

GENERAL INFORMATION

Subject

Request	-	Zone Change from RD6-Duplex Residential to CR-Regional Commercial
Location	-	1170 and 1176 W Sylvania Avenue
Applicant	-	Balsharan Singh Gerwal 3250 W Bancroft Street Toledo, OH 43606
Owner	-	Nancy Nygaard 1449 E County Road Q Scandinavia, WI 54977

Site Description

Zoning	-	RD6-Duplex Residential
Area	-	±0.025 acres
Frontage	-	±85' along Sylvania Avenue ±130' along North Lockwood Avenue
Existing Use	-	Office space and apartments
Proposed Use	-	Type A Daycare

Area Description

North	-	Single family and duplex residences / RD6
South	-	Fast food restaurant, daycare center, single family and duplex residences / CR & RD6
East	-	Duplex, offices, retail / CR
West	-	Catering facility, parking lot, retail / CR

Parcel History

None on file.

Applicable Plans & Regulations

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

STAFF ANALYSIS

The request is a Zone Change from RD6-Duplex Residential to CR-Regional Commercial for the northern thirteen feet (13') of 1170 and 1176 W Sylvania Avenue. The request is to allow the existing office building to be utilized as a Type A Daycare. Surrounding land uses include single family and duplex residential homes to the north, a duplex, offices, and retail to the east, a Daycare Center and McDonald's to the south, and a catering facility and parking lot to the west. It shall be noted that Type A Daycares are subject to the spacing requirements of TMC§1104.1000. Daycare Centers are not subject to the spacing requirement and the location of the proposed use is permitted.

The applicant is requesting the Zone Change to facilitate converting the existing office building into a Type A Daycare facility. The applicant also submitted companion case SPR-32-23, a minor site plan review for the use. The southern majority of the site is Zoned CR-Regional Commercial, which allows Type A Daycares with approval of a minor site plan review. However, Type A Daycares require a Special Use Permit when located within Residential Districts. The Zone Change is to change the rear thirteen feet (13') from Residential to Commercial make the properties have one Zoning classification throughout the entire site, and to allow a Type A Daycare use without having to submit a Special Use Permit.

The site plan depicts daycare classrooms on the first floor, with an apartment on the second floor. Before the applicant opens the daycare facility, they must obtain a Certificate of Occupancy from the Division of Building Inspections and ensure the building meets the requirements for a Type A Daycare use.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Urban Village land uses. A specialized residential and commercial district that possesses characteristics of Traditional Neighborhood Development (TND), such as pedestrian orientation, zero building setbacks, mixed uses, and distinct architectural character. The Type A Daycare use is appropriate in this district, as the applicant intends to have a daycare on the first floor with residential above. This live-work use is appropriate in the Urban Village.

Staff recommends approval of the Zone Change from RD6-Duplex Residential to CR-Regional Commercial for the northern thirteen feet (13') of 1170 and 1176 W Sylvania Avenue because the proposed CR-Regional Commercial District is compatible with adjacent land uses. Additionally, it is compatible with the intended future land use per the Toledo 20/20 Comprehensive Plan.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of RD6-Duplex Residential to CR-Regional Commercial for the northern thirteen feet (13') of 1170 and 1176 W Sylvania Avenue for the following two (2) reasons:

STAFF RECOMMENDATION (cont'd)

1. The proposed Zone Change is consistent with the Comprehensive Plan and the stated purpose of this Zoning Code (TMC§1111.0606(A) – *Review & Decision-Making Criteria*); and,
2. The proposed Zone Change is compatible with existing land uses within the general vicinity of the subject property (TMC§1111.0606(B) – *Review & Decision-Making Criteria*).

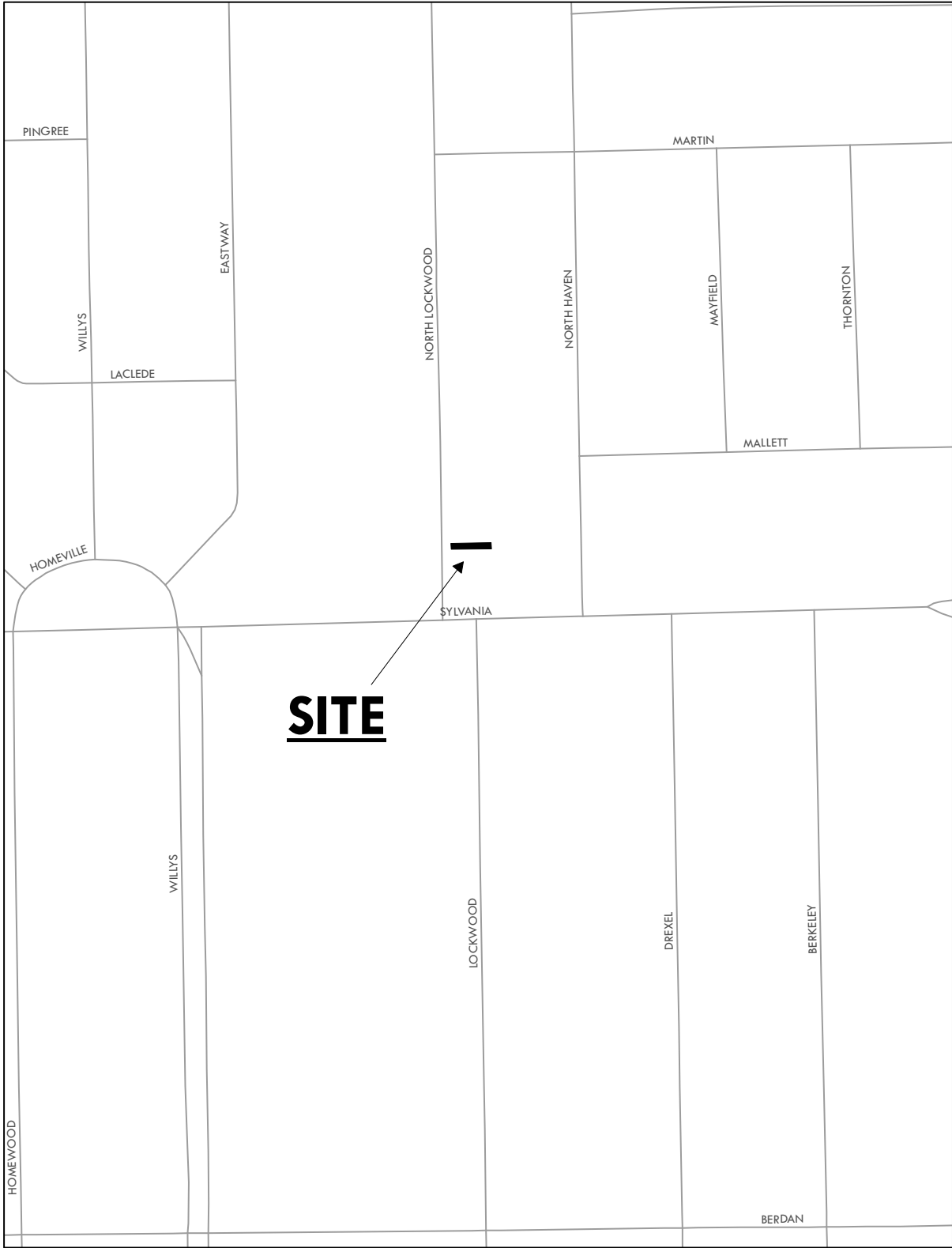
ZONE CHANGE
TOLEDO PLAN COMMISSION
REF: Z-7005-23
DATE: September 14, 2023
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: October 18, 2023
TIME: 4:00 P.M.

DR
Two (2) sketches follow

GENERAL LOCATION

Z-7005-23



ZONING & LAND USE

Z-7005-23

