



Legislation Text

File #: O-458-21, **Version:** 1

Zoning & Planning Committee

Changing the zoning maps attached to Part 11, Planning and Zoning, Toledo Municipal Code, for the property located at 2700 Broadway, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

SUMMARY & BACKGROUND:

An application (Z-4005-21) for a proposed change in the Institutional Master Plan for the property located at 2700 Broadway, Toledo, Ohio, was submitted to the Toledo City Plan Commission for its review and recommendation.

On July 8, 2021, the Toledo City Plan Commission recommended approval of the request for an Amendment to the Institutional Master Plan for the property located at 2700 Broadway, Toledo, Ohio.

On August 11, 2021, the Toledo City Council recommended approval of the request for an Amendment to the Institutional Master Plan, Toledo, Ohio.

The applicant is proposing an amendment to an existing Institutional Campus (IC) Master Plan for the Toledo Zoo. The adoption of this amendment is required in order to incorporate newly acquired properties into the Zoo's campus, as well as to allow for future improvements to the campus in a phased approach. Each proposed project will require a Site Plan Review to ensure minimum municipal standards are being met. Companion case Z-4004-21 is a Zone Change request for several properties along Spencer Street and Amherst Drive from RS6 - Single Family Residential, RD6 - Duplex Residential, and IL - Limited Industrial to IC - Institutional Campus. Surrounding land uses include single family homes to the north; single family dwellings and a future parking lot to the east; single family dwellings, a future parking lot, and a public park to the south; and single family homes and a public park to the west.

Proposed Institutional Campus Master Plan Amendments

The Toledo Zoo is proposing several amendments that are anticipated to be completed through 2027. Master Plans must be updated on at least a six (6) year cycle and include any changes to the institution's mission, objectives, existing property and uses, needs of the institution, development envelope, transportation management, pedestrian circulation, design guidelines, and neighborhood protection strategy. If the Zoo does not propose any changes to a certain element, then the most recently approved element persists. The following lists the proposed changes to the Toledo Zoo's Master Plan in order of the Institutional Master Plan requirements in TMC§1111.1304:

A. Planning Horizon; Expiration and Lapse of Approval

The Zoo is proposing a planning horizon of 2027. There are several projects listed in the 2006 Master Plan that have not been completed, including the Broadway Avenue parking lot,

Broadway bus drop at Aquarium Service Drive, and the Aquarium/Education Center. These projects do not have a timeline for completion.

B. Mission and Objectives

The Toledo Zoo's mission is to "Enjoy, Inspire, Educate, Act". The objectives of the projects proposed in the Master Plan update include improving the quality of life for their animals, improving the visitors' experience, and preserving historic structures on site. The Zoo is proposing new exhibits and improvements to existing exhibits in order to provide more room for the animals, and to provide more space for people to view the exhibits. Additionally, several buildings on campus were constructed under the Works Progress Administration (WPA), and the Zoo wishes to preserve these notable structures. These projects will improve the Zoo's quality overall, and reinforce the Toledo Zoo as a tourist destination.

There are several other unique projects with their own individual goals proposed in the Master Plan. First, the Toledo Zoo wishes to participate in a red panda breeding program, and one of their proposed structures would help facilitate the Zoo being a part of an international breeding program. Additionally, they are proposing a restaurant/catering facility with outside pedestrian access for people to visit without having to pay a Zoo entrance fee. This restaurant/catering facility would be located where the current conservatory and production greenhouse is in the Zoo's center. The Zoo also wishes to renovate the Amphitheater, a WPA structure, in order to host concerts and other events. Lastly, the Zoo wishes to add new merchandise booths, a greenhouse, and enclose the previously vacated Amherst Drive as general improvements.

C. Existing Property and Uses

The applicant has provided a site plan depicting the existing Zoo's campus. Additionally, a list of projects completed since the 2006 Amendment was included. The Toledo Zoo has added the Children's Zone, extended the Pachyderm exhibit (elephants, hippos, and rhinos), expanded the north visitor parking lot, added the Administrative Village, and the Spencer Street employee parking lot over the last six (6) years. See Exhibit A for the site plan of the existing campus.

D. Needs of the Institution

In order to meet the goal and objectives of their proposed Master Plan, the Toledo Zoo is proposing several new and redevelopment projects. The Zoo has their projects categorized into Exhibits, Animal Holding, Guest Amenities, and Other Zoo Amenities. The projects are listed below along with the purpose of each. Exhibits depicting each project are included with this report.

- Carnivore Area Exhibit - The goal of the new Carnivore exhibit is to show tigers and other predator's species and to highlight their importance. By giving these animals their own space, the Zoo hopes to teach visitors about how they are still vital to our ecosystem. See Exhibits B-1 and B-1a.
- Bear Exhibit Redevelopment - The redevelopment will create more room for the brown bears, improving their well-being and create more viewing opportunities for the Zoo's visitors from the Tiger Terrace. See Exhibit B-5.

- Reptile House project - The reptile house is located in a WPA historic building. This project will include remodeling the entire building and constructing a greenhouse structure as an addition. The new greenhouse space will allow for more viewing and animal care as well as additional space for visitors to enjoy the Zoo. See Exhibit B-6.
- Carnivore Café - The Carnivore Café is located in a historic building. The Zoo will replace the Carnivore Café with an animal exhibit (within the existing building) and add two (2) new greenhouse structures for animal holding and exhibits. By redeveloping this structure, the Zoo is hoping to add new life around the main plaza where many Zoo visitors spend their time. See Exhibit B-11.
- Aviary Greenhouse additions and Renovation - To bring new life to the Zoo's historic WPA Aviary, the Zoo is proposing a new greenhouse structure off of the side of the building. This structure would allow for guests to rent out the space for events and gatherings. This space would also provide a new home for the flamingos and Galapagos tortoise. This new structure will allow for the Zoo to better display and care for these animals. The renovation will be interior renovation to the existing Aviary. See Exhibit B-12.
- Plans Exhibit: The new facility will be an open space plans exhibit as part of the Anthony Wayne Trail parking lot. The Zoo will be developing the project for guests to be able to travel through the exhibit to view the animals. See Exhibit B-2.
- Carnivore Area Holding - This new facility will allow for the Toledo Zoo to house the animals in holding as needed. By giving their animals a better holding space, it will allow for them to better manage their animals. See Exhibit B-1.
- Off Exhibit Animal Holding - The Toledo Zoo is always in need of safe spaces to hold animals while they are not on exhibit. This Off Exhibit Animal Holding will be constructed similar to the other structure adjacent to this proposed location. These structures allow for better flexibility, and allow for the Toledo Zoo to take in more animals when they are in need of a place to stay. See Exhibit B-3.
- Red Panda Breeding Facility - To help conserve part of the natural world, the Toledo Zoo participates in breeding programs with other Zoos around the world. One of the programs that the Toledo Zoo wishes to be a part of is the Red Panda Breeding Program. With the construction of this facility, the Toledo Zoo will be able to participate in the breeding program and better serve their current population of red pandas. See Exhibit B-9.
- Conservatory Catering Facility - The current conservatory and production greenhouse space is at the center of the Historic Zoo. To make use of this location the Zoo will be turning this area into a restaurant/catering facility. Additionally, to make this space accessible to all, the Zoo is proposing a new pedestrian entrance off of Broadway Street that will allow for anyone to come to the restaurant without having to enter the Zoo. See Exhibit B-8.
- Merchandise Huts - the guest experience is one of the Zoo's highest priorities, and have found a need for more quick access merchandise huts thought out the facility. This merchandise huts will be in the Plaza near the Bear Essentials building, where the carousal is

currently, and near the petting zoo.

- Pizza/ Grille Food Service Station - the Zoo will be developing an open air food service station in the plaza of the Petting Zoo to allow visitors to purchase pizza from the new pizza oven.
- Amphitheater Renovation - As one the historic WPA structures, the Toledo Zoo is looking to renovate the Amphitheater to allow for the growing needs with concerts, events, and guest needs.
- Production Greenhouse - As a conservation based institution, the Toledo Zoo is always looking for ways to better serve their needs. A major need of the Zoo is for the ability to grow and manage their plants and vegetation. By constructing an additional production greenhouse in the Zoo's warehouse area, it will allow them to better serve their horticulture needs.
- Enclose Amherst - The Toledo Zoo currently owns the properties that are on Amherst Drive directly across from the Zoo along the section of Amherst Drive that the City of Toledo elected to vacate. To secure these properties and the section of Amherst Drive that was vacated, the Zoo is looking to add a fence across Amherst Drive connecting it to the main part of the Zoo. There are no current plans to construct any structures on these properties.

E. Development Envelope

The development envelope, or land area where future development will happen, is indicated on Exhibit B. The new campus footprint will include the current campus as well as the properties requested for a Zone Change in companion case Z-4004-21. The Development Envelope also requires the applicant to identify intensity and dimensional standards, as well as transportation and parking standards for the proposed campus improvements. The Zoo has provided the following standards:

1. Floor area ratio: 0.026
2. Average daily and peak-hour traffic: Currently open six (6) days a week. Busiest times are Memorial Day to Labor Day and "Lights Before Christmas" (end of November to December). Busiest Friday to Sunday.
3. Height: building height will not exceed sixty feet (60').
4. Minimum Setbacks: Front - 25 feet
Side - 10 feet
Rear - NA
5. Total site area of open space: 1,799,344.5 square feet of greenspace or permeable surface.
6. Total number of parking spaces to be provided: 2,737. Note that this number is the resulting number from removing the western portion of the current Anthony Wayne Trail parking lot and developing a new parking lot.

F. Transportation Management Plan

The major change to the Zoo's transportation management is the elimination of the western portion of the existing parking lot for a new exhibit. The parking will be replaced with a new lot to the south of the Anthony Wayne Trail, previously approved by SPR-8-21. This parking lot

shall be incorporated into the Zoo's Master Plan once under Toledo Zoo ownership. Employee parking along Spencer Street will also be removed to accommodate the Carnivore Exhibit, however access off of Spencer Street will remain for staff and delivery access. This access point will be a left-out only to reduce any impact to the abutting residences. Fire Prevention requested an additional access drive off of Spencer Street for emergency purposes, which has been provided in Exhibit C.

G. Pedestrian Circulation Plan

The layout of the Toledo Zoo's campus is focused on a pedestrian circulation as visitors must walk to traverse the exhibits. All new exhibits will also have safe and efficient pedestrian circulation as a priority.

H. Design Guidelines

The primary design theme of the Zoo's structures focuses on the historic WPA buildings. The Zoo has made it a priority to keep these structures maintained and to highlight their traditional design. New structures will either complement the WPA buildings or be a contemporary design that is compatible with a zoo-like campus. The Zoo will also incorporate landscaping and native plantings to beautify the campus and educate visitors about native species.

I. Neighborhood Protection Strategy

The Toledo Zoo's campus is lined with landscape buffering as established in previous Master Plans, and the applicant will continue to use landscape buffers for the expanded portions of the site as described in Exhibit D. The Carnivore Exhibit and Amherst Drive Enclosure projects will have landscape buffering as indicated in Exhibits B-1 and B-13. The Zoo will also use native plantings and gardens to beautify the campus, and details about the proposed plantings are available in Exhibit E. Additionally, the applicant states that they will use cutoff lighting along the edges of the campus in order to minimize any nuisance lighting to the surrounding neighborhood.

Note that TMC§1105.0300 - *Fences and Hedges* states that fences may not exceed three and a half feet (3'6") in the front setback in most Zoning Districts, however IC - Institutional Campus is not subject to this requirement. Additionally, although it is not indicated in the Zoo's Master Plan, barbed wire is used around the Zoo's campus. TMC§1105.0303 - *Barbed Wire Prohibited* states that the use of barbed wire, razor wire, concertina wire or the like shall not be permitted in any Zoning District except the Industrial Districts and then only in the side and rear yards when not within fifty feet (50') of a Residential District, not in the front yard setback, and not anywhere along a street right-of-way. However, the Zoo must comply with fencing regulations as stated by the USDA, and the proposed eight foot (8') tall barbed wire fencing would be necessary for future development. Existing barbed wire shall remain, and the Zoo shall request a waiver from the Board of Zoning Appeals for barbed wire if it is to be used in the future.

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 Amending the Institutional Master Plan of that part of the City of Toledo more fully described as follows:

Parcel ID: 1874234

Legal Description: Toledo Zoo, Historic Campus

Being Part of Lot 9 in Comstock's Subdivision of RiverTracts 12 and 13 as recorded in Lucas County Plat Volume 4, Page 33, in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Commencing at a railroad spike found at the intersection of the Northerly right-of-way of Broadway, so called, and the Easterly right-of-way of Amherst Drive, so called. Said point being the true point of beginning.

Thence North 00 degrees, 56 minutes, 56 seconds East, along the Easterly right-of-way of Amherst Drive, a distance of 1686.61 square feet to a point on the Southerly right-of-way of the Anthony Wayne Trail, so called.

Thence North 47 degrees, 35 minutes, 05 seconds East, along the Southerly right-of-way of the Anthony Wayne Trail, a distance of 636.23 feet to a point on the Southwesterly prolongation of the centerline of Marlboro Street, so called.

Thence North 75 degrees, 31 minutes, 51 seconds East, along the centerline of Marlboro Street, and its Southwesterly prolongation, a distance of 389.49 feet to a railroad spike set on the Westerly right-of-way of Shadowlawn Drive, so called.

Thence South 00 degrees, 08 minutes, 09 seconds East, along the Westerly right-of-way of Shadowlawn Drive, a distance of 1313.93 feet to a point on the Northerly right-of-way of Broadway.

Thence South 44 degrees, 19 minutes, 21 seconds West, along the Northerly right-of-way of Broadway, a distance of 1256.48 feet to the true point of beginning.

Containing 1,342,916.96 square feet or 30.829 acres of land. Subject to all easements of record or now in use.

Bearings used herein are based on an assumed meridian and are for the express purpose of showing angular measurement. This description is based on prior surveys prepared by Lewandowski Engineers from January 1984 through August 2005.

Parcel ID: 0705891

Legal Description: Historic Campus Harvard Terrace

Being Part of Lot One in the Plat of Harvard Terrace as recorded in Lucas County Plat Volume 19, Page 12, all in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Commencing at the intersection of Southeasterly right-of-way of the Anthony Wayne Trail, so called, and the Westerly right-of-way of Amherst Drive, now so called, and formerly known as Walbridge Park.

Thence South 47 degrees, 35 minutes, 04 seconds West, along the Southeasterly right-of-way of the Anthony Wayne Trail, a distance of 66.70 feet to the true point of beginning.

Thence South 43 degrees, 21 minutes, 40 seconds East, a distance of 69.42 feet to a point on the Westerly right-of-way of Amherst Drive.

Thence South 00 degrees, 56 minutes, 56 seconds West, along the Westerly right-of-way of Amherst Drive, a distance of 200.57 feet to a point.

Thence North 43 degrees, 21 minutes, 40 seconds West, a distance of 215.25 feet to a point on the Southeasterly right-of-way of the Anthony Wayne Trail.

Thence North 47 degrees, 35 minutes, 04 seconds East, along the Southeasterly right-of-way of the Anthony Wayne Trail, a distance of 140.12 feet to the true point of beginning.

Containing 19,942.33 square feet, or 0.458 acres of land. Subject to all easements of record or now in use.

Bearings used herein are based on an assumed meridian and are for the express purpose of showing angular measurement. This description is based on prior surveys prepared by Lewandowski Engineers from January 1984 through August 2005.

Legal Description: Historic Campus Harvard Terrace

Being Part of Lot Two in the Plat of Harvard Terrace as recorded in Lucas County Plat Volume 19, Page 12, all in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Commencing at the intersection of Southeasterly right-of-way of the Anthony Wayne Trail, so called, and the Westerly right-of-way of Amherst Drive, now so called, and formerly known as Walbridge Park.

Thence South 47 degrees, 35 minutes, 04 seconds West, along the Southeasterly right-of-way of the Anthony Wayne Trail, a distance of 266.96 feet to the true point of beginning.

Thence South 47 degrees, 37 minutes, 41 seconds East, a distance of 240.88 feet to a point on the Northwestern right-of-way of Dartmouth Drive, so called.

Thence traversing an arc to the right, said arc having a radius of 527.11 feet, a tangent of 21.30 feet, a central angle of 4 degrees, 37 minutes, 43 seconds, a chord bearing of South 46 degrees, 12 minutes, 47 seconds West, a chord distance of 42.57 feet, an arc distance of 42.58 feet to a point.

Thence North 47 degrees, 07 minutes, 50 seconds West, a distance of 241.72 feet to a point on the Southeasterly right-of-way of the Anthony Wayne Trail.

Thence North 47 degrees, 35 minutes, 04 seconds East, along the Southeasterly right-of-way of the Anthony Wayne Trail, a distance of 40.54 feet to the true point of beginning.

Containing 10,011.30 square feet, or 0.230 acres of land. Subject to all easements of record or now in use.

Parcel ID: 1873997, 1807024, 1873508, 1874224, 0716097, 0716101, 0716104, 0716107, 0716111, 0716114, 0716117, 0716121, 0719124, 0716127, 0716131, 0716137, 0716144, 0716307, 1874187, 0716147, 0716151, 0716154, 0716157, 1874183, 1874185, 0716161, 0716164, 0716167, 0716171, 0716174, 0716177, 0716181, 0716184, 1874186, 0716187, 0716191, 0716194, 1874182, 0716201, 0716204, 0716211, 0716217, 1874182, 0716221, 0716224, 0716227, 0716231, 1874167, 1874164, 0716287, 0716284, 1874191, 1874434
NEED TO ADD: 0716208, 0716237, 1874171, 0716244, 0716247, 1874154, 0716251, 0716254, 1874161, 0716257, 0716261, 1874151, 0716264, 1874157, 0716297

Legal Description: Toledo Zoo, Parcel NC-1 Being Lots 810 through 820, inclusive, Lots 822, 824 through 842 inclusive, Lots 844 through 846 inclusive, Lots 847 through 850 inclusive, and part of Lot 851, Lot number 871 in Hiatt's Acme Place Fourth Extension, in accordance with Volume 28 of Plats, page 45, and Part of RiverTracts 12 and 13, all in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Commencing at the intersection of Northwestern line of the right-of-way of the former Wabash Railway Company and the Easterly right-of-way of Woodsdale Avenue, said point being the true point of beginning.

Thence North 00 degrees, 43 minutes, 08 seconds East, along the Easterly right-of-way of Woodsdale Avenue, a distance of 40.12 feet to a point on a line that is 16.00 feet distant from and parallel with the Southerly line of Hiatt's Acme Place Fourth Extension

Thence North 58 degrees, 13 minutes, 07 seconds East along a line that is 16.00 feet distant from and parallel with the Southerly line of Hiatt's Acme Place Fourth Extension, a distance of 170.20 feet to a point on the Southerly prolongation of the Easterly line of Lot 868.

Thence North 31 degrees, 46 minutes, 53 seconds West, a distance of 105.43 feet to a point on the Southerly right-of-way of Spencer Street, so called.

Thence traversing an arc to the left along the Southerly and Southeasterly right-of-way of Spencer Street, said arc having a radius of 280.79 feet, a central angle of 05 degrees, 23 minutes, 54 seconds, a tangent of 13.24 feet, a chord bearing of North 41 degrees, 15 minutes, 56 seconds East, a chord distance of 26.45 feet and an arc distance of 26.46 feet to a point on the Southerly right-of-way of Spencer Street, so called.

Thence traversing an arc to the right along the Southerly and Southeasterly right-of-way of Spencer Street, said arc having a radius of 220.79 feet, a central angle of 11 degrees, 57 minutes, 39 seconds, a tangent of 23.13 feet, a chord bearing of North 44 degrees, 32 minutes, 49 seconds East, a chord distance of 46.01 feet and an arc distance of 46.09 feet to a point on the Northeasterly line of Lot 866.

Thence South 31 degrees 46 minutes, 53 seconds East a distance of 124.01 feet to a point on the Northeasterly line of Lot 866 in Hiatt's Acme Place Fourth Extension.

Thence North 58 degrees, 13 minutes, 07 seconds East along a line that is parallel with and 16.00 feet distant from and parallel with the Southerly line of Hiatt's Acme Place Fourth Extension, a

distance of 525.00 feet to a point on the Southerly prolongation of the Easterly line of Lot 851.
Thence North 31 degrees, 46 minutes, 53 seconds West along the Southerly prolongation of the Easterly line of Lot 851, a distance of 16.00 feet to a point on the Southerly line of Hiatt's Acme Place Fourth Extension.
Thence South 58 degrees, 13 minutes, 07 seconds West, along the Southerly line of Hiatt's Acme Place Fourth Extension, a distance of 17.50 feet to a point.
Thence North 31 degrees, 46 minutes, 53 seconds West, a distance of 110.00 feet to a point on the Southerly right-of-way of Spencer Street, so called.
Thence North 58 degrees, 13 minutes, 07 seconds East, along the Southerly right-of-way of Spencer Street, a distance of 322.52 feet to a point on the Easterly line of Lot 844.
Thence South 31 degrees, 46 minutes, 53 seconds East, a distance of 126.00 feet to a point on a line that is 16.00 feet distant from and parallel with the Southerly line of Hiatt's Acme Place Fourth Extension.
Thence North 58 degrees, 13 minutes, 07 seconds East, a distance of 35.01 feet to a point on the Southerly prolongation of the Westerly line of Lot 842.
Thence North 31 degrees, 46 minutes, 53 seconds West, along the Westerly line of Lot 842 and its Southerly prolongation, a distance of 126.00 feet to a point on the Southerly right-of-way of Spencer Street.
Thence North 58 degrees, 13 minutes, 07 seconds East, along the Southerly right-of-way of Spencer Street, a distance of 362.96 feet to a point of curvature.
Thence traversing an arc to the left along the Southerly and Southeasterly right-of-way of Spencer Street, said arc having a radius of 870.88 feet, a central angle of 19 degrees, 52 minutes, 32 seconds, a tangent of 152.58 feet, a chord bearing of North 48 degrees, 16 minutes, 51 seconds East, a chord distance of 300.59 feet and an arc distance of 302.10 feet to a point on the Southwesterly line of Lot 824.
Thence South 49 degrees, 03 minutes, 30 seconds East, along the Southwesterly line of Lot 824, a distance of 120.00 feet to a point on the Southeasterly line of Lot 823.
Thence North 41 degrees, 03 minutes, 10 seconds East, along the Southeasterly line of Lot 823, a distance of 35.00 feet to a point on the Southwesterly line of Lot 822.
Thence North 49 degrees, 03 minutes, 30 seconds West, along the Southwesterly line of Lot 822, a distance of 120.000 feet to a point on the Southeasterly right-of-way of Spencer Street.
Thence North 41 degrees, 03 minutes, 10 seconds East, along the Southeasterly right-of-way of Spencer Street, a distance of 35.00 feet to a point on the Northeasterly line of Lot 822.
Thence South 49 degrees, 03 minutes, 30 seconds East, along the Northeasterly line of Lot 822, a distance of 122.00 feet to a point on the Southwesterly line of Lot 821.
Thence North 41 degrees, 03 minutes, 10 seconds East, along the Southwesterly line of Lot 821, a distance of 35.00 feet to a point on the Southwesterly line of Lot 820.
Thence North 49 degrees 03 minutes, 30 seconds West, along the Southwesterly line of Lot 820, a distance of 120.00 feet to a point on the Southeasterly right-of-way of Spencer Street.
Thence North 41 degrees, 03 minutes, 10 seconds East, along the Southeasterly right-of-way of Spencer Street, a distance of 35.00 feet to a point on the Southwesterly line of a 20' wide unnamed right-of-way.
Thence South 49 degrees, 03 minutes, 30 seconds East, along the Southwesterly line of 20' wide unnamed right-of-way, a distance of 120.00 feet to a point on the Northwesterly line of Lot 871.
Thence North 41 degrees, 03 minutes, 10 seconds East, along the Northwesterly line of Lot 871, a distance of 20.00 feet to a point Southwesterly line of Lot 819.
Thence North 49 degrees, 03 minutes, 30 seconds West, along the Southwesterly line of Lot 819, a distance of 120.00 feet to a point on the Southeasterly right-of-way of Spencer Street.
Thence North 40 degrees, 58 minutes, 55 seconds East, along the Southeasterly line of Spencer Street, a distance of 428.21 feet to a point of intersection with the Easterly line of Hiatt's Acme Place Fourth Extension.
Thence North 41 degrees, 03 minutes, 12 seconds East, a distance of 812.72 feet to a point.
Thence South 48 degrees, 56 minutes, 42 seconds East, a distance of 700.05 feet to a point on the Northwesterly line of the former Cincinnati and Lake Erie Railway Company right-of-way.

Thence South 47 degrees, 57 minutes, 01 seconds West, along the Northwesterly line of the former Cincinnati and Lake Erie Railway Company right-of-way, a distance of 697.58 feet to of intersection with the Northerly line of RiverTract 12.

Thence South 54 degrees, 06 minutes, 25 seconds West, along the Southerly line of former Cincinnati and Lake Erie Railway Company right-of-way, a distance of 1042.83 feet to a point on the Northerly line of the right-of-way of the former Wabash Railway Company.

Thence South 69 degrees, 04 minutes, 51 seconds West, along the Northerly line of the right-of-way of the former Wabash Railway Company, a distance of 659.27 feet to a point of deflection of said right-of-way.

Thence North 31 degrees, 46 minutes, 53 seconds West, along said right-of-way, a distance of 11.88 feet to a point of curvature.

Thence traversing an arc to the left, said arc having a radius of 5582.85 feet, a tangent of 483.12 feet, a central angle of 9 degrees, 53 minutes, 30 seconds, a chord bearing of South 64 degrees, 33 minutes, 01 seconds West, a chord distance of 962.64 feet and an arc length of 963.84 feet to the true point of beginning.

Containing 1,252,054.81 square feet, or 28.743 acres of land. Subject to all easements or record or now in use. Bearings used herein are based on an assumed meridian and are for the express purpose of showing angular measurement. . This description is based upon a field survey performed by Lewandowski Engineers on November 25, 2005. All ½" galvanized steel pipe are marked with a cap bearing company name and P.L.S. # 7476.

This description describes the same parcel as contained in First American Title Insurance Company's commitment number 982064 effective December 20, 2004.

Parcel ID: 1807423, 1874092

Legal Description: North Campus NC-2

Being Part of RiverTracts 12 and 13, Town 3, United States Reserve at the Foot of the Rapids of the Miami of Lake Erie lying Southerly of the former Wabash Railway Company right-of-way and Northerly of the right-of-way of the former Lima and Toledo Railway Company right-of-way adjacent to the Anthony Wayne Trail, bounded and described as follows:

Commencing at the intersection of the Easterly right-of-way of Woodsdale Avenue, so called and the Northwesterly line of the Former Lima and Toledo Railway Company right-of-way, said point being the true point of beginning.

Thence North 11 degrees, 22 minutes, 03 seconds West, along the Easterly right-of-way of Woodsdale Avenue, a distance of 105.78 feet to a point of deflection.

Thence North 00 degrees, 43 minutes, 08 seconds East, along the Easterly right-of-way of Woodsdale Avenue, a distance of 595.46 feet to a point on the Southerly right-of-way of the former Wabash Railway Company right-of-way.

Thence traversing an arc to the right, said arc having a radius of 5442.44 feet, a tangent of 774.28 feet, a central angle of 16 degrees, 11 minutes, 38 seconds, a chord bearing of North 67 degrees, 39 minutes, 43 seconds East, a chord distance of 1533.13 feet and an arc distance of 1538.23 feet to a point on the Northwesterly right-of-way of the former Lima and Toledo Railway Company right-of-way.

Thence South 47 degrees, 37 minutes, 08 seconds West, along the Northwesterly right-of-way of the former Lima and Toledo Railway Company right-of-way, a distance of 1901.64 feet to the true point of beginning.

Containing 561,704.04 square feet, or 12.895 acres of land. Subject to all easements or record or now in use. Bearings used herein are based on an assumed meridian and are for the express purpose of showing angular measurement. This description is based on prior surveys prepared by Lewandowski Engineers from January 1984 through August 2005.

SECTION 2. That the approval of the Amendment to Institutional Master Plan for a site located at 2700 Broadway, in the City of Toledo, Lucas County, Ohio, shall be subject to compliance with the 31

conditions as follows:

The following thirty-one (31) 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. A pre-submittal meeting is not required; however, one may be requested. Contact information is as follows:

Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850

Right-of-Way and Inspection: 419-245-1341

Roadway: 419-245-1344

Water: 419-936-2163

Stormwater Drainage: 419-245-3221; 419-245-1338

Sanitary Sewers: 419-936-2276

2. All existing substandard sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced/upgraded to conform to current City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
3. 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.
4. 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.
5. 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 (419) 245-1341 for inspection of above mentioned items.

6. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
7. Detailed plans for proposed water service lines shall be submitted to the Division of Water Distribution for review and approval. Plan design and submittal shall comply with the current version of the City of Toledo DPU Infrastructure Design and Construction Requirements.
8. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this development.
9. If existing fire and/or domestic service lines (tapped on public waterlines) are not to be reused, they will be abandoned by the City of Toledo at the developer's expense. If new water service taps (on public or

unmetered private waterlines) are required, they will be installed by City of Toledo at the developer's expense.

10. If existing public water facilities are in conflict and must be relocated, they will be relocated by the City of Toledo at the developer's expense.
11. Storm approvals for proposed developments within the Master Plan will be subject to the Rules and Regulations of the Department of Public Utilities.
12. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.

Sewer & Drainage Services

13. When each proposed project is reviewed under a Site Plan Review, S&DS will require that all private sewer lines that are not being removed or properly abandoned (both storm and sanitary) be cleaned and inspected.
14. When each proposed project is reviewed under a Site Plan Review, S&DS will require that the private sanitary lines (after they have 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.

Environmental Services

15. 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.
16. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
17. Applicant is strongly encouraged to include multiple green infra-structure measures to minimize runoff and increase infiltration, and to minimize the amount of new and/or additional impervious surface on the site.
18. Applicant is strongly encouraged to plant native, low maintenance and non-invasive trees, shrubs and perennials.
http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives_to_Ohio_Invasive_Plant_Species.pdf
19. 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.

Transportation

20. The new parking lot across Anthony Wayne Trail from the existing lot should be shown with the new entrance to the Zoo when property ownership is obtained by the Toledo Zoo.
21. The proposed bike path along the Anthony Wayne Trail should be shown and how it will be incorporated into the master plan when arrangements with the City are concluded.
22. The stub section of Geneva Street needs to be addressed. (See Exhibit B-1)
23. The entrance/exit drives shall be reduced with the parking area being reduced. (See Exhibit B-2)
24. The drive should line up with the proposed drive for the new parking lot across the AWT, which is not shown in the master plan. Shall be completed when the property ownership is obtained by the Toledo Zoo. (See Exhibit B-2)
25. A gate system will be allowed at Amherst and Dartmouth on a temporary basis. The Toledo Zoo will continue exploring options with the City for future replacement of the gate system with reconfigured access to the Toledo Zoo in the Amherst/Dartmouth Area that keeps heavy truck traffic to the Toledo Zoo out of the neighboring residential area.
26. Zoo shall provide traffic impact study showing changes along the Anthony Wayne Trail.

Plan Commission

27. Per TMC§1111.1304, the Institutional Master Plan must include the floor area of buildings in square feet for existing properties and uses. Additionally, the average daily traffic and peak hour traffic numbers must be provided. This shall be provided to the Toledo Plan Commission staff and kept on file for future development reference.
28. Any future development projects will require a Site Plan Review to determine compliance with the City of Toledo Municipal Code minimum standards.
29. Each Site Plan Review will require a detailed site, lighting, fencing, and landscaping plan to be submitted to the Plan director for review and approval. Note that the submittal must include shall include:
 - a. 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,
 - b. The location, type, and direction of any proposed lighting. The lighting is subject to the approval of the Director of the City of Toledo Plan Commission (lights are to be directed away from adjacent residential properties; and,

c. The location, height, and materials of any fencing to be installed and maintained.

30. Minor adjustments to the Master 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.

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

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 12, nays 0.

Passed: August 17, 2021, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

August 17, 2021
Wade Kapszukiewicz
Mayor