

**MEETING DATE: 04-11-19**

# **PLANNING COMMISSION**

**Case No. P19-09  
725 N. Court Street**



**CITY of MEDINA**  
**Planning Commission**  
**April 11, 2019 Meeting**

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**Case No:** P19-09  
**Address:** 725 N. Court St.  
**Applicant:** Jennifer L. Thur  
**Subject:** Conditional Zoning Certificate - Child Day Care Center and Nursery  
**Zoning:** C-1, Local Commercial  
**Submitted by:** Jonathan Mendel, Community Development Director 

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**Site Location:**

The site is located in the 700 block of N. Court St. and there are C-1 zoned and developed properties to the south, C-3 zoned and developed properties to the north and east and R-3 and R-4 zoned and developed properties to the west.

**Project Introduction:**

The applicant requests a conditional zoning certificate for a daycare center. The existing site is a currently a salon in a converted house. There are 9 parking spaces split between the front and rear of the existing building. The applicant proposes a maximum of 12 children to be on-site during operating hours requiring 2 staff members.

Please find attached to this report:

1. Site aerial photograph
2. Applicant's project description received March 25, 2019

**Zoning:**

The site is zoned C-1, Local Commercial and a Child Day Care Center and Nursery is a conditionally permitted use within this zoning district. Therefore, the applicant requests a Conditional Zoning Certificate.

**Section 1153 Conditional Use Standards:**

When reviewing a Conditional Zoning Certificate request, the Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards:

- (1) Will be harmonious with and in accordance with the general objectives or with any specific objectives of the Land Use and Thoroughfare Plan of current adoption;*
- (2) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;*
- (3) Will not be hazardous or disturbing to existing or future neighboring uses;*
- (4) Will not be detrimental to property in the immediate vicinity or to the community as a whole;*
- (5) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection drainage structures, refuse disposal and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide such service adequately;*
- (6) Will be in compliance with State, County and City regulations;*
- (7) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic or surrounding public streets or roads.*

Additionally, this use has the following specific conditional use regulations attached to it:

- (2) Loudspeakers which cause a hazard or annoyance shall not be permitted.*
- (5) No lighting shall constitute a nuisance or shall in any way impair safe movement of traffic on any street or highway. No lighting shall shine directly on adjacent properties.*
- (9) Such uses shall not require uneconomical extensions of utility services at the expense of the community.*
- (11) Such uses should be properly landscaped to be harmonious with surrounding uses, especially if residential uses.*
- (14) All permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to any single property, any individual or to the community in general. A bond may be required to insure that this provision will be met.*

Staff Comment: The proposed daycare center, as proposed, will comply with the general standards and specific regulations as applicable. This location is located where the commercially zoned and developed portion of N. Court Street begins within the City and the proposed use is appropriate to the specific site and immediate vicinity.

**Site Plan and Improvement Plan Review:**

**General**

Since the applicant is occupying the site as-is, there are no applicable site improvements required for this project.

**Parking Standards:**

Section 1145.04(A) of the Zoning Code requires 1 space per 200 sqft floor of licensed capacity plus sufficient space for child drop-off/loading area for child care uses. Of the building's 1150 sqft main floor, 420 sqft will be used for the facility watching 12 children. This requires 2 parking spaces. The current site has 9 spaces, leaving a 7 space surplus.

As for the pickup/drop off traffic, the existing site has sufficient space to accommodate safe vehicle parking and circulation, but will still require direct management by the operator, as a precaution, to prevent pickup/drop off occurring within the N. Court St. public right-of-way.

**Staff Comments:**

**Building Department.** No comment at this time

**Police Chief.** No comment at this time

**Service Department.** No comments at this time

**Fire Department** No comments at this time

**Engineering Department** No comment at this time

**City Forester** No comment at this time

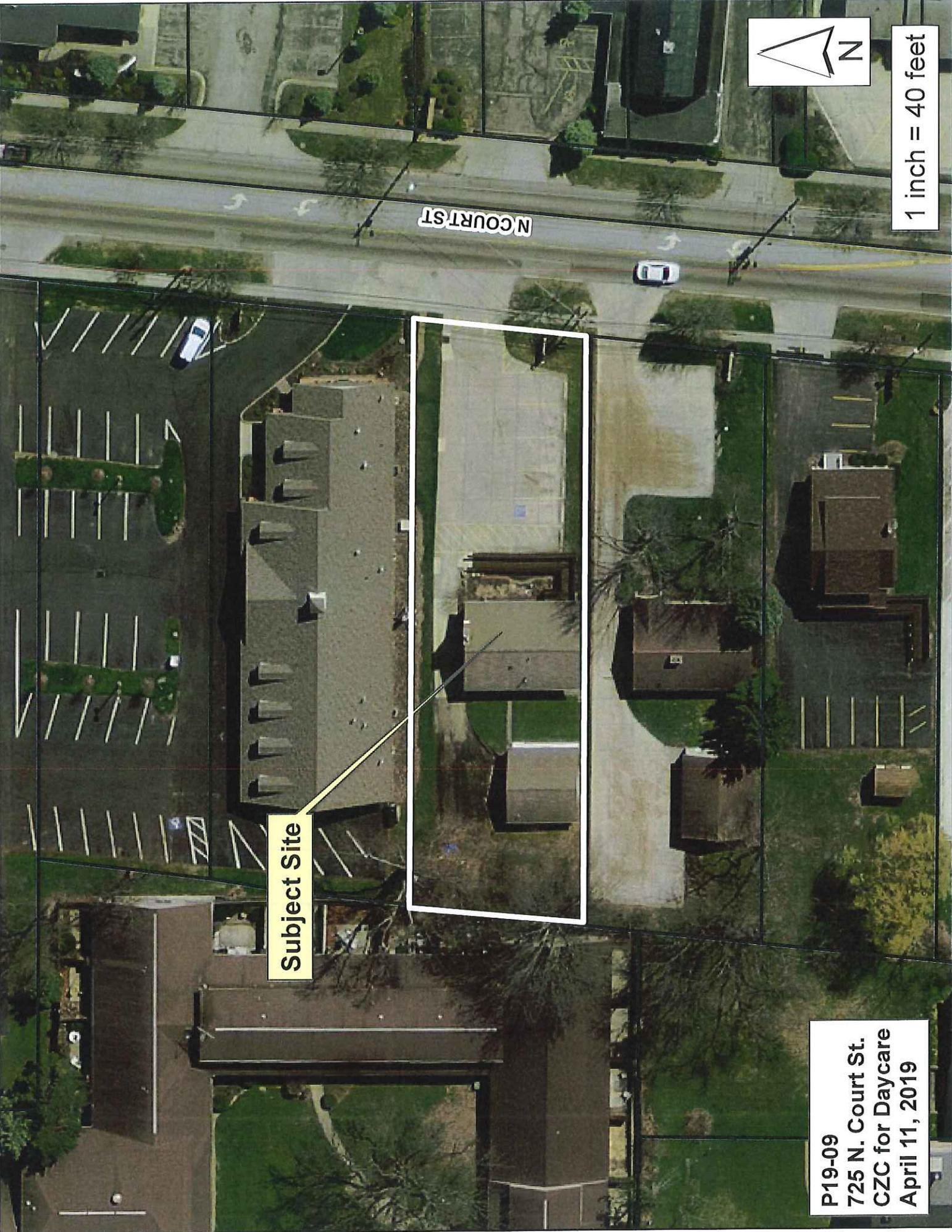
**Economic Development.** No comment at this time

**Public Hearing:** The Zoning Code requires the Planning Commission to conduct a Public Hearing for the proposed Conditional Use. The legal notices have been issued to permit the Public Hearing at the April 11, 2019 meeting. Based on the review of the case and the public hearing the Planning Commission may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights and for the insuring that the intent and objectives of this Zoning Ordinance will be observed.

**Recommendation:**

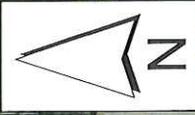
Staff recommends approval of a Conditional Zoning Certificate for the proposed Child Day Care Center and Nursery subject to the following conditions:

1. Subject to building and occupancy permits from the Medina Building Department.
2. No pickup/drop off activities shall occur within the North Court Street public right-of-way.



Subject Site

N COURT ST



1 inch = 40 feet

P19-09  
725 N. Court St.  
CZC for Daycare  
April 11, 2019

Jennifer Thur  
5110 Silver Maple Ln.  
Medina, OH 44256

March 25, 2019

The City of Medina  
Planning Department  
132 North Elmwood Street  
Medina, OH 44256

To Whom it May Concern:

I am looking to lease the property at 725 N. Court Street, Medina, OH 44256 with the intention to expand my daycare center, Bumblebee Village, which has been in operation since May of 2018 just two doors down. The success of our first location has been exciting and humbling, and we can't thank the community of Medina enough for their support over the last year! The location of this new property is ideal for my business in that it is also house, which fits the brand of daycare I have established, and it is located in such close proximity to my current location. It allows me to keep siblings close together, and share staff between locations. This property is currently zoned for business use, and I would like a conditional use permit to be able to run a daycare there.

With the size of this property, I am anticipating watching only 12 children, ages 6 weeks up to 18 months, on the main floor of the building, which will require 2 staff members to be on site. The code for parking spaces reads:

"Day care center or Nursery, Child: One (1) space for each 200 square feet of licensed capacity, plus sufficient space for child drop-off/loading area."

The child care licensing code states that 12 children will require 35 square feet of space per child, bringing our main floor usable square footage to 420 sq. ft. That would require us to have 3 parking spots available, and there are currently 9 parking spots available between the front parking lot and the back parking lot. This will be sufficient for the staff as well as parents that will be dropping off and picking up their children. Since there is not a definitive/mandatory start or ending time, it is highly unlikely that more than a couple of parents would be on site at one time to drop off or pick up their children. There is sufficient room for parking, and turnaround from both parking lots so that patrons do not have to back out of the drive onto 42. You can see the two parking lots in the attached google image of the property. Having successfully operated my current center for the past year, with a capacity of 33 children, and 9 parking spots, I can confidently say that this smaller daycare center will be virtually NO issue with parking or pickup and drop off.

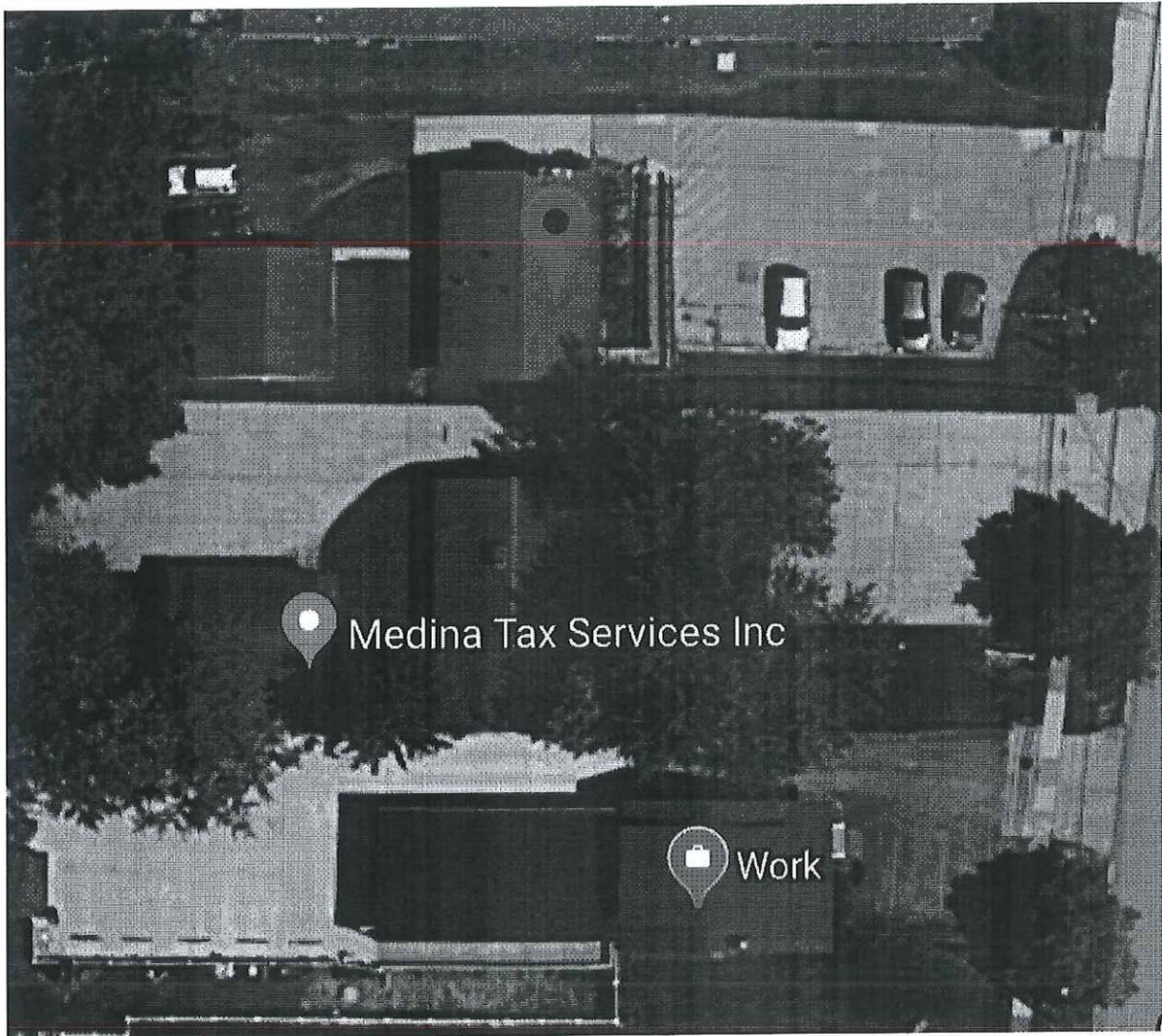
RECEIVED  
MAR 25 2019

BY: .....

Being that the property already has ample existing parking spaces, handicap accessibility, and turnaround capability, there are no exterior changes needed at this time. I hope that this will be a seamless approval process, and we can move forward with the addition of Bumblebee Village, phase two, to our community!!

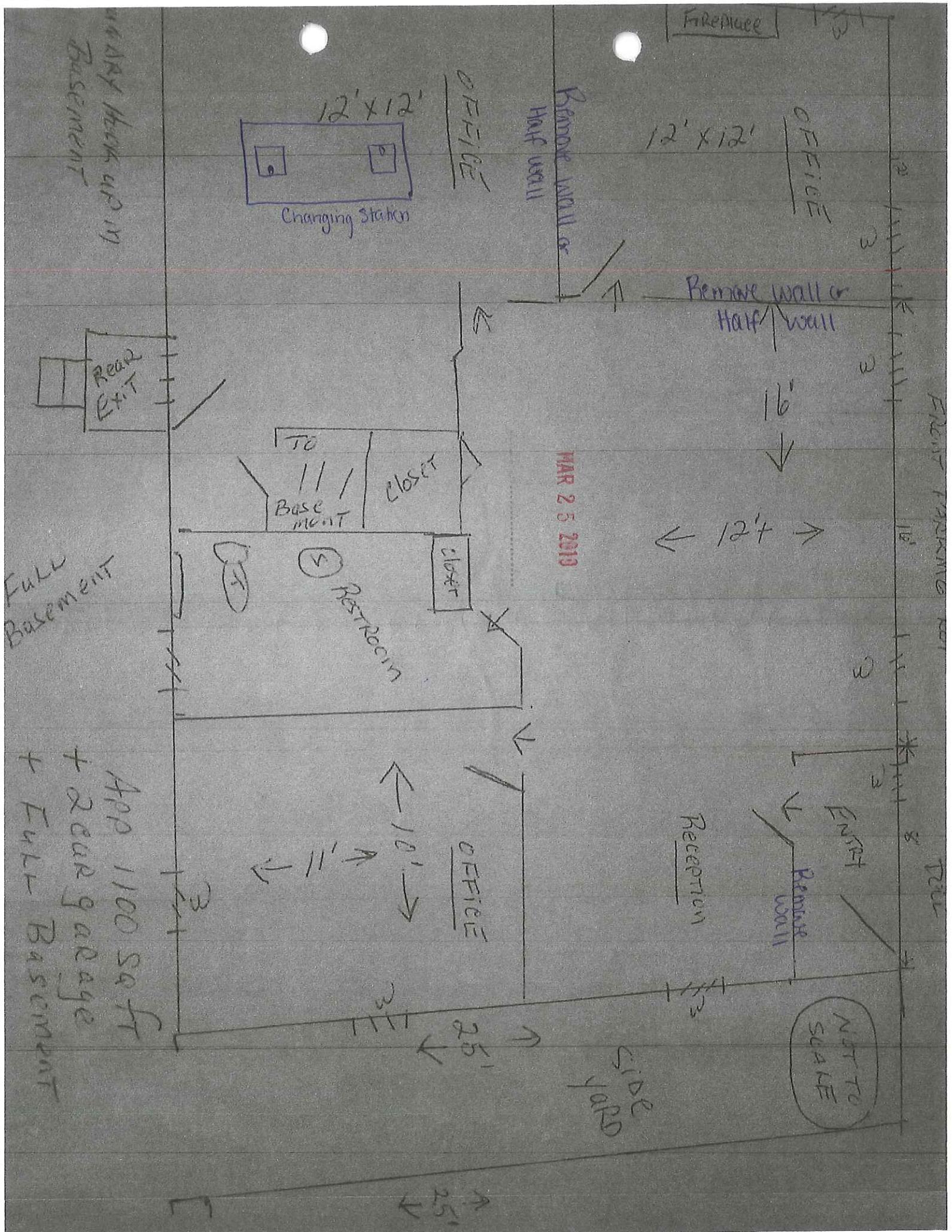
Sincerely,

Jennifer L. Thur



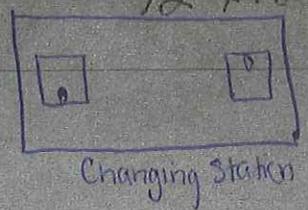
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Firewall

12' x 12'



Changing Station

OFFICE

12' x 12'

OFFICE

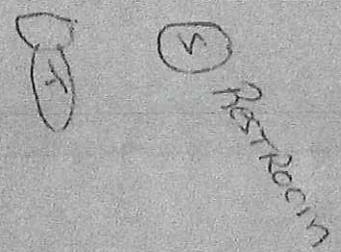
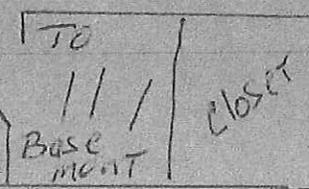
Remove wall or Half wall

Remove wall or Half wall

16'

12'

MAR 25 2019



Closet

Restroom

OFFICE

10'

Reception

Remove wall

EXIT

NOT TO SCALE

side yard

Full Basement

APP 1100 SQ FT  
+ REAR GARAGE  
+ FULL BASEMENT

NEARLY Hook up in Basement