



TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

ONE GOVERNMENT CENTER, SUITE 1620, TOLEDO, OHIO 43604 PHONE 419-245-1200 FAX 419-936-3730



THOMAS C. GIBBONS, DIRECTOR DATE: July 9, 2020
REF: Z-6001-20

TO: President Matt Cherry and Members of Council, City of Toledo
FROM: Toledo City Plan Commission, Thomas C. Gibbons, Secretary
SUBJECT: Zone Change from CR Regional Commercial to RD6 Duplex Residential

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, July 9, 2020 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Zone Change from CR Regional Commercial to RD6 Duplex Residential
Location	-	638, 642, and 650 Western Avenue
Applicant/Owner	-	Theresa Kuhn-Almaraz and Valentin Almaraz 642 Western Avenue Toledo, OH 43609
Owner	-	Lucas County Land Bank One Government Center, Suite 580 Toledo, OH 43604

Site Description

Zoning	-	CR / Regional Commercial
Area	-	±0.39 Acres
Frontage	-	140' along Western Avenue
Existing Use	-	Single Family Dwelling
Proposed Use	-	Single Family Dwelling

Area Description

North	-	Single family homes and duplexes / RM36
South	-	Single family homes and duplexes / RM36
East	-	Single family home, religious assembly, and apartment complex / CR & CN
West	-	Undeveloped land, single family homes, duplexes / CR & RM36

GENERAL INFORMATION (cont'd)

Parcel History

- | | | |
|----------|---|--|
| Z-93-61 | - | Zone Change from R-4 to C-3 at the north side of Western between Field and Marion. PC disapproved 4/21/1961. CC approved 10/9/1961. Ord 729-61 passed 10/14/1961. |
| V-139-20 | - | Vacation of an alley running located north of Western Avenue and running N/S between Marion St and Field Ave; adjacent to lots 16 and 17 of the Segurs Subdivision. PC approved 06/11/2020. CC hearing 07/15/2020. (<i>Pending Approval</i>) |

Applicable Plans and Regulations

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

STAFF ANALYSIS

The request is a Zone Change from CR – Regional Commercial to RD6 – Duplex Residential for the 0.39 acre site located at 638, 642, and 650 Western Avenue. The site is the location of a single family dwelling and the applicant is requesting the Zone Change to conform the land use to the zoning classification. The applicant is in contract to purchase 650 Western Avenue from the Lucas County Land Bank, and the Vacation of the alley which runs through the site was approved by the Plan Commission on 06/11/2020. Intended uses of 650 Western Avenue and the alley are a yard and driveway, respectively. Surrounding land uses include single family homes and duplexes to the north; a single family home, a church, and apartments to the east; single family homes and duplexes to the south; and, undeveloped land, single family homes, and a duplex to the west.

Although the site is zoned CR – Regional Commercial, the single family home at 642 Western Avenue is a legal non-conforming structure. In 1961, a Zone Change from R-4 to C-3 was petitioned for the site. The Plan Commission recommended disapproval due to the proposal not conforming to the predominant land use. Also, the neighborhood's commercial uses were predominantly along Broadway to the east and along Western Avenue further to the west. However, City Council overturned the Plan Commission and the Zone Change of the residential properties to C-3 was approved. The site's use has remained residential since the Zone Change to C-3, now CR – Regional Commercial.

STAFF ANALYSIS (cont'd)

Old South End Master Plan

The properties are located in the Old South End neighborhood of Toledo. This neighborhood originated in the 1840s and was a favorable residential neighborhood. Over time, blight has affected the neighborhood, and the Old South End Master Plan encourages efforts for redevelopment. Specifically, the plan suggests that residential areas work in conjunction with the Land Bank to redistribute vacant land adjacent to quality homes via lot mergers. Increasing lot sizes allows for small additions, garages, and/or useful green space or gardens. Permitting the Zone Change would allow the existing residential to be a legal and conforming use, as well as allow the applicant to expand the residential property.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan future land use designation targets the proposed Zone Change for CN Neighborhood Commercial. The CN Neighborhood Commercial zoning district is intended to accommodate pedestrian oriented small-scale retail and service businesses that serve nearby residential areas. As stated in the Z-93-61 Staff Report however, the Broadway Corridor to the east serves the neighborhood as the commercial center. The site is predominantly surrounded by residences and smaller scale commercial.

Staff recommends approval of the Zone Change from CR – Regional Commercial to RD6 – Duplex Residential because the proposed RD6 Duplex Residential is would make the current use permitted. Also, RD6 - Duplex Residential is in character with the surrounding uses and with the neighborhood.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of Z-6001-20, a request for Zone Change from CR Regional Commercial to RD6 Duplex Residential at 638, 642, and 650 Western Avenue for the following two (2) reasons:

1. The existing land uses within the general vicinity of the subject property conform to the proposed zoning classification (TMC§1111.0606(B) – *Review & Decision-Making Criteria*); and,
2. The physical suitability of the subject site and the uses permitted under the proposed Zone Change are more compatible than uses in the existing zoning classification (TMC§1111.0606(D) – *Review & Decision-Making Criteria*).

TO: President Cherry and Members of Council
July 9, 2020
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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

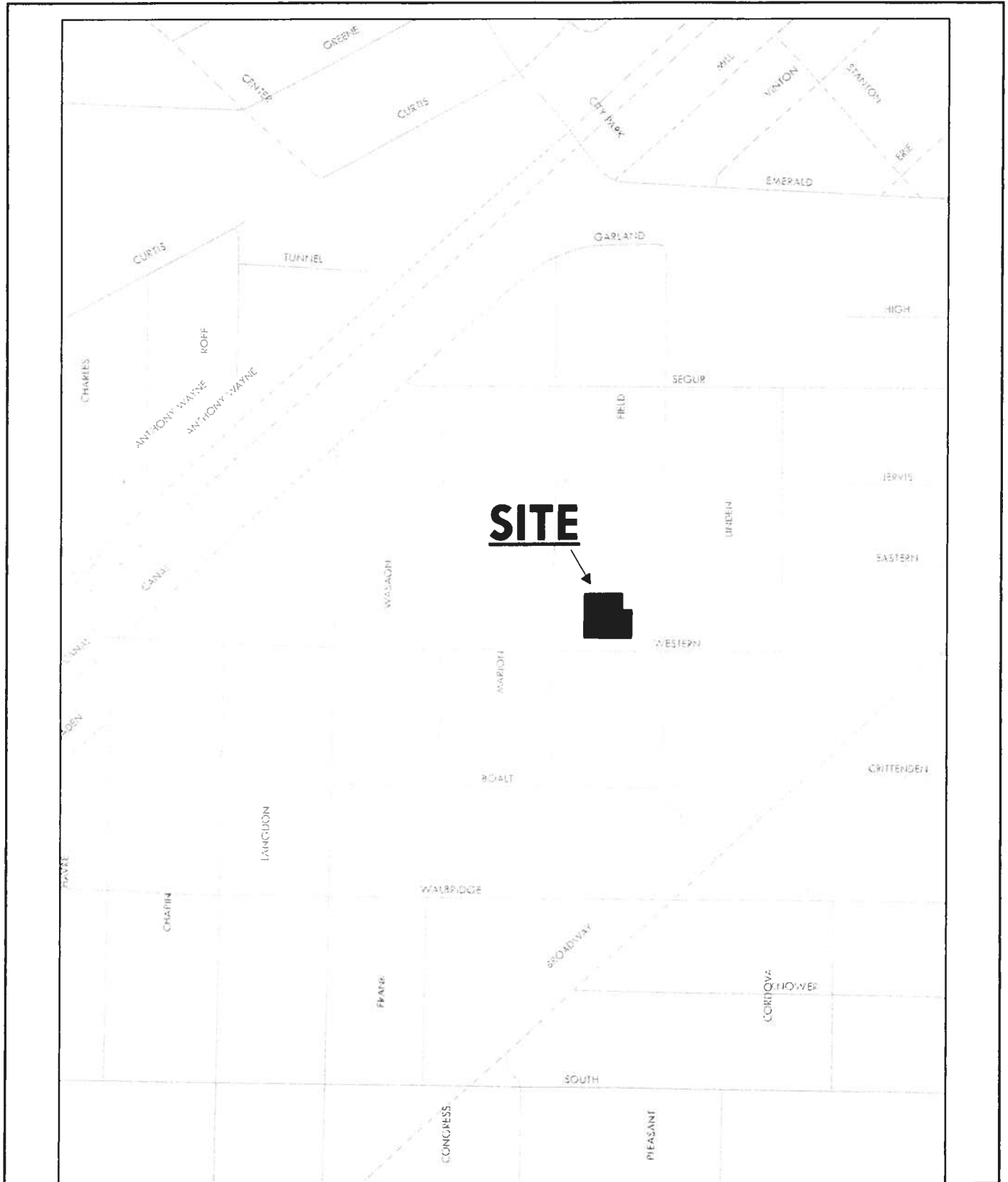
DR

Two (2) sketches and Exhibit "A" follow

Cc: Theresa Kuhn-Almaraz and Valentin Almaraz, 642 Western Avenue, Toledo OH 43609
Lisa Cottrell, Administrator
Dana Reising, Planner

GENERAL LOCATION

Z-6001-20
ID 12



ZONING & LAND USE

Z-6001-20
ID 12

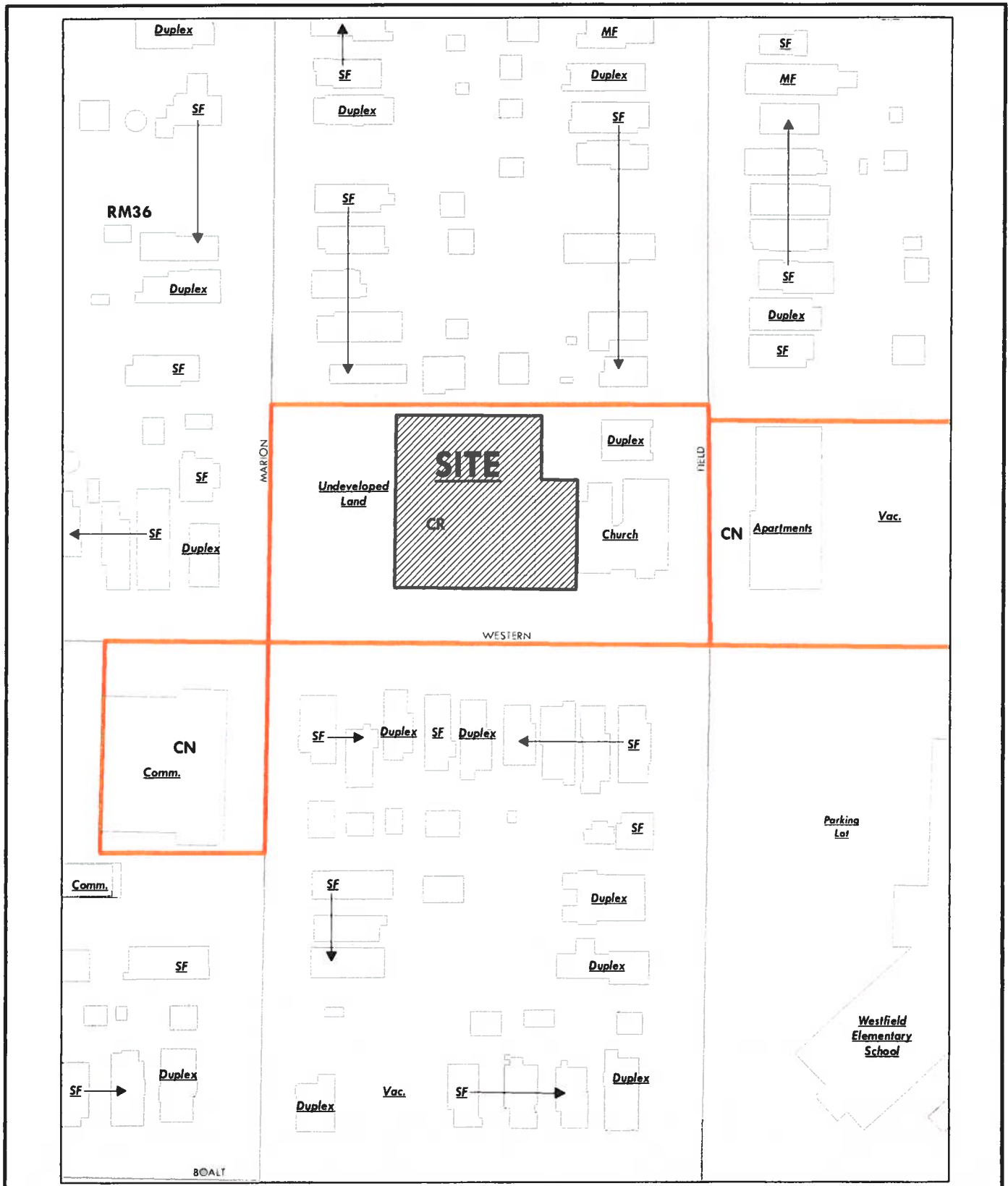
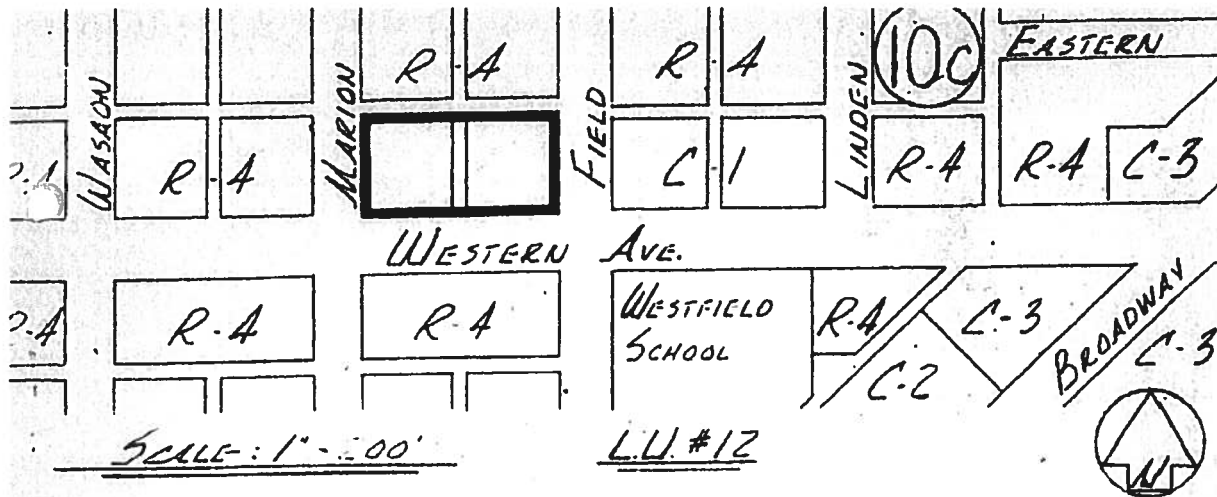


EXHIBIT "A"

Z-6001-20



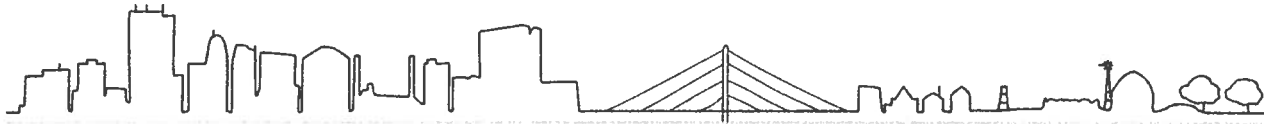
SUBJECT: To rezone 8 lots located on the north side of Western Ave. between Marion Street and Field Ave. from R-4 Multiple-Family to C-3 Commercial, petitioned for by H. Bookman, et al.

STAFF ANALYSIS: Under the old zoning ordinance, both sides of Western Ave. between Broadway and the Anthony Wayne Trail were zoned commercially. When the amended zoning ordinance was adopted in September, 1959 several of the blocks midway along Western Ave. were zoned residentially to conform with the developed residential character in the area.

The subject lots are adjoined by R-4 zoning except for a C-1 Neighborhood Shopping District in the block east across Field Avenue. Commercial zoning (C-3) is provided along both sides of Broadway 900 ft. to the east and also along Western Avenue 600 ft. west of the block in question. A dry cleaning establishment occupies one parcel, otherwise the lots in the block are occupied by residential uses. Residences are located on the south side of Western directly across from the lots in question. The proposal does not conform to the predominant land use.

STAFF RECOMMENDATION: Disapprove the resolution since it is considered to be detrimental to the neighborhood since only one of eight properties is used for commercial and the adjacent blocks are also predominantly residential.

REZONING
 Ref. Z-93-61
 TOLEDO CITY PLAN COMMISSION
 April 27, 1961



TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: June 26, 2020
REF: Z-6001-20
PLANNER: D Doubler

NOTICE OF PUBLIC HEARING

on

Date: Thursday, July 9, 2020

Request: Zone Change from CR – Regional Commercial to RD6 – Duplex Residential

Location: 638, 642 and 650 Western Avenue

The complete legal description of the land in question is on file at the office of the Toledo City Plan Commission, located at One Government Center, Suite 1620, Toledo, Ohio 43604.

Notice of this hearing is mailed to the **project applicant** as well as owners of property within and contiguous to and directly across the street from subject parcel (or parcels at the addresses of such owners appearing on the County Auditor's current tax list). Please share this notice with neighbors that may lie beyond the range of this mailing. They may attend the public hearing and/or otherwise make their feelings known about this case.

The Toledo City Plan Commission will hold a hearing to consider this request at **2:00 p.m.** on **Thursday, July 9, 2020** as a Zoom meeting. You may attend this hearing by clicking on the following link at the time of the hearing. You will then be added as an “attendee” and will have opportunity to communicate via a “question and answer” tab. We will receive your comments/questions, and a facilitator will communicate them to the Commission Members. **If you are the project applicant, please make every effort to attend the hearing.**

Zoom Link:

Join from PC, Mac, Linux, iOS or Android: <https://toledo-oh-gov.zoom.us/j/92907880307>

You may also call the office of the Toledo City Plan Commission at 419-245-1200 or email any comments that you have to the planner at dana.doubler@toledo.oh.gov. We will ensure that your comments are incorporated as part of the public record.

TOLEDO CITY PLAN COMMISSION

CITY OF TOLEDO, OHIO

Clerk of Council
One Government Center
Toledo, Ohio 43604

Julie Gibbons
Assistant Clerk of Council

Telephone
419-245-1060

Date: June 26, 2020
Ref: Z-6001-20

NOTICE OF PUBLIC HEARING

Wednesday, August 12, 2020

The Zoning and Planning Committee of Council, at a meeting to be held in the Council Chambers, First Floor, One Government Center, Jackson & Erie Streets, Toledo, Ohio, on Wednesday, August 12, 2020 at 4:00 p.m., will consider the following request:

Zone Change from CR – Regional Commercial to RD6 – Duplex Residential at 638, 642 and 650 Western Avenue

Julie Gibbons
Assistant Clerk of Council

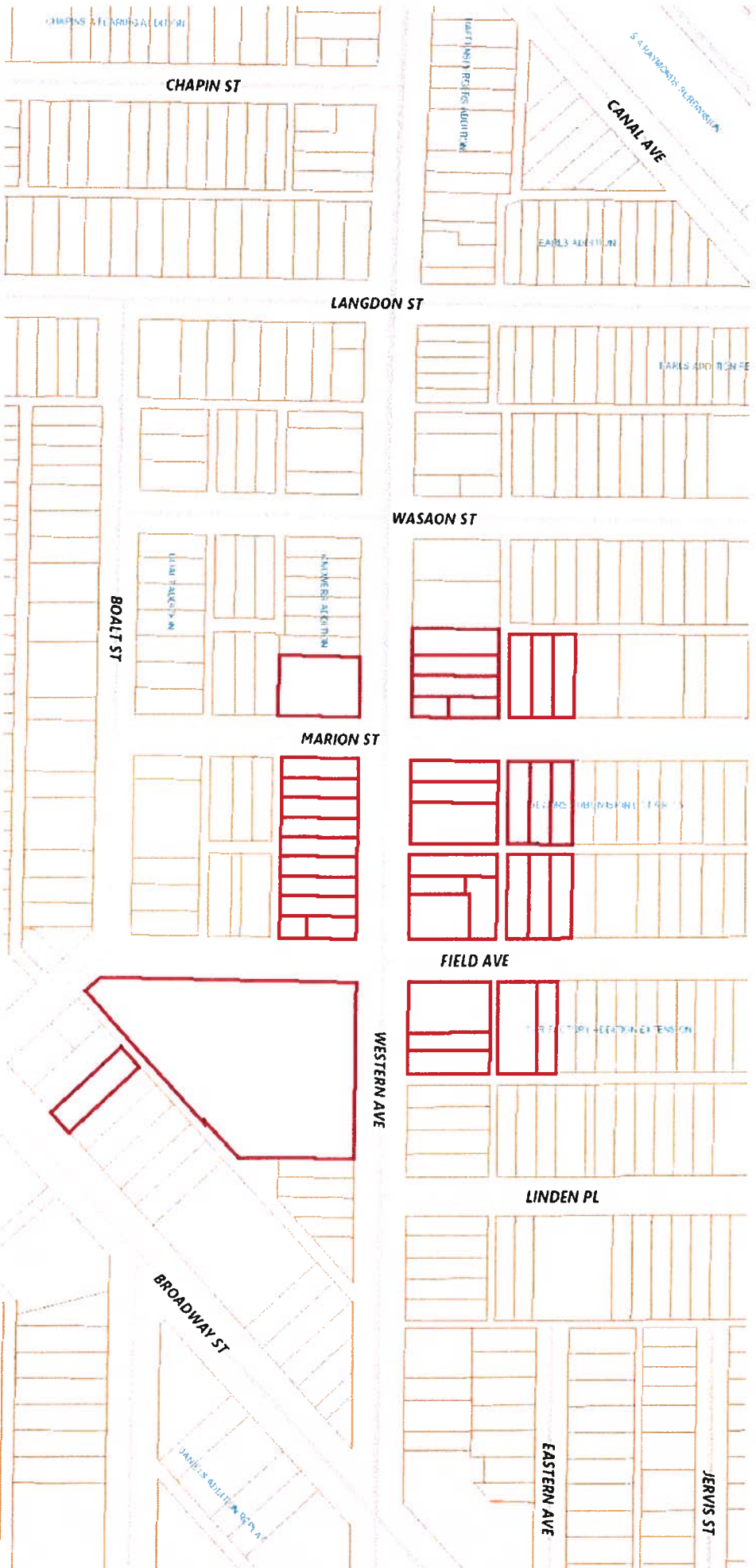
****Failure of applicant to appear may result in a deferral or denial of your request.**

NOTICE PUBLISHED IN TOLEDO CITY JOURNAL

DOUBLER

2-6001-20

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GROWELL HOLDINGS LLC
1216 CHETCO AVE
BROOKINGS OR 97415

VESS PRO LLC
1515 LEBANON ST
TOLEDO OH 43605

BOARD OF EDUCATION
1609 SUMMIT ST
TOLEDO OH 43604

BROOKS CYNTHIA
16270 N 30TH AVE
PHOENIX AZ 85053 3042

GILMER DONALD
222 KEVIN PL
TOLEDO OH 43610

HENZLER WILLIAM E & KAREN L
250 MARION ST
TOLEDO OH 43609 2525

BURTON LILLIE
252 FIELD AVE
TOLEDO OH 43609 2535

STANG LORRAINE
253 MARION ST
TOLEDO OH 43609

OLMSTEAD SHARON R
255 FIELD AVE
TOLEDO OH 43609

SANCHEZ JEREMIAS VAZQUEZ &
MARINA DEL CA
258 MARION ST
TOLEDO OH 43609 2525

BOYER THOMAS W & CHARLENES
262 MARION ST
TOLEDO OH 43609 2525

ULIS DANIEL
2824 AIRPORT HWY APT K
TOLEDO OH 43609

FUENTES ISIDRO
312 FIELD AVE
TOLEDO OH 43609 2712

EDMON TALITHA
631 WESTERN AVE
TOLEDO OH 43609 2776

BOWMAN BRYCE
635 WESTERN AVE
TOLEDO OH 43609

ALMARAZ THERESA KUHN
642 WESTERN AVE
TOLEDO OH 43609 2764

KISSINGER DAVID E
644 DUSSEL DR
MAUMEE OH 43537 2412

WOGGON JERRY GLENN
647 WESTERN AVE
TOLEDO OH 43609 2776

JARVIS DELANDO & MARY
649 WESTERN AVE
TOLEDO OH 43609 2776

MYRICE JAMES R & DIANE J
657 WESTERN AVE
TOLEDO OH 43609 2776

TITGEMEIERS INC
701 WESTERN AVE
TOLEDO OH 43609

SOCHACKI RICHARD L
704 WESTERN AVE
TOLEDO OH 43609 2718

BAILEY TERESA M
712 WESTERN AVE
TOLEDO OH 43609 2718

SATTLER PETER M
827 RIVER RD
MAUMEE OH 43537

PRZYBYLSKI SUSAN
P O BOX 426
TOLEDO OH 43692

SMOOTH INVESTMENTS LLC
P O BOX 72218
COLUMBUS OH 43207

KING REAL ESTATE INVESTMENTS IV
LLC
P.O. BOX 401401
REDFORD TWP MI 48239

MOAWAD SAMIN H
PO BOX 8143
TOLEDO OH 43605

THERESA GADUS
ONE GOVERNMENT CENTER SUITE
2120
TOLEDO OH 43604

PUBLIC HEARING

CASE NO. Z-6001-20

REQUEST: Zone Change from CR Regional Commercial to RD6 Duplex Residential at 638, 642,
and 650 Western Avenue

APPLICANT NAME: Theresa Kuhn-Almaraz and Valentin Almaraz

ADDRESS: 642 Western Avenue

DATE: July 9, 2020 TIME: 2:00pm

Contact Person: Theresa Kuhn-Almaraz

Contact Person Phone Number: 419-255-3212

PLACE: Council Chamber, 1st Floor, One Government Center
Jackson & Erie Streets, Toledo, OH

For Further Information, Contact
The Toledo-Lucas County Plan Commissions

PHONE: (419) 245-1200

FAX: (419) 936-3730

TMC 1111.0304

