

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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DATE: January 13, 2022

REF: V-589-22

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

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

SUBJECT: Vacation of a portion of right-of-way located west of the relocated Angola Road & Airport Highway

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, January 12, 2023 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Vacation of a portion of right-of-way located west of the relocated Angola Road & Airport Highway
Applicant	-	Ace Appliance 3724 Airport Hwy Toledo, OH 43615
Surveyor	-	George Oravec P.O. Box 38 Maumee, OH 43537

Site Description

Zoning	-	CR / Regional Commercial
Area	-	± 0.06 Acre
Frontage	-	±85' along Angola Road ±57' along Airport Highway
Dimensions	-	±57'x52'
Existing Use	-	Lawn
Proposed Use	-	Parking lot for neighboring commercial use

Area Description

North	-	RS6 / Vacant
South	-	CR / Single Family, Medical Office
East	-	CR / Intersection of Airport & Angola, Vacant
West	-	West / Commercial, Warehouse

GENERAL INFORMATION (cont'd)

Parcel History

No case history on record

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting the vacation of a portion of right-of-way located west of the relocated Angola Road & Airport Highway. To the north of the site is vacant land and a single-family home, to the south are single family homes and medical offices, to the east is the intersection of Angola and Airport, as well as vacant land, and to the west is the commercial property owned by the applicant. The applicant has requested the vacation in order to extend the commercial business's parking area.

Angola Road and Airport Highway originally intersected at an approximately ± 25 -degree angle; in 2008 Angola Road was relocated in order to create a ± 80 -degree intersection. The relocation process resulted in a remnant portion of right-of-way directly east of the applicant's existing commercial business. The remnant land has been curbed, supplied with the necessary, sidewalk, and otherwise left a vacant lawn. Vacation of the remnant would remove unnecessary and unusable land from the right-of-way, and put it to productive use as a portion of the applicant's parking area. Vacation does not result in a loss of access for any properties. Based on pre-submittal concept drawings, the applicant's parking lot extension shall likely be reviewed administratively as a minor site plan review, in which appropriate transportation, engineering, zoning, fire, environmental, and utility considerations will be considered.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets neighboring parcels for Neighborhood Commercial land uses. Neighborhood commercial land uses are predominantly small and medium scale commercial uses that serve neighborhoods. Small and medium scale office and mixed uses may be included. The proposed vacation allows for the extension of a use that fits the Neighborhood Commercial land use description – therefore the proposed vacation conforms to the Toledo 20/20 Comprehensive Plan.

The staff recommends approval of the vacation because it will not result in a loss of access for abutting properties, and the proposed vacation conforms to the 20/20 Comprehensive Plan.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of V-589-22, the request to a portion of right-of-way located west of the relocated Angola Road & Airport Highway, to Toledo City Council for the following two (2) reasons:

1. The proposed Vacation does not result in a loss of access for abutting properties; and,
2. The proposed Vacation conforms to the Toledo 20/20 Comprehensive Plan (TMC§1111.0606(A) – *Review & Decision-Making Criteria*).

The Toledo City Plan Commission further recommends approval of V-589-22, the request to vacate a portion of right-of-way located west of the relocated Angola Road & Airport Highway subject to the following **one (1)** condition:

The conditions of approval are as follows and listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions

Division of Transportation

1. Within the limits allowed by law, the applicant shall indemnify the City of Toledo, its officials, agents or employees, from any and all claims, demands, causes of action, suits, or liability in connection with the performance of any and all acts authorized for permitted under this vacation. Said indemnification language shall be contained within and evidenced by the endorsement on a certified copy of a final vacating legislation by the owner which indemnification shall be kept in the permanent file of the Clerk of Council.

Respectfully Submitted,



Thomas C. Gibbons
Secretary

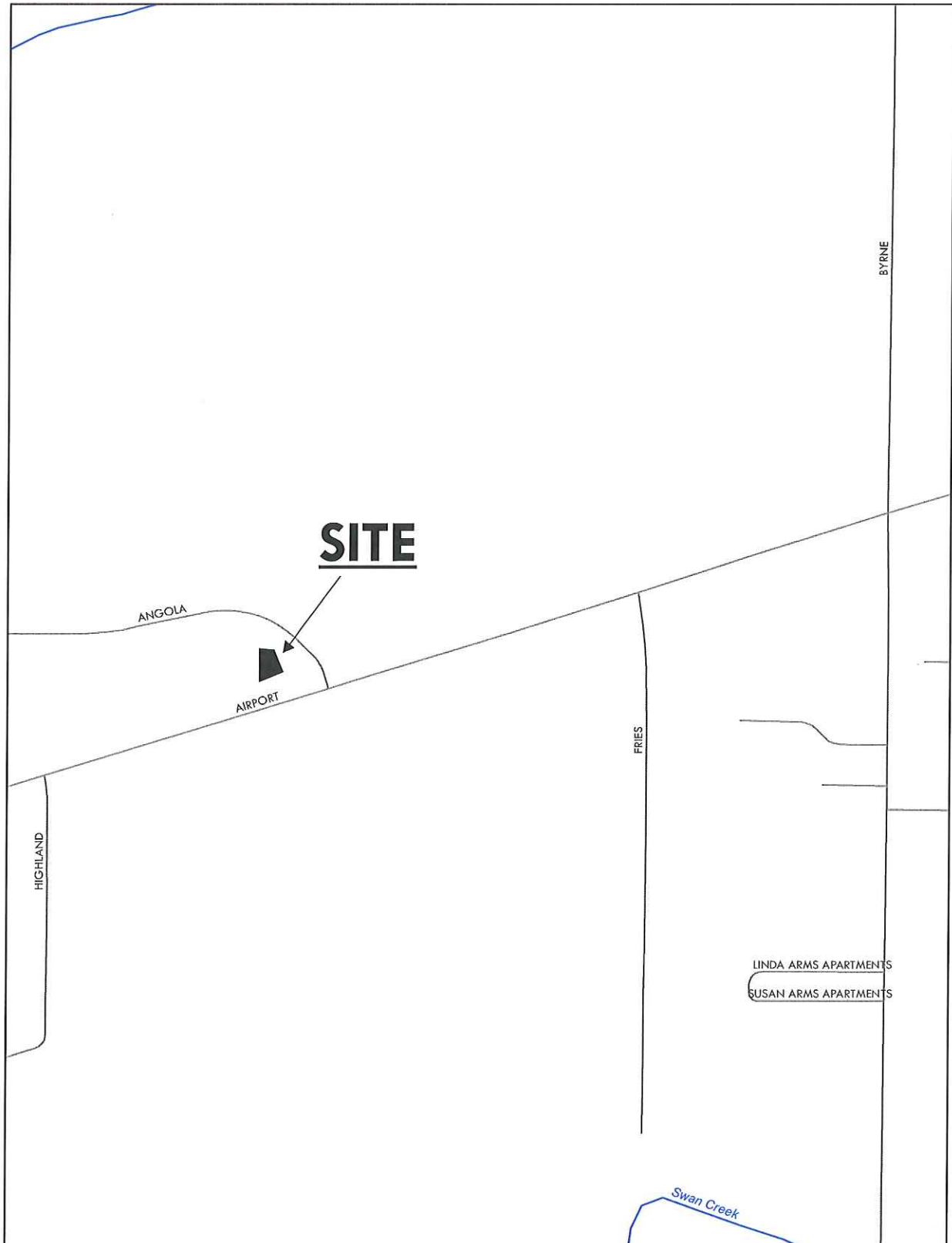
JGL

Two (2) sketches follow

Cc: Ace Appliance 3724 Airport Hwy Toledo, OH 43615
George Oravec P.O. Box 38 Maumee, OH 43537
Commissioner, Division of Transportation
Lisa Cottrell, Administrator
Jonny Latsko, Planner

GENERAL LOCATION

V-589-22
ID 85



ZONING & LAND USE

V-589-22
ID 85



ZONING & LAND USE

V-589-22
ID 85

