



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2025-0006 V2

TO: Mayor and City Council Members

FROM: Chris McLeod, Planning Manager, ext. 2572

DATE: January 17, 2025

SUBJECT: Request for conditional use approval for Ms. Danielle's Daycare (Danielle lafrate) to allow for a State Licensed Residential Facility (7-12 children) for the purposes of operating an in-home child daycare at 2557 John R., located on the east side of John R. between Auburn and Hamlin Roads.

REQUEST:

Approval of a conditional use to allow for Ms. Danielle's Daycare, a State Licensed Residential Facility (7-12 children) for the purposes of operating an in-home child daycare, at 2557 John R. The property is currently zoned R-4 One Family Residential District.

BACKGROUND:

The applicant has filed for a Conditional Use Permit to conduct an in-home daycare operation for up to 12 children out of their existing residence located at 2557 John R., regulated overall as a State Licensed Residential Facility (7-12 children). Such facilities require a conditional use permit in the R-4 One Family Residential District. Outside of specific City regulation, the use would be largely regulated by the State of Michigan.

The proposed daycare would be an expansion of the daycare that is currently operated out of the residence at 2557 John R, located on the west side of John R., between Hamlin and Auburn. The current operation provides daycare services to up to seven (7) children. The state license was amended to allow an increase from the original six (6) children to seven (7). The children would range in age from 6 months to approximately 5 years of age. The applicant has provided a floor plan of the existing residence showing the living and dining rooms and kitchen space where activities will likely occur.

The proposed use will also provide outdoor activities within the yard. It is noted that outdoor activities will include time spent riding tricycles in the circle end of the driveway and that children will also be taken on walks around the rear portion of the 2.3-acre property. It is also noted that outdoor activities will occur towards the rear of the site, more than 200 feet from John R. The property to the south and east of the residence is a place of worship and private school, and it includes parking and maneuvering areas to the south and open and recreation space to the east. Therefore, there should be no impacts from outdoor daycare activities to that property. To the north, there are 3-4 residences that abut the subject property. These lots are relatively deep and vegetated, albeit the vegetation is of a deciduous nature. This should help reduce and noise impacts from the children's playtime outside. However, concerns were raised by several of these residents at the Planning Commission meeting. To the west, in front of the residence (between the residence and John R.) there are two (2) residences. Again, these lots are deeper than typical R-4 lots, being approximately 200 feet in depth, and should also have limited impacts from the limited outdoor activities proposed by the daycare.

The applicant has approximately fifteen (15) years' experience operating daycares. This includes operation of the current daycare onsite along with a previous daycare of this size and nature in Clinton Township prior to the applicant moving to Rochester Hills. As part of the daily operations, if approved, the daycare could include up to 12 children (although the applicant has noted that she will likely not have more than eight (8) children) and as noted in the applicant's letter, the potential of one employee/helper to help maintain proper caregiver/child ratios. The applicant did note that many of her current clients have multiple children in the daycare and that the proposed expansion is in part of accommodate the growth of some of these existing families. The daily programming would include indoor and outdoor activities, including free play, breakfast, reading and singing, recess and a preschool curriculum.

Drop off for children will occur in the areas designated for parking at the east end of the residential driveway. The applicant noted at the meeting that designated drop off and pickup times are between 8:00 a.m. and 9:00 a.m. and 4:00 p.m. and 5:00 p.m. respectively. The plan notes that there is space for approximately nine (9) vehicles at the end

of the driveway, near the house. One of the main issues that typically arise with the review of a daycare facility is the congestion that may be caused by multiple pickups and drop-offs occurring at the same time. The site has a driveway of over 200 feet in length and areas where parking can occur in such an instance without impacting John R. or the site itself. The residents to the north did indicate a concern regarding traffic and lights from the cars. The Planning Commission did not feel the amount of traffic would be impactful to the neighbors, and that the time of day the pickups and drop-offs will occur would not cause an issue with light pollution.

The applicant discussed with the Planning Commission that there was no intent to have a sign on the site advertising the daycare. The Planning Commission also added a condition to restrict the hours of operation to Monday through Friday, 8:00 a.m. – 5:00 p.m.

The issuance of the conditional use permit is a discretionary decision by the City Council based on five general criteria contained in Sec. 138-2.302 of the Zoning Ordinance as follows, which are included in the resolution:

- 1) *Will promote the intent and purpose of this chapter.*
- 2) *Will be designed, constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use and the community as a whole.*
- 3) *Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, refuse disposal, or that the persons or agencies responsible for the establishment of the land use or activity shall be able to provide adequately any such service.*
- 4) *Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.*
- 5) *Will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

There were several adjoining neighbors that attending the public hearing to express their concern regarding the potential for noise, light trespass, and traffic. After deliberation with the applicant and directing the applicant to work with their neighbors, the Planning Commission recommended by an 9-0 vote in favor of approval of the conditional use with several findings and conditions as reflected in the attached resolution, at its January 14th, 2024 meeting. Please refer to the attached Planning Commission minutes for further details.

RECOMMENDATION:

Finding that the proposed request to allow for a state licensed residential facility with 7-12 children meets the criteria of the Zoning Ordinance, the Planning Commission recommends that City Council approves the conditional use for Ms. Danielle’s daycare to allow a state licensed residential facility, located at 2557 John R Rd., subject to the findings and conditions noted in the attached resolution.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
Deputy City Clerk		

Contract Reviewed by City Attorney Yes N/A