



City of Ann Arbor Planning Services

301 East Huron Street, Ann Arbor, Michigan 48107

Phone: 734-794-6265 Email: planning@a2gov.org Web: www.a2gov.org/planning

Complete this application and upload a copy with your online submittal along with all other required materials. Apply using the STREAM portal at <https://stream.a2gov.org>. STREAM user guides and general development review process information are available at www.a2gov.org/development. Copies of the Unified Development Code may be downloaded at www.a2gov.org/udc.

Application for Special Exception Use Approval

Applicant Information

Full Name:

Apple Playschools (EIN 46-5404037) Etta Heisler, Executive Director

Interest in the Land (i.e. owner, land contract, option to purchase, etc.):

Tenant/Lessee

Additional Interested Person and Relationship, If Applicable:

Tom Miree, New Hope Baptist Church (Owner & Landlord)

Additional Interested Person and Relationship, If Applicable:

Jeff Wilkerson, President, Board of Directors, Apple Playschools

Site Information

Address: 503 Miller Ave. Ann Arbor, MI 48104

Parcel Identification Number: 09-09-29-215-001

A **legal description** of the site must be included on the accompanying, required, site plan. See Section 5.29.8 of the Unified Development Code for required information on all types of site plans including Site Plan for Special Exception Uses.

Special Exception Use

Select the proposed use from the list below. The Unified Development Code sections next to each use provide specific standards for development and approval that apply in addition to normal development and approval standards.

- Multiple-Family Dwelling** – Section 5.16.1.C
- Fraternity, Sororities, and Student Cooperative** – Section 5.16.1.D
- Group Housing** – Section 5.16.1.E
- Club Headquarters, Community Center** – Section 5.16.2.C
- Conference Center**
- Religious Assembly**
- Adult Day Care Center** – Section 5.16.2.A
- Child Care Center** – Section 5.16.2.B
- Private Institution of Higher Learning** – Section 5.16.2.E
- Private School (K-12)**
- Hospital** – Section 5.16.2.D

- General Entertainment** – Section 5.16.3.D
- Indoor Recreation** – Section 5.16.3.F
- Outdoor Recreation** – Section 5.16.3.K
- Automobile, Motorcycle, RV, Equipment Sales and Rental**
- Designated Marijuana Consumption Facility** – 5.16.3.G
- Fueling Station** – Section 5.16.3.E
- Marijuana Provisioning Center/Retailer** – Section 5.16.3.G
- Automobile, Truck, Construction Equipment Repair** – Section 5.16.3.C
- Parking Lot/Structure** – Section 5.16.3.M
- Vehicle Wash**
- Veterinary, Kennel, Animal Boarding** – Section 5.16.3.P
- Nonprofit Corporation Office** – Section 5.16.4.B
- Marijuana Microbusiness** – Section 5.16.3.G
- Marijuana Grower** – Section 5.16.3.G
- Asphalt, Concrete Mixing Plant, Sand and Gravel Pit**
- Marijuana Processor** – Section 5.16.3.G
- Marijuana-Infused Product Processor** – Section 5.16.3.G
- Scrap and Waste Material**
- Slaughterhouse**
- Wireless Communication Facilities** – Section 5.16.5.D
- Medium Term Car Storage** – Section 5.16.3.J
- Drive-Through Facility** – Section 5.16.6.C
- Outdoor Sales Temporary by Others** – Section 5.16.7.B
- Temporary Outdoor Activity** – Section 5.16.7.D

Detailed Description of Proposed Special Exception Use

Please describe the proposed use in detail. *By example, appropriate information for proposed child care centers includes number of children and caregivers, and hours of operation. Appropriate information for outdoor sales temporary by others includes type of merchandise, proposed structures, hours of operation, duration of temporary sales, and security measures.*

Proposed use is for a child care with a maximum capacity of 47 children aged 30 months and older as well as up to 15 staff/caregivers. Hours of operation will be 7:30am to 6pm Monday through Friday, 12 months a year.

General Special Exception Use Standards

Child care use supports community objectives around human services (meeting basic human needs; maximizing well-being of community), engaged community (stewarding community resources), and economic vitality (creating jobs, retaining and attracting talent), as well as Resource Management objectives of clean air and water, and healthy ecosystems from the Sustainability Framework. It also supports objectives outlined in the Land Use Plan for the Central Area by offering essential infrastructure for the residential users of the area, without deviating from the character of the neighborhood or replacing existing residential uses. The location supports use of public transportation infrastructure. Use will provide an essential service (child care) that drives equity and economic growth in an accessible location to residents and employees.

Notably, the proposed project would provide high quality jobs as well as essential child care services. Washtenaw County is currently facing a child care shortage with only one licensed child care spot available for every seven children under the age of 5 (Ann Arbor SPARK Livingston-Washtenaw Regional Child Care Planning Coalition). A recent Michigan Chamber of Commerce report indicated the state loses \$2.88 Billion in economic activity annually due to lack of child care. The proposed use for this project addresses these needs in alignment with the general objectives of the Comprehensive Plan.

2. How will the proposed use be designed, constructed, operated, and maintained so it is compatible with the existing and planned character of the general vicinity?

Apple Playschools and New Hope Baptist Church have operated a child care at a nearby property, 511 Miller Ave. for many years. Apple Playschools and New Hope Baptist Church currently provide for operation and maintenance of the 511 Miller property and will operate the 503 Miller Ave. location in the same way. There will be no exterior renovations under the proposed project other than construction of new decks and stairs required for State Licensing fire code. A fenced area for outdoor play will also be installed as required by state licensing child care licensing code and will match the character of the existing fences as well as consider requests from neighbors for increased privacy. The neighborhood currently benefits from a variety of mixed use activities and varying zoning designations including other child care facilities, small businesses and multi and single family housing designations.

3. How is the proposed use consistent with the population density, the design, scale and bulk of existing buildings and structures, and the intensity and character of activity in the general vicinity?

The exterior of the building will not be significantly modified. It is proximal to an existing child care also operated by Apple Playschools and the character of the activity is consistent with that which is already present at the current child care, public park, church, and surrounding businesses. Intensity will increase as the proposed new center will have a maximum of 47 children daily enrollment, though typically only 85-90% of students attend on any given day. The increased activity at the center will not negatively impact traffic patterns or vehicular access. The additional services offered by the new Apple Playschools facility will add needed and beneficial services to the neighborhood.

4. How may the proposed use impact the use, peaceful enjoyment, economic value, or development of the immediate neighborhood and general vicinity?

In the citizen participation meeting, neighbors raised concerns about the sounds of children outside during weekdays disrupting enjoyment of their property. With increased numbers of children in the area, we are sensitive to these concerns. At the same time, the area has a significant amount of foot and vehicle traffic and activity from community members. The property is adjacent to West Park which is used regularly by school groups, community members, etc. where in warm months there are larger gatherings, sometimes music playing, and cars coming and going. The school does not operate on evenings or weekends. The 503 Miller property has been used very minimally by New Hope Baptist Church in recent years. Regular use of the building with improvements being made related to the proposed project will decrease the likelihood that building vacancy will pose an attractive nuisance and will provide resources to support the ongoing maintenance of the property, the church community, and surrounding area.

5. How may the proposed use affect the environment or natural features on the site and in the general vicinity?

As an “outdoor immersion” program, the proposed use will benefit the natural features on site and in the general vicinity. Our program focuses on using non-toxic maintenance practices and planting and maintaining gardens featuring food and native plants. Rather than using traditional playground equipment (which is readily available at the nearby West Park), our outdoor play areas use natural materials and modular play equipment that blends in with the existing landscape. High use areas from children playing within the fenced in play area will require that some sections have wood chips or sand, but otherwise we anticipate the natural features to be largely preserved in their existing state. Three small trees will need to be removed on the southwest corner of the property to make space for required egress stairs to the main floor.

6. How will the proposed use affect the location and access to off-street parking and protect pedestrian safety?

There is ample off-street parking at both the New Hope Baptist Church (218 Chapin St.) located across Chapin St. to the east, as well as at the Church’s auxiliary lot located just south of the proposed site. Families and staff will use these lots and will cross at the cross walk across Chapin to access the buildings. We do not anticipate any impacts to pedestrian safety or any changes to off-street parking.

7. What is the relationship of the proposed use to main traffic thoroughfares and to street intersections?

No change to the current relationship. Access to the buildings’ parking areas are from Chapin Street, just south of the intersection with Miller Ave.

8. How will the proposed use affect vehicle turning movements in relation to traffic flow routes?

These will be unchanged.

9. What will be the intensity and character of traffic and parking conditions on the site, and in the general area?

On Tuesday, November 14, 2023, City of Ann Arbor Transportation Engineer Cyrus Naheedy established that a Traffic Impact Analysis would not be required due to the relatively low intensity and character of traffic and parking conditions. Documentation of this correspondence is attached. This proposed project is adjacent to a school already in operation and after nearly a decade of operations at 511 Miller, there are regular patterns we can apply to the new proposed project based on our typical enrollment and staff vis a vis car traffic. Currently, 511 never exceeds 83% capacity in daily attendance of students, and we usually only have 90% of attendance of total staff on any given day due to absences, part time schedules, etc. Additionally, typically 18% of current staff and families bike, bus, or walk to the site, rather than using a car. Finally, 10-15% of our students and/or teachers are in the same family and arrive together. These numbers tend to be consistent year over year even as families and staff change.

If we apply these same ratios to the proposed capacity at 503 Miller Ave, where we are proposing a maximum child care capacity of 47 students and a full staff of 15 teachers, we would expect:

- 39 student families daily
- 13 staff members daily
- 52 total people
 - 5 people travel together
 - 10 people coming and going by alternative transit (bike, walk, bus)
- Total anticipated peak trips daily ~37 conservatively estimating

10. How will the need for any additional public services and facilities impact the social and economic welfare of the community?

A fire hydrant will be added to support fire suppression in the building per city building requirements. Other than the road closure required for installation, no further impacts on social or economic welfare are expected.

11. Does the proposed use match or exceed the standards for density and required open space for the zoning district in which it is located, if applicable, or will a variance be requested?

The space at 503 Miller was previously utilized as a clinic under a previous special exception use permit. The current proposed usage as a child care center does not not require a variance.

Use Specific Standards

Most special exception uses have use specific standards provided in Section 5.16 of the Unified Development Code. The UDC section providing the specific standards for each special exception use is noted above next to the uses that require special exception approval. Please state each specific standard for the proposed special exception use and indicate how the proposed use meets each specific standard below:

Use Specific Standard a: 5.16.2.B.1.a: Parcel must have a minimum of 7,500 square feet.

Response: The lot area is 8447 sq ft.

Use Specific Standard b: 5.16.2.B.1.b: One off-street Parking Space for each caregiver required to staff the facility at its state licensed capacity must be provided.

Response: Staff who drive will use the off-street main and auxiliary lots owned by New Hope Baptist Church. No street parking will be used.

Use Specific Standard c: 5.16.2.B.1.c: Adequate off-street or on-street Parking Spaces available for drop off and pick up use within 250 feet of the Child Care Center parcel must be provided on the site plan. The number of drop-off and pick-up spaces shall be two plus one additional space for each 20 children the facility is licensed to care for.

Response: The auxiliary lot on the west side of Chapin south of the proposed property has ample off-street parking to meet this requirement.

Use Specific Standard d: 5.16.2.B.1.d: Occupancy may not be increased without amending a previously approved Special Exception Use permit.

Response: All future requests for changes to occupancy will be reviewed by Planning as well as Michigan Child Care Licensing.

Site Plan for Special Exception Uses

A site plan is required with all special exception use applications. Indicate which development activity situation applies to your special exception use application. Provide the required type of site plan with your materials.

No Development Activity Proposed – If the proposed use is intended for an existing building or structure, and no development activity is proposed that requires site plan approval, you may submit a **Site Plan for Special Exception**. See Table 5.29-2 for required inform with the required information outlined in Section 5.29.8, Table 5.29-2. Note that certain circumstances may be eligible for an exception from an ALTA land survey, see Section 5.29.8.B.4 for complete details.

New Development Activity Proposed – If the proposed use is associated with any development activities that require site plan approval, a **Site Plan for Planning Manager, Planning Commission, or City Council** is required. See Section 5.29.8, Table 5.29-1, for development activities that require site plan approval, and see Table 5.29-2 for required site plan information by type.

See attached site plan.

Citizen Participation Requirements

Special Exception Use applications require **Type 1 Citizen Participation**. See UDC Section 5.28.4 for citizen participation requirements and procedures. Guidelines and templates to help fulfill this requirement are available at www.a2gov.org/development.

See attached Report from October 12, 2023 Citizen Participation Meeting.