



TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

ONE GOVERNMENT CENTER, SUITE 1620, TOLEDO, OHIO 43604

PHONE 419-245-1200 FAX 419-936-3730

THOMAS C. GIBBONS, DIRECTOR



DATE: September 15, 2017

REF: SUP-6001-17

TO: President Steven Steel and Members of Council, City of Toledo

FROM: Toledo City Plan Commission, Thomas C. Gibbons, Secretary

SUBJECT: Special Use Permit for an Amendment to a Special Use Permit for a gas station at 2702 Upton Avenue

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, September 14, 2017 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Amendment to a Special Use Permit for gas station improvements
Location	-	2702 Upton Avenue
Applicant	-	Tom Ridi 2702 Upton Avenue Toledo, OH 43606
Architect	-	Architecture by Design C/O: Dwight Gilliland 5622 Mayberry Square Sylvania, OH 43560

Site Description

Zoning	-	CR / Regional Commercial
Area	-	±0.42 acres
Frontage	-	±138' along Upton Avenue
Frontage	-	±112' along Monroe Street
Existing Use	-	Gas Station
Proposed Use	-	Site modifications

GENERAL INFORMATION (cont'd)

Area Description

North	-	Single Family Dwelling / RD6
South	-	Parking Lot / CR
East	-	Single Family Dwellings / RS6
West	-	Daycare Center / CO
Overlay	-	Monroe Street Corridor Urban Neighborhood Overlay

Parcel History

SUP-1-85	-	Request for a Special Use Permit to install canopy, gas pumps and convenience store at 3730 Monroe Street. Plan Commission recommended disapproval on 4/25/85, City Council disapproved on 5/8/85, Common Pleas Court permitted on 1/17/86.
Z-8049-90	-	Requested a Zone Change from R-3 to C-3 at 2718 Upton Avenue. City Council approved withdrawal at the request of the applicant on 11/14/90.
Z-9001-03	-	Requested a Zone Change from R-3 to C-3 at 2718 Upton Avenue. Plan Commission recommended disapproval on 1/7/04, City Council disapproved on 11/8/85.

Applicable Regulations

- Toledo Municipal Code, Part Eleven: Planning and Zoning Code
- Monroe Street Corridor Urban Neighborhood Overlay District
- Monroe Street Corridor Design and Livability Plan
- Toledo 20/20 Comprehensive Plan.

STAFF ANALYSIS

The applicant is requesting an amendment to a Special Use Permit for a site located at 2702 Upton Avenue, to facilitate the development of site improvements to an existing gas station. Site improvements include the relocation of a fueling station, a new canopy, and façade upgrade. According to TMC§1111.0708 *Amendments to Approved Special Uses*, Minor amendments to approved Special Use applications or permits may be approved by the Planning Director. Major amendments require full review and approval. The current modifications do not meet the threshold for a major amendment. However, the case requires full review due to objections from review agencies.

Single Family dwellings abut the site to the north and to the east. To the south is Monroe Street, a parking lot, and apartments. To the west is Upton Avenue and a day care center.

The site consists of one (1) parcel that is comprised of ± 0.42 acres of total land area and is occupied by a $\pm 2,151$ square foot building that is used to conduct fuel sales. The site is zoned CR Regional Commercial and is located within the Monroe Street Corridor Urban Neighborhood Overlay District. The site is accessed via four (4) curb cuts; two (2) along Monroe Street and two (2) along Upton Avenue. The maximum allowed building setback in the Monroe Street Corridor UNO District is ten (10') feet unless a public-private zone is provided and a minimum ten (10') feet from the side and minimum of fifteen (15') feet from the rear are required. The site does not conform to these requirements (specifically, the maximum building setback along Monroe Street) but is existing and considered legal non-conforming to said requirements.

Parking and Circulation

Pursuant to TMC§1107.0400 Parking, Loading, and Access – Schedule A, gasoline and fuel sales are required to have one (1) parking space per fueling pump plus one (1) space per 300 square feet of building area. Calculations conclude that thirteen (13) parking spaces are required for the proposed land use. Of those spaces, one (1) is required to be reserved for persons with physical disabilities. The site plan submitted depicts a total of thirteen (13) customer parking spaces with one (1) dedicated to physically disabled persons and is in compliance with the zoning code. Although no bicycle parking slots are required for gasoline and fuel sale, the convenience store land use requires one (1) bicycle parking slot for every ten (10) parking spaces. The site plan depicts one (1) bicycle rack and is in compliance with the zoning code.

The site plan shows that the development will be accessed via three (3) curb cuts; two (2) along Upton Avenue and one (1) along Monroe Street. The applicant is proposing to partially close the oversized curb cut along Monroe Street and convert the southernmost curb cut along Upton Avenue into an entry only access point. The applicant is proposing to reduce the width of the oversized curb cuts to provide code compliant ingress/egress to the site.

STAFF ANALYSIS (cont'd)

Landscaping and Screening

The site is existing and only required to be brought closer to compliance with the 2004 Zoning Code landscape requirements. The site is part of the Monroe Street Corridor Urban Neighborhood Overlay District (UNO) and the Monroe Street Corridor Design and Livability Plan. Both Plans refer to TMC§1108.0300 – Urban Commercial Landscape Standards for landscaping and screening regulations. The intent of this section is to provide flexible landscape standards for urban, pedestrian-oriented redevelopment of existing structures and infill development for such designated areas of the City.

TMC§1108.0305 – Parking Lot Landscaping, allows the option of a 3 ½ foot high aluminum tube fence, wrought iron fence, brick or stone wall along public right-of-ways. If the Special Use Permit is approved, staff would require a decorative fence (aluminum tube or wrought iron) in lieu of the required stone wall. Additionally, a landscaped area at least 5 feet wide shall be placed inside the screen wall and planted with at least one shrub for every 3 to 5 feet of property line. In addition to landscaping requirements for parking lot areas, foundation plantings along all portions of the building that are visible from the public right-of-way and landscaping at all major building entrances areas is required. If approved, a landscape plan that shows compliance with landscaping and screening standards along Upton Avenue and Monroe Street must be submitted for the approval of the Planning Director.

Staff recommends the installation of a parking lot landscape buffer along the northern and eastern property lines that abut residential zoning districts. Said buffer shall consist of a solid board-on-board fence six (6') feet in height with a five (5') foot wide planting strip. The applicant is proposing a five (5') foot wide planting strip along the northern property line and various widths along the eastern property line. The site plan indicates that a six foot (6') solid board on board fences currently exists on both property lines. If approved, staff recommends that plantings be added along the eastern property line and that the existing fence be maintained indefinitely.

TMC§1108.0304(B) – Dumpsters and Trash Receptacle Screening, mandates that screening for dumpsters must be a minimum height of six (6') feet in height. All sides of the dumpster must be screened and should incorporate access to the dumpster by using a wooden fence or other opaque device to serve as a gate. Dumpsters may not be located in the public right-of-way and may not be located in any required setbacks or landscape buffer and shall be located as far away from residential areas as possible. Although the dumpster location is acceptable, dumpster screening is not in compliance. If approved, a revised site plan shall be added indicating compliance with screening requirements.

STAFF ANALYSIS (cont'd)

Building Design

The applicant is proposing façade upgrades as part of the Special Use Permit. The building elevation as submitted indicates surface applied synthetic rock veneer and exterior insulation and finish systems (EIFS) as the predominant exterior building materials for the west facade. The site is within the Monroe Street Corridor Urban Neighborhood Overlay and must adhere to the design criteria as listed in TMC 1103.0906. Pursuant to TMC 1103.0906.D – Building Materials, EIFS materials are prohibited. The existing façade is eighty-four percent (84%) EIFS but the proposed alterations reduce that amount to forty-one percent (41%). The proposed alterations bring the site closer into compliance with the zoning code, however, a waiver of TMC 1103.0906.D Building Material is required.

Façade colors shall be low-reflectance, subtle, neutral or earth tone colors. Building trim and accent areas may feature brighter colors, including primary colors subject to the approval of the Planning Director (TMC§1109.0502(A) - Design Standards). An elevation drawing was submitted but does not indicate proposed façade colors. If approved, a revised elevation drawing indicating the color of materials shall be submitted for review and approval.

Canopies are required to be set back a minimum of ten (10) feet from the property line, and shall be designed to be consistent with the building materials and colors of the principal building. Support columns shall be brick, brick based, or other durable materials compatible with the principal building per TMC§1104.0903(A) – *General Requirements*. The elevation indicates that brick will be the predominant material for the support columns. This is in compliance with the zoning code.

The canopy is being replaced along Upton Avenue and expanded south towards Monroe Street. The Upton Avenue canopy location does not meet the minimum ten (10) foot setback, however, it is replacing an existing grandfathered canopy. A waiver of this setback requirement is necessary.

Monroe Street Corridor Urban Neighborhood Overlay District

The Monroe Street Corridor UNO district is an overlay zoning classification established as an Urban Neighborhood Overlay (UNO) district under the provisions of TMC§1103.0500. The overlay zoning district establishes additional design standards for the development allowed by the underlying zoning district. The UNO is intended to provide a review process for proposed physical changes to structures and public space along the Monroe Street Corridor in order to evaluate the proposals in relation to the Monroe Street Corridor Design and Livability Plan. The proposed development conforms to the design goals of the UNO.

STAFF ANALYSIS (cont'd)

Monroe Street Corridor Design and Livability Plan

The Monroe Street Corridor Design and Livability Plan designates this site as part of the Upton and Oatis Neighborhood, and ProMedica District. The district is intended to integrate the Toledo Hospital with the surrounding neighborhoods, and more livable streets are all components of this plan. Livable neighborhoods consisting of active streets, more green spaces, better pedestrian movement, and a mix of housing types are envisioned for the corridor. The framework plan outlines where to concentrate retail nodes and where to promote destination spots as well as how to enhance Monroe Street to create more livable neighborhoods.

The district is also intended to promote the change of the Monroe Street Corridor from a vehicular dominated environment to a pedestrian-oriented commercial district. Some goals include: new residential areas with access to greenspace and no on-street parking, reduce Monroe Street road profile to 3 lanes with uniform street trees and wider sidewalks, develop regional and neighborhood commercial businesses within mixed use buildings while maintaining existing businesses, restaurants and cafes. The proposed use complies with the intent of the Plan.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Neighborhood Commercial uses. The intent of the CN Neighborhood Commercial designation is to accommodate small and medium scale commercial uses that serve neighborhoods. The plan makes recommendations that are intended to improve the quality of life in neighborhoods and make them more attractive for current and future residents. The proposed development conforms to this land use designation.

A commercial use is appropriate for this site, however, staff does not support the request for the Special Use Permit amendment due to the objection from the Department of Transportation. The proposed use has been deemed too intense for the site and does not comply with all standards of the TMC and the Zoning Code.

PLAN RECOMMENDATION

The staff recommends disapproval of SUP-6001-17, a request for an amendment to a Special Use Permit, to facilitate the development of site improvements to an existing gas station located at 2702 Upton Avenue, to the Toledo City Council, for the following two (2) reasons:

1. The proposed use is too intense for a site this size and meeting the requirements of TMC§1107, "Parking, Loading, and Access" will be extremely difficult. The Division of Transportation objects to the approval of the site plan by the Plan Commission and recommends disapproval of the subject matter.
2. Vehicular ingress and egress to and from the site and circulation within the site must provide for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well (TMC§1111.0809.C).

However, the Toledo City Plan Commission recommends approval of SUP-6001-17 a Special Use Permit for site improvements to an existing gas station located at 2702 Upton Avenue.

The Plan Commission further recommends the following recommendations to City Council on the waivers requested for an amendment to a Special Use Permit, to facilitate the development of site improvements to an existing gas station located at 2702 Upton Avenue:

Chapter 1104 Use Regulations

1104.0903 – General Requirements

- A. Canopy shall be setback minimum of ten (10') feet from the property line, support columns shall be brick, brick base, or other durable materials compatible with the principle building. The Planning Director may require a peaked roof to complement the principle building.

Approve waiver to allow a seven (7') foot reduction in the minimum ten (10') foot canopy setback along Upton Avenue.

Chapter 1103.0900 Monroe Corridor UNO District

1103.0906.D– Building Materials

- D. Predominant building materials should be high quality. Exterior insulation and finish systems (EIFS) materials and applications are prohibited.

The applicant is willing to comply and not install no more than fifteen (15%) percent of EIFS when thirty-six (36") inches above ground grade.

PLAN RECOMMENDATION (cont'd)

The Toledo City Plan Commission recommends approval of SUP-6001-17, a request for an amendment to a Special Use Permit, to facilitate the development of site improvements to an existing gas station located at 2702 Upton Avenue, to the Toledo City Council, subject to the following forty-two (42) conditions:

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

Engineering Services

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

Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850

Right-of-Way and Inspection: Joe Warnka 419-245-1341

Roadway: Tim Grosjean, ph. 419-245-1344

Water: Andrea Kroma, ph. 419-936-2163

Stormwater Drainage: Lorie Haslinger, ph. 419-245-3221;

Andy Stepnick 419-245-1338

Sanitary Sewers: Mike Elling, ph. 419-936-2276

2. All **existing substandard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced and/or upgraded to conform to current City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
3. 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.

Contact Joe Warnka at (419) 245-1341 for inspection of above-mentioned items.

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

PLAN RECOMMENDATION (cont'd)

Engineering Services (cont'd)

5. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with BSIonlinetracking.com at 800-414-4990. In the case of renovation, expansion, or modification projects, all existing backflow devices must be verified and registered. Where devices are missing, they shall be added. Contact the Division of Water Distribution (419-245-1395) to verify the backflow prevention requirements for this site.
6. The design professional and/or property owner shall submit written documentation to the Division of Water Distribution that no changes are being made to the existing water service, meter setting, or backflow protection device and that these devices are properly installed, tested, and in good working order. The City, at its discretion, has the authority to mandate the entire service, including meter and backflow prevention device, be brought into compliance with current City of Toledo standards.
7. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.
8. Plan Commission submittal does not detail any revisions to the existing site that will require earth-disturbing activity of 2,500 or more square feet, nor are any changes shown to the existing storm sewer system. Therefore, it appears that there are no items requiring a stormwater plan review. However, if revisions are made to the site plan that will result in earth-disturbing activity of 2,500 or more square feet or cause changes to the existing storm sewer, a full site plan review and approval will be required by the Division of Engineering Services. Plans will be subject to the rules and regulations of the City of Toledo, Stormwater Utility, including stormwater detention and post-construction stormwater BMPs as specified in the City of Toledo Infrastructure Design and Construction Requirements and the Ohio EPA NPDES General Stormwater Permit for Construction Activities.

Sewer and Drainage Services

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

PLAN RECOMMENDATION (cont'd)

Sewer and Drainage Services (cont'd)

10. S&DS recommends that the private sanitary lines (after they have been cleaned) that are not being removed or properly abandoned be televised from the building (or private cleanout) to where they connect 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.

Fire Prevention

11. Site shall comply with Fire Prevention Bureau regulations.

Environmental Services

12. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.
13. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs.
14. Any green infrastructure measures that can be included to minimize runoff and increase infiltration are highly advisable.
15. Applicant shall maintain compliance with the City of Toledo's stormwater regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential sources of pollutant in the stormwater runoff, including but not limited to long-term operation and maintenance of all structural and non-structural Best Management Practices.
16. Applicant shall maintain compliance with the Toledo Municipal Code 930.12 for grease, and sand separator/traps installations and maintenance.
17. 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 Asbestos and the Anti-Noise Laws.

PLAN RECOMMENDATION (cont'd)

Plan Commission

18. Dumpster location(s) shall 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. **Not acceptable as depicted on site plan. A revised site plan shall be submitted indicating compliance.**
19. Off-street parking and loading spaces, parking lots, maneuvering 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 toward the interior of the parking lot or to a stormwater system subject to the regulations and approval of the Department of Public Utilities (TMC§1107.1906).
20. Whenever a parking lot extends to a property line, sidewalk, planting strip, or building, a wheel stop device consisting of a concrete stop, a permanent concrete curb, an expanded sidewalk or other suitable restraint as approved by the Planning Director must be installed to prevent any part of a parked motor vehicle from extending beyond the property line, overhanging a pedestrian walkway or sidewalk, or damaging any structure or landscaping (TMC§1107.1907(A)). **Acceptable as depicted on site plan.**
21. The minimum number of parking spaces designed for persons with disabilities that must be provided shall adhere to the table in TMC§1107.1701. **Acceptable as depicted on site plan.**
22. All spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700.
23. Required spaces for persons with disabilities must be located in close proximity to building entrances and be designed to permit occupants of vehicles to reach the building entrance on an unobstructed path. **Acceptable as depicted on site plan.**
24. To facilitate movement and to help maintain an orderly parking arrangement, all parking spaces and aisles must be clearly striped, with a minimum width of 4 inches. The width of the parking stall shall be computed from the centers of the striping. When a parking space is designated for the use of persons with disabilities, it shall be clearly marked and signed as provided in TMC§1107.1704 above and by The Ohio Manual of Uniform Traffic Control Devices.

PLAN RECOMMENDATION (cont'd)

Plan Commission (cont'd)

25. Parking lots must be maintained in a safe operating condition so as not to create a hazard or nuisance. All materials used in the construction of paving, lighting fixtures, retaining walls, fences, curbs and benches must be continuously maintained and kept free of debris (TMC§1107.1909).
26. Ingress and egress to a parking lot in a Commercial or Industrial zoning district must be from a major street or from a street located in a Commercial or Industrial district with Commercial or Industrial zoning on the opposite side of the street (TMC§1107.1203). **Acceptable as depicted on site plan.**
27. Bicycle parking slots shall be provided to meet the minimum number required to comply with associated land use found in TMC§1107.0304 Parking Schedule "A". No more than fifty (50) bicycle parking slots shall be required for any listed use category. **Acceptable as depicted on site plan.**
28. Predominant exterior building materials shall be high-quality materials. The use of EIFS is prohibited in the Monroe Street Urban Neighborhood Overlay. For list of acceptable material see TMC§1103.0906.D – *Building Materials*. **Applicant shall obtain a waiver of TMC 1103.0906 to allow for 41% EIFS on the west side.**
29. Façade colors shall be low-reflectance, subtle, neutral or earth tone colors. Building trim and accent areas may feature brighter colors, including primary colors subject to the approval of the Planning Director. **A revised elevation indicating compliance shall be submitted.**
30. Hours of operation may be limited to 5:30 a.m. to 1 a.m., or other hours consistent with a liquor permit issued by the State of Ohio, to reduce detriment to the area (TMC§1104.0901(H)).
31. Canopies shall be set back a minimum of 10 feet from the property line or match existing location, and shall be designed to be consistent with the building materials and colors of the principal building. Support columns shall be brick, brick base, or other durable materials compatible with the principle building. The Planning Director may require a peaked roof to complement the principle building (TMC§1104.0903(A)). **Applicant shall obtain a waiver of TMC 1104.0903 allowing a waiver of 7 of the 10 foot canopy setback.**

PLAN RECOMMENDATION (cont'd)

Plan Commission (cont'd)

32. No new free-standing signs greater than forty-two inches (42") from grade are permitted – any proposed signage must meet the requirements of low-profile signs per Toledo Municipal Code Title Nine – Sign Code.
33. Pump islands shall be set back a minimum of 15 feet from the property line (TMC§1104.0903(B)). **Acceptable as depicted on building elevation.**
34. Pumps and pump islands shall not be located in the front yard within fifty (50') feet of a Residential district. **Acceptable as depicted on building elevation.**
35. Non-petroleum displays must be within 25 feet of the building but not within 25 feet of any right-of-way. The maximum height of such displays shall not exceed 5 feet (TMC§1104.0903(C)).
36. Free air (with the capability of filling standard automobile tires), water, and restrooms shall be provided and maintained during operating hours of the station (TMC§1104.0903(D)).
37. Litter receptacles, for the use of parking area users and others, must be provided in off-street parking areas in accordance with the provisions of Park9Street, Utilities and Public Services Code, Section 963.22. A litter receptacle is treated as an accessory structure and must adhere to the criteria outlined in (TMC§1107.1910).
38. A detailed site, lighting, sign, fencing and four (4) landscaping plans separate from the Building Plans shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. A 3 ½ foot high decorative fence is required along the Upton Avenue and Monroe Street property lines. Additionally, a landscaped area at least 5 feet wide shall be placed inside the screen wall and planted with at least one shrub for every 3 to 5 feet of property line. **Shall be depicted on revised landscape plan).**
 - b. A five (5) foot landscape greenbelt is required between the fence and the parking lot along Monroe Stret, **shall be depicted on revised landscape plan.**

PLAN RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- c. The existing solid board-on-board fence installed along the north and east property lines shall be maintained indefinitely and must comply with TMC§1108.0404. **Acceptable as depicted on site plan; plantings shall be added in the proposed landscape area along the east property line, between the building and the fence. This shall be depicted on a revised landscape plan.**
- d. Topsoil must be back filled to provide positive drainage of the landscape area;
- e. Foundation plantings along all portions of the building that is visible from the public right-of-way and landscaping at all major building entrances;
- f. 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;
- g. The 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;
- 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;
- i. The land owner, 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.
- j. The location, type and direction of any proposed lighting. The lighting is subject to the approval of the Director of the City of Toledo Plan Commission (lights are to be directed away from adjacent residential properties);
- k. The location, height and materials for any fencing to be installed and maintained shall be noted on fencing plan. **(Not acceptable as depicted on site plan);**

PLAN RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- l. Landscape materials shall be installed to satisfy the minimum requirements of TMC§1108.0401.
 - m. The location, lighting and size of any signs, all signage is subject to TMC§1387.
39. 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.
40. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
41. 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.
42. 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.

TO: President Steel and Members of Council
September 15, 2017
Page 16

REF: SUP-6001-17

Respectfully Submitted,

Thomas C. Gibbons
Secretary

TCG/GP
Four (4) sketches follow

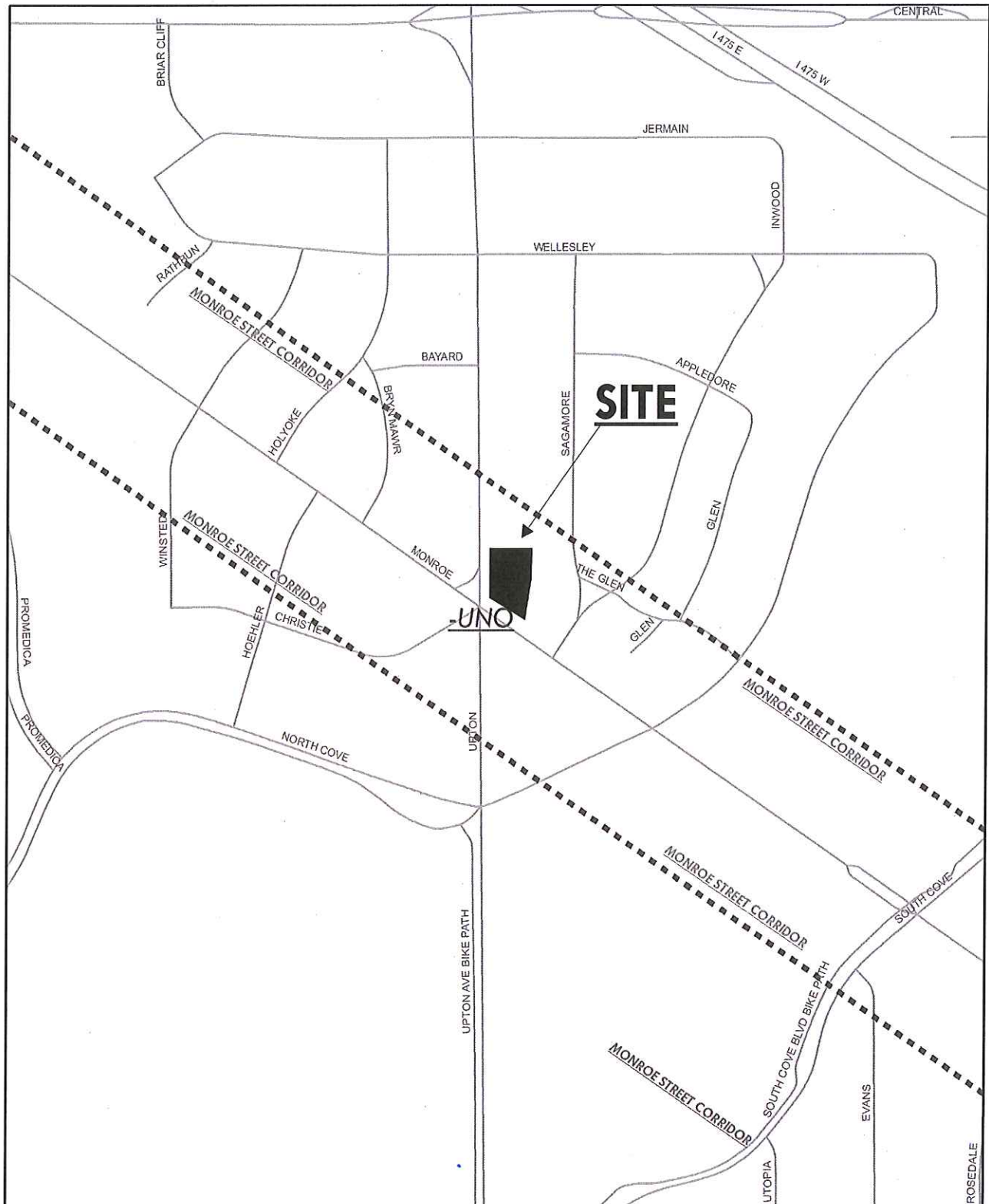
CC: Tom Ridi, 2702 Upton Avenue, Toledo, OH 43606

Architecture by Design., C/O: Dwight Gilliland, 5622 Mayberry Square, Sylvania, OH
43560

Lisa Cottrell, Administrator
Gyasi "JC" Pullum, Planner

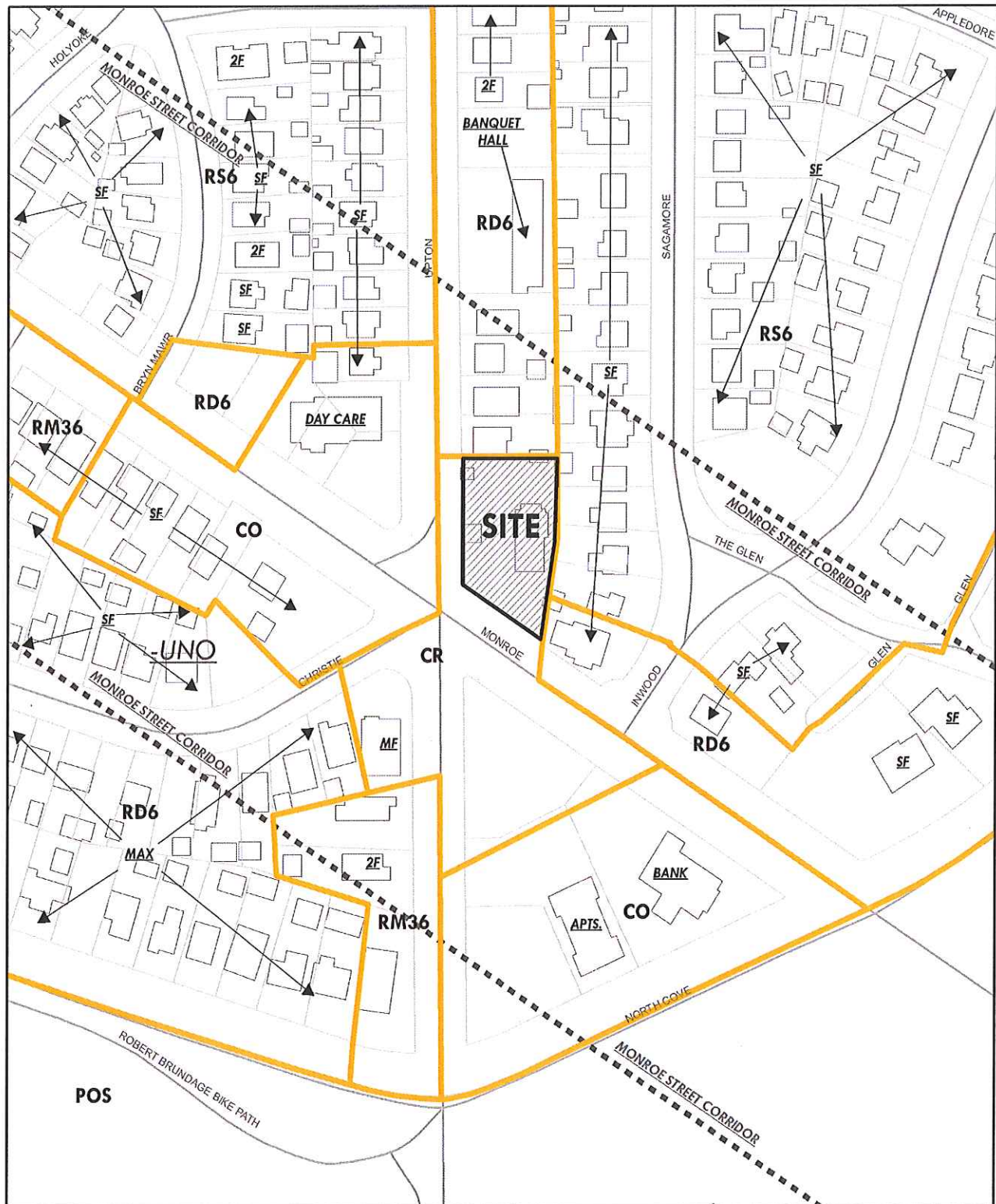
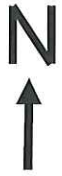
GENERAL LOCATION

SUP-6001-17
ID 41



ZONING & LAND USE

SUP-6001-16
ID 41



SUP-6001-17
ID 41

