

SUMMIT TOWNSHIP PLANNING COMMISSION

August 20, 2013

MEMBERS PRESENT: Raymond McQuillan, Chairman; Robert Simmons, Vice Chairman; Jack Shelby, Secretary and Zoning Board of Appeals Liaison; Todd Emmons, Township Board Liaison; Natalie Stopyak, Richard Erhardt; George Gancsos Jr., Stephen Artz; Allan Hooper; John Worden, Summit Township Zoning Administrator

MEMBERS ABSENT: None

The meeting was called to order by Raymond McQuillan, Chairman, on Tuesday, August 20, 2013 at 7:00 p.m. in the Township Hall meeting room at 2121 Ferguson Road.

A motion was made by G. Gancsos Jr, supported by R. Erhardt, to approve the Tuesday, June 18, 2013 minutes as corrected. The motion carried unanimously.

Case#13-08-0017- Conditional Use Permit-2511 Kibby Road (Old WIBM)- Day Care Center - K&L Investments, LLC, Applicant

2511 Kibby Road has previously been used as General Commercial (C-2), but is zoned Residential Single-Unit District (RS-2).

Raymond McQuillan, Chairman, thanked the applicants for working with the township and the township attorney on zoning/conditional use concerns. The township attorney, Inosencio Fisk, Attorney at Law, provided the following permitted conditional uses in the area of Summit Township zoned as Residential Single-Unit District (RS-2): Public and Private Nurseries, Primary and Secondary Non-profit Schools. (4.2.2(B)(4)). The zoning ordinance also includes, with respect to the properties zoned RS-2, the following provision relating to conditional use: Uses not specifically authorized as permitted uses in this district, but which are similar in nature to specified permitted or conditional uses, may be authorized as conditional uses in this district so long as they are similar in nature as other uses in the district and consistent with the general intent of the district. (4.2.2(B)(9)) It was their finding that the proposed use is sufficiently similar to nurseries and primary and secondary non-profit schools that a day care facility could be operated at the subject property pursuant to a conditional use permit.

A public hearing was held on the request of applicant Karl and Lisa Hunt, of 712 Tefft Avenue, owners K & L Hunt Investments, LLC of 219 W. Prospect Street. The applicant is requesting a Conditional Use Permit for a licensed child care center. This location will serve as a second location for the applicants existing child care center, Phoenix Child Care & Academy located within the City of Jackson.

The child care center will serve children aged two (2) months to twelve (12) years old. It will have an outdoor fenced in playground behind the building, but at this time the fence has not been installed. It will follow the State of Michigan required guidelines for child care centers within a building. The building has the capacity to care for up to forty four (44) children, fourteen (14) of these children will be infants. The hours of operation will be 6:00 a.m. to 6:00 p.m., Monday through Friday, and will be closed on weekends and on all federally acknowledged holidays. The child care center will have a year round program that will include infant and toddler care, preschool, before and after school care and summer programming. The facility will be employing up to twelve (12) employees to accomplish daily operations. This new location will allow the applicants to broaden their program to have four (4) classrooms that children can transition into.

The Applicants will be making changes to the inside of the existing building. Additionally, a fence will be added for privacy in the playground area, the parking lot will be resurfaced and the outside will be landscaped.

A. Hooper asked if the square footage of the building determines number of children a child care center can have.

Applicant, Lisa Hunt responded, "Yes it does".

R. Erhardt, questioned how many years the applicants have owned the Phoenix Child Care & Academy located within the City of Jackson

Applicant, Lisa Hunt responded that they have owned the Phoenix Child Care & Academy, which is on the corner of Woodsum and Prospect Streets, for five (5) years in September.

R. Erhardt noted that he saw a sold sign on the property and asked when the sale of the property closed.

Applicant, Karl Hunt, responded the sale closed on Monday, August 19, 2013, and altogether they own a total of 7.99 acres including the lot to the east that is adjacent to the Falling Waters Trail.

Public Comment:

Sandy Porter, 1408 Larry Drive, is in favor of the application and asked about the plans for the back of the property as she mows that area and it is used by many for a walking trail. She warned that people should stay in the middle of the mowed area so that they do not come into contact with poison ivy.

Applicant, Karl Hunt, responded that they found the property while taking the children from the Prospect Street day care center location on a nature walk. He expressed gratitude that Mrs. Porter mowed the area and hopes she will continue to do so.

A. Hooper asked if this Commission needed to specify any conditions for the conditional use in the motion.

Raymond McQuillan, Chairman, answered the hours of operation, installation of the fence and meeting the requirements set by the State of Michigan for day care centers.

Applicant, Lisa Hunt stated that the fence will be installed before the day care center opens on October 7th, 2013. The fence will be a tall privacy fence to block out the tower, and chain link fence to complete the remaining fenced area that will isolate the children in the playground area.

R. Erhardt asked if the child care center will be state licensed.

Applicant, Lisa Hunt, responded they are working with someone from the State of Michigan and this new facility will be licensed.

A motion was made by A. Hooper, supported by R. Erhardt, to recommend to the Township Board approval of the applicants request for a Conditional Use Permit for a child care center at 2511 Kibby Road conditioned on the following:

- 1) Fencing the playground area
- 2) Hours of operation are 6:00 a.m. – 6:00 p.m. Monday through Friday
- 3) Subject to child care licensing requirements set by the State of Michigan

The motion carried unanimously.

A motion was made by G. Gancsos, supported by A. Hooper, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 7:24 p.m.

Respectfully submitted,

Jack Shelby, Secretary
Summit Township Planning Commission