



Legislation Details (With Text)

**File #:** O-017-24      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Reported to Council

**File created:** 1/10/2024      **In control:** Zoning & Planning Committee12324

**On agenda:** 1/17/2024      **Final action:** 1/17/2024

**Title:** Granting a Special Use Permit for a New Gas Station for a site located at the North-East corner of Dorr Street and Interstate 475, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Video: Agenda Review 1/10/2024, 2. Video: Zoning & Planning Committee 1/9/2024, 3. Video: City Council 1/17/2024

Date	Ver.	Action By	Action	Result
1/17/2024	1	City Council	Suspension	Pass
1/17/2024	1	City Council	Emergency	Pass
1/17/2024	1	City Council	Passage	Pass

SUP DORR & 475

**Granting a Special Use Permit for a New Gas Station for a site located at the North-East corner of Dorr Street and Interstate 475, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

By application (SUP-8002-23) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for a **New Gas Station for a site located at the North-East corner of Dorr Street and Interstate 475, in the City of Toledo, Lucas County, Ohio;** was submitted to the Toledo City Plan Commission for its review and recommendation.

On December 7, 2023, the Toledo City Plan Commission recommended approval for the request for granting a Special Use Permit for a **New Gas Station for a site located at the North-East corner of Dorr Street and Interstate 475, in the City of Toledo, Lucas County, Ohio;**

On January 9, 2024 Toledo City Council, Planning and Zoning Committee reviewed, and recommended approval the request for a Special Use Permit for a **New Gas Station for a site located at the North-East corner of Dorr Street and Interstate 475, 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 Special Use Permit for a New Gas Station for a site located at the North**

**-East corner of Dorr Street and Interstate 475, 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:

6.052 acre Parcel

A parcel of land being part of Lots 55 and 56 Garden Land, a subdivision recorded in Volume 5 Book of Plats, Page 18 and being in Springfield Township, Lucas County, Ohio and Part of Lot 57 Garden Land, City of Toledo, Lucas County, Ohio and bounded and described as follows (all set iron rods mentioned in this description are 5/8 inch diameter iron rod topped with a surveyor's cap ORAVECZ PS 5439):

- 1) Commencing at a 1 inch diameter iron rod in a monument box found marking the North 1/4 corner of Section 3, Town 2, United States Reserve of the Twelve Mile Square at the Foot of the Rapids of the Miami of Lake Erie, being Station 152+33.22 of the centerline of right-of-way of Dorr Street (Variable width Right of-Way) as shown in the LUC-475-7.53 Centerline Plat made by Northwest Consultants, Inc. for the Ohio Department of Transportation;
- 2) thence South 88°-23'-36" East, along the centerline of right-of-way of Dorr Street a distance of 654.53 feet to a point;
- 3) thence North 01°-36'-24" East, a distance of 55.00 feet to a found iron pin with cap "ODOT R/W PS 8363" at the point of BEGINNING;
- 4) thence North 88°-23'-36" West, along the North right-of-way line of Dorr Street, passing through a 5/8 inch diameter iron rod with cap "ORAVECZ PS 5439" set at 236.78 feet for a total distance of 262.75 feet to a found iron pin with cap "ODOT R/W PS 8363"
- 5) thence North 71°-41'-39" West, along the North right-of-way line of Dorr street, a distance of 52.20 feet to a found iron pin with cap "ODOT *RMI* PS 8363";
- 6) thence North 88°-23'-36" West, along the North right-of-way line of Dorr Street, a distance of 54.22 feet to a found iron pin with cap "ODOT *RM/* PS 8363";
- 7) thence North 00°-53'-14" East, a distance of 20.00 feet to a found iron pin with cap "ODOT *RM/* PS 8363";
- 8) thence North 88°-23'-36" West, a distance of 20.00 feet to a found iron pin with cap "ODOT *RM/* PS 8363";
- 9) thence north 00°-53'-14" East, a distance of 130.01 feet to a found iron pin with cap "ODOT *RM/* PS 8363";
- 10) thence North 88°-23'-36" West, a distance of 229.15 feet to a found iron pin with cap "ODOT *RMI* PS 8363" marking the East right-of-way line of Interstate 475;
- 11) thence North 34°-04'-16" West, along the East right-of-way line of Interstate 475 a distance of 61.55 feet to a found iron pin with cap "ODOT *R\N* PS 8363";

- 12) thence North 13°-12'-04" West, along the East right of way line of Interstate 475, a distance of 119.97 feet to a found iron pin with cap "ODOT RM/ PS 8363";
- 13) thence North 52°-36'-23" East, a distance of 345.84 feet to a 5/8" iron rod set with cap "ORAVECZ PS 5439" marking the Southwest right-of-way line of Dorr Street Station Court (60.00 foot wide right-of-way);
- 14) thence Southeast along a curve to the left with a radius of 180.00 feet, an arc distance of 135.48 feet and a cord distance of 132.31 feet with a cord bearing of South 66°-49'-50" East to a 5/8" iron rod set with cap "ORAVECZ PS 5439";
- 15) thence South 88°-23'-36" East, along the Southerly right-of-way line of Dorr Street Station Court, passing through a 5/8" iron rod set with cap "ORAVECZ PS 5439" at 49.69 feet for a total distance of 150.00 feet to a 5/8 inch diameter iron rod set with cap "ORAVECZ PS 5439";
- 16) thence Southeast along a curve to the right with a radius of 150.00 feet, an arc distance of 235.62 feet and a chord distance of 212.13 feet with a chord bearing of South 43°-23'-36" East to a 5/8 inch diameter iron rod set with cap "ORAVECZ PS 5439";
- 17) thence South 01°-36'-24" West, a distance of 300.00 feet to a 5/8 inch diameter iron rod set with cap "ORAVECZ PS 5439";
- 18) thence North 88°-23'-36" West, a distance of 7.50 feet to a 5/8 inch diameter iron rod set with cap "ORAVECZ PS 5439";
- 19) thence South 01°-36'-24" West, a distance of 30.00 feet to the point of **BEGINNING**;

Containing 6.052 acres more or less, of which 2.609 acres lies within Parcel Number 20-24427, 1.059 acres lies within Parcel Number 65-45987, 1.924 acres lies within Parcel Number 65-45988 and 0.460 of an acre lies within Parcel Number 65-45977, said 6.052 acre parcel is subject to legal highways, and subject to all legal easements, restrictions, leases of record and of records in respective utility offices and other conveyances, if any.

Prior Deed reference: Official Record 20190313-0009123, Lucas County, Ohio records  
Reference: Official Record 20160630-0025311, Lucas County, Ohio records

The bearings referred to herein are based upon an assumed bearing of South 88°-23'- 36" East between the found iron pin in a monument box at Station 152+33.22 of the centerline of right-of-way of Dorr Street (Variable width right-of-way) as shown in the LUC-475-7.53 Centerline Plat made by Northwest Consultants, Inc. for the Ohio Department of Transportation and the iron pin in a monument box at Station 178+81.37 and are used only for the purpose of describing horizontal angular measurements ..

**SECTION 2.** That the approval of the granting of a Special Use Permit for a **New Gas Station for a site located at the North-East corner of Dorr Street and Interstate 475, in the City of Toledo, Lucas County, Ohio**; be subject to compliance with the 57 conditions as follows:

The following fifty-seven (57) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

### Engineering Services

1. 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.
2. 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.
3. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, 419-245-1347. The application can be obtained online at Toledo.oh.gov search: Right of Way opening permit.

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

4. There are no proposed water mains shown on the plans. As such, the Division of Engineering and Construction Management has no comments with respect to the public water system as it relates to this submittal. If public water mains are added to the project, detailed plans shall be submitted to the DCEM for review and approval.
5. Contact the City of Toledo Fire Prevention Bureau (41-245-1263) to verify the fire protection requirements for this site.
6. Comments regarding proposed private water mains and/or service lines will be provided by the Division of Water Distribution.
7. ODOT Drainage and R/W permit(s) will be needed. The ODOT Location and Design (L&D) manual Volume 2 Section 1001.3 provides the requirements.
8. Submittal for Toledo Stormwater approval is also required. Preliminary design communication is highly encouraged ahead of the full stormwater submittal, in order to minimize revisions once the full stormwater submittal is made, which requires multiple items:
  - a. Items are listed in the regional SWP3 submittal coversheet:  
<https://tmacog.org/water/stormwater/stormwater-pollution-prevention-plan-swp3>.
  - b. Plans according to the 2014 Infrastructure Requirements document found in the drop down menu on this page:  
<https://toledo.oh.gov/business/how-to-build-in-the-city/building-inspection-permits>.
9. Following the stormwater review, additional items are needed for Toledo’s approval:
  - a. As listed on the regional SWP3 submittal coversheet. The signed agreement will be through a covenant which will need to be recorded.

- b. Fee and Toledo Licensed Sewer Contractor for the sewer construction permit.
  - c. Construction inspection and completion of obligations in the stormwater permit.
10. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
11. A single sanitary tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.
12. Any prior kills that were not done at the right-of-way line shall be re-killed at the right-of-way to eliminate any active pipes on the property.

### Water Distribution

13. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
14. Detailed plans for the proposed water main shall be submitted to the Division of Water Distribution for review and approval.
15. Plans must be submitted to Fire Prevention ([rex.butler@toledo.oh.gov](mailto:rex.butler@toledo.oh.gov) <<mailto:rex.butler@toledo.oh.gov>>, 419.936.2008) for review and approval.
16. 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.
17. 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 [BSIOnlineTracking.com](http://BSIOnlineTracking.com) @ (800) 414-4990. Contact the Division of Water Distribution (419-392-2032) to verify the backflow prevention requirements for the site.
18. Existing water service lines to structures removed from the site will be abandoned by the City of Toledo at the developer's expense.
19. Detailed plans should include:
- a. Water feature sizes and distances; maintain 18" vertical clearance between proposed water main and proposed storm sewers.
  - b. 3" separation is needed t the main for small taps, 10 feet separation for large taps.
  - c. If Backflow is not located inside a building, it needs to be directly after meter, above ground in a Hot Box.
  - d. Plans must include Oak Openings Region Note (Included in the email).

- e. 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.
- f. 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.

20. This project is located within the Oak Openings Region. The following "Oak Openings Region" note must be placed on the plans and the conditions set forth in the note must be complied with:

#### OAK OPENINGS REGION

THIS PROJECT IS LOCATED WITHIN THE OAK OPENINGS REGION, A SIGNIFICANT, HIGH QUALITY, ENVIRONMENTAL RESOURCE. DREDGING, FILLING, CLEARING, OR OTHERWISE ALTERING CATEGORY 3 WETLANDS (SEE OAC 3745-1-54 FOR WETLAND CATEGORY DEFINITIONS) WITHIN THE OAK OPENINGS REGION IS PROHIBITED. DREDGING, FILLING, CLEARING, OR OTHERWISE ALTERING CATEGORY 1 OR 2 WETLANDS WITHIN THE OAK OPENINGS REGION IS STRONGLY DISCOURAGED, AND IS PROHIBITED WITHOUT FIRST PROVIDING PROOF OF COMPLIANCE WITH THE FOLLOWING PERMITS: SECTION 401 OF THE CLEAN WATER ACT, OHIO EPA ISOLATED WETLAND PERMIT, AND SECTION 404 OF THE CLEAN WATER ACT. IF A PERMIT DOES NOT APPLY, PROVIDE A LETTER FROM A QUALIFIED PROFESSIONAL CERTIFYING THAT THEY HAVE SURVEYED THE SITE AND DETERMINED THAT THE PERMIT IS NOT APPLICABLE. ALL CERTIFICATIONS AND DELINEATIONS SHALL INCLUDE NOTIFICATION OF AND CONCURRENCE FROM THE U.S. ARMY CORPS OF ENGINEERS AND/OR OHIO EPA, AS APPROPRIATE, IN ACCORDANCE WITH PROTOCOLS CURRENTLY ACCEPTED BY THE U.S. ARMY CORPS OF ENGINEERS. ANY MITIGATED WETLANDS PROVIDED IN ACCORDANCE WITH SAID PERMITS SHALL BE LOCATED WITHIN THE OAK OPENINGS REGION.

#### Division of Sewer & Drainage Services

- 21. S&DS requires that all existing private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
- 22. 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 Environmental Services

- 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](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.

#### Bureau of Fire Prevention

28. This facility will occupy lots in two separate political and fire jurisdictions. Details will need to be covered on jurisdictional coverage.
29. The proposed new building will require compliance with all applicable Building, Fire, Electrical, Mechanical and Plumbing code requirements. (OBC105.1 & 101.4)
30. New and existing buildings shall be provided with approved address identification that meets Building Code requirements. Current property address from Lucas County AREIS is 6340 Dorr St. (OBC 501.2)
31. All permits for new UST systems for this fueling station to be submitted to the State of Ohio BUSTR (Bureau of Underground Storage Tank Registration) (ORC 1301:7-9-10 Permits for UST systems).
32. Public and private hydrant locations to be approved by the city engineer and the Fire Prevention Dept. (OFC Section 507) - NOTE - no fire hydrants are shown on Dorr Street Station Court, these are required.
33. Fire Department to receive and review building construction plans when submitted to the Building Department. (OFC104.2, OBC106.1.2 #5 & 901.2.1.1)
34. A fire safety inspection is required prior to occupancy. (OFC105.3.3.2)

#### Division of Transportation

35. Vehicle staking is required to be shown at gas pumps per TMC 1107.1601 & 1107.1602.
36. Accessible parking signage is required per TMC 1107.1704.
37. Wheel stops are required at parking spaces abutting property lines, sidewalk, planting strips and buildings per TMC 1107.1907.

38. A 25' drive aisle is required from vehicle stacking to the building parking and to the parking lot curb for two-way traffic per TMC 1107.1911.
39. A traffic impact study needs to be completed for the complete Dorr Street Station Court area.

#### Plan Commission

40. Off-street parking shall be provided pursuant to Off-Street Parking Schedule "A," (TMC§1107.0304). Minimum number of off-street parking spaces required for gasoline and fuel sales is one (1) parking space per pump plus one (1) per three-hundred (300) square feet of building area. The site plan shows eight (8) gas pumps along Dorr Street and five (5) auto diesel stations to the north of the site. Twenty-six (26) at pump parking spaces are required. The proposed building covers an area of 5,312 square feet requiring an additional seventeen (18) parking spaces. A total of forty-four parking spaces are required for this site. The submitted site plan shows fifty-six (56) parking spaces and eleven (11) truck parking spaces to the north of the site for the gasoline and fuel sales use. **Acceptable as depicted on site plan submitted on November 8, 2023.**
41. Per TMC§1107.1601 a pump island requires a minimum of one (1) stacking space. Twenty-six (26) stacking spaces shall be provided for this site. **Not acceptable as depicted on site plan. Stacking spaces shall be indicated on a revised site plan.**
42. Stacking spaces must be a minimum of ten by 20 feet (10'x20') in size. **Not acceptable as depicted on site plan. Stacking spaces with dimensions shall be indicated on a revised site plan.**
43. Bicycle parking slots shall be provided pursuant to Off-Street Parking Schedule "A," (TMC§1107.0300). Minimum number of bicycle parking slots required for a convenience store is one (1) bicycle parking per ten (10) parking spaces. Six bicycle parking spaces are required. **Acceptable as depicted on site plan received November 8, 2023.**
44. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. One (1) van accessible space with an eight-foot (8') drive aisle and two (2) car accessible space with five-foot (5') drive aisles are required. **Acceptable as depicted on site plan submitted November 8, 2023.**
45. Off-street parking and loading spaces, parking lots, maneuvering areas, aisles and driveways must be surfaced with concrete, bituminous asphalt, or other dust-free material other than gravel or loose fill, and be graded to drain all surface water towards the interior of the parking lot or to a stormwater treatment facility subject to the regulations and approval of the Department of Public Utilities.
46. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks or the public right-of-way as stated in **TMC§1361.10(b)(10)** of the Building Code. **If applicable.**
47. A detailed site, lighting, fencing and four (4) copies of a landscaping plan (separate from building & site plans) shall be submitted to the Plan Director for review and approval. Such plan shall include:
  - a. A thirty-foot (30') buffer of landscaped frontage greenbelt is required along Dorr Street, Interstate 475 and Covell Drive. At least one tree must be provided for every 30 feet of lot



frontage or fraction thereof. The frontage greenbelt shall also include a solid evergreen hedge to screen parking in the front of the property and prevent headlights from being seen from the right-of-way. Twenty-six (26) trees and a continuous shrub shall be provided along Dorr Street. In addition to that, the applicant shall provide eighteen (18) trees along Interstate 475 and thirteen (13) trees along Covell Drive. This requirement shall include a continuous shrub. **Not acceptable as depicted on site plan. Additional continuous shrub shall be provided along the property line adjacent to Interstate 475.**

- b. Perimeter landscaping must be installed along any parking lot area adjacent to a street, place, or driveway, or which is visible from an immediately adjacent property, and must include a continuous shrub row with a minimum height eighteen inches (18"). **Perimeter landscaping including the conservation easement to the east of the site is acceptable as depicted on site plan submitted on November 8, 2023.**
- c. Two (2) canopy trees and six shrubs are required to be installed in interior landscape areas for each ten (10) parking spaces within the parking lot (existing trees may be used for credits). A total of twelve (12) trees and thirty-six (36) shrubs are required for this site. **Acceptable as depicted on landscaping plan submitted on November 8, 2023.**
- d. 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. **Acceptable as depicted on site plan.**
- e. One 2-inch caliper tree for every 1,000 square feet of building coverage shall be required. Five (5) trees are required for this site. **Acceptable as depicted on landscaping plan submitted on November 8, 2023.**
- f. Foundation plantings shall be required along the portion of the building visible from the right-of-way (south, west and east sides) and landscaping at all major building entrance. **Acceptable as depicted on landscaping plan.**
- g. Topsoil must be back filled to provide positive drainage of the landscape areas;
- h. 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. **Acceptable as depicted on landscaping plan submitted on November 8, 2023;**
- i. 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, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards. **Acceptable as depicted on landscaping plan submitted on November 8, 2023;**
- j. All landscape material must be properly maintained. No approved plant material shall be removed for any reason without being replaced with like kind, or without submitting a revised landscape plan to the Planning Director for review or approval;
- k. The location, height and materials for any fencing to be installed and maintained.

- l. Because the site is greater than ½ acre large, 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;
  - m. The location and direction of any proposed **lighting (any lighting is to be directed away from adjacent residential properties). Any proposed lighting shall be shoebox style and pole height shall be a maximum of 20' in height with no splash off site.**
48. Per TMC§1109.0204(A)(1) At least one main entrance of any commercial, mixed-use, or institutional building shall face and open directly onto a 5-foot-wide connecting walkway to the street sidewalk without requiring pedestrians to walk around buildings or around parking lot outlines which are not aligned to a logical route. Color elevations have been reviewed. 96" tall entry doors recommended on all buildings with frontage on Dorr Street. **Acceptable as depicted on site plan received November 8, 2023.**
49. Building elevations are subject to TMC§1109.0500 - Building Façade Materials and Color. **Proposed elevations received November 9, 2023 are acceptable as depicted.**
50. All internal pedestrian walkways that cross parking aisles or driveways shall be distinguished from driving surfaces through the use of durable, low-maintenance surface materials such as pavers, bricks, scored concrete or scored and painted asphalt to enhance pedestrian safety and comfort. Raised walkways may be installed if elevated 6 inches with tapered side slopes and meet ADA standards. **Acceptable as depicted on site plan received on November 8, 2023.**
51. Applicant shall obtain approval for a final plat before final permits issuance
52. All freestanding signs in the Dorr Street Interchange Overlay District shall be low profile/monument signs. Each sign shall be constructed with a high-quality stone/masonry base and shall be internally illuminated. All such signs shall conform to Section E. Maximum height of any Low-Profile/Monument sign shall be five (5') feet in height when placed at the right-of-way. Maximum height may increase at a rate of three (3") inches per one (1') foot of setback from the right-of-way up to a maximum height of ten (10') feet. **Not acceptable as depicted. The proposed pole sign along Interstate 475 does not meet this requirement.**
53. Applicant shall obtain appropriate permits for any proposed signage.
54. 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.
55. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
56. 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.
57. 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 10, nays 0.

Passed: January 17, 2024, as an emergency measure: yeas 10, nays 0.

Attest:

Julie Gibbons  
Clerk of Council

Carrie Hartman  
President of Council

Approved:

January 22, 2024  
Wade Kapszukiewicz  
Mayor