

## GENERAL INFORMATION

### Subject

- Request - Special Use Permit for Community Recreation – Active
- Location - 6048 Deer Park Court
- Applicant - Roy J. Cherry  
Epilepsy Center of Northwest Ohio  
1701 Holland Road  
Maumee, OH 43537
- Owner - William Thees  
Professional Offices I Limited  
1909 River Road  
Maumee, OH 43537
- Engineer - George Oravec  
Oravec & Associates, LLC  
5333 Secor Rd, Unit 2  
Toledo, OH 43623

### Site Description

- Zoning - RM24 / Multi-Dwelling Residential
- Area - ±1.13 acres
- Frontage - ±64' along Deer Park Court
- Existing Use - Vacant office building
- Proposed Use - Community Recreation – Active

### Area Description

- North - RS12, RM36 / Medical office, Swan Creek, Single-dwelling house, Garden Road, Apartment Complexes
- South - RM24, RD6 /. Deer Park Ct, Manley Rd. Apartment Complex, Ohio Turnpike
- East - RM24, CN / Manley Rd., Shopping Center
- West - RM24, RS12 / Vacant office building, Swan Creek, Condo Complex, I-475

**GENERAL INFORMATION (cont'd)**

Parcel History

Z-4009-22	-	Zone Change from CO (Office Commercial) to RM24 (Multi-Family Residential). (PC approved 06/09/2022. CC approved 07/14/2022. Ord. 376-22 approved 07/19/2022).
S-10-22	-	The Second Replat of Deer Park Business Center, located at 6038 Manley Road. (PC approved 09/08/2022).
V-80-18	-	Vacate a portion of right of way adjacent to Manley Road, south of Garden Road. (Approved via Ord. 372-18 on 09/11/2018).
Z-10001-03	-	Zone Change from R-A to C-2 at 6020 Manley Road. (Approved via Ord. 768-07 on 11/27/2007).
Z-196-89	-	Zone Change from R-A to C-2 at 6060 and 6110 Manley Road. (Approved via Ord. 1073-89).

Applicable Regulations

- Toledo Municipal Code (TMC), Part Eleven: Planning and Zoning Code
- Forward Toledo Comprehensive Land Use Plan

**STAFF ANALYSIS**

The applicant is requesting a Special Use Permit for Community Recreation – Active at 6048 Deer Park Court, for the Epilepsy Center of Northwest Ohio. The applicant plans to provide scheduled activities and job training services for individuals with developmental disabilities within the existing office building. The site will also be utilized as office space to support the services provided by the Epilepsy Center of Northwest Ohio.

The ±1.13-acre site is zoned RM24 (Multi-Dwelling Residential), thus requiring a Special Use Permit for this use. Surrounding land uses include a medical office, Swan Creek, a single-dwelling house, and apartment complexes across Garden Road to the north; across Deer Park Court and Manley Road to the south are apartment complexes and the Ohio Turnpike; east of the site across Manley Road is a shopping center; and west of the site is an office building, Swan Creek, a condo complex, and the I-475 highway.

**STAFF ANALYSIS (cont'd)**Parking and Circulation

Pursuant to TMC§1107.0600 – *Off-Street Parking Schedule “D”*, Community Recreation facilities have a wide variety of parking demand characteristics making it difficult to specify a single off-street parking standard. Therefore, Schedule “D” parking allows the Planning Director jurisdiction in applying the off-street parking standards specified for the use that is deemed most similar to the proposed use. In this case, the Planning Director has determined that the existing fifty-six (56) parking spaces are sufficient for this proposed use. Furthermore, there are abutting parking areas that could be utilized through a shared parking agreement if additional parking becomes necessary.

A portion of the total number of required off-street parking spaces must be specifically designated, located, and reserved for use by persons with physical disabilities. According to the table in TMC§1107.1701 – *Number of Required Parking Spaces for Persons with Disabilities*, the applicant is required to provide at least one (1) van accessible space with an eight-foot (8') drive aisle and two (2) car accessible spaces with five-foot (5') drive aisles for persons with physical disabilities, based on the site's total of fifty-six (56) parking spaces. The site plan does not depict parking spaces dedicated specifically for persons with disabilities. A revised site plan shall be submitted that depicts this requirement, and is listed as a condition of approval. Additionally, TMC§1107.1703 requires spaces for persons with disabilities to be located in close proximity to the building entrances. The Division of Transportation has listed a condition approval requiring the dedicated spaces for persons with disabilities to be the closets parking spaces to the building.

Bicycle parking is required pursuant to Off-Street Parking Schedule “A” (TMC§1107.0300). A minimum of one (1) bicycle space shall be provided per ten (10) automobile parking spaces. Six (6) bicycle spaces are required; however, no bicycle parking is depicted on the site plan. This requirement shall be shown on a revised site plan and is listed as a condition of approval. Pursuant to TMC§1109.0103 - *Connecting Walkways and Pedestrian Connections* must be provided from the main entrance of the building to the street sidewalk. A connecting walkway is not depicted on the site plan. A connecting walkway from the main entrance of the building to the existing street sidewalk shall be provided as a condition of approval and must be shown on a revised site plan.

Landscaping

The site is existing and per TMC§1114.0500 – *Appearance Upgrade for Nonconforming Development* it is required to be brought closer into compliance with the 2004 landscape standards. As required under TMC§1108.0202 – *Frontage Greenbelt*, a fifteen-foot (15') greenbelt is required along Deer Park Court with at least one (1) tree provided for every thirty (30) feet of lot frontage or fraction thereof. The existing frontage greenbelt width is acceptable; however, the greenbelt is insufficient as no trees are depicted. At least two (2) trees shall be provided in the frontage greenbelt. A revised landscape plan shall be submitted meeting this requirement and is listed as a condition of approval.

## **STAFF ANALYSIS (cont'd)**

### Landscaping (cont'd)

Pursuant to TMC§1108.0204(C)(1) interior parking lot landscaping is required, and shall consist of two (2) canopy trees and six (6) shrubs for each ten (10) parking spaces to be installed within the parking lot. The site plan depicts an adequate number of trees; however; the proposed locations are not appropriate for maneuverability and internal circulation. The site has three (3) existing trees that may be utilized as credit towards the interior parking lot landscaping requirements. In addition to all other landscape requirements, one (1) two-inch (2") caliper tree for every 1,000 square footage of building coverage; foundation plantings along all portions of the building visible from the right-of-way; and landscaping at the main entrance shall be provided. Furthermore, the site has existing rock within the landscape islands. Per TMC1108.0204(B)(6), this is prohibited; all landscape areas must be covered with hardwood mulch, grass or other vegetative ground cover. The required improvements are listed as conditions of approval and shall be depicted on a revised landscape plan.

### Building Design and Materials

There are no changes proposed for the exterior of the building.

### 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 use designation supports preservation and promotion of pedestrian-oriented commercial and mixed-use areas. Typical land uses of the NM designation include pedestrian-oriented commercial uses, mixed-use residential and commercial, middle- and high-density residential, institutional and public uses, and offices. The reuse of the office building as a Community Recreation – Active is an appropriate use within the Neighborhood Mixed-Use designation, and is aligned with the Forward Toledo Comprehensive Land Use Plan. Furthermore, the proposed use of Community Recreation – Active for the Epilepsy Center of Northwest Ohio, supports the Plan's goals of Inclusive Communities, Opportunity Access, and Encouraging Social Opportunities.

## **STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of SUP25-0028, a Special Use Permit for Community Recreation – Active at 6048 Deer Park Court to the Toledo City Council, for the following two (2) reasons:

1. The proposed use meets the stated purpose of the Forward Toledo Comprehensive Land Use Plan, and the Zoning Code (TMC§1111.0706(A)); and;
2. The proposed use is compatible with adjacent land uses (TMC§1111.0706(C)).

## **STAFF RECOMMENDATION** (cont'd)

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP25-0028, a Special Use Permit for Community Recreation – Active at 6048 Deer Park Court, to the Toledo City Council, subject to the following **twenty-three (23)** conditions:

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

### 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 the 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 Storm Water 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 infra-structure 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](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.

### Bureau of Fire Prevention

7. The proposed occupancy use may need a change of occupancy. Please contact the City of Toledo Building Inspection Department to discuss your occupancy to assure compliance with the Ohio Building Code. (OBC105.1 & 101.4).
8. A fire safety inspection is required prior to occupancy. (OFC105.3.3.2 & TMC1309.09).

**STAFF RECOMMENDATION (cont'd)**

Division of Transportation

9. Bicycle parking is required per TMC 1107.0900.
10. Wheel stops are required at parking spots abutting property lines, planting strips, sidewalks and buildings per TMC 1107.1907.
11. All driveways, drive approaches, drive aisles and parking spots must be clearly dimensioned per TMC 1107.1911.
12. A sidewalk connection is required from the existing building sidewalk to the sidewalk in the right-of-way for pedestrian traffic per TMC 1107.1300.
13. Accessible parking must be the closet parking space to the accessible entrance for the shortest path of travel per ADA (Americans with Disabilities Act) and TMC1107.1703.
14. Accessible parking signage must be posted directly in front of the parking space at a height of no less than sixty inches (60") and no more than seventy-two inches (72") above pavement level per TMC 1107.1704.
15. If one does not already exist, a cross access agreement is required with the adjacent property owners.

Plan Commission

16. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. One (1) van accessible space with an eight-foot (8') drive aisle and two (2) car accessible space with five-foot (5') drive aisles are required. **Not acceptable, shall be depicted on a revised site plan.**
17. Bicycle parking slots shall be provided pursuant to Off-Street Parking Schedule "A," (TMC§1107.0300). Minimum number of bicycle parking slots required for Community Recreation – Active is one (1) per ten (10) parking spaces. **Not acceptable, applicant shall provide six (6) bicycle parking slots on revised site plan.**
18. A detailed site, lighting, fencing and 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 fifteen-foot (15') landscaped frontage greenbelt is required along Deer Park Court. At least one (1) tree must be provided for every thirty (30) feet of lot frontage or fraction thereof. **Not acceptable, shall be depicted on a revised landscape plan.**

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

- b. If applicable, dumpster location(s) 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§1108.0203(G). **Not acceptable, shall be shown on a revised landscape plan.**
  - c. Interior parking lot landscaping shall be provided, consisting of two (2) canopy trees and six (6) shrubs for each ten (10) parking spaces to be installed within the parking lot. **Not acceptable as depicted, shall be shown on a revised landscape plan.**
  - d. Pursuant to TMC§1108.0205, one (1) two-inch (2”) caliper tree for every 1,000 square footage of building coverage; foundation plantings along all portions of the building visible from the right-of-way; and landscaping at the main entrance shall be provided. **Not acceptable, shall be depicted on a revised landscape plan.**
  - e. Topsoil must be back filled to provide positive drainage of the landscape areas.
  - f. 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. **Not acceptable as existing on site.**
  - g. 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, trees, shrubs, and landscape materials shall meet the standards included in TMC§1108.0400 Landscape Materials Standards.
  - h. 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.
  - i. The location, height and materials for any fencing to be installed and maintained; and
  - 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 pursuant to TMC§1107.1908.
19. Any future signage shall meet the requirements of TMC§1113 – *Signs*.

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

20. 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.
21. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
22. 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.
23. 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: SUP25-0028  
DATE: September 11, 2025  
TIME: 2:00 P.M.

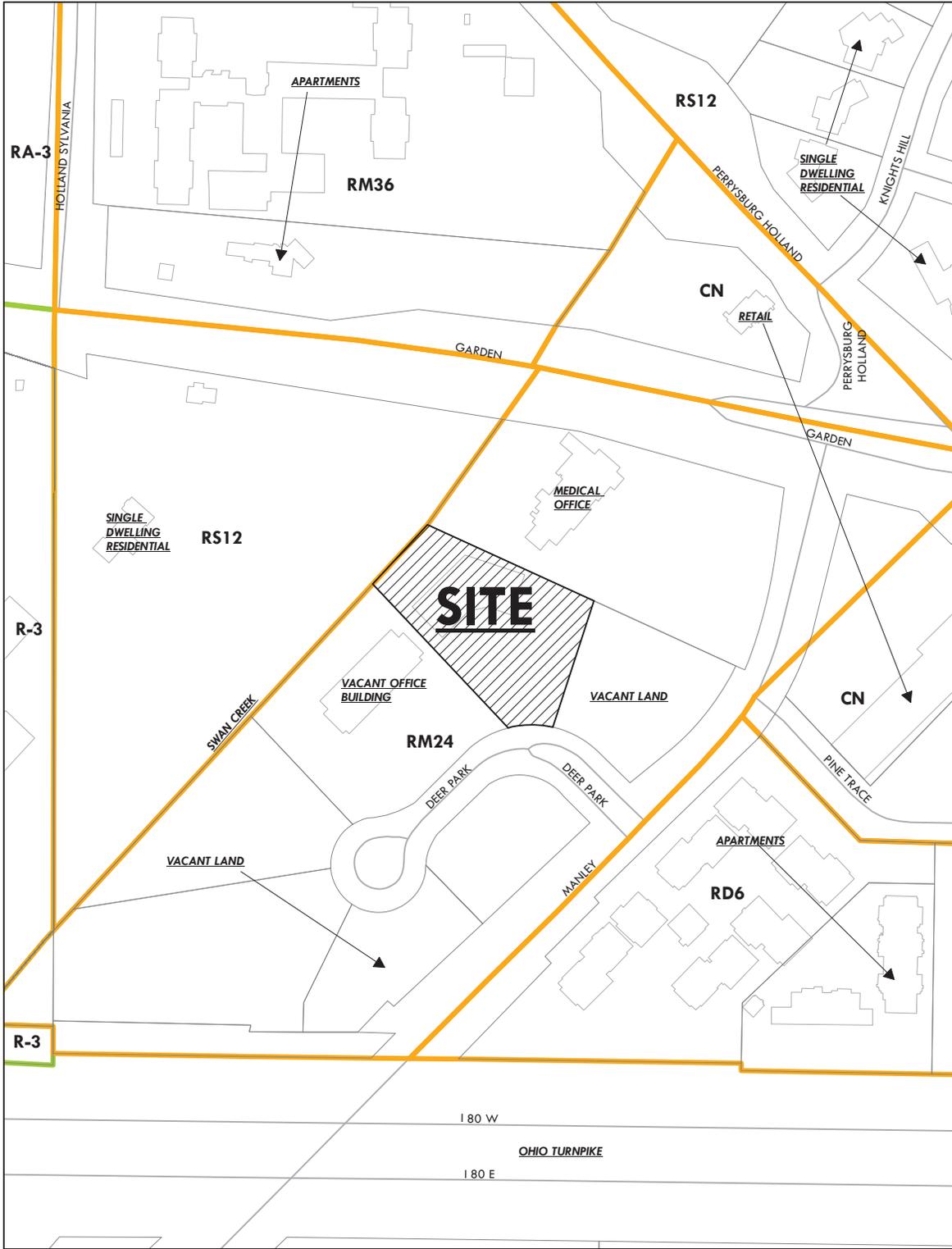
CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: October 15, 2025  
TIME: 4:00 P.M.

AV  
Three (3) sketches follow



# ZONING & LAND USE

SUP25-0028  
ID 232



# SITE PLAN

**SUP25-0028**  
ID 232

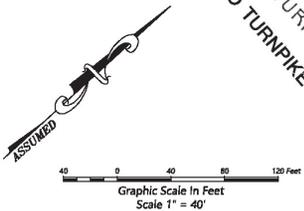
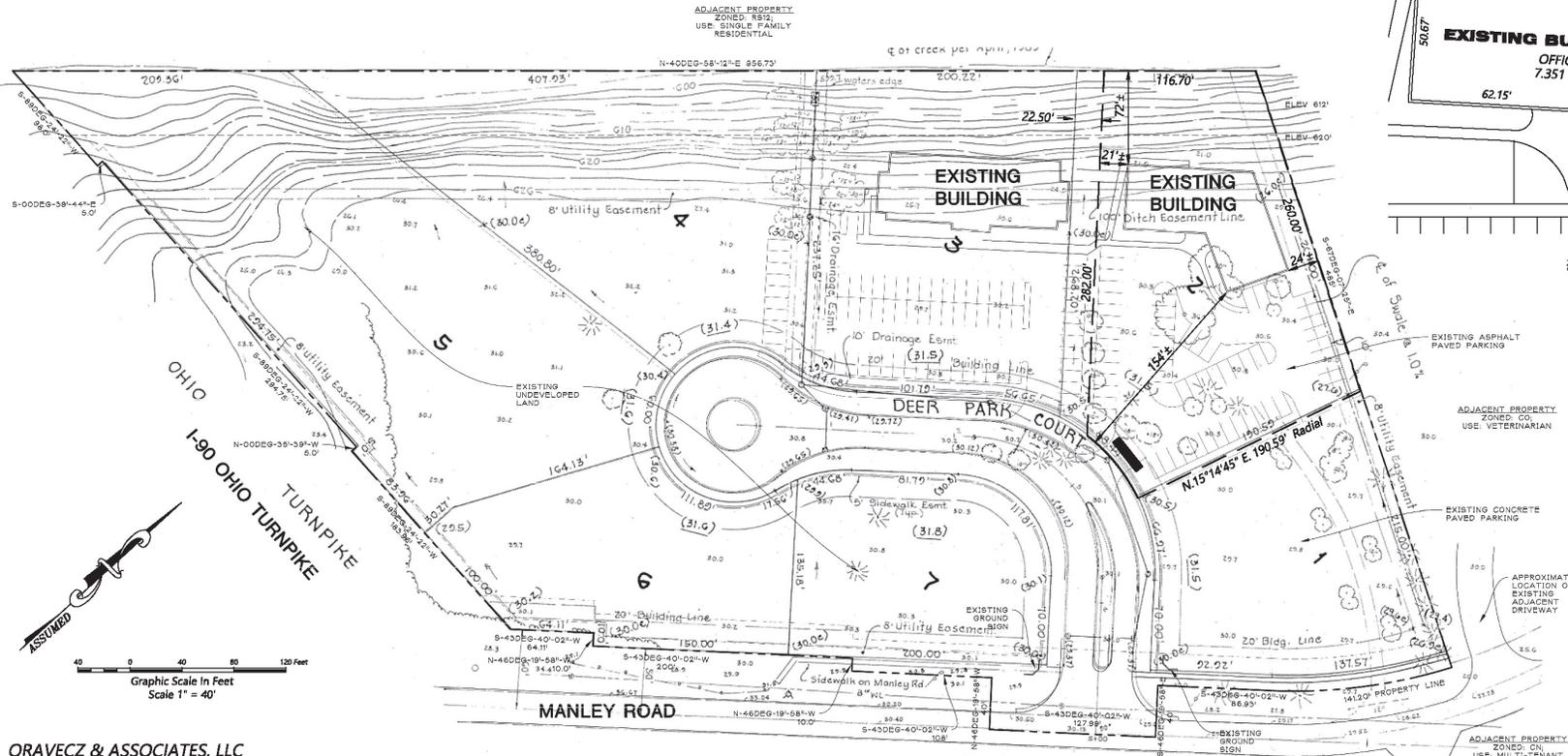
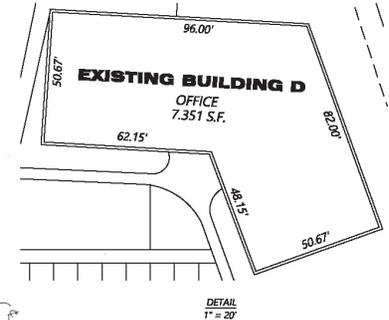


## DEER PARK A RESIDENTIAL DEVELOPMENT

### EXISTING SITE PLAN



LOCATION MAP  
NOT TO SCALE



**ORAVECZ & ASSOCIATES, LLC**  
ENGINEERS & SURVEYORS  
5333 SECOR ROAD, SUITE 2, TOLEDO, OHIO, 43623  
PHONE: 419-474-6664 or 419-474-2405  
FAX: 419-474-5059  
EMAIL: GORAVECZ@ORAVECZASSOCIATES.COM



EXISTING SITE PLAN  
SCALE: 1" = 100'-0"

ADJACENT PROPERTY  
ZONED: RDB,  
USE: MULTI-FAMILY  
RESIDENTIAL COMPLEX

ADJACENT PROPERTY  
ZONED: CN,  
USE: MULTI-TENANT  
COMMERCIAL PLAZA

DRAWN BY TARA	
SCALE 1" = 40'	
DATE 7/22/2025	
SHEET NO.	1
ORDER NO.	24705

10-11