

## TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: July 15, 2022

REF: SUP-5004-22

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

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

SUBJECT: Special use Permit for replacement utility pole with AMI equipment at 4820 Airport Highway.

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, July 14, 2022 at 2:00 P.M.

### GENERAL INFORMATION

#### Subject

Request	-	Special Use Permit for replacement utility pole with AMI equipment.
Location	-	4820 Airport Highway
Applicant	-	City of Toledo Dept. of Public Utilities 420 Madison Avenue, 4 <sup>th</sup> Floor Toledo, OH 43605
Owner	-	City of Toledo One Government Center Toledo, OH 43604
Engineer	-	Lewandowski Engineering 234 N Erie St Toledo, OH 43604

#### Site Description

Zoning	-	RS12 / Single-dwelling Residential
Area	-	± 0.70 Acres
Frontage	-	± 145' along Airport Highway ± 210' along Seymour Road
Existing Use	-	Fire Station 11 with Utility Pole
Proposed Use	-	Fire Station 11 with Utility Pole

**GENERAL INFORMATION (cont'd)**

Area Description

North	-	RD6 / Apartments
South	-	RS12 / Swan Creek Metroparks
East	-	RS12, RD6 / Apartments
West	-	RS12 / Single Family Residential, Church

Parcel History

Z-225-65	-	Special use permit for the construction of a fire station at the NE corner of Airport Highway and Seymour (PC Approved 9/16/65).
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Applicable Plans and Regulations

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

**STAFF ANALYSIS**

The City of Toledo Department of Public Utilities is in the process of updating their meter reading technology, including the installation of a new Automatic Metering Infrastructure (AMI) poles across the City of Toledo. The proposed tower shall be a rust/copper color monopole seventy-nine (79') tall. Poles will help the City to read water meters remotely, reducing the need for City staff to visit properties to read meters.

This pole is proposed to be located in the rear of Toledo Fire and Rescue Station 11. The ±0.70 Acres site is surrounding by single-family residential neighborhood to the west, apartments to the north and east, and Swan Creek Metroparks to the south. These poles are classified in the Planning and Zoning Code as "Wireless Telecommunications Facilities, Freestanding" and a Special Use Permit is required due to the zoning of the site.

*TMC§1104.1800 | Wireless Telecommunications Facilities*

The Planning and Zoning Code outlines specific requirements for freestanding wireless facilities. Towers shall be of monopole design. Typically, facilities are required to be located at least 100' from property lines where abutting residential zoning districts, however because this is replacing an existing pole on a constrained site this requirement shall be waived as a condition of approval. Towers are required to be screened at the base using shrubs, or some other foundation planting.

## PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-5004-22, Special Use Permit for replacement utility pole with AMI equipment at 4820 Airport Highway, to Toledo City Council for the following **one (1) reason**:

1. The City and other service providers will be able to provide sufficient public safety, transportation, and utility facilities and services to the subject property while maintaining sufficient levels of service for existing development (TMC§1111.0706.E)

The Toledo City Plan Commission recommends approval of SUP-5004-22, Special Use Permit for replacement utility pole with AMI equipment at 4820 Airport Highway, to Toledo City Council subject to the following **ten (10) conditions**:

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

## PLAN COMMISSION RECOMMENDATION (Cont'd)

### 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.
3. Required permits for all approved work in the public right-of-way shall be obtained, before work begins.

### Plan Commissions

4. The shown location of the pole is permissible due to the constraints of the site and the replacement of an existing tower. **Acceptable as depicted.**
5. The proposed pole shall be protected and visually screened by shrubs or foundation plantings subject to the approval of the Director. (TMC§1104.1801.C)
6. All operation of the facility shall be in accordance with the requirements of TMC§1104.1800, "*Wireless Telecommunications Facilities*".

**GENERAL INFORMATION**

Plan Commissions (cont'd)

7. 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.
8. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
9. 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 Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
10. 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.

Respectfully Submitted,



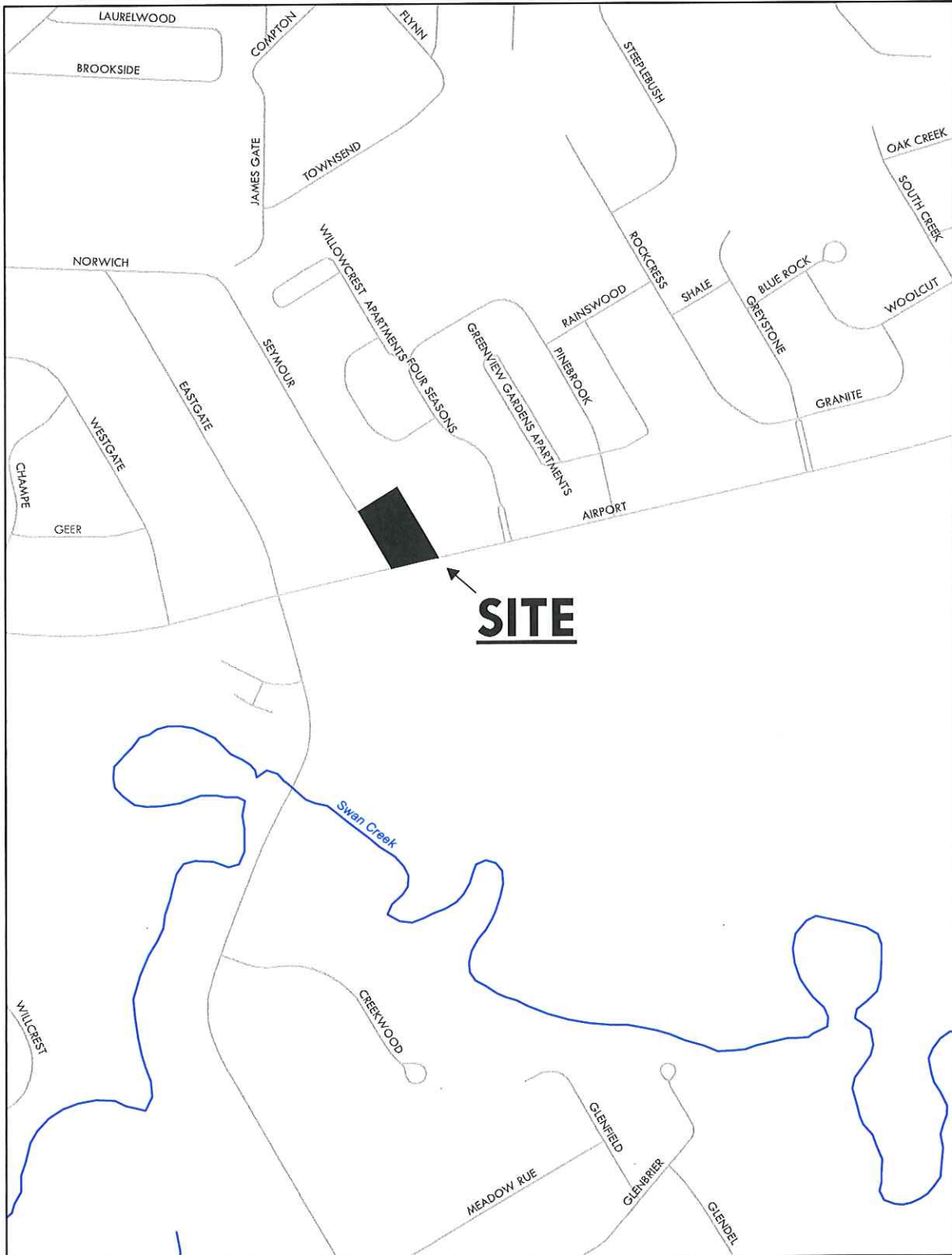
Thomas C. Gibbons  
Secretary

JGL  
Three (3) sketches follow

Cc: Department of Utilities, Jamie Miller  
Lisa Cottrell, Administrator  
Jonny Latsko, Planner

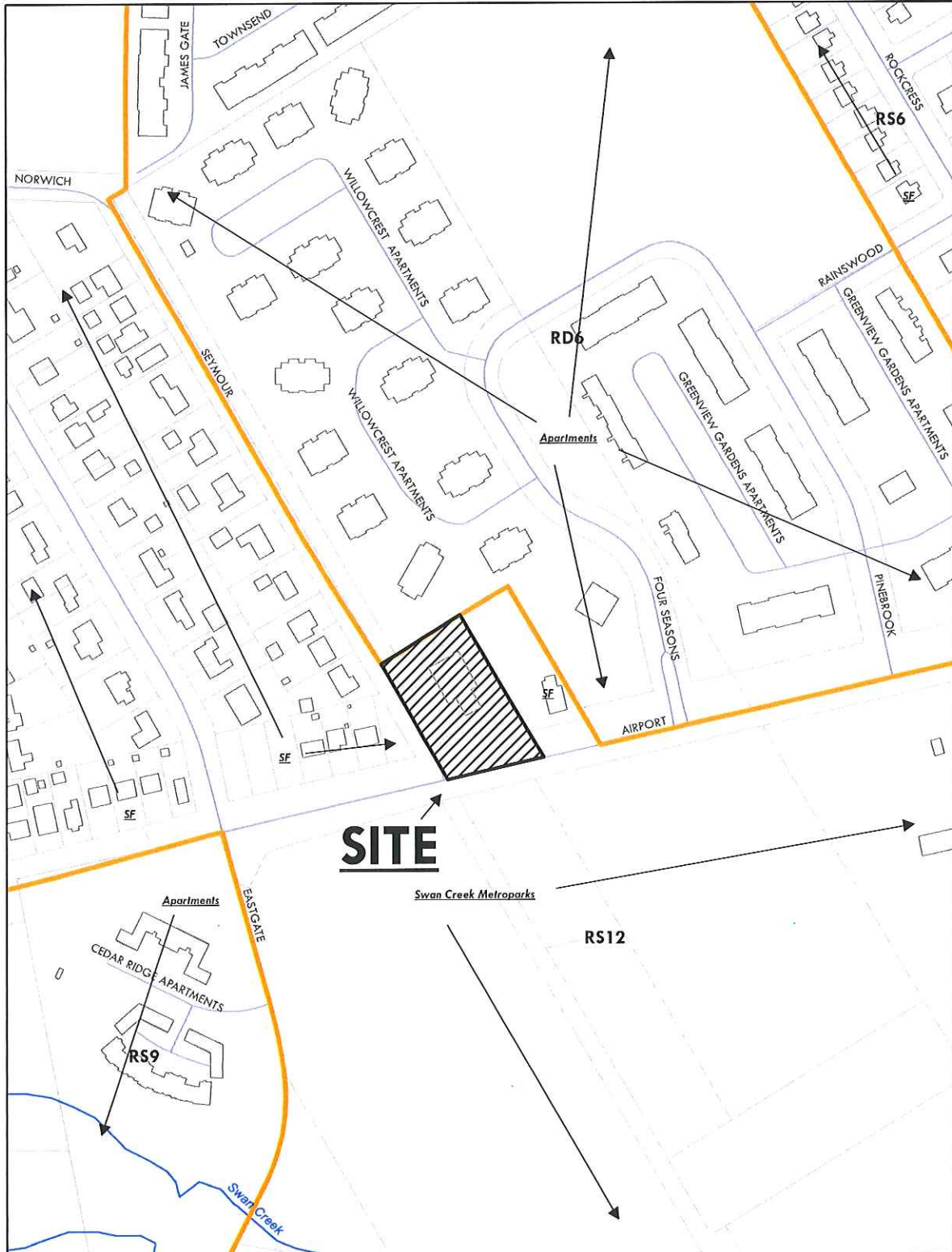
# GENERAL LOCATION

SUP-5004-22  
ID 140



# ZONING & LAND USE

SUP-5004-22  
ID 140







PINEBROOK PKWY

AIRPORT HWY

GREENVIEW GARDENS APARTMENTS

FOUR SEASONS DR

SEMOYR RD

EASTGATE RD



KEMPA DANIEL & RACHEL  
4159 CLEGG RD  
LAMBERTVILLE MI 48144

LAM ANGEL INVESTMENTS, LLC  
715 KINGSBURY  
MAUMEE OH 43537

ORAVECZ DAVID G  
1242 SEYMOUR  
TOLEDO OH 43615

SMITH DEVON  
1619 ALHAMBRA WAY  
THE VILLAGES FL 32162

TOLEDO METRO PARK BD  
5100 W CENTRAL AVE  
TOLEDO OH 43615 2106

WILLOW CREST PROPERTIES LP  
310 SEVEN FIELDS BLVD STE 350  
SEVEN FIELDS PA 16046 4343

WYNN G BYRON & REBECCACASTLE-  
P O BOX 352201  
TOLEDO OH 43635

COUNCILMEMBER HOBBS

JAMIE MILLER  
420 MADISON AVENUE, 4TH FLOOR  
TOLEDO OH 43605

SUP-5004-22 LABELS  
JGL