TOLEDO - LUCAS COUNTY PLAN COMMISSIONS
One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

DATE: December 2, 2022
REF: Z-9001-22

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

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

SUBJECT: Zone Change from IL-Limited Industrial to IG-General Industrial 5439 Lewis Avenue

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, December 1, 2022 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Zone Change from IL-Limited Industrial to IG-General Industrial
Location	-	5439 Lewis Avenue
Applicant & Owner	-	Mo Dari G1 Operations 5439 Lewis Avenue Toledo, OH 43612
Architect	-	John Ciampa 6725 W Central Avenue Toledo, OH 43617

Site Description

Zoning	-	IL / Limited Industrial
Area	-	±13.3 acres
Frontage	-	±185' along Lewis Avenue
Existing Use	-	Scrap & Salvage Facility
Proposed Use	-	Scrap & Salvage Facility

Area Description

North	-	Apartments, Shantee Creek / IL
South	-	Auto repair, mobile home park / CR & IL
East	-	Duplexes & single family homes / RS6
West	-	Railroad, heavy manufacturing and shipping / IG

GENERAL INFORMATION (cont'd)

Parcel History

PL-3-98	-	Parking lot at 5407 Lewis Avenue for Al Smith restaurant. Administratively approved 2/4/1999.
SPR-6-11	-	Minor Site Plan Review of vehicle storage area improvements at 5439 Lewis Avenue. Administratively approved 5/22/2011.
SUP-9002-22	-	Special Use Permit for scrap and salvage at 5439 Lewis Avenue (*Companion Case*).

STAFF ANALYSIS

The applicant is requesting a Zone Change from IL-Limited Industrial to IG-General Industrial at 5439 Lewis Avenue. The Zone Change is requested in order to allow a scrap & salvage facility to operate at the site. The site is ±13.3 acres and was previously occupied by several light industrial uses including semi-truck parking and storage. The applicant purchased the property from the previous owner in 2021, and proposes no modifications to the existing site besides landscaping. Surrounding land uses include apartments and Shantee Creek to the north, duplexes and single-family homes to the east, mobile homes and heavy auto repair to the south, and vehicle storage and a railroad to the west.

Scrap & salvage operations are only permitted in IG-General Industrial Zoning, and also require a Special Use Permit. Companion case SUP-9002-22 was submitted with the Zone Change application. The layout and landscaping are reviewed under SUP-9002-22. Staff have concerns with the Zone Change as the site abuts legal nonconforming duplexes along the eastern border, a mobile home park to the south, and apartments nearby to the north. Although these surrounding uses have IL-Limited Industrial Zoning, residential uses abutting the most intense Industrial District is concerning to staff.

Neighborhood Meeting

On November 19th, 2022, the applicant held a neighborhood meeting at the subject site to answers questions about the business and address any concerns. Roughly fifty (50) residents were in attendance. Attendees had grave concerns about noise pollution, seepage of hazardous materials into nearby properties and Shantee Creek, exposure to dust and toxins, increased traffic, and what steps the applicant was taking to ensure no negative secondary effects to surrounding properties. Unfortunately, the applicant failed to address these concerns and did not answer the neighbors' questions asked. The applicant primarily discussed the Zoning regulations of the property and the difference between a scrap yard and a salvage yard. The Zoning Code does not separate these two uses because they are similar in operation and have similar impacts to adjacent properties. As important questions were not answered, staff have concerns with the application.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Light Industrial land uses. This district is intended to accommodate uses such as research, wholesale activities, warehouses and industrial/manufacturing operations that are not employment-intensive and are compatible with commercial and residential land uses. Considering the surrounding residential uses surrounding the site, staff recommend the property remain IL-Limited Industrial as the Comprehensive Plan recommends.

Staff recommends disapproval of the Zone Change from IL-Limited Industrial to IG-General Industrial because request is not consistent with the Comprehensive Plan or the stated purpose of the Zoning Code, which is to protect the health, safety, and general welfare of the citizens of Toledo.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends disapproval of Z-9001-22, a request for a Zone Change from IL-Limited Industrial to IG-General Industrial at 5439 Lewis Avenue to the Toledo City Council, for the following **three (3)** reasons:

1. The request is not consistent with the Comprehensive Plan or the stated purpose of the Zoning Code (TMC§1111.0606(A) – Review & Decision-Making Criteria).

2. Existing land uses within the general vicinity of the subject property are not compatible with the requested Zoning District (TMC§1111.0606(B) – Review & Decision-Making Criteria).

3. The rezoning will detrimentally affect properties within the vicinity of the subject property (TMC§1111.0606(E) – Review & Decision-Making Criteria).

Respectfully Submitted,

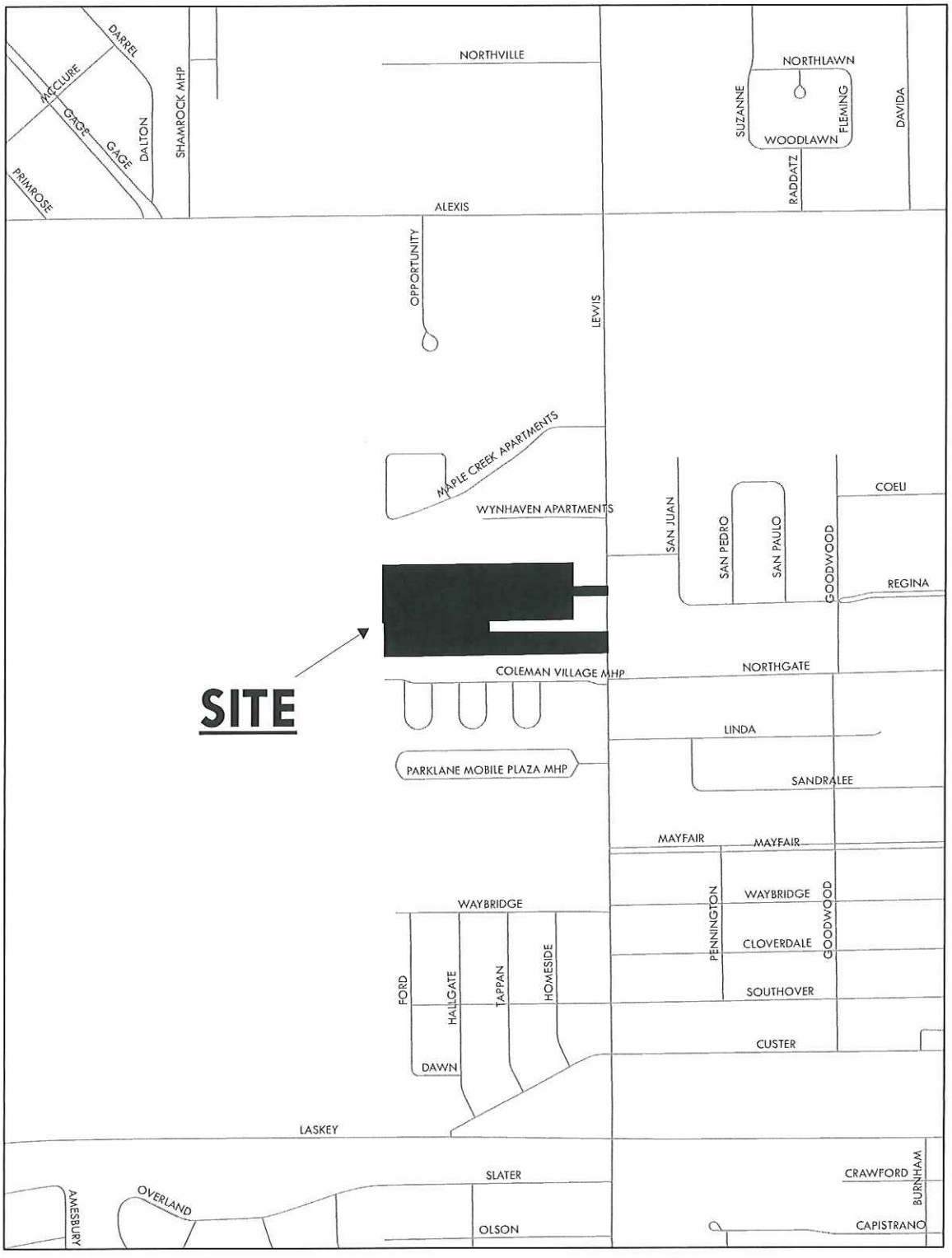
Thomas C. Gibbons
Secretary

DR
Two (2) sketches follow
Cc: Mo Dari, G1 Operations, 5439 Lewis Avenue, Toledo OH 43612
John Ciampa, 6725 W Central Avenue, Toledo OH 43617
Lisa Cottrell, Administrator
Dana Reising, Associate Planner

GENERAL LOCATION

Z-9001-22

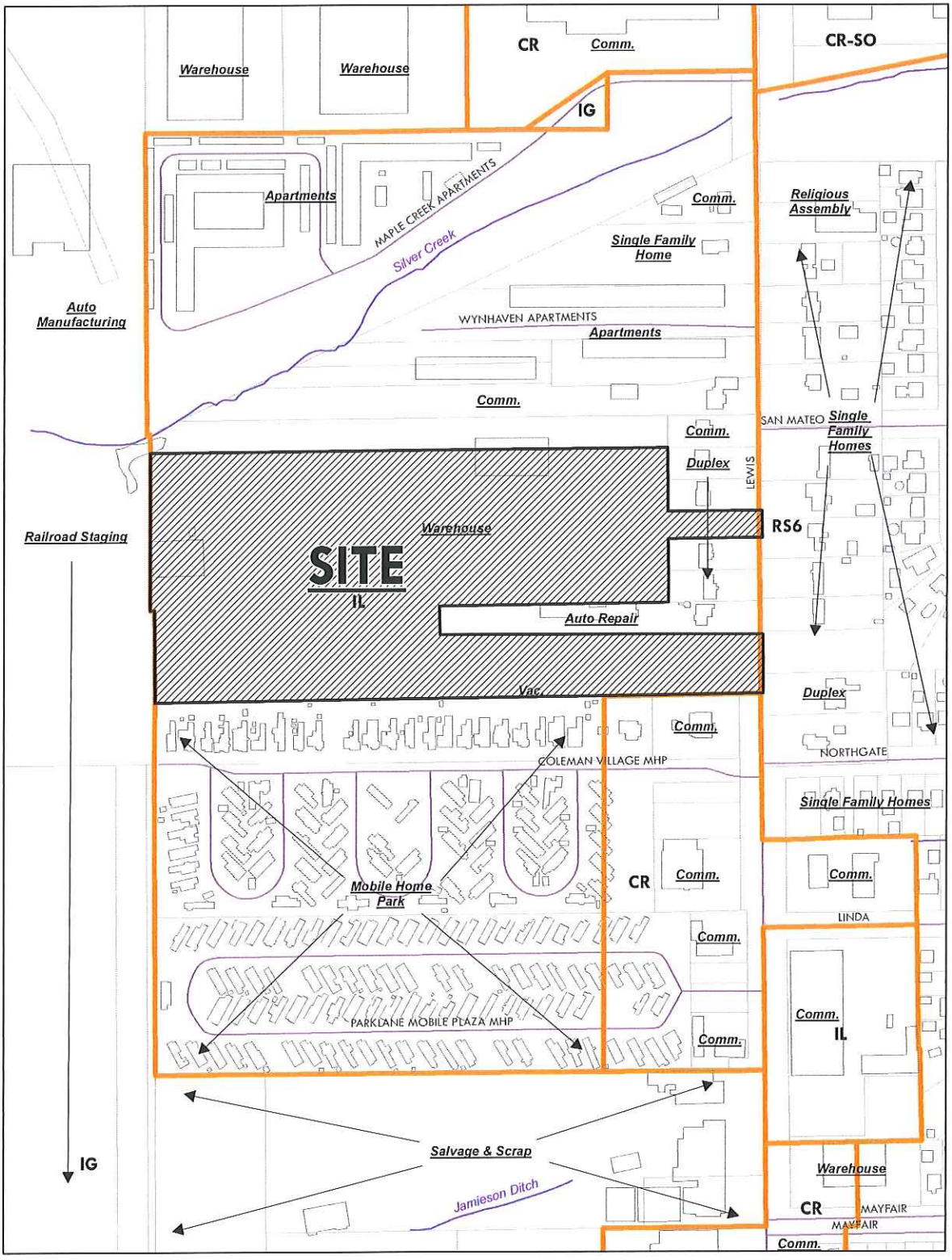
N



ZONING & LAND USE

Z-9001-22

N



ALDRICH AMANDA
5383 LEWIS AVE LOT 114
TOLEDO OH 43612

ALFARO FERNANDO
5541 LEWIS AVE
TOLEDO OH 43613

ALVARADO LAURA
5504 LEWIS AVE
TOLEDO OH 43612

AMTECH MEDICAL TRAINING CENTER LLC
P.O. BOX 25
SYLVANIA OH 43560

ANTIOCH MISSIONARY BAPTIST CHURCH
5542 LEWIS AVE
TOLEDO OH 43612 3059

BARGER ELLEN C TOD ERIC R GUZMAN
5383 LEWIS AVE LOT 180
TOLEDO OH 43612 3166

BIALECKI BRADLEY SCOTT
5383 LEWIS AVE LOT 135
TOLEDO OH 43612

BLADEL JAMES P
5383 LEWIS AVE LOT 173
TOLEDO OH 43612

BLADEL SANDRA S
5383 LEWIS AVE LOT 101
TOLEDO OH 43612 3155

BRAZEAL DAVID
5383 LEWIS AVE LOT 125
TOLEDO OH 43612 3161

BROOKS ROBERT G
5383 LEWIS AVE LOT 140
TOLEDO OH 43612 3162

BURDEN GAYLE
5383 LEWIS AVE LOT 112
TOLEDO OH 43612

CAMPOS MARIANA
5383 LEWIS AVE LOT 185
TOLEDO OH 43612

CARRICK KURT W
5383 LEWIS AVE LOT 169
TOLEDO OH 43612 3165

CHANCEY COLLEEN M
5430 LEWIS AVE
TOLEDO OH 43612

CLARK DEAN & CRYSTAL
5383 LEWIS AVE LOT 115
TOLEDO OH 43612

CLAYBOURNE ROBIN
5383 LEWIS AVE LOT 177
TOLEDO OH 43612

COLEMAN SALES & SERVICEINC
5353 LEWIS AVE
TOLEDO OH 43612 3109

COLEMAN VILLAGE INC
3000 TOWN CENTER STE 540
SOUTHFIELD MI 48075

COLEMAN VILLAGE LIMITED PARTNERSHIP
5383 LEWIS AVE # 2
TOLEDO OH 43612

COLEMAN VILLAGE MHP
5383 LEWIS AVE LOT 107
TOLEDO OH 43612

COPE ROBERT C JR
5383 LEWIS AVE LOT 119
TOLEDO OH 43612 3160

DENNIS LINDA M
932 NORTHGATE PKWY
TOLEDO OH 43612

DIVERSFIED ASSET MANAGEMENT LLC
650 PHILLIPS AVE
TOLEDO OH 43612

DJD PROPERTIES OF OHIO LLC
8136 DORR ST
TOLEDO OH 43617 1729

DOMINIQUE DYLAN
5383 LEWIS AVE LOT 159
TOLEDO OH 43612

DORN KATHLEEN A & MICHAEL W
5461 SAN JUAN DR
TOLEDO OH 43612

DUNBAR ROY L
5383 LEWIS AVE LOT 128
TOLEDO OH 43612 3161

DURAN FRANK & MARIA L
6852 FORTUNA DR
TEMPERANCE MI 48182 1300

DUTCHER MALYNDA
5383 LEWIS AVE LOT 178
TOLEDO OH 43612

FAUST HILLARY
5383 LEWIS LOT 139
TOLEDO OH 43612

FEHER TAMI & PATRICK
5443 SAN JAUN DR
TOLEDO OH 43612

FEROW IVY M
5383 LEWIS AVE LOT 167
TOLEDO OH 43612

G1 OPERATIONS LLC
5439 LEWIS AVE
TOLEDO OH 43612

GIBBONS JOHN A
5383 LEWIS AVE LOT 183
TOLEDO OH 43612

GLASHAUSER BENNITA L
5383 LEWIS AVE LOT 161
TOLEDO OH 43612 3165

GRUENING JACQULYN &
RICHARD
5383 LEWIS AVE LOT 108
TOLEDO OH 43612 3155

HARDER KRISTI
5383 LEWIS AVE LOT 146
TOLEDO OH 43612

HARDIN TROY E
5412 LEWIS AVE
TOLEDO OH 43612

HAYWARD JOSHUA
5383 LEWIS AVE LOT 111
TOLEDO OH 43612

HESSEY RICHARD J
951 W NORTHGATE PKWY
TOLEDO OH 43612

HOLT GINA
5383 LEWIS AVE LOT 153
TOLEDO OH 43612 3164

HOWARD SCOTT E
937 W NORTHGATE PKWY
TOLEDO OH 43612

HUTT KAREN S
5383 LEWIS AVE LOT 151
TOLEDO OH 43612

JACOB C J
5383 LEWIS AVE LOT 154
TOLEDO OH 43612

JACOB CHAZ & CINDY
5383 LEWIS AVE LOT 105
TOLEDO OH 43612 3155

JACOB K C
5383 LEWIS AVE LOT 172
TOLEDO OH 43612

JAEGER MICHAEL G & VICKIEL
851 REGINA PKWY
TOLEDO OH 43612 3331

JENKINS GEORGE
5383 LEWIS AVE LOT 160
TOLEDO OH 43612 3165

JOHNSTON TYLER
5383 LEWIS AVE LOT 124
TOLEDO OH 43612

JUST TAKE IT LLC
5549 LEWIS AVE
TOLEDO OH 43612

KACHENMEISTER BRIANNA M
5383 LEWIS AVE LOT 150
TOLEDO OH 43612

KRONTZ GARY L JR
926 W NORTHGATE PKWY
TOLEDO OH 43612 3125

LEE JAMES E
5383 LEWIS AVE LOT 179
TOLEDO OH 43612

LEE MARY M
5383 LEWIS AVE LOT 127
TOLEDO OH 43612

LEVIS MARK G
PO BOX 127
LAMBERTVILLE MI 48144 0127

LHMD LLC
5511 LEWIS AVE
TOLEDO OH 43612

LIPPER PATRICIA ROSE
5383 LEWIS AVE LOT 156
TOLEDO OH 43612 3164

LOAR CARL V
5383 LEWIS AVE LOT 129
TOLEDO OH 43612 3161

LUTHER MARCY
5383 LEWIS AVE LOT 103
TOLEDO OH 43612

MACS CONVENIENCE STORES LLC
P O BOX 347
COLUMBUS OH 47201

MADRID MARIO L
5383 LEWIS AVE LOT 171
TOLEDO OH 43612

MAGRUM JESSICA FAITH
5383 LEWIS AVE # 144
TOLEDO OH 43612

MAGRUM LAURA
5383 LEWIS AVE LOT 155
TOLEDO OH 43612

MAGRUM LAURA J & MINOR DAVID J
5383 LEWIS AVE LOT 144
TOLEDO OH 43612 3163

MANAGHAN JUDY
5383 LEWIS AVE LOT 181
TOLEDO OH 43612

MATTHEWS WILLIAM D
5438 LEWIS AVE
TOLEDO OH 43612

MCCAIN MELISSA
5383 LEWIS AVE LOT 134
TOLEDO OH 43612

MILIOS KIMBERLY
5383 LEWIS AVE LOT 163
TOLEDO OH 43612 3165

MILLER REBECCA L
5383 LEWIS AVE LOT 166
TOLEDO OH 43612

MINOR DAVID
5383 LEWIS AVE LOT 102
TOLEDO OH 43612

MMC RESIDENTIAL LLC
1705 W LASKEY RD
TOLEDO OH 43613

MYERS CRISTEN L
5383 LEWIS AVE LOT 148
TOLEDO OH 43612

NEISS DEBRA S
5540 LEWIS AVE
TOLEDO OH 43612 3059

NEMETH DORENTHEA A
5404 LEWIS AVE
TOLEDO OH 43612 3002

ORCUTT TRACY
5383 LEWIS AVE LOT 182
TOLEDO OH 43612

OROURKE JESSE
5383 LEWIS AVE # 110
TOLEDO OH 43605

PARKER ANNAMARIA
5383 LEWIS AVE LOT 123
TOELDO OH 43612

PERRY KATHLEEN M
5383 LEWIS AVE LOT 165
TOLEDO OH 43612 3165

PESTER DONALD M
5383 LEWIS AVE LOT 131
TOLEDO OH 43612

PITTS ISAIAH
5383 LEWIS AVE LOT 175
TOLEDO OH 43612

PODGORSKI DANIEL B
5383 LEWIS AVE LOT 147
TOLEDO OH 43612

PUTMAN MICHAEL A & WANDA C
5427 LEWIS AVE
TOLEDO OH 43612 3001

RACZKOWSKI DALE P & LORRAINE T
931 NORTHGATE PKWY
TOLEDO OH 43612

RIOS NADINE GARCIA-
5383 LEWIS AVE LOT 118
TOLEDO OH 43612 3160

RKW MOBILE HOMES
5383 LEWIS AVE # 2
TOLEDO OH 43612

ROBERTS MARK JAY
5383 LEWIS AVE LOT 137
TOLEDO OH 43612

ROSE BRITTNEY J
5383 LEWIS AVE LOT 184
TOLEDO OH 43612

ROUSE KERRY E
5383 LEWIS AVE LOT 170
TOLEDO OH 43612 3166

ROWAN MICHAEL D
5383 LEWIS AVE LOT 121
TOLEDO OH 43612 3161

SCHULTZ TERRY L & CINTHY M
5447 SAN JUAN DR
TOLEDO OH 43612 3333

SCOTT SAMUEL A
5383 LEWIS AVE LOT 138
TOLEDO OH 43612 3162

SHEFFERLY MICHAEL & ROBYN
5454 LEWIS AVE
TOLEDO OH 43612 3002

SHIPLEY JOEL
5383 LEWIS AVE LOT 116
TOLEDO OH 43612

SHORT TIMOTHY M
5383 LEWIS AVE LOT 120
TOLEDO OH 43612

SMELSER WILLIAM & KATHLEEN
5383 LEWIS AVE # 133
TOLEDO OH 43612

SODD JAMES D
5522 LEWIS AVE
TOLEDO OH 43612

SODD JAMES D
5522 LEWIS AVE
TOLEDO OH 43612

STEWART BETHANY
5383 LEWIS AVE LOT 164
TOLEDO OH 43612

STOLDT LYNDA
5383 LEWIS AVE LOT 132
TOLEDO OH 43612

STONE BERNARD
5383 LEWIS AVE LOT 143
TOLEDO OH 43612

SUNNY BROOK APARTMENTS LLC
152 SOUTH BEACH
MARCO ISLAND FL 34145

SYLVANIA DELI LLC
2755 SEQUOIA RD
TOLEDO OH 43617

TAKS VALERIE
5383 LEWIS AVE LOT 106
TOLEDO OH 43612

TDS HOLDINGS LLC
4720 N BLYTHE AVE
FRESNO CA 93722

TEMPERANCE YARD CORPORATION
315 W 3RD ST
PITTSBURG KS 66762

THORN BRIGIT D
943 W NORTHGAE PKWY
TOLEDO OH 43612

ULRICH LAWRENCE J & DIANNE R
5451 SAN JUAN DR
TOLEDO OH 43612 3333

ULRICH THOMAS C JR & LAURA GANZELULRICH
5455 SAN JUAN DR
TOLEDO OH 43612

WATKINS JOY M
5383 LEWIS AVE LOT 149
TOLEDO OH 43612 3163

WELCH VICTORIA L
5383 LEWIS AVE LOT 117
TOLEDO OH 43612 3160

WHITEAKER ROBERT
5383 LEWIS AVE LOT 104
TOLEDO OH 43612

WILLAMS DARREN
5383 LEWIS AVE STE 126
TOLEDO OH 43612

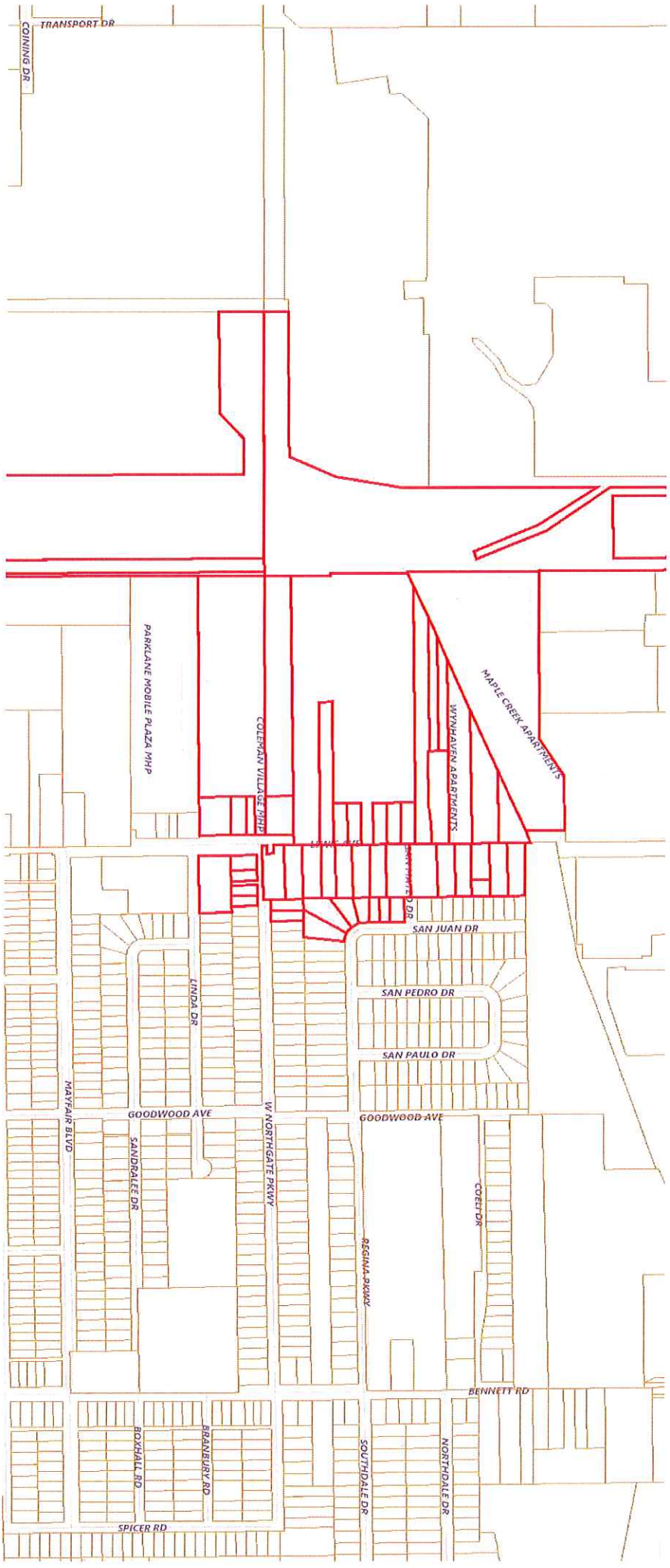
WRIGHT NICOLE
3614 WATSON AVE
TOLEDO OH 43612

MO DARI G1 OPERATIONS
5439 LEWIS AVE
TOLEDO OH 43612

JOHN CIAMPA
6725 W CENTRAL AVE
TOLEDO OH 43617

THERESA MORRIS
ONE GOVERNMENT CENTER
SUITE 2120
TOLEDO OH 43604

DANA REISING
ONE GOVERNMENT CENTER
SUITE 1620
TOLEDO OH 43604


TRANSPORT DR
CONNING DR
PARKLANE MOBILE PLAZA MHP
COLEMAN VILLAGE MHP
WYNHAVEN APARTMENTS
MAPLE CREEK APARTMENTS
SAN JUAN DR
SAN PEDRO DR
SAN PAULO DR
LINDA DR
MAYFAIR BLVD
GOODWOOD AVE
GOODWOOD AVE
W NORTHGATE PKWY
SANDRALEE DR
REGINA PKWY
COLET DR
BENNETT RD
BOXHALL RD
BRANBURY RD
SPICER RD
SOUTHDALE DR
NORTHDALE DR

MEMORANDUM OF CASE CONTACT

Date	Contact	Initials
10/27/22	Alan Olsen - Manager of the mobile home park, very against. For the past 3 months there have been issues with noise beginning at 6am every day from chain saws, back hoes, etc. Dust is a major issue because they clear cut the trees, now animals are getting into everyone's homes. Disabled and elderly live in the mobile homes, they don't have anywhere else they can go. Jeep came in and blocked their view of a forest. Scrap & salvage trucks are going to be tearing up Lewis Avenue. Right now Lewis Avenue is under construction.	DR
10/28/22	Rebecca Miller – 567-277-5031, neighbor with house abutting the property. All summer, the scrap & salvage operation has been a nuisance. They tore down trees that screened the property, and now see waste being moved around with backhoes and the noise is all day. She works from home and cannot open her windows to let air in. The trees drove out the animals into their property. Semi trucks also pull into their trailer park after missing the entrance.	DR
10/31/22	James – 419-503-7315, neighbor in Coleman Villa. Against it, the mobile home park is a nice park and he doesn't want any of the rats or nuisance issues.	DR
11/1/22	Chris Myers – 419-764-9312, neighbor, against the SUP and Zone Change. Feels it is a poor fit for the area with a daycare and residential right next to it. Concerned as scrap yards often catch fire.	DR
11/2/22	Ellen – 419-508-9964, neighbor, will stay in the mobile home park regardless of whether or not the scrap & salvage is approved, but is calling for the benefit of her neighbors. Concerned about the scrap & salvage catching fire. Also concerned about the children at the daycare.	DR
11/9/22	Paul – 419-490-6287, neighbor, in one of the duplexes, against the scrap and salvage. Applicant will operate heavy machinery late at night and wake everyone up.	DR
11/10/22	Mary Doyle – 419-984-3449, neighbor, in the apartments to the north. Against, ever since the trees were cut down, they hear noise at all hours. Concerned about the toxins and dust.	DR
11/15/22	Cathleen Perry – 419-343-9891, Does not want the scrap & salvage. Concerned about vandalism, nuisance issues.	DR
11/16/22	Victoria Welch – 419-476-0874, Does not want the scrap yard next to her.	DR
11/16/22	Anthony Shyra – 312-285-3980, father-in-law lives at one of the duplexes and is against it. Asked if council can represent at the hearing.	DR

MEMORANDUM OF CASE CONTACT

11/18/22	Tracy – 419-243-3005, lives in one of the lots adjacent to the site. Against having a junk yard next to her.	DR
11/27/22	Tracy Madrid – 517-442-4527, against the scrap & salvage. Stated that the reason why they bought a mobile home towards the back of the park was to avoid noise and to live in a quiet residential area. Additionally, stated that traffic on Lewis Avenue was bad and would only get worse.	DR
11/28/22	Laura – 210-872-2408, lives at 5504 Lewis Avenue, does not want anything that would contribute to increased traffic. Against the scrap yard.	DR

Per email received 10/28/22 from Mr. Alan Olsen



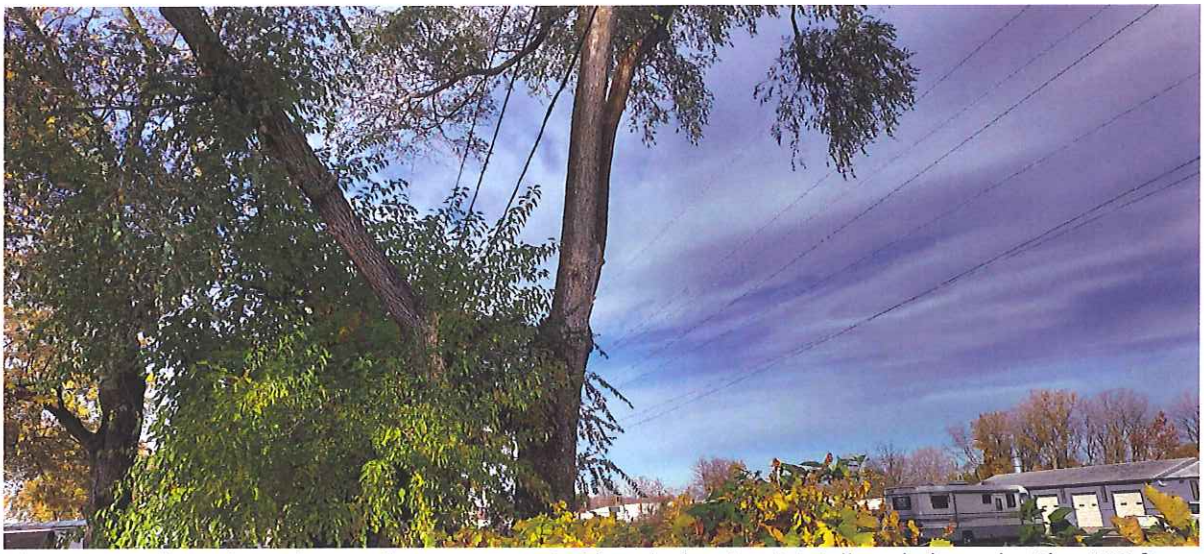
Pictures 1...this is the pile of rubbish Becky in lot 166 looks at now that the tree's are gone. It's 30 ft high.



Pictures 2.....shows that the fence line is just 35 ft from folks back door.



Pictures 3.....shows that we have 1 home for sale in the park...1 st one all summer, people want to live here (for now anyway)



Pictures 4.....shows how they cut huge trees on 1 side only, leaving it totally unbalanced with a 100 ft branch that weighs a thousand pounds dangling over our side endangering our safety



Pictures 5.....shows how the day care playground butts right up against this proposed hazard.

To the Toledo Planning Commision
My name is Annette Henley I currently live at Coleman Village. My family has lived there over 20 yrs. The community has been through alot of changes. But none have stopped quality of life. I'm disabled and enjoy the quiet, I can open my windows to get fresh air. That will stop if the Scrap Yard goes in. All I will hear is alot of noise from the trucks and diesel engines. The smell from the engines etc. I'm not willing to give up my right to peace & quiet. Also the contamination from all the chemicals seeping in the ground. And it will also ruin the water and the little bit of nature we do have. I don't want to hear the coming and going of large trucks, the squashing and crinkle of metal. When you can go down Alexis Rd. where there is open fields not a residential area. The noise won't bother residents and pollute the ground where alot of people grow gardens.

Annette Henley
Coleman Villager

From: Carl Loar

Date: 18 Nov 2022

Subject: Rezoning of property at 5439 Lewis Ave. 43612

To whom it may concern;

I have to object to the proposal of rezoning 5439 for a salvage yard business.

I can assure that this action will lower value to our homes and the lots that we rent.

Since there is a salvage type business less than a quarter of a mile to our south and a factory with railroad tracks to our west, both that make loud noise as they work all hours, by adding more noise and clutter to our area will only bring down the neighborhood but will affect and decrease our Quality of Life!

This is not acceptable!

Carl Loar
5383 Lewis Ave. Lot 129
Toledo, OH 43612

November 18, 2022

5383 Lewis Ave Lot 171

Toledo, OH 43612

To whom it may concern:

We would like to voice our opinion about rezoning the lot 5439 Lewis Ave Toledo, OH 43612. Let me start off saying that when we decided to buy a home in Coleman Village 5383 Lewis Ave Lot 171 we were happy with the area. We liked that it was close to businesses but still had a bit of quiet in the back of our little village.

Now we are worried about the peace and quiet we have back there for several reasons.

1. **Traffic:** Lewis St is already very busy and the roads are ridiculously bad! Do you think if you fix them as you are planning on doing in 2023 that they will remain in good shape with an even higher volume of traffic, and presumably more semi's!

2. **CRIME:** Unfortunately, we already have to worry about this, but with a scrap yard right next door we are very fearful that people will be going through our yards to get into the scrap yard! As well as bringing more attention to our homes. As neighbors we look out for each other but to be brutally honest, crime in Toledo has gotten out of control, the last thing we need is to have more attention on our homes due to a scrap yard being next door.

3. **Hazardous Waste:** This is by far our biggest fear! Toledo already has issues with having to boil water, that could be made far worse if there is a hazardous waste leak!

4. **Our property value:** I am not trying to be petty but when we bought our home, we bought it with an expectation of possible property prices going up with improvement! Not the worry about it going down because of rezoning issues! This is very unfair to even be entertaining this idea!

5. **Noise Pollution:** We live in back of the property and as of right now we are away from the majority of the noise. The last thing we need in our residential area, let me say that one more **RESIDENTIAL AREA** is to have industrial noise going on!

Although I believe this is more than enough reason to **NOT REZONE** 5439 Lewis Ave Toledo, OH 43612 if you need one more reason here is a big one; Children, although this may not be my responsibility to speak of, we have a daycare center that will be right next door to this supposed scrap yard, and Regina Coeli is not that far away. This is a residential area with light industrial sprinkled in. Please do not

bring a full-blown scrap yard to our residential area! Please do not infringe on our peace of mind and safety!

Thank you,

Mario & Tracy Madrid

5383 Lewis Ave Lot 171

Toledo, Ohio 43612

To whom it may concern,

My name is David Brazeal. It would be a great hardship if this passes, they say it's just for salvage, but once it's rezoned they can do whatever is allowed under the new zoning. Would you or your workers want your kids to go to a day care center with toxic fumes and chemicals in the air....I think not.

We are all completely against this infringement of our right to health and safety. Traffic, noise, pollution, crime and rodents are not beneficial to our area.

As a couple with serious medical issues we have the right to live in our own home without being made miserable for someone else's profit.

David Brazeal

David F. Brazeal 11/18/22

Al,

I can't make the meeting, but I called all 3 numbers and told them my name, lot # and that I've been here 13 yrs. I also said how nice you keep this park. How peaceful it is and well taken care of.

Also I absolutely do not want a junk yard next door. I sure hope it helps!

Vickie

Statement for -
G1 operations LLC on Lewis Ave
regarding - scrap yard

The rezoning gives opportunity for sounds, smells, fires & more to affect those around the area.

Please consider anything that can be done to protect the vulnerable

most of the people who live here are old or disabled, or very poor. I am one who lives here because it is the only place in the entire Toledo area I can afford. my disabilities could & would be made worse with more noise, smells, or burning of chemicals. I moved here to be safe in my home not to be at risk even more by it.

11/17/22

Hillary Faust

Hillary Faust

From: Rankins-Anderson, Lindsey
To: Reising, Dana
Subject: FW: Zone Change for 5439 Lewis Avenue
Date: Monday, October 31, 2022 4:28:18 PM

Hi Dana!
This is for Z-9001-22 & SUP-9002-22.

Lindsey Rankins-Anderson
Clerk Specialist II
Toledo-Lucas County Plan Commissions
419-245-1200
Lindsey.Rankins-Anderson@toledo.oh.gov

From: Mark Jay Roberts
Sent: Sunday, October 30, 2022 1:32 PM
To: Rankins-Anderson, Lindsey
Subject: Zone Change for 5439 Lewis Avenue

I recieved a letter explaining a zoning change for 5439 Lewis Ave, They want to change the zoning from Limited to General so that they can put in a scrap yard in at this address. I am strongly against this action as this company does not know how to run the business they have now. REF:Z-9001-22, SUP-9002-22


SKYJACK




HITACHI
STEVENS
DISPOSAL

RECEIVED

NOV 14 2022

TOLEDO-LUCAS COUNTY
PLAN COMMISSIONS

G1 OPERATIONS, LLC
5439 Lewis Ave.
Toledo, OH 43612

Dear Neighbors,

G1 Operations, LLC would like to cordially invite all interested neighbors to join us for an on-site meeting to discuss the proposed salvage yard planned at 5439 Lewis Ave., Toledo, OH, 43612. The meeting will take place onsite at our location on the following date:

G1 Operations, LLC
5439 Lewis Ave., Toledo, OH 43612
Date: November 19th, 2022
Time: 12:00 p.m.
Location: Inside our building, chairs and light refreshments will be provided

G1 Operations welcomes our neighbors and will address any questions or concerns regarding the proposed salvage yard at our existing property. For your reference, we have attached a site plan which outlines the zoning to our parcel #2204197.

We look forward to your input and welcome any feedback you may have. For those not able to attend our on-site neighborhood meeting, please reach out to me at 567-318-5444.

Sincerely,

Mo Dari
G1 Operations, LLC

Z-9001-22
SUP-9002-22

Questions for Dari:

1. You stated in the WTOL-TV interview that you intend to establish a scrap and salvage business that will salvage difficult-to-obtain truck parts for resale.

    a. Do you intend to purchase trucks that are operational (capable of being driven) that contain batteries, contain oil, contain gasoline or diesel fuel, and have tires attached?
    Yes

    b. Do you intend to purchase trucks that have been wrecked that will have to be towed to your premises?
    Yes

    c. Do you intend to purchase all makes and models of trucks?
    No

    d. Will you also be purchasing other motor vehicles such as cars, motorcycles, all-terrain vehicles?
    Yes

2. From whom will you be purchasing these vehicles?
    a. Individuals
    b. Businesses (trucking companies)
    c. Automotive/public auctions
    d. Automotive dealers
    Wholesalers

3. How will your company disassemble the vehicles on site?
    a. Individual parts as requested from a vehicle parked on the lot?
    b. Whole vehicle disassembled and then parts inventoried and stored on site?
    Disassemble vehicles indoors (not on the ground) wholesalers will buy the parts.
    {we failed to ask if it takes 4 months to get parts as he stated how many vehicles will he be taking apart at a time. Will he stop taking vehicles apart due to limited space since he says he won't be taking vehicles apart outside?}

4. Will the entirety of your property at 5439 Lewis Avenue be used for the scrap and salvage operation?
    a. If not, what percentage of the property will be used for the scrap and salvage operation?
    A quarter to a 3rd of the property will be used for the scrap and salvage operation.

b. Will other business operations be conducted at the site also? If so, please list and describe their functions.
Yes many other businesses.

5. To whom will these salvaged parts be sold?
   a. Individuals
   b. Businesses (trucking companies)
   c. Automotive/public auctions
   d. Automotive dealers
   Salvaged parts will be sold to wholesalers

6. Will your business be a wholesale or retail operation?
   Wholesale only no retail

7. What hours do you expect to operate? Which days do you intended to operate?
   6a-9p M-F and Sat and Sun when necessary (emergencies)

8. Your 5439 Lewis Avenue property borders Shantee Creek. What steps will you take to mitigate groundwater pollution from oil, gasoline, diesel, and acid spills from the vehicles on your grounds?
   When 1st asked (vehicles will be completely drained before coming to his facility) when he received opposition he stating the vehicles will be drained inside the building).

9. Will you store and or sell tires from the vehicles you purchase for salvage?
   a. What steps will you take to mitigate the possibility of tire fires on the premises?
   Keep tires stored indoors and weekly pickup

10. What steps will you take to prevent rodent infestation on the premises and within the vehicles?
    The goal is to keep the grounds clean. But residents state how he currently keeps his grounds less than desirable.

11. What steps will you take to mitigate noise pollution stemming from operation of heavy equipment and from the cutting of metals?
    Nothing louder than the current level

12. What other items or metals will your scrap and salvage operation purchase or sell?
    Any and all equipment

13. Will your scrap and salvage operation buy or sell any items or parts that contain asbestos or any other hazardous materials?
    No (residents brought up freon, metals containing asbestos, drained chemicals, sitting parts, and corrosion).

14. What benefit does your company have to the neighbors in this community?
Employ 15 people, pay his taxes and increase the property value. (the residents disagreed that the property values will go up in fact it was stated they believed the property value will go down)

REPORT regarding Nov. 19, 2022, Neighborhood Meeting for the purpose of informing residents and property owners adjacent to and near 5439 Lewis Avenue about the requested Zoning Change from IL- Limited Industrial to IG-General Industrial; and, Special Use Permit for a Scrap & Salvage Facility.

The Toledo-Lucas County Plan Commission, during its November 3, 2022, meeting directed applicant Moyad A. Dari to hold a Neighborhood Meeting. Mr. Dari set the meeting for noon, Saturday, November 19, on the premises of his property located at 5439 Lewis Avenue. Although some residents and property owners reported receiving a notice via mail about the meeting, many never received such a notice. Those receiving the notice shared the information and a flyer containing the meeting time, date, and place was circulated by the residents. Despite cold and blustery weather, an estimated 50 residents attended.

During the meeting, which lasted slightly more than an hour, Mr. Dari stated that part (8,000 square feet) of his property is already zoned IG-General Industrial. Initially he expects from a quarter to a third of his property to be used but stated that he applied for rezoning in order that the full capacity of his property can be used to expand his business, which he described as "disassembling trucks for parts." At first, he insisted that he would not be operating a "salvage" business. However, when it was pointed out that the legal definition of "salvage" includes "taking apart vehicles" he conceded that he would be operating a salvage business. He tried to differentiate his business by stating that it would not be stacking or pressing vehicles on site as is commonly done in a scrap facility. However, when asked if he would agree to limit the scope of his operation to "disassembling" vehicles for parts and do so in writing, he refused to entertain any limitations. "I can't control potential," he said in a condescending tone and with a broad smile on his face. He also refused to answer specific questions about what areas he intends to expand in his business operations and whether it could someday encompass the full range of operations conducted in a traditional scrap and salvage facility.

Mr. Dari said the basic difference in his current operation and what the zoning change would allow him to do is to sell vehicle parts. He said under current zoning he is allowed to service the fleet of trucks and equipment used for landscaping and snow removal parked on his premises. The zoning change to IG would allow disassembling the vehicles and selling parts to wholesalers.

Residents raised many questions about soil and ground water contamination resulting from gasoline, oil, antifreeze, acids, freon and other fluids leaking from vehicles being parked on the premises. They noted that Shantee Creek borders and crosses the property. Mr. Dari was dismissive, stating there would not be problems with leaks because all the vehicles, upon entering the property, would be brought inside on a concrete floor and drained of all such liquids and potential contaminants and that his facility contains tanks for storing the liquids.

He stated that vehicles, both operational and inoperative, purchased for salvage would be brought to the premises by his fleet of trucks. He did not explain what would happen if vehicles arrived and no space was available to off-load them inside for the drainages to be performed.

He said that tires and batteries recovered from vehicles are stored on the property for approximately a week before being picked up for sale. Thus, he insisted they would not present safety hazards.

When residents asked about noise and air pollution, he retorted it would be "the same as now" because he intends to use his existing trucks to haul the salvage vehicles to and from his premises. He did not offer any plan for dealing with an increase in business, which would logically indicate an increase in truck traffic to and from the premises. Residents complained there is already significant noise and air pollution directly contributed by the trucks used in his current business.

Mr. Dari stated that he expects operational hours to remain the same with the expansion into salvage operations. His said his business operates Monday through Friday and sometimes on Saturdays. He stated that drivers usually begin arriving around 6 a.m. and business hours are from 8 a.m. to 5 pm. He added that it is not unusual for work to continue in the facility until 8 to 9 p.m. on weekdays.

Residents also voiced concerns about safety due to an increased flow of truck traffic. They noted there are no sidewalks or crosswalks on streets surrounding the property, which forces anyone walking in the area to walk on the side of the streets. Some residents voiced concerns regarding deteriorating street conditions likely to be incurred due to increased heavy loads on the trucks transporting vehicles to the property. Essentially Mr. Dari said streets are not his problem.

Attendees at the meeting noted that more than 700 residents and property owners have signed a petition opposing the rezoning and special use permit. They voiced beliefs that their quality of life will be diminished by the scrap and salvage operation. They also pointed to the likelihood of diminished property values due to proximity of the scrap and salvage operation to their homes.

Most of the attendees expressed disappointment regarding the evasive way Mr. Dari responded to their questions. They pointed to inconsistencies and contradictions in the information he provided, leading to increased feelings of mistrust.

Report submitted by
Dorthelia Smith-Garrett
Admins. Valley View Learning Center
5407 Lewis Ave Toledo Oh 43612
419-469-8910
November 30, 2022

Reising, Dana

From: Hillary Faust <hillarylouise7@gmail.com>
Sent: Thursday, December 1, 2022 12:57 PM
To: Reising, Dana
Subject: regarding rezoning of parcel 2204197

regarding rezoning of parcel 2204197

I am writing to express my concern about the proposal of a scrap yard on lewis ave.
I live in the trailer park that is up against the property that is proposing rezoning. My concern about this is for my health and the health of the other residents here. I live here because it is the only place I can afford being a chronically ill person seeking disability. We are already in an industrial area and we deal with sound and smells from the factories around here. There are times it shakes my home and sounds like thunder and storming, we also often hear metal banging sometimes all night. The noise level from the factories has doubled in the 6 months I have lived here and it is now to the point that my windows cannot be open most of the time. We cannot live with more sound or smells from a scrapyard. Also, living in a trailer park already poses a risk of fire as older trailers can easily catch fire. The proposed rezoning, whether it is your intention to do so or not, includes the ability to store and burn toxic chemicals. That will cause a huge risk to us and the daycare as well as the homes around the area.
I hope you all can come to some conclusion that does not include increasing our risk of fire, noise, and smell pollutants-as we are already highly exposed to them all. The added risk of fire or explosion from chemicals being stored or burned, and the risk of louder sound pollution will negatively affect all of our health. The people who live here have been here longer than the industrial areas surrounding it, we deserve to be safe here. I know I am not the only one in the park who suffers from health issues that will be severely impacted and worsened if there is more pollution or noise. The kids at the daycare next to the proposed site do not deserve to hear and smell all of that either, it is a huge health and fire risk for them as well. Please, I beg of you do not put us in more danger, as poverty, illness, and location is already such a massive risk and we don't have other options.
If the noise, smell, or fire risk gets worse and I am forced from my home I do not have anywhere to go. My rescue work with animals, my volunteer work, it would all cease and I would be on the streets and likely not survive due to my health issues.
Please consider the risk that they are posing to everyone around by doing this rezoning.
If you have any questions about this statement or the written one given prior via my landlord you are welcome to contact me. I cannot attend the dec 1st in person meeting on this subject due to how severe my health issues are but I do hope that the effort I have put into these statements and signing petitions will do something to help.
thank you
Hillary Faust 567-312-6468
hillarylouise7@gmail.com
address:
5383 lewis ave lot 139 toledo ohio 43612

To The Toledo planning commission and Toledo city Council,

We, as the homeowners and residents of Coleman Village, would state for the record that;

We object to the proposed rezoning change requested at 5439 Lewis Ave for the following reasons.

This company has already demonstrated their indifference to the proper operation of a business; they have disrupted our community, without warning, with backhoes, bulldozers and chainsaws at 6:30 am. They ripped out trees and bushes for several months at extreme distress to our older residents, those recovering from surgeries and other disabilities and 2nd /3rd shift workers.

The result of the destruction of a 75 yard wide quarter mile strip of woods was that numerous amounts and types of animals were sent into our yards and under our homes, many dogs in our park have killed raccoons, ground hogs, mice, snakes and all manner of varmints endangering our children and pets and causing damage to our homes.

Since almost all the trees and bushes were removed, our homes and cars are constantly dusted as trucks enter and exit and that drive is quite some distance from us, what are we breathing in ?

The trees they did leave along the fence line were trimmed on their side only, leaving some huge trees drastically unbalanced over our yards. They were informed but have done nothing to remedy the danger.

Scrap yards catch on fire and we no faith in the ability of this company to keep us safe based on their total disregard of the effects of their current actions

We argue that the noise from cranes and diesel engines constantly running , the exhaust, the increased traffic, the chemicals and numerous other intrusions on our right to a healthy, safe and quiet place to live should not be allowed to occur.

We the undersigned agree that;

A SCRAP YARD, THAT DOES NOT CURRENTLY EXIST, HAS NO BUSINESS BEING BUILT NEXT TO 84 HOMES AND A DAY CARE CENTER.

Willie Claiborne

Wanda Claiborne