



## TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: August 9, 2024

REF: Z-2005-24

TO: President Carrie Hartman 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 at 5439 Lewis Avenue

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, August 8, 2024 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, LLC 5439 Lewis Avenue Toledo, OH 43612
Engineer	-	Matthew Lewandowski 219 S Erie Street Toledo, OH 43604

#### Site Description

Zoning	-	IL / Limited Industrial
Area	-	±10.8 acres
Frontage	-	±144' 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, day care center / CR & IL

**GENERAL INFORMATION (cont'd)**

- |      |   |  |
|------|---|--|
| East | - | Duplexes & single-family homes, warehouse / RS6 & IL |
| West | - | Railroad, manufacturing and assembly / IG            |

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.   |
| Z-9001-22   | - | Zone Change from IL-Limited Industrial to IG-General Industrial at 5439 Lewis Avenue. Plan Commission recommended disapproval 12/01/2022. Zoning and Planning Committee HIC 1/04/2023. |
| SUP-9002-22 | - | Special Use Permit for scrap and salvage at 5439 Lewis Avenue. Plan Commission recommended disapproval 12/01/2022. Zoning and Planning Committee HIC 1/04/2023.                        |
| SUP-2006-24 | - | Special Use Permit for scrap and salvage at 5439 Lewis Avenue ( <i>Companion Case</i> ).   |

Applicable 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 IL-Limited Industrial to IG-General Industrial at 5439 Lewis Avenue in order to allow a scrap & salvage facility to operate at the site. The intent is to purchase used vehicles, process them within the building onsite, and sell the parts via the applicant's website. The site is ±10.8 acres and was previously occupied by several light industrial uses including semi-truck parking and storage. Surrounding land uses include apartments and Shantee Creek to the north; duplexes, single-family homes, and a warehouse to the east; a mobile home park, auto repair, and a day care center to the south; and a railroad and manufacturing and assembly to the west.

**STAFF ANALYSIS (cont'd)**

Scrap & salvage operations are only permitted in IG-General Industrial Zoning, and also require a Special Use Permit. Companion case SUP-2006-24 was submitted with the Zone Change application. The layout and landscaping are reviewed under SUP-2006-24. 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 and commercial uses abutting the most intense Industrial District is concerning to staff.

Neighborhood Meeting

On April 29<sup>th</sup>, 2024, the applicant hosted a neighborhood meeting at the West Toledo Branch Library. Eighteen (18) residents were in attendance, as well as Councilmember Morris. Attendees shared concerns about noise pollution, seepage of hazardous materials into nearby properties and Shantee Creek, exposure to dust and toxins, increased traffic, and wildlife nuisance issues. Residents voiced their belief that the site is already being mismanaged, and that intensifying the industrial zoning will only lead to exacerbation of existing issues.

The applicant and his design consultant addressed these concerns stating that all processing of the used vehicles will occur within the building onsite, and that vehicles will be drained of hazardous materials by an environmental firm before reaching the property. They said scrap-ready vehicles would be moved offsite within a day to two weeks. Since the meeting, the applicant has taken steps to address the wildlife nuisance issues, and a revised site plan depicts a paved drive aisle and parking area, as well as water quality measures and additional buffering for surrounding properties.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Light Industrial land uses, with the southern edge of the property being designated for Utilities. The Light Industrial 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. Given surrounding residential and commercial uses, staff believes that the proposed IG-General Industrial zoning is incompatible with the Comprehensive Plan.

Staff recommends disapproval of the Zone Change from IL-Limited Industrial to IG-General Industrial because the 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.

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### PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends disapproval of Z-2005-24, , a request for a Zone Change from IL-Limited Industrial to IG-General Industrial at 5439 Lewis Avenue, to Toledo City Council for the following two (2) 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).

Respectfully Submitted,



Thomas C. Gibbons  
Secretary

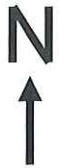
MJM

Two (2) sketches follow

Cc: Mo Dari | G1 Operations, LLC, 5439 Lewis Avenue, Toledo, OH 43612  
Matthew Lewandowski, 219 S Erie Street, Toledo, OH 43604  
Lisa Cottrell, Deputy Director  
Mara Momenee, Planner

# GENERAL LOCATION

Z-2005-24  
ID 57



# ZONING AND LAND USE

Z-2005-24  
ID 57

