

GENERAL INFORMATION

Subject

- | | | |
|-----------|---|--|
| Request | - | Vacation of a 20' by 240' alley in the Reynolds Place Subdivision bounded by Montain Road and Westhaven Road, abutting Lots 4-10 and 53 and 66 |
| Applicant | - | Trent Walter
National Pride Equipment
905 Hickory Lane
Mansfield, OH 44905 |
| Engineer | - | Derrick Marsh
Marsh Engineering Solutions LLC
1566 DeRussey Road
Collins, OH 44826 |

Site Description

- | | | |
|--------------|---|--|
| Zoning | - | CR / Regional Commercial & RS6 / Single Family Residential |
| Area | - | ± 4,800 square feet |
| Frontage | - | ± 20' along Pelee Street
± 20' along Warwick Avenue |
| Existing Use | - | Alley, unimproved right-of-way |
| Proposed use | - | Car wash |

Area Description

- | | | |
|-------|---|---------------------------------------|
| North | - | Multitenant structure, retail / CR |
| South | - | Single-family dwellings / RS6 |
| East | - | Tow lot and daycare center / CR & RS6 |
| West | - | Drug store / CR |

Parcel History

None on file.

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 alley between Montain Road and Westhaven Road, just south of Dorr Street. The Vacation will facilitate the development of a new car wash. Surrounding land uses include a multitenant structure and retail to the north, a drug store to the west, single family homes to the south, and a tow lot and a day care center to the east. On 11/22/2022, City Council approved a declaration of intent (*Res. 616-22*) to Vacate the requested alley.

The applicant plans to construct a new car wash at the property abutting the alley to the north, 5101 Dorr Street. A multi-tenant commercial building is currently located at the property, and will be demolished for the development of the new car wash. The applicant requested a predevelopment meeting with City staff to address potential issues with the concept plan of the car wash, and staff suggested that the developer vacate the alley in order to meet requirements of the Toledo Municipal Code. Specifically, the alley will provide space to include both a bail-out lane to serve the drive-thru portion of the car wash, as well as a landscape buffer to screen abutting residences from the car wash. Both would be difficult to include on site without the vacation of the alley.

As the applicant plans to improve the parcels to the north, it shall be noted that a Site Plan Review is required for all non-residential developments. Additionally, a Zone Change to CR-Regional Commercial is required for the southern portion of the alley. These requirements are noted under the conditions of approval.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets the properties abutting the alley for Neighborhood Commercial and Single-Family Residential land uses. Neighborhood Commercial is intended to serve predominantly small and medium scale commercial uses that serve neighborhoods. Single-Family Residential is intended to accommodate single-family dwelling units on individual lots, and may also include libraries, schools, churches, and community centers. The northern portion of the alley is intended for Neighborhood Commercial, with the southern half for Single-Family Residential. As the alley will be the location of a landscape buffer to screen any headlights and noise from residences, the proposed Vacation and future plans comply with the 20/20 Plan's intended land use designations.

Staff recommends approval of the proposed Vacation as it will not alter the intended land use of the site as designated in the Toledo 20/20 Comprehensive Plan and will not impede access to surrounding properties.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of V-616-22, the request for the Vacation of a 14' by 120' alley lying adjacent to Lots 384 through 387 and Lot 802 within the extension of Norwood Plat for the following reason:

STAFF RECOMMENDATION (cont'd)

1. The proposed Vacation and future development plans of the abutting parcels conform to the Toledo 20/20 Comprehensive Plan.
2. The proposed Vacation will not impede access to surrounding properties.

The staff further recommends that the Toledo City Plan Commission recommend approval of V-616-22, the request for the Vacation of a 20' by 240' alley in the Reynolds Place Subdivision bounded by Montain Road and Westhaven Road, abutting Lots 4-10 and 53 and 66 to Toledo City Council subject to the following **three (3)** 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

No comments or concerns.

Columbia Gas

Comments not received at time of print.

Fire Prevention

No comments or concerns.

Division of Streets, Bridges and Harbors

No comments or concerns.

Toledo Area Regional Transit Authority

No comments or concerns.

Division of Transportation

1. 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.

STAFF RECOMMENDATION (cont'd)

Plan Commission

2. A Minor Site Plan Review is required for any nonresidential development. Applicant shall submit a site plan to the Plan Commission for review prior to the issuance of building permits.
3. A Zone Change to CR-Regional Commercial is required for the southern portion of the alley.

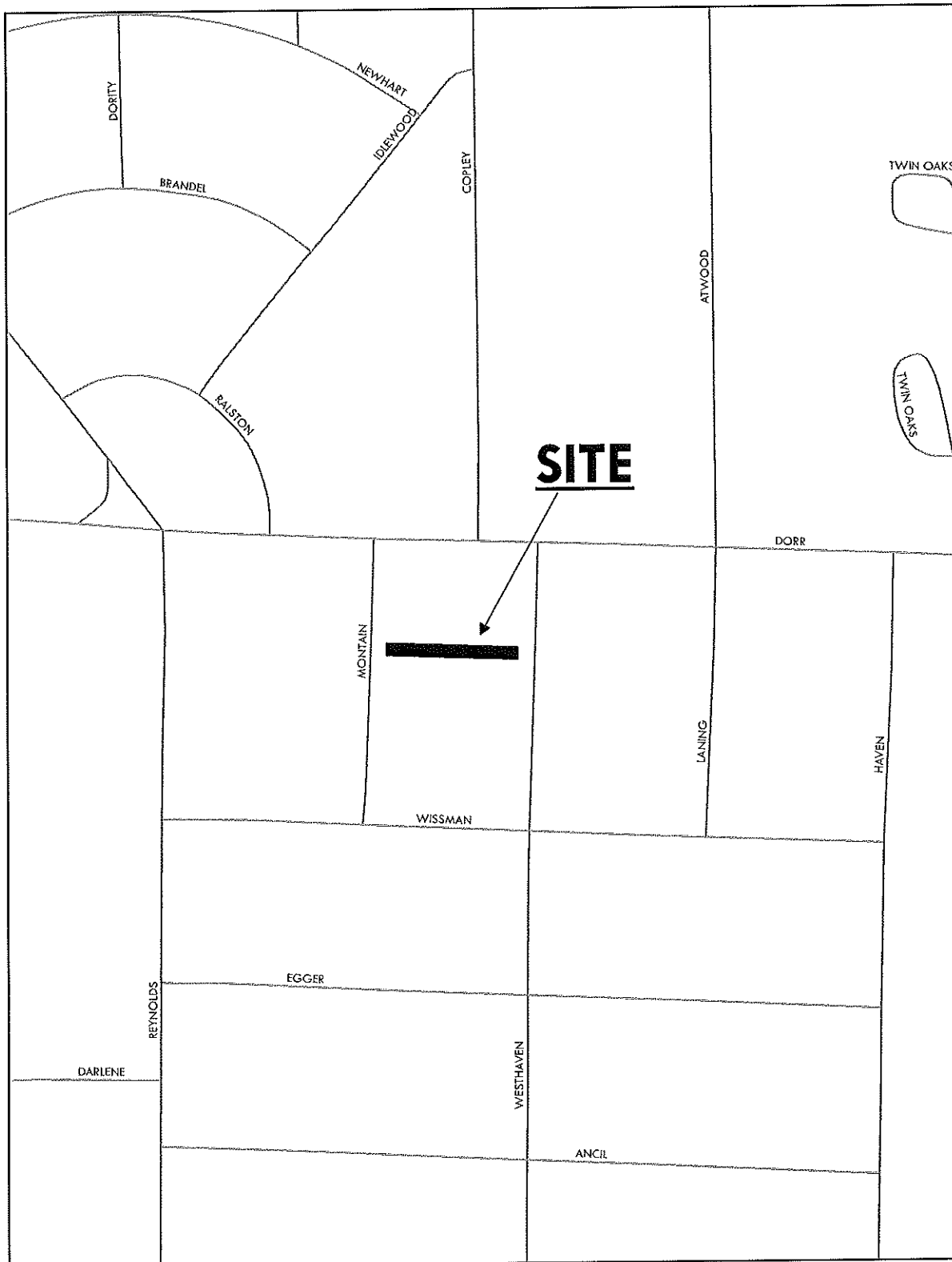
RIGHT OF WAY VACATION
TOLEDO CITY PLAN COMMISSION
REF: V-616-22
DATE: January 12, 2023
TIME: 2:00 PM

CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: February 15, 2023
TIME: 4:00 P.M.

DR
Three (3) sketches follow

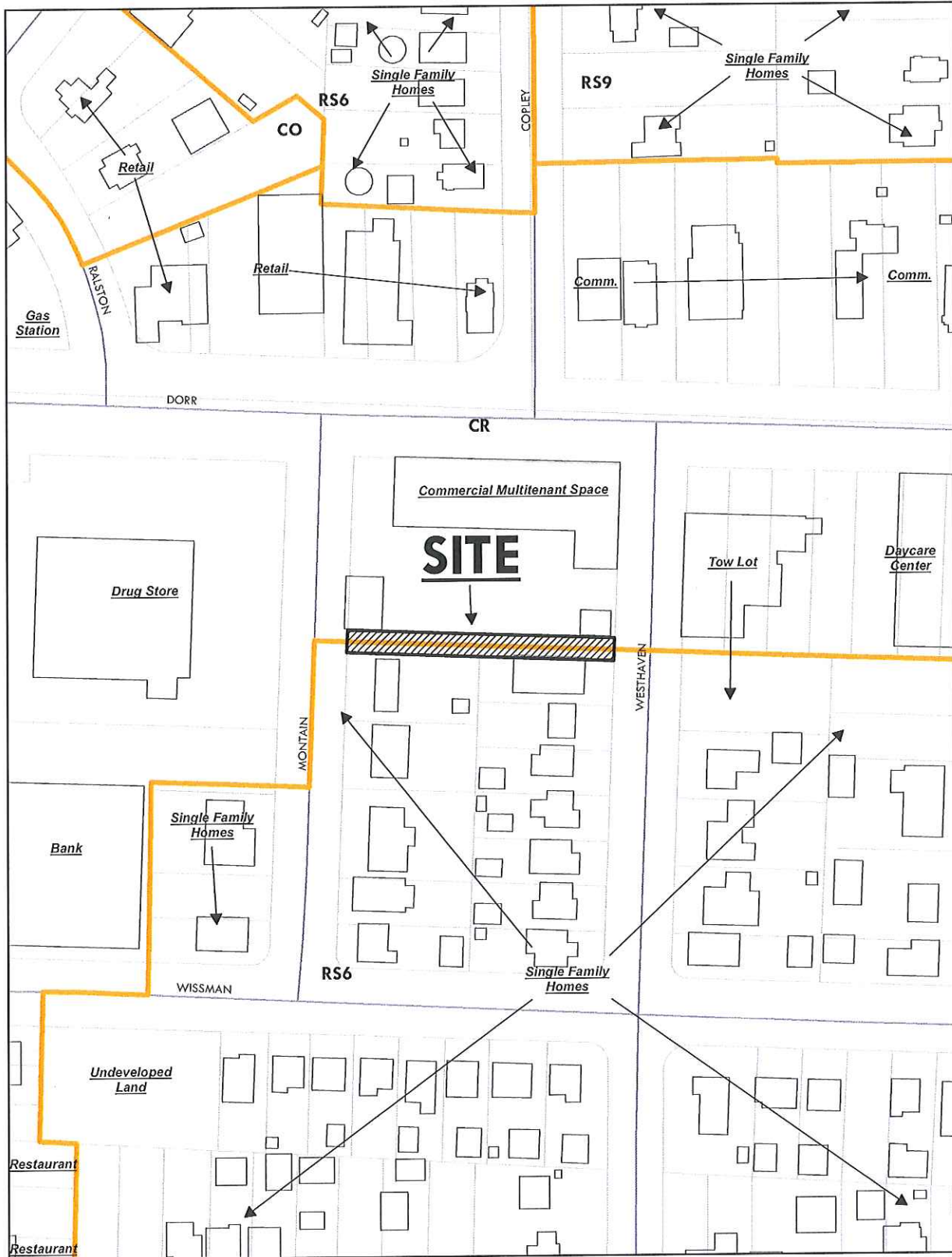
GENERAL LOCATION

V-616-22



ZONING & LAND USE

V-616-22



SURVEY

V-616-22



ALLEY VACATION PLAT

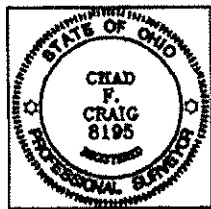
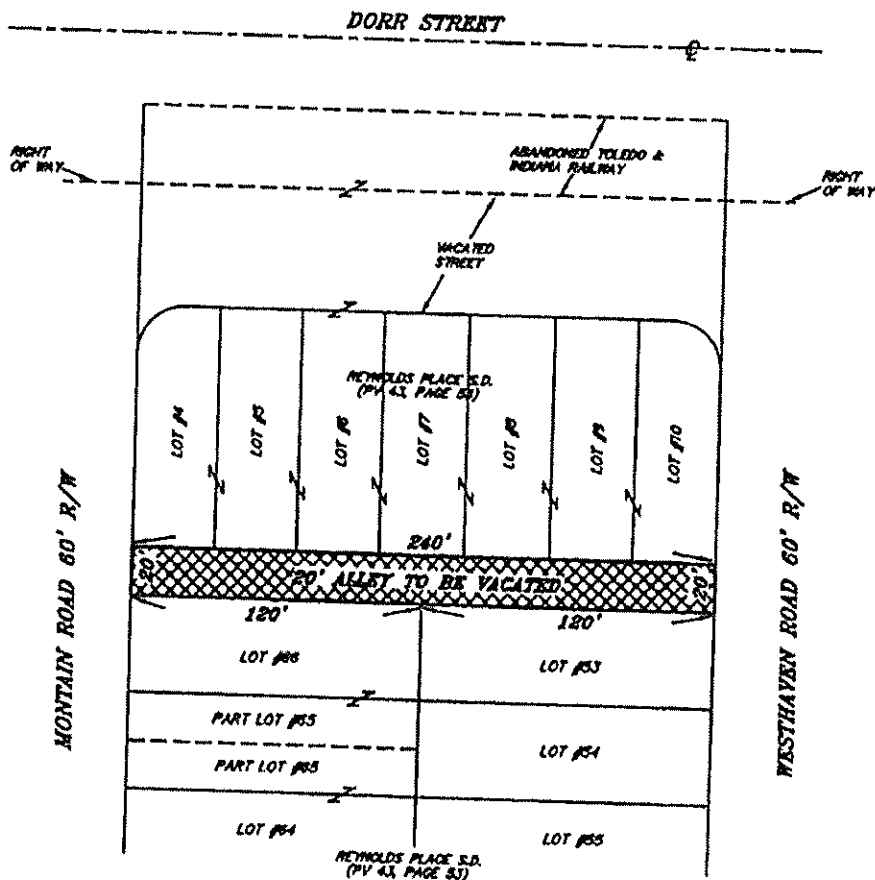
DESCRIPTION OF 20' WIDE ALLEY

A 20' WIDE ALLEY, 240' IN LENGTH, LOCATED IN THE CITY OF TOLEDO IN REYNOLDS PLACE SUBDIVISION (PV 43, PAGE 33) AND BOUNDED ON THE WEST BY MOUNTAIN ROAD (60' R/W), ON THE EAST BY WESTHAVEN ROAD (60' R/W), ON THE NORTH BY LOTS #64-#70 IN SAID SUBDIVISION, AND ON THE SOUTH BY LOTS #68 & #63 IN SAID SUBDIVISION.



SCALE: 1" = 50'

NORTH



Chad F. Craig
 PLAT BY: CHAD F. CRAIG P.S. #8195
 FOR SELLER & CRRG SURVING INC.
 270 PARK AVENUE WEST
 WINDSFIELD, OHIO 44092
 (419) 523-3844
 EMAIL: SELLER@CRRG.COM; SELLER@CRRG.COM

VACATION PLAT FOR	
WALTER	
20' ALLEY, REYNOLDS PLACE S.D. CITY OF TOLEDO LUCAS COUNTY, OHIO	
DATE: SEPTEMBER 22, 2022	SCALE: 1"=50'
DORR_ST_5101_TOLEDO	