

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: July 14, 2023
REF: PUD-6002-23

TO: President Matt Cherry and Members of Council, City of Toledo
FROM: Toledo City Plan Commission, Thomas C. Gibbons, Secretary
SUBJECT: Request for a Planned Unit Development for a 28-unit villa development at 3322 Schneider Road.

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, July 13, 2023 at 2:00 P.M.

GENERAL INFORMATION

Subject

- Request - Planned Unit Development for a 28-unit villa development
- Location - 3322 Schneider Road
- Applicant - Moline Buildings, Inc.
5383 Coldstream Road
Toledo, OH 43623
- Engineer - Feller, Finch & Associates, Inc.
1683 Woodlands Drive
Maumee, OH 43537

Site Description

- Zoning - RM12 Multi-Dwelling Residential (*proposed zoning*)
- Area - ±4.06 acres
- Frontage - ±522' along Schneider Road
- Existing Use - Undeveloped
- Proposed Use - 28-Unit Planned Unit Development

Area Description

- North - Nursing home / CO
- East - Multi-family Residential / RD6
- South - Single-family Residential / RS6
- West - Commercial retail / CN

GENERAL INFORMATION (cont'd)

Parcel History

- Z-60-77 - Zone Change from R-2 to C-2 (PC recommended approval 6/16/77, CC approved 7/5/77, Ord. 469-77).
- S-1-77 - Preliminary Drawing for Foundation Park Subdivision (PC approved 6/16/77).
- T-121-95 - Lot Split creating parcel (Administratively approved 8/2/95).
- CUP-5014-06 - Community Unit Plan for an independent living care facility (PC recommended approval 7/8/4, CC approved 8/24/04, Ord. 585-04).
- SUP-5015-04 - Special Use Permit for an independent living facility (PC recommended approval 7/8/4, CC approved 8/24/04, Ord. 584-04).
- Z-6009-15 - Zone Change from CO to RM12 at 3322 Schneider Road (PC rec. approval 8/13/2015, CC approved 9/29/2015, Ord. 491-15).
- S-14-15 - Preliminary Drawing review of HEATHER COVE, a replat of FOUNDATION PARK LOT 6, located at 3322 Schneider Road (PC approved 9/10/2015).
- Z-6001-23 - Zone Change from CO to RM12 at 3322 Schneider Road (*companion case*).
- S-10-23 - Preliminary Drawing review of HEATHER COVE, located at 3322 Schneider Road (*companion case*).

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting approval of a Planned Unit Development (PUD) for a site located at 3322 Schneider Road. The applicant is proposing a twenty-eight (28) lot attached housing residential development located on a private street that is accessed from Schneider Road. The 4.06-acre site is currently zoned CO Office Commercial; however, the applicant has submitted a companion Zone Change request to RM12 Multi Dwelling Residential (*Z-6001-23*). The applicant will be required to replat the subject property as part of the development process which has been submitted as a preliminary drawing (*S-10-23*).

Parking and Circulation

The applicant is proposing to access the site via a private street from Schneider Road. Pursuant to the City of Toledo Subdivision Regulations, private streets are generally discouraged in all subdivisions because of the long-term maintenance liability and the various concerns with private ownership. However, recognizing unique development issues with smaller parcels and innovative subdivision designs, the Toledo City Plan Commission may at their discretion allow private streets. Staff has determined that due to the configuration and the small size of development, unique circumstances exist and recommends the use of a private street. In addition, a two-foot (2') anti-vehicular access buffer exists on the existing plat and will need to be removed through the replat process.

Density

The site is 4.06 acres in total area and will be zoned RM12 Multi Dwelling Residential (*subject to companion Zone Change*). The maximum allowed number of dwelling units in the RM12 Multi Dwelling Residential zoning district with a PUD is ten (10) units per acre. The applicant is proposing approximately sixty-nine percent (69%) of the allowable density with 28 units or 6.9 dwelling units per acre.

Open Space Requirements

A Planned Unit Development (PUD) in the City of Toledo is limited to forty percent (40%) building and pavement coverage and required to provide fifteen percent (15%) of gross site acreage for usable, accessible and consolidated open space. One third (1/3) of this consolidated open space area may be used for detention/retention purposes.

Pursuant to TMC§1103.1007(C) no more than forty percent (40%) of the gross site acreage shall be devoted to coverage by buildings, structures, street pavement, driveway and parking areas pavement. The applicant is proposing site coverage of forty percent (40%) impervious coverage and in compliance with this provision.

STAFF ANALYSIS (cont'd)

Open Space Requirements (cont'd)

The applicant is proposing a consolidated open space in the middle portion of the property. This area contains a pond for aesthetic and detention purposes. Pursuant to TMC§1103.1007(D) the applicant shall provide no less than fifteen percent (15%) of the gross site acreage, none of which is part of any required yard or perimeter open space, shall be allocated to usable, accessible and consolidated common open space. One-third (1/3) of the required common open space may be a lake or pond or storm detention or retention area. The applicant provided percentages of both the open space (37% of gross parcel acreage) and detention pond (5% of consolidated open space) within the open space, both of which are compliant. Additionally, a crushed stone walking path has been provided around the detention area.

A residential PUD that is abutting residential zoning is required to offer a perimeter open space area that is equivalent to the rear yard setback of the underlying zoning district. The eastern property line abuts a RD6 zoning district and is therefore required to have a twenty-five-foot (25') perimeter open space area. The applicant is proposing a setback of ten feet (10') and is requesting a waiver of this provision. Staff supports this waiver as existing ornamental fencing and multiple trees currently buffers this site from the multi-dwelling residential uses to the east. Additionally, the applicant will be required to install a Type "B" landscape buffer in this perimeter area.

When a residential area of a PUD abuts a commercial or industrial district, an open space perimeter shall be provided that has a minimum depth of fifty feet (50') or thirty feet (30') with fencing or screening. The northern and western property lines abut commercial zoning. The site plan indicates a thirty-foot (30') perimeter area but does not include the fencing or screening. Staff supports a waiver for this requirement since a Type "A" landscape buffer will need to be installed and should provide adequate screening.

Landscaping

Staff has requested that the applicant submit a landscape plan for review. A thirty-foot (30') greenbelt is required along the Schneider Road frontage. The site plan indicates a thirty-foot (30') greenbelt will be provided in this area. A minimum of seventeen (17) trees shall be installed in this area and listed as a condition of approval.

The areas to the north and west will require Type "A" landscape buffers, where the site abuts commercial zoning. The eastern property line will require a Type "B" landscape buffer, where the site abuts residential zoning. A detailed landscape plan indicating these buffers shall be submitted and listed as a condition of approval.

STAFF ANALYSIS (cont'd)

Building Design

Although elevations were not submitted for review, each attached house residence is proposed on thirty-eight foot (38') wide lots. TMC§1103.1007(G) indicates that no minimum lot size, lot-width, building or structure setback standards are required in a Planned Unit Development. The applicant is proposing "attached houses" with zero-foot (0') front, side and rear setbacks. The building design criteria for an attached house development are to provide roof pitch variations that make them distinct from each other.

Pursuant to TMC§1105.0603(A), no more than forty-percent (40%) of the horizontal width of a street-facing facade on an attached house may be comprised of garage door area. Additionally, per TMC§1105.0603(B), all garage doors must be recessed at least four-feet (4') from the front building plane. The intent of these standards is to prevent garages and blank walls from being the dominant visual feature of the structure when viewed from the street or place. The final building plans shall adhere to these requirements and listed as conditions of approval.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area and for Office Commercial uses. Although the 20/20 Plan targets the area for Office Commercial uses, RM12 zoning is appropriate for this area as it allows a range of uses that will be compatible with surrounding land uses and will not negatively impact the adjacent neighborhood. Additionally, the proposed RM12 zoning is a "step-down" and less intensive from the existing commercial zoning and more compatible with the surrounding properties. As a result, the proposal meets the purpose and all applicable provisions of the zoning code as outlined in TMC§1111.0606 – Review & Decision-Making Criteria.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommend approval of PUD-6002-23, a Planned Unit Development for a 28-unit villa development, located at 3322 Schneider Road, to the Toledo City Council for the following **three (3)** reasons:

1. The proposed use complies with the state purpose of the Zoning Code (*TMC§1111.0606(A) – Review & Decision-Making Criteria*).
2. The request is compatible existing land uses within the general vicinity of the subject property (*TMC§1111.0606(B) – Review & Decision-Making Criteria*); and
3. The physical suitability of the subject property for the uses permitted under the proposed RM12 Multi-Dwelling Residential zoning classifications (*TMC§1111.0606(D) – Review & Decision-Making Criteria*).

PLAN COMMISSION RECOMMENDATION (cont'd)

The Toledo City Plan Commission make the following recommendations to the Toledo City Council on the waivers requested for the Planned Unit Development for a 28-unit villa development, located at 3322 Schneider Road:

Chapter 1103.1000 Planned Unit Development Overlay District

Sec. 1103.1007 (E)(1) Residential Standards

Plan Commission recommends **approval** of a waiver of the eastern property line, twenty-five foot (25') open space perimeter to allow for a ten foot (10') open space perimeter, to Toledo City Council.

Sec. 1103.1007 (E)(2) Residential Standards

Plan Commission recommends **approval** of a waiver of the north and western property line, thirty-foot (30') open space perimeter without the required fencing or screening, to Toledo City Council.

The Toledo City Plan Commission further recommends approval of PUD-6002-23, a request for a Planned Unit Development for a 28-unit villa development, located at 3322 Schneider Road, to the Toledo City Council, subject to the following **forty-four (44)** 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. Minimum 4' barrier free sidewalk shall be placed along the frontages of all public streets in the development, and shall extend through drive approaches. Pedestrian curb ramps shall be placed at all intersections.
2. All proposed drive approaches, sidewalk, and curb shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, and Toledo Municipal Code. All drive approaches, and sidewalk through the drives, shall be 6" thick concrete residential, 8" thick concrete Commercial. No curb shall be permitted in the right-of-way along either side of the drive approach. No horizontal curb cutting will be permitted.
3. Improvements per City of Toledo Infrastructure Design and Construction requirements.
4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419)-245-1220.
Contact Joe Warnka at (419) 245-1341 for inspection of above-mentioned items.

PLAN COMMISSION RECOMMENDATION (cont'd)

Engineering Services (cont'd)

5. A new 8-inch diameter water main has been constructed in Schneider Road; the 6-inch diameter water main shown on the submittal has been abandoned.
6. The private fire line loop for Heather Cove shall have a single owner that will be responsible for maintenance of the private fire line loop. In lieu of this requirement, there shall be an agreement, acceptable to the City of Toledo, addressing the shared responsibility between property owners for the installation, maintenance, and billing of the private fire line.
7. Further comments regarding the proposed private water main and/or service lines will be provided by the Division of Water Distribution.
8. Plans show a connection to a private storm sewer on the west side of the property. The City of Toledo cannot approve plans or give permission to use this storm line without a written agreement and maintenance plan between the two property owners. Suggest connecting into an existing structure or installing a new structure on the existing public storm sewer that runs parallel to the property along Schneider Road.
9. Plans submitted indicate earth-disturbing activity greater than 2,500 square feet; therefore, a detailed site-grading plan, Storm Water Pollution Prevention Plan, and plans for storm-water service for this project shall be submitted to the Division of Engineering Services for storm-water review & approval.
10. Plan submittals shall be in conformance with the latest version of Infrastructure Design and Construction Requirements available at <https://toledo.oh.gov/business/how-to-build-in-the-city/building-inspection-permits>, including the requirements for storm-water detention and post-construction storm water Best Management Practices (BMPs).
11. Plans are also subject to the: Criteria and Regulations of The Departments of Public Utilities and Public Service; The Toledo Municipal Code, including but not limited to Chapters 941, 1110, and 1107; The Toledo City Charter; The "Subdivision Rules & Regulations" of Toledo-Lucas County Plan Commissions; City of Toledo Infrastructure Design and Construction requirements; and "The Comprehensive Ditch Plan."

PLAN COMMISSION RECOMMENDATION (cont'd)

Engineering Services (cont'd)

12. A site-specific Storm Water Pollution Prevention Plan (SWP3) shall be submitted for review and approval. The SWP3 shall address all components required per the latest Ohio EPA General Storm Water NPDES permit.
 - a. Designs incorporating low impact development solutions, such as grassy swales and bio-retention areas in lieu of curb, storm sewers, and underground detention, are encouraged and may be eligible for a percent reduction in the property's storm-water utility fee through the Storm Water Credit Program.
 - b. The review necessary for it begins with a full submittal of multiple items as outlined on the regional submittal cover sheet, listed under the heading for submittal step 1: <https://tmacog.org/water/stormwater/stormwater-pollution-prevention-plan-swp3>
13. Following the stormwater review, additional items are needed to complete the application:
 - a. As outlined on the regional SWP3 submittal cover sheet, submittal step 2.
 - b. Fee and a Toledo Licensed Sewer Contractor for the sewer construction permit.
14. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
15. No construction work, including any earth disturbing work, will be permitted without approved plans and inspection.
16. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
17. 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.

Water Distribution

18. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
19. Detailed plans for the proposed water main shall be submitted to the Division of Water Distribution for review and approval.
20. The water meter setting detail, including meter bypass (if applicable) and backflow preventer, shall be submitted to the City of Toledo Backflow Prevention Coordinator, 401 S Erie Street, Toledo, OH 43604 for review and approval. Approval of site utility plan is contingent on approval of meter setting and backflow preventer.

PLAN COMMISSION RECOMMENDATION (cont'd)

Water Distribution (cont'd)

21. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with BSIonlinetracking.com @ (800) 414-4990. Contact the Division of Water Distribution (shawn.clark@toledo.oh.gov, 419-392-2032) to verify the backflow prevention requirements for the site.
22. Existing water service lines to structures removed from the site will be abandoned by the City of Toledo at the developer's expense.
23. Plans must be submitted to Fire Prevention (rex.butler@toledo.oh.gov, 419.936.2008) for review and approval.
24. Sheet 1/1:
 - a. Proposed water main shall connect to the existing 8" water main in the north (WB) lane of Schneider (existing 6" water main on the south side of the road has been abandoned).
 - b. Proposed water main shall maintain 10-foot horizontal clearance from proposed storm and sanitary sewers.
 - c. Include 2023 Water Notes for Large Services City (attached to email) on the plans.
 - d. 45-degree bends would be preferred over 90-degree bends on the north side of the development.

Sewer & Drainage Services

Comments not available at time of print.

Fire Prevention

25. Private hydrants are required in a location approved by the Fire Prevention Bureau.
26. New and existing buildings shall be provided with approved address identification that meets Building Code requirements. (OBC501.2)
27. The proposed new buildings will require compliance with all applicable Fire Sprinkler and Alarm, Building, Electrical, Mechanical and Plumbing code requirements.

Division of Transportation

28. Transportation requires an outer radial corner at the street corners inside the development (90-degree outer street corner is not permitted).

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Transportation (cont'd)

29. Where sidewalks abut the curb, widths shall be 6' per City of Toledo, Subdivision Rules and Regulations Section 517.

Plan Commission

30. Gross parcel acreage coverage shall not exceed forty-percent (40%) by buildings, street pavement, driveway pavement and parking area pavement. **Acceptable as shown on the site plan submitted.**
31. The applicant shall submit a color elevation that identifies the implementation of individual roof pitch variations.
32. The applicant shall provide no less than fifteen-percent (15%) of the gross site acreage, none of which is part of any required yard or perimeter open space, shall be allocated to usable, accessible and consolidated common open space. One-third (1/3) of the required common open space may be a lake or pond or storm detention or retention area.
33. A Plat shall be approved that subdivides the site into individual parcels as noted on the plan and removes the two (2) foot anti-vehicular buffer along Schneider Road.
34. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping area.
35. Per TMC§1105.0603(A), no more than forty-percent (40%) of the horizontal width of a street-facing facade on an attached house may be comprised of garage door area.
36. Per TMC§1105.0603(B), all garage doors must be recessed at least four-feet (4') from the front building plane.
37. 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, **if applicable.**
38. A twenty-five-foot (25') perimeter open space area is required along the eastern property line. An open space easement shall be added to the final plat in those areas where the perimeter open space area extends into backyards within the development. This perimeter open space requirement is subject to approval of a fifteen-foot (15') waiver included as part of this application.

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

39. Per TMC§1103.1007 (E)(2), a thirty-foot (30') perimeter open space area with fencing or screening is required along the northern and western property lines. An open space easement shall be added to the Final Plat in those areas where the perimeter open space area extends into backyards within the development. This fencing or screening requirement is subject to approval of a waiver included as part of this application.
40. The proposed private streets shall adhere to the criteria of Section 5, Part 516 *Private Streets*, of the City of Toledo Subdivision Rules and Regulations.
41. A statement on the Final Plat shall indicate: In the event the agency established to own and maintain the common open space or any successor agency shall at any time after establishment of the Planned Unit Development fail to fulfill any obligation imposed on such agency as a condition of approval of the Planned Unit Development, the City may serve written notice upon such agency or upon the residents and owners of the Planned Unit Development, setting forth the manner in which the agency has failed to fulfill its obligation. The notice shall include a demand that such deficiencies be cured within the time specified within the notice. If such deficiencies are not cured within the specified time, the City, in order to preserve the taxable values of the properties within the Planned Unit Development and to prevent the common open space from becoming a public nuisance, may enter upon the common open space and maintain the same and perform the other duties of the agency until such agency shall again resume its obligations. All costs incurred by the City in carrying out the obligations of the agency shall be assessed against the properties within the Planned Unit Development and shall become a tax lien on the properties.
42. A detailed site, lighting, sign, fencing and landscaping plan shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. A thirty-foot (30') greenbelt is required along the Schneider Road frontage, the greenbelt shall include at least one (1) tree for every thirty-feet (30') of lot frontage. A minimum of seventeen (17) trees shall be installed within the greenbelt along Schneider Road; **shall be noted on landscaping plan.**
 - b. The areas to the north and west will require Type "A" landscape buffers, where the site abuts commercial zoning. The eastern property line will require a Type "B" landscape buffer, where the site abuts residential zoning; **shall be noted on landscaping plan.**

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- c. A Type A landscape buffer is required along the northern and western property lines, and shall include twenty-five feet (25') of landscaping with four (4) canopy trees and twenty (20) shrubs per every one hundred (100) linear feet; **shall be noted on landscaping plan.**
- d. A Type B landscape buffer is required along the eastern property line, and shall include ten feet (10') of landscaping with four (4) canopy trees and fifteen (15) shrubs per every one hundred (100) linear feet; **shall be noted on landscaping plan.**
- e. Landscape islands shall be installed at the end of the parking rows and shall consist of a combination of trees and scrubs; **shall be noted on landscaping plan.**
- f. All landscaped areas must have a minimum dimension of at least 9 feet and be at least 160 square feet in area; **shall be noted on landscaping plan.**
- g. Topsoil must be back filled to provide positive drainage of the landscape area.
- h. 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 noted on landscaping plan.**
- i. 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; **shall be noted on landscaping plan.**
- j. If site is ½ acre or larger, 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; **shall be noted on landscaping plan.**
- k. The location, height and materials of any fencing to be installed and maintained; **shall be noted on landscaping plan.**
- l. 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); **shall be noted on landscaping plan.**

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- m. The location, lighting and size of any signs, all signage is subject to TMC§1377 & TMC§1397.
- 43. Landscaping shall be installed and maintained indefinitely.
- 44. 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.

Respectfully Submitted,

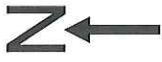


Thomas C. Gibbons
Secretary

RS

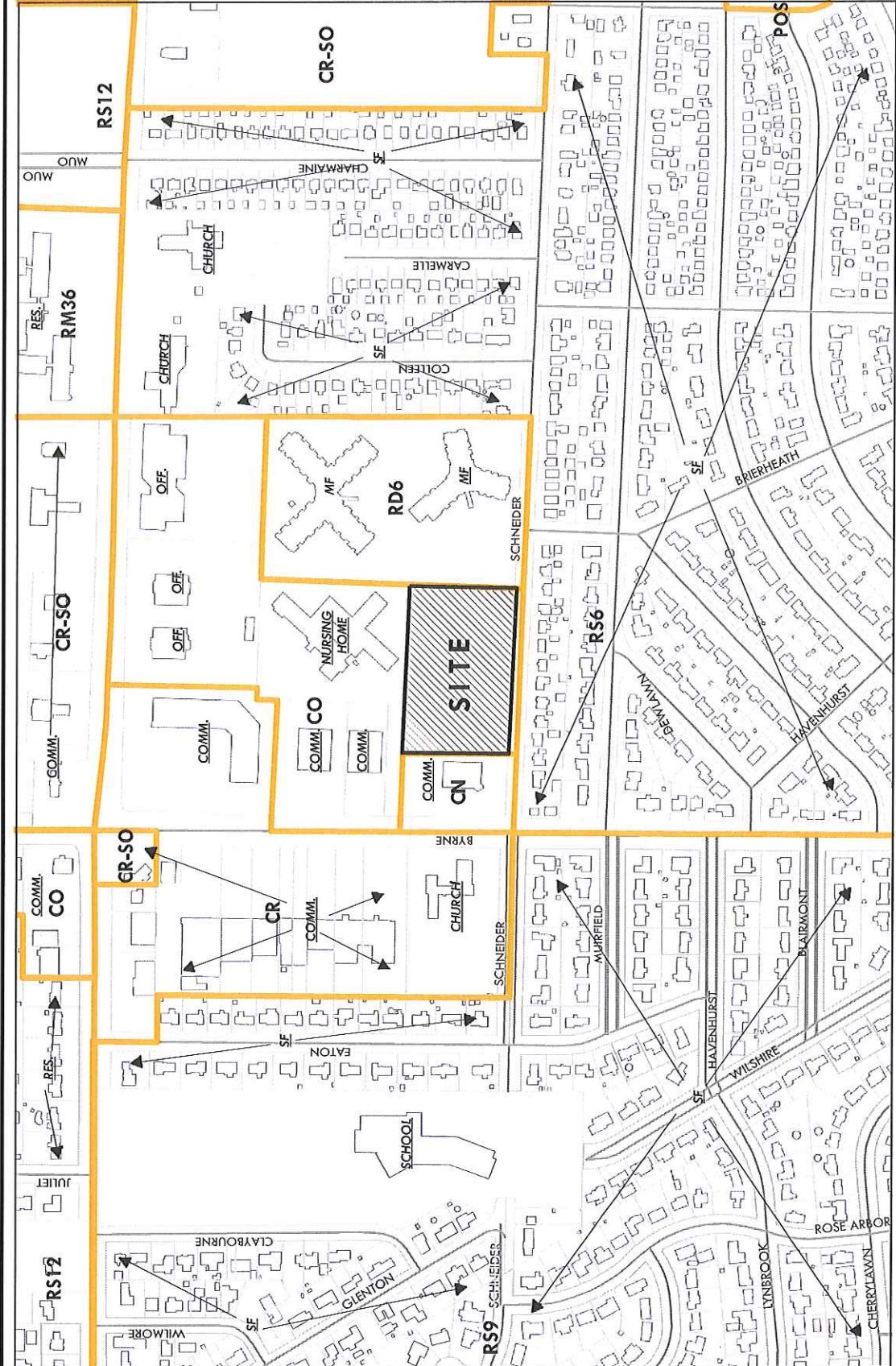
Three (3) sketches follow

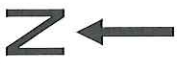
Cc: Jim Moline; Moline Buildings, Inc; 5383 Coldstream Road, Toledo, OH 43623
Don Feller; Feller, Finch & Associates, Inc; 1683 Woodlands Drive, Maumee, OH 43537



PUD-6002-23
ID 54

ZONING & LAND USE

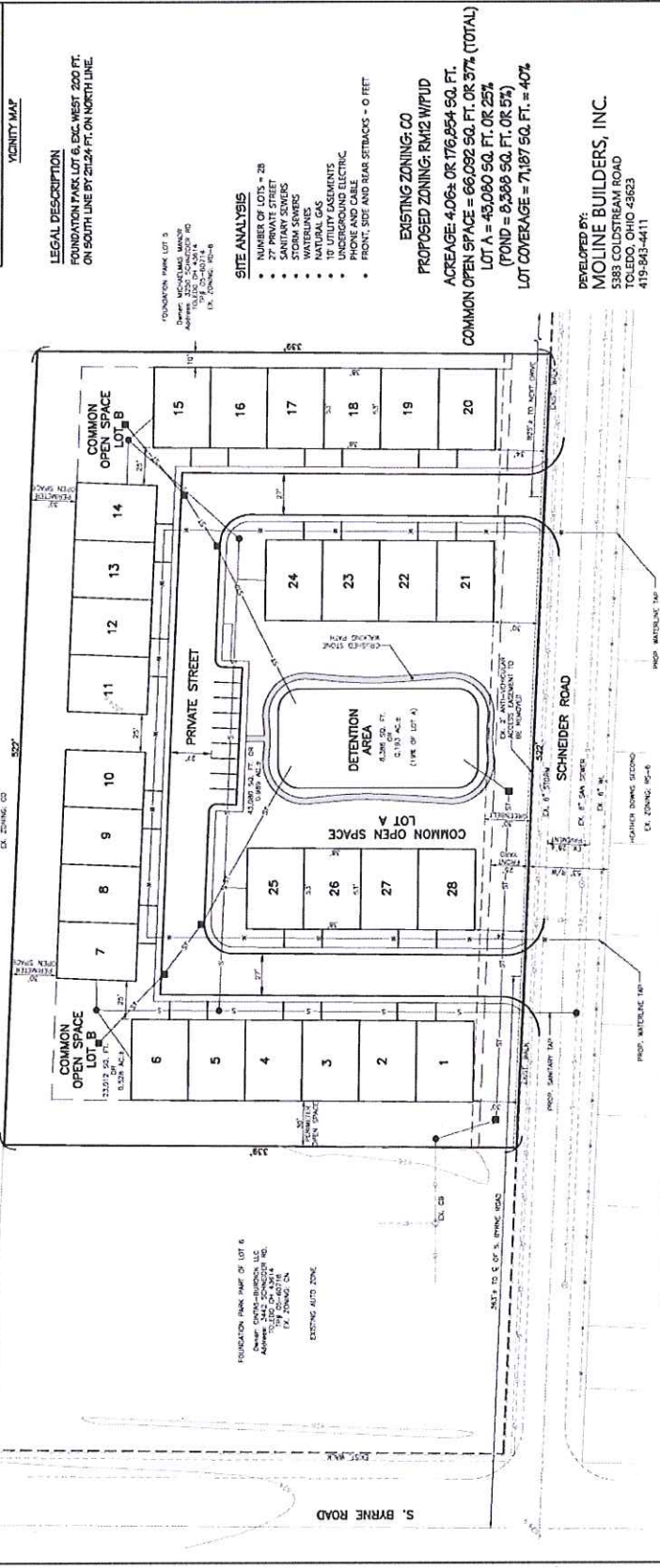
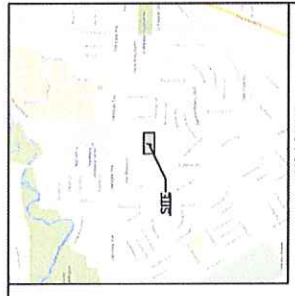




PUD-6002-23
ID 54

SITE PLAN

PRELIMINARY DRAWING
OF
Heather Cove
A PLANNED UNIT DEVELOPMENT
CITY OF TOLEDO, LUCAS COUNTY, OHIO



LEGAL DESCRIPTION
FOUNDATION PARK LOT 6, ETC. WEST 200 FT.
ON SOUTH LINE BY 211.24 FT. ON NORTH LINE.

FOUNDATION PARK LOT 5
Owner: MCDONALD, MARY
Address: 1201 W. 40th St
Toledo, OH 43619
Dr. Robert G. B.

- SITE ANALYSIS**
- NUMBER OF LOTS: 28
 - 27 PRIVATE STREETS
 - SANITARY SEWERS
 - STORM SEWERS
 - WATER MAINS
 - UTILITY EXHUMENTS
 - UNDERGROUND ELECTRIC
 - PHONE AND CABLE
 - FRONT, SIDE AND REAR SETBACKS - 0 FEET

EXISTING ZONING: CO
PROPOSED ZONING: RM2 W/PUD
ACREAGE: 4.06± OR 176,854 SQ. FT.
COMMON OPEN SPACE = 66,082 SQ. FT. OR 37% (TOTAL)
LOT A = 43,080 SQ. FT. OR 25%
(FOUND = 9,989 SQ. FT. OR 5%)
LOT COVERAGE = 71,877 SQ. FT. = 40%

DEVELOPED BY:
MOLINE BUILDERS, INC.
5383 COLDSTREAM ROAD
TOLEDO, OHIO 43623
419-843-4411

PREPARED BY:
THE PRIVATE STREET AND ASSOCIATED UTILITIES WILL BE
PRIME LAND AND THERE WILL BE NO PUBLIC MAINTENANCE OF
THESE UTILITIES. ALL MAINTENANCE AND REPAIRS
WILL BE BORNE BY THE OWNERS WITHIN THE SUBDIVISION.

SCALE: 1" = 30'
NORTH



PROJECT No. 1102917 DMC 10-01/17/03 DATE 7-21-15