



TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

ONE GOVERNMENT CENTER, SUITE 1620, TOLEDO, OHIO 43604

PHONE 419-245-1200 FAX 419-936-3730

THOMAS C. GIBBONS, DIRECTOR



DATE: August 10, 2018

REF: SUP-6008-18

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 gas station and grocery store at 3516 Airport Highway

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, August 9, 2018 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for a gas station and grocery store
Location	-	3516 Airport Highway
Applicant	-	Family Video Movie Club, Inc. C/O: George Mavrogenes 1022 East Adams Street Springfield, IL 62703
Contact	-	Circle K – Great Lake Region C/O: Savannah Van de Kamp Peet 935 East Tallmadge Avenue Akron, OH 44130
Engineer	-	Wellert Corporation C/O: Robert Wellert 5136 Beach Road Medina, OH 44256

Site Description

Zoning	-	CR / Regional Commercial
Area	-	±1.99 acres
Frontage	-	±297' along Airport Highway
Frontage	-	±167' along South Byrne Road
Existing Use	-	Video Rental Store
Proposed Use	-	Gas Station and Grocery Store
Overlay	-	None
Neighborhood Org.	-	Highland Heights Neighborhood Assoc.

GENERAL INFORMATION (cont'd)

Area Description

North	-	Used Auto Sales / CR
South	-	Restaurant, Single Family Dwellings / CR
East	-	Restaurant / CR
West	-	Car Wash / IL

Parcel History

Z-88-90	-	Request for Zone Change from M-1 Limited Industrial, to C-3 Regional Commercial. Plan Commission recommended approval on 3/1/90, approved by City Council 3/14/90, Ord. 312-90.
D-12-92	-	Request for a drive-thru for a Hot n' Now fast food restaurant. Plan Commission recommended approval on 6/12/92.
SUP-12002-17	-	Request for a Special Use Permit to develop a gas station and grocery store. Plan Commission recommended approval on 4/12/18, approved by City Council 5/22/18, Ord. 199-18.

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for the development of a gas station and grocery store for a site located at 3516 Airport Highway. The site consists of two (2) parcels comprised of ±1.99 acres of total land area. The site is zoned CR Regional Commercial and is located at the major arterial intersection of Airport Highway and Byrne Road. This request was originally heard at the December 8, 2017 Plan Commission hearing but was deferred at the request of the applicant in order to work through site boundary and layout issues. Once the site boundaries were established through a professional survey the applicant produced an acceptable site plan that was ultimately approved by City Council on May 22, 2018.

STAFF ANALYSIS (cont'd)

The site is currently occupied by a Family Video Retail Store that was built in 1998. The original Special Use Permit review was to convert the existing video rental store into a use for fuel and grocery sales. The applicant is now proposing to redevelop the site in a much different configuration and thus requires a new Special Use Permit. Among the changes, the site plan depicts a carwash and access lane to be developed at a future date. (At such time that said development occurs, the applicant will be required to submit for an amendment to this Special Use Permit).

The applicant is proposing to develop a new $\pm 5,085$ square foot structure to be used as grocery sales with gasoline and fuel sales. Site modifications include the demolition of the existing building, addition of two (2) new underground fuel storage tanks, six (6) fueling dispenser islands with gas pumps (able to accommodate a total of 12 customers), and a new 24' x 154' canopy. Vacuum and air machines are also a new addition. Free air (with the capability of filling standard automobile tires), water, and restrooms are required to be provided and maintained during operating hours of the station (TMC§1104.0903.D).

Surrounding land uses include a used auto sales lot across to the north. To the east across South Byrne Road is a fast-food restaurant. To the west is a commercial car wash, and to the south across Airport Highway is a fast-food restaurant and single family dwelling.

Land Use Regulations

New Gasoline and Fuel Sales facilities that are proposed within a CR district and which are within 200 feet of a major street intersection as identified on the Street and Highway Plan with lot frontage on each street shall be presumed to be at a proper location but shall be subject to review with respect to such development and other standards as are applicable under the Zoning Code. The subject site meets these criteria.

Any store with a floor area of less than 5,000 square feet is considered to be a convenience store and is subject to spacing regulations of TMC§1104.0603. The existing building above this threshold and therefore not subject to spacing requirements.

Building Design

The intent of building design standards is to ensure a base level of quality architecture that is responsible to its context and contributes to the established architectural character of an area. Predominate exterior building materials shall be high-quality materials. For facades visible from the public right-of-way, predominate materials must comprise at least seventy-five percent (75%) of the total wall area of the façade. The building materials shall meet the requirements of TMC§1109.0500 Building Façade Materials and Color. Exterior building materials shall not include concrete blocks, concrete panels or wood sheet goods.

STAFF ANALYSIS (cont'd)

Building Design (cont'd)

Support columns for the fueling station canopy are required to be constructed of brick, have a brick base, or made of any other durable materials compatible with the principle building. The depicted location of the canopy meets the required setback of ten (10) feet from the property line and the submitted elevations depict canopy columns that are constructed of brick. Both the location of the canopy and building material of the canopy columns are in compliance with TMC§1104.0903.

Primary façade materials consist primarily of stone masonry, brick masonry, and E.I.F.S. Pursuant to TMC§1109.0501.6 – *Façade Materials*, exterior insulation and finish systems (E.I.F.S) or equivalent product is only acceptable when thirty-six (36") inches above grade and not within an entryway, and comprising less than fifteen (15%) percent of the façade. The south elevation utilizes forty (40%) E.I.F.S and is not in compliance with the Toledo Municipal Code. The brick masonry is acceptable however, the installation shall be of ½ course founders brick. Furthermore, TMC§1109.0502 requires the use of low-reflectance, subtle, neutral or earth tone materials throughout the development. The bright red accents on the building's facades and on the bollards located in front of the building are not in compliance.

At least one (1) main entrance of any commercial, mixed-use, or institutional building shall face and open directly onto a five (5') foot wide connecting walkway to the street sidewalk without requiring pedestrians to walk around buildings or around parking lot outlines which are not aligned to a logical route. Connecting walkways may cross parking aisles or driveway if distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, scored concrete or scored and painted asphalt to enhance pedestrian safety and comfort. The site plan is in compliance with this requirement.

Parking and Circulation

The site is accessed via one (1) access point along Airport Highway and one (1) along Byrne Road. The site plan indicates the new fuel pumps and canopy will be oriented towards Airport Highway but are easily accessible from both curb cuts. TMC§1107.1203 – *Street Access* states: Ingress and egress to a parking lot in a Commercial or Industrial zoning district must be from a major street or from a street location in a Commercial or Industrial district with Commercial or Industrial zoning on the opposite side of the street. The site is plan is in compliance with this regulation.

STAFF ANALYSIS (cont'd)

Parking and Circulation (cont'd)

Pursuant to TMC§1107.0304 *Parking, Loading, and Access* grocery sales or *Food and Beverage Sales* are subject to Schedule “B” while gasoline and fuel sales land use are subject to the parking requirements of – Schedule “A”. The parking requirements are one (1) parking space per pump (count as if parked at pump) plus one (1) parking space per 300 square feet of building area. Calculations conclude that twenty-three (29) parking spaces are required. The site plan is in compliance.

The site plan submitted depicts a total of forty-four (44) parking spaces on site. The Toledo Municipal Code requires that a 10' x 20' stacking space be included at the gas pumps while maintaining a 25' drive aisles to accommodate two-way traffic site-wide. Transportation is requiring additional stacking spaces on the north side of the canopy and a ten (10') foot right-of-way take. Compliance can be achieved by eliminating the proposed parking row that abuts Airport Highway and shifting the proposed location of the canopy and pump islands southward. A revised site plan showing compliance shall be submitted for approval.

A portion of the total number of required off-street parking spaces in each off-street parking area must be specifically designated, located, and reserved for use by persons with physical disabilities. According to TMC§1107.1701 – *Number of Required Parking Spaces for Persons with Disabilities*, the applicant is required to provide at least two (2) accessible parking space for persons with physical disabilities. The site plan submitted depicts accessible parking spaces close to the entrance and is in compliance with this regulation.

Bicycle parking slots shall be provided pursuant to Off-Street Parking Schedule “A” (TMC§1107.0300). Off-Street Parking Schedule “A” requires one (1) bicycle parking slot per ten (10) parking spaces. Calculations conclude that a total of four (4) bicycle parking slots are required. The site plan submitted does not depict compliance with this regulation. Listed as a condition, a revised site plan will be required to show compliance with the appropriate number of bicycle parking spaces.

Landscaping

The Toledo Municipal Code requires minimum fifteen (15') feet frontage greenbelts to be provided along any public right-of-way abutting the property. These greenbelts must be on the applicant's property and not in the right-of-way. The applicant has submitted a landscape plan indicating compliance with this requirement.

STAFF ANALYSIS (cont'd)

Landscaping (cont'd)

At least one (1) tree must be provided for every thirty (30') feet of lot frontage or fraction thereof. Trees are not required to be evenly spaced and may be clustered. The frontage greenbelt along Airport Highway is required to 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. Planting required to meet this section are not permitted to be located in the public right-of-way. Furthermore, foundation plantings are required along all portions of the building that are visible from the public right-of-ways and landscaping at all major building entrances. A landscape plan that shows compliance with these regulations shall be submitted for review and approval.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for CN Neighborhood Commercial land uses. The intent of this designation is to accommodate pedestrian oriented small-scale retail and service businesses that serve nearby residential areas. The Plan makes recommendations that are intended to improve the quality of life in neighborhoods and make them more attractive for current and future residents. The proposed development conforms to the intent of this land use designation and is compatible with adjacent uses in terms of scale, site design, and operating characteristics.

Staff recommends approval of the gasoline station and grocery store because the proposed development conforms to the intent of the current zoning designation and is compatible with adjacent uses in terms of scale, site design, and operating characteristics. Additionally, the proposed use will not negatively affect the value of other property in the neighborhood in which it is located.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-6008-18, a request for a Special Use Permit for a gas station and grocery store located at 3516 Airport Highway, to the Toledo City Council, for the following three (3) reasons:

1. The proposed use meets the stated purpose of the Zoning Code (TMC§1111.0706.A).
2. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (TMC§1111.0706.C).
3. The proposed use will not negatively affect the value of other property in the neighborhood in which it is located (TMC§1111.0706.D).

PLAN COMMISSION RECOMMENDATION (cont'd)

The Toledo City Plan Commission recommends approval of SUP-6008-18, a request for a Special Use Permit for a gas station and grocery store located at 3516 Airport Highway, to the Toledo City Council, subject to the following **sixty-one (61)** 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.

Engineering Services

1. A pre-submittal meeting is not required, however one may be requested. Contact information is as follows:

Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850
Right-of-Way and Inspection: Joe Warnka 419-245-1341
Roadway: Tim Grosjean, ph. 419-245-1344
Water: Andrea Kroma, ph. 419-936-2163
Stormwater Drainage: Lorie Haslinger, ph. 419-245-3221;
Andy Stepnick 419-245-1338
Sanitary Sewers: Mike Elling, ph. 419-936-2276

2. 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.
3. 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.
4. 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.

Contact Joe Warnka at (419) 245-1341 for inspection of above mentioned items.

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

STAFF RECOMMENDATION (cont'd)

Engineering Services (cont'd)

6. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
7. If existing water service lines are not to be reused, they shall be abandoned by the City of Toledo at the developer's expense.
8. Plans for new water service lines or modifications to the existing water service lines shall be submitted to the Division of Engineering Services for review and approval. New water taps will be installed by City of Toledo at the developer's expense.
9. The water meter setting detail, including meter bypass and backflow preventer, shall be submitted to the City of Toledo Backflow Prevention Coordinator, 401 S. Erie Street, Toledo, OH 43602 for review and approval.
10. 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 (419-245-1395) to verify the backflow prevention requirements for this site.
11. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.
12. The City of Toledo requires that all sites proposing earth disturbing activities of 2,500 sq. ft. or more (including an overall common plan of development) and/or the installation of storm sewer services be reviewed and approved by the Division of Engineering Services prior to the start of any construction or earth disturbing work (grading, clearing, stockpiling, etc.)
13. The following documents shall be submitted for review and approval. The submittal can be made through Building Inspection One-Stop-Shop or directly the Division of Engineering Services (Andy Stepnick) for stormwater review & approval:
 - Detailed site grading plan
 - Plans and calculations for storm sewer service, stormwater detention and post-construction best management practices (BMP's).

STAFF RECOMMENDATION (cont'd)

Engineering Services (cont'd)

- A Stormwater Pollution Prevention Plan (SWP3) – including a completed submittal cover sheet, contact list, contractor certification form and Ohio EPA SWP3 checklist. The links to these documents can be found at <http://www.tmacog.org/storc/swp3.htm>.
 - Long term maintenance plan and maintenance agreement for Detention and Post-Construction BMP's for long term maintenance of the private facilities. Stormwater Detention and Post-Construction BMP's are required to be maintained into perpetuity.
14. Submittals shall be in compliance with the latest version of the City of Toledo's Infrastructure Design and Construction Requirements <http://toledo.oh.gov/services/public-utilities/engineering-services/plan-review-process/>
 15. All developments are required to provide Stormwater detention, post-construction stormwater best management practices (BMP's) and a stormwater pollution prevention plans (SWP3) plans, in compliance with the latest version of the City of Toledo's Infrastructure Design and Construction Requirements, for all area(s) disturbed regardless of pre-and post-construction land use.
 16. All disturbed land areas over 1 acre must submit an NOI to and obtain a permit from the Ohio EPA.
 17. Post construction BMP's for sites that disturb 2 acres or more (including common plan of development) shall be selected from and designed in accordance with the latest Ohio EPA General Stormwater NPDES Permit Table 4a Extended Detention practices or 4b Infiltration Practices. If an alternate to the NPDES Table 4a or 4b is proposed it must be preapproved by the Ohio EPA prior to submitting a NOI. The OEPA will only consider the use of alternate BMP's where it can be demonstrated that the implementation of a Table 4a or 4b BMP's isn't feasible due to physical site constraints.
 18. Nonresidential properties which have Designs incorporating low impact development solutions, such as grassy swales and bio-retention areas in lieu of curb, storm sewers, and underground detention are encouraged and may be eligible for a percent reduction in the property's stormwater utility fee through the Stormwater Credit Program. Information on this program can be found at <http://toledo.oh.gov/services/public-utilities/engineering-services/stormwater-utility-credit-program/>

STAFF RECOMMENDATION (cont'd)

Engineering Services (cont'd)

19. All storm drainage must be internal and not run off onto adjacent properties.
20. No construction work, including any earth disturbing work will be permitted without approved plans
21. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
22. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.
23. If there are any existing structures to be demolished at the site, the sanitary services to such structures will be killed by the City of Toledo at the developers cost.
24. Any previous kills that were not done at the right-of-way line shall be re-killed at the right-of-way to eliminate any active pipes on the property.
25. Show location of 8" sanitary sewer along Airport Hwy.

Sewer & Drainage Services

26. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
27. S&DS recommends 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 S&DS demonstrating the lines cleaning and integrity.

Environmental Services

28. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.
29. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs.

STAFF RECOMMENDATION (cont'd)

Environmental Services (cont'd)

30. Any green infrastructure measures that can be included to minimize runoff and increase infiltration are highly advisable.
31. Applicant shall maintain compliance with the City of Toledo's stormwater regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential stormwater impacts from the facility, including but not limited to long-term operation and maintenance of both structural and non-structural Best Management Practices.
32. 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 Anti-Noise Laws and Asbestos abatement.

Fire Prevention

33. Approved building address numbers will be visible from the street or road fronting the property. (Ref. Ohio Fire Code 505.1)

Transportation

34. Additional 10' of Right of Way along Airport required for further use by the City of Toledo.
35. 20' stacking shall be provided on both sides of the pumps, a 25' drive aisle nearest the building, and a 17' drive aisle nearest Airport Highway.

Plan Commission

36. A revised site plan shall be submitted indicating compliance with Department of Transportation conditions.
37. All subject lots shall be combined so that the development occupies one (1) parcel.
38. At the time when the proposed future carwash and access lane is to be developed, the applicant is required to submit for an amendment to this Special Use Permit.

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

39. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by an enclosure constructed of high quality materials. Arborvitae, as indicated on the landscape plan shall be maintained around the dumpster indefinitely. **(Dumpster enclosure and landscaping is acceptable as depicted on site plan).**
40. Dumpster/Trash Receptacle Screening states that a dumpster may not be in any required setback or landscape buffers and shall be located as far away from residential areas as possible. **(Acceptable as depicted on site plan).**
41. All four (4) sides of the dumpster must be screened and screening must be a minimum height of six (6) feet in height. Screening materials can be any combination of evergreen plantings, fence or wall structure. Screening should be incorporated into access to the dumpster by using a wooden fence or other opaque device to serve as a gate. **(Acceptable as depicted on site plan).**
42. 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 or to a stormwater treatment facility subject to the regulations approval of the Department of Public Utilities. **(Acceptable as depicted on site plan).**
43. All spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. **(Acceptable as depicted on site plan).**
44. Bicycle parking slots shall be provided pursuant to Off-Street Parking Schedule "A" (TMC§1107.0300). **(Not depicted on site plan. A revised site plan depicting the location and number of bicycle parking slots shall be submitted).**
45. Whenever a parking lot extends to a property line, sidewalk, planting strip, or building, a wheelstop 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)) **(Not depicted on site plan. A revised site plan showing compliance shall be submitted).**

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

46. Intensity, location, and screening of outside lighting, including canopies, especially when abutting a residential district shall be considered. Flat lens lighting shall be used (TMC§1104.0901.D). **(Acceptable as depicted on the submitted lighting study).**
47. Hours of operation may be limited to 5:30 a.m. to 1 a.m., or other hours consistent with a liquor permit issued by the State of Ohio, to reduce detriment to the area (TMC§1104.0901.H).
48. Pump islands shall be set back a minimum of 15 feet from the property line (TMC§1104.0903(B)). **(Acceptable as depicted on the submitted site plan).**
49. Canopies shall be set back a minimum of 10 feet from the property line, and shall be designed to be consistent with the building materials and colors of the principal building. Support columns shall be brick, brick base, or other durable materials compatible with the principle building. The Planning Director may require a peaked roof to complement the principle building (TMC§1104.0903.A). Elevations depict the use of "spec brick" on the canopy columns and building facades. **(Revised elevations depicting ½ course founders brick shall be submitted).**
50. Elevations that depict the use of ½ course founders brick on the building shall be submitted for review and approval.
51. Primary façade materials consist primarily of stone masonry, brick masonry, and E.I.F.S. Pursuant to TMC§1109.0501.6 – Façade Materials, exterior insulation and finish systems (E.I. F. S) or equivalent product is only acceptable when thirty-six (36") inches above grade and not within an entryway, and comprising less than fifteen (15%) percent of the façade. The south elevation utilizes forty (40%) E.I.F.S. **(Not acceptable as depicted on elevation drawing. Revised elevations shall be submitted that show compliance. Additionally, the revised elevations shall depict the use of ½ course founders brick).**
52. TMC§1109.0502 requires the use of low-reflectance, subtle, neutral or earth tone materials throughout the development. The bright red accents on the building's facades and on the bollards located in front of the building are not in compliance. **(Not acceptable as depicted on conceptual rendering. Revised renderings shall be submitted that show compliance).**

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

53. No new 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. **(Acceptable as depicted on the submitted site plan).**
54. Non-petroleum displays must be within 25 feet of the building but not within 25 feet of any right-of-way. The maximum height of such displays shall not exceed 5 feet (TMC§1104.0903.C).
55. Free air (with the capability of filling standard automobile tires), water, and restrooms shall be provided and maintained during operating hours of the station (TMC§1104.0903.D). **(Not clearly defined as depicted on site plan as it pertains to the air machine. A site plan shall be depicted that clearly defines this condition).**
56. Litter receptacle(s) shall be provided for the use of parking area users and others. Litter receptacle(s) are treated as accessory structures and must be maintained according to the requirements of the Toledo-Lucas County Health Department.
57. A detailed site, lighting, fencing and four (4) landscaping plans separate from the building plans shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. A fifteen (15') foot wide greenbelt is required along the South Byrne Road and Airport Highway frontages and must be out of the right-of-way. Calculations conclude that a total of ten (10) trees are required in the frontage greenbelt along South Byrne Road and seven (7) trees are required along Airport Highway. Trees are not required to be evenly spaced and may be clustered. **(The number and species of trees are not acceptable as submitted on the landscape plan. A revised landscape plan shall be submitted showing compliance);**
 - b. Property shall include a solid evergreen hedge planting in the frontage greenbelts to screen the parking lot so that no headlights of any vehicles can be seen from the public street. Planting required to meet this section are not permitted to be located in the public right-of-way. **(Acceptable as submitted on the landscape plan);**

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- c. **If applicable;** a stormwater treatment facility area shall meet the approval of the City of Toledo's Division of Engineering Services and Division of Environmental Services;
- d. Foundation plantings shall be added at the main building's entrance. **(Not acceptable as shown on the landscape plan. A revised landscape plan shall be submitted showing compliance);**
- e. Topsoil must be back filled to provide positive drainage of the landscape area. **(Acceptable as depicted on landscape plan);**
- f. 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. **(Acceptable as submitted on landscape plan);**
- g. 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, trees, shrubs, and landscape materials shall meet the standards included in TMC§1108.0400 Landscape Materials Standards and the State of Ohio Department of Agriculture's invasive plant list **(Acceptable as depicted on site plan);**
- h. All landscape material must be properly maintained. No approved plant material shall be removed for any reason without being replaced with like kind, or without submitting a revised landscape plan to the Planning Director for review or approval.
- i. The land owner, or successors in interest, or agent, if any, or lessee must be jointly responsible for the regular maintenance of all landscape materials as well as any plant material removed.
- j. The location and type of any proposed fencing. Fence shall be a six (6') foot wood, board-on-board privacy fence or wall, as measured from the finished grade of the site. Fencing is subject to the approval of the Director of the City of Toledo Plan Commission. The use of barbed wire is not permitted. **(If applicable);**

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- k. The location, type and direction of any proposed lighting. The lighting is subject to the approval of the Director of the City of Toledo Plan Commission, lights are to be directed away from adjacent residential properties. **(Acceptable as depicted on lighting study)**
- 58. 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.
- 59. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
- 60. 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.
- 61. 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.

TO: President Matt Cherry and Members of Council
August 10, 2018
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REF: SUP-6008-18

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Thomas C. Gibbons". The signature is fluid and cursive, with the first name "Thomas" being more prominent.

Thomas C. Gibbons
Secretary

GP
Nine (9) sketches follow

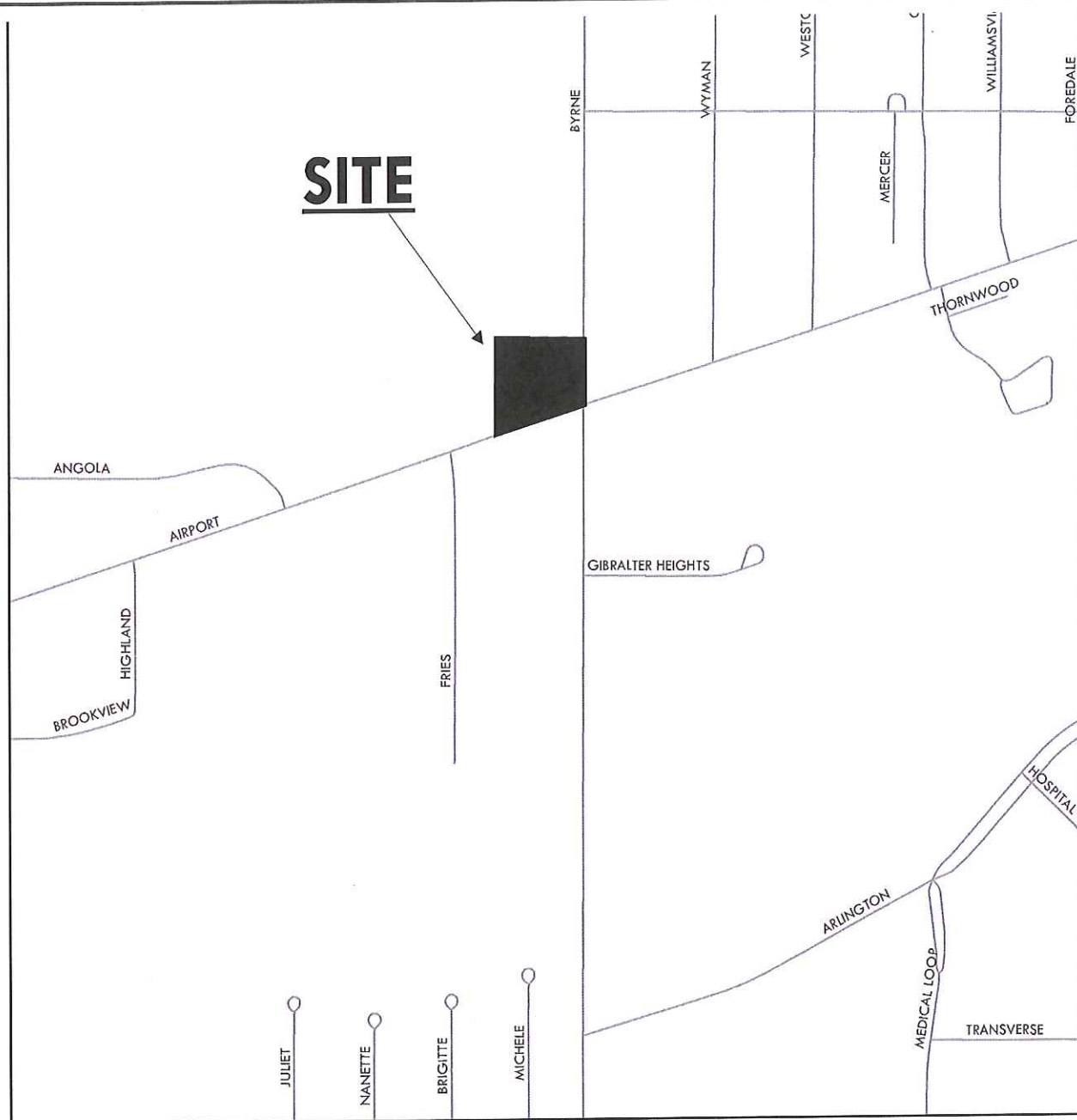
CC: Circle K – Great Lake Region, C/O: Savannah Van de Kamp Peet, 935 East Tallmadge Avenue, Akron, OH 44130

Wellert Corporation, C/O: Robert Wellert, 5136 Beach Road, Medina, OH 44256

Lisa Cottrell, Administrator
Gyasi "JC" Pullum, Planner

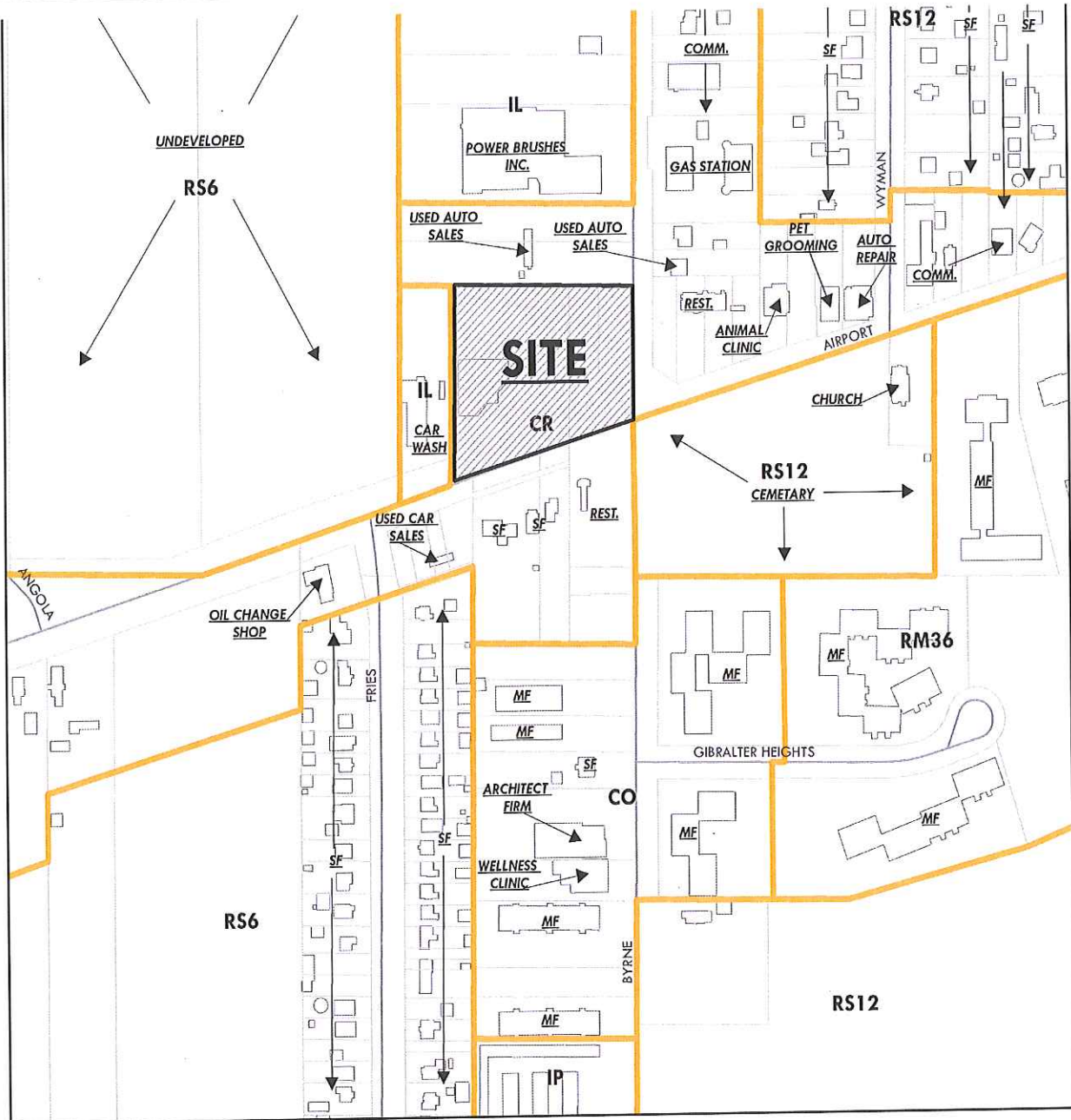
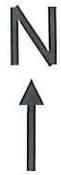
GENERAL LOCATION

SUP-6008-18
ID 84

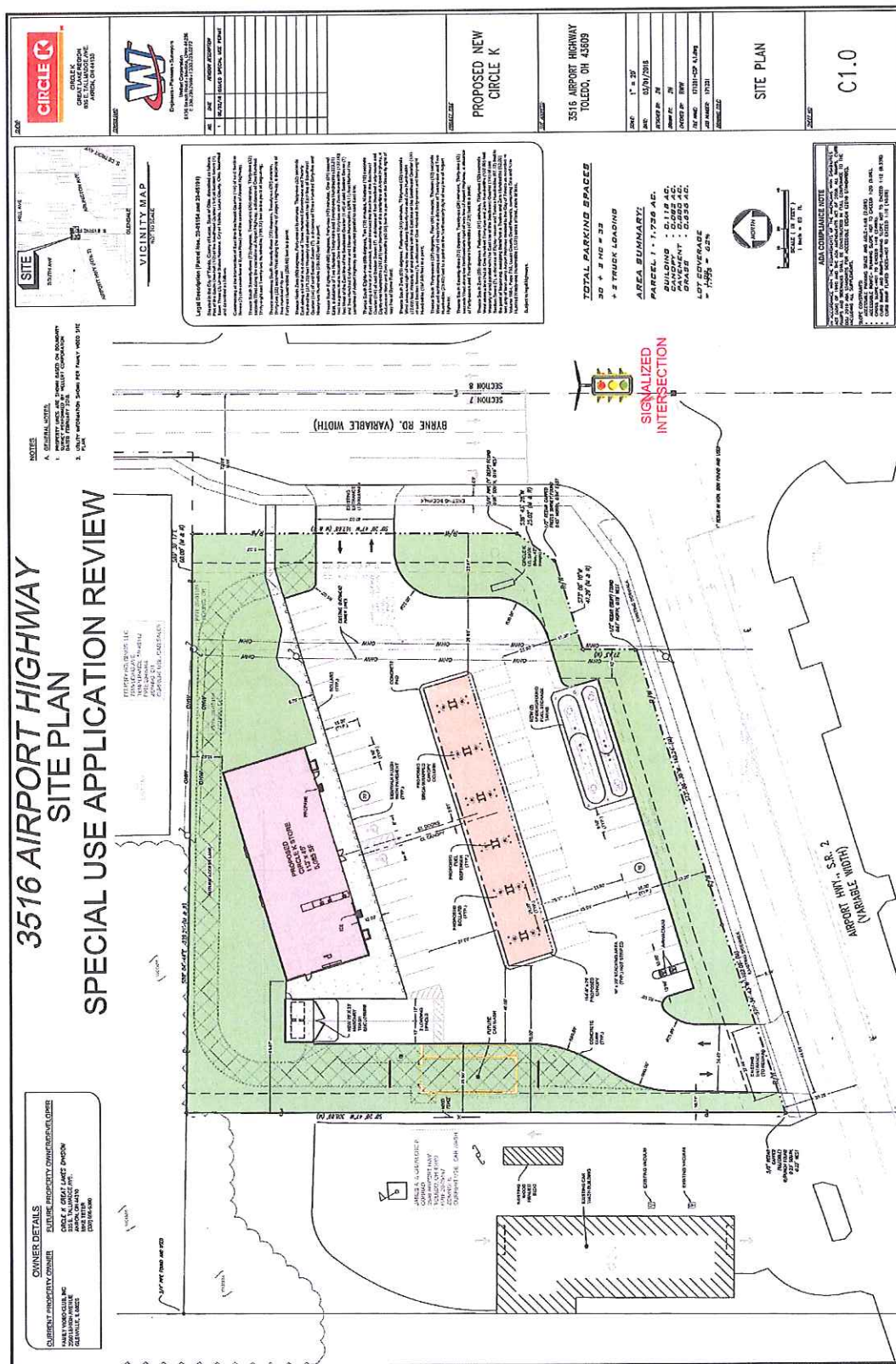
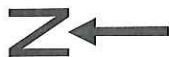


ZONING & LAND USE

SUP-6008-18
ID 84



SUP-6008-18
ID 84



LANDSCAPE PLAN

SUP-6008-18
ID 84



3516 AIRPORT HIGHWAY LANDSCAPING PLAN SPECIAL USE APPLICATION REVIEW

OWNER DETAILS
CLIENT: PROSPECTUS OWNERS
PROJECT: 3516 AIRPORT HIGHWAY
ADDRESS: 3516 AIRPORT HIGHWAY
CITY: TOLEDO, OH 43609



CIRCLE K
3516 AIRPORT HIGHWAY
TOLEDO, OH 43609

WFL
Engineering & Planning
1000 W. 10th Ave.
Toledo, OH 43609
419.243.1234

**PROPOSED NEW
CIRCLE K**

**3516 AIRPORT HIGHWAY
TOLEDO, OH 43609**

LANDSCAPING PLAN

C4.0

NOTES

1. CONSULT THE CITY OF TOLEDO FOR ALL NECESSARY PERMITS AND REGULATIONS.
2. THE LANDSCAPING PLAN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND THE CITY OF TOLEDO. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED.
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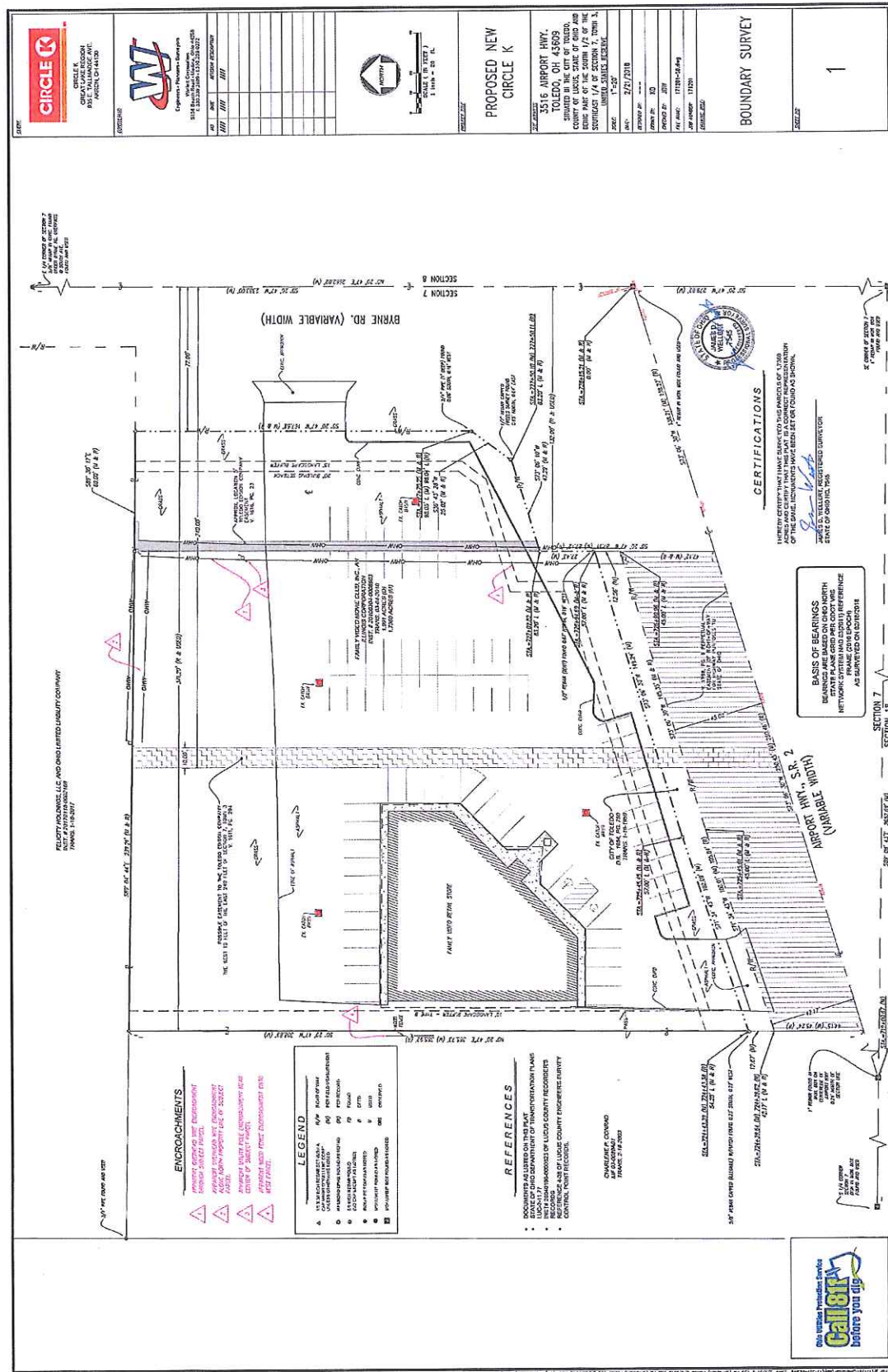
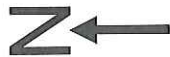
PLANT SCHEDULE

PROPORTION	PLANT	QUANTITY	PLANT	QUANTITY
1/4"	PLANT	100	PLANT	100
1/2"	PLANT	100	PLANT	100
3/4"	PLANT	100	PLANT	100
1"	PLANT	100	PLANT	100
1 1/2"	PLANT	100	PLANT	100
2"	PLANT	100	PLANT	100
3"	PLANT	100	PLANT	100
4"	PLANT	100	PLANT	100
5"	PLANT	100	PLANT	100
6"	PLANT	100	PLANT	100
8"	PLANT	100	PLANT	100
10"	PLANT	100	PLANT	100
12"	PLANT	100	PLANT	100
14"	PLANT	100	PLANT	100
16"	PLANT	100	PLANT	100
18"	PLANT	100	PLANT	100
20"	PLANT	100	PLANT	100
22"	PLANT	100	PLANT	100
24"	PLANT	100	PLANT	100
26"	PLANT	100	PLANT	100
28"	PLANT	100	PLANT	100
30"	PLANT	100	PLANT	100
32"	PLANT	100	PLANT	100
34"	PLANT	100	PLANT	100
36"	PLANT	100	PLANT	100
38"	PLANT	100	PLANT	100
40"	PLANT	100	PLANT	100
42"	PLANT	100	PLANT	100
44"	PLANT	100	PLANT	100
46"	PLANT	100	PLANT	100
48"	PLANT	100	PLANT	100
50"	PLANT	100	PLANT	100
52"	PLANT	100	PLANT	100
54"	PLANT	100	PLANT	100
56"	PLANT	100	PLANT	100
58"	PLANT	100	PLANT	100
60"	PLANT	100	PLANT	100
62"	PLANT	100	PLANT	100
64"	PLANT	100	PLANT	100
66"	PLANT	100	PLANT	100
68"	PLANT	100	PLANT	100
70"	PLANT	100	PLANT	100
72"	PLANT	100	PLANT	100
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78"	PLANT	100	PLANT	100
80"	PLANT	100	PLANT	100
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86"	PLANT	100	PLANT	100
88"	PLANT	100	PLANT	100
90"	PLANT	100	PLANT	100
92"	PLANT	100	PLANT	100
94"	PLANT	100	PLANT	100
96"	PLANT	100	PLANT	100
98"	PLANT	100	PLANT	100
100"	PLANT	100	PLANT	100

NOTES

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ID 84



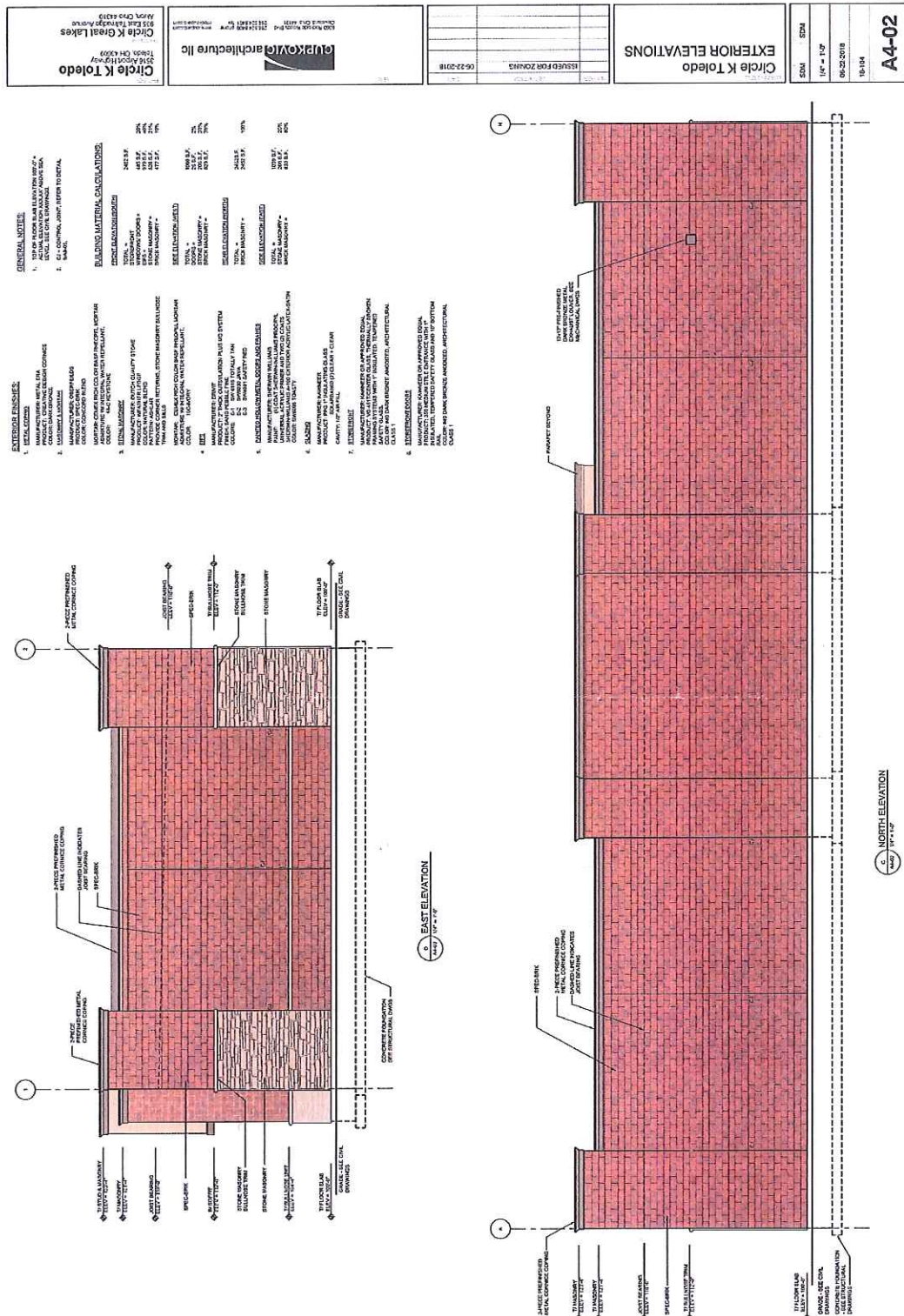
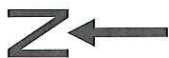
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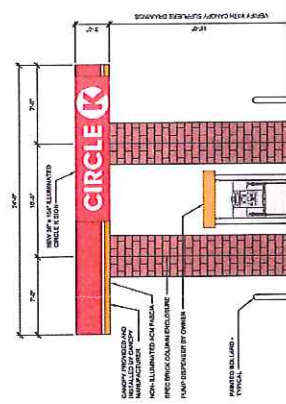
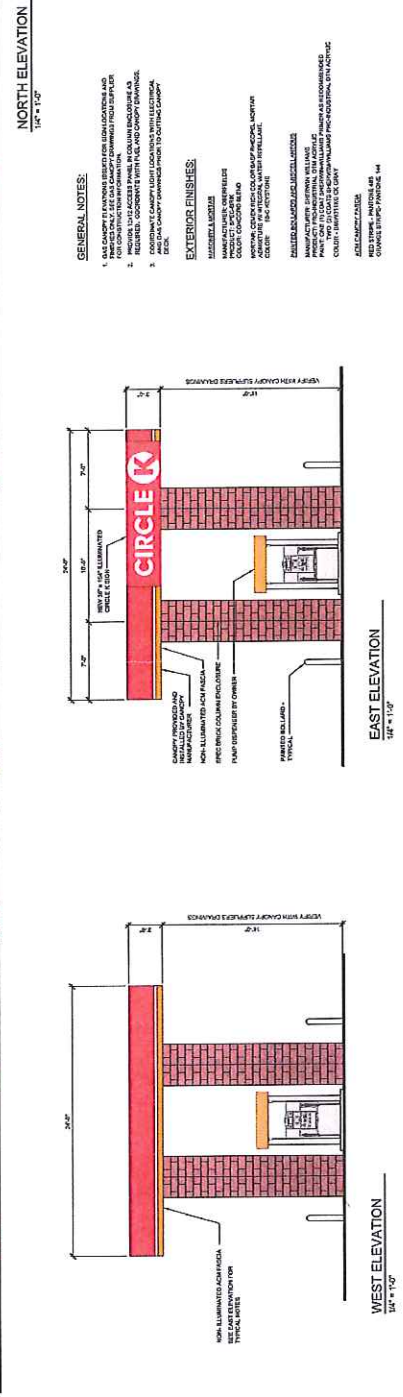
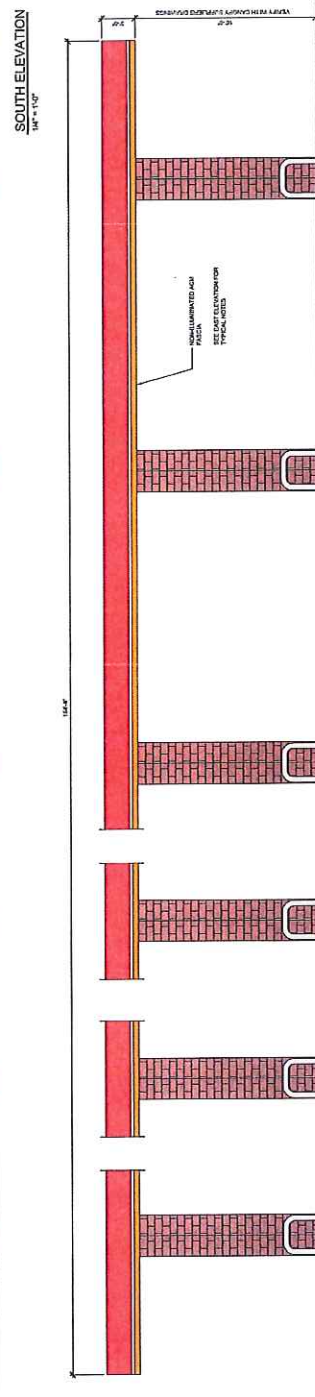
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ID 84

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RENDERING (PERSPECTIVE)

SUP-6008-18
ID 84



Design Information herein is property
of CUPKOVIC architecture, llc
Architect

CIRCLE K PERSPECTIVE

NEW STORE

