

## TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

REF: Z-7001-23

DATE: August 10, 2023

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

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

SUBJECT: Zone Change from CN Neighborhood Commercial to CM Mixed Commercial-Residential at 4801 Lewis Avenue

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday August 10, 2023 at 2:00 P.M.

### GENERAL INFORMATION

#### Subject

Request	-	Zone Change from CN Neighborhood Commercial to CM Mixed Commercial-Residential
Location	-	4801 Lewis Avenue Toledo OH 43615
Applicant + Owner	-	Derek Christian DeVerna 2610 120th Street Toledo, OH 43611

#### Site Description

Zoning	-	CN / Neighborhood Commercial
Area	-	± 0.13 Acres
Frontage	-	± 50' along Lewis Avenue ± 140' along Hawk Street
Existing Use	-	Residential and Retail
Proposed Use	-	Residential and Retail/Office

#### Area Description

North	-	CN, RS6 / Retail Shop, Single-family Homes, Apartments
South	-	CN, RM36 / Retail Shop, Apartments, Nursing Homes
East	-	CR, RS6 / Dandino's Pizza, Single-family Homes, Commercial Garages
West	-	RS6 / Single-family Homes

## GENERAL INFORMATION (cont'd)

### Parcel History

None on file

### 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 CN Neighborhood Commercial to CM Mixed Commercial-Residential. The  $\pm$  0.13-acre site is occupied by a two-story building and fronts Lewis Avenue and Hawk Street. The building was constructed in 1939 and has been used as a retail store and a rental home since then. The property is surrounded by a retail shop and apartments to the north, single-family homes, Dandino's Pizza and commercial garages to the east, to the south are apartments, retail shop and a nursing home and to the west are single-family homes.

The applicant owned the property since 2021 and has had challenges renting out the commercial space in the building. CN Neighborhood Commercial Zoning requires all residential dwelling units to be located above the first floor. The Zone Change is being requested in order to rent out the first floor as residential units, which the CM Mixed Commercial-Residential district allows.

### Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets the site for Neighborhood Commercial land uses. The CN Neighborhood Commercial Zoning District is intended to accommodate pedestrian oriented small-scale retail and service businesses that serve nearby residential areas. Although, this area is intended for Neighborhood Commercial uses, based on the location of the site, the proposed CM Mixed Commercial-Residential Zoning District will facilitate a complete reuse of the building.

Staff recommends approval of the Zone Change from CN Neighborhood Commercial to CM Mixed Commercial-Residential because of the physical suitability of the subject property and the uses permitted under the proposed Zoning classifications. Additionally, the proposed Zone Change is compatible with existing land uses within the general vicinity of the subject property.

## PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of Z-7001-23, a request for Zone Change from CN Neighborhood Commercial to CM Mixed Commercial-Residential at 4801 Lewis Avenue to Toledo City Council for the following **reasons**:

1. The physical suitability of the subject property for the uses permitted under the proposed zoning classifications; **(TMC§1111.0606(D))**;

TO: President Cherry and Members of Council  
August 10, 2023  
Page 3

REF: Z-7001-23

**PLAN COMMISSION RECOMMENDATION (cont'd)**

2. The proposed Zone Change is compatible with existing land uses within the general vicinity of the property (**TMC§1111.0606(B)**).

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Thomas C. Gibbons", written in a cursive style.

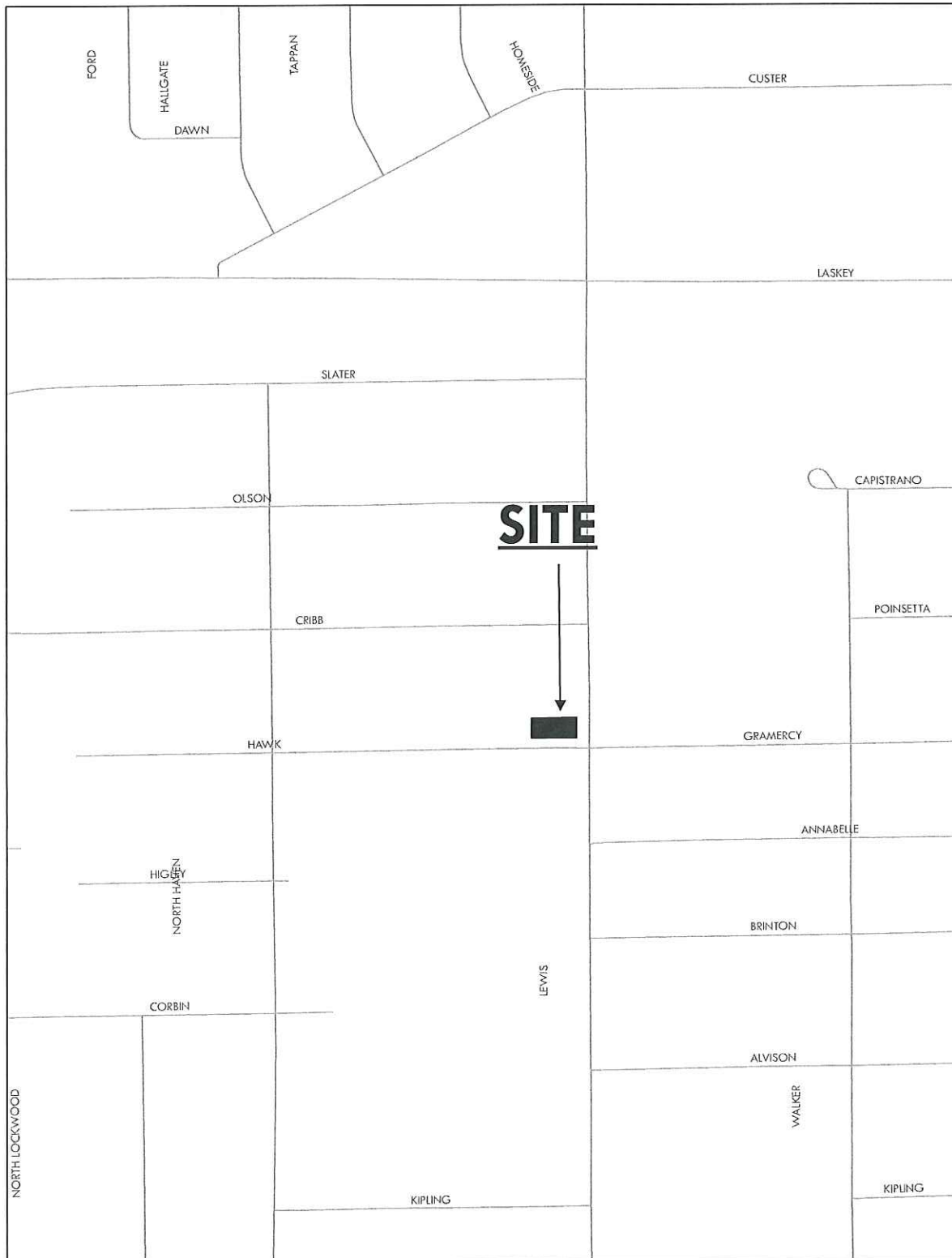
Thomas C. Gibbons

Secretary.

ET  
Two (2) sketches follow

# GENERAL LOCATION

Z-7001-23





# ZONING & LAND USE

Z-7001-23

