



REF: Z-6005-23  
DATE: March 14, 2024

TO: President Carrie Hartman and Members of Council, City of Toledo

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

SUBJECT: Zone Change from RD6 Duplex Residential to CR Regional Commercial

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, March 14, 2024 at 2:00 P.M.

### GENERAL INFORMATION

#### Subject

|                   |   |                                                                   |
|-------------------|---|-------------------------------------------------------------------|
| Request           | - | Zone Change from RD6 Duplex Residential to CR Regional Commercial |
| Location          | - | 2718 Upton Avenue<br>Toledo OH 43606                              |
| Applicant + Owner | - | Dan Ridi<br>5131 W. Sylvania Road<br>Toledo, OH 43560             |

#### Site Description

|              |   |                          |
|--------------|---|--------------------------|
| Zoning       | - | RD6 / Duplex Residential |
| Area         | - | ± 0.11 Acres             |
| Frontage     | - | ± 45' along Upton Avenue |
| Existing Use | - | Vacant Lot               |
| Proposed Use | - | Gas Station              |

#### Area Description

|       |   |                                                               |
|-------|---|---------------------------------------------------------------|
| North | - | RD6 / Duplexes, Nursing Home, Single-family Homes             |
| South | - | CO, CR, RM36 / Gas Station, Office Building, Apartments, Bank |
| East  | - | RS6 / Single-family Homes, Vacant Lot                         |
| West  | - | RS6, RD6 / Daycare, Single-family Homes                       |

## GENERAL INFORMATION (cont'd)

### Parcel History

|           |   |                                                                                       |
|-----------|---|---------------------------------------------------------------------------------------|
| Z-8049-90 | - | Request for a Zone Change at 2718 Upton Avenue from R-3 to C-3. Withdrawn 10/04/90    |
| Z-9001-03 | - | Request for Zone Change from R-3 to C-3 at 2718 Upton Avenue. PC disapproved 11/06/03 |

### 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 RD6 Duplex Residential to CR Regional Commercial for the property located at 2718 Upton Road. The  $\pm$  0.11-acre site is a vacant lot and fronts Upton Avenue. The property is surrounded by duplexes, a nursing home and single-family homes to the north, single-family homes and a vacant lot to the east, to the south is an office building, gas station and a bank and to the west is a day care and single-family homes.

The applicant owns the Stop&Go gas station at 2702 Upton south of the site. The Zone Change is being requested in order to expand the gas station and address Zoning requirements. The applicant is also requesting a Special Use Permit for the gas station expansion through the associated case SUP-6006-23.

### Neighborhood Meeting

The Plan Commission at its January 11, 2024 hearing deferred the case until a neighborhood meeting is held. The applicant held a neighborhood meeting on February 20, 2024 with residents adjacent to the gas station. The major issues raised during the meeting were fencing along the perimeter of the property, change in time of dumpster collection, noise and littering and crime at the site. The applicant proposed to install a ten-foot vinyl fence along the perimeter to prevent headlights of vehicles from shining into adjacent properties. Furthermore, the time of dumpster location shall change and signs will be installed stating no loud noise or littering at the store. In addition to that, the applicant proposed to request the police department to install a permanent camera at the south west corner of Monroe and Upton to deter crime in the area.

TO: President Hartman and Members of Council  
March 14, 2024  
Page 3

REF: Z-6005-23

**STAFF ANALYSIS (cont'd)**

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets the site for Single Family land uses. Single Family land uses typically include the development of single-dwelling units on individual lots and may also include libraries, schools, churches, and community centers that serve neighborhoods. The Single-Family Residential district is intended to create, maintain and promote housing opportunities for individual households, although it may include nonresidential uses, duplexes, and planned unit developments that are typically compatible with residential neighborhoods.

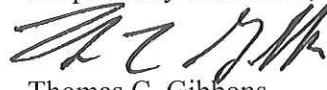
Staff recommends approval of the Zone Change from RD6 Duplex Residential to CR Regional Commercial because the uses permitted under the proposed Zone Change are compatible with uses in the general vicinity of the site.

**PLAN COMMISSION RECOMMENDATION**

The Toledo City Plan Commission recommends approval of Z-6005-23, a request for Zone Change from RD6 Duplex Residential to CR Regional Commercial at 2718 Upton Avenue to Toledo City Council for the following **two (2) reasons**:

1. The rezoning is consistent with the Comprehensive Plan and the stated purpose of the Zoning Code (**TMC§1111.0606(A)**);
2. The Zoning is consistent with classifications of properties within the general vicinity of the subject property. (**TMC§1111.0606(C)** – Review & Decision-Making Criteria).

Respectfully Submitted,



Thomas C. Gibbons

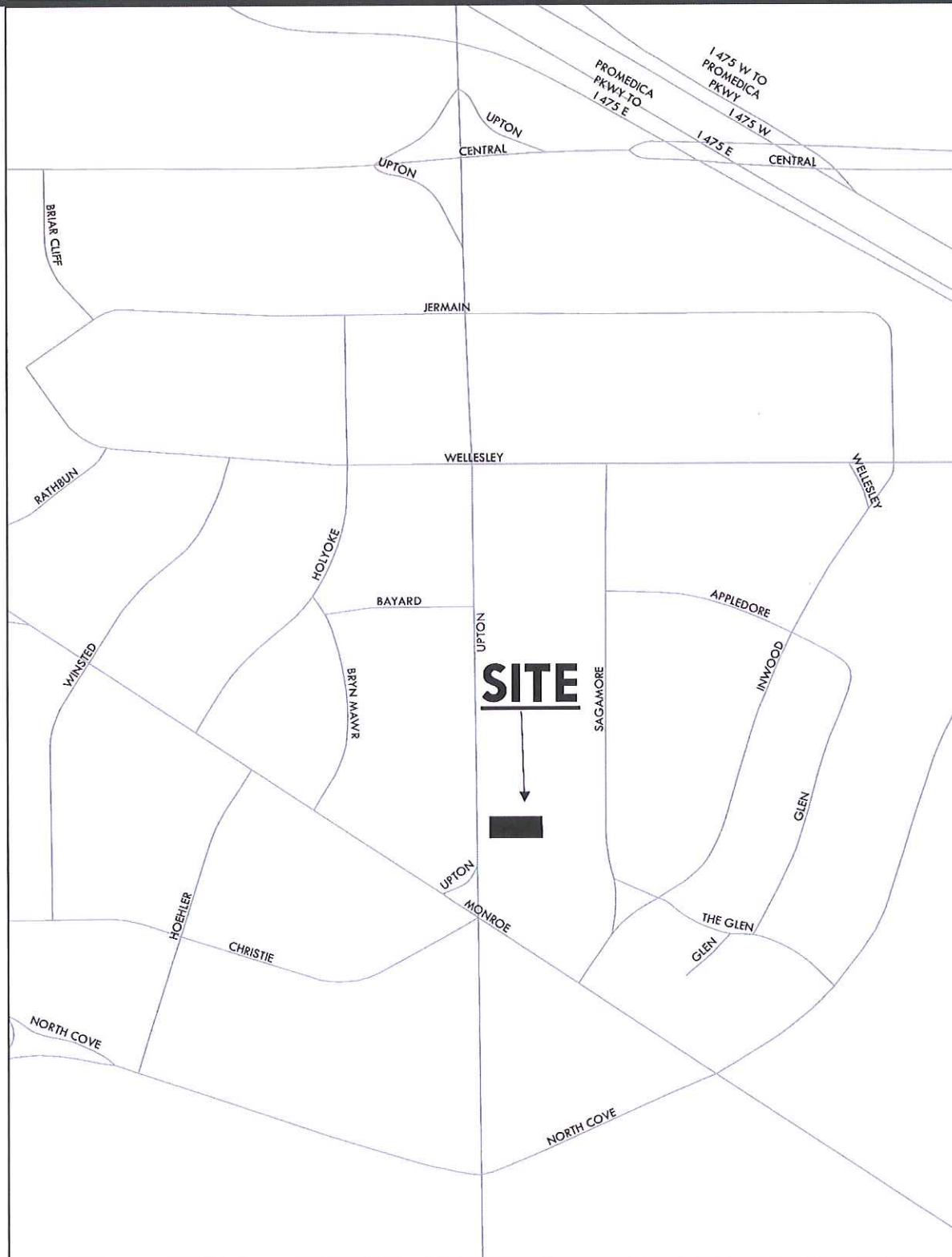
Secretary.

ET

Two (2) sketches follow

# GENERAL LOCATION

Z-6005-23



# ZONING & LAND USE

Z-6005-23

