

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: May 16, 2022

REF: V-187-22

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

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

SUBJECT: Vacation of all Right-of-Ways located at the terminus of Marina Drive, between Front Street, the Craig Street Bridge, and the Maumee River

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, May 12, 2022 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Vacation of all Right-of-Ways located at the terminus of Marina Drive, between Front Street, the Craig Street Bridge, and the Maumee River
Applicant	-	Metroparks Toledo 5100 West Central Avenue Toledo, OH 43615
Engineer	-	Lewandowski Engineers 234 N Erie Street Toledo, OH 43604

Site Description

Zoning	-	POS Parks and Open Space
Area	-	± 8.09 acres
Frontage	-	± 493.09' along Front Street ± 846.52' along Front Street ± 810.68' along Craig Bridge Street
Dimensions	-	See sketches
Existing Use	-	Open space and sidewalk
Proposed Use	-	Public park and sidewalk
Overlay	-	Maumee River Overlay Marina District Overlay

GENERAL INFORMATION (cont'd)

Area Description

- | | | |
|-------|---|--|
| North | - | Public park (<i>in development</i>), marina, and museum / POS & CR |
| South | - | Public park, car wash, and gas station / IL & CR |
| East | - | Interstate and harbor / POS & IG |
| West | - | Public park, marina, and museum / POS & CR |

Parcel History

- | | | |
|--------------|---|--|
| M-2-05 | - | Marina District Urban Renewal Plan. PC approved 04/25/2007. |
| SUP-5005-06 | - | Special Use Permit for a Marina at 1552 Front Street. PC approved 06/08/06. CC approved 07/12/06. Ord.523-06 passed 07/25/06. |
| MDO-5-18 | - | Marina District Overlay District review for a new metropark at 0 Riverside Drive (ARC approved 01/08/2019). |
| MRO-3-18 | - | Maumee Riverfront Overlay District review for a new metropark at 0 Riverside Drive (PC approved 02/19/2019). |
| Z-11002-18 | - | Zone Change from CR Regional Commercial and IG General Industrial to POS Parks and Open Space at 0 Riverside Drive (PC approved 01/10/2019, CC approved 02/13/2019, Ord. 89-19 passed 02/19/2019). |
| SUP-11003-18 | - | Special Use Permit for Community Recreation - Active for a new metropark at 0 Riverside Drive (PC approved 01/10/2019, CC approved 02/13/2019, Ord. 90-19 passed 02/19/2019). |
| MDO-1-21 | - | Marina District Overlay Review of the expansion of the Glass City Metropark. Marina District ARC approved 04/06/2021. |

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

- | | | |
|-------------|---|---|
| SUP-2006-21 | - | Amendment to Special Use Permit, originally granted by Ord. 90-19, for expansion of "Glass City Metropark" at Front Street and Marina Drive. PC recommended approval 04/08/2021. CC recommended approval 05/12/2021. Ord. 293-21 passed 05/25/2021. |
| MRO-1-21 | - | Maumee River Overlay review of the expansion of the Glass City Metropark. PC approved 04/08/2021. |
| V-447-21 | - | Vacation of the 20' strip of land along Front Street, from Marina Drive to Craig Bridge Street. PC recommended approval 10/14/2021. CC recommended approval 11/17/2021. Ord. 22-22 passed 01/18/2022. |

Applicable Regulations

- Toledo Municipal Code, Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan
- Connecting the Pieces Plan

STAFF ANALYSIS

The applicant is requesting the Vacation of all Rights-of-Ways located at the terminus of Marina Drive, between Front Street, the Craig Street Bridge and the Maumee River. The area to be vacated includes both Front Street Right-of-Way and ODOT excess lands. The applicant, Metroparks Toledo, owns the adjacent property. Surrounding land uses include the Glass City Metropark, the National Museum of the Great Lakes, and a marina to the north; Tribute Park, a car wash, and a gas station to the south; the Craig Street Bridge and I-280 to the east; and the Glass City Metropark, the National Museum of the Great Lakes, and a marina to the west. On 08/17/2022, City Council approved a declaration of intent (*Res. 187-22*) to Vacate the requested portion of ODOT lands and Front Street.

STAFF ANALYSIS

The applicant, Metroparks Toledo, is requesting the Vacation in order to facilitate the expansion of the Glass City Metropark. The previously approved Special Use Permit for Phase II of the Glass City Metropark (SUP-2006-21), proposed the ODOT excess lands to the north be for urban camping, and the Right-of-Way along Front Street to be for trees and a multiuse path. The area requesting to be vacated was previously targeted for I-280 ramps, however since the Veterans Glass City Bridge was constructed, the roadways in this location have been reconfigured from the initial plans and the right-of-way is no longer necessary to serve the infrastructure. On 04/12/2022, City Council approved a declaration of intent (*Res. 187-22*) to Vacate the requested portion of Front Street.

Connecting the Pieces Plan

The 2008 Connecting the Pieces Plan identifies the area being vacated as the location for a natural area and a trail to connect to proposed parks. The trail was constructed along with the Veterans Glass City Bridge project, and serves as bicycle and pedestrian access along Front Street. The trail will remain with the proposed Glass City Metropark, and further fulfill the Connecting the Pieces Plan vision of building vibrant public spaces in East Toledo.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan future land use designation targets the proposed adjacent land as Urban Village. This land use category is a specialized residential and commercial district that possesses characteristics of Traditional Neighborhood Development (TND), such as pedestrian orientation, zero building setbacks, mixed uses, and district architectural character. The proposed Vacation areas will be added to Glass City Metropark, and will be a valuable public amenity.

Staff recommends approval of the proposed Vacation as it will not impede or restrict access to any adjoining property owners abutting the site. Additionally, the request conforms to the goals of the Connecting the Pieces Plan.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of V-187-22, the request for the Vacation of excess former ODOT right-of-way, located at Front Street & the Craig Bridge to Toledo City Council for the following two (2) reasons:

1. The proposed Vacation will not impede or restrict access to any property owners abutting the site; and,

PLAN COMMISSION RECOMMENDATION (cont'd)

2. The proposed Vacation conforms to the Toledo 20/20 Comprehensive Plan and the 2008 Connecting the Pieces Plan (TMC§1111.0606(A) – *Review & Decision-Making Criteria*).

The Toledo City Plan Commission further recommends approval of V-187-22, the request for the Vacation of all Right-of-Ways located at the terminus of Marina Drive, between Front Street, the Craig Street Bridge and the Maumee River to Toledo City Council subject to the following **five (5)** conditions:

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

Division of Engineering Services

1. A 72-Inch public water main crosses two of the three parcels. An easement shall be provided.
2. Ordinance shall note that an easement for a public storm and sanitary sewer is provided across the entire vacation (if not specified in detail between now and then and approved as to content of detail).

Toledo Area Regional Transit Authority

3. TARTA has a bus stop located Southeast of the Front St Marina at the 20' strip vacation highlighted in the reference map.

The location has continuous sidewalk which connects to the nearby walking path. This spot is important for access to the transit system from nearby neighborhoods and destinations. As such, TARTA intends to maintain this as a bus stop.

TARTA requests to be consulted on changes to that location to ensure reasonable accommodations can be made for transit customers. TARTA can approve the vacation as long as transit access can be maintained.

Division of Transportation

4. 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.

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PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission

5. Any revisions to the previously approved Special Use Permit for the Glass City Metropark shall be viewed by the Plan Commission as a minor amendment or a major amendment per TMC§1111.0708 – Amendments to Approved Special Uses.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Thomas C. Gibbons', written in a cursive style.

Thomas C. Gibbons
Secretary

DR

Five (5) sketches follow

Cc: Metroparks Toledo, 5100 West Central Avenue, Toledo OH 43615

Lewandowski Engineers, 234 N Erie Street, Toledo OH 43604

Lisa Cottrell, Administrator

Dana Reising, Planner

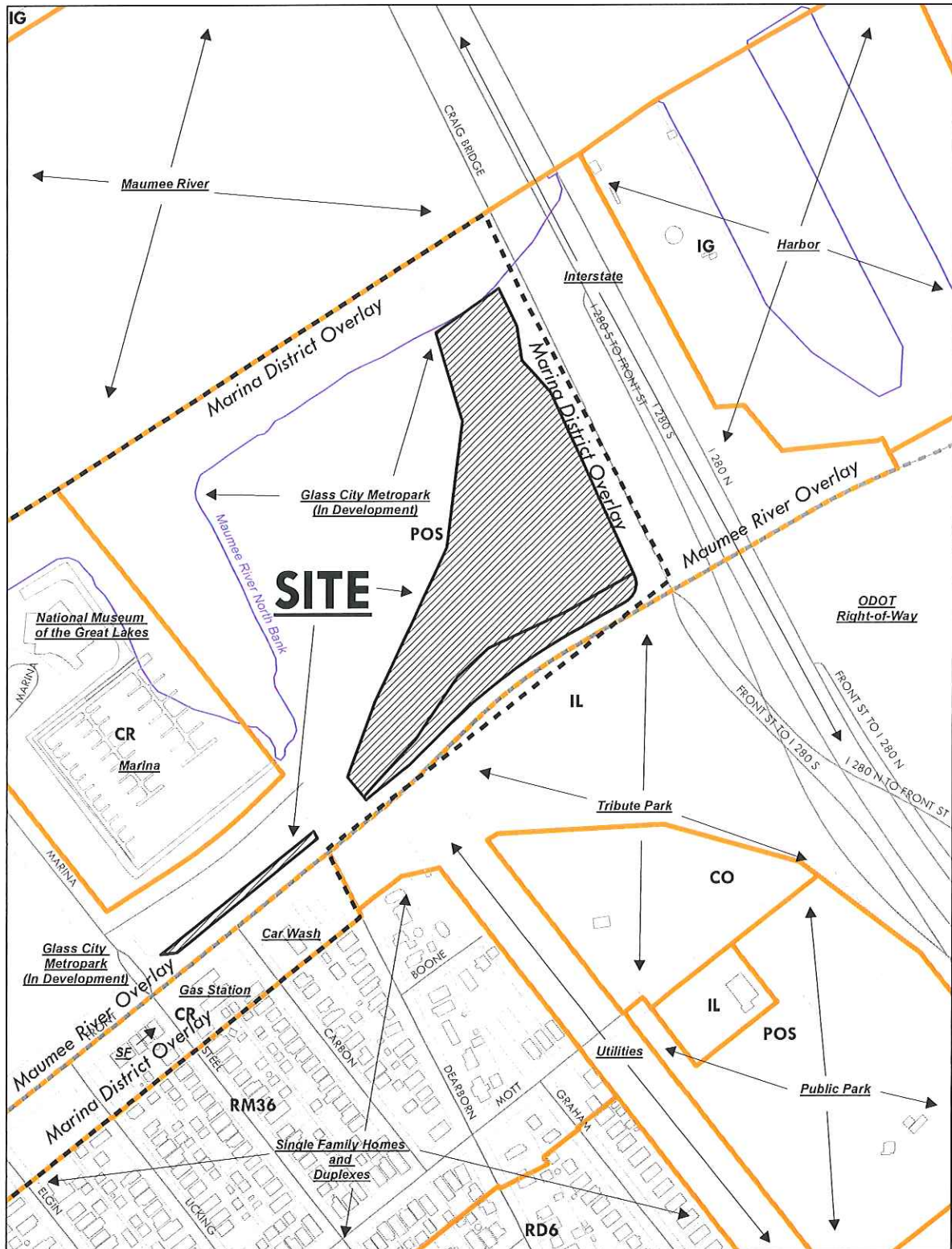
GENERAL LOCATION

V-187-22
ID 27



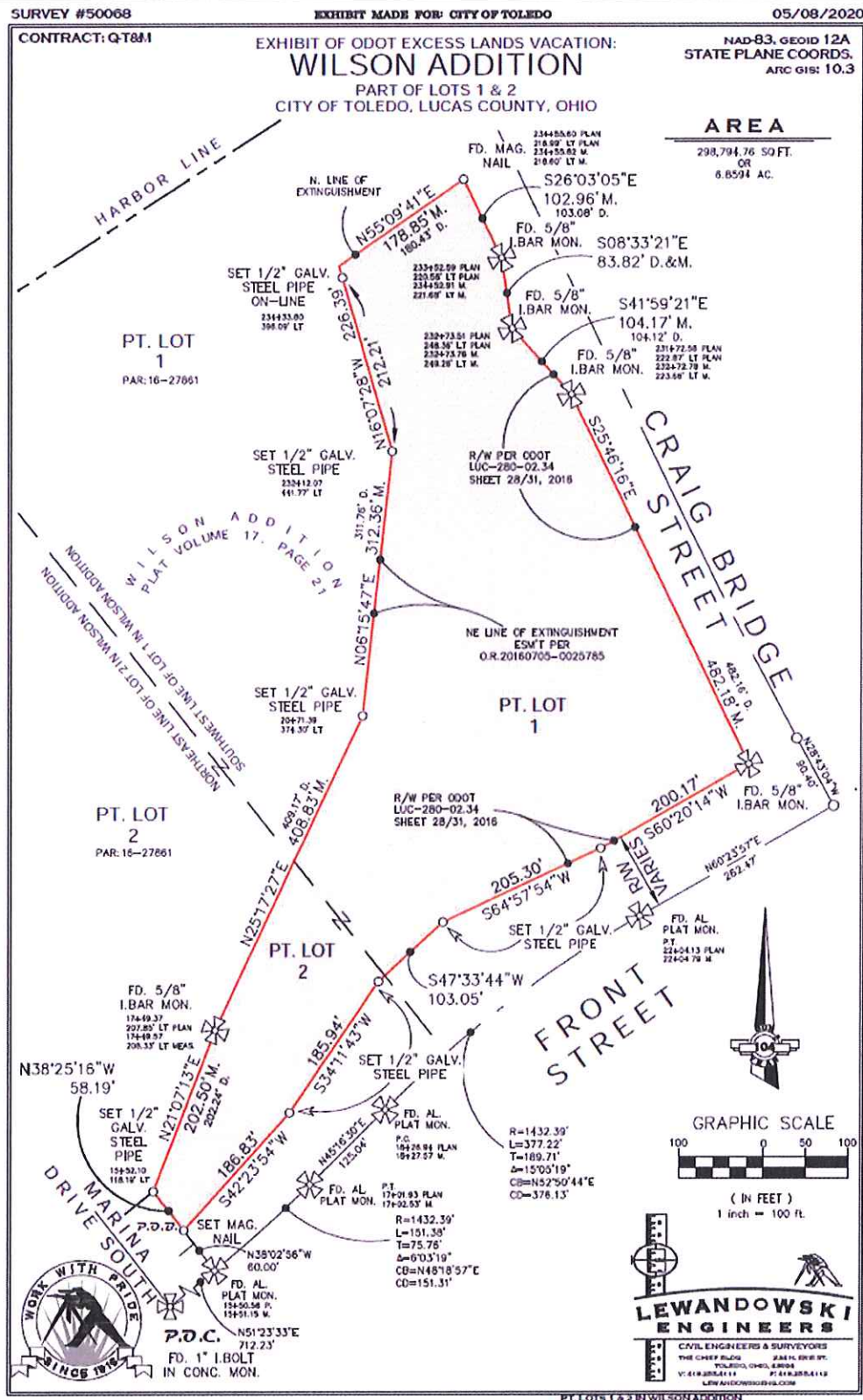
ZONING & LAND USE

V-187-22
ID 27



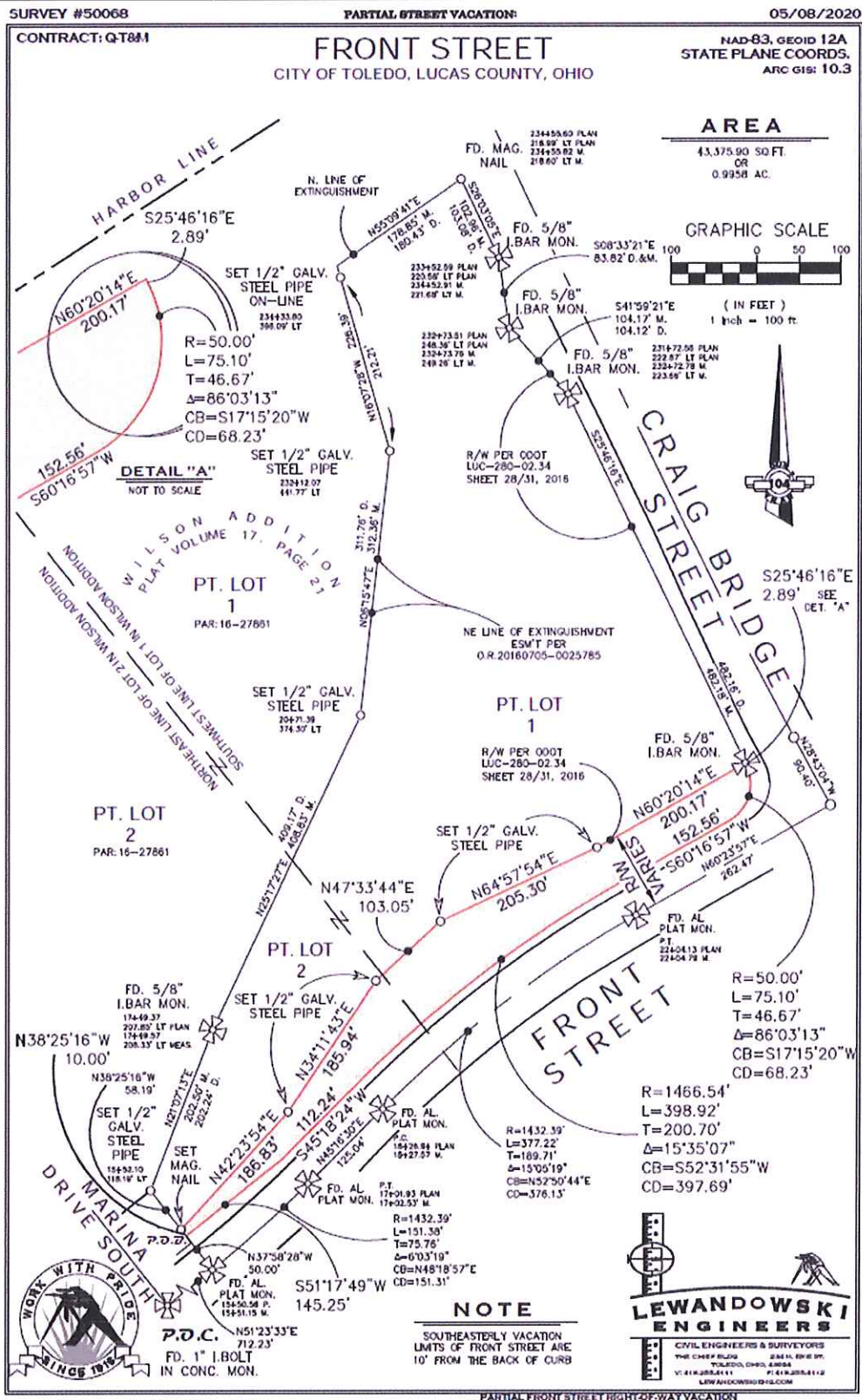
SURVEY

V-187-22
ID 27



SURVEY

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ID 27



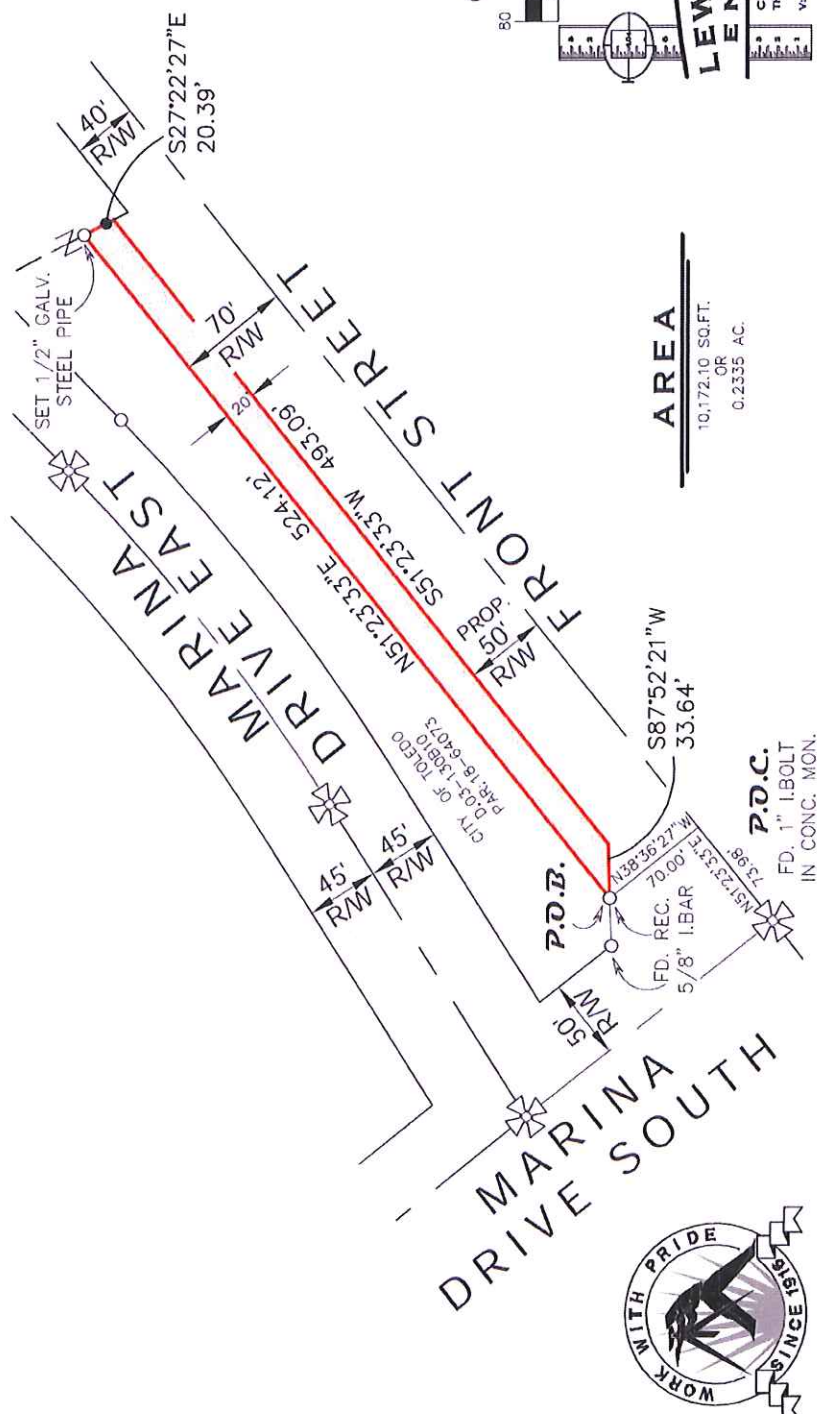
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PARTIAL STREET VACATION:

05/08/2020

PROPOSED 20' STRIP VACATION
CITY OF TOLEDO, LUCAS COUNTY, OHIO



PT. FRAC. SEC. 31, T9S, R8E