



TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: February 12, 2021

REF: SUP-12007-20

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 Rooming Home

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, February 11, 2021 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for Rooming Home
Location	-	2625 Cherry Street
Applicant	-	Fred Procter 18530 Mack Ave Grosse Pointe Farms, MI 48236
Architect	-	Daryl Mapson 1300 E 187 th St. Cleveland, OH 44110

Site Description

Zoning	-	RM 36 Multifamily Residential
Area	-	± 0.188 acres
Frontage	-	± 69' along Cherry St.
Existing Use	-	Vacant church
Proposed Use	-	Rooming house

Area Description

North	-	Multifamily Residential / RM36
South	-	Multifamily Residential / RM36
East	-	Single Family Residential / RS6
West	-	Multifamily Residential / RM36

GENERAL INFORMATION (cont'd)

Parcel History

- | | | |
|-----------|---|--|
| M-14-10 | - | Cherry Street Legacy Plan as an amendment to the 20/20 Plan (Ord. 55-11, 1/25/11). |
| M-9-13 | - | Establish Urban Neighborhood Overlay for Cherry Street corridor from Buckeye Basin to Detroit Avenue (Ord.8-14, 1/2/14). |
| CSDO-1-20 | - | Cherry Street Overlay District Review companion case. |

Applicable Regulations

- Toledo Municipal Code, Part Eleven: Planning and Zoning Code
- Toledo 20/20 Comprehensive Plan

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a rooming house. The space will be used to house up to five (5) boys aging out of Foster Care, ages 16.5 to 19 years of age. The program provides education and support for wards of the county or state to complete their GED or High School diploma, financial literacy training, with additional skills to live independently. With one bus stop across the street from the site and one located 100 feet north on Cherry occupants can easily use mass transit. The site is within the Cherry Street Urban Neighborhood Overlay and requires approval of the Cherry Street Development Organization (meetings held on 01/27/21 and 02/04/21). A neighborhood meeting was held on 01/20/21.

Parking

- a. The submitted site plan indicates a two car garage in addition to two spaces in the driveway and on-street parking available on Islington. Pursuant to TMC§1107.0300 – Off-Street Parking Schedule “A”; Rooming House facilities must have .5 spaces per housing unit. With nine (9) units, there must be five (5) parking spaces. As there are two bus stops within one block, the total number of spaces can be reduced by 20% per TMC§1107.1400(B) for a total of four (4) spaces. One (1) of these is reserved for use by persons with physical disabilities. **As a condition of approval, the applicant shall provide a revised site plan which will designate ADA parking.**
- b. In addition to the minimum number of required off-street and accessible parking, bicycle parking is also required to be provided on site. Per TMC§1107.0300 – Off-Street Parking Schedule “A”, a minimum of one (1) bicycle space shall be provided per ten (10) automobile parking spaces. **As a condition of approval, the applicant shall provide a revised site plan which will designate bike parking.**

STAFF ANALYSIS (cont'd)

Landscaping

- a. Per TMC§1108.0202 – *Frontage Greenbelts*, a greenbelt is required along all frontages that abut public right-of-ways. The frontage greenbelt shall include at least one (1) tree for every thirty-feet (30') of lot frontage and shall also include grass and shrub plantings: **Acceptable as shown on site plan.**
- b. No landscape buffers are required along the eastern and southern boundaries, as they abut similarly zoned RM properties (TMC§1108.0203).

20/20 Plan

The Toledo 20/20 Comprehensive Plan targets this area for multi-family residential land uses. While the intent of this designation is to accommodate residential, it also includes those nonresidential uses that are compatible with residential areas. These uses are typically schools, places of worship, community centers, etc. The proposed use complies with the future land use designation identified in the 20/20 Comprehensive Plan.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-12007-20, a request for a Special Use Permit for Rooming House at 2625 Cherry Street, to Toledo City Council for the following three (3) reasons:

1. The proposed use meets the stated purpose of the Zoning Code **TMC§1111.0706.A**
2. The proposed use meets all applicable provisions of the Zoning Code **TMC§1111.0706.C**; and
3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics **TMC§1111.0706.C**.

The Toledo City Plan Commission recommends approval of SUP-12007-20, a request for a Special Use Permit for a Rooming House at 2625 Cherry Street, to Toledo City Council subject to the following **twenty-nine (29)** conditions:

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

PLAN COMMISSION RECOMMENDATION (cont'd)

Engineering Services (cont'd)

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.
5. Contact Joe Warnka at (419) 245-1341 for inspection of above mentioned items.
6. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
7. The design professional or property owner shall submit written documentation to the Division of Water Distribution that no changes are being made to the existing water service line, meter setting or backflow protection device and that these devices are properly installed, tested and in good working order. The City, at its discretion, has the authority to mandate the entire service, including meter and backflow prevention device, be brought into compliance with current City of Toledo standards.
8. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.

Sewer & Drainage Services

9. S&DS requires that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.

PLAN COMMISSION RECOMMENDATION (cont'd)

Sewer & Drainage Services (cont'd)

10. S&DS requires that the private sanitary lines (after they have been cleaned) that are not being removed or properly abandoned be televised from the building (or private cleanout) to where they connect with the public sewer system if this has not been done in the past (2) two years. An electronic copy (DVD/memory stick) shall be provided to Sewer & Drainage Services demonstrating the lines cleaning and integrity.

Fire Prevention

11. It appears that this building will undergo a change of use. This will require compliance with all applicable Fire Sprinkler and Alarm, Building, Electrical, Mechanical and Plumbing code requirements.
12. Approved Premises identification is required.

Environmental Services

13. Applicant shall maintain compliance with the City of Toledo's stormwater regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential stormwater impacts from the modification, including but not limited to long-term operation and maintenance of existing structural and non-structural Best Management Practices.
14. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
15. Applicant is strongly encouraged to include multiple green infra-structure measures to minimize runoff and increase infiltration, and to minimize the amount of new and/or additional impervious surface on the site.
16. Any effort made to plant non-invasive trees, shrubs and perennials is highly encouraged.
http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives_to_Ohio_Invasive_Plant_Species.pdf
17. Applicant shall maintain compliance with the City of Toledo and 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.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Transportation

18. Bike parking spaces required per TMC 1107.
19. All parking must be shown for a rooming house per TMC 1107.
20. One van accessible parking space with loading aisle is required per TMC 1107.
21. No planting or landscaping structure can obstruct visibility between 42 inches and 84 inches above grade and is less than 23 feet from curb or edge of pavement per TMC 1107. (That applies to the proposed landscaping near the intersection of Cherry Street and Islington Street.)

Plan Commission

22. All spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700: **acceptable as depicted on revised site plan.**
23. Bicycle parking slots shall be provided pursuant to Off-Street Parking Schedule “A” (TMC§1107.0300), which requires one (1) bicycle parking slot per ten (10) parking spaces: **acceptable as depicted on revised site plan.**
24. 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 revised site plan.**
25. If applicable, dumpster and its location shall be clearly defined, have a concrete pad and be surrounded by a solid wooden fence or a 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.
26. 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.
27. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
28. 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.

TO: President Cherry and Members of Council
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PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

29. 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.

Respectfully Submitted,



Thomas C. Gibbons
Secretary

NH

Three (3) sketches follow

Cc: Fred Procter, Applicant
Lisa Cottrell, Administrator
Nancy Hirsch, Planner

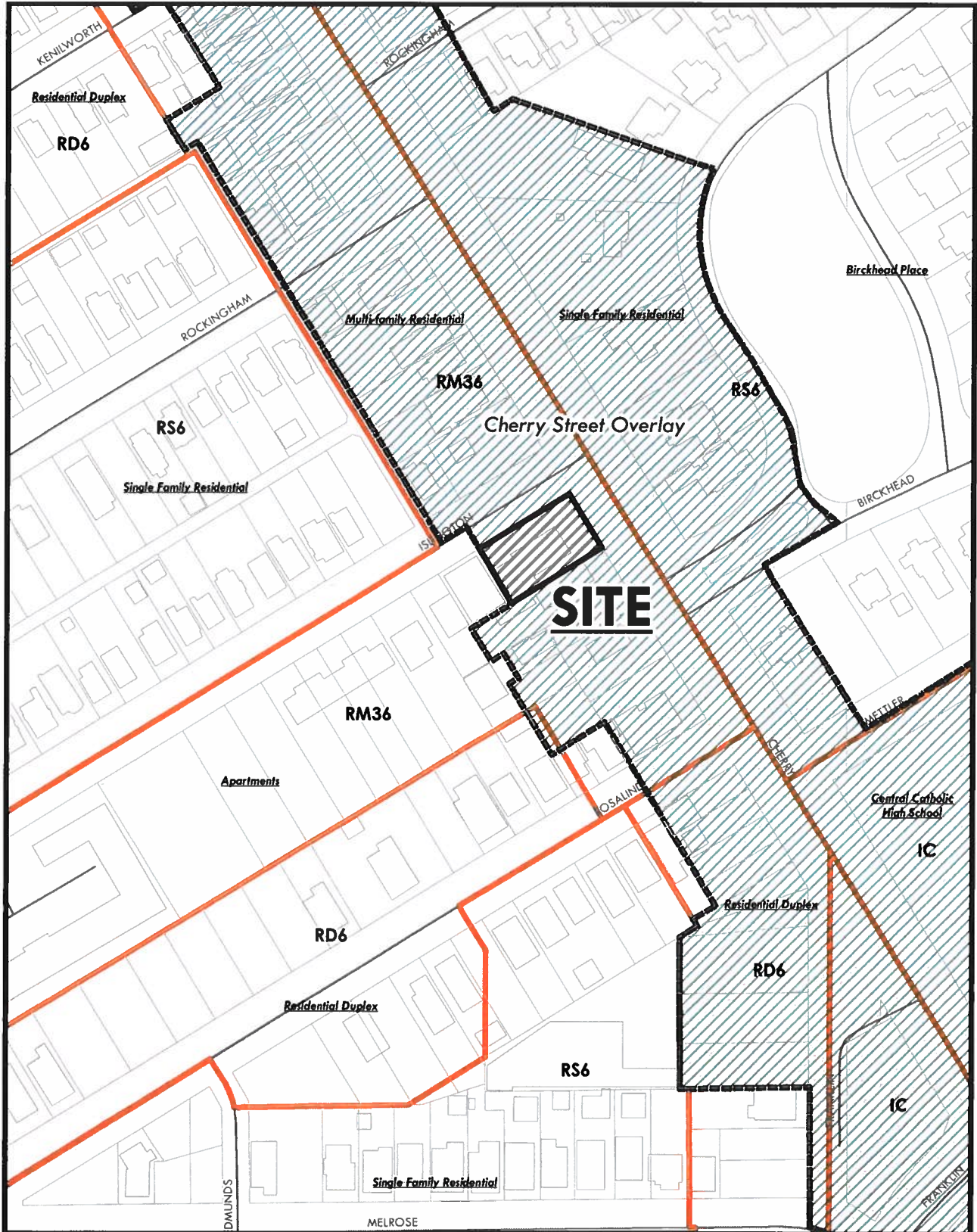
General Location

SUP-12007-20



Land Use and Zoning

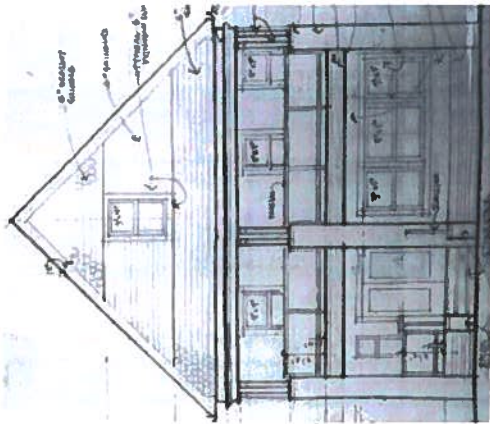
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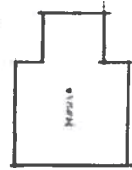
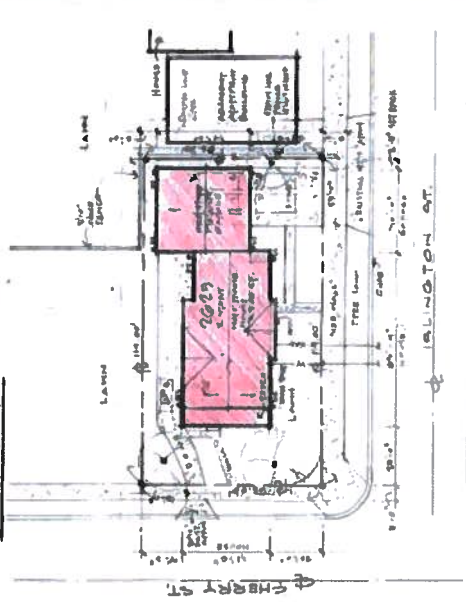


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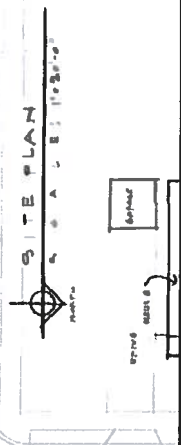
SITE PLAN



- DRAWING LEGEND**
- SP-1 SITE PLAN
 - SP-2 LANDSCAPE PLAN
 - SP-3 BASEMENT PLAN
 - A-1 FIRST FLOOR PLAN
 - A-2 SECOND FLOOR PLAN
 - A-3 ATTIC FLOOR PLAN
 - A-4 ELEVATIONS



VICINITY PLAN





TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: January 29, 2021
REF: SUP-12007-20
PLANNER: Hirsch

NOTICE OF PUBLIC HEARING

on

Date: Thursday, February 11, 2021

Request: Special Use Permit Rooming House

Location: 2625 Cherry Street

The complete legal description of the land in question is on file at the office of the Toledo City Plan Commission, located at One Government Center, Suite 1620, Toledo, Ohio 43604.

Notice of this hearing is mailed to the **project applicant** as well as owners of property within and contiguous to and directly across the street from subject parcel (or parcels at the addresses of such owners appearing on the County Auditor's current tax list). Please share this notice with neighbors that may lie beyond the range of this mailing. They may attend the public hearing and/or otherwise make their feelings known about this case.

The Toledo City Plan Commission will hold a hearing to consider this request at **2:00 p.m.** on **Thursday, February 11, 2021** as a Zoom meeting. You may attend this hearing by clicking on the following link at the time of the hearing. You will then be added as an "attendee" and will have opportunity to communicate via a "question and answer" tab. We will receive your comments/questions, and a facilitator will communicate them to the Commission Members. **If you are the project applicant, please make every effort to attend the hearing.**

Zoom Link:

Join from PC, Mac, Linux, iOS or Android:

<https://toledo-oh-gov.zoom.us/j/86196937519?pwd=N3FvZDIEdTkzSE5mUzRNU2ppYXNpdz09>

Passcode: 960957

Or at zoom.us enter Webinar ID 861 9693 7519

Webinar Passcode 960957

Or Telephone:

Dial: 602-333-2017 or 888-204-5987 (US Toll Free)

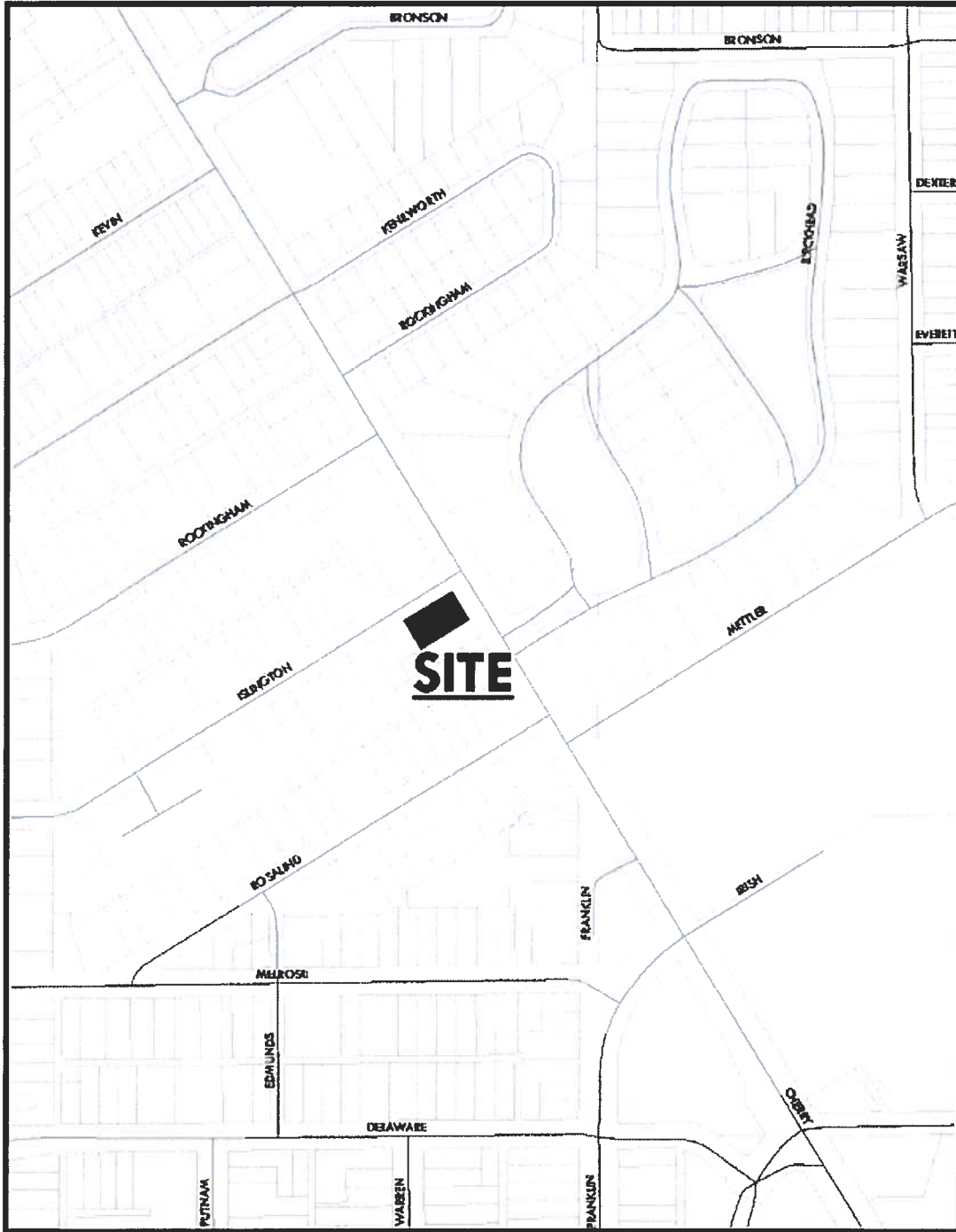
Conference code: 291916

You may also call the office of the Toledo City Plan Commission at 419-245-1200 or email any comments that you have to the planner at nancy.hirsch@toledo.oh.gov. We will ensure that your comments are incorporated as part of the public record.

TOLEDO CITY PLAN COMMISSION

General Location

SUP-12007-20



CITY OF TOLEDO, OHIO

Clerk of Council
One Government Center
Toledo, Ohio 43604

Julie Gibbons
Assistant Clerk of Council

Telephone
419-245-1060

Date: January 29, 2021
Ref: SUP-12007-20

NOTICE OF PUBLIC HEARING

Wednesday, March 17, 2021

The Zoning and Planning Committee of Council, at a Zoom meeting to be held on Wednesday, March 17, 2021 at 4:00 p.m., will consider the following request:

Special Use Permit for a Rooming House at 2625 Cherry Street

When: March 17, 2021 04:00 PM Eastern Time (US and Canada)
Topic: Toledo City Council Zoning & Planning Committee Meeting

Please click the link below to join the webinar:

<https://toledo-oh-gov.zoom.us/j/84938443246?pwd=bm5DVjVvNEtQcnJlN2ZlY2h5SWVY0dz09>

Passcode: 253123

Or Telephone:

Dial:

USA 602 333 2017

USA 8882045987 (US Toll Free)

Conference code: 623767

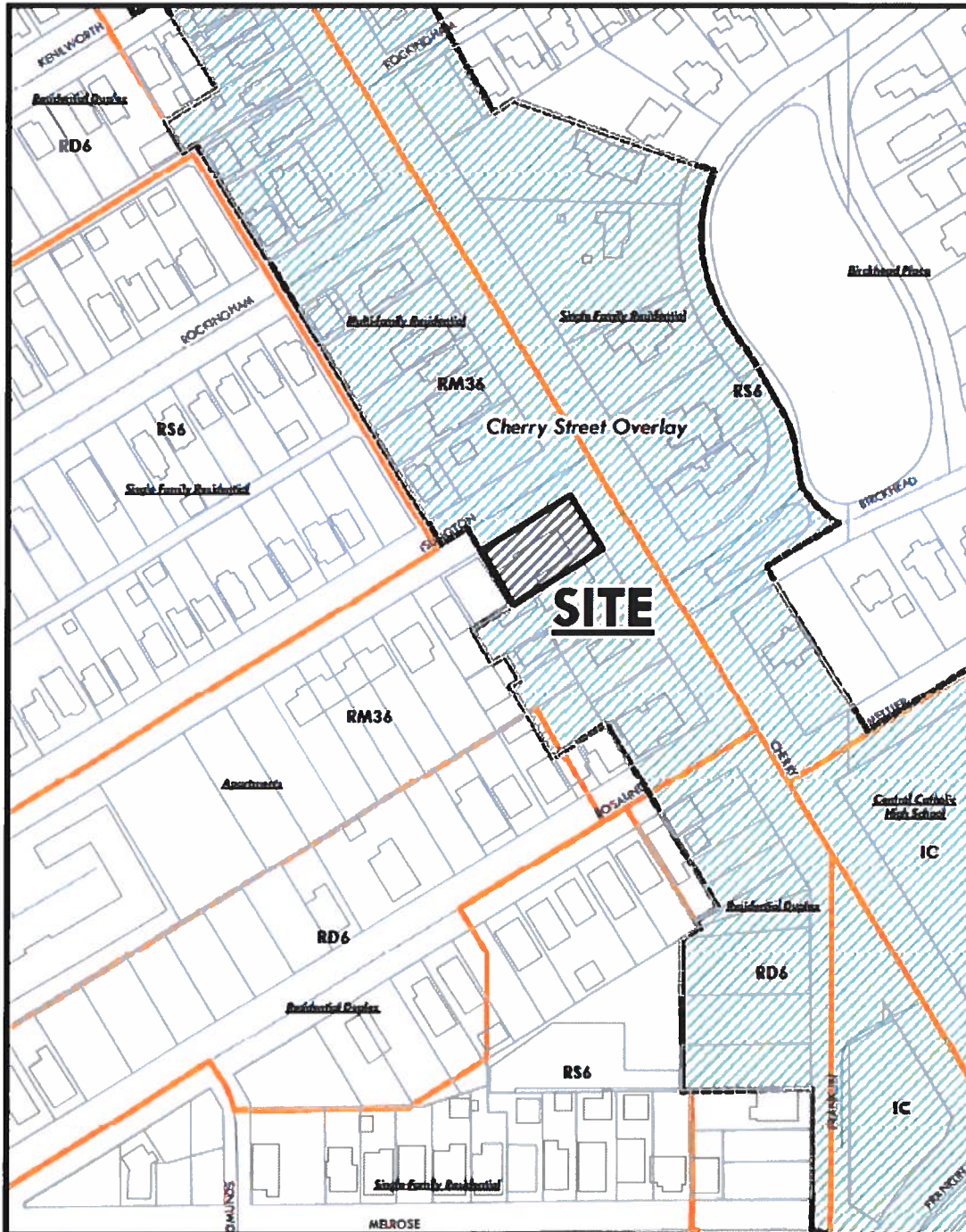
Julie Gibbons
Assistant Clerk of Council

****Failure of applicant to appear may result in a deferral or denial of your request.**

NOTICE PUBLISHED IN TOLEDO CITY JOURNAL

Land Use and Zoning

SUP-12007-20



PUBLIC HEARING

CASE NO. SUP-12007-20

REQUEST: Special Use Permit for rooming house
at 2625 Cherry Street

APPLICANT NAME: Fred Procter, 2625 Cherry Street, LLC

ADDRESS: 18530 Mack Ave, Grosse Pointe Farms, MI 48236

DATE: February 11, 2021 TIME: 2:00 p.m.

Contact Person: Nancy Hirsch

Contact Person Phone Number: 419-936-2585

PLACE: Council Chamber, 1st Floor, One Government Center
Jackson & Erie Streets, Toledo, OH

For Further Information, Contact
The Toledo-Lucas County Plan Commissions

PHONE: (419) 245-1200

FAX: (419) 936-3730

TMC 1111.0304

CITY OF TOLEDO

SIGN POSTING REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedure established by the City Zoning Code (TMC 1111.0304) are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of the public rights-of-way (if the way has been in use) also require signs.

The applicant is responsible for posting the required sign(s) and ensuring that the signs remain posted throughout the 15-day period prior to public hearing. **Failure to maintain the signs during this entire period may be cause for deferral or denial of the application.** Upon notification, the sign(s) is to be picked up at the Toledo-Lucas County Plan Commission office between the hours of 8:00 a.m. and 4:45 p.m.

1. LOCATION

- A. The sign shall be conspicuously located. **It shall be located within twenty feet of the public sidewalk** (or edge of public street). Plan Commission staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be two to seven feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign in order to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then in addition to a sign placed on the property a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. Sign(s) shall be mounted on a post, stake or building at the site.

4. PERIOD OF POSTING

- A. Signs must be posted from (dates) 01.26.21 to 03.26.21.

5. REMOVAL

- A. The sign shall not be removed before the final hearing on the request.
- B. The sign shall be removed between seven (7) and ten (10) days after the final hearing.

I hereby acknowledge that I have read the above Sign Posting Requirements and discussed them with the Plan Commission staff. I understand all the requirements and agree to comply with each of them. I acknowledge receiving a copy of these Sign Posting Requirements.

(Applicant or Agent)

(Print Name or Organization)

(Telephone No.)

I issued 1 signs for this application 01.19.21
(Date)

Nancy Hirsch
(Staff Member)

Location of sign(s) 2625 Cherry Street

CASE NUMBER SUP-12007-20

owner	mailing address 1	mailing address 2
2525 CHERRY STREET LLC	18530 MACK AVE STE 206	GROSSE POINTE MI 48236
ADAMS PROPERTIES OF TOLEDO LLC	1712 POTOMAC DR	TOLEDO OH 43607
ALY NEGLLA	808 E LEWIS ST	FORT WAYNE IN 46803
BATTLE TAMMY	2709 CHERRY ST	TOLEDO OH 43608 2350
BENSMAN DANIEL D	23 ROSALIND PL	TOLEDO OH 43610
BIALORUCKI DAVID A	4 BIRCKHEAD PL	TOLEDO OH 43608 2321
BLAIR LEONARD PAUL, BISHOP OF THE ROMAN	2550 CHERRY ST	TOLEDO OH 43608
BRIAN SMITH PROPERTIES LLC	2508 COLLINGWOOD BLVD # 1	TOLEDO OH 43610
BRIONES ADOLFO JR	631 SPRING ST	TOLEDO OH 43608
BROWN DENNIS	102 ROSALIND PL	TOLEDO OH 43610 1536
BROWN GENE R JR	156 ISLINGTON ST	TOLEDO OH 43610
BROWN JAMES	123 ROCKINGHAM ST	TOLEDO OH 43610
CEPEDA OFELIO	821 NOBLE ST	TOLEDO OH 43608
CHERRY LEGACY HOMES LLC AN OHIO LLC	704 SECOND ST P.O. BOX 8125	TOLEDO OH 43605
CITY OF TOLEDO	ONE GOVERNMENT CENTER SUITE 2250	TOLEDO OH 43604
COCHRAN DEWAYNE	660 SYLVANIA	TOLEDO OH 43612
COLBERT ROOSEVELT M & IRMA	124 ROCKINGHAM ST	TOLEDO OH 43610 1530
CRUMBY PHYLLIS	2615 CHERRY ST # 2	TOLEDO OH 43608
DANIELS WILLA A	121 ISLINGTON ST	TOLEDO OH 43610 1515
DIXON EDWARD JR	2593 CHERRY ST APT B15	TOLEDO OH 43608
EGGERSTORFER NICOLE	44 BIRCKHEAD PL	TOLEDO OH 43608
FELSTEIN MICHAEL B	5 BIRCKHEAD PL	TOLEDO OH 43608
FOREMAN QUILLA	1715 CALUMET AVE	TOLEDO OH 43607
GAMBLE HENRY JR & DAISY MAE	11 ROSALIND PL	TOLEDO OH 43610 1535
GLEGHORN VIRGINIA L	1310 MCSHAY CT	WEST LAFAYETTE IN 47906 4893
GLOVER JOHN W SR	24 ROSALIND PL	TOLEDO OH 43610 1534
GRAY SONYA	3409 TWINING ST	TOLEDO OH 43608
HAAGEN STEVEN & IVONETTE L	129 ISLINGTON ST	TOLEDO OH 43610 1515
HAMMOND-VAGTS CHERYL	2711 CHERRY ST	TOLEDO OH 43608 2350
HARTMAN STEPHEN D TRUSTEE	310 RIVER RD	MAUMEE OH 43537
HERCULES JUAN EMILIO CASTILLO	746 REGINA PKWY	TOLEDO OH 43612
HOGUE SARA O	152 ISLINGTON ST	TOLEDO OH 43610 1563
HOPKINS JEAN	2587 CHERRY ST	TOLEDO OH 43608 2373

HUBBARD TRACY L	14 ROSALIND PL	TOLEDO OH 43610 1534
HUGHLEY DONALD	24 ROSALIND PL	TOLEDO OH 43610 1534
JOHNSON ALMA J	121 ROCKINGHAM ST	TOLEDO OH 43610 1531
KIMBLE TRACY D	129 ROCKINGHAM ST	TOLEDO OH 43610
KIME BRETT	516 MCKINLEY DR	BOWLING GREEN OH 43402 1539
KNOBLAUCH JACOB F	43 BIRCKHEAD PL	TOLEDO OH 43608
LIGHTNER JEWELL A & HERMAN L	3 BIRCKHEAD PL	TOLEDO OH 43608 2321
LMR SPECIAL SERVICES CO	PO BOX 8115	TOLEDO OH 43605 0115
LUCAS COUNTY LAND REUTILIZATION CORPORATION	ONE GOVERNMENT CENTER STE# 580	TOLEDO OH 43604
MANTON REBA L	134 ISLINGTON ST	TOLEDO OH 43610
MARSHALL LONELL	114 ROCKINGHAM	TOLEDO OH 43610
MARSHALL RONALD R	148 ISLINGTON ST	TOLEDO OH 43610 1563
MCFOLLINS ALEXA	127 ISLINGTON	TOLEDO OH 43610
MCFOLLINS JAMES A	125 ISLINGTON ST	TOLEDO OH 43610 1515
MCKEE ZACHARY REES	1540 HOGAN AVE UNIT	CHESTERTON IN 46304
MCKITTRIC LEQUAN TRUSTEE	1822 FOREST	TOLEDO OH 43606
MITCHAM YVONNE	122 ROCKINGHAM ST	TOLEDO OH 43610 1530
N E D VI LLC	5716 BENNETT RD	TOLEDO OH 43612
NEIGHBORHOOD HOUSING SERVICES OF TOLEDO	704 SECOND ST	TOLEDO OH 43605
OWENS WARD E & MARY W	128 ISLINGTON ST	TOLEDO OH 43610 1563
PALMER JOHN C & LINDA HINTON	48 BIRCKHEAD PL	TOLEDO OH 43608
PHILLIPS EDWARD L & REGINA M	56 BIRCKHEAD PL	TOLEDO OH 43608 2321
PHILLIPS MANDY	101 ROSALIND PL	TOLEDO OH 43610 1537
REAGAN CHARLES ETAL	42 BIRCKHEAD PL	TOLEDO OH 43608 2321
ROBERTS DALRENA M	3142 DEDHAM ST	COLUMBUS OH 43224
ROBERTS DEBRA A	2641 FRANKLIN AVE	TOLEDO OH 43610 1510
RUSHING KELLY L	117 ISLINGTON ST	TOLEDO OH 43610 1515
SAUNDERS RONALD	2717 CHERRY ST	TOLEDO OH 43608 2350
SCHEPFLIN CONNIE S	P O BOX 4892	TOLEDO OH 43610
SHARP MICHAEL C	4328 W BANCROFT ST APT 1	TOLEDO OH 43615 7847
SHERER DOROTHY J	15 ROSALIND PL	TOLEDO OH 43610 1535
SMITH STEVIE ETAL	130 ISLINGTON	TOLEDO OH 43610
ST VINCENT MEDICAL CENTERAN OH CORP	1701 MERCY HEALTH PL	CINCINNATI OH 45237
THE BIRCKHEAD PARK CO.	0 BIRCKHEAD PL	TOLEDO OH 43608

THORNTON H & M L
TOLEDO RENTALS LLC
TURNER RICARDO
WATERS CHERYL D
WILLIAMS JACORY
WILSON SYMONE V
ZIMMERMAN ROGER K & JAN

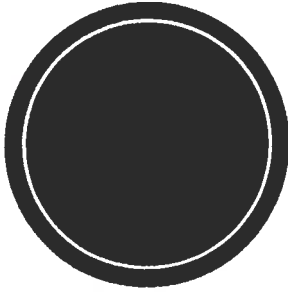
3354 JEANNETTE AVE
2450 N REYNOLDS RD
2672 POWHATTAN PKWY
P O BOX 4896
2509 LAKESIDE DR
PO BOX 1634
7356 WOOD CREEK LN

TOLEDO OH 43608 1621
TOLEDO OH 43615
TOLEDO OH 43606
TOLEDO OH 43610
LAS VEGAS NV 89108
TOLEDO OH 43603
MAUMEE OH 43537 9129

MAILING MAP

SUP-12007-
20





25321 Pleasant Trail
Richmond Hts, OH 44143
440-343-8397
focs2focusinc@gmail.com

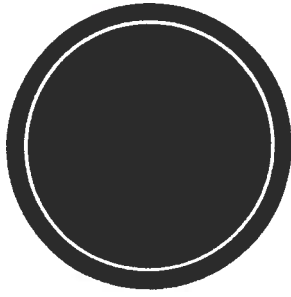
Letter of Intent – 2625 Cherry Street, Toledo, Ohio

Dear Toledo City Council,

2625 Cherry Street, LLC intends to completely renovate the property at 2625 Cherry Street in District 4 and restore its glory as a multi-level, multi-family home. The facade will be refurbished by revealing the double door porches with a combination of brick pillars and wood siding. The garage doors will be replaced and electric door openers installed. Complimentary landscaping on three sides of the house will be installed and maintained. The interior walls and ceilings currently composed of crumbling plaster will be replaced with fresh sturdy drywall while reusing as much of the existing door and window frames as possible. Much of the existing woodwork and framing will be reused as a tribute to the house's long history. All of the windows will be replaced with energy efficient and aesthetically complimentary custom replacement windows. All of the plumbing, HVAC and electric works, that have been vandalized or stolen, will be replaced to assure that all meet inspection codes. The building will be transformed from a huge white wooden structure to a beautiful representation of traditional architecture and modern energy efficiency that will bring pride to the corner of Cherry Street and Islington.

Focus2Focus, Inc. is a non-profit entity that intends to become a valued member of the Toledo community as an independent living home. We will provide a safe haven for teenaged males who are aging out of the foster care system as they approach emancipation and need an opportunity to learn how to live independently. These youngsters are wards of the county or state and have possibly been abused or neglected or abandoned and deserve a chance to mature into a positive adult member of the community. We will not service court referrals so none of the young men will be a part of the criminal justice system. Focus2Focus, Inc. is a placement of choice, not a punishment assigned by the court.

For over twenty years, we have served in Cleveland, OH, and similarly in Akron, OH since 2018, with outstanding community and county child services support. Focus2Focus, Inc. Is licensed by the Ohio Department of Job and Family Services which allows the operation of Independent Living Homes in the state of Ohio. Focus2Focus, Inc. Meets all of the standards and expectations set forth by the Ohio Revised Code and has had no blemishes on its record. We have always established excellent rapport with neighbors and have not had negative interactions with police departments. Focus2Focus, Inc. Intends to provide Lucas County with the services that Summit and Cuyahoga counties currently appreciate.



25321 Pleasant Trail
Richmond Hts, OH 44143
440-343-8397
focs2focusinc@gmail.com

Each 16.5 or 17 - 19 year old will be given help to complete his education either via a high school diploma or GED based on his current number of earned school credits. They will be supported in and encouraged to participate in school extracurricular activities to gain a full appreciation of the high school experience. Computer and internet access will be provided with tutoring in all

subjects including computer proficiency. Those who desire to find a job will receive support with job acquisition and retention. All of our youngsters will benefit from skill building such as punctuality, responsibility, reliability and task completion. The young men begin to learn and practice self-help skills such as cleaning, cooking, washing laundry and yard care.

Each young man will establish a bank account and have access to financial literacy that includes budgeting, an understanding of taxes, credit, bill payment and money management. Mercy Community Outreach will collaborate on the financial literacy program and possibly contribute access to counseling. Opportunities to learn a trade such as carpentry, plumbing, masonry, IT, coding, etc. will be available as well as business incubation for those who wish to pursue a passion. Exposing the youngsters to all of these resources, along with the mentor interactions that will regularly occur, will help prepare our young men to be positive contributors to the community.

Focus2Focus, Inc. will also contribute to the community via 24 hour employment of staffing. We look forward to identifying 10 - 14 staff members from the community who will be positive influences and role models for our youngsters.

Please visit infocusofcleveland.com to gain more insight about our independent living success.

Sincerely,

Fred Procter

Owner, 2625 Cherry Street, LLC

Russell White

CEO, Focus2Focus

REF: **SUP-12007-20**
DATE: February 11, 2021

Request - Special Use Permit for Rooming Home

Location - **2625 Cherry Street**

Dear Plan Commission,

The Plan Commission should deny or defer consideration of this request for a Special Use Permit for Rooming Home at 2625 Cherry Street until such time as the issues raised herein are fully addressed.

Given the ZOOM time limitations I request that this document be **read into and made part of the official record for SUP-12007-20** and my testimony that this request for a **Special Use Permit for Rooming Home** be denied or deferred since this is not appropriate for the following reasons.

There are a number of problems with this request that the Staff Report does not address :

First :

The applicant is clearly not a resident of the City Of Toledo. The Staff report indicates no information from the City Department of Health and Environment. Reference TMC 1761.02. Permits. (f)

Applicant :

Fred Procter
18530 Mack Ave
Grosse Pointe Farms, MI 48236

Second:

The Staff report indicates no information from City Department of Health and Environment of the applicant obtaining certificate of zoning compliance from the Division of Inspection. Has the applicant meet the requirements of the Toledo Municipal Code that state 1761.02. Permits. (i) mandating inspection of the premises designated on the form to determine compliance with this Housing Code ? Why grant an SUP for a property that has code violations.

The Toledo Municipal Code states :

1761.02. Permits.

(f) No operating permit shall be issued or renewed for an applicant who is nonresident of the City unless such applicant designates to the City Department of Health and Environment, in writing, his agent for the receipt of service of notice of violations of the provisions of this Housing Code and for service of process pursuant to this Housing Code.

(i) Any person interested in applying for a rooming house permit shall indicate his intent by obtaining a prepared form from the City Department of Health and Environment. Upon receipt of the completed form and the certificate of zoning compliance from the Division of Inspection, the City Department of Health and Environment shall inspect the premises designated on the form to determine compliance with this Housing Code. No fee shall be charged for this inspection. If the property is not in Code compliance, a housing violation notice shall be issued and enforced to achieve compliance.

Why is this being considered as a Rooming House when the Staff Report indicates that the intended need and use more directly meets the criteria of 1116.0221 Group Living ?

1116.0221 Group Living.

Residential occupancy of a structure by other than a household, where units or quarters do not each have its own kitchen facilities. Does not include transient habitation uses.

A. **Adult Family Home.** A state-licensed home or facility that provides accommodations to three to five unrelated adults and supervision and personal care services to at least three of those adults. Revised Code Section 3722.01(A)(7).

I. **Group Rental.** Unrelated persons who do not constitute a family or a functional family as defined in this Zoning Code, living as a single housekeeping unit in which individual sleeping quarters may be occupied by the residents of the dwelling thereof, and in which the relationship among the members of the group rests primarily upon a cost-sharing arrangement.

It appears to me that this is not being considered for TMC 1116.0221 Group Living because it would violate TMC 1104.1000 Group living and day care - spacing.

1104.1000 Group living and day care - spacing.

1104.1001 Group Living facilities, Type A Family Day Care Home and Nonresidential Drug and Alcohol Centers that are subject to this spacing requirement section in the Use Table of Section 1104.0100, must be at least 500 feet from a site with any other Group Living facility, Type A Family Day Care Home, and Nonresidential Drug and Alcohol Center that is also subject to this spacing requirement.

(Ord. 170-04. Passed 3-23-04.)

There is a Drug and Alcohol Center that is also subject to this spacing requirement well within 500 feet at 2823 Cherry Street.

Open Door Ministry 2823 Cherry St Toledo, OH 43608 United States

Open Door Ministry - The Emerald Jenny Foundation

www.emeraldjennyfoundation.org

Open Door Ministry. 2823 Cherry Street Toledo, OH 43608 · Alcohol and drug addiction (“substance use disorder”) Mental health illness and drug/alcohol ...

This from Tammy Michalak raises more questions :

TMC §1116.0223 Household Living (I) Foster Home, Certified.

A State-certified private residence in which one or more children are received apart from their parents, guardian, or legal custodian, by an individual reimbursed for providing the children non-secure care, supervision, or training twenty-four hours a day. Revised Code Section 5103.02(C). Does not include temporary care; see "Day Care."

If so, it looks like this is a permitted use under the existing use tables for RM36 and Mr. Proctor would not be subject to the special use permit process. This just does not sound like a "rooming house" based on what Mr. Proctor described.

Therefore the Plan Commission should deny or defer consideration of this request for a Special Use Permit for Rooming Home at 2625 Cherry Street until such time as the issues raised are fully addressed.

Sincerely yours,

David J. Neuendorff
2228 Scottwood Avenue
Toledo, Ohio 43620

Hirsch, Nancy

From: Fred Procter [focus2focusfp@gmail.com]
Sent: Wednesday, February 10, 2021 5:21 PM
To: Michalak, Tammy
Subject: Re: 2625 Cherry Street SUP 12007-20 Request

Warning: This email originated from outside of Findley. Do not click on links or open attachments if you were not expecting this email, or if the message looks suspicious.

Hello Tammy,

Thank you for your email and thank you for attending the meeting.

The county that refers the young man serves as his custodian/guardian. We work directly with his case worker on all issues that require a guardian level decision. We are looking very much forward to positively impacting the young men and the community.

Thanks for the question, thanks for your positive wishes and your support. Keep smiling!

Fred

On Wed, Feb 10, 2021 at 2:52 PM Michalak, Tammy <Tammy.Michalak@findley.com> wrote:

Mr Proctor,

I recently attended a meeting you presented to the Cherry Street Legacy group to provide a summary and answer questions regarding the proposed project. Thank you for taking the time to help us better understand the program and services you will be offering to these young men. I had one question that I did not ask and was hoping you could answer. My understanding is that these young men will be aging out of the foster system and will be between the ages of 16 ½ and 21. Will these young men have a legal custodian or guardian appointed for them while they are in the program, and if so, who is that?

Thank you in advance for your assistance. I wish you the best in your work to help these young men find success in their lives.

Tammy Michalak

Mobile: 419-389-2349

Tammy Michalak
Senior Consultant
Findley, A Division of USI
One SeaGate, Ste. 2050 • Toledo, OH 43604
Tammy.Michalak@findley.com • findley.com • www.usi.com
(o)419.327.4156 (c)419.389.2349

Hirsch, Nancy

From: Michalak, Tammy [Tammy.Michalak@findley.com]
Sent: Wednesday, February 10, 2021 9:25 PM
To: Hirsch, Nancy
Cc: Gibbons, Thomas; Lascheid, Matthew; Cottrell, Lisa
Subject: Re: 2625 Cherry Street SUP

Nancy,

I spoke with Mr Proctor this evening. He confirmed with me that the county is the legal guardian/custodian for the young man and that he does receive a reimbursement for the care. Given this information it would seem to me the best fit under Toledo Municipal Code should be a certified foster home.

I unfortunately am unable to attend the meeting tomorrow as I have a prior commitment. Would you or another member of staff please make this part of the record?

If this qualifies as a certified foster home it is a permitted use for the RM zoning and Mr. Proctor would not be subject to the SUP process.

Thank you,

Tammy Michalak
Mobile: 419-389-2349

Tammy Michalak
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On Feb 10, 2021, at 5:19 PM, Michalak, Tammy <Tammy.Michalak@findley.com> wrote:

Hi Nancy,

I realize I will be getting you after hours but just came across this and was unable to connect with Mr Proctor to confirm. Does the Focus2Focus program and property use qualify as a Foster Home, Certified? See below:

[TMC §1116.0223 Household Living \(I\) Foster Home, Certified.](#)

A State-certified private residence in which one or more children are received apart from their parents, guardian, or legal custodian, by an individual reimbursed for providing the children non-secure care, supervision, or training twenty-four hours a day. Revised Code Section 5103.02(C). Does not include temporary care; see "Day Care."

If so, it looks like this is a permitted use under the existing use tables for RM36 and Mr. Proctor would not be subject to the special use permit process. This just does not sound like a "rooming house" based on what Mr. Proctor described.

Thank you,
Tammy Michalak

From: Michalak, Tammy
Sent: Friday, February 5, 2021 9:25 AM
To: 'Hirsch, Nancy'
Cc: Gibbons, Thomas; Lascheid, Matthew; Cottrell, Lisa
Subject: RE: 2625 Cherry Street SUP

Thank you Nancy, I appreciate your prompt response, however, I respectfully disagree with your interpretation. These individuals are wards of the state and due to their age unable to care for themselves. They have not yet attained the ability to live independently and need to have 24 hour supervision on staff.

Thank you,
Tammy

From: Hirsch, Nancy [<mailto:Nancy.Hirsch@toledo.oh.gov>]
Sent: Friday, February 5, 2021 9:20 AM
To: Michalak, Tammy
Cc: Gibbons, Thomas; Lascheid, Matthew; Cottrell, Lisa
Subject: 2625 Cherry Street SUP

Warning: This email originated from outside of Findley. Do not click on links or open attachments if you were not expecting this email, or if the message looks suspicious.

Good morning Tammy,

Responding to your request for information about SUP-12-2007-20 and the architect stamp on the upper right corner of the site plan: *this is not a planned unit development and was never applied for as such.*

As far as your second point, this aligns closest to a rooming house since it does not meet the definition of TMC 1116.0221 B for persons requiring care because of: mental retardation or a developmental disability; physical disability; age; long-term illness, including HIV; domestic violence; or being a runaway minor.

All the best,

Nancy Hirsch