

REF: SPR-8-24
DATE: April 11, 2024

GENERAL INFORMATION

Subject

- | | | |
|-------------------|---|---|
| Request | - | Major Site Plan Review for expansion of intermodal facility |
| Location | - | 127 S Westwood Avenue |
| Applicant / Owner | - | Norfolk Southern Railway Company
650 W Peachtree NW, Box 45
Atlanta, GA 30308 |
| Engineer | - | Benesch
1230 E Diehl Road, Suite 109
Naperville, IL 60563 |

Site Description

- | | | |
|--------------|---|--|
| Zoning | - | IG (General Industrial) & IL (Limited Industrial) |
| Area | - | ± 75.58 acres |
| Frontage | - | ± 320' along S Westwood Avenue
± 1,128' along Hill Avenue
± 688' along Fearing |
| Existing Use | - | Intermodal Rail Facility |
| Proposed Use | - | Intermodal Rail Facility |

Area Description

- | | | |
|-------|---|---|
| North | - | IG, RS6, RD6 / Warehouses, Recycling, Fence Contractor, Oil Terminal, Scott Park Campus |
| South | - | RS6, PD6, POS / Single Dwelling Homes, Duplexes, Burroughs Park |
| East | - | IG / Intermodal Rail Facility |
| West | - | IG / Warehouses, Scrap Yard, Contractors |

Combined Parcel History

- | | | |
|-----------|---|---|
| SPR-22-14 | - | Major Site Plan Review to expand existing intermodal rail facility. |
|-----------|---|---|

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Major Site Plan Review to expand an existing intermodal rail facility at 127 S Westwood Avenue. The ±75.58 acre site is zoned IG (General Industrial) and IL (Limited Industrial) and consists of 6 parcels, 5 of which are currently owned by Norfolk Southern. To the north are warehouses, a recycling company, a fence contractor, an oil terminal, and Scott Park Campus, to the south are Single-Dwelling Homes, Duplexes, and Burroughs Park, to the east is more Intermodal Rail Facility, and to the west are warehouses, a scrap yard, and a contractor.

Rail facilities on railroad-owned property are generally exempt from local zoning reviews. Most of the proposed intermodal rail facility is on Norfolk Southern property; however, a small parcel along S Westwood Avenue (127 S Westwood Ave) is owned by Toledo Edison. Norfolk Southern is currently purchasing the property. As such, this site plan review is focused on the small parcel owned by Toledo Edison. The total proposed expansion will consist of 40 new 12' x 25' parking spaces, 641 new 12' x 55' parking spaces, three new drive aisles, expansion of existing drive aisles, and a new curb cut onto S Westwood Avenue. The only portions of this expansion on the small parcel currently owned by Toledo Edison are part of a drive aisle, the curb cut onto S Westwood Ave, and the 40 new 12' x 25' parking spaces.

Parking and Circulation

Pursuant to the Americans with Disabilities Act and TMC§1107.1700 *Accessible Parking for Physically Disabled Persons*, one van and one auto accessible parking space is required with 8' loading aisle for van and 5' loading aisle for auto in the 40-space parking lot along S Westwood Ave. The current site plan shows none. Accessible parking must be signed and marked in conformance with TMC§1107.1704 *Signs and Marking*.

Pursuant to TMC§1109.1911 *Dimensions*, portions of the southern-most drive aisle off S Westwood Ave on the Toledo Edison parcel must be a minimum of twenty-five feet (25') in width for two-way traffic flow.

Landscaping

Pursuant to TMC§1108.0202 *Frontage Greenbelt*, a thirty-foot (30') frontage greenbelt is required along S Westwood Avenue. At least 9 trees and a solid evergreen hedge is required within the frontage greenbelt. The applicant has provided only 6 trees and no solid evergreen hedge.

The use of barbed wire, razor wire, concertina wire, electric fences or the like are not permitted anywhere along a street right-of-way. The fence and gate along S Westwood Avenue may not use barbed wire like currently depicted. Other sides of the fence surrounding the employee parking lot may use barbed wire as depicted.

Building Design & Materials

The applicant proposes only one small structure (guard shack), which is not visible from the public right-of-way. The structure is also on Norfolk Southern Property. The design standards found in TMC§1109.0400 do not apply.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Heavy Industrial land uses. The Heavy Industrial district was established and intended for heavy industrial and other moderate and high-impact industrial uses, including large scale or specialized industrial operations requiring good transportation access and public facilities and services. As a result, the proposal meets the purpose and all other applicable provisions of the zoning code as outlined in TMC§1111.0706 *Review and Decision-making Criteria*.

The staff recommends approval of the Major Site Plan Review to expand an existing intermodal rail facility at 127 S Westwood Avenue, because the plan complies with all standards of the Toledo Municipal Code, Zoning Code, and other adopted City policies, and the proposed use is allowed in the district in which it is located.

STAFF RECOMENDATION

The staff recommends that the Toledo City Plan Commission approve SPR-8-24, a Major Site Plan Review to expand an existing intermodal rail facility at 127 S Westwood Avenue, for the following two reasons:

1. The Site Plan complies with all standards of the Toledo Municipal Code, the Zoning Code, and other adopted City policies (**TMC§1111.0809(A)**);
2. The proposed use is allowed in the district in which it is located (**TMC§1111.0606(B)**).

The staff further recommends that the Toledo City Plan Commission approve of SPR-8-24, a Major Site Plan Review to expand an existing intermodal rail facility at 127 S Westwood Avenue, subject to the following **twenty-seven (27)** 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.

Division of Engineering Services

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.

STAFF RECOMENDATION (cont'd)

Division of Engineering Services (cont'd)

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. Toledo is a permitted stormwater discharger and according to its Municipal Separate Storm System (MS4) permit, should review the stormwater proposal according to the Ohio Construction General Permit (CGP) requirements. Toledo will review the stormwater proposal and provide comments to the project owner and their designer regarding compliance with the CGP.
5. Toledo operates a storm drainage system including open and enclosed drainage ditches which are of restricted capacity; Toledo has infrastructure standards which call for on-site stormwater management such as detention of flood volume. Toledo will review the stormwater proposal and provide comments about the discharge rate to its drainage system.
6. The site is very close to an open channel and a Special Flood Hazard Area (SFHA). Any activity within the open channel or SFHA would be subject to regulation (Toledo Municipal Code, National Flood Insurance Program, Army Corps of Engineers).

Sewer & Drainage Services

7. S&DS requires that all existing private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
8. 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.

Division of Environmental Services

9. Applicant shall maintain compliance with applicable state and federal stormwater construction and post construction regulations. Roadways shall be kept free of sediment and Toledo Environmental Services reserves the right to review SWPPP inspection reports and conduct site inspections if deemed necessary.
10. 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.

STAFF RECOMENDATION (cont'd)

Division of Environmental Services (cont'd)

11. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
12. 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.
13. 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
14. 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.

Division of Transportation

15. One van and one auto accessible parking space is required with 8' loading aisle for van and 5' loading aisle for auto per TMC§1107.1911.
16. Southern most driveway on S. Westwood needs to be a min. of 25' for two-way traffic flow per TMC§1107.1911.
17. Unused curb cut on Hill Avenue to be removed and replaced to match adjacent curb areas.

Water Distribution

No comments or concerns.

Fire Prevention

18. Private fire service mains and appurtenance will be required with locations approved by the Fire Prevention Bureau.
19. Fire apparatus access roads shall be designed and maintained to support imposed loads of fire apparatus and shall be surfaced to support all- weather driving capabilities.
20. Fire apparatus access roads shall have an unobstructed width of not less than 20' and an unobstructed vertical clearance of not less than 13'6.
21. Security gates shall have an approved means of emergency operations.

STAFF RECOMENDATION (cont'd)

Plan Commission

22. 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 towards the interior of the parking lot. **Acceptable as depicted.**
23. A detailed site, fencing and landscaping plan shall be submitted to the Plan Director for review and approval. Such plans shall include:
 - a. Pursuant to TMC§1107.1700, a minimum of one (1) auto accessible and one (1) van accessible spaces shall be provided. **Not acceptable as depicted.**
 - b. Southern access drive from S. Westwood must be twenty-five feet (25') in width for two-way traffic when off Norfolk Southern property.
 - c. A thirty-foot (30') frontage greenbelt is required along S. Westwood Avenue and shall include one (1) tree per every thirty feet (30') of frontage. **Nine (9) trees are required along S Westwood Ave.**
 - d. If a parking lot is proposed to be developed in the front of the property, the frontage greenbelt shall include a solid evergreen hedge planting to screen the parking lot so that no headlights of any vehicles can be seen from the public street. **Not acceptable as depicted.**
 - e. Barbed wire, razor wire, concertina wire, electric fences or the like are not permitted anywhere along a street right-of-way. **Not acceptable as depicted. Fence & gate along S Westwood Ave may not use barbed wire.**
 - f. Topsoil must be back filled to provide positive drainage of the landscape area.
 - g. 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.
 - h. 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*.
 - i. Because the site is greater than ½ acre large, landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition.

STAFF RECOMENDATION (cont'd)

Plan Commission (cont'd)

24. 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.
25. 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.
26. Per TMC§1111.0814, if a building permit is not issued within two (2) years of this approval date then the site plan approval shall become null and void.
27. 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.

MAJOR SITE PLAN REVIEW
TOLEDO CITY PLAN COMMISSION
REF: SPR-8-24
DATE: April 11, 2024
TIME: 2:00 P.M.

AS
Eight (8) sketches follow

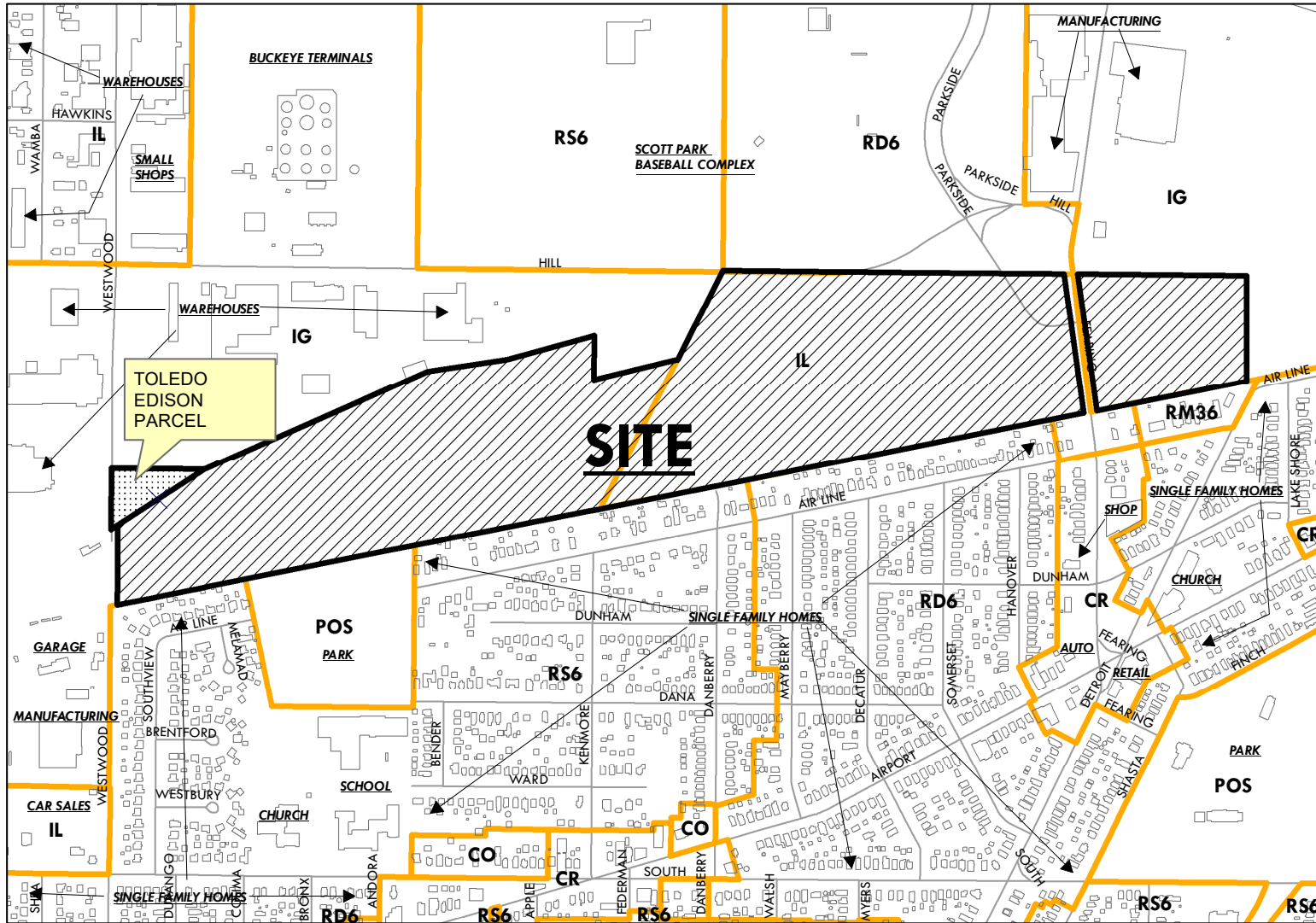
GENERAL LOCATION

SPR-8-23
ID 33



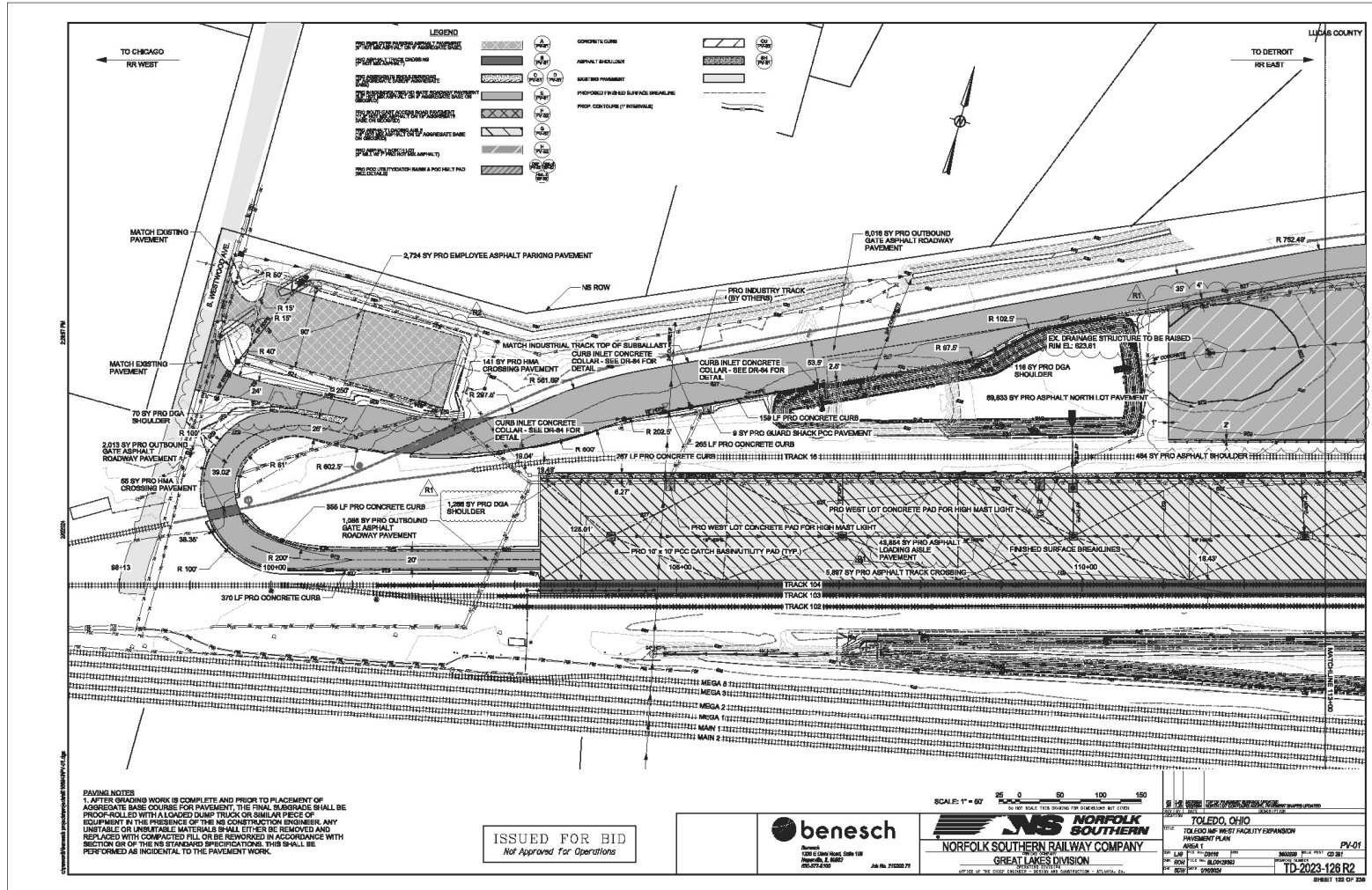
ZONING & LAND USE

SPR-8-24
ID 33



PAVEMENT PLAN AREA 1

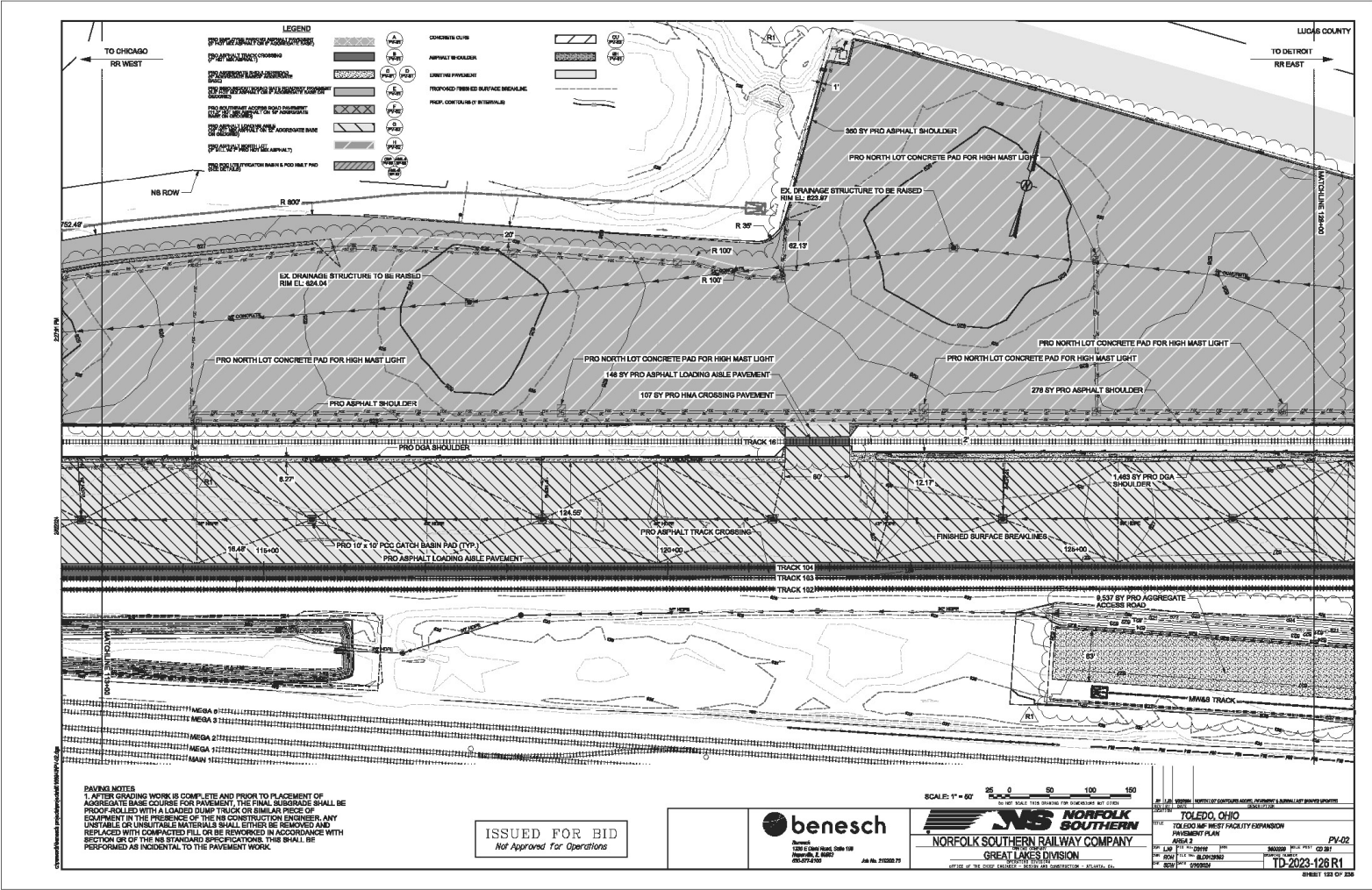
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ID 33



2 - 10

PAVEMENT PLAN AREA 2

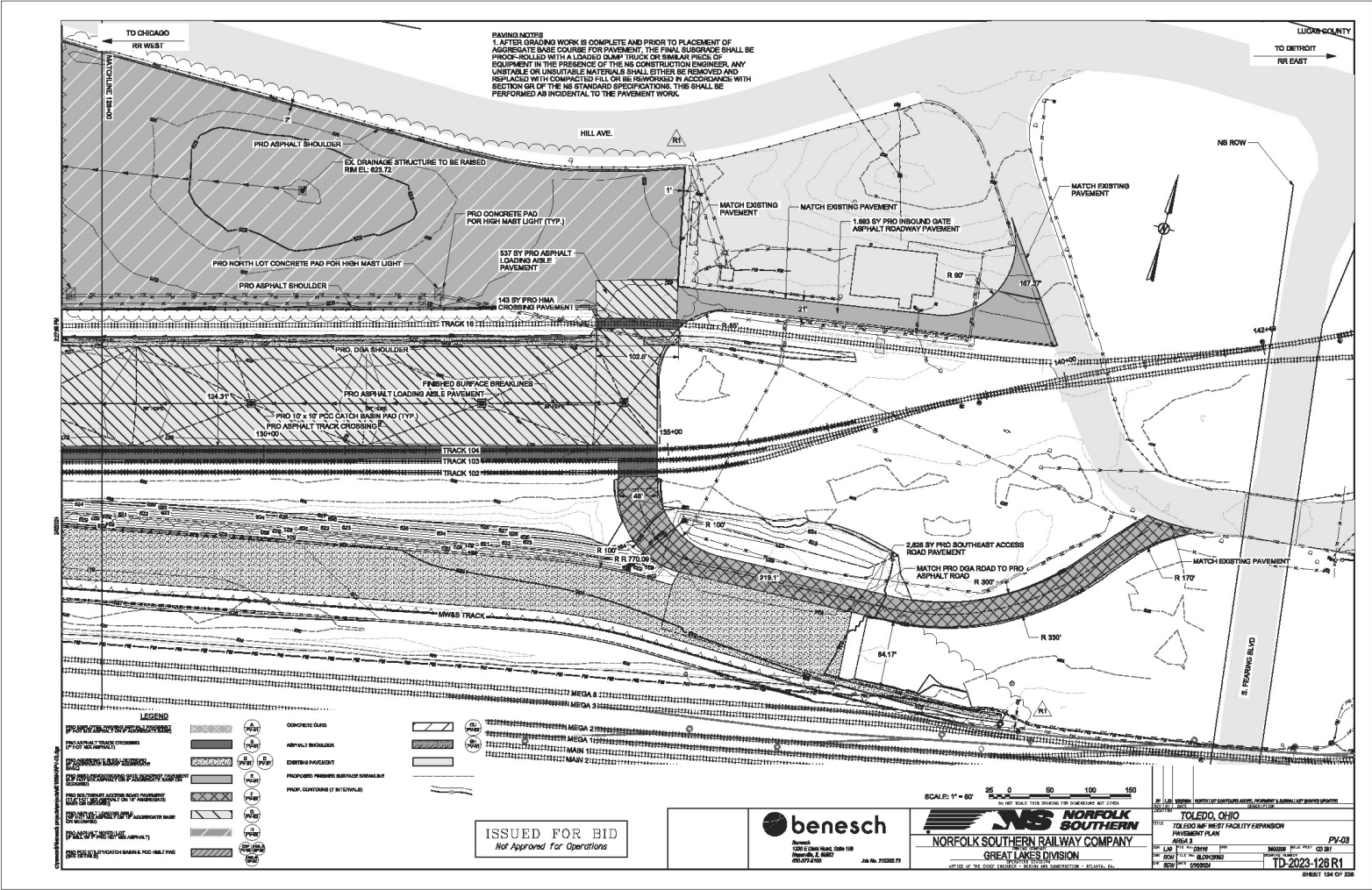
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PAVEMENT PLAN AREA 3

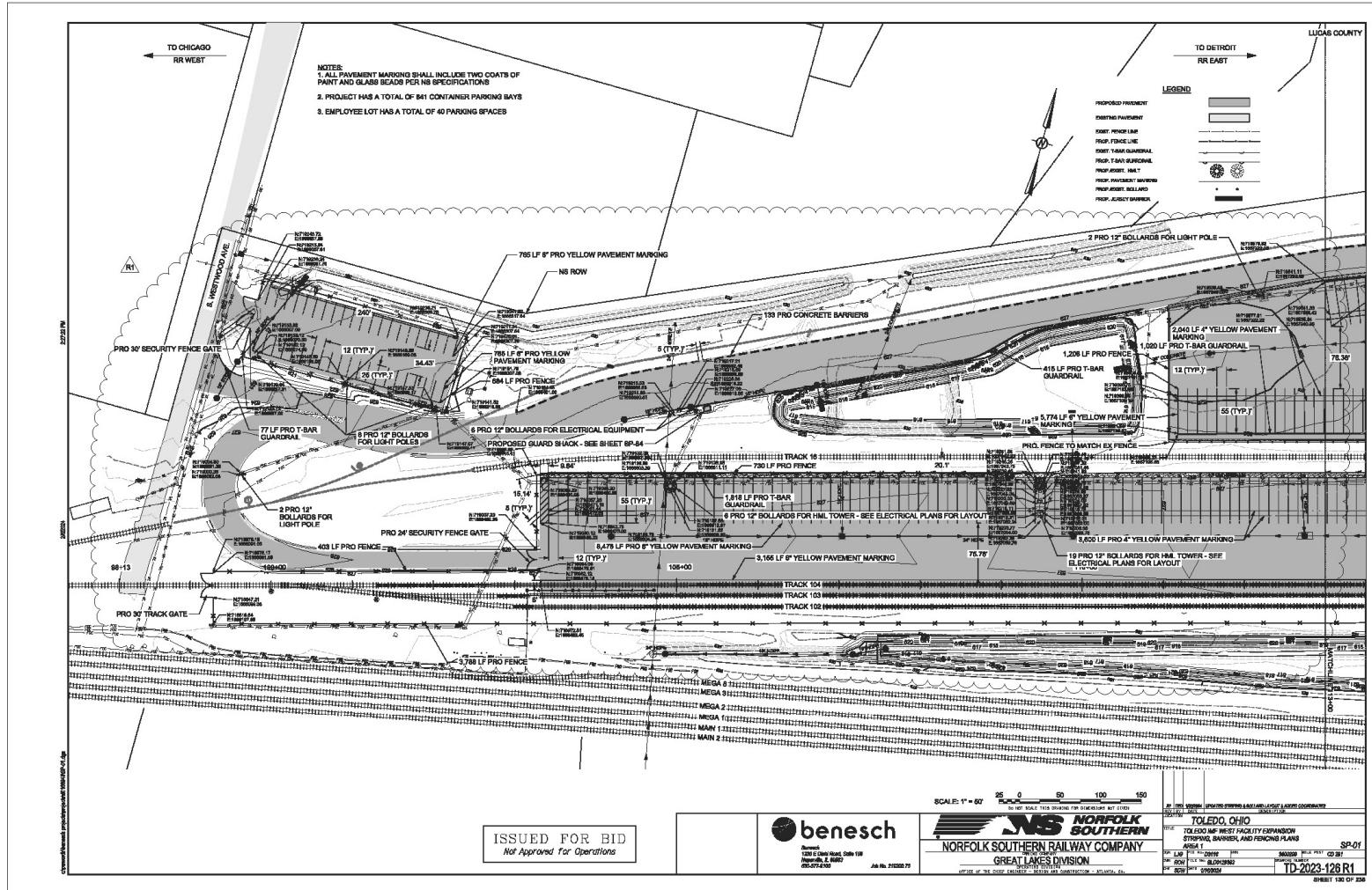
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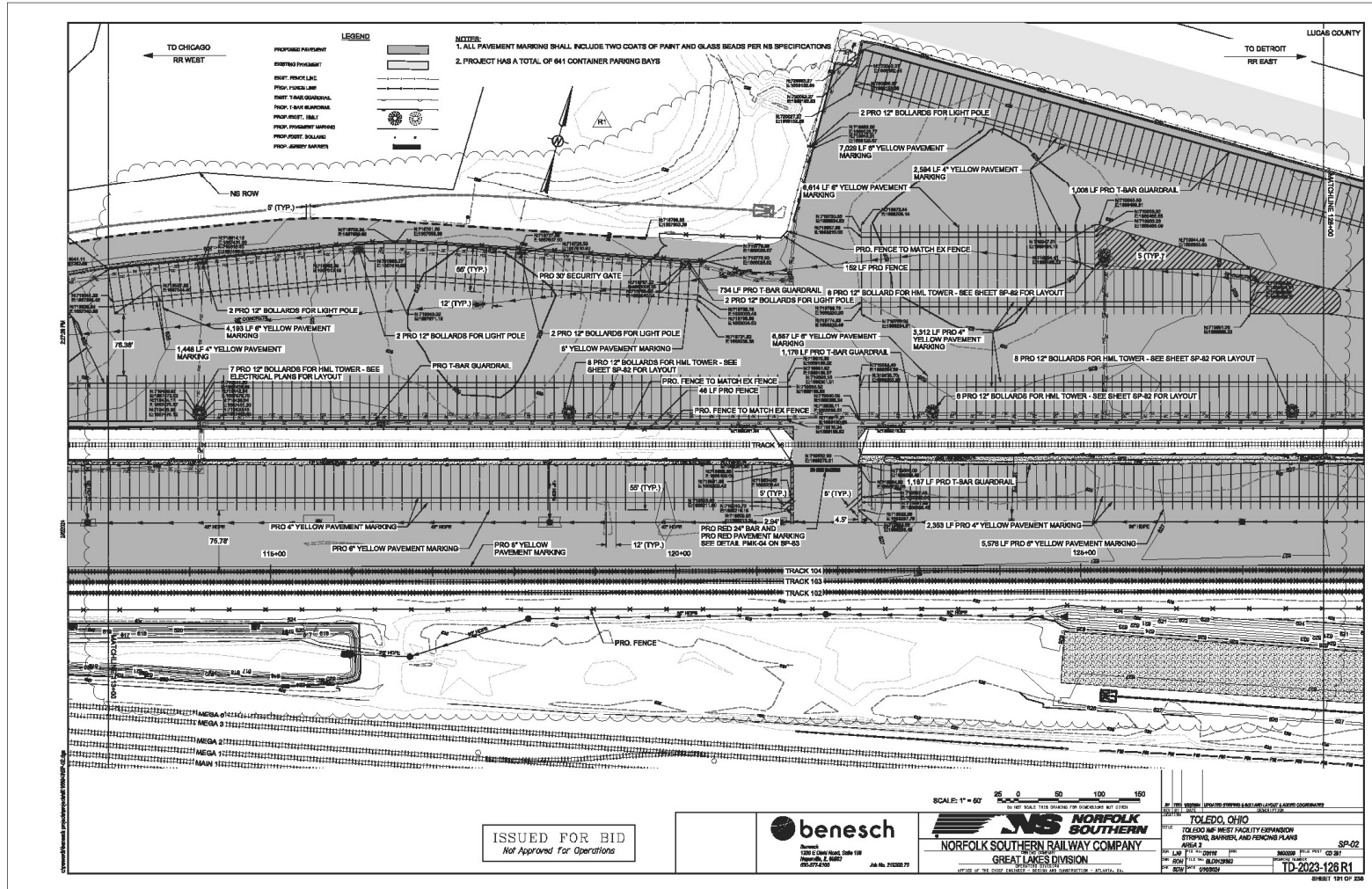
STRIPING, BARRIER, AND FENCING AREA 1

SPR-8-24
ID 33



STRIPING, BARRIER, AND FENCING AREA 2

SPR-8-24
ID 33



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STRIPING, BARRIER, AND FENCING AREA 3

SPR-8-24
ID 33

