from any liability, responsibility, or costs resulting from the City's removal of any barriers that deny ingress or egress from the easement or that obstruct access to the public utilities located on said property; and the City of Toledo shall have no obligation or duty to restore or compensate the property owner for the removed facilities. Further, any modification and/or release of any easement granted or retained by any utility as a result of this Ordinance shall be obtained by the owner separately from each utility, as to their interest(s) only, by separate, recordable instrument.

## Exhibit "A" (cont'd)

### Law Department

2. Within the limits allowed by law, the applicant shall indemnify the City of Toledo, its officials, agents or employees, from any and all claims, demands, causes of action, suits or liability in connection with the performance of any and all acts authorized or permitted under this vacation. Said indemnification language shall be contained within and evidenced by the endorsement on a certified copy of the final vacating legislation by the owner which indemnification shall be kept in the permanent file of the Clerk of Council. That a full width easement in favor of the City of Toledo is retained across, under and through said vacated area as described in Section 1 herein for the purpose of the City of Toledo's maintaining, operating, renewing, reconstructing, and removing utility facilities. All City of Toledo facilities located within said vacated area are hereby dedicated to the City of Toledo for exclusive City of Toledo utility use only and shall not be combined with easements or rights for other utilities. The easement retained by the City of Toledo shall be primary to any other utilities located therein, and any easement retained by any other utility shall be subordinate to and subject to the easement rights of the City of Toledo. Said easement shall be permanent in nature for each utility and shall run with the land. Said easement also includes reasonable rights of egress and ingress over and through the vacated area. No fence, wall, building foundation, roof overhang, or other barrier which would impede access to the easement shall be constructed or maintained. Driveways, parking lots, walkways and other similar improvements are permitted subject to the prior written consent of the City of Toledo. The City of Toledo shall be released and held harmless for any liability, responsibility costs, or damages resulting from the City of Toledo's removal of any barriers which impede the City of Toledo ingress or egress from the easement or which obstruct access to the utilities located within the vacated area. The City of Toledo shall have no obligation or duty to restore or compensate the barrier owner for any barrier removed in whole or in part by the City of Toledo. Any modification and/or release of any easement granted or retained by any utility as a result of this Ordinance shall be obtained separately from each utility, as to their interest(s) only, by separate recordable instrument. Further, the Owner's' of the vacated area shall be responsible for the relocation of any utility facilities or equipment, whether owned by a public or private utility within the vacated area or preserving access to such utility facilities. Utility facilities include conduits, cables, wires, towers, poles, sewer lines, pipelines, gas and water lines, or other equipment of any railroad or public utility, located on, over or under the portion of the vacated area. Any modification and/or release of any easement granted or retained by any utility as a result of this Ordinance and operation of Ohio law shall be obtained separately from each utility, as to their interest(s) only. The City of Toledo shall be released and held harmless for any liability, responsibility, costs, or damages resulting from Owner's' construction or activities in the vacated area, that interferes with any utility easement retained as a matter of law in accord with Section 723.041 of the Ohio Revised Code.



## Exhibit "A" (cont'd)

### Toledo Edison

No comments at the time of publication.

### Fire Prevention

Does not object to the approval of this vacation.

### Division of Traffic Management

The Division of Traffic Management objects to the approval of the vacation by the Plan Commission because this vacation would eliminate the turnaround for this dead-end alley for traffic coming from Trowbridge Drive.

### Division of Streets, Bridges and Harbor

No comments at the time of publication.

### Columbia Gas

No comments at the time of publication.

### Lucas County Solid Waste Management District

No comments at the time of publication.

### Plan Commission

3. No temporary or permanent structures including building foundations, roof overhangs, fences, walls or other barriers that would impede or deny access onto to the vacated area may be constructed. Public access to vehicle turnaround shall be maintained.
4. Any future modifications or parking lot developments shall undergo applicable site plan review for compliance with all necessary Zoning Code regulations.