

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of March 15, 2016

**SUBJECT: New Life Church Special Exception Use & Site Plan for City Planning Commission Approval (1547 Washtenaw Ave.)
File Nos. SEU16-002 & SP15-049**

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 approval of the corresponding site plan; and, therefore, approves the New Life Church Special Exception Use for use as a church annex facility.

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends approval of the New Life Church Site Plan, subject to historic district approval and modifications to the existing drive easement to allow for shared parking and subject to necessary approvals to the adjacent New Life Church site plan.

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 the site plan be **approved** because the plan would comply with all local, state and federal laws and regulations; the development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; and the development 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 east side of Washtenaw Ave. north of Hill St. (Central Area). This site is located in the Allen Creek watershed.

DESCRIPTION OF PETITION

The petitioner seeks special exception use approval to allow church uses in an R2B (Two-Family Dwelling District) zoning district. Per Chapter 55 (Zoning Ordinance), Section 5:10.2,

churches are permitted as a special exception use pursuant to Section 5:104. New Life Church, located at 1541 Washtenaw Ave. owns the subject parcel to the south, known as the Frieze House located at 1547 Washtenaw Ave.

The church proposes using the Frieze House parcel as a complimentary staff office, small meeting spaces in support of the New Life Church and as a residence used as a caretaker household. Currently the house is used as a residence only. Site plan approval is also required by the City Planning Commission as the church proposes construction of 8 vehicular parking spaces located along the shared property line between the church and Frieze house.

The petitioner indicates that the property will be used for meetings and programs at the house from Sunday through Thursday 8 a.m to 6 p.m with occasional weeknight meetings going no later than 9 p.m. No additional floor area is proposed.

One off-street parking space for the residence and 9 additional spaces are required for the church office uses. Two parking spaces are proposed in the existing Frieze House garage and an additional 8 surface parking spaces are proposed along the shared property line.

Ten non-landmark trees are proposed to be removed in the area of the proposed 8 parking spaces. A retaining wall and railing are proposed along the south edge of this parking area to minimize the grading and disturbance to the site. Two landmark trees are proposed to be minimally impacted in their critical root zones from this surface parking proposal. These two critical root zone encroachments total approximately 5% and 1%. Mitigation for this disturbance is not required as no landmark trees will be removed.

Existing pavement located in front of the Frieze House along the shared property line will be converted into a landscape island to prevent future parking in the front of the house. Additional landscaping is proposed on the church site off the entry driveway to prevent vehicles from parking in the front lawn of the house.

The existing shared access driveway off Washtenaw Avenue leads to the proposed and existing surface parking spaces located on the eastern rear of the church site. The petitioner has indicated formalizing a parking easement with the existing church facility to accommodate sharing of the 8 additional parking spaces.

The proposed parking lot increases impervious surface on both sites by a total of 726 sq ft. with the spaces constructed of permeable pavers. Storm water runoff, from 3,061 sq. ft., will be directed to these proposed permeable paver spaces and will then infiltrate in the subgrade soils. This meets 100-year storm water requirements for that area.

The project is proposed to be completed in one phase at a total estimated cost of \$50,000. The site plan is subject to HDC review and approval.

COMPARISON CHART

1547 Washtenaw Ave. – Frieze House

	EXISTING	PROPOSED	RE- QUIRED/PERMITTED
Zoning	R2B (Two-Family Dwelling District)	R2B	R2B
Gross Lot Area	43,707 sq ft	43,707 sq ft	8,500 sq ft MIN
Lot Width	100 ft	100 ft	60 ft MIN
Setback - Front	208 ft	208 ft	25 ft MIN
Setback – Side(s)	15 ft	15 ft	8 ft MIN
Setback – Rear	100 ft	100 ft	30 ft MIN
Parking – Automobile	1 space	9 spaces	9 Spaces MIN 12 Spaces MAX *
Parking – Bicycles	None	2 Spaces – Class A 2 Spaces – Class C	1 Space – Class A

*1 space for residential uses and 9 spaces for office uses

1541 Washtenaw Ave. – New Life Church

	EXISTING	PROPOSED	REQUIRED/PERMITTED
Zoning	R2B (Two-family Dwelling District)	R2B	R2B (Uses R1C Standards)
Gross Lot Area	0.96 acre (41,817.6 sq ft)	0.96 acre (41,817.6 sq ft)	7,200 sq ft MIN
Setback – Front	204 ft 11 in	204 ft 11 in	25 ft MIN
Setback – Side(s)	North - 6 ft South - 14 ft 1 in	North - 6 ft South - 14 ft 1 in	5 ft MIN
Setback – Rear	158 ft 5 in	62 ft 2 in	30 ft MIN
Height	29 ft 6 in	30 ft	30 ft MAX
Parking – Automobile	18 spaces	223 spaces* (7 spaces on site; remaining at Forest Street public deck*)	223 spaces MIN (1 per 3 seats)
Parking - Bicycle	None	13 spaces - Class C	13 spaces - Class C MIN

* A variance was granted April 2003 to allow the use of the Forest Street public parking structure, which is within 1,250 feet from the site, to fulfill the requirements for parking. Code allows public parking within 1,000 feet to be used to meet the parking requirement for churches.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	New Life Church, Sorority House and Angell School	R2B and PL (Public Land District)
EAST	Fraternity House	R2B
SOUTH	Single-family and Two-family Residences	R2B
WEST	Fraternity House	R2B

HISTORY

This two-story, hipped roof, Italianate house was constructed of dressed stone around 1860 and is located in the Washtenaw Hill Historic District. It is called the Frieze House for Henry Simmons Frieze, who was the acting president of the University of Michigan for three terms in the 1860's-1890. The cupola was added after Frieze sold the house in 1870. It is listed on both the National and State Registers of Historic Places. A garage with an exercise room upstairs was constructed in 2008.

PLANNING BACKGROUND

The Central Area Plan recommends single and two-family and group housing for this site. It also notes that other multiple-family housing is not appropriate and identifies this section of Washtenaw Avenue as a corridor to be targeted for sidewalk, lighting and landscaping improvements. The site also falls within the boundaries of the Oxbridge Neighborhood Association. Additional goals and actions in the Central Area Plan include:

- Protect, preserve, and enhance character, scale, and integrity of existing housing in established residential areas;
- Minimize displacement of residential uses by commercial and institutional uses;
- Encourage development of new architecture and modification of existing architecture that complements the scale and character of the neighborhood;
- Manage public parking facilities efficiently and cost-effectively;
- Reduce spillover parking by commuting students and employees and vehicle storage on residential streets adjacent to campus and the downtown;
- Establish a balance between providing adequate off-street parking and preserving private yards in residential areas;
- Insure that off-street parking requirements for new and expanded development sufficiently address the actual parking need;
- Protect and preserve open space resources and significant natural features;
- Encourage preservation, restoration, or rehabilitation of historically and culturally significant properties, as well as contributing or complimentary structures;
- Preserve historic character of Ann Arbor's Central Area;
- Designate historic buildings to encourage their preservation;
- Encourage adaptive reuse of wholly or partially vacant historically significant buildings.

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 site is zoned R2B, two-family dwelling and student housing district. The requested special exception use is being proposed to allow the existing church on the adjacent property to utilize the existing building as a complimentary staff office and small meeting spaces in support of the church.

The Central Area Plan recommends single and two-family residential for this site. The existing R2B zoning is appropriate since it allows church uses as a special exception use.

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 site is within the Historic District and will be reviewed by the Historic District Commission to verify that it will keep with the character of the vicinity including student housing and residential uses. The design of the additional parking will be constructed, screened and landscaped as required.

The outside appearance of the house site is not changing. The petitioner has indicated that an employee will be onsite living in the house.

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 proposed design will be consistent with the general character of the neighborhood. No addition or modifications are proposed to the building. The project includes addition of parking that will be constructed by modifying the existing parking areas, as well as reconstruction of a landscape island that was removed by the previous owner.

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

The project will not be a detriment to neighboring property. The proposed use is intended to be in support of the existing church and will not modify the existing neighborhood economic values of development of neighboring properties.

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

The proposed use will not have a detrimental effect on the natural environment. As part of the site plan, the environment will be improved with the addition of landscaping and improvements to the site's parking areas.

(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;

Existing parking is provided to serve the church and the existing residential building. Additional parking is being proposed as well as restoration of landscape islands to provide safe access for vehicles and pedestrians.

There is room in the driveway for stacked parking of vehicles. There is on-street parking along Washtenaw on Sundays, and additional parking provided at the Forest Street parking structure and Angell Elementary School.

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

The site is accessed from Washtenaw Ave. No modifications to the existing driveway are required for the proposed use. The parking areas will be accessed by a shared drive as shown on the site plan.

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

Turning movements will continue to function as proposed on the previous site plan. Vehicles will enter from Washtenaw and follow the shared drive to access the proposed parking spaces.

The existing driveway curb cut off Washtenaw Ave. will continue to be used. No additional curb cuts are proposed.

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

A majority of the population utilizing the church and proposed residential/support building are students that walk to the site. Additional parking spaces are being proposed primarily to support the staff that accesses the buildings by vehicle on a daily basis.

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.

Additional public services are not anticipated. The building's utility infrastructure and public services are not proposed to be modified to support the special exception use.

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

Systems Planning - City records indicate that an easement is not in place for the existing on-site water main. An easement will need to be executed prior to approval of the site plan. The easement has been prepared by the City Attorney's Office.

Planning – There is an existing shared access easement for both 1541 and 1547 Washtenaw Ave. The existing house has numerous parking spaces located along the existing shared driveway fronting the house. This paved area is proposed to be removed and converted into a landscape area.

Staff is meeting with the City Attorney's Office to determine if the New Life Church site plan requires approval by the City Council as opposed to an administrative amendment to their site plan. The results of this meeting may not be known until after this staff report is written and will be presented at the City Planning Commission Meeting.

At the time this staff report was written, staff has not received comments or concerns from neighbors or the public regarding the proposed uses for the Frieze House.

Prepared by Christopher Cheng

Reviewed by Ben Carlisle

Attachments: Zoning/Parcel Maps
Aerial Photo
Site Plan
Landscape Plan

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City Assessor
Systems Planning
File No. SEU16-002 & SP15-049