

# TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

DATE: December 3, 2020 REF: PUD-10007-20

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

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

Request for an amendment to Planned Unit Development, originally approved by Ord. SUBJECT:

87-17, for multi-family development at 801 Division Street.

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, December 3, 2020 at 2:00 P.M.

#### **GENERAL INFORMATION**

## Subject

Amendment to Planned Development, Request Unit

originally approved by Ord.87-17, for multi-family

development

Location 801 Division Street

Matt Sutter **Applicant** 

Lucas Metropolitan Housing Authority

435 Nebraska Avenue Toledo, OH 43604

Phillip Enderle Architect

The Collaborative

One Seagate, Park Level 118

Toledo, OH 43604

Architect Jon Holway

Berardi Partners

369 East Livingston Avenue

Columbus, OH 43215

Troy Barman Engineer

Lewandowski Engineers

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## GENERAL INFORMATION (cont'd)

## Site Description

Zoning - RM36-PUD, CN-PUD / Multifamily Residential with

PUD, Neighborhood Commercial with PUD

Area  $\pm 20.0$  acres (amended portion is  $\pm 5.6$  acres)

Frontage - ±350' along Nebraska Avenue

±980' along Division Street

±235' along Belmont Avenue

Existing Use - Multifamily Housing Proposed Use - Multifamily Housing

## Area Description

North - Single family homes / RS6
South - Multi-family housing / RM36
East - Interstate 75 / RM36-PUD, IL
West - Gunkel Elementary School / RM36

## Parcel History

Z-51-85 - Zone Change from C-3 to R-2 and R-5 to R-2. PC approved 04/25/85. Ord 353-85 passed 05/14/85.

M-14-95 - Community Development Plan for the ONYX

Community Development District. PC approved

05/03/95. Ord 375-96 passed 05/29/96.

S-16-02 - Preliminary Drawing Review for Washington

Village Plat Ten. PC approved 11/07/02.

S-31-04 - Washington Village Plat X Preliminary Drawing

Review. Withdrawn.

Z-1001-05 - Zone Change from RS6 to CO. Withdrawn.

SPR-11-11 - Major Site Plan Review of a 65 Unit Senior Housing

Center. PC approved 09/06/11.

Z-9003-12 - Zone Change from RS6 to RM36. PC rec approval

10/11/12. CC rec approval 11/14/12. Ord 549-12

passed 11/20/12.

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# GENERAL INFORMATION (cont'd)

## Parcel History (cont'd)

| PUD-8007-12  | -    | Request for a Planned Unit Development for a 207 dwelling unit housing complex located at 392 Nebraska Avenue. PC rec approval on 10/11/12. CC rec approval on 11/14/12. Ord 550-12 passed 11/20/12.                      |
|--------------|------|---|
| V-441-13     | -    | Request for the Vacation of all right of ways bounded<br>by Nebraska Avenue, Division Street, Belmont<br>Avenue, and Interstate 75. PC rec approval 10/10/13.<br>CC rec approval 11/13/13. Ord 552-13 passed<br>12/10/13. |
| V-29-13      | -    | Request for the Vacation of Weiler Avenue from Nebraska Avenue to Belmont Avenue. PC rec approval on 02/14/13. CC rec approval 11/13/13.Ord 552-13 passed 12/10/13.   |
| S-24-13      | -    | Request for the review of the Final Plat of Collingwood Green located at the intersection of Collingwood Boulevard and Nebraska Avenue. PC approved 10/23/13.   |
| PUD-11004-16 | -    | Amendment to a Planned Unit Development, originally granted via Ord 550-12 for new multifamily housing at 392 Nebraska Avenue. PC rec approval 01/12/17. CC rec approval 02/15/17. Ord 87-17 passed 02/21/17.             |
| V-166-17     | -    | Vacation of portion of Belmont Ave, a portion of Bresnahans Green and a portion of Rogan Way. PC rec approval 06/08/17. CC rec approval 07/12/17. Ord 77-18 passed 02/27/18.  |
| S-6-20       | , wa | Final Plat of Bresnahan Green and part of Belmont Avenue in Collingwood Green. PC disapproved without prejudice 05/14/20.   |
| V-444-20     | -    | Vacation of a portion of Clemente Trace in Collingwood Green. Companion Case.   |

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# Applicable Plans and Regulations

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

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## STAFF ANALYSIS

The applicant is requesting approval of an amendment to the amended Planned Unit Development (PUD), granted via Ord. 87-17, for a multi-family development at 801 Division Street. This amendment will affect the southern portion of the PUD, with the most changes occurring at blocks 6, 7, and 8. The site is zoned RM36 Multifamily Residential and CN Neighborhood Commercial with a PUD overlay. Surrounding land uses include multifamily housing and single family houses to the north; multifamily housing to the south; I-75 to the east, and a park and school to the west.

In 2012, the Plan Commission approved a PUD for Phase 1 of the Collingwood Green multi-family housing complex via Ord. 550-12. The proposal was for the development of 176 residential units dispersed throughout twenty-five (25) buildings, a mixed-use building with thirty-one (31) residential units above commercial space, and a separate community building. A total of 207 units were proposed as part of this initial PUD. In 2017, an amended PUD facilitating Phases 2 and 3 of development was approved via Ord. 87-17. The amendment requested revisions to fifteen (15) of the proposed buildings and to parking lot configurations.

The applicant is requesting the PUD amendment to facilitate Phase IV of the Collingwood Green development. The proposed changes include the reduction of the total number of units by twenty-five (25), reduction of the total number of parking spaces by 125, increased open space on the eastern side of the site, and the relocation of Clemente Trace. Companion Case V-444-20 is for the Vacation of Clemente Trace, and the proposed PUD amendment rededicates the right-of-way slightly south of where it was initially dedicated.

The PUD provides an overlay Zoning District that is intended to encourage innovative design, conservation of significant natural features or consolidation of open space in order to provide for a mixture of uses with an integrated design. PUD regulations are intended to promote consistency with the Comprehensive Plan and adopted Neighborhood Plans. The PUD development may be a residential, commercial, or industrial development or may be a combination of uses with no minimum site area required. All planned unit developments shall be platted in accordance with applicable subdivision rules and regulations.

## Parking and Circulation

Pursuant to TMC§1107.0300, the required parking for multi-family housing is one (1) and one-half (1 ½) spaces for every one (1) dwelling unit, plus one (1) space per ten (10) units for visitor parking. Calculations conclude that a 163 unit multi-family housing complex requires 245 residential spaces plus sixteen (16) parking spaces for visitor parking for a total 261 parking spaces. The site plan depicts 223 parking spaces. However, per TMC§1107.1400(E), the Planning Director may authorize up to a 20% reduction in the number of required off-street parking spaces for developments that provide transit stops. A revised site plan received 11/23/20 depicts transit stops along the perimeter of the development, and the Planning Director approves of the twenty percent (20%) parking reduction, allowing 223 spaces. Additionally, one (1) bicycle parking slot per ten (10) parking spaces is required. According to the plan submitted, 223 spaces are provided, requiring a total of twenty-three (23) bicycle parking spaces.

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#### STAFF ANALYSIS (cont'd)

## Parking and Circulation (cont'd)

A portion of the total number of required off-street parking spaces must be specifically designated, located, and reserved for use by persons with physical disabilities. According to the table in TMC§1107.1701 – Number of Required Parking Spaces for Persons with Disabilities, the applicant is required to provide at least six (6) auto and one (1) van accessible space for a total of seven (7) parking spaces for persons with physical disabilities. Twenty-one (21) accessible parking spaces are depicted and comply with these parking requirements.

## **Density**

The maximum density refers to the number of dwelling units allowed per acre of the site area, after subtracting existing rights-of-way from the gross site area. The maximum number of dwelling units permitted in the PUD is calculated by dividing the net residential acreage by the minimum lot area per dwelling unit as shown in TMC§1106.0100-Intensity and Dimensional Standards. For purposes of this calculation, net residential acreage equals either percent (80%) of the gross parcel acreage. Eighty percent (80%) of the development site is equal to sixteen (16) acres. The maximum number of dwelling units allowed in the RM36-Multifamily Residential Zoning District with a PUD is twenty-nine (29) units per gross acre.

Calculations conclude that a site comprised of 20.0 acres is permitted to accommodate a total of 464 units. The proposal of 163 units is well below the allowed amount of dwelling units and the proposal is in compliance. No more than forty percent (40%) of gross site acreage shall be devoted to coverage by buildings, structures, street pavement, driveway and parking area pavement (TMC§1106.0302(B) – Intensity and Dimensional Standards Table). The site plan submitted is in compliance with the regulation.

## Building Design

The intent of building design standards is to ensure a base level of quality architecture that contributes to the established architectural character of an area. The applicant did not request any amendments to the building elevations which were approved via Ord. 87-17. No further review is required at this time.

## Open Space Requirements

Open spaces are a great benefit to the residents, employees, and visitors of multifamily developments. According to TMC§1103.1007(D) Planned Unit Development – Residential Standards, no less than fifteen percent (15%) of the gross site acreage shall be allocated to usable, accessible, and consolidated common open space. The site plan allocates a total of 4.82 acres of open space for the development. A total of 3.59 acres of the overall 20.0 acre site is dedicated towards the consolidated common open space requirement and equates to eighteen percent (18%) of the site.

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## STAFF ANALYSIS (cont'd)

## Open Space Requirements (cont'd)

All PUDs require an open area void of buildings, structures, parking areas or other above ground improvements, except fencing, to be maintained along all perimeter property lines. The landowner must establish an agency for the ownership and maintenance of common open spaces where such are to be retained in private ownership. In the event the agency established to own and maintain the common open space or any successor agency as a condition of approval, the City may serve written notice upon such agency or upon the residents and owners of the PUD.

## Landscaping

Per TMC§1103.1010(G), landscaping for a PUD shall be reviewed and approved in accordance with the procedures of Chapter 1108-Landscaping and Screening.

Per TMC§1108.0202 – Frontage Greenbelts, a fifteen foot (15') frontage greenbelt with at least one (1) tree for every thirty feet (30') of frontage is required. If a parking lot is proposed to be developed in the front of the property, the frontage greenbelt shall also include a solid evergreen hedge to screen the parking lot so that no headlights of any vehicles can be seen from the street. The submitted landscape plan depicts a frontage greenbelt with trees lining Bresnahans Green, Rogan Way and Clemente Trace. Along Nebraska Avenue, three (3) trees and a continuous shrub row are depicted where the parking for the Community Center abuts the street. Per calculations, a total of ten (10) trees need to be planted in the frontage greenbelt along Nebraska Avenue. Seven (7) additional trees along Nebraska Avenue are required as a condition of approval.

A Type A Landscape Buffer is required where RM36 Multi-Dwelling Residential abuts CN Neighborhood Commercial Districts. A Type A Landscape buffer is a minimum of ten feet (10') in width and consist of a solid fence or wall, in addition to four (4) canopy trees and fifteen (15) shrubs for every 100 linear feet. The southwest corner of the PUD is zoned CN Neighborhood Commercial, and a Type A Landscape Buffer will be required. The CN Neighborhood Commercial property was not included in this PUD amendment, but the landscape buffer is noted for future development of the commercially zoned property.

Parking lot landscaping is essential to prevent headlights from being seen from public rights-of-way, curb the urban heat island effect, and to beautify the site. TMC§1108.0204 - Parking Lot Landscaping (Interior and Perimeter) applies to RM36 Multi-Dwelling Residential off-street parking lots containing five (5) or more off-street parking spaces. Pursuant to TMC§1108.0204(B), the total interior landscaping required for parking lots is twenty (20) square feet per parking space. The site's parking lot contains a total of 223 parking spaces, which requires a minimum of 4,460 square feet for interior parking lot landscaping. Additionally, two (2) canopy trees and six (6) shrubs are required to be installed in interior landscape areas for each ten (10) parking spaces. A total of forty-four (14) trees and 42 shrubs are required in the interior parking. The landscape plan has been approved by the Plan Director.

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## STAFF ANALYSIS (cont'd)

## Landscaping (cont'd)

As the site is a new development, interior site landscaping is required per TMC§1108.0205. There shall be one (1) tree per 500 square feet of building coverage, or fraction thereof, for all structures. Additionally, foundation plantings and landscaping at major building entrances are required. The building coverage is 11,059 square feet, and requires twenty-two (22) trees in addition to the foundation plantings. The submitted landscape plan shows the required interior site landscaping throughout the site and along the building foundations.

## Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets the site for Multi-Family Residential land uses. This land use is primarily intended to accommodate the development of multi-dwelling housing and also intended to create, maintain and promote higher density housing opportunities in areas with good transportation access. Staff recommends approval of the applicant's request because the proposal is an appropriate use and conforms to the 20/20 Plan.

Staff has reviewed the proposed PUD in accordance with the criteria of TMC§1103.1000. Based on the results of the review, staff has determined that the proposed PUD is suitable for this location because the use complies with all applicable provisions of the Toledo Municipal Code, the request meets the stated purpose of the Zoning Code, and the proposed development is consistent with the Toledo 20/20 Comprehensive Plan.

#### PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission approve PUD-10007-20, an amendment to a PUD originally approved by Ord. 87-17, for multi-family development at 801 Division Street for a new senior living facility at 3837 Secor Road (portion) for the following three (3) reasons:

- 1. The proposed use complies with all applicable provisions of the Toledo Municipal Code;
- 2. The proposed use meets the stated purpose of the Zoning Code; and,
- 3. The proposed use conforms to the Toledo 20/20 Comprehensive Plan.

The Toledo City Plan Commission recommend approval of PUD-10007-20, a request for an amendment to a PUD originally approved by Ord. 87-17, subject to the following **forty-five** (45) 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.

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## PLAN COMMISSION RECOMMENDATION (cont'd)

## **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. Minimum 4' barrier free sidewalk shall be placed along the frontages of all public streets in the development, and shall extend through drive approaches. Pedestrian curb ramps shall be placed at all intersections.
- 3. All proposed drive approaches, sidewalk, and curb shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, and Toledo Municipal Code. All drive approaches, and sidewalk through the drives, shall be 6" thick concrete residential, 8" thick concrete Commercial. No curb shall be permitted in the right-of-way along either side of the drive approach. No horizontal curb cutting will be permitted.
- 4. Substandard drive approaches, sidewalk, and curb sections that exist within the public right-of-way abutting the site shall be replaced in accordance with City of Toledo Construction Standards, Specifications, and Toledo Municipal Code.
- 5. Improvements per City of Toledo Infrastructure Design and Construction requirements
- 6. 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.
- 7. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
- 8. 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.
- 9. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.

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## PLAN COMMISSION RECOMMENDATION (cont'd)

# Engineering Services (cont'd)

- 10. If existing public water facilities are in conflict and must be relocated, they will be relocated by the City of Toledo at the owner's cost.
- 11. Plans for the water service lines shall be submitted to and approved by the Ohio EPA prior to starting construction of the water service lines.
- 12. The plan submitted for plan commission review indicates earth-disturbing activity greater than 2,500 square feet; therefore, a detailed site-grading plan, Stormwater Pollution Prevention Plan (SWP3), calculations, plans for stormwater service and a maintenance plan & maintenance agreement for Post-Construction Stormwater Best Management Practices (BMP's) for this project shall be submitted directly to the Division of Engineering Services for stormwater review & approval.
- 13. Plan submittals shall be in conformance with the latest version of Infrastructure Design and Construction Requirements available at <a href="http://toledo.oh.gov/services/public-utilities/divengineering-services/plan-review-process/">http://toledo.oh.gov/services/public-utilities/divengineering-services/plan-review-process/</a>, including the requirements for stormwater detention and post-construction stormwater BMP's.
- 14. Any person performing earth-disturbing activities within the City of Toledo shall employ Construction Best Management Practices (BMPs) to provide sediment and erosion control during construction. Construction BMP's shall be designed and installed per the latest Ohio EPA General Stormwater NPDES permit.
- 15. All sites disturbing 2,500 sq. ft. or more shall develop a site specific Stormwater Pollution Prevention Plan (SWP3) which shall be submitted for review and approval. The SWP3 shall address all components required per the latest Ohio EPA General Stormwater NPDES permit and shall submitted with a completed Ohio EPA SWP3 Checklist.
- 16. Post construction BMP's for sites that disturb 5 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 2 "Structural Post-Construction BMP's & Associated Drain (Drawdown) Times". If an alternate to the NPDES Table 2 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 the Table 2 BMP's isn't feasible due to physical site constraints. Ohio EPA approved the proposed alternate post construction BMP plan in January 2014, which includes additional underground detention, bio-swales and a dry detention pond, and consideration of additional practices where feasible which are not shown on the PUD submitted.

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## PLAN COMMISSION RECOMMENDATION (cont'd)

## Engineering Services (cont'd)

17. Following the review process, the following will be needed for final stormwater approval:

- Fee for the sewer construction permit, which also requires a sewer contractor, licensed with the City of Toledo, to be named for the project.
- SWP3 contact list for responsible parties. Form is available at http://www.tmacog.org/storc/swp3.htm.
- Covenant for the approved O&M plan.
- Notice of Intent for coverage under the Ohio Construction General Permit
- 18. Designs incorporating low impact development solutions, such as grassy swales and bioretention 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.
- 19. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
- 20. 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.
- 21. Any existing sewers under proposed buildings shall be relocated or abandoned. Developer shall verify any sewers to be abandoned are no longer in service.
- 22. 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.

## Sewer and Drainage Services

- 23. S&DS requires that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
- 24. S&DS requires that the private sanitary lines (after they have been cleaned) that are not being removed or properly abandoned be televised from the building (or private cleanout) to where they connect with the public sewer system if this has not been done in the past (2) two years. An electronic copy (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity.

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## PLAN COMMISSION RECOMMENDATION (cont'd)

#### Division of Environmental Services

- 25. Applicant shall maintain compliance with the City of Toledo's Storm Water regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential storm water impacts from the modification of the site, including but not limited to long-term operation and maintenance of existing structural and non-structural Best Management Practices.
  - a. Notification shall be made to the Division of Environmental Services (419-936-3015) no later than three days prior to commencement of construction activities.
  - b. Construction BMPs shall be in place prior to the start of construction activities.
  - c. SWP3 inspection reports shall be kept on site with the SWP3 and readily accessible during normal working hours.
- 26. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
- 27. Applicant is strongly encouraged to include multiple green infra-structure measures to minimize runoff and increase infiltration, and to minimize the amount of new and/or additional impervious surface on the site.
- 28. Applicant is strongly encouraged to plant native, low maintenance and non-invasive trees, shrubs and perennials.

  <a href="http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives\_to\_Ohio\_Invasive\_Plant\_Species\_pdf">http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives\_to\_Ohio\_Invasive\_Plant\_Species\_pdf</a>
- 29. Applicant shall maintain compliance with the City of Toledo and the State of Ohio's Air Quality Regulations applicable in the Toledo Municipal Code and the Ohio Administrative Code including, but not limited to the Asbestos and the Anti-Noise Laws.

#### Division of Transportation

No comments or concerns.

#### Fire Prevention

No comments or concerns.

#### Plan Commission

30. The Planned Unit Development shall be platted according to the Subdivision Rules and Regulation of the City of Toledo.

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## PLAN COMMISSION RECOMMENDATION (cont'd)

## Plan Commission (cont'd)

- 31. Parking shall adhere to the requirements of TMC§1107.0300 Parking Schedule "A". The parking schedule requires one and a half (1.5) parking spaces per dwelling unit plus one (1) space per ten (10) units for visitor parking. The total number of required parking spaces for 163 units is 261. Revised site plan received 11/23/20 depicts 223 parking spaces, as well as transit stops. Per TMC§1107.1400(E), the Planning Director may authorize up to a 20% reduction in the number of required off-street parking spaces for developments that provide transit stops. Acceptable as depicted.
- 32. Whenever a parking lot extends to a property line, sidwalk, planting strip, or building, a wheel stop device consisting of a concrete stop, a permanent concrete curb, an expanded sidewalk or other suitable restraint as approved by the Planning Director must be installed to prevent any part of a parked motor vehicle from extending beyond the property line, overhanging a pedestrian walkway, or sidewalk, or damaging any structure or landscaping (TMC§1107.1907(A)).
- 33. 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.
- 34. All spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. **Acceptable as depicted.**
- 35. Per TMC§1107.0900, twenty-two (22) bicycle parking spaces are required. Not acceptable as depicted on site plan. A revised site plan with bicycle parking shall be submitted.
- 36. No more than forty percent (40%) of gross site acreage shall be devoted to coverage by buildings, structures, street pavement, driveway and parking area pavement. **Acceptable as depicted.**
- 37. No less than fifteen percent (15%) of the gross site acreage shall be allocated to usable, accessible, and consolidated common open space per TMC§1103.1007(D). **Acceptable as depicted.**
- 38. The landowner must establish an agency for the ownership and maintenance of common open spaces where such are to be retained in private ownership.
- 39. Telephone, electrical, cable, and other utility appurtenances shall be buried and dumpsters shall be sufficiently screened (TMC§1103.1007(H)).

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## PLAN COMMISSION RECOMMENDATION (cont'd)

## Plan Commission (cont'd)

- 40. In the event the agency established to own and maintain the common open space or any successor agency shall at any time after establishment of the Planned Unit Development fail to fulfill any obligation of such agency as a condition of approval, the City may serve written notice upon such agency or upon the residents and owners of the Planned Unit Development, setting forth the manner in which the agency has failed to fulfill its obligation. The notice shall include a demand that such deficiencies be cured within the time specified within the notice. If such deficiencies are not cured within the specified time, the City, in order to preserve the taxable values of the properties within the Planned Unit Development and to prevent the common open space from becoming a public nuisance, may enter upon the common open space and maintain the same and perform the other duties of the agency until such agency shall gain resume its obligations. All costs incurred by the City in carrying out the obligations of the agency shall be assessed against the properties within the Planned Unit Development and shall become a tax lien on the properties.
- 41. A detailed site, lighting, fencing and four (4) copies of a landscaping plan (separate from building & site plans) shall be submitted to the Plan Director for review and approval. Such plan shall include:
  - a. A fifteen-foot (15') greenbelt is required along all proposed frontage, and shall include one (1) tree per every thirty feet (30') of frontage; not acceptable as depicted, seven (7) additional trees are required along Nebraska Avenue,
  - b. Per TMC§1108.0203, A Type A landscape buffer shall be provided where Residential Zoning Districts abut Commercial Zoning, noted for future development of the parcel zoned CN Neighborhood Commercial,
  - c. Perimeter landscaping shall be installed along any parking lot area adjacent to a street, place, or driveway and shall be provided abutting the parking area to visually screen all off-street loading facilities from view of public right-of-ways. A minimum of at least one canopy tree must be provided for each 30 linear feet, plus a continuous shrub with a minimum height of 18 inches; acceptable as depicted,
  - d. Interior landscaping required in parking lots is 20 sqft per parking and stacking space. Two (2) canopy trees are required to be installed in interior landscape areas for each ten (10) parking spaces within the parking lot. Six (6) shrubs are required to be installed in interior landscape areas of each ten (10) parking spaces within the parking lot. One canopy tree many substitute for three (3) shrubs. Trees do not need to be equally spaced; acceptable as depicted,
  - e. Landscape areas within the parking area must be peninsular or island types and must be constructed with 6 inch by 18 inch concrete curbing, cast-in-place, extruded, or by some other process approved by the Planning Director;

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## PLAN COMMISSION RECOMMENDATION (cont'd)

## Plan Commission (cont'd)

- f. Per TMC§1108.0205, in addition to the other landscape requirements for buffer areas, frontage greenbelt, and landscaping for parking lot areas, the following shall be provided: one (1) tree per 500 square feet of building coverage, or fraction thereof, for all structures. Greenbelt frontage trees are included in this total, minimum of two (2) trees in the front and side yards. Foundation plantings for the full street-facing building elevation; and landscape areas at major building entrances, acceptable as depicted,
- g. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setback, **acceptable as depicted**,
- h. Topsoil must be back filled to provide positive drainage of the landscape area;
- i. 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;
- j. 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;
- k. The location, height and materials for any fencing to be installed and maintained; Pursuant to TMC§1105.0302(A)(1), fences may not exceed 3½ feet in height in the required front setback. Additionally, per TMC§1105.0303, the use of barbed wire, razor wire, concertina wire or the like shall not be permitted in the front yard setback and not anywhere along a street right-of-way;
- 1. 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;
- m. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); and,
- n. The location, lighting and size of any signs.
- 42. The building elevations which were approved via Ord. 87-17 shall not be modified.
- 43. New free-standing signs are limited to a height of forty-two inches (42") from grade and a width of twelve feet (12').

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## STAFF RECOMMENDATION (cont'd)

## Plan Commission (cont'd)

- 44. Minor adjustments to the Site Plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
- 45. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

Respectfully Submitted,

Thomas C. Gibbons

Secretary

Six (6) sketches follow

Cc: Matt Sutter, Lucas Metropolitan Housing Authority, 435 Nebraska Avenue, Toledo OH 43604

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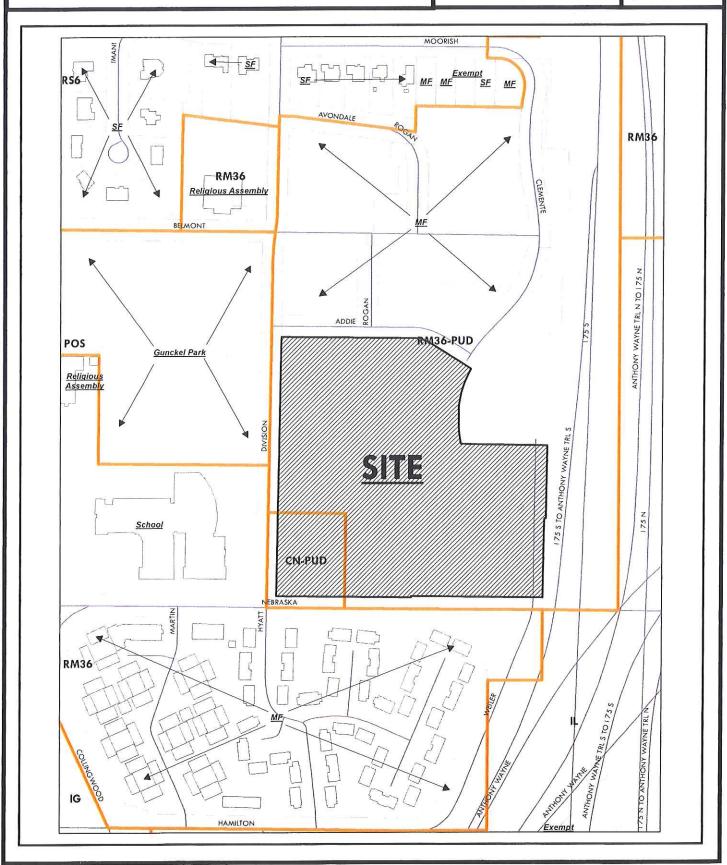
Dana Reising, Planner



# **ZONING & LAND USE**

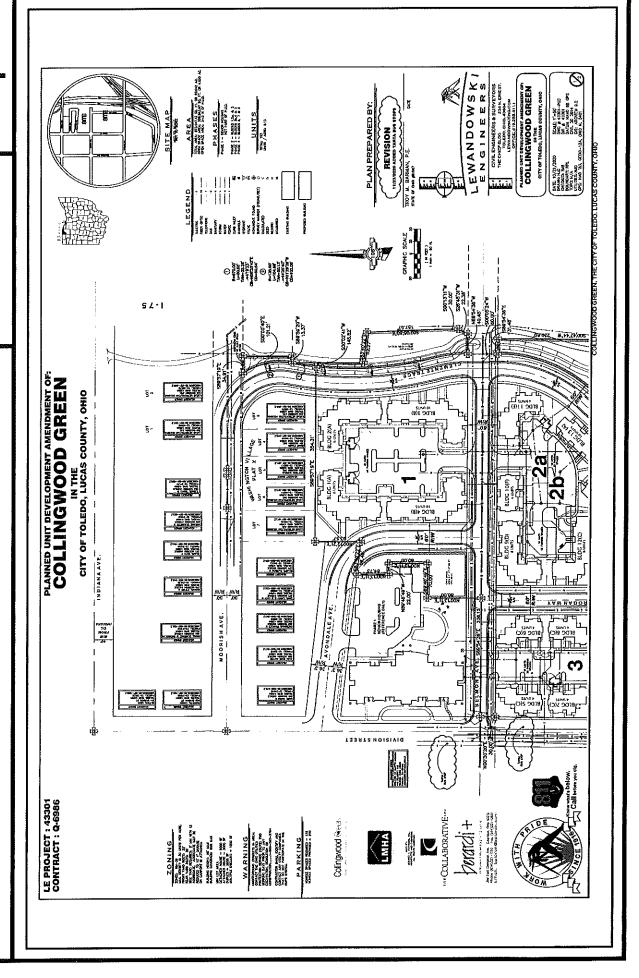
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