



## TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

REF: V-153-23

DATE: May 11, 2023

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

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

SUBJECT: Vacation of Portion of Walbridge Avenue East of the Intersection of Walbridge Avenue and Morton Street

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, May 11, 2023 at 2:00 P.M.

### GENERAL INFORMATION

#### Subject

Request - Vacation of Portion of Walbridge Avenue East of the Intersection of Walbridge Avenue and Morton Street

Applicant - Brandon Sehlhorst  
Economic Development  
One Government Center  
Toledo, OH 43604

#### Site Description

Zoning - RD6/Duplex Residential, IL/Limited Industrial & POS/Park and Open Space

Area - ± 1.56 acres

Frontage - ± 80' along Walbridge Avenue

Dimensions - ± 80' x 226' and 694' x 106'

Existing Use - Open Space

Proposed Use - Materials Recycling Facility (MRF)

#### Area Description

North - IL / Vacant Lots, I-75 R.O.W, Warehouse

South - RD6, POS / Open space, Port Authority, I-75

East - POS / Open Space, Vacant Lot

West - RD6 / Single-family Homes

#### Parcel History

None on file

## **GENERAL INFORMATION (cont'd)**

### Applicable Regulations

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

## **STAFF ANALYSIS**

The applicant is requesting the vacation of an unimproved Right of Way (R.O.W) east of the intersection of Walbridge Avenue and Morton Street. The R.O.W is a remnant of the Fassett Street Bridge that collapsed on April 5, 1957. The bridge connected Walbridge Avenue with Fassett Street. To the north of the R.O.W are vacant lots, Interstate 75 and a commercial warehouse, to the east are open space and vacant lots, to the west are single-family homes and to the south is an open space as well as Interstate 75 and an industrial site owned by the Toledo-Lucas County Port Authority commonly known as the Andersons Grain Silos. On March 21, 2023, City Council approved a declaration of intent (*Res. 153-23*) to vacate the requested portion of Walbridge Avenue.

The vacation is intended to support the development of a Materials Recovery Facility (MRF) that will process recyclable materials from both the City of Toledo and Lucas County. Lucas County Economic Development Corporation recently acquired a parcel at 173 South Avenue located between Interstate 75 and the Maumee River. This is to construct the MRF. Future development of this area shall be subject to Maumee Riverfront Overlay District review guidelines and Site Plan Review. The R.O.W has not been in use after the Fassett Street Bridge collapsed.

### Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan future land use designates this area as Parks and Open Space, Urban Agriculture and Utilities. The Parks and Open Space land use is intended to preserve and enhance major open space and recreational areas. It may also be applied to privately-owned open space areas within residential developments. Furthermore, Urban Agriculture land use is aimed for moderate farming operations such as gardens, hoop houses, fish farms and livestock. Finally, Utilities land use is intended for infrastructure services provided by a private or public agency that includes water, sanitary, landfills and airports. The proposed vacation conforms with the Toledo 20/20 Comprehensive Plan as development of this land will be for a public facility.

Staff recommends approval of the requested vacation because the proposed Vacation conforms to the Toledo 20/20 Comprehensive Plan.

## **PLAN COMMISSION RECOMMENDATION**

The Toledo City Plan Commission recommends approval of V-153-23, the request for the vacation of portion of Walbridge Avenue east of the intersection of Walbridge Avenue and Morton Street, to Toledo City Council for the following reason:

**PLAN COMMISSION RECOMMENDATION (cont'd)**

1. The proposed Vacation conforms to the Toledo 20/20 Comprehensive Plan

The Toledo City Plan Commission recommends approval of V-153-23, the request for vacation of portion of Walbridge Avenue east of the intersection of Walbridge Avenue and Morton Street subject to the following **four (4)** 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.

Engineering Services

Does not objection to the approval of this vacation.

Law Department

1. Within the allowed limits 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 the indemnification shall be kept in the permanent file o the Clerk of Council.

Transportation Services

The Division of Transportation does not object to the approval of the vacation by the Plan Commission.

AT&T (Ohio)

No comments at the time of publication

Buckeye Cable System Inc.

2. Buckeye Cablevision, Inc., dba Buckeye Broadband has aerial cable on the Toledo Edison Pole line that lies within the Walbridge Avenue Right-of-Way. Buckeye will need to maintain access to its facilities.

Plan Commission

3. The proposed vacation cannot result in the loss of access for any abutting properties.



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**PLAN COMMISSION RECOMMENDATION (cont'd)**  
Plan Commission (cont'd)

4. A Site Plan Review and Maumee Riverfront Overlay District Review shall be required for any future developments within the vacated area in accordance with the provisions of the Toledo Municipal Code.

Respectfully Submitted,



Thomas C. Gibbons

Secretary.

ET  
Two (2) sketches follow

# GENERAL LOCATION

V-153-23  
ID 126



# ZONING & LAND USE

V-153-23  
ID 126

