

# Boshart's Hillandale Estates Association

June 20, 2019

Gerald Dendinger  
Clerk of Council  
One Government Center, Suite 2120  
Toledo, Ohio 43604


Dear Mr. Dendinger:

The Boshart's Hillandale Estates Association (BHEA) wishes to appeal the Toledo Plan Commission's approval of the Buddhist Temple minor site plan review. We believe the Plan Commission erred in one very specific instance.

A request by one of our members to make religious assembly – the purpose of the building stated on the site plan - a condition of the approval, was not addressed by the Commissioners. Instead, Chairman Fallows asked the applicant's attorney what he thought of the idea. The attorney said, "Oh, I don't know, churches do a lot of things." No further comments were solicited.

We are not appealing the nonresidential building construction. The zoning provides religious assembly. However, failing to limit the applicant to religious assembly – the status they requested - is the issue most important to us. It puts all the decision-making power in the hands of the applicant without any recourse for legitimate concerns that may affect residents. That portion of the Toledo Plan Commission's approval is what we will be addressing at the July 17, 2019 meeting.

Sincerely,



Victoria Kamm  
President

cc: Thomas C. Gibbon  
Director, Toledo Plan Commission

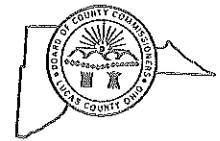


## **TOLEDO-LUCAS COUNTY PLAN COMMISSIONS**

ONE GOVERNMENT CENTER, SUITE 1620, TOLEDO, OHIO 43604

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

THOMAS C. GIBBONS, DIRECTOR



REF: SPR 19-19

DATE: June 13, 2019

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

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

SUBJECT: Site Plan Review for Religious Assembly at 3900 Emmajean Road

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, June 13, 2019 at 2:00 P.M. The Plan Commission approved the application; the Boshart's Hillandale Estates Association appealed this decision on June 20, 2019.

### **GENERAL INFORMATION**

#### Subject

Request	-	Minor Site Plan Review for Religious Assembly
Location	-	3900 Emmajean Road
Applicant	-	Zen Buddhist Temple 3700 Emmajean Road Toledo, OH 43607
Architect	-	Allied Design Architectural & Engineering Group 100 S. Pershing P.O. Box 110 Morton, IL 61550
Engineer	-	D.R. Frederick and Associates 5109 North Summit Street Toledo, OH 43611

#### Site Description

Zoning	-	RS6 and RS12 /Single Family Residential
Area	-	± 10.49 acres
Frontage	-	± 81 feet along Emmajean Road
Existing Use	-	Natural Space
Proposed Use	-	Religious Assembly

Parking Required	-	1 per 100 square feet of seating area or 1 per 6 seats, whichever is greater. (27 Spaces minimum, thus 40 Spaces maximum)
Parking Provided	-	48 Spaces

Area Description

North	-	University Parks Trail, Single Family Residential
South	-	RD6, RD9 / Single Family Residential, Undeveloped
East	-	RS6 / Single Family Residential
West	-	RS12 – Single Family Residential

Parcel History

S-10-15:	Final Plat of EAST TERMINUS OF EMMAJEAN ROAD, a replat of a portion of BOSHARTS HILLANDALE ESTATES EXTENSION, approved by the Plan Commission on 8/13/15.
T-63-15:	Deed Transfer, approved administratively on 9/18/15.
T-74-15:	Deed Transfer, approved administratively on 9/18/15.
T-75-15:	Deed Transfer, approved administratively on 9/18/15.
T-8-19:	Deed Transfer, approved administratively on 3/26/19.

Applicable Plans and Regulations

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

## STAFF ANALYSIS

The applicant is requesting a Minor Site Plan Review for a Religious Assembly at 3900 Emmajean Road. The ± 10.49 acre site is zoned RS6 and RS12. Both are Single Family Residential zoning districts with the main difference being the minimum lot size. Religious assembly is a permitted use in both districts. The site is currently natural wooded space with the University Parks Trail immediately to the north. The property is surrounded by single family residential uses to the West, North and East. To the south are single family residential uses and undeveloped land.

Religious Assembly is a permitted use in the RS6 and RS12 zoning districts. Per TMC§1111.0802(A), a minor site plan review is required because the development contains less than 50,000 square feet of floor area and less than fifty-nine (59) parking spaces. Typically minor site plan reviews are reviewed administratively, however, this case is being forwarded to the Plan Commission at the Director's discretion.

The applicant, Zen Buddhist Temple of Toledo, wishes to construct and operate a Religious Temple. The proposed structure is 8160 square feet, including an assembly/worship area as well as offices and meeting space. The Temple plans to offer a weekly Sunday service from 11:00am – 12:30pm, and approximately 30-40 people are expected to attend. A Wednesday evening service will also be offered from 7:30-9:30pm, drawing approximately 15-20 attendees.

The proposed Religious Assembly Use will be constructed at the terminus of Emmajean Road. In 2015, Emmajean Road was extended via a replat of the abutting subdivision, thus allowing the subject property to be developed. Four administrative lot splits divided the parcel into its current configuration.

### Parking and Circulation

As listed in TMC§1107.0304 *Parking, Loading, and Access – Schedule A*, a Religious Assembly building is required to have one (1) parking space per six (6) seats, or one (1) parking space for one hundred (100) square feet of seating area, whichever is greater. The assembly area is ±2650 square feet, allowing for a minimum of twenty-seven (27) parking spaces. The site plan depicts forty-eight (48) proposed spaces. Pursuant to TMC 1107.0302 *Off Street Parking Schedule A – Maximum*, a use cannot provide more than 150% of the required parking unless approved via an alternative parking plan. **As a condition of approval, an alternative parking plan must be submitted to the Director justifying the need for additional parking.**

Additionally, as listed in TMC§1107.0304 *Parking, Loading, and Access – Schedule A*, a Religious Assembly building is required to have one (1) bicycle parking slot per ten (10) parking spaces. **The proposed plan shows forty-eight (48) spaces and no bicycle parking. Five (5) bicycle parking spaces are required as a condition of approval.**

## STAFF ANALYSIS (cont'd)

As listed in TMC§1107.1202 (A), no parking space may be located within the front yard, except that parking spaces for detached houses, attached houses, and duplexes may be located on a driveway. **A waiver of this requirement is included as part of this report.**

### Landscaping

A landscape plan has not been submitted and is listed as a condition of approval. A fifteen foot greenbelt is required along the Emmajeau Road frontage. Typically this would require one (1) tree for every thirty (30) linear feet. However, the applicant is taking strides to preserve existing trees between Emmajeau Road and the proposed parking lot and structure. Staff is supportive of the existing trees remaining and will not require additional trees. If the waiver of the provision prohibiting parking in the front yard is granted; staff will require that the existing trees in this area be preserved.

Additionally, the site required 960 square feet of interior landscaping in the parking lot and ten (10) trees and thirty (30) shrubs. Landscaped endcaps are required at the end of each parking row and a ten foot (10') perimeter landscape buffer is required around the parking lot. Foundation plantings are required at the building entrance. **These items shall be shown on a landscape plan and are listed as conditions of approval.**

### Building and Site Design

The proposed predominant exterior building material is hardi-plank, which is acceptable. The roof material is not noted on the building elevations, therefore conformance cannot be determined. **A revised elevation shall be submitted and is listed as a condition of approval.**

Pursuant to TMC 1109.0205 *Building Design Stands*, building design shall contribute to the uniqueness of established neighborhoods by harmonizing design elements of the adjacent architecture. The use of a gabled roof and decorative architectural elements allows the proposed building to appropriately blend into the surrounding area. The building massing is broken via the use of windows and building breaks. Staff is supportive of the proposed elevation, with the following exceptions (**which are listed as conditions of approval and will need to be reflected on a revised elevation**):

On the primary (northwest) facade, wall articulation shall be provided by offering a clearly defined entrance, such as a trabeated porch structure, a porch that extends at least 20% of the length of the facade, and/or a change in texture or masonry pattern around the entrance. (1109.0205.C.1)

### STAFF ANALYSIS (cont'd)

On the primary (northwest) facade, the door shall be located at the center of the elevation so that the door is located under the peaked roof form. (1102.0205.C.3)

On the primary (northwest) facade, symmetrical fenestration shall be provided by mirroring the number and size of windows on the south half of the facade with the same number and size of windows on the north half. (1109.0205.C.2)

Pursuant to TMC 1109.0204 Relationship of Building to Streets, Walkways and Parking, projects are required to provide at least one main entrance that opens and faces to the street with a 5 foot connecting walkway and be compatible in terms of architectural design elements. A walkway of this nature is not depicted on the site plan and is listed as a condition of approval. **Additionally, staff is requiring a connection to the University Bike Trail to the north of the site and is listed as a condition of approval.**

### Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan designates this property for single family residential use. Religious Assembly is a permitted use in Single-Family Residential zoning districts. Additionally, the topography of the property makes much of it difficult to develop for residential use and this application is preserving much of the natural wooded space that the site offers.

The Toledo City Plan Commission recommends approval of the Site Plan Review because Religious Assembly is a permitted use in the R6 zoning district. The plan provides for safe, efficient, and convenient movement of traffic, and traffic studies have been performed demonstrating that the expected traffic counts will not have a significant impact on the neighborhood.

### PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission approved SPR-19-19, a Minor Site Plan Review for Religious Assembly at 3900 Emmajean Road, for the following two (2) reasons:

1. The proposed use is permitted in the R6 Zoning District. (TMC 1111.0809.B); and
2. Vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient, and convenient movement of traffic within the site and on adjacent roadways. (TMC 1111.0809.C)

The Toledo City Plan Commission took the following actions on proposed waivers:

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

**Chapter 1107 Parking, Loading, and Access**

**1107.1202 – Setbacks**

**A. Residential Districts**

1. In residential districts no parking space may be located within the front yard, except that parking spaces for detached houses, attached houses, and duplexes may be located on a driveway.

Approved waiver to allow for parking within the front yard, subject to the preservation of existing trees between the parking lot and Emmajean Road.

Staff further recommends approval subject to the following **thirty-eight (38)** conditions:

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

**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 419-245-1344  
  
Water: Andrea Kroma 419-936-2163  
Stormwater Drainage: Lorie Haslinger 419-245-3221; Andy Stepnick 419-245-1338  
Sanitary Sewers: Mike Elling 419-936-2276
2. All **existing substandard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced/upgraded to conform to current City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
3. 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.

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

4. **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.

5. 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.

6. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
7. Detailed plans for the water service lines shall be submitted to the Division of Engineering Services for review and approval. Plan design and submittal shall comply with the current version of the City of Toledo DPU Infrastructure Design and Construction Requirements.
8. 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](http://BSIOnlinetracking.com) @ 800-414-4990. Contact the Division of Water Distribution to verify the backflow prevention requirements for this site.
9. For domestic water service lines greater than 150 feet in length, the meter and backflow preventer typically are required to be near the right-of-way line. Contact the Division of Water Distribution for requirements associated with the domestic water service line, water meter setting, and backflow preventer.
10. If water service lines cross adjacent parcels, an easement shall be obtained from the parcel owner.
11. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.



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

12. A hydrant flow test is recommended to ensure that the available water flow and pressure in the area meet the anticipated demands of the facility. The Division of Water Distribution performs flow tests for a fee of \$150. Contact the Division of Water Distribution to schedule a flow test.
13. The footprint of the storm water retention area is not defended with calculations and may be too small. Stormwater detention and post-construction stormwater best management practices (BMP's) must comply 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.  
<http://toledo.oh.gov/services/public-utilities/engineering-services/plan-review-process/>
14. No construction work, including any earth disturbing work will be permitted without approved site plans. Submit the following for review & approval:
  - Engineering drawings and calculations compliant with the City of Toledo Infrastructure Design and Construction Requirements.
  - Detailed site grading plan
  - A Storm Water 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.
15. Being in or adjacent to a flood hazard zone, this area is subject to Toledo Municipal Code, Chapter 1110, which must be complied with in full. Application shall be made for a Floodplain Hazard Development Permit through City Building Inspection One Stop Shop. An escrow agreement may be required if a Conditional Letter of Map Revision or Letter of Map Revision are required to be submitted to the Federal Emergency Management Agency per TMC 1110.
16. Drainage Plans that incorporate low impact development solutions such as indicated on this proposal are eligible for a reduction in the property's stormwater utility fee through the Stormwater Credit Program, upon application to the program as explained at <http://toledo.oh.gov/services/public-utilities/engineering-services/stormwater-utility-credit-program/>

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

17. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
18. 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.
19. All sanitary sewer manholes in the project area shall have solid lids installed on them.

Division of Transportation

20. Wheel stops required at all parallel to sidewalk and parking spots along the south edge of the parking lot per TMC 1107.
21. Accessible parking signage required for accessible parking spaces per TMC 1107.
22. If not already established, cross access agreements shall be formalized with adjacent property owner to the east and the west.

Plan Commission

23. On the primary (northwest) facade, wall articulation shall be provided by offering a clearly defined entrance, such as a trabeated porch structure, a porch that extends at least 20% of the length of the facade, and/or a change in texture or masonry pattern around the entrance. (1109.0205.C.1) **Acceptable as shown on revised site plan and elevations, 6/7/2019**
24. On the primary (northwest) facade, the door shall be located at the center of the elevation so that the door is located under the peaked roof form. (1102.0205.C.3) **Acceptable as shown on revised site plan and elevations, 6/7/2019**
25. On the primary (northwest) facade, symmetrical fenestration shall be provided by mirroring the number and size of windows on the south half of the facade with the same number and size of windows on the north half. (TMC 1109.0205.C.2) **Acceptable as shown on revised site plan and elevations, 6/7/2019**
26. Elevations indicate hardi-plank siding, which is appropriate. Roof material is not specified. **Acceptable as shown on revised site plan and elevations, 6/7/2019**
27. A walkway shall be provided from the main entrance to the street (TMC 1109.0204.A).

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

28. Dumpster screening shall be depicted on a revised plan and shall be designed in accordance with TMC§1108.0200.G.1-7
29. Site plan depicts forty-eight (48) parking spaces. The minimum number of parking spaces for this use at this site is twenty-seven (27) and thus the maximum number of spaces is forty (40). **An alternative parking plan must be submitted to the director justifying a need for additional parking.**
30. Applicant shall obtain a waiver of 1107.1202.A.1. If the waiver is granted, applicant shall preserve as many of the existing trees between the parking lot and Emmajeau Road as possible. **Waiver approved on 6/13/2019.**
31. Applicant shall provide one (1) bicycle parking slot for every ten (10) parking spaces.
32. Applicant shall provide a connection to the University Parks Trail. **This connection shall be shown in a revised site plan.**
33. 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.**
34. Four (4) copies of a detailed site, lighting, fencing, and landscaping plan shall be submitted to the Plan Director for review and approval (separate from the building and site plans). Such plan shall include:
  - a. Per TMC§1108.0202, a Fifteen (15) foot Frontage Greenbelt is required along Emmajeau Road. Typically, one (1) tree for every thirty (30) feet of lot frontage would be required. However, staff recommends that existing trees be preserved in their current state.
  - b. Per TMC§1108.0204, Site requires 960 square feet of interior landscaping in the parking lot.
  - c. Per TMC§1108.0204.B.4, All parking spaces must be within 100 linear feet of a landscape area.
  - d. Ten (10) trees and thirty (30) shrubs are required within the interior landscape areas for this site.
  - e. A ten (10) foot perimeter landscape buffer is required around the parking lot.
  - f. Topsoil must be back filled to provide positive drainage of the landscape area.

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

- g. 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.
  - h. 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.
  - i. If site is ½ acre or larger, 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.
  - j. The location, height and materials for any fencing to be installed and maintained; and
  - k. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties).
35. 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.
36. Landscaping shall be installed and maintained indefinitely.
37. 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.
38. 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  
June 29, 2019  
Page 12

REF: SPR-19-19

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Thomas C. Gibbons".

Thomas C. Gibbons  
Secretary

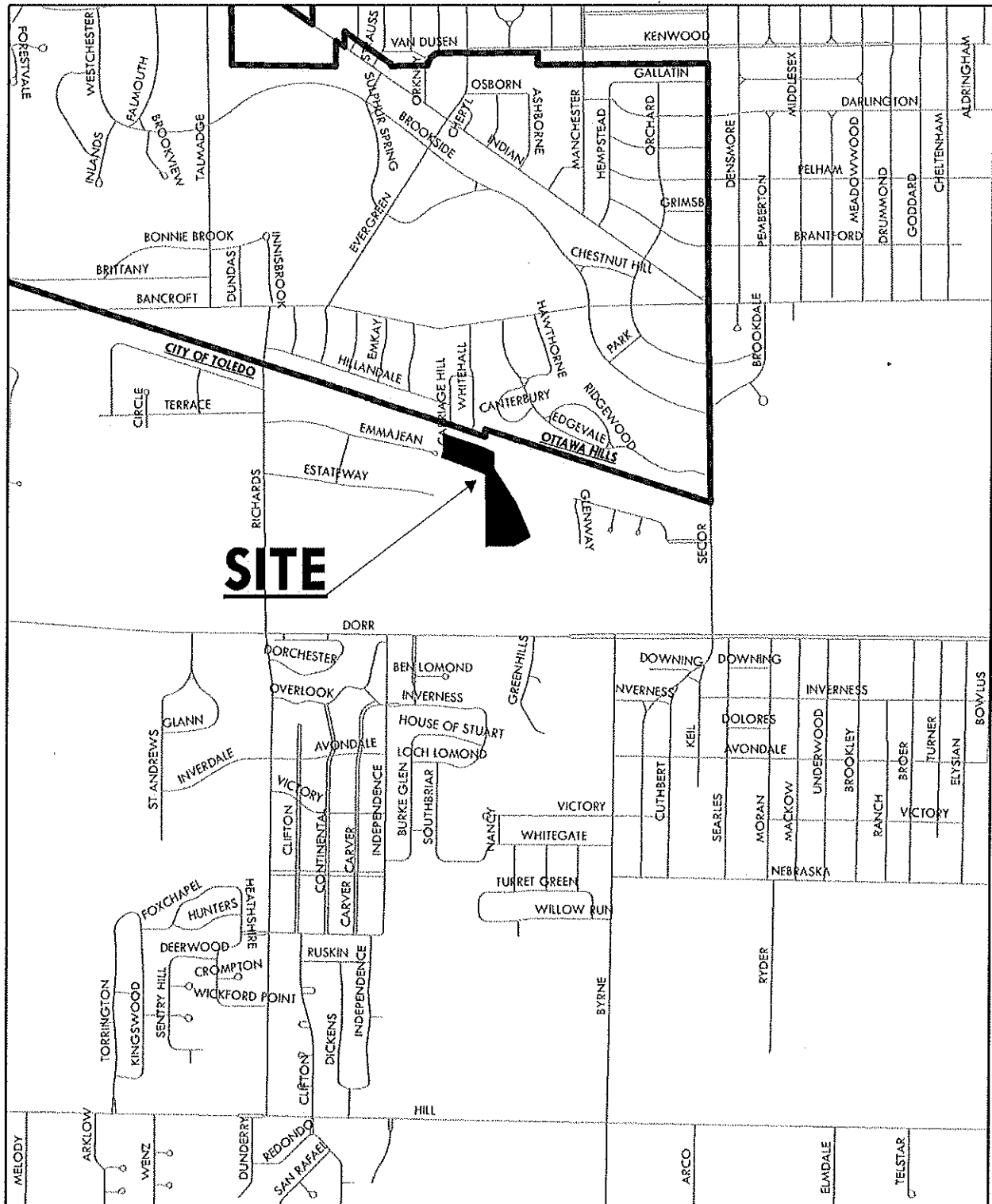
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Three (3) sketches follow

Cc: Zen Buddhist Temple of Toledo, 3900 Emmajean Road, Toledo, OH 43607  
Allied Design Architectural & Engineering Group, 100 S. Pershing, P.O. Box 110 Morton,  
IL 61550  
Engineering Services  
Sewer & Drainage  
Environmental Services  
Transportation  
Fire Prevention  
Lisa Cottrell, Administrator  
Matt Lascheid, Associate Planner

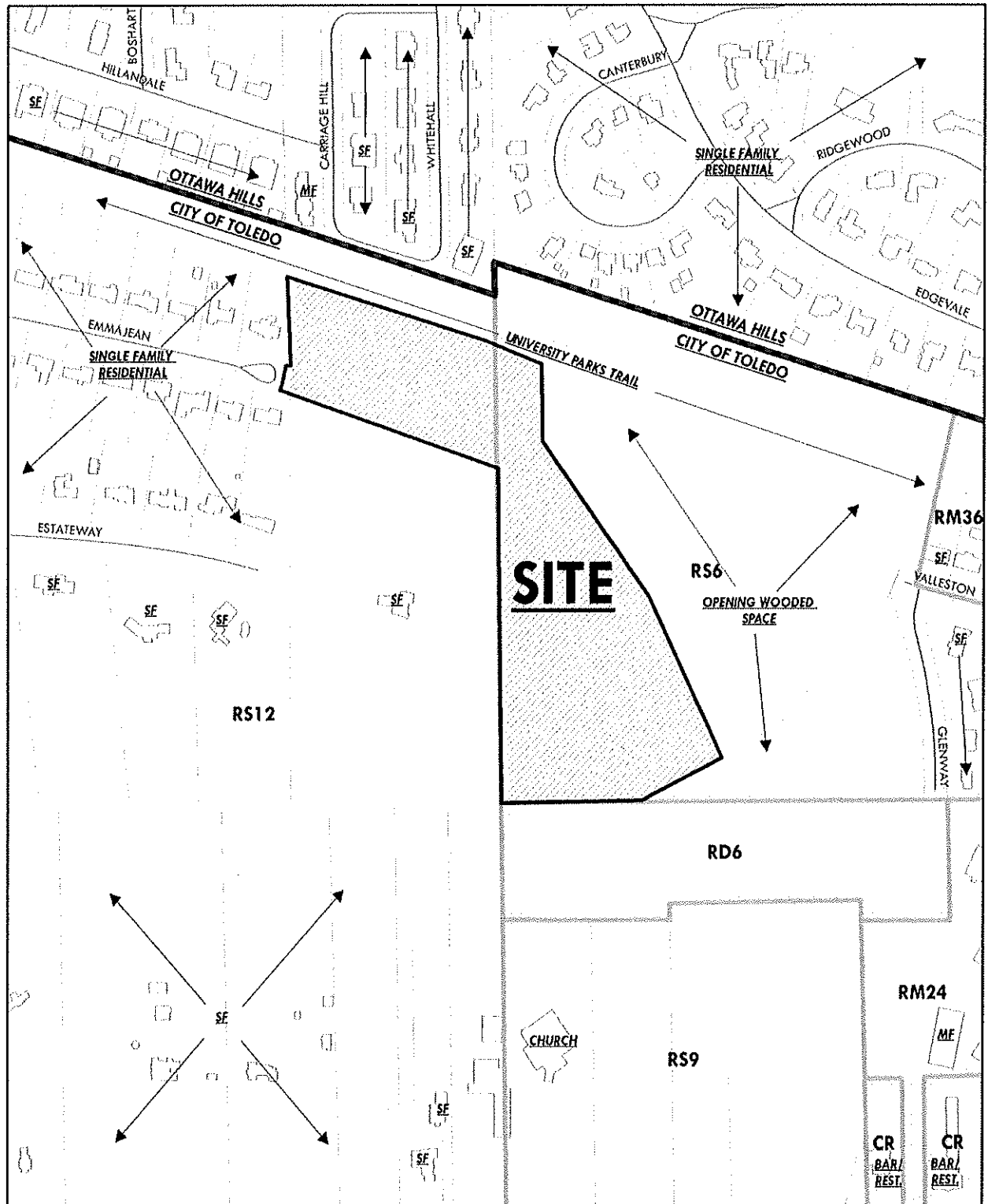
# GENERAL LOCATION

SPR-19-18  
ID 81



# ZONING AND LAND USE

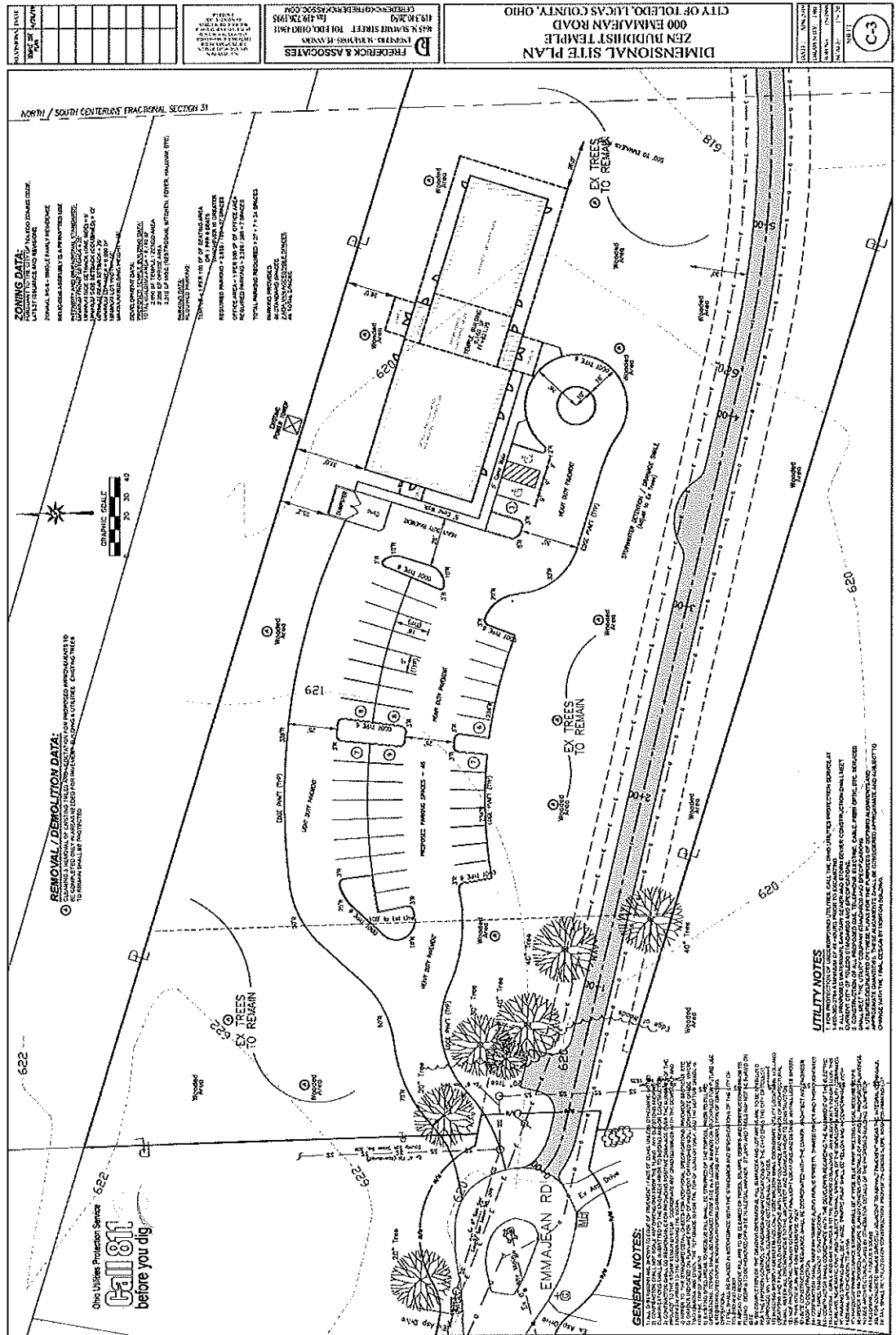
SPR-19-19  
ID 81





# SITE PLAN

SPR-19-19  
ID 81





DIUR WOLFE SPOKE FOR APPLICANT

SIDEWALK ON EMMASEAN  
REMOVAL OF CONDITION #20<sup>th</sup> - STAFF SUPPORTS

APPLICANT MENTIONED HAD BEEN CC'D ON MANY  
LETTERS OF SUPPORT. WE DID NOT RECEIVE ANY

1) WESLEY BULLOCK. SUPPORTS.

UT PROF, MEMBER OF IMPLC, LIVES IN SYLVANIA

2) AMY HARTMAN. SUPPORTS.

WORKS FOR LIBRARY.

3) DR. PELOSKY. MEMBER, SUPPORTS

4) ANTHONY FONTANA, MEMBER, SUPPORTS

5) JAMES CASE. SUPPORTS

### OPPOSITION

1) VICTORIA CAMM. OPPOSED. ISSUE IS A \$100K<sup>+</sup> PROPERTY. CONSTRUCTION, TRAFFIC  
- EXCERBAR QUESTION, IF A BIG HOUSE WAS BUILT, PROBLEM?

- VICTORIA. NO, PROBLEM IS THAT ITS NOW-RESIDENTIAL. (700+ CARS)

2) PETE CALT. RETIRE OF PLAN COMMISSION. QUESTION TRAFFIC COUNT.

- DOES NOT WANT PARKING IN FRONT YARD

3) BRENDA WATKINS. RESIDENT OF EMMASEAN. TRAFFIC. SAFETY.

4) SUSAN HILTON. TRAFFIC. TRAFFIC STUDY. LIES. OTHER ACTIVITIES

5) ROBIN BATHER, ESTATEWAY. \$1.5 MILLION. WOULD HARM NEIGHBORHOOD. SCHEDULE

6) KEVIN STRONG, EMMASEAN, EVERGREEN. \$100K<sup>+</sup>. TRAFFIC STUDY, SAFETY.  
(WHAT OTHER CHURCHES DO)

7) PHIL BATHER, ESTATEWAY, USES ON OTHER NIGHTS?

8) JOHN JOHNSON, LAWYER, ON CIVIL SERVICE COMMISSION - 3904 ESTATEWAY

- CONCERNED ABOUT OTHER "TYPES OF PEOPLE" IN NEIGHBORHOOD.

TOM- WHY WE ARE HEARING CASE- PROPER PUBLIC HEARING

DICK WOLFF- PERMITTED USE, COMPLY WITH SITE PLAN,

WILL NOT WANT TO IMPROVE STREET.

WILL NOT BE HOSTING CLASSES

TRAFFIC STUDY IS REPOABLE

CHURCHES ARE EXPENSIVE. \$1.5 MILLION IS NORMAL

TEMPLE WILL KEEP STREETS UP

TEMPLE WILL HIRE SAFETY OFFICER

PUSHES BUILDING BACK

#20) ESCOBAR MAKE DELETE #20. BRYANT 2ND

WAIVER) MOVED BY REH KOPH

REHKOPF MOTION TO APPROVE.

ESCOBAR QND

[4-0]✓

June 10, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

Dear Plan Commissioners:

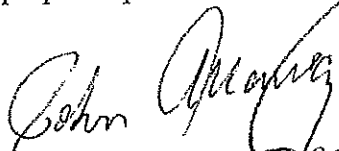
I am a concerned resident of Emmajean Road who does not want a nonresidential building at the end of my street. Since the first house was built in 1952, all the construction has been homes for families.

The construction of the proposed nonresidential building will bring in people who are not invested in our neighborhood. They do not have the same concerns about traffic or construction or interrupting what might be the quietest time of the day for those of us who live here. It is not because they are bad or careless people however it is unfortunate that utilizing Emmajean Road is currently the only way to get to the proposed building site.

One of the most important reasons I moved here is because it was and is an unimproved cul de sac street. A few of the things that I love about my street is the fact that there is no thru traffic and because of that it is easy to notice when a person or car on the street seems out of place. Because our street is narrow and unimproved it is necessary to drive slowly especially when approaching an oncoming car. Also, there's a feeling of country living here even while in the middle of the city, our street is quiet, which allows me to enjoy the peace and tranquility that I desire as a homeowner. I have always thought of my street as safe, quiet, and crime free. If the construction of this nonresidential building is approved, at least some of that will change to my detriment.

I am one of forty houses on this street that will be affected by the proposed construction of this building and the increased traffic during and after construction is not welcomed. I think my views and concerns as a homeowner are just as important as the handful of people who want you to approve the proposed plan.

Sincerely,

  
4022 EMMAJEAN RD.

June 11, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

Dear Plan Commissioners:

I am a concerned resident of Estateway Road who does not want a nonresidential building in my neighborhood. Since the first house was built in my neighborhood all of the construction has been homes for families.

The construction of the proposed nonresidential building will bring in people who are not invested in our neighborhood. They do not have the same concerns about traffic or construction or interrupting what might be the quietest time of the day for those of us who live here. It is not because they are bad or careless people however utilizing neighboring Emmajean Road is currently the only way to get to the proposed building site.

One of the most important reasons I moved here is because it was and is an unimproved cul de sac street. A few of the things that I love about my street is the fact that there is no thru traffic and because of that it is easy to notice when a person or car on the street seems out of place. Because our street is narrow and unimproved it is necessary to drive slowly especially when approaching an oncoming car. Also, there's a feeling of country living here even while in the middle of the city, our street is quiet, which allows me to enjoy the peace and tranquility that I desire as a homeowner. I have always thought of my street as safe, quiet, and crime free. If the construction of this nonresidential building is approved, at least some of that will change to my detriment.

I will be affected by the proposed construction of this building and the increased traffic during and after construction is not welcomed. I think my views and concerns as a homeowner are just as important as the handful of people who want you to approve the proposed plan.

Sincerely,

*Althalene Harrison*  
4166 ESTATEWAY ROAD

June 10, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

Dear Plan Commissioners:

I am a concerned resident of Emmajean Road who does not want a nonresidential building at the end of my street. Since the first house was built in 1952, all the construction has been homes for families.

The construction of the proposed nonresidential building will bring in people who are not invested in our neighborhood. They do not have the same concerns about traffic or construction or interrupting what might be the quietest time of the day for those of us who live here. It is not because they are bad or careless people however it is unfortunate that utilizing Emmajean Road is currently the only way to get to the proposed building site.

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---

SEAN AND DELISE SIMMONS  
4032 EMMAJEAN ROAD • TOLEDO, OH 43607

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June 11, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

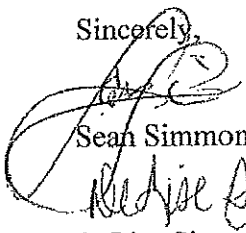
Dear Plan Commissioners:

When we were searching for a home what attracted us the most to Emmajeau Road is the fact that it is a cul-de-sac street with no thru traffic, which we felt would provide the peace and tranquility that we sought and now thoroughly enjoy as proud homeowners. The fact that all of the homes are residential, ranch style and designed for families is an added benefit that we appreciate. We love that there are no curbs and no streetlights, this adds to the country feel that we enjoy and we are not interested in making any changes to our unimproved roads.

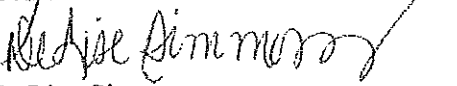
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As homeowners we work hard to maintain our home and our livelihood and we deserve to live in a peaceful, tranquil, safe neighborhood. All of this will be negatively impacted if the proposed construction of the building is allowed to proceed. We are hopeful that the Toledo Plan Commission will take our concerns into advisement; we believe that as homeowners our voices need to be heard.

Sincerely,



Sean Simmons



DeLise Simmons

June 11, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

Dear Plan Commissioners:

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Sincerely,

*Langston C. Itanien*  
4166 ESTATEWAY ROAD

June 11, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

Dear Plan Commissioners:

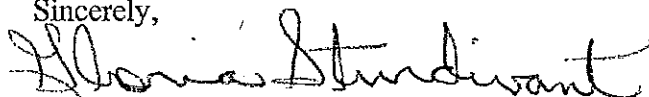
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Sincerely,



Gloria Sturdivant  
4129 Estateway Rd  
Toledo, OH 43607



---

SEAN AND DELISE SIMMONS  
4032 EMMAJEAN ROAD • TOLEDO, OH 43607

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June 11, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

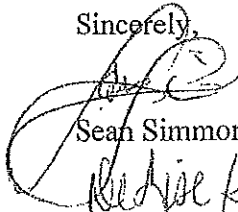
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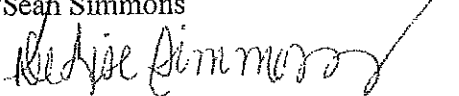
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Sincerely,



Sean Simmons



DeLise Simmons

June 10, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

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## TO THE COMMISSION

My name is Thomas Shinaul I reside on Emmajean Rd. This letter is in response to the project that is before you at the end of our street. A commercial building at the cul de sac. We moved onto a deadend street so that we would not have to worry about constant traffic because it is not a through street. Adding a commercial building with one way in, and one way out would put more traffic pressure on our unimproved road. Which means more noise on a very quiet street. Most of us on Emmajean, and Estateway have worked hard to get where we are today, and considered this would be our retirement homes. A peaceful, and tranquil setting to spend the rest of our years in this peaceful setting. We moved here with the understanding that only Ranch style homes could be built in this area. I don't see how this can even be considered making a whole community suffer for one man's dream. We have a very quiet neighborhood. We are not looking for added traffic causing traffic jams on such a small street. COMMISSIONER'S PLEASE CONSIDER US THE PEOPLE OF EMMAJEAN, AND ESTATEWAY. WE WILL BE THE ONES EFFECTED EVERY SINGLE DAY IF THIS PROJECT MOVES FORWARD.

CONCERNED NEIGHBOR

THOMAS SHINAUL

DATE

  
3938 EMMAJEAN ROAD.

06/11/19

June 10, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

Dear Plan Commissioners:

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Sincerely,

*Erilyn Boykin*  
3919 Emmajean Rd.

June 11, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

Dear Plan Commissioners:

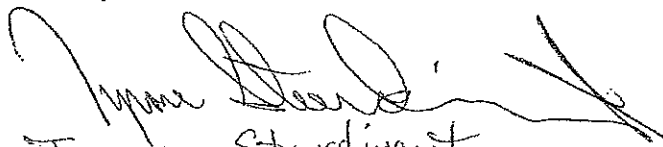
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Sincerely,

  
Tyrone Sturdivant  
4127 Estateway Rd  
Toledo, OH 43607  
419-250-2867

June 10, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

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Sincerely,

*Frank Kynard*  
*Deulah Kynard*  
*4002 Emmajean Rd.*  
*Toledo, Ohio 43607*

June 10, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

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Sincerely,

A handwritten signature in cursive script, appearing to read "Rosie Johnson". The signature is written in dark ink and is positioned below the word "Sincerely,".

June 10, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

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Sincerely,

  
4011 EMMAJEAN RD.



June 11, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

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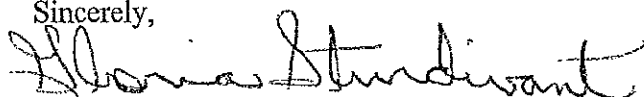
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Sincerely,



Gloria Sturdivant  
4129 Estateway Rd  
Toledo, OH 43607

June 11, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

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Sincerely,

*Langston E. Harrison*  
4166 ESTATEWAY ROAD

June 11, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

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Sincerely,

*Althalene Harrison*  
4166 ESTATEWAY ROAD

June 10, 2019

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One Government Center, Suite #1620  
Toledo, Ohio 43604

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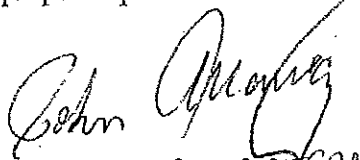
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4022 EMMAJEAN RD.

June 10, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

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Sincerely,

*Lila Peoples.*  
4022 EMMAJEAN RD.

June 10, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

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Sincerely,

*Rochelle Nip*  
4023 EMMAJEAN RD.

June 10, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

Dear Plan Commissioners:

I am a concerned resident of Emmajean Road who does not want a nonresidential building at the end of my street. Since the first house was built in 1952, all the construction has been homes for families.

The construction of the proposed nonresidential building will bring in people who are not invested in our neighborhood. They do not have the same concerns about traffic or construction or interrupting what might be the quietest time of the day for those of us who live here. It is not because they are bad or careless people however it is unfortunate that utilizing Emmajean Road is currently the only way to get to the proposed building site.

One of the most important reasons I moved here is because it was and is an unimproved cul de sac street. A few of the things that I love about my street is the fact that there is no thru traffic and because of that it is easy to notice when a person or car on the street seems out of place. Because our street is narrow and unimproved it is necessary to drive slowly especially when approaching an oncoming car. Also, there's a feeling of country living here even while in the middle of the city, our street is quiet, which allows me to enjoy the peace and tranquility that I desire as a homeowner. I have always thought of my street as safe, quiet, and crime free. If the construction of this nonresidential building is approved, at least some of that will change to my detriment.

I am one of forty houses on this street that will be affected by the proposed construction of this building and the increased traffic during and after construction is not welcomed. I think my views and concerns as a homeowner are just as important as the handful of people who want you to approve the proposed plan.

Sincerely,

*Lila Peoples*  
4022 EMMAJEAN RD.

June 10, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

Dear Plan Commissioners:

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Sincerely,

*Rochelle Nip*  
4023 EMMAJEAN RD.



June 10, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

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Sincerely,

  
4011 EMMAJEAN RD.

June 10, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

Dear Plan Commissioners:

I am a concerned resident of Emmajean Road who does not want a nonresidential building at the end of my street. Since the first house was built in 1952, all the construction has been homes for families.

The construction of the proposed nonresidential building will bring in people who are not invested in our neighborhood. They do not have the same concerns about traffic or construction or interrupting what might be the quietest time of the day for those of us who live here. It is not because they are bad or careless people however it is unfortunate that utilizing Emmajean Road is currently the only way to get to the proposed building site.

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Sincerely,

A handwritten signature in cursive script, appearing to read "Raine Johnson". The signature is written in dark ink and is positioned below the word "Sincerely,".

June 11, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

Dear Plan Commissioners:

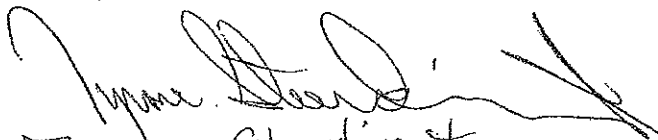
I am a concerned resident of Estateway Road who does not want a nonresidential building in my neighborhood. Since the first house was built in my neighborhood all of the construction has been homes for families.

The construction of the proposed nonresidential building will bring in people who are not invested in our neighborhood. They do not have the same concerns about traffic or construction or interrupting what might be the quietest time of the day for those of us who live here. It is not because they are bad or careless people however utilizing neighboring Emmajean Road is currently the only way to get to the proposed building site.

One of the most important reasons I moved here is because it was and is an unimproved cul de sac street. A few of the things that I love about my street is the fact that there is no thru traffic and because of that it is easy to notice when a person or car on the street seems out of place. Because our street is narrow and unimproved it is necessary to drive slowly especially when approaching an oncoming car. Also, there's a feeling of country living here even while in the middle of the city, our street is quiet, which allows me to enjoy the peace and tranquility that I desire as a homeowner. I have always thought of my street as safe, quiet, and crime free. If the construction of this nonresidential building is approved, at least some of that will change to my detriment.

I will be affected by the proposed construction of this building and the increased traffic during and after construction is not welcomed. I think my views and concerns as a homeowner are just as important as the handful of people who want you to approve the proposed plan.

Sincerely,

  
Tyrone Sturdivant  
4127 Estateway Rd  
Toledo, OH 43607  
419-250-2867

June 10, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

Dear Plan Commissioners:

I am a concerned resident of Emmajean Road who does not want a nonresidential building at the end of my street. Since the first house was built in 1952, all the construction has been homes for families.

The construction of the proposed nonresidential building will bring in people who are not invested in our neighborhood. They do not have the same concerns about traffic or construction or interrupting what might be the quietest time of the day for those of us who live here. It is not because they are bad or careless people however it is unfortunate that utilizing Emmajean Road is currently the only way to get to the proposed building site.

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Sincerely,

*Frank Kynard*  
*Douglas Kynard*  
*4002 Emmajean Rd.*  
*Toledo, Ohio 43607*

June 10, 2019

Toledo Plan Commission  
One Government Center, Suite #1620  
Toledo, Ohio 43604

Dear Plan Commissioners:

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Sincerely,

*Emily Bayler*  
3919 Emmajean Rd.


## TO THE COMMISSION

My name is Thomas Shinaul I reside on Emmajeau Rd. This letter is in response to the project that is before you at the end of our street. A commercial building at the cul de sac. We moved onto a deadend street so that we would not have to worry about constant traffic because it is not a through street. Adding a commercial building with one way in, and one way out would put more traffic pressure on our unimproved road. Which means more noise on a very quiet street. Most of us on Emmajeau, and Estateway have worked hard to get where we are today, and considered this would be our retirement homes. A peaceful, and tranquil setting to spend the rest of our years in this peaceful setting. We moved here with the understanding that only Ranch style homes could be built in this area. I don't see how this can even be considered making a whole community suffer for one man's dream. We have a very quiet neighborhood. We are not looking for added traffic causing traffic jams on such a small street. COMMISSIONER'S PLEASE CONSIDER US THE PEOPLE OF EMMAJEAN, AND ESTATEWAY. WE WILL BE THE ONES EFFECTED EVERY SINGLE DAY IF THIS PROJECT MOVES FORWARD.

CONCERNED NEIGHBOR

THOMAS SHINAUL

DATE

  
3938 EMMAJEAN ROAD.

06/11/19

4. Every property owner has the fundamental right to using their property as they see fit. The ZBT owner donating the property and underwriting the construction of the Temple certainly has that right. Splitting his twenty acres into two parcels, transferring one of those parcels to personal ownership so it can be donated it with a substantial personal tax benefit, a 50% reduction in property taxes, while still maintaining a stake in the Temple is impressive. His residence is set on the back ten acres so that construction, traffic, etc. will not interfere with his quiet enjoyment of his property. Unfortunately, residents of Emmajean Road will lose that very valuable benefit because the applicant insists that the end of a cul de sac street with a single ingress and egress is the *only* place their religious services can be accommodated because...free land with no taxes and \$1.5M in cash for construction. The construction traffic is loud, noisy, and unsafe. Photos and complaints over the last handful of months is the best illustration of that. Some residents have been unable to leave their driveways because of the standstill truck traffic. This is unconscionable. The constant refrain by the applicant is they will use their advocacy to improve Emmajean Road. I am uninterested in my city taxes paying for repairs caused by the developer. I am pretty sure other Toledo citizens would feel the same way as street repairs are paid for with scarce resources.

Please consider the long-time, worked hard to move and live here, residents of Emmajean Road who will not benefit from this nonresidential addition to the end of the street vs. the small number of people who have a space they have used for nearly ten years with declining activity and a very generous owner who can pay for nearly any location/building they could dream of.

Sincerely,

Victoria Kamm

June 11, 2019

Toledo Plan Commission  
One Government Center #1620  
Toledo, OH 43604

Re: Site Plan for Zen Buddhist Temple 3900 Emmajean Road

Dear Commissioners:

I am opposed to approval of the site plan for a Zen Buddhist Temple located at 3900 Emmajean Road for the following reasons.

1. They have stayed in the same location since 2010. Their posts on social media indicate they have outgrown the space and it does not have adequate office and restroom facilities. The following percentages are not absolute but clearly indicate a precipitous decline in 2018. Percentages also “feel” bigger but the number of active members is very small. Inadequate space does not appear to be due to an increasing desire for the Temple’s religious services.
  - a. 2014 Survey 33/48 or 49% of respondents attended weekly
  - b. 2015 Survey 16/29 or 55% of respondents attended weekly
  - c. 2016 Survey 22/37 or 59% of respondents attended weekly
  - d. 2017 Survey 27/43 or 63% of respondents attended weekly
  - e. 2018 Survey 21/67 or 31% of respondents attended weekly
2. The applicant is proposing an 8160 square foot building with five offices, a gathering space and a very large assembly room. This is for an estimated 90 members. In contrast, the Toledo Chinese Alliance Church recently moved into a 9,408 square feet building with a congregation of 300. It is not logical the space is needed unless the applicant intends to use it for more than religious services.
3. The site plan is very specific and requests approval for religious assembly only. In fact, the applicant spent considerable time and effort in ensuring there would likely be legal consequences if the proposal is denied due to Federal RLUIPA legislation. Despite this very narrow use, comments in the site plan indicate there will be events every day. This is problematic.
  - a. **Taken Directly From Applicant’s Website**
    - i. Sundays 11am - 12:30pm. Arrive at 10:10am on your first visit for beginning instruction/orientation from 10:15-10:50am. Light refreshments and fellowship follow Sunday service. Children are welcome to attend on Sundays and participate in Dharma School. Wednesdays 7:30 - 9:30pm. Arrive at 7:15pm on your first visit. The Wednesday evening service is not suitable for children.
  - b. No other activity listed on the site plan or on the applicant’s website falls under religious assembly. I am concerned approval of the plan would give the applicant a false sense of what the commissioners intended. Of course there are channels to rectify zoning violations but it would be more expensive both financially and timewise for the neighbors and the City.



We are asking for your support. We're not far from Old Orchard. We anticipate significant increased traffic on Richards Road as the proposed Ottawa Hills Recreation Field (which we did not oppose) comes online and with the sale and occupancy of the former ProMedica Headquarters building at 1801 Richards Rd directly across from our entry points creates increased traffic.

We want you to be aware of this problem. We will not cave in. Even if Michael Leizerman has the legal right, it certainly is not the "right thing to do". It's always been true that money and ego have a way of clouding judgement.

We plan to be in touch with all members of City Council, Congresswoman Marcy Kaptur, and of course, all local and regional media. Thanks for listening to our serious neighborhood concerns.

Sincerely,  
Shawn Woodard  
Bosharts-Hillandale Estates Association

Bosharts-Hillandale Estates Association - Toledo Ohio 43607

June 11, 2019

City of Toledo Planning Commission  
Thomas C Gibbons, Director.

RE: The planned ruination of a vibrant, integrated neighborhood

Dear Mr. Gibbons and Members,

I purchased my home here on Emmajeane Rd. in Bosharts-Hillandale Estates a year and a half ago. I care for my mom who has Alzheimer's. I chose this neighborhood because it is a well established safe, quiet and diverse area of Toledo.

As residents and members of the Bosharts-Hillandale Estates Association (BHEA) we are united in our objection to a planned non-residential development on a wooded site at the end of our neighborhood. We are asking for your assistance in this community matter.

Emmajeane and Estateway Roads are two unimproved dead-end streets which run off of Richards Rd. with no other means of entrance or exit. The approximately 64 homes in our modest neighborhood were built in the late 1940's through the 1960's. Many residents have lived here for 30 years or longer. We have unimproved streets with no curbs or streetlights and we do not need or want them. Our neighborhood is wonderfully diverse. We are not affluent, assessments for street safety due to increased traffic would be a huge burden on most residents.

Our homes represent the definition of the very fabric of a Toledo community. But our way of life is under siege.

In 2015 Michael Leizerman, a very successful multi-millionaire truck accident lawyer, purchased 20 wooded acres at the end of our streets. He then constructed very large home which we believe cost more than a million dollars. The neighborhood fully accepted his abundance and this is not our concern. We welcome all new residents. He recently moved in and made us aware of his plans for a more expansive compound on the site.

We have been informed that his development plans have been submitted to the Toledo Planning Commission. So our "fight" begins in earnest.

Currently those of us who live on Emmajeane Road with backyards that border the U.T. Walking trail are already experiencing problems in our back yards due to this seasons unusually heavy rains with no place for the water to go. If the building is approved that water runoff will most likely result an even bigger problem for those of us who live on the hiking trail said of Emmajeane Rd. and that's just not fair to those of us who will have to incur the cost and the burden of ridding our properties of standing water.

Although there are remedies such as french drains and swales, there is only one rain sewer which is located at the corner of Richards Rd and Emmajeane which means the water will just be diverted to the front and flood the road.

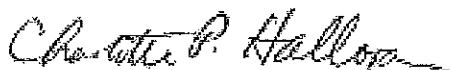
This project is simply wrong for this quiet neighborhood. It is unfortunate that one extremely rich individual with full access to legal recourse can destroy the quality of life we enjoy. In our opinion, Michael Leizerman is used to getting his own way and is personally bankrolling the entire property development. A professional "facilitator" was hired to hold meetings in an attempt to convince residents that this was a good idea. It didn't work to bully and mislead us.

If this is important in his reasoning, I request another count.

This public building will be situated on his private property. Emmajean has not had even one duplex on this street much less an 8500 sq. ft. building plus parking lot. We asked him to consider additional egress/access other than Emmajean or consider another site as we did not think this was an appropriate site. He has seen no reason to discuss matters with neighbors believing he has the right to do as he pleases with his property. It is a sign of our times that the thoughts of the community are not considered. We may or may not win this effort, but we do hope to have a say in additional special uses of the building for activities other than meditation and also have a some specific criteria about who is accepted for drug rehabilitation through meditation on this site, how progress is monitored and who is actually qualified to provide treatment. We seek to preserve the peace and tranquility of the entire neighborhood not just peace at Mr. Leizerman's residence.

We are also concerned about water runoff that eventually ends up in Hill Ditch. This Ditch needs some attention to clear water flow and now already floods backyards well beyond what usually occurred ten years ago. He initially expressed a willingness to plan drainage but later withdrew that as not his problem. Best outcomes usually consider the needs of the least powerful in plans.

Yours truly,



Charlotte P. Halloran

**4001 Estateway Rd**

**Toledo, 43607**

**Dear Planning Commission Members**

**I do not support a public building being allowed at the end of a cul de sac on Emmajean St. The lot purchaser said he was building a single family residence on the 20 acres he purchased. He did build a single family residence and neighbors put up with the usual construction trucks to accomplish his dream without disruption although neighbors could have parked on the street causing him delays. Then in Feb. 15<sup>th</sup>, he sent all neighbors a letter stating he was breaking ground for a Buddhist Temple on March 1<sup>st</sup> 2019, but really he had not gone through the approval process yet. Emmajean is a narrow undeveloped street where owners are allowed to park on the street when guests come to visit. Neighbors like the quiet, peaceful neighborhood, but this is now threatened with a public building on private property that will cause increased traffic on a street that cannot take it. Also it will disrupt the peaceful neighborhood for single family residences that was long enjoyed.**

**Mr. Leizerman states he has reached out on multiple occasions to neighbors and answered their concerns. He attended one meeting and was surprised by the turnout. After that no member of the Temple board nor members in general nor Mr. Leizerman participated in any more meetings. Instead he sent someone he hired to "facilitate" the meeting. We had no interest in meeting among ourselves without the temple presence. He also stated that there were 238 cars counted by an engineer that came and went in one day. That seems incredible to me. I walk my dog daily on Emmajean and I have never seen more than one or two cars on any day. I have walked at many different times of day.**



This letter is to the City of Toledo Planning Commission:

My name is Cozetta Heil, I am the wife of Gabriel Heil, we live at 4033 Emmajean Road in Toledo. I am writing to you because I have many concerns regarding a non-residential building (Zen Buddhist Temple) being built in a residential neighborhood on a cul-de-sac.

My family and I, (myself, my husband, and our 2 children) have lived on Emmajean for 5 years. We purchased our home because of the quiet dead-end street, the beautiful wildlife, and the lack of traffic. We love that we do not curbs, sidewalks, and streetlights. We live in the city but, it has a country feel.

The character of Emmajean is like no other, I love that deer can walk freely down the road and feel safe due to the very little traffic that comes up and down our road. My children can play, ride their bikes without worrying about cars come up and down the road too fast.

We the Heil Family ask that The Toledo Planning Commission to vote against the non-residential building to be built on the cul-de-sac of Emmajean Road. We hope that you vote not to have the Zen Buddhist Temple built in an area that has residential homes. Our wildlife is important to us, if the Temple is built our wildlife will suffer, traffic will pick on Emmajean and Estateway. Increased traffic will destroy the roads, this will also make it unsafe for our children to play freely.

When you vote think about our roads, our community, our wildlife, our children, our taxes, and our position as a neighborhood.

Sincerely,

Gabriel and Cozetta Heil

419-870-7508



# Google Calendar GHBTT

May 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 8am Aikido 9:30am Discerning 10:15am Beginning 11am Sutra Service	2 8pm Adult Aikido 7:30pm Meditation 8pm Meditation &	3 5:15pm Kids Aikido	4 7am Aikido 5:30pm Aikido 7:30pm Evening Se	5 5:15pm Kids Aikido 8pm Aikido	6 7pm Seminary Ret 7:30pm Meditation	7 9am Aikido
8 8am Aikido 10:15am Beginning 11am Sutra Service 1:30pm Temple Spr	9 8pm Adult Aikido 7:30pm Meditation 8pm Meditation &	10 8:30am Shobu Aiki 5:15pm Kids Aikido	11 7am Aikido 5:30pm Aikido 7:30pm Evening Se	12 5:15pm Kids Aikido 8pm Aikido	13 7:30pm Meditation	14 9am Aikido 9am Buddhacon (C
15 8am Aikido 10:15am Beginning 11am Sutra Service	16 8pm Adult Aikido 7:30pm Meditation 8pm Meditation &	17 5:15pm Kids Aikido	18 7am Aikido 5:30pm Aikido 7:30pm Evening Se	19 5:15pm Kids Aikido 8pm Aikido	20 7:30pm Meditation	21 9am Aikido
22 8am Aikido 10:15am Beginning 11am Sutra Service	23 8pm Adult Aikido 7:30pm Meditation 8pm Meditation &	24 5:15pm Kids Aikido	25 7am Aikido 5:30pm Aikido 7:30pm Evening Se	26 5:15pm Kids Aikido 8pm Aikido	27 7:30pm Meditation	28 9am Aikido
29 8am Aikido 10:15am Beginning 11am Sutra Service	30 8pm Adult Aikido 7:30pm Meditation 8pm Meditation &	31 5:15pm Kids Aikido	1 7am Aikido 5:30pm Aikido 7:30pm Evening Se	2 5:15pm Kids Aikido 8pm Aikido	3 7:30pm Meditation	4 9am Aikido



create a substantial burden to the members to attend services and activities. It would create an undeniable burden to the families living in the area.

This organization offers multiple daily activities and as it grows will destroy the character and integrity of the neighborhood. There are numerous other suitable locations available. The cul-de-sac of an established quiet neighborhood is not suitable. We wish to live our lives in peace. Please see below for monthly schedule of activities for the organization. Membership and Activities will only expand and grow. The impact will be much greater than has been indicated by current data.

This project is simply wrong for this quiet neighborhood. It is unfortunate that one extremely rich individual and the members of his organization have not been transparent or fully forthcoming regarding the magnitude and future growth of their organization. This is not the time to take a "short-sighted" view of the full impact of this project on an established Toledo neighborhood!

Even if this project has the legal right, it certainly is not the "right thing to do".

[Please click here for a 10 second highlight video](#)

Sincerely,

Susan Hilton

Bosharts-Hillandale Estates Association member

**THE PROPOSED LEVEL OF ACTIVITY AND CUL DE SAC LOCATION MAKES THE  
THE APPLICANTS' (MICHAEL AND RENA LEIZERMAN) PROJECT REQUEST  
INCONSISTENT WITH REASONABLE EXPECTATIONS OF NOISE AND ACTIVITY  
THAT A QUIET NEIGHBORHOOD ON EMMAJEAN AND ESTATEWAY ROADS  
SHOULD HAVE TO TOLERATE.**

**RE: The planned ruination of a vibrant, integrated neighborhood**

Dear Matt Lascheid,

The residents and members of the Bosharts-Hillandale Estates Association (BHEA) are united in our objection to a planned non-residential development on a wooded site at the end of our neighborhood. We are asking for your assistance in this community matter.

Emmajean and Estateway Roads are two unimproved dead-end streets which run off of Richards Rd. with no other means of entrance or exit. The approximately 64 homes in our modest neighborhood were built in the late 1940's through 1960's. Many residents have lived here for 30 years or longer. We have unimproved streets with no curbs or streetlights and we do not need nor want them. Our neighborhood is wonderfully diverse. We are not affluent, assessments for street safety due to increased traffic would be a huge burden on most residents. Increased vehicular traffic could demand the safety of evening lighting and sidewalks and curbs.

Our neighborhood is unable to afford the type of traffic studies done by this well-funded organization. However, we are anticipating increased traffic on Richards Road (our only entry and exit point) from three new situations: (1) the sale and occupancy of the former ProMedica Headquarters building at 1801 Richards Rd directly across from our entry and exit points, (2) the Ottawa Hills sports fields at Dorr and Richards coming online and (3) the future golf academy on Dorr St. We currently experience long waits to exit our streets during peak traffic times.

Our homes represent the definition of the very fabric of a Toledo community. But our way of life is under siege.

In 2015 Michael Leizerman, a very successful multi-millionaire truck accident lawyer, purchased 20 wooded acres at the end of our streets. He is a board member and the donor of the land and funding the building construction for his organization. The neighborhood fully accepted his abundance and this is not our concern. Nor are religious affiliations our concern. We welcome all new residents.

Historically, this residential zoning provided easy access for neighbors to walk to and attend places of worship without undue hardship. Locating this building in another area would not

Temple representatives are suspect (an understatement) in the eyes of the neighbors. While they pay lip service to the neighbors, their behavior has exhibited a cavalier disregard for the neighbors and their concerns. Accordingly, and unfortunately, strong conditions are needed to prevent Mr. Leizerman and the Temple from going beyond the use of the proposed Temple for religious assembly. If a permit is granted, the Plan Commission needs to include safeguards to prevent uses of this building which are prohibited in residential areas and which would significantly increase traffic in our neighborhood.

Sincerely yours,

Phil and Robin Baither  
4041 Estateway Road  
Toledo, Ohio 43607

Dear Members of the Plan Commission

We are writing in opposition to the construction of the Buddhist Temple at the end of Emmajean Road. The sole issue is traffic or, more specifically, the detrimental effect of increased traffic on the neighborhood caused by the construction of the proposed Temple. Our neighborhood, Emmajean and Estateway Roads, consists of 2 dead end unimproved roads. It is a nice, quiet, middle class neighborhood with many longtime residents. We are certain that, like us, many of our neighbors moved to this neighborhood due to its setting and the lack of traffic due to the dead end streets. Clearly, the construction of a non-residential building at the end of Emmajean will detract from the neighborhood and cause extra traffic on Emmajean and, to a lesser degree, on Estateway. Even if the Temple is only used on Sunday mornings and Wednesday evening, as the Temple represented in the Plan Commission Report, this will result in an influx of cars going in and out on the those days. Unfortunately, I fear the applicant has misled the Plan Commission on this issue.

First, Michael Liezerman, the applicant and the prime moving force for the Temple, has advised us earlier that the Temple has about 90-100 members and, as we recall, that approximately 30 or so cars should be expected for Sunday morning services and a lesser number for Wednesday evening services. He characterized this as *de minimus* increase in traffic. However, we can assure you 30 cars going up Emmajean on Sunday morning and coming back down Emmajean a couple of hours later is a significant change from the current Sunday traffic.

More important, are the possible other uses of this property which are not referenced in your report. The Temple's website calendar shows activities every day of the week at its current location. Of particular note are Aikido classes, conducted by the Temple's abbot, on 6 days of the week with classes starting as early as 7 a.m. and running as late as 8 p.m.. These are commercial classes open to the public for which participants pay a fee. If these 9 weekly classes were conducted at the proposed Temple, it would obviously add significantly to the traffic on Emmajean and further disrupt the neighborhood. The Temple's website also indicates yoga classes for a fee are being offered at the Temple. These uses of the property should be prohibited because they don't qualify as religious assembly and are commercial uses which are prohibited in residential neighborhoods.

The Toledo Mindfulness Institute, an independent corporation headed by the Temple's abbot, has its address at the current Temple location. Once again, the use of the proposed Temple as an office for outside entities should be prohibited. Our concern about the use of the proposed Temple along these lines is heightened by the proposed Temple's floor plan which includes 5 offices and an office/multipurpose room for a religious organization with fewer than 100 members.

We also have a concern the Temple may open its space to other outside entities for offices and meetings. Once again, this should be prohibited since it is not an allowed use in a residential area and adds to the traffic problems.

In conclusion, we oppose the construction of the Temple because the increased traffic will have a negative impact on our neighborhood. This is clearly a situation where the Temple is being built at the urging and benefit of Mr. Leizerman. Unfortunately, his gain is his neighbors' loss.

However, we do recognize the zoning code allows structures for "religious assembly" in residential areas. If the Commission does issue a building permit, it should do so allowing for this narrow exception only and prohibit all uses such those set forth above as a condition of the permit. Given the interactions of the past several months, any assurances or representations by Mr. Leizerman or the other

RECEIVED

MAY 29 2019

TOLEDO-LUCAS COUNTY  
PLAN COMMISSIONS

We can't imagine the traffic from the construction of a building and the additional traffic of nonresidents entering and exiting our neighborhood. There was mention of an independent traffic study done on Emmajeane Rd. This study was done by those supporting the building of this nonresidential structure. We were told that there was an average of 300 cars entering and exiting Emmajeane on a daily basis. This was said to support the additional traffic we would receive from members associated with the new building. As I stated previously, I and my husband have lived on Emmajeane for 34 years, NEVER have we witnessed a traffic pattern of 300 cars on Emmajeane (without traffic being diverted off Richards Road).

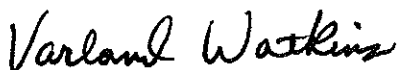
The large trailer, semis, and heavy equipment trucks backing down our roads are a safety hazard for our neighborhood. We walk, ride bikes and play with our children and grandchildren on the roads in our neighborhood.

Once this building is constructed we face additional traffic as well as nonresidents entering and exiting our neighborhood at all times of the day and night. We were also told that this building would hold meetings to service individuals with drug addictions. The issues we have with the construction of this building are legitimate. Their members state that they are a small group. Yes, presently they may be a small group but who is to say that expansion of their group will not occur in the future, causing additional traffic and unknown individuals entering and exiting our neighborhood. These are the concerns of long standing tax paying citizens of Emmajeane and neighboring roads. We stand in opposition of this nonresidential building being constructed in our neighborhood.

Sincerely,

A handwritten signature in cursive script that reads "Brenda Watkins".

Brenda Watkins

A handwritten signature in cursive script that reads "Varland Watkins".

Varland Watkins

**RECEIVED**

**MAY 29 2019**

**TOLEDO-LUCAS COUNTY  
PLAN COMMISSIONS**

May 28, 2018

4052 Emmajean Rd.  
Toledo, OH 43607

Toledo Planning Commission;

This letter is being written in opposition to a nonresidential building being constructed at the end of Emmajean Road. My husband and I purchased our home over 34 years ago. We raised our two daughters in this quiet residential neighborhood. Now that we have raised our children and retired, we were planning on reaping the benefits of years of hard work, enjoying our home nestled in our safe quiet neighborhood.

However, we received notice in January 2019, that the individual who had purchased the land at the end of Emmajean Rd. had plans on building a Buddhist Temple (as well as the continued construction of his home). The building of the Temple was to begin March 1, 2019 as you can see from the enclosed letter. This was the first time my husband and I (and many of the neighbors we contacted) were aware of the project.

Needless to say, we were in disbelief. Well, we received an education, our neighbor had the right to build a religious building without certain zoning requirements. The religion that is being practiced is not our concern. Our concern is a nonresidential building being built in a quiet established neighborhood. The roads in our neighborhood are narrow and unimproved. Yet, we have been bombarded with heavy equipment trucks along with semis backing down Emmajean Rd. This is for the construction of our neighbor's home. (We have personal video that we captured of trucks backing down Emmajean Rd. They (trucks) have also blocked all entrances and exits at one time).

The home our new neighbor has built does not have to encounter the traffic flow. His home sits back on 20 acres. Emmajean, Estateway and Evergreen Roads are just access roads to entrance into his home.



## Lascheid, Matthew

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**From:** Lascheid, Matthew  
**Sent:** Tuesday, June 11, 2019 3:31 PM  
**To:** Victoria Kamm  
**Subject:** RE: letter attached

Victoria,

You are correct! My mistake. July 11th is next month's Plan Commission meeting, which I have also been working on. July 17th is the City Council meeting, which would hear cases appealed from this month's Plan Commission meeting. So Council would hear this case, if it is appealed, on the 17<sup>th</sup> of July.

Matt

-  
Matt Lascheid  
Associate Planner  
Toledo-Lucas County Plan Commissions  
One Government Center, Suite 1620  
(419) 245-1201

**From:** Victoria Kamm <[victoriakamm@gmail.com](mailto:victoriakamm@gmail.com)>  
**Sent:** Tuesday, June 11, 2019 3:06 PM  
**To:** Lascheid, Matthew <[Matthew.Lascheid@toledo.oh.gov](mailto:Matthew.Lascheid@toledo.oh.gov)>  
**Subject:** Re: letter attached

Thanks Matt! One question. I received a notice it City Council would hear it, if requested, on July 17. Would you clarify?

vk

On Tue, Jun 11, 2019, 1:21 PM Lascheid, Matthew <[Matthew.Lascheid@toledo.oh.gov](mailto:Matthew.Lascheid@toledo.oh.gov)> wrote:

Victoria,

Thank you for your diligent research and consistent communication. I have added a copy of your letter to be shared with each member of the commission, as well as our director, administrator, and legal representation, as well as the case file.

In the interest of fairness, in the case that this application is approved, I will share with you the section of the Toledo Municipal Code which highlights the appeals process for a Site Plan Review. The following is Toledo Municipal Code 1111.0810 (B):



"Appeals of the Plan Commission's decision, in the case of Major Site Plan Review applications or Minor Site Plan Review applications appealed to the Plan Commission, may be appealed to the City Council by filing a notice of appeal to the Planning Director and the Clerk of City Council. Appeals must be filed within 10 days of the Plan Commission's decision."

If the Plan Commission's decision this Thursday is appealed by a resident or neighborhood association, the appeal would then be heard by City Council on July 11. One option would be to reach out to your councilman, Tyrone Riley, prior to the hearing this Thursday to discuss your concerns. His contact information, as well as the contact information for the Planning Director and Clerk of City Council, can be found on the City's website.

I cannot provide advice on these matters, and this message is not intended to do so. I am simply explaining the City's processes and expectations, as I have also done for the applicant.

Best,

Matt Lascheid

-  
Matt Lascheid

Associate Planner

Toledo-Lucas County Plan Commissions

One Government Center, Suite 1620

(419) 245-1201

**From:** Victoria Kamm <[victoriakamm@gmail.com](mailto:victoriakamm@gmail.com)>

**Sent:** Tuesday, June 11, 2019 12:46 PM

**To:** Lascheid, Matthew <[Matthew.Lascheid@toledo.oh.gov](mailto:Matthew.Lascheid@toledo.oh.gov)>

**Subject:** letter attached



Hi Matt - see you Thursday

Victoria



## Lascheid, Matthew

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**From:** Susan Hilton <susanhilton01@gmail.com>  
**Sent:** Friday, June 14, 2019 8:37 AM  
**To:** Lascheid, Matthew  
**Subject:** Fwd: WE WON!

Hello Matt,

Although the Plan Commission decision wasn't what we hoped, I want to thank you again for your assistance as we navigated the process. As a small neighborhood, we did our best with the resources available to us and learned a lot during the past several weeks. Below is an email that expresses what so many of the neighbors feel now.

Sincerely,

Susan Hilton

>  
> Hello All,  
>  
> I am writing to say that we lost a battle for blocking non-residential construction..... but we won a bigger and better war! We have gained something way better than the Temple has gained in a zoning ruling..... We have new friendships and built our neighborhood to be stronger and more connected than ever before!!  
>  
> Thanks to everyone for joining in to speak as one voice. I feel so proud and honored to be a part of this truly special neighborhood. A special thanks to the members of the BHE Association board, Victoria, Sean, DeLise and Shirley.  
>  
> Let's go forward stronger and more committed to making our neighborhood the best that it can be!  
>  
>  
> Most Sincerely,  
>  
> Susan Hilton





## **Lascheid, Matthew**

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**From:** Victoria Kamm <victoriakamm@gmail.com>  
**Sent:** Friday, June 14, 2019 2:34 PM  
**To:** Lascheid, Matthew  
**Subject:** Re: Religious Assembly Clarifications

Yes it does. Thanks Matt! You have been a great resource and it is much appreciated.

Victoria Kamm

On Fri, Jun 14, 2019 at 2:17 PM Lascheid, Matthew <[Matthew.Lascheid@toledo.oh.gov](mailto:Matthew.Lascheid@toledo.oh.gov)> wrote:

Victoria,

I have copied a few sections and definitions from the zoning code for clarification.

The definition of Religious Assembly is as follows:

### **1116.0240 Religious Assembly**

Religious services involving public assembly such as customarily occurs in synagogues, temples, mosques, and churches.

A Buddhist Temple qualifies as the principal use of Religious Assembly.

The following is the definition of an Accessory Use:

### **1116.0103 Accessory Use**

A use of land or of a building or portion thereof customarily used with, and clearly incidental and subordinate to, the principal use of the land or building and ordinarily located on the same lot with such principal use.



Religious assembly is the principal use. Office space, meeting rooms, and classrooms would qualify as uses of a portion of a building customarily used with, and clearly incidental and subordinate to, the principal use of the building (religious assembly)

The following section explains and permits accessory uses of a principal use or structure.

### **1105.0100 | Authorization**

Except as otherwise expressly provided in this Zoning Code, accessory uses and structures are permitted by right in connection with any lawfully established principal use. Also, unless otherwise stated, accessory uses are subject to the same regulations as the principal use.

In this case, religious assembly is the lawfully established principal use. Accessory uses such as classrooms, offices, and meeting rooms are permitted.

Hope this helps! Let me know if you have any other questions.

Best,

Matt Lascheid

-  
Matt Lascheid

Associate Planner

Toledo Plan Commissions

One Government Center, Suite 1620

(419) 245-1201



## Lascheid, Matthew

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**From:** Susan Hilton <susanhilton01@gmail.com>  
**Sent:** Monday, June 10, 2019 10:56 AM  
**To:** Lascheid, Matthew  
**Subject:** Re: Proposed Non-Residential Building in Residential Neighborhood

Very much appreciated! Susan

On Jun 10, 2019, at 10:54 AM, Lascheid, Matthew <[Matthew.Lascheid@toledo.oh.gov](mailto:Matthew.Lascheid@toledo.oh.gov)> wrote:

Susan,

I appreciate your involvement and as I mentioned, I have shared your concerns with all of the involved decision-making bodies. Plan Commission staff has performed multiple site visits, and I fully understand the quaint neighborhood character you enjoy and want to preserve.

I want to give you notice that the public hearing will focus more heavily on the proposed site plan, and its legality and appropriateness within the neighborhood context. Traffic will also be considered, but will not be the commission's primary focus. Expecting land within the City of Toledo to remain indefinitely undeveloped is simply unrealistic, so we must weigh potential uses against one another. A traffic study has been performed which accurately demonstrates that a new religious assembly structure does not generate more traffic than if the land were to be subdivided into new residential use mirroring the single-family residential character of Emmajean and Estateway Roads.

For that reason, I want to encourage you to focus on concerns with the site plan. I have attached the full staff report for the case, which includes the site plan on page 16-14, for you to review prior to Thursday. I hope this helps.

Thank you,  
Matt

-  
Matt Lascheid  
Associate Planner  
Toledo-Lucas County Plan Commissions  
One Government Center, Suite 1620  
(419) 245-1201

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**From:** Susan Hilton <[susanhilton01@gmail.com](mailto:susanhilton01@gmail.com)>  
**Sent:** Monday, June 10, 2019 9:06 AM  
**To:** Lascheid, Matthew <[Matthew.Lascheid@toledo.oh.gov](mailto:Matthew.Lascheid@toledo.oh.gov)>  
**Subject:** Re: Proposed Non-Residential Building in Residential Neighborhood

Hi Matt,



Thanks for your prompt response! I do understand that your staff recommendation is to address the zoning laws as written for land use decisions. I hope the Plan Commission board will be able to take into consideration our legitimate concerns and see that the many burdens of this proposal for our neighborhood will outweigh the limited benefits.

I hope the short video was helpful to portray the quiet character of our neighborhood. I do have more footage available if you feel I should expand on it to better express our position.

Thank you again for calling last Friday so that I was able to verbally express our neighborhood concerns.

See you Thursday

Regards,

Susan Hilton

On Jun 10, 2019, at 8:27 AM, Lascheid, Matthew  
<[Matthew.Lascheid@toledo.oh.gov](mailto:Matthew.Lascheid@toledo.oh.gov)> wrote:

Dear Susan Hilton,

I appreciate you sharing your concerns in writing. I understand that this is a concern of traffic and potentially harming the residential character of the neighborhood. I have shared this letter with all 5 members of the Toledo City Plan Commission, who will be voting on the application this Thursday. I have also shared it with the director and administrator of the Plan Commission and the City of Toledo's legal team.

I look forward to meeting you on Thursday. Please let me know if you have any additional questions or comments before the hearing.

Best,  
Matt Lascheid

-  
Matt Lascheid  
Associate Planner  
Toledo-Lucas County Plan Commissions  
One Government Center, Suite 1620  
(419) 245-1201

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**From:** Susan Hilton <[susanhilton01@gmail.com](mailto:susanhilton01@gmail.com)>  
**Sent:** Sunday, June 9, 2019 3:03 PM  
**To:** Lascheid, Matthew <[Matthew.Lascheid@toledo.oh.gov](mailto:Matthew.Lascheid@toledo.oh.gov)>  
**Subject:** Proposed Non-Residential Building in Residential Neighborhood





## Lascheid, Matthew

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**From:** Henderson, Karlene  
**Sent:** Friday, June 7, 2019 1:08 PM  
**To:** Lascheid, Matthew  
**Subject:** RE: 3900 Emmajean Road

I'm going with the engineer's office – and I know Tom (your boss) said that engineering had gotten some sidewalk repairs done after heavy equipment damaged.

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**From:** Lascheid, Matthew  
**Sent:** Friday, June 07, 2019 1:03 PM  
**To:** Henderson, Karlene  
**Cc:** Cottrell, Lisa  
**Subject:** RE: 3900 Emmajean Road

Karlene,

Thank you so much for getting back to us. For clarification of the last point:

"Can we make the applicant pay for any damage that is done to the right-of-way as a result of his construction? Yes, but this would not be under the authority of the plan commission."

Who would have the authority to follow up if this issue does arise?

Thanks,  
Matt

- ENGINEERING SERVICES WILL HANDLE IT
- IF THERE IS A POT HOLE, CITY WILL FIX IT.

-  
Matt Lascheid  
Associate Planner  
Toledo-Lucas County Plan Commissions  
One Government Center, Suite 1620  
(419) 245-1201

**From:** Henderson, Karlene <Karlene.Henderson@toledo.oh.gov>  
**Sent:** Friday, June 7, 2019 12:12 PM  
**To:** Lascheid, Matthew <Matthew.Lascheid@toledo.oh.gov>  
**Cc:** Cottrell, Lisa <Lisa.Cottrell@toledo.oh.gov>  
**Subject:** RE: 3900 Emmajean Road

Happy Friday all,

Matt- to briefly answer your questions:



How can we ensure that this project does not do damage to the right-of-way and neighboring properties? What if it does? Planning cannot police this issue -- but the engineering department can and will for city property. They are very protective of the city right of way and will do enforcement.

The neighbors would have to handle any damage to their private property themselves, as an example -- they may have a trespass claim. That being said, usually if the contractor needs to encroach on private property they will approach the land owner for a temporary easement which should include provisions to return the land to its original state. (Bear in mind that the city law department cannot provide legal advice to the property owners.)

Can we make the applicant pay for any damage that is done to the right-of-way as a result of his construction? Yes, but this would not be under the authority of the plan commission.

Hope this helps! Any other questions or things that come up before Thursday let me or Paul know!! Karlene ext 1088

**From:** Lascheid, Matthew  
**Sent:** Thursday, June 06, 2019 3:59 PM  
**To:** Henderson, Karlene  
**Cc:** Cottrell, Lisa  
**Subject:** RE: 3900 Emmajean Road

Thank you!  
Matt

Matt Lascheid  
Associate Planner  
Toledo-Lucas County Plan Commissions  
One Government Center, Suite 1620  
(419) 245-1201

**From:** Henderson, Karlene <Karlene.Henderson@toledo.oh.gov>  
**Sent:** Thursday, June 6, 2019 3:57 PM  
**To:** Lascheid, Matthew <Matthew.Lascheid@toledo.oh.gov>  
**Cc:** Cottrell, Lisa <Lisa.Cottrell@toledo.oh.gov>  
**Subject:** RE: 3900 Emmajean Road

Hi Matthew, I will look into these questions, also planning to consult with Paul Syring, general counsel, as I know this a hot topic. Back with you as quickly as possible- Karlene

**From:** Lascheid, Matthew  
**Sent:** Thursday, June 06, 2019 3:53 PM  
**To:** Henderson, Karlene  
**Cc:** Cottrell, Lisa  
**Subject:** 3900 Emmajean Road

Karlene,

We have an application for a Site Plan Review for a Religious Assembly Building at 3900 Emmajean Road. Emmajean is an unimproved residential cul-de-sac, and this property is at the end of the cul-de-sac. Staff is recommending approval of the application, as religious assembly is permitted by right. Neighbors are concerned that construction vehicles will