

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: SUP-5009-23

TO: President Matt Cherry and Members of Council, City of Toledo

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

SUBJECT: Amendment to Special Use Permit, Originally Granted by Ord. 619-84 and Ord. 53-95, for Gas Station Modifications at 310 W Alexis 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	-	Amendment to Special Use Permit, Originally Granted by Ord. 619-84 and Ord. 53-95, for Gas Station Modifications
Location	-	310 W Alexis Road
Applicant	-	Pravinkumar Patel 821 Hunting Creek Road Temperance, MI 48182
Owner	-	Purna Krupa Inc 310 W Alexis Road Toledo, OH 43612
Engineer	-	Ali Khalaf AK Architecture LLC 5465 Schaefer Dearborn, MI 48126

Site Description

Zoning	-	CR Regional Commercial
Area	-	±1.84 acres
Frontage	-	±300' along Alexis Road ±267' along Stockbridge Drive
Existing Use	-	Gas Station and Convenience Store
Proposed Use	-	Gas Station and Convenience Store

GENERAL INFORMATION (cont'd)

Area Description

- | | | |
|-------|---|---|
| North | - | Single family homes / RS6-Single Family Residential |
| South | - | Retail tenant spaces / CR-Regional Commercial |
| East | - | Retail tenant spaces / CR-Regional Commercial |
| West | - | Car wash, apartments / CR Regional Commercial |

Parcel History

- | | | |
|-------------|---|--|
| Z-137-63 | - | Permanent Zoning for an area bounded by the Ohio/Michigan State Line, Telegraph Road, Alexis Road, and Bennett Road. Plan Commission approved 8/1/63. |
| SUP-93-84 | - | Special Use Permit for new gasoline pumps/canopy at 310 W Alexis Road. Plan Commission recommended approval 6/28/84. City Council recommended approval 8/8/84. Ord. 619-84 passed 8/14/84. |
| SUP-9015-94 | - | Amend Special Use Permit granted by Ord. 619-84 for gas/convenience store facility at 310 W Alexis Road. Plan Commission recommended approval 12/1/94. City Council recommended approval 1/24/95. Ord. 53-95 passed 1/31/95. |
| SUP-2025-96 | - | Amend Special Use Permit at 310 W Alexis Road, granted by Ord. 53-95, to add drive-thru restaurant to gas station. Plan Commission recommended approval 5/9/96. City Council recommended approval 5/22/96. Ord. 380-96 passed 5/28/96. |
| D-3-96 | - | Drive-thru at 310 W Alexis Road for restaurant addition to gas station. Plan Commission approved 5/9/96. |

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting an amendment to a Special Use Permit for modifications to an existing gas station at 310 W. Alexis Road. The ± 1.84 acre site is zoned CR-Regional Commercial and had a Special Use Permit for a gas station approved in 1984. The applicant is proposing to a 780 square foot addition to on the east side of the building. Surrounding land uses include single family homes to the north, commercial tenant spaces to the south and east, and a car wash to the west.

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.

Use Specific Regulations

The regulations of TMC§1104.0900 require gas stations to consider the outside intensity, location, and screening of outside lighting, and to consider limiting the hours of operation from 5:30am to 1:00am. These use regulations are to ensure abutting residential is not impacted by secondary nuisance effects, such as noise and light. As the site is existing, and an addition is being considered which is no closer to residential than the existing building is, staff are not recommending any additional requirements.

Parking

Per TMC§1104.0900 and TMC§1107.1600, gasoline pump islands require one (1) stacking space at each pump island. This use specific requirement for the depiction of vehicle stacking will require a revised site plan. The architect shall reference TMC§1107.1602 for proper depiction of vehicle stacking on a site plan.

Parking requirements for gas stations are one (1) per pump plus one (1) per 300 square feet of the building. The existing building plus the addition total 2,974 square feet, and the site has four (4) pumps. The minimum required parking is fourteen (14) parking spaces, with a maximum allowed of twenty-one (21). The existing parking lot has twenty-five (25) spaces proposed, however two (2) spaces will be removed due to the addition. As the site is existing, and the applicant is bringing the site closer to compliance, staff approve of the number of parking spaces.

STAFF ANALYSIS (cont'd)

Per TMC§1107.1701-*Accessible Parking Spaces for Physically Disabled Persons*, the site is required to have one (1) van accessible parking space. The van accessible space must include an eight foot (8') wide aisle abutting the space to allow room for wheelchair accessibility. Additionally, the space must be in close proximity to the building entrance and allow individuals access to the building via an unobstructed path. The site plan shows an accessible space with no abutting aisle, as it is directly abutting the dumpster enclosure. The Division of Traffic Management is requiring this space be removed to prevent the dumpster enclosure gates from swinging into a parking space. Staff support the Division of Traffic Management's condition of approval; the parking space adjacent to the dumpster enclosure be removed, and two (2) existing spaces shall be designated for a van accessible space.

Lastly, the Division of Traffic Management is requiring the closure of the easternmost curb cut on Alexis Road. A revised site plan depiction this closure is required as a condition of approval.

Landscaping

The site plan does not propose any additional landscaping. However, TMC§1108.0102 states that construction which results in an increase of a building's footprint also requires landscaping compliance. Staff is recommending additional landscaping that does not result in modifications to the existing parking lot or building. These recommendations are as follows:

- a. TMC§1108.0202 – Frontage Greenbelt
A fifteen (15) foot wide frontage greenbelt consisting of one (1) tree for each thirty feet (30') of frontage along Alexis Road.
 - Total number of trees required is eight (8).

- b. TMC§1108.0203 – Buffer and Screening Requirements
The northern perimeter of the site is adjacent to RS6-Single Family Residential. This requires a solid fence, plus four (4) trees and fifteen (15) shrubs per each 100 linear feet along the edge of the property.
 - Total number of trees required is twelve (12), and total shrubs required are forty-five (45).

- c. TMC§1108.0204 – Parking Lot Landscaping
No interior parking lot landscaping is required; however, perimeter parking lot landscaping is required to shield headlights from adjacent properties and rights-of-way. A continuous shrub row is required along all parking spaces, and trees shall be installed along Stockbridge Drive frontage.
 - Total number of trees required along Stockbridge Drive is three (3).
 - Continuous shrub row required adjacent to all parking spaces.

STAFF ANALYSIS (cont'd)

Landscaping (cont'd)

A revised site plan or separate landscape plan shall be provided as a condition of approval. The landscape plan shall include existing and proposed landscaping, along with species of proposed landscaping.

Elevations

The primary purpose of the Special Use Permit amendment is to review the proposed building addition. The existing building is 2,194 square feet, and the addition is 780 square feet, resulting in a 2,974 square foot building. The existing building is depicted as CMU or similar material. The applicant is proposing dark gray stone veneer and light gray stucco. Per TMC§1109.0500, only 20% of each façade is permitted to have stucco. A revised site plan depicting at least 80% predominant materials is required.

In addition to the building materials requirement, the addition will also need to include windows on the southern and eastern elevations per TMC§1109.0205(C)(3). Transparent windows shall occupy at least forty percent (40%) of the area between two (2') and ten feet (10') at grade from the base of the primary elevation facing right-of-way. Additionally, on the elevation facing Stockbridge Drive, transparent windows must occupy twenty percent (20%) of the area between two (2') and ten feet (10') at grade of the elevation. Revised elevations depicting windows occupying the specified areas shall be provided as a condition of approval.

Lastly, staff have concerns about the proposing addition having a flat roof, while the existing building has a pitched roof. The addition shall have a pitched roof and match the existing structure in design. Note if the addition will have rooftop equipment, such as HVAC units and utilities, TMC§1109.0306(C) requires architectural features conceal the equipment from public view. Final elevations are subject to the Director's approval.

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. Gas stations are an appropriate use within this district, so long as no secondary negative effects impact the surrounding area. The existing use is compatible with this designation.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-5009-23, a request for an amendment to Special Use Permit, originally granted by Ord. 619-84 and Ord. 53-95, for gas station modifications, to the Toledo City Council, for the following **two (2)** reason:

1. The use with additional conditions of approval meets the stated purpose of the Toledo Zoning Code (TMC§1111.0706(A)-*Review and Decision Making Criteria*); and,
2. The use with additional improvements complies with all applicable provisions of the Zoning Code (TMC§1111.0706(B)-*Review and Decision Making Criteria*).

The Plan Commission recommends approval of SUP-5009-23, a request for an amendment to Special Use Permit, originally granted by Ord. 619-84 and Ord. 53-95, for gas station modifications, subject to the following **thirty-three (33)** conditions:

Engineering and Construction Management

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 Ted Rousos, 419-245-1347. The application can be obtained online at toledo.oh.gov search: Right of Way opening permit.
4. The City of Toledo public water system does not appear to be impacted by this project. Refer to comments provided by the Division of Water Distribution regarding private water mains and/or service lines.
5. Existing grease trap is located on east side of building in area of new addition. Contact Division of Engineering and Construction Management to clarify whether plans are to build on top of existing grease trap and sewer or relocate them.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Water Distribution

No comments at this time.

Environmental Services

6. Applicant must prove the existing Stormwater Control Measure on site is in effective operational condition, and if not, restored to proper functioning. This shall be determined by a registered professional.
7. 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.
8. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
9. 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.
10. 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
11. 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

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

PLAN COMMISSION RECOMMENDATION (cont'd)

Sewer & Drainage Services (cont'd)

13. 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.

Traffic Management

14. Vehicle stacking must be clearly shown per TMC 1107.1602. (Gas pumps locations must be shown for vehicle stacking requirement.)
15. One van accessible parking spot is required to be shown with an 8' loading aisle per TMC 1107.1701 & 1107.1202.
16. Accessible parking sign is required for accessible parking spaces per TMC 1107.1704.
17. The accessible parking space must be the closest space to the accessible entrance per the Americans with Disabilities Act (ADA).
18. A 25' drive aisle is required for two-way traffic between vehicle stacking and the building per TMC 1107.1911.
19. Drive approaches must be clearly dimensioned per TMC 1107.1911.
20. Garbage enclosure gates are not allowed to swing into a parking spot.
21. Existing drive approach and curb cut closest to Stockbridge Drive on West Alexis Road must be removed with new grass and curb installed to match adjacent curb and grass areas.

Plan Commission

22. Parcel 22-01597 shall be combined with Parcel 22-01581. Contact the Lucas County Auditor's Office for a Lot Combination Form.
23. Any non-petroleum displays must be within twenty-five feet (25') of the building but not within twenty-five feet (25') of any right-of-way. The maximum height of such displays shall not exceed five feet (5').

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

24. Free air (with the capability of filling standard automobile tires), water, and restrooms shall be provided and maintained during operating hours of the station.
25. Gas stations require one parking space per gas pump plus one (1) parking space per 300 square feet of the building footprint. **Acceptable as depicted.**
26. One (1) accessible space is required with an eight foot (8') aisle abutting the parking space. **Not acceptable as depicted. Proposed accessible space shall be removed to allow space for dumpster enclosure gates, and two (2) existing spaces shall be utilized for a van accessible parking space.**
27. A detailed site, lighting, fencing and four (4) copies of a landscaping plan (separate from building & site plans) shall be submitted to the Plan Director for review and approval. **Landscaping shall be installed and maintained indefinitely.** Such plan shall include:
 - a. A fifteen (15) foot wide frontage greenbelt consisting of one (1) tree for each thirty feet (30') of frontage along Alexis Road. **Eight (8) trees shall be depicted along Alexis Road on a landscape plan.**
 - b. The northern perimeter of the site is adjacent to RS6-Single Family Residential. A Type A landscape buffer consisting of a solid fence, plus four (4) trees and fifteen (15) shrubs per each 100 linear feet along the edge of the property is required. **Twelve (12) trees and forty-five (45) shrubs shall be depicted on a landscape plan along the northern property line.**
 - c. Perimeter parking lot landscaping is required to shield headlights from adjacent properties and rights-of-way. A continuous shrub row is required along all parking spaces, and trees shall be installed along Stockbridge Drive frontage. Three (3) trees and a continuous shrub row is required where parking spaces face Stockbridge Drive.
 - d. Dumpster screening per TMC§1108.0203(G) is required. **Dumpster enclosure details shall be provided on a revised site plan or landscape plan.**

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- e. 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.
 - 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. Canopy trees must be a minimum of 12' in overall height or a minimum caliper of 2 inches, evergreen trees must be a minimum of 5', and shrubs must be at least 18 inches in height or 24 inches in spread when installed.
 - 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.
 - i. 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.
28. Per TMC§1109.0500, predominant building materials shall include brick, stone, glass, architectural metal, concrete cladding, or terra cotta. **Not acceptable as depicted. Revised elevations showing at least 80% predominant material(s) is required.**
29. Per TMC§1109.0205(C)(3), transparent windows shall occupy at least forty percent (40%) of the area between two (2') and ten feet (10') at grade from the base of the southern elevation facing Alexis Road, and transparent windows shall occupy twenty percent (20%) of the area between two (2') and ten feet (10') at grade from the base of the eastern elevation facing Stockbridge Drive. **Not acceptable as depicted. Revised elevations depicting windows on the southern and eastern elevations are required.**
30. Effort shall be made to make the addition compatible in design to the existing structure. Staff recommend the addition have a pitched roof. If rooftop equipment is proposed, TMC§1109.0306(C) applies. **Not acceptable as depicted, final elevations subject to Director's approval.**

TO: President Cherry and Members of Council
July 14, 2023
Page 11

REF: SUP-5009-23

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

31. 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.
32. 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.
33. No permits shall be issued until arrangements satisfactory to the Director of the Toledo City Plan Commission have been made for compliance with the conditions as set forth above.

Respectfully Submitted,



Thomas C. Gibbons
Secretary

DR

Five (5) sketches follow

Cc: Pravinkumar Patel, 821 Hunting Creek Road, Temperance MI 48182
Purna Krupa Inc, 310 W Alexis Road, Toledo OH 43612
Ali Khalaf, AK Architecture LLC, 5465 Schaefer, Dearborn MI 48126
Lisa Cottrell, Deputy Director
Dana Reising, Associate Planner

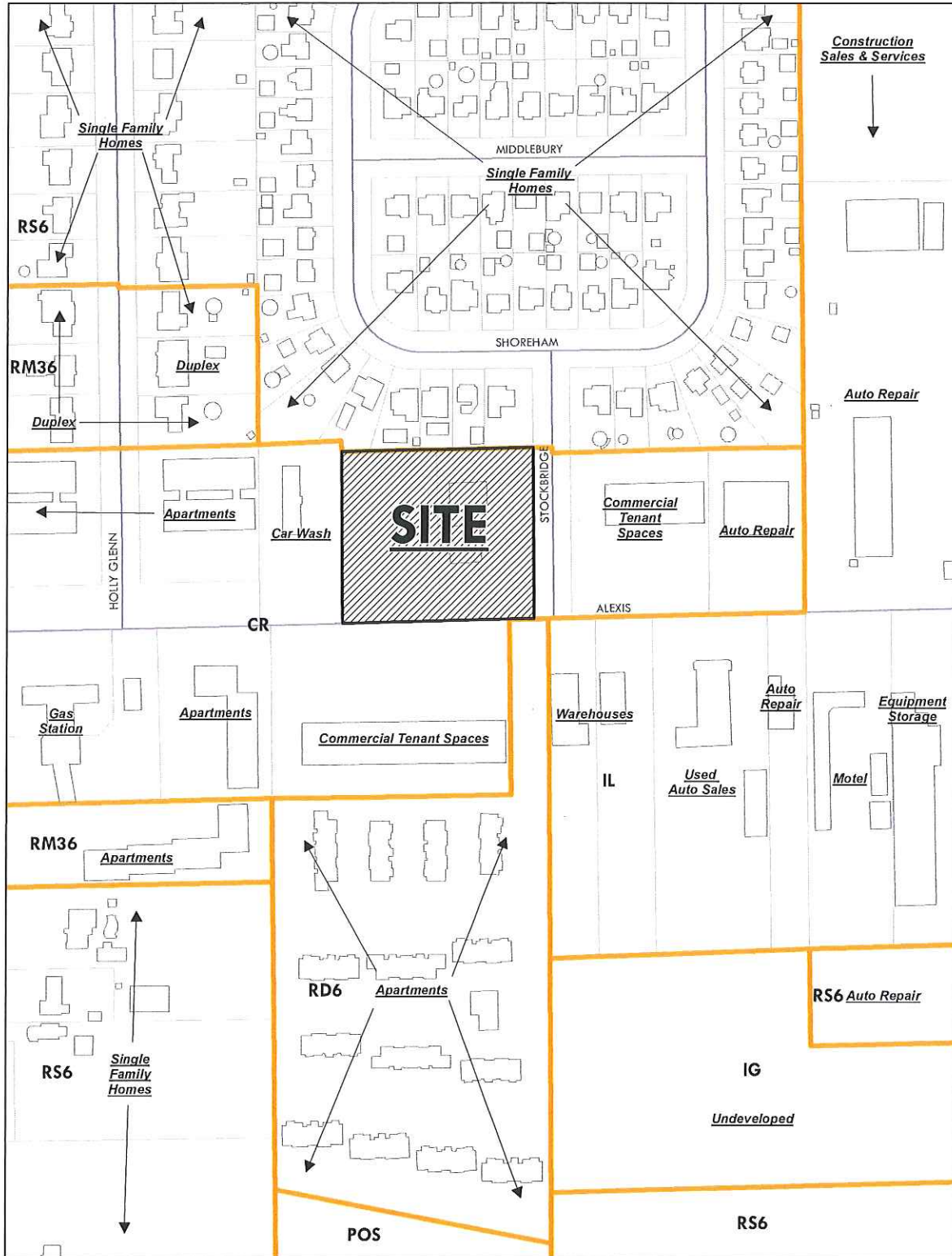
GENERAL LOCATION

SUP-5009-23



ZONING & LAND USE

SUP-5009-23



SITE PLAN

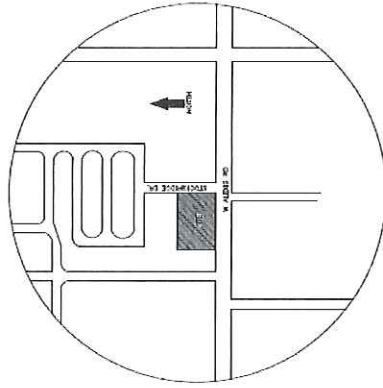
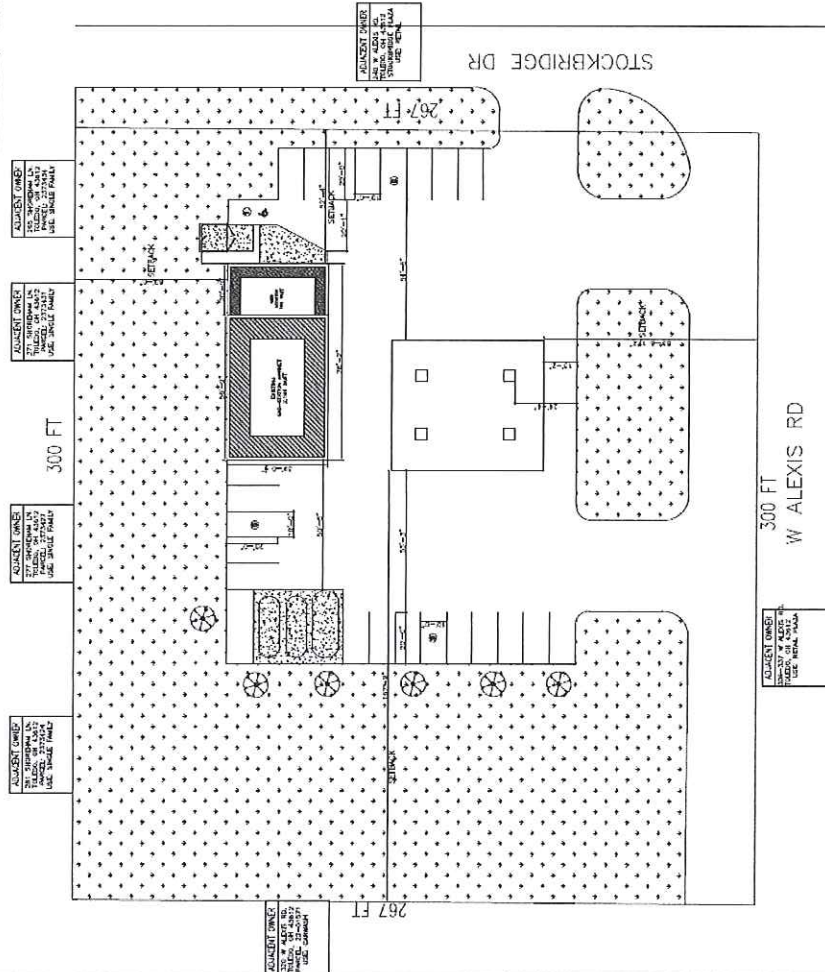
SUP-5009-23



MAJOR SITE PLAN REVIEW
 310 W ALEXIS ROAD
 PART OF LOT 7 IN THE SUBDIVISION OF THE WEST 1/2 OF THE
 SOUTHEAST 1/4
 OF SECTION 2, TOWN 9 SOUTH, RANGE 7 EAST,
 CITY OF TOLEDO, LUCAS, OH

AK
ALI KHALAF
 ARCHITECTURAL DESIGNER

AK ARCHITECTURE LLC
 5465 SCHAEFER
 DEARBORN, MI 48126
 E-MAIL: AKARCHITECT@AOL.COM
 PHONE: (313) 576-6776



1 SITE MAP

SCOPE OF WORK:

- BUILDING A NEW ADDITION 780 SQFT.
- CHANGING 3 SIDES ELEVATION MATERIALS.
- ADDING 3'-6" PARAPET HIGH TO 3 SIDES ELEVATION
- INTERIOR FULL RE-MODELING AND ADDING NEW FIXTURES.

LEGAL DESCRIPTION:

PART OF LOT 7 IN THE SUBDIVISION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWN 9 SOUTH, RANGE 7 EAST, CITY OF TOLEDO, LUCAS, OH

PARKING CALCULATION:

REQUIRED= 1 PER 300 SQFT.
 PLUS 1 PER 100 SQFT. FOR EACH ADDITIONAL 100 SQFT.
 SITE PARKING = 1 PER 300 SQFT / 300 = 9.7 = 10
 TOTAL REQUIRED PARKING = 10 PARKING SPOTS
 PARKING PROVIDED= 23 PARKING SPOTS

DATE	REV.	REVISION
10/11/23	01	ISSUE FOR PERMIT

PROJECT:	640-PHASE 2 REBUILDING
OWNER:	310 W ALEXIS RD TOLEDO OH
DATE:	10/11/23
PROJECT NUMBER:	50000
DRAWING TITLE:	SITE PLAN PROPOSAL

PROJECT NUMBER:	50000
DATE:	10/11/23
DRAWN BY:	AJ THOMPSON
CHECKED BY:	
SCALE:	

SP-1

1 PROPOSED SITE PLAN 2024.10.11

