

## GENERAL INFORMATION

### Subject

Request	-	Special Use Permit for a New Gas Station
Location	-	3837 Secor Road
Applicant / Developer	-	Skilkengold Development, LLC 4270 Morse Rd Columbus, OH 43230
Owner	-	Sheetz, Inc. 5700 Sixth Ave Altoona, PA 16602
Engineer	-	Mannik & Smith Group 1160 Dublin Road, Suite 100 Columbus, OH 43215

### Site Description

Zoning	-	CO / Office Commercial (CR Pending)
Area	-	±3.77 acres
Frontage	-	±281 along Secor Road ±660 along Monroe Street
Existing Use	-	Undeveloped
Proposed Use	-	Gas Station with Convenience Store

### Area Description

North	-	Gas Station, Vacant Drug Store, Car Wash / CR (Regional Commercial)
South	-	Senior Housing, I-475 / RM36 (Multi-Dwelling Residential), CO (Office Commercial), & RS9 (Single-Dwelling Residential)
East	-	Gas Station, Oil Service, Drug Store, Restaurants, Retail / CR (Regional Commercial)
West	-	Hospital, Day Care, & Notre Dame Academy / CO (Office Commercial), RS9 (Single-Dwelling Residential)

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

PL-4-04	-	Parking Lot Review for Revisions to the Existing Lot (Administratively Approved 07/07/04)
Z-3003-15	-	Zone Change from RS9 – Single-Dwelling Residential to CR – Regional Commercial (P.C. rec'd disapproval 6/11/15, Council disapproved 11/10/15)
SPR-10-15	-	Major Site Plan Review for a New Grocery Store and Outlots at 3835 Secor Road (Staff rec'd disapproval 6/11/15, P.C. approved 6/11/15)
SPR-50-16	-	Site Plan Review for a Grocery Store at 3835 Secor Road (Staff rec'd disapproval 2/9/17, P.C. disapproved 2/9/17)
PUD-11002-16	-	Planned Unit Development for New Grocery Store and Outlots (P.C. rec'd disapproval 2/9/17, Council approved 3/21/17, PUD expired 3/22/19)
Z-11001-16	-	Zone Change from RS9 – Single Dwelling Residential to CR – Regional Commercial (P.C. rec'd disapproval 2/9/17, Council approved 3/21/17, Zoning reverted 3/22/19)
SPR-16-17	-	Site Plan Review for a Grocery Store at 3835 Secor Road (Staff rec'd approval 5/24/17, P.C. rec'd approval 5/24/17, Council approved 3/21/17, Zoning reverted 3/22/19)
T-43-19	-	Lot Split for 8.35-acre parcel (P.C. approved 5/28/19)
Z-4007-19	-	Zone Change from RS9 – Single Dwelling Residential to CO – Office Commercial (P.C. rec'd approval 6/13/19, Council approved 7/23/19)
S-33-20	-	Preliminary Drawing Review for Secor Crossings (P.C. approved 1/14/21)
S-12-22	-	Final Plat of Secor Crossings (P.C. approved 10/13/22)



## GENERAL INFORMATION (cont'd)

### Applicable Regulations

- Toledo Municipal Code (TMC), Part Eleven: Planning and Zoning Code
- Toledo 20/20 Comprehensive Plan
- Toledo Vision Zero Plan

## STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a new gas station and convenience store at 3837 Secor Road. The ±3.77-acre site is currently zoned CO (Office Commercial), which does not permit Gasoline and Fuel Sales or Convenience Stores. The applicant has applied for companion case Z-5008-24, a Zone Change from CO (Office Commercial) to CR (Regional Commercial). The CR (Regional Commercial) district permits Gasoline and Fuel Sales by Special Use Permit and Convenience Stores by right. To the North of the site is a gas station, a vacant drug store, and a car wash, to the South of the site is senior housing apartments and I-475, to the East is a gas station, an oil service station, a drug store, and restaurants, and to the West is a rehab hospital, a day care, and Notre Dame Academy.

### Gasoline and Fuel Sales

TMC§1104.0900 *Gasoline and fuel sales* outlines additional design criteria for gas stations. The section does not permit gas pumps and pump islands in the front yard within fifty feet (50') of a residential district. The section also requires 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'). The submitted site plan meets these requirements. However, free air, water and restrooms shall also be provided and maintained during the hours of operations of the gas station and are listed as a condition in Exhibit "A".

### Intensity and Dimensional Standards

A front yard setback must be provided along private access drives. Per TMC§1106.0102, a front yard setback of twenty feet (20') is required. A setback of 19.71 feet is provided along the private access drive. A revised site plan showing compliance with this setback shall be provided. This has been listed as a condition in Exhibit "A".

This property has been recorded as part of a plat titled Secor Crossings. The Secor Crossings plat shows a landscape easement of thirty feet (30') along the rights of way of Monroe Street and Secor Road. The site plan shows this easement along Monroe Street, but does not show it along Secor Road. As a result, the parking lot encroaches into the easement by ten feet (10'). A revised site plan showing this landscape easement free of encroachments shall be provided. This has been listed as a condition in Exhibit "A".

## STAFF ANALYSIS (cont'd)

### Parking and Circulation

TMC§1107.0300 *Off-street parking Schedule "A"* requires a minimum of thirty (30) off-street parking spaces for the proposed gas station / convenience store. The applicant has provided forty-five (45) off-street parking spaces (37 store + 8 pump). The number of off-street parking spaces meets TMC§1107.0302 *Maximums* which states that no use may provide more than 150 percent of the minimum.

The applicant has provided two (2) accessible parking spaces as required by TMC§1107.1700. These spaces must be identified with signs and pavement markings identifying them as reserved for persons with disabilities. Signs must be posted directly in front of the parking space at a height of no less than sixty (60") inches and no more than seventy-two inches (72") above pavement level.

TMC§1107.1600 *Vehicle Stacking Areas* outlines design standards for gas pump stacking spaces. A revised site plan showing required stacking spaces shall be provided. This has been listed as a condition in Exhibit "A".

A minimum of one (1) bicycle parking space per ten (10) automobile parking spaces is required pursuant to TMC§1107.0300 *Off-Street Parking Schedule "A"*. The site plan provides zero (0) bicycle parking spaces and is therefore not in compliance. Five (5) spaces are required and shall be provided on a revised site plan. Bicycle parking must be well-lighted, paved, and drained to be reasonably free of mud, dust, and standing water. These have been listed as conditions in Exhibit "A".

### Landscaping and Screening

An extensively landscaped frontage greenbelt is required along all public rights-of-way. At least one (1) tree must be provided for every thirty feet (30') of lot frontage, rounded up. The lot has ±281 feet of frontage on Secor Road and ±660 feet of frontage on Monroe Street; however, the applicant intends to develop only the corner portion of the lot, leaving existing trees/vegetation along the northwestern ±460 feet of Monroe Street untouched. As a result, the applicant shall only need to provide a frontage greenbelt along the ±281 feet of Secor Road and the southeastern ±200 feet of Monroe Street. Seventeen (17) total trees are required in these frontage greenbelts. The submitted site plan depicts seventeen (17) in these areas. Additionally, a frontage greenbelt is required along the private access drive accessing the site. The proposed site has ±400 feet of frontage along the access drive, requiring fourteen (14) trees. The submitted landscaping plan depicts fourteen (14) along the access drive and complies with the frontage greenbelt regulations.

The applicant has opted to place a perimeter landscape buffer between the portion of the lot they are developing and the portion of the lot they are preserving. A perimeter landscape buffer would be required only if the preserved portion of the lot were a separate lot/development.

**STAFF ANALYSIS (cont'd)**

Landscaping and Screening (cont'd)

TMC§1108.0204(C)(1) *Interior* requires two (2) canopy trees and six (6) shrubs in the interior of parking lots for each ten (10) parking spaces, rounded up. The site plan provides forty-five (45) parking spaces, meaning ten (10) trees are required in the parking lot interior. However, the submitted landscaping plan depicts only eight (8) trees in the parking lot interior. Two (2) additional trees are required and shall be provided. This has been listed as a condition in Exhibit “A”.

TMC§1108.0205 *Interior Site Landscaping* requires one (1) tree for every 1,000 square feet of building coverage, rounded up. The proposed building is 6,132 square feet, meaning seven (7) trees are required on the site in addition to other landscaping requirements. The submitted landscaping plan depicts eight (8) trees in the unrequired perimeter landscaped buffer and complies with TMC§1108.0205.

Building Design and Materials

TMC§1109.0200 *Commercial, mixed use and institutional design standards* outlines design standards for commercial use type buildings. The purpose of the section is to promote the design of an urban environment that is built to human scale, encourage attractive street fronts, and accommodate pedestrians while also accommodating vehicular movement. Buildings should be designed to ensure a base level of quality architecture that is responsive to its context and contributes to the established architectural character of an area rather than a design solution that is based on a standardized formula or market prototype superimposed on the selected site.

The southern elevation – named the “rear” elevation on the submitted building elevations – faces the senior apartments and pedestrian walkways shown to the south, yet it lacks pedestrian orientation or character. In fact, it lacks any design characteristics consistent with those on the primary façade as required in TMC§1109.0204 & 1109.0205. While the other façades come closer to compliance with the section, they are still missing some variation in massing. As stated in TMC§1109.0205(B)(3), building design that is based on a standardized formula associated with a business or franchise shall be modified if necessary to meet the Design Standards. The proposed building is clearly based upon a standardized formula which has been superimposed onto the site and it is unresponsive to its context near residential apartments in the neighborhood’s park-like setting. The proposal does not meet the stated purpose of these design standards. Revised building elevations shall be submitted in compliance with TMC§1109.0204 & 1109.0205 and listed as a condition in Exhibit “A”.

TMC§1109.0500 *Building façade materials and color* establishes building material standards which apply to all facades that are visible from the right-of-way. Building color standards apply to all exterior elevations regardless of right-of-way visibility. The submitted materials and color on the main structure complies with TMC§1109.0500.

**STAFF ANALYSIS (cont'd)**

Traffic Impact

The Division of Traffic Management objects to the approval of this application, stating:

*“This development is too aggressive for this location. The amount of traffic that will be generated will exacerbate the traffic flow on an area that is already struggling. The proposed signal does not fit into spacing requirements needed to handle the anticipated queueing that will be generated on Monroe Street (Queueing from both Sylvania & Secor will back up through proposed signal). A field verification showed that existing queueing back up through drive location without added site traffic.”*

Although the division of Traffic Management objects to the approval of this application, they have provided a list of conditions in exhibit “A”.

Vision Zero Plan

The Toledo Vision Zero Plan is a holistic strategy adopted by City Council on 4/18/2023 (R-183-23) that seeks to eliminate avoidable loss of life by promoting health, safety, and mobility equity. In it, the City of Toledo pledges to reduce roadway fatalities and serious injuries to zero by 2031, focusing first on people who walk, bike, and use transit. Monroe Street and Secor Road in this location are shown on the plan as high injury network streets. As stated in the Plan, the City should prioritize projects that impact safety outcomes on High Injury Network streets, especially in regard to lowering speed limits and design speeds, creating safe crossings for people walking, and improving the visibility for all travelers. The proposed gas station will exacerbate the traffic problems on Monroe and Secor and likely lead to further roadway fatalities and serious injuries. This request is counter to the Toledo Vision Zero Plan and it is counter to the City’s associated pledge.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Plan Future Land Use Map targets this site for Institutional Campus land uses. The intent of the Institutional Campus designation is to accommodate large institutional uses in campus-like settings, such as hospitals, schools, and colleges. When the Toledo 20/20 plan was adopted, this site was part of the Notre Dame Academy Campus. While the property is no longer part of this campus, its park-like residential setting surrounded by traditional commercial development is a unique feature which should be preserved. The proposed development, while making an effort to preserve some trees to the northwest, would severally reduce the number of existing trees which contribute heavily to its park-like setting. Further, the proposed use is not compatible within the park-like/campus-like setting. The request is not consistent with the Institutional Campus designation and it is not consistent with the Toledo 20/20 Comprehensive Plan.

**STAFF ANALYSIS (cont'd)**

**Forward Toledo Comprehensive Land Use Plan**

The Forward Toledo Plan Future Land Use Map targets this site for Neighborhood Mixed-Use land uses. The intent of the Neighborhood Mixed-Use designation is to preserve and promote pedestrian-oriented development with commercial and mixed-use areas. Pedestrian connectivity should be prioritized and individual parking lots for single commercial uses are strongly discouraged. Auto-oriented uses such as car washes and gas stations are specifically listed as not compatible, meaning the proposed auto-oriented gas station is not consistent with the Neighborhood Mixed-Use designation and it is not consistent with the Draft Forward Toledo Comprehensive Land Use Plan.

Staff recommends disapproval of the proposed Special Use Permit because the proposed use is not compatible with adjacent uses to the west and south. Additionally, staff is recommending disapproval because the Division of Traffic Management has objected to the proposed development. Finally, the proposed use is not consistent the current 20/20 Comprehensive Plan and the Draft Forward Toledo Plan. Although staff is recommending disapproval, agency conditions are attached to this report as Exhibit "A" for reference purposes.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend disapproval of SUP-5009-24, a Special Use Permit for a new gas station at 3837 Secor Road, to the Toledo City Council, for the following five (5) reasons:

1. The proposed use does not meet the stated purpose of the Zoning Code (TMC§1111.0706(A)); and,
2. The Division of Traffic Management has objected to the proposed development; and,
3. The proposed use is incompatible with adjacent uses in terms of site design (TMC§1111.0706(C)); and,
4. City-owned transportation infrastructure will not be able to provide sufficient public safety and transportation services to the proposed use while maintaining sufficient levels of service for existing development (TMC§1111.0706(E)); and,
5. The proposed use is not consistent with the 20/20 Comprehensive Plan, the Draft Forward Toledo Plan, and the Toledo Vision Zero Plan.

REF: SUP-5009-24...August 8, 2024

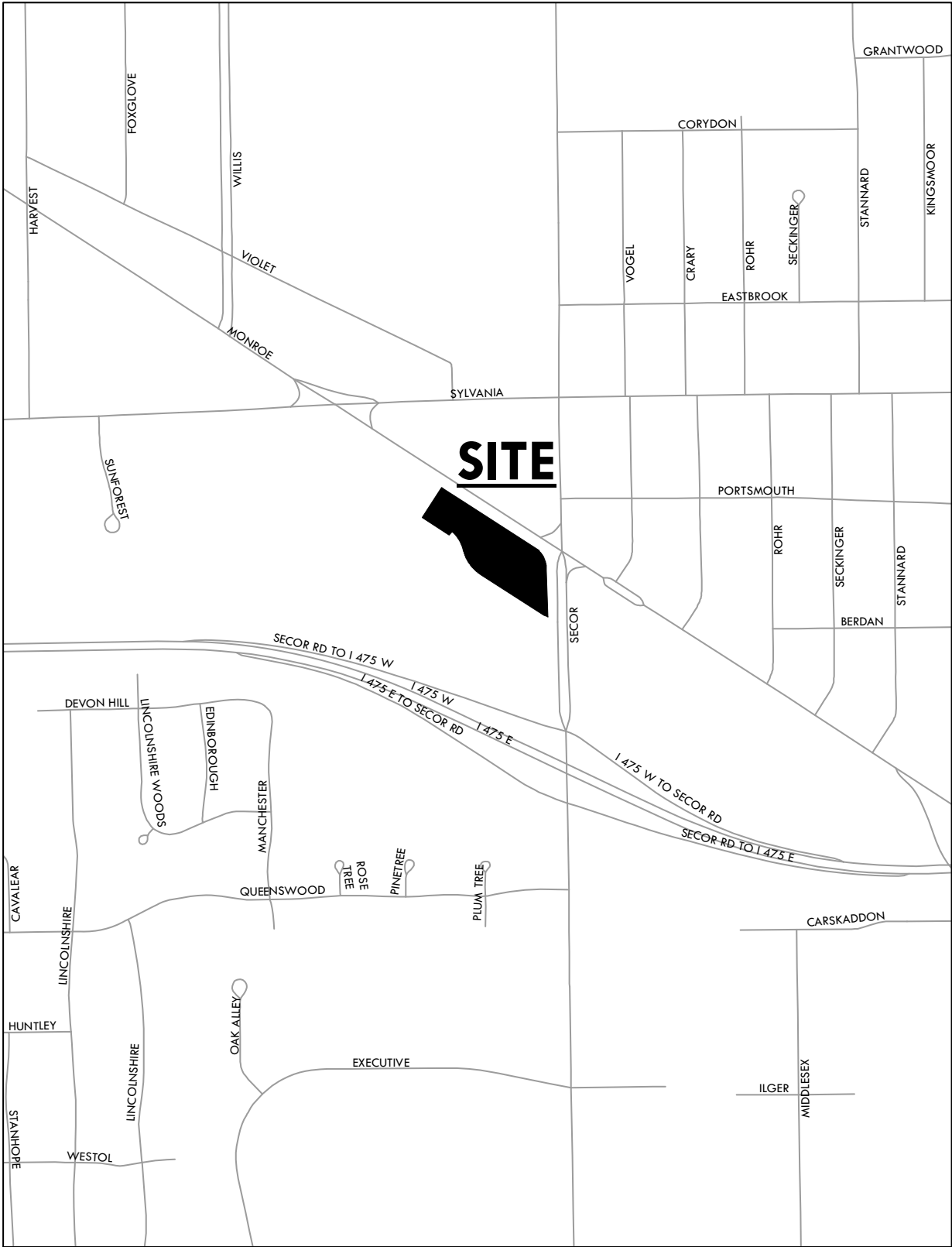
SPECIAL USE PERMIT  
TOLEDO CITY PLAN COMMISSION  
REF: SUP-5009-24  
DATE: August 8, 2024  
TIME: 2:00 P.M.

CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: September 10, 2024  
TIME: 4:00 P.M.

AS  
Nine (9) sketches & Exhibit “A” follow

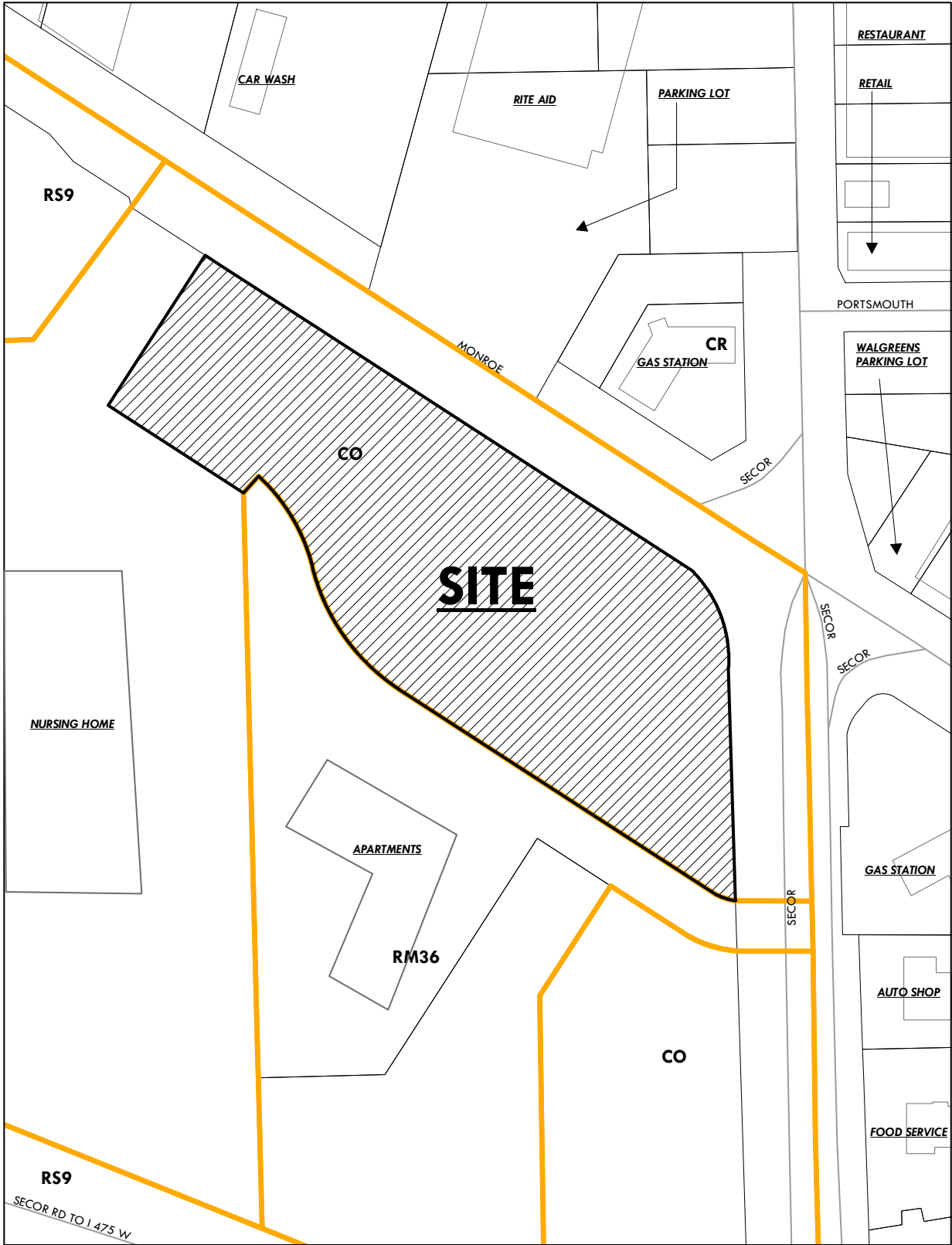
GENERAL LOCATION

SUP-5009-24  
ID 78



**ZONING & LAND USE**

**SUP-5009-24**  
**ID 78**





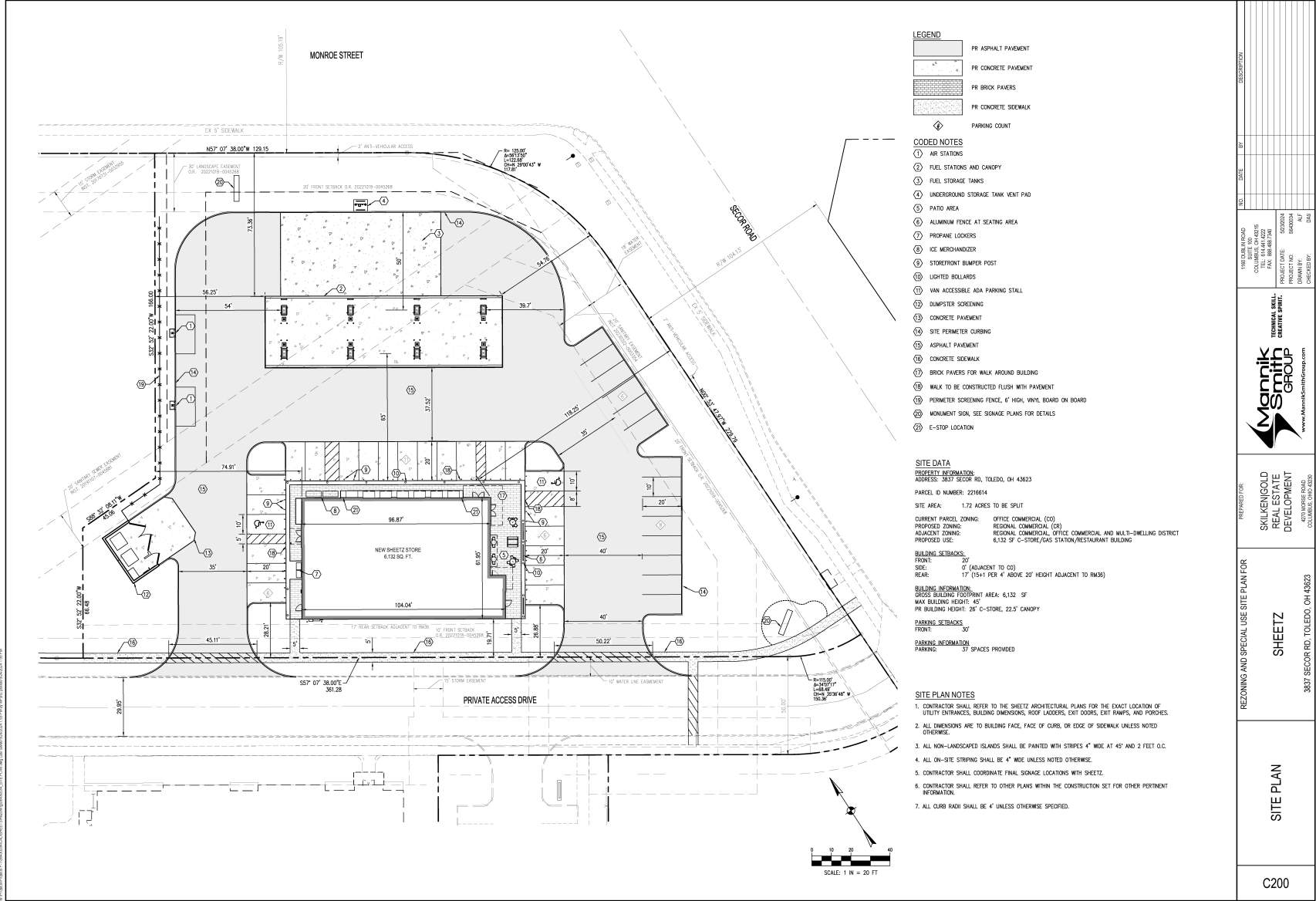
# MASTER PLAN

SUP-5009-24  
ID 78



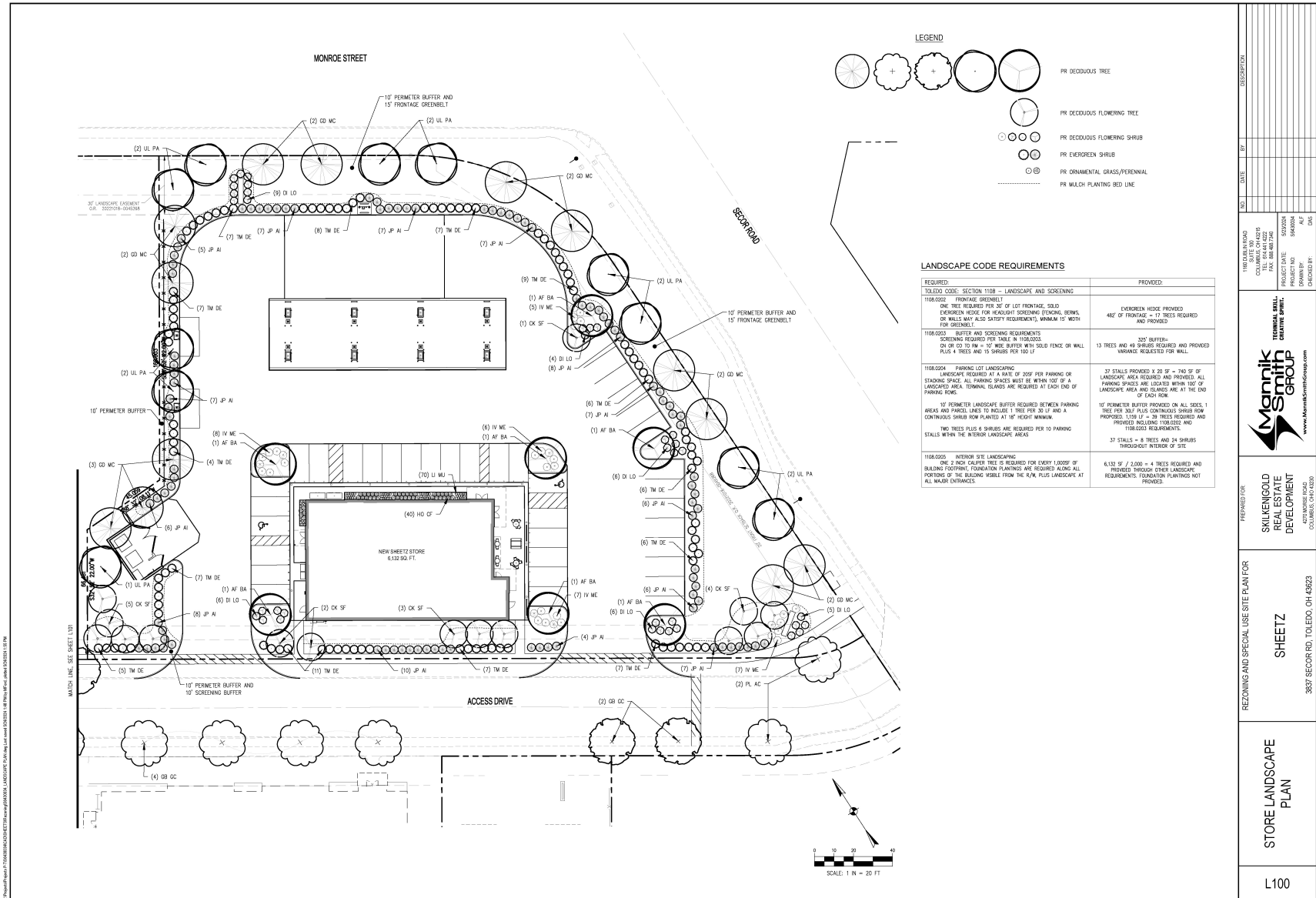
SITE PLAN

SUP-5009-24  
ID 78



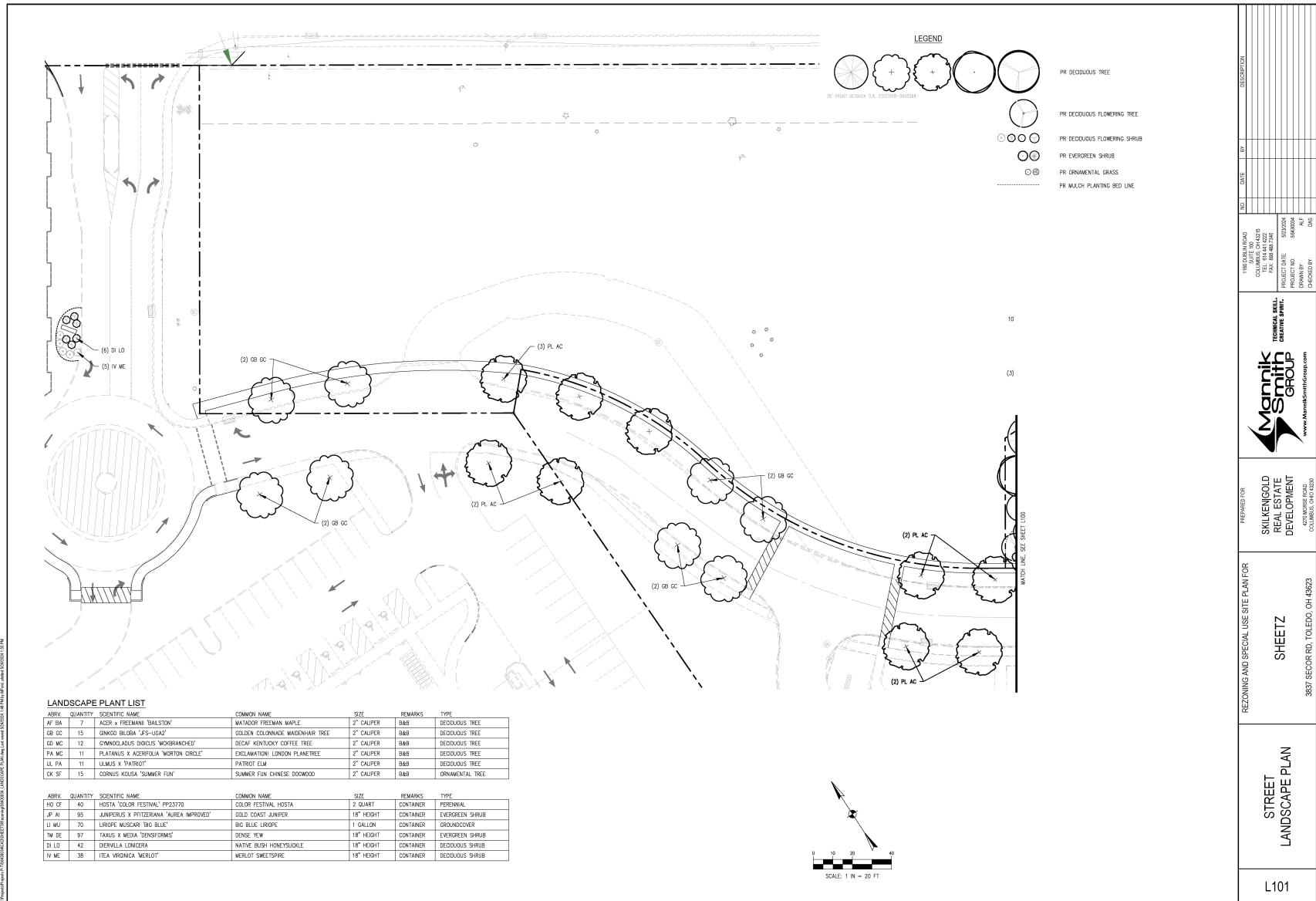
# STORE LANDSCAPE PLAN

**SUP-5009-24**  
ID 78



# STREET LANDSCAPE PLAN

**SUP-5009-24**  
**ID 78**





## 12 - 15

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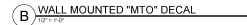
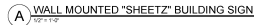
• ALL LIGHTS SHOWN ABOVE AND/OR BELOW DOORS OR WINDOWS ARE TO BE CENTERED ON THE DOOR OR WINDOW UNLESS NOTED OTHERWISE.

- FIXTURES/EQUIPMENT BETWEEN TWO DOORS OR WINDOWS ARE TO BE CENTERED EQUALLY.
- EXTERIOR SEALANT FOR STONE SHALL COMPLY WITH SECTION 07 900 JOINT SEALANTS, GENERAL BUILDING FASCIAE WEATHER SEALANT AND SHALL MATCH THE COLOR OF THE STORE.

② CAST STONE SILL, COLOR: CRAB ORCHARD. SEE MASONRY SPEC

- 

2 LEFT ELEVATION  
164° = 1° 0'

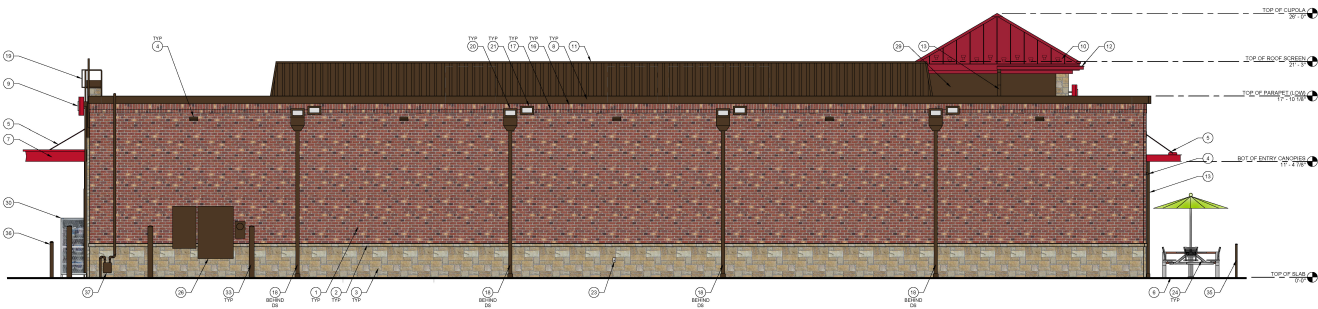


## A200

# PRELIMINARY ELEVATIONS

REAR & RIGHT ELEVATIONS

SUP-5009-24  
ID 78



3 REAR ELEVATION  
1/8" = 1'-0"

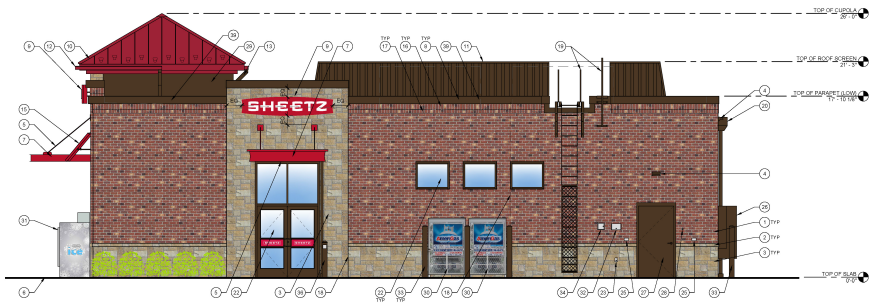
TYPICAL EXTERIOR ELEVATION NOTES:

- ALL LIGHTS SHOWN ABOVE DOORS OR WINDOWS ARE TO BE ORDERED ON THE DOOR OR WINDOW UNLESS NOTED OTHERWISE.

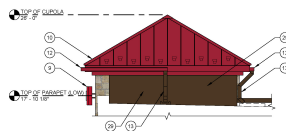
- FIXTURES/EQUIPMENT BETWEEN TWO DOORS OR WINDOWS ARE TO BE CENTERED EQUALLY.
- EXTERIOR SEALANT FOR STONE SHALL COMPLY WITH SECTION OF MSS JOINT SEALANTS. ORIGINAL BUILDING PACKAGE MATERIALS SHALL MATCH THE COLOR OF THE STONE.

EXTERIOR ELEVATION KEYNOTES:

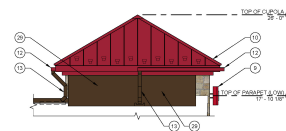
- BRICK VENEER, COLOR: 885 BY CONTINENTAL BRICK COMPANY. SEE MASONRY SPEC.
- CAST STONE SILL, COLOR: CRAB ORCHARD. SEE MASONRY SPEC.
- ANCHORED CAST STONE MASONRY VENEER, COLOR: CRAB ORCHARD. SEE MASONRY SPEC.
- EXTERIOR LIGHT FIXTURE, REFER TO ELECTRICAL DRAWINGS.
- ARCHITECTURAL CANYON, COLOR: REGAL RED, PREMIUM TWO-COAT FINISH. REFER.
- BRICK PAVER WALKWAY.
- LIGHTED CURVED PARADA CANOPY ATTACHMENT.
- METAL CORNING, COLOR: DARK BRONZE.
- WALL MOUNTED BUILDING SIGN, SEE SHEET A203.
- STANDING SEAM METAL ROOF, COLOR: BRITTE RED.
- ROOF EQUIPMENT SCREEN, COLOR: DARK BRONZE.
- OUTTER, COLOR: TO MATCH CUPOLA COLOR.
- DOWNPOUT, COLOR: DARK BRONZE.
- DRIVE THRU WINDOW (IF APPLICABLE).
- METAL STANDING SEAM SHED STYLE AWNING AND FRAME ASSEMBLY, ROOF COLOR: BRITTE RED, FRAME COLOR: DARK BRONZE.
- BRICK SOLID COURSE, COLOR: 885 BY CONTINENTAL BRICK COMPANY. SEE MASONRY SPEC.
- BRICK RIBBON COURSE, COLOR: 885 BY CONTINENTAL BRICK COMPANY. SEE MASONRY SPEC.
- CONTROL JOINT, SEE MASONRY SPEC.
- STEEL ROOF LADDER AND GRABY POST, COLOR: DARK BRONZE.
- STANDARD THROUGH WALL BOLTER WITH CONDUCTOR HEAD & DOWNPOUT, COLOR: DARK BRONZE.
- OVERSLOW SCUPPER.
- ALUMINUM STOREFRONT SYSTEM, SEE A203.
- EXTERIOR HOSE BIB, REFER TO PLUMBING DRAWINGS.
- OUTDOOR FURNITURE.
- ELECTRICAL RECEPTACLE, REFER TO ELECTRICAL DRAWINGS.
- ELECTRICAL EQUIPMENT, REFER TO ELECTRICAL DRAWINGS.
- W/DOOR AND FRAME, COLOR: DARK BRONZE.
- EMERGENCY WATER CONNECTION, REFER TO PLUMBING DRAWINGS.
- SHOWER ALUM PANEL SYSTEM WITH EXPOSED FASTENERS, COLOR: DARK BRONZE.
- PROPANE LOCKER.
- ICE MERCHANTS.
- W/ FILLPORT.
- W/ FILLPORT, COLOR: DARK BRONZE.
- ICE FILLPORT.
- DECORATIVE ALUMINUM FENCE, COLOR: DARK BRONZE.
- AUTOMATIC DOOR PUSH PLATE AND BOLLARD, BOLLARD COLOR: DARK BRONZE.
- GAS METER AND RISER, REFER TO CIVIL UTILITY PLAN, COLOR: DARK BRONZE.
- MTO GRAPHIC DECAL, SEE SHEET A203.
- LIGHT CHANNEL AT PARAPET CORNER, SEE ARCHITECTURAL AND ELECTRICAL DRAWINGS FOR MORE INFORMATION.



4 RIGHT ELEVATION  
1/8" = 1'-0"



5 CUPOLA ELEVATION FROM ROOF  
1/8" = 1'-0"



6 CUPOLA ELEVATION FROM ROOF  
1/8" = 1'-0"

Convenience Architecture  
and Design P.C.  
351 Sheetz Way, Claysburg, PA 16825  
phone (814) 299-8013  
email toloribug@sheetz.com  
web site www.sheetz.com

PROJECT NAME:  
NEW SHEETZ STORE

TOLEDO  
SECOR RD.

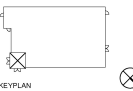
Int. of Secor Road  
and Monroe Street  
Toledo, OH

OWNER:  
SHEETZ, INC.

5700 SIXTH AVE.  
ALTOONA, PA 16602

CONSULTANT

PROFESSIONAL



DATE	DESCRIPTION
05.10.2024	ISSUE
214433	SITE ID NO.
DLR	AUTHOR BY
RJM	REVIEW BY
81325_v1.8	VERSION

EXTERIOR  
ELEVATIONS

A201

PRELIMINARY ELEVATIONS

## 12-17

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## AWNING

**Exhibit “A”**  
Agency Conditions

The following **fifty-five (55)** 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. 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.
5. A review and approval of a full stormwater submittal is required, which requires multiple items:
  - a. Items are listed in the regional SWP3 submittal coversheet: <https://tmacog.org/water/stormwater/stormwater-pollution-prevention-plan-swp3>. A version for use in Toledo has been provided to the SWP3 designer for this proposal.
  - b. Plans according to the 2014 Infrastructure Requirements document found in the drop down menu on this page: <https://toledo.oh.gov/business/how-to-build-in-the-city/building-inspection-permits>.
6. Following the stormwater review, additional items are need for Toledo’s approval:
  - a. As listed on the regional SWP3 submittal coversheet (stage 2). The signed agreement (2.c.) will be through a covenant which will need to be recorded.
  - b. Fee and Toledo Licensed Sewer Contractor for the sewer construction permit.
  - c. Construction inspection and completion of obligations in the stormwater permit.



Engineering Services (cont'd)

7. 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.'
8. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
9. A single sanitary tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.
10. Any existing sewers under proposed buildings shall be relocated or abandoned. Developer shall verify any sewers to be abandoned are no longer in service.
11. All sanitary sewer manholes in the project area shall have solid lids installed on them.

Water Distribution

12. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
13. Plans must be submitted to Fire Prevention ([rex.butler@toledo.oh.gov](mailto:rex.butler@toledo.oh.gov), 419.936.2008) for review and approval.
14. The water meter setting detail, including meter bypass (if applicable) and backflow preventer, shall be submitted to the City of Toledo Backflow Prevention Coordinator, 401 S Erie Street, Toledo, OH 43604 for review and approval. Approval of site utility plan is contingent on approval of meter setting and backflow preventer.
15. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with [BSIonlinetracking.com](http://BSIonlinetracking.com) @ (800) 414-4990. Contact the Division of Water Distribution (419-392-2032) to verify the backflow prevention requirements for the site.

Water Distribution (cont'd)

16. Existing water service lines to structures removed from the site will be abandoned by the City of Toledo at the developer's expense.
17. Submit detailed site utility plans showing water feature sizes and distances:
  - a. Maintain 18" vertical clearance between proposed water main and proposed storm sewers.
  - b. Include callouts for any new taps by the City of Toledo or tees by the contractor; Include waterline distances and sizes.

Division of Sewer & Drainage Services

18. S&DS requires that all existing private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
19. S&DS requires that the existing private sanitary lines (after they have been 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.

Division of Environmental Services

20. 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.
21. 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.
22. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
23. Applicant is strongly encouraged to include multiple green infra-structure measures to minimize runoff and increase infiltration, and to minimize amount of new and/or additional impervious surface on site.

Division of Environmental Services (cont'd)

24. 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](https://www.oipc.info/uploads/5/8/6/5/58652481/alternatives_to_ohio_invasive_plant_species.pdf)
25. 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

26. The proposed new building will require compliance with all applicable Building, Fire, Electrical, Mechanical and Plumbing code requirements. (OBC105.1 & 101.4)
27. New and existing buildings shall be provided with approved address identification that meets Building & Fire Code requirements. (OBC 501.2 & OFC 505.1)
28. 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)
29. 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.
30. Fire Safety during construction / remodeling **shall** comply with the applicable requirements of the Building and Fire Codes. (OBC & OFC Chapter 33)
31. A fire safety inspection is required prior to occupancy. (OFC105.3.3.2)

Division of Transportation

32. Bicycle parking is required per TMC§1107.0900.
33. Gas pump stacking is required to be shown per TMC§1107.1601.
34. Accessible parking signage is required to be shown and must comply with TMC§1107.1704
35. Gas pumps must be moved 3' to the northeast to allow room for a two-way drive aisle with the gas pump stacking per TMC§1109.1911 (25' drive aisle is required for two-way traffic).
36. A smaller radius of the parking lot northeast of the gas pumps is required to prevent a pinch point of traffic flow.

Plan Commission

37. Approval of companion case Z-5008-24, a Zone Change from CO (Office Commercial) to CR (Regional Commercial) at 3837 Secor Road.
38. Free air (with the capability of filling standard automobile tires), water, and restrooms shall be provided and maintained during operating hours.
39. Off-street parking shall be provided pursuant to Off-Street Parking Schedule "A," (TMC§1107.0304). A total of thirty (30) parking spaces are required for this site. The submitted site plan shows forty-five (45) parking spaces. The site may not provide more than forty-five (45) parking spaces (150% of minimum). **Acceptable as depicted.**
40. 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. **Not acceptable as depicted. Five bicycle parking spaces required.**
41. Bicycle parking must be well-lighted, paved, and drained to be reasonably free of mud, dust, and standing water. Any proposed walkways from provided bicycle parking to the principal 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.
42. 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 and one (1) car accessible space with five-foot (5') drive aisles are required. **Acceptable as depicted.**
43. 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.
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 twenty-foot (20') front yard setback shall be provided along the private access drive. **Not acceptable as depicted. A revised landscaping plan shall be submitted depicting the twenty-foot (20') front yard setback along the private drive.**
  - b. Stacking spaces required by TMC§1107.1600 *Vehicle stacking areas* shall be depicted. Stacking spaces shall show compliance with TMC§1107.1600. **Not acceptable as depicted.**

Plan Commission (cont'd)

- c. A thirty-foot (30') landscape easement shall be shown identical to the landscape easement shown on the Secor Crossings Plat. Said landscape easement shall be extensively landscaped adhering to the provisions of TMC§1108.0202 *Frontage Greenbelt*. The landscape easement may not contain off-street parking facilities, including vehicular drives and maneuvering areas. **Not acceptable as depicted. The thirty-foot (30') landscape easement shall be shown and the off-street parking area must not encroach upon said easement.**
- d. A frontage greenbelt is required along Monroe Street, Secor Road, and the private access drive to the south. At least one tree must be provided for every 30 feet 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. **Acceptable as depicted.**
- e. 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 ten (10) trees and thirty (30) shrubs are required for this site. **Not acceptable as depicted. Two additional trees required and shall be shown on a revised landscaping plan.**
- f. One 2-inch caliper tree for every 1,000 square feet of building coverage shall be required. Seven (7) trees are required for this site. **Acceptable as depicted.**
- g. 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 provided along eastern and southern façades and shown on a revised landscaping plan.**
- h. Topsoil must be back filled to provide positive drainage of the landscape areas.
- i. 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.
- j. 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.
- k. 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;
- l. The location, height and materials for any fencing to be installed and maintained.

Plan Commission (cont'd)

- m. Because the site is greater than ½ 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.
  - n. The location and direction of any proposed lighting. **Lighting is to be directed away from adjacent residential properties.**
45. Updated building elevations shall be submitted to the Plan Director for review and approval. Such elevations shall include the following updates:
- a. Northern or “front” elevation shall add additional variation to avoid the effect of a single, long or massive wall with no relation to human size. **Variation shall be visually established by changes in the wall plane (4” minimum variation) and/or changes in texture of masonry pattern, and/or changes in the roof and parapet form.**
  - b. Southern or “rear” elevation shall be redesigned to be responsive to its context and meet the provisions of TMC§1109.0205 *Building Design Standards*. **Not acceptable as depicted.**
  - c. The building design shall provide a well-defined top by using features such as distinct and multiple architectural roof forms, clearly pronounced eaves, and/or distinct parapet designs and cornice treatments. **Not acceptable as depicted on southern or “rear” elevation.**
  - d. Canopy support columns shall receive a brick or stone finish compatible with the principal building spanning the entire column up to the canopy. **Not acceptable as depicted.**
  - e. Building elevations shall meet the building material and color standards in TMC§1109.0500 *Building facade materials and color*. **Acceptable as depicted.**
46. A pedestrian walkway plan showing compliance with TMC§1109.0204 *Connecting walkways* shall be submitted to the Plan Director for review and approval. Such plan shall include:
- a. A 5-foot-wide connecting walkway shall be provided from at least one main entrance to the intersection of Monroe Street and Secor Road without requiring pedestrians to walk around buildings or around parking lot outlines which are not aligned to a logical route. **Not acceptable as depicted. A revised site plan shall be submitted depicting a connecting walkway to the intersection of Monroe and Secor.**

Plan Commission (cont'd)

- b. All internal pedestrian walkways that cross parking aisles or driveways shall be distinguished from driving surfaces through the use of durable, low-maintenance surface materials such as pavers, bricks, scored concrete or scored and painted asphalt to enhance pedestrian safety and comfort. Raised walkways may be installed if elevated 6 inches with tapered side slopes and meet ADA standards
- 47. Monument Signs shall comply with TMC§1113.0405(J). **Not acceptable as depicted on submitted sign plans/elevations. Support poles under “Sheetz” logo may not be visible. A revised sign elevation shall be submitted in compliance with TMC§1113.0405(J).**
- 48. Applicant shall obtain appropriate permits for any proposed signage.
- 49. Should charging stations for electric vehicles be provided, they shall meet the requirements of TMC§1105.1300.
- 50. Two (2) speed tables shall be required on the private access drive. Locations shall be approved by the Division of Traffic Management and the Director of the Toledo City Plan Commission. **Not acceptable as depicted. Speed tables in approved locations shall be depicted on a revised site plan.**
- 51. The hours of operation shall be limited to 6:00 a.m. to 11:00 p.m.
- 52. 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.
- 53. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
- 54. 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.
- 55. 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.