



## Planning Commission

Larry Fox, Chairperson	Summer L. McMullen, Trustee
Michael Mitchell, Vice-Chairperson	Sue Grissim, Commissioner
Tom Murphy, Secretary	Jim Mayer, Commissioner
	Matthew Eckman, Commissioner

**Planning Commission Meeting Agenda**  
**Hartland Township Hall**  
**Thursday, June 22, 2023**  
**7:00 PM**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of the Agenda
5. Approval of Meeting Minutes
  - a. Planning Commission Meeting Minutes of May 25, 2023
6. Call to Public
7. Public Hearing
  - a. Site Plan with Special Land Use Application #23-006 Grumlaw Church Child Care Center and Amendment to Planned Development Agreement
8. Call to Public
9. Planner's Report
10. Committee Reports
11. Adjournment

# HARTLAND TOWNSHIP PLANNING COMMISSION **DRAFT** MEETING MINUTES

May 25, 2023– 7:00 PM

---

1. **Call to Order:** Chair Fox called the meeting to order at 7:00 p.m.

2. **Pledge of Allegiance:**

3. **Roll Call and Recognition of Visitors:**

Present – Commissioners Eckman, Fox, Grissim, Mayer, McMullen, Mitchell, Murphy

Absent – None

4. **Approval of the Meeting Agenda:**

A Motion to approve the May 25, 2023 Planning Commission Meeting Agenda was made by Commissioner Mitchell and seconded by Commissioner Murphy. Motion carried unanimously.

5. **Approval of Meeting Minutes:**

a. Planning Commission Meeting Minutes of March 23, 2023

A Motion to approve the Planning Commission Meeting Minutes of March 23, 2023 was made by Commissioner Grissim and seconded by Commissioner Eckman. Motion carried unanimously.

6. **Call to the Public:**

Glenn Wilkinson, Hartland Township; questions regarding the approval process for land divisions and driveways.

7. **Old and New Business**

a. Site Plan Application SP/PD #23-004 – Courtyards of Hartland Planned Development Final Plan, a Single-Family Residential Planned Development.

Director Langer gave an overview of the scope and location of the request stating the following:

- Located east on M59 and north on Bella Vita Drive, north of the Bella Vita building.
- Request to construct a 32-unit single-family residential development geared for retirees and people that have downsized. They offer side yard courtyards, attached garages.
- Has completed both the Conceptual and Preliminary Review process before both the Planning Commission and the Township Board.
- Currently at the Final approval stage in the process looking at the Master Deed; PD Agreement; drainage, emergency and lift station easements, and other legal documents which are all submitted to the Township Attorney.
- The Township Attorney requested some language be added in case the roads or storm sewer needs upkeep, the Township has the ability to require the Home Owner's Association to address those concerns; and, if they do not, the Township can take action and move forward. Those comments have been shared with the Applicant. The documents will be updated and following a final review by the Township Attorney, approved. Conditions have been added to the final approval to that effect.

The Applicant stated they will comply with the Township Attorney's recommendations. It was also stated that it is their standard practice to set aside capital reserves to address future improvements within the HOA for street maintenance and anything else the HOA would have to cover.

The Planning Commission had no comments or questions.

**Commissioner Mitchell offered the following Motion:**

**Move to recommend approval of Site Plan Application #23-004, the Final Planned Development Site Plan for the Courtyards of Hartland Planned Development, as outlined in the staff memorandum dated May 18, 2023.**

**Approval is subject to the following conditions:**

- 1. The Final Planned Development Site Plan for the Courtyards of Hartland Planned Development, SP/PD Application #23-004, is subject to the approval of the Township Board.**
- 2. Final approval of the Courtyards of Hartland Planned Development (SP/PD Application #23-004) shall require an amendment to the Zoning Ordinance to revise the zoning map and designate the subject property as PD (Planned Development). The subject property, which constitutes the planned development project area (9.58 acres), and is to be rezoned to PD, is as follows:**
  - a. Tax Parcel ID #4708-22-400-028 (9.58 acres in area); currently zoned CA (Conservation Agricultural).**
- 3. Waiver request on the minimum lot size requirement for a planned development, being less than 20 acres, is approved.**
- 4. The applicant shall adequately address the outstanding items noted in the Planning Department's memorandum, dated May 18, 2023, on the Construction Plan set, subject to an administrative review by Planning staff prior to the issuance of a land use permit.**
- 5. The Master Deed and Condominium Bylaws shall comply with the requirements of the Township Attorney.**
- 6. Easements shall comply with the requirements of the Township Engineer Consultant and/or the Township Attorney.**
- 7. As part of the Final Plan Review, the applicant shall secure an ingress-egress easement agreement for the proposed access drive connection to the adjacent property to the west (Hartland Sports Center, at 2755 Arena Drive), and the document shall be in a recordable format. In the event the applicant is not able to reach an agreement with the adjacent property owner for said access drive connection, the applicant shall install their portion of the emergency access drive on the planned development property and provide applicable easement documents that are to be properly executed and recorded.**

- 8. Applicant complies with any requirements of the Township Engineering Consultant, Department of Public Works Director, and all other government agencies, as applicable.**
- 9. Applicant complies with any requirements of the Hartland Deerfield Fire Authority, as outlined per Preliminary PD approval (Site Plan/PD #22-006), on July 14, 2022 (Planning Commission meeting).**

**Seconded by Commissioner Grissim. Motion carried unanimously.**

- b. Site Plan Application SP/PD #23-005 – Villas of Hartland Planned Development Final Plan, a Single-Family Residential Planned Development (with 57 site condominium units)**

Director Langer gave an overview of the scope and location of the request stating the following:

- Located north of M59 east of Hacker Road.
- Planned Development request to construct 57 single-family detached homes.
- Previous plans to connect to Walnut Ridge have been abandoned and an emergency access is planned to the north of the entrance out to Hacker Road.
- Each site has a building envelope where all structures are constructed within that defined area; everything outside of the building envelope is common area.
- Has completed both the Conceptual and Preliminary Review process before both the Planning Commission and the Township Board.
- Currently at the Final approval stage in the process looking at the Master Deed, PD Agreement, easements, and other legal documents which are all submitted to the Township Attorney.
- The Township Attorney requested the same language be added in case the roads or storm sewer needs upkeep, the Township has the ability to require the Home Owner's Association to address those concerns; and, if they do not, the Township can take action and move forward. Those comments have been shared with the Applicant. The documents will be updated and following a final review by the Township Attorney, approved. Conditions have been added to the final approval to that effect.

The Applicant stated they will be working with their attorney to update their documents.

**Commissioner Grissim offered the following Motion:**

**Move to recommend approval of Site Plan Application #23-005, the Final Planned Development Site Plan for the Villas of Hartland Planned Development as outlined in the staff memorandum dated May 18, 2023.**

**Approval is subject to the following conditions:**

- 1. The Final Planned Development Site Plan for the Villas of Hartland Planned Development, SP/PD Application #23-005, is subject to the approval of the Township Board.**
- 2. Final approval of the Villas of Hartland Planned Development (SP/PD Application #23-005) shall require an amendment to the Zoning Ordinance to revise the zoning map and**

designate the subject property as PD (Planned Development). The subject properties, which constitute the planned development project area (combined total of approximately 24.51 acres), and which are to be rezoned to PD, are as follows:

- a. Tax Parcel ID #4708-19-300-013 (approximately 11 acres in area); currently zoned CA (Conservation Agricultural)
  - b. Tax Parcel ID #4708-19-300-014 (approximately 13.51 acres in area); currently zoned CA (Conservation Agricultural)
3. The applicant shall adequately address the outstanding items noted in the Planning Department's memorandum, dated May 18, 2023, on the Construction Plan set, subject to an administrative review by Planning staff prior to the issuance of a land use permit.
  4. The Planned Development Agreement shall comply with the requirements of the Township Attorney.
  5. The proposed residential development shall be connected to municipal sanitary sewer. In the event that municipal sanitary sewer is not available for this project, the developer shall re-submit plans to be approved by the Planning Commission and Township Board that provide an acceptable sanitary sewer system.
  6. Applicant complies with any requirements of the Township Engineering Consultant, Department of Public Works Director, and all other government agencies, as applicable.
  7. Applicant complies with any requirements of the Hartland Deerfield Fire Authority, as outlined per Preliminary PD approval (Site Plan/PD #20-011), on May 26, 2022 (Planning Commission meeting).

Seconded by Commissioner Murphy. Motion carried unanimously.

**8. Call to the Public:**

Henry Nykiel, N Hacker Road, Oceola Township; does not support the project. Concerns about density, traffic, storm water runoff and negative impact on wetland areas.

**9. Planner Report:**

Director Langer mentioned that hard copy packets and/or hard copies of the Zoning Ordinance are available to all Planning Commissioners, if desired.

**10. Committee Reports:**

Director Langer stated the Ordinance Review Committee has been working on a Solar Ordinance. There is a draft ordinance but there is a lot of work to be done. They will meet again May 31, 2023.

**11. Adjournment:**

A Motion to adjourn was made by Commissioner Eckman and seconded by Commissioner McMullen. Motion carried unanimously. The meeting was adjourned at approximately 7:22 PM.

# Hartland Township Planning Commission Meeting Agenda Memorandum

**Submitted By:** Troy Langer, Planning Director

**Subject:** Site Plan with Special Land Use Application #23-006 Grumlaw Church Child Care Center and Amendment to Planned Development Agreement

**Date:** June 15, 2023

## Recommended Action

**Move to recommend approval of Site Plan with Special Land Use Application #23-006, a request to establish a child care center and amend the Planned Development Agreement as outlined in the staff memorandum dated June 15, 2023.**

The recommendation for approval is based on the following findings:

1. The proposed special land use, child care center, meets the intent and purposes of the Ordinance as well as the specific Special Use standards outlined in Section 6.6 (Special Uses) and Section 4.12 (Adult Care and Child Care Facilities). A child care center at the subject property is only permitted with a special land use permit.
2. The proposed use is compatible with the existing and future land uses in the vicinity.
3. The proposed use is compatible with the Hartland Township Comprehensive Plan, which designates this area as Medium Suburban Density Residential. The intent of this designation is to accommodate single-family residential developments on large lot homesites, and could allow for a child care center as a special land use.
4. The proposed child care center is located in an existing church building, which is currently served by private on-site well (water) and septic system. The proposed use will be adequately served by existing essential facilities and public services, and the Fire Department has no objection.
5. The proposed use will not be detrimental, hazardous, or disturbing to the existing or future neighboring uses, persons, or the public welfare. The child care center is located in an existing church building. The proposed outdoor playground will be fenced.
6. The proposed use will not create additional requirements at public cost for public facilities as the church building, where the proposed child care center is to be located, is currently served by private on-site well (water) and septic system.

## **Approval of Site Plan with Special Land Use Application #23-006 is subject to the following conditions**

1. The proposed special land use, a child care center, is subject to approval by the Township Board.
2. The applicant shall adequately address the outstanding items noted in the Planning Department's memorandum, dated June 15, 2023. Revised plans, if necessary, shall be subject to an administrative review by the Planning staff prior to the issuance of a land use permit.

3. A land use permit is required for the proposed special land use.
4. An Amendment to the Planned Development Agreement is required and is subject to the requirements of the Township Attorney.
5. Applicant complies with any requirements of the Department of Public Works Director, Township Engineering Consultant (SDA), Hartland Deerfield Fire Authority, and all other government agencies, as applicable.
6. (Any other conditions the Planning Commission deems necessary)

### **Discussion**

Applicant: Mark Frego

### **Site Description**

The applicant intends to establish a child care center at 8457 Highland Road, in an existing church building (Grumlaw Church), which is in Section 19 of the Township (Parcel ID #4708-19-300-020). The building is approximately 36,744 square feet in area per the Township Assessing records. A paved parking lot currently serves the site with 424 parking spaces.

The property is approximately 40.7 acres in size and is zoned PD (Planned Development). The church building, parking areas, and stormwater facilities are in the south portion of the site. The remaining land to the west and north is generally undeveloped but has a woodchip trail system that runs from the church parking lot and wraps around Walnut Ridge Estates Planned Development to the north.

Adjoining properties directly to the north are zoned PD (Planned Development), and are part of Walnut Ridge Estates, a single-family residential Planned Development. To the east is Hartland Estates, a single-family Planned Development. Surrounding properties on the west and north are zoned CA (Conservation Agricultural). The Villas of Hartland Planned Development, a recently approved single-family residential condominium development, will also be west of the church property.

The 2015 Future Land Use Map (FLUM) designates this parcel as Medium Suburban Density Residential. The 2020-2021 Amendment to the FLUM has this same designation.

### **Overview and Background Information**

Following is a summary of the history of the property.

#### **Crestwood (2005)**

In 2005, the original parcel, approximately 76.2 acres, was the location of Crestwood, a planned development of 80 single-family units by Ivanhoe-Huntley. Crestwood received a recommendation for final approval from the Planning Commission in October 2005 and final approval from the Township Board in November 2005. The parcel was rezoned from CA (Conservation Agricultural) to PD as part of that approval. A 20-year sewer assessment was obligated to the property for 80.0 REU's. Construction on the project never commenced, but the parcel retained its PD zoning designation and the sewer obligation remained.

#### **The River Community Church (2013)**

The River Community Church purchased the subject parcel (76.2 acres) in 2009 and presented a conceptual planned development plan to the Township in 2013 under Site Plan Application #511-C. The planned development request included the church building, parking, detention basins, and driveway on the southern

portion of the site. A running/workout trail is shown starting from west church parking lot and traveling north of the church site. The northern portion of the site is labeled as “Future development.” Recreational areas are also included as part of the future development. The project was intended to be built in phases with the construction of the church to occur first and the development of the residential component and/or recreational areas to occur in the future. Future expansion to the church building could be part of a future phase as well. The site plans for the church were developed in anticipation of a future residential use. The easterly church driveway was designed to the specifications of a private road which now provides access to Walnut Ridge Estates. Infrastructure was designed to accommodate future extensions to serve a residential development. The plans did not show a conceptual layout for a residential development.

The River Community Church Planned Development (PD) project was approved by the Township Board in August 2013 under Site Plan Application #511. As part of the project, the Township and the developer entered into a Planned Development Agreement on August 20, 2013. The PD Agreement outlines the allowed uses for the PD as well as the developer’s and Township’s obligations for future expansions. Future expansions would require additional approvals and amendments to the PD plan and PD Agreement. The church facility was constructed between 2013 and 2014 and opened in March 2015. At some point the name of the church changed to Venture Church.

#### Walnut Ridge Estates PD (2015)

In 2015, an application was submitted for a 64-unit single-family condominium development with an option for a 65<sup>th</sup> unit, known as Walnut Ridge Estates Planned Development. The proposed residential development is north of the Church complex. The planned development project was reviewed under Site Plan Application #530 which was approved by the Township Board on March 15, 2016. This project was considered an amendment to the original PD Agreement and site plans of The River Community Church PD. The original PD Agreement was amended as part of this request as noted below. A Master Deed and Condominium By-Laws for Walnut Ridge Estates Condominiums were also required. This development was completed in 2022, with 65 condominium units.

#### 1<sup>st</sup> Amendment to the PD Agreement (2016)

The first amendment to the PD Agreement, dated April 20, 2016, outlines the specifics of the residential development (Walnut Ridge Estates PD) including phasing of the construction of the condominium units, future site improvements, and obligations of the Developer (Venture Church), the Residential Developer (Walnut Ridge Estates, LLC), and the Township.

#### Request and Project Summary

The applicant is requesting site plan with special land use approval for child care center at 8457 Highland Road. The proposed child care center use is considered a Special Land Use. In addition, the applicant is requesting to amend the Planned Development Agreement (2013) to eliminate the developer’s obligation to install a sidewalk and boardwalk along the frontage of the property along Highland Road. These two (2) requests will be reviewed separately in this memorandum.

#### REVIEW OF PROPOSED SPECIAL LAND USE– Child Care Center

Based on the applicant’s explanation, the request is to establish a child care center (Grumlaw Child Care Center) in the existing church building at 8457 Highland Road. The intent is to use existing classrooms in the west wing of the building for the child care center, as shown on the submitted floor plan. A fenced playground area is shown on the northwest side of the building.

A phased approach is proposed for the child care center, with Phase 1 having preschool age children; Phase 2 will add toddlers and infants; and Phase 3 will include before and after care for elementary age children. At the Phase 3 stage, the child care center will include children ages birth through thirteen (13) years old, with a maximum allowed total of 112 children, per State licensing regulations.



The applicant estimates a total of twenty-five (25) employees at maximum capacity (Phase 3), including part-time workers. The child care facility is open Monday through Friday, from 7:30 a.m. to 6:00 p.m.

Each family will park their car and walk the children into the building, via the main building entrance on the west side of the building. Pick-up is the same scenario of parking and picking up the child from the building. The proposed vehicular circulation plan shows ingress into the site via the eastern driveway and egress via the western driveway. Parking is provided west of the building.

A separate outdoor, fenced, playground area is northwest of the building, and has a double gate. The fenced playground area is approximately 66 feet by 74 feet. The black aluminum fence is four (4) feet in height. A land use permit for the fence was issued on May 25, 2023, under Land Use Permit #23-140, to be used initially for a playground area for children associated with current church activities.

The applicant has noted that there is one (1) unique usage week for Kids Summer Camp, where additional children from the community will be added to the daily number of children on-site for that week. The additional children will be dropped off in the morning using the existing east entrance off Highland Road, with a drop-off at the main building entrance (west side of building). The child care children will be included in the summer camp.

The Definitions section of the Zoning Ordinance (Section 2.44.A.) defines **Child care center or day care center** as the following:

*A facility other than a private residence, receiving more than six (6) preschool or school age children for group day care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. "Childcare center" or "day care center" does not include a Sunday school conducted by a religious institution or a facility operated by a religious institution where children are cared for during short periods of time while persons responsible for such children are attending religious services.*

The subject property was approved as a Planned Development and has a Planned Development Agreement as part of their approved plan. Per the 2013 Planned Development Agreement, use of the church facility will be limited to and include all activities typical of a church. The Site Plan Review Committee of the Planning Commission held an informal meeting with the applicant on May 3, 2023 to discuss the project. The Committee determined that a child care center is consistent with the 2013 Planned Development Agreement language, and is an activity typical of a church.

A child care center is considered a Special Land Use in several zoning districts, and subject to the criteria and standards contained within Section 6.6 (Special Uses) and Section 4.12 (Adult Care and Child Care Facilities) of the Township Zoning Ordinance. This request will be treated similarly, as a Special Land Use. The request also requires site plan approval thus there are two application elements: special land use and site plan approval for the proposed child care center. Although there are technically two elements, all are incorporated into one, combined site plan which will be reviewed and approved concurrently. Modifications to the site layout are proposed which will be reviewed as part of the site plan review.

Per the Hartland Township Zoning Ordinance and the State Enabling Act, a public hearing is required for the special land use application. Given the requirements for publishing a notice for the special land use, the public hearing has been scheduled for the June 22, 2023, Planning Commission meeting.

**Request and review of the plans**

The applicant is requesting site plan with special land use approval for child care center at 8457 Highland Road. The proposed child care center is considered a Special Land Use.

The proposed child care center is to be housed in existing classrooms rooms in the west wing of the church building. No interior changes are proposed on the submitted floor plan. A fenced playground area is shown, in the northwest corner of the building, that includes a four (4) foot high black, aluminum metal fence, and one (1) double gate. Changes to the existing parking lot are not proposed.

Following is a summary of the project.

**Exterior modifications of the site**

The applicant provided a site plan which shows the proposed fenced playground. The fencing was approved under Land Use Permit #23-140, with the condition that approval of the fence did not include approval of a child care center.

**Approval Procedure for Child Care Center**

The proposed use, child care center, requires approval from the Township Board for the special land use. The Planning Commission will review the special land use and make a recommendation to the Township Board.

The project also requires the site plan to be reviewed by the Planning Commission who will make a final decision on the site plan. The plans will be reviewed using applicable development standards associated with uses related to Adult Care and Child Care Facilities (Section 4.12) and all applicable zoning standards in the Zoning Ordinance.

**SPECIAL LAND USE REVIEW – General Standards**

In accordance with Section 6.6, Special Uses, of the Hartland Township Zoning Ordinance, the following standards shall serve the Planning Commission and Township Board as the basis for decisions involving such uses. The standards are provided below, and the applicant has submitted a letter, dated May 31, 2023, which addresses the special use criteria.

- A. Be harmonious and in accordance with the objectives, intent, and purposes of this Ordinance.
- B. Be compatible with the natural environment and existing and future land uses in the vicinity.
- C. Be compatible with the Hartland Township Comprehensive Plan.
- D. Be served adequately by essential facilities and public services, such as highways, streets, police and fire protection, drainage ways and structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed use shall be able to adequately provide any such service.
- E. Not be detrimental, hazardous, or disturbing to the existing or future neighboring uses, person, property, or the public welfare.
- F. Not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

The Planning Department believes the proposed use can and will meet the criteria listed above for the special land use request. The applicant has provided responses to the Special Land Use general standards as an attachment, dated May 31, 2023. The applicant will be responsible for all applicable approvals and permits from other agencies and departments for the proposed use.

**SPECIAL LAND USE REVIEW – Applicable Site Standards**

In addition to a finding by the Planning Commission and Township Board that the criteria above have been satisfied, the Use Standards of Section 4.12, Adult Care and Child Care Facilities, apply. Those standards are listed below, followed by staff's findings on each standard.

**Adult Care and Child Care Facilities (Section 4.12)**

1. Licensing. In accordance with applicable state laws, all such facilities shall be registered with or licensed by the Department of Social Services and shall comply with the minimum standards the State of Michigan has outlined for such facilities.

*The applicant has stated the child care center will be licensed with the State of Michigan.*

2. Setbacks. Buildings housing adult or child care facilities shall have a minimum side yard setback of at least forty (40) feet.

*The existing building meets this setback.*

3. Location. The group day care home shall not be located closer than 1,500 feet to any of the following:

- A. Another licensed group day-care home.
- B. Another adult foster care small group home or large group home licensed under the Adult Foster Care Facility Licensing Act.
- C. A facility offering substance abuse treatment and rehabilitation service to seven (7) or more people under Article 6 of the Public Health Code.
- D. A community correction center, resident home, halfway house, or other similar facility which houses an inmate population under the jurisdiction of the department of corrections.

*These standards do not pertain to a child care facility.*

4. Fencing. Appropriate fencing shall be provided for the safety of children in the group daycare home, as determined by Hartland Township.

*Four (4) foot high, black aluminum fence with a double gate, is shown around the playground.*

5. Property. The property shall be maintained consistent with the visible characteristics of the neighborhood.

*The proposed modifications to the site are minimal and are consistent with the visible characteristics of the neighborhood. The church building shields the view of the fenced playground area when viewing from Highland Road.*

6. Hours of Operation. A group day-care home shall not exceed 16 hours of operation during a 24-hour period.

*The hours of operation are from 7:30 a.m. to 6:00 p.m., Monday through Friday.*

7. Parking. Off-street parking shall be provided for employees and shall meet the requirements of Section 5.8, Off-Street parking Requirements.

*Parking calculations are provided below, using the data from the applicant and parking standards for Day Care Center and Church uses as outlined in Section 5.8.*

8. Compliance. A State licensed or registered family or group day-care home that operated before March 30, 1989, is not required to comply with the above requirements.

*Not applicable to the proposed child care center.*

9. In the NSC, Neighborhood Service Commercial District, the outdoor recreation area for adult care centers, child care centers, preschool and day care centers shall be in the rear or side yard only.

*The site is zoned PD (Planned Development) thus these regulations do not apply.*

#### **SITE PLAN REVIEW – Applicable Site Standards**

The applicable site standards include those standards related to the proposed use, child care center, as outlined in Section 4.12 of the Zoning Ordinance, as discussed above; and all applicable zoning standards in the Zoning Ordinance.

In this case the applicant intends to establish a child care center in an existing church building and interior renovations are not proposed.

The relevant section of the Zoning Ordinance is discussed in the next section.

#### **Off-Street Parking (Sec. 5.8.4.H. – Day Care Centers and Churches)**

This section discusses parking requirements for Phase 3 of the child care center when the enrollment could be a maximum of 112 children.

The parking formula for a day care center is one (1) space per employee plus one (1) space per 8 children. For a church, the required parking is one (1) space for each three (3) seats. The parking requirements are summarized in the chart below:

Required parking spaces DAY CARE USE	Required parking spaces CHURCH USE	TOTAL required	Existing parking spaces
39 spaces  (25 employees; + 112 children ÷ 8 = 14 spaces)	276 spaces*  (830 seats ÷ 3 = 276 spaces)	315 spaces	424 spaces plus 63 deferred parking spaces

- Meets Requirement: Yes
- Comments: \*Typically parking demands for church services would occur on the weekend and the proposed child care center operates Monday through Friday.

## **REVIEW OF REQUEST TO AMEND THE PLANNED DEVELOPMENT AGREEMENT**

### **Background Information**

As part of the approval of The River Community Church Planned Development (SP #511- F), the developer (the Church) was obligated to provide several site improvements as outlined in the Planned Development Agreement (2013).

At the informal meeting held on May 5, 2023, the Site Plan Review Committee asked the applicant for an update on each item as part of the Special Land Use with Site Plan Application #23-006. The required site improvements are listed below, with an explanation of the current status of each item.

1. Install and maintain a running/workout trail with workout stations as depicted or described on the approved site plan.

*The wood chip running/workout trail has been installed.*

2. Install, maintain, repair and/or replace the storm water management facilities to ensure that they continuously perform their designed function as part of the storm water drainage system for the development.

*The approved site plan for the church site (SP #511- F) did not include curb and gutter around the parking lot as is typically required as part of a storm water management system. The proposed storm water management system for the site included sheet drainage from the paved areas, that was directed to vegetated bioswales along the south side of the parking lot. The bioswales were designed to improve water quality of the storm water from the parking areas prior to entering into the forebay of the detention basin near the west property line. Rip-rap check dams were installed within the bioswales. Per the approved landscape plan, the vegetated bioswales included a variety of perennial plants and shrubs whose purpose was to filter the storm water run-off prior to discharge. Plant material included grasses, sedges, and forbs.*

*Over time, the plant material in the bioswales transitioned entirely to mowed grass. The rip-rap check dams remained in place. Upon discovery of this change, the Township had concerns about the functionality of the storm water management system, given that the bioswale vegetation was now mowed lawn. The Township asked the church to provide a professional review of the current conditions of the storm water management system, and in particular the function of the swales, as a pre-treatment method for storm water run-off.*

*Boss Engineering Company provided a review letter dated October 15, 2018, stating that the mowed lawn (grass) swale was functioning as well as the originally design bioswale, based on their visual observation over the last two (2) years (exact observation timeframe was not provided).*

*At the May 3, 2023 meeting, the Site Plan Review Committee asked the applicant to provide a review letter from the Livingston County Drain Commissioner's office regarding the current status of the grass swale and its functionality in the overall storm water management system. Ken Recker, Chief Deputy Drain Commissioner, provided comments in an email dated May 31, 2023, stating the grass swale is generally stable and functioning well, if not as an actual bioswale. Mr. Recker concurred with the findings of Boss Engineering, in the letter dated October 15, 2018.*

*An additional review was provided by the Township's former engineering consultant, Hubbard, Ross, and Clark (HRC), who was involved with the review of the storm water management system*

*for the church property in 2013. In the email dated May 8, 2023, Mr. Darga from HRC notes that visually, the swale is functioning properly as the original bioswale was intended to do, and additional wetland plantings are not necessary.*

3. Install a hard surfaced (i.e. no dirt or gravel) frontage pathway along Highland Road/M-59.

*The Planned Development Agreement (2013) outlines the developer's (Church's) obligation to install a frontage pathway in Article 2, sub-section 2.13. Per the Final Plan (SP #511-F) a 10-foot-wide "future bike path" is shown along the frontage of Highland Road. The pathway has not been installed as of the date of this memorandum.*

Based on information provided by the applicant, the requirement to install a running trail has been fulfilled. The storm water management system is functioning as it was intended to do, utilizing grass swales in place of bioswales, per the review of the system by three different professionals.

The last item on the list is the pathway along Highland Road, which has not been installed. Grumlaw Church submitted a written request, dated May 31, 2023, to eliminate this requirement from the Planned Development Agreement. The applicant's reasons for the request are outlined in the letter dated May 31, 2023. The letter is provided as an attachment.

This request is considered an amendment to the Planned Development Agreement from 2013, specifically as outlined in Article 2 – Developer's Obligations, subsection 2.13. As part of the discussion of the pathway obligation, staff was directed by the Site Plan Review Committee to review the history of a pathway along Highland Road for Hartland Estates Planned Development, Phase 1 and 2, which is discussed below.

#### Hartland Estates Planned Development Pathway

Hartland Estates development (Phase 1 and 2) is located east of Grumlaw Church and has frontage along Highland Road, from the east property line of the church property to Cullen Road. A portion of Phase 2 of Hartland Estates is directly adjacent to the east property line of Grumlaw Church.

Phase 1 of Hartland Estates Planned Development is the eastern portion of the development, with frontage along Highland Road and Cullen Road. The site plans for Phase 1 were reviewed under Site Plan Application #223 in 1997. Phase 1 has 86 site condominium units. The site plans did not show a pathway along the Highland Road frontage, nor was a pathway discussed in the staff memorandums associated with SP #223. Phase 1 of Hartland Estates was approved by the Township Board on August 5, 1997.

Phase 2 of Hartland Estates was reviewed under SP #302, and approved by the Township Board on October 2, 2001, for an additional 69 site condominium units. This is the western portion of the development, with frontage along Highland Road, and sharing a common property line with Grumlaw Church. A pathway along Highland Road was discussed under SP #302 and is shown as a 10-foot wide asphalt pathway on the submitted plans. Per the plan, the pathway along Highland Road starts at the west property line of Phase 2 of Hartland Estates (and abuts the east property line of the church property) and ends at the western boundary of Phase 1. Other site plans (from SP #302) show a landscaped berm along the frontage of Highland Road, approximately in the same location as the pathway. The pathway is not shown on those plans. It is unclear how the pathway could be installed due to the conflict with the berm and limited level area near the right-of-way of Highland Road. As it turns out, the pathway was not installed, and it appears to not be a requirement of Hartland Estates PD Phase 2. The file documents do not include any insights as to why the pathway was not required or installed. One might assume that spatial constraints and the conflict with the landscaped berm could have been reasons for not building the pathway.

**Approval Procedure for the request for Amendment to the Planned Development Agreement**

The applicant's request to eliminate the obligation of the developer (Church) to install a frontage pathway along Highland Road is considered an amendment to the Planned Development Agreement. The amendment to the PD requires a recommendation from the Planning Commission to the Township Board. The Township Board makes the final decision.

If approved, an Amendment to the Planned Development Agreement is required, which is subject to the requirements of the Township Attorney.

**Other Requirements-Zoning Ordinance Standards**

Nothing additional at this time.

**Hartland Township DPW Review**

No comments at this time.

**Hartland Township Engineer's Review (SDA)**

No comments at this time.

**Hartland Deerfield Fire Authority Review**

Please see the email from the Hartland Deerfield Fire Authority, dated April 25, 2023.

**Attachments:**

1. Hartland Deerfield Fire Authority email dated 04.25.2023 – *PDF Version*
2. Applicant's summary dated 05.31.2023 – *PDF Version*
3. Planned Development Agreement Article 2 subsection 2.13 – *PDF Version*
4. Section 4.12 Adult and Child Care Facilities – *PDF Version*
5. Boss Engineering letter dated 10.15.2018 – *PDF Version*
6. HRC email dated 05.08.2023 – *PDF Version*
7. Ken Recker, LCDC, email dated 05.31.2023 – *PDF Version*
8. Floor plan and site plan – *PDF version*
9. Fence details – *PDF version*
10. Vehicular circulation plan– *PDF Version*
11. Grumlaw Church Letter 05.31.2023– *PDF Version*

CC:

SDA, Twp Engineer (via email)

Mike Luce, Twp DPW Director (via email)

A. Carroll, Hartland FD Fire Chief (via email)

T:\PLANNING DEPARTMENT\PLANNING COMMISSION\2023 Planning Commission Activity\Site Plan Applications\SUP #23-006 GrumlawChild Care\ Staff Reports\Planning Commission\SUP #23-006 PC staff report 06.15.2023.docx

## Martha Wyatt

---

**To:** Martha Wyatt  
**Subject:** Grumlaw Church Daycare Plan

---

**From:** Jon Dehanke <[jdehanke@hartlandareafire.com](mailto:jdehanke@hartlandareafire.com)>  
**Sent:** Tuesday, April 25, 2023 9:11 AM  
**To:** Troy Langer <[TLanger@hartlandtwp.com](mailto:TLanger@hartlandtwp.com)>  
**Subject:** Re: Daycare Plan

No issues with Grumlaw's preschool / daycare, met with them yesterday.

Jon Dehanke, Captain / Fire Inspector  
**Hartland Deerfield Fire Authority**  
3205 Hartland Rd. Hartland, MI 48353  
Phone: (810) 632-7676  
[Email:jdehanke@hartlandareafire.com](mailto:jdehanke@hartlandareafire.com)





RECEIVED

MAY 25 2023

HARTLAND TOWNSHIP

Nearly one half of Michigan families live in a community without enough childcare options. In response, the State of Michigan is pursuing the addition of 500 new childcare centers per year for the next two years - 1000 total. In an effort to serve our community and utilize our existing kids space, Grumlaw is submitting a special use permit application for the approval to open a childcare center.

### **Scope**

**Total Capacity:** 112 students per State licensing regulations. Ages birth through 13 years old (before and after school care).

### **Phased Approach based on community response and room availability**

**Phase 1:** Preschool age

**Phase 2:** The addition of toddlers and infants

**Phase 3:** The addition of before and after care for elementary age children

**Total Employees:** Up to 25 at max capacity and including part time status

**Building Requirements:** Existing space, with current west entrance access. The only external change to the building will be a fenced playground located on the north west side of the building with no visibility from M-59.

the church building area shall be turned off no later than 10:00 p.m. each evening. The west parking lot lighting will also be turned off no later than 10:00 p.m. unless the facility is being used.

2.13 At such time as the Future Residential and/or Church/Recreation on the north portion of the Property is developed, or, if frontage pathways are installed along M-59 to abut either the east or west boundary of the Property adjacent to M-59, Developer will, at that time, install a hard surfaced (i.e. no dirt or gravel) frontage pathway along M-59. Developer shall also, at such time as the Future Residential and/or Church/Recreation is developed, extend the hard surfaced frontage pathway from M-59 north along the east boundary of the Property to the southern boundary of the Future Residential and/or Church/Recreation as depicted on the Site Plan..

2.14 The Developer will also make road improvements to M-59 as determined by the MDOT. This includes but may not be limited to the addition of right-turn tapers at both of the church's driveways, as well as extension of the center left turn lane.

2.15 Except as otherwise provided herein and in the attached exhibits, Developer shall adhere to the existing Zoning Ordinance of the Township.

#### Article III – Township's Obligations

3.1 The Township shall grant to the Developer and its contractors and subcontractors, all Township permits and authorizations necessary to bring all utilities including, without limitation, electricity, telephone, gas, cable, water, storm and sanitary sewer to the Property and to otherwise develop and improve the Property in accordance with the Site Plan provided that Developer has made all requisite filings and submissions, paid all requisite fees and provided that such utilities conform to applicable state, Livingston County and Township specifications. The Township shall not unreasonably delay providing or issuing permits, authorizations and submissions required in connection with the development and use of the Property in accordance with this Agreement. The Township shall cooperate with the developer in connection with the Developer's applications for any necessary county, state, federal or utility company approvals, permits or authorizations to the extent that such applications are consistent with the Site Plan and this Agreement.

3.2 All improvements constructed in accordance with this Agreement and the Site Plan shall be deemed to be conforming under the Zoning Ordinance of the Township in effect on the date of this Agreement.

#### Article IV – Mutual Obligations and Future Development

4.1 The parties understand and agree that Developer does not have specific plans for the Future Residential and/or Church/Recreation development phase on the northern portion of the Property and agree that such future development shall be limited to church, residential, and/or recreational uses. The parties further understand and agree that the Future Residential and/or Church/Recreation development will require an amendment to the Site Plan and may require an amendment to this Agreement, both of which must be first approved by the Township prior to development of the Future Residential and/or Church/Recreation area. The total land covered by the church building and its related land improvements in relation to the remaining northern portion of the land identified as Future Residential and/or Church/Recreation will be

representations of specified anatomical areas, specified sexual activities or obscene representations of the human form; and may not include animated or flashing illumination.

- J. Entrances to Sexually Oriented Businesses must be posted on both the exterior and interior walls, in a location clearly visible to those entering and exiting the business, and using clearly marked lettering no less than two (2) inches in height stating that: (1) "Persons under the age of 18 are not permitted to enter the premises," and (2) "No alcoholic beverages of any type are permitted within the premises unless specifically allowed pursuant to a license duly issued by the Michigan Liquor Control Commission."
- K. No product or service for sale or gift, or any picture or other representation of any product or service for sale or gift, shall be displayed so as to be visible by a person of normal visual acuity from the nearest adjoining right-of-way of a public street or private street or a neighboring property.
- L. Hours of operation shall be limited to 10:00 AM to 10:00 PM, Monday through Saturday. All Sexually Oriented Businesses shall remain closed on Sundays and legal holidays.
- M. All off-street parking areas shall comply with this Ordinance and shall be illuminated after sunset during all hours of operation and until one (1) hour after the business closes. The illumination shall be designed in accordance with Section 5.13, Lighting.
- N. Any booth, room or cubicle available in any Sexually Oriented Businesses, except an adult motel, that is used by patrons for the viewing of any entertainment characterized by the showing of specified anatomical areas or specified sexual activities shall:
  - i. Be handicap accessible to the extent required by law;
  - ii. Be unobstructed by any floor, lock or other entrance and exit control device;
  - iii. Have at least one (1) side totally open to a public, lighted aisle so that there is an unobstructed view of any occupant at all times from the adjoining aisle;
  - iv. Be illuminated such that a person of normal visual acuity can, by looking

into the booth, room or cubicle from its entrance adjoining the public lighted aisle, clearly determine the number of people within; and

- v. Have no holes or openings in any side or rear walls not relating to utility, ventilation or temperature control services or otherwise required by any governmental building code authority.
- 5. Conditions. Prior to granting approval for the establishment of any Sexually Oriented Businesses, the Planning Commission and Township Board may impose any such conditions or limitations upon the establishment, location, construction, maintenance, or operation of the special use as in its judgment may be necessary for the protection of the public interest. Any evidence bond or other performance guarantee may be required, as proof that the conditions stipulated in connection therewith will be fulfilled.

#### 4.12 ADULT CARE AND CHILD CARE FACILITIES

The following regulations shall apply to adult care and child care facilities which provide care for seven (7) or more individuals:

- 1. Licensing. In accordance with applicable state laws, all such facilities shall be registered with or licensed by the Department of Social Services and shall comply with the minimum standards the State of Michigan has outlined for such facilities.
- 2. Setbacks. Buildings housing adult or child care facilities shall have a minimum side yard setback of at least forty (40) feet.
- 3. Location. The group day care home shall not be located closer than 1,500 feet to any of the following:
  - A. Another licensed group day-care home.
  - B. Another adult foster care small group home or large group home licensed under the Adult Foster Care Facility Licensing Act.
  - C. A facility offering substance abuse treatment and rehabilitation service to seven (7) or more people licensed under Article 6 of the Public Health Code.
  - D. A community correction center, resident home, halfway house, or other similar facility which houses an inmate population under the jurisdiction of the department of corrections.





4. Fencing. Appropriate fencing shall be provided for the safety of children in the group day-care home, as determined by Hartland Township.
5. Property. The property shall be maintained consistent with the visible characteristics of the neighborhood.
6. Hours of Operation. A group day-care home shall not exceed 16 hours of operation during a 24-hour period.
7. Parking. Off-street parking shall be provided for employees and shall meet the requirements of Section 5.8, Off-Street Parking Requirements.
8. Compliance. A State licensed or registered family or group day-care home that operated before March 30, 1989 is not required to comply with the above requirements.
9. In the NSC, Neighborhood Service Commercial District, the outdoor recreation area for adult care centers, child care centers, preschool and day care centers shall be in the rear or side yard only.

#### 4.13 AIRPORTS AND RELATED USES

Airports, landing fields and platforms, hangars, masts, and other facilities for the operation of aircraft may be permitted subject to the following conditions:

1. Plan Approval. The plans for such facilities shall be approved by the Federal Aviation Agency (FAA) and the Michigan Department of Aeronautics prior to submittal to the Township for review and approval.
2. Minimum Standards. The standards established by the FAA and the Michigan Department of Aeronautics concerning obstruction to air navigation shall be complied with.
3. Clear Zones. All required "clear zones" (as defined by the FAA) shall be owned by the airport facility.
4. Aircraft and Vehicle Parking. Sufficient parking shall be provided for aircraft storage. Additional vehicular parking shall be provided for airport users, and for offices, restaurants, sales rooms, and other uses associated with the airport, subject to the requirements in Section 5.8, Off-Street Parking Requirements.
5. Approval from Utility Companies. The plans for such facilities shall be submitted to all utility companies serving the area, including companies that have communication towers within two miles of the proposed facility.
6. Setback. No portion of any landing strip or pad, runway, or similar facility shall be located closer than five hundred (500) feet to any parcel of land that is zoned or used for residential purposes excluding the CA District. The setback shall not apply to landing strips used for private, non-commercial use.

#### 4.14 ASPHALT, TRANSIT MIX AND CONCRETE PLANTS

Concrete plants shall comply with the following regulations:

1. Setbacks. In order to reduce the effects of airborne dust, dirt and noise, plant equipment, stockpiles, truck staging areas, and similar operations shall be located no closer than one hundred (100) feet to any public or private road right-of-way line, no closer than one hundred (100) feet to any adjacent property lines, and no closer than five hundred (500) feet to any residence that is not zoned industrial.
2. Access. Asphalt, transit mix and concrete plants shall have direct access onto a paved principal arterial road. All driveways, loading areas, staging areas, and truck maneuvering areas within the site shall be paved.
3. Stacking Spaces. A minimum of five (5) stacking spaces large enough to accommodate the largest truck expected shall be provided on the premises for trucks waiting to be loaded. All stacking and waiting areas shall be contained on the site.
4. Layout. Concrete batch plants and operations shall be entirely enclosed within a building.
5. Outside Storage. Outside storage of materials other than sand, gravel and other natural materials used in the manufacturing process shall be prohibited. Sand and gravel storage and temporary storage of processed materials, where necessary, awaiting transport shall be enclosed on three sides with a wall or maintained landscaped berm. The location and size of sand and gravel storage areas shall be shown on the site plan. At no time shall stockpiles exceed fifteen feet in height.
6. Screening. Plant facilities, including parking and loading areas, shall be screened in accordance with Section 5.11, Landscaping and Screening. At the discretion of the Planning Commission, vegetative plantings or other means of sound absorption may be required to mitigate noise impacts.



3121 E. Grand River Howell, MI 48843  
517.546.4836 fax 517.548.1670  
www.bosseng.com

October 15, 2018

Mr. Troy Langer, Planning Director  
Hartland Township  
2655 Clark Road  
Hartland, Mi. 48353

Re: The Venture Church, 8457 East Highland Road, Howell, Mi.

Dear Mr. Langer,

At the request of The Venture Church we have monitored the performance of the drainage swale constructed along the front of the Church property adjacent to the Highland Road (M-59) right of way. As you are aware this swale was originally designed as a bio-swale to improve water quality coming off the parking lot prior to entering the forebay of the detention basin near the west property line.

This swale is heavily vegetated with grass and there are rip rap check dams at the required locations. We have confirmed, through visual observation over the last two years, that the swale as constructed is functioning as well as the bio-swale originally designed. It reduces velocity of the surface water and also filters the water prior to entering the forebay.

If you have any questions please feel free to contact me. Thank you.

Very truly yours,

BOSS ENGINEERING COMPANY

A handwritten signature in black ink, appearing to read "Brent W. LaVanway", written over a horizontal line.

Brent W. LaVanway, P.E.  
Director of Engineering

K:/docs/venturechurch

## Troy Langer

---

**From:** Troy Langer  
**Sent:** Monday, May 08, 2023 1:27 PM  
**To:** Troy Langer  
**Subject:** FW: Venture Church

---

**From:** Darga Mike <MDarga@hrcengr.com>  
**Sent:** Monday, May 08, 2023 12:54 PM  
**To:** Troy Langer <TLanger@hartlandtwp.com>  
**Subject:** RE: Venture Church

Troy,  
I would agree that visually the swale is functioning properly as the original bio-swale was intended to do. The check dams will need to be maintained from time to time in the future. There is also a forebay prior to entering the detention pond that helps with improving the water quality prior to entering the detention pond. I do not see a need for additional wetland plantings.

Thanks,  
[Michael P. Darga](#)  
Hubbell, Roth & Clark, Inc.  
248-535-3350 Mobile

## Martha Wyatt

---

**To:** Martha Wyatt  
**Subject:** FW: Grumlaw church Bioswale

---

**From:** Mark Frego  
**Sent:** Wednesday, May 31, 2023 4:20 PM  
**To:** Martha Wyatt <MWyatt@hartlandtwp.com>  
**Subject:** Fwd: Grumlaw church Bioswale

----- Forwarded message -----  
**From:** Ken Recker <[KRecker@livgov.com](mailto:KRecker@livgov.com)>  
**Date:** Wed, May 31, 2023, 10:47 AM  
**Subject:** Grumlaw church Bioswale

Mark,

It was a pleasure meeting you out at the Church site at 8457 E. Highland Road, Howell, MI, earlier today.

We walked the swale to the south side of the church building, that runs the length of the church parking lot prior to discharging at the southeast corner of the detention basin forebay.

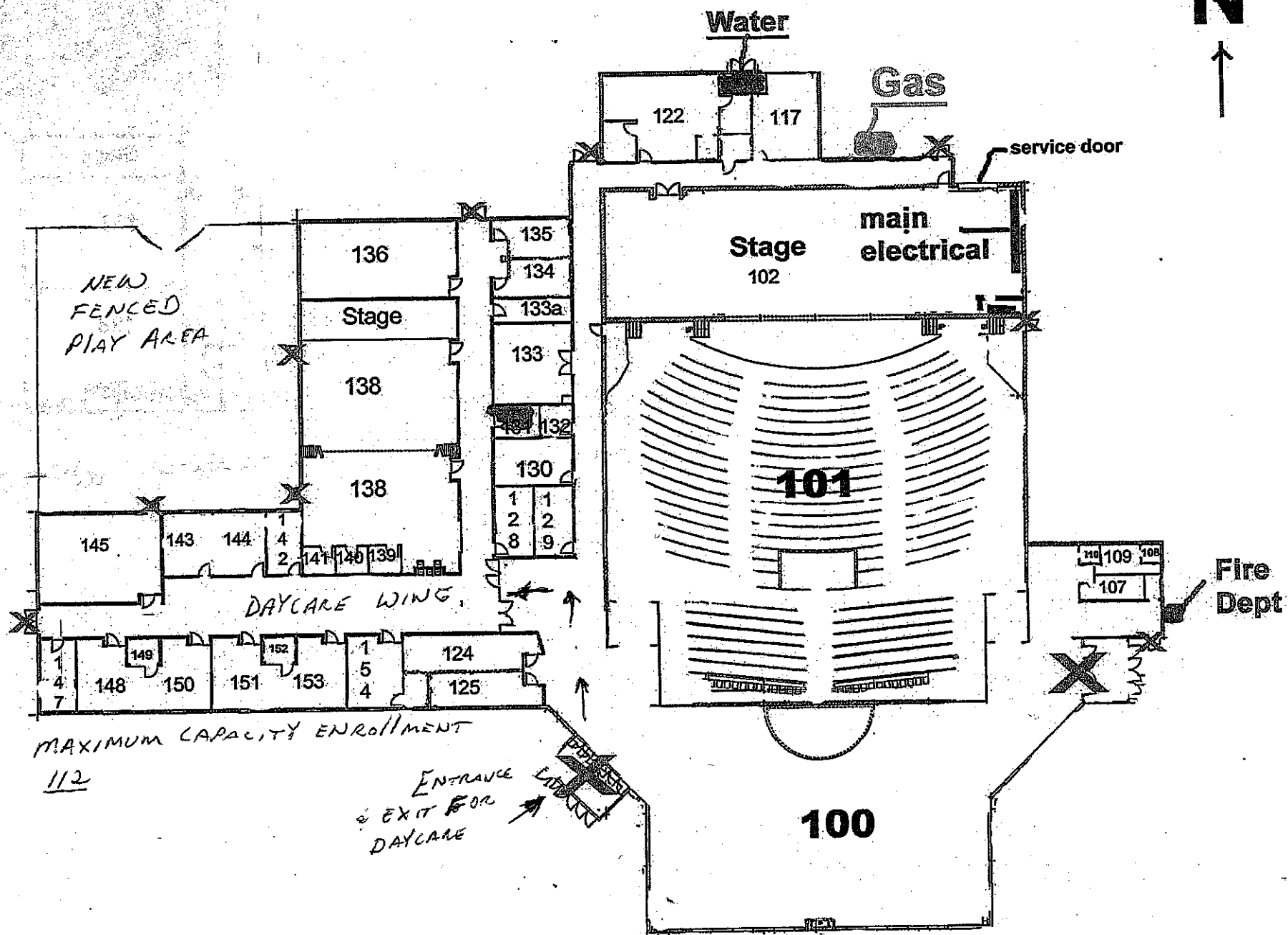
The swale is generally stable and functioning well, if not as an actual bioswale. As we discussed, if the church wanted it to function as a bioswale, the swale bottom would be mowed with a brushhog once a year, as opposed to regular mowing. Of course the appearance would look more like the downstream side of the twin 18" tubes under the entrance drive, than the upstream side.

I'd concur with Boss Engineering's letter of October 15, 2018, as to the stability of the drainage swale in the front of the church property.

If you need anything further let me know.

Kenneth E. Recker, II, P.E.

Chief Deputy Drain Commissioner





SITE PLAN APPROVED

MAY 25 2023

FOR LAND USE PERMIT  
HARTLAND TOWNSHIP





500' → ✓



4' HIGH BLACK ALUMINUM  
FLAT TOP W/ 1- 8 FOOT DOUBLE  
GATE

FOR LAND USE PERMIT  
HARTLAND TOWNSHIP

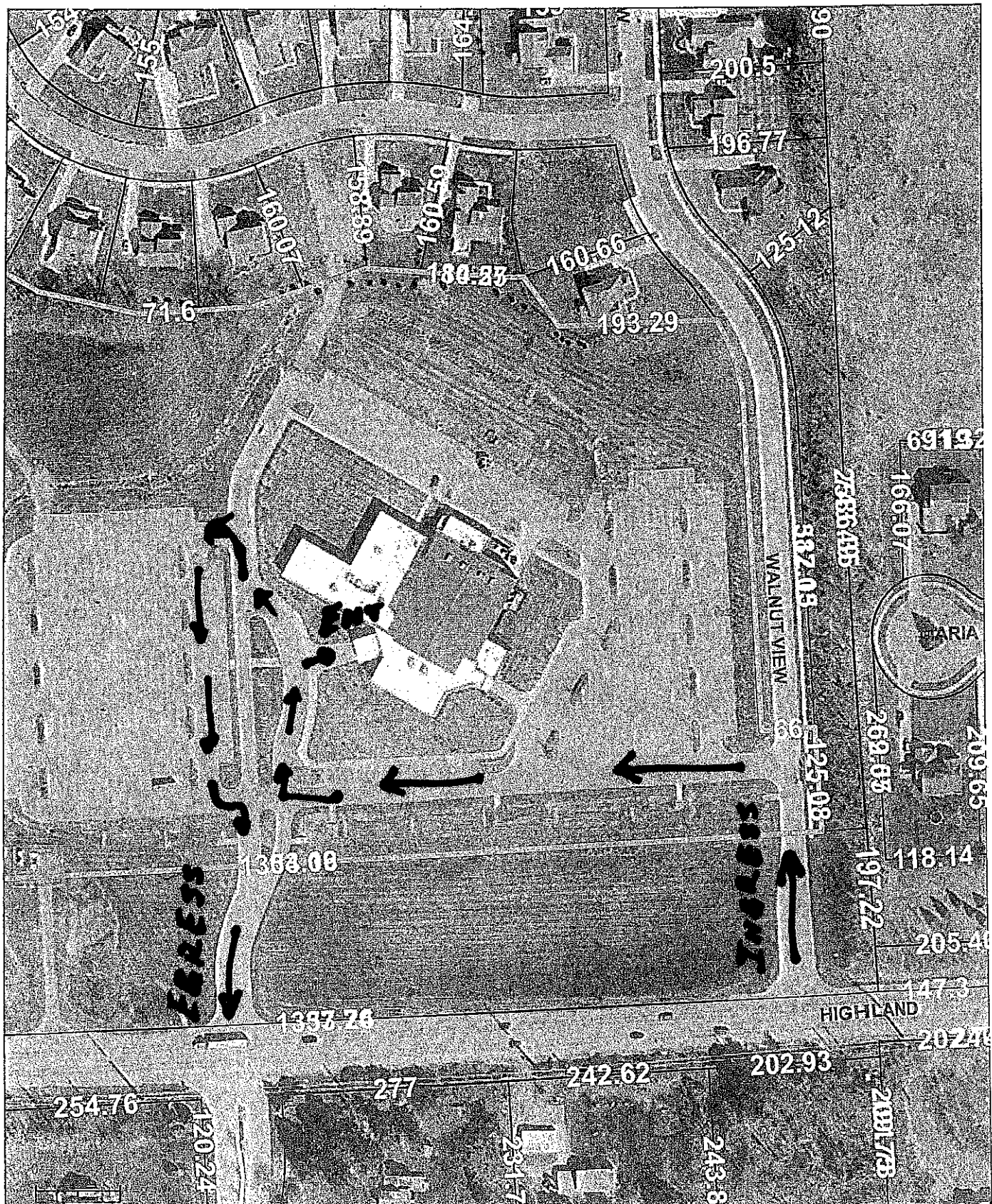


**SITE PLAN APPROVED**





# HARTLAND TWP





May 31, 2023

According to Michigan Licensing and Regulatory Affairs and Michigan Department of Education, nearly one half of Michigan families live in a community without enough childcare options. In response, the State of Michigan is pursuing the addition of 500 new childcare centers per year for the next two years - 1000 total. In an effort to serve our community and utilize our existing kids space, Grumlaw is submitting a special use permit application for the approval to open a childcare center.

#### **Scope**

**Total Capacity:** 112 students per State licensing regulations. Ages birth through 13 years old (before and after school care).

#### **Phased approach based on community response and room availability**

**Phase 1:** Preschool age

**Phase 2:** The addition of toddlers and infants

**Phase 3:** The addition of before and after care for elementary age children

**Total Daycare Employees:** Up to 25 at max capacity and including part time status. Monday through Friday usage.

**Current Grumlaw Employees:** 19 with a mix of full time and part time status and a set work week of Sunday through Thursday. One morning per week all staff is on site, balance of week average of 5 on site working.

**Building Requirements:** Existing space, with current west entrance access. The only external change to the building will be a fenced playground located on the north west side of the building with no visibility from M-59.

Parking lot currently contains 424 spaces. Proposed center parents will park and enter the building to drop their child(ren) off each day. The only unique usage week will be our Kids Summer Camp week where we will add additional children from the community for part of the day. The additional children will be dropped off in the morning using the existing east entrance off M-59, with drop off at a main door entrance. The childcare center kids will be included in the camp.

**Planned Development Agreement Request:**

Grumlaw Church is asking Hartland Township to remove the requirement from The River Community Church's Planned Development Agreement to install a 10-foot-wide sidewalk and boardwalk into the wetlands that would run along the frontage of the church property, along Highland Road. The reasons for this request are that this sidewalk will not connect anywhere, as to the west there is undeveloped wetlands with no connection, and to the east is Hartland Estates, an established subdivision that was not required to install such sidewalk. In addition, the grade running along Highland Road at Hartland Estates is so steep it would prevent a sidewalk from safely being constructed. We also feel extending a wooden boardwalk into the wetlands could potentially become a liability if someone was to fall off it. Lastly, we have had constituents strongly express disapproval of the church using their tithes to fund a sidewalk that requires maintenance and does not connect anywhere.

See attached from Livingston County Drain Commission Office regarding the bioswale condition.

**Special Use Criteria Response:**

1. The proposed child care center will meet the intent of the ordinance as well as the specific special use criteria.
2. The proposed child care center will utilize current, in place facilities, with the exception of a fenced playground located on the north west side of the building. The fence will not be visible from M-59.
3. The proposed use is within the existing comprehensive plan.
4. The proposed center will be located in the existing church facilities with required streets, utilizing public water and sewer that meets the proposed usage criteria. The Fire Department has reviewed the space and has no objections.
5. We do not anticipate any detrimental or hazardous impact to existing or future neighboring uses. The center is contained within existing facilities and the new playground.
6. The proposed use will not require any additional public facilities. All are in place.