

REF: SPR-47-24
DATE: October 10, 2024

GENERAL INFORMATION

Subject

Request	-	Appeal of Administrative Disapproval of Minor Site Plan Review for a New Modular Industrial Building
Location	-	5715 Angola Road
Owner	-	AIM Transportation Solutions 5745 Angola Road Toledo, OH 43615
Contact Person	-	Tim Volchko 250 Old Wilson Bridge Road, Ste. 250 Worthington, OH 43085

Site Description

Zoning	-	IG General Industrial
Area	-	± 2.7
Frontage	-	± 350' along Angola Road
Existing Use	-	Freight Terminal
Proposed Use	-	Freight Terminal

Area Description

North	-	Mobile Home Park / RMH
South	-	Railroad, Single-family Homes / IG & RM12
East	-	Industrial / IG
West	-	Industrial / IG & IL

Parcel History

SPR-47-24	-	Administrative disapproval of minor site plan review on 9/9/24.
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Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting an appeal of an administrative disapproval of a Minor Site Plan Review for a New Modular Industrial Building at 5715 Angola Road. The ± 2.7-acre site is zoned IG General Industrial and is occupied with freight terminal uses. The project includes a proposed 1,600 sq. ft. building and one paved van-accessible parking space.

The applicant applied for a variance from TMC§1107.1906 (A) from the Board of Zoning Appeals to leave the existing gravel parking lot unpaved. This variance was granted June 17, 2024, prior to Site Plan Review (see Exhibit A).

Per TMC§1111.0815, if a development proposal requires both a site plan and a variance, the applicant shall proceed through the Site Plan Review process first, and shall seek the variance only after obtaining approval under the provisions of section TMC§1111.0800 – Site Plan Review. Plan Commission received the site plan review application on August 13, 2024. The site plan review was administratively disapproved on September 9, 2024 based on an objection from the Division of Transportation. The applicant appealed the decision on September 16, 2024.

Although disapproved, Plan Commission staff did collect conditions of approval and sent them to the applicant as an exhibit (*The full conditions of approval are included as Exhibit “B” of this report). The appeal involves four (4) conditions from review agencies, which are listed below:

- **#14:** All off-street parking and loading spaces, parking lots, maneuvering areas, drive aisles and driveways must be surfaced with concrete, asphalt, or other dust-free material other than gravel or loose fill per TMC 1107.1906;
- **#15:** Permeable/porous surface shall meet the approval of the Division of Engineering Services, Division of Environmental services, Fire Prevention Bureau and Division of Transportation per TMC 1107.1107.1407 (F., 2.);
- **#17:** Subject parcels shall be combined (Parcel numbers: 2611754, 2611774, & 2611771); &
- **#20:** 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 (TMC§1107.1906). **Not acceptable as depicted. Parking lot shall be in compliance with this section to satisfy the Division of Transportation’s comments.**

STAFF ANALYSIS (cont'd)

The issue of contention is the requirement to pave the lot: conditions 14, 15 and 20. The Division of Transportation has objected to the continued use of gravel and is requiring that the lot be paved in order to grant approval. Plan Commission staff has also required that the lot be paved.

If approved, staff will modify condition 17, as the scope of work has been modified to remain within one parcel (2611771).

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission disapprove SPR-47-24, an appeal of an administrative disapproval of a Minor Site Plan Review for a New Modular Industrial Building at 5715 Angola Road, for the following two (2) reasons:

1. The plan does not comply with all standards of the Toledo Municipal Code, the zoning code, and other adopted City policies TMC 1111.0809.A
2. The Division of Transportation has objected to the site plan review; it is the policy of Plan Commission staff to support review agency actions.

MINOR SITE PLAN REVIEW
TOLEDO PLAN COMMISSION
REF: SPR-47-24
DATE: October 10, 2024
TIME: 2:00 P.M.

MJM

Exhibit "A," Exhibit "B," & Four (4) sketches follow

EXHIBIT "A"

City of Toledo
Division of Building Inspection



ADMINISTRATIVE BOARD OF ZONING APPEALS

STEVE SERCHUK – CHAIRMAN

JUNE 24, 2024

**TIM VOLCHKO
250 OLD WILSON BRIDGE RD, STE 250
WORTHINGTON, OH 43085**

RE: BOARD OF ZONING APPEAL BZA #24-0011 5745 & 5715 ANGOLA RD TOLEDO, OH 43615

HEARING DATE: JUNE 17, 2024

CASE SUMMARY: Applicant requests variance from TMC 1107.1906 (A) to leave existing gravel parking lot.

THE ADMINISTRATIVE BOARD MADE THE FOLLOWING DECISION CONCERNING YOUR APPEAL:

APPROVED

PURSUANT TO RULE PROCEDURE, ARTICLE III, ITEM 4, THIS PROJECT MUST BE COMMENCED WITHIN ONE YEAR FROM ABOVE HEARING DATE, OTHERWISE SAID APPROVAL OR WAIVER SHALL BE NULL AND VOID.

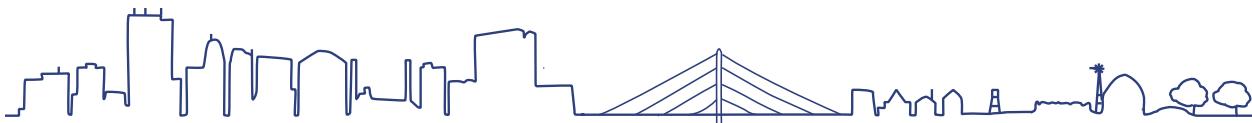
PRIOR TO COMMENCING THIS PROJECT YOU MUST SECURE THE REQUIRED PERMIT(S) FROM THE DIVISION OF BUILDING INSPECTION DEPARTMENT.

YOUR ATTENTION IS DIRECTED TO THE FACT THAT CONSTRUCTION OR ALTERATION TO ANY STRUCTURE IN VIOLATION OF DETAILED STATEMENTS OR PLANS WHICH WERE SUBMITTED FOR APPROVAL BY THE ADMINISTRATIVE BOARD, INCLUDING UNAUTHORIZED OCCUPANCY, ARE CONSIDERED A MISDEMEANOR, AS DEFINED BY THE TOLEDO MUNICIPAL CODE.

SINCERELY,



KEN A FISCHER
COMMISSIONER
KF: KR



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EXHIBIT “B” APPROVAL CONDITIONS

Division of Engineering Services

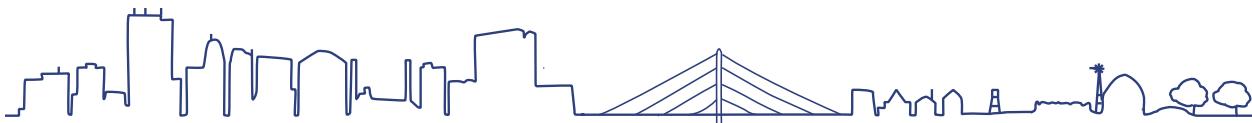
1. The City of Toledo public water system does not appear to be impacted by this project. Refer to comments provided by the Division of Water Distribution regarding private water mains and/or service lines.
2. A stone surface BZA Waiver is not permission for stormwater pollution that could arise from it such as discharge of sediment in runoff or vehicle tracking. A stone surface is prone to impaction into underlying soils and soil migration through stone voids with time and depending on the frequency and weight of truck traffic, and the strength of the stone surface which depends on thickness of stone and underlying soil composition - none of which has not been evaluated in the waiver request or SPR. Therefore, site owner and user shall plan for maintenance of the surface (as with any surface) in order to operate the site cleanly.
3. Future development or redevelopment of the site which would add to the proposed development with a 1,600 SF building to result in exceeding a total of 2,500 SF would be subject to drainage rules and regulations at that time. Additional site development would increase the amount of drainage across the property line; the applicant would either need to provide proof of permission to drain more runoff across property lines from the owner of the impacted property which receives the runoff or without such permission new internal drainage infrastructure connected to a public storm outlet at the Right of Way would be a permissible outlet.
4. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
5. 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.

Sewer & Drainage Services

No comments received.

Fire Prevention

6. The proposed new building will require compliance with all applicable Building, Fire, Electrical, Mechanical and Plumbing code requirements. (OBC105.1 & 101.4)



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EXHIBIT "B" APPROVAL CONDITIONS (cont'd)

Fire Prevention (cont'd)

7. Building construction plans to be submitted to the FD for review in addition to the Building Inspection Department plan submittal. (OFC104.2, OBC106.1.2 #5 & 901.2.1.1)
8. New and existing buildings shall be provided with approved address identification that meets Building & Fire Code requirements. (OBC 501.2 & OFC 505.1)
9. Access identification signs will be needed for both entrance gates.
10. Security gates shall have an approved means of emergency operations. (OFC506.1)
11. A fire safety inspection is required prior to occupancy. (OFC105.3.3.2)

Division of Environmental Services

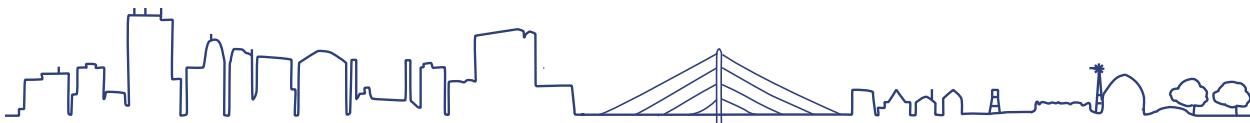
No comments received.

Division of Transportation

12. Sidewalk is required along Angola Road per TMC 1107.1300.
13. Accessible parking signage is required per TMC 1107.1704.
14. All off-street parking and loading spaces, parking lots, maneuvering areas, drive aisles and driveways must be surfaced with concrete, asphalt, or other dust-free material other than gravel or loose fill per TMC 1107.1906.
15. Permeable/porous surface shall meet the approval of the Division of Engineering Services, Division of Environmental services, Fire Prevention Bureau and Division of Transportation per TMC 1107.1107.1407 (F., 2.)
16. Property line must be brought into alignment with right-of-way line of Angola Road.

Water Distribution

No comments.



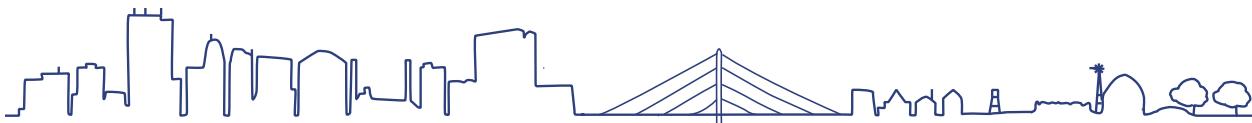
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EXHIBIT “B” APPROVAL CONDITIONS (cont’d)

Plan Commission

17. Subject parcels shall be combined (Parcel numbers: 2611754, 2611774, & 2611771).
18. Parking shall adhere to the requirements of TMC§1107.0500 – Parking Schedule “C”. The parking schedule requires one (1) parking space per vehicle used in business and one per 750 square feet of manufacturing or other floor area (1,312 sq.ft.). **Staff is supportive of the proposed thirteen (13) parking spaces.**
19. All spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. **Acceptable as depicted with one (1) van accessible space with an eight foot (8') wide aisle shown on site plan.**
20. 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 (TMC§1107.1906). **Not acceptable as depicted. Parking lot shall be in compliance with this section to satisfy the Division of Transportation’s comments.**
21. 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 General Industrial use is 1 per 10 parking spaces. Per TMC§1107.0902, bicycle parking is a space at least two feet (2') by six feet (6') per slot. **Acceptable as depicted with two (2) bicycle parking slots shown on site plan.**
22. 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). **Acceptable as depicted.**
23. 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 setback. **If applicable.**
24. All structures shall utilize durable building materials such as brick, stone, metal, or concrete. **Proposed metal is acceptable as depicted.**



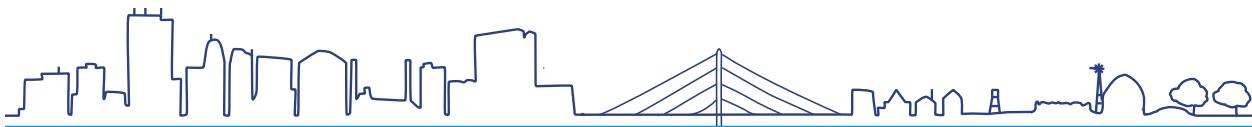
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EXHIBIT "B" APPROVAL CONDITIONS (cont'd)

Plan Commission (cont'd)

25. The façade colors shall be low-reflectance, subtle, neutral or earth tone colors (i.e., gray, browns, tans). Building trim and accent areas may feature brighter colors, including primary colors, subject to the approval of the Planning Director. **Acceptable as depicted.**
26. 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. Per TMC§1108.0202, a fifteen-foot (15') frontage greenbelt is required along Angola Road and shall include at least one (1) tree per every thirty feet (30') of frontage or fraction thereof. **Not acceptable as depicted. A total of twelve (12) trees shall be planted. Trees and 15' frontage greenbelt shall be indicated on a revised site plan.**
 - b. Per TMC§1108.0202, if a parking lot is proposed to be developed in the front of the property, the frontage greenbelt shall include a solid evergreen hedge planting to screen the parking lot so that no headlights of any vehicles can be seen from the public street. Low, undulating (horizontal and vertical) earth berms or decorative stone or brick walls (no concrete block), or ornamental metal fencing or combinations thereof may also be approved by the Planning Director. **Not acceptable as depicted. A solid evergreen hedge shall be shown on a revised site plan.**
 - c. Per TMC§1108.0204, Parking Lot Landscaping must be provided as the IG district abuts a residential use. The total interior landscaping required in parking lots is 20 square feet per parking and stacking space. With thirteen (13) spaces proposed, the site requires 260 square feet of interior landscaping. **Not acceptable as depicted. Shall be shown on a revised landscape plan.**
 - d. Per TMC§1108.0205, one 2-inch caliper tree shall be provided for every 2,000 square feet of building coverage, in addition to landscaping at all main building entrances. **Not acceptable as depicted. One additional tree and main entrance plantings shall be shown on a revised landscape plan.**
 - e. Topsoil must be back filled to provide positive drainage of the landscape area.



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EXHIBIT "B" APPROVAL CONDITIONS (cont'd)

Plan Commission (cont'd)

- f. No rip-rap, crushed stone, concrete or other impervious materials may be exposed above the average pool elevation for any retention pond.
- g. 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. **Shall be submitted on a revised site plan.**
- h. The location, height and materials for any new and existing fencing to be maintained. Outdoor Storage Screening is required for Freight Terminal uses and subject to the requirements of TMC 1108.0203(H). **The fence shown on the site plan is not acceptable as depicted as the proposed barbed wire is not permitted per TMC§1105.0303. Applicant shall remove the proposed barbed wire, unless a variance is obtained from the Board of Zoning Appeals.**
- i. The location and direction of any proposed lighting.
- j. The location, lighting and size of any signs.
- k. Any proposed signage. Signage must meet the requirements of TMC§1113 – Signs.

27. 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.

28. Per TMC 1111.0814, if a building permit is not issued within one (1) year of the approval date then the site plan approval shall become null and void.

29. 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.

GENERAL LOCATION

SPR-47-24
ID 139

N
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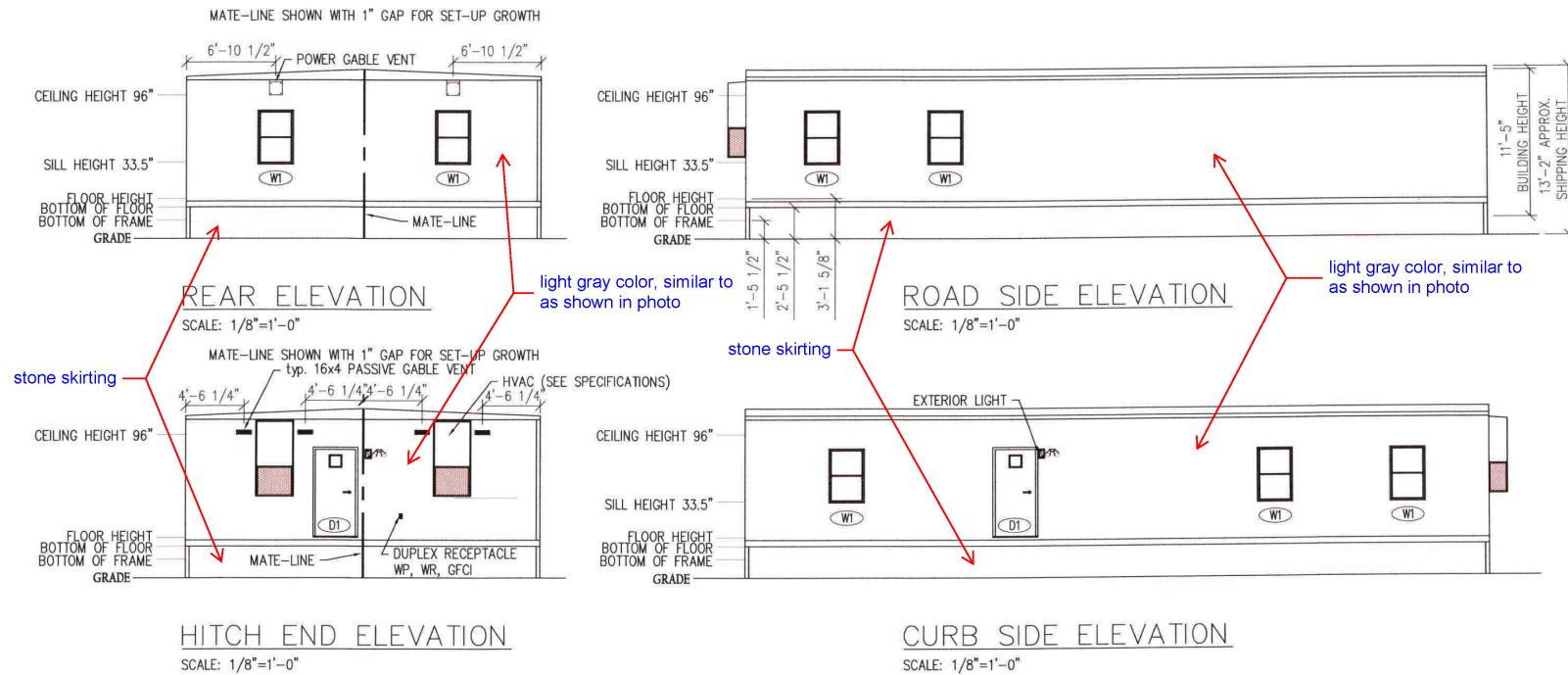




ELEVATIONS

SPR-47-24
ID 139

N
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FASTENING SCHEDULE				
APPLICATION	METHOD	QUANTITY	TYPE	NOTES
SIDING TYPE				
ALUMINUM TO WALL FRAMING	SCREWED	SEE NOTE	1/4" HEX #8X1 1/2"	3-ROWS AT EVERY OTHER RIB
WINDOWS TO WALL FRAMING	SCREWED	SEE NOTE	1/4" HEX #8X1"	PER WINDOW FLANGE
TELL /ELIXER DOORS TO WALL FRAMING	SCREWED	SEE NOTE	1/4" HEX #8X1 1/4"	PER DOOR FLANGE



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NOTES	
1.	WOOD FLOOR FRAMING AND EXTERIOR WALL FRAMING ARE REQUIRED TO BE AT LEAST 8" FROM EXTERIOR GRADE AND 18" CLEAR OF GROUND IN CRAWL SPACE.
2.	WOOD FLOOR FRAMING AND EXTERIOR WALL SHEATHING WITHIN 8 INCHES OF EXTERIOR GRADE AND/OR WITHIN 18 INCHES OF EXPOSED GROUND IN CRAWL SPACE SHALL BE NATURALLY DURABLE WOOD OR PRESERVATIVELY TREATED PER OBC 2304.11.2.

NOTE: SYMBOL LEGEND AND SPECIFICATIONS ON PAGE SP1 TO SP2

SPACE RESERVED FOR PE SEALS

CUSTOMER APPROVAL

APPROVED
 APPROVED EXCEPT AS NOTED
 REVISE AS NOTED AND RESUBMIT
 SEE LETTER OF TRANSMITTAL

APPROVED BY _____
DATE _____

THIS PRINT MUST BE SIGNED, DATED, AND RETURNED TO YOUR SALES REPRESENTATIVE AT AGM STRUCTURES
NOTE: ALL PAGES MUST BE SIGNED

SCALE: AS NOTED	CUSTOMER: WILLIAMS SCOTSMAN	SHEET DESCRIPTION: ELEVATIONS	PRINT DATE: 6/14/24	DRAWING NUMBER A2
SERIAL NUMBER: 24-1064	MODEL: 28 x 62 OFFICE	QUOTE NUMBER: 24-474 R5	PLAN APPROVAL #: XXXXXXXXXX	DRAWN BY: TJH