

## GENERAL INFORMATION

### Subject

- |           |   |   |
|-----------|---|---|
| Request   | - | Appeal of Minor Site Plan Review for amendment to day care center |
| Location  | - | 3006 Monroe Street  |
| Applicant | - | Lakeila Carter<br>3006 Monroe Street<br>Toledo, OH 43606          |
| Engineer  | - | John Weithman<br>P.O. Box 216<br>Genoa, OH 43406                  |

### Site Description

- |              |   |  |
|--------------|---|--|
| Zoning       | - | CR-SO / Regional Commercial - Shopping Center Sign Control Overlay |
| Area         | - | ±7.33 Acres  |
| Frontage     | - | ±367' along Monroe Street<br>±360' along Detroit Avenue            |
| Existing Use | - | Swayne Field Shopping Center                                       |
| Proposed Use | - | Swayne Field Shopping Center                                       |

### Area Description

- |       |   |  |
|-------|---|--|
| North | - | Gas Station and U-Haul / CR, IL and IG                           |
| South | - | McDonald's, Monroe Street, commercial and retail / CR and CO     |
| East  | - | Detroit Avenue, commercial and single-family homes / CR and RM36 |
| West  | - | Retail and restaurant / IL                                       |

### Parcel History

- |           |   |  |
|-----------|---|--|
| SPR-53-21 | - | Minor Site Plan Review for day care center at 3006 Monroe Street (Administratively approved on 1/28/22). |
|-----------|---|--|

**GENERAL INFORMATION (cont'd)**

Parcel History (cont'd)

- |          |   |  |
|----------|---|--|
| M-11-07  | - | Text amendment for building design standards, Monroe Street Corridor Urban Neighborhood Overlay (PC approved 11/1/07; CC approved 12/11/07 via Ord. 811-07). |
| Z-238-76 | - | Amendment to existing C-4 shopping center plan for Swayne Field Shopping Center (PC approved 10/14/76; CC approved 11/2/76 via Ord. 824-76).                 |
| M-39-54  | - | Text amendment for building design standards, Monroe Street Corridor Urban Neighborhood Overlay (PC approved 11/1/07; CC approved 12/11/07 via Ord. 811-07). |

Applicable Plans and Regulations

- Toledo Municipal Code, Part Eleven: Planning and Zoning Code
- Toledo 20/20 Comprehensive Plan
- Monroe Street Corridor Urban Neighborhood Overlay (UNO) District

**STAFF ANALYSIS**

The applicant is requesting an appeal of the administratively reviewed and disapproved case SPR-27-24, a Minor Site Plan Review for amendment to day care center at 3006 Monroe Street. The subject day care is located in the Swayne Field Shopping Center that is situated northwest of the intersection of Monroe Street and Detroit Avenue. Surrounding land uses include predominately commercial and retail uses. In addition there are also single-family homes to the east across Detroit Avenue.

The existing day care center was administratively reviewed and approved with eight (8) conditions on January 28, 2022 in Plan Case SPR-53-21. The Applicant has submitted a new site plan for an amendment to this approval to relocate the outdoor area for the day care center. Currently the day care center is located in the eastern most tenant space of the shopping center, and the outdoor area is located to the west of the shopping center. The Applicant is requesting to relocate the outdoor area to the east of the shopping center so that it is immediately adjacent to the day care center. The Applicant is requesting to relocate the outdoor area because use of the existing area has become a concern to both day care staff and the building owner. Per the Applicant, with the warmer weather, the area is frequently occupied with questionable trash, bottles, cans and people. Staff members police the area each day prior to the children entering the area.

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

Staff administratively reviewed the Minor Site Plan Review and disapproved the proposed amendment to relocate the outdoor area based on safety concerns. The relocated outdoor area as proposed will be located along Detroit Avenue within 27 feet of the curb. Detroit Avenue is classified by the City of Toledo as a principal arterial and is a U.S. Highway consisting of four lanes and a turn lane. The speed limit is 45 miles per hour. Due to the close proximity to Detroit Avenue, the location of the outdoor area poses a safety risk for the children who will be using it.

The Applicant is proposing to install 48 inch high traffic barricades along the east side of the outdoor area as well as a landscape buffer between Detroit Avenue and the outdoor area, as a means to provide a safe and secure recreation area. Chain link fencing that is 42 inches high is proposed on the north and south side of the outdoor area, connecting to the traffic barricades to create an enclosed outdoor area. Per TMC§1105.0302 the proposed 48 inch high barricades are not permitted in the front yard along Detroit Avenue. A Board of Zoning Appeal waiver would need to be secured to allow the 48 inch high barricades in the front yard. While barricades are provided on the east, there are none proposed for the north or south. In addition, staff also has concerns as to the feasibility of providing the required landscape buffer as the area is currently paved.

Even though barricades are proposed along the east side of the outdoor area, staff still finds the proposed location unsuitable for the outdoor area. It is important to note that during the initial Minor Site Plan Review for the day care center, location of the outdoor area in the proposed location was discussed and determined to be unsuitable at that time. The Minor Site Plan Review was approved with the current location of the outdoor area on the west end of the shopping center plaza. This case brings to light many of the issues that staff encounters in review of day care centers locating within strip mall type shopping centers. While staff is supportive of activating vacant commercial spaces, there are inherent concerns with day care centers as they are required to provide an outdoor area by the Toledo Planning and Zoning Code and Ohio Job and Family Services. As a result, staff is considering a study of this issue and a text amendment to address the concerns.

## **STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission disapprove the Appeal of Minor Site Plan Review for amendment to day care center at 3006 Monroe Street, Plan Case SPR-27-26 for the following **two (2) reasons**:

1. The proposed location of the outdoor area, in close proximity to Detroit Avenue, poses a safety risk for children using the outdoor area; and
2. The plan does not comply with all applicable provisions of the Zoning Code (TMC§1111.0809(A)).

REF: SPR-27-24. . . June 13, 2024

**STAFF RECOMMENDATION** (cont'd)

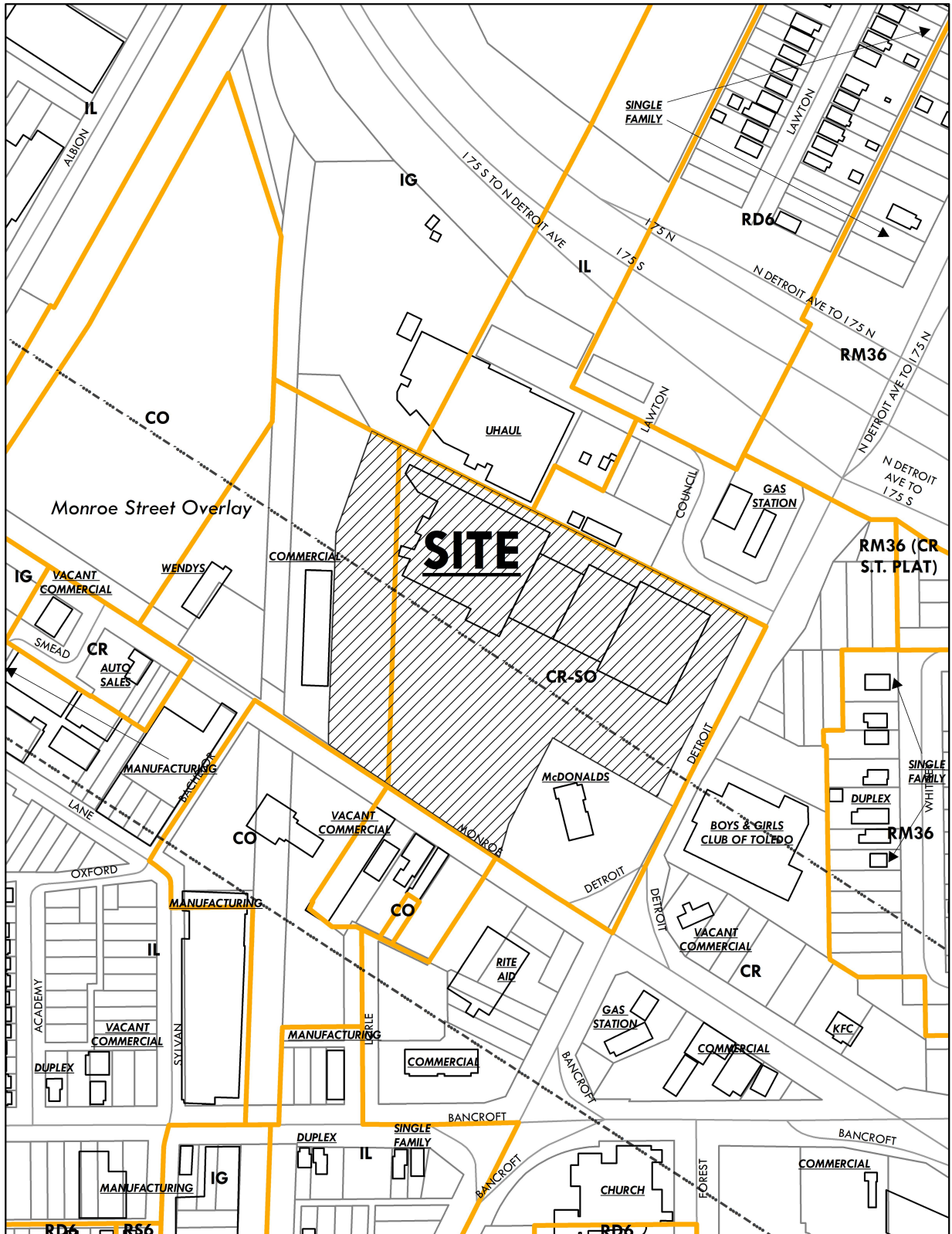
APPEAL OF MINOR SITE PLAN REVIEW  
TOLEDO CITY PLAN COMMISSION  
REF: SPR-27-24  
DATE: July 11, 2024  
TIME: 2:00 P.M.

LK  
Three (3) sketches



# ZONING & LAND USE

SPR-27-24



# SITE PLAN

## SPR-27-24



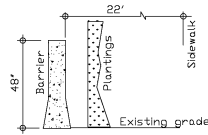
### SITE INFORMATION & DATA

Building Code DBC 2011  
 Previous Occupancy M Mercantile Shopping Center  
 Proposed Occupancy E Day Care  
 Construction Type 5A  
 Building Exterior No changes to exterior  
 Building Interior Wall changes/additions  
 Zoning 10 CRSD Regional Commercial  
 Site Area 7.6 Ac. +/-  
 Building Area 69,005F +/-  
 Project Area 3,320sF  
 Occupancy < 100  
 Recreation Area 2200sF  
 Paved Parking 4 Staff & Clients (9'x18')  
 1 Handicapped (17'x18')  
 2 Bicycle Spaces

Existing Dumpsters on site, parking spaces and cross-walks striped, and wheel stops

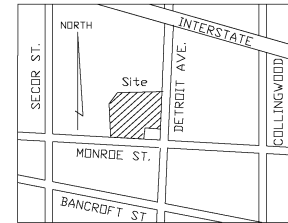
### LANDSCAPE PLANTINGS

TREES: Acer Saccharum (Legacy Sugar Maple)  
 1-1/2" caliper. B & B, 30' space  
 'A' Type shrubs solid plantings, min 18" max 42"



### BARRIER DETAIL

Barrier to meet D.O.T. safety and installation standards.



### LOCATION MAP

No Scale



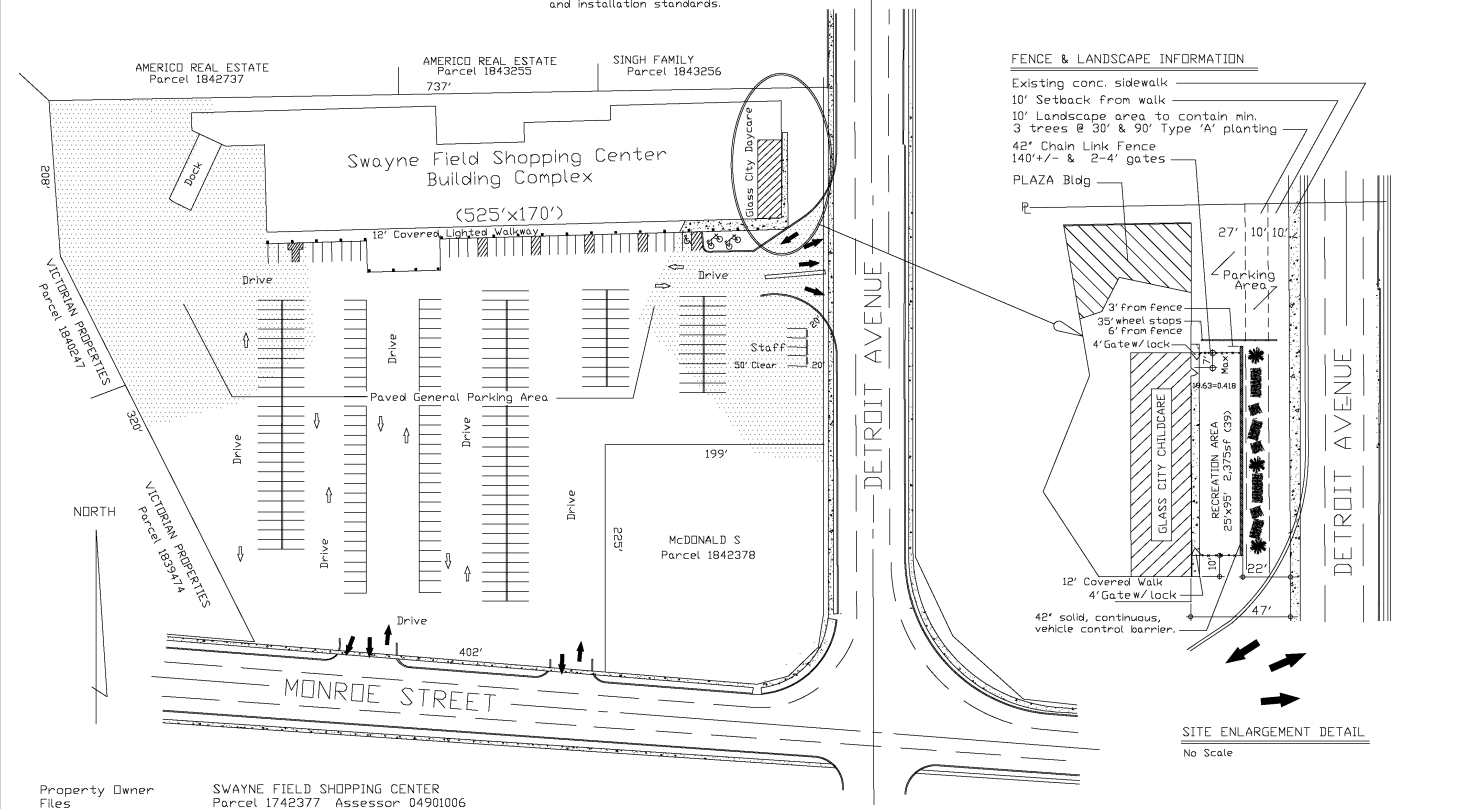
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 Lakeila Carter  
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GLASS CITY CHILDCARE  
 TOLEDO, OHIO

3006 MONROE ST.  
 SITE PLAN & INFORMATION

REVISED  
 DRAWN BY M, TB  
 DRAWING DATE 05/06/2024  
 DRAWING SP-1



### SITE PLAN

Scale: 1" = 60'

MINOR SITE PLAN REVIEW