

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of April 17, 2012

**SUBJECT: Allen Creek Preschool Special Exception Use and Site Plan
(2350 Miller Avenue)
File Nos. SEU12-001 and SP12-008**

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), and, therefore, approves the Allen Creek Preschool Special Exception Use for a child care center use, subject to (1) a limit of the size of the building to a maximum of 4,400 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 50 children.

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.

STAFF RECOMMENDATION

Staff recommends that the special exception use be **approved** because the proposed child care center 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; would not cause a public or private nuisance; and would not have a detrimental effect on public health, safety or welfare. No natural features are impacted by this proposal.

LOCATION

The site is located on the east side of Maple Road north of Miller Avenue (West Area). This site is located in the Honey Creek watershed.

DESCRIPTION OF PETITION

The petitioner is proposing to construct a one-story, 929-square foot addition onto the west end of the existing 3,111-square foot pre-school building, for a new total of 4,040-square feet.

The petitioner seeks special exception use approval to allow this preschool expansion in an R1C (Single-Family Dwelling District) zoning district. The west side of the addition has a 5-foot side setback and 30-foot rear setback, with an existing fence separating this structure from the adjacent residence to the north.

Per Chapter 55 (Zoning Ordinance), Section 5:10.2, child care centers 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 plus one additional space for each 20 children for drop-off and pick-up use within 250 feet of the preschool.

The existing one-way entrance and one-way exit drives off Miller Avenue are connected to 9 surface parking spaces, with a drop-off/pick-up area near the front entrance. The parking requirement for this facility is 9 spaces. The petitioner also has a supplemental parking lot usage agreement with the Korean Methodist Church located at 1526 Franklin Street to use 8 additional parking spaces (see attached) along with on-street parking available at both Miller Avenue and Franklin Street.

As approved in the previous special exception use, the petitioner indicates that the property will be used to primarily house programs for children ages 0 to 5 years, with 1-2 afternoon enrichment classes serving children up to 8 years. These programs will have a maximum of 14 students in attendance (with 8 for young children attending with their parents) and one or two staff members teaching the programs. The preschool programs will be held mornings on Mondays through Thursdays with enrichment classes held in the late afternoons. The petitioner proposes increasing the number of children at this facility from 25 to 42, with a maximum of 50 in the future.

No natural features are impacted from this proposal. First flush storm water detention will be added along the eastern edge of the parking lot.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Single-Family Residential	R1C (Single-Family Dwelling District)
EAST	Park	PL (Public Land District)
SOUTH	Single-Family Residential	R1D (Single-Family Dwelling District)
WEST	Public Pathway, Vacant Gasoline Station	PL & C3 (Fringe Commercial District)

COMPARISON CHART

	EXISTING	PROPOSED	REQUIRED/PERMITTED
Zoning	R1C (Single-Family Dwelling District)	R1C	R1C
Gross Lot Area	22,414 sq ft	22,414 sq ft	7,200 sq ft MIN
Setback - Front	54 ft	54 ft	25 ft MIN
Setback – Side(s)	9 ft – West 30 ft – East	5 ft – West 30 ft – East	5 ft MIN
Setback – Rear	35 ft	30 ft	30 ft MIN
Building Height	28 ft	28 ft	30 ft MAX
Parking – Automobile	9 spaces	9 spaces	9 spaces MIN*
Parking – Bicycle	4 spaces (Class C)	4 spaces (Class C)	1 space (Class C) MIN

* One off-street parking space for each care giver required to staff the facility and 2 spaces plus 1 additional space for each 20 children that the facility is licensed to care for.

HISTORY

In 1997, a site plan and special exception use for a pre-school use with an occupancy of 25 children was approved by the Planning Commission for this site. The petitioner also received approval for a site plan and special exception use for a child care center use in the house located at 1515 Franklin Street in October 2008 and again in December 2010. The petitioner has indicated the proposed project at 1515 Franklin is no longer active.

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. Allen Creek Preschool's proposed addition is to the back of the existing building with limited stie lines to Miller Avenue. The structure consists of residential grade materials, and will continue to fit the nature of the surrounding neighborhood. 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 child care centers and nursery schools as a special exception use. The proposed addition meets R1C setbacks and is of similar size and character to the existing preschool building.

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 2350 Miller Avenue property will be maintained in a manner consistent with the neighborhood, as it has since opening in 1996. The programs Allen Creek Preschool would operate at the expanded property are consistent with state licensing regulations. All building additions will be approved by a State of Michigan educational licensing inspector.

The petitioner has indicated that four employees will be onsite during business hours. No changes are proposed to the parking lot.

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 addition will add no more than eight students to our building and grounds, and 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 currently exists.

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 5-year-old programs are small, peaceful, and very well supervised. Their presence 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 2350 Miller Avenue.

An existing fence around the perimeter of the property defining the outdoor play area from the adjacent neighbors will remain. No natural features are proposed to be impacted from this addition.

- (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;

Our existing parking lot will remain unchanged. The parking lot contains separate entry and exit aprons, with excellent visibility of pedestrian traffic on the sidewalk. Our parking lot entrance and exit are well spaced between nearby intersections so access to our lot rarely affects traffic flow on Miller Avenue. Additional street parking is available on Franklin Street, with sidewalk access to our site and which does not require crossing any roads to arrive at this site.

There is on-street parking on both Franklin Street and Miller Avenue along with 9 spaces on site. A parking lot usage agreement to use 8 parking spaces at the Korean Baptist Church continues to be in effect.

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

2350 Miller Avenue is located on a main thoroughfare, less than one block east of the intersection of Miller and Maple Avenue. At most the addition of one classroom would add 8 vehicles.

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

Our existing parking lot will remain unchanged. It contains a semi-circular traffic flow providing a separate entrance and exit for vehicles. All exiting vehicles are forward facing which allows for safe passage across the public sidewalk and safe entry to Miller Avenue, whether turning left or right from our parking lot.

The existing driveway curb cuts will remain off Miller Avenue. 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 programs, the associated traffic and parking needs will not significantly change the intensity or character of the area. At full enrollment, post-addition we will serve a maximum of 42 students under current school guidelines, and we are requesting SEU approval for a maximum of 50 students. At this level of enrollment there will certainly be some families with multiple children in the school, further reducing the traffic impacts on the area.

We stagger class times to provide for a smooth traffic flow on site. Also, the incremental traffic would happen during weekday mid-mornings when traffic in the area tends to be lighter. For example, on Monday our Fives and Senior Preschool classes start at 9 am (maximum 22 students), our Junior Preschool starts at 9:15 am (maximum of 12 students), and our toddler programs start at 9:30 am (maximum 8 students). Classes end at different times as well, ending at 1:30 pm, 12:15 pm, 11:45 am and 11:15 am respectively.

Our class times are after public school classes begin, so no traffic overlaps with Ann Arbor school buses or parents dropping off their children at school.

5. 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 street frontage for this site, the street tree escrow amount for this site is \$257.74. This amount must be paid prior to issuing building permits.

Planning – The existing preschool facility has a nine-space parking lot and a minimum of nine spaces are required. On street parking is also allowed on both Miller Avenue and Franklin Street along with 8 shared parking spaces at the Korean Baptist Church. The maximum size of a future addition on the preschool building would be 400-square feet, based on the proposed special exception use limitations and can be reviewed as an administrative amendment to the site plan. The special exception use limitations also allow for a maximum of 50 students in the future as currently 42 students are proposed.

Prepared by Christopher Cheng
Reviewed by Wendy Rampson
mg/4/13/12

Attachments: Zoning/Parcel Maps
Aerial Photo
Parking Lot Usage Agreement
Elevations
Site Plan
Storm Water Management Plan
Landscape Plan

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. SEU12-001 and SP12-008

**2350 Miller Ave
-Zoning Map-**



-  Railroads
-  Parcel Property
-  Township
-  City of Ann Arbor



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2350 Miller Ave -Aerial Map-



-  Railroads
-  Parcel Property



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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

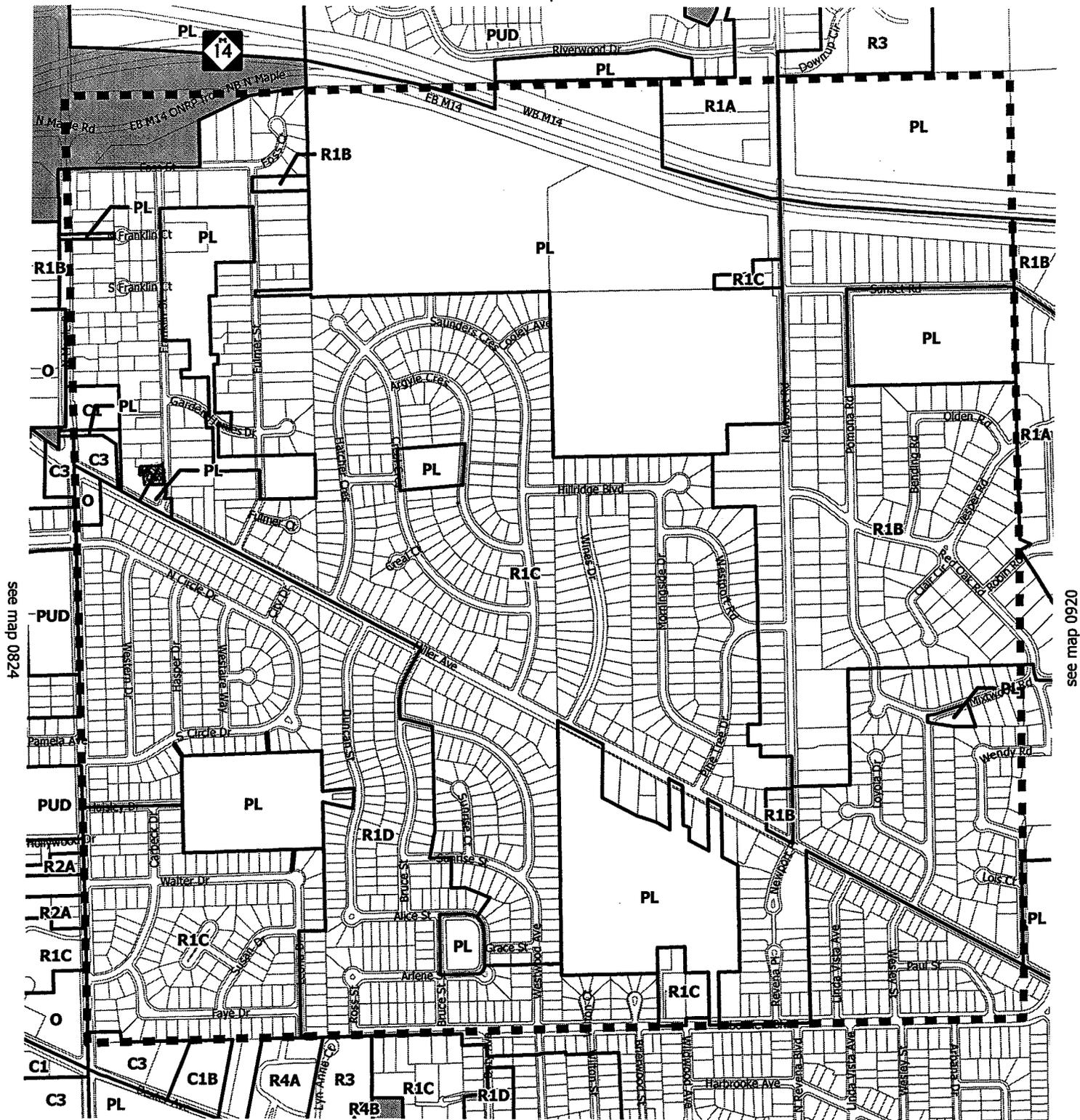
1-21-09
date

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

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

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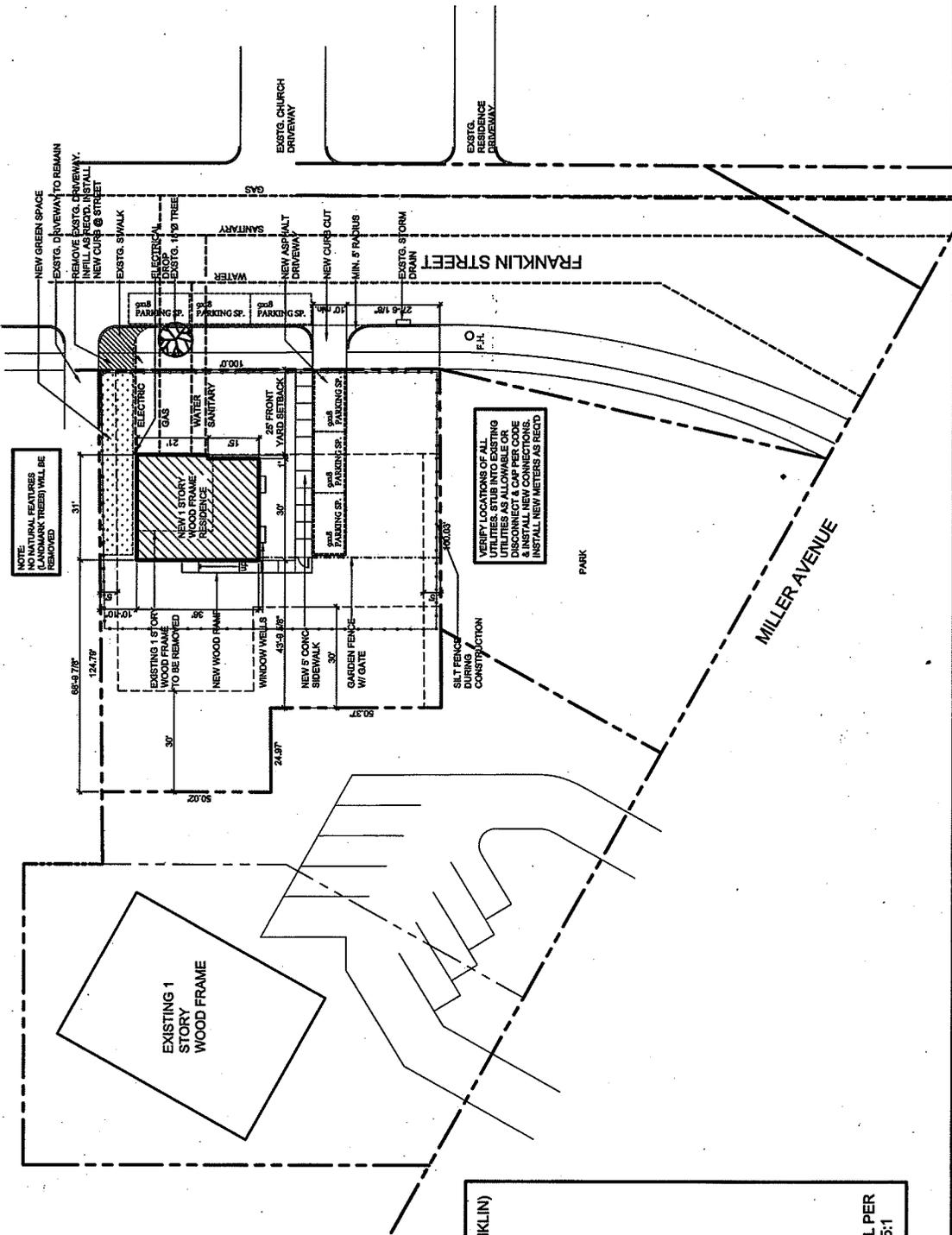
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SECTION 0919

Map Printed: December 15, 2008



BUILDING INFORMATION (1515 FRANKLIN)

ZONING	RTC*
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)	1649sf
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
211 S. FOURTH AVENUE, SUITE 1A ANN ARBOR, MICHIGAN 48104	

