

## **PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of December 7, 2021**

**SUBJECT: Ann Arbor Chinese Christian Church Site Plan for City Council Approval and Special Exception Use  
(1750 Dhu Varren Road)  
File No. SP21-019 and SEU21-004**

### **PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Ann Arbor Chinese Christian Church (1750 Dhu Varren Road) Site Plan.

### **PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, finds the petition substantially meets the standards in Chapter 55 (Ann Arbor Unified Development Code), Section 5.29.5 (Special Exception Use), and therefore approves the Ann Arbor Chinese Christian Church (1750 Dhu Varren Road) Special Exception Use for church uses. This approval is based on the following findings:

1. The proposed uses will be consistent with the objectives of the Comprehensive Plan permitting churches and schools by serving residents in the district.
2. The proposed use will not adversely impact traffic, pedestrians, bicyclists, circulation, or road intersections based on the location and existing uses.
3. 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. The church use maintains a maximum seating capacity of 240 persons.

### **STAFF RECOMMENDATION**

Staff recommends that this site plan petition be **approved**, because, if the parking variance is granted, the development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; 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.

Staff recommends 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 of the neighborhood.

## **LOCATION**

The site is located on the south side of Dhu Varren Road, east of Pontiac Trail and just west of the railroad tracks.

## **DESCRIPTION OF PETITION**

The petitioner seeks site plan and revised Special Exception Use (SEU) approval for construction of a 9,161 square foot two-story multi-purpose addition to the existing 8,219 square foot church building. The parcel is 8.51 acres and zoned R4A (Multiple-Family District). Religious Institutions are allowed with special exception use approval by Section 5.29.5 of the Zoning Ordinance.

There are only minimal changes proposed to the existing 64 car parking lot. One space will be removed to allow for the relocation of the solid waste enclosure. There are also some modifications to curb and aisle widths to meet required dimensions. The project is requesting two Landscape Modifications. The first modification is from the bio-retention island requirement to leave the existing trees and landscaping within the island undisturbed. The second modification will permit the parking lot to exceed the maximum 15 parking spaces in a row without a landscape island. The parking lot currently has one large landscape island in the center. The total area of this landscape island exceeds the area required by code; 3,403 sf existing, 1,263 square feet is required. All other landscaping code requirements will be met with the addition of 8 new street trees and 58 new shrubs within the ROW buffer area. One landmark tree will be removed for the new building construction. This tree will be mitigated with the addition of five new trees to the site.

Storm water management will be provided in a surface storm water detention system that will be upgraded to meet requirements for the additional impervious area. The system does allow for infiltration of storm water. As noted, a Landscape Modification is being requested to avoid removing existing vegetation for bio-retention landscape islands.

The new building will be used to support existing church functions and member gatherings. These include programs such as youth outreach during weekend services, Wednesday night prayer groups and fellowship sessions Friday and Saturday nights. There will be no renting of the facility for external catered group events such as weddings.

The original Special Exception Use was approved in December 1996 along with the site plan for the existing building. The SEU was approved with a maximum capacity of 160 people. The church would like to expand this to 240 people.

There are 80 parking spaces required after the proposed expansion. There will be parking provided for 63 cars on the site. The petitioner is requesting a variance for the remaining 17 spaces that are required. As justification for the variance, the petitioner is submitting a signed lease agreement with the Food Gatherers Office and Warehouse for use of a parking lot across Dhu Varren Road. The subject parking lot has available spaces for a minimum of 50 cars and the church is required to have an additional 17 to meet the minimum code requirement. While

the use agreement is approved by both required parties, Code requires a perpetual easement over parking spaces and does not allow the spaces to be used as required parking for two distinct sites. However, this arrangement has been in place for several years with no reported issues. The lease permits parking during the off peak hours for the warehouse and office uses and during peak times for the church use, weeknights and weekends. There is a sidewalk leading directly from the parking areas to a marked crosswalk across Dhu Varren Road. This crosswalk leads to a public sidewalk along the south side of Dhu Varren Road with a link directly to the site.

The petitioner is also requesting a variance from the EV Parking requirements. They are proposing to add two EV Installed spaces and two EV Capable spaces. The code requires 8 EV Installed, 8 EV Ready and 12 EV Capable. They are requesting the variance because they are not proposing any significant disruption to the parking lot and there is no physical expansion of the parking area.

Planning staff also requested information regarding any sustainable items provided for the new building. The following statement was provided in response: 'The church commends the City for its strong stance on environmental protection. We have explored solar panels on the south facing roof line, but the tall trees we are maintaining will limit sun exposure with the shade they provide. Geothermal site capability will be explored further to determine size of field required based on the building's needs. Our findings will be submitted with our Detailed Engineering Plan submittal.'

The estimated cost of construction is \$1,500,000.

### **SPECIAL EXCEPTION USE STANDARDS**

The Planning Commission, in arriving at its decision relative to any application for a special exception, shall apply the following standards per Section 5.29.5. The standard is provided in bold, the petitioner's response is provided in regular type, and staff comments, if any, are provided in italics.

**(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 project is in conformance with the residential uses in this area. Churches are allowed as a special exception use in residential zones.

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

Building will be constructed of material compatible with adjoining development. Landscaping will screen parking area. It will not surpass the maximum height standard for the R4A district.

**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;**

Churches generally are compatible with residential use. The proposed use will be less dense than what zoning allows for; therefore, it will not contribute significant noise or traffic. The intensity of use will not be detrimental to the neighborhood. Activities are all related to church use. The two-story height is consistent with neighboring homes.

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

Traffic to and from the property will be primarily limited to service times during weekend non-business hours. Nothing about the church will be detrimental to the neighborhood.

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

Existing vegetation is being preserved to maximum extent possible. The native forest fragment is being protected by placing the addition on the side of the church where manicured lawn exists. Building and parking lot placement are determined in order to preserve the most natural features possible.

**(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:**

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

On-site parking is placed to be readily screened from public ways and adjoining properties. Additional parking is available at the Food Gatherers, north of Dhu Varren Road, with an ongoing written agreement of mutual benefit. The primary traffic hours for AACCC and Food Gatherers are offset to minimize traffic impact and maximize parking lot usage. An existing crosswalk and sidewalks connect the two parking areas.

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

The site is between Nixon Road and Pontiac Trail and should not significantly impact either intersection. Access to the site is from Dhu Varren Road. Traffic to and from the site is generally at non-peak hours.

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

Dhu Varren Road is a two-lane road. The traffic from the use of the north side, the Carrot Way apartment and Food Gatherers, will not conflict with the turning movements of church traffic.

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

Sixty-four (64) parking spaces are currently available on site and meet City landscape screening requirements. Additional fifty (50) parking spaces during Church services are available at the Food Gatherers, north of Dhu Varren Road..

**10. 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 demands on public systems will be minimized by the periodic nature of use of the facility.

**SURROUNDING LAND USES AND ZONING**

	LAND USE	ZONING
NORTH	Residential, Office and Warehouse	PUD (Planned Unit Development)
EAST	Residential	R4A (Multiple-Family Residential)
SOUTH	Vacant	Township
WEST	Vacant	Township

**COMPARISON CHART**

	EXISTING	PROPOSED	REQUIRED
Zoning	R4A Multiple-Family District	R4A Multiple-Family District	R4A Multiple-Family District
Gross Lot Area	8.51 Acres (370,696 sq ft)	8.51 Acres (370,696 sq ft)	21,780 sq ft MIN
Minimum Open Space	~90%	89%	65%
Setbacks	Front	206 ft	40 ft
	Side(s)	~200 ft (east) 115 ft (west)	20 ft
	Rear	444 ft	40 ft
Height	Approx. 22ft	27 ft 9 in (midpoint)	30 ft
Parking - Automobiles	64 spaces	63 total spaces*	80 MIN
Parking – EV	0 spaces	2 EV Installed ** 0 EV Ready ** 2 EV Capable **	8 EV Installed 8 EV Ready 12 EV Capable
Parking – Bicycles	20 Class C	20 spaces Class C	6 space MIN Class C

\* Parking lease agreement with Food Gatherers site across Dhu Varren Road. Variance being requested at the Zoning Board of Appeals. Scheduled for January 2022

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## PLANNING BACKGROUND

The 2009 City Master Plan: Land Use Element identifies this site in the Northeast Area as a Single and Two-Family use. The Land Use Element does encourage mixed uses adjacent to neighborhoods when the uses are compatible with residential.

## STAFF COMMENTS

Planning – The use and proposed expansion are consistent with the residential zoning district and with the adjacent land uses of single-family residential. The new facility will be used to improve existing church functions with a multi-purpose room, classroom and office space. There is no full kitchen in the facility, and it will not be a banquet hall for rental to large groups. The petitioner has indicated they would be supportive of neighborhood uses of the new building for community gatherings.

The use of the existing parking lot across Dhu Varren Road allows a beneficial shared use of existing parking lot during off peak times for the Food Gatherers office and warehouse uses. There are private and public sidewalks from this parking area leading to a crosswalk at Dhu Varren Road, sidewalks then lead to the church building. Church parking is not permitted in the residential section of that site. While additional parking could be provided on the subject site, it would require significant removal of landmark trees and an impact to a regulated woodland. In addition to the loss of trees, a larger parking lot would also reduce the buffer to the single-family residential use adjacent. While the lease agreement held by the petitioner for off-site parking does not meet the code requirements for a permanent parking easement, staff has determined that the lease does meet the intent of the ordinance. The church is also requesting a variance from the EV parking requirements. The project will not be expanding the parking lot and will only have minimal disruption to existing landscape islands and sidewalks.

Per requirements of the Citizen Participation Ordinance, the petitioner held a virtual neighborhood meeting to present the project and gather feedback from the neighboring residents. There were four neighbors in attendance, a link to the final report is [here](#).

Prepared by Matt Kowalski  
Reviewed by Brett Lenart  
11/30/21

Attachments: Zoning and Parcel Map  
Aerial Photo  
[Site Plan](#)  
[Special Exception Use Application](#)

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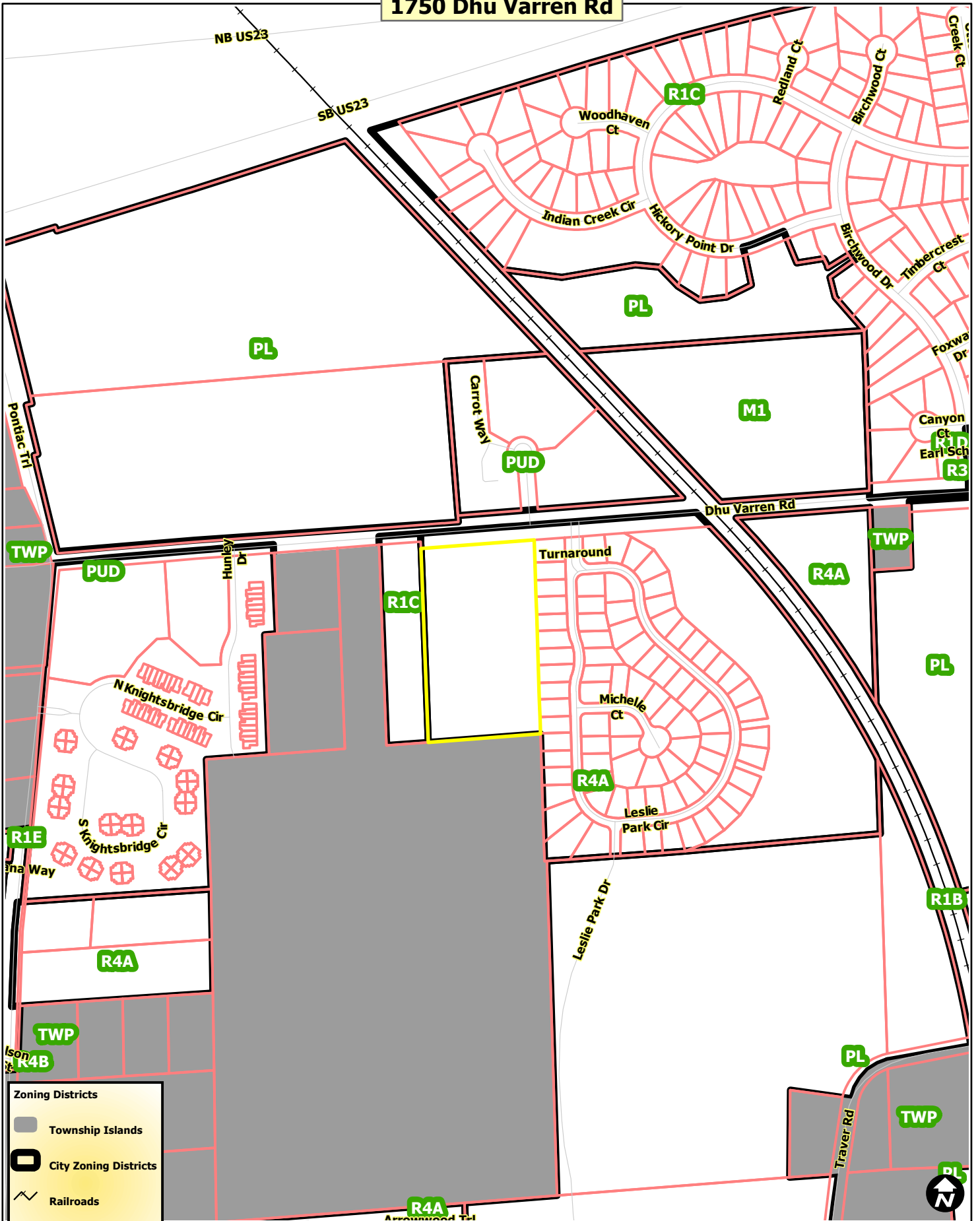
Civil Engineer: Sue Dickinson PE  
Midwestern Consulting, LLC  
3815 Plaza Drive  
Ann Arbor, MI 48108

Petitioner: Howard Huang  
Building Expansion Committee  
Ann Arbor Chinese Christian Church

Owner: Ann Arbor Chinese Christian Church, Pastor Dennis Wong  
1750 Dhu Varren Road  
Ann Arbor, MI 48105

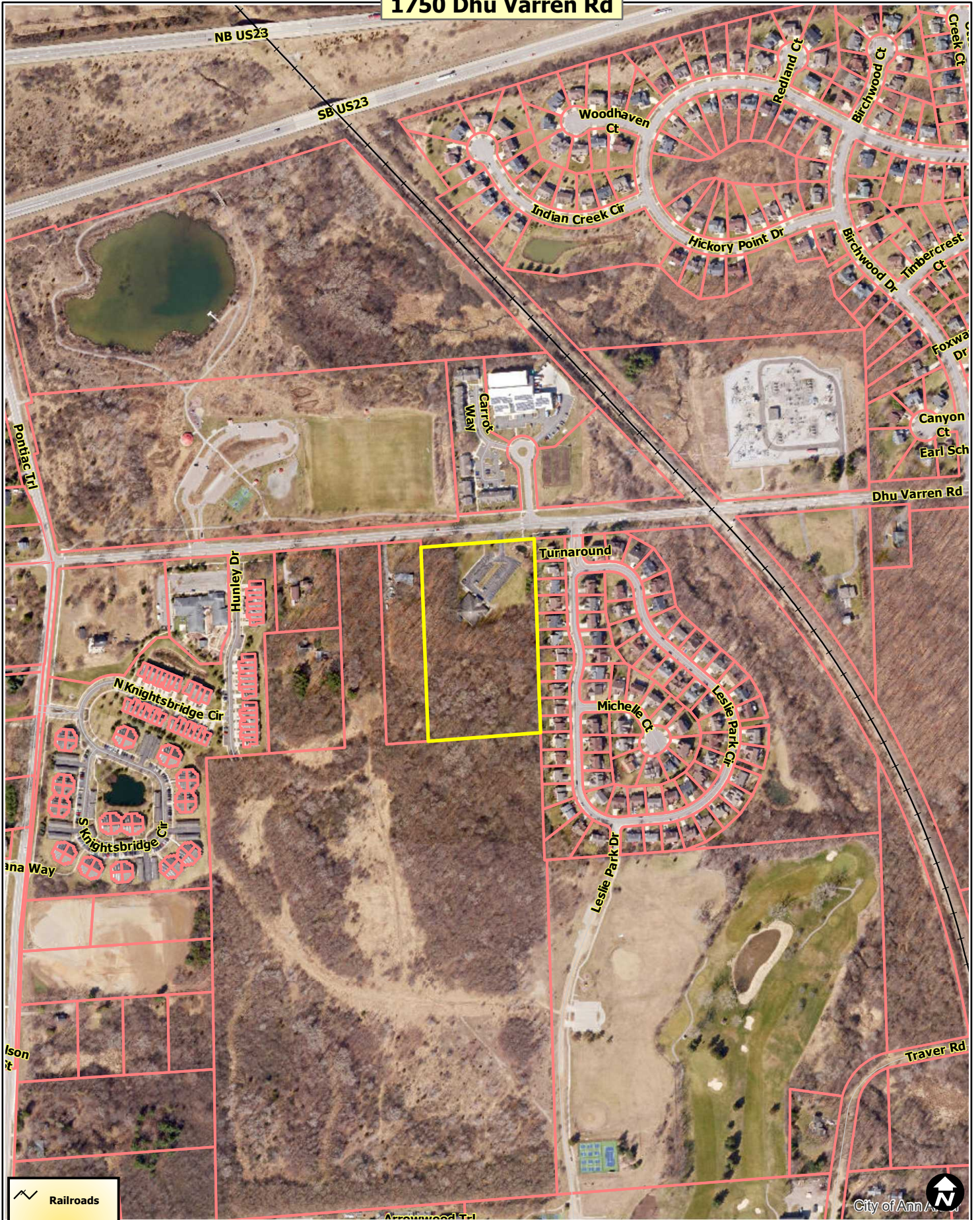
Systems Planning  
File Nos. SP21-019 and SEU21-004


# 1750 Dhu Varren Rd







1750 Dhu Varren Rd



 Railroads

 Huron River

 Tax Parcels



Map date: 3/8/2021  
Any aerial imagery is circa 2020 unless otherwise noted  
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1750 Dhu Varren Rd

Dhu Varren Rd

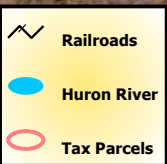
Carrot  
Way

Turnaround

Leslie Park Cir

Michelle  
Ct

City of Ann Arbor



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