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: December 5, 2019
REF: Z-10004-19

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 IG General Industrial to RD6 Duplex Residential

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, December 5, 2019 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Zone Change from IG General Industrial to RD6 Duplex Residential
Location	-	178 W Foulkes Street (rear)
Applicant	-	Nick and Kristina Carpenter A+ Building Maintenance and Home Repair, LLC 130 Oakdale Avenue Toledo, OH 43605

Site Description

Zoning	-	IG / General Industrial
Area (Total)	-	±4.34 Acres
Frontage	-	25' along Owens Street
Existing Use	-	Undeveloped Land
Proposed Use	-	Single Family Home

Area Description

North	-	Railroad and railyard / IG
East	-	Undeveloped land and home & auto repair / IG
South	-	Single family homes / RD6
West	-	Gymnasium / IG

Parcel History

None on record.

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

- Toledo Municipal Code, Part Eleven: Planning and Zoning Code
- Toledo 20/20 Comprehensive Plan
- Toledo Vacant Industrial Land Use Report

STAFF ANALYSIS

The applicant is requesting a Zone Change from IG General Industrial to RD6 Duplex Residential for a site located at 178 W Foulkes Street (rear parcel). The ±4.34 acre site is undeveloped and surrounded by IG General Industrial on the north, east, and west, with RD6 Duplex Residential to the south. Surrounding land uses include single family homes to the south, a home and auto repair facility east, a railroad and railyard to the north, and a gymnasium to the west.

The applicant requested the Zone Change to construct a single-family home on the property. The applicant runs a family-owned business to the east, and wants their home to be in close proximity to their business. Plan Commission staff has concerns with residential districts abutting industrial, and are noting the following Toledo Municipal Code sections to make the applicant aware of requirements for development. The landscaping buffer requirements in TMC§1108.0203 – *Buffer and Screening Requirements* require a Type A Landscape Buffer between the proposed RD6 Duplex Residential zoning district and the surrounding IG General Industrial. Additionally, IG General Industrial zoning districts require increased setbacks when abutting Residential districts. Lastly, RD6 Duplex Residential requires a minimum of a fifty foot (50') wide property and City of Toledo Subdivision Rules and Regulations require all parcels to front a public right-of-way.

Toledo Vacant Industrial Land Use Report

The 2005 City of Toledo Vacant Industrial Land Use Report identifies the site as being in the Miami/Oakdale Study Area. The Report further states that the site does not lend itself to viable industrial use and should be rezoned if uses compatible with the surrounding residential areas can be found. Rezoning to a residential classification is recommended if the parcels do not have environmental impediments.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Heavy Industrial uses. Heavy Industrial and other moderate and high-impact industrial uses, including large scale or specialized industrial operations requiring good transportation access and public facilities and services. Although the proposed Zone Change would deviate from the recommended zoning identified in the Toledo 20/20 Comprehensive Plan, the site does not have good transportation access and would be difficult to develop for industrial uses, unless it is joined with adjacent industrial operations.

STAFF ANALYSIS (cont'd)

Staff recommends approval of the Zone Change from IG General Industrial to RD6 Duplex Residential because the proposed zoning is compatible with the Toledo Vacant Industrial Land Use Report and the site would be consistent with zoning classifications of properties to the south of the subject property.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of Z-10004-19, an amended request for a Zone Change from IG General Industrial to RS12 Single-Dwelling Residential (original request was IG General Industrial to RD6 Duplex Residential) for 178 W Foulkes Street (rear) for the following two (2) reasons:

1. The proposed Zone Change is compatible with the Toledo Vacant Industrial Land Use Report, and

2. The proposed Zone Change is compatible with the zoning classifications of properties within the general vicinity of the subject property (TMC§1111.0606(C) – *Review & Decision-Making Criteria*).

Respectfully Submitted,

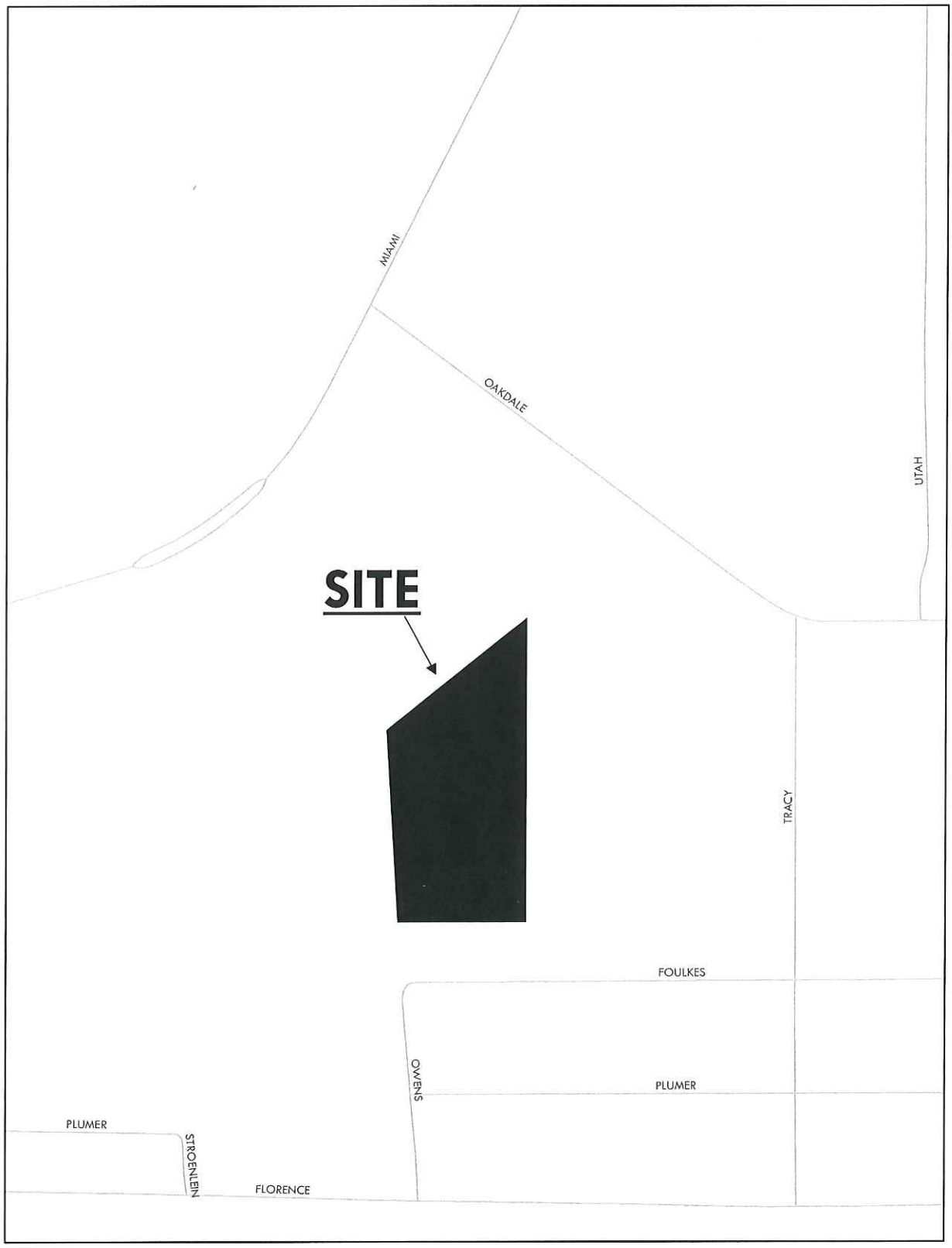
Thomas C. Gibbons
Secretary

Two (2) sketches follow
Exhibit A follows
Cc: Nick and Kristina Carpenter, A+ Building Maintenance and Home Repair LLC, 130 Oakdale Avenue, Toledo, OH 43605
Lisa Cottrell, Administrator
Dana Doubler, Planner

GENERAL LOCATION

Z-10004-19
ID 32

N



ZONING AND LAND USE

Z-10004-19
ID 32

N

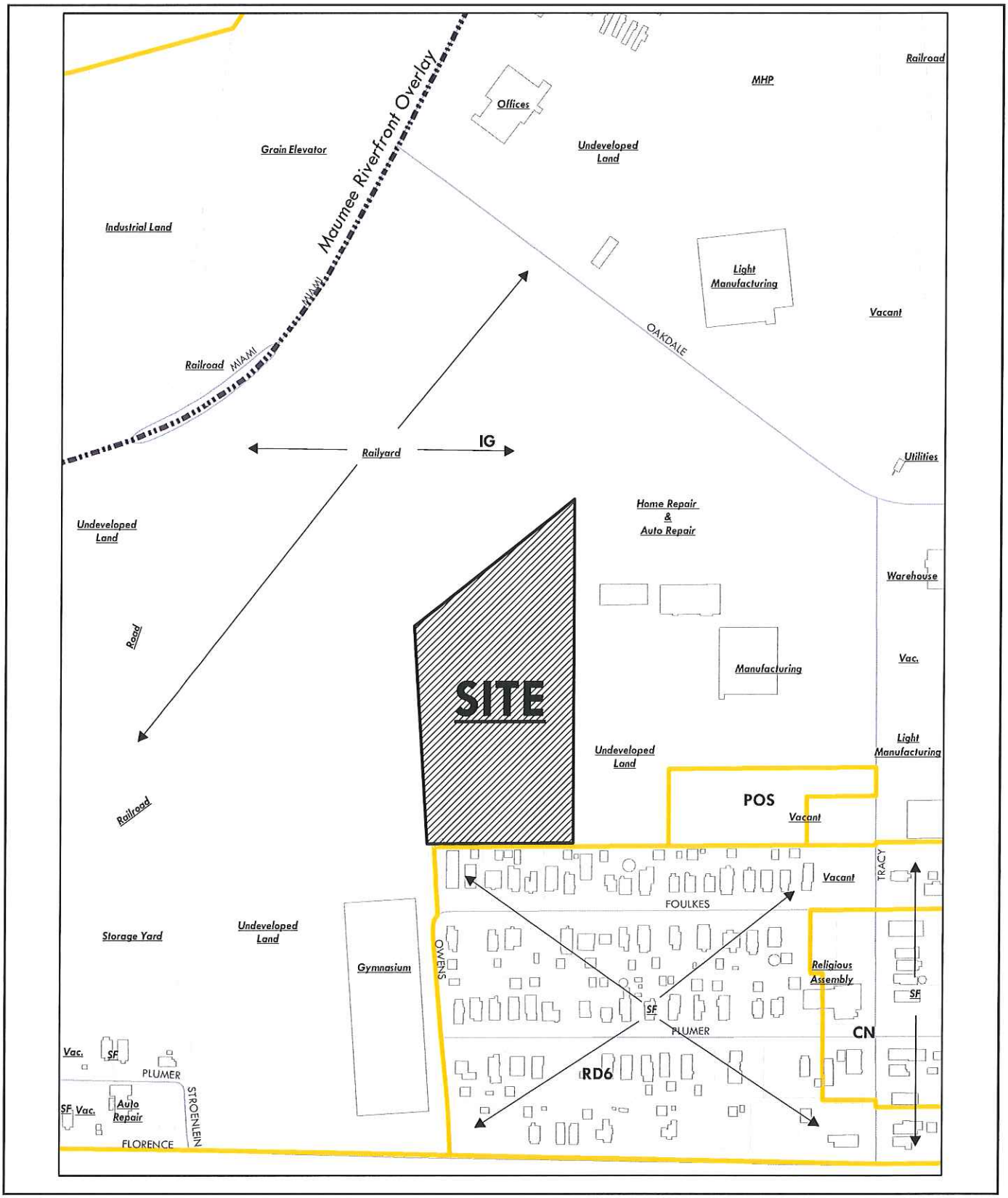


Exhibit A

Public water service is available to all parcels except parcel 4. Parcels 3 and 4 do not have sanitary sewer service. Storm drainage facilities with outlets to the Maumee River are available in the study area.

Both the Norfolk Southern and CSX Railroads traverse the Miami/Oakdale Study Area east of I-75.

Impediments to Development
Although not technically landlocked, parcels 2-4 have limited access via streets containing residences.

At grade rail crossings in the study area include Fassett Street, Oakdale Avenue, and Oak Street at the CSX and Norfolk Southern Railroads.

The Federal Emergency Management Agency Flood Insurance Rate Maps for the study area indicate the flood plain is limited to the Maumee River bank.

As noted above, there are brownfields in the study area and a grant has been obtained to remediate parcel 1.

Planned Infrastructure Improvements
There are no transportation improvements in the Miami/Oakdale Study Area in the TMACOG 2025 Transportation Plan.

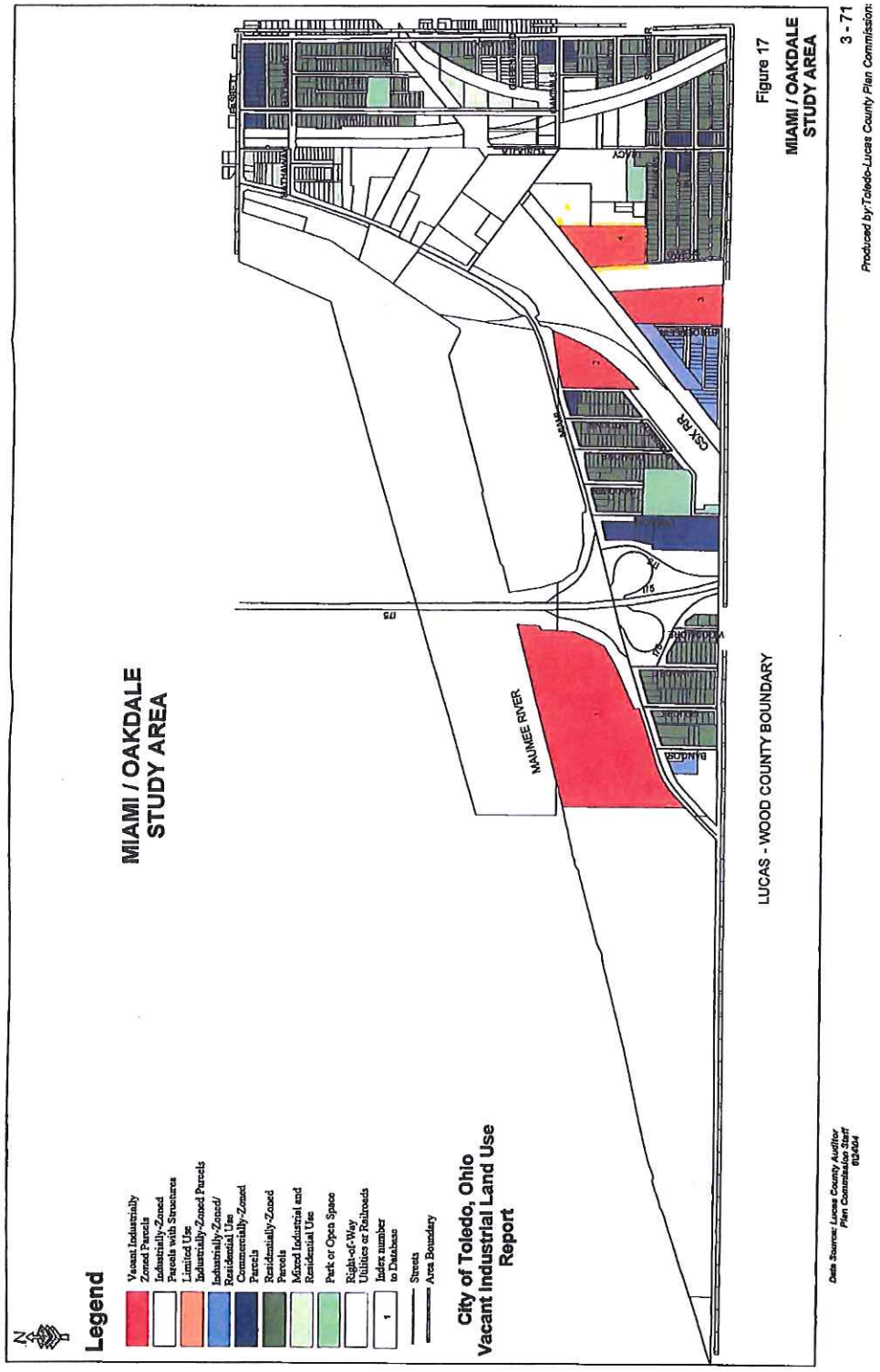
The proposed 2005-2009 Capital Improvements Program contains $700,000 for infrastructure associated with the redevelopment of the Pilkington site (parcel 1).

Recommendations for Future Land Uses
With the potential for mixed-use redevelopment of the Pilkington site at Miami and I-75 it is recommended that this parcel be rezoned to accommodate the planned reuse.

Parcels 2-4 do not lend themselves to viable industrial use and should be rezoned if uses compatible with the surrounding residential areas can be found. Rezoning to a residential classification is recommended if the parcels do not have environmental impediments.

Recommended Priority Infrastructure Projects
No infrastructure improvements for industrial uses are recommended for the Miami/Oakdale Study Area. Streets and utility extensions will be required for the redevelopment of parcel 1.

Exhibit A (cont'd)



Doubler, Dana

From: Kristina Carpenter <kristina@toledohandyman.com>
Sent: Friday, November 15, 2019 1:59 PM
To: Doubler, Dana
Subject: Re: Status

Thank You, Dana, that's awesome! Thanks for letting me know, I'll pass onto my husband :) -- Have a Great Weekend!!!

On Fri, Nov 15, 2019 at 11:25 AM Doubler, Dana <Dana.Doubler@toledo.oh.gov> wrote:

> Hi Kristina,
>
> So I have some good news for you! While researching for the staff report, I read through the Vacant Industrial Land Use Report the City did back in 2005. 178 W Foulkes Street is actually identified in the report as one of several parcels which "do not lend themselves to viable industrial use and should be rezoned if uses compatible with the surrounding residential areas can be found. Rezoning to a residential classification is recommended if the parcels to not have environmental impediments" (see attached).
>
> I showed this to our Director and he said I can change your Zone Change report to a recommendation of approval. I'll include the attached document in the report, and the Plan Commissioners will receive a copy as well. City Council and the Plan Commissioners may still have concerns with changing from General Industrial zoning to Residential, but this report definitely argues in favor of your case. It is slightly dated, but it is the most recent report the City did so it is what I have to go off of.
>
> As always, let me know if you have any questions.
>
> Thanks! Have a nice weekend!
>
> Dana Doubler
>
> Planner
>
> Toledo-Lucas County Plan Commissions
>
> One Government Center, Suite 1620

Toledo, OH 43604

(419) 245-1200

From: Kristina Carpenter <kristina@toledohandyman.com>
Sent: Wednesday, November 13, 2019 1:04 PM
To: Doubler, Dana <Dana.Doubler@toledo.oh.gov>
Subject: Re: Status

That does make sense, I can see why the public alley wouldn't count since so many of the neighbors have structures etc over it. Thanks so much for looking into it for us & we'll do as recommended and move forward as is. Just let us know what we need to do when we need to do it (via signs etc.) and Thank you Again! Have a Great Afternoon!

k

Kristina Carpenter

A+ Junk | A+ Building Maintenance & Home Repair | A+ Homes, LLC | A+ Equipment Services & Excavating

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On Nov 13, 2019, at 1:00 PM, Doubler, Dana <Dana.Doubler@toledo.oh.gov> wrote:

Hi Kristina and Nick,

I spoke with our Director about whether or not a lot split would help your case for a Zone Change of 178 W Foulkes Street. One of the regulations for a lot split is that all resulting parcels must front on a public right-of-way. Because of this, he recommend that the zone change review move forward without a lot split.

Thank you,

Dana Doubler

Planner

Toledo-Lucas County Plan Commissions

One Government Center, Suite 1620

Toledo, OH 43604

(419) 245-1200

From: Doubler, Dana
Sent: Friday, November 8, 2019 9:58 AM
To: 'kristina@toledohandyman.com' <kristina@toledohandyman.com>
Subject: RE: Status

Hi Kristina,

My name is Dana Doubler and I am the City Planner working on your request for a zone change. Nick should receive a call next week to pick up signs that need to be posted at the subject site. The application indicated that Nick should be the contact person. Should that be changed to you? If so, is your office number or your cell number preferred if we wish to contact you?

We are still in the process of reviewing your request. As of now, staff has recommended disapproval due to the location and size of the site, as well as its location within an industrial area. We will be finalizing the report by November 22nd at which time I will mail you the finalized staff report. I can also email it if you'd like.

Ryne mentioned that you wanted a lot split, it looked like in your application you wanted a house on the entire site though. If you intend to use the entire parcel for your home, a lot split is not required. If you wanted to use part of the parcel for your business and part for your home, a lot split would be required before the zone change request. Let me know what your intentions are, and I can make a recommendation from there.

Feel free to contact me at any time if you have questions or would like to discuss anything.

Thank you,

Dana Doubler

Planner

Toledo-Lucas County Plan Commissions

One Government Center, Suite 1620

Toledo, OH 43604

(419) 245-1200

From: Sundvold, Ryne <Ryne.Sundvold@toledo.oh.gov>
Sent: Thursday, November 7, 2019 6:26 PM
To: Doubler, Dana <Dana.Doubler@toledo.oh.gov>
Subject: FW: Status

Please reach out to Kristina and fill her in on the status of their application. Also check about the split if that's still needed?

Ryne

From: Kristina Carpenter <kristina@toledohandyman.com>
Sent: Thursday, November 7, 2019 5:54 PM
To: Sundvold, Ryne <Ryne.Sundvold@toledo.oh.gov>
Subject: Status

Hi Ryne,

Just wanted to touch base and see if there is any update or info on our petition? We haven't seen or heard anything so wanted to be sure you had all you need/ it's still in process — Thank you & Have a Great Day!

Kristina

Kristina Carpenter

A+ Junk | A+ Building Maintenance & Home Repair | A+ Homes, LLC | A+ Equipment Services & Excavating | A+ Home Improvements

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Doubler, Dana

From: Sundvold, Ryne
Sent: Tuesday, October 29, 2019 1:27 PM
To: Doubler, Dana
Subject: FW: Zoning Question? - Found word(s) barn in the Text body
Attachments: 18s12508 pre1.pdf; ATT00001.htm; Screenshot 2019-09-22 13.25.46.png; ATT00002.htm

FYI

From: Kristina Carpenter <kristina@toledohandyman.com>
Sent: Sunday, September 22, 2019 1:35 PM
To: Sundvold, Ryne <Ryne.Sundvold@toledo.oh.gov>
Subject: Re: Zoning Question? - Found word(s) barn in the Text body

Hi Ryne, hope this finds you well!

You and I had a couple of messages about this project last year and we're now ready to move forward.

We would like to split the parcel as shown in the attached (making access via Folkes Rd) to justify petitioning zoning change to residential to build a single family residential dwelling (our business will keep operating as is / will be unchanged/ unaffected, just won't have as much land)

Then, we'll want to prep plot and build a home for our family.

Are there official forms or applications and descriptions of the process(es) necessary to do what we're trying to do online somewhere or that you can forward over?
I saw a lot split form from the Health Dept. online but then saw on the auditor website that it didn't mention that form at all, so just wanted to ask to confirm so we fill out the right things/ petition the right offices etc. to get this done as efficiently as we can

Thank you!

Kristina

Doubler, Dana

From: Sundvold, Ryne
Sent: Tuesday, October 29, 2019 1:26 PM
To: Doubler, Dana
Subject: FW: Split/ Rezoning
Attachments: Application Requirements.pdf; Petition to City Council.pdf

From: Sundvold, Ryne
Sent: Monday, September 30, 2019 10:28 AM
To: 'Kristina Carpenter' <kristina@toledohandyman.com>
Subject: RE: Split/ Rezoning

Kristina,
Sorry for the delay. I was caught up in writing our monthly staff report all last week. In regard to the rezoning and lot split. We would want the rezoning first in order to allow for the single family residence and the split to be approved. You will only want to request rezoning for the new lot, or the portion of the existing lot where the single family home would be built. Additionally, you will want to request the zoning be changed to RD6 Duplex Residential since that is the only residential district abutting the property (RD6 allows single family homes). Although this property is abutting your business property, the Planning Director feels this area is overwhelmingly industrial and will most likely object to the approval. However, this would be as a recommendation to the Plan Commission and City Council, who ultimately have the authority on reviewing zone change requests. As the property owner, you have the right to petition for the zone change whether it's supported or not. Just be sure to include a Letter of Intent which explains your proposal and the reason for the zone change. You may also want to include any preliminary site plan or layout you have for the property and/or future home. Attached is the application needed for submittal. Feel free to contact me if you have any questions or concerns. I will be around the office all day.

Regards,
Ryne Sundvold
Associate Planner
Toledo-Lucas County Plan Commissions
One Government Center, Suite 1620
Toledo, Ohio 43604
(419)245-1200
Ryne.Sundvold@toledo.oh.gov

From: Kristina Carpenter <kristina@toledohandyman.com>
Sent: Friday, September 27, 2019 12:14 PM
To: Sundvold, Ryne <Ryne.Sundvold@toledo.oh.gov>
Subject: Split/ Rezoning

Hi Ryne, I did get the message from Mr. Harbert that you're in the middle of something and will get back to me when you can -
We had an idea this morning, would it make the process faster if we just leave the Foulkes Rd Parcel as is (don't split) and just petition to change the full parcel to residential?

if so, that will be the direction we'll go just to make everything as easy as possible —

Thank you & Enjoy your Weekend!

kristina

Kristina Carpenter

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