

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: June 11, 2021

REF: V-253-21

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

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

SUBJECT: Request for Vacation of 19th Street between Madison and Jefferson Avenues

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 19 th Street between Madison and Jefferson Avenues
Applicant	-	Scott Gibson Windsor Development, LLC 6660 Doubletree Ave, Ste 8 Columbus, OH 43229

Site Description

Zoning	-	CO / Office Commercial
Area	-	± 0.71 acres
Frontage	-	± 66' along the intersection at Madison Avenue ± 66' along the intersection at Jefferson Avenue
Dimensions	-	± 481.08' x 66'
Existing Use	-	Street
Proposed Use	-	142 apartment units, 6 townhouse units, 14,760 sf retail space, mixed-use development
Neighborhood Org.	-	UpTown Association
Overlay	-	UpTown Neighborhood Overlay (UDARC)

Area Description

North	-	Vacant lot, Ohiolink / CO
South	-	Vacant lots, convenience store / CO
East	-	Uptown Green park, Market on the Green/ CO
West	-	Apartments / CO

Combined Parcel History

- | | | |
|-------------|---|--|
| V-263-80 | - | Vacation of alley between 19 th & 20 th Street, adjacent to Lots 144, 145, 146, 147, 169 & 175 in the Hunt's Addition (P.C. approved on 11/16/1980, C.C. approved Res. 263-80 on 8/23/1980, <i>incomplete</i>). |
| V-988-98 | - | Vacation of alley between 18 th & 19 th Street (P.C. approved on 5/13/1999, C.C. approved on 12/21/1999 by Ord. 979-99, <i>conditions of approval were not met</i>). |
| V-228-99 | - | Vacation of a portion of alley in block bounded by 18 th & 19 th Street, Jefferson & Madison Avenue (P.C. approved on 5/13/1999, C.C. approved on 12/21/1999 by Ord. 980-99). |
| Z-7002-12 | - | Zone Change Request from CO to CR for a Rooming House at 232 19 th Street (P.C. deferred case on 9/13/12 and 11/1/12, case withdrawn). |
| M-4-12 | - | Review & Adoption of the Uptown District Neighborhood Plan (P.C. approved 12/5/2013, C.C. approved on 1/14/2014 by Ord. 19-14). |
| M-5-19 | - | Review & adoption of the Uptown Master Plan Update as an amendment to the 20/20 Plan (P.C. approved 6/13/2019, C.C. approved on 7/23/2019 by Ord. 353-19). |
| UDARC-3-20 | - | UpTown District Architecture Review Committee review of 120-unit apartment complex at 1817 Madison Avenue (UDARC approved 5/28/2020). |
| PUD-3005-20 | - | Planned Unit Development for the "Village on the Green" a 120-unit apartment complex at 1817 Madison Avenue (<i>withdrawn</i>). |
| Z-3004-20 | - | Zone Change from CO Office Commercial to CM Mixed Commercial Residential at 1817 Madison Avenue (<i>withdrawn</i>). |
| V-254-21 | - | Vacation of "Pawlonia" Alley between 18 th and 19 th Streets (<i>companion</i>). |

GENERAL INFORMATION (cont'd)

Combined Parcel History (cont'd)

V-255-21	-	Vacation of "Pawlonia" Alley between 19 th and 20 th Streets (<i>companion</i>)
V-256-21	-	Vacation of Alley bounded by Madison and Jefferson Avenues between 18 th and 19 th Streets (<i>companion</i>)
V-257-21	-	Vacation of Alley bounded by Madison and Jefferson Avenues between 19 th and 20 th Streets (<i>companion</i>)
SPR-16-21	-	Major Site Plan Review for mixed use multifamily development (<i>companion</i>)
UDARC-3-21	-	UpTown District Architecture Review Committee review of Village on the Green, a mixed use, multifamily workforce housing development (UDARC approved 05/25/21).

Applicable Regulations

- Toledo Municipal Code, Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan
- UpTown District Urban Neighborhood Overlay District
- 2019 UpTown Master Plan

STAFF ANALYSIS

The applicant is requesting the Vacation of 19th Street bounded by Madison and Jefferson Avenues. Surrounding land uses include apartments to the north, Uptown Green to the east, vacant lots to the south, and a day care center to the west.

The applicant is requesting the Vacation in order to be able to develop mixed-use, multifamily workforce apartments with six (6) townhouses and ±14,760 square feet of retail space. This is an appropriate reuse for this location as the Uptown Neighborhood struggles with a lack of landscaped amenities and housing options supportive of low- and middle-income workers. The vacation of 19th Street will allow for the development of a walkable public corridor linking the Uptown Green Park to future greenspaces along Jefferson.

STAFF ANALYSIS (cont'd)

20/20 Comp Plan

The Toledo 20/20 Comprehensive Plan targets this area as Urban Village. The Urban Village future land use district was intended as a specialized residential and commercial district that possesses characteristics of Traditional Neighborhood Development (TND), such as pedestrian orientation, zero building setbacks, mixed uses, and distinct architectural character. The applicant is pursuing a residential and retail development, which is consistent with the Urban Village land use designation. This alley vacation supports a pedestrian based design that requires distinct architecture and allows a mix of land uses

Staff recommends approval of the proposed vacation since it will allow a fully developed Urban Village with safe mobility within the general vicinity of the subject property. Additionally, the vacation will not impede or restrict access to abutting properties.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of V-253 -21, the request for the Vacation of 19th Street bounded by Madison and Jefferson Avenues to Toledo City Council for the two (2) following reasons:

1. The proposed Vacation supports a use that conforms to the Toledo 20/20 Comprehensive Plan, and
2. The proposed vacation will not impede or restrict access to abutting property owners.

The Plan Commission recommends approval of V-253-21, the request to Vacate 19th Street bounded by Madison and Jefferson Avenues to Toledo City Council subject to the following **seven (7)** 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

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

2. There are two public water mains located in 19th Street between Madison Avenue and Jefferson Avenue: a 4-inch diameter water main and a 12-inch diameter water main. Properties presently tapped on the 4-inch diameter water main will be re-tapped onto the 12-inch diameter water main by the City of Toledo, and the 4-inch diameter water main will be abandoned by the City of Toledo, all at the developer's expense.
3. An easement shall be maintained to the satisfaction of the City of Toledo.
4. Adjacent parcels that are not part of the current development proposal shall have their surface drainage accommodated, as needed, by the developer of the vacated land, as said parcels may lack modern internal drainage and drain instead by surface flow to the right of way that is proposed to be vacated.

Buckeye Telesystems

5. Buckeye has aerial cable on the poles and will need to maintain access to its facilities unless the utility is relocated.

Division of Transportation

6. 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.

Plan Commission

7. The proposed vacation cannot result in the loss of access for any abutting properties, without the consent of the abutting property owners.

Respectfully Submitted,

Thomas C. Gibbons
Secretary

TO: President Cherry and Members of Council
June 11, 2021
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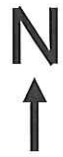
REF: V-253-21

Two (2) sketches follow

Cc: Scott Gibson, Applicant
Lisa Cottrell, Administrator
Nancy Hirsch, Planner

19th Street GL

V-253-21



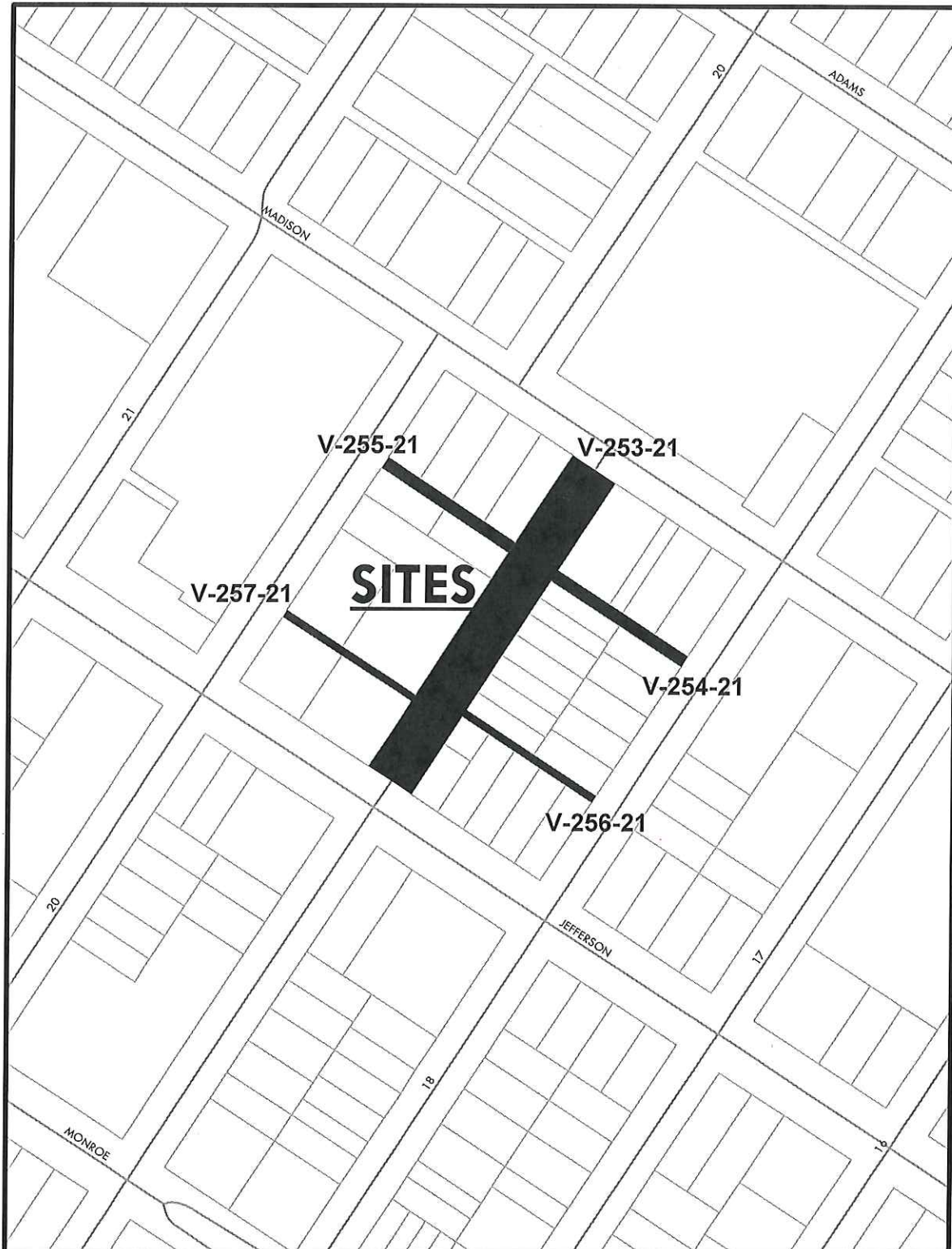
19th Street Z&LU

V-253-21



**V-253-21, V-254-21, V-255-21
V-256-21, V-257-21
General Location**

**Village on the
Green
Vacations**



**V-253-21, V-254-21, V-255-21
V-256-21, V-257-21
Zoning & Land Use**

**Village on the
Green
Vacations**

