

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: June 16, 2021

REF: Z-3002-21

TO: President Matt Cherry and Members of Council, City of Toledo

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

SUBJECT: Request for Zone Change from CO Office Commercial to CN Neighborhood Commercial

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, May 13, 2021 at 2:00 P.M.

GENERAL INFORMATION

Subject

- Request - Zone Change from CO, Office Commercial, to CN, Neighborhood Commercial
- Location - 4150 W. Laskey Road
- Applicant - John Newcomer, President
Warren Family Funeral Homes
520 SW 27th Street
Topeka, Kansas 66611
- Architect - The Architectural Group
135 N Main Street
Dayton, Ohio 45402-1730

Site Description

- Zoning - CO / Office Commercial
- Area - ± 1.38 acres
- Frontage - ± 260' along W. Laskey Road
- Existing Use - Funeral Home
- Proposed Use - Funeral Home

Area Description

- North - RS6 / Single-Dwelling Residential
- South - RS12 / Single-Dwelling Residential

GENERAL INFORMATION (cont'd)

Area Description (cont'd)

- | | | |
|------|---|---|
| East | - | CO / Office Commercial
RS6 / Single Dwelling Residential |
| West | - | CO / Office Commercial
Sylvania Township |

Parcel History

- | | | |
|-------------|---|--|
| Z-343-68 | - | Res. 343-68, the request for a Zone Change from R-2 to R-4 at Lot 173 in Ketcham's Suburban Place. PC disapproved (12/5/68). |
| Z-137-72 | - | Res. 137-72, the request for a Zone Change from R-2 to R-4 at the NE Corner of Laskey & Talmadge Rd., disapproved (7/26/72) |
| S-15-76 | - | TALMADGE WOODS subdivision disapproved |
| Z-5032-94 | - | Ord. 555-94, the request for a Zone Change, R-2 to C-7, subject to commercial plat, at NE Corner of Laskey & Talmadge Rd. Approved. |
| Z-3003-99 | - | Ord 560-99, the request for a Zone change, R-2 to C-2, subject to commercial plat, at 5012 Talmadge Rd., TN 3003-99. |
| S-9-99 | - | REPLAT OF LOT 173 IN KETCHAM'S PLACE
Commercial Plat final plat approval 8/12/99. |
| SUP-9002-99 | - | Ord 305-00, The request for a Special Use Permit for a funeral home at 4150 W. Laskey Rd., (PC Approved 2/10/2000, City Council approved 3/28/2000,) |

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan

STAFF ANALYSIS

The applicant is requesting a Zone Change from CO, Office Commercial, to CN, Neighborhood Commercial, for the site located at 4150 W Laskey Road to continue operation of an existing legal non-conforming funeral home. The ±1.38 acre site is occupied by a funeral home constructed in 2000. Surrounding land uses are single family homes to the north and south, a church to the south and a dentist office immediately to the west with single family residential in Sylvania Township beyond, and a Credit Union directly bordering to the east followed by single family residential.

Per TMC§1104.0100, the site's Zoning District of CO-Office Commercial does not permit funeral homes. As previously mentioned, the site was constructed in 2000, and the property became legal non-conforming with the 2004 Zoning Code rewrite as funeral homes were permitted in the previous C-2 District. CN-Neighborhood Commercial permits funeral homes by right. Approval of the proposed Zone Change to CN-Neighborhood Commercial would update the status of the funeral home as conforming.

Legal non-conforming uses are limited to 10% total expansion from the time of becoming nonconforming (TMC§1114.0202(D)). Pending Zone Change approval, the petitioner intends to pursue building expansion. Depending on the extent, either a Major or Minor Site Plan Review shall be applied for and reviewed by the Plan Commission prior to the issuance of permits.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Neighborhood Commercial land use. Neighborhood Commercial land use is intended contain the sprawl of strip commercial development along major streets in neighborhoods by limiting the commercial uses to within 650 feet in both directions of major commercial intersections. The plan also recommends that neighborhood commercial nodes be the focus of future retail and commercial development and that intrusion into neighborhoods not be permitted at other points. The proposed location conforms to the Toledo 20/20 Comprehensive Plan.

PLAN COMMISSION RECOMMENDATION

The City of Toledo Plan Commission recommends approval of Z-3002-21, a Zone Change from CO Office Commercial to CN Neighborhood Commercial for 4150 W Laskey Road to Toledo City Council for the following two (2) reasons:

1. The CN zoning request is consistent with the Comprehensive Plan and the stated purpose of the Zoning Code (TMC 1111.0606.A Review & Decision-Making Criteria); and,
2. The CN zoning request is similar to existing land uses within the general vicinity of the subject property (TMC 1111.0606.B Review & Decision-Making Criteria).

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Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Thomas C. Gibbons". The signature is fluid and cursive, with the first name being the most prominent.

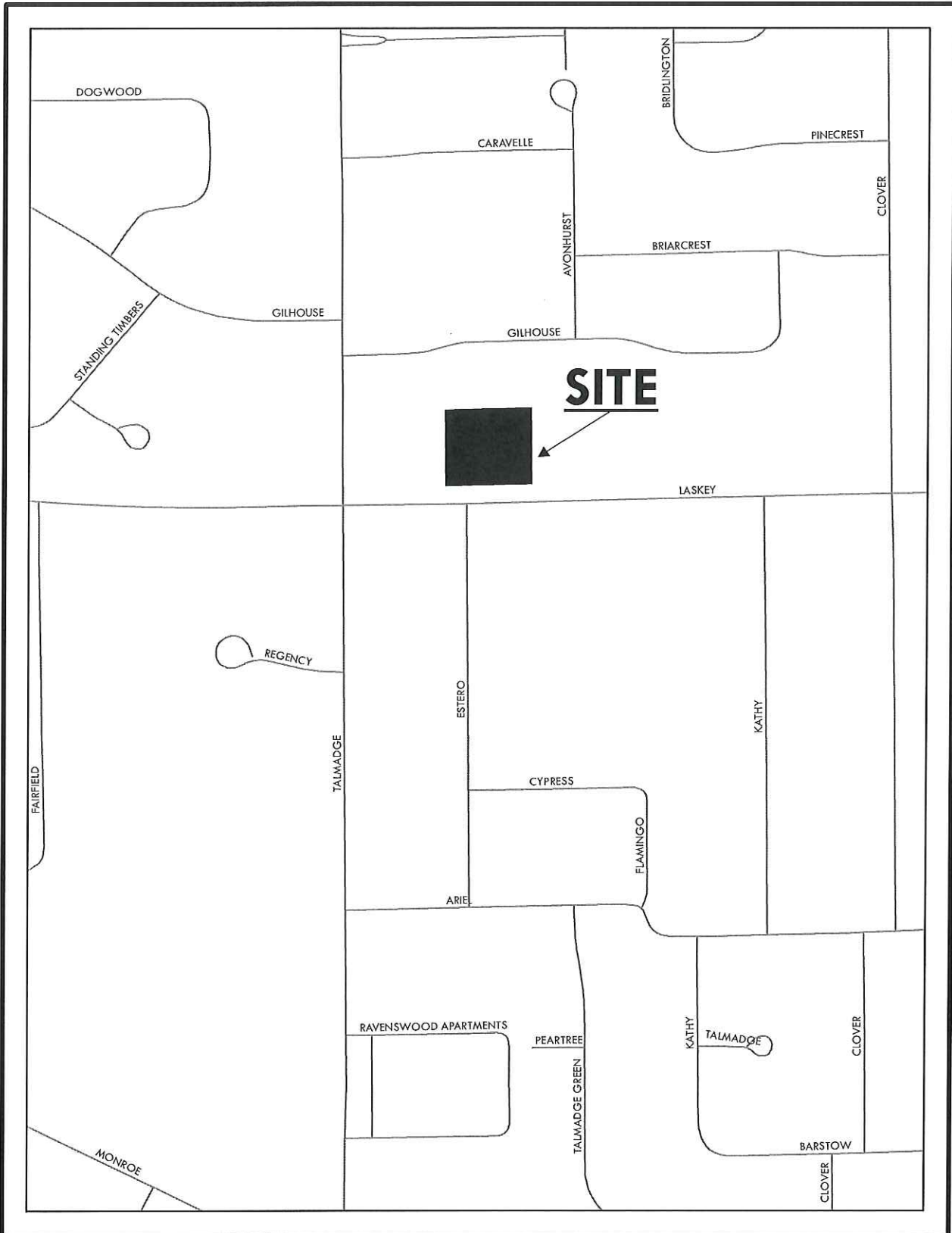
Thomas C. Gibbons
Secretary

Two (2) sketches follow

Cc: John Newcomer 520 SW 27th St Topeka, Kansas 66611, Applicant
The Architectural Group, 135 N Main St. Dayton Ohio 45402-1730, Architect
Lisa Cottrell, Administrator
Nancy Hirsch, Planner

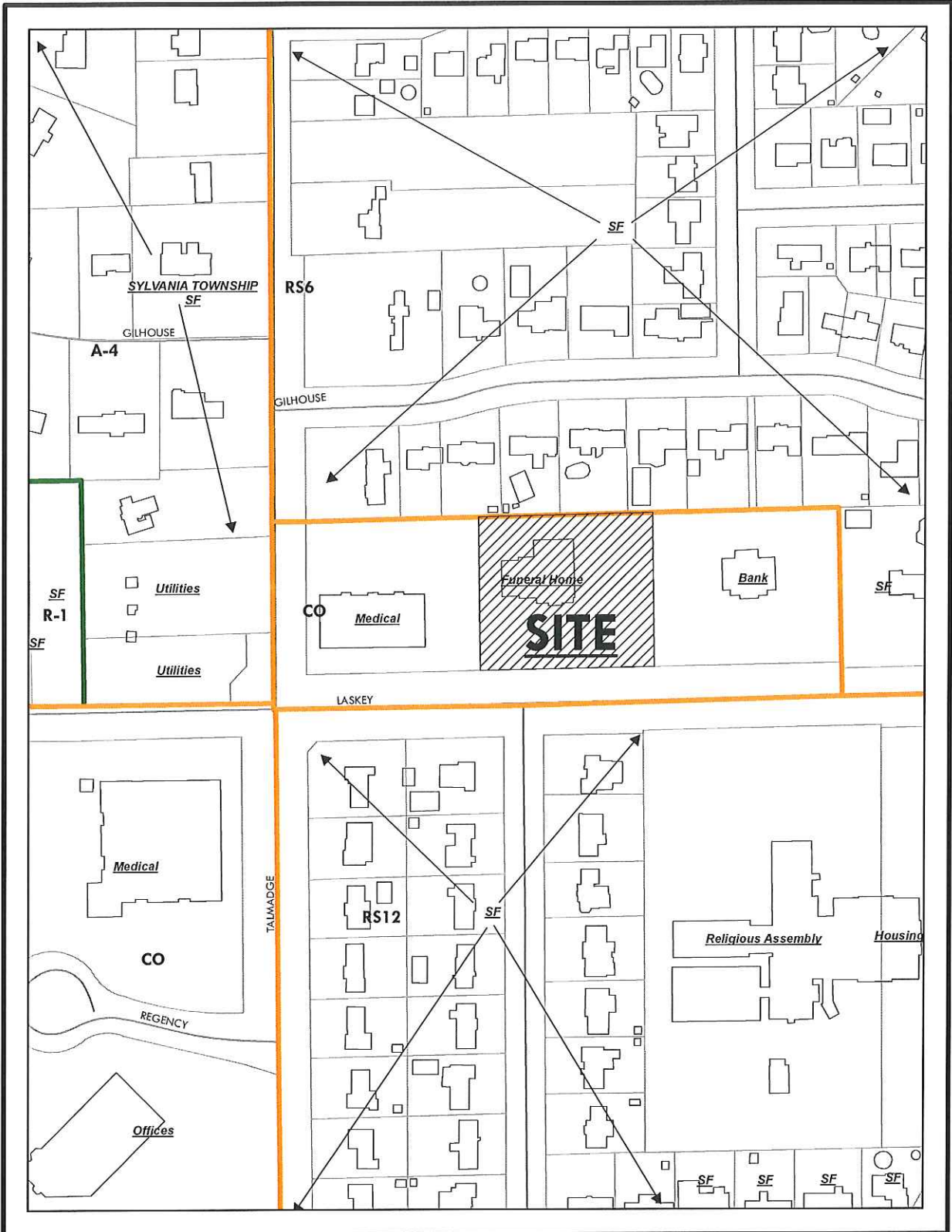
General Location

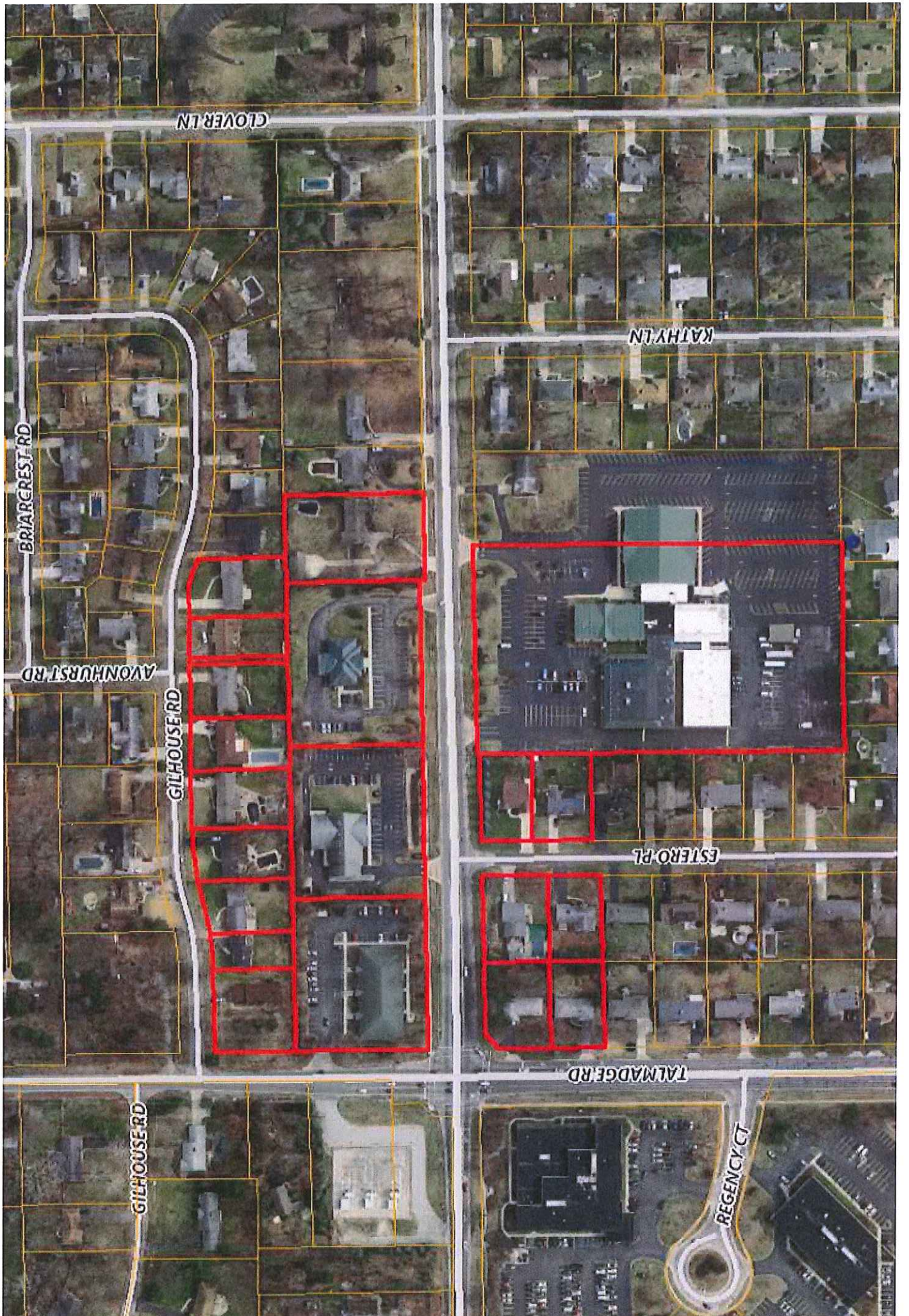
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Zoning and Land Use

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General Location

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