GENERAL INFORMATION

Subject

Request	-	Zone Change from CR (Regional Commercial) to CM (Mixed Commercial-Residential)
Location	-	3632-3636 & 3638 Upton Avenue
Owner / Applicant	-	Christian Fernandez & Tung Thanh Nguyen 1122 Four Season Drive #3 Toledo, OH 43615

Site Description

Zoning	-	CR (Regional Commercial)
Area	-	± 0.24 acres
Frontage	-	± 90' along Upton Avenue ± 118.43' along Loxley Road
Existing Use	-	1st Floor Restaurant & 2nd Floor Apartments
Proposed Use	-	Apartments

Area Description

North	-	CR / Shoe Repair Shop, Print Shop
South	-	CR & CO / Dry Cleaning & Laundry, Single Dwelling Homes
East	-	RS6 / Single Dwelling Homes
West	-	CR / Retail, Convenience Store, Single Dwelling Homes

Parcel History

Z-35-37	-	Zone Change from A to C-D (P.C. approved 4/5/37)

Applicable Plans & Regulations

- Toledo Municipal Code (TMC), Part Eleven: Planning and Zoning Code
- Toledo 20/20 Comprehensive Plan

STAFF ANALYSIS

The applicant is requesting a Zone Change from CR (Regional Commercial) to CM (Mixed Commercial-Residential) for 3632-3636 & 3638 Upton Avenue. The request is to accommodate conversion of the structure into apartments. Current CR (Regional Commercial) zoning permits dwelling units only above the first floor. The CM (Mixed Commercial- Residential) district will permit dwelling units on all floors. To the north of the site is a shoe repair shop and a print shop. To the east of the site are single dwelling homes. To the south is a dry cleaning & laundry facility and single dwelling homes. To the west is a convenience store and single dwelling homes.

STAFF ANALYSIS (cont'd)

The applicant intends to construct an additional floor onto the building to accommodate a total of fifteen (15) dwelling units on site. This would be permitted within the proposed CM (Commercial Mixed-Use) zoning district.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan Future Land Use Map targets this site for Neighborhood Commercial Land Uses. Neighborhood Commercial land uses are predominantly small and medium scale commercial uses that serve neighborhoods. Small and medium scale office and mixed uses may also be included. The proposed rezone is consistent with the Toledo 20/20 Comprehensive Plan as it will permit a mix of uses on the property.

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan Future Land Use Map targets this site for Neighborhood Mixed-Use land uses. The intent of the Neighborhood Mixed-Use designation is to preserve and promote pedestrian-oriented commercial and mixed-use areas. Pedestrian connectivity should be prioritized and individual parking lots for single commercial uses are discouraged. The proposed rezone request is consistent with the Forward Toledo Plan as it increases density along a main street and promotes pedestrian activity in a historically pedestrian-oriented commercial corridor.

Staff recommends approval of the Zone Change from CR (Regional Commercial) to CM (Mixed Commercial-Residential) for 3632-3636 & 3638 Upton Avenue because it is consistent with both the Toledo 20/20 Comprehensive plan and the Forward Toledo Comprehensive Land Use Plan.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of Z-5004-24, a Zone Change from CR (Regional Commercial) to CM (Mixed Commercial-Residential) for 3632-3636 & 3638 Upton Avenue, for the following reason:

1. The proposed Zone Change is consistent with the Comprehensive Plan and the stated purpose of this Zoning Code (TMC§1111.0606(A) – *Review & Decision-Making Criteria*)

ZONE CHANGE
TOLEDO PLAN COMMISSION
REF: Z-5004-24
DATE: July 11, 2024
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
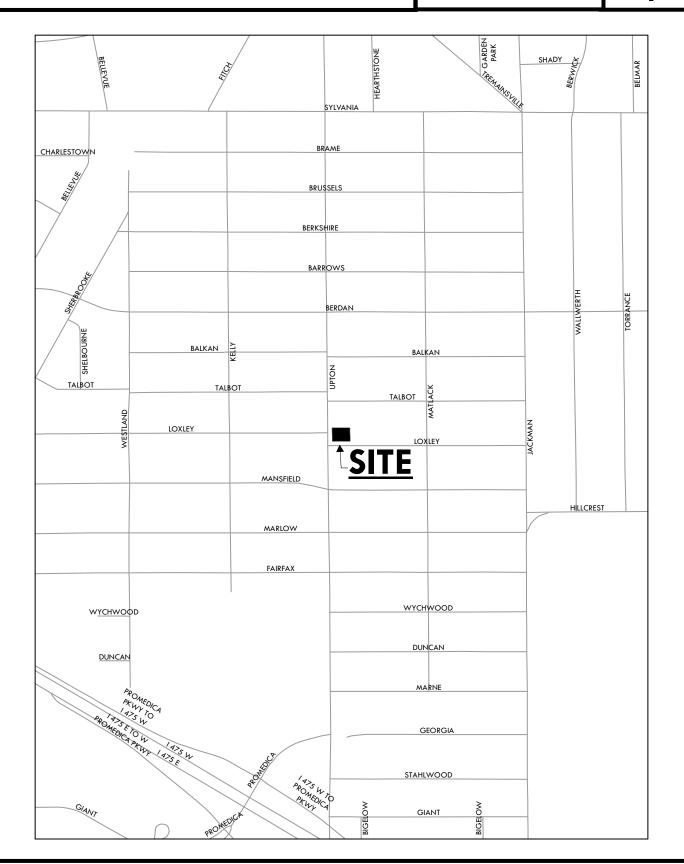DATE: August 13, 2024
TIME: 4:00 P.M.

AS
Two (2) sketches follow

GENERAL LOCATION

Z-5004-24
ID 45

N

SITE

1 - 3

OFFICE

SINGLE FAMILY HOMES

CONVENIENCE STORE

PRINT SHOP

SHOE REPAIR SHOP

TALBOT

SINGLE FAMILY HOMES

CR

SITE

RS6

LOXLEY

UPTON

RETAIL/APARTMENT

SINGLE FAMILY HOMES

LOXLEY

DRY CLEANING & LAUNDRY

SINGLE FAMILY HOMES

CO

CHURCH