



# TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

ONE GOVERNMENT CENTER, SUITE 1620, TOLEDO, OHIO 43604    PHONE 419-245-1200 FAX 419-936-3730

THOMAS C. GIBBONS, DIRECTOR



DATE: June 17, 2019

REF: V-162-19

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

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

SUBJECT: Vacation of a Portion of Y Street, south of Marine Road abutting lots 22 and 23 in Airline Gardens

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, June 13, 2019 at 2:00 P.M.

## GENERAL INFORMATION

### Subject

Request - Vacation of a Portion of Y Street, south of Marine Road abutting lots 22 and 23 in Airline Gardens

Applicant - Michael Schrickel  
Premier One Properties  
1162 Holgate, Ste. 102  
Maumee, OH 43537

### Site Description

Zoning - IL *Limited Industrial*

Area - ±11,880 Feet

Dimensions - ± 60 x 198 Feet

Existing Use - Dedicated Right-of-Way (Paper Street)

Proposed Use - Site Expansion

### Area Description

North - Industrial / IL *Limited Industrial*

South - Undeveloped / RS6 *Single Family Residential*

East - Motorcycle Shop, Industrial / CR *Regional Commercial*

West - Automotive Repair / IL *Limited Industrial*

**GENERAL INFORMATION (cont'd)**

Parcel History

VC-8-55	-	Vacation of W and X Streets, Y Street North of Marine Road, and Marine Road West of Y Street. Plan Commission recommended approval 6/23/55.
V-52-70	-	Vacation of Z Street. Plan Commission recommends approval 5/28/70. City Council approves 12/14/70. Ord. 1131-70.
V-106-91	-	Vacation for Part of Y Street. Plan Commission recommends closure 10/3/91. City Council approves closure 10/16/91. Ord. 811-91.

Applicable Plans and Regulations

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

**STAFF ANALYSIS**

The request is a Vacation for a portion of Y Street, south of Marine Road abutting Lots 22 and 23 in Airline Gardens. The Vacation was previously requested in 1991, but concerns about connectivity to the undeveloped land to the south and the remaining length and creation of dead-end Marine Road resulted in City Council granting a closure. It has been used for parking since that time. The applicant is requesting the Vacation in order to expand the existing building as a 30' setback is still required along Y Street.

Part of the challenge with Marine Road is the activity over the years that have dramatically altered the original layout. Air Line Gardens was originally platted in 1922 for residential lots with four connecting stub streets. A copy of the original plat is attached as Exhibit "A" for reference purposes. The property remained a paper street without development until the 1950s when a few industrial buildings were constructed. In 1955 the western portion of Marina Road and three stub streets were vacated for use as a borrow pit for the Byrne Road overpass. It does not appear that the vacated lots were ever combined which has resulted in a number of parcels being landlocked. This has been further complicated by the development of the two parcels with frontage on Marine Drive. In 1970 an additional stub to the south was vacated. Both cases cited the remaining Y Street as a reason for approval. Yet, this Vacation increased the length of the street without a secondary access point.

**STAFF ANALYSIS (cont'd)**

Staff is supportive of the Vacation for two reasons. First, the previous activity that has altered and to some degree worsened a legal non-conforming residential road originally platted in 1922. Second, potential still exists to redevelop the large acreage parcel to the south and create a connection to Marine Road to the east. This creates a more direct route to Byrne, but would require additional construction to cross Williams Ditch.

The removal of the last stub street along Marine Road will require a waiver by the Toledo Plan Commission. A waiver has been included as part of this approval.

The Department of Transportation is in objection to the request and cited the lack of a turnaround and lack of the connectivity to the large acreage parcel to the south. The turnaround is currently restricted with the closure as Y Street is fenced in at Marine Road right of way. A copy of their objection is attached as Exhibit "B".

**PLAN COMMISSION RECOMMENDATION**

The Toledo City Plan Commission recommends approval of V-162-19, a Vacation of a Portion of Y Street, south of Marine Road abutting lots 22 and 23 in Airline Gardens, to Toledo City Council for the following **three (3)** reasons:

1. The original roadway was envisioned for a different use than the development that actually occurred in the area.
2. Previous actions by the City played a role in the legal non-conforming condition of the roadway.
3. A more direct connection can still be made to Marine Road from the large acreage parcel to the south.

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

The Toledo City Plan Commission recommends approval of V-162-19, a Vacation of a Portion of Y Street, south of Marine Road abutting lots 22 and 23 in Airline Gardens, to Toledo City Council subject to the following **one (1)** 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.

Engineering Services

1. A pre-submittal meeting is not required; however, one may be requested. Contact information is as follows:

Engineering Services: ph. 419-245-1315, fax 419-936-2850

Right-of-Way and Inspection: Joe Warnka, 419-245-1341

Roadway: Tim Grosjean, 419-245-1344

Water: Andrea Kroma, 419-936-2163

Stormwater Drainage: Lori Haslinger, 419-245-3221; Andy Stepnick, 419-245-1338

Sanitary Sewers: Mike Elling, 419-936-2276

Respectfully Submitted,



Thomas C. Gibbons  
Secretary

JL

Two (2) sketches follow

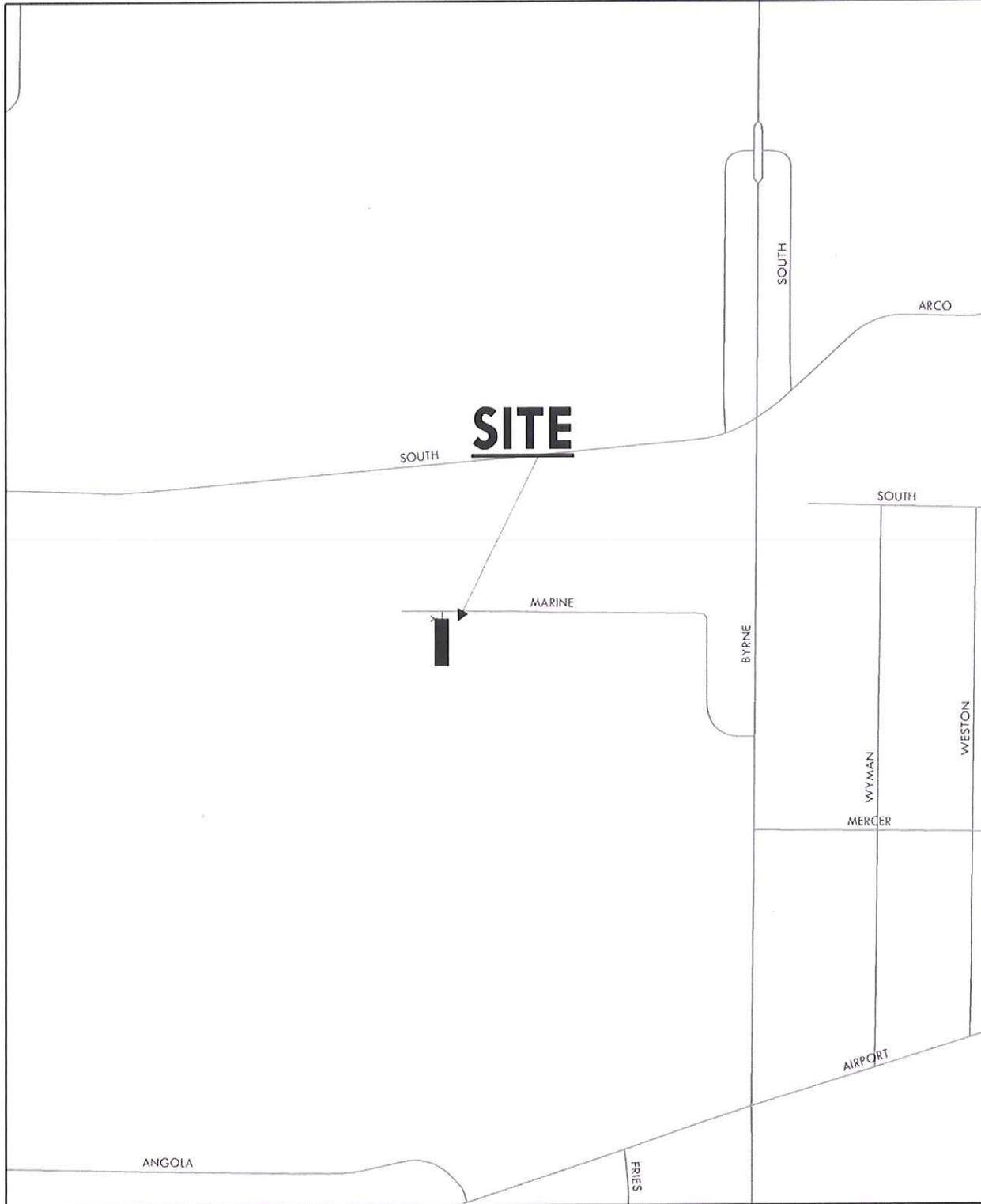
Exhibit "A"

Exhibit "B"

Cc: Michael Schrickel, Premier One Properties, 1162 Holgate, Ste. 102, Maumee, OH 43537  
Commissioner, Division of Engineering Services  
Lisa Cottrell, Administrator  
Josh Lewandowski, Principal Planner

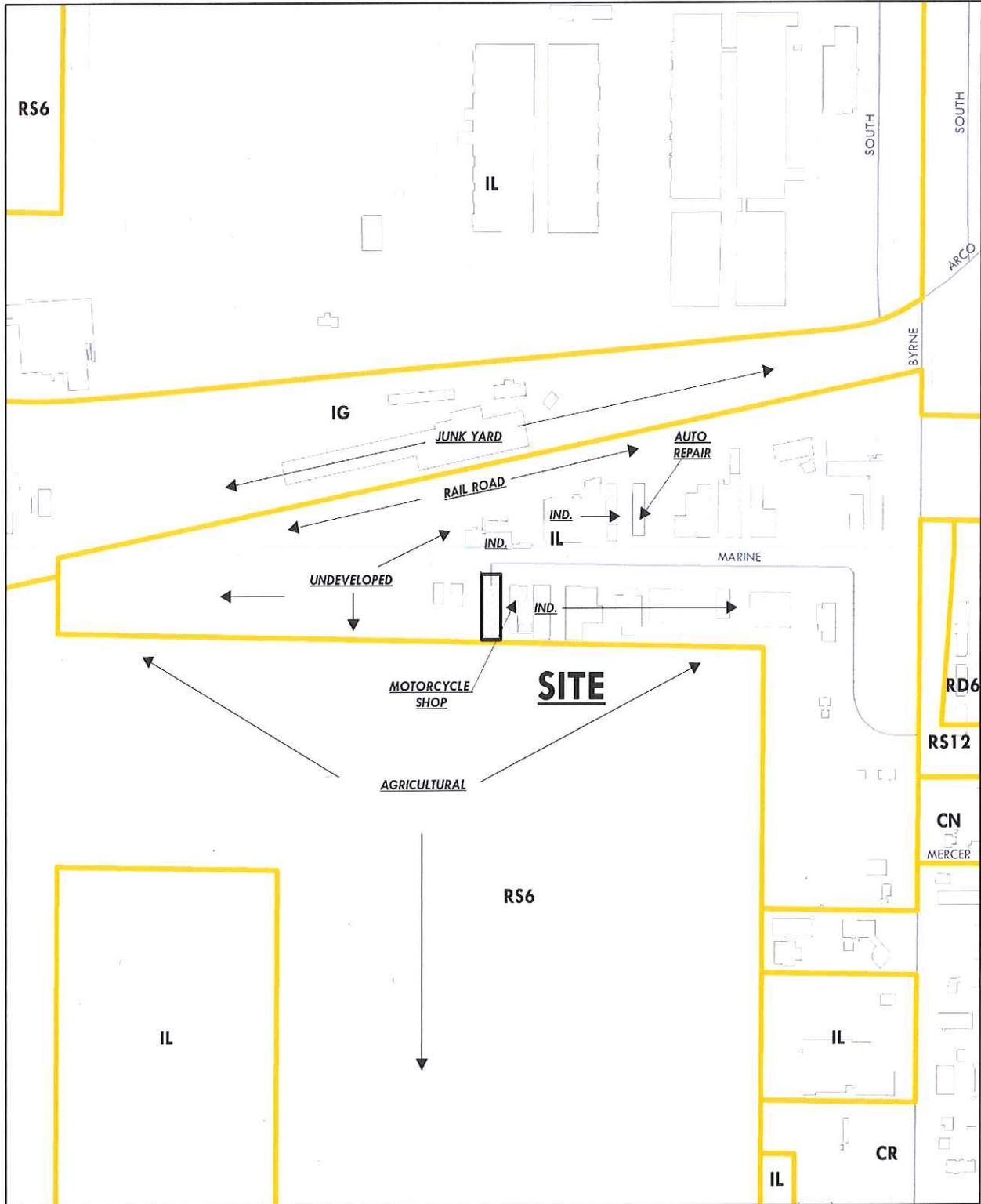
# GENERAL LOCATION

V-162-19  
ID 48



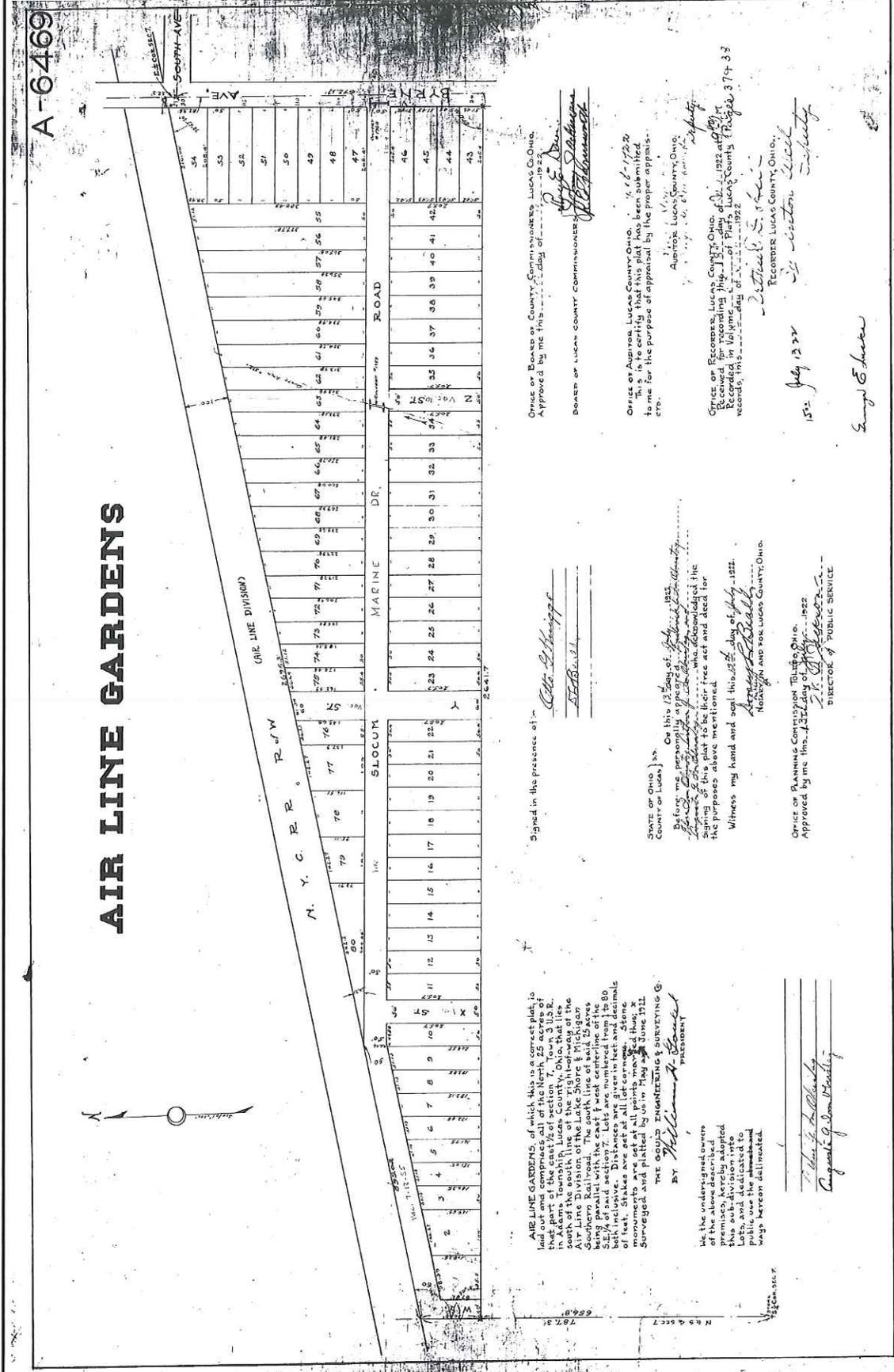
# ZONING AND LAND USE

V-162-19  
ID 84



# EXHIBIT "A"

V-162-19  
ID 84



A-6469

## AIR LINE GARDENS

AIR LINE GARDENS, of which this is a correct plat, is laid out and comprises all of the North 25 acres of Section 12, Township 13 N., Range 10 W., in Adams Township, Lucas County, Ohio, that lies south of the south line of the right-of-way of the Air Line Division of the Lake Shore & Michigan Southern Railway Company, and north of the centerline of the 3 1/4 of said section 7. Lots are numbered from 1 to 80 back in order of survey. Distances are given in small letters in the corners of the lots. All corners are marked with monuments and platted by us in May and June 1911.

THE SLOUGH ENGINEERING & SURVEYING CO.  
BY *William A. Seward*  
PRESIDENT

In the undesignated corners of the above described premises, hereby adopted this sub-division into lots, and dedicated to the public, the following ways herein delineated.

Signed in the presence of in  
*Chas. B. Hagg*  
*W. B. B. B.*

STATE OF OHIO )  
County of Lucas )  
On this 12 day of July 1922,  
I, *W. B. B. B.*, who acknowledge the signing of this plat to be their free act and deed for the purposes above mentioned.  
Witness my hand and seal this 12 day of July 1922.  
*W. B. B. B.*  
Notary Public for Lucas County, Ohio.

OFFICE OF PLANNING COMMISSION TULSA, OKLA.  
Approved by me this 12th day of July 1922  
*W. B. B. B.*  
DIRECTOR OF PUBLIC SERVICE

OFFICE OF BOARD OF COUNTY COMMISSIONERS LUCAS CO. OHIO.  
Approved by me this 12th day of July 1922  
*W. B. B. B.*  
BOARD OF LUCAS COUNTY COMMISSIONERS

OFFICE OF AUDITOR, LUCAS COUNTY, OHIO.  
Received for recording this 12th day of July 1922 at 10:11 AM.  
Recorded in Volume of Lucas County Records Page 374-33  
1922  
July 12 1922  
Recorder Lucas County, Ohio.  
*W. B. B. B.*

152  
July 12 1922  
*W. B. B. B.*  
Recorder Lucas County, Ohio.

*W. B. B. B.*

DEPARTMENT OF PUBLIC SERVICE  
DIVISION OF TRANSPORTATION  
RECOMMENDATION ON A SITE PLAN  
04/15/2019

To: Thomas C. Gibbons, Director, Toledo-Lucas County Plan Commissions  
Thru: Paul Rasmusson, Director, Public Service *PR 4/15/19*  
From: Naveen Chandra, Commissioner, Division of Transportation  
Subject: Vacate – A portion of Y Street, South of Marine Road, abutting lots 22 and 23 in Airline Gardens.

The Division of Transportation has reviewed this vacation and has the following comments:

1. The vacation of Y Street would create dead end with no way to turn around at the end of Marine Road. The vacation also could hinder the access to the future development of adjacent area properties.

The Division of Transportation objects to the approval of the vacation by the Plan Commission.

*N Chandra 4/18/2019*

Naveen Chandra, Commissioner      Date  
Division of Transportation