



Legislation Text

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The Clerk Reports

**Granting a waiver of Toledo Municipal Code Section 1107.0203 Surface Parking Lot Ban Districts to allow an existing one-level surface parking lot to be increased in size at 15, 25, 31, 39 South Ontario Street and 14 South Erie Street, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

The former Commerce Paper Building at 15 S. Ontario Street is being renovated into a mixed-use project with approx. 50 residential units and a ground-floor retail tenant, to be known as the Overmyer Lofts. The existing parking lot to the east is proposed to be expanded to include the footprint of the to-be-demolished garage addition to the south of the building and offer a total of 72 parking spaces, as well as required landscaping and decorative fencing. The proposed parking lot has been reviewed and approved by the Plan Commission as SPR-18-22, subject to the approval of a waiver of the Warehouse District Surface Parking Lot Ban.

Waiving of this zoning section will allow the project to proceed.

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

SECTION 1. That TMC Section 1107.0203, Surface Parking Lot Ban Districts, which prohibits the expansion of existing one-level surface parking lots within the Warehouse District, be waived at 15, 25, 31, and 39 S. Ontario Street and 14 S Erie Street for the expansion of a parking lot.

SECTION 2. That the waiver of the above Zoning Code section be limited to 15, 25, 31, and 39 S. Ontario Street and 14 S Erie Street with the overall project property more fully described as follows:

Parcel 1:

That part of Lots numbers 332 and 333 in PORT LAWRENCE DIVISION, of the City of Toledo, Lucas County, Ohio, in accordance with plat recorded in Volume 16 of Plats, page 47, and of the abandoned bed of the Miami and Erie Canal, bounded and described as follows: Commencing at the intersection of the northeasterly line of said Lot number 333 with the southeasterly line of Ontario Street; thence southeasterly along the northeasterly line of said Lot number 333, a distance of 106.5 feet to a point on the northwesterly line of the right of way of The Toledo, St. Louis and Western Railway; thence southwesterly along the northwesterly line of the right of way of The Toledo, St. Louis and Western Railway, a distance of 28.5 feet to a point; thence in a westerly direction on a curve to the right and tangent with a radius of 83.31 feet, a distance of 39.26 feet to a point; thence in a westerly direction on a tangent to said curve, a distance of 107.24 feet to a point in the southeasterly line of Ontario Street; thence northeasterly along the southeasterly line of Ontario Street, a distance of 134.77 feet to the place of beginning.

Parcel Nos. 12-15997 and 12-16001; 39 S Ontario and 31 S Ontario, respectively.

Parcel 2:

Lots Numbers 334, 335 and the Southwesterly 39 1/3 feet of Lot Number 336 in the PORT LAWRENCE DIVISION of the City of Toledo, Lucas County, Ohio, in accordance with plat recorded in Volume 16 of Plats, page 47.

Parcel Nos.12-16007, 12-16014 and 12-1602; 25 S Ontario, 15 S Ontario and 15 S Ontario, respectively.

Together with all parking lots, easements, rights of way, water, air and mineral rights, contract rights, licenses, privileges and appurtenances pertaining to said parcels of land, including all leases, if any ("Land") (ii) all the right title and interest of the Seller in and to any land lying in the bed of any street, road or avenue opened or proposed and in front of or adjoining the Property; (iii) all buildings, improvements, fixtures and structures located on the Land ("Improvements").

Additional Parcel:

Lots 325, 326 and 327 and the Southwesterly 4 feet of lots number 323, 324 all in the PORT LAWRENCE DIVISION of the City of Toledo, Lucas County, Ohio.

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 this Ordinance must be immediately effective in order that the construction of needed downtown housing in a vacant structure can be completed in an economical manner.

Vote on emergency clause: yeas 12, nays 0.

Passed: June 7, 2022, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

June 8, 2022  
Wade Kapszukiewicz  
Mayor