

**PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of March 5, 2023**

**SUBJECT: 503 Miller Special Exception Use, Apple Playschools; SEU24-0002**

**PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, including an accompanying site plan, finds the petition substantially meet the standards in Chapter 55 (Unified Development Code), Section 5.29.5.D (Special Exception Use) and Section 5.16.2.B (Child Care Center), and therefore approves the 503 Miller Special Exception Use for Child Care Center at 503 Miller Avenue. This approval is based on the following findings:

1. The proposed use will be consistent with the R2A (Multiple-Family Dwelling) District which allows single- and two-family residential uses and child care centers by special exception.
2. The proposed use will not adversely impact traffic, pedestrians, bicyclists, circulation, or road intersections based on the location. Miller Avenue and Chapin Street provide access to the site, and the proposed use is consistent with the existing and other surrounding uses' traffic impact.
3. The subject site meets the use specific standard of at least 7,500 square feet of lot area.
4. A site plan documenting the existing and proposed conditions of the site has been submitted as part of this application.

This Special Exception Use approval is based on the following conditions:

1. Child care is provided for no more than 47 children by no more than 15 caregivers.
2. Six Class B Bicycle Parking spaces will be provided by September 30, 2025 at 511 Miller for shared use with 503 Miller.

And that the Ann Arbor Planning Commission approves the attached Site Plan which demonstrates compliance with the applicable Special Exception Use standards as no development which would otherwise require site plan approval has been proposed.

**STAFF RECOMMENDATION:**

Staff recommends that the special exception use **be approved with conditions** because the proposed special exception 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 of the neighborhood.

**SUMMARY:**

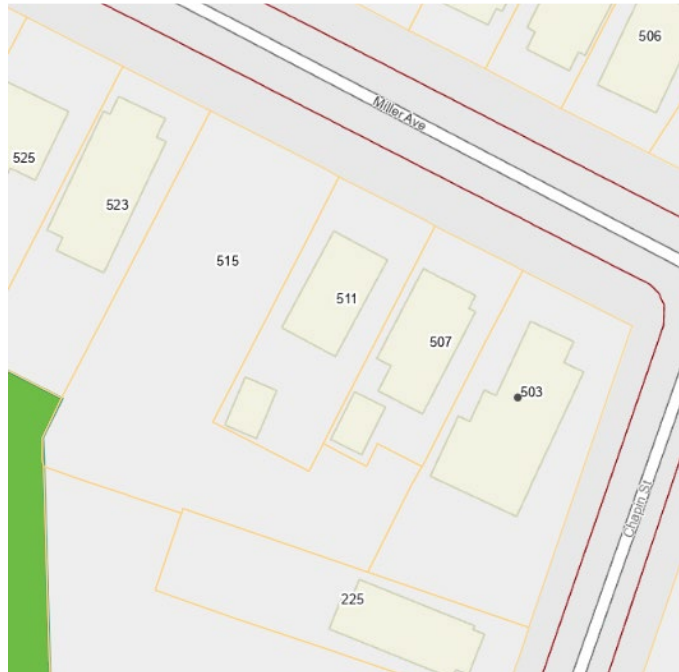
This is a request for Special Exception Use approval for a child care center at 503 Miller Ave. The center will reuse an existing building that was most recently operating as a medical clinic. Care will be provided for up to 47 children by 15 caregivers each weekday from 7:30am to 6:00pm. No new construction is proposed beyond interior renovations.

**LOCATION:**

This site is located at the southwest corner of Miller Avenue and Chapin Street in Ward 5.

**DESCRIPTION OF PETITION:**

The applicant seeks special exception use approval for a child care center for weekday care of up to 47 children by up to 15 caregivers. The center's capacity is determined by room square footage (primarily) plus the number of toilets.



*503 Miller, at the corner of Chapin St*

The proposed site contains an approximately 3,200 square foot existing building on an 8,447 square foot lot at 503 Miller Avenue, zoned R2A. No off-street parking is required by code. The property owner, New Hope Baptist Church, has two parking lots available to child care families and staff: an approximately 30-space parking lot two lots south of 503 Miller and a larger parking lot behind New Hope Baptist Church across Chapin Street.

The applicant operates another Apple Playschool center two doors to the west at 511 Miller. There is a vacant lot at 515 Miller that is used as the playground for that existing center. It wraps behind 511 and 507 Miller and abuts 503. The applicant's intent is to connect the backyards of 503 and 515 so that children and caregivers may access both daycares from the rear of the properties.

There is no site plan required for this project because there is no development proposed, and therefore bicycle parking is not required, but staff advised that bicycle parking should be provided for the child care center. The applicants assessed their properties and are proposing that six class B bicycle parking spaces will be provided at 511 Miller, to be shared between both centers. Staff feels that this is reasonable given their very close proximity and it is included as a condition in the motion.

Staff requested a statement on sustainability for the project and the applicant provided this narrative:

One of Apple Playschools' social justice branches (core values) is Environmental Education and Stewardship. One of the main reasons we chose this location for redevelopment was because of its proximity to public transportation and easy access for

people who are walking and biking along the Miller corridor as their main form of transportation. It is also adjacent to the planned Treeline/Allen Creek Urban Trail. We plan to install high-efficiency appliances that allow us to clean laundry and dishes in-house, reducing our dependence on disposable paper towels and dishes for cleaning and snack service. We have a commitment to growing edible plants and native plants in our outdoor classrooms areas to support biodiversity and provide educational tools for children to learn about environmental stewardship. We strive to use recycled materials and no-VOC paint and products whenever possible and in compliance with state standards for child care settings.

### **CITIZEN PARTICIPATION MEETING**

At the October 17, 2023 citizen participation meeting, three members of the public attended. The next-door neighbor raised concerns about weekday noise levels when children at the existing center are outdoors and her lack of privacy when using her back door. This neighbor also brought up the noise coming from a piano on the front porch of 511 Miller. The center responded by immediately removing the piano. Concerns were expressed from the neighbor and another on the block about an additional daycare causing the value of the neighbor's property to decline.

Staff discussed these issues with an applicant, who says she is taking them seriously and considering the best ways to protect the neighbor's privacy and property enjoyment given the proximity to an existing and a proposed child care center. The applicant hopes to make this an ongoing dialogue since they had not previously heard any concerns.

### **SPECIAL EXCEPTION USE STANDARDS:**

The Planning Commission, in arriving at its decision relative to any application for a special exception, must apply the general criteria for approval provided in Section 5.29.5.D of the UDC. To approve an application, the Commission must find that these criteria have been substantially met. The criteria for approval are summarized and analyzed below.

In addition to the general special exception use standards noted below, additional use specific standards are required in Section 5.16.2.B for child care centers: a minimum of 7,500 square feet of lot area and that occupancy may not be increased without amending a previously approved Special Exception Use permit.

SEU Standards for Approval Criteria		Staff Analysis	
<b>5.29.5.D(1)</b>			
a.	Consistency with Comprehensive Plan objectives	The Comprehensive Plan includes 8 elements, adopted individually between 2004 and 2023. The proposed child care center is consistent with the Plan objectives, and provides an essential service for those living and working in the City.	Meets criteria
b.	Compatibility with general vicinity	A child care center for up to 47 children is compatible with the existing building, and compliments the surrounding residential neighborhood. The general vicinity is also compatible with, and complimentary to, care of young children. The site is in close proximity to West Park.	Meets criteria
c.	Consistency with the neighborhood	The intensity and character of the child care center are consistent with the neighborhood.	Meets criteria
d.	Neighboring property or neighborhood impacts	At the citizen participation meeting the next-door neighbor raised concerns about another daycare opening on the other side of their lot. One example given by the neighbor was the noise coming from a piano on the front porch of 511 Miller. The applicant responded by removing the piano. The applicant is also considering the best ways to protect the neighbor's use and enjoyment of their property given the neighbor's proximity to two child care centers (one existing and one proposed).	Meets criteria
e.	Natural environment impacts	The proposed child care center will not impact any natural features.	Meets criteria
<b>5.29.5.D(2)</b>			
a.	Parking access and pedestrian safety	Sidewalks serve the two parking areas that will be used by families and staff, and there is a marked pedestrian crosswalk at Miller and Chapin.	Meets criteria
b.	Streets and traffic	There will be no anticipated detrimental impacts or changes to streets or traffic.	Meets criteria
c.	Turning movements	Turning movements will remain unchanged.	Meets criteria
d.	Traffic and parking intensity	The child care anticipates around 37 daily car trips and 10 daily trips on foot, by bicycle or by bus. This number of trips does not meet the threshold to require a traffic study. Parking is ample behind the building off of Chapin Street and more is available across Chapin (behind the church) if necessary.	Meets criteria
e.	Additional public services impacts	The use will require the installation of a fire hydrant to support fire suppression in the building.	Meets criteria

Prepared by Jill Thacher, City Planner  
Reviewed by Hank Kelley, Deputy Planning Manager

02/28/2024

Attachments:   Site Plan  
                  Zoning/Parcel Maps  
                  Aerial Photo  
                  Special Exception Use Application  
                  Citizen Participation Meeting Report

c:     Applicant: Etta Heisler for Apple Playschools  
       Property Owner: Tom Miree for New Hope Baptist Church  
       File No. SEU24-0002