TOLEDO - LUCAS COUNTY PLAN COMMISSIONS
One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

DATE: February 14, 2025
REF: SUP24-00141

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 Tobacco Shop at 3015 Glendale Avenue

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

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for Tobacco Shop
Location	-	3015 Glendale Avenue
Applicant	-	Morad Nagi Moes Smokes 1323 Oak Hill Court, Apt 151 Toledo, OH 43614
Owner	-	HAT #1, LLC 7150 W Central Avenue, Suite 200 Toledo, OH 43617

Site Description

Zoning	-	CR-SO / Regional Commercial – Shopping Center Sign Control Overlay
Area	-	±5.4 acres
Frontage	-	±237.20' along Schneider Road
Existing Use	-	Regional Shopping Center
Proposed Use	-	Tobacco Shop within Regional Shopping Center

Area Description

North	-	CR-SO / Out-lot Restaurant, Shopping Center
South	-	RS6 / Schneider Road, Single-Dwelling Homes
East	-	CR-SO / Walmart
West	-	CR-SO / Vacant (Future Self-Storage Facility)

GENERAL INFORMATION (cont'd)

Parcel History

M-9-58	-	Interim Zoning for area annexed to the City of Toledo (P.C. approved 5/1/58)
Z-11004-00	-	Request for zone change from R-2 and M-2 to C-4 (P.C. approved 3/8/01; Council approved 7/14/01, Ord. 380-01)
S-20-01	-	Preliminary Drawing Review for TOLEDO COMMONS (P.C. approved 11/8/01)
Z-2006-02	-	Amend C-4 Site Plan for TOLEDO COMMONS Lot 1, for Tim Horton's Restaurant (P.C. approved 4/11/02; Council approved 6/4/02, Ord. 478-02)
Z-2007-02	-	Amend C-4 Site Plan for TOLEDO COMMONS Lot 4, for Ruby Tuesdays Restaurant (P.C. approved 4/11/02; Council approved 6/4/02, Ord. 477-02)
Z-9001-02	-	Amend C-4 Site Plan for TOLEDO COMMONS Lot 3, for Bob Evans Restaurant (P.C. disapproved 12/5/02; Council approved 1/13/04, Ord. 35-04)
Z-1001-04	-	Amend C-4 Site Plan for TOLEDO COMMONS Lot 5, for Applebee's Restaurant (P.C. approved 3/11/04; Council disapproved 8/11/04; Council approved LED lighting 5/4/04, Ord. 283-04)
Z-2002-04	-	Major amendment to C-4 Site Plan for TOLEDO COMMONS (P.C. approved 4/8/04; Council approved 6/1/04, Ord. 357-04)
Z-4011-04	-	Amend C-4 Site Plan for TOLEDO COMMONS for additional signage for Lot 5 (P.C. denied 6/22/04; Council approved 8/24/04, Ord. 578-04)
SPR-15-05	-	Amend CR-SO Site Plan for TOLEDO COMMONS to facilitate small expansion of tenant space "A" (Administratively approved 4/11/05)
SPR-19-06	-	Major Site Plan Review for building expansion (P.C. approved 6/8/6)

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

SPR-1-10 - Major Site Plan Review for additional signage in a shopping center overlay district (P.C. disapproved 3/11/10)

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 for a tobacco shop at 3015 Glendale Avenue. The ±5.4-acre site is located within the Toledo Commons shopping center. The applicant intends to use a tenant space within the shopping center, which is zoned CR-SO (Regional Commercial – Shopping Center Sign Control Overlay). A Special Use Permit is required for tobacco shops in CR zoning districts. To the north of the site are out-lots in the Toledo Commons shopping center, to the south of the site is Schneider Road and single-dwelling homes, to the east is Walmart, and to the west is a vacant parcel to be developed as a self-storage facility.

The applicant intends to move the proposed Tobacco Shop to a different tenant space in the shopping center. An updated site plan showing the new tenant space was received after the publication of this analysis. It has been attached.

Tobacco Shops

Tobacco shops are not permitted within 500 feet of any school, public park, public library, child day care center, or other use established specifically for the activities of minors. Plan Commission records do not indicate any of these uses within 500 feet of the proposed tobacco shop.

Parking and Circulation

The reuse of a single unit in a multi-tenant space does not typically require significant site improvements; however, bicycle parking shall be added to this portion of the shopping center. TMC§1107.0300 requires a minimum of one (1) bicycle parking space per ten (10) vehicle parking spaces. The submitted site plan shows two-hundred-twenty-six (226) parking spaces on the subject site. As such, a minimum of twenty-three (23) bicycle parking spaces shall be added to the subject site. This has been listed as a condition of approval.

Landscaping

The reuse of a single unit in a multi-tenant space does not typically require significant site improvements. However, a previous approval for this shopping center, SPR-15-05, required a detailed landscaping plan be submitted to the Plan Director for review and approval. This landscaping plan was never submitted but was required to include twenty (20) square feet of interior landscaping per parking space. All parking spaces were required to be within one-hundred

STAFF ANALYSIS (cont'd)

Landscaping (cont'd)

feet (100') of a landscape area and interior landscaped areas were required to contain two (2) canopy trees and six (6) shrubs for each ten (10) parking spaces. Using the submitted site plan, forty-two (42) trees and one-hundred-twenty-six (126) shrubs within four-thousand-two-hundred-sixty (4,260) square feet of landscaping were required. The site currently contains three (3) trees and nineteen (19) shrubs within around thirty-six (36) square feet of landscaping. Staff does not believe full compliance with the requirements of SPR-15-05 is within the scope of this SUP approval; however, some compliance will be required. Specifically, the applicant and/or landlord will be required to install one (1) landscaping island per parking row, ensuring all parking spaces are within one-hundred linear feet (100') of a landscaping island as a condition of approval. All landscape islands, new and existing, will be required to contain at least two (2) canopy trees per island as another condition of approval. These conditions are similar to other development approval requirements levied for other property owners within the Toledo Commons Shopping Plaza.

Signs

Per TMC§1113.0700, if the premises on which a legally nonconforming sign is located undergoes a Plan Commission review, including this Special Use Permit, any nonconforming signage on the premises shall be brought into full compliance with the Sign Code as a part of the review and approval process. The landlord shall ensure window signage and other obstructions occupy no more than twenty-five percent (25%) of the total cumulative window area along each tenant's building façade.

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan targets this site for General Commercial land uses. Designations in the plan have three components which must be evaluated for compatibility: physical design, land uses, and geographic characteristics. The General Commercial land use designation provides space for auto-oriented and large-scale commercial operations which may also cater to regional demand. Parking should be shared between large commercial anchors and smaller commercial users with adequate landscaping and open space. The proposed special use permit is compatible with the Forward Toledo plan as the proposed tobacco shop is a smaller commercial user which shares parking with a large commercial anchor and reuses a vacant commercial tenant space.

Staff recommends approval of the requested Special Use Permit because it meets the stated purpose off the zoning code and the proposed use is compatible with adjacent land uses.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP24-00141, a Special Use Permit for a tobacco shop at 3015 Glendale Avenue, to the Toledo City Council, for the following two (2) reasons:

PLAN COMMISSION RECOMMENDATION (cont'd)

1. The proposed use meets the stated purpose of the Zoning Code **(TMC§1111.0706(A))**; and;

2. The proposed use is compatible with adjacent land uses **(TMC§1111.0706(B))**.

The Toledo City Plan Commission further recommends approval of SUP24-00141, a Special Use Permit for a tobacco shop at 3015 Glendale Avenue, to the Toledo City Council, subject to the following **eleven (11)** conditions:

Division of Sewer & Drainage Services

1. S&DS requires that all existing private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.

2. 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 Transportation

3. Bicycle parking is required per TMC 1107.0900.

Plan Commission

4. Bicycle parking spaces shall be installed pursuant to TMC§1107.0300. Twenty-three (23) bicycle parking spaces are required. **Not acceptable as depicted. A revised 'final' site plan shall be submitted to the Plan Director for review and approval.**

5. A detailed landscaping plan shall be submitted to the Plan Director for review and approval. Such plan shall include:

    a. One (1) additional landscaping island shall be installed per parking row ensuring all parking spaces are within one-hundred linear feet (100') of a landscaping area. **Not acceptable as depicted. Additional landscape islands shall be depicted on a revised landscaping plan.**

    b. Two (2) canopy trees shall be installed and maintained in each landscape island. **Not acceptable as depicted. Two (2) canopy trees shall be depicted on a revised landscaping plan.**

    c. All landscaped areas must have a minimum dimension of at least nine (9) feet and be at least 160 square feet in area.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

d. 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.

6. Window signage and similar obstructions may not occupy more than 25% of the total cumulative window area along a building façade.

7. Applicant shall obtain appropriate permits for any proposed signage.

8. 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.

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

10. 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.

11. 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

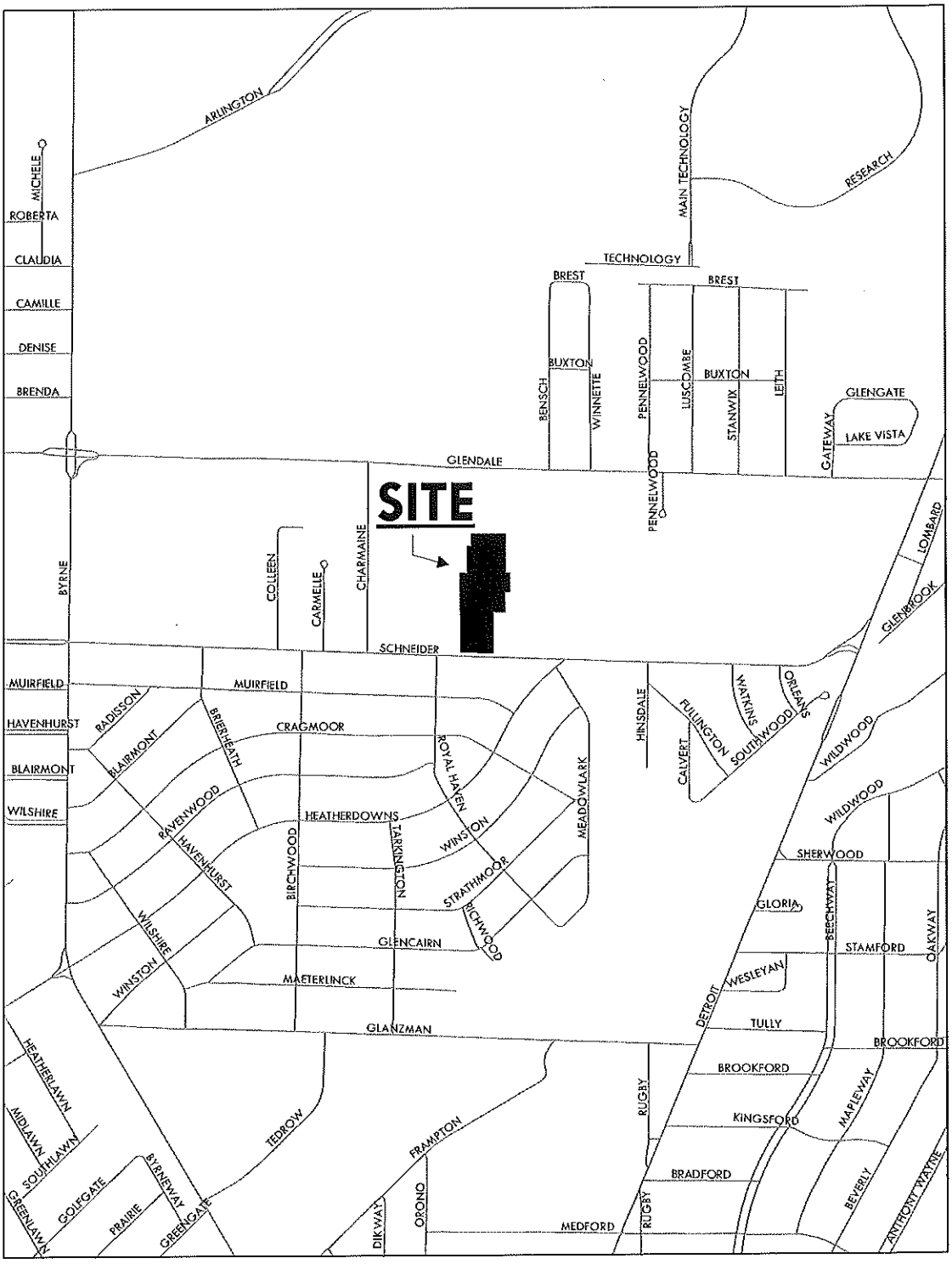
AS
Three (3) sketches follow

Cc: Morad Nagi, Moes Smokes, 1323 Oak Hill Court, Apt 151, Toledo, OH 43614
HAT #1, LLC, 7150 W Central Avenue, Suite 200, Toledo, OH 43617
Lisa Cottrell, Deputy Director
Alex Schultz, Planner

GENERAL LOCATION

SUP24-00141
ID 54

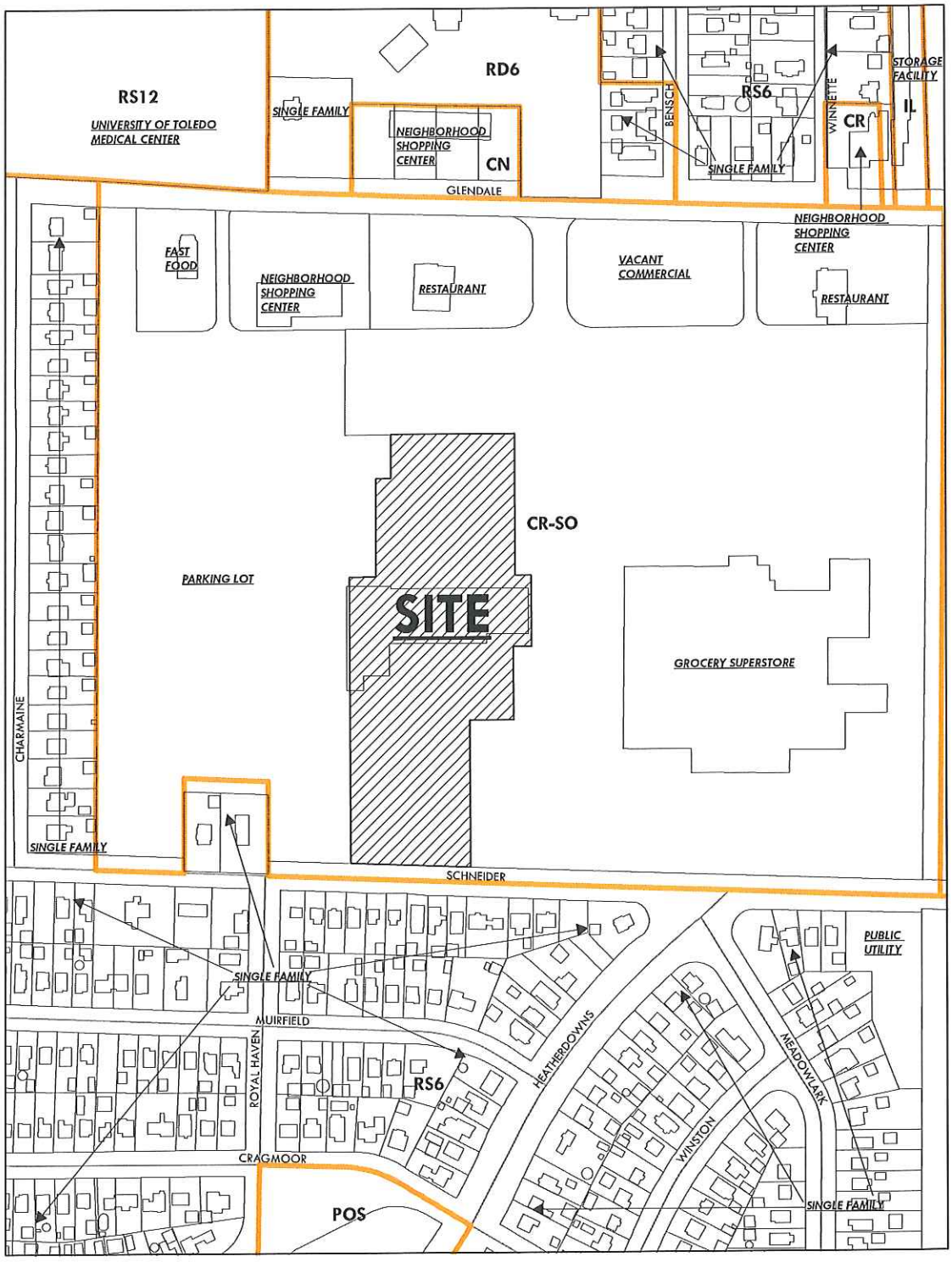
N



ZONING & LAND USE

SUP24-00141
ID 54

N



SITE PLAN

SUP24-00141
ID 54

N

NEW PROPOSED LOCATION FOR:
MOE'S SMOKES TOBACCO & VAPE
3015 GLENDALE AVE, SUITE 400
TOLEDO, OHIO 43614

SITE LOCATION

VICINITY MAP
SCALE: NTS

INDEX

A-1 VICINITY MAP, GENERAL NOTES, MAJOR SITE PLAN

ZONING

ZONED CP: REGIONAL COMMERCIAL

FRONT YARD REQ'D: NONE

REAR YARD REQ'D: NONE EXCEPT WHEN ABUTTING RESIDENTIAL A MINIMUM OF 15' PLUS 1 ADDITIONAL FOOT PER EVERY 4' OF BUILDING HEIGHT ABOVE 20' WITH A MAXIMUM REQUIREMENT OF 50'

SIDE YARD REQ'D: NON EXCEPT WHEN ABUTTING RESIDENTIAL A MINIMUM OF 10' PLUS 1' ADDITIONAL FOOT FOR EVERY 2' OF BUILDING HEIGHT ABOVE 20' WITH A MAXIMUM OF REQUIREMENT OF 20'

BUILDING HEIGHT: 50' MAX.
BUILDING COVERAGE: 80% MAX.

PARKING REQUIREMENTS VARY BASED UPON USE PER TOLEDO MUNICIPAL CODE 1107.0300

SITE ADDRESS

3015 GLENDALE AVE, SUITE 400, TOLEDO, OHIO 43614

DEVELOPER

MAT #1 LLC AN OHIO LIMITED

VARIANCES REQUESTED

THERE ARE NO VARIANCES REQUESTED WITH THIS SITE PLAN

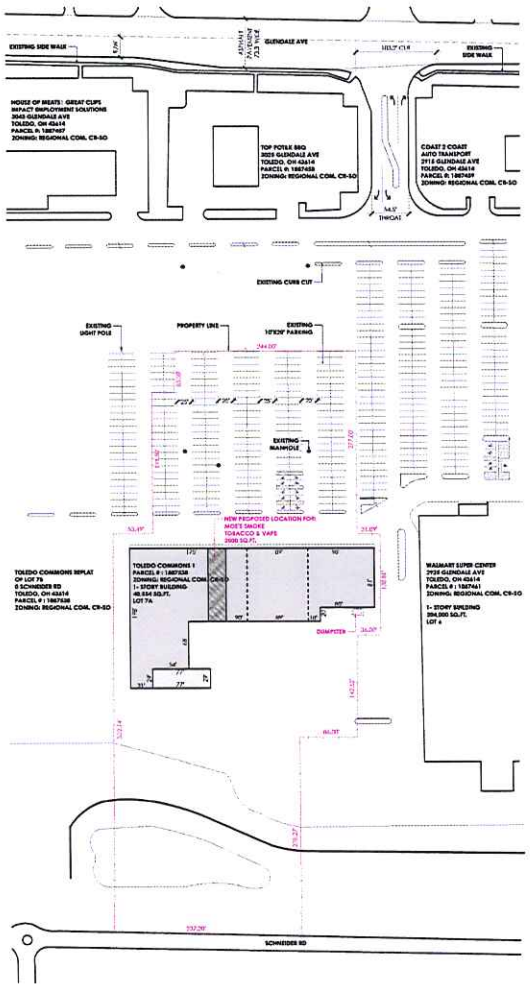
SIGNAGE

MOUNTED ABOVE STORE FRONT

PROPOSED SITE LOCATION
SUITE 400 - STORE FRONT

NOTE

ALL MAJOR SITE PLAN COMPONENTS ARE EXISTING AND NO CHANGES HAVE BEEN MADE.



MAJOR SITE PLAN
SCALE: 1/64" : 1'-0"

Ahmad M. Wehbi
Ahmad M. Wehbi
Toledo, Ohio
2025.02.03
21:48:58-05'00'

NEW PROPOSED LOCATION FOR:
MOE'S SMOKES TOBACCO & VAPE
3015 GLENDALE AVE., SUITE 400
TOLEDO, OHIO 43614

PROJECT TITLE

REVISIONS

NO.	REMARKS	DATE

DRAWN BY	INITIALS MJ/AW	DATE 02/03/2025
CHECKED BY	INITIALS MJ/AW	DATE 02/03/2025

SHEET TITLE

VICINITY MAP
GENERAL NOTES
MAJOR SITE PLAN

DRAWING NUMBER A-1