



TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

ONE GOVERNMENT CENTER, SUITE 1620, TOLEDO, OHIO 43604 PHONE 419-245-1200 FAX 419-936-3730

THOMAS C. GIBBONS, DIRECTOR

DATE: January 10, 2019

REF: SUP-11005-19



TO: President Matt Cherry and Members of Council, City of Toledo

FROM: Toledo City Plan Commission, Thomas C. Gibbons, Secretary

SUBJECT: Special Use Permit for a Day Care Center at 2105 Monroe Street and 2110 Brookwood Avenue

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, January 9, 2020 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for a Day Care Center
Location	-	2105 Monroe Street and 2110 Brookwood Avenue
Applicant	-	ShaDama Howard 2105 Monroe Street Toledo, OH 43604
Owner	-	Darnell Smith P.O. Box 3122 Toledo, OH 43607
Designer	-	Angela Holm Architecture by Design, Ltd. 5622 Mayberry Square Sylvania, OH 43560

Site Description

Zoning	-	CR & RM36 / Regional Commercial & Multi-Dwelling Residential
Area	-	± 0.46 acres
Frontage	-	± 160' along Monroe Street ± 110' along 21 st Street ± 40' along Brookwood Avenue
Existing Use	-	Vacant Commercial Space
Proposed Use	-	Day Care Center

GENERAL INFORMATION (cont'd)

Area Description

North	-	Warehouses, parking / CR
South	-	Duplex, undeveloped land / RM36
East	-	Warehouse, used car lot / CR & RM36
West	-	Undeveloped land, offices / CR & RM36

Parcel History

No records on file.

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan
- Monroe Street Corridor Redevelopment Plan

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a Day Care Center at 2105 Monroe Street and 2110 Brookwood Avenue. The ±0.46-acre site is zoned CR Regional Commercial and RM36 Multi-Dwelling Residential and is an unoccupied commercial tenant space. The applicant is requesting the Special Use Permit to be able to open a Day Care Center, “Intellectuals Learning Center” at 2105 Monroe. The outdoor play area will be located at 2110 Brookwood Avenue. There will be thirty-two (32) children in care and four (4) employees.

Use Specific Regulations

Day Care Centers are permitted by right in the CR Regional Commercial zoning district, which is the zoning district for the proposed Day Care at 2105 Monroe Street. However, because the outdoor play area is located at 2110 Brookwood Avenue which is zoned RM36 Multi-Dwelling Residential, a Special Use Permit is required.

Day Care Centers are to be located on a major street, have adequate indoor and outdoor space, and have a drop-off / pick-up location designated. The tenant space for the Day Care Center is 1,521 square feet, permitting at most forty-three (43) children in care. The outdoor play area is 1,125 square feet, permitting eighteen (18) children to be using the outdoor area at any one time. Two (2) parking spaces are reserved for drop-off / pick-up.

STAFF ANALYSIS (cont'd)

Parking and Circulation

Pursuant to TMC§1107.0304 – *Parking, Loading, and Access*, a Day Care Center is required to have one (1) parking space per six (6) person capacity or one (1) per four hundred (400) square feet, whichever is greater. Capacity calculations conclude that a total of six (6) parking spaces are required for the proposed Day Care Center.

Additionally, pursuant to TMC§1104.0703(F) – *Drop-off/Pick-up Area*, a paved area for dropping off and picking up persons in care at the facility must be provided with the approval of the Division of Transportation. The Division of Transportation has requested that the drop-off / pick-up location be depicted on the site plan. A revised site plan was received on December 11, 2019 meeting this condition.

Bicycle parking slots shall be provided pursuant to Off-Street Parking Schedule “A” (TMC§1107.0304). Off-Street Parking Schedule “A” requires one (1) bicycle parking slot per ten (10) parking spaces. Calculations conclude that a total of two (2) bicycle parking slots are required. The site plan submitted depicts a bicycle rack with a minimum of three (3) bicycle parking spaces.

Landscaping

Per TMC§1104.0703(E), a ten foot (10’) Type B landscape buffer shall be provided around the outdoor play area. Per these regulations, four (4) trees and fifteen (15) shrubs are required per 100 linear feet. A privacy fence may substitute for shrub regulations. The site plan depicts a twenty-five foot (25’) by forty-five foot (45’) play area with a six foot (6’) tall wood fence and three (3) canopy trees. In order to meet the Type B landscaping requirements per TMC§1108.0203 – *Buffer and Screening Requirements*, six (6) trees are required to be placed within the buffer. The applicant is requesting a waiver to have three (3) canopy trees instead of six (6).

Monroe Street Corridor

The site is located within the Monroe Street Corridor UNO District. As stated in TMC§1103.0901, the Monroe Street Corridor UNO District is intended to implement appropriate building and parking setbacks that accommodate redevelopment that is compatible with historical building patterns; and promote development that features retail display windows, rear parking lots, and other pedestrian-oriented site design features. As the site is existing and will not be altered, the site complies with the regulations in the Monroe Street Corridor UNO District.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Urban Village at 2105 Monroe Street and Institutional Campus at 2110 Brookwood Avenue. The Urban Village is a specialized residential and commercial district that possesses characteristics of Traditional Neighborhood Development (TND), such as pedestrian orientation, zero building setbacks, mixed uses, and distinct architectural character. The Institutional Campus District accommodates large institutional uses in campus-like settings, such as hospitals, schools and colleges. The Institutional Campus District is intended to promote and enhance the development and expansion of medical, educational and other large institutional uses. The proposed use is in compliance with the Toledo 20/20 Plan.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-11005-19, a Special Use Permit for a Day Care Center at 2105 Monroe Street and 2110 Brookwood Avenue, to Toledo City Council for the following two (2) reasons:

1. The proposed use meets the stated purpose of the Zoning Code (TMC§1111.0706(A) – Review & Decision-Making Criteria), and
2. The request is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other impacts associated with the use's operation) (TMC§1111.0706(C) – *Review & Decision-Making Criteria*).

The Toledo City Plan Commission made the following recommendations to the Toledo City Council on the following waiver:

Chapter 1108 Landscape and Screening

Sec. 1108.0203 Buffer and Screening Requirements

F. Type B Landscape Buffer – four (4) trees and fifteen (15) shrubs are required per 100 linear feet. A privacy fence may substitute for shrub regulations.

Approve a waiver to allow three (3) canopy trees in the Type B Landscape Buffer around the play area instead of the required six (6).

The Toledo City Plan Commission further recommends approval of SUP-11005-19, a Special Use Permit for a Day Care Center at 2105 Monroe Street and 2110 Brookwood Avenue, to Toledo City Council subject to the following **twenty-two (22)** conditions:

PLAN COMMISSION RECOMMENDATION (cont'd)

The conditions of approval are as follows and are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Division of Engineering Services

1. A pre-submittal meeting is not required; however, one may be requested. Contact information is as follows:

Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850

Right-of-Way and Inspection: Joe Warnka 419-245-1341

Roadway: Tim Grosjean 419-245-1344

Water: Andrea Kroma 419-936-2163

Stormwater Drainage: Lorie Haslinger 419-245-3221; Andy Stepnick 419-245-1338

Sanitary Sewers: Mike Elling 419-936-2276

2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.
3. All commercial drive approaches, (along with the sidewalk through the drive) shall be constructed with 8" thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop/opening.** Existing drive approaches, including the curb drop, that will no longer be utilized shall be removed and restored with curb to match the adjacent curb.
4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220.

Contact Joe Warnka at (419) 245-1341 for inspection of above-mentioned items.

Fire Prevention

No comments or concerns.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Environmental Services

5. Applicant shall maintain compliance with the City of Toledo's Storm Water regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential storm water impacts from the modification of the site, including but not limited to long-term operation and maintenance of existing structural and non-structural Best Management Practices.
6. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
7. Applicant is strongly encouraged to include multiple green infrastructure measures to minimize runoff and increase infiltration, and to minimize the amount of new and/or additional impervious surface on the site.

Division of Environmental Services (cont'd)

8. Applicant is strongly encouraged to plant low maintenance and non-invasive trees, shrubs and perennials.
http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives_to_Ohio_Invasive_Plant_Species.pdf
9. Applicant shall maintain compliance with the City of Toledo and the State of Ohio's Air Quality Regulations applicable in the Toledo Municipal Code and the Ohio Administrative Code including, but not limited to the Asbestos and the Anti-Noise Laws.

Division of Transportation

10. A drop off area needs to be designated.

Plan Commission

11. Thirty-five (35) square feet of useable indoor space per person in care must be regularly available for the day care operation. **Acceptable as depicted on site plan.**
12. Sixty (60) square feet of useable outdoor space must be provided for each person in care using the outdoor area at any one time. A Type B landscape buffer shall be provided around the outdoor space. **Acceptable as depicted on site plan. However, only eighteen (18) children shall use the outdoor play area at any one time.**

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

13. Parking Schedule "A" (TMC§1107.0304) states that Day Care Centers must have one (1) parking space per six (6) person capacity or one (1) space per 400 square feet, whichever is greater. **Acceptable as depicted.**
14. Off-street parking and loading spaces, parking lots, maneuvering areas, aisles and driveways must be surfaced with concrete, bituminous asphalt, or other dust-free material other than gravel or loose fill, and be graded to drain all surface water towards the interior of the parking lot. **Acceptable as depicted on site plan.**
15. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700.
16. A minimum of two (2) bicycle parking slots shall be provided pursuant to Off-Street Parking Schedule "A" (TMC§1107.0300). **Acceptable as depicted on site plan.**
17. No free-standing signs greater than forty-two inches (42") from grade are permitted – any proposed signage must meet the requirements of low-profile signs per Toledo Municipal Code Title Nine – Sign Code.
18. A detailed site, lighting, fencing and four (4) copies of a landscaping plan (separate from building & site plans) shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. A Type "B" Landscape Buffer is required around the outdoor play area. The buffer shall be a minimum of ten feet (10') in width with six (6) trees and either fencing or shrubs. The location, height and materials for any fencing to be installed and maintained shall be indicated. **Not acceptable as depicted on site plan. A six foot (6') tall fence is proposed, this shall be installed and maintained indefinitely. Applicant is requesting a waiver to the Type B landscape buffer requirements.**
 - b. Topsoil must be back filled to provide positive drainage of the landscape area.
 - c. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage.
 - d. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by a solid wooden fence or masonry screen enclosure with landscaping and shall not be located in any required setbacks or the public right-of-way as stated in TMC§1361.10(b)(10) of the Building Code **(if applicable).**

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- e. Canopy trees must be a minimum of 12' in overall height or a minimum caliper of 2 inches and evergreen trees must be a minimum of 5'.
- 19. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
- 20. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
- 21. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
- 22. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

Respectfully Submitted,



Thomas C. Gibbons
Secretary

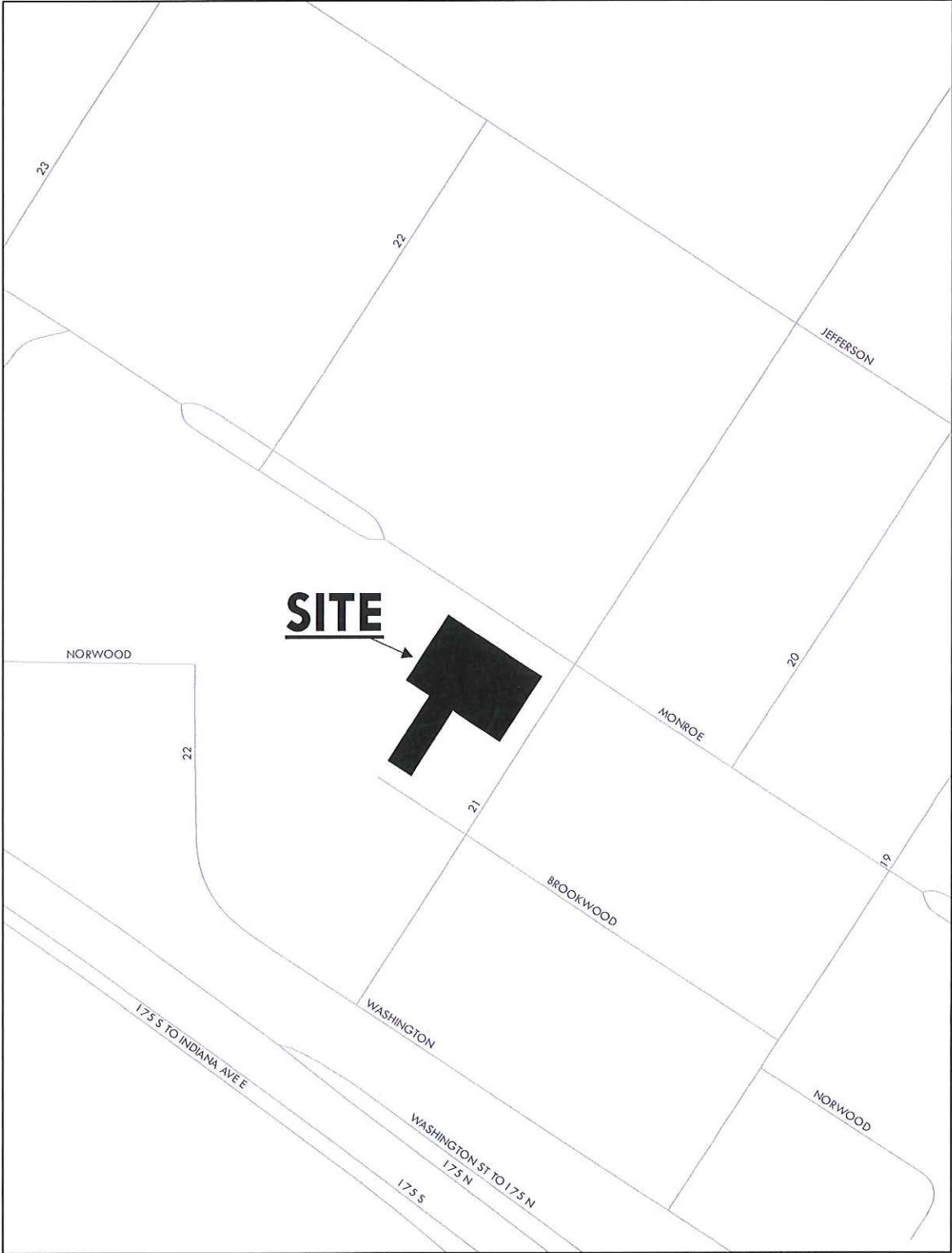
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Three (3) Sketches Follow

Cc: ShaDama Howard, 2105 Monroe Street, Toledo, OH 43604
Tadd Stacy, Architecture by Design, Ltd., 5622 Mayberry Square, Sylvania, OH 43560
Commissioner, Division of Engineering Services
Environmental Services
Fire Prevention
Commissioner, Division of Transportation
Lisa Cottrell, Administrator
Dana Doubler, Planner

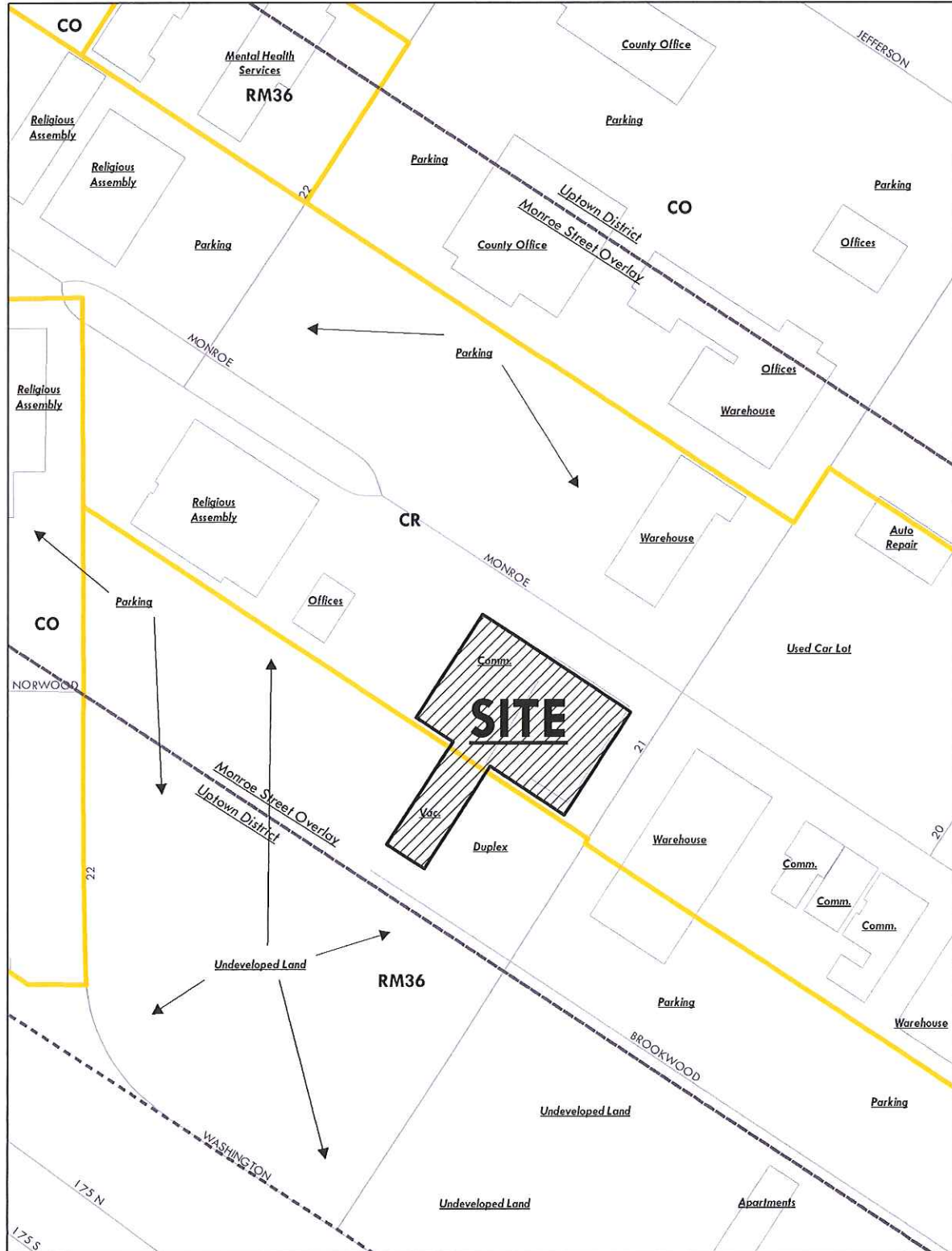
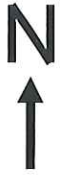
GENERAL LOCATION

SUP-11005-19
ID 14



ZONING AND LAND USE

SUP-11005-19
ID 14





Architecture By Design, Ltd.

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November 26, 2019

Toledo-Lucas County Plan Commissions
One Government Center, Suite 1620
Toledo, Ohio 43604

RE: Special Use Permit
Intellectuals Learning Center
2105 Monroe Street
Toledo, Ohio 43624
ABD# 19160

Toledo-Lucas County Plan Commissions:

We are submitting for a Special-Use Permit for Intellectuals Learning Center located at 2105 Monroe Street, Toledo, Ohio 43624. The building is owned by Jasmine Properties, LLC of P.O. Box 3122, Toledo, Ohio 43607. There are no proposed alterations to the primary structure. An enclosed Outside Activity Area (1,125 s.f.) is proposed for the property located at 2110 Brookwood Avenue, Toledo, Ohio 43624. The site is owned by Darnell Smith, of P. O. Box 3122, Toledo, Ohio 43607. Please see attached drawing. If there are any questions in regards to this project please contact our office. We look forward to hearing from you after your review.

Respectfully,
Architecture by Design, Ltd.

A handwritten signature in blue ink that reads 'Angela Holm'.

Angela Holm
Designer

To whom it may concern

Monday, December 9, 2019 8:25 PM

I Darnell Smith agrees with the special use permit Intellectual learning center is requesting for my property located at 2101 Monroe St Toledo, Ohio and 2110 Brookwood Ave Toledo, Ohio. I am also in agreement of six daycare usages only parking spaces.

Darnell Smith
= 12-9-19