



## Legislation Details (With Text)

**File #:** O-231-21      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 4/16/2021      **In control:** City Council  
**On agenda:** 4/27/2021      **Final action:** 4/27/2021  
**Title:** Granting a Special Use Permit, for a Convenience Store for a site located at 2005 Glendale Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and a waiver; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Plan Commission Report, 2. Audio: City Council April 27, 2021

Date	Ver.	Action By	Action	Result
4/27/2021	1	City Council	Dispense with the rules of Council requiring...	Pass
4/27/2021	1	City Council	declare emergency	Pass
4/27/2021	1	City Council	passage	Pass

Zoning & Planning Committee

**Granting a Special Use Permit, for a Convenience Store for a site located at 2005 Glendale Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and a waiver; and declaring an emergency.**

### SUMMARY & BACKGROUND:

By application (SUP-1003-21) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for a Convenience Store for a site located at 2005 Glendale Avenue, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On March 11, 2021, the Toledo City Plan Commission recommended approval for the request for a Special Use Permit, for a Convenience Store for a site located at 2005 Glendale Avenue, in the City of Toledo, Lucas County, Ohio.

On April 14, 2021, Toledo City Council, Planning and Zoning Committee reviewed, and sent without recommendation a request for a Special Use Permit for a Convenience Store for a site located at 2005 Glendale Avenue 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 Convenience Store for a site located at 2005 Glendale Avenue, in the City of Toledo, Lucas County, Ohio be 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:

Parcel no 0605114, 0605117, 0605121, 0605124 and 1624457  
Building - WILDWOOD 2ND ALLMT LOT 281 W 60 FT N 110 FT  
Parking lot - GLENDALE STORES LOT 5, 6, 7 and GLENDALE STORES LOT 8 EXC PT IN RD

SECTION 2. That the approval of the Special Use Permit for a Convenience Store for a site located at 2005 Glendale Avenue, in the City of Toledo, Lucas County, Ohio shall be subject to compliance with the 22 conditions as follows:

The following twenty-two (22) conditions are 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: 419-245-1341

Roadway: 419-245-1344

Water: 419-936-2163

Stormwater Drainage: 419-245-3221; 419-245-1338

Sanitary Sewers: 419-936-2276

2. 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.

3. 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.

4. 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.

5. Contact (419) 245-1341 for inspection of above-mentioned items.

#### Division of Environmental Services

6. 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.

7. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
8. 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.
9. Applicant is strongly encouraged to plant native, low maintenance and non-invasive trees, shrubs and perennials. [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)
10. 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 Fire

11. It appears that this building may undergo a change of use. This will require compliance with all applicable Fire Sprinkler and Alarm, Building, Electrical, Mechanical and Plumbing code requirements.
12. Approved Premises identification is required.

#### Sewer & Drainage

13. S&DS requires that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
14. 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

#### Division of Transportation

15. Bicycle parking must be shown per TMC 1107
16. Wheel stops are required at all parking spaces abutting sidewalks, property lines, buildings, and planting areas per TNC 1107.
17. Where driveways are under 25' wide, they must be arrowed and signed for "one-way only" or widened to a minimum of 25' for two-way traffic per TMC 1107. (Specifically, the southwest driveway on S. Glendale Avenue.
18. Glendale street parking in front of buildings must be shown correctly with the existing driveway shown and lighted crosswalk. (***Parking cannot block driveways or crosswalks.***)

Plan Commission

19. The Special Use Permit may be reviewed for compliance with the conditions of approval, 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.
20. 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.
21. 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.
22. No advertisement shall be permitted on the east wall facing Harvard School.

SECTION 3. Waiving the following section of the Toledo Municipal Code for the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 2005 Glendale Avenue, in the City of Toledo, Lucas County, Ohio:

Chapter 1104 Use Regulations

1104.0603 Spacing Requirements

Approve a waiver of the 1,000-foot radius spacing requirement from a school, public park, public library, licensed child day care center, or other use established specifically for the activities of minors.

SECTION 4. 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 5. 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 12, nays 0.

Passed: April 27, 2021 as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

April 28, 2021  
Wade Kapszukiewicz  
Mayor