

SUP26-0012 – Resident Comments and Supporting Exhibits

**Kim Jagodzinski
5057 Homeside Avenue
Toledo, Ohio**

To: dana.reising@toledo.oh.gov

Subject: SUP26-0012 – Comments Regarding Proposed Special Use Permit at 5057 Lewis Avenue

Dear Ms. Reising and Members of the Toledo City Plan Commission,

My name is Kim Jagodzinski, and my family has lived in our home directly across from the proposed project site for more than 30 years. Our home is located approximately 124 feet — roughly the length of eight parked vehicles — from the rear portion of the building where the proposed repair and service area would operate.

I am writing regarding Case No. SUP26-0012 concerning the proposed Special Use Permit for used auto sales at 5057 Lewis Avenue.

We understand that business development and redevelopment are important to the community. Our concerns are not about opposing all business activity, but rather whether this particular use is appropriate and compatible with residential homes located this close to the proposed repair and service operations.

Two members of our household work rotating first, second, and third shifts for the City of Toledo Water Reclamation Division and regularly must sleep during daytime hours when this business would be operating. Due to the extremely close proximity of the proposed service area to nearby homes, we are concerned that repair activity — including engine noise, air tools, machinery vibration, vehicle movement, customer traffic, testing of vehicles and stereos, speaker systems, bass-heavy music associated with repair and service operations, car alarms, deliveries, exhaust fumes from idling or running vehicles, lighting, and related operational activity — could create significant noise, vibration, and air-quality impacts that may be heard and felt inside surrounding homes and substantially disrupt our ability to peacefully live, rest, and sleep in our home. We are particularly concerned about low-frequency vibration and sound from amplified music, vehicle stereos, engines, compressors, and repair equipment due to the very short distance between the proposed operation and surrounding residences.

We are also concerned that service bay doors may remain open during business operations, particularly during warmer months, which could further increase the transmission of noise and operational activity toward surrounding homes.

Our family chose and invested in this neighborhood as a residential area decades ago. At this stage of our lives, after more than 30 years in our home, we are not looking to relocate. We simply hope to preserve the peaceful residential environment we have long relied upon and enjoyed. We are also concerned about the long-term impact this type of operation may have on the residential character and desirability of nearby homes immediately surrounding the property.

We also have concerns regarding the accuracy and completeness of the submitted plans. We noticed inconsistencies in street labeling and surrounding site information, and we believe it is important that the Commission and nearby residents are evaluating plans that fully and accurately reflect existing neighborhood conditions.

In reviewing the submitted plans together with the Lucas County AREIS property information and aerial site maps, we noted the extremely close proximity between the proposed operation and the surrounding homes. The aerial images and lot dimensions appear to show a much tighter relationship between the building and nearby residences than may be fully appreciated from the plans alone.

In addition, we have already observed a semi-trailer being stored on the property prior to the business opening. We are respectfully seeking clarification regarding where inventory vehicles, vehicles awaiting repair, overflow vehicles, trailers, or vehicles in various states of repair would be located and whether additional outdoor vehicle activity or storage beyond what is shown on the plans is anticipated.

We also respectfully request clarification regarding how the proposed site plan complies with operational separation, vehicle designation, and residential buffering requirements associated with used motor vehicle dealerships and repair facilities, including distinctions between customer parking, repair vehicles, vehicle display areas, and separation from nearby residential homes.

Finally, we are concerned about security and after-hours activity associated with the property due to the close proximity of surrounding residences. Our household has unfortunately experienced prior incidents involving trespassing and property damage in the neighborhood, and we are concerned that increased activity associated with the business could create additional challenges for nearby residents once the business is closed for the day. We respectfully ask that adequate security, monitoring, lighting controls, and property management measures be considered as part of this proposal.

If the Commission is considering approval of this request, we respectfully request that any approval include clear, measurable, and enforceable operational conditions intended to minimize impacts on the surrounding residential neighborhood, including:

- All repair and service activity to occur entirely indoors

- Service bay doors to remain closed during repair operations except for immediate vehicle entry and exit
- No outdoor repair work or vehicle servicing
- No amplified music, stereo demonstrations, bass-producing audio systems, or sound systems audible from nearby residential properties
- No outdoor storage of tires, automotive parts, scrap materials, disabled vehicles, repair materials, fluids, or commercial equipment
- No overnight storage or staging of tow trucks, trailers, disabled vehicles, or commercial transport equipment
- No dismantling or disassembly of vehicles outside of the enclosed building
- No vehicle testing, engine revving, or prolonged idling near surrounding residential homes
- Clearly designated and limited areas for customer parking, inventory vehicles, and repair vehicles
- Restrictions on after-hours outdoor activity associated with the business
- Shielded and downward-directed lighting designed to minimize light spillover onto neighboring residential properties
- Appropriate residential buffering, fencing, screening, and landscape separation between the business and nearby homes
- Proper containment and disposal of automotive fluids, waste materials, and hazardous substances
- No use of outdoor speaker systems, paging systems, or amplified announcements
- No outdoor storage containers, temporary structures, or shipping containers without additional review and approval.

Given the extremely close proximity of the proposed and operational area to surrounding residential homes, we respectfully believe the requested special use permit may not be compatible with the established residential character of this neighborhood while we appreciate the importance of economic development and redevelopment efforts our preferences would be that the requested approval not be granted unless the commission determines that meaningful enforceable protections can adequately safeguard the surrounding residential community from long-term operational impacts.

We respectfully note that operational conditions are only meaningful if they can realistically be monitored and enforced given the immediate proximity of surrounding homes. Nearby residents should not be placed in the position of serving as constant enforcement monitors once operations begin, particularly where impacts such as noise, vibration, lighting, outdoor activity, fumes, music, vehicle movement, and storage concerns may become difficult to reverse after the business is established.

Attached are supporting exhibits and photographs documenting the proximity of surrounding homes to the proposed operation and the residential character of the neighborhood.

Thank you for your time and consideration.

Sincerely,

Kim Jagodzinski

Exhibit 1 – Submitted Site Plan and Residential Identification Notes

Single-family homes directly across from the proposed site on Homestead Avenue and Custer Road were not identified on the original plans. Residential addresses were manually added to demonstrate the close proximity of surrounding homes to the proposed operational area.

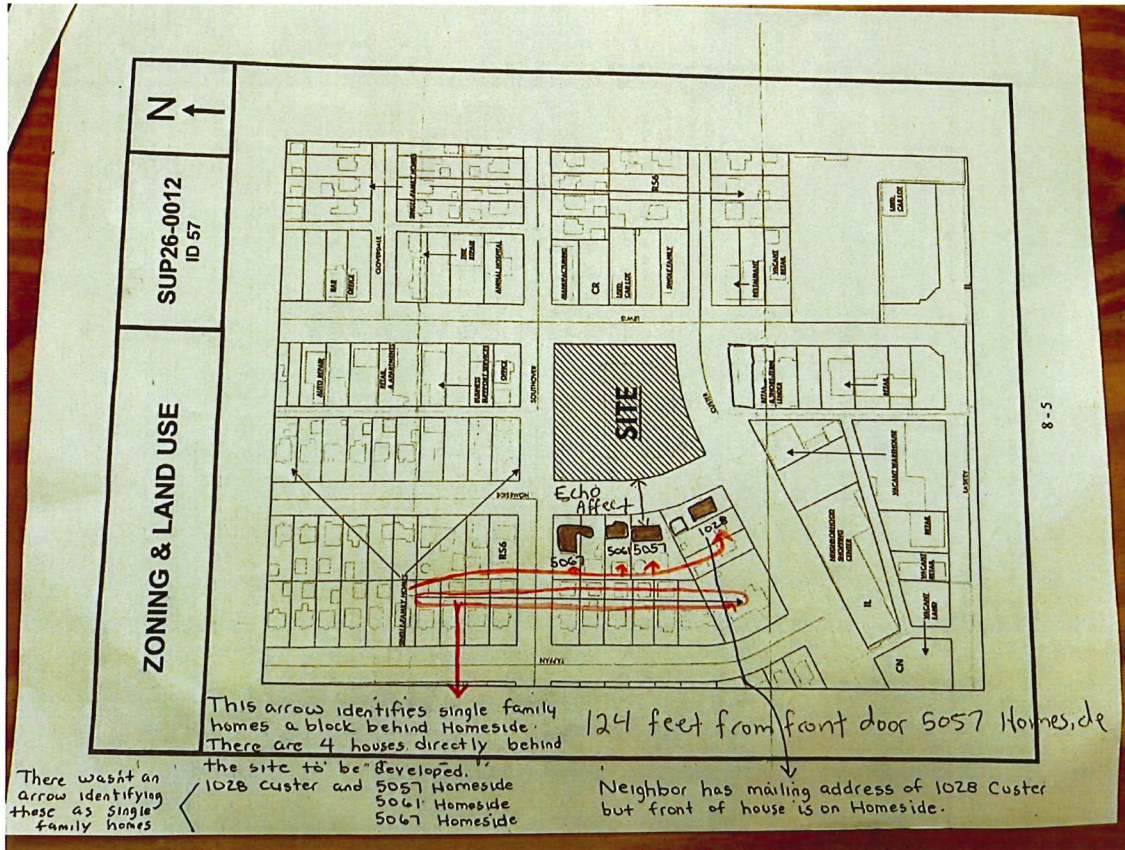


Exhibit 2 – Site Plan Street Identification Errors

Homeside Avenue and Lewis Avenue do not intersect and are parallel streets. The street labeled "Homeside Avenue" on the submitted plan appears to actually be Southover Road, while the roadway labeled as "Southover Road" appears to be Homestead Avenue.

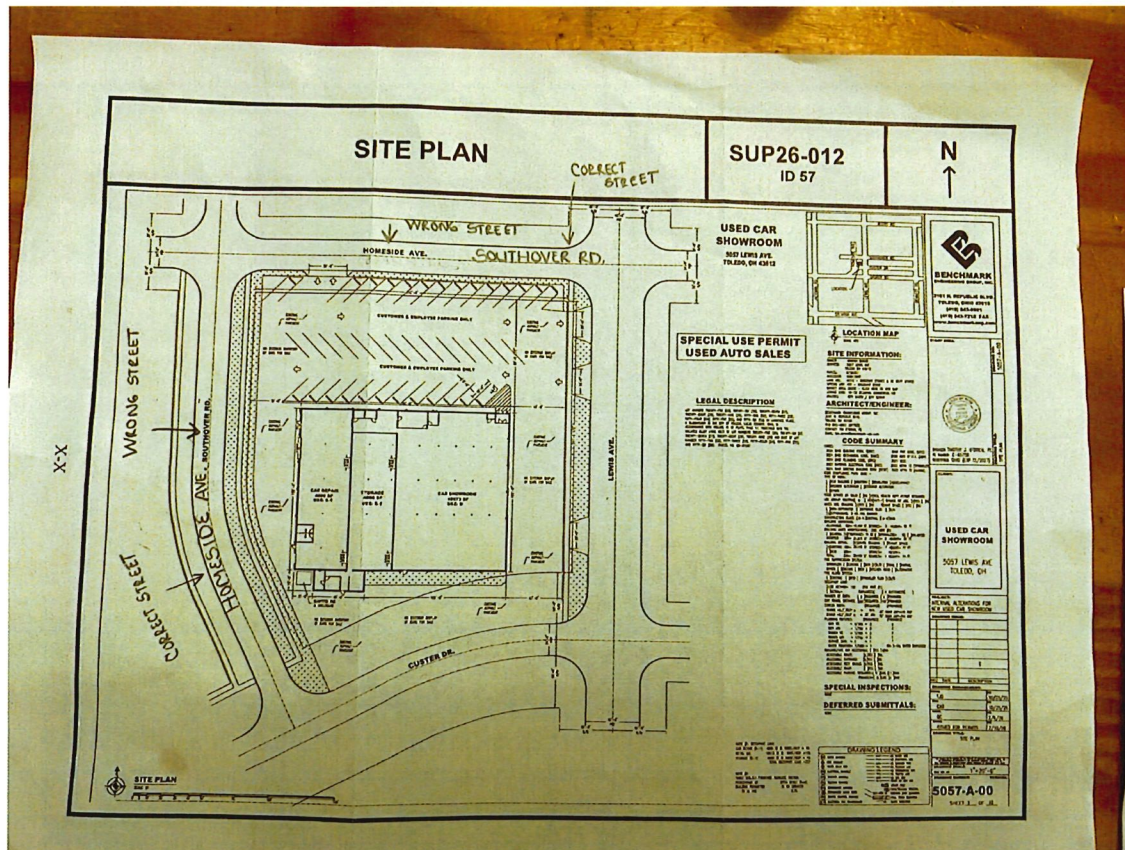


Exhibit 3 – AREIS and Aerial Property Mapping

AREIS aerial and property mapping materials showing the close proximity between the proposed operation and nearby residential homes.



Exhibit 4 – View From Front Entrance of 5057 Homeside Avenue

This photograph was taken from the front entrance/steps of the residence located at 5057 Homeside Avenue facing the proposed service and repair area. The approximate distance from the front steps of the residence to the rear service area door is approximately 124 feet, or roughly the length of eight parked vehicles.



Exhibit 5 – Wide View of Commercial Building and Existing Trailer Storage

This photograph provides a wide view of the commercial building and surrounding lot area from the adjacent residential neighborhood and the lack of buffering. The exhibit also shows a trailer parked within the designated employee/customer parking area that has remained on the property for an extended period of time prior to business operations beginning.



Exhibit 6 – Residential Home Across From Proposed Operational Area

This photograph depicts the gray single-family residence located at the corner of Homeside Avenue and Southover Road directly across from the proposed operational area. Also visible in the backyard area is a recreational football target game regularly used by neighborhood teenagers for outdoor games and activities. This exhibit is provided to demonstrate the active, family-oriented residential character of the neighborhood immediately adjacent to the proposed commercial operation.



Exhibit 7 – View From Public Sidewalk on Lewis Avenue

This photograph was taken from the public sidewalk on Lewis Avenue facing the proposed site. The exhibit shows a trailer that has been parked on the property for an extended period of time as well as a vehicle located within the lot area. In the space between the building and the trailer, near the pine tree, the residence located at 5057 Homeside Avenue is visible.



Exhibit 8 – View from public sidewalk at 1028 Custer/Homeside frontage

This photograph was taken from the public sidewalk in front of the residence with the mailing address of 1028 Custer Rd. whose front entrance faces home side Avenue the exhibit demonstrates the close proximity of nearby residential homes to the proposed service and operational area located directly across Homeside Avenue the estimated distance from the public sidewalk to the service area. Door of the proposed site is approximately 75 feet from this address.



Exhibit 9 – View From public sidewalk in front of proposed service area

This photograph was taken by the Optic Fiber box in front of the service area on the public sidewalk . Please note the picnic table and basketball hoop, illustrating normal residential neighborhood use immediately adjacent to the proposed operational area.



Exhibit 10 – Nighttime View of Proposed Site From 5057 Homeside Avenue

This photograph was taken at night from the residence located at 5057 Homeside Avenue facing the proposed development site. The exhibit demonstrates the visibility of lighting and activity associated with the property from nearby homes after dark and is provided to illustrate concerns regarding nighttime lighting impacts, after-hours activity, and the close proximity of the proposed site to surrounding residential properties.



Exhibit 11 – Residential Character of Homeside Avenue

This photograph was taken from Homeside Avenue looking toward the proposed development site. It demonstrates the immediate proximity of the commercial property to surrounding single-family homes and illustrates the established residential character of the neighborhood directly adjacent to the proposed operational area.



Exhibit 12 – View From Proposed Service Area Toward 5057 Homeside Avenue

This photograph was taken from the public sidewalk adjacent to the proposed service area door and depicts the direct view toward the residence located at 5057 Homeside Avenue. The exhibit demonstrates the extremely close proximity between the proposed repair and operational area and the surrounding residential homes.



Exhibit 13 – View From 5067 Homeside Avenue Toward Proposed Site

This photograph was taken from the driveway and public sidewalk area of the residence located at 5067 Homeside Avenue, situated at the corner of Homeside Avenue and Southover Road. The image depicts the close proximity of the proposed development site and parking area to surrounding residential homes. The exhibit further demonstrates the lack of substantial buffering, screening, or separation between the commercial property and adjacent single-family residences directly across from the proposed operational area.



Exhibit 14 – View of Adjacent Residences From Proposed Service Area

This photograph was taken from the public sidewalk located behind the proposed site near the service area door. The image depicts the residences located at 5057 Homeside Avenue and 1028 Custer Road situated immediately adjacent to one another and in very close proximity to the proposed operational and repair area. Although the mailing address is listed as 1028 Custer Road, the residence is actually forward-facing on Homeside Avenue.



Exhibit 15 – Residential Streetscape Along Homeside Avenue

This photograph was taken at the corner of Southover Road and Homeside Avenue near the area designated for employee and customer parking associated with the proposed development. The image depicts the surrounding residential neighborhood along Homeside Avenue and further demonstrates the established single-family residential character immediately adjacent to the proposed commercial operation.

