

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: November 8, 2024

REF: SUP24-00092

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

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

SUBJECT: Special Use Permit for Gas Station and Convenience Store at 3219 Tremainsville Road

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, November 7 2024 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for a New Gas Station
Location	-	3219 Tremainsville Road (13 parcels)
Applicant / Architect	-	Mike Donoho CESO Inc. (representing Casey's) 216 Centerview Drive Brentwood, TN 37027
Owner	-	Erik Nikkel 1 SE Convenience Blvd Ankeny, IA 50021

Site Description

Zoning	-	RM36 (Multi-family Residential) & CR (Regional Commercial)
Area	-	±1.49 acres (65,058 sq. ft.)
Frontage	-	±151' along Alexis Road ±212' along Tremainsville Road
Existing Use	-	Funeral Home
Proposed Use	-	Gas Station with Convenience Store

Area Description

North	-	CR & RS6 / bank, restaurant, single-family homes
South	-	RM36 / multi-family residential
East	-	CR & RM36 / single-family home, bank, restaurant
West	-	CR / auto sales and multi-family residential

GENERAL INFORMATION (cont'd)

Parcel History

Z-237-63

- PC Approved Resolution 237-63 establishing permanent zoning for the Trilby Annexation Area, which lies southwest of Tremainsville Road, running from Laskey Road northwest to Alexis Road, and westerly to Secor Road.

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit (SUP) for a new gas station and convenience store at 3219 Tremainsville Road. The ± 1.49 -acre site, comprised of thirteen (13) parcels, is zoned CR (Regional Commercial) and RM36 (Multi-Dwelling Residential), the latter of which does not permit the proposed use. Companion case Z24-0005 was therefore submitted to change the zoning of all thirteen (13) subject parcels to CN (Neighborhood Commercial), which allows Gasoline and Fuel Sales with a Special Use Permit. To the north of the site is a bank, restaurant, and single-family homes; to the south is multi-family residential; to the east is a bank, restaurant, and single-family home; and to the west is auto sales and multi-family residential.

Gasoline and Fuel Sales

TMC§1104.0900 *Gasoline and Fuel Sales* outlines use-specific criteria for gas stations. This section does not permit gas pumps and pump islands in the front yard within fifty feet (50') of a residential district. Other requirements include that pump islands be set back a minimum of fifteen feet (15') from the property line, that canopies be set back a minimum of ten feet (10') from the property line, and that non-petroleum displays be set back a minimum of twenty-five feet (25') from the right-of-way and be limited to a height of five feet (5'). Free air, water, and restrooms shall also be provided and maintained during the hours of operation of the gas station. The submitted site plan meets these requirements.

Intensity and Dimensional Standards

TMC§1106.0102 *Commercial Districts* sets a maximum front setback of thirty-five feet (35') in CN (Neighborhood Commercial) districts. The proposed building is set back one-hundred and sixty feet (160') from Tremainsville Road. Plan Commission supports a waiver of this requirement to allow room for the canopy to be placed in the front of the site, away from the adjacent residentially-zoned district to the south.

STAFF ANALYSIS (cont'd)

Parking and Circulation

TMC§1107.0300 *Off-Street Parking Schedule "A"* requires a minimum of twenty-five (25) off-street parking spaces for the proposed gas station / convenience store. The site plan depicts sixteen (16) off-street parking spaces and has been deemed acceptable by the Planning Director as the applicant is offering a sheltered bus-stop on site, which offers a reduction in parking needs per TMC§1107.1407(E) *Transit Stops*.

Based on the proposed parking spaces and TMC§1107.1700 *Accessible Parking*, one (1) van-accessible parking space with an 8-foot aisle abutting the space is required. Additionally, a minimum of two (2) bicycle spaces is required. The site plan shows both of these elements.

Landscaping and Screening

Per TMC§1108.0202 *Frontage Greenbelt*, an extensively landscaped frontage greenbelt is required along all public rights-of-way with at least one (1) tree for every thirty feet (30') of lot frontage. The lot has ±151 feet of frontage along Alexis Road and ±212 feet of frontage along Tremainsville Road, requiring a total of twelve (12) trees. The site plan provides two (2) trees along Alexis Road and five (5) trees along Tremainsville Road. An additional five (5) trees shall be depicted in the frontage greenbelt on a revised landscape plan. Per the same code section, a solid evergreen hedge is also required to screen parking in the front of the property and prevent headlights from being seen from the right-of-way. The site plan depicts this landscape element.

The site plan must also adhere to TMC§1108.0203 *Buffer and Screening Requirements*. Existing tree canopy coverage on the site provides adequate screening along the western and southern edges of the site. A Type A landscape buffer is proposed along the eastern edge of the site with a total of twelve (12) trees, forty-two (42) shrubs, and a six-foot (6') high wooden fence. Per the code, this Type A buffer is only required where the proposed CN (Neighborhood Commercial) zoning district abuts the adjacent RM36 (Multi-family Residential) district. However, the applicant is extending the Type A buffer along the entire eastern edge of the site to help screen the adjacent single-family home (zoned CR-Regional Commercial). This landscape element requires the addition of two (2) shrubs to meet quantity requirements, but is otherwise acceptable as depicted.

Per TMC§1108.0204 *Parking Lot Landscaping*, the perimeter parking lot landscaping requirements overlap with and are satisfied by the frontage greenbelt provisions. For interior parking lot landscaping standards, the applicant is required to provide two (2) canopy trees and six (6) shrubs for each ten (10) parking spaces. The site plan depicts three (3) trees adjacent to the parking lot to meet this requirement. While not placed internally on the lot, staff is satisfied with this placement as the total impervious area on the site is being decreased by almost 4,000 square feet with the proposed parking layout, which meets the intent of this code section to reduce the heat island effect. Ten (10) additional shrubs shall be added a revised landscape plan to meet the quantity requirements for interior parking lot landscaping.

STAFF ANALYSIS (cont'd)

Landscaping and Screening (cont'd)

Finally, one (1) tree is required for every 1,000 square feet of building coverage to meet TMC§1108.0205 *Interior Site Landscaping*. The proposed building is 4,343 square feet and requires nine (9) additional trees, which are shown on the proposed landscape plan. This section also requires foundation plantings along all portions of the building that are visible from the right-of-way, as well as landscaping at all major entrances. Foundation plantings shall be added along the western and northern elevations, which are visible from the right-of-way.

Building Design and Materials

Per TMC§1109.0204(A) *Connecting Walkways*, at least one (1) main entrance of any commercial building shall face and open directly to a five-foot (5') wide connecting walkway to the street sidewalk. The site plan depicts two internal sidewalks that connect to the street sidewalks and will allow pedestrians to access the site from both Alexis Road and Tremainsville Road.

As required under TMC§1109.0500 *Building Façade Materials and Color*, the elevations must show that at least eighty percent (80%) of each elevation visible from the right-of-way is comprised of allowable predominant materials and colors. This standard applies to the front façade, visible from Tremainsville Road, and the western façade, visible from Alexis Road. The façade facing Tremainsville Road is 41% brick, 20% architectural metal, 19% glass, and 10% stone, and 10% metal trim. The façade facing Alexis Road is 63% brick, 19% glass, 9% stone, and 5% metal trim. The proposed elevations on the main structure are compliant with TMC§1109.0500.

For gas stations, support columns must be brick or stone compatible with the principal building per TMC§1104.0903(A). This brick or stone finish must span the entire column up to the canopy. The submitted canopy elevations are acceptable as depicted.

Finally, as per TMC§1109.0205 *Building Design Standards*, transparent windows shall occupy at least forty percent (40%) of the area between two and ten feet at grade from the base of the primary elevation facing the right-of-way. The proposed front elevation window coverage exceeds this area requirement; however, faux windows are proposed for a portion of the windows on the front façade. The applicant shall ensure that all windows along the front façade are transparent and not obstructed during business hours to meet the standards of this code section.

Signs

The proposed ground sign meet must meet TMC§1113 *Signs* and sign permits will be required prior to sign installation. The largest sign permitted in CN (Neighborhood Commercial) districts is a medium profile sign, which has a maximum sign height of eight feet (8') and a maximum sign face area of sixty (60) square feet. Visible support poles are prohibited. All proposed building signs must also meet the requirements of TMC§1113 *Signs*.

STAFF ANALYSIS (cont'd)

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan Future Land Use Map targets this site for Neighborhood Mixed-Use land uses. This designation aims to preserve and promote pedestrian-oriented commercial and mixed-use areas. While auto-oriented uses such as gas stations are not preferable uses in Neighborhood Mixed-Use districts, several pedestrian-oriented features are built into the design of the proposed development, such as internal pedestrian walkways, bicycle parking, and reduced parking with an on-site bus shelter. Additionally, the site plan proposes adding significant landscaping upgrades and decreasing the overall impervious surface within the site substantially, both of which meet goals laid out in Forward Toledo.

Staff recommends approval of SUP24-00092, a Special Use Permit for a new gas station at 3219 Tremainsville Road because it achieves multiple objectives identified in the Forward Toledo Comprehensive Land Use Plan.

Neighborhood Meeting

In response to Staff's recommendation, the applicant hosted a neighborhood meeting at St. Clement Banquet Hall on August 29th from 5:30pm through 6:30p.m. The applicant reported that about ten (10) community members attended. Concerns raised included security for the adjacent single-family home to the east. The applicant responded to these concerns by adding a six-foot (6') fence from the rear of the property line to the parking setback line to the site plan, in addition to landscape buffering.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP24-00092, a Special Use Permit for a new gas station at 3219 Tremainsville Road, to Toledo City Council for the following two (2) reasons:

1. The proposed use meets the stated purpose of the Zoning Code (**TMC§1111.0706(A) Review and Decision-Making Criteria**); and;
2. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (**TMC§1111.0706(B) Review and Decision-Making Criteria**).

The Toledo City Plan Commission recommends that Toledo City Council take the following action on the proposed waiver:

PLAN COMMISSION RECOMMENDATION (cont'd)

Chapter 1106 Intensity and Dimensional Standards

Sec. 1106.0102 Maximum Front Setback (CN) – The maximum front setback in CN (Neighborhood Commercial) zoning districts is thirty-five feet (35') per TMC§1106.0102.

Approve waiver for setback greater than the maximum standard because applicant agreed to a lesser intense commercially zoned district.

The Toledo City Plan Commission further recommends approval of SUP24-00092, a Special Use Permit for a new gas station at 3219 Tremainsville Road, to the Toledo City Council, subject to the following **fifty-four (54)** conditions:

The following 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. 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.
2. 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.
3. 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.
4. An existing 6-inch diameter public water main crosses the site. Per previous discussions between the applicant and the Division of Water Distribution, this water main is to be abandoned. Show the water main on the site plan, and note the work items needed to abandon the water main. Also note the work to be completed by the Division of Water Distribution, at the applicant's expense.
5. Refer to comments provided by the Division of Water Distribution regarding private water mains and/or service lines for the proposed development.

PLAN COMMISSION RECOMMENDATION (cont'd)

Engineering Services (cont'd)

6. The stormwater planning is adequate for the Site Plan Review (SPR) phase; a future 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 the applicant. The cover sheet includes a web link to Toledo's 2014 Infrastructure Requirements document.
7. SWP3 activities and sequencing shall account for any demolition if demolition may be sequenced prior to construction permitting.
8. The underground detention system (UDS) is proprietary and outside the scope of the City's services for sewer inspection. The following notes shall be added to the plans:
 - a. The contractor shall have the underground detention system manufacturer's representative on-site during the installation of the UDS. This representative shall advise the contractor as to the required installation procedures for the UDS.
 - b. The City of Toledo will be provided with an as-built signature by an Ohio P.E. representing the detention system manufacturer with the certification statement to the effect of: 'I certify that the underground detention system was installed in accordance with the manufacturer's installation requirements and that the underground detention system will function as designed in accordance with the contract documents.'
9. 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 pre-con 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.
10. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.

PLAN COMMISSION RECOMMENDATION (cont'd)

Engineering Services (cont'd)

11. 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.
12. 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 developer's cost.
13. 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.

Water Distribution

14. Taps 2" and smaller do not require plan submittal and approval by Water Department; standard water fees apply.
15. Taps larger than 2" must submit detailed site utility plan for review, approval, and fee assessment by Water Engineer. Plans must show all utilities within the right-of-way, water feature sizes and distances; include callouts for any new taps by the City of Toledo or tees by the contractor (example tap callout: "8"X4" tapping sleeve and valve by the City of Toledo at owner's expense. Excavation, shoring, valve box, backfill and restoration by Contractor").
16. Ally supply lines to fire sprinkler systems must be at least 6" and must have a PIV (Post Indicator Valve) properly protected against mechanical damage.
17. Maintain 18" vertical clearance and 10' horizontal between proposed water main and sani/storm sewers; maintain 12" vertical and 4' horizontal clearance with all other utilities.
18. Existing water service lines to structures removed from the site will be abandoned by the City of Toledo at the developer's expense (water kill permit).
19. All Commercial, Irrigation and Domestic services (in which there is a lawn irrigation system downstream of the Domestic Meter), must have a containment-type backflow device (RPZ) installed at the meter. A backflow assembly diagram has to be submitted and approved by Backflow Coordinator.
20. Water service is subject to the Rules and Regulations of the Department of Public Utilities.
21. See current Construction Standards for allowed materials

PLAN COMMISSION RECOMMENDATION (cont'd)

Water Distribution (cont'd)

22. Current Water General Notes must be included on the plans.

Division of Sewer & Drainage Services

No comments received at time of publication.

Division of Environmental Services

23. Applicant shall install at least a 1000-gallon (two compartment) outdoor grease separator/trap or submit plans from a State of Ohio registered design professional who has calculated the proper size of the grease separator/trap with menu and cooking activities included in the calculation.

24. 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.

25. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.

26. 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.

27. 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

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PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Environmental Services (cont'd)

https://www.oipc.info/uploads/5/8/6/5/58652481/alternatives_to_ohio_invasive_plant_species.pdf

28. 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.

Bureau of Fire Prevention

29. The proposed new building will require compliance with all applicable Building, Fire, Electrical, Mechanical and Plumbing code requirements. (OBC105.1 & 101.4)
30. Building construction plans to be submitted to the FD for review in addition to the Building Inspection Department plan submittal. (OFC104.2, OBC107.4.5)
31. New and existing buildings shall be provided with approved address identification that meets Building & Fire Code requirements. (OBC 501.2 & OFC 505.1)
32. Any addition of cooking equipment and suppression system for same will need plans submitted for review by the Building Dept, Health Dept and the FD. (OFC104.2, OFC901.2)
33. All permits for new UST systems for this fueling station to be submitted to the State of Ohio BUSTR (Bureau of Underground Storage Tank Registration) ORC 1301:7-9-10 Permits for UST systems
34. A fire safety inspection is required prior to occupancy. (OFC105.3.3.2)

Division of Transportation

Recommends approval after working with applicant to revise the original site plan to address initial circulation concerns. No additional comments provided.

Plan Commission

35. The thirteen (13) subject parcels shall be combined.
36. The hours of operation shall be limited to 5:30a.m. to 1a.m. per TMC§1104.0901(H).
37. Free air, water, and restrooms shall also be provided and maintained during the hours of operation of the gas station.
38. Off-street parking shall be provided pursuant to Off-Street Parking Schedule "A,"

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

(TMC§1107.0304). A total of twenty-five (25) parking spaces are required for this site. The submitted site plan shows sixteen (16) parking spaces. **Acceptable as depicted, given that the applicant is providing a covered bus shelter as a pedestrian amenity on-site.**

39. 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 convenience store is one (1) bicycle parking per ten (10) parking spaces. A minimum of two (2) bicycle parking spaces is required. **Acceptable as depicted.**
40. Bicycle parking must be well-lighted, paved, and drained to be reasonably free of mud, dust, and standing water. The proposed walkway from provided bicycle parking to the building must be clearly marked through the use of durable, low maintenance surface materials such as pavers, bricks, scored concrete or scored and painted asphalt.
41. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. One (1) van accessible space with an eight-foot (8') drive aisle is required. **Acceptable as depicted.**
42. 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 or to a stormwater treatment facility subject to the regulations and approval of the Department of Public Utilities.
43. 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 the public right-of-way as stated in TMC§1361.10(b)(10) of the Building Code. Dumpster location(s) shall also be as far away from residential areas as possible. **Acceptable as depicted.**
44. A detailed site, lighting, fencing and landscaping 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') buffer of landscaped frontage greenbelt is required along Alexis Road and Tremainsville Road. At least one tree must be provided for every thirty feet (30') of lot frontage. The frontage greenbelt shall also include a solid evergreen hedge to screen parking in the front of the property and prevent headlights from being seen from the right-of-way. **Not acceptable as depicted.** A

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

revised landscaping plan shall be submitted depicting an additional five (5) trees in the frontage greenbelt.

- b. A Type A landscape buffer is required along the eastern property line where abutting the residentially zoned district. **Applicant shall extend the required Type A buffer the full length of the site's eastern edge to screen the single-family home to the east. Two (2) additional shrubs shall be added to a revised landscape plan to meet quantity requirements.**
- c. Two (2) canopy trees and six (6) shrubs are required to be installed in interior landscape areas for each ten (10) parking spaces within the parking lot. A total of three (3) trees and ten (10) shrubs are required for this site. **Not acceptable as depicted. Ten (10) additional shrubs shall be added a revised landscape plan to meet the quantity requirements for interior parking lot landscaping.**
- d. One 2-inch caliper tree for every 1,000 square feet of building coverage shall be required for interior site landscaping. Nine (9) trees are required for this site. **Acceptable as depicted.**
- e. Foundation plantings shall be required along the portions of the building visible from the right-of-way. **Not acceptable as depicted. Foundation plantings shall be added along the western and northern elevations, which are visible from the right-of-way).**
- f. Topsoil must be back filled to provide positive drainage of the landscape areas.
- g. 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.
- h. 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.
- i. All landscape material must be properly maintained. No approved plant material shall be removed for any reason without being replaced with like kind, or without submitting a revised landscape plan to the Planning Director for review or approval.
- j. The location, height and materials for any fencing to be installed and maintained.

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- k. Because the site is greater than $\frac{1}{2}$ acre, 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.
- l. A photometric plan shall be submitted to the Plan Director for review and approval. Lighting is to be directed away from adjacent residential properties and public rights of way.

45. Per TMC§1109.0204(A)(1) At least one main entrance of any commercial, mixed-use, or institutional building shall face and open directly onto a 5-foot-wide connecting walkway to the street sidewalk without requiring pedestrians to walk around buildings or around parking lot outlines which are not aligned to a logical route. **Acceptable as depicted**.

46. Predominant exterior building materials shall be high-quality materials. For facades visible from the public right-of-way, predominant materials must comprise at least eighty percent (80%) of the total wall area of the façade. **Acceptable as submitted**.

- a. Facing Tremainsville Road: 41% brick, 20% architectural metal, 19% glass, and 10% stone, and 10% metal trim.
- b. Facing Alexis Road is 63% brick, 19% glass, 9% stone, and 5% metal trim.

47. The façade colors shall be low-reflectance, subtle, neutral or earth tone colors (i.e. gray, brown, and tan). Building trim and accent areas may feature brighter colors, including primary colors subject to the approval of the Planning Director. **Acceptable as depicted**.

48. Per TMC§1109.0205, transparent windows shall occupy at least forty percent (40%) of the area between two and ten feet at grade from the base of the primary elevation facing the right-of-way. **Not acceptable as depicted. The proposed front elevation window coverage exceeds this area requirement; however, faux windows are proposed for a portion of the windows on the front façade. The applicant shall ensure that all windows along the front façade are transparent and not obstructed during business hours to meet the standards of this code section.**

49. Canopy support columns must be brick or stone which is compatible with the principal building's brick or stone. Canopies shall consist of that material for its entire length up to the canopy. **Acceptable as depicted**.

50. All proposed signage shall meet the requirements of TMC Chapter 1113 *Signs*. Applicant shall obtain appropriate permits for any proposed signage.

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PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

51. 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.
52. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
53. 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.
54. 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

MJM

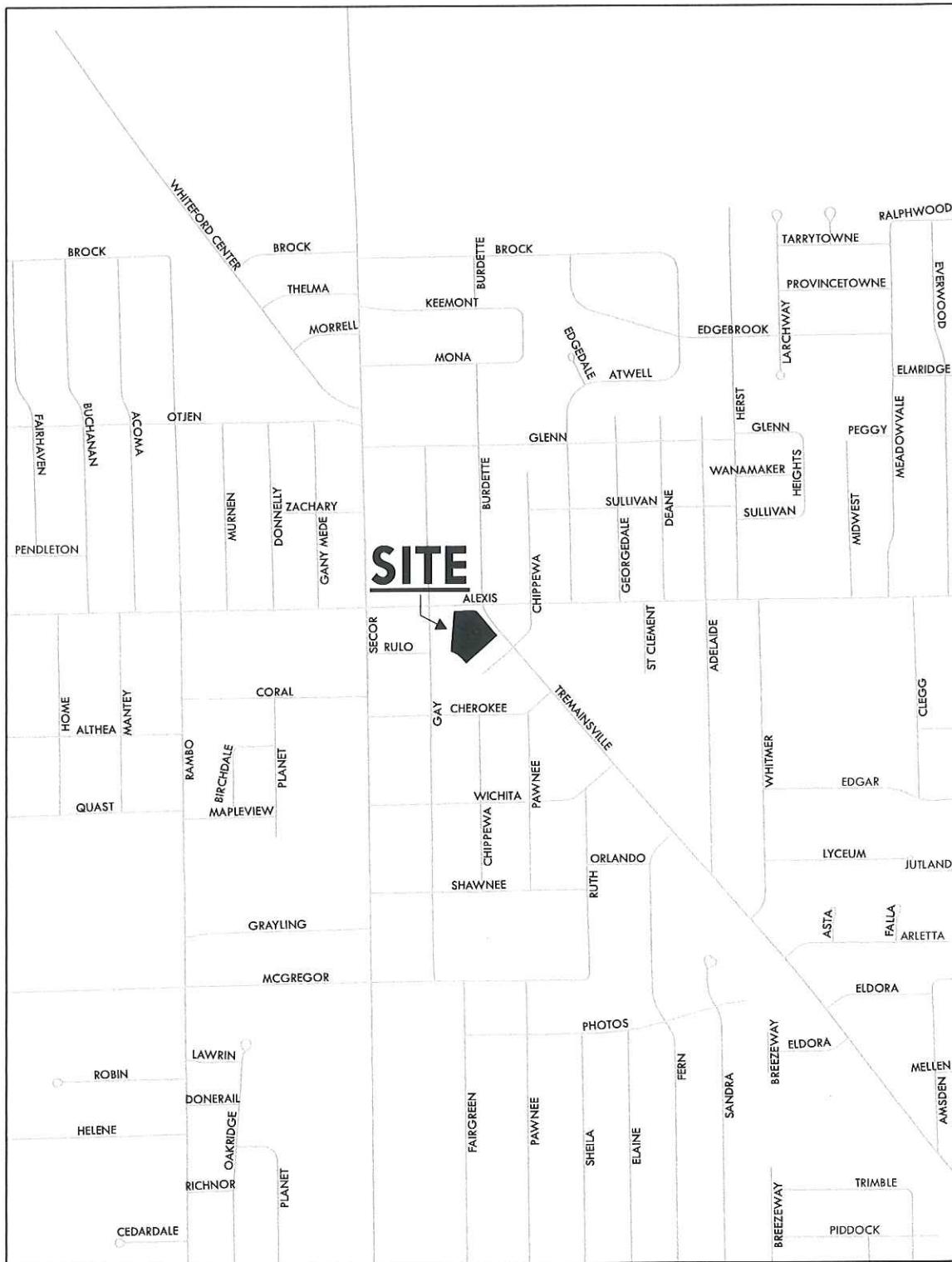
Nine (9) sketches follow

Cc: Mike Donoho, 216 Centerview Drive, Brentwood, TM 37027
Lisa Cottrell, Deputy Director
Mara Momenee, Planner

GENERAL LOCATION

SUP24-00092
ID 55

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ZONING & LAND USE

SUP24-00092
ID 55

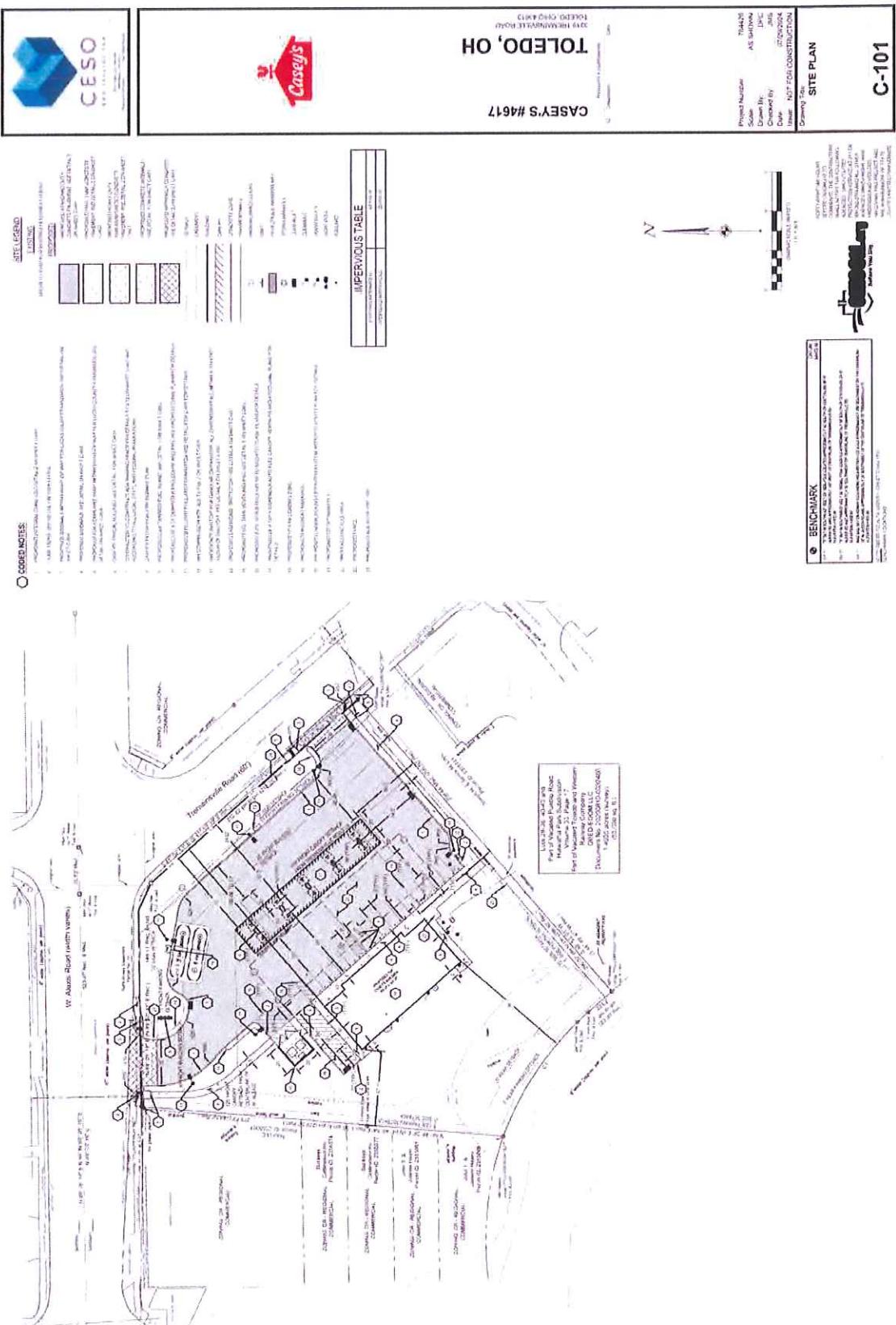
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SITE PLAN

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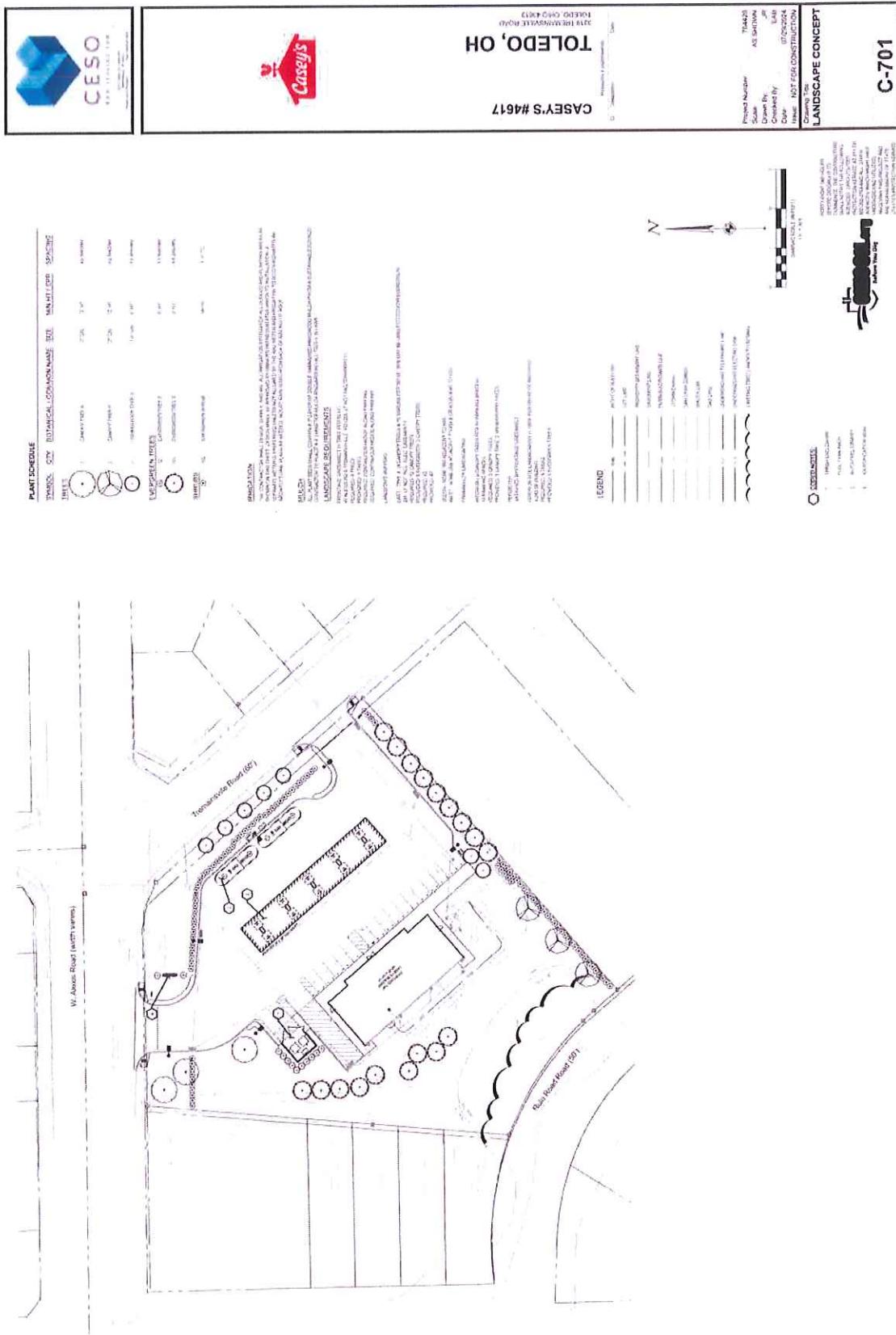
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LANDSCAPE PLAN

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ID 55

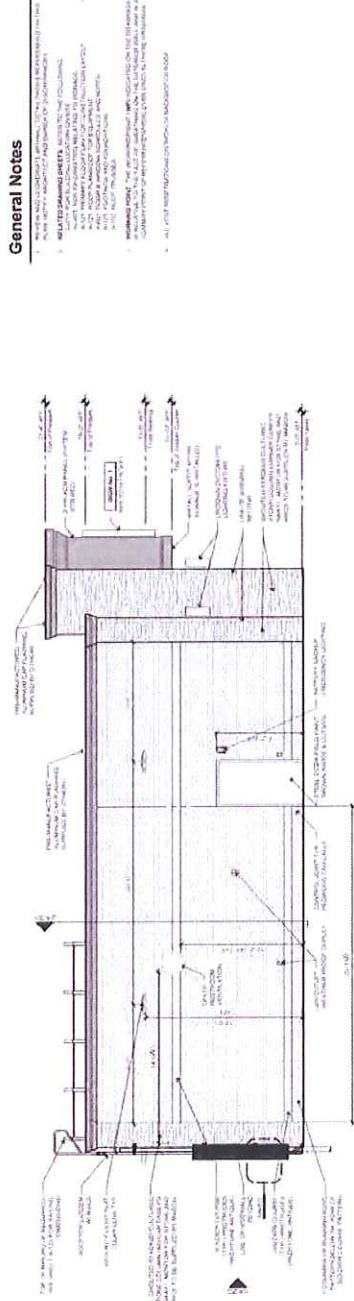
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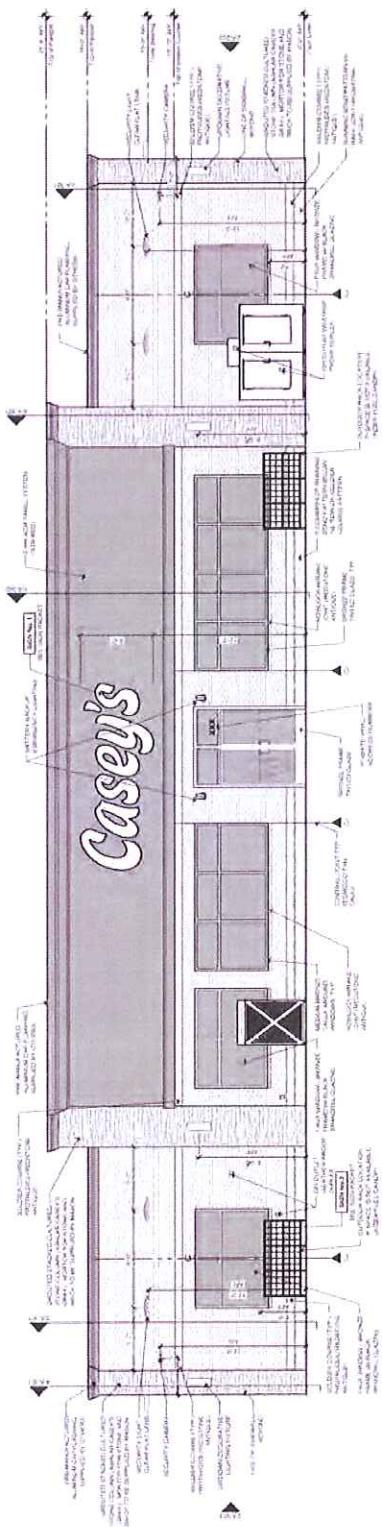
EAST & NORTH ELEVATIONS

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General Notes



2 Exterior Elevation - Left Side of Building
14' x 12'



1 Exterior Elevation - Front of Building
14' x 11' 10"



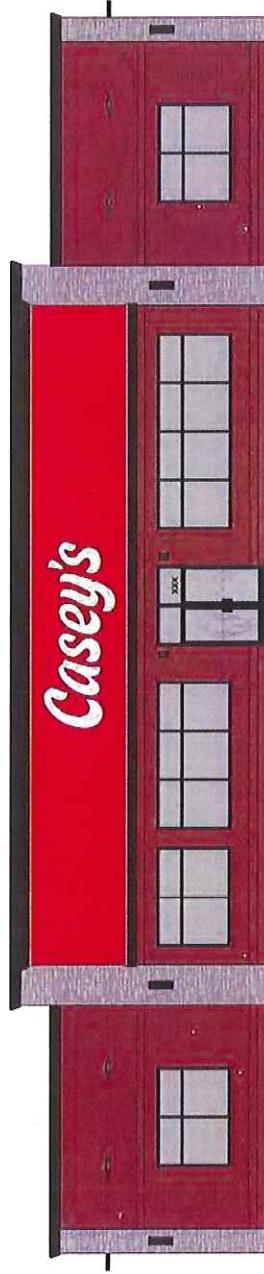
EAST & NORTH RENDERINGS

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2 Exterior Elevation - Left Side of Building



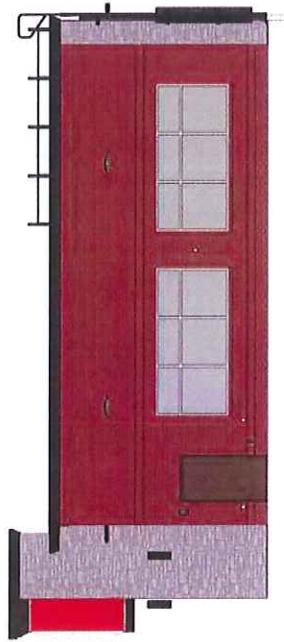
1 Exterior Elevation - Front of Building



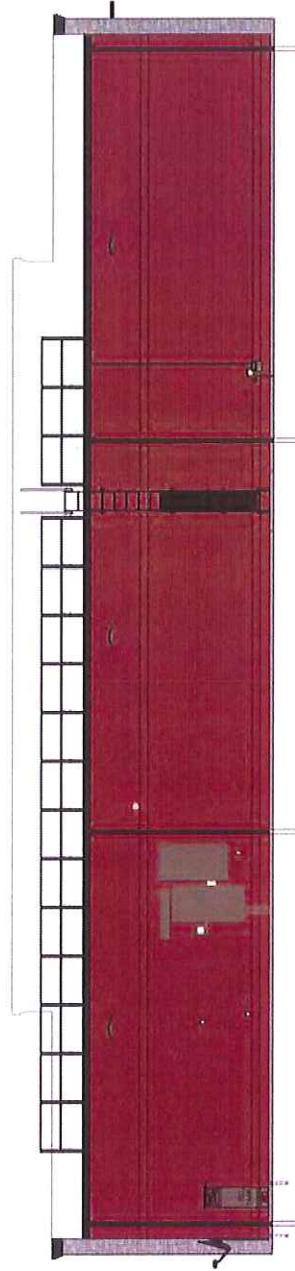
WEST & SOUTH RENDERINGS

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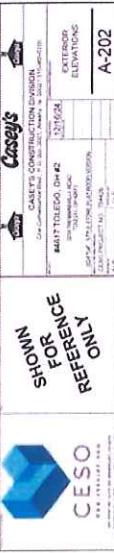
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2 Exterior Elevation - Right Side of Building



1 Exterior Elevation - Back of Building



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