
**APPLICATION FOR SPECIAL USE PERMIT FOR USED AUTO
SALES**

APPLICATION #: **SUP26-0012**
APPLICANT: David Daoud
OWNER: Maayah Daoud
ADDRESS: 5057 Lewis Avenue
PARCEL(S): 09-81087
ZONING: CR-Regional Commercial
NEIGHBORHOOD: Mayfair Park
REPORT DATE: May 1, 2026
HEARING DATE: May 14, 2026
STAFF REVIEWER: Reising

Details of Special Use Permit Request:

1104.0100 Use Table and 1111.0700 – Special Uses Special Use Permit approval for used auto sales at 5057 Lewis Avenue.

Parcel History

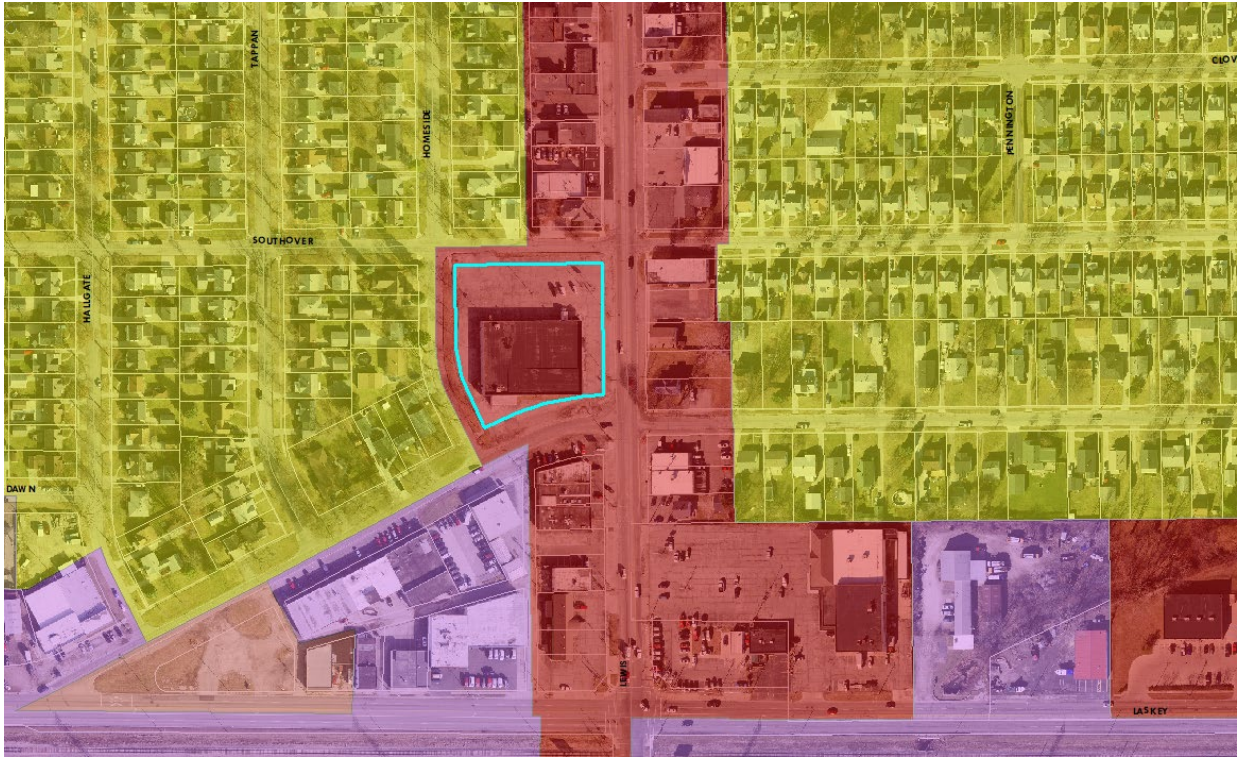
No legible records available. Lucas County Auditor's Office has a record of a twenty-foot (20') alley vacation which was approved October 28, 1955.

Existing Conditions:

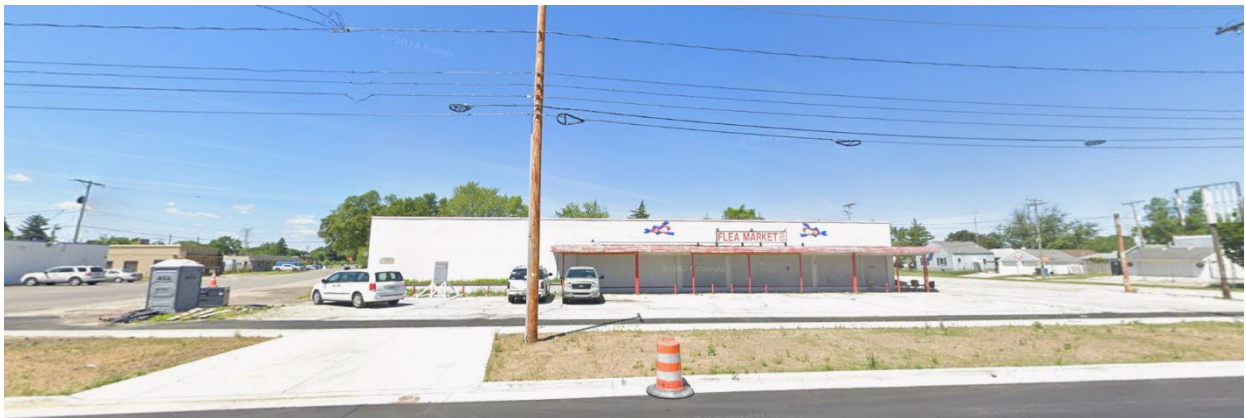
The subject property is Zoned CR-Regional Commercial, and is surrounded by right-of-way on all four (4) sides. A ±20,420 square foot building is on site which was constructed in 1953 as a discount store. The property is surrounded by RS6-Single Family Residential to the north and west, and CR-Regional Commercial to the south and east. IL-Limited Industrial also abuts to the south as well.

Proposed Project:

The applicant wishes to repurpose the existing building for used car sales. All display vehicles will be located inside the structure, and the existing paved area will be used for customer and employee parking. The site is entirely paved, and thirty-nine (39) angled spaces are proposed, with one being an accessible space. No landscaping or façade upgrades are proposed. Staff is recommending approval, subject to conditions. Staff is recommending **approval** of the Special Use Permit.



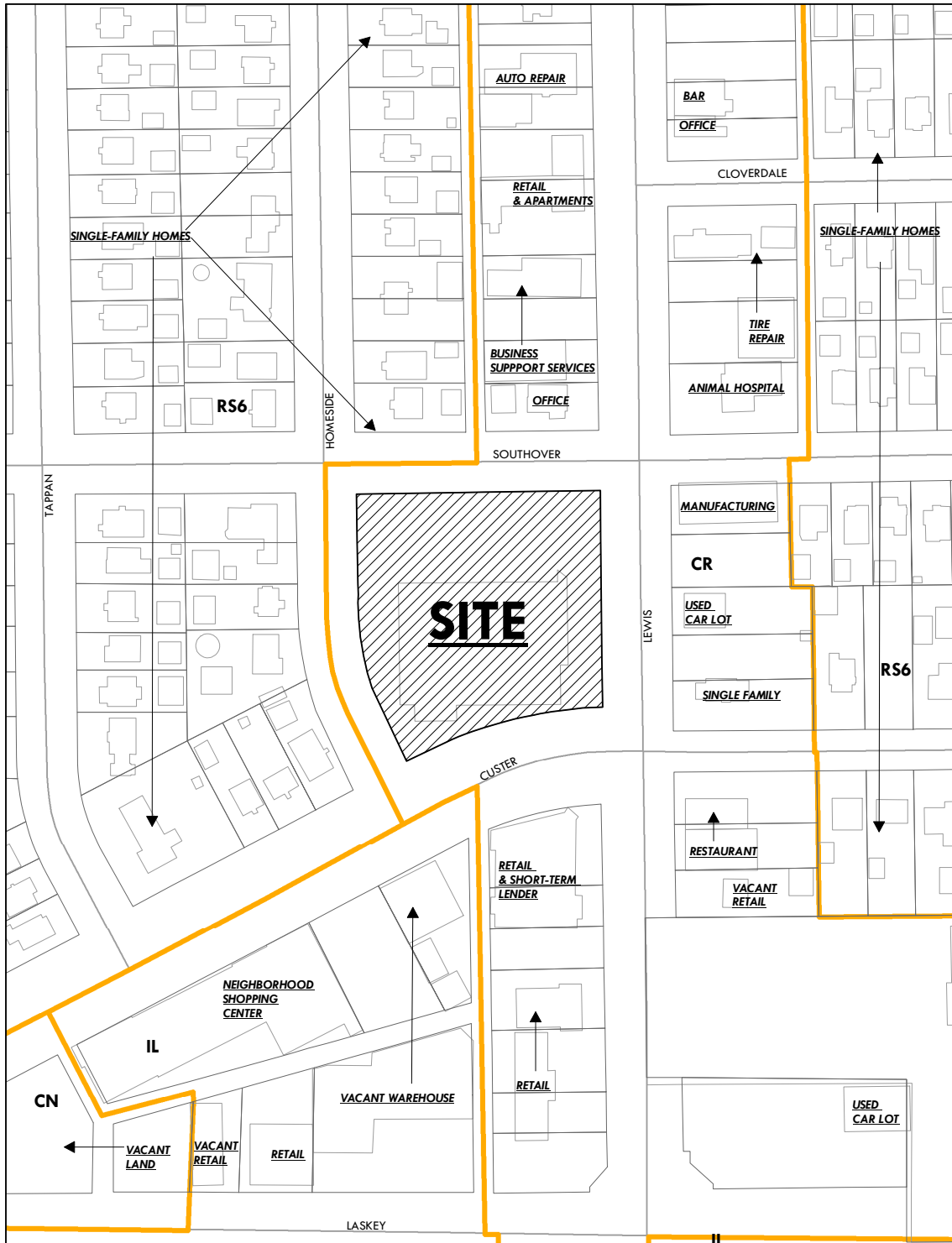
Aerial image of the subject property from Plan Commission GIS.

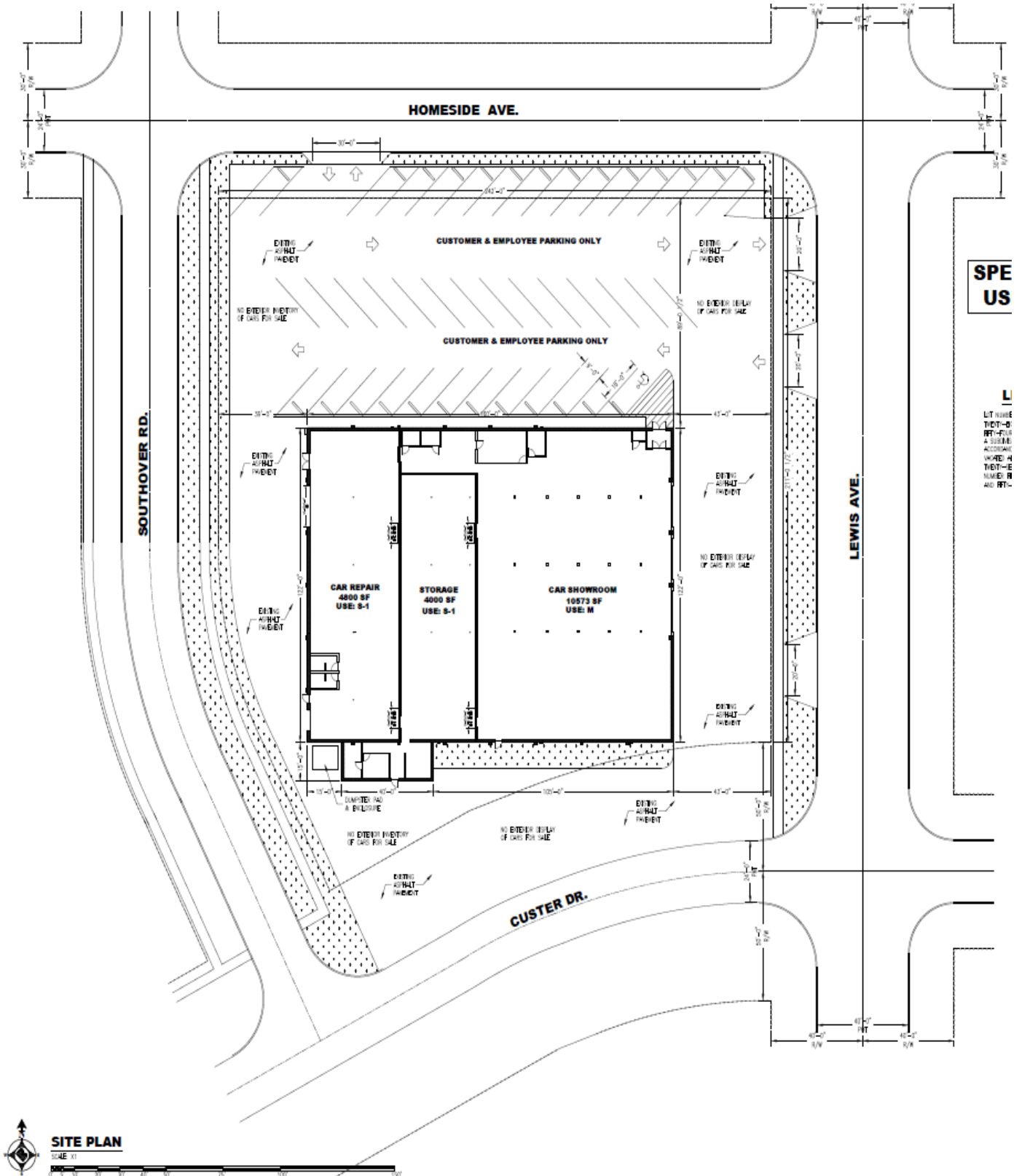


Street view image of the subject property. The proposal is to add an outdoor classroom area to the right of the building.

ZONING & LAND USE

SUP26-0012
ID 57





Overall site plan.

Analysis**1104.0300 – Auto and RV Sales, Used Only**

1. Location: A 50-foot separation measured along the street frontage between any open display sales lot and a Residential district boundary line shall be maintained. This separation shall apply to both sides of a street and to intersecting streets on corner lots.
2. Outdoor Display Areas:
 - A. Elevated displays, lifts or metal structures used in conjunction with the display of motor vehicles shall be permitted only within those areas specifically designated upon the site plan and shall not be allowed in any required front yard.
 - B. Incorporate curbs or other substantial permanent barriers to prevent encroachment of the vehicles into the required setback and landscape areas.
 - C. Wheel stops must be provided when outdoor display areas abut public right-of-way, ensuring that display vehicles do not overhang directly on sidewalks.
3. Vehicle Quality: All used motor vehicles parked or displayed outdoors shall conform to Chapter 337, Safety and Equipment, of the Traffic Code and shall be operable.
4. Repairs: Repairs and service of inoperable auto and RV motor vehicles shall be conducted wholly within an enclosed structure permanently located on the lot.
5. Fencing: See TMC§1105.0302 for fencing requirements of customer display areas and TMC§1108.0203(H) for outdoor storage screening requirements.
6. Lot Size
 - A. The minimum lot size shall be no less than one-half (1/2) acre.
 - B. Each lot shall have a minimum average width of 150 feet along the main road frontage. Lot Width shall be measured as outlined in Sec. 1106.0204
7. Accessory Uses: Used automobile and recreational vehicle sales shall not be permitted on sites containing another primary use.
8. Site Plan: Site plans for used automobile and recreational vehicle sales shall delineate, with dimensions, parking areas and drive aisles for the outdoor display area and customer / employee parking area. Used vehicle inventory shall only be displayed, parked or located within areas approved and defined. Required customer/employee parking may not be used for used vehicle inventory.
9. Structures: A permanent structure with a minimum floor area of 200 square feet, meeting the building design standards of Sec.1109.0500, shall be provided on site.

1107 – Parking

- (a) Maximum number of parking spaces allowed is 1 per 5,000 square feet of open sales area plus 1 per 500 square feet of enclosed sales area, plus 2 per service bay.
- (b) Accessible parking is required. At least one (1) van accessible space and one (1) car accessible space shall be provided (based on the proposed 39 spaces).

1108 – Landscaping

- (a) *Frontage Greenbelt.* A frontage greenbelt shall be provided along public rights-of-ways, but not including alleys. Frontage greenbelt shall include grass, trees and shrub plantings. At least one (1) tree must be provided for every 30 feet of lot frontage or fraction thereof. Frontage greenbelt shall include a solid evergreen hedge planting to screen the parking lot so that no headlights of any vehicles can be seen from the public street. Greenbelt must be at least fifteen (15') feet in width.

Analysis (cont'd)

1113 - Signage

Permitted Signs include building signs and ground signs. No shopping center signs or residential monument signs as defined in TMC§1113.1200 are permitted.

Forward Toledo Comprehensive Land Use Plan

Neighborhood Mixed Use is intended for pedestrian-oriented commercial and mixed-use areas. Individual parking lots for a single commercial use is discouraged, and parking should be consolidated. Greenspace should be implemented when feasible. Auto-oriented uses such as car-washes and gas stations are not compatible. The proposal is not compliant with the Forward Toledo Comprehensive Land Use Plan. However, the existing structure will be preserved.

Development Approval Criteria

The maximum number of parking spaces permitted is twenty-four (24) based on the submitted site plan. A revised site plan showing the row of parking spaces along Southover Road eliminated and landscaping added is required as a condition of approval.

Additionally, landscaping shall be provided along Homeside Avenue to screen the business from abutting residences and reduce the chance of any negative secondary effects.

Lastly, the abandoned pole sign on the property shall be removed. Any new signage shall be compliant with TMC§1113 - Signs and the applicant must obtain a sign permit through the Plan Commission offices before construction.

Recommendation:

1111.0700 Special Use Permit – APPROVE – Special Use Permit approval to allow used auto sales at 5057 Lewis Avenue, subject to eighteen (18) conditions.

Findings:

- (1) The proposed use does not meet the Forward Toledo Comprehensive Land Use Plan as it is an auto-oriented business in an area designated for Neighborhood Mixed Use.
- (2) However, the project proposal includes utilizing an existing building, which is directly contributing to the City's building preservation goals.
- (3) Staff recommends approval with landscaping improvements along the north and west property lines, and eliminating the northmost row of parking spaces. This improvement is necessary as residential uses abut the site and a landscaping buffer is needed to screen the auto-oriented use from homes. Additionally, the maximum number of parking spaces allowed is.

Conditions of Approval

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP26-0012, request for a Special Use Permit for used auto sales at 5057 Lewis Avenue, to Toledo City Council, subject to the following **eighteen (18)** conditions.

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

Division of Engineering and Construction Management

1. If there will be any **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way they shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.
2. If there will be any **proposed** commercial drive approaches, (along with the sidewalk through the drive) they 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 Steve Kessinger at (419) 245-1347 or steve.kessinger@toledo.oh.gov. The application can be obtained online at Toledo.oh.gov search: Right of Way opening permit.
4. Contact Dusty May at (419) 936-2697 or dusty.may@toledo.oh.gov for inspection of the above-mentioned items. Do not contact John Williams like the Right of Way Permit says.
5. 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.

Division of Environmental Services

6. Applicant shall maintain compliance with the City of Toledo's Stormwater 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.
7. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.

Conditions of Approval (cont'd)

Division of Environmental Services (cont'd)

8. Applicant is strongly encouraged to install permanent inlet filters with oil absorbent pillow in parking lot catch basins to treat stormwater.
9. 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.
10. 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
11. 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.

Division of Sewer & Drainage Services

12. S&DS requires that all existing private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
13. 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 two (2) years. An electronic copy (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity.

Division of Traffic Management

14. Sidewalk is required along Homeside Avenue and on Custer Drive for pedestrian traffic per TMC 11087.1300 and City of Toledo Complete Streets Policy Ordinance 391-23.
15. A sidewalk/pedestrian parking lot crossing is required from Lewis Avenue sidewalk to the building per TMC 1107.1602.
16. A van accessible parking space with a minimum of an 8' wide loading aisle is required per TMC 1107.1701 & 1107.1702 (the van loading aisle is not the right size).
17. Accessible parking signage must be posted directly in front of the parking space at a height of no less than 60 inches and no more than 72 inches above pavement level TMC 1107.1704.

Conditions of Approval (cont'd)

Division of Traffic Management (cont'd)

18. All angled parking spots, driveways and drive aisles are required to be clearly dimensioned per TMC 1107.1911.
19. All parking in right-of-way along Homeside Avenue is not permitted and must be removed from the right-of-way.
20. Close the drive on Lewis Avenue closest to Custer Drive and drive on Homeside Avenue across from the residential. The two driveways closest to Homeside Avenue on Lewis Avenue consolidate into one 25' drive approach for two-way traffic pattern. New grass and curb will need to be installed to match adjacent areas.
21. Traffic Management wants the drive opening on Custer Drive reduced down to a maximum of a 25' driveway with new grass installed between sidewalk and Custer Drive.

Fire Prevention Bureau

22. It appears this building will undergo a change of use. This will require compliance with all applicable Building, Fire, Electrical, Mechanical, and Plumbing code requirements (OBC 105.1 & 101.4).
23. New and existing buildings shall be provided with approved address identification that meets Building & Fire Code requirements (OBC 501.2 & OFC 505.1).
24. An operational permit is required for Repair Garages (TMC151105 #11 Vehicle Repair Garages).
25. Repair garages shall be mechanically ventilated in accordance with the mechanical code (OBC 406.8.1).

Plan Commission

26. Vehicles for sale are not allowed to be displayed in any off-street parking areas as site plan depicts interior display only. **A Special Use Permit amendment is required for the outdoor display of vehicles for this location.**
27. Repairs and service of inoperable vehicles shall be conducted wholly within an enclosed structure.
28. Off-street parking spaces for customers/employees shall be clearly delineated from spots within the outdoor display area.

Conditions of Approval (cont'd)**Plan Commission** (cont'd)

29. Per TMC§1107.0304, the maximum number of parking spaces allowed is twenty-four (24). **Not acceptable as depicted. A revised site plan shall be submitted depicting a maximum of twenty-four (24) parking spaces for customers and employees. Parking in the right-of-way along northern edge of property shall be removed.**
30. Per TMC§1107.1700, at least one (1) van accessible parking space shall be provided. **Not acceptable as depicted. Abutting drive aisle must be at least eight feet (8') in width to meet van accessible parking space standards. A revised site plan with an eight foot (8') abutting aisle shall be provided.**
31. Fifteen-foot (15') buffer of landscaped frontage greenbelt meeting the requirements of TMC§1108.0202 are required along Southover Drive and Homeside Avenue. Trees and evergreen shrubs shall be depicted on a separate landscape plan. **Not acceptable as depicted. A frontage greenbelt with evergreen shrubs is required along the north and west property lines. North property line along Homeside Avenue requires eight (8) trees. West property line along Southover Road requires nine (9) trees. Existing trees may be counted toward the requirement.**
32. All site lighting shall be fully directed downward, recessed, or adequately shielded to direct light away from adjacent properties, rights of way, or the sky above the fixtures per TMC§1107.1908.
33. Per TMC§1113.0702(B), all nonconforming signage on the premises shall be brought fully into compliance with TMC§1113 Signs. **The existing pole sign on this site shall be brought down.**
34. Future signage shall meet the standards of TMC§1113 Signs and shall obtain separate sign permits.
35. 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.
36. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
37. 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.

Conditions of Approval (cont'd)

Plan Commission (cont'd)

38. 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.