

GENERAL INFORMATION

Subject

- Request - Zone Change from CO Office Commercial & CR Regional Commercial to CR Regional Commercial
- Location - 0 Executive Parkway (Eastern ±147.19 feet of Parcel #22-99007)
- Applicant / Owner - Jon Roumaya
3340 Secor Road
Toledo, OH 43606
- Civil Engineer - Lewandowski Engineers, A Verdantas Company
219 S. Erie Street
Toledo, OH 43604

Site Description

- Zoning - CO Office Commercial & CR Regional Commercial
- Area - ± 1.39 acres
- Frontage - ± 147.19' along Executive Parkway
- Existing Use - Vacant (Former Church)
- Proposed Use - Regional Commercial Use

Area Description

- North - Apartments, Single-Dwelling Houses / RM36, RS9
- South - Donation Center, Hotel, Shopping Plaza / CO, CR
- East - Fast Food, Jeweler, Smoke Shop / CR
- West - Future Hotel, Senior Apartments, Offices / CO, RM36

Parcel History

- Z-290-79 - Zone Change from R-4 to C-2 (Subject to Commercial Plat, PC approved 1-24-80, Ord. 91-80, 2/12/80)
- Z-7007-12 - Zone Change from RM-36 to CO (Withdrawn, submitted commercial plat for Z-290-79)
- S-16-12 - Final Plat of Executive Parkway Business Park Plat 1 (PC approved 10/11/12, Recorded 2/16/13)

GENERAL INFORMATION (cont'd)Parcel History (cont'd)

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| SUP-5008-13 | - | Special Use Permit for a 44-bed Memory Care Facility (PC approved 7/11/13, Ord. 403-13 8/20/13) |
| S-12-13 | - | Replat of Executive Parkway Business Park Plat 1 (PC approved 6/13/13) |
| Z-5002-17 | - | Zone Change from CO to CR at 3535 Executive Parkway (Withdrawn 9/14/17) |
| S-20-22 | - | Final Plat of the Eezy-Keezy Lemon Squeezy Subdivision (PC approved 2/9/23) |
| Z-4011-22 | - | Zone Change from CO to CR at 0 Executive Parkway (PC approved 7/19/22, Ord. 377-22) |
| SPR-23-22 | - | Major Site Plan Review for a new restaurant at 0 Executive Parkway – Parcel 22-99006 (PC approved 6/9/22) |
| T-26-23 | - | Original parcel 22-9906 to be split and combined with parcel 22-99007 (Administratively approved 6/6/23) |
| Z-7006-24 | - | Zone Change from CO & CR to CR at 0 Executive Parkway – Parcel 22-99007 (<i>Withdrawn 9/11/24</i>) |
| SPR-42-24 | - | Major Site Plan Review for a New Hotel at 0 Executive Parkway – Parcel 22-89174 & 22-99007 (PC Approved 10/10/24) |
| Z-7005-24 | - | Zone Change from RM36 to CO at 0 Executive Parkway – Parcel 22-89174 (PC Approved 10/10/24, Ord. 576-24, 11/20/24) |
| T-80-24 | - | Western ±58.28 feet of parcel 22-99007 to be split and combined with parcel 22-89174 (Administratively approved 12/17/24, not recorded at time of publication) |

Applicable Plans & Regulations

- Toledo Municipal Code (TMC), Part Eleven: Planning and Zoning Code
- Forward Toledo Comprehensive Land Use Plan

STAFF ANALYSIS

The applicant is requesting a Zone Change from CO Office Commercial & CR Regional Commercial to CR Regional Commercial for 0 Executive Parkway (Eastern ±147.19 feet of Parcel #22-99007). The ±1.39-acre site currently contains a vacant parking lot. To the north are apartments and single dwelling homes, to the south is a donation center, a hotel, and a shopping plaza, to the east are fast-food restaurants, a jeweler, and a smoke shop, and to the west are senior apartments and offices.

The applicant intends to split off the western ±58.28 feet of this parcel and combine it with the adjacent parcel to create a hotel development site (approved by SPR-42-24). Staff approved this lot split on 12/17/24; however, the lot split has yet to be finalized at time of publication. This split portion of the parcel is not included in the applicant's requested zone change.

The applicant is requesting a zone change to permit a potential future development on a remainder parcel between the approved hotel site and the existing Culver's fast-food restaurant. The site's current CO zoning classification is generally intended to function as a low to medium-intensity office district and permits only the least intensive non-office commercial activities such as hotels and hair salons. General retail and standalone restaurants are not permitted in CO districts. General retail and standalone restaurants are permitted in CR districts.

Executive Parkway was platted in 1971 with the intention of serving office commercial land uses along its north-south portion extending from Central Avenue. Staff at the time recommended approval of the plat's companion zone change request to what is now considered CO Office Commercial with the following statement:

Approve the resolutions requesting [CO] zoning since it would provide a reasonable transition between the commercially zoned and developed shopping center to the east and the residentially zoned and developed area to the west...

– TLC Plan Commissions Staff Report, September 3, 1970, Item 6a

Parcels along the east-west portion of Executive Parkway – extending from Secor Road – were not part of the developer's 1971 plan and remained zoned as they were since the area's 1963 annexation: an RM36-equivalent to the north and a CR-equivalent to the south. As time went on there were requests to extend Executive Parkway's CO Office Commercial zoning district east towards Secor Road. In one such instance, the then-owner of the subject property requested a rezone from an RM36-equivalent district to what is now considered CO. Staff at the time recommended approval of the zone change, stating the following:

And while the [CO] development of the parcel can be viewed as an appropriate transition from the [CR] to the south, and the [RM36] to the north, some protection for the apartment dwellers from the commercial development, should also be required.

- TLC Plan Commissions Staff Report, January 24, 1980, Item 10

In both instances staff supported the development of CO Office Commercial land uses along Executive Parkway for the purpose of serving as a transition between intensive commercial land uses along Secor Road and residential areas to the north and west. Today, Executive Parkway

STAFF ANALYSIS (cont'd)

is a known office commercial corridor whose importance as a land use buffer is highlighted in the recently-passed Forward Toledo Comprehensive Land Use Plan (Pg. 174). Allowing an encroachment of CR Regional Commercial zoning into this corridor would set a precedent resulting in the remaining CO parcels becoming vulnerable to more intense commercial uses. The area's development pressure would begin to degrade the Executive Parkway office corridor, resulting in incompatibility and encroachment on adjacent residential land uses.

The purpose of this rezone request is to prospectively rezone the site to allow future CR Regional Commercial development. Staff understands the applicant's desire to develop this site in line with other recent developments along Secor Road; however, staff does not support the request based upon the concerns stated above. Staff would instead support rezoning this site to CN Neighborhood Commercial. The CN zoning district permits many of the same commercial land uses which may want to locate here, minus the most intensive auto-oriented uses such as drive-thru fast-food restaurants, auto repair shops, and car washes. For example, a sit-down restaurant or general retail store would be permitted on the site should it be rezoned to CN.

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan Future Land Use Map targets this site for General Commercial land uses. Designations in the plan have three components which must be evaluated for compatibility: physical design, land uses, and geographic characteristics. The General Commercial land use designation provides space for auto-oriented and large-scale commercial operations which may also cater to regional demand. Commercial structures nearest to residential or medium- and high-density land uses should prioritize pedestrian features over auto-oriented development. The Forward Toledo Plan also emphasizes restraint when considering rezone requests to CR due to an imbalance of citywide vacant/underutilized commercial space for basic goods and services, the wide range of potential commercial uses, and the decreasing need for brick-and-mortar space. CN zoning would allow development of the site while restricting auto-oriented commercial uses and would be more in conformance with Forward Toledo.

Staff recommends disapproval of the Zone Change from CO Office Commercial & CR Regional Commercial to CR Regional Commercial at 0 Executive Parkway because the proposed zone change is not compatible with existing land uses within the general vicinity of the subject property. Staff instead recommends approval of a Zone Change to CN Neighborhood Commercial as the site is physically suitable for the allowed uses and the district is compatible with land uses within the general vicinity.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend disapproval of Z24-001, a Zone Change from CO Office Commercial & CR Regional Commercial to CR Regional Commercial at 0 Executive Parkway, to Toledo City Council for the following (2) reasons:

1. The proposed CR Regional Commercial zoning district is not compatible with existing land uses within the general vicinity of the subject property (**TMC§1111.0606(B)**); and

STAFF RECOMMENDATION (cont'd)

2. Approval of the proposed CR Regional Commercial zoning district sets precedent for further encroachment into the Executive Parkway Office Commercial district without limitations on the intensity of uses adjacent to residential districts.

Although staff recommends that the Toledo City Plan Commission recommend disapproval of the request for a Zone Change to CR Regional Commercial, staff would recommend the Toledo City Plan Commission recommend approval of a request for a Zone Change from CO Office Commercial & CR Regional Commercial to CN Neighborhood Commercial at 0 Executive Parkway, to Toledo City Council for the following three (3) reasons:

1. The CN Neighborhood Commercial zoning is consistent with the Comprehensive Plan (**TMC§1111.0606(A)**); and
2. The CN Neighborhood Commercial zoning is compatible with the existing land uses within the general vicinity of the subject property (**TMC§1111.0606(B)**); and
3. The subject site is physically suitable for the uses permitted under the CN Neighborhood Commercial zoning district (**TMC§1111.0606(D)**).

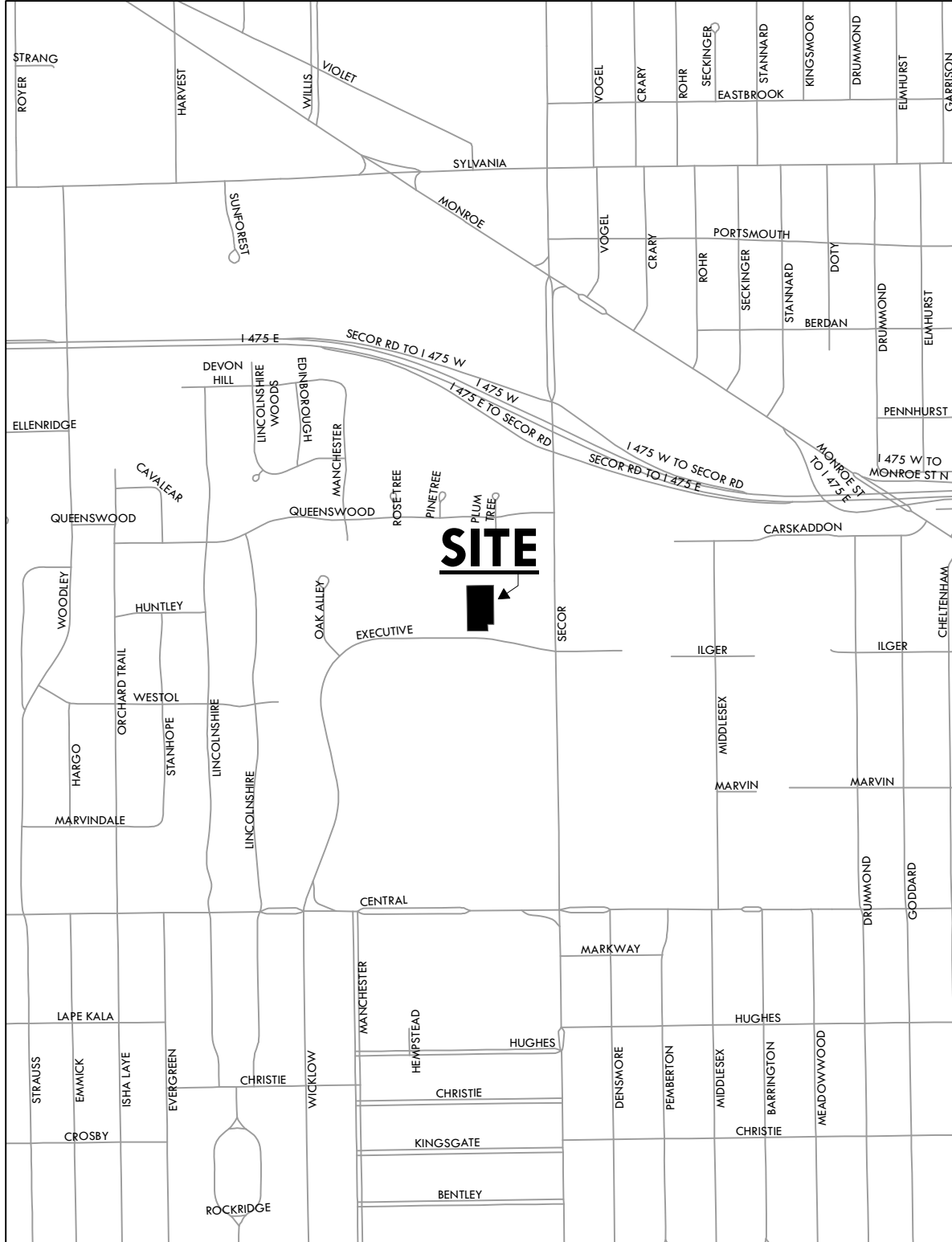
ZONE CHANGE
TOLEDO PLAN COMMISSION
REF: Z24-001
DATE: January 16, 2025
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: February 19, 2025
TIME: 4:00 P.M.

AS
Two (2) sketches follow

GENERAL LOCATION

Z24-0001
ID 78



ZONING & LAND USE

Z24-0001
ID 78

