

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: April 18, 2022

REF: SUP-2004-21

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 a new utility pole & AMI antenna in POS district at 2922 131st Street

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

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for a new utility pole & AMI antenna in POS district
Location	-	2922 131 st Street
Applicant	-	City of Toledo Dept. of Public Utilities 420 Madison Avenue, 4 th Floor Toledo, OH 43605
Owner	-	City of Toledo One Government Center Toledo, OH 43604

Site Description

Zoning	-	POS / Parks and Open Space
Area	-	± 11.31 Acres
Frontage	-	± 205' along 131 st St ± 425' along 124 th St
Existing Use	-	Public Park
Proposed Use	-	Public Park

GENERAL INFORMATION (cont'd)

Area Description

North	-	CR & RS6 / Single Family Residential
South	-	RS6 / Single Family Residential
East	-	RD6, RS6 / Single and Two Family Residential
West	-	RS6 / Single Family Residential, Church

Parcel History

M-6-67	-	Special Study – Application for a grant to acquire land at land in Cass-Ryan-Eastgate area, Crosby Park Add'n, Friendship Park Add'n, and Mulberry Park area (PC Approved 3/23/67).
Z-111-94	-	Request for a Zone Change to P at Savage, Gunkel, Superior, Friendship, Sleepy Hollow, Cass-Ryan-Eastgate and Toledo Botanical Gardens (PC approved 04/13/95).

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. These towers are 65' tall monopoles and will be a rust/copper color. 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 South West portion of Friendship Park. The ±11.31 Acres site is surrounding by single- and two-family residential neighborhoods on all sides, as well as a church to the west. These poles are classified in the Planning and Zoning Code as "Wireless Telecommunications Facilities, Freestanding" and a Special Use Permit is require because the site is located within the Parks and Open Space zoning district.

TMC§1104.1800 | Wireless Telecommunications Facilities

The Planning and Zoning Code outlines specific requirements for freestanding wireless facilities. Towers shall be of monopole design and located at least 100' from property lines where abutting residential zoning districts. 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-2004-22, a Special Use Permit for a new utility pole & AMI antenna in POS district at 2922 131st Street, 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-2004-22, a Special Use Permit for a new utility pole & AMI antenna in POS district at 2922 131st Street, to Toledo City Council subject to the following **eleven (11) 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.

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.
4. Plan does not indicate if the pole has guy wires that could interfere with the vacated alley where multiple underground utilities exist. If need be, adjust location of pole to eliminate any conflict with the space needed to maintain existing utilities shown on the SUP plan.

Plan Commission

5. TMC§1104.1804.C requires that the pole be located at least 100 feet from any property line where abutting a residential zoning district or use. **Acceptable as depicted.**
6. 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)

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STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

7. All operation of the facility shall be in accordance with the requirements of TMC§1104.1800, *"Wireless Telecommunications Facilities"*.
8. 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.
9. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
10. 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.
11. 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

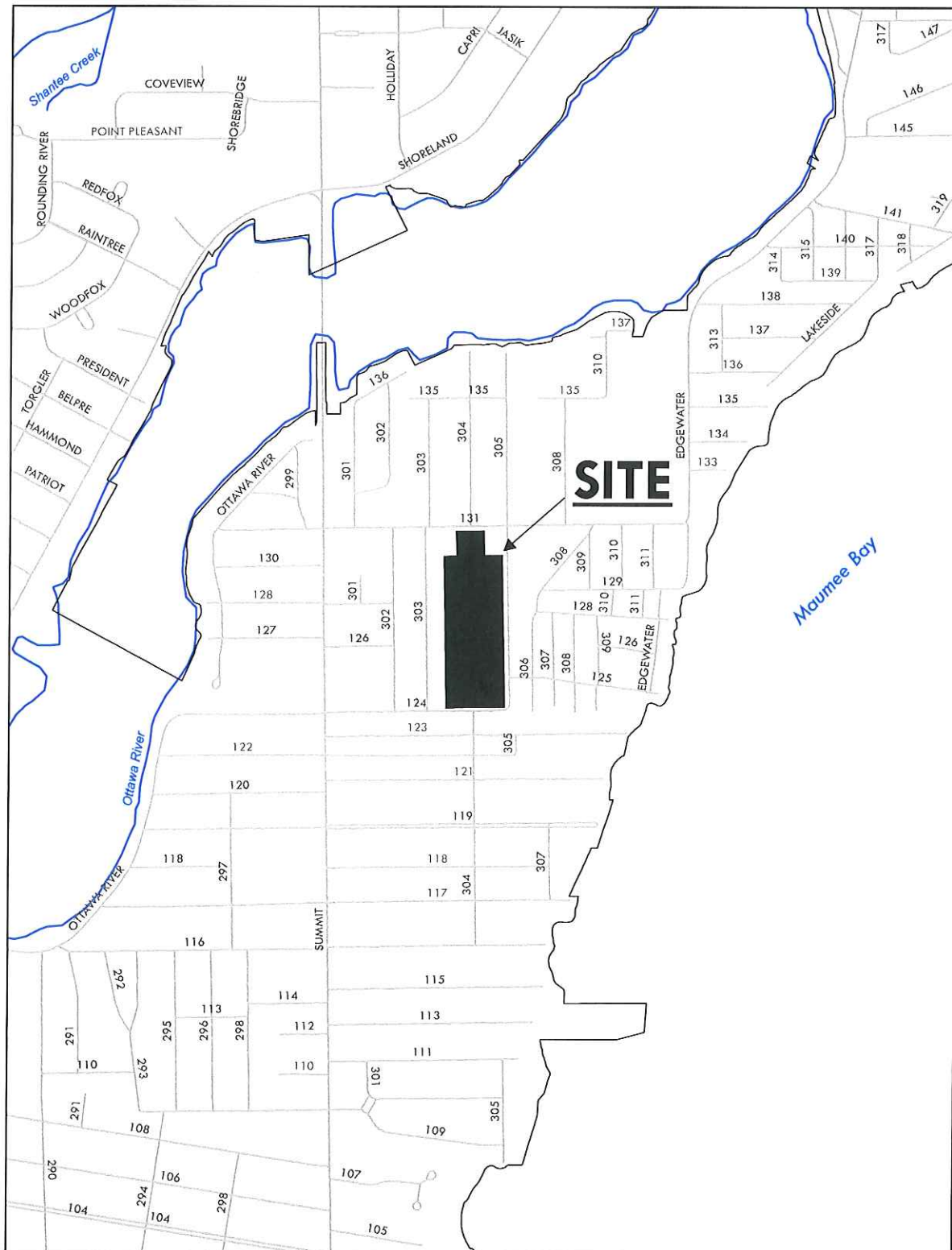
JGL

Three (3) sketches follow

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

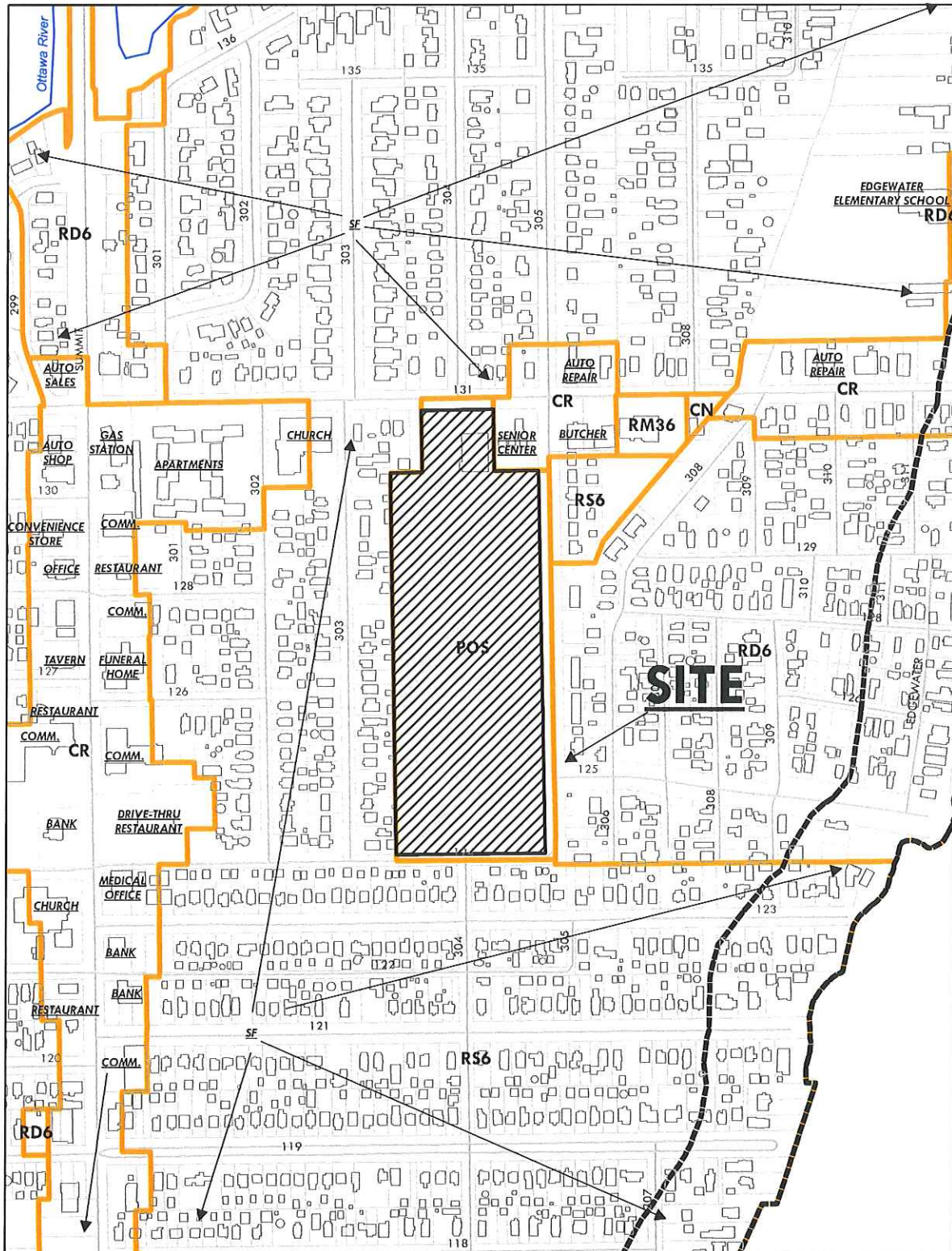
GENERAL LOCATION

SUP-2004-22
ID 65



ZONING & LAND USE

SUP-2004-22
ID 65

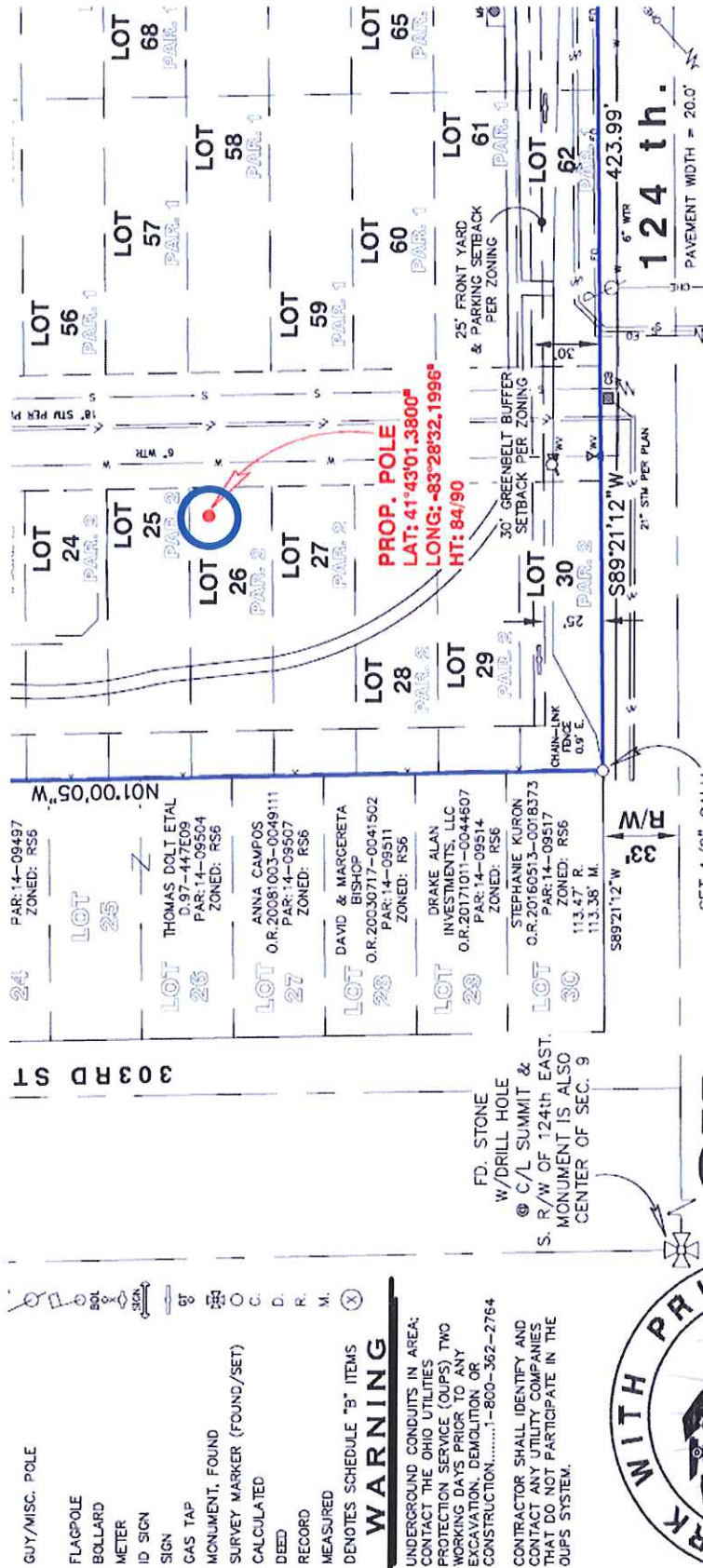


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SITE PLAN - MAGNIFIED

SUP-2004-22
ID 65



Know what's below.
Call before you dig.



WARNING

UNDERGROUND CONDUITS IN AREA:
CONTACT THE OHIO UTILITIES
PROTECTION SERVICE (OUPS) TWO
WORKING DAYS PRIOR TO ANY
EXCAVATION, DEMOLITION OR
CONSTRUCTION.....1-800-362-2764
CONTRACTOR SHALL IDENTIFY AND
CONTACT ANY UTILITY COMPANIES
THAT DO NOT PARTICIPATE IN THE
OUPS SYSTEM.

SET 1/2" GALV.
STEEL PIPE

EASEMENTS

FIRST AMERICAN TITLE INS. COMP. NAT. COMM. SERVICES COMMITMENT NO: NCS-1097328-06-CLE EFFECTIVE DATE: DEC. 07, 2021

SCHEDULE "B" ITEM #	GRANTEE	DESCRIPTION	RECORDED IN	ENCUMBRANCE
ITEM 10	-----	PLAT	P.V.44 P.59	1. LOT GEOMETRICS, AS SHOWN 2. STREET RIGHT-OF-WAYS, AS SHOWN 3. 10' BUILDING LINE SETBACK, AS SHOWN
ITEM 11	-----	ORDINANCE	ORD.812-51	1. VAC. 304th STREET, AS SHOWN 2. VAC. 128th STREET, AS SHOWN



owner	mailing address 1	mailing address 2
5402 305TH STREET LLC	1285 CONANT ST	MAUMEE OH 43537
ANDERSON DANIEL D	PO BOX 472	HURON OH 44839 0472
BABKA THOMAS A	5418 303RD ST	TOLEDO OH 43611 2655
BISHOP DAVID R & MARGARETA	5210 303RD ST	TOLEDO OH 43611 2651
BLYTHE CAROL	3015 123RD ST	TOLEDO OH 43611 2730
BROCKETT TERRY E & CAROL A TRUSTEES	P O BOX 195	CURTICE OH 43412
BURGESS WILLIAM T JR	5504 303RD ST	TOLEDO OH 43611
CAHILL BRENT M	5302 303RD ST	TOLEDO OH 43611 2653
CAMPBELL MELISSA	2701 122ND	TOLEDO OH 43611
CAMPOS ANNA M	5214 303RD ST	TOLEDO OH 43611 2651
CAPPADORA WILLIAM C & CYNTHIA S	2939 131ST ST	TOLEDO OH 43611 2327
CUMMEROW STEVEN S & LISA A	2715 108TH ST	TOLEDO OH 43611
DOLT THOMAS M ETAL	5218 303RD ST	TOLEDO OH 43611 2651
DRAGER AMBER	3005 123RD ST	TOLEDO OH 43611
DRAKE ALAN INVESTMENTS LLC AN OHIO LLC	3185 MOROCCO	IDA MI 48140
ELLO ROBERT W	2908 131ST ST	TOLEDO OH 43611 2325
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EMERSON JAMES W	5436 303RD ST	TOLEDO OH 43611
EVANS RANDALL R & NATALIE L	19814 TONTOGANY CREEK RD	BOWLING GREEN OH 43402
FISHER WENDI MARIE	6301 OLD STONE TRL	CURTICE OH 43412 9368
GLANVILLE JOHN L JR & MICHELLE S	5408 303RD ST	TOLEDO OH 43611
HAKEOS KATHLEEN A ETAL	5402 303RD ST	TOLEDO OH 43611 2655
HAYDEN BRIAN M & NIKKI J (ORSURVTC)	2946 131ST ST	TOLEDO OH 43611 2325
HOMIER H. JAMES	5432 305TH ST	TOLEDO OH 43611 2659
HUTCHINSON RAYMOND D II & SHELLY M	5410 305TH ST	TOLEDO OH 43611 2659
JOHNSON ROBERT JR & JODY	3029 123RD ST	TOLEDO OH 43611
JOURDAIN TERRY L	P.O. BOX 5015	TOLEDO OH 43611
KURON STEPHANIE A	5202 303RD ST	TOLEDO OH 43611 2651
LADD MICHAEL V & DEBORAHA	5242 303RD ST	TOLEDO OH 43611 2651
LAYTART DENISE M	2925 123RD ST	TOLEDO OH 43611 2728
LEA-ANNE ENTERPRISES LLC	3002 131ST ST	TOLEDO OH 43611
LYNCH BRENDAN	5209 306TH ST	TOLEDO OH 43611
MANTEUFFEL TROY A ETAL	324 HAREFOOTE ST	HOLLAND OH 43528 9513

MASTRAPA CHRISTINE M	2929 131ST ST	TOLEDO OH 43611
MCDONALD DARLENE K	5226 303RD ST	TOLEDO OH 43611
MULINIX KATIE	5432 303RD ST	TOLEDO OH 43611
OHIO INVESTMENT & MANAGEMENT LLC	17990 MISSION POINTE	NORTHVILLE MI 48168
PAGE BRYAN D	2933 123RD ST	TOLEDO OH 43611 2728
PEASE DOUGLAS M	5422 305TH ST	TOLEDO OH 43611
PELFREY MICHAEL R JR	5349 306TH ST	TOLEDO OH 43611
PITEK GINNY S	5308 305TH ST	TOLEDO OH 43611
POLLAUF CHERYL A	5234 303RD ST	TOLEDO OH 43611 2651
PRIELIPP EVAN L & HALEY M	5741 BROWN RD	OREGON OH 43616
PROFESSIONAL COMMERCIAL PROPERTY	P O BOX 11428	TOLEDO OH 43611
RATZ RANDY A	5318 303RD ST	TOLEDO OH 43611 2653
RATZ VIRGINIA M TRUSTEE	5217 306TH ST	TOLEDO OH 43611
ROCKDALE PARTNERS LLC	3306 EXECUTIVE PKWY STE 101	TOLEDO OH 43606
RYBAR PROPERTIES LLC	7339 NARANJA AVE	MESA AZ 85208
SCHRADER ROY A JR	5306 303RD ST	TOLEDO OH 43611
SCHULZ DAVID A	5310 303RD ST	TOLEDO OH 43611 2653
SHAFFER LOREN N III	2929 123RD ST	TOLEDO OH 43611 2728
SLONE CATHERINE M	3011 123RD ST	TOLEDO OH 43611 2730
SMITH JAMES & CAROL	2917 131ST ST	TOLEDO OH 43611 2326
SMITLEY NICHOLA	2713 106TH ST	TOLEDO OH 43611 2019
STANGE KIMBERLY A	12174 LAKESHORE DR	LA SALLE MI 48145
STEVENS DOUGLAS R	8424 SUMMERFIELD RD	PETERSBURG MI 49270 9613
SVATORA ROBERT S	2912 131ST ST	TOLEDO OH 43611
TARDICH DENISE	3019 123RD ST	TOLEDO OH 43611 2730
TAYLOR ZAK	5301 EDGEWATER DR	TOLEDO OH 43611 2639
THAYER SHARON L	5414 303RD ST	TOLEDO OH 43611 2655
THOMAS JON D	5438 305TH ST	TOLEDO OH 43611 2659
VERNON LARRY D	5428 305TH ST	TOLEDO OH 43611 2659
WANDTKE EMILY	5410 303RD ST	TOLEDO OH 43611
COUNCILMEMBER MORRIS	CITY COUNCIL	
JAMIE MILLER	DEPARTMENT OF PUBLIC UTIL	