

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for a Day Care Center
Location	-	3302 Buckeye Street
Applicant + Owner	-	Charles Freeman 3302 Buckeye St. Toledo, OH 43608

Site Description

Zoning	-	RS6 / Single-Dwelling Residential
Area	-	± 0.1322 acres
Frontage	-	± 48' along Buckeye Street ± 120' along Clay Avenue
Existing Use	-	Single-Dwelling Residence
Proposed Use	-	Day Care Center

Area Description

North	-	RS6 / Single-Dwelling houses
South	-	RS6 / Clay St, Vacant Land, Single-Dwelling houses
East	-	RS6 / Single-Dwelling house, I-280 Interstate
West	-	RS6 / Buckeye St, Single-Dwelling Houses

Parcel History

No history on file.

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit to operate a Day Care Center at 3302 Buckeye Street. The ±0.1322-acre site is zone RS6 (Single-Dwelling Residential), and is occupied by a residential structure. A Special Use Permit is required for the operation of a Day Care Center within Residential zoned districts.

STAFF ANALYSIS (cont'd)

The site is situated on the northeast corner of Buckeye Street and Clay Avenue where Clay Avenue dead-ends at the I-280 Interstate. The subject site is surrounded solely by single-dwelling houses on all geographical sides. To the east of the site is one (1) single-dwelling house and the I-280 Interstate, to the west is Buckeye Street and single-dwelling houses, to the south is Clay Avenue, vacant land, and single-dwelling houses; and to the north are single-dwelling houses.

Day Care Center Requirements

Per **TMC§1104.0703(B)**, a Day Care Center must have frontage on a major street. According to the Toledo-Lucas County Major Streets and Highways Plan, Buckeye Street qualifies as a major street. In accordance with **TMC§1104.0703(D)&(E)**, the facility is required to provide at least thirty-five (35) square feet of usable indoor space for each person in care and sixty (60) square feet of outdoor space for each person in care using the outdoor area at any one time. The floor area of the building to be used by persons in care is adequately sized at ±1,300 square feet. The submitted site plan depicts a fenced outdoor play area that is ±1,020 square feet, which is enough to accommodate seventeen (17) individuals to use the outdoor area at any one time. Additionally, per **TMC§1104.0703(F)** day care centers are required to provide a paved off-street area for dropping off and picking up persons in care at the facility. The Division of Traffic Management have conditioned a revised site plan depicting a paved off-street area for pick up and drop off to be provided. The site plan depicts a twenty-four (24') foot by twenty (20') foot driveway along Clay Avenue that leads into a two (2) car garage. The applicant intends to utilize spaces within the garage and drive-way for pick up and drop off.

Landscaping

As required under **TMC§1104.0701(E)**, 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 in accordance with **TMC§1108.0203(F)**. This buffer shall be a minimum of ten-feet (10') in width and consist of four (4) canopy trees and fifteen (15) shrubs installed for every 100 linear feet of the outdoor play area or fraction thereof. Pursuant to **TMC§1108.0203(D)(2)**, a fence, wall, or berm six-feet (6') to eight-feet (8') in height may be used and can substitute for the shrub requirements.

The site plan submitted depicts the outdoor play area on the north east area of the property and is a total of ninety-eight (98') linear feet. Per **TMC§1108.0407(B)**, credit may be given for existing canopy trees. This area of the site has existing trees that may account towards the required plantings for a Type B landscape buffer. The proposed outdoor play area is fenced-in however, the height of the fence is not depicted on the site plan. **As a condition of approval, the applicant shall submit a revised landscape plan which depicts the details of fencing, existing, and new plantings that are compliant with the requirements of a Type B landscape buffer.**

STAFF ANALYSIS (cont'd)

Landscaping (cont'd)

A frontage greenbelt is required along all public rights-of-way per **TMC§1108.0202**. Frontage greenbelts shall be a minimum width of fifteen (15') feet and have at least one (1) tree for every thirty (30') feet of lot frontage. **A total of two (2) trees shall be provided along Buckeye Street for frontage greenbelt requirements and is listed as a condition of approval.** In addition to the required frontage greenbelt and Type B landscape buffer, interior site landscaping shall be provided. One (1) two-inch caliper tree for every 1,000 square feet of building coverage, foundation plantings along all portions of the building that are visible from the right-of-way, and landscaping at all major entrances shall be provided. The site has existing trees that meet the requirement for building coverage. However, foundation plantings and landscaping at the building entrance is not depicted on the site plan nor existing on the site. **A revised landscape plan shall be submitted to reflect interior site landscaping requirements and is listed as a condition of approval.**

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Map identifies the subject site as Neighborhood Residential (NR). Majority of buildings in the NR designation are single- and two-unit houses. Three-, four-, and multi-family homes are also compatible when located along a busier corridor. Low-impact institutional, public, and commercial uses such as churches, schools, parks, and day cares are also appropriate in this area. Commercial uses that are not obtrusive to the neighborhood and do not generate high parking demand may be acceptable near intersections. The proposed use supports the Plan's goals of Supporting Childhood Development, Business Creation and Strengthen Neighborhoods. Staff recommends approval of the proposed Day Care Center at 3302 Buckeye Street as it conforms to the Comprehensive Land Use Plan.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP25-0038, a Special Use Permit for a Day Care Center at 3302 Buckeye Street, 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)**], and;
2. The proposed use is compatible with adjacent uses in terms of scale, site design and operating characteristics [**TMC§1111.0706(C)**].

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP25-0038, a Special Use Permit for a Day Care Center at 3302 Buckeye Street, to the Toledo City Council subject to the following **seventeen (17)** conditions.

STAFF RECOMMENDATION (cont'd)

Division of Environmental Services

No comments nor concern.

Fire Prevention

1. The daycare shall be in compliance with the Department of Commerce Type A family daycare facilities inspection standard checklist. (OFC121.1.3.1).
2. This new use will require compliance with all applicable Building, Fire, Electrical, Mechanical and Plumbing code requirements. (OBC105.1 & 101.4).
3. New and existing buildings shall be provided with approved address identification that meets Building & Fire Code requirements. (OBC 501.2 & OFC 505.1).

Division of Sewer & Drainage Services

4. All existing private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
5. Existing 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) years. An electronic copy (DVD/memory stick) shall be provided to S&Ds demonstrating the lines cleaning and integrity.

Division of Engineering Services

6. 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.
7. All proposed 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.
8. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from Ted Rousos, 419-245-1347. The application can be obtained online at Toledo.oh.gov search: Right of Way opening permit.

STAFF RECOMMENDATION (cont'd)

Division of Traffic Management

9. Bicycle parking is required per TMC1107.0900.
10. A paved off-street area for dropping off and picking up persons in care at the facility must be provided and approved by the Division of Traffic Management per TMC1104.0700(F). (A revised site plan depicting a pick up and drop off location is required and must be approved by the Division of Traffic Management).

Plan Commission

11. Thirty-five (35) square feet of useable indoor space per person in care must be regularly available to the Type A Day Care. **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. **Acceptable as depicted on site plan.**
13. A detailed site, lighting, fencing and landscaping plan (separate from building & site plans) shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. Per **TMC§1108.0203(F)**, a Type B landscape buffer shall be provided around the outdoor play area. This buffer shall be a minimum of ten-feet (10') in width and consist of four (4) canopy trees and fifteen (15) shrubs installed every 100 linear feet. Pursuant to **TMC§1108.0203(D)(2)**, a fence, wall, or berm six-feet (6') to eight-feet (8') in height may be used and can substitute for the shrub requirements. Existing trees may account for credit under **TMC§1108.0407(B)** towards the landscape buffer requirements. **A revised landscape plan showing detail of fencing, existing and proposed plants shall be submitted;**
 - b. A frontage greenbelt shall be provided along all public rights-of-way pursuant to **TMC§1108.0202**. Frontage greenbelts shall be a minimum width of fifteen (15') feet and have at least one (1) tree for every thirty (30') feet of lot frontage. **A minimum of two (2) canopy trees shall be provided along Buckeye Street. Not depicted on site plan, shall be submitted on revised landscape plan;**
 - c. Per **TMC§1108.0203(G)**, dumpsters and trash receptacles shall be screened on all four sides with materials of evergreen plantings, fencing, a wall, or a combination thereof with a minimum height of six (6') feet, **if applicable;**
 - d. One (1) two-inch caliper tree for every 1,000 square feet of building coverage, foundation plantings along all portions of the building that are visible from the right-of-way, and landscaping at all major entrances shall be provided. **Not depicted on site plan. A revised landscape plan shall be submitted to reflect interior site landscaping;**

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- e. 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;
 - f. All landscape material must be properly maintained. No approved plant material shall be removed for any reason without being replaced with like kind, or without submitting a revised landscape plan to the Planning Director for review or approval;
 - g. All site lighting shall be fully directed downward, recessed, or adequately shielded to direct light away from adjacent properties, rights of way, or the sky above the fixtures per **TMC 1107.1908**; and
 - h. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained. **Applicant shall provide a landscape plan showing detail of existing and proposed plants.**
14. 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.
15. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in **TMC§1111.0707** have not been met.
16. 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.
17. 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.

SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP25-0038
DATE: November 6, 2025
TIME: 2:00 P.M.

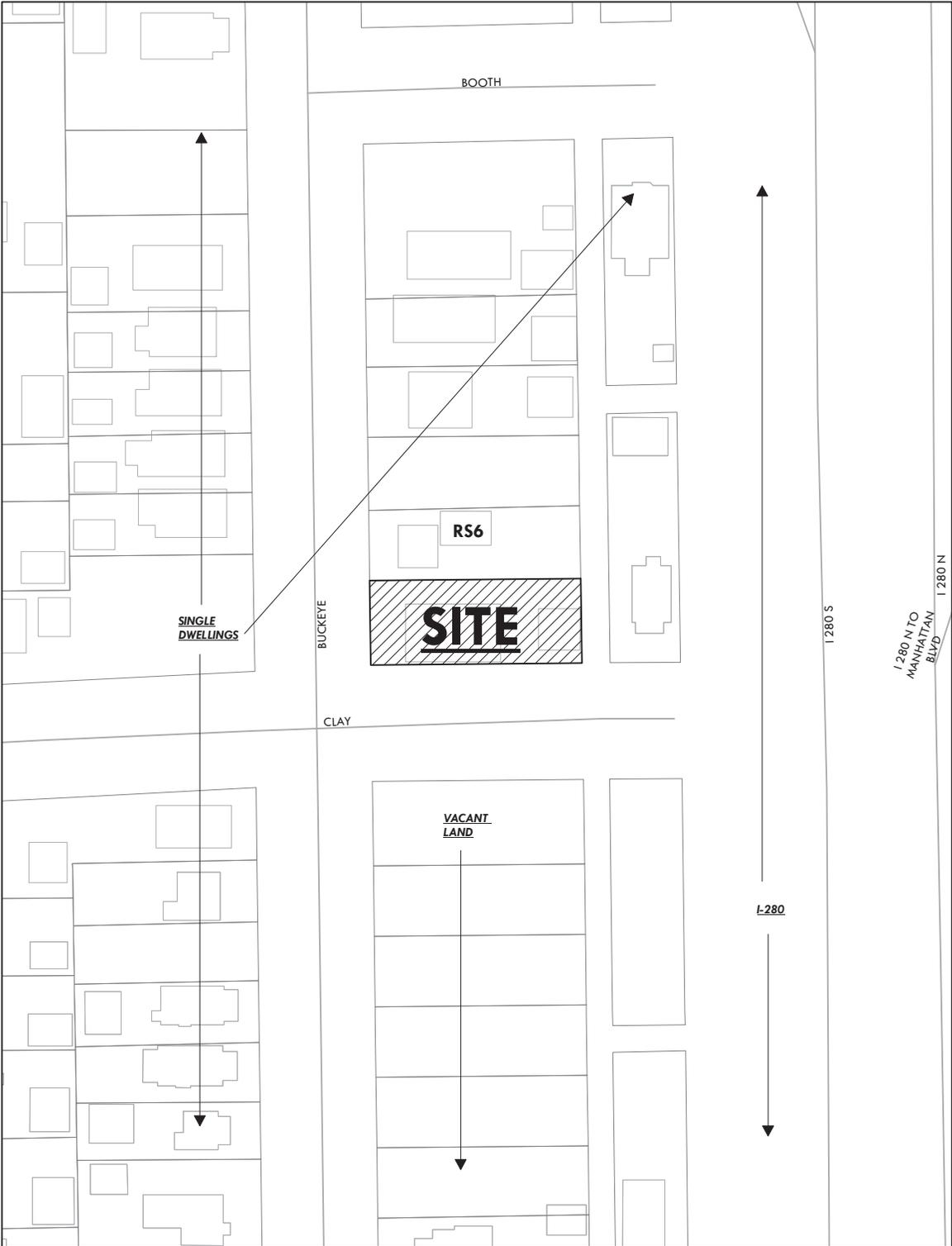
REF: SUP25-0038. . . November 6, 2025

CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: December 10, 2025
TIME: 4:00 P.M.

AV
Four (4) sketches follow

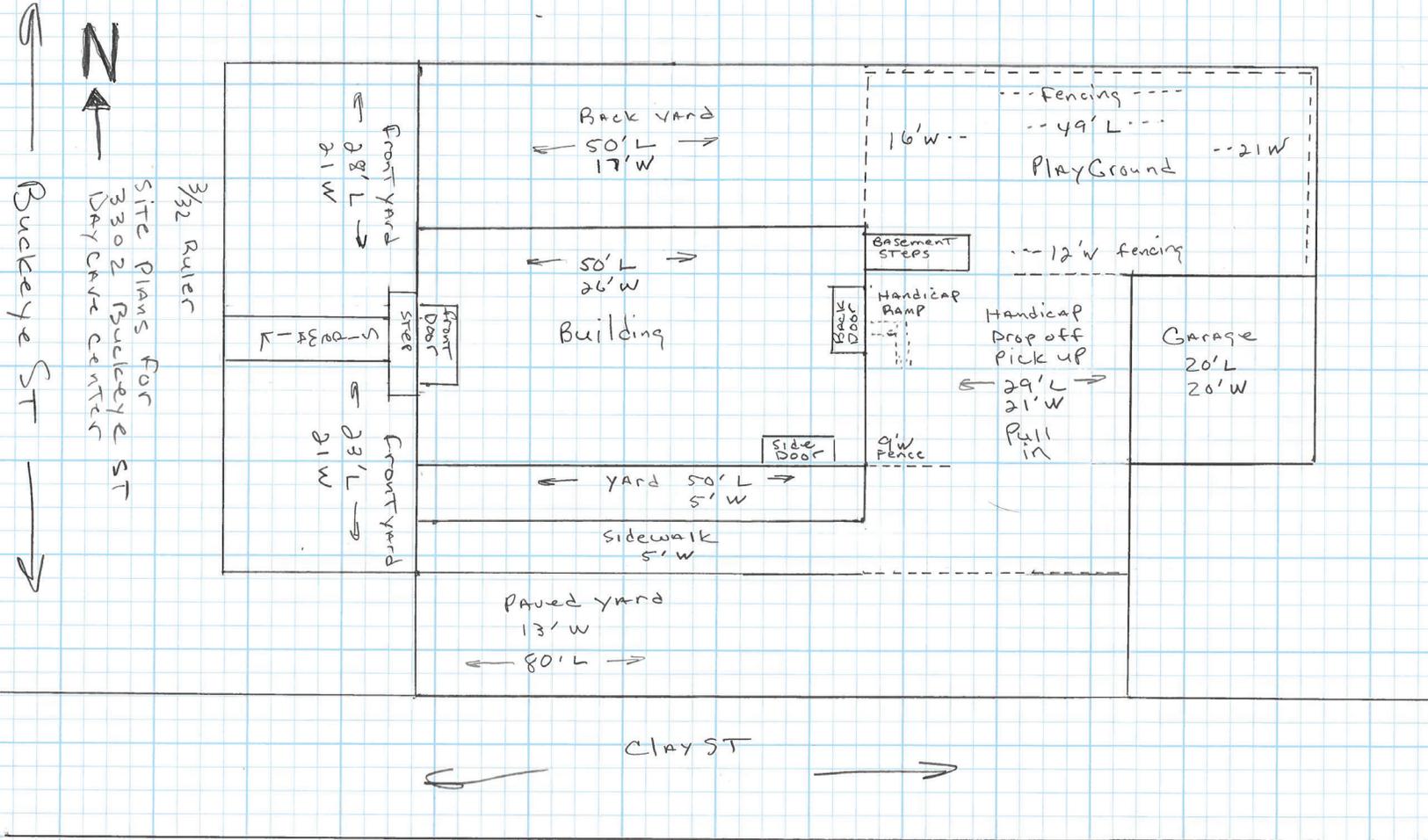
ZONING & LAND USE

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ID 6



SITE PLAN

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ID 6



AERIAL IMAGE

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