

PLANNING COMMISSION MEETING

July 28, 2022

The meeting was called to order at 7:00 p.m. by Vice Chairman Rob Vela. Commission members present were Greg Bade, Mayor Mackin, Rob Vela, John Wellstein, and Becky Williams (5). Andy Lorenz was absent (1). Also present was Brody Walters, Planning and Zoning Administrator.

APPROVAL OF MINUTES

Mr. Vela moved to approve the minutes of the June 30, 2022 meeting as written. Seconded by Ms. Williams. Ayes: (5). Nays: (0).

ADMINISTRATOR'S REPORT

Mr. Walters said that there will be several Agenda items for the August 25, 2022 meeting, including the landscape plan for Louisiana House. He confirmed that Planning & Zoning would follow-up with neighboring property owner Vince Roberts regarding the landscape plan.

Rezoning Request I-1 (Light Industrial) to C-4 (Highway Commercial) 1090 W. South Boundary Street

APPLICANT/OWNER/DEVELOPER

Jim Schwerkoske
SCHWERKOSKE FAMILY PARTNERSHIP LTD
2927 N McCord Rd. STE 200
Toledo, OH 43615
JSchwerkoske@jmsrealestate.com

REQUEST

Chapter 1285 - Changes and Amendments

PROPERTY LOCATION & DESCRIPTION

The subject property is located on W. South Boundary at the northeast portion of the intersection of W. South Boundary and Eckel Road. This property is zoned I1 (Light Industrial) and the applicant is hereby requesting a rezoning to C4 (Highway Commercial).

Adjacent zoning:

1. North: I2 and PBP
2. East: C4
3. South: I1 and I2
4. West: I2

The area of the property is approximately 5.15 acres and currently contains a multi-tenant office building that was constructed in 1996.

BACKGROUND

Limited background information available.

ANALYSIS

Upon receiving a “Land Use Permit” request from a proposed tenant of the building located on this property it was identified that this property was zoned industrial rather than commercial or office. The building was clearly constructed for office uses and suites so it is unclear how or why this property became zoned industrial unless it occurred after the construction of the building. The current zoning would prevent any new office users from occupying the building and would classify those that are currently tenants as “legal non-conforming.” The City recently adopted a new Land Use Plan which indicates on Pg. 45 that the land is planned for “Innovation” uses. Pg. 47 and Pg. 60 further explain that “Innovation” uses can typically include industrial, office, retail, public and semi-public uses. According to these pages Innovation is characterized by “large-scale industrial, research and office users that demand proximity to local, regional and national transportation networks and that create and require synergy between adjoining uses and businesses.” The development character of this planned area “should be a variety of industrial, research & development, laboratory, design and technology uses. Retail may be considered as a secondary use to accommodate workers. High interconnectivity through public plazas, green spaces, and pathways within and around the site should create a campus of cross-collaboration. Parks, public amenities and pedestrian and bicycle access should be included.”

Per Ch. 1220.03 C4 zoning is defined per the following:

C4 (Highway Commercial) – Areas fronting on major roadways and utilized for all types of businesses, especially those that serve the traveling motorist and patrons throughout the community.

The following uses are permitted uses or may be allowed with a Special Approval Use (SAU) within:

C4 (Community Shopping)

Animal Services (outdoor)
Animal Services (indoor)
Automotive Oil & Lube Service Facilities
Automotive Repair – General (SAU)
Automotive Repair – Light
Automotive Sales or Lease for New and Used Vehicles – outdoors (SAU)
Auto Wash (SAU)
Carry-Outs/Other Business, Alcoholic Beverages (SAU)
Commercial Recreational Facilities (SAU)
Commercial Schools
Drive-in commercial uses
Entertainment and Spectator Sport Facilities
Grocery Stores
Gym/Fitness Facility (<5,000 GSF)
Gym/Fitness Facility (>5,000 GSF)
Motels and Hotels
Neighborhood Business less than 10,000 GSF
Office and Banks
Personal Services
Printing
Restaurant carry-out only
Restaurant drive-in
Restaurant Fast Food
Restaurant Outdoor Café (SAU)
Restaurant Full Service
Retail business: less than 60,000 GSF
Retail business: more than 60,000 GSF (SAU)
Sale and Storage of Building Materials (SAU)
Self-Service Storage (SAU)
Service Station
Shopping Center
Hospitality Facilities (SAU)
Transient Habitation (SAU)
Repair Services, Consumer
Nursery/Green House
Medical Offices
Medical Urgent Care Facilities
Accessory Use
Child Day Care Centers (SAU)
Club, Lodges, Fraternal and Civic Assembly
Essential Services
Mortuaries/Funeral Homes (SAU)
Part-Time Child Day Care Centers (SAU)
Public and Private Schools (SAU)
Public Service Facility
Public/Private Utility
Wireless Telecommunication Facility (SAU)
Wholesale Business

Per Ch. 1220.03, I1 – Light Industrial zoning is defined as “areas which are adaptable for industries of a restricted nature and generally limited to operations conducted wholly within a building and having no detrimental effects on neighboring land uses.” Industrial areas are intended to provide areas for manufacturing and industrial uses, where they will have access to necessary services and facilities and minimize obtrusion on or by adjoining uses and districts. Light industrial uses, which are more unlikely to cause undesirable effects are located in light industrial areas.

The following uses are permitted uses or may be allowed with a Special Approval Use (SAU) within:

I1 (Light Industrial)

Kennels (SAU)
Agriculture, Construction, Semi-Truck Sales/Service
Automotive Repair – General
Automotive Sales or Lease for New and Used Vehicles – Outdoors (SAU)
Commercial Recreation Facilities (SAU)
Commercial Semi-Truck Sales/Service
Printing
Recreational Vehicles/Equipment Outdoor Sales (SAU)
Restaurant Full Service (SAU)
Sales and Storage of Building Materials
Self-Service Storage
Sexually Oriented Business (SAU)
Nursery / Greenhouse
Medical Urgent Care Facilities
Accessory
Child Day Care Centers (SAU)
Essential Services
Institutional Use (SAU)
Non-Commercial Recreation Facilities (SAU)
Part-Time Child Day Care Centers (SAU)
Public Service Facility
Public/Private Utility
Wireless Telecommunication Facility (SAU)
Food Processing
Laboratories
Manufacturing, Sale/Storage of Building Materials
Manufacturing: Light
Oil and Gas Wells (SAU)
Outside Storage (SAU)
Publishing
Research and Testing
Transport and Trucking (SAU)
Warehousing
Wholesale Business
Wind Generator (Turbine) (SAU)

RECOMMENDATION

The Planning and Zoning Administrator recommends that the Planning Commission recommend to City Council approval of the Rezoning Request from I-1 (Light Industrial) to C-4 (Highway Commercial) for 1090 W. South Boundary Street (Parcel Q61-400-070301013003).

Further, it is recommended that a Public Hearing be set before City Council for September 6, 2022 at 6:25 p.m.

Mr. Walters reviewed the above Staff Report regarding the Rezoning Request from I-1 (Light Industrial) to C-4 (Highway Commercial) for 1090 W. South Boundary Street (Parcel Q61-400-070301013003). Jim Schwerkoske, Schwerkoske Family Partnership Ltd., was present via Zoom. Mr. Walters noted that the existing building is comprised of professional offices and that this rezoning has been requested to reclaim and match the current C-4 (Highway Commercial) zoning further to the east along West South Boundary Street. Mayor Mackin confirmed that this building has always been an office building. Mr. Schwerkoske added that this building was originally developed by Rudolph Libbe, that it's suitable for C-4 zoning, a transitional property, and that their latest tenant fits in the updated Land Use Plan.

Lora Shortridge, 1833 Kettle Run Court, was present on behalf of her mother, Margaret Harruff, 26630 Eckel Road. Ms. Shortridge said that she is concerned with how this rezoning request will affect her mother's nearby property on Eckel Road.

There were no further comments or questions from the Commission, nor the public.

Ms. Williams made a motion to recommend approval of the Rezoning Request from I-1 (Light Industrial) to C-4 (Highway Commercial) for 1090 W. South Boundary Street (Parcel Q61-400-070301013003), and that a Public Hearing be set for September 6, 2022 at 6:25pm. Seconded by Mr. Bade Ayes: (5). Nays: (0).

OTHER BUSINESS

There being no further business, the meeting adjourned at 7:14 p.m.

Respectfully submitted,

Heather Alfaro