



## Legislation Details (With Text)

**File #:** O-493-18      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 11/14/2018      **In control:** City Council  
**On agenda:** 11/20/2018      **Final action:** 11/20/2018

**Title:** Granting a Special Use Permit for a Tobacco Shop for a site located at 607 Monroe Street, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Plan Commission Report

Date	Ver.	Action By	Action	Result
11/20/2018	1	City Council	Dispense with the rules of Council requiring...	Pass
11/20/2018	1	City Council	declare emergency	Pass
11/20/2018	1	City Council	passage	Pass

Zoning & Planning Committee

### **Granting a Special Use Permit for a Tobacco Shop for a site located at 607 Monroe Street, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; declaring an emergency.**

#### **SUMMARY & BACKGROUND:**

By application (SUP-8001-18) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for a Tobacco Shop for a site located at 607 Monroe Street, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On October 11, 2018, the Toledo City Plan Commission recommended approval for a Special Use Permit for a Tobacco Shop for a site located at 607 Monroe Street, in the City of Toledo, Lucas County, Ohio.

On November 14, 2018, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved a Special Use Permit for a Tobacco Shop for a site located at 607 Monroe Street, 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 a Tobacco Shop for a site located at 607 Monroe Street, 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:

601-607 MONROE ST CONDOMINIUMS UNIT 2

SECTION 2. That the approval of the Special Use Permit for a Tobacco Shop for a site located at 607 Monroe Street, City of Toledo, Lucas County, Ohio; shall be subject to compliance with the 8 conditions as follows:

The following eight (8) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Fire Prevention

1. All fire protection requirements for the use of the proposed space must be met. OBC 3404.

Plan Commission

2. The hours of operation may be limited from 5:30 a.m. to 1 a.m., or other hours consistent with a liquor permit issued by the State of Ohio.
3. Per TMC§1103.1500, any exterior physical changes, and/or signage, for the building shall be submitted to the Toledo Warehouse District Architectural Review Committee (TWDARC) for review prior to any work conducted or permits issued by the city.
4. In the event the property is modified by any exterior physical changes which the total cost is more than \$250,000 or 25% of the appraised value of the building, as listed by the County Auditor, whichever is the lesser amount, then the property will be subject to additional Downtown Overlay District regulations per TMC§1103.0200.
5. 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.
6. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
7. 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.
8. 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 \_\_\_\_\_, nays \_\_\_\_\_.

Passed: \_\_\_\_\_, as an emergency measure: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor