

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: July 14, 2021

REF: V-202-21

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

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

SUBJECT: Vacation of a portion of Marquette Parkway at Benore Road.

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, June 10, 2021 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Vacation of a portion of Marquette Parkway at Benore Road.
Applicant	-	Benore Holdings LLC. 6225 Benore Road Toledo OH 43612

Site Description

Zoning	-	IG / General Industrial
Area	-	± 0.45 acres
Frontage	-	± 100' along Benore Road
Dimensions	-	± 200' x 100'
Existing Use	-	Undeveloped Land
Proposed Use	-	Manufacturing and Light Assembly

Area Description

North	-	Benore Road and Cemetery / IG
South	-	Manufacturing and Light Assembly / IG
East	-	Manufacturing and Light Assembly / IG
West	-	Manufacturing and Light Assembly, Single Family Residential / IG

GENERAL INFORMATION (cont'd)

Parcel History

VC-2-54 - Vacation of roads in Marquette Place in Washington Twp (Approved 3/20/56).

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting the Vacation of an undeveloped section of right-of-way, originally platted as a road, that intersects with Benore Road north of 6014 Benore road. The applicant owns the adjoining industrially zoned parcel which is occupied by various light industrial uses. The applicant is proposing the vacation to make use of currently vacant land to expand business operations. The property is surrounded by Sherwin Metal Recycling to the north and west, Northern Steel Transportation to the south, and industrial warehousing to the east.

Marquette Parkway is a “paper street” – a term for a road or street that was platted or mapped but never leveled, paved, built, or otherwise utilized. The area had originally been planned for a suburban-style subdivision in the 1950s. All roads of the subdivision aside from the ± 0.45 acre portion of Marquette Parkway were vacated in 1956.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan future land use designation targets the site for Heavy Industrial use. Heavy industrial land use is intended to facilitate high-impact industrial uses, including large scale or specialized industrial operations requiring good transportation access and public facilities and services. This vacation does not conflict with the land use plan.

As a condition of approval, the property located at 6221 Marquette Pkwy will need to be combined with a neighboring property to avoid the creation of a landlocked parcel. The owner of the lot is also the owner of the adjacent lot a 6120 N. Detroit Avenue.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of V-202-21, the request for the Vacation of a portion of Marquette Parkway at Benore Road to Toledo City Council for the following reason:

1. The proposed Vacation conforms to the Toledo 20/20 Comprehensive Plan (TMC§1111.0606(A) – *Review & Decision-Making Criteria*).

PLAN COMMISSION RECOMMENDATION (cont'd)

The Toledo City Plan Commission further recommends approval of V-202-21, the request for the Vacation of Vacation of a portion of Marquette Parkway at Benore Road to Toledo City Council subject to the following **six (6)** conditions:

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

Division of 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. An existing 8-inch diameter public water main is located in the proposed vacated right-of-way of Marquette Parkway. The water main was constructed within a 10-foot easement. Said easement shall remain retained by the City of Toledo
3. No objection to vacation, but the Applicant is hereby advised that future development of the parcel along North Detroit Ave. will need to continue to provide for flow through of drainage from west of North Detroit Avenue, to the storm system on Benore, whether by pipe or overland flow, either in the existing alignment of a drainage pathway or a rerouted alignment. A meeting on the matter between the city stormwater staff and the Applicant is recommended.

Division of Transportation

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

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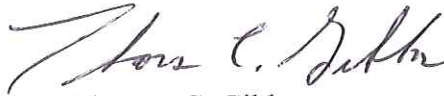
REF: V-202-21

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission

5. The proposed vacation cannot result in the loss of access for any abutting properties. The property located at 6221 Marquette Pkwy (Parcel ID: 2240941) shall be combined with the neighboring property prior to the vacation of Marquette Parkway.
6. A Site Plan Review shall be required for any future developments on the Vacation area in accordance with the provisions of the Toledo Municipal Code.

Respectfully Submitted,



Thomas C. Gibbons
Secretary

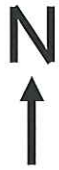
JGL

Two (2) sketches follow

Cc: Benore Holdings LLC. 6225 Benore Rd, Toledo, OH 43612
Lisa Cottrell, Administrator
Jonny Latsko, Planner

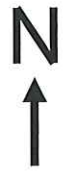
General Location

V-202-21



Zoning & Land Use

V-202-21



General Location

V-202-21



Zoning & Land Use

V-202-21

