

**CHARTER TOWNSHIP OF YPSILANTI**  
**PLANNING COMMISSION MEETING**

**Tuesday, May 13, 2025**

**6:30 P.M.**

**COMMISSIONERS PRESENT**

Bill Sinkule  
Gloria Peterson  
Larry Doe  
Darrell Kirby  
Amy Kehrner

**STAFF AND CONSULTANTS**

Sally Elmiger - Carlisle Wortman  
Dennis McLain – Township Attorney

- **CALL TO ORDER/ROLL CALL**

**MOTION:** Mr. Sinkule called the meeting to order at 6:30 p.m.

- **APPROVAL OF MARCH 25, 2025 AND APRIL 8, 2025, REGULAR MEETING MINUTES**

**MOTION:** Mr. Kirby **MOVED** to approve the March 25, 2025 and April 8, 2025, regular meeting minutes. The **MOTION** was **SECONDED** by Mr. Doe and **PASSED** by unanimous consent.

- **APPROVAL OF AGENDA**

**MOTION:** Mr. Doe **MOVED** to approve the agenda as presented. The **MOTION** was **SECONDED** by Ms. Peterson and **PASSED** by unanimous consent.

- **PUBLIC HEARINGS**

- a. **CHILD GROUP DAYCARE – 9674 FALMOUTH DRIVE – PARCEL K-11-35-109-160** – TO CONSIDER THE SPECIAL LAND USE REVIEW APPLICATION OF MELINDA CUTLIFF TO PERMIT A CHILD GROUP DAYCARE HOME, PROVIDING CARE FOR UP TO TWELVE (12) CHILDREN ON A SITE ZONED R-3 ONE-FAMILY RESIDENTIAL.

Sally Elmiger (Planning Consultant- Carlisle Wortman) informed the Commission that the application is for a Special Land Use permit to establish a Child Group Day Care Home, providing care for up to twelve (12) children, for a site zoned R-3 One Family Residential, located at 9674 Falmouth Dr., Ypsilanti, MI 48197, Parcel K-11-35-109-160.

The ordinance requires that the Planning Commission conduct a public hearing to consider the special land use criteria in the ordinance, and the Zoning Enabling Act, or the state law that regulates zoning, requires the Planning Commission to approve a Group Child Care Home proposal if it meets the standards in the Zoning Enabling Act.

The state Zoning Enabling Act states that a Group Child Care Home shall be issued a special use permit, conditional use permit, or another similar permit if the Group Child Care Home meets all standards in the law.

The Zoning Enabling Act (ZEA) has the following standards/ requirements: A Group Child Care Home shall be issued a special use permit, conditional use permit, or other similar permit if the Group Child Care Home meets all the standards.

- a. Is located not closer than 1,500 feet to any of the following;
  - Another licensed group child care home.
  - An adult foster care small group home or large group home licensed under the Adult Foster Care Facility Licensing Act, 1979 PA 218, MCL 400.701 to 400.737.

- A facility offering substance use disorder services to 7 or more people that is licensed under part 62 of the Public Health Code, 1978 PA 368, MCL 333.6230 to 333.6251.
- A community correction center, resident home, halfway house, or other similar facility that houses an inmate population under the jurisdiction of the Department of Corrections.

Ms. Elmiger informed the Planning Commission that they had researched and did a check on the licensing Bureau of the state of Michigan for businesses, and there were no facilities within 1500 ft of the proposed site. The closest licensed group day care home is 9,134.4 ft. away.

- b. Has appropriate fencing for the safety of the children in the Group Child Care Home as determined by the local unit of government; Ms. Elmiger stated that the applicant had mentioned that the rear yard is fenced in with a 4' tall chain-link fence and a play structure is available for children to use. This was confirmed with a site visit.
- c. Maintains the property consistent with the visible characteristics of the neighborhood; The applicant has not proposed any changes to the exterior of the home, and it is consistent with the character of the neighborhood.
- d. Does not exceed 16 hours of operation during a 24-hour period. The local unit of government may limit but not prohibit the operation of a Group Child Care Home between the hours of 10 p.m. and 6 a.m.; The applicant proposes operating five (5) days a week from 7:00 a.m. to 6:00 p.m. (11 hours in a 24-hour period).
- e. Meets regulations, if any, governing signs used by a Group Child Care Home to identify itself; No signs are proposed, and none would be allowed per Sec. 1509.
- f. Meets regulations, if any, requiring a Group Child Care Home operator to provide off-street parking accommodation for its employees; The Planning department has considered two parking spaces (owner and caregiver). The Township zoning ordinance requires that two (2) parking spaces be

provided for the dwelling unit. The proposal meets the ordinance requirements.

Ms. Elmiger stated that the proposal does meet the state requirements, and the Planning Commission must approve this. The ordinance also has special land use standards, as stated in the proposal.

The Planning Department did provide several conditions. The Fire Chief and Building Official inspected for compliance with the current codes. The applicant will be providing the township with all licensing.

Also, the applicant should provide the following information:

- 1) Will the applicant's own children attend the Group Day Care? If yes, how many of the applicant's own children will attend?
- 2) The applicant should provide specific times when the outdoor play area will be used, including:
  - Times of day
  - Number of times per day
  - Duration of outdoor playtime
  - Number of children using the outdoor play area at a time
- 3) Is the applicant planning on providing any screening to the neighbors in the rear yard to help mitigate noise/activity during outdoor playtime? Does the Homeowners Association permit privacy fencing (i.e., six-foot-tall, opaque fencing)?
- 4) The applicant should confirm that they will continue to use the building as their residence and as its primary use.

The proposal does meet the state requirements for a Group Child Care Home of up to 12 children. The planning commission will have to consider the conditions as provided by the Planning Department.

#### **PUBLIC HEARING OPENED AT 6:42 P.M.**

- Leonard Hunter (9671 Falmouth Drive) stated his objection towards the opening of the day care; according to Article 10, Section 103, it will disturb the harmonious neighborhood because of increased traffic and

the noise from the backyard. Mr. Hunter shared his concern about the overflowing trash from the bins and the issues that can arise from street parking. The state requires all childcare providers to be 18 years or above and have the right qualifications. The neighborhood is in agreement that childcare would disrupt the peace in the area.

- Michael, asking (9635 Landsdowne Lane) shared that the noise from the childcare can disrupt the quietness of the community and the increase in traffic. The applicant's dog barks nonstop and has been a disturbance.
- Jamie Randall (9609 Landsdowne Lane) stated that she objects to the day care due to the noise and traffic that can arise from the day care.
- Corrine Falzon (9621 Landsdowne Lane) shared her concern that she purchased her home for retirement, and the noise/ traffic concern and this would cause a depreciation in the value of her property.
- Dan Beauregard (7158 Willington Lane) stated that having childcare in the neighborhood is not the right location.
- A resident informed the Planning Commission that the Board Packets have other objection letters from the neighbors.
- Sidney Sturgis (9647 Lansdowne Lane) requested more information due to the proposal for the upcoming day care.

#### **PUBLIC HEARING CLOSED AT 6:53 P.M.**

Commissioner Kirby informed the public that the Board would take into consideration the concerns shared regarding noise and other hindrances.

- b. **CLASS A DESIGNATION – MNL INVESTMENTS LLC – 10131 TEXTILE ROAD – PARCEL K-11-24-300-006** – TO CONSIDER THE CLASS A NON-CONFORMING DESIGNATION APPLICATION OF MNL INVESTMENTS LLC TO PERMIT THE SIGN COPY CHANGE OF AN EXISTING LEGAL NON-CONFORMING POLE SIGN.

Ms. Elmiger informed the Planning Commission that the fueling station at 10131 Textile Road has an existing pole sign, and they would like to change the copy or the face of the existing pole sign with a new Sunoco sign and fuel prices.

Ms. Elmiger informed the Planning Commission that pole signs are no longer permitted in the zoning ordinance, and this sign is non-compliant due to its height. The Planning Commission may grant a Class A nonconforming sign designation. A determination is made after a public hearing that the continuance of a nonconforming sign meets the criteria.

Ms. Elmiger stated that the Planning Department has reviewed the proposal, and it has met the criteria; the new sign will not increase in height, and there will be no changes to the location. The existing sign is structurally sound and does not obstruct visibility or interfere with pedestrians or traffic, and the Planning Commission can add conditions to any motion if they choose to designate this as a class, a non-conforming sign.

**PUBLIC HEARING OPENED AT 7:01 P.M.**

**(Hearing no comments)**

**PUBLIC HEARING CLOSED AT 7:01 P.M.**

- c. **CLASS A DESIGNATION – YPSI OIL COMPANY INC – 2120 RAWSONVILLE ROAD – PARCEL K-11-24-100-005** – TO CONSIDER THE CLASS A NON-CONFORMING DESIGNATION APPLICATION OF YPSI OIL COMPANY INC. TO PERMIT THE SIGN COPY CHANGE OF AN EXISTING LEGAL NON-CONFORMING POLE SIGN.

Ms. Elmiger informed the Planning Commission that the Office of Community Standards is in receipt of a Class A Non-Conforming Designation Application from Your Signs & Graphics Inc. representing Ypsi Oil Company Inc. requesting a Class A Designation for one, legal non-conforming sign located at 2120 Rawsonville Road, Ypsilanti, MI 48198. Ypsi Oil Company Inc. seeks this approval so it can change the copy of the existing pole sign.

The new sign has 104 square feet of signage, and the old signage has 126 square feet of signage. The existing sign structure does not comply with the current ordinance, as it is taller than permitted (approx. 19 feet vs. 6 feet) and is greater in the sign area than permitted (104.25 sq. ft. vs. 50 sq. ft.). These features make the

existing sign non-conforming. The continuation of this sign as a Class A Non-Conforming Sign is not expected to affect public health, safety, or welfare. Its presence does not obstruct visibility or interfere with pedestrian or vehicular traffic. The sign's height and setback provide adequate distance from the sidewalk, and there are no adverse safety concerns associated with the requested sign face change.

**PUBLIC HEARING OPENED AT 7:05 P.M.**

**(Hearing no comments)**

**PUBLIC HEARING CLOSED AT 7:05 P.M.**

- **OLD BUSINESS**

None to Report.

- **NEW BUSINESS**

- a. **CHILD GROUP DAYCARE – 9674 FALMOUTH DRIVE – PARCEL K-11-35-109-160** – TO CONSIDER THE SPECIAL LAND USE REVIEW APPLICATION OF MELINDA CUTLIFF TO PERMIT A CHILD GROUP DAYCARE HOME, PROVIDING CARE FOR UP TO TWELVE (12) CHILDREN ON A SITE ZONED R-3 ONE-FAMILY RESIDENTIAL.

Commissioner Kehrer stated that the Board thanked the public for sharing their concerns and comments.

Dennis McLain – Township Attorney informed the public that in 2006, the state of Michigan legislature adopted the Michigan Zoning Enabling Act. This Act governs the ability of cities, villages, townships and counties to enact, adopt and enforce their zoning rules at section 125; For a county or Township, a group child day care home shall be issued a special/ conditional use permit, or other similar permit if the group day care home meets all standards. The township or county has no authority to deny the request if the applicant has met all standards.

The applicant Melinda Cutliff shared with the commissioners that the hour of outside play is a maximum of 2 hours (9 a.m. – 11 a.m. or 3 p.m. – 5 p.m.); one hour at a time depending on the weather.

Commissioner Peterson inquired if Ms. Cutliff's children would be onsite at the day care; Ms. Cutliff stated that the older ones would give a helping hand and would not be left alone with the children as per state licensing regulations.

Ms. Cutliff informed the Planning Commission that she is starting the day care with 6 kids, and her 14-year-old daughter would be a helper and not oversee the children. Ms. Cutliff stated that she is hiring an adult to provide the support.

Commissioner Kirby inquired about the type of activities and outdoor playsets; Ms. Cutliff stated that they have no plans for the yard, but a playhouse is available on the patio.

Commissioner Peterson informed Ms. Cutliff to consider the residents in the neighborhood and have the parking/ noise in control, and not to disrupt the peace in the community.

Commissioner Doe requested Ms. Cutliff to consider planting bushes at the back/ side fence that would help cut down the noise; Ms. Cutliff stated that she would consider the options.

**MOTION:** Ms. Kehrler **MOVED** to approve the Special Land Use permit request of Melinda Cutliff for the purpose of allowing a Group Day Care Home, providing care for up to twelve (12) children, for a site zoned R-3, Residential, located at 9674 Falmouth Drive, Parcel, K-11-35-109-160 with the following conditions:

1. The applicant shall agree to enter into a Special Land Use agreement (Per Sec.1004(4), Conditions of Approval), outlining the following conditions:
  - The applicant shall supply, prior to the operation of a Group Day Care Home, to the Office of Community Standards, a day care application and all documentation as required by the day care application, including but



not limited to, scaled and accurate survey drawing, correlated with a legal description and showing all existing buildings, drives, and other improvements; copy of state license; copy of inspection reports, drawings or pictures of the house layout, showing the rooms that will be utilized for the day care.

- The Group Day Care Home shall register with the Ypsilanti Township Community Development Department and shall continually have on file with the Township documentation of a valid license as required by the state.
  - The Group Day Care Home shall be brought into compliance with all state building and fire codes pursuant to State Licensing Rules R400.1831—R400.1835 before beginning operation. Documentation of such compliance with state requirements shall be provided to the Office of Community Standards.
  - To comply with the Township sign ordinance, no exterior signs advertising the Group Day Care Home are permitted.
  - Due to the site's limited on-street parking, the number of caregivers will be limited to two (2) persons. Required off-street parking shall be provided during hours of operation.
  - The site shall be licensed by the State and meet requirements for indoor and outdoor classrooms, crib and play areas, and an outdoor play area shall be provided pursuant to state licensing rules.
2. For the safety of all occupants and upon sufficient notice, the applicant shall permit, prior to the operation of a Group Day Care Home, the dwelling to be inspected by the Township Building official and/or Fire Marshal to ensure compliance with the adopted property maintenance code.
  3. For the applicant, outdoor play will be limited to a maximum of two hours per day, one hour at a time, between the hours of 9 a.m. to 11 a.m. and 3 p.m. to 5 p.m.

The **MOTION** was **SECONDED** by Mr. Kirby.

Roll Call Vote: Mr. Doe (Yes); Mr. Kirby (Yes); Mr. Sinkule (Yes); Ms. Peterson (Yes); Ms. Kehrner (Yes).

**MOTION PASSED.**

- b. **CLASS A DESIGNATION – MNL INVESTMENTS LLC – 10131 TEXTILE ROAD – PARCEL K-11-24-300-006** – TO CONSIDER THE CLASS A NON-CONFORMING DESIGNATION APPLICATION OF MNL INVESTMENTS LLC TO PERMIT THE SIGN COPY CHANGE OF AN EXISTING LEGAL NON-CONFORMING POLE SIGN.

**MOTION:** Mr. Doe **MOVED** to approve the Class A Non-Conforming Designation application submitted by Bazo Construction on behalf of MNL Investment LLC, for one legal non-conforming pole sign at 10131 Textile Road, Ypsilanti, MI 48197, Parcel K-11-24-300-006, with the following conditions:

- The property owner shall comply with all current Township Sign Ordinance standards regarding the maintenance and repair of the sign structure.
- The property owner shall comply with ordinance lighting standards regarding sign lighting.

The **MOTION** was **SECONDED** by Mr. Kirby.

Roll Call Vote: Mr. Doe (Yes); Mr. Kirby (Yes); Mr. Sinkule (Yes); Ms. Peterson (Yes); Ms. Kehrer (Yes).

**MOTION PASSED.**

- c. **CLASS A DESIGNATION – YPSI OIL COMPANY INC – 2120 RAWSONVILLE ROAD – PARCEL K-11-24-100-005** – TO CONSIDER THE CLASS A NON-CONFORMING DESIGNATION APPLICATION OF YPSI OIL COMPANY INC. TO PERMIT THE SIGN COPY CHANGE OF AN EXISTING LEGAL NON-CONFORMING POLE SIGN.

**MOTION:** Ms. Kehrer **MOVED** to approve the Class A Non-Conforming Designation application submitted by Your Signs & Graphics Inc. on behalf of Ypsi Oil Company Inc. for one legal non-conforming pole sign at 2120

Rawsonville Road, Ypsilanti, MI 48198, Parcel K-11-24-100-005, with the following conditions.

- The property owner shall comply with all current Township Sign Ordinance standards regarding the maintenance and repair of the sign structure.
- The property owner shall comply with the ordinance lighting standards regarding sign lighting.

The **MOTION** was **SECONDED** by Mr. Doe.

Roll Call Vote: Mr. Doe (Yes); Mr. Kirby (Yes); Mr. Sinkule (Yes); Ms. Peterson (Yes); Ms. Kehrner (Yes).

**MOTION PASSED.**

- **OPEN DISCUSSIONS FOR ISSUES NOT ON AGENDA**

- **Correspondence Received**

None to Report.

- **Planning Commission Members**

None to Report.

- **Members of the Audience**

Jeremy Haley, 1547, Wismer informed the Commissioners that Norfolk Homes has two sites for 100 homes at the \$200,000 price range. The recommendation is to bring in development builders for a lower price range and not high-priced homes, which would help in building the community.

- **TOWNSHIP BOARD REPRESENTATIVE REPORT**

None to Report.

- **ZONING BOARD OF APPEALS REPRESENTATIVE REPORT**

None to Report.

- **TOWNSHIP ATTORNEY REPORT**

Dennis McLain – Township Attorney shared his concern for the people who voiced their opinion on the day care since the state balanced the needs for child day care versus the rights of people who live in the neighborhoods.

- **PLANNING DEPARTMENT REPORT**

None to Report.

- **OTHER BUSINESS**

None to Report.

- **ADJOURNMENT**

**MOTION:** Mr. Doe **MOVED** to adjourn at 7:33 p.m. The **MOTION** was **SECONDED** by Ms. Kehrer and **PASSED** by unanimous consent.

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Respectively Submitted by Minutes Services LLC