



## Legislation Details (With Text)

**File #:** O-462-22      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 8/22/2022      **In control:** City Council  
**On agenda:** 9/13/2022      **Final action:** 9/13/2022  
**Title:** Granting a Special Use Permit for Community Recreation Active for a site located at 815 Front Street (Parcels 18-87755 and 18-87748), in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Plan Commission Report

Date	Ver.	Action By	Action	Result
9/13/2022	1	City Council	Suspension	Pass
9/13/2022	1	City Council	Emergency	Pass
9/13/2022	1	City Council	Passage	Pass

Zoning & Planning Committee

**Granting a Special Use Permit for Community Recreation Active for a site located at 815 Front Street (Parcels 18-87755 and 18-87748), in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.**

### SUMMARY & BACKGROUND:

By application (SUP-6003-22) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for Community Recreation-Active for a site located at 815 Front Street, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On July 14, 2022, the Toledo City Plan Commission recommended approval for the request for a Special Use Permit for Community Recreation-Active for a site located at 815 Front Street, in the City of Toledo, Lucas County, Ohio.

On August 17, 2022, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved a Special Use Permit for Community Recreation-Active for a site located at 815 Front Street, in the City of Toledo, Lucas County, Ohio; and all other things required by law to be done, have been done.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That a Special Use Permit for Community Recreation- Active for a site located at 815 Front Street, in the City of Toledo, Lucas County, Ohio; and the same is hereby approved, subject to the conditions contained in Section 2 hereof which must be complied with, as to the property more fully described as follows:

LOT 5 IN THE PLAT OF MARINA DISTRICT DEUX, AS RECORDED IN LUCAS COUNTY OFFICIAL RECORD 20180724-0031712, IN THE CITY OF TOLEDO, LUCAS COUNTY, OHIO, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND:

BEING PART OF LOT 5 IN THE PLAT OF MARINA DISTRICT DEUX, AS RECORDED IN LUCAS COUNTY OFFICIAL RECORD 20180724-0031712, IN THE CITY OF TOLEDO, LUCAS COUNTY, OHIO, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A STONE WITH DRILL HOLE MONUMENT FOUND AT THE INTERSECTION OF PLATT STREET AND FRONT STREET.

THENCE NORTH 51 DEGREES, 32 MINUTES, 49 SECONDS EAST, ALONG THE CENTERLINE OF FRONT STREET, A DISTANCE OF 247.00 FEET TO A POINT ON THE SOUTHEASTERLY PROLONGATION OF THE NORTHEASTERLY LINE OF LOT 6 IN THE PLAT OF MARINA DISTRICT DEUX.

THENCE NORTH 38 DEGREES, 22 MINUTES, 45 SECONDS WEST, ALONG THE SOUTHEASTERLY PROLONGATION OF THE NORTHEASTERLY LINE OF LOT 6, A DISTANCE OF 40.00 FEET TO A POINT, FROM SAID POINT A 5/8 INCH IRON BAR CAN BE FOUND 0.09 FEET SOUTH AND 0.12 FEET EAST, SAID POINT BEING THE EASTERLY MOST CORNER OF LOT 6, SAID POINT ALSO BEING ON THE NORTHWESTERLY 40 FOOT RIGHT-OF-WAY OF FRONT STREET, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING.

THENCE NORTH 38 DEGREES, 22 MINUTES, 45 SECONDS WEST, ALONG THE NORTHEASTERLY LINE OF LOT 6, A DISTANCE OF 291.17 FEET TO AN ALUMINUM PLATE MONUMENT FOUND AT THE NORTHERLY MOST CORNER OF LOT 6, SAID POINT ALSO BEING ON THE SOUTHWESTERLY LINE OF LOT B IN THE PLAT OF MARINA DISTRICT DEUX.

THENCE NORTH 75 DEGREES, 19 MINUTES, 53 SECONDS EAST, ALONG THE SOUTHWESTERLY LINE OF LOT B A DISTANCE OF 57.74 FEET TO A 1/2 INCH GALVANIZED STEEL PIPE SET AT A POINT OF DEFLECTION OF THE SOUTHWESTERLY LINE OF LOT B.

THENCE NORTH 75 DEGREES, 48 MINUTES, 05 SECONDS EAST, ALONG THE SOUTHWESTERLY LINE OF LOT B A DISTANCE OF 11.55 FEET TO A 1/2 INCH GALVANIZED STEEL PIPE SET AT A POINT OF CURVATURE OF THE SOUTHWESTERLY LINE OF LOT B.

THENCE TRAVERSING A NON-TANGENT ARC TO THE LEFT, SAID ARC HAVING A RADIUS OF 746.32 FEET, A TANGENT LENGTH OF 13.78 FEET, A CENTRAL ANGLE OF 02 DEGREES, 06 MINUTES, 58 SECONDS, A CHORD BEARING OF NORTH 75 DEGREES, 18 MINUTES, 46 SECONDS EAST, A CHORD DISTANCE OF 27.56 FEET AND AN ARC LENGTH OF 27.56 FEET TO A 1/2 INCH GALVANIZED STEEL PIPE SET ON A LINE THAT IS PARALLEL WITH AND 88.60 FEET DISTANT FROM THE NORTHEASTERLY LINE OF LOT 6.

THENCE SOUTH 38 DEGREES, 22 MINUTES, 45 SECONDS EAST, ALONG A LINE THAT IS PARALLEL WITH AND 88.60 FEET DISTANT FROM THE NORTHEASTERLY LINE OF LOT 6, A DISTANCE OF 252.03 FEET TO A 1/2 INCH GALVANIZED STEEL PIPE SET ON THE NORTHWESTERLY 40 FOOT RIGHT-OF-WAY OF FRONT STREET.

THENCE SOUTH 51 DEGREES, 32 MINUTES, 49 SECONDS WEST, ALONG THE NORTHWESTERLY 40 FOOT RIGHT-OF-WAY OF FRONT STREET, A DISTANCE OF 88.64 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 24,074.01 SQUARE FEET OR 0.5527 ACRES OF LAND. BEARINGS USED HEREIN ARE BASED UPON AN ASSUMED MERIDIAN AND ARE INTENDED TO INDICATE ANGULAR MEASUREMENT ONLY. ALL 1/2 INCH GALVANIZED STEEL PIPE SET ARE CAPPED WITH THE COMPANY NAME AND PLS NO. 7476. THIS LEGAL DESCRIPTION IS BASED UPON A FIELD SURVEY PREPARED BY LEWANDOWSKI ENGINEERS ON APRIL 30, 2020.

PARCEL 18-87748 IS VESTED IN THE NAME OF MARINA DISTRICT, LLC BY LUCAS COUNTY OFFICIAL RECORD

20180724-0031712, COMMONLY KNOWN AS 0 RIVERSIDE DRIVE.

SECTION 2. That the approval of the Special Use Permit for Community Recreation- Active for a site located at 815 Front Street., in the City of Toledo, Lucas County, Ohio; shall be subject to compliance with the 5 conditions as follows:

The following five (5) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Plan Commission

1. Parcel 18-87755 and Parcel 18-87748 shall be combined.
2. The Special Use Permit may be reviewed for negative secondary effects and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
3. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
4. 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.
5. 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.

SECTION 3. That when the conditions contained herein above have been complied with, the Secretary of the Toledo City Plan Commission be and he is hereby directed to change the zoning maps to conform with the within Ordinance.

SECTION 4. That this Ordinance hereby is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that the Ordinance must be immediately effective in order to provide for the orderly regulation and use of the property and to protect the land value in the area.

Vote on emergency clause: yeas 11, nays 0.

Passed: September 13, 2022, as an emergency measure: yeas 11, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

September 15, 2022  
Wade Kapszukiewicz  
Mayor