

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: February 10, 2022

REF: Z-12003-21

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

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

SUBJECT: Request for a Zone Change from RS12 Single-Dwelling Residential to CR Regional Commercial at 1319, 1325, 1331, 1335 S Reynolds Road.

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, February 10, 2022 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Zone Change from RS12 Single-Dwelling Residential to CR Regional Commercial
Location	-	1319, 1325, 1331, & 1335 S. Reynolds Road
Applicant	-	1319 S. Reynolds Rd LLC 131 Glendale Ave Bellevue OH 44811
Owner	-	Eleanor Sonntag 5101 Norwich Rd Toledo OH 43615

Site Description

Zoning	-	RS12 / Single-Dwelling Residential
Area	-	± 0.62 Acres
Frontage	-	± 200' along Byrne Road
Existing Use	-	Undeveloped
Proposed Use	-	Drive-thru restaurant

GENERAL INFORMATION (cont'd)

Area Description

North	-	CR / Drive-Thru fast food, Auto-Service
South	-	CO / Financial offices
East	-	RS12 / Single-family homes
West	-	CR-SO / Airport Square Shopping Center

Combined Parcel History

Z-45-78	-	Zone Change from R-B to C-3 (PC no action 4/20/78, CC Disapproved 5/3/78).
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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 RS12 Single-Dwelling Residential to CR Regional Commercial. The ±0.62 acres site is composed for four (4) undeveloped lots currently occupied by landscaping. North of the site is a drive-thru restaurant and auto garage, to the east are single-family dwellings, to the south is a financial office, and the west is Airport Square Shopping Center, a strip-style shopping center with a variety of commercial uses. The applicant intends to construct a drive-thru fast food restaurant and is requesting a zone change because CR is the only zoning district which permits drive-thru restaurants by right. If approved, the development would be required to undergo a minor site plan review unless the scope of work triggers some requirement for a major site plan review as outlined in TMC§11111.0802 *Site Plan Review Applicability*.

A similar request for commercial zoning had been denied in 1978, citing concerns of increased traffic and impact on the residential neighborhood. At this time Airport Square Shopping Center had not yet been constructed, and in its place was Holy Spirit Seminary School. As the city has developed and demographics have shifted the area has become increasing more commercial oriented – particularly with the construction of the shopping center in the late 1980s. CR Regional Commercial zoning would be harmonious to the contemporary context of Reynolds Road and Airport Highway. Furthermore, a type A landscape buffer is now required between CR Regional Commercial uses and all single-dwelling districts. Modern landscape buffer requirements assist in alleviating the visual and auditory impacts of commercial uses adjacent to residential areas.

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STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Office Commercial land use which is intended for a large concentration of office uses. The district is also intended to serve as a land use buffer between major streets and residential neighborhood and between higher intensity commercial areas and residential neighborhoods. While the proposed Zone Change is not strictly consistent with the Toledo 20/20 Comprehensive Plan, the encroachment CR zoning down Reynolds is limited by existing CO office commercial zoning to the south, which matches the intent of the Comprehensive Plan to create an intensity buffer between uses.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of Z-12003-21, a request for Zone Change from RS12 Single-dwelling Residential to CR Regional Commercial for a site located at 1319, 1325, 1331, & 1335 S. Reynolds Road to Toledo City Council for the following **two (2) reasons:**

1. The rezoning is compatible with the existing land uses within the general vicinity of the subject property **(TMC§1111.0606(B))**;
2. The rezoning is compatible with the zoning classifications of properties within the general vicinity of the subject property **(TMC§111.0606(C))**.

Respectfully Submitted,



Thomas C. Gibbons
Secretary

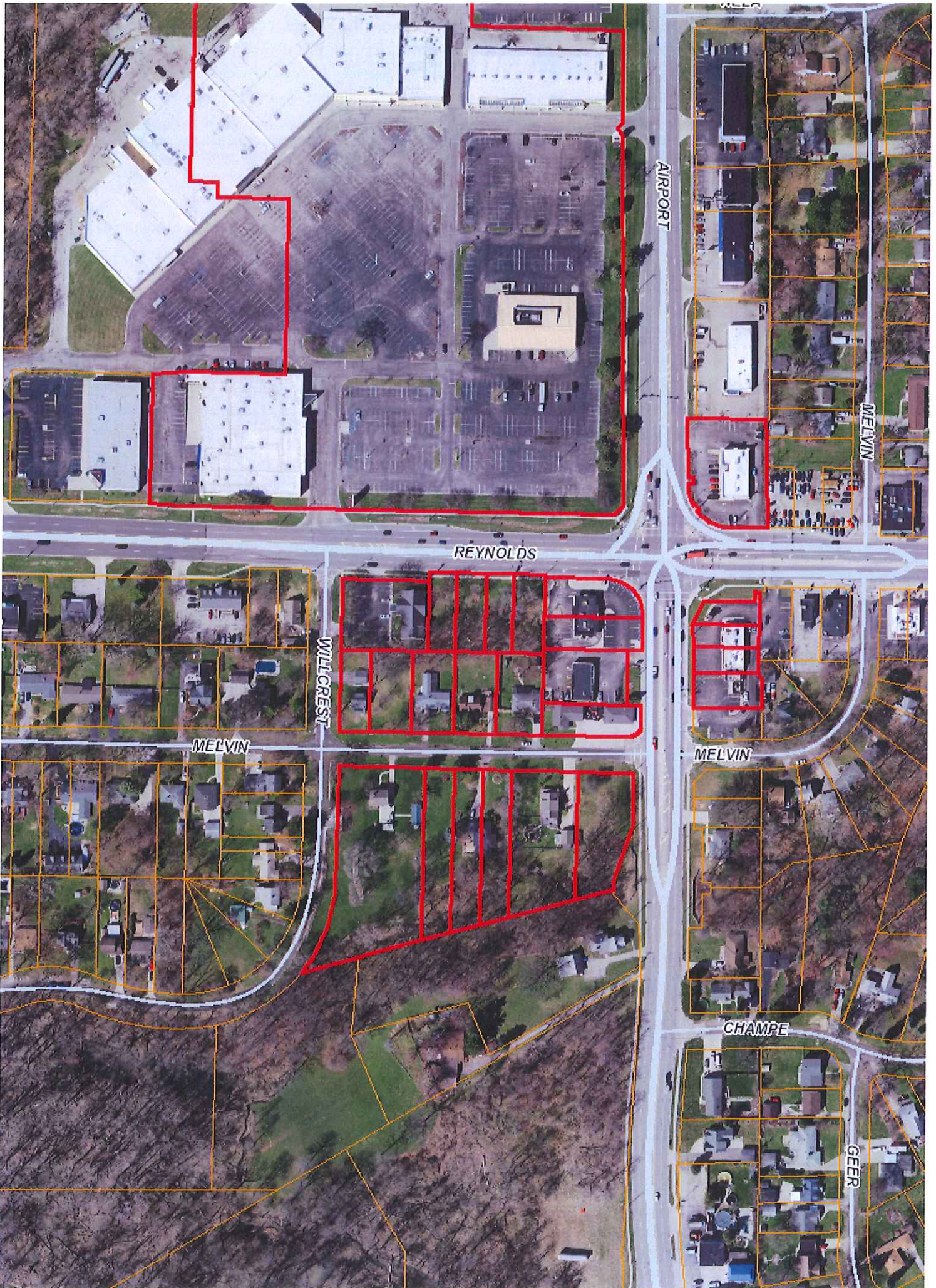
Two (2) sketches follow

Cc: 1319 S. Reynolds Rd LLC, 131 Glendale Ave, Bellevue OH 44811
Eleanor Sonntag, 5101 Norwich Rd, Toledo OH 43615
Lisa Cottrell, Administrator
Jonny Latsko, Planner

GENERAL LOCATION

Z-12003-21
ID 140





Kim Rhodes

Hello,

My name is Kim Rhodes.

My address is 1326 Melvin drive, Toledo, Ohio.

I am e-mailing to voice my concerns regarding the zone change application for 1319,1325,1331,&1335 Reynolds Rd.

My house is directly behind this area which would mean that I would have a drive-thru restaurant as part of my back yard.

This is VERY concerning to me!!!

I see this as a huge safety concern for my family that enjoys the back yard all year round. I have two grandchildren that spend many hours per day at my house. They live next door and cannot play in their own yard because of the instant oil change and day care that surrounds them. To allow the zone change in order to put up a drive-thru restaurant would leave my entire family with nowhere safe to go outside.

I would not feel comfortable trying to swim in the kid size pool that we put up every year or simply having a cook-out. The swing set would pretty much be in the parking lot where strangers – workers, patrons, truck delivery men etc...would be passing through all hours.

I would not feel comfortable with having my grandbabies in the yard.

There are many times that we can hear people pulling into Baskin Robins and the oil change parking lots after hours having arguments, playing music loudly and who knows what other things. One day I even heard of a robbery taken place at Baskin Robins. The elements that would come with a drive-thru restaurant would be much worse than all of this especially considering the location directly behind my house and essentially part of my back yard.

Besides the incredible safety concerns there is also the "noise factor".

At this time the area behind my house has a barrier of trees that blocks some of the traffic noise and also blocks the view of my back yard and house from those traveling down Reynolds Rd. The noise of traffic and more concerning noise of the drive-thru restaurant itself would be unbearable.

The value of our property is also of serious concern.

The immediate decline of our personal property and the properties in the vicinity would be devastating.

I would have liked to be at the hearing but need to be at work during the time scheduled.

Please consider this letter when deciding on this zone change.

Thank you,

Kim Rhodes

419-270-2171

