

## TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: June 9, 2022

REF: SUP-4002-22

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 new AMI pole at 3620 River Road

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, June 9, 2022 at 2:00 P.M.

### GENERAL INFORMATION

#### Subject

Request - Special Use Permit for new AMI pole

Location - 3620 River Road

Applicant - City of Toledo Dept. of Public Utilities  
420 Madison Avenue, 4<sup>th</sup> Floor  
Toledo, OH 43604

Owner - City of Toledo  
One Government Center  
Toledo, OH 43604

#### Site Description

Zoning - POS & RS9 / Parks & Open Space and Single Family Residential

Area - ± 20.9 acres

Frontage - ± 1,560' along Brookford Drive  
± 785' along River Road

Existing Use - Public Park

Proposed Use - Public Park

**GENERAL INFORMATION (cont'd)**

Area Description

North	-	Single family residential and duplexes / RS9
South	-	Single family residential, duplexes, and active recreation / RS9
East	-	Single family residential and duplexes / RS9
West	-	School / RS9

Parcel History

Z-99-94	-	Zone Change for River Road Park, between Brookford Drive and Burroughs Drive from R-2 to P Park.
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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 new Automatic Metering Infrastructure (AMI) poles across the City of Toledo. These towers are 90' tall monopoles with 11' below grade and will be a rust/copper color. Poles will help the City to read residents' water meters remotely, reducing the need for City staff to visit properties to read water meters. This pole is proposed to be located in River Road Park, west of River Road, south of Brookford Drive, and east of Toledo Christian Schools. The pole is located in the northeastern section of the park, approximately eight feet ( $\pm 8'$ ) from an existing utility building. These poles are classified in the Planning and Zoning Code as "Wireless Telecommunications Facilities, Freestanding" and a Special Use Permit is required because the site is located within the POS-Parks & 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 when abutting residential zoning districts.

## PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-4002-22, a Special Use Permit for new AMI pole at 3620 River Road, 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 further recommends approval of SUP-4002-22, a Special Use Permit for a new AMI pole at 3620 River Road, to Toledo City Council subject to the following **twenty-two (22)** 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, from One Stop Shop, (419) 245-1220.

### Water Distribution

4. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
5. Detailed plans for the proposed water main shall be submitted to the Division of Water Distribution for review and approval.

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

Water Distribution (cont'd)

6. The water meter setting detail, including meter bypass (if applicable) and backflow preventer, shall be submitted to the City of Toledo Backflow Prevention Coordinator, 401 S Erie Street, Toledo, OH 43604 for review and approval. Approval of site utility plan is contingent on approval of meter setting and backflow preventer.
7. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with BSIonlinetracking.com @ (800) 414-4990. Contact the Division of Water Distribution (Shawn Clark: [shawn.clark@toledo.oh.gov](mailto:shawn.clark@toledo.oh.gov), 419-392-2032) to verify the backflow prevention requirements for the site.
8. Existing water service lines to structures removed from the site will be abandoned by the City of Toledo at the developer's expense.
9. Plans must be submitted and approved by Fire Prevention (Lynn Thompson: [lynnthompson@toledo.oh.gov](mailto:lynnthompson@toledo.oh.gov), 419-245-1263).

Environmental Services

10. 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.
11. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
12. Applicant is strongly encouraged to include multiple green infra-structure measures to minimize runoff and increase infiltration, and to minimize amount of new and/or additional impervious surface on site.
13. 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)



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

Environmental Services (cont'd)

14. 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.

Sewer & Drainage

15. S&DS requires that all existing private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
16. S&DS requires that the existing private sanitary lines (after they have been cleaned) that are not being removed or properly abandoned be televised from the building (or private cleanout) to where they connect with the public sewer system if this has not been done in the past (2) two years. An electronic copy (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity.

Plan Commissions

17. All operation of the facility shall be in accordance with the requirements of TMC§1104.1800, "Wireless Telecommunications Facilities".
18. The proposed pole shall be protected and visually screened by shrubs or foundation plantings subject to approval of the Director. (TMC§1108.1801.C).
19. 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.
20. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
21. 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.
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.

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June 9, 2022  
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Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Tom Gibbons', written in a cursive style.

Thomas C. Gibbons  
Secretary

DR

Three (3) sketches follow

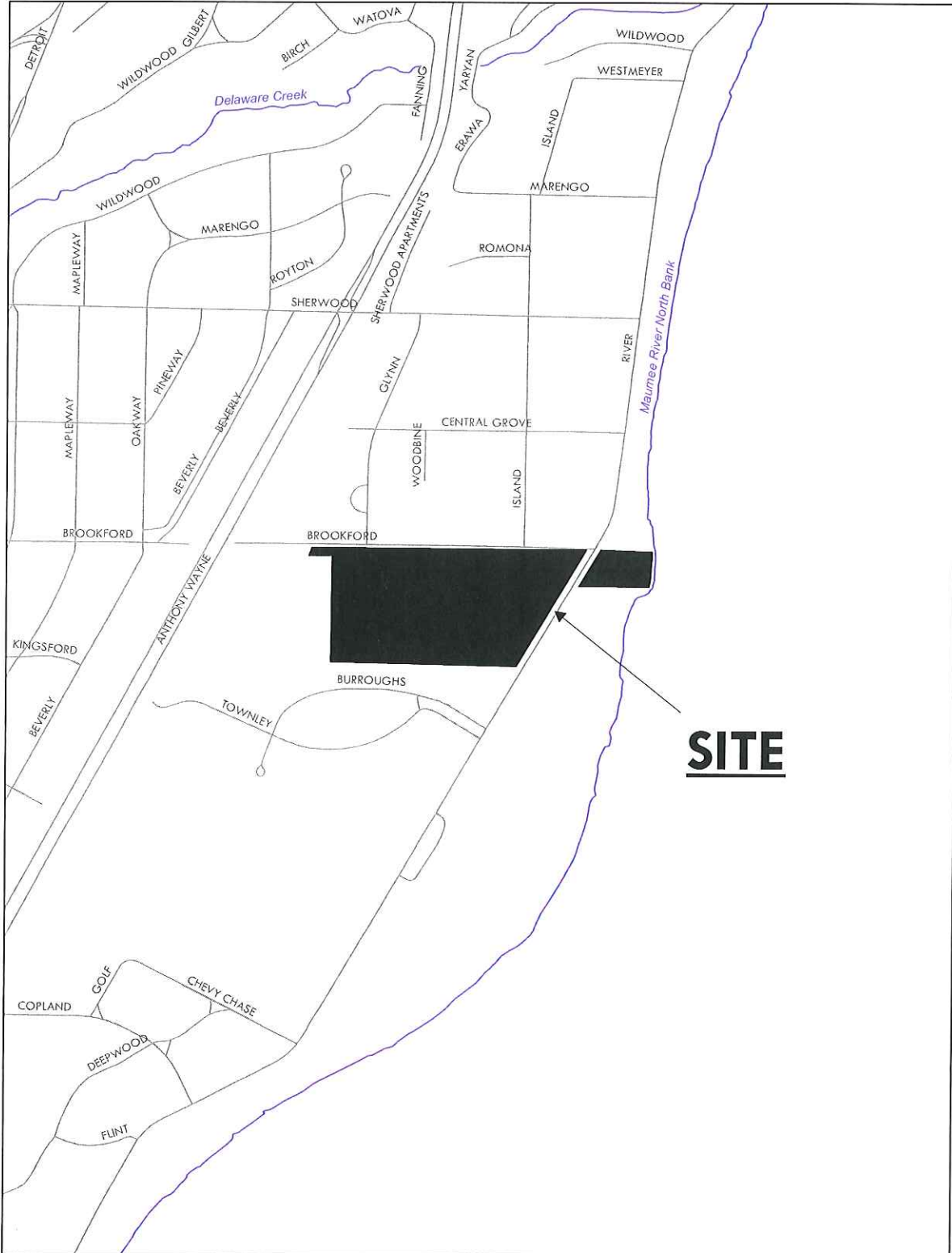
Cc: Jamie Miller, City of Toledo Dept. of Public Utilities, 420 Madison Avenue 4<sup>th</sup> Floor,  
Toledo OH 43604

Lisa Cottrell, Administrator

Dana Reising, Planner

# GENERAL LOCATION

SUP-4002-22  
ID 42



# ZONING & LAND USE

SUP-4002-22  
ID 42

