



TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

REF: SUP25-0006

DATE: March 17, 2025

TO: President Carrie Hartman and Members of Council, City of Toledo

FROM: Toledo City Plan Commission, Thomas C. Gibbons, Secretary

SUBJECT: Request for a Special Use Permit for a Gas Station at 1565 Alexis Road

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, March 13th, 2025 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for a Gas Station
Location	-	1565 Alexis Road
Applicant/Owner	-	Bret Lamb - Mac's convenience Stores Circle K Great Lakes Division 935 East Tallmadge Avenue Akron, OH 44310
Engineer	-	Wellert Engineers/Surveyors 5136 Beach Road Medina, OH 44256

Site Description

Zoning	-	IG / General Industrial
Area	-	±1.35 acres (59,222 sq ft)
Frontage	-	± 227.88' along Alexis Road ± 285.46' along Hagman Road
Existing Use	-	Fire-damaged Gas Station
Proposed Use	-	Gas Station

Area Description

North	-	IG, CO / Hotels, truck terminal
South	-	CR, IG / Grocery, gas station, fast food, farmland
East	-	IG / Truck gas station
West	-	CR / Hardware store, fast food

GENERAL INFORMATION (cont'd)

Parcel History

SUP-852-75	-	Special Use Permit for a gas station. Approved by Ord. 441-75.
SUP-102-87	-	Amendment to SUP for new kiosk, pumps and islands. Approved by Ord. 895-90 on 9/4/1990.
SUP-6068-91	-	Amendment to SUP for a car wash. Approved by Ord. 896-91 on 11/26/1991.
SUP-1040-97	-	Special Use Permit for a gas station with convenience store on 1565 E. Alexis Road. Approved by Ord. 290-97 on 5/13/1997.

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Forward Toledo Comprehensive Plan

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a gas station at 1565 East Alexis Road. The site is currently a damaged gas station after a fire on May 27, 2024. The overall ±1.35 acres site is zoned as IG General Industrial. The site has been a gas station from at least 1975 and is presently legal, non-conforming. Surrounding land uses include hotels and a truck terminal to the north; a truck stop and truck storage to the east; a grocery store with gas station, fast food commercial and farmland to the south; and a hardware store and fast food locations to the west.

Use Specific Regulations

- a. The proposed canopy is spaced at an appropriate distance as detailed in TMC§1104.0900 – *Gasoline and fuel sales*. The support columns are made of a brick base material compatible with the principal building.
- b. The pump islands are set back the appropriate distance as detailed in TMC§1104.0903(B) – *Gasoline and fuel sales*. The placement of the proposed use is away from any residential districts and located near a major street intersection.

Parking

- a. The site plan meets the required minimum parking spaces (20 of 14 required), plus the 12 parking spaces at the pumps.
- b. Bicycle parking spaces are missing on the site plan. Per TMC§1107.0304, one space per 10 parking spaces shall be provided. This equates to four bicycle parking spaces. The Division of Transportation also set this condition.

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STAFF ANALYSIS (cont'd)

Landscaping

- a. The parcel has an angled frontage that, in total, is below 500' despite the lot frontages detailed in the General Information section. The fifteen-foot (15') frontage greenbelt is acceptable.
- b. The dumpster area is screened with brick, a metal gate and is placed as far away from the residential use on the other side of the intersection. This places it near the hotels to the north which has a Type B Landscape buffer between the dumpsters and the abutting property.
- c. The landscape plan depicts the required perimeter and interior parking lot landscaping, including the usage of end cap islands. The foundation landscaping is also acceptable as depicted, adding landscaping around the building and a notable amount at the entrance.

Elevations

- a. The primary entrances face Hagman Road. On the East Elevation, the windows exceed the required forty percent (40%) of the elevation at grade. The South Elevation, which faces Alexis Road, does not meet the required twenty percent (20%) transparent window coverage. The window left of the doorway shown on the South Elevation is made of opaque spandrel glass.
- b. The building materials shown in the elevation are not acceptable, as the elevations depict Nichiha as the predominant façade material. This is not permitted beyond twenty (20) percent. The window coverage is not acceptable as stated above.
- c. Per TMC §1109.0204(A) – Connecting Walkways, a pedestrian walkway from the right-of-way to the primary entrance is required. The walkway shown on the site plan goes from Alexis Road the principal building which faces Hagman Road. Given the site's configuration, an alternative cannot be determined without significant changes to the site plan.

Forward Toledo Comprehensive Land Use Plan

The *Forward Toledo Comprehensive Land Use Plan* targets this site for General Commercial. This designation is intended to provide space for auto-orientated and large-scale commercial operations which may also cater to regional demand. As a gas station, this fits within the purpose of the General Commercial zoning. The sidewalk along Hagman Road helps connect guests at the hotels to the north with the commercial locations along Alexis Road which increases connectivity. In addition, the proposal furthers the goals of 'Build: Quality Design' and 'Sustain: Improved Tree Canopy' that are found in the Forward Toledo Plan.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP25-0006, a Special Use Permit for a gas station located at 1565 Alexis Road, to the Toledo City Council, for the following **three (3) reasons**:

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PLAN COMMISSION RECOMMENDATION (cont'd)

1. The proposed use meets the stated purpose of this Zoning Code and is consistent with the *Forward Toledo Comprehensive Land Use Plan* (TMC§1111.0706(A) - *Review and Decision-Making Criteria*); and,
2. The proposed use is compatible with adjacent uses (TMC§1111.0706(C) - *Review and Decision-Making Criteria*); and,
3. The proposed use is consistent with the historical use of this site.

The Toledo City Plan Commission recommends approval of SUP25-0006, a Special Use Permit for a gas station located at 1565 Alexis Road, subject to the following **thirty-seven (37)** conditions:

Division of Environmental Services

1. 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.
2. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
3. Applicant is strongly encouraged to install permanent inlet filters with oil absorbent pillow in parking lot catch basins to treat stormwater.
4. Applicant is strongly encouraged to include multiple green infrastructure measures to minimize runoff and increase infiltration, and to minimize the amount of new and/or additional impervious surface on the site.
5. 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
6. 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.

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PLAN COMMISSION RECOMMENDATION (cont'd)

Engineering Services

7. 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.
8. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from Ted Rousos, 419-245-1347. The application can be obtained online at Toledo.oh.gov search: Right of Way opening permit.
9. The stormwater planning is adequate for the site plan, but a full stormwater review for comments requires an engineering submittal of multiple items, listed as items 1.a. - 1.g. on the SWP3 submittal coversheet provided to applicant's engineer. The cover sheet includes a web link to Toledo's 2014 Infrastructure Requirements document.
10. SWP3 activities and sequencing shall account for demolition, since demolition permitting could occur prior to construction permitting.
11. Following the stormwater review, additional items are needed to receive construction permission:
 - a. As listed on the SWP3 submittal cover sheet, items 2.a. - 2.c.
 - b. Sewer fee and subcontracting for construction by a Toledo Licensed Sewer Contractor.
 - c. Project team shall provide advance copy of sample storm water permit to bidders and with the contract for construction. It states conditions for precon notifications, field inspection, and permit closure.
 - d. An electronic copy and one full size paper set of the civil drawings as issued for construction. Delivery to the same address as on the provided Sewer Fee form.
12. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
13. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.
14. If there are any existing structures to be demolished at the site, the sanitary services to such structures will be killed by the City of Toledo at the developers cost.

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PLAN COMMISSION RECOMMENDATION (cont'd)

15. Any existing sewers under proposed buildings shall be relocated or abandoned. Developer shall verify any sewers to be abandoned are no longer in service.
16. Any previous 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.

Sewer & Drainage Services

No comments from Sewer & Drainage

Fire Prevention

No comments from Fire Department.

Transportation

17. Bicycle parking is required per TMC§1107.0900.
18. Accessible parking signage must be posted directly in front of the parking spaces at a height of no less than 60 inches and no more than 72 inches above pavement level per TMC§1107.1704.

Plan Commission

19. Per TMC§1104.0901(H), The hours of operation shall be limited to 5:30 a.m. to 1 a.m. or other hours consistent with a liquor permit issued by the State of Ohio.
20. Per TMC§1104.0903, any proposed or future canopies shall be set back a minimum of ten feet (10') from the property line, and shall be designed to be consistent with the building materials and colors of the principal building. Support columns shall be brick, brick base, or other durable materials compatible with the principal building. **Acceptable as depicted.**
21. Per TMC§1104.0903(B), pump islands shall be set back a minimum of fifteen feet (15') from the property line. **Acceptable as depicted.**
22. Per TMC§1104.0903(C), Non-petroleum displays must be within 25 feet of the building but not within 25 feet of any right-of-way. The maximum height of such displays shall not exceed 5 feet. **Acceptable as depicted.**

PLAN COMMISSION RECOMMENDATION (cont'd)

23. Per TMC§1104.0903(D), free air (with the capability of filling standard automobile tires), water, and restrooms shall be provided and maintained during operating hours of the station.
24. A sidewalk is required along Hagman Road to property line per TMC§1107.1303. **Acceptable as depicted.**
25. A detailed site lighting, fencing and four (4) copies of a landscape plan (separate from building & site plans) shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. A fifteen-foot (15') frontage greenbelt along Alexis Road and Hagman Road per TMC§1108.0202. The greenbelt shall consist of eight (8) trees on Alexis and ten (10) trees on Hagman. **Acceptable as depicted.**
 - b. A Type "B" landscape buffer along the north property line. A ten-foot (10') wide buffer with ten (10) trees and thirty-five (35) shrubs is required along the north property line. **Acceptable as depicted.**
 - c. Dumpster screening per TMC§1108.0203. **Acceptable as depicted.**
 - d. Perimeter parking lot landscaping along parking areas adjacent to a street per TMC§1108.0204(B.9). A continuous shrub row shall per provided. **Acceptable as depicted.**
 - e. Interior parking lot landscaping per TMC§1108.0204. Four (4) canopy trees and 12 shrubs are to be provided. **Acceptable as depicted.**
 - f. Interior site landscaping per TMC§1108.0205. Four (4) two-inch caliper trees, landscaping at major building entrances, and landscaping along all building sides visible to the public right-of-ways shall be provided. **Acceptable as depicted.**
 - g. Topsoil must be back filled to provide positive drainage of the landscape area.
 - 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.
 - 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. **Acceptable as depicted.**

PLAN COMMISSION RECOMMENDATION (cont'd)

- j. The site is larger than ½ acre, so 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.
 - k. The location and direction of any proposed lighting. Lighting shall be directed away from adjacent residential properties and use flat lens lighting.
26. Per TMC§1107.1906, all off-street parking, loading, and other vehicle circulation areas shall be graded and continuously maintained and designed to preclude free flow of storm water across or onto adjacent lots, properties, or streets.
27. 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 within the public right-of-way. **Acceptable as depicted.**
28. The minimum number of parking spaces designed for persons with disabilities that must be provided shall adhere to the table TMC§1107.1701, and be located in close proximity to build entrances with an unobstructed path. **Acceptable as depicted.**
29. 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.
30. Whenever a parking lot extends to a property line, sidewalk, planting strip, or building, a wheel stop device consisting of a concrete stop, a permanent concrete curb, an expanded sidewalk or other suitable restraint as approved by the Planning Director must be installed to prevent any part of a parked motor vehicle from extending beyond the property line, overhanging a pedestrian walkway or sidewalk, or damaging any structure or landscaping (TMC§1107.1907(A)).
31. Per TMC§1109.0204(A) – *Connecting Walkways*, a five foot (5') wide walkway shall be maintained from the street sidewalk to the main entrance without requiring pedestrians to walk around buildings or parking lot outlines which are not aligned with a logical route. The connecting walkway shall be distinguished from driving surfaces when crossing parking aisles or driveways. **Acceptable as depicted.**
32. All proposed and future structures shall adhere to the design standards set out in TMC§1109.0205 when applicable. **Acceptable as depicted.**

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PLAN COMMISSION RECOMMENDATION (cont'd)

33. The location, lighting and size of any signs, all signage is subject to TMC§1387. No new free-standing signs greater than forty-two inches (42") from grade are permitted - any proposed signage must meet the requirements of **TMC§1113 – Signs**.
34. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. **Landscaping shall be installed and maintained indefinitely.**
35. 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.
36. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC 1111.0707 have not been met.
37. 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.

Respectfully Submitted,



Thomas C. Gibbons
Secretary

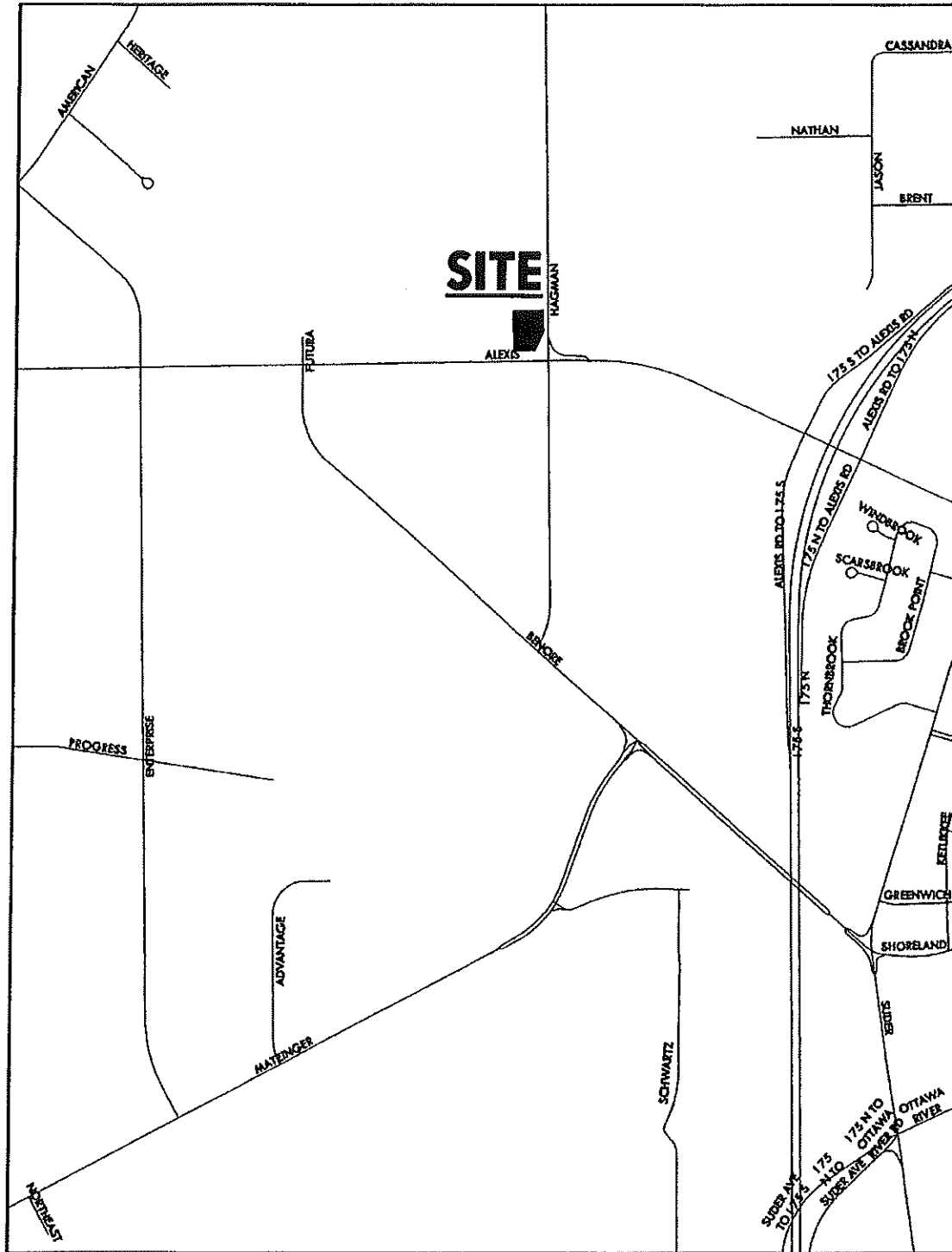
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Six (6) sketches follow.

Cc: Bret Lamb, 935 East Tallmadge Ave, Akron, OH 44310.

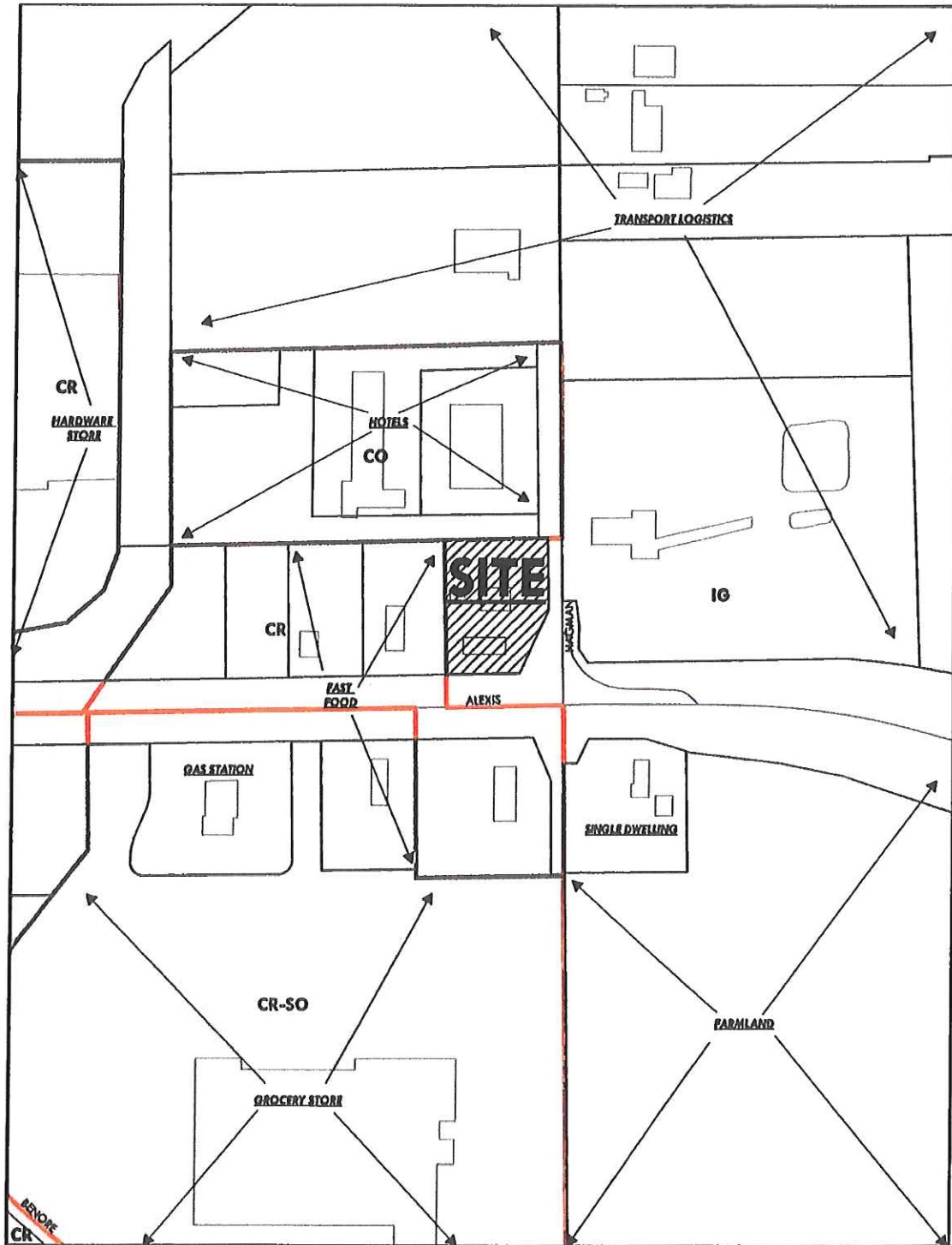
GENERAL LOCATION

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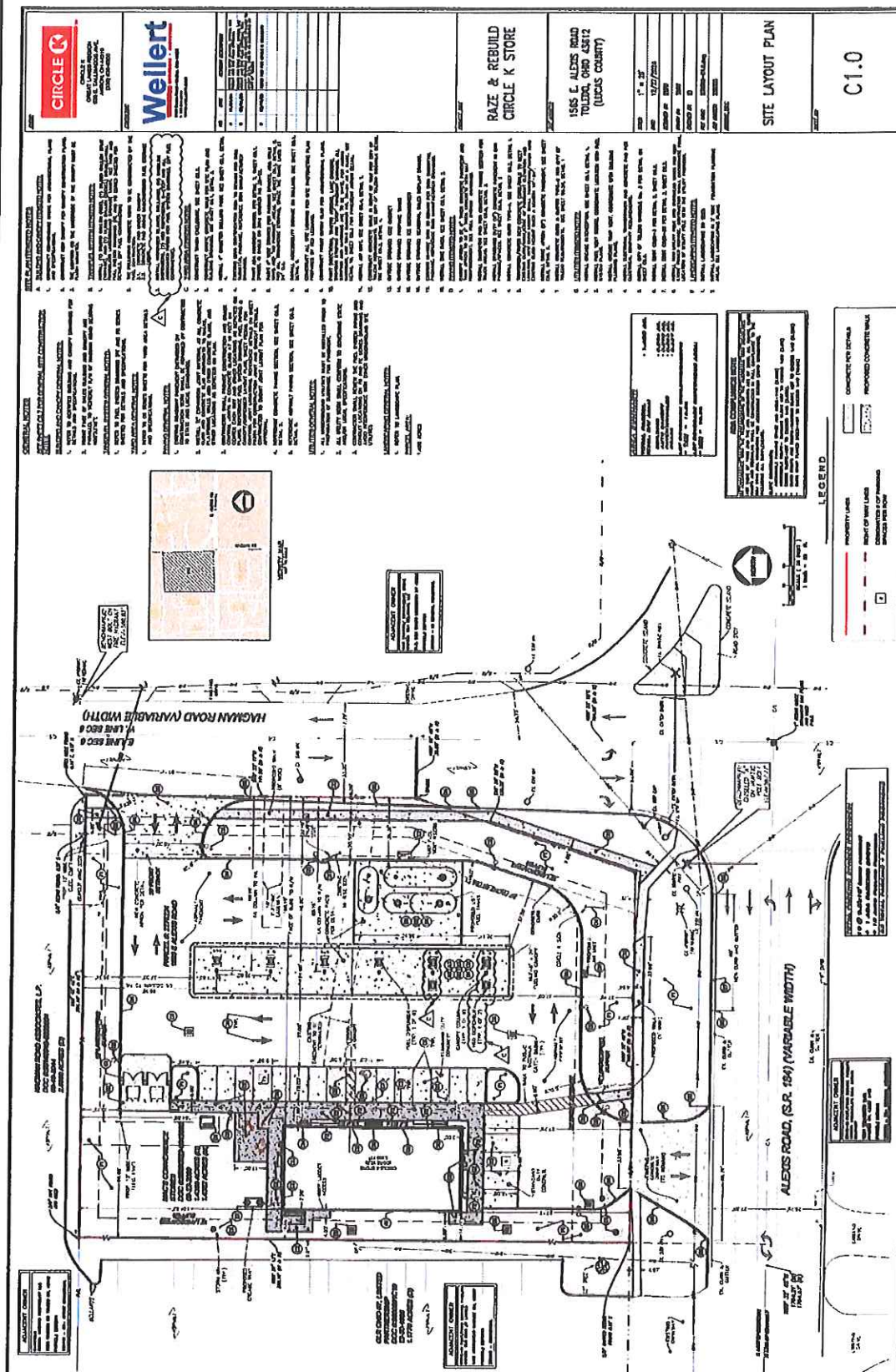


ZONING & LAND USE

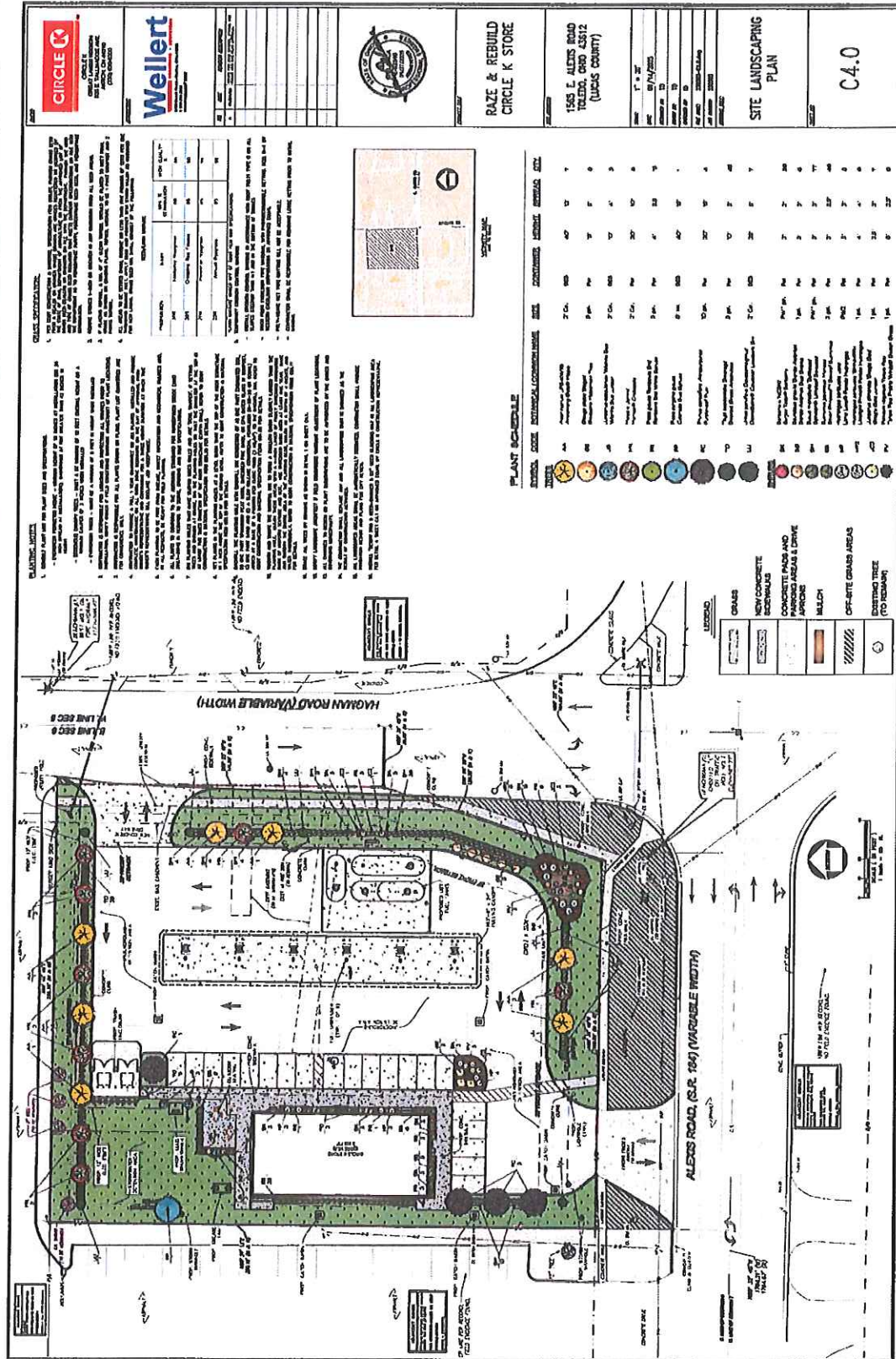
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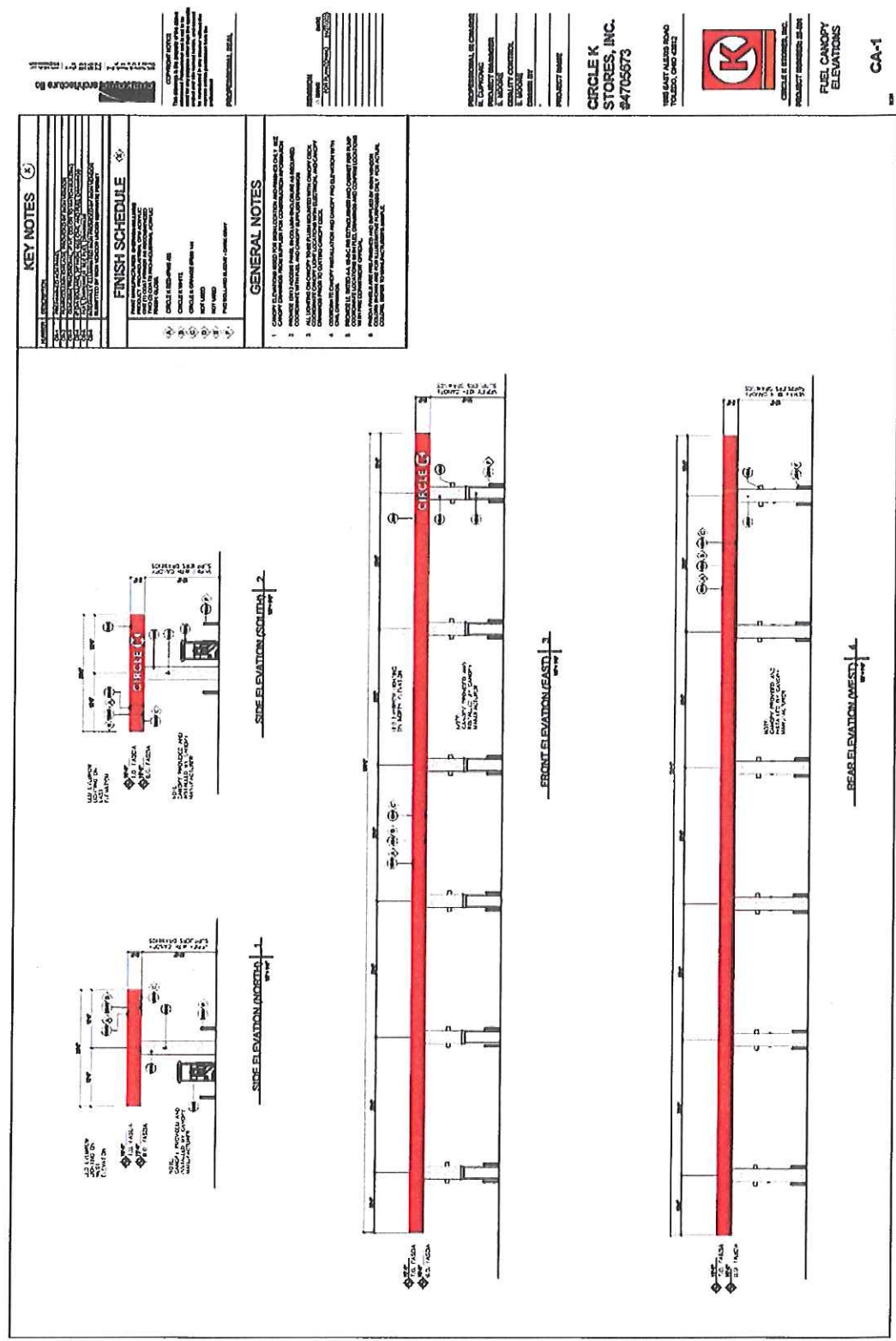
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ELEVATIONS

SUP25-0006



KEY NOTES

1. CANOPY ELEVATIONS AND DIMENSIONS ARE SHOWN ON THIS SHEET.
2. PROVIDE 2" DIA. ANCHORS FOR ALL ELEVATIONS AS SHOWN.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
4. CONSIDER TO CONSIDER THE ELEVATIONS AND DIMENSIONS AS SHOWN ON THIS SHEET.
5. PROVIDE 1/2" DIA. ANCHORS FOR ALL ELEVATIONS AS SHOWN ON THIS SHEET.
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FINISH SCHEDULE

NO.	FINISH
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PROFESSIONAL SEAL

PROFESSIONAL ENGINEER
STATE OF CALIFORNIA
NO. 12345
DATE
2024

PROJECT NAME
CIRCLE K
STORES, INC.
#4705573

100 EAST ALBANY ROAD
TOLSON, OHIO 43082

CIRCLE K STORES, INC.
PROJECT NUMBER: 25-0006

FUEL CANOPY ELEVATIONS

CA-1