

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: April 18, 2022

REF: Z-2001-22

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-SO Regional Commercial Shopping Center Sign Control Overlay and RS12 Single Dwelling Residential to CR Regional Commercial at 2150 S Byrne Road

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, April 14, 2022 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request - Zone Change from CR-SO Regional Commercial Shopping Center Sign Control Overlay and RS12 Single Dwelling Residential to CR Regional Commercial.

Location - 2150 S. Byrne Road

Applicant + Owner - Cedar Creek Church
29129 Lime City Road
Perrysburg, OH 43551

Site Description

Zoning - CR-SO, RS12 / Regional Commercial Shopping Center Sign Control Overlay, Single Dwelling Residential

Area - ± 5.52 Acres

Frontage - ± 756' along Byrne Road
± 58' along Southlawn Drive

Existing Use - Church

Proposed Use - Church

Area Description

North	-	CR, CR-SO / Byrne-Glanzman Shopping Plaza, Restaurants, Retail
South	-	RS9, RD6 / Single- and Two-family dwellings
East	-	CR, POS / Heatherdowns Village Shopping Center, Baseball Diamond
West	-	RS12 / Single Family Houses

Combined Parcel History

Z-218-61	-	Request for a Zone Change from R-B to C-3 on the West side of Byrne, South of Heatherdowns (PC Denied 8/17/61)
S-26-63	-	Preliminary Plat of the Schneider's-Heatherdowns Village Plat, at the West side of Byrne and South Side of Heatherdowns (PC Approved 10/24/63)
S-38-63	-	Final Plat of the Schneider's-Heatherdowns Village Plat, at the West side of Byrne and South Side of Heatherdowns (PC Approved 01/09/64)
Z-8003-99	-	Amended SPR and zone change R-B to C-4 at 2050-2180 S Byrne Road (PC Approved 10/14/99, CC Approved Ord. 940-99)
S-14-01	-	Final Plat of the Replat of Schneider's Heatherdowns Village, south of Heatherdowns Blvd., west of Byrne Road (PC Approved 7/12/01)
Z-1005-01	-	Minor change to C-4 site plan, ord.540-63 amended for Churchill's (Farmer Jack) at 2150 S Byrne Road (PC Approved 3/8/01).

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 CR-SO Regional Commercial Shopping Center Sign Control Overlay and RS12 Single Dwelling Residential to CR Regional Commercial. The ±5.52 acres site is occupied by a formerly commercial structure and parking lot that is now used as a church. The site is surrounding by a shopping center to the north and east, a baseball diamond to the east, and residential neighborhoods to the south and west. The applicant is requesting the zone change to better align the zoning of the site with the property in its current use.

This zone change request accomplishes a multifaceted goal: First, while religious assembly is a permitted use in RS12 districts, the vast majority of the parcel is zoned commercial, and the portion zoned residential has already been developed in a commercial manner. Given the commercial history and build-out of the site, it is more practical to remove the residential zoning from the lot.

Second, the stated purpose of the Shopping Center Sign Control Overlay is to regulate the number, type, and location of signs in shopping center sites and other properties within the boundaries of designated -SO Districts. The regulations are also intended to encourage unified sign plans for multi-tenant shopping center sites. While the church does share driveway access with the abutting shopping center, the building is ±375 feet from the shopping center, and has small setbacks uncharacteristic of typical strip-style shopping centers. In the given context, removal of the Sign Control Overlay will not negatively impact the area, even if the site returns to a commercial use.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Regional Commercial land uses. Regional commercial land uses are intended to accommodate auto-oriented development such as malls, big box retail stores & mixed-use development. The proposed zone change conforms with the Toledo 20/20 Comprehensive Plan.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of Z-2001-22, a request for Zone Change from CR-SO Regional Commercial Shopping Center Sign Control Overlay and RS12 Single Dwelling Residential to CR Regional Commercial 2150 S Byrne 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 rezoning is compatible with the existing land uses within the general vicinity of the subject property (**TMC§111.0606(B)**).

TO: President Cherry and Members of Council
April 18, 2022
Page 4

REF: Z-2001-22

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Tom C. Gibbons". The signature is fluid and cursive, with a large initial "T" and "G".

Thomas C. Gibbons
Secretary

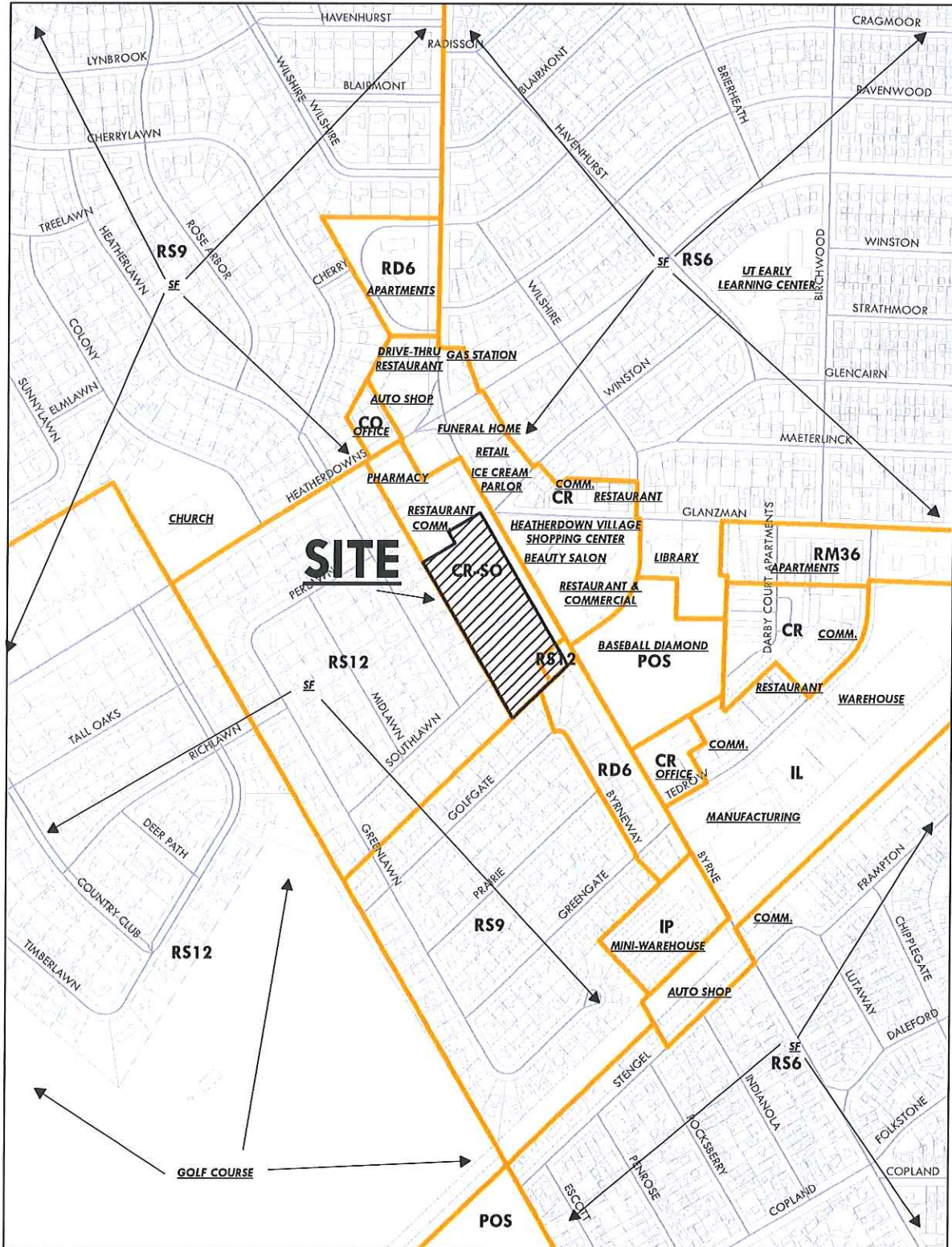
JGL

Two (2) sketches follow

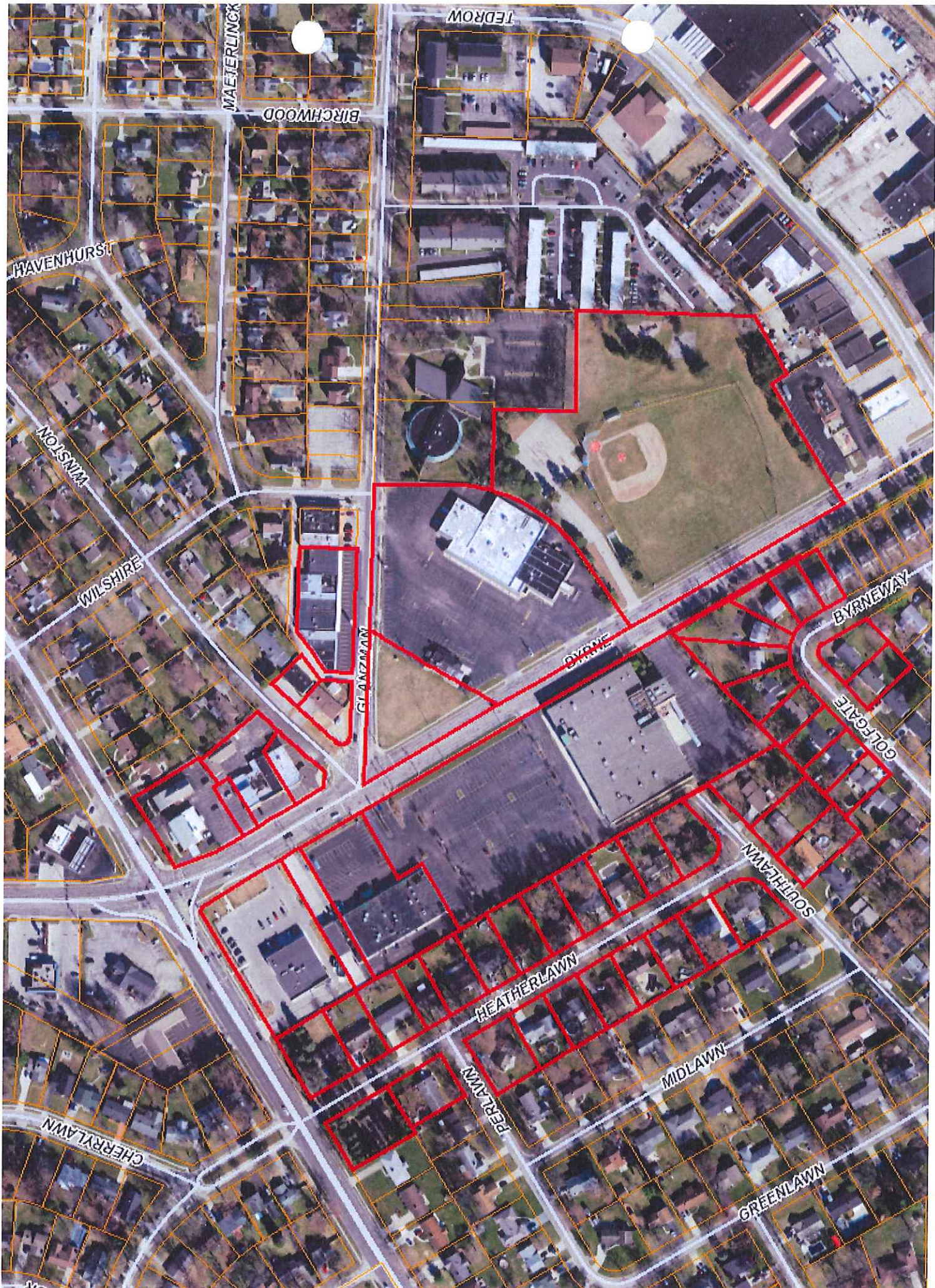
Cc: Josh Brossia Cedar Creek Church 29129 Lime City Rd Perrysburg OH 43551
Lisa Cottrell, Administrator
Jonny Latsko, Planner

ZONING & LAND USE

Z-2001-22
ID 110



owner	mailing address 1	mailing address 2
ANNE GRADY FOUNDATION INCAN OHIO NON-PRO	P O BOX 1297	HOLLAND OH 43528
ARNDT MATTHEW & CLAIRE	2144 HEATHERLAWN DR	TOLEDO OH 43614 5148
BECZYNSKI LAURIE M	2149 HEATHERLAWN DR	TOLEDO OH 43614 5130
BENSCHOTER DAVID P	3662 PERLAWN DR	TOLEDO OH 43614 5144
BOX STEPHANIE	3542 GOLFGATE DR	TOLEDO OH 43614
BRAND PAUL ETAL	3607 SOUTHLAWN DR	TOLEDO OH 43614
BURKETT HOLDINGS LLC	3312 GLANZMAN RD	TOLEDO OH 43614
BYRNOR PROPERTIES LLC AN OHIO	445 EARLWOOD	OREGON OH 43616 9851
BYRNE WAY HOMES LLC AN OHIO LLC	24473 W RIVER RD	PERRYSBURG OH 43551
CV5 11155 OH LLC	ONE CVS DRIVE ATTN PROPERTY ADMIN	WOONSOCKET RI 02895
DONNELLY DEVON G & MICHAEL O (ORSURVTC)	2207 HEATHERLAWN DR	TOLEDO OH 43614
ELITE PAINT PROS LLC	1803 CHERRYLAWN DR	TOLEDO OH 43614
FALKENBERG SHEILA M & NORMAN R	2109 HEATHERLAWN DR	TOLEDO OH 43614 5130
FILIPOVICH LON R SR & MICHELE M	2141 HEATHERLAWN DR	TOLEDO OH 43614 5130
FISHER DAVID H & MARIE D	2206 HEATHERLAWN DR	TOLEDO OH 43614 5131
FORCHE JOHN R & TAMARA S	7241 ST THOMAS CT	TOLEDO OH 43607
GETZEN TIMOTHY L & LISA L	2215 HEATHERLAWN DR	TOLEDO OH 43614 5132
GREENESE AMANDA L	3623 SOUTHLAWN DR	TOLEDO OH 43614 5142
HEATHERLAWN CORPORATION	0 SOUTHLAWN DR	TOLEDO OH 43614
HONSBERGER DENISE L	3530 GOLFGATE DR	TOLEDO OH 43614 5111
IRVING WILLIAM P & DEBRA M	2157 HEATHERLAWN DR	TOLEDO OH 43614 5130
JAZ INVESTMENT LLC	P O BOX 623	TOLEDO OH 43697
JAGOS GERALD A & MAUREEN M	2152 HEATHERLAWN	TOLEDO OH 43614
JAQUILLARD RASHELLE L	3536 GOLFGATE DR	TOLEDO OH 43614 5111
KINNEY SCOT L & JENNIFER L	3535 GOLFGATE	TOLEDO OH 43614
KLB ETAL	3524 GOLFGATE DR	TOLEDO OH 43614 5111
LAW SUE FONG	2127 HEATHERLAWN DR	TOLEDO OH 43614 5130
LEOW WARREN J	3615 SOUTHLAWN DR	TOLEDO OH 43614 5142
LUCAS COUNTY COMMISSIONERSBOARD OF	ONE GOVERNMENT CTR #800	TOLEDO OH 43604
MATYI DAWN M	3041 POLANSKI	WAKE FOREST NC 27587
MAURO VINCENT J & TERESAG	2214 HEATHERLAWN	TOLEDO OH 43614
NICHOLSON PAMELA S	2230 HEATHERLAWN DR	TOLEDO OH 43614 5131
PASZKO DONALD D & KAREN LPARKES-	2238 HEATHERLAWN	TOLEDO OH 43614
PERMANENT VACATION LTD AN OHIO LLC	1023 DILLON CIR	FOSTORIA OH 44830
RIVERS DEBORAH A	3563 HEATHERDOWNS BLVD	TOLEDO OH 43614 3662
ROOKS SHAWNA	2133 HEATHERLAWN DR	TOLEDO OH 43614
SCOTT JOANN	3453 HEATHERDOWNS	TOLEDO OH 43614
SMITH TERI L	2160 HEATHERLAWN	TOLEDO OH 43614
STUART WILLIAM M JR & MELUSSA M	2223 HEATHERLAWN DR	TOLEDO OH 43614 5132
T.G.W. ETAL	3550 GOLFGATE DR	TOLEDO OH 43614 5111
VENEZIALE JOSEPH L	3525 GOLFGATE	TOLEDO OH 43614
WAGNER JEFFREY J & LISA MARIE	2233 HEATHERLAWN DR	TOLEDO OH 43614 5132
WHALEY DEBRA A	2119 HEATHERLAWN DR	TOLEDO OH 43614 5130
WHITE NATHANIEL J	7485 NEW HORIZON WAY	FREDERICK MD 21703 8388
COUNCILMEMBER CHERRY		
CEDAR CREEK CHURCH	29129 LIME CITY ROAD	PERRYSBURG OH 43551



TEDROW

MAIERLING

BIRCHWOOD

HAVENHURST

WILSON

WILSHIRE

GLAZEMAN

OWENS

BYRNEWAY

GOLGATE

SOUTHWINDS

HEATHERLAWN

PEARLAWN

MIDLAWN

GREENLAWN

CHERRYLAWN