TOLEDO - LUCAS COUNTY PLAN COMMISSIONS
One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

DATE: November 4, 2022
REF: PUD-4014-22

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

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

SUBJECT: Amendment to Planned Unit Development, Originally approved by Ord. 3-81, 198-87, & 150-16 for multi-family development at 1301 & 1302 Linden Lane

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, November 3, 2022 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Amendment to Planned Unit Development, Originally approved by Ord. 3-81, 198-87, & 150-16 for multi-family development
Location	-	1301 & 1302 Linden Lane
Applicant	-	Toledo Place Apartments, LLC Rutger Breakey 321 Woodland Pass, Suite 100 East Lancing, MI 48823
Engineer	-	Nathan R Waggner Cash Waggner & Associates 402 E 13th St Suite 101 Jasper, IN 47546
Architect	-	Frederick W. Mahoney Architectural Resources, LLC 321 Woodland Pass East Lansing, MI 48823

Site Description

Zoning	-	RM36-PUD Multi-Dwelling Residential with Planned Unit Development
Area	-	±9.37 acres

GENERAL INFORMATION (cont'd)

Site Description (cont'd)

Frontage	-	±315' along east side of Linden Lane ±315' along west side of Linden Lane ±325' along Haven Road ±294' along Pine Valley Lane
Existing Use	-	Undeveloped Land
Proposed Use	-	Multifamily Housing

Area Description

North	-	CO/ Reynolds Corner Library, Shopping Center
South	-	RD6-PUD / Single- and Multi- Family Homes
East	-	RD6-PUD / Single- and Multi- Family Homes
West	-	RS6/ Single Family Homes

Parcel History

S-21-80	-	Preliminary Drawing for Linden Hills (PC Approved 4/21/81, Plat approved 5/20/82).
CUP-3-81	-	Community Unit Plan for Linden Hills (PC Approved 4/21/81, CC Approved 4/21/81 Ord. 234-81).
Z-2-81	-	Zone Change from R-2 to R-3, C-1, and C-2 (PC Approved 3/5/81, CC Approved 3/24/81 Ord. 167-81.)
CUP-198-87	-	Amendment to CUP originally granted by Ord. 234-81, to allow an increase in density on lot 7 of INVERWEST from 87 units to 160 units (PC Approved 10/8/87, CC approved 11/3/87 Ord. 900-87)
Z-158-87	-	Zone Change from R-3 to R-4 for Lot 7 of INVERWEST (PC Approved 9/10/87, CC approved 9/29/87 Ord. 783-87).
SUP-95-87	-	Special Use Permit to allow for development of elderly housing complex on lot 7 of INVERWEST (PC disapproved 9/10/87, CC approved withdrawal 9/29/87 Res.206-87).
CUP-198-87	-	Minor change to CUP originally granted by Ord. 234-81 and subsequently amended by Ord. 900-87 to allow for a deed transfer of 60' of lot area for lot 7 of INVERWEST (PC approved 12/1/88, CC approved 12/20/88 Ord. 1113-88.)

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

Z-9015-04	-	Zone Change for Lot 8 of INVERWEST (PC disapproved 11/4/04, CC referred back to PC 12/8/04, PC disapproved 12/8/04, CC approved 3/8/05).
SPR-17-04	-	Major Site Plan Review for Lots 7 and 8 of INVERWEST (PC disapproved 11/4/04, appealed to CC 11/12/04, referred back to PC 12/8/04, PC disapproved 1/13/05).
PUD-10007-15	-	Special Use Permit for a Community Center at 1302 Linden Lane (PC approved 3/10/16, CC approved 4/26/16, CC approved 6 month expiration extension on 5/2/17).
PUD-11003-17	-	Amendment to a Special Use Permit, originally granted by Ord.149-16, for a Community Center (PC approved 1/11/18, CC approved 2/14/18, Ord. 73-18).

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting an amendment to a Planned Unit Development (PUD) for a one hundred and ninety-two (192) unit multi-family development at 1301 and 1302 Linden Lane. The site is zoned RM36 Multifamily Residential with a PUD overlay. Surrounding land uses include mixed residential to the south, east and west, and a library and shopping center to the north. The original PUD for INVERWEST, formerly LINDEN HILLS, was approved in 1981. Since 1981 several amendments have been made including lots 7 & 8 which are the subject of this review. These two (2) lots have never been developed regardless of previous approvals, and are now being revisited for a development with 192 units. The amendment is required because the original PUD and successive amendments do not reflect the proposed development. This case was deferred on July 14, 2022 and August 11, 2022.

The PUD provides an overlay Zoning District that is intended to encourage innovative design, conservation of significant natural features or consolidation of open space in order to provide for a mixture of uses with an integrated design. PUD regulations are intended to promote consistency with the Comprehensive Plan and adopted Neighborhood Plans. The PUD

development may be a residential, commercial, or industrial development or may be a combination of uses with no minimum site area required.

STAFF ANALYSIS (cont'd)

Parking and Circulation

The site consists of two parcels separated by Linden Lane. For the purpose of this report the eastern half containing ±4.632 acres shall be referred to as Parcel I, and the western portion containing ±4.773 acres shall be referred to as Parcel II.

Pursuant to TMC§1107.0300, the required parking for multi-family housing is one (1) and one-half (1 ½) spaces for every one (1) dwelling unit, plus one (1) space per ten (10) units for visitor parking. Calculations conclude that a 192-unit multi-family housing development requires two-hundred eighty-eight (288) residential spaces plus twenty (20) parking spaces for visitor parking for a total of three-hundred and eight (308) parking spaces. Additionally, one (1) bicycle parking slot per ten (10) parking spaces is required, requiring a total of thirty-two (31) bicycle parking spaces. The proposed parking area provides three-hundred and eight (308) parking spaces and conforms to code.

A portion of the total number of required off-street parking spaces must be specifically designated, located, and reserved for use by persons with physical disabilities. According to the table in TMC§1107.1701 – *Number of Required Parking Spaces for Persons with Disabilities*, the applicant is required to provide at least seven (7) auto and one (1) van accessible space for a total of seven (7) parking spaces for persons with physical disabilities. Twenty-one (21) accessible parking spaces are depicted and comply with these parking requirements.

A partial reason for the previous deferral of this application were outstanding concerns regarding ingress and egress for equipment operated by the Toledo Division of Fire Prevention. The primary drive aisle on each site has been widened to thirty-feet (30') with twenty-five (25') foot secondary drive aisles providing thirty-foot (30') exterior turn radii. The division of Fire Prevention has approved of the revised plan.

Density

The maximum density refers to the number of dwelling units allowed per acre of the site area, after subtracting existing rights-of-way from the gross site area. The maximum number of dwelling units permitted in the PUD is calculated by dividing the net residential acreage by the minimum lot area per dwelling unit as shown in TMC§1106.0100-Intensity and Dimensional Standards. For purposes of this calculation, net residential acreage equals either percent (80%) of the gross parcel acreage.

Eighty percent (80%) of the development site is equal to sixteen (16) acres. The maximum number of dwelling units allowed in the RM36-Multifamily Residential Zoning District with a PUD is twenty-nine (29) units per gross acre. Calculations conclude that a site comprised of 9.405 acres is permitted to accommodate a total of 273 units. The proposed unit count complies with these provisions.

STAFF ANALYSIS (cont'd)

Coverage

No more than forty percent (40%) of gross site acreage shall be devoted to coverage by buildings, structures, street pavement, driveway and parking area pavement (TMC§1106.0302(B) – *Intensity and Dimensional Standards Table*). The proposed development exceeds the maximum of forty percent (40%) coverage on both parcels by approximately three and two thirds of a percent (3.66%). A waiver shall be required for the overage, however due to the minimal degree of variance from standards staff supports the waiver.

Building Design

The intent of building design standards is to ensure a base level of quality architecture that contributes to the established architectural character of an area. The proposed elevations are primarily composed of a brick façade. Painted cement beveled siding is utilized as an accent material near balconies and the gable of the roof. A percentage-based breakdown of materials shall be required for review and approval by the Director per TMC§1109.0502. Each unit is services by a wall mounted air condenser visible from the exterior. Entrances shall be required to include architectural elements that emphasize the entrance, including but not limited to front porches, transom and sidelight windows, decorative trim and molding, and arches. Sidelight windows are provided, however additional elements shall be required such as the addition of a transom.

Furthermore, building design is required to be subdivided into human scale proportions in order to harmonize with surrounding residential development. The use of a treatment such as a belt course, change in brick course, quoins or other delineation shall be required to better match surrounding character. Final building design shall be subject to Plan Director Approval.

Open Space Requirements

The Planned Unit Development which governs development of the site, as well as the underlying plat, required 0.7 acres of consolidated parkland per parcel. Per TMC§1103.1007 Residential Standards parkland shall not be any required yard or perimeter open space, shall be allocated to usable, accessible, and consolidated common open space.

The proposed site plan provides 0.7 acres of open space on the northmost corners along Linden Lane of each parcel. Staff has determined, based on the proposed width and depth of the open space, the provided space meets the standards of the TMC. Staff strongly recommends improvements be made to the parkland including public amenities for the subdivision.

The landowner must establish an agency for the ownership and maintenance of common open spaces where such are to be retained in private ownership. In the event the agency established to own and maintain the common open space or any successor agency as a condition of approval, the City may serve written notice upon such agency or upon the residents and owners of the PUD.

GENERAL INFORMATION (cont'd)

Landscaping

Per TMC§1103.1010(G), landscaping for a PUD shall be reviewed and approved in accordance with the procedures of Chapter 1108-Landscaping and Screening. A landscape plan has not been submitted at the time of publication. The landscape plan shall be required to meet the following requirements:

a. A thirty-foot (30') frontage greenbelt with one (1) tree per thirty (30) feet of frontage as well as a continuous line of evergreen shrubs where abutting parking areas.
b. A Type A Landscape buffer containing four (4) canopy trees, fifteen (15) shrubs, and a solid fence or wall per one-hundred (100) linear feet along the north property lines.
c. A Type B Landscape buffer containing four (4) canopy trees, and fifteen (15) shrubs per one-hundred (100) linear feet southern property lines as well as the east most and west most property lines when abutting RD6 & RS6.
d. Dumpster screening using a masonry wall to match the façade materials of the building.
e. Parking lot interior landscaping including twenty (20) square feet per parking space.
f. Peninsular landscape islands at the end of parking rows.
g. Two (2) canopy trees and six (6) shrubs per ten (10) parking spaces.
h. A continuous shrub with a minimum height of eighteen (18) inches along the perimeter of parking areas where visible from the right-of-way or residential districts.
i. One tree per five-hundred (500) square feet of building coverage. Foundation plantings on all sides of the building facing the street or primary access road.
j. Landscape areas at all major building entrances.
k. Shrubs or a decorative fence shall be used to ensure separation of the open space and Linden Lane.
l. A solid privacy fence is provided along Haven road.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets the site for Multi-Family Residential land uses. This land use is primarily intended to accommodate the development of multi-dwelling housing and also intended to create, maintain and promote higher density housing opportunities in areas with good transportation access. The proposed use complies to the comprehensive plan.

Staff has reviewed the proposed PUD amendment in accordance with the criteria of TMC§1103.1000. Based on the results of the review, staff has determined that the proposed PUD amendment is suitable for this location and complies with all applicable provisions of the Toledo Municipal Code and stated purpose of the Zoning Code. Additionally, the proposed development sufficiently addresses the following: arrangement of land uses and buildings on the site so as to integrate the topography, natural features, views, traffic access and the arrangement of useable common open space.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of PUD-4014-22, Amendment to Planned Unit Development, originally approved by Ord. 3-81, 198-87, & 150-16 for multi-family development at 1301 & 1302 Linden for the following two (2) reasons:

1. The proposed development is in conformance with the goals and objectives of the Comprehensive Plan and Zoning Code (**TMC1103.1006(A)**); and,

2. The arrangement of land uses and buildings on the site integrate the topography, natural features, views, traffic access and the arrangement of useable common open space. **(TMC1103.1006(C)).**

The Toledo City Plan Commission recommends approval of the following waiver:

Chapter 1106 Intensity and Dimensional Standards
1106.0302 – Multiple Buildings on Lot

In any Residential district no more than 40% of the gross parcel acreage shall be devoted to coverage by buildings, street pavement, motor vehicle driveway pavement and parking area pavement.

Approve a waiver to allow coverage of a residential lot with multiple buildings greater than 40%.

The Toledo City Plan Commission recommend approval of PUD-4014-22, a request for an Amendment to Planned Unit Development, originally approved by Ord. 3-81, 198-87, & 150-16 for multi-family development, to the Toledo City Council Subject to the following **forty-six (46)** 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. Minimum 4' barrier free sidewalk shall be placed along the frontages of all public streets in the development, and shall extend through drive approaches. Pedestrian curb ramps shall be placed at all intersections.

2. All proposed drive approaches, sidewalk, and curb shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, and Toledo Municipal Code. All drive approaches, and sidewalk through the drives, shall be 6" thick concrete residential, 8" thick concrete Commercial. No curb shall be permitted in the right-of-way along either side of the drive approach. **No horizontal curb cutting will be permitted.**

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

3. Substandard drive approaches, sidewalk, and curb sections that exist within the public right-of-way abutting the site shall be replaced in accordance with City of Toledo Construction Standards, Specifications, and Toledo Municipal Code.

4. Improvements per City of Toledo Infrastructure Design and Construction requirements

5. Required permits for all approved work in the public right-of-way shall be obtained, before work begins

6. There is an 8-inch diameter public water main on the west side of Linden Lane. Where the proposed sanitary sewer crosses the water main, maintain a minimum of 18 inches of vertical clearance between the proposed sanitary sewer and the water main.

7. The proposed drive apron on the western side of Linden Lane is in conflict with an existing public fire hydrant. The hydrant will be relocated by the City of Toledo Division of Water Distribution at the developer's expense.

8. Preliminary stormwater design communication is highly encouraged ahead of the full stormwater submittal, in order to minimize revisions once the full stormwater submittal is made, which requires multiple items:
    a. Items are listed on the regional SWP3 submittal coversheet: https://tmacog.org/water/stormwater/stormwater-pollution-prevention-plan-swp3
    b. Plans according to the 2014 Infrastructure Requirements document found in the drop down menu on this page: https://toledo.oh.gov/business/how-to-build-in-the-city/building-inspection-permits
    c. The underground system design and accompanying long term maintenance plan shall meet the expectations of the 2018 Ohio Construction permit and latest revised chapter of the Ohio Rainwater Manual, including necessary access and inspection ports and structures.

9. Following the stormwater review, additional items are needed for final approval:
    a. As listed on the regional SWP3 submittal cover sheet. The signed agreement will be through a covenant which will need to be recorded.
    b. Fee and a Toledo Licensed Sewer Contractor for the sewer construction permit.
    c. Construction inspection and completion of obligations in the stormwater permit.

10. The underground detention system (UDS) is proprietary and outside the scope of the City's services for sewer inspection. The following notes shall be added to the plans:
    a. The Contractor shall have the underground detention system manufacturer's representative on-site during the installation of the UDS. This representative shall advise the contractor as to the required installation procedures for the UDS.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

b. The City of Toledo will be provided with an as-built signature by an Ohio P.E. representing the detention system manufacturer with the certification statement to the effect of: 'I certify that the underground detention system was installed in accordance with the manufacturer's installation requirements and that the underground detention system will function as designed in accordance with the contract documents.'

11. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.

12. A single sanitary sewer tap per existing parcel from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.

13. Recommend installing manholes at bends, instead of cleanouts, to facilitate cleaning of the sewer lines.

Sewer & Drainage Services

14. S&DS requires that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.

15. S&DS requires that the 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 Sewer & Drainage Services demonstrating the lines cleaning and integrity.

Division of Environmental Services

16. 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.

17. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Environmental Services (cont'd)

18. 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.

19. 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

20. 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 Transportation

21. Bicycle parking is required per TMC 1107.0900

22. Wheel stops are required at property lines, sidewalks, planting strips, and buildings per TMC 1107.1907

Division of Water Distribution

23. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.

24. Detailed plans for the proposed water main shall be submitted to the Division of Water Distribution for review and approval.

25. 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.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Water Distribution (cont'd)

26. 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. Contact the Division of Water Distribution to verify the backflow prevention requirements for the site.

27. Existing water service lines to structures removed from the site will be abandoned by the City of Toledo at the developer's expense.

28. Plans must be submitted and approved by Fire Prevention.

Plan Commission

29. Seven Tenths (0.7) of an acre on each parcel shall be preserved for consolidated parkland. Per TMC§1103.1007 Residential Standards parkland shall not be any required yard or perimeter open space, shall be allocated to usable, accessible, and consolidated common open space. **Acceptable as submitted.**

30. All parking spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. **Acceptable as submitted.**

31. Per TMC§1107.0900 thirty (30) bicycle parking spaces are required. Applicant is encouraged to consider proximity to individual entrances and protection from weather when placing bike-racks due to the residential nature of the development. **None depicted – not acceptable as submitted.**

32. No more than forty percent (40%) of gross site acreage shall be devoted to coverage by buildings, structures, street pavement, driveway and parking area pavement (TMC§1106.0302(B)) **Not acceptable as depicted. A waiver shall be granted to site plan shall be adjusted.**

33. Per TMC§1107 one and one half (1.5) parking spaces are required per unit, plus an additional one (1) unit per ten (10) units. **Acceptable as depicted.**

34. 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.

35. No above ground storm water detention systems shall be used within the parkland area without amendment to the Planned Unit Development.

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

36. Whenever a parking lot extends to a property line, sidewalk, planting strip, or building, a wheel stop device consisting of a concrete stop, a permanent concrete curb, an expanded sidewalk or other suitable restraint as approved by the Planning Director must be installed to prevent any part of a parked motor vehicle from extending beyond the property line, overhanging a pedestrian walkway, or sidewalk, or damaging any structure or landscaping (TMC§1107.1907(A)).

37. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by masonry screen enclosure matching building elevations with landscaping and shall not be located in any required setback. A revised site plan shall indicate material of dumpster enclosure, the location is acceptable as depicted.

38. A minimum of one litter receptacle per building-entrance from the parking lot shall be provided for the parking area. A revised site plan shall indicate location of litter receptacle.

39. The building design shall meet the requirements of TMC§1109.0500 Building Façade Materials and Color. Elevations depicting the percentage of materials used per elevation per building shall be submitted. An architectural element to differentiate massing and better match residential character of the area shall be added. Revised building elevations shall be submitted for Plan Director Approval.

40. No free-standing signs greater than forty-two inches (42") from grade are permitted – any proposed signage must meet the requirements of low-profile signs per Toledo Municipal Code Title Nine – Sign Code.

41. No above ground improvements shall encroach upon the twenty-five (25') foot setback along the southern property line, nor the thirty (30') foot setback along the northern property line.

42. 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. A fifteen-foot (15') greenbelt is required along each frontage, and shall include one (1) tree per every thirty feet (30') of frontage. The portions of the site with a parking lot facing right-of-way shall include a solid evergreen hedge planting to screen the parking lot so that no headlights of any vehicles can be seen from the public street. Eleven (11) trees per frontage are required.

    b. A Type B Landscape buffer containing four (4) canopy trees, and fifteen (15) shrubs per one-hundred (100) linear feet southern property lines as well as the east most and west most property lines when abutting RD6 & RS6.

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

c. A Type A Landscape buffer containing four (4) canopy trees, fifteen (15) shrubs, and a solid fence or wall per one-hundred (100) linear feet along the north property lines.

d. Foundation plantings along all portions of the building visible from the right of way or access drive.

e. A six foot (6') privacy fence shall be provided along Haven Road. **Acceptable as depicted on site plan.**

f. A decorative fence shall be required between the reserved open space and the street in order to better delineate the useable outdoor area.

g. Landscaping at all major building entrances.

h. All parking areas visible from the right-of-way or adjacent properties shall be screened from view using an evergreen hedge line so that no headlights of any vehicles can be seen; acceptable as depicted.

i. The total interior landscaping required in parking lots is twenty (20) square feet per parking and stacking space.

j. Landscape areas within the parking area must be peninsular or island types and must be constructed with six-inch (6") by eighteen-inch (18") concrete curbing, cast-in-place, extruded, or by some other process approved by the Planning Director.

k. All parking spaces must be within 100 linear feet of a landscaped area; acceptable as depicted.

l. Topsoil must be back filled to provide positive drainage of the landscape area.

m. 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.

n. 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;

o. The location, height and materials for any fencing to be installed and maintained; Pursuant to TMC§1105.0302(A)(1), fences may not exceed 3½ feet in height in the required front setback.

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

p. Six (6) shrubs are required to be installed in interior landscape areas for each ten (10) parking spaces within the parking lot. One canopy tree may substitute for three shrubs.

q. Landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation plans must be submitted with development plans and must contain all construction details.

r. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties).

s. The location, lighting and size of any signs.

t. One (1) tree is required per five-hundred (500) square feet of building coverage. **Fifteen (15) additional trees required.**

43. The applicable conditions of the Planned Unit Development, and subsequent amendments, shall remain.

44. 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.

45. Per TMC§1111.0814, if a building permit is not issued within two (2) years of this approval then the Planned Unit Development approval shall become null and void.

46. 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
Five (5) sketches follow

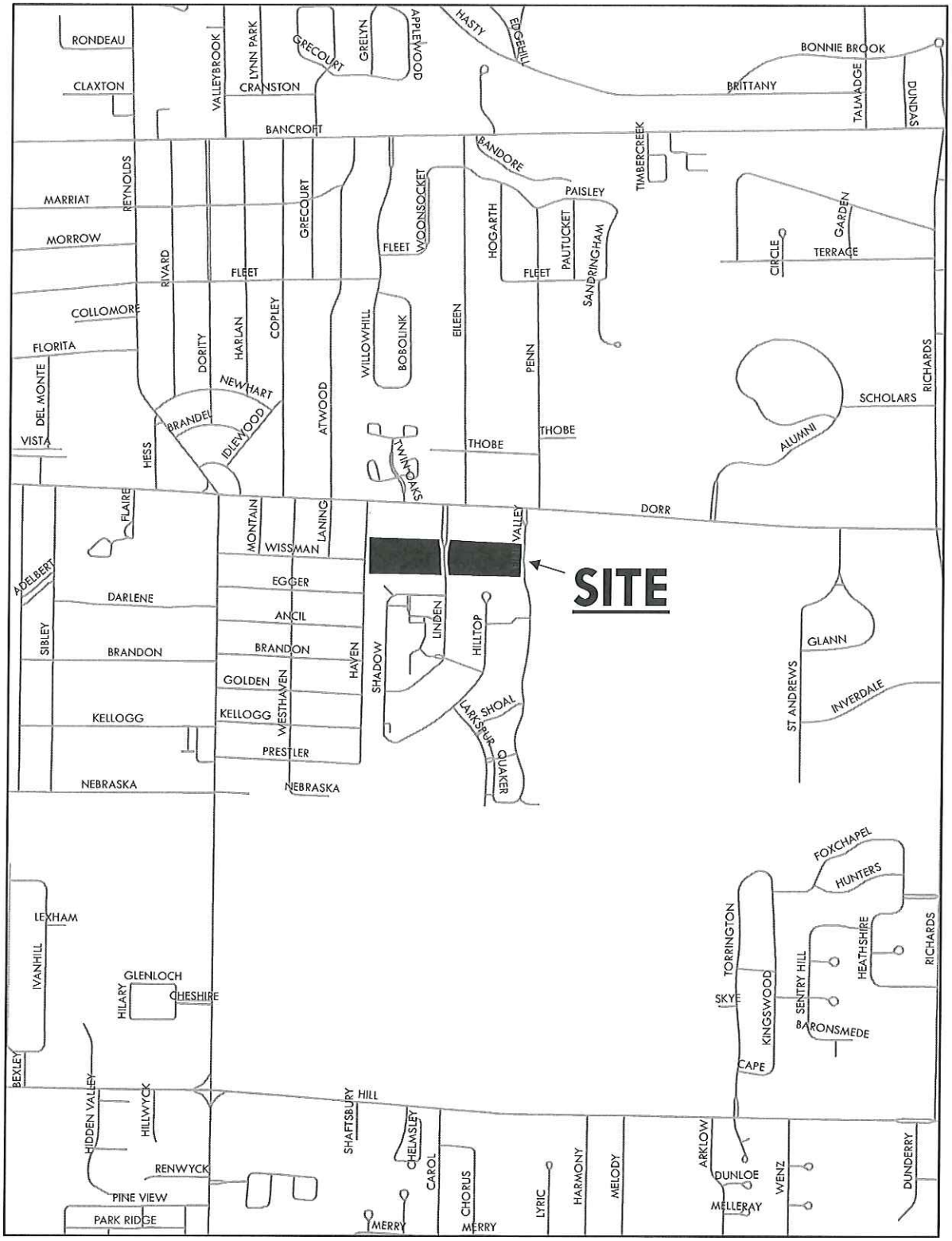
Cc: Applicants
Lisa Cottrell, Administrator
Jonny Latsko, Planner
Commissioner, Division of Engineering Services

Environmental Services
Sewer & Drainage Services
Commissioner, Division of Transportation

GENERAL LOCATION

PUD-4014-22
ID 107

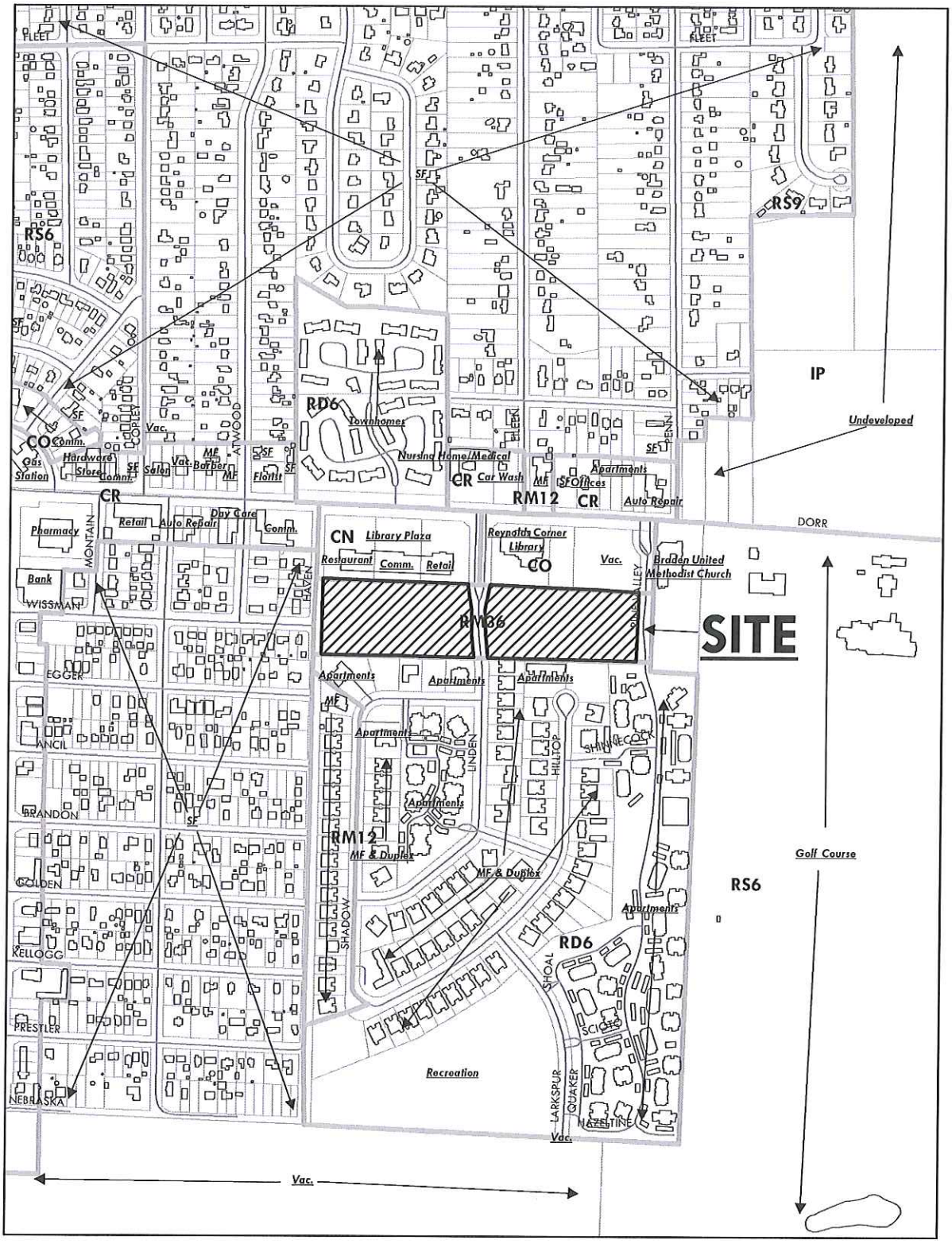
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ZONING & LAND USE

PUD-4014-22
ID 107

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SITE PLAN

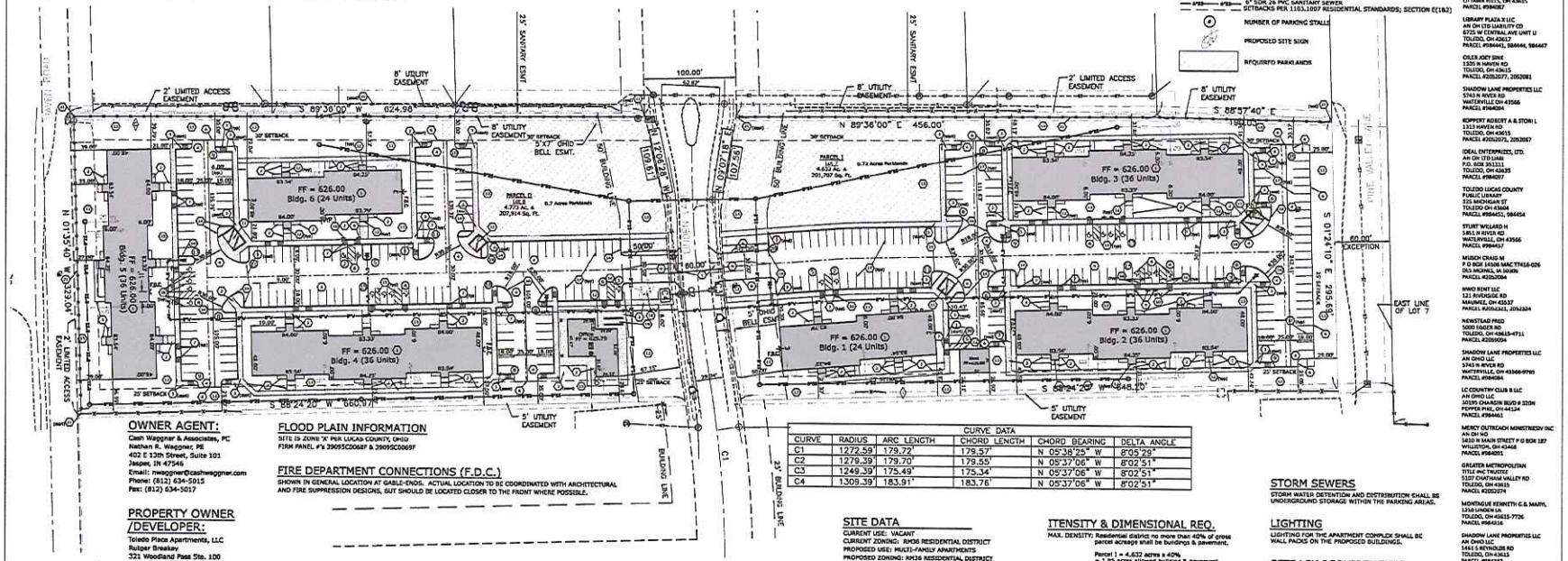
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ID 107

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Amendment to Planned Unit Development
Toledo Place Apartments
1301 & 1302 Linden Lane
Toledo, Ohio 43615



Location Map
NOT TO SCALE



OWNER AGENT:
Cash Waggner & Associates, PC
Nathan R. Waggner, PE
402 E 13th Street, Suite 101
Jasper, IN 47546
Email: nwaggner@cashwaggner.com
Phone: (812) 634-5015
Fax: (812) 634-5017

PROPERTY OWNER /DEVELOPER:
Toledo Place Apartments, LLC
Rutger Breakey
321 Woodland Pass Ste. 100
East Lansing, MI 48823
Email: breakeyrw@gmail.com
Phone: (517) 351-4306

FLOOD PLAIN INFORMATION
SITE IS ZONE "X" PER LUCAS COUNTY, OHIO
FIRM PANEL #'s 39095C0068F & 39095C0069F

FIRE DEPARTMENT CONNECTIONS (F.D.C.)
SHOWN IN GENERAL LOCATION AT GABLE-ENDS. ACTUAL LOCATION TO BE COORDINATED WITH ARCHITECTURAL AND FIRE SUPPRESSION DESIGNS, BUT SHOULD BE LOCATED CLOSER TO THE FRONT WHERE POSSIBLE.

LEGAL DESCRIPTION

PARCEL I:
Lot number seven (7) excepting therefrom the Easterly sixty (60) feet as measured normal to the Easterly line of Lot number seven (7) in Inverwest, a Subdivision in the City of Toledo, Lucas County, Ohio, in accordance with Volume 97 of Plats, page 20.

Parcel No. 09-84071
1302 Linden Lane, Toledo, OH 43615

PARCEL II:
Lot number eight (8) in Inverwest, a Subdivision in the City of Toledo, Lucas County, Ohio, in accordance with Volume 97 of Plats, page 20.

Parcel No. 09-84081
1301 Linden Lane, Toledo, OH 43615
ZONING = RM-36

A PARCEL OF LAND BEING PART OF LOT 7 IN INVERWEST AND ALL OF LOT 8 IN INVERWEST, CITY OF TOLEDO, LUCAS COUNTY, OHIO

BOX: 2"=00'
50 0 50 100

CURVE DATA					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1272.59'	179.72'	179.57'	N 05°38'25" W	8°05'29"
C2	1279.39'	179.70'	179.55'	N 05°37'06" W	8°02'51"
C3	1249.39'	175.49'	175.34'	N 05°37'06" W	8°02'51"
C4	1309.39'	183.91'	183.76'	N 05°37'06" W	8°02'51"

SITE PLAN KEY NOTES

1. Apartment building. (Primary structures)
2. Portland cement concrete pavement, patio, and/or sidewalk.
3. Portland cement concrete sidewalk w/ monolithic curb.
4. Standard H.M.A. Pavement. See Detail.
5. Driveway per City Standards & Specifications.
6. Edge of pavement.
7. ADA accessible ramp with detectable warning surface. Max. slope = 1:12 (8.33%).
8. ADA accessible parking stalls with 3'x5' symbol. Max. slope = 1:50 (2%).
9. ADA accessible parking sign.
10. ADA Van accessible parking stalls with 3'x5' symbol. Max. slope = 1:50 (2%).
11. Dumpster with enclosure. (Accessory structure)
12. Entrance/exit door.
13. Greenspace / Landscaping.
14. Extruded or Conc. Curbs Around Islands.
15. 'No Parking' striping: single blue solid lines @ 45°, 4" wide each, 4' spacing.
16. Single blue solid lines, 4" wide (ADA)
17. Single white solid lines, 4" wide
18. Site Sign
19. Mailboxes
20. 'No Parking' striping: single white solid lines @ 45°, 4" wide each, 4' spacing.
21. Privacy Fence

SITE DATA
CURRENT USE: VACANT
CURRENT ZONING: RM36 RESIDENTIAL DISTRICT
PROPOSED USE: MULTI-FAMILY APARTMENTS
PROPOSED ZONING: RM36 RESIDENTIAL DISTRICT
LOCATION: CITY OF TOLEDO, LUCAS COUNTY, OHIO
PARCEL ID #:
PARCEL I: ID# 09-84071 (PART OF LOT #7)
1302 LINDEN LANE, TOLEDO, OH 43615
PHASE II: ID# 09-84081 (LOT #8)
1301 LINDEN LANE, TOLEDO, OH 43615
PARCEL SIZE:
PARCEL I: 4.632 ACRES (EAST LOT)
PHASE II: 4.773 ACRES (WEST LOT)
ADJACENT ZONING DISTRICTS:
-NORTH: CN & CO DISTRICTS
-SOUTH: RD6
-EAST: RS6
-WEST: RS6

DENSITY REQUIREMENTS
MAX. DENSITY: Dwelling units per gross acre = 29 units
Parcel I = 4.632 acres = 29 units x 4.632 acres = 134 Units Allowed
Parcel II = 4.773 acres = 29 units x 4.773 acres = 138 Units Allowed
PARCEL I: 96 units / 4.632 acres =
PROVIDED DENSITY: 20.73 units per acre
PARCEL II: 100 units / 4.773 acres =
PROVIDED DENSITY: 20.95 units per acre

ITENSITY & DIMENSIONAL REQ.
MAX. DENSITY: Residential district no more than 40% of gross parcel acreage shall be buildings & pavement.
Parcel I = 4.632 acres x 40%
= 1.85 acres allowed building & pavement
Parcel II = 4.773 acres x 40%
= 1.91 acres allowed building & pavement
PARCEL I: 0.78 acres bldg. + 1.29 acres paving / 4.632 acres
PROVIDED INTENSITY: 2.07 acres - 44.6% of parcel is building & paving
2.07 (provided) - 1.85 (allowed)
PARCEL II: 0.82 acres bldg. + 1.22 acres paving / 4.773 acres
PROVIDED DENSITY: 2.04 acres - 42.7% of parcel is building & paving
2.04 (provided) - 1.91 (allowed)

BLDG. DATA
PARCEL I: TOTAL NO. OF UNITS: 96 - units
UNITS PER BLDG.: 36 - units (BLDGS. 2 & 3)
UNITS PER BLDG.: 24 - units (BLDG. 1)
(02) 2-BR Units
(1) 1-BR Units
PARCEL II: TOTAL NO. OF UNITS: 96 - units
UNITS PER BLDG.: 36 - units (BLDGS. 4 & 5)
UNITS PER BLDG.: 24 - units (BLDG. 6)
(92) 2-BR Units
(2) 1-BR Units
MAX. BUILDING HEIGHT ALLOWED: 50' (Multi-Family)
PROPOSED MEAN ROOF HEIGHT: 32.58'± (SEE ARCH. PLANS)
NO. OF STORIES: THREE (36 UNIT & 24 UNIT)
NO. OF STORIES: TWO & THREE (28 UNIT)
BLDG. FOOTPRINT: 13,441 sq. ft. (36 UNITS)
BLDG. FOOTPRINT: 8,292 sq. ft. (24 UNIT)
OFFICE FOOTPRINT: 2,461 sq. ft.
MAINTENANCE FOOTPRINT: 832 sq. ft.

STORM SEWERS
STORM WATER DETENTION AND DISTRIBUTION SHALL BE UNDERGROUND STORAGE WITHIN THE PARKING AREAS.

LIGHTING
LIGHTING FOR THE APARTMENT COMPLEX SHALL BE WALL PACKS ON THE PROPOSED BUILDINGS.

SETBACK REQUIREMENTS
ZONING: RM36 MULTI-DWELLING DISTRICT
FRONT SETBACK: 25'
REAR SETBACK: 25'
SIDE SETBACK (W): 5'
SIDE SETBACK (S): 10'

PARKING TABULATION (VARIANCE REQUESTED)
PARCEL I:
REQUIRED PARKING = 1.5 Spaces Per Dwelling Unit plus 1 Visitor Space Per 10 Units
= 1.5 x 96 = (96/10) = 154 Spaces
PROVIDED PARKING = 148 REG. + 10 H.C. Spaces
= 158 Spaces = 1.66 Spaces Per Unit
PARCEL II:
REQUIRED PARKING = 1.5 Spaces Per Dwelling Unit plus 1 Visitor Space Per 10 Units
= 1.5 x 96 = (96/10) = 154 Spaces
PROVIDED PARKING = 139 REG. + 11 H.C. Spaces
= 150 Spaces = 1.56 Spaces Per Unit
TOTAL:
REQUIRED PARKING = 1.5 Spaces Per Dwelling Unit plus 1 Visitor Space Per 10 Units
= 1.5 x 192 = (192/10) = 308 Spaces
PROVIDED PARKING = 287 REG. + 21 H.C. Spaces
= 308 Spaces = 1.60 Spaces Per Unit

This drawing and/or specifications is provided as an instrument of service provided by Cash Waggner & Associates, PC and is intended for use on this project only. No drawings, specifications, designs, models, plans, arrangements and components appearing herein constitute the original and exclusive property of Cash Waggner & Associates, PC and may not be used by any person, firm or corporation, nor in furtherance of the proprietary information contained herein, without the prior written consent of the Cash Waggner & Associates, PC in every particular.

Written dimensions shown hereon shall take precedence over scaled dimensions. Contractor shall verify and become acquainted dimensions. Notify Cash Waggner & Associates, PC of any discrepancies before proceeding with the work. Any work done after discovery of such discrepancies shall be done entirely at contractor's own risk. Commencement of work constitutes acceptance of existing conditions.

Application of a material or equipment to item installed in whole assemblies, components of that item and assumption of responsibility for satisfactory performance.

STATE OF OHIO NATHAN R WAGGNER E-69982 REGISTERED PROFESSIONAL ENGINEER
SIGNATURE 26 Sept 22 DATE

CASH WAGGNER & ASSOCIATES, PC
CONSULTING | ENGINEERING | SURVEYING

402 East 13th Street
Suite 101
Jasper, IN 47546
PH: 812.634.5015
FAX: 812.634.5017
CELL: 812.631.3964
EMAIL: NWAGGNER@CASHWAGGNER.COM
www.CashWaggner.com

REVISIONS	NO.	DATE	BY	DESCRIPTION
	1	mm.dd.yy	JBD	Description
	2			
	3			
	4			
	5			

PROJECT NO.: Number
DRAWN BY: NEW
CHECKED BY: DJH
FILENAME: 4682Sec.dwg
LAYOUT TAB: Development
SCALE: As Shown

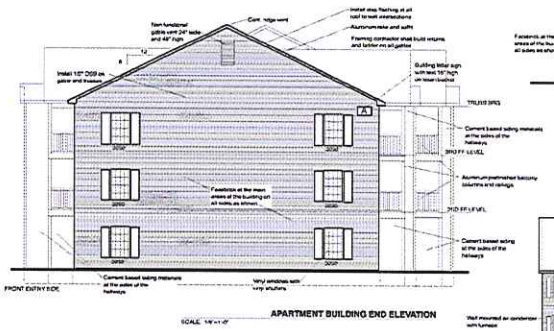
PROJECT: TOLEDO PLACE APARTMENTS
1301 & 1302 LINDEN LANE
TOLEDO, OHIO 43615
SHEET TITLE: DEVELOPMENT SITE PLAN

DATE: 09.26.22
DRAWING NO.: C-1.0
SH 1

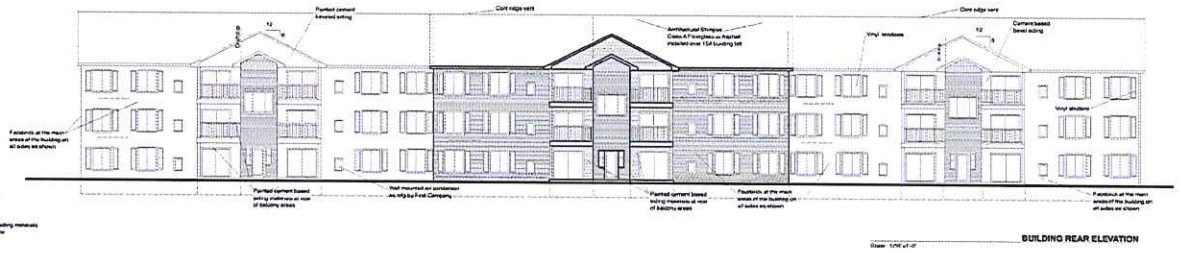
ELEVATIONS

SUP-4014-22
ID 107

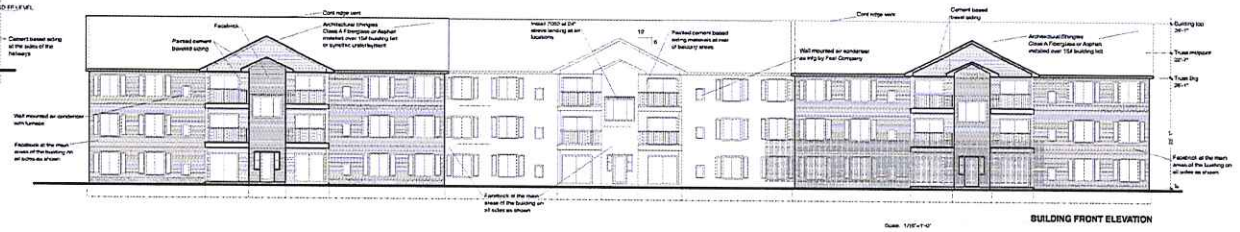
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APARTMENT BUILDING END ELEVATION



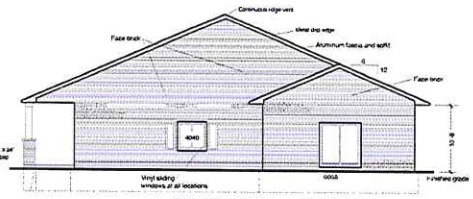
BUILDING REAR ELEVATION



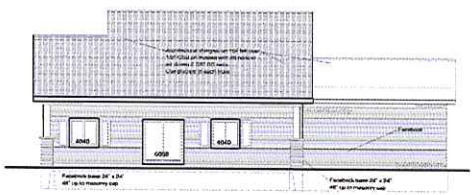
BUILDING FRONT ELEVATION



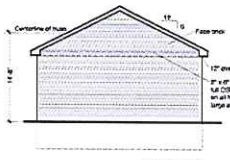
NORTH ELEVATION VIEW—OFFICE BUILDING



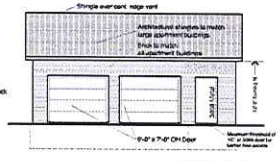
SOUTH ELEVATION VIEW—OFFICE BUILDING



WEST ELEVATION VIEW—OFFICE BUILDING



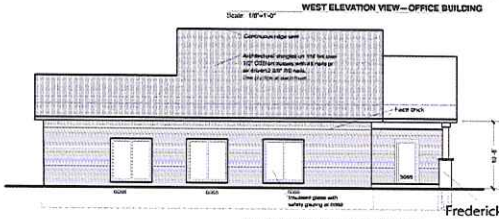
TYP. END VIEW



FRONT ELEVATION



REAR ELEVATION



EAST ELEVATION VIEW—OFFICE BUILDING

Frederick W Mahoney Digitally signed by Frederick W Mahoney Date: 2022.04.27 10:25:14 -04'00'

Architect's Seal

Date 4/27/2022

PAGE:	DATE:	ARCHITECT	PROJECT	REVISIONS
ELEVATIONS A-1	4/27/2022	Architectural Resources, LLC 321 Woodland Pass East Lansing, Michigan 48823 Phone: 517-974-0902 mdarpworchitect@gmail.com Frederick W. Mahoney Architect OHIO A97-11773	BUILDING TYPE ELEVATIONS TOLEDO PLACE APARTMENTS Toledo, Ohio	

CONCEPTUAL RENDERING

SUP-4014-22
ID 107



Latsko, Jonathan

From: Latsko, Jonathan
Sent: Thursday, October 27, 2022 3:01 PM
To: Kroma, Andrea
Cc: Langenderfer, Natalie; Soncrant, Christy; Brzuchalski, Brad
Subject: RE: Water Pressure Question

Excellent information! Thanks Andrea! and everyone for getting me to the right info to share when it comes up.

Best,

Jonny Latsko
City Planner | He/Him
Toledo-Lucas County Plan Commissions

From: Kroma, Andrea <ANDREA.KROMA@toledo.oh.gov>
Sent: Thursday, October 27, 2022 2:56 PM
To: Latsko, Jonathan <Jonathan.Latsko@toledo.oh.gov>
Cc: Langenderfer, Natalie <Natalie.Langenderfer@toledo.oh.gov>; Soncrant, Christy <CHRISTY.SONCRANT@toledo.oh.gov>; Brzuchalski, Brad <Brad.Brzuchalski@toledo.oh.gov>
Subject: RE: Water Pressure Question

Jonny,

I wouldn't expect a noticeable change in water pressure on a typical day.
I am not aware of pressure complaints in the area.

Regarding the 2004 concerns, I don't have a copy of the comments but I believe the nature of it would have been that at that time, the entire neighborhood – Linden, Shadowlawn, Hilltop etc. – was supplied water from a single connection to the water mains in Dorr Street. See attached map. In 2010, we constructed several improvements. First, we "looped" the Linden neighborhood to the neighborhood to the west, via a new 8" water main that is highlighted towards the bottom of the map. We also reinforced the water feeds into the western neighborhood, by looping water mains in four streets to the water mains in Dorr Street (also highlighted on the map). These "loop" projects were constructed to improve redundancy of water supply to both neighborhoods and improve the available fire flow. Daily water pressure likely may have changed only slightly.

Coincidentally, the 8W and 24W in Dorr Street were also replaced in 2010, as part of a large diameter steel water main replacement project.

Regards,

Andrea K. Kroma, P.E.
Senior Professional Engineer – Water Planning & Design

TOL
City of Toledo

Department of Transportation
Division of Engineering and Construction Management

600 Jefferson Avenue, Suite 300
Toledo, OH 43604
419-936-2163

From: Langenderfer, Natalie <Natalie.Langenderfer@toledo.oh.gov>
Sent: Thursday, October 27, 2022 9:38 AM
To: Kroma, Andrea <ANDREA.KROMA@toledo.oh.gov>
Cc: Latsko, Jonathan <Jonathan.Latsko@toledo.oh.gov>
Subject: RE: Water Pressure Question

Andrea,

Do you have any input from the Distribution Model on this area? I am not aware of any complaints from the area but that would be routed through Engage Toledo and likely sent to Water Distribution versus here.

Natalie Langenderfer, P.E.
Staff Professional Engineer
Collins Park Water Treatment Plant
3040 York Street
Toledo, Ohio 43605

Office: 419-245-3172
Cell: 419-508-3912

From: Latsko, Jonathan <Jonathan.Latsko@toledo.oh.gov>
Sent: Thursday, October 27, 2022 8:47 AM
To: Langenderfer, Natalie <Natalie.Langenderfer@toledo.oh.gov>
Subject: Water Pressure Question

Hi Natalie,

Brad in water told me you might be able to point me in the right direction on this question:

We've got a new development at 1301 & 1302 linden lane proposed for 6 apartment buildings and some of the neighbors in the subdivision behind it are concerned it'll impact their water pressure – siting previous concerns that came up in a development proposed back around 2004.

I was curious if you've gotten any complaints/seen any issues with water pressure in that area or know of any reason it may be negatively impacted.



Jonny Latsko
City Planner | He/Him
Toledo-Lucas County Plan Commissions
1 Government Center, Suite 1620,
Toledo, OH 43604
419.245.1200 Office / 419.936.2130 Direct

Toledo needs you! Get involved in the Forward Toledo Plan
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Website | Zoning Code | Zoning Map | Permit Planner

Latsko, Jonathan

From: jadavis1@bex.net
Sent: Thursday, May 26, 2022 3:43 PM
To: Latsko, Jonathan
Subject: PUD -4014-22

Jonathan, per our conversation yesterday, here are my thoughts opposing the apartment development in the Inverwest Condo Development off Dorr.

1. Inverwest is a condo development with apartments scattered through out the neighborhood. There is only one entrance and exit, that is Linden Ln. which is a blvd where this development is planned. How do cars come and go, especially during morning and evening busy times to get on Dorr? Are they planning on making 'cuts' on Linden for their traffic flow?
2.Density: The Oasis has 80 apartments. Many of their renters park on Linden and the surrounding streets which hinders traffic flow now. There are also at least 55 other apartments in 10 buildings in the development. We're already saturated.
3.Water drainage. The lots are higher than the road. Are they proposing underground 'catch basins' on the lots?
4. Water usage. What will the proposal do to our water pressure?
5. I believe a similar proposal was rejected by the Plan Commission and City Council in 2005 for similar reasons. Why is this developer making essentially the the same proposal?

John Davis
1005 Hilltop Ln.
Toledo, OH 43615
419 304-1211

Date	Contact	Initials
5/25/22	John Davis 419-304-1211 – OPPOSED, concerns about water pressure issues from past, as well as impact on property value	JGL
5/25/22	Gen. Manager of Inverness Club – Gen Inq	JGL
7/12/22	Michelle Bradley – 419-205-0753 – Gen Ing	JGL
7/14/22	Joey – 740-802-0748 – Gen Inq	JGL
7/14/22	Cynthia Baumberger – 419-351-9252 – 920 Hilltop	JGL
	Notes: concerns with the traffic count the development generate specifically the light on linden is not timed to accommodate the capacity. Additionally, the boulevard may create unsafe conditions due to confusion. Wants to preserve greenery.	JGL
7/14/22	Sandra Crowe – 926 Linden Lane and owns 909 and 911 Shadow Lane – 419-806-7686 OPPOSED due to traffic concern	JGL
7/14/22	Steve Franklin – 942 Linden Lane – 419-531-1703 – OPPOSED due to traffic concern	JGL
7/20/22	Neighbor Concerned about signs	JGL

Gibbons, Julie

From: jadavis1@bex.net
Sent: Wednesday, November 30, 2022 2:51 PM
To: *City Council
Subject: IMPORTANT PUD-4014-22

Toledo City Council:
Your are going to be asked to vote on this proposal to build six three story apartment buildings on Linden Ln. that will have 192 apartments which will overload our neighborhood. I, along with the residents of the Inverwest Condominiums and The Oasis Apartments are against this proposal. If you have time between now and Dec. 7, I encourage you to drive out Sylvania Ave. just past King and the Kroger Store to Sylvan Ave. on the south and look at what the developer is proposing. Ground breaking on this unfinished project started two years ago. You can find a similar unfinished project in Waterville. Additionally, this proposal to build these apartments will take away from the continuity of the condos and The Oasis apartments and our neighborhood. The builders of the condos and the Oasis apartments incorporated quioning to give all a unique appearance. Please be aware, that we the residents of this neighborhood are totally opposed to the proposal to build these apartments. We will present other major issues at the council meeting.

John Davis
1005 Hilltop Ln.
Toledo, OH 43615

Gibbons, Julie

From: Schultz, Kathy <Kathy.Schultz@utoledo.edu>
Sent: Wednesday, December 7, 2022 9:32 AM
To: *City Council
Subject: PUD-4014-22

To City Council Members,

Re: PUD-4014-22

I am writing to tell you that I am in complete opposition of six apartment buildings being built near our properties. There is only one road, Linden Lane, for residents to exit our neighborhood. With that being said, if apartments are built, it will create extreme congestion at the Linden/Dorr St. intersection. Additionally, there will be overflow parking on the streets.

I also anticipate a loss in value of my property which is unacceptable. I worked hard to afford my home and do not want to lose money when selling it because of apartments.

Please, stop this!

Thank you,
Kathy Schultz
1101 Shadow Lane
Toledo, OH 43615
419-277-8650


HAVEN RD N
SHADOW LN
GAITHNESS APARTMENTS
LINDEN LN
MAPLE LN
HILLTOP LN
PINE VALLEY LN

