

**PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of December 21, 2010**

**SUBJECT: Allen Creek Preschool Special Exception Use and Site Plan  
(1515 Franklin Street) File Nos. SEU10-003 and SP10-033**

**PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, finds the petition to substantially meet the standards in Chapter 55 (Zoning Ordinance), Section 5:104 (Special Exceptions), subject to (1) a limit of the size of the operation to a maximum of 1,200 square feet; (2) a limit of the hours of operation from 7:00 a.m. to 5:00 p.m. Monday through Friday; and (3) a limit of the occupancy of the building to no more than eight families (parents plus a child) and two staff members; and, therefore, approves the Allen Creek Preschool Special Exception Use, subject to recording of a parking easement on 2350 Miller Avenue.

**PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Allen Creek Preschool Site Plan, subject to satisfaction of Fire Code requirements prior to issuance of building permits.

**STAFF RECOMMENDATION**

Staff recommends that the special exception use be **approved** because the proposed use is of such location, size and character as to be compatible with the zoning district in which the site is situated; and the location and size of the proposed use, its nature and intensity, the site layout and access, and effect of the proposed use on public services would not be hazardous or inconvenient to the neighborhood nor unduly conflict with the normal traffic or the neighborhood.

Staff recommends that this site plan be **approved** because it would comply with local, state and federal laws and regulations; the development would limit the disturbance of natural features to minimum necessary to allow a reasonable use of the land; would not cause a public or private nuisance; and would not have a detrimental effect on public health, safety or welfare.

**LOCATION**

The site is located on the west side of Franklin Street north of Miller Avenue (West Area). This site is located in the Honey Creek watershed.

### DESCRIPTION OF PETITION

The existing 810-square foot house on this site was approved in October 2008 for a special exception use to allow for a preschool use. Since this approval, the petitioner determined this house renovation was not economically feasible and now requests approval to demolish this structure and construct a new preschool structure with a revised special exception use and site plan approval.

The petitioner seeks special exception use approval to allow a 1,101-square foot preschool in an R1C (Single-Family Dwelling District) zoning district. The new structure is designed to appear like a single-family home and be converted internally into a home if the preschool decides to sell this building. The north side of the house has a 15-foot wide side setback and a fence to screen this structure from the adjacent residence. The existing driveway curb cut on Franklin Street is proposed to be closed and a new driveway constructed south of the preschool building.

Per Chapter 55 (Zoning Ordinance), Section 5:10.2, preschools are permitted as a special exception use pursuant to Section 5:104. The parcel must have a minimum of 7,500 square feet of gross lot area, one off-street parking space for each care giver required to staff the facility at its state licensed capacity, and two off-street or on-street parking spaces for drop-off and pick-up use within 250 feet of the preschool.

Parking is proposed to be stacked in the existing driveway with three vehicles. Only one of these spaces can be counted toward the required parking count. The petitioner proposes to formalize a parking easement with the existing preschool facility at 2350 Miller Avenue to meet the off-street parking requirement and has a supplemental parking lot usage agreement with the Korean Methodist Church located at 1526 Franklin Street to use 8 parking spaces (attached).

As approved in the previous special exception use, the petitioner indicates that the property will be used to house parent-child programs for children ages 0 to 3 years, with parents and children attending together. These programs will have up to eight parent/child pairs in attendance and two staff members to teach the programs. The programs will be held from 9:30 a.m. to 11:00 a.m. on Mondays through Thursdays and from 1:15 p.m. to 2:45 p.m. on Tuesdays.

A proposed layout plan and elevations has been submitted to accompany the special exception use application. Staff determined this proposal meets the site plan requirements of Chapter 57 (Subdivision and Land Use Control Ordinance).

### SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Single-Family Residential	R1C (Single-Family Dwelling District)
EAST	Church	R1C
SOUTH	Part of Garden Homes Park	PL (Public Land District)
WEST	Single-Family Residential	R1C

### COMPARISON CHART

	EXISTING	PROPOSED	REQUIRED/PERMITTED
Zoning	R1C (Single-Family Dwelling District)	R1C	R1C
Gross Lot Area	11,240 sq ft	11,240 sq ft	7,200 sq ft MIN
Lot Width	100 ft	100 ft	60 ft MIN
Setback - Front	25 ft	25 ft	25 ft MIN
Setback – Side(s)	8 ft – North 66 ft – South	15 ft – North 49 ft – South	5 ft MIN
Setback – Rear	81 ft	70 ft	30 ft MIN
Parking – Automobile	3 spaces (stacked)	1 space (off street) 1 space (2350 Miller) 2 spaces (on-street)	2 spaces off street* 2 spaces off- or on-street

\* Parking easement required with 2350 Miller Avenue.

### HISTORY

The existing single-family house with a detached garage was constructed in 1942. A special exception use was approved October 21, 2008, to grant preschool use at the existing 850-square foot home.

### PLANNING BACKGROUND

The Master Plan Land Use Element recommends single and two-family residential uses for this parcel.

### SPECIAL EXCEPTION USE STANDARDS

General Standards - The Planning Commission, in arriving at its decision relative to any application for a special exception, shall apply the following standards (petitioner's response in regular type, staff's comments in *italic type*):

**(a) The proposed use or uses shall be of such location, size and character as to be compatible with the appropriate and orderly development of the zoning district and adjacent zoning districts in which the site is situated. In applying this standard, the Planning Commission shall consider whether the proposed use:**

**1. Will be consistent with the general objectives of the City Master Plan;**

The character of the structure fits the nature of the surrounding neighborhood, and will be a vast improvement over the existing home. Nursery schools are a permitted use in single and two-family districts with special exception use approval.

*The Master Plan Land Use Element recommends single and two-family residential for this site. The existing R1C zoning is appropriate since it allows nursery schools as a special exception use. The proposed structure is of similar size to the existing structure.*

**2. Will be designed, constructed, operated, and maintained in a manner that is compatible with the existing and planned character of the general vicinity;**

The 1515 Franklin Street Property will be maintained in a manner consistent with the neighborhood, as is our preschool building at 2350 Miller Avenue. The programs Allen Creek Preschool would operate at the 1515 Franklin Street property are consistent with state licensing regulations.

*The outside appearance of the site maintains a residential look. The petitioner has indicated that two employees will be onsite during business hours.*

**3. Will be consistent with the general character of the neighborhood considering population density, design, scale and bulk; and the intensity and character of activity;**

The small program to be operated at 1515 Franklin Street, for up to eight parent-child pairs, is consistent with the general character of the neighborhood, in which families live with small children, in which there is a park down the street on Franklin Street, and in which our preschool already exists across Franklin Street on Miller Avenue.

**4. Will not be detrimental to the use, peaceful enjoyment, economic value or development of neighboring property, or the neighborhood area in general;**

Allen Creek Preschool's 0 to 3-year-old programs are small, peaceful, and very well supervised. Their presence at 1515 Franklin Street will not be detrimental to the neighborhood in any way.

**5. Will not have a detrimental effect on the natural environment.**

There will be no detrimental effect on the natural environment at 1515 Franklin Street.

*A 15-foot wide conflicting land use buffer is proposed to screen from the adjacent residence.*

**(b) The location and size of the proposed use or uses, the nature and intensity of the principal use and all accessory uses, the site layout and its relation to streets giving access to it, shall be such that traffic to and from the use or uses, the assembly of persons in connection therewith, and the effect of the proposed use on public services and facilities, will not be hazardous or inconvenient to the neighborhood nor unduly conflict with the normal traffic of the neighborhood. In applying this standard the Planning Commission shall consider, at minimum:**

**1. The location of and access to off-street parking and the safe provisions for pedestrian traffic;**

The driveway of 1515 Franklin Street can accommodate three parked cars. Access to this driveway has good visual clearance to the street for vehicles and pedestrians. These streets have sidewalks for safe pedestrian traffic. Furthermore, Allen Creek Preschool has a

written agreement with the Korean Church, across the street at 1526 Franklin Street and within 250 feet of 1515 Franklin Street for off-street parking use for up to eight school staff and parents.

*There is room in the driveway for three cars, although only one of the spaces can count toward the required parking because the other space is blocked in by the cars behind them. There is on-street parking on both Franklin Street and Miller Avenue. The petitioner is required to have a parking easement with the 2350 Miller Avenue facility to use one of their parking spaces.*

**2. The relationship of the proposed use to main traffic thoroughfares and to streets and road intersections;**

1515 Franklin Street is the second property on Franklin Street, to the north of Miller Avenue (the first and corner property being Public Land), one block east of the intersection of Miller and Maple Avenues, which is a main thoroughfare.

**3. Vehicular turning movements in relationship to traffic flow routes;**

Vehicles entering Franklin Street from the driveway back onto the street, with sufficient turning radii in the street.

*The existing driveway curb cut on Franklin Street is proposed to be closed and relocated south of the proposed preschool. No additional curb cuts are proposed.*

**4. The intensity and character of traffic and parking conditions on the site, and in the general area;**

Because of the small number of vehicles relating to the Allen Creek Preschool 0 to 3-year-old programs, the intensity of parking will not change intensity or character of traffic and parking in the area significantly. Also, the parking use would happen during weekday mid-morning when traffic in the area tends to be lighter.

**4. The requirements for additional public services and facilities which will be created by the proposed use will not be detrimental to the social and economic welfare of the community.**

No additional requirements for public services or facilities will be created by the proposed use.

**(c) The standards of density and required open spaces for the proposed use shall be at least equal to those required by Chapter 55 in the zoning district in which the proposed use is to be located, unless a variance is granted.**

None required.

**COMMENTS PENDING, DISMISSED OR UNRESOLVED**

Forestry - Based on the 55 feet of street frontage the street tree escrow amount for this site is \$71.50. This amount must be paid prior to issuing building permits.

Traffic - A letter from the adjacent neighbor is required to grant closure of the shared curb cut. If a joint access agreement exists, it needs to be dissolved. The petitioner grants permission to allow the new curb radius to front their property.

Systems Planning - If footing drains for the existing building are connected to the sanitary sewer system, disconnection will be required in accordance with current City specifications. Footing drains removed from any existing buildings may offset required mitigation.

Fire – The petitioner must identify the fire suppression method that will be used in the construction of this child care facility.

Planning – A formal parking easement is required from the existing preschool facility located at 2350 Miller Avenue to meet parking requirements. The existing preschool facility has a nine-space parking lot and a minimum of seven spaces are required. The petitioner has indicated one or two of these parking spaces will be used for the proposed preschool facility. The maximum size of a future addition on the new preschool building would be 99 square feet, based on the proposed special exception use limitations.

Prepared by Christopher Cheng  
Reviewed by Wendy Rampson  
jsj/12/17/10

Attachments:    Parking Lot Usage Agreement  
                      Zoning/Parcel Maps  
                      Aerial Photo  
                      Site Plan  
                      Elevations

c:    Petitioner: Andrew R. Boschma, Treasurer  
                      Allen Creek Preschool  
                      2350 Miller Avenue  
                      Ann Arbor, MI 48105

Owner:    Allen Creek Preschool  
                      2350 Miller Avenue  
                      Ann Arbor, MI 48105

City Assessor  
Systems Planning  
File No. SEU10-003 and SP10-033

## PARKING LOT USAGE AGREEMENT

Between the Korean Methodist Church  
1526 Franklin Street, Ann Arbor, MI 48103 (734) 662-0660

and

Allen Creek Preschool  
2350 Miller Ave., Ann Arbor, MI 48103 (734) 994-3382

The Korean Church agrees to permit Allen Creek Preschool to use 8 parking spaces in the Korean Church parking lot on weekdays for \$600 annually. Also, the Korean Church agrees to permit Allen Creek Preschool parents to use the Korean Church parking lot during Wednesday evening meetings. Allen Creek Preschool agrees to take responsibility for liability for staff and parent use of the parking lot during these times. This agreement is effective from January 1, 2009, until December 31, 2009, and can be renewed by agreement of both parties. Payment will be made \$100/month from January through June.

Barbara L. Gamble  
Barbara L. Gamble, Executive Director  
Allen Creek Preschool

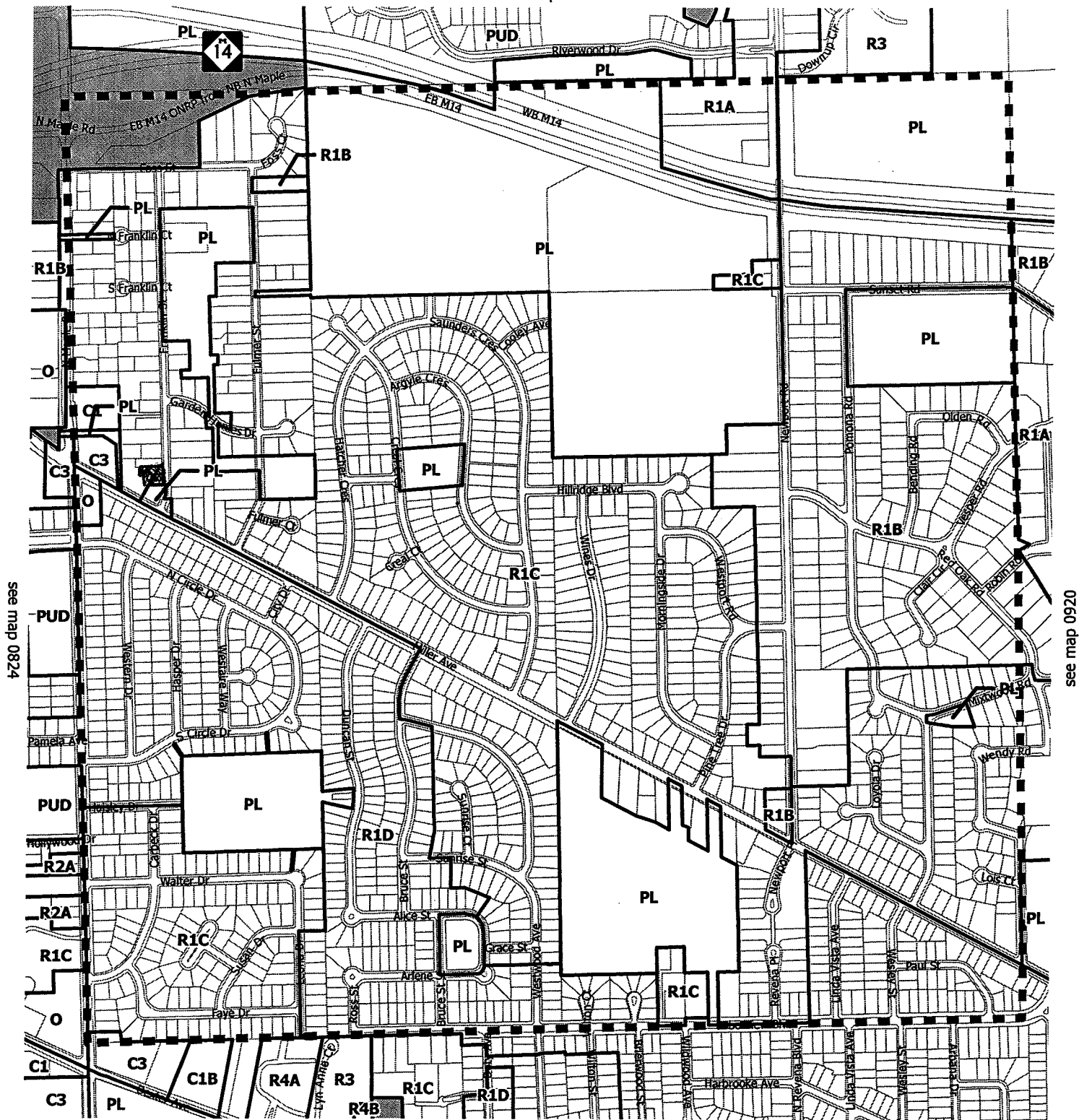
1-21-09  
date

Steve H. Khang  
Steve Khang, Associate Pastor  
Korean Methodist Church

1/21/09  
date

# Ann Arbor City Zoning Map

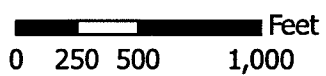
see map 0918



see map 0824

see map 0920

see map 0930



Township Zoning  
Section Boundary



Prepared By: City of Ann Arbor, Community Services, GIS; Assessor's Office maintains parcel data.

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## SECTION 0919

Map Printed: December 15, 2008



**BUILDING INFORMATION (1515 FRANKLIN)**

ZONING	R1C*
SETBACKS:	
FRONT	25'
SIDES	5' MIN
REAR	30'

LOT AREA	11,281sf
EXISTG FOOTPRINT	505 sf
NEW FOOTPRINT	1101sf

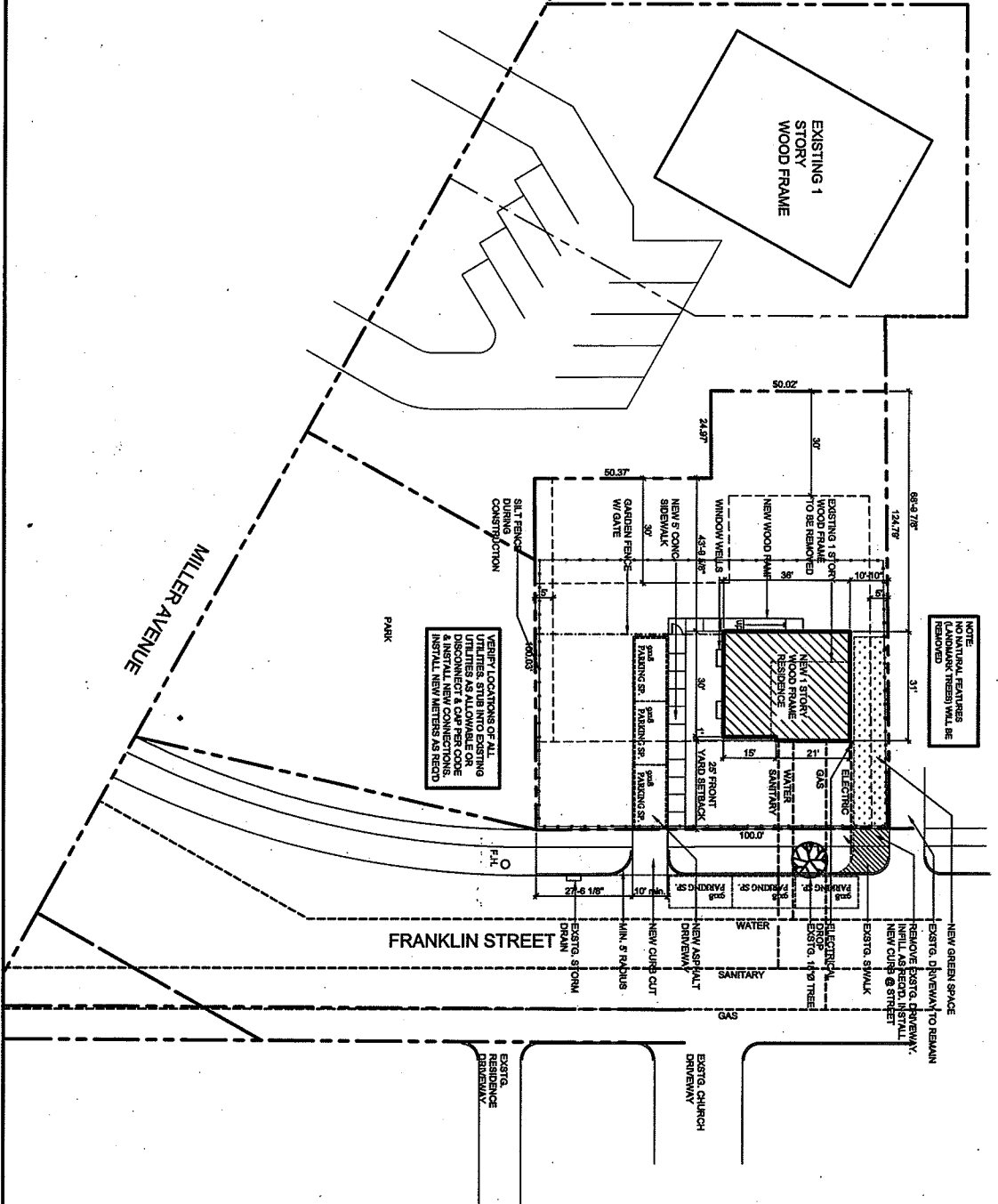
  

CURRENT IMPERVIOUS AREA	1053sf
PROPOSED IMPERVIOUS AREA (HOUSE & DRIVEWAY)	1849sf

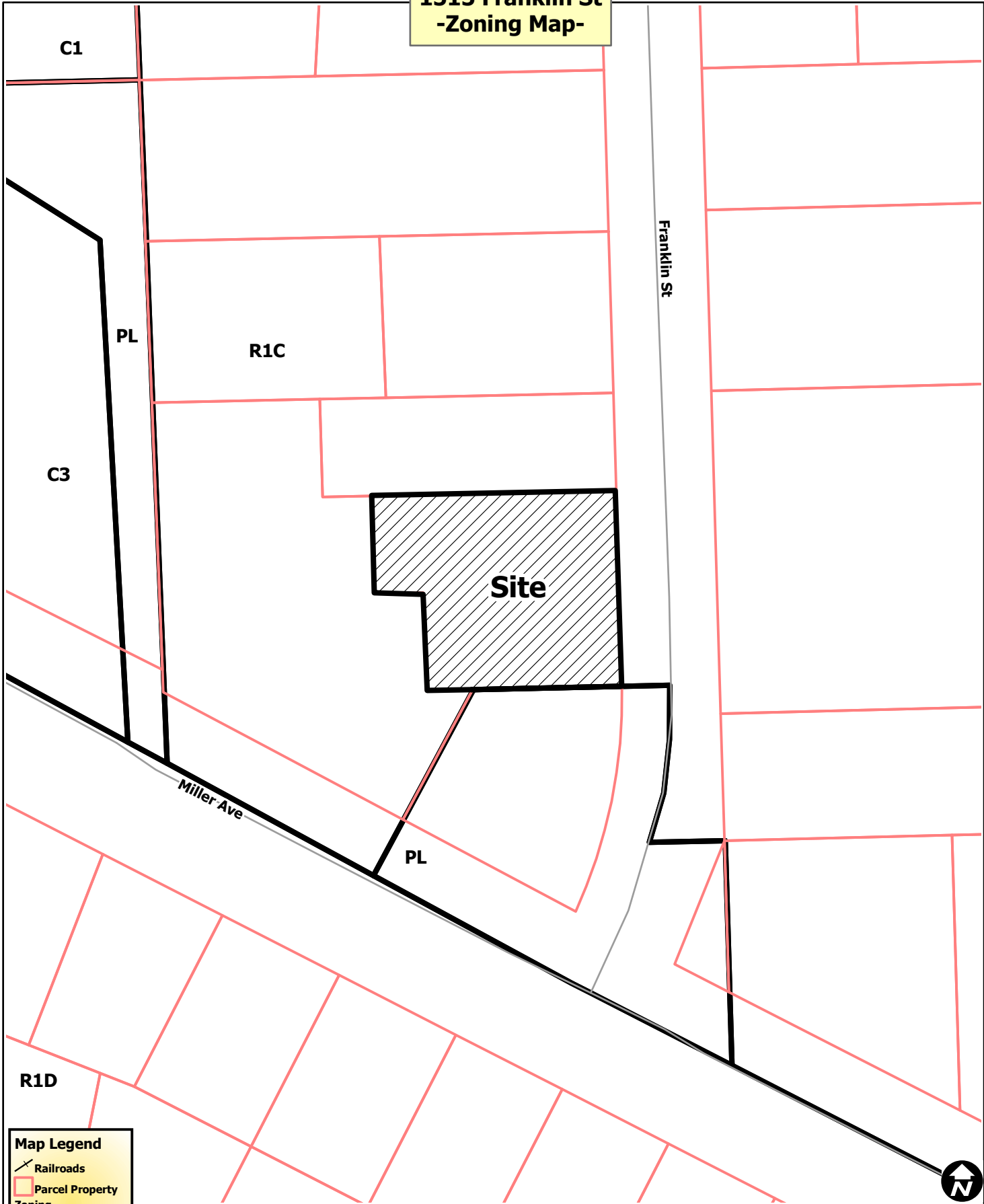
CURRENT PARKING	3 spaces
PROPOSED PARKING	3 spaces

\*APPROVED AS A NURSERY SCHOOL PER CHAPTER 55, ZONING DEFINITIONS 5.1



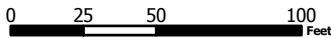
**PROJECT** ALLEN CREEK SCHOOL - PROPOSED RESIDENCE **SCALE** N.T.S. **DATE** OCTOBER 29, 2010

# 1515 Franklin St -Zoning Map-



**Map Legend**

- Railroads
- Parcel Property
- Zoning**
- Township
- City of Ann Arbor
- City Boundary



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Map Created: 11/30/2010

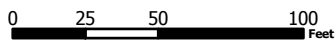


**1515 Franklin St  
-Aerial Map-**



**Map Legend**

- Railroads
- Parcel Property
- City Boundary

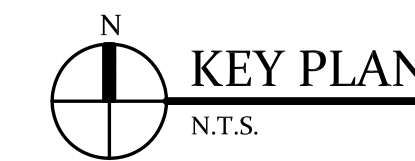
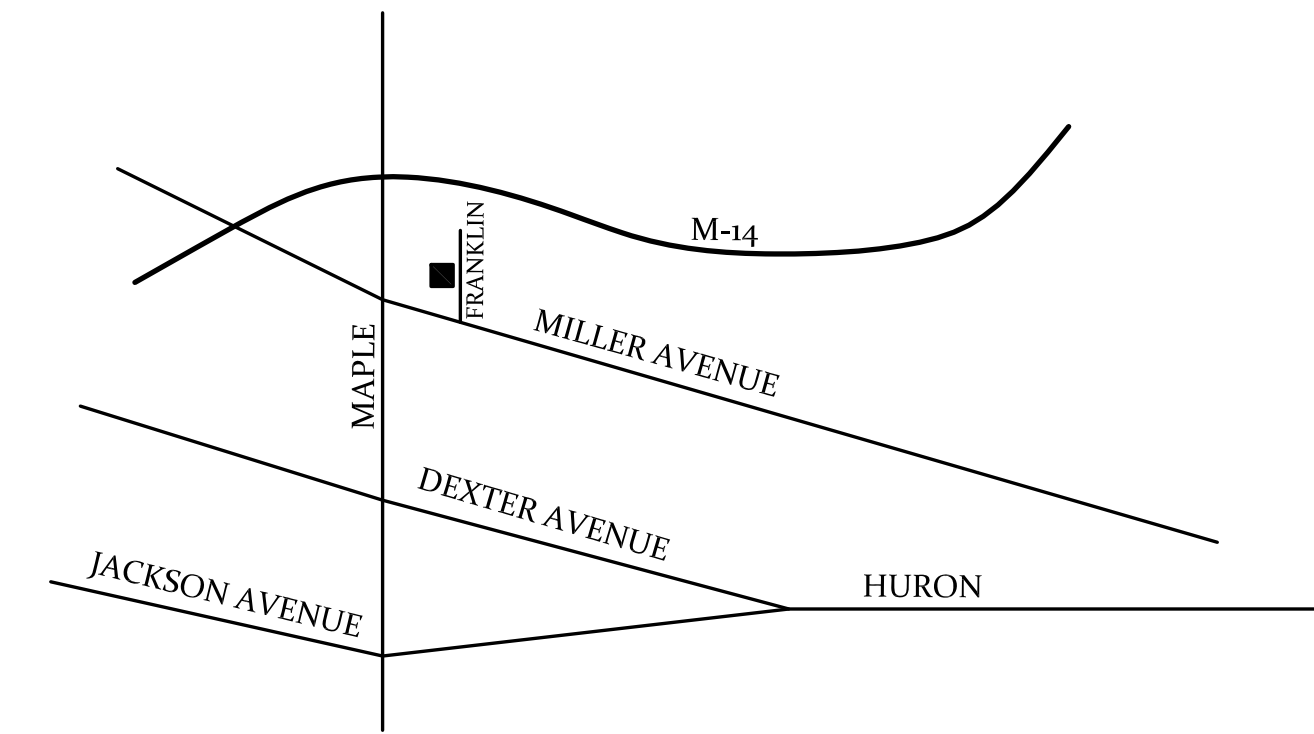


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Map Created: 11/30/2010



# SHEET INDEX

- C1.0 SITE PLAN
- A1.0 FLOOR PLANS
- A2.0 EXTERIOR ELEVATIONS



## GENERAL CONSTRUCTION NOTES

GENERAL CONTRACTOR (G.C.) WILL BE RESPONSIBLE FOR COORDINATION BETWEEN DESIGN-BUILD CONTRACTORS AND ARCHITECTURAL DOCUMENTS.

FIELD VERIFY ALL EXISTING CONDITIONS.

ALL DIMENSIONS WITHIN THIS SET ARE FOR BIDDING PURPOSES ONLY. ACTUAL FIELD DIMENSIONS ARE TO BE TAKEN PRIOR TO THE ORDERING OF ANY MATERIALS.

WORK SHALL COMPLY, AND BE PERFORMED IN COMPLIANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL LAWS, CODES, AND REGULATIONS (MICHIGAN BUILDING CODE 2006).

ALL WORK IS TO BE PERFORMED UP TO ALL CONVENTIONAL CONSTRUCTION STANDARDS AS SET FORTH BY THE AIA.

WORK SHALL COMPLY WITH ALL APPLICABLE STANDARDS OF THE NATIONAL BOARD OF FIRE UNDERWRITERS, THE NATIONAL ELECTRICAL CODES, THE AMERICAN GAS ASSOC., AND THE BASIC PLUMBING CODES.

WORK SHALL COMPLY WITH BUILDING MANUFACTURERS' SPECIFICATIONS.

ALL ELECTRICAL, MECHANICAL, AND FIRE SUPPRESSION SYSTEMS WILL BE HANDLED AS DESIGN BUILD. EACH SUB-CONTRACTOR WILL BE RESPONSIBLE FOR THE PRODUCTION OF THE PLANS DEPICTING THE EXTENT OF THE WORK TO BE PERFORMED, INCLUDING ALL DOCUMENTS REQUIRED FOR ALL LOCAL CODE OFFICIALS. EACH SUB-CONTRACTOR WILL BE RESPONSIBLE TO SEAL THEIR DOCUMENTS IF REQUIRED BY THE LOCAL CODE OFFICIAL. PERMITS ARE TO BE OBTAINED BY THE CONTRACTOR FOR ALL WORK.

DEVIATION FROM THESE DRAWINGS SHALL BE MADE ONLY WITH WRITTEN APPROVAL OF THE DESIGNER/OWNER.

IF ANY GENERAL NOTES CONFLICT WITH ANY DETAIL OR NOTE ON THE PLANS OR IN THE SPECIFICATION, THE STRICTEST PROVISIONS SHALL GOVERN.

THE SITE IS TO REMAIN WEATHER TIGHT AND SECURE AT THE END OF EACH WORKDAY, AND DURING ANY PERIODS IN WHICH THE FACILITY IS UNOCCUPIED BY A RESPONSIBLE REPRESENTATIVE OF THE GENERAL CONTRACTOR.

EXISTING AND NEW STRUCTURE IS TO BE SHORED AND BRACED DURING CONSTRUCTION TO MAINTAIN INTEGRITY.

ALL CRACKS AND/OR BREAKAGE THAT OCCUR TO THE EXISTING STRUCTURE DURING CONSTRUCTION ARE TO BE REPAIRED BY THE GENERAL CONTRACTOR.

ARCHITECT NOT RESPONSIBLE FOR THE CONDITION AND INTEGRITY OF EXISTING STRUCTURAL COMPONENTS AND SYSTEMS

THE JOB SITE IS TO BE LEFT CLEAN AND ALL DEBRIS IS TO BE DISPOSED OF PROPERLY AT THE END OF EACH DAY.

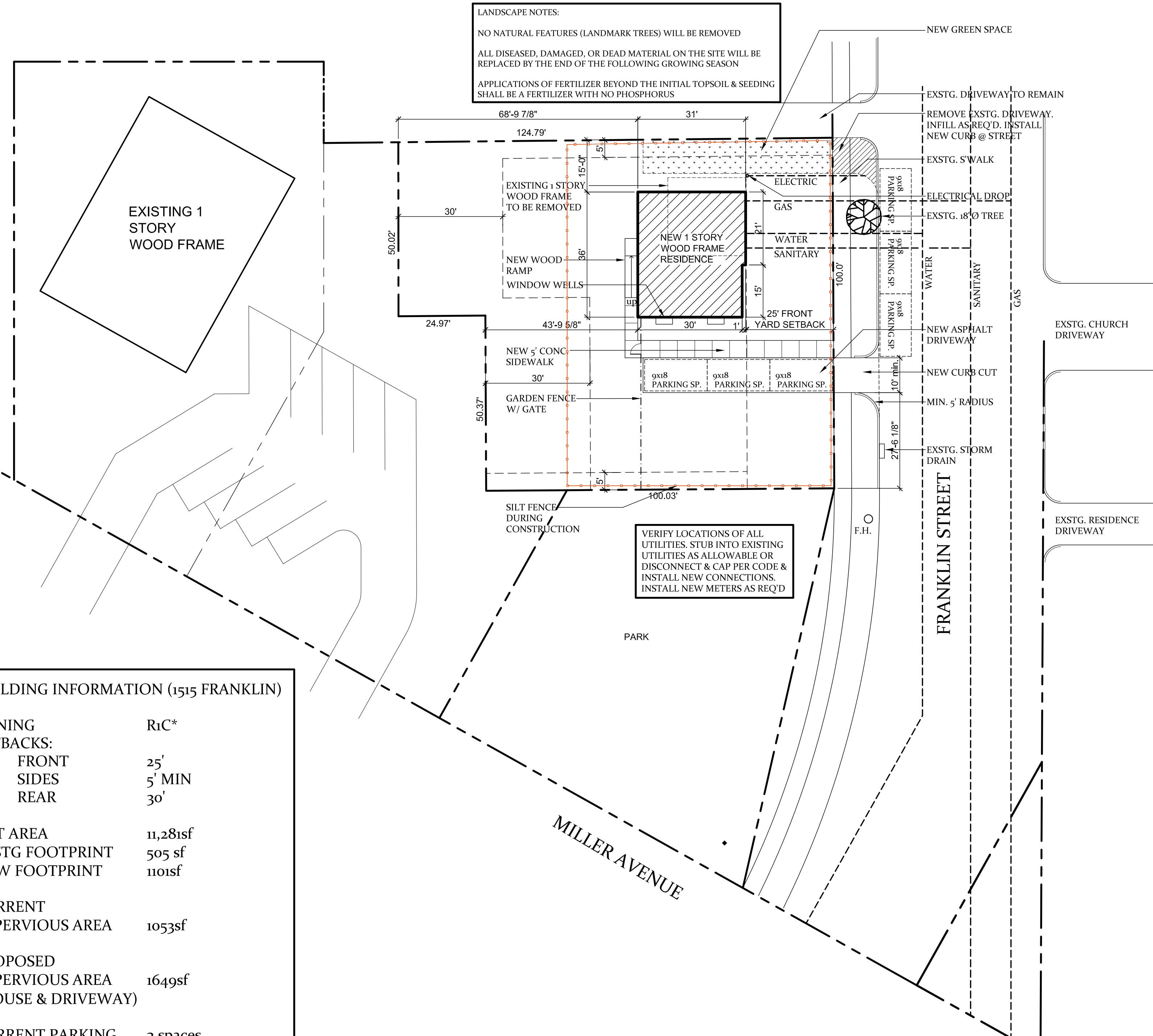
ALL MATERIALS WHETHER MANUFACTURED BY OR FINISHED BY THE MILLWORK CONTRACTOR AND/OR THE GENERAL CONTRACTOR MUST COMPLY WITH THE UBC CODE CHAPTER 42, 1991 EDITION AND THE LOCAL AND STATE BUILDING AND FIRE CODE SPECIFICATIONS.

ALL DECORATIVE MATERIAL SHALL BE NON-COMBUSTIBLE OR FIRE RESISTANT, AND SHALL COMPLY WITH THE MICHIGAN BUILDING CODE 2006 AS WELL AS FIRE SPECIFICATIONS FOR WASHTENAW COUNTY IN MICHIGAN, IN WHICH THE FACILITY IS LOCATED.

ALL OUTLETS ARE TO BE GROUNDED (AND IN COMPLIANCE WITH ALL STATE AND LOCAL CODES).

PROVIDE TRANSITION STRIP UNDER DOORS WHERE DIFFERENT FLOOR MATERIALS INTERSECT.

BUILDING INFORMATION (1515 FRANKLIN)	
ZONING	R1C*
SETBACKS:	
FRONT	25'
SIDES	5' MIN
REAR	30'
LOT AREA	11,281sf
EXSTG FOOTPRINT	505 sf
NEW FOOTPRINT	1101sf
CURRENT IMPERVIOUS AREA	1053sf
PROPOSED IMPERVIOUS AREA (HOUSE & DRIVEWAY)	1649sf
CURRENT PARKING	3 spaces
PROPOSED PARKING	3 spaces
*APPROVED AS A NURSERY SCHOOL PER CHAPTER 55, ZONING DEFINITIONS 5.1	



No.	Date	Description
1	10.20.10	ISSUED FOR SUBMITTAL

FACILITY/CLIENT

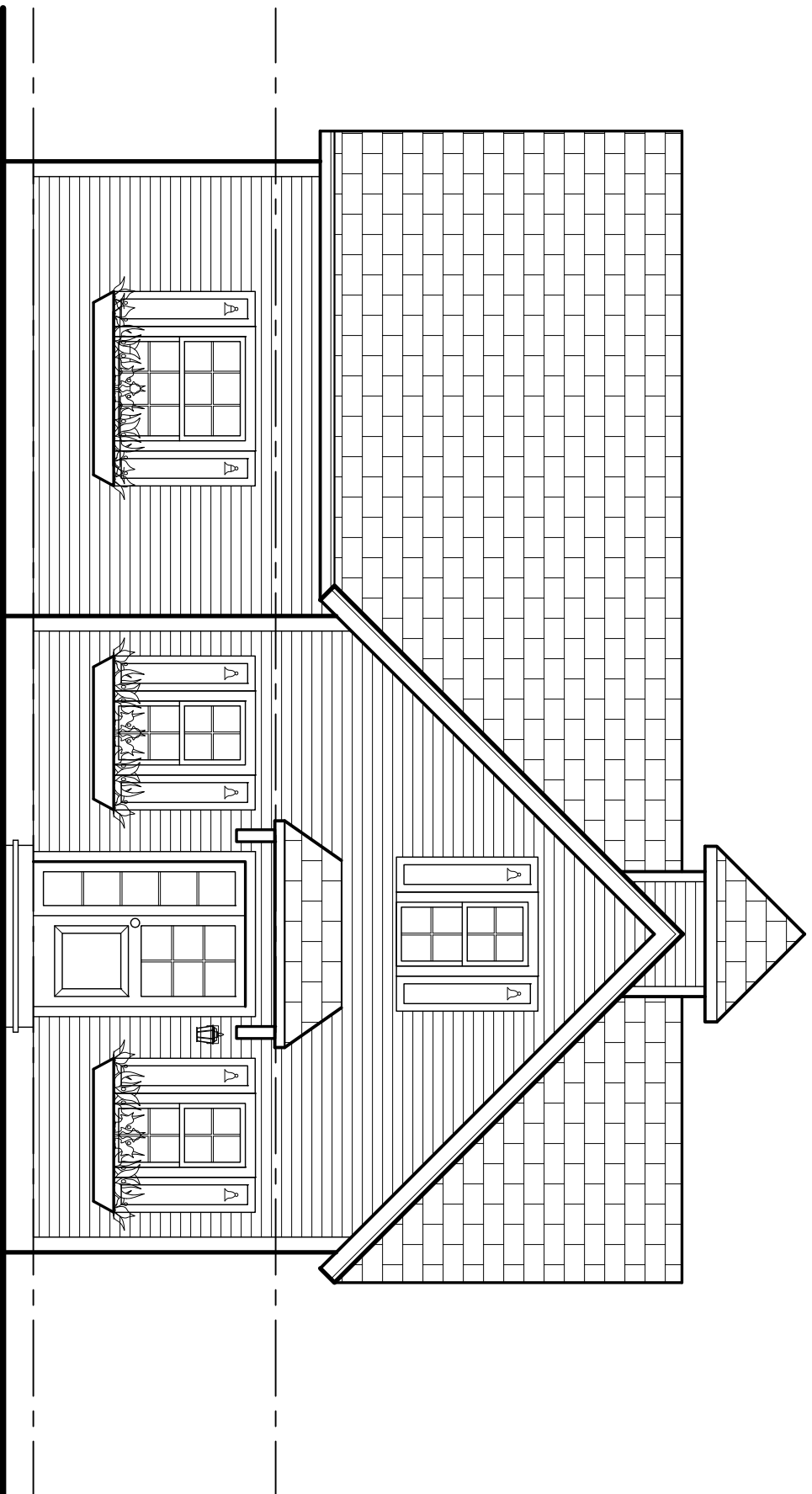
ALLEN CREEK NURSERY SCHOOL  
 1515 FRANKLIN STREET  
 ANN ARBOR, MICHIGAN

PROJECT  
 RESIDENCE

SHEET TITLE  
 SITE PLAN

SHEET NO.  
 C1.0

211 S. FOURTH AVE., SUITE 1A  
 ANN ARBOR, MI 48104  
 TEL. 734.998.0098  
 FAX 734.996.8899



## FRONT ELEVATION

**PROJECT**

ALLEN CREEK SCHOOL- PROPOSED RESIDENCE

**SCALE**

3/16" = 1'-0"

**DATE** OCTOBER 20 2010



211 S. FOURTH AVENUE, SUITE 1A  
ANN ARBOR, MICHIGAN 48104