



MRL GROUP DAY CARE JSP18-63

MRL GROUP DAY CARE, JSP18-63

Public hearing of the request of MRL Child Care LLC, for Special Land Use Approval. The subject property is located at 44879 Stockton Drive in Section 10, north of Twelve Mile Road, west of Dixon Road in RA residential Acreage zoning district. The applicant is proposing to operate a group day care in their existing residence for no more than 12 children.

Required Action

Approve/deny the Special Land Use permit

REVIEW	RESULT	DATE	COMMENTS
Planning	Approval not recommended	01.24.19	Zoning Board of Appeals variance is required for the following: <ul style="list-style-type: none">• Not meeting the minimum requirements for outdoor recreation area and fencing requirements• Not meeting the minimum parcel size

MOTION SHEET

Approval – Special Land Use Permit

In the matter of MRL Group Daycare JSP18-63, motion to **approve** the Special Land Use permit based on the following findings:

1. Relative to other feasible uses of the site:
 - i. The proposed use will not cause any detrimental impact on existing thoroughfares (*given the size of the new use*);
 - ii. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities (*given the size of the new use*);
 - iii. The proposed use is compatible with the natural features and characteristics of the land (*because the plan does not impact any natural features*);
 - iv. The proposed use is compatible with adjacent uses of land (*because the applicant has an existing Group daycare with fewer than six kids at this location.*);
 - v. The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use;
 - vi. The proposed use will promote the use of land in a socially and economically desirable manner;
 - vii. The proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.
2. A six foot wide unrestricted access shall be provided to the front door for Fire and Emergency purposes at all time.
3. The approval is subject to Zoning Board of Appeals approval for the following Use Variances from Section 4.12.1 of our Zoning Ordinance:
 - i. The parcel does not provide the minimum required outdoor recreation area. A minimum of 2,000 square feet is required, the applicant proposes approximately 1,303 square feet.
 - ii. Outdoor recreation area does not meet the minimum requirements for screening. Outdoor recreation area is screened with evergreen trees for only part of the recreation area.
 - iii. The parcel does not meet the minimum requirements for parcel size. A minimum of one-half (0.5) acre is required; the current parcel measures 0.21 acres.
4. *Additional comments here if any*
- 5.

(This motion is made because the plan is otherwise in compliance with Article 3.1.5, Article 4, Article 5 and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance.)

-OR-

Denial – Special Land Use Permit

In the matter of MRL Group Daycare JSP18-63, motion to **deny** the Special Land Use permit as the parcel does not meet the qualifying criteria (Use Standards) for a Group

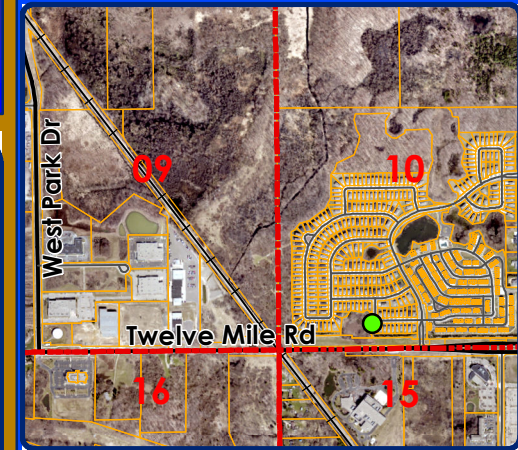
Daycare use as listed in Section 4.12.1., all of which will be subject to a use variance by the Zoning Board of Appeals as follows:

1. The parcel does not provide the minimum required outdoor recreation area. A minimum of 2,000 square feet is required, the applicant proposes approximately 1,303 square feet.
2. Outdoor recreation area does not meet the minimum requirements for screening. Outdoor recreation area is screened with evergreen trees for only part of the recreation area.
3. The parcel does not meet the minimum requirements for parcel size. A minimum of one-half (0.5) acre is required; the current parcel measures 0.21 acres.
4. *Additional comments here if any*

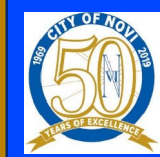
Maps
Location
Zoning
Future Landuse
Natural Features

JSP 18-63 MRL GROUP DAYCARE

Context



LEGEND
 Sections



City of Novi

Dept. of Community Development
City Hall / Civic Center
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: Sri Komaragiri
Date: 06/07/19
JSP 18-63 MRL GROUP DAYCARE
Version #: 1

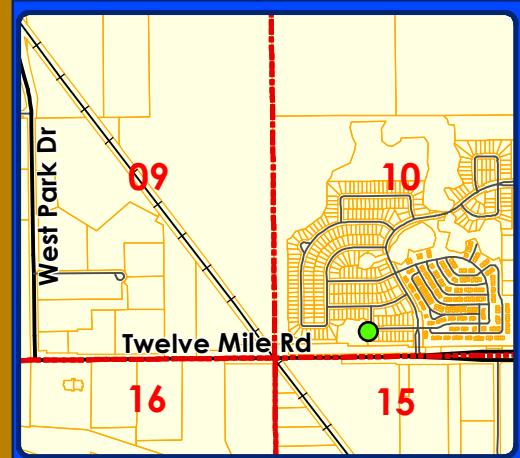
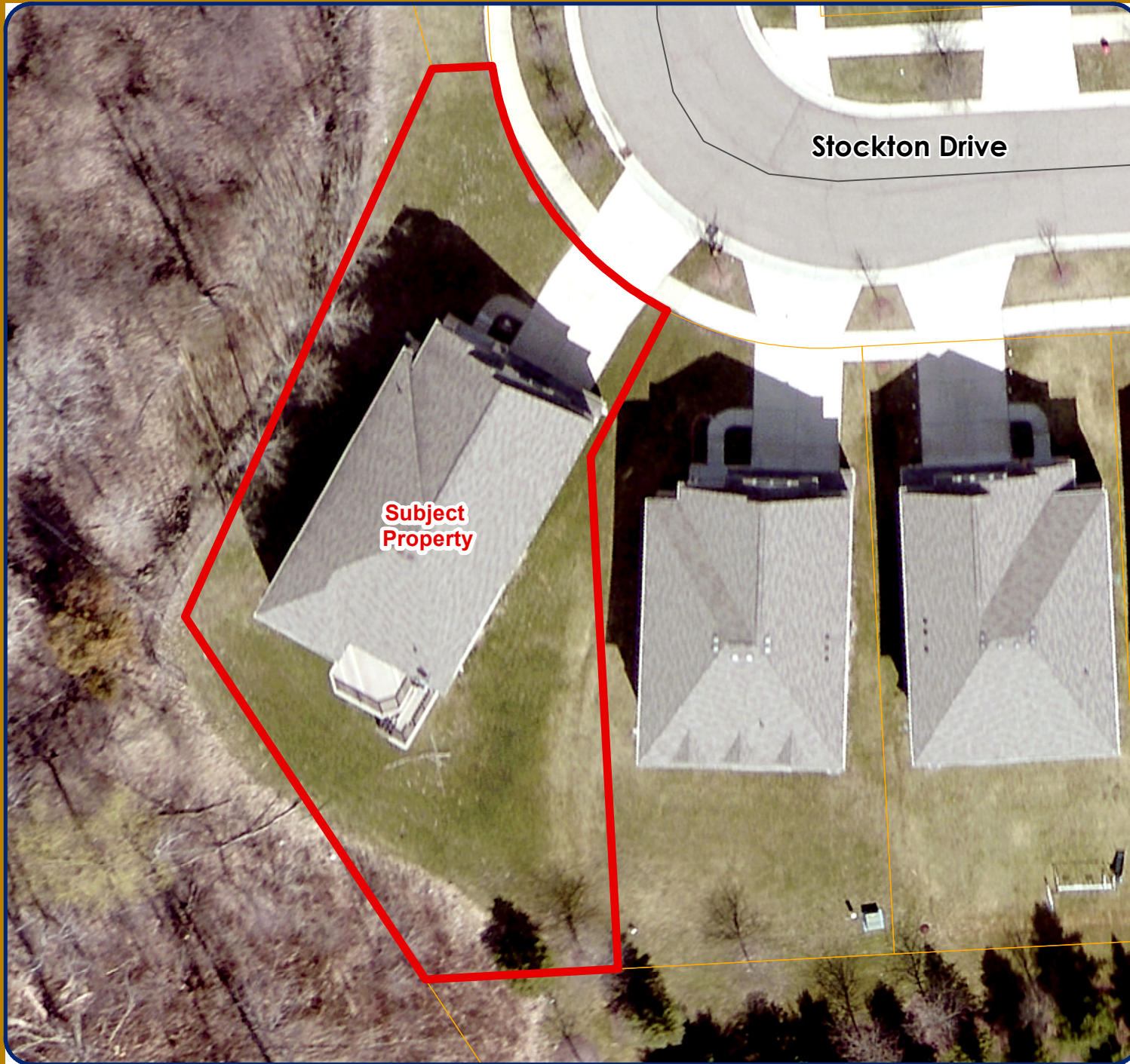


MAP INTERPRETATION NOTICE

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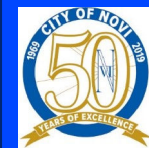
JSP 18-63 MRL GROUP DAYCARE

Location



LEGEND

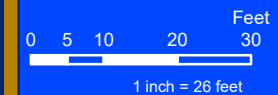
 Sections



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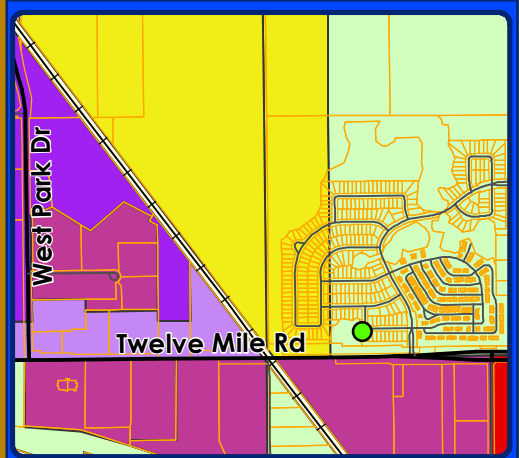
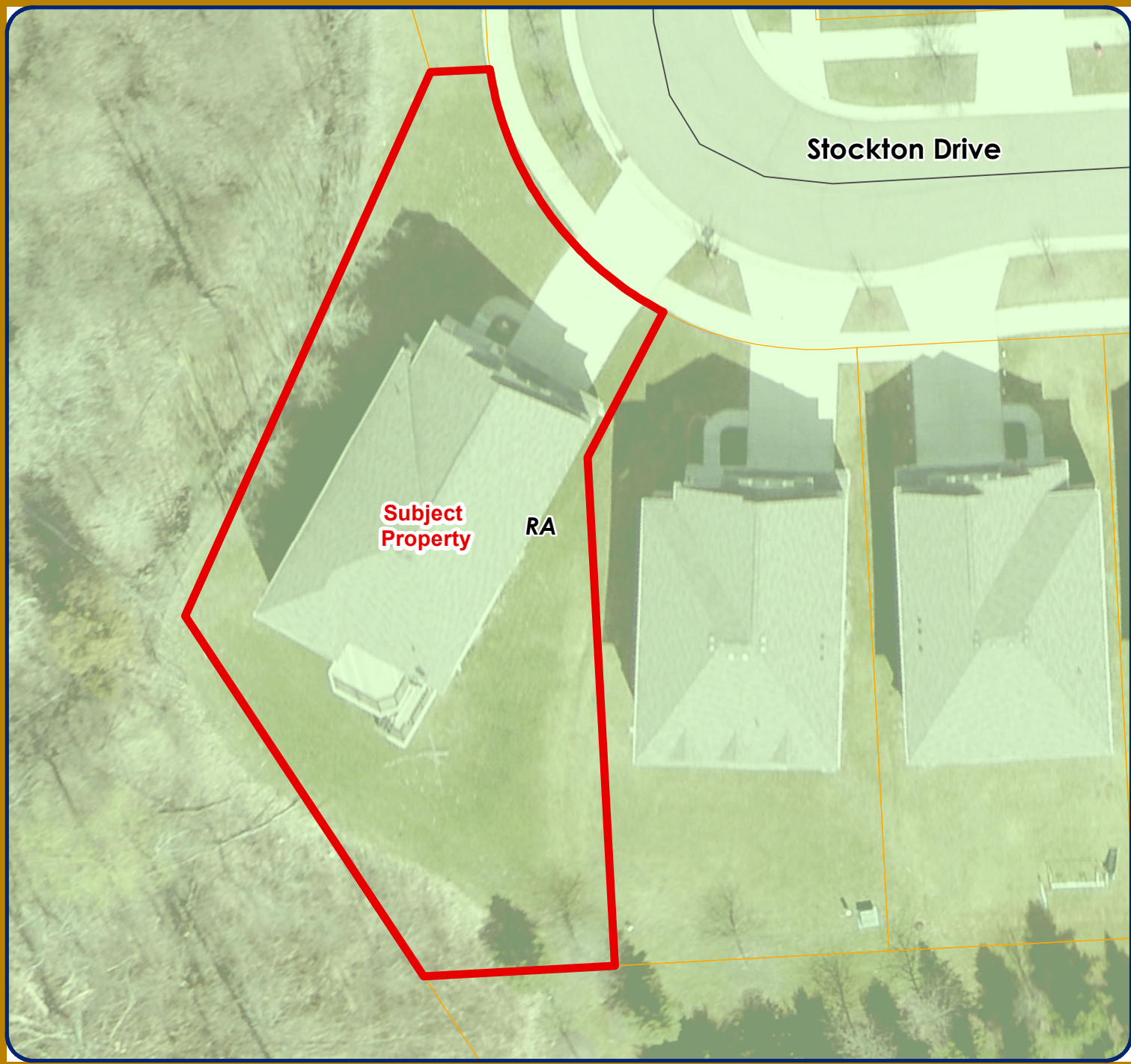


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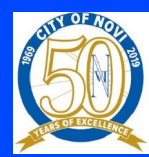
JSP 18-63 MRL GROUP DAYCARE

Zoning



LEGEND

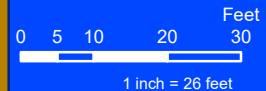
-  R-A: Residential Acreage
-  R-1: One-Family Residential District
-  I-1: Light Industrial District
-  I-2: General Industrial District
-  OST: Office Service Technology
-  RC: Regional Center District



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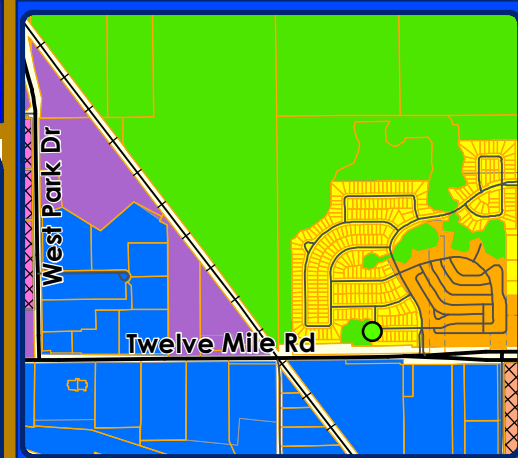
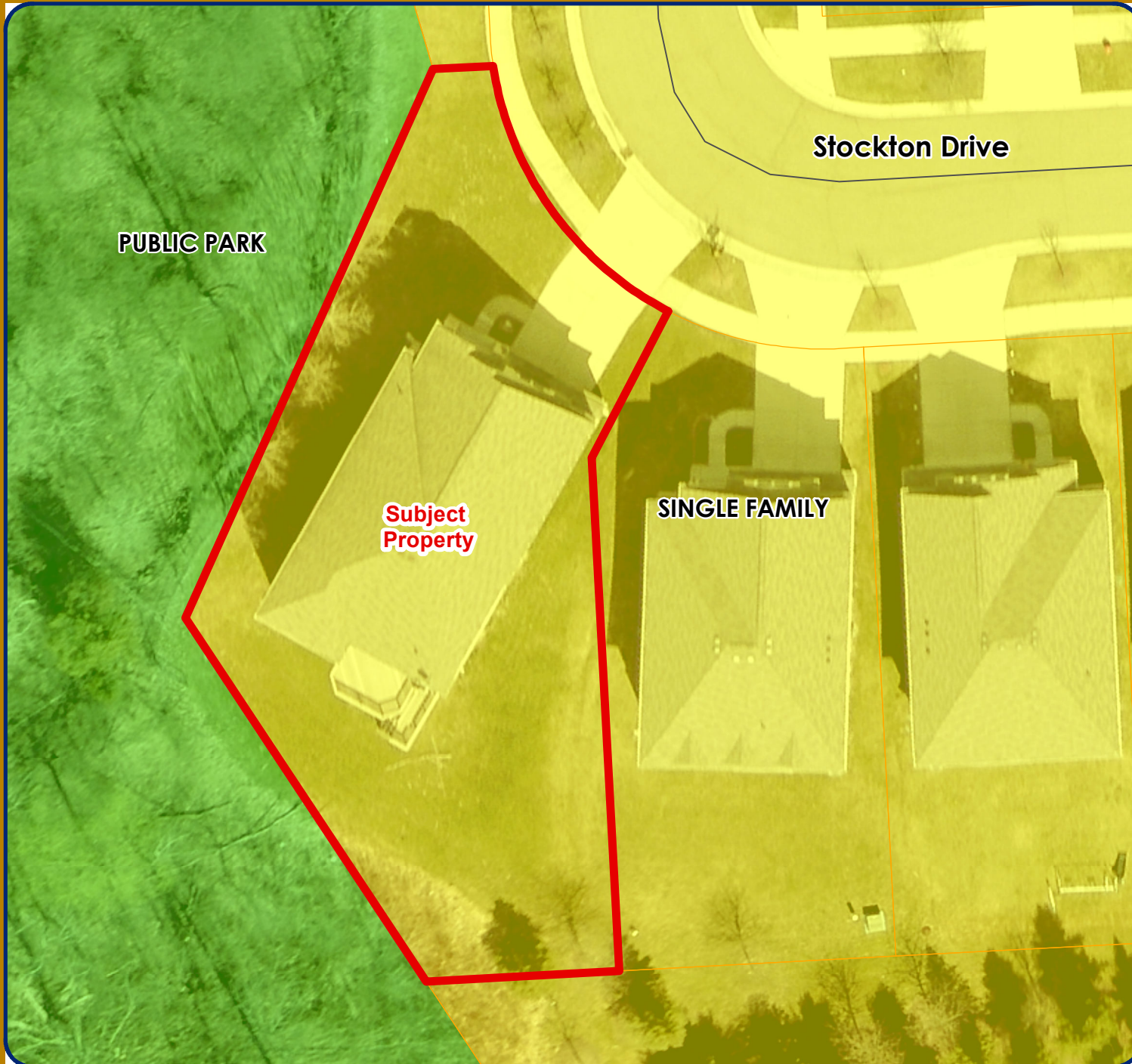


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JSP 18-63 MRL GROUP DAYCARE


Future Landuse



LEGEND

FUTURE LAND USE


- Single Family
- Multiple Family
- Office RD Tech
- Industrial RD Tech
- Heavy Industrial
- Regional Commercial
- Public Park



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0 5 10 20 30 Feet
1 inch = 26 feet

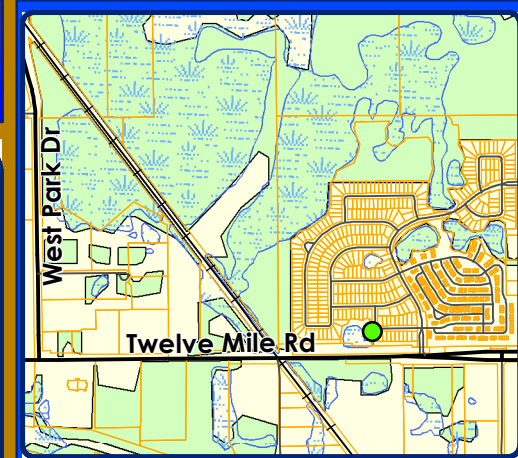
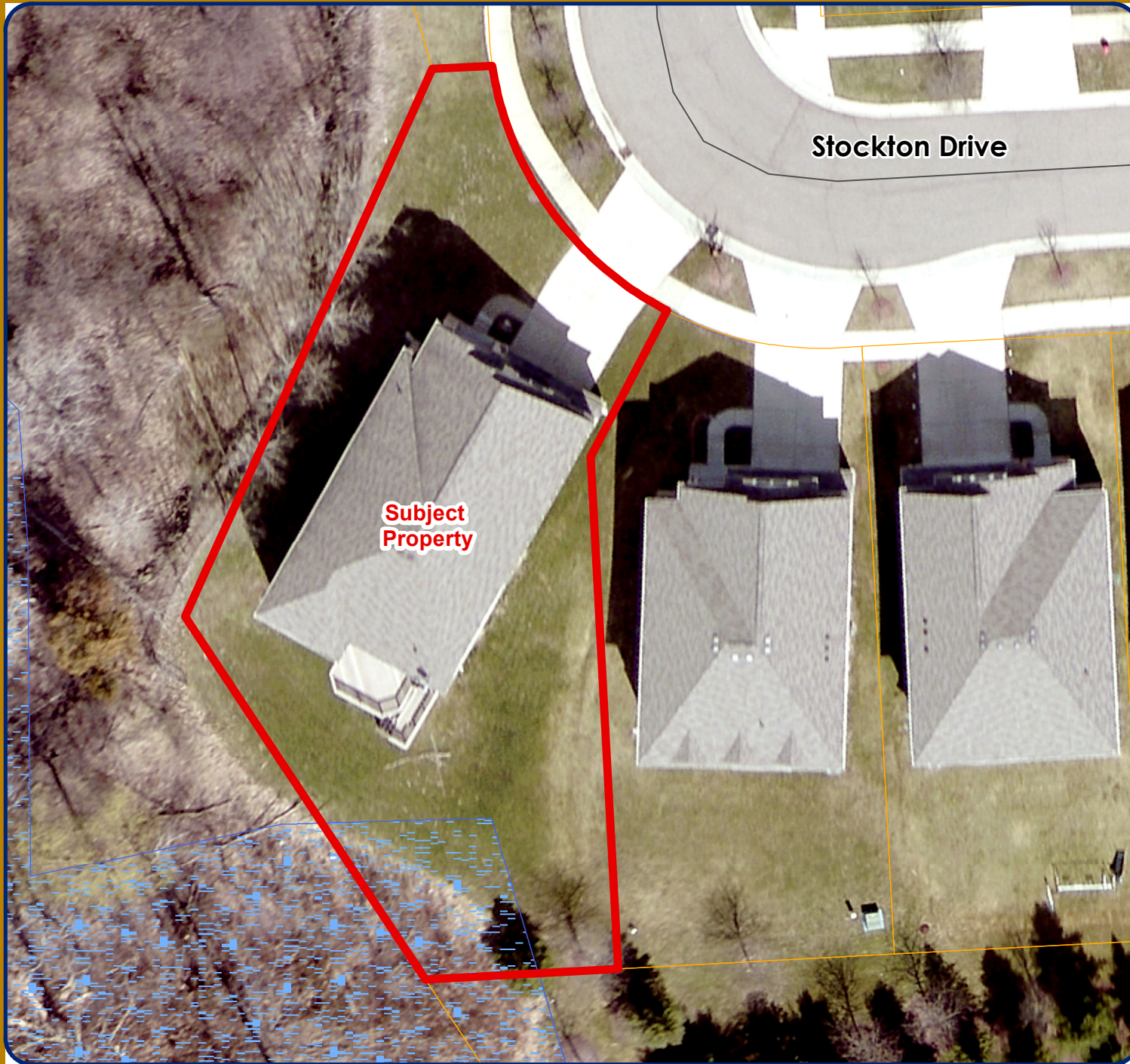


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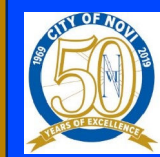
JSP 18-63 MRL GROUP DAYCARE

Future Landuse



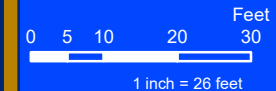
LEGEND

-  WETLANDS
-  WOODLANDS



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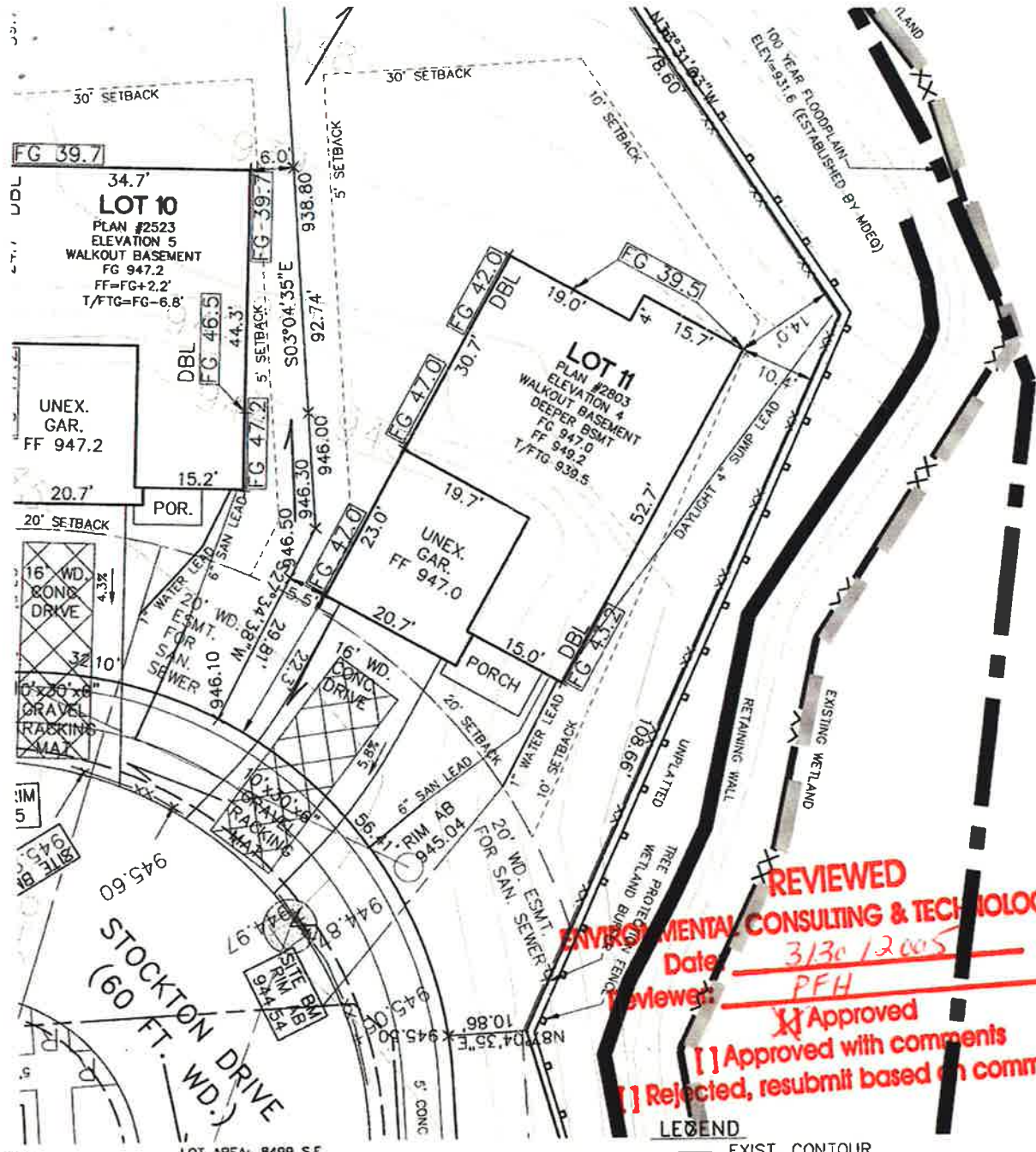
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Plot Plan



REVIEWED
ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.
 Date: 3/30/2005
 Reviewer: PFH
 Approved
 Approved with comments
 Rejected, resubmit based on comments

- LEGEND**
- EXIST. CONTOUR
 - PROP. CONTOUR
 - x 59.0 PROP. SPOT ELEV.
 - EXIST. WATER
 - EXIST. SANITARY
 - EXIST. STORM
 - xx- PROP. SILT FENCE
 - > PROP. DRAINAGE
 - INLET FILTER

NOTE:
 ATWELL-HICKS, INC. ASSUMES NO RESPONSIBILITY FOR GIVEN HOUSE DIMENSIONS AND DRIVEWAY PLACEMENT. CLIENT MUST VERIFY ALL DIMENSIONS AND DRIVEWAY PLACEMENT PRIOR TO CONSTRUCTION. APPROVAL OF THIS PLOT PLAN DOES NOT RELIEVE THE OWNER/BUILDER OF COMPLIANCE WITH ALL APPLICABLE CODES AND ORDINANCES. BEFORE BEGINNING CONSTRUCTION, VERIFY AS-BUILT HOME LEAD LOCATION WITH THE CITY. NO FIELD WORK HAS BEEN DONE AT THIS TIME.

NOTE:
 BUILDING CONTRACTOR SHALL INSTALL AND MAINTAIN SOIL EROSION MEASURES, PER CITY OF NOVI STANDARDS, THROUGHOUT CONSTRUCTION. SILT FENCE SHALL BE PLACED ALONG SIDE YARD LINES, AS NECESSARY, TO PROTECT EXISTING LAWN AND LANDSCAPING ON ADJACENT PROPERTIES. DROP BRICK LEDGES SHOULD OCCUR AT FRONT & REAR HOUSE CORNERS. DATUM IS NAVD 88. ALL PROPOSED GRADES SHALL MEET/MATCH EXISTING GRADE BEFORE TREE PROTECTION FENCING.



CLIENT
 PULTE HOMES
 LOT LAYOUT
 AND GRADING PLAN
 LOT 11
 LIBERTY PARK
 SECTION 10 TOWN 1 NORTH, RANGE 8 EAST
 CITY OF NOVI
 OAKLAND COUNTY

SCALE: 1 INCH = 20 FEET

ATWELL-HICKS
 Engineering • Surveying • Planning
 Environmental • Water/Wastewater
 866 850 4200
 www.atwell-hicks.com
 MICHIGAN ILLINOIS OHIO

AI

JOB:	300803	CAD:	300803PP
DR.	BAL	CH.	---
BOOK	---	PG.	---
SHEET	1 OF 1	DATE:	2/21/05
FILE NO.	---		

APPLICANT:
 PULTE HOMES
 22670 HAGGERTY ROAD, SUITE 300
 FARMINGTON HILLS, MICHIGAN 48335
 (248)675-1300

REV. 5/13/05 PER ALNM REVIEW
 REV. 5/4/05 PER ALNM REVIEW
 REV. 4/13/05 REGRADE
 REV. 3/23/05 ADD NOTES PER V.L.
 REV. 3/22/05 MOVE TREE FENCE

REVISED
 8/17/05

B05-0206

Planning Review



PLAN REVIEW CENTER REPORT

January 24, 2019

Planning Review

MRL Group Day Care

JSP18-63

PETITIONER:

MRL Group Day Care

REVIEW TYPE:

Special Land Use for Group Day Care for up to a maximum of 12 kids

PROPERTY CHARACTERISTICS

Section	10
Site Location	44879 Stockton Drive, Liberty Park (east of Taft Road, north of Twelve Mile Road)
Site School District	Novi Community School District
Site Zoning	RA, One-Family Residential
Adjoining Zoning	North RA, One-Family Residential East RA, One-Family Residential West RA, One-Family Residential South RA, One-Family Residential
Current Site Use	Single Family Residence with a group day care home less than 6 kids
Adjoining Uses	North Single Family Residence East Single Family Residence West Single Family Residence South Single Family Residence
Site Size	0.21 Acres
Plan Date	Application received on November 02, 2018

PROJECT SUMMARY

The applicants would like to operate a Montessori based group daycare home in their existing residence at 44879 Stockton Drive for up to twelve children. The ordinance defines operations supervising seven to twelve children as group day care homes, consistent with the State of Michigan regulations and definitions. Group day care homes are a Special Land Use in the R-4, One-Family Residential District. The applicants currently occupy the home as their primary residence and are not proposing any exterior changes to the site. Interior changes to the property may require a Building Permit.

RECOMMENDATION

Approval of the *Special Land Use Permit is not currently recommended* as the property does not meet many pre-requisites.

ORDINANCE REQUIREMENTS

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 3.1.5 (R-4, One-Family Residential), Article 4 (Use Standards), Article 5 (Site Standards), and any other applicable provisions of the Zoning Ordinance.

In the RA, R-1, R-2, R-3, and R-4 districts, group day care homes, day care centers, and adult day care centers are permitted as a special land use, as follows:

A. Group Day Care Homes, subject to the following:

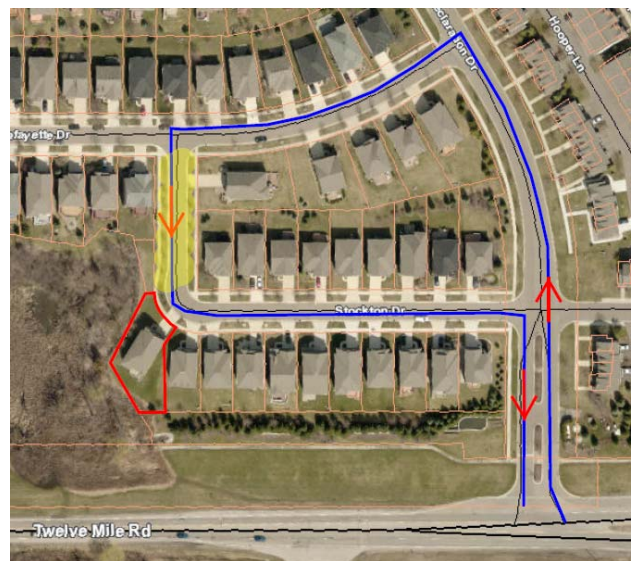
- i. Outside recreation area required, as follows:
 - a. There shall be provided and maintained an outdoor recreation area of not less than two-thousand (2000) square feet. **It appears that there is area available for recreation in the side and backyard. However staff is unable to determine if it meets the minimum 2,000 square feet requirement. The applicant should demonstrate through a scaled drawing that this requirement is met. If the plan cannot conform to this standard, the applicant could request a variance from the Zoning Board of Appeals.**
 - b. Recreation area shall be securely fenced and screened from any adjoining lot in any residential district with appropriate fence and landscape materials as reviewed by the City's Landscape Architect to provide opaque screening for the outside activities. These screening requirements are in addition to the requirements of Section 5.5. **Play area is not fenced. The applicant should identify the required 2,000 square feet and fence in the play area to meet this requirement. The fence should be built at least a foot away from the lot boundary. There are wetlands in the backyard; the applicant should also avoid impacts to wetland buffers (25 feet from edge of wetlands). Additional permits will be required if impacts to wetlands and/or buffers are proposed. If the applicant chooses to move forward without the required fence, a variance from Zoning Board of Appeals variance could be requested.**
- ii. The minimum parcel size for a Group Day Care Home shall be one-half (0.5) acre. **The property is approximately 0.21 acres. If the applicant chooses to move forward, a variance from the Zoning Board of Appeals could be requested for lack of minimum required site area.**
- iii. The licensee shall occupy the dwelling as a residence. **The licensee is currently a resident and is running a Group day care home with fewer than 6 kids. The applicant should check with the home owners association regarding whether the master deed has any restrictions about this home-based business**
- iv. The licensee shall register with the City Clerk and the licensed premises may be subject to a fire department inspection and shall provide a smoke detector in all daytime sleeping areas. **Please provide information whether a functioning smoke detector is provided in all daytime sleeping areas.**
- v. Any sign accessory to the home is prohibited. **There is no existing sign accessory to the home. The applicant provided a note indicating that business signs will not be proposed at the home.**
- vi. The hours of operation shall be limited to the period between 6:00 a.m. and 7:00 p.m. **The applicant's narrative indicates hours of operation from 7:30 am to 4:30 pm. The applicant should reconsider the hours of operation to include drop-off times. The applicant can also considered pre-determined drop-off and pick up times to avoid traffic conflicts and mitigate possible conflicts with on-street parking.**

- vii. The parcel shall abut a major thoroughfare or section line collector road, but may have access from a local street. The driveways shall be designed so that vehicles can exit the site without having to back onto a major thoroughfare. **The parcel's rear yard abuts Twelve Mile Road, but has access from a local road (Stockton Drive).** The parcel is located in the interior of a residential subdivision. Staff has concerns about the location for the following reasons:

The applicant has been asked to clarify whether there will be any events for daycare which would require all Twelve cars to be parked at the same time. The site does not appear to be big enough to hold more than two cars. Parents would most likely park on street.

The applicant has noted in an exhibit that the cars would access the site from Stockton Drive, park in their driveway and back-up to leave. It would get complicated if the driveway is full and the parents were expected to park on-street. Due to traffic patterns, they can only park on the west side of Stockton Drive that runs north to south (indicated in yellow in the image to the right).

Staff recommends the path shown in blue for circulation (see image to the right) . However, it is applicant's responsibility to verify with the HOA that on street parking is allowed in the yellow area. Our Fire department indicated that parking should not be allowed on the east side of Stockton Drive to allow for clear path for fire access. No parking signs may be required to be installed by the City if this becomes a problem.



SPECIAL LAND USE CONSIDERATIONS

In the R-4 District, a group day care home falls under the Special Land Use requirements. Section 6.2.C of the Zoning Ordinance outlines specific factors the Planning Commission shall consider in the review of the Special Land Use Permit request:

- i. Whether, relative to other feasible uses of the site, the proposed use will cause any detrimental impact on existing thoroughfares in terms of overall volumes, capacity, safety, vehicular turning patterns, intersections, view obstructions, line of sight, ingress and egress, acceleration/deceleration lanes, off-street parking, off-street loading/unloading, travel times and thoroughfare level of service. **The applicant has not provided reasonable explanation in the submitted written narrative as how Traffic circulates in and out the site. Refer to comments in the previous section for more details.**
- ii. Whether, relative to other feasible uses of the site, the proposed use will cause any detrimental impact on the capabilities of public services and facilities, including water

service, sanitary sewer service, storm water disposal and police and fire protection to service existing and planned uses in the area. **There is no additional impact on capabilities of public services. However, Fire has raised some concerns with regards to on-street parking. Fire would also need 6 foot of unobstructed paved access to front door from the street.**

- iii. Whether, relative to other feasible uses of the site, the proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses and wildlife habitats. **There are wetlands in the backyard; the applicant should avoid impacts to wetland buffers (25 feet from edge of wetlands). Additional permits will be required if impacts to wetlands and/or buffers are proposed for construction of the required fence.**
- iv. Whether, relative to other feasible uses of the site, the proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood. **The applicant has an existing Group daycare with fewer than six kids at this location.**
- v. Whether, relative to other feasible uses of the site, the proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use. **It complies with one of the goals that recommend supporting growth of existing businesses.**
- vi. Whether, relative to other feasible uses of the site, the proposed use will promote the use of land in a socially and economically desirable manner. **The applicant is not proposing any changes to the existing property at this time. Some improvements are required as noted earlier in the letter.**
- vii. Whether, relative to other feasible uses of the site, the proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located. **A group day care for up to 12 kids is allowed as a Special land use under R-4 zoning district. The applicant is seeking couple of deviations from the required conditions.**

OTHER PERMIT REQUIREMENTS

Depending on the additional improvements required such as a fence or 6 foot clear path for fire, the applicant may need to apply for additional permits to allow installation. Staff will work with the applicant as needed.

NEXT STEP:

Staff believes that the application is not ready for a public hearing for many reasons stated in the letter. Additional information is required prior to scheduling the Public hearing. Please provide a response addressing the comments listed in this letter.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5607 or skomaragiri@cityofnovi.org.



Submittal Packet

Application For Site Plan and Land Use Approval

City of Novi Planning Division

45175 W. Ten Mile

Novi, MI, 48375

RECEIVED

NOV 02 2018

CITY OF NOVI
COMMUNITY DEVELOPMENT

Dear Sirs/Madams,

I am writing to get approval to upgrade the day care to Group Day Care and to also describe the condition of how our group day-care will be operated.

We are a State-Licensed Family Child Care (no schooling activities) located at:

44879 Stockton Drive, Novi, MI, 48377

This location is also our primary residence.

The Parcel is about 0.21 acre with a natural fence built by bushes separating the backyard from the wetland that it backs up to. The property also borders the same wetland from the west side and it is separated from it by a fence built there by the builder. These 2 conditions mentioned makes the wetland unreachable.

Our hours of operation are Monday through Friday, from 7 am until 4:30 pm. Parents drop-off their little ones in the morning time between 7 am and 8 am and pick them up between 4:15 pm and 4:30 pm. There will be no parent cars parked around the property during the hours of operations. Please see diagrams A, C and D.

The property is located at the end of Stockton Drive, as shown in the attached diagrams, and backs up to one of the subdivision common areas (most of the time, no cars are parked there), which provides plenty of space for cars to back up from the 2-car drive way when leaving the property. Also, enrolled children have different drop-off and pick time during scheduled time. This setting also allows for safe and flowing traffic. Please see diagrams B and D.

Emergency access is allowed at the property through multiple routes. Please see diagram A.

There will be no signage of any type used for this business.

Kids will be kept safe and away from the neighboring wetland, by the planted bushes around the wetland side (in the backyard space) and evergreen trees planted on the only neighbor side, along with all-time supervision by the care givers during their time out in the backyard.

Thanks and best regards,

MRL Child Care

Tarek Dakhallala



11/2/2018

Google Maps 44879 Stockton Dr

Diagram (A)

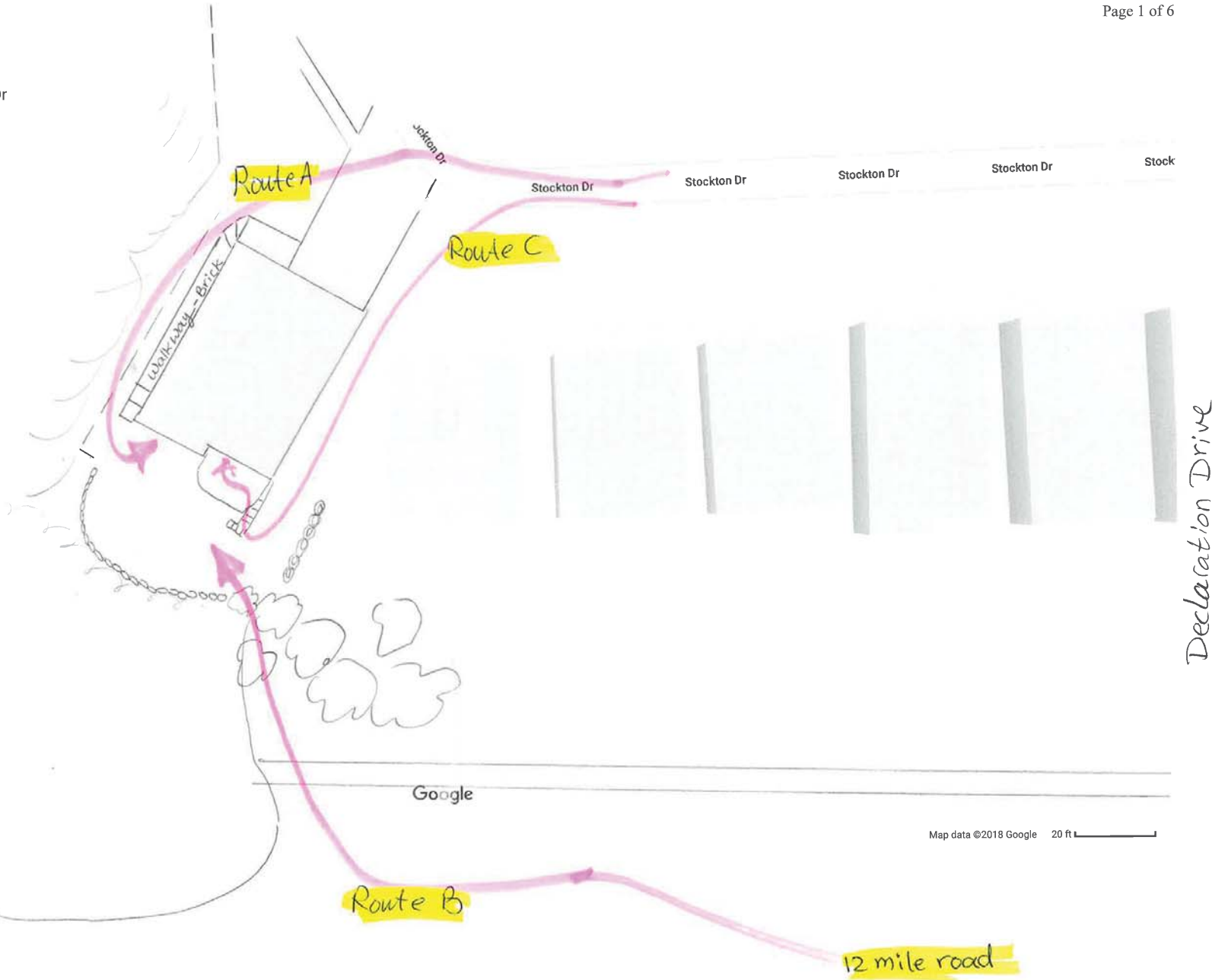
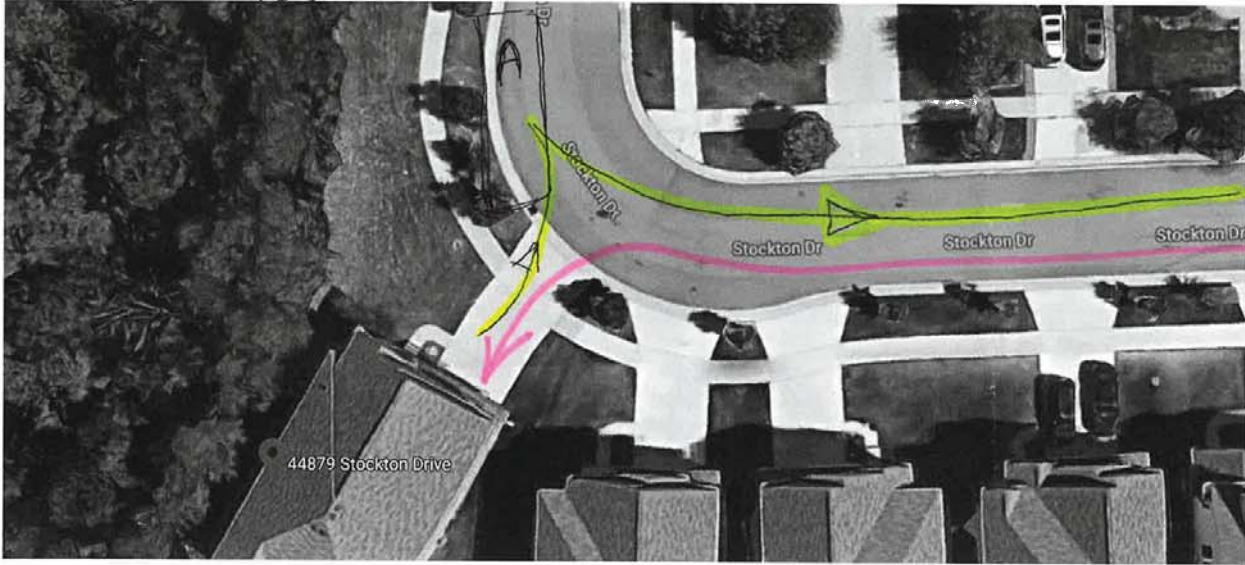


Diagram (B)



Debaration Drive

- * Traffic is light in the highlighted area during daily drop-off and pick up times.
- * Worst case expected is 3 parents showing up at the same time. If so, area A can be used by the third parent.

parent vehicle pull in route

parent vehicle back up route

Google Maps 44879 Stockton Dr

Diagram C



Imagery ©2018 Google, Map data ©2018 Google 50 ft

Google Maps 44879 Stockton Dr

Diagram (D)



Map data ©2018 Google 50 ft

← West Bound 12 mile Road

→ East Bound 12 mile Road

Applicant Response Letter

Komaragiri, Sri

From: Tarek Dakhlallah <tarek_d2003@yahoo.com>
Sent: Thursday, February 21, 2019 6:42 PM
To: Tarek Dakhlallah; Komaragiri, Sri
Cc: McBeth, Barb
Subject: RE: JSP 18-24 MRL Daycare - All answers
Attachments: IMG_1414.jpg; IMG_1429.jpg; Play Area Plot - Proposal.png

Hi Sri,

Yes, the email was actually acting up. Sorry. Here goes the message again.

Ai.a: Please provide a plot and indicate how much play area can be proposed? 2,000 minimum is required, how much can be proposed? The request should come with some explanation.

Attached please find the play area proposal with estimated area of around 1303 SF.

A.i.b: When we met, you mentioned that you would provide pictures to demonstrate the fencing.

Attached please see 2 photos.

A.ii: A plot plan is required.

Plot plan for play area is attached with some explanation.

A.vii: Please provide a copy of the drop-off schedule Child 1 and 2 (Siblings) drop off at 7:00 am Child 3 dropped off at 7:15 am.

Child 4 dropped off at 7:30 am

Child 5 dropped off at 8:00 am

Child 6 dropped off at 8:30 am twice a week.

This item in the review letter should be addressed as well. "It is applicant's responsibility to verify with the HOA that on street parking is allowed in the yellow area. Our Fire department indicated that parking should not be allowed on the east side of Stockton Drive to allow for clear path for fire access. No parking signs may be required to be installed by the City if this becomes a problem." Please provide some correspondence from your HOA with regards to this item.

I did talk to the HOA and verified that the common area can be used for parking as long as no cars are parked on grass.

Feel free to call me if you want to discuss more. Thank you, Sri

Thanks and best regards,



Metal fence

Play area estimated to be around 1303 SF

3-footer Evergreen-type bushes

7-footer evergreen trees







Komaragiri, Sri

From: Tarek Dakhllallah <tarek_d2003@yahoo.com>
Sent: Thursday, May 2, 2019 2:48 PM
To: Komaragiri, Sri
Subject: Fw: RE: Parking on Stockton Drive

Hi Shri,

Below is the communication from the HOA.

Please confirm receiving this message.

Thanks,

td

--- On Thu, 5/2/19, Mark Heppner <mheppner@herriman.net> wrote:

> From: Mark Heppner <mheppner@herriman.net>
> Subject: RE: Parking on Stockton Drive
> To: "Tarek Dakhllallah" <tarek_d2003@yahoo.com>
> Cc: "Mark Heppner" <mheppner@herriman.net>, "Jessica Posey"
> <jposey@herriman.net>
> Date: Thursday, May 2, 2019, 2:03 PM
> People in your sub have visitors
> like that every day. Parking on the street is perfectly fine unless
> the area has a sign stating "No Parking".
>
> Mark
> Heppner, CMCA, AMS
> Community Association
> Manager
> Herriman & Associates, Inc.
>
>
> 41486 Wilcox Rd. Suite 1 | Plymouth, MI
> 48170
>
>
>
> "Better communities through superior
> service"
>
>
>> Hi Mark,
>> Sorry for the late reply. I also lost the
> email chain.

>>
>>
> Basically I am just asking if people can use the wetland side of
> Stockton
>> Drive for temporary
> parking.
>>
>>
> Thanks,
>>
>> Tarek
>>
>> Sent from my
> iPhone
>>
>