

GENERAL INFORMATION

Subject

- Request - Vacation of all that portion of Whitmer Drive lying between W. Alexis Road and Lyceum Place
- Applicant - City of Toledo
One Government Center, Suite 2260
Toledo, OH 43604
- Surveyor - Garcia Surveyors, Inc.
1720 Indian Wood Circle, Suite E
Maumee, OH 43537

Site Description

- Zoning - IC / Institutional Campus
- Area - ± 2.448 acres
- Dimensions - Various
- Existing Use - Public Right-of-Way
- Proposed Use - Parking

Area Description

- North - Alexis Road, church and single-family homes / RS6
- South - Single-family homes/ RS6
- East - Whitmer School campus, Clegg Drive, and single-family homes / IC, RD6 and RS6
- West - Whitmer Campus parking and single-family homes / IC and RS6

Parcel History

- Z-68-67 - Request for a Zone Change from R-2 to R-4 (PC rec. disapproved 5/18/1967; CC repealed Res. 68-67 6/5/1967 via Res. 160-67)
- Z-127-67 - Request for a Community Unit Plan (Deferred 6/29/67)
- Z-160-67 - Request for a Zone Change from R-2 to R-3 (PC rec. approval 6/29/1967; CC approved 8/7/1967 via Ord. 607-67)

GENERAL INFORMATION (cont'd)Parcel History (cont'd)

M-8-72	-	Request for a Playfield (PC approved 4/27/1972).
V-100-72	-	Request to Vacate Edger Drive and Clegg Drive South of Edger Drive (PC rec. approval 4/19/1972; CC approved 6/27/1972 via Ord. 472-72)
M-15-72	-	Review of an Addition to Whitmer High School (PC approved 6/26/1972)
M-21-72	-	Request to Operate a Vocational School in the Washington Local School District (PC approved 8/31/1972)
Z-4001-15	-	Zone Change from RS6 to IC (PC rec. approval 6/11/2015; CC approved 7/21/2015 via Ord. 382-15).
M-8-15	-	Institutional Master Plan Adoption for Whitmer High School (PC approved 6/11/2015; CC approved 7/21/2015 via Ord. 382-15).

Applicable Regulations

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

STAFF ANALYSIS

The applicant, the City of Toledo, is requesting the Vacation of all that portion of Whitmer Drive lying between Alexis Road and Lyceum Place. The purpose of the vacation is to allow for the relocation of Whitmer Drive to the east, to line up with Herst Road north of Alexis Road. Currently, Whitmer Drive separates the Whitmer School Campus and a large parking lot for the campus. Pedestrians are therefore required to cross Whitmer Drive to access the Whitmer Campus. Relocation of Whitmer Drive will improve pedestrian safety by eliminating the need for pedestrians to cross Whitmer Drive. A right-of-way dedication plat for the new location of Whitmer Drive and an amended Whitmer School Institutional Campus Master Plan will be submitted for review by the Plan Commission as a result of the proposed vacation request. Surrounding land uses include a church and single-family homes to the north across Alexis Road; single-family homes to the south; and Whitmer School Campus and single-family homes to the east and west.

STAFF ANALYSIS (cont'd)

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan designates the subject right-of-way and the abutting Whitmer School Campus as Institutional. The Institutional land use designation is intended to preserve regional and local anchors which require large campus areas, such as high schools, colleges, hospitals, museums and cultural institutions. Expansion should be sensitive to the well-being of neighbors and surrounding traffic patterns. The proposed vacation will better align Whitmer Drive with surrounding traffic patterns, and the submission of an amended Institution Campus Master Plan will allow for appropriate measures to be required to minimize impact of the relocation of Whitmer Drive on surrounding residential uses.

Staff recommends approval of the proposed Vacation because it will facilitate the relocation of Whitmer Drive so that it will align with Herst Road to the north, and it is consistent with the Forward Toledo Comprehensive Land Use Plan.

STAFF RECOMMENDATION

Staff recommends that the Toledo City Plan Commission recommend **approval** of V-58-25, the request for the Vacation of all that portion of Whitmer Drive lying between W. Alexis Road and Lyceum Place, to Toledo City Council for the following **two (2) reasons**:

1. The proposed Vacation will facilitate the relocation of Whitmer Drive so that it will align with Herst Road to the north and provide for safer pedestrian access to Whitmer School Campus; and
2. The proposed Vacation is consistent with the Forward Toledo Comprehensive Land Use Plan.

The staff further recommends that the Toledo City Plan Commission recommend **approval** of V-58-25, the request for the Vacation of all that portion of Whitmer Drive lying between W. Alexis Road and Lyceum Place, to Toledo City Council subject to the following **six (6) conditions**:

The conditions of approval are as follows and listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Law Department

1. That a full width easement in favor of the City of Toledo is retained across, under and through said vacated area as described in Section 1 herein for the purpose of the City of Toledo's maintaining, operating, renewing, reconstructing, and removing utility facilities. All City of Toledo facilities located within said vacated area are hereby dedicated to the City of Toledo for exclusive City of Toledo utility use only and shall not be combined with easements or rights for other utilities. The easement retained by the City of Toledo shall be primary to any other utilities located therein, and any easement retained by any other utility

STAFF RECOMMENDATION (cont'd)

Law Department (cont'd)

shall be subordinate to and subject to the easement rights of the City of Toledo. Said easement shall be permanent in nature for each utility and shall run with the land. Said easement also includes reasonable rights of egress and ingress over and through the vacated area. No fence, wall, building foundation, roof overhang, or other barrier which would impede access to the easement shall be constructed or maintained. Driveways, parking lots, walkways and other similar improvements are permitted subject to the prior written consent of the City of Toledo. The City of Toledo shall be released and held harmless for any liability, responsibility costs, or damages resulting from the City of Toledo's removal of any barriers which impede the City of Toledo ingress or egress from the easement or which obstruct access to the utilities located within the vacated area. The City of Toledo shall have no obligation or duty to restore or compensate the barrier owner for any barrier removed in whole or in part by the City of Toledo. Any modification and/or release of any easement granted or retained by any utility as a result of this Ordinance shall be obtained separately from each utility, as to their interest(s) only, by separate recordable instrument.

Division of Engineering Services

2. An update is needed to the existing easement granted to Toledo by Washington Local for the enclosed Silver Creek. The easement is 30 feet wide, running approximately east-west, except it does not cover the right-of-way. The easement needs to be updated to be continuous where it crosses the vacated land. The current recorded document is number 20160413-0013806.
3. Provide easement for sanitary sewer crossing parking lot and then going down Edgar Street.
4. Show full width easement on Edgar Street per Ordinance 472-72. See attached map in Exhibit A.

Division of Transportation

5. Within the limits allowed by law, the applicant shall indemnify the City of Toledo, its officials, agents or employees, from any and all claims, demands, causes of action, suits or liability in connection with the performance of any and all acts authorized or permitted under this vacation. Said indemnification language shall be contained within and evidenced by the endorsement on a certified copy of the final vacating legislation by the owner which indemnification shall be kept in the permanent file of the Clerk of Council.

Fire Prevention Bureau

No comments received at time of print.

STAFF RECOMMENDATION (cont'd)

Division of Streets, Bridges and Harbors

No objection to vacation.

Toledo Edison

No comments received at time of print.

Columbia Gas

No comments received at time of print.

Republic Services

No comments received at time of print.

Lucas County Solid Waste Management District

No comments received at time of print.

Toledo Area Regional Transit Authority (TARTA)

No comments received at time of print.

Plan Commission

6. Right-of-way for the relocated Whitmer Drive shall be dedicated for public use per Final Plat procedures of the City of Toledo Subdivision Rules and Regulations.

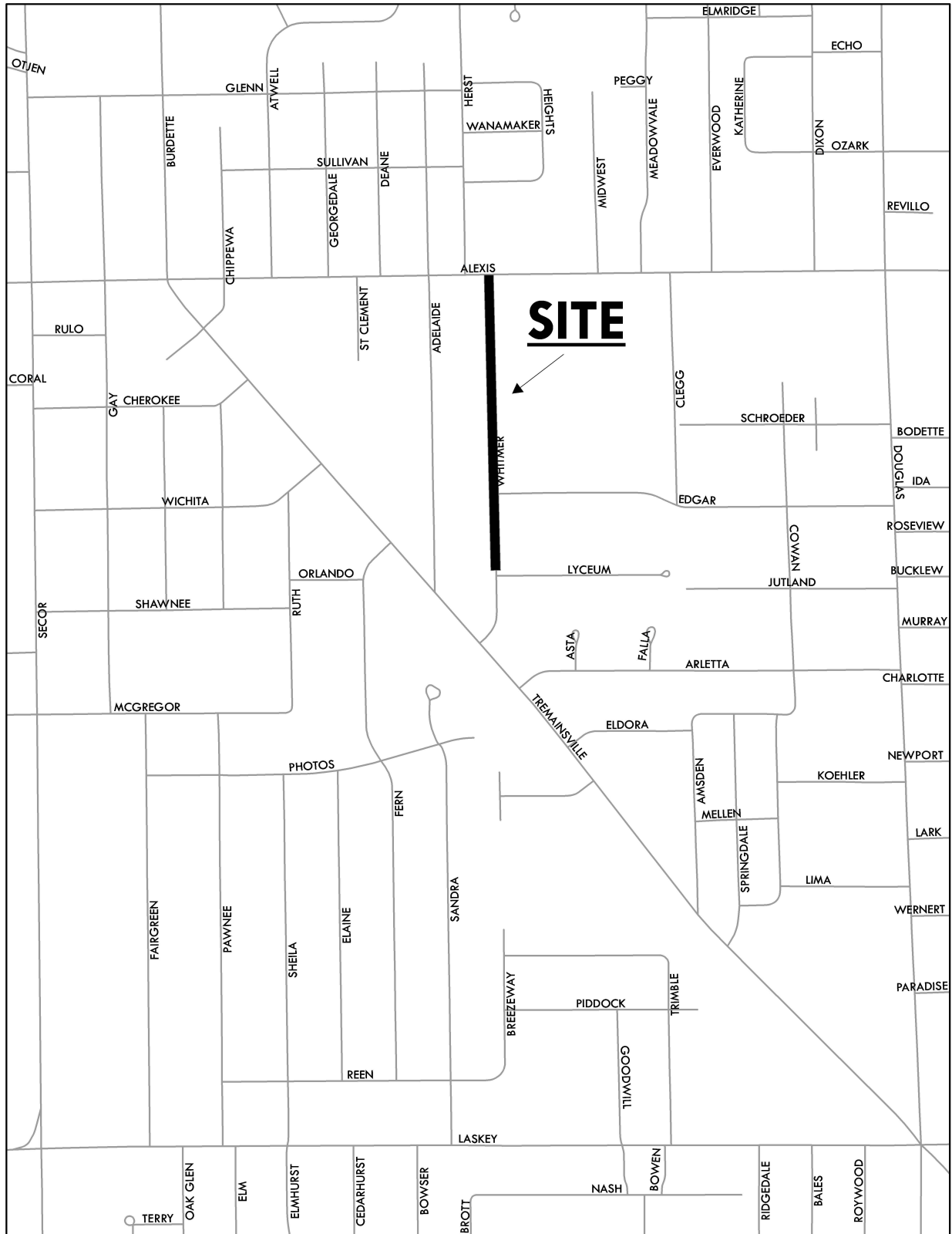
RIGHT OF WAY VACATION
TOLEDO CITY PLAN COMMISSION
REF: V-58-25
DATE: April 10, 2025
TIME: 2:00 PM

CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: May 14, 2025
TIME: 4:00 P.M.

LK
Four (4) sketches follow
Exhibit "A" follows

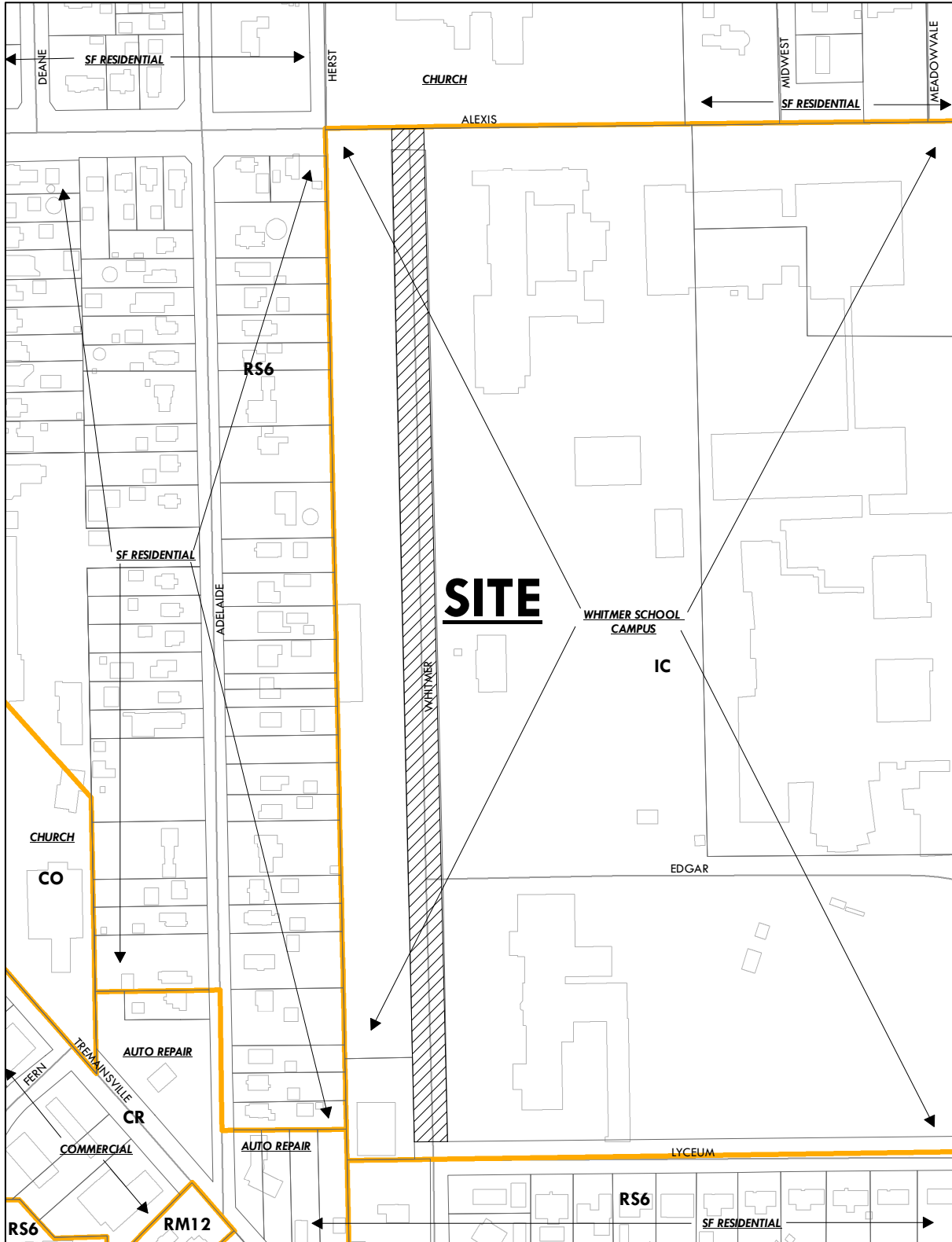
GENERAL LOCATION

V-58-25



ZONING & LAND USE

V-58-25

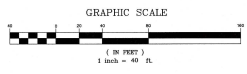
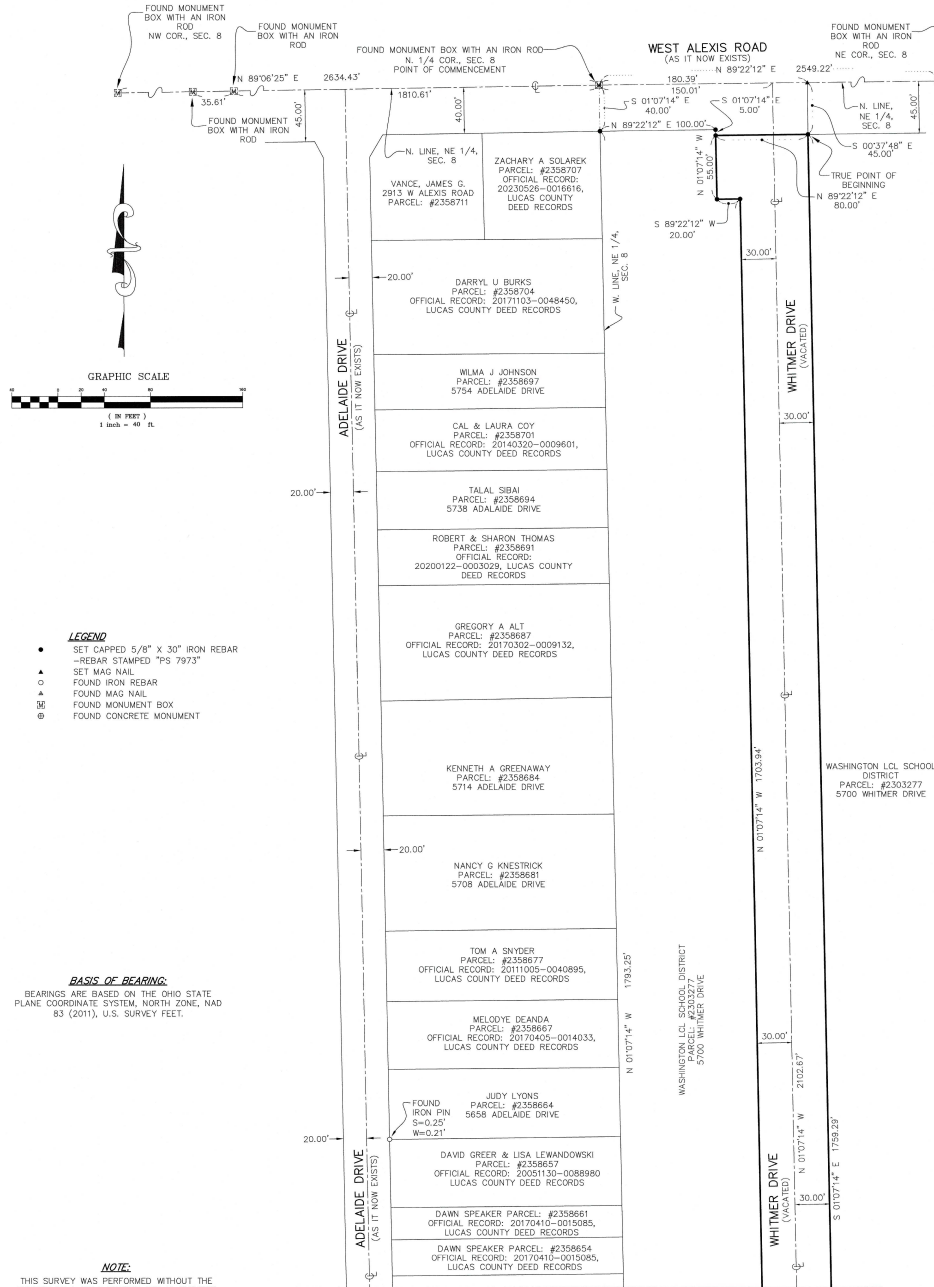


VACATION PLAT

V-58-25



ROADWAY VACATION PLAT OF WHITMER DRIVE OF A PARCEL OF LAND BEING PART OF THE NORTHEAST 1/4 OF SECTION 8, TOWN 9 SOUTH, RANGE 7 EAST, IN THE CITY OF TOLEDO, LUCAS COUNTY, OHIO.



- LEGEND**
- SET CAPPED 5/8" X 30" IRON REBAR
-REBAR STAMPED "PS 7973"
 - ▲ SET MAG NAIL
 - FOUND IRON REBAR
 - ▲ FOUND MAG NAIL
 - ⊠ FOUND MONUMENT BOX
 - ⊙ FOUND CONCRETE MONUMENT

BASIS OF BEARING:
BEARINGS ARE BASED ON THE OHIO STATE
PLANE COORDINATE SYSTEM, NORTH ZONE, NAD
83 (2011), U.S. SURVEY FEET.

NOTE:
THIS SURVEY WAS PERFORMED WITHOUT THE
BENEFIT OF A TITLE REPORT AND IS SUBJECT
TO ANY ADDITIONAL INFORMATION THAT MIGHT
BE DISCLOSED BY SUCH A REPORT.

MATCHLINE SEE SHEET 2 OF 3

1720 Indian Wood Circle,
Suite F
Maumee, OH 43537
Phone: (419) 877-0400

GARCIA SURVEYORS, INC.
TOLEDO - COLUMBUS - CLEVELAND - LIMA

REVISION TABLE:				JOB NUMBER: 234505488	DRAWING NAME: 234-05488-WHITMER.DWG	OUPS TICKET NUMBER: ---
REV.	DESCRIPTION:	BY:	DATE:			
				JOB NAME: VACATION PLAT	DRAWN BY: TAG	SCALE: 1" = 40'
				CLIENT NAME: TETRA TECH	CHECKED BY: DCK	DATE: 12/16/2024
				DESCRIPTION: WHITMER DRIVE VACATION	SURVEYED BY: COT	SHEET 1 of 3

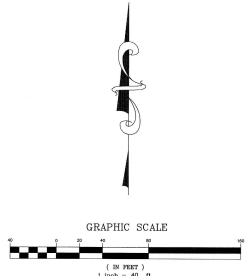
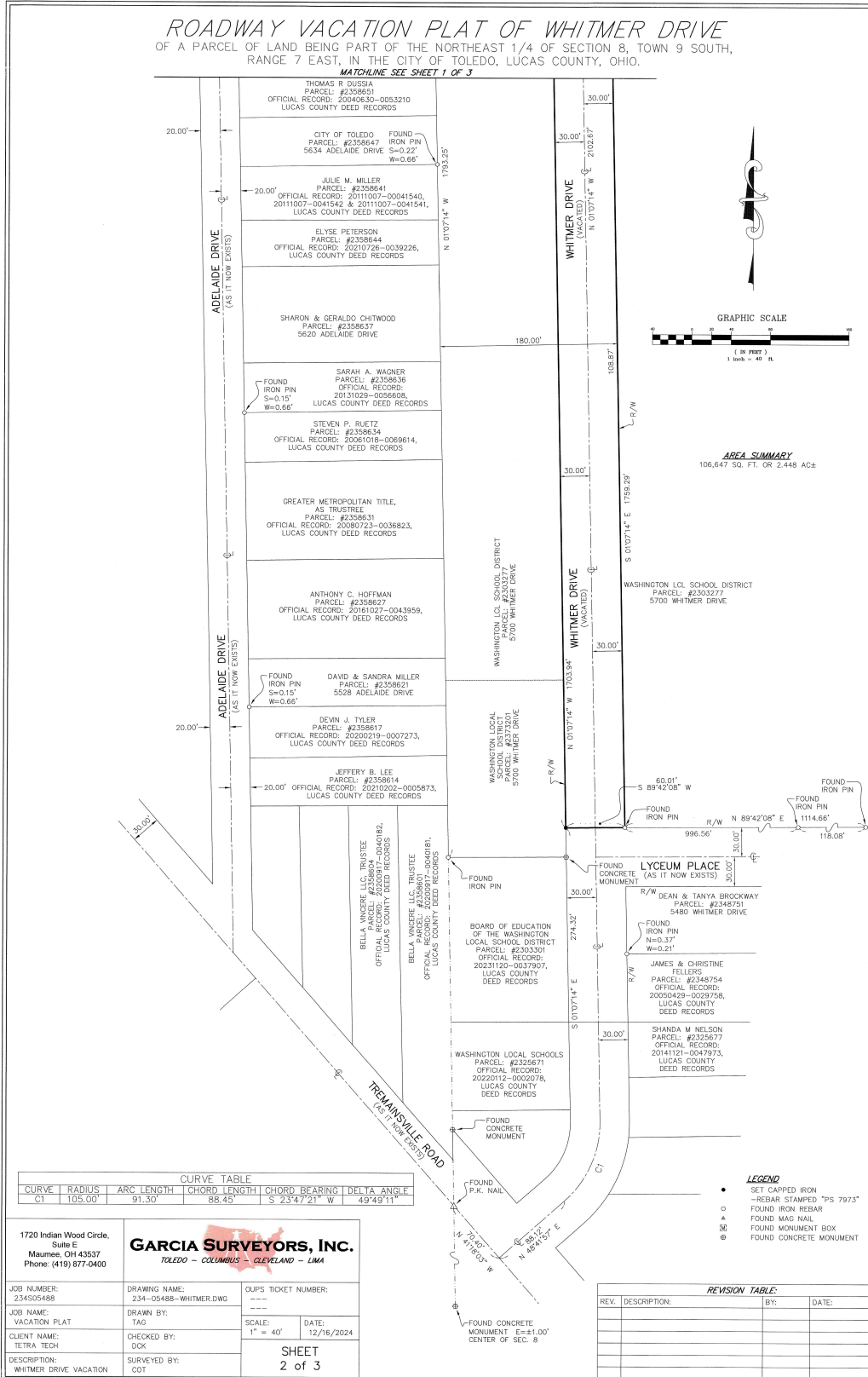
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MATCHLINE SEE SHEET 1 OF 3



AREA SUMMARY
106,847 SQ. FT. OR 2.448 AC±

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	105.00'	91.30'	88.45'	S 23°47'21" W	49°49'11"

1720 Indian Wood Circle, Suite E
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CLIENT NAME: TETRA TECH	CHECKED BY: DCK	SCALE: 1" = 40'
DESCRIPTION: WHITMER DRIVE VACATION	SURVEYED BY: COT	SHEET 2 of 3

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REVISION TABLE:		
REV.	DESCRIPTION:	DATE:

Exhibit "A"
Division of Engineering Services Map

