

REF: V-153-23  
DATE: May 11, 2023

## GENERAL INFORMATION

### Subject

- |           |   |  |
|-----------|---|--|
| Request   | - | Vacation of Portion of Walbridge Avenue East of the Intersection of Walbridge Avenue and Morton Street |
| Applicant | - | Brandon Sehlhorst<br>Economic Development<br>One Government Center<br>Toledo, OH 43604                 |

### Site Description

- |              |   |   |
|--------------|---|---|
| Zoning       | - | RD6/Duplex Residential, IL/Limited Industrial & POS/Park and Open Space |
| Area         | - | ± 1.56 acres  |
| Frontage     | - | ± 80' along Walbridge Avenue  |
| Dimensions   | - | ± 80' x 226' and 694' x 106'  |
| Existing Use | - | Open Space  |
| Proposed Use | - | Materials Recycling Facility (MRF)                                      |

### Area Description

- |       |   |   |
|-------|---|---|
| North | - | IL / Vacant Lots, I-75 R.O.W, Warehouse     |
| South | - | RD6, POS / Open space, Port Authority, I-75 |
| East  | - | POS / Open Space, Vacant Lot                |
| West  | - | RD6 / Single-family Homes                   |

### Parcel History

None on file

### Applicable Regulations

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

## STAFF ANALYSIS

The applicant is requesting the vacation of an unimproved Right of Way (R.O.W) east of the intersection of Walbridge Avenue and Morton Street. The R.O.W is a remnant of the Fassett Street Bridge that collapsed on April 5, 1957. The bridge connected Walbridge Avenue with Fassett Street. To the north of the R.O.W are vacant lots, Interstate 75 and a commercial warehouse, to the east are open space and vacant lots, to the west are single-family homes and to the south is an open space as well as Interstate 75 and an industrial site owned by the Toledo-Lucas County Port Authority commonly known as the Andersons Grain Silos. On March 21, 2023, City Council approved a declaration of intent (*Res. 153-23*) to vacate the requested portion of Walbridge Avenue.

The vacation is intended to support the development of a Materials Recovery Facility (MRF) that will process recyclable materials from both the City of Toledo and Lucas County. Lucas County Economic Development Corporation recently acquired a parcel at 173 South Avenue located between Interstate 75 and the Maumee River. This is to construct the MRF. Future development of this area shall be subject to Maumee Riverfront Overlay District review guidelines and Site Plan Review. The R.O.W has not been in use after the Fassett Street Bridge collapsed.

### Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan future land use designates this area as Parks and Open Space, Urban Agriculture and Utilities. The Parks and Open Space land use is intended to preserve and enhance major open space and recreational areas. It may also be applied to privately-owned open space areas within residential developments. Furthermore, Urban Agriculture land use is aimed for moderate farming operations such as gardens, hoop houses, fish farms and livestock. Finally, Utilities land use is intended for infrastructure services provided by a private or public agency that includes water, sanitary, landfills and airports. The proposed vacation conforms with the Toledo 20/20 Comprehensive Plan as development of this land will be for a public facility.

Staff recommends approval of the requested vacation because the proposed Vacation conforms to the Toledo 20/20 Comprehensive Plan.

## STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of V-153-23, the request for the vacation of portion of Walbridge Avenue east of the intersection of Walbridge Avenue and Morton Street, to Toledo City Council for the following reason:

1. The proposed Vacation conforms to the Toledo 20/20 Comprehensive Plan

The staff further recommends that the Toledo City Plan Commission recommend approval of V-153-23, the request for vacation of portion of Walbridge Avenue east of the intersection of Walbridge Avenue and Morton Street subject to the following **four (4)** conditions:

**STAFF RECOMMENDATION (cont'd)**

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.

Engineering Services

Does not objection to the approval of this vacation.

Law Department

1. Within the allowed limits 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 or permitted under this vacation. Said indemnification language shall be contained within and evidenced by the endorsement on a certified copy of the final vacating legislation by the owner which the indemnification shall be kept in the permanent file o the Clerk of Council.

Transportation Services

The Division of Transportation does not object to the approval of the vacation by the Plan Commission.

Fire Prevention

Does not object to the approval of this vacation

Division of Streets, Bridges and Harbor

Does not object to the approval of this vacation.

Columbia Gas

No comments at the time of publication

AT&T (Ohio)

No comments at the time of publication

Toledo Edison

No comments at the time of publication

**STAFF RECOMMENDATION** (cont'd)

Buckeye Cable System Inc.

2. Buckeye Cablevision, Inc., dba Buckeye Broadband has aerial cable on the Toledo Edison Pole line that lies within the Walbridge Avenue Right-of-Way. Buckeye will need to maintain access to its facilities.

TARTA

No comments at the time of publication

Lucas County Solid Waste Management District

Does not object to the approval of this vacation

Republic Services

Does not object to the approval of this vacation

Plan Commission

3. The proposed vacation cannot result in the loss of access for any abutting properties.
4. A Site Plan Review and Maumee Riverfront Overlay District Review shall be required for any future developments within the vacated area in accordance with the provisions of the Toledo Municipal Code.

RIGHT OF WAY VACATION  
TOLEDO CITY PLAN COMMISSION  
REF: V-153-23  
DATE: May 11, 2023  
TIME: 2:00 PM

CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: June 14, 2023  
TIME: 4:00 P.M.

ET

Three (3) sketches follow

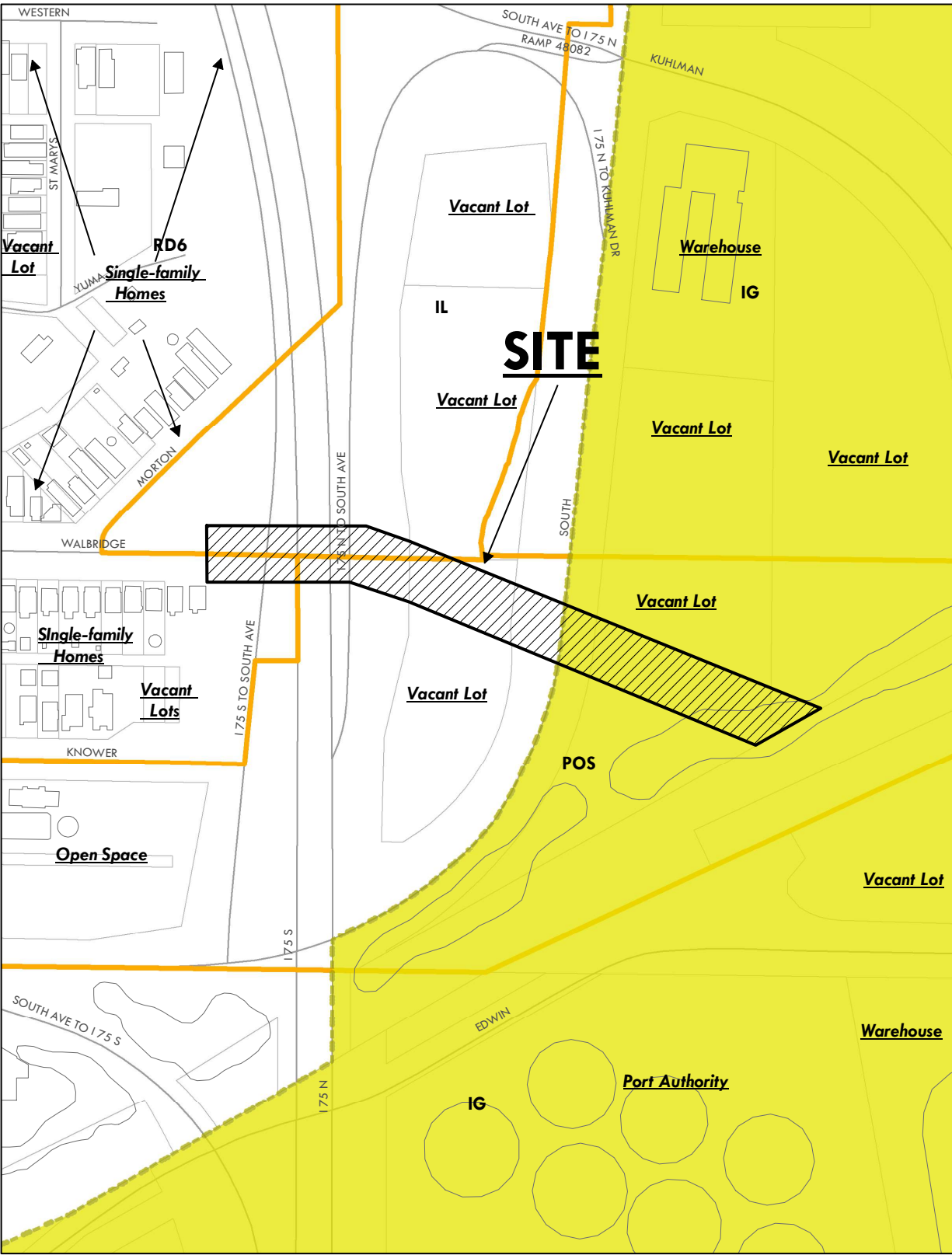
GENERAL LOCATION

V-153-23  
ID 126



# ZONING & LAND USE

V-153-23  
ID 126



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**V-153-23**

# EXHIBIT

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