

GENERAL INFORMATION

Subject

- Request - Zone Change from RS6 Single-Dwelling Residential to CN Neighborhood Commercial
- Location - 406 Westwood Avenue
- Applicant/Owner - Ron Peterson
9360 St. Angalas Way
Sylvania, OH 43560
- Development Representative - Trayvone Mathis
Sav'Ayn
3350 Executive Drive, Box 351
Toledo, OH 43607

Site Description

- Zoning - RS6 / Single-Dwelling Residential
- Area - ± 0.44 Acres
- Frontage - ± 56' along Westwood Avenue
- Frontage - ± 272' along Hartwell Avenue
- Frontage - ± 88' along Ascot Avenue
- Existing Use - Tavern
- Proposed Use - Tavern

Area Description

- North - Single-family homes, a duplex and hall / RS6 and CR
- South - Hartwell Avenue and manufacturing / IL
- East - Ascot Avenue and single-family homes / RS6
- West - Westwood Avenue, landscape contractor and auto and tire repair / IL

Parcel History

- P-1-82 - Request for off-street parking at rear of 406 Westwood Avenue, corner of Hartwell and Ascot (PC disapproved 6/17/1982).

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

P-5-77 - Request for off-street parking in a R-2 Single-Family Residence District, located at the northwest corner of Ascot Avenue and Hartwell Street (PC disapproved 6/30/1977).

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan
- Forward Toledo Comprehensive Land Use Plan

STAFF ANALYSIS

The Applicant is requesting a zone change from RS6 Single-Dwelling Residential to CN Neighborhood Commercial for a site located at 406 Westwood Avenue. The subject property consists of three lots totaling 0.44 acres that are located north of Hartwell Avenue between Westwood and Ascot Avenues. Surrounding land uses include single-family homes, a duplex and a hall to the north; single-family homes to the east across Ascot Avenue; a manufacturing business to the south across Hartwell Avenue; and a landscape contractor and auto/tire repair business to the west across Westwood Avenue.

The Applicant is requesting the proposed zone change so that the property is appropriately zoned for the current use, thereby allowing for improvements to be made to the property. Currently there is a building that serves as a tavern with an attached dwelling unit and a small parking area on the west half of the property. The east half of the property is undeveloped. As it stands, the tavern is considered a nonconforming use and is limited to expansion of the nonconforming use to no more than 10 percent of the total nonconforming use area per TMC§1114.0200 - Nonconforming Uses. The proposed improvements include: installation of up to 134 linear feet of sidewalk along Hartwell Avenue; repaving, restriping and expansion of the existing parking lot; installation of landscape buffers; repainting and improving building exterior; and construction of a patio addition.

The tavern is a long standing use at this location. The Applicant is the owner of the tavern and has operated it since 2014. In addition, Plan Commission records show that there was a request as far back as 1977 for an off-street parking lot for a tavern that was denied at this location. The 1977 proposal and a subsequent proposal in 1982 was denied because the required twenty-five foot (25') front yard setback on Ascot and Hartwell Avenues was not provided.

Based on the history of the site, it is apparent that the tavern use will most likely continue. The CN Neighborhood Commercial Zoning District is a low intensity commercial district that is intended for service businesses, like a tavern, that serve nearby residential areas. Rezoning the property will allow for off-street parking improvements that will help to alleviate on-street parking in the neighborhood and allow for the property to be aesthetically improved. In addition, the CN zoning district will serve as a transition from the single-family homes to the north to the industrial properties to the south across Hartwell Avenue. A minor site plan review will be required for the parking lot and site improvements. All required standards will need to be met including required landscape buffers.

STAFF ANALYSIS (cont'd)

The Plan Director has required that the Applicant hold a neighborhood meeting to discuss the proposed Zone Change request prior to the Plan Commission public hearing. A neighborhood meeting date has not been set at this time.

Toledo 20/20 Comprehensive Plan and Forward Toledo Comprehensive Land Use Plan

The Toledo 20/20 Comprehensive Plan targets the site for Single Family Residential. The Single Family Residential designation is intended for the development of single dwelling units on individuals lots, but may also include nonresidential uses that are typically compatible with residential neighborhoods. The Forward Toledo Plan targets this site for Neighborhood Mixed-Use. The Neighborhood Mixed-Use designation is intended to preserve and promote pedestrian-oriented commercial and mixed-use areas. The CN Neighborhood Zoning District is intended to accommodate pedestrian oriented small-scale retail and service businesses that serve nearby residential areas. The proposed rezoning to CN is therefore consistent with both of these designations.

Staff recommends approval of the Zone Change from RS6 Single-Dwelling Residential to CN Neighborhood Commercial as the current use of the property is a permitted use in the CN Zoning District, which will allow for improvements to be made to the property; the proposed zoning district is consistent with both the 20/20 Comprehensive Plan and the Forward Toledo Plan; and the property is physically suitable for the use as it will provide a transition from industrial uses to the south to the single-family uses to the north.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of Z-7003-24, a request for Zone Change from RS6 Single-Dwelling Residential to CN Neighborhood Commercial at 406 Westwood Avenue, to Toledo City Council for the following **two (2) reasons**:

1. The rezoning is consistent with the 20/20 Comprehensive Plan, Forward Toledo Plan, and the stated purpose of the Zoning Code (TMC§1111.0606(A)).
2. The subject property is physically suitable for the uses permitted under the existing and proposed zoning classifications (TMC§1111.0606(D)).

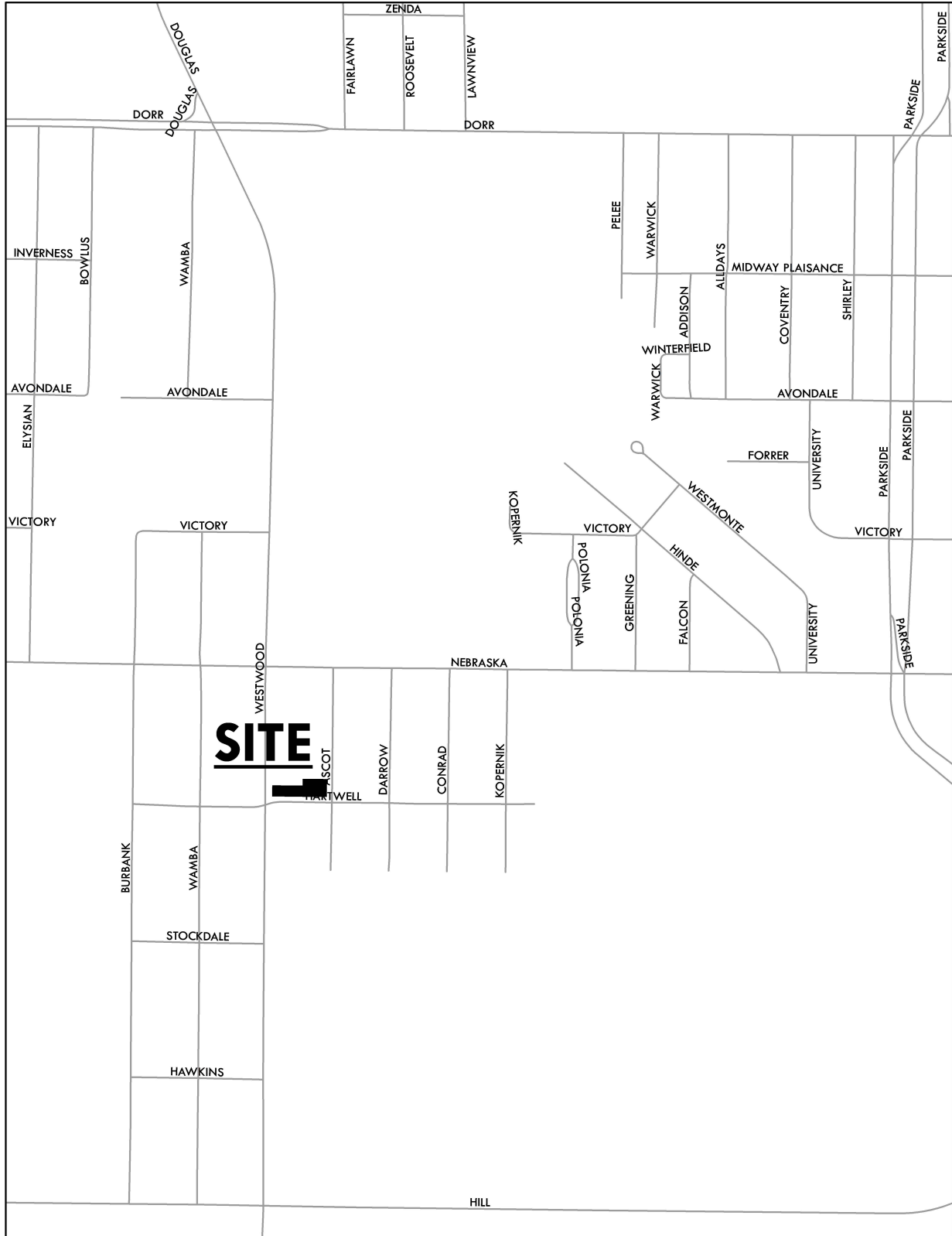
ZONE CHANGE
TOLEDO CITY PLAN COMMISSION
REF: Z-7003-24
DATE: September 12, 2024
TIME: 2:00 P.M.

CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: October 15, 2024
TIME: 4:00 P.M.

LK
Two (2) sketches follow

GENERAL LOCATION

Z-7003-24



ZONING & LAND USE

Z-7003-24

