



Legislation Details (With Text)

File #: O-084-24 **Version:** 1 **Name:**

Type: Ordinance **Status:** Approved

File created: 2/16/2024 **In control:** City Council

On agenda: 2/28/2024 **Final action:** 2/28/2024

Title: Granting a Planned Unit Development for Multiple Commercial Buildings on a Lot for a site located at 0 Glendale Avenue/ 3015 Glendale Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; granting of 4 waivers; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 3015 Glendale PUD

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|------------|--------|
| 2/28/2024 | 1 | City Council | Suspension | Pass |
| 2/28/2024 | 1 | City Council | Emergency | Pass |
| 2/28/2024 | 1 | City Council | Passage | Pass |

PUD Amendment -0 Glendale
Zoning & Planning Committee
February 13, 2024

Granting a Planned Unit Development for Multiple Commercial Buildings on a Lot for a site located at 0 Glendale Avenue/ 3015 Glendale Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; granting of 4 waivers; and declaring an emergency.

SUMMARY & BACKGROUND:

By application (SUP-10003-23) filed with the City of Toledo Central Permit Center, a request for a Planned Unit Development for Multiple Commercial Buildings on a lot for a site located at 0 Glendale Avenue, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On January 11, 2024, the Toledo City Plan Commission recommended approval for the request for granting a Planned Unit Development for Multiple Commercial Buildings on a lot for a site located at 0 Glendale Avenue, in the City of Toledo, Lucas County, Ohio;

On February 13, 2024 Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved the request for a Planned Unit Development for Multiple Commercial Buildings on a lot for a site located at 0 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 granting a Planned Unit Development for Multiple Commercial Buildings on a lot for a site located at 0 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:

THE LAND REFERRED TO THIS SITE PLAN SUBMITTAL AND INCLUDED ON THE ATTACHED SITE PLANS IS SITUATED IN THE COUNTY OF LUCAS, STATE OF OHIO, AND IS DESCRIBED AS FOLLOWS:

LOT NUMBERS 7B IN THE REPLAT OF TOLEDO COMMONS LOT 7, A SUBDIVISION IN THE CITY OF TOLEDO, LUCAS CNTY, OHIO, AS RECORDED IN OFFICIAL RECORDS NUMBER 20040121-0004997.

SECTION 2. That the approval of the granting of a Planned Unit Development for Multiple Commercial Buildings on a lot for a site located at 0 Glendale Avenue, in the City of Toledo, Lucas County, Ohio; be subject to compliance with the 47 conditions as follows:

The following forty-seven (47) 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. All proposed drive approaches, sidewalk, and curb shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, and Toledo Municipal Code. All drive approaches, and sidewalk through the drives, shall be 6" thick concrete residential, 8" thick concrete Commercial. No curb shall be permitted in the right-of way along either side of the drive approach. **No horizontal curb cutting will be permitted.**
2. Improvements per City of Toledo Infrastructure Design and Construction requirements.
3. 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. Contact Joe Warnka at (419) 245-1341 for inspection of above-mentioned items.
4. The City of Toledo public water system does not appear to be impacted by this project. Refer to comments provided by the Division of Water Distribution regarding private water mains and/or service lines.
5. The originally submitted plan was deficient in stormwater planning and has been supplemented with an improved proposal for stormwater compliance, which is acceptable for site planning, and for which construction permission would require completion of the following:
 - a. Submittal of engineering plans and a SWP3, using the cover sheet provided to the applicant. It

lists multiple items that make a complete SWP3, and initiates a workflow for plan review and approval.

- b. Submittal of fees according to the calculation and submittal instructions on the sewer construction permit fee chart provided to the applicant.
 - c. Construction inspection and completion of obligations in the stormwater permit.
6. Remove private sanitary sewer and manhole in area of proposed buildings on south side of lot.

Water Distribution

- 7. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
- 8. Detailed plans for the proposed water main shall be submitted to the Division of Water Distribution for review and approval.
- 9. Plans must be submitted to Fire Prevention (rex.butler@toledo.oh.gov <mailto:rex.butler@toledo.oh.gov>, 419.936.2008) for review and approval.
- 10. The water meter setting detail, including meter bypass (if applicable) and backflow preventer, shall be submitted to the City of Toledo Backflow Prevention Coordinator, 401 S Erie Street, Toledo, OH 43604 for review and approval. Approval of site utility plan is contingent on approval of meter setting and backflow preventer.
- 11. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be Registered with BSInlinetracking.com @ (800) 414-4990. Contact the Division of Water Distribution (419-392-2032) to verify the backflow prevention requirements for the site.
- 12. Existing water service lines to structures removed from the site will be abandoned by the City of Toledo at the developer's expense.
- 13. Detailed plans should include:
 - a. Water feature sizes and distances; maintain 18" vertical clearance between proposed water main and proposed storm sewers
 - b. Include a callout for a tapping sleeve and valve by the City of Toledo at the developer's expense. Excavation, shoring, valve box, backfill and restoration by the contractor.

- c. Include a callout for a proposed tap by the City of Toledo at the developer's expense. City will provide tap, 5' of type "K" copper, curb stop and curb box. Excavation, shoring, valve box, backfill and restoration by the contractor.

Fire Prevention

14. The proposed new buildings will require compliance with all applicable Building, Fire, Electrical, Mechanical and Plumbing code requirements. (OBC105.1 & 101.4)
15. Private fire service mains and appurtenances will be required and locations approved by the Fire Prevention Bureau. The proposed water main is showing as 6 inch, a minimum of an 8 inch main is required per TMC. Only one hydrant is shown on site, outside of a lift gate, which is not acceptable. Hydrants are required no more than 350 feet apart, which will require multiple hydrants to be located on site - inside the gates - and near the front main building. (OFC507.5.1 / TMC1511.03 Ohio Fire Code Amendments)
16. Post Indicator Valve (PIV) and Fire Dept. Connection (FDC) locations to be approved by the Fire Prevention Bureau. (OFC Section 509)
17. All threaded connections on hydrants and standpipes are required to be Toledo threads. FDC to be Storz 5" with 30 degree down angle. (OFC 903.3.6, 903.3.7 & 912.3)
18. New and existing buildings shall be provided with approved address identification that meets Building Code requirements. (OBC 501.2)
19. A Knox Box key box and Knox Gate Switch are required for after-hours access for life saving and fire fighting purposes (OFC 506.1)
20. Fire Department to receive a copy of building construction plans for review when submitted to the Building Department. (OFC104.2, OBC106.1.2 #5 & 901.2.1.1)
21. A fire safety inspection is required prior to occupancy. (OFC105.3.3.2)

Division of Environmental Services

22. Applicant shall operate, maintain and document all inspections and maintenance of any stormwater control measures on site, and submit an inspection and maintenance report annually due by December 31st.
23. 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.

- a. Notification shall be made to the Division of Environmental Services (419-936-3015) no later than three days prior to commencement of construction activities.
- b. Construction BMPs shall be in place prior to the start of construction activities.
- c. SWP3 inspection reports shall be kept on site with the SWP3 and readily accessible during normal working hours,

24. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
25. Applicant is strongly encouraged to include multiple green infra-structure measures to minimize runoff and increase infiltration, and to minimize amount of new and/or additional impervious surface on site.
26. Applicant is strongly encouraged to plant native, low maintenance and non-invasive trees, shrubs and perennials. Information is at <https://ohiodnr.gov/wps/portal/gov/odnr/discover-and-learn/plants-trees/invasive-plants>; a list of invasive plants and alternative species can be downloaded from https://www.oipc.info/uploads/5/8/6/5/58652481/alternatives_to_ohio_invasive_plant_species.pdf.
27. 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 Sewer and Drainage Services

28. S&DS requires that all existing private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
29. S&DS requires that the existing 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 Traffic Management

30. Bicycle parking is required per TMC 1107.0900.
31. Accessible parking signage must be posted directly in front of the parking space at a height of no less

than 60” and no more than 72” above pavement level per TMC 1107.1704.

32. All new and existing parking and drive aisles must be clearly shown with dimensions per TMC 1107.1911.
33. If one does not already exist, a cross access agreement is required across all parcels where driveways, drive aisles and parking areas crosses property lines.

Plan Commission

34. Pursuant to TMC§1103.1010(C), all PUDs shall be platted according to the Subdivision Rules & Regulations for the City of Toledo. Final Plat shall be submitted for review. No build permits shall be approved until platting is complete.
35. The material for both the proposed 6-foot black vinyl chain-link fence and the 6-foot black aluminum decorative fence and entry gate shall be the same. The fences and entry gate shall be decorative black aluminum and shown as such on a revised site plan and landscape plan.
36. Per TMC§1107.0304, the Off-Street Parking Schedule requires one bicycle parking slot per 10 parking slots. No bicycling parking is proposed. A minimum of two bicycling slots shall be shown on a revised site plan.
37. Per TMC§1103.1010(D) PUD developments are required to provide sidewalks, built to city specifications along both sides of all streets, public or private. Sidewalks or other approved pedestrian walkways must be provided to link nonresidential areas with residential areas, both inside and outside the PUD. To provide a complete connection, a sidewalk shall be provided from the front entry of Building 1, east to the edge of the property, to connect to the existing shopping center. The sidewalk shall be shown on a revised site plan.
38. Per TMC§1103.0707(D), fascia or wall signs are permitted for individual business establishments when the building is located on an exterior lot of a shopping center. A maximum of two fascia signs shall be permitted for those buildings located on an exterior lot of a shopping center regardless of the number of sides of the building fronting on a public right-of-way. The Applicant is proposing four fascia signs, instead of the two that are permitted; therefore, they shall obtain a waiver to allow for the additional signage.
39. Per TMC§1103.0710, proposed sign plans for properties within the -SO District shall be reviewed at the time of Site Plan approval for the subject property. Any proposed signage changes after approval of the original Site Plan shall require review as an amendment to the approved Site Plan. No new pole signs are permitted per the -SO regulations TMC§1103.0700.
40. Per TMC§1103.1007(H), all telephone, electrical, cable, and other utility appurtenances shall be buried

and dumpsters shall be sufficiently screened.

41. Per TMC§1103.1206(E.4), all roof-mounted mechanical equipment must be screened from public view.
42. Per TMC§1103.1209(A.3), grade level mechanical equipment shall be screened from adjoining residential parcels and from the right of way(s).
43. A detailed site, lighting, fencing, and four (4) copies of a landscape plan (separate from building and site plans) shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. Per TMC§1103.1008(B) commercial PUD developments shall maintain a minimum open space depth of 30 feet on all perimeter property lines and a minimum open space depth of 60 feet when abutting a Residential District. **The perimeter depth along the south and west is acceptable as depicted. The perimeter depth along the east is not acceptable as depicted, unless additional property is obtained as indicated by the Engineer. The applicant shall continue to work to secure additional area or adjust the site plan to comply. The perimeter depth along the north is not acceptable as depicted. The Applicant shall obtain a waiver for the required open space depth where it does not comply along the north.**
 - b. Per TMC§1108.0202 a minimum 30-foot-wide frontage greenbelt along public right-of-ways is required that contains at least one tree for every 30 feet of frontage. This would apply to the north and south sides of the property. **The frontage greenbelt is acceptable as depicted.**
 - c. Per TMC§1108.0205(B), in addition to the other landscape requirements for buffer areas, frontage greenbelts, and landscaping for parking lot areas, the following shall be provided: one 2-inch caliper tree for every 1,000 square feet of building coverage (footprint); foundation plantings along all portions of the building that are visible from the public rights-of-way; and landscaping at all major building entrances. **Foundation plantings and entrance landscaping acceptable as depicted. Interior tree requirement not acceptable as depicted. One interior tree shall be provided in the area between Building 1 and Building 2 where “rock mulch” is noted. In addition, the Applicant shall obtain a waiver of the other required 155 interior trees.**
 - d. Per TMC§1108.0204(B.6), landscaped areas may not contain bare soil, aggregated stone, or decorative rock. Any ground area must be covered with hardwood mulch, grass, or other vegetative ground coverage. The proposed rock mulch is not permitted. **All areas that are noted as “rock mulch”, shall be hardwood mulch.**
 - e. Topsoil must be back filled to provide positive drainage of the landscape area;
 - f. The location, number, height, diameter, and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained;
 - g. The location, height and materials for any fencing to be installed and maintained;
 - h. The site is larger than ½ acre: landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation plans must be submitted with development plans and must contain all construction details;
 - i. Lights and light fixtures used to illuminate any parking or loading area must be selected and arranged to direct and reflect the light away from any adjacent residential property and public ways and away from the sky above the light fixture per TMC§1107.1908; and

- j. The location, lighting, and size of any signs.
44. The elevations of all of the buildings are subject to TMC§1109.0500 Building Façade Materials and Color. These building material standards apply to all facades that are visible from the right-of-way and building color standards apply to all exterior elevations regardless of right-of-way visibility. Final elevations are subject to Plan Director approval.
- a. Building 1 - The north elevation depicts 56% Insulated Metal Panel, 26% Brick Veneer, and 18% Glazing. The south elevation depicts 95% Insulated Metal Panel and 5% glazing. The west elevation depicts 61% Insulated Panel, 15% Brick Veneer, and 15% Storefront Glazing. The east elevation depicts 73% Insulated Metal Panel and 27% Brick Veneer. The predominant material for all of these elevations is Insulated Metal Panel. **Acceptable as depicted, provided the provided the face sheet of the insulated metal panel is the 22 gauge option.**
 - b. Building 2 - The west elevation depicts 100% Split Face Masonry. A detail for the north and south elevations were not provided. These elevations should also be split face masonry. The east elevation will consist mainly or overhead doors separated by smooth metal piers, with corrugated metal headers along the top of the building façade, and corrugated metal panels framing the ends of the building facade. **Since this building is not visible from a right-of-way, the materials are acceptable as depicted. A typical detail for the north and south elevations for this building shall be submitted.**
 - c. Building 3 - Building 7 - All of the elevations of these buildings consist mainly of overhead doors separated by smooth metal piers, with corrugated metal headers along the top of the building façade, and corrugated metal panels framing the ends of the building facade. **Since these buildings are not visible from a right-of-way, the materials are acceptable as depicted.**
 - d. Building 8 - The east elevation depicts 100% Split Face Masonry. A detail for the north and south elevations were not provided. The west elevation will consist mainly of overhead doors separated by smooth metal piers, with corrugated metal headers along the top of the building façade, and corrugated metal panels framing the ends of the building facade. Split face masonry is not allowed as a predominant building material. **Since this building is visible from a right-of-way, with the exception of the south and west elevations, it shall be constructed of brick or other permitted building material as approved by the Plan Director. A typical detail for the north and south elevations for this building shall be submitted.**
 - e. Building 9 - The south, west and east elevations depict 100% Split Face Masonry. The north elevation will consist mainly of overhead doors separated by smooth metal piers, with corrugated metal headers along the top of the building façade, and corrugated metal panels framing the ends of the building facade. Split face masonry is not allowed as a predominant building material. While this building faces a right-of-way on the south, it is not visible with the existing landscape buffer in place. Therefore, staff supports a waiver from the material requirement. **The Applicant shall obtain a waiver for building material on the south elevation.** The east elevation of Building 9 is connected via a 6-foot-high wall to Building 8. **The 6-foot-high wall as well as the east elevation of Building 9 shall be constructed of brick or other permitted building material as approved by the Plan Director to match the east elevation of Building 8.**
 - f. The elevations do not indicate the color for the proposed materials. Revised elevation drawings will shall be submitted to reflect not only the material changes, but also color of all materials. All

revisions must be in compliance with TMC§1109 - Design Standards.

45. 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.
46. Per TMC§1111.0814, if a building permit is not issued within two (2) years of this approval then the Planned Unit Development approval shall become null and void.
47. 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. Waiving Section 1103. of the Toledo Municipal Code for the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 0 Glendale Avenue, in the City of Toledo, Lucas County, Ohio.

Chapter 1103 - Overlay Zoning Districts

Sec. 1103.0700 - SO Shopping Center Sign Overlay District

TMC§1103.0707 - Fascia and Wall Signs

- D. Fascia or wall signs are permitted for individual business establishments when the building is located on an exterior lot of a shopping center. A maximum of two fascia signs shall be permitted for those buildings located on an exterior lot of a shopping center regardless of the number of sides of the building fronting on a public right-of-way.

Approve a waiver to allow for the four fascia or wall signs. Three of the proposed signs are to call out entrances and the fourth to highlight a storage option. Due to the length of the building, the proposed signage is appropriate to assist with people using the building.

SECTION 4. Waiving Section 1103. of the Toledo Municipal Code for the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 0 Glendale Avenue, in the City of Toledo, Lucas County, Ohio.

Chapter 1103 - Overlay Zoning Districts

1103.1000 - Planned Unit Development Overlay District

1103.1008 Commercial

- B. An open space area void of buildings, structures, parking areas, or other above ground improvements except fencing shall be maintained on all perimeter property lines (except frontage) of the Planned Unit Development:
 1. A minimum open space depth of 30 feet shall be provided unless a greater setback is required as listed in the underlying zoning district

Approve a waiver to allow for open space reduction below the required 30 feet depth along the north portion of the development where the parking, drive aisle and landscape island is proposed.

SECTION 5. Waiving Section 1108 of the Toledo Municipal Code for the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 0 Glendale Avenue, in the City of Toledo, Lucas County, Ohio.

Chapter 1108 - Landscaping and Screening

1108.0205 - Interior Site Landscaping

B. Standards (Commercial)

In addition to the other landscape requirements for buffer areas, frontage greenbelts, and landscaping for parking lot areas, the following shall be provided: one 2-inch caliper tree for every 1,000 square feet of building coverage (footprint)...

Approve waiver to not provide the required interior trees except for one tree to be placed in the area on the submitted landscape plan, between Building 1 and Building 2, where “rock mulch” is noted. Approval of the waiver is due to the fact that the nature of a self-storage facility is to provide storage area that translates to building area for which this standard is based.

SECTION 6. Waiving Section 1109. of the Toledo Municipal Code for the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 0 Glendale Avenue, in the City of Toledo, Lucas County, Ohio.

Chapter 1109 - Design Standards

1109.0500 - Building Façade Materials and Color

1109.0502 Requirements

Building material standards apply to all facades that are visible from the right-of-way. Building color standards apply to all exterior elevations regardless of right-of-way visibility. Percentages apply to each facade individually.

Approve waiver for the predominant building material for Building 9 to be split face masonry. While this building faces a right-of-way it is not visible with the existing landscape buffer in place.

SECTION 7. 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 8. 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

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council
_____.

Attest: _____
Clerk of Council