



Legislation Details (With Text)

File #: O-292-21 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 5/14/2021 **In control:** City Council
On agenda: 5/25/2021 **Final action:** 5/25/2021

Title: Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at Front Street and Marina Drive, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Plan Commission Report

Date	Ver.	Action By	Action	Result
5/25/2021	1	City Council	Dispense with the rules of Council requiring...	Pass
5/25/2021	1	City Council	declare emergency	Pass
5/25/2021	1	City Council	passage	Pass

Zoning & Planning Committee

Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at Front Street and Marina Drive, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

SUMMARY & BACKGROUND:

An application (Z-2005-21) for a proposed change in zoning for the property located at Front Street and Marina Drive, Toledo, Ohio, was submitted to the Toledo City Plan Commission for its review and recommendation.

On April 8, 2021, the Toledo City Plan Commission recommended approval of the request for a zone change from “CR” Regional Commercial, “IL” Limited Industrial and “POS” Parks and Open Space to POS Parks and Open Space for the property located at Front Street and Marina Drive, Toledo, Ohio.

On May 12, 2021, the Toledo City Council sent without recommendation the request for a zone change from “CR” Regional Commercial, “IL” Limited Industrial and “POS” Parks and Open Space to POS Parks and Open Space for the property located at Front Street and Marina Drive, Toledo, Ohio.

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

SECTION 1. That the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, are hereby authorized to be revised by changing the zone districts of that part of the City of Toledo more fully described as follows:

Prior Deed: O.R.20030904-0062266,

O.R.20180904-0040075 &
O.R.20210204-0006251
Parcel: 16-27861, 16-27921,
Pt. 18-64072 & 18-87753
LE Survey #50068

SUP Legal 1:

Legal Description of Special Use Permit Lot "B" Area: Being Lot "B" in the plat of Marina District Deux, as recorded in Lucas County Official Record 20180724-0031712, being in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Commencing at 1 inch iron bolt monument found at the intersection of the centerlines of Main Street and Riverside Drive.

Thence South 38 degrees, 25 minutes, 04 seconds East, along the centerline of Main Street, a distance of 563.95 feet to a point on the Southwesterly prolongation of the Southeasterly line of Lot 2 in Marina District Deux.

Thence North 51 degrees, 33 minutes, 42 seconds East, along the Southwesterly prolongation of the Southeasterly line of Lot 2 in Marina District Deux, a distance of 46.50 feet to a 1/2 inch galvanized steel pipe set on the Northeasterly Right-of-way of Main Street, said point also being the Southerly most corner of Lot 2, said point also being the True Point of Beginning.

The following four courses are along the Southeasterly line of Lot 2 in Marina District Deux:

Course 1: Thence continuing North 51 degrees, 33 minutes, 42 seconds East, a distance of 450.67 feet to a 1/2 inch galvanized steel pipe set.

Course 2: Thence North 62 degrees, 28 minutes, 23 seconds East, a distance of 78.43 feet to a 1/2 inch galvanized steel pipe set.

Course 3: Thence North 75 degrees, 24 minutes, 28 seconds East, a distance of 72.44 feet to a 1/2 inch galvanized steel pipe set at a point of curvature.

Course 4: Thence traversing a non-tangent arc to the left, having a radius of 721.32 feet, a tangent length of 155.23 feet, a central angle of 24 degrees, 17 minutes, 26 seconds, a chord bearing of North 64 degrees, 14 minutes, 07 seconds East, a chord distance of 303.52 feet and an arc length of 305.81 feet to a 1/2 inch galvanized steel pipe set on the Southwesterly Right-of-way of Morrison Street Extension.

Course 5: Thence South 38 degrees, 27 minutes, 11 seconds East, along the Southwesterly Right-of-way of Morrison Street Extension, a distance of 25.00 feet to a 1/2 inch galvanized steel pipe set at a point of curvature, said point also being the Northerly most corner of Lot 5 in the Marina District Deux.

The following three courses are along the Northwesterly line of Lot 5 in Marina District Deux:

Course 6: Thence traversing a non-tangent arc to the right, having a radius of 746.32 feet, a tangent length of 160.67 feet, a central angle of 24 degrees, 17 minutes, 57 seconds, a chord bearing of South 64 degrees, 13 minutes, 16 seconds West, a chord distance of 314.15 feet and an arc length of 316.51 feet to an aluminum plate monument found.

Course 7: Thence South 75 degrees, 48 minutes, 05 seconds West, a distance of 11.55 feet to an aluminum plate monument found.

Course 8: Thence South 75 degrees, 19 minutes, 53 seconds West, a distance of 57.74 feet to an aluminum plate monument found at the Northerly most corner of Lot 6 in Marina District Deux.

Course 9: Thence South 62 degrees, 28 minutes, 23 seconds West, along the Northwesterly line of Lot 6 in Marina District Deux, a distance of 55.95 feet to an aluminum plate monument found at a point of deflection of the Northwesterly line of Lot 6 in Marina District Deux.

Course 10: Thence South 51 degrees, 41 minutes, 56 seconds West, along the Northwesterly line of Lot 6 in Marina District Deux, a distance of 146.14 feet to a 1/2 inch galvanized steel pipe set at the Westerly most corner of Lot 6 in Marina District Deux.

Course 11: Thence South 38 degrees, 25 minutes, 04 seconds East, along the Southwesterly line of Lot 6 in Marina District Deux, a distance of 31.66 feet to a 1/2 inch galvanized steel pipe set at the Northerly most corner of Lot 7 in Marina District Deux.

Course 12: Thence South 51 degrees, 35 minutes, 16 seconds West, along the Northwesterly line of Lot 7 in Marina District Deux, a distance of 178.87 feet to a 1/2 inch galvanized steel pipe set at the Northerly most corner of Lot 8 in Marina District Deux.

Course 13: Thence continuing South 51 degrees, 35 minutes, 16 seconds West, along the Northwesterly line of Lot 8 in Marina District Deux, a distance of 140.25 feet to a 1/2 galvanized steel pipe set on the Northeasterly Right-of-way of Main Street.

Course 14: Thence North 38 degrees, 25 minutes, 04 seconds West, along the Northeasterly Right-of-way of Main Street, a distance of 59.50 feet to the True Point of Beginning.

Containing 34,117.41 square feet or 0.7832 acres of land.

Together with the following described parcel:

SUP Legal 2:

Legal Description of Special Use Permit Phase 2 Area: Being Lots 1 and 2 in the plat of the New Waterfront Metropark, as recorded in Lucas County Official Record 20180725-0032017, together with Lots 5, 7 and part of Lot "A" in the plat of the Marina District as recorded in Lucas County Official Record 20081008-0049841, together with part of the public road Right-of-way of Front Street, together with part of Vacated Riverside Drive, as recorded in Ordinance 75-19, and together with the proposed Vacated Marina Drive South and part of Marina Drive West, all being in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Commencing at 1 inch iron bolt monument found at the intersection of the centerlines of Main Street and Riverside Drive.

Thence North 38 degrees, 25 minutes, 04 seconds West, along the centerline of Main Street, a distance of 156.24 feet to a 5/8 inch iron bar monument found.

Thence continuing North 38 degrees, 25 minutes, 04 seconds West, along the centerline of Main Street, a distance of 155.42 feet to a point.

Thence North 51 degrees, 33 minutes, 39 seconds East, a distance of 46.50 feet to a 1/2 inch galvanized steel pipe set on the Northeasterly Right-of-way of Main Street.

Thence North 38 degrees, 25 minutes, 04 seconds West, along the Northeasterly Right-of-way of Main Street, a distance of 103.28 feet to a point on the Harbor Line for the Maumee River as established by the Secretary of War, March 19, 1896, as shown on the record plat of the Marina District.

Thence North 51 degrees, 15 minutes, 58 seconds East, along the Harbor Line for the Maumee River, a distance of 1,344.07 feet to a point of deflection in said Harbor Line.

Thence North 57 degrees, 10 minutes, 44 seconds East, along the Harbor Line for the Maumee River, a distance of 90.11 feet to the True Point of Beginning.

Course 1: Thence continuing North 57 degrees, 10 minutes, 44 seconds East, along the Harbor Line for the Maumee River, a distance of 1,542.49 feet to the Westerly most corner of Lot 6 in the plat of the Marina District.

Course 2: Thence South 32 degrees, 49 minutes, 02 seconds East, along the Southwesterly line of Lot 6 in the plat of the Marina District and its Southeasterly prolongation, a distance of 452.64 feet to a point on the centerline of Vacated Riverside Drive.

Course 3: Thence North 57 degrees, 11 minutes, 03 seconds East, along the centerline of Vacated Riverside Drive, a distance of 298.46 feet to a point on the centerline of the proposed vacation of Marina Drive South, as recorded in the roadway dedicated of Marina Drive, as recorded in Lucas County Official Record 20071120-0068599.

Course 4: Thence North 58 degrees, 55 minutes, 20 seconds East, a distance of 66.52 feet to a point on the Southwesterly Right-of-way of the proposed vacation of Marina Drive West.

Course 5: Thence South 21 degrees, 10 minutes, 41 seconds West, along the Southeasterly Right-of-way of the proposed Marina Drive West, a distance of 28.38 feet to a point on the Northeasterly Right-of-way of the proposed vacation of Marina Drive South.

The following three courses are along the Northeasterly Right-of-way of the proposed vacation of Marina Drive South:

Course 6: Thence South 38 degrees, 25 minutes, 35 seconds East, a distance of 458.89 feet to a point on the Northwesterly Right-of-way line of the proposed vacation of Marina Drive East.

Course 7: Thence South 43 degrees, 44 minutes, 01 second East, a distance of 91.77 feet to a magnetic nail set on the Southeasterly Right-of-way line of the proposed vacation of Marina Drive East.

Course 8: Thence South 38 degrees, 24 minutes, 48 seconds East, along the Northeasterly Right-of-way of the proposed vacation of Marina Drive South, passing a 5/8 inch iron bar found at a distance of 55.86 feet, an overall distance of 93.37 feet to a point on a line that is parallel with and 50.00 feet distant from the centerline of Front Street.

Course 9: Thence South 51 degrees, 23 minutes, 33 seconds West, along a line that is parallel with and 50.00

feet distant from the centerline of Front Street, a distance of 50.00 feet to a point of deflection.

Course 10: Thence South 51 degrees, 38 minutes, 07 seconds West, along a line that is parallel with and 50.00 feet distant from the centerline of Front Street, a distance of 68.16 feet to a point on the Southwesterly Right-of-way line of the proposed vacation of Marina Drive South.

Course 11: Thence South 32 degrees, 31 minutes, 33 seconds East, along the Southwesterly Right-of-way line of the proposed vacation of Marina Drive South, a distance of 10.05 feet to a point on a line that is parallel with and 40.00 feet distant from the centerline of Front Street.

Course 12: Thence South 51 degrees, 38 minutes, 07 seconds West, along a line that is parallel with and 40.00 feet distant from the centerline of Front Street, a distance of 717.46 feet to a point of deflection to the left.

Course 13: Thence South 51 degrees, 32 minutes, 18 seconds West, along a line that is parallel with and 40.00 feet distant from the centerline of Front Street, a distance of 577.22 feet to a point.

Course 14: Thence North 38 degrees, 23 minutes, 48 seconds West, a distance of 169.54 feet to a point of curvature.

Course 15: Thence traversing a non-tangent arc to the right, said arc having a radius of 800.00 feet, a tangent length of 223.59 feet, a central angle of 31 degrees, 13 minutes, 49 seconds, a chord bearing of South 80 degrees, 42 minutes, 09 seconds West, a chord distance of 430.68 feet and an arc length of 436.06 feet to a point of curvature.

Course 16: Thence traversing a non-tangent arc to the left, having a radius of 600.00 feet, a tangent length of 180.11 feet, a central angle of 33 degrees, 25 minutes, 03 seconds, a chord bearing of North 02 degrees, 17 minutes, 12 seconds West, a chord distance of 345.01 feet and an arc length of 349.95 feet to a point of curvature.

Course 17: Thence traversing a non-tangent arc to the left, having a radius of 176.00 feet, a tangent length of 70.86 feet, a central angle of 43 degrees, 51 minutes, 38 seconds, a chord bearing of North 43 degrees, 51 minutes, 58 seconds West, a chord distance of 131.46 feet and an arc length of 134.73 feet to a point.

Course 18: Thence North 38 degrees, 26 minutes, 02 seconds West, a distance of 233.36 feet to a point of curvature.

Course 19: Thence traversing a non-tangent arc to the left, having a radius of 438.00 feet, a tangent length of 135.67 feet, a central angle of 34 degrees, 25 minutes, 12 seconds, a chord bearing of South 74 degrees, 26 minutes, 01 second West, a chord distance of 259.19 feet and an arc length of 263.13 feet to a point.

Course 20: Thence North 38 degrees, 26 minutes, 02 seconds West, a distance of 183.76 feet to the True Point of Beginning.

Containing 1,817,417.13 square feet or 41.7222 acres of land.

Together with the following described parcel:

SUP Legal 3:

Legal Description of Special Use Permit Urban Camping Area: Being part of Lots 1 and 2 in Wilson Addition to the City of Toledo as recorded in Lucas County Plat Volume 17, Page 21, together with part of Vacated

Dearborn Avenue, as recorded in Lucas County Official Record 20070130-0006113, together with part of Section 31, Town 9 South, Range 8 East, together with part of the public road Right-of-way of Front Street, together with part of the Limited Access Right-of-ways of I-280 and S.R. 65, and together with the proposed vacation of Marina Drive East, all being in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Commencing at a 1 inch iron bar monument found at the intersection of the centerlines of Front Street and proposed vacation of Marina Drive South.

Thence North 38 degrees, 24 minutes, 48 seconds West, along the centerline of the proposed vacation of Marina Drive South, a distance of 50.00 feet to a point.

Thence North 51 degrees, 23 minutes, 33 seconds East, a distance of 155.00 feet to a point, said point being the True Point of Beginning.

Course 1: Thence North 38 degrees, 24 minutes, 48 seconds West, passing a magnetic nail set on a line that is parallel with and 70.00 feet distant from the centerline of Front Street at a distance of 20.00 feet, an overall distance of 172.54 feet to a point on the Northwesterly Right-of-way line of the proposed vacation of Marina Drive East.

The following three courses are along the Northwesterly Right-of-way line of the proposed vacation of Marina Drive East:

Course 2: Thence North 57 degrees, 32 minutes, 39 seconds East, a distance of 77.11 feet to a point of curvature.

Course 3: Thence traversing a non-tangent arc to the left, said arc having a radius of 1,228.24 feet, a tangent length of 127.42 feet, a central angle of 11 degrees, 50 minutes, 44 seconds, a chord bearing of North 51 degrees, 41 minutes, 43 seconds East, a chord distance of 253.48 feet and an arc length of 253.93 feet to a point.

Course 4: Thence North 45 degrees, 46 minutes, 21 seconds East, a distance of 110.42 feet to a point on the centerline of Vacated Dearborn Avenue.

Course 5: Thence North 32 degrees, 57 minutes, 12 seconds West, along the centerline of Vacated Dearborn Avenue, a distance of 883.23 feet to a point on the Harbor line of the Maumee River as established by the Secretary of War, March 19, 1896 as shown on the Record Plat of the Marina District, as recorded in Lucas County Official 20081008-0049841.

Course 6: Thence North 57 degrees, 10 minutes, 44 seconds East, along the Harbor line of the Maumee River, a distance of 956.68 feet to a point on the Northwesterly prolongation of the Northwesterly line of Parcel 1-EXT1 in the Extinguishment of Easement, as recorded in Lucas County Official Record 20160705-002578.

Course 7: Thence South 16 degrees, 07 minutes, 28 seconds East, along the Northwesterly prolongation of the Northwesterly line of Parcel 1-EXT1 in the Extinguishment of Easement, a distance of 189.98 feet to a point on the North line of Parcel 1-EXT1 in the Extinguishment of Easement.

Course 8: Thence North 55 degrees, 09 minutes, 41 seconds East, along the North line of Parcel 1-EXT1 in the Extinguishment of Easement, a distance of 178.85 feet to a magnetic nail found on the Southwesterly Right-of-

way of Craig Bridge Street.

The following four courses are along the Southwesterly Right-of-way of Craig Bridge Street.

Course 9: Thence South 26 degrees, 03 minutes, 05 seconds East, a distance of 102.96 feet to a 5/8 inch iron bar monument found at a point of deflection.

Course 10: Thence South 08 degrees, 33 minutes, 21 seconds East, a distance of 83.82 feet to a 5/8 inch iron bar monument found at a point of deflection.

Course 11: Thence South 41 degrees, 59 minutes, 21 seconds East, a distance of 104.17 feet to a 5/8 inch iron bar monument found at a point of deflection.

Course 12: Thence South 25 degrees, 46 minutes, 16 seconds East, passing a 5/8 inch iron bar monument at a distance of 482.18 feet, an overall distance of 485.07 feet to a point of curvature.

Course 13: Thence traversing a non-tangent arc to the right, having a radius of 50.00 feet, a tangent length of 46.67 feet, a central angle of 86 degrees, 03 minutes, 13 seconds, a chord bearing of South 17 degrees, 15 minutes, 20 seconds West, a chord distance of 68.23 feet and an arc length of 75.10 feet to a point.

Course 14: Thence South 60 degrees, 16 minutes, 57 seconds West, a distance of 152.56 feet to a point of curvature.

Course 15: Thence traversing a non-tangent arc to the left, having a radius of 1,466.54 feet, a tangent length of 200.70 feet, a central angle of 15 degrees, 35 minutes, 07 seconds, a chord bearing of South 52 degrees, 31 minutes, 55 seconds West, a chord distance of 397.69 feet and an arc length of 398.92 feet to a point.

Course 16: Thence South 45 degrees, 18 minutes, 24 seconds West, a distance of 112.24 feet to a point.

Course 17: Thence South 51 degrees, 17 minutes, 48 seconds West, a distance of 145.25 feet to a point on a line that is parallel with and 50.00 feet distant from the centerline of Front Street.

Course 18: Thence South 51 degrees, 23 minutes, 33 seconds West, along a line that is parallel with and 50.00 feet distant from the centerline of Front Street, a distance of 557.61 feet to the True Point of Beginning.

Containing 1,083,838 square feet or 24.8815 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 combination of field surveys prepared by Lewandowski Engineers and record plat data, February 15, 2021.

SECTION 2. The Secretary of the Toledo City Plan Commission is hereby authorized and directed to make the said change on the original zoning maps.

SECTION 3. 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: May 25, 2021, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

May 26, 2021
Wade Kapszukiewicz
Mayor