

**GENERAL INFORMATION**

Subject

- Request - Special Use Permit for solar array
- Location - 1550 Miami Street
- Applicant / Developer - Glass City Energy, LLC  
(Perrysburg Energy Solutions, LLC)  
27100 Oakmead Dr., #157  
Perrysburg, OH 43551
- Property Owner(s) - City of Toledo  
One Government Center, Suite 2250  
Toledo, OH 43604  
  
LOF Glass Inc (NSG)  
811 Madison Avenue  
P.O. Box 799  
Toledo, OH 43695
- Engineer - Verdantas  
219 S. Erie Street  
Toledo, OH 43604

Site Description

- Zoning - IG / General Industrial
- Overlay District - Maumee Riverfront Overlay District
- Area - ± 23 acres
- Frontage - ± 1,546' along Miami Street
- Existing Use - Pump station and settling ponds
- Proposed Use - Pump station, settling ponds, solar energy facility

Area Description

- North - Maumee River, The Andersons and Kuhlman Corporation / IG
- South - Miami Street, undeveloped land, gas station/convenience mart and single-family homes / IG, CR, & RD6
- East - ADM Grain silos / IG
- West - I-75 and casino / IG, CR & CM

**GENERAL INFORMATION (cont'd)**Parcel History

MRO-3-25 - Maumee Riverfront Overlay review for new solar energy facility at 1550 Miami Street (*companion case*).

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Forward Toledo Comprehensive Land Use Plan
- Toledo Vacant Industrial Land Use Report
- Maumee Riverfront Plan

**STAFF ANALYSIS**

The applicant is requesting a Special Use Permit for a solar energy facility at 1550 Miami Street. The subject site consists of two (2) parcels that are situated north of Miami Street and south of the Maumee River. The parcels are currently fenced with chain link fence with barbed wire on top. The area to be developed for the solar energy facility consists  $\pm$  1.6 acres that is situated on the north portion of the subject parcels between the existing fence and the Maumee River. The developer is entering into lease agreements with the current property owners, the City of Toledo and NSG (formerly LOF), to use the noted portions of the parcels. There is a pump station and underground storage tanks on the City property and settling ponds on the NSG property. Surrounding land uses include the ADM grain silo facility to the east; undeveloped industrial land, a gas station/convenience store and single-family homes to the south across Miami Street; I-75 and the Hollywood Casino to the west; and the Maumee River to the north.

The applicant is proposing to install 440 solar panels that are intended to produce power to light the Glass City River Wall. The Glass City River Wall is a mural, consisting of sunflowers and portraits of Native Americans, that spans 28 grain silos on the ADM grain facility site to the east. Access to the site will be via an existing easement the City has through the ADM property to the east, since that leased area for the solar array does not have road frontage. There is an existing fence that currently limits access to the site. The developer will be tying into the existing fence to provide access to the solar array, but limit access to the City's pump station on the site. The proposed equipment pad for the solar array will also be enclosed by a six-foot (6') high chain link fence. At this time the applicant is not proposing to enclose the entire solar array with a fence.

The location of the solar array on the site was cleared of vegetation in March. The ground cover for the site will remain grass. The solar panels will be mounted on aluminum poles that will be drilled into the ground. The solar panels will be elevated approximately three-feet (3') above ground. An underground conduit bank will run from the solar panels to the equipment pad. The equipment pad will include inverters, a battery system and electrical panels. The location and means of power transfer from the equipment pad to the lights for the silos has yet to be determined.

## STAFF ANALYSIS (cont'd)

The subject property is zoned IG – General Industrial and is located within the Maumee Riverfront Overlay District. A Special Use Permit is required per the Use Table in TMC§1104.0100 for a primary solar energy system in the IG zoning district. In addition, a Maumee Riverfront Overlay District Review is required as the subject parcel is located within the Maumee Riverfront Overlay District. This review is being completed in companion case MRO-3-25.

### Circulation/Access

Per TMC§1107.1906 - Surfacing and Drainage, maneuvering areas, 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. The site plan depicts an existing access road, comprised of stone, on the site that is situated to the south of the proposed solar array. Due to the scale of the site plan, it does not show how the access road traverses the site or is accessed from Miami Street. This information is required by the Fire Prevention Bureau for review. The applicant is working with them to comply with their requirements to meet their conditions as noted at the end of this report. In addition, the applicant will need to secure a waiver from the requirement to surface the access road with a dust-free material in TMC§1107.1906.

### Landscaping

Sites over five (5) acres are required to provide a thirty-foot (30') frontage greenbelt along the right-of-way per TMC§1108.0202 - Frontage Greenbelts. The frontage greenbelt shall include at least one (1) tree for every thirty-foot (30') of lot frontage. While the overall property is over five (5) acres and has frontage along Miami Street, the property to be leased for the installation of the solar energy system consists of 1.6 acres and does not have road frontage. Staff instead recommends that landscaping, which may include a mix of evergreen trees, large shrubs or other plant material, be installed on the leased property between the proposed solar array and Miami Street as approved by the Plan Director. In addition, vegetative screening shall be provided around the proposed equipment pad and listed as condition of approval.

### Floodplain

As noted on the site plan, the proposed solar energy system is located within a floodplain as identified on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM). As a condition of approval, the applicant shall submit documentation to the Floodplain Administrator within the City of Toledo's Division of Building Inspection for all necessary permits for development within the floodplain.

### Toledo Vacant Industrial Land Use Report

The 2005 City of Toledo Vacant Industrial Land Use Report identifies the site as being in the Miami/Oakdale Study Area. At the time the report was completed, settling ponds associated with the Pilkington (formerly LOF and now NSG) Glass Plant were located on the site. Since the site was used for industrial purposes at the time, no specific recommendations were made

**STAFF ANALYSIS (cont'd)**

concerning the site. The solar energy system is proposed to be situated on an unused portion of the property along the Maumee River. The proposed solar array is consistent with industrial development and, as situated, will allow for the remainder of the property to be used for industrial uses.

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan designates the site for High Impact Industrial uses. The High-Impact Industrial Land Use designation is intended to maintain and, where appropriate, expand large-scale industrial operations. This designation delineates space in the city for industries that may cause negative impacts when located near other non-industrial users. The site has been used for settling ponds to support a high impact industrial site to the west of I-75. The City also constructed a pump station and an underground storage tank on a portion of the property. Both of these uses will remain on the site and continue to support surrounding industrial development and all other surrounding uses in the area. The proposed solar array will not affect these uses. The proposed solar array is consistent with industrial development and, as situated, will allow for the remainder of the property to be used for industrial uses.

One of the Forward Toledo Plan themes is Sustain. This theme identifies strategies for maintaining our natural environment, accessing healthy food and promoting efficient energy. The proposed solar energy facility is consistent with this theme in that it reduces impacts on the environment by providing an alternative green energy source. More specifically, it supports the goals of Reducing Pollution, Energy Efficient Development and the Water Belt, and exemplifies Toledo's commitment to sustainable development at one of our cities gateways. In addition, the proposed solar array has the ability to support the Build theme of the Forward Toledo Plan. Building deconstruction is one of the strategies of the Building Preservation goal under the Build theme. This includes reducing/diverting potential waste to landfills. The First Solar panels that will be used in the project are designed for high-value recycling to maximize material recovery at end-of-life and to recover more than 90% of module materials for reuse, providing high quality secondary resources for new solar panels, glass, rubber and aluminum products. First Solar has in-house recycling capabilities. Staff recommends that the applicant consider enrolling in the First Solar recycling program as a condition of approval.

Staff is supportive of the proposed solar energy facility as it meets the stated purpose of the Zoning Code, is consistent with the Forward Toledo Plan goals and strategies, and will not have any adverse land or environmental impacts.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of SUP25-0014, a request for a Special Use Permit for solar array at 1550 Miami Street, to Toledo City Council for the following **three (3) reasons**:

1. The proposed use meets the stated purpose of the Zoning Code (TMC§1111.0706(A));

**STAFF RECOMMENDATION (cont'd)**

2. The proposed use is consistent with the Forward Toledo Comprehensive Land Use Plan by providing an alternative green energy source; and
3. The proposed use will not have any adverse land or environmental impacts (TMC§1111.0706(F)).

The staff recommends that the Toledo City Plan Commission make the following recommendation to the Toledo City Council on the waiver requested for SUP25-0014, a Special Use Permit for solar array at 1550 Miami Street:

**Chapter 1107 Parking, Loading, and Access**

**Section 1107.1906 Surfacing and Drainage**

Approve a waiver so that the proposed access roads for the solar energy facility do not have to be surfaced with concrete, asphalt or other dust-free material. Staff is in support of the waiver, as the access roads will have minimal use once the facility is constructed, provided they are designed, maintained, and support all-weather driving capabilities as required by the Fire Prevention Bureau.

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP25-0014, a request for a Special Use Permit for solar array at 1550 Miami Street, to Toledo City Council subject to the approval of the following **twenty-five (25) 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. A SWP3 submittal is required for projects over 2,500 square feet of construction activity. The total disturbance of the project would not just be the footprint of the mounting structure and would also include the remainder of the area that will be disturbed by construction activities, including construction traffic. If any of the site is to experience heavy construction traffic from equipment and will disturb the earth, that would need to be accounted for in the calculation of the total disturbed area. The entire project including the electrical transmission work will need tallied, and if greater than an acre, an NOI will also be need to be submitted and authorized by OEPA. There is guidance documents on managing Post Construction for Solar Fields: <https://dam.assets.ohio.gov/image/upload/epa.ohio.gov/Portals/35/storm/Guidance%20on%20Post-Construction%20Storm%20Water%20Controls%20for%20Solar%20Panel%20Arrays.pdf>.

**STAFF RECOMMENDATION** (cont'd)

Division of Engineering Services (cont'd)

2. The new electrical transmission crossing(s) of the Ottawa River must follow TMC§1110 (Flood Control Regulations), and State and Federal Clean Water Act regulations for construction in and near surface water, upon which Toledo's stormwater approval of this project is dependent. If a permit does not apply, provide a letter from a qualified professional certifying that they have surveyed the site and determined that the permit is not applicable. All certifications and delineations shall include written concurrence from the U.S. Army Corps of Engineers and/or Ohio EPA, as appropriate, in accordance with protocols currently accepted by the U.S. Army Corps of Engineers.

Fire Prevention Bureau

3. Fire apparatus access into and through the facility shall comply with all requirements for angles of approach and departure, turning radius's, and dead end turn arounds.
4. 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".
5. 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.
6. Key box(s) for access to buildings and areas restricted by fences, gates, etc...

Division of Environmental Services

7. 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.
  - a. Notification shall be made to the Division of Environmental Services (419-936-3015) no later than three days prior to commencement of construction activities.
  - b. Construction BMPs shall be in place prior to the start of construction activities.
  - c. SWP3 inspection reports shall be kept on site with the SWP3 and readily accessible during normal working hours. (this comment specific for sites above 2,500 square feet)
8. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
9. Applicant is strongly encouraged to install permanent inlet filters with oil absorbent pillow in parking lot catch basins to treat stormwater.

**STAFF RECOMMENDATION (cont'd)**

Division of Environmental Services (cont'd)

10. Applicant is strongly encouraged to include multiple green infra-structure measures to minimize runoff and increase infiltration, and to minimize the amount of new and/or additional impervious surface on the site.
11. 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](https://www.oipc.info/uploads/5/8/6/5/58652481/alternatives_to_ohio_invasive_plant_species.pdf).
12. 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 Sewer and Drainage Services

Comments not received at time of print.

Division of Traffic Management

No conditions or concerns.

Plan Commission

13. The applicant shall maintain the solar energy facility and all appurtenances in good and working condition for the life of the facility.
14. The applicant shall adequately decommission the solar energy facility when it is abandoned or no longer in service. This includes but is not limited to closing the facility, removing the equipment and restoring the property to its predevelopment condition.
15. The applicant shall consider enrolling in the First Solar recycling program to allow for the solar panels to be recycled during the decommissioning process and/or their end-of-life.
16. An executed lease agreement with NSG shall be submitted to the Plan Director.
17. An easement of access, for access to the proposed site through the ADM property to the east, shall be submitted to the Plan Director.

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

18. Off-street parking and loading spaces, parking lots, maneuvering areas, 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. **Not acceptable as submitted. Applicant shall obtain a waiver to TMC§1107.1906, so that the internal access roads do not have to be surfaced with concrete, asphalt or other dust-free material.**
19. Applicant shall submit proper documentation for all necessary permits to allow development within the floodplain to the Floodplain Administrator within the City of Toledo's Division of Building Inspection as applicable per TMC§1110 Flood Damage Reduction Regulations.
20. A detailed site, lighting, fencing and four (4) copies of a landscaping plan (separate from building & site plans) shall be submitted to the Plan Director for review and approval. Such plan shall include:
  - a. Landscaping, which may include a mix of evergreen trees, large shrubs or other plant material, shall be installed on the leased property between the proposed solar array and Miami Street and around the proposed equipment pad as approved by the Plan Director.
  - b. Topsoil must be back filled to provide positive drainage of the landscape area; acceptable as submitted.
  - c. 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.
  - d. 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. **Not acceptable as submitted. A Landscape Plan shall be submitted with the required information provided.**
  - e. The location, height and materials for any fencing to be installed and maintained. Any proposed fencing shall meet TMC§1105.0300 and a fence permit application shall be submitted and approved prior to installation.
  - f. Landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition per TMC§1108.0406.
  - g. The location, lighting, and size of any signs. Lights and light fixtures must be selected and arranged to direct and reflect the light away from any adjacent residential property and public ways and away from the sky above the light fixture per TMC§1107.1908.

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

21. Any proposed signage for the site shall be meet the requirements of TMC§1113.0000. A sign permit application shall be submitted and approved for all signage.
22. 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.
23. 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.
24. 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.
25. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707(A) have not been met.

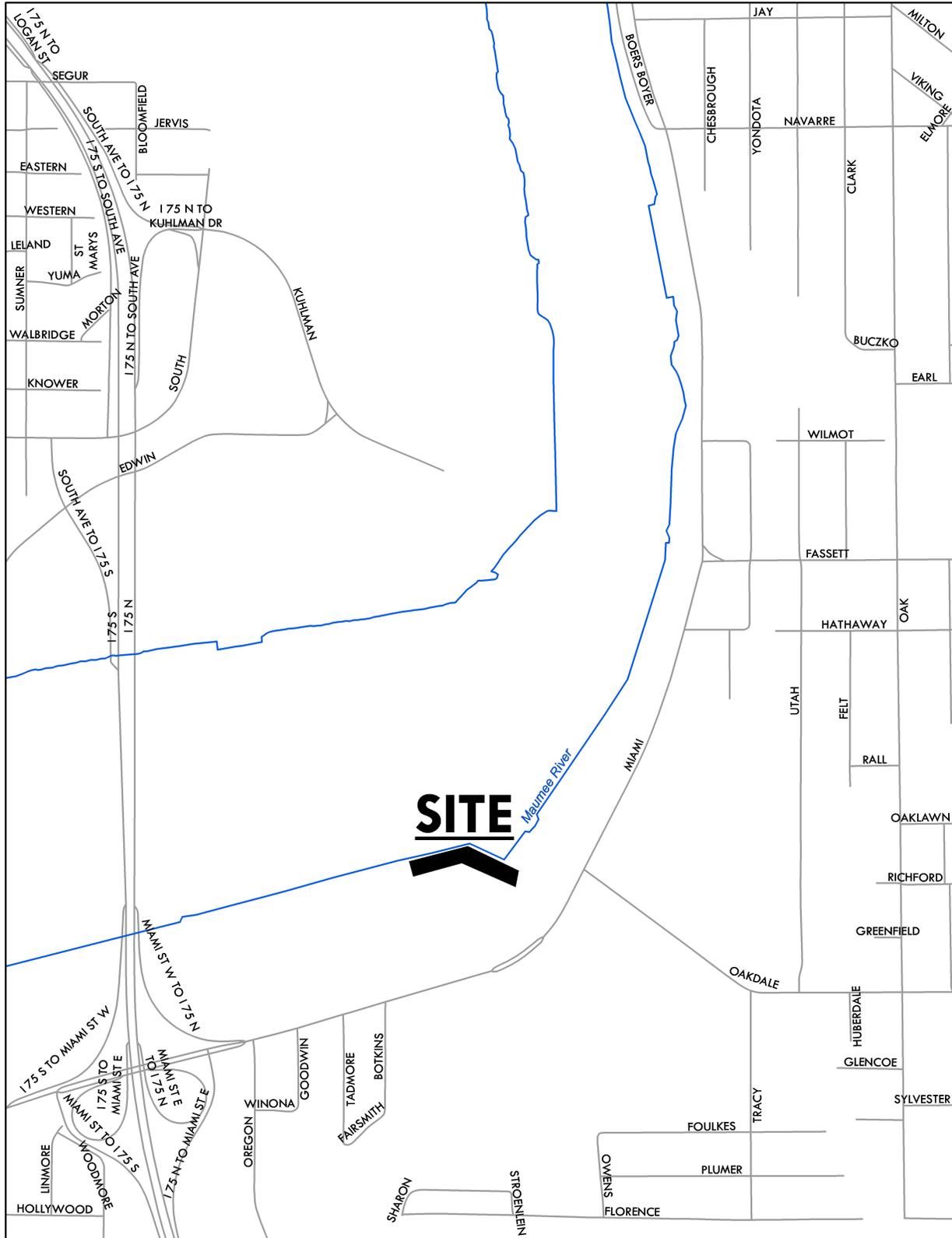
SPECIAL USE PERMIT  
TOLEDO CITY PLAN COMMISSION  
REF: SUP25-0014  
DATE: June 12, 2025  
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: July 16, 2025  
TIME: 4:00 P.M.

LK  
Three (3) sketches follow

# GENERAL LOCATION

SUP25-0014



# ZONING & LAND USE

SUP25-0014

