

GENERAL INFORMATION

Subject

- Request - Special Use Permit for a Day Care Center
- Location - 2800 W. Central Avenue
- Applicant - Drew Scott
2800 West Central Avenue
Toledo, OH 43604
- Owner - Beal Investments II LLC
P.O. Box 980208
Ypsilanti, MI 48198
- Architect - Larry Miller
2722 N. Holland-Sylvania Road
Toledo, OH 43615

Site Description

- Zoning - CO & RS6 / Office Commercial & Single-Dwelling Residential
- Area - ± 0.2654 acres
- Frontage - ± 132' along West Central Avenue
- ± 92' along Aldringham Road
- Existing Use - Medical offices
- Proposed Use - Day Care Center

Area Description

- North - RS6 / Single-dwelling homes
- South - CR & RM36 / Central Ave., Automotive repair shop, The Shops at Central Shopping Plaza, Used Auto Sales
- East - CO, CR, RS6, / St. Andrew's Episcopal Church, Discovery Academy Elementary, Toledo Church of Christ
- West - CO, RS6 / Medical office, Insurance Agent offices, Wersell's Bike Shop, Single-dwelling homes

GENERAL INFORMATION (cont'd)

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 2800 W. Central Avenue. The ±0.26-acre site is split zoned CO (Office Commercial) and RS6 (Single-Dwelling Residential). A Special Use Permit is required for the operation of a day care center within Residential zoned districts. Surrounding land uses include single-dwelling homes to the north; the Shops at Central Shopping Plaza, automotive repair shop, and used auto sales lot across Central Avenue to the south; St. Andrew's Episcopal Church, Discovery Academy Elementary school, and Toledo Church of Christ to the east; and a medical office, insurance agent offices, Wersell's bike shop and single-dwelling homes to the West. The site is currently occupied by a vacant medical office, which the applicant plans to modify for a day care center.

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, Central Avenue 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 is ±2,415 square feet. The submitted site plan depicts a fenced play area that is ±420 square feet, which is enough to accommodate seven (7) 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 site plan depicts an adequate parking lot east of the building to be used for drop off and 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 400 square feet of floor area, as well as one (1) bicycle parking stall per ten (10) parking spaces. The day care center has a floor area of ±2,415 square feet, requiring six (6) parking spaces and one (1) bicycle parking. When bicycle parking is required, the minimum number of slots provided shall be two (2). The site plan depicts ten (10) parking spaces, one (1) accessible space and a bicycle parking rack near the entrance. The site plan depicts an adequate amount of parking spaces for cars and bikes alike. Along with an appropriate means for drop off and pick up of persons in care at the facility.

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 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 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.

The site plan submitted depicts the outdoor play area on the west side of the property along Aldringham Road. The proposed outdoor play area is fenced in using a six-foot (6') tall solid privacy fence to screen the area. However, per **TMC§1105.0302(A)(1)**, fences shall not exceed three and one-half (3 ½') feet in height in the front yard. **The applicant shall submit a revised site plan with a new location for the outdoor play area, or reduce the height of the proposed fence from six (6') feet to no more than three and one-half (3 ½ ') feet within the front yard.** The site plan also shows seven (7) shrubs and one (1) tree around the proposed play area that are currently existing trees and shrubs on the property. The applicant has the option to request credit for the existing trees under **TMC§1108.0407(B)(9)**. **The submitted site plan does not show details such as species of existing shrubs and plants on site. Applicant shall submit a revised landscape plan with plant details.**

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. When the parking lot is in the front of the property, the frontage greenbelt shall include a solid evergreen hedge planting to screen the parking lot so that no headlights of vehicles can be seen from the street. The parking lot is along the Central Avenue frontage. Low, undulating earth berms or decorative stone or brick walls, or ornamental metal fencing or combinations thereof may also be approved by the Planning Director as a part of the frontage greenbelt abutting the parking area. **The submitted site plan does not depict a frontage greenbelt, a landscape plan shall be submitted to the Plan Director and is listed as a condition of approval.**

STAFF ANALYSIS (cont'd)Landscaping (cont'd)

The northern ± eleven (11') feet of the site is zoned residential and is abutting a residential district. Therefore, a type A landscape buffer required between differing zoning districts is not applicable. However, a fence with screening currently exists along the northern boundary lot line and shall be maintained indefinitely as a means to screen the parking area. Per **TMC§1108.0203(G)**, dumpsters and trash receptacles shall be screened on all four sides with materials of fencing, evergreen plantings, a wall, or a combination thereof with a minimum height of six (6') feet. **The proposed location and depicted dumpster screening are acceptable.**

TMC§1108.0204 - *Parking Lot Landscaping*, requires two (2) canopy trees and six (6) shrubs per ten (10) parking spaces to be installed in the interior landscape areas. Trees and shrubs do not need to be equally spaced, and one (1) canopy tree may substitute for three (3) shrubs. Additionally, a perimeter landscape buffer shall be provided abutting the parking area to visually screen all off-street loading facilities from view of Residential districts and public rights-of-way. A minimum of one (1) canopy tree shall be provided for each thirty (30') linear feet, plus a continuous shrub with a minimum height of 18 inches when installed. The parking lot perimeter landscaping width and planting requirements of TMC§1108.0204 when along a public right-of-way will count towards the requirements of the frontage greenbelt (TMC§1108.0202), and when adjacent to another property will count towards the buffer and screening requirements (TMC§1108.0203). **The site plan does not depict parking lot interior nor perimeter landscaping, a revised landscape plan shall be submitted.**

In addition to the required frontage greenbelt, buffer and screening, and parking lot area landscaping; 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 plan depicts adequate foundation plantings, however, plantings at the building entrances are not included. The applicant may request credit for existing trees on site per TMC§1108.0407(B)(9). **A revised landscape plan shall be submitted to reflect interior site landscaping requirements.**

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Future Land Use Map targets this site as Neighborhood Mixed-use (NM). The Neighborhood Mixed-use land designation is intended to preserve and promote pedestrian-oriented commercial and mixed-use areas. NM land designations are typically adjacent to residential uses and serve as the mixed-use core of neighborhoods. A day care center is an appropriate use within the Neighborhood Mixed-use land designation. The proposed Special Use Permit for a day care center aligns with the Forward Toledo Comprehensive Land Use Plan.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP25-0018, a Special Use Permit for a Day Care Center at 2800 W. Central 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)**], 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 recommends that the Toledo City Plan Commission approve SUP25-0018, a Special Use Permit for a Day Care Center at 2800 W. Central Avenue subject to the following **eighteen (18)** conditions.

Division of Environmental Services

1. 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 storm water impacts from modification of the site, including but not limited to long-term operation and maintenance of existing structural and non-structural Best Management Practices.
2. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs.
3. Applicant is strongly encouraged to install permanent inlet filters with oil absorbent pillow in parking lot catch basins to treat stormwater.
4. 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.
5. Applicant is strongly encouraged to plant native, low maintenance and non-invasive trees, shrubs and perennials. Information is at <https://ohiodnr.gov/wps/portal/gov/odnr/discover-and-learn/plants-trees/invasive-plants>; a list of invasive plants and alternative species can be downloaded from https://www.oipc.info/uploads/5/8/6/5/58652481/alternatives_to_ohio_invasive_plant_species.pdf
6. 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.

STAFF RECOMMENDATION (cont'd)

Fire Prevention

7. Approved Premises identification is required.
8. Key box(es) for access to buildings and areas restricted by fences, gates, etc. are required.

Division of Transportation

No comment nor concern.

Plan Commission

9. Per **TMC§1107.1906** All off-street parking, loading, and other vehicle circulation areas shall be graded and continuously maintained and designed to preclude free flow of stormwater across or onto adjacent lots, properties, or streets.
10. 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.**
11. 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.**
12. A Day Care Center is required to have one (1) parking space per four-hundred (400) square feet of floor area. Six (6) parking spaces, one (1) two-slotted bicycle parking rack, and one (1) assessable van parking space shall be provided. **Acceptable as depicted on site plan.**
13. 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 Transportation; **Acceptable as depicted on site plan.**
14. 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. Applicant has the option to request credit for the existing tree under **TMC§1108.0407(B)**. **A revised landscape plan showing detail of existing and proposed plants shall be submitted;**
 - b. Fences shall not exceed three and one-half (3 ½') feet in the front yard. **Not acceptable as depicted;**

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- c. 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. **Not depicted on site plan, shall be submitted on revised landscape plan;**
- d. The fence along the northern boundary of the site shall be maintained indefinitely.
- e. 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. Dumpsters shall not be located within the required setbacks or Residential zoned districts. **Acceptable as depicted;**
- f. A perimeter landscape buffer including a minimum of one (1) canopy tree for each thirty (30') linear feet, plus a continuous shrub with a minimum height of 18 inches when installed shall be provided abutting the parking area to visually screen all off-street loading facilities from view of Residential districts and public rights-of-way per **TMC§1108.0204**. **Shall be depicted on a revised landscape plan;**
- g. 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 acceptable as depicted. A revised landscape plan shall be submitted to reflect interior site landscaping;**
- h. 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;
- i. 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;
- j. 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
- k. 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. **Not acceptable as depicted. Applicant shall provide a landscape plan showing detail of existing and proposed plants.**

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

15. 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.
16. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in **TMC§1111.0707** have not been met.
17. 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.
18. 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.

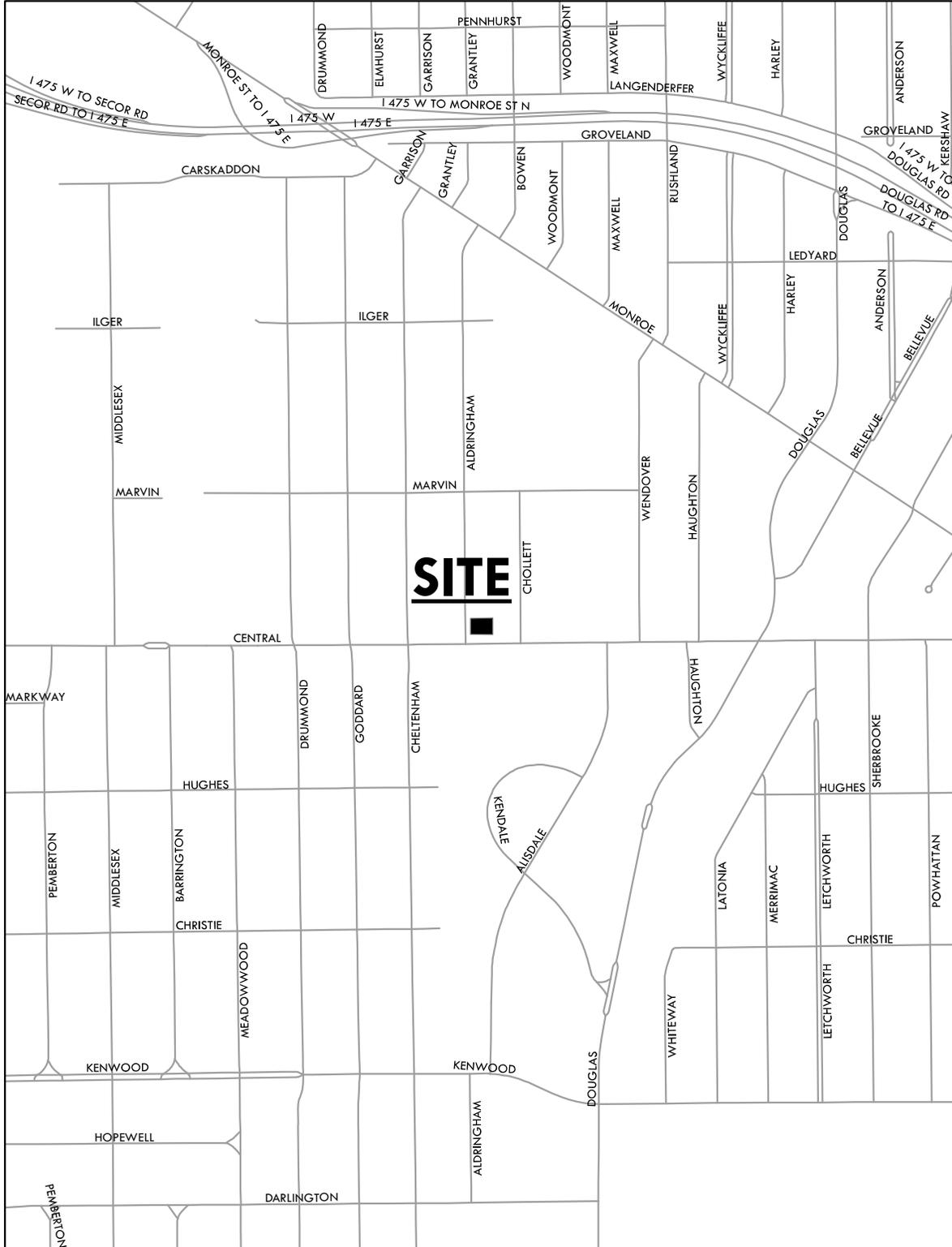
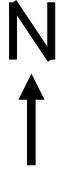
SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP25-0018
DATE: July 3, 2025
TIME: 2:00 P.M.

CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: August 13, 2025
TIME: 4:00 P.M.

AV
Three (3) sketches follow

GENERAL LOCATION

SUP25-0018
ID 46



ZONING & LAND USE

SUP25-0018
ID 46

