

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of December 15, 2020

SUBJECT: St. Francis of Assisi Addition Special Exception Use, Landscape Modification Request and Site Plan (2150 Frieze Ave,) File Nos. SEU20-002 & SP20-002

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 St. Francis of Assisi Special Exception Use for church and school uses. This approval is based on the following findings:

1. The proposed uses will be consistent with the objectives of the Master 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 1,000 persons and school occupancy is limited to 675 students.
2. The floor area total for both the church, parish and school does not exceed 78,000 square feet.

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby approves the proposed landscape modifications in order to maintain the previously approved landscape plan according to Chapter 55 (Zoning Ordinance), Section 5.30.2A (2)(e) subject to approval of the site plan.

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the St. Francis Assisi Site Plan, subject to approval by the Zoning Board of Appeals to not plant street trees in the public right-of-way and installation of required EV parking spaces if the EV Ordinance is passed before this 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 this petition be **approved** because the modifications are consistent with the intent of the ordinance and are associated with a previously approved site plan.

Staff recommends that the site plan be **approved** because, if the proposed conditions are satisfied, it 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 south side of East Stadium Boulevard, West of St. Francis Drive (South Area, Malletts Creek Watershed, Ward 3).

SITE PLAN

A proposal to construct a two-story, 14,570-sq foot parish structure on this 10.62-acre parcel for a new total floor area of 71,259-sq feet. This site is accessed off existing curb cuts on E. Stadium Blvd, St. Francis Dr., Winchell Dr. and Frieze Ave. Two solid waste enclosures at the northwestern and southern parking lots are proposed.

A reduction of six parking spaces off the Frieze Ave. parking lot is proposed to accommodate the parish addition. No additional parking is proposed as the church and school uses share the parking on site and conduct their services at different times. Bicycle parking is located near the entrances of the school and church.

One-hundred-year storm water detention is required and provided with existing east and west detention basins and a proposed sediment forebay located along E. Stadium Blvd. Infiltration is not possible due to the soils on site so the detention capacity has been increased by 20%. This proposal meets the Rules of The Washtenaw County Water Resources Commissioner Office.

A 15-ft wide conflicting land use buffer is required along the northwestern and southwestern property lines to screen the parking lots from the residences. A total of 22 trees are proposed to be removed with three of these being landmark trees. Two landmark trees removed to accommodate the parish addition and one for the storm detention basin. Seven mitigation trees will be planted around the perimeter of the northwestern parking lot.

A landscape variance is requested to forego planting the required amount of street trees along E. Stadium as the width to plant within the public right-of-way is too narrow. Street trees are proposed along Winchell Drive and St. Francis Drive.

Landscaping and Screening code includes a requirement for at least 50% of the interior landscape island areas to be depressed bioretention areas used for storm water management. The Planning Commission may approve a modification to allow landscape elements which are part of a previously approved site plan to be maintained and continued as nonconforming provided no alterations of the existing landscape elements are proposed. The petitioner is requesting a modification to allow all existing landscape islands to remain as previously approved as the bioretention islands are outside the limits of disturbance. Required interior parking lot landscaping is being met.

Construction is proposed in one phase. The estimated cost of construction is to be determined.

SPECIAL EXCEPTION USE

Churches and schools proposed in single-family residential districts require Special Exception Use approval by the City Planning Commission. Previously, it was determined SEU approval was not required as the church was lawfully established before SEU's were required in the Zoning Ordinance. The updated UDC does not list exemptions or special instructions in the nonconforming section of the UDC for SEU's.

The petitioner indicates there will be no increases to students and parishioners as part of this proposal and will have no increased traffic on local streets and meets the general objectives of the City's Master Plan. Staff responses to the special exception use requirements are in *italics* below.

- a. Will be consistent with the general objectives of the City Master Plan.

The site is zoned R1B, single-family dwelling district. The requested special exception use is being proposed to allow the existing church and school to remain and to utilize the

proposed building as a complimentary staff office and meeting spaces in support of the church.

The Master Plan: Land Use Element South Area Plan recommends single -family residential for this site. The existing R1B zoning is appropriate since it allows church uses as a special exception use.

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

No additional students and parishioners are proposed as part of this development. No additional parking is proposed, and existing parking lots are screened from adjacent residents.

The outside appearance of the parish is appropriate for this church site.

- c. 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.

- d. 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.

- e. Will not have a detrimental effect on the natural environment.

As part of the site plan requirements, mitigation trees will be planted for removal of landmark trees and conflicting land use buffers will be maintained to screen parking lots from the adjacent residential neighborhoods. Additional street trees are proposed along both Winchell Drive and St. Francis Drive.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Tappan Middle School	PL (Public Land)
EAST	Personal Services & Apartments	O (Office District) & R4C (Multiple-Family Dwelling District)
SOUTH	Winchell Park & Residences	PL & R1B (Single-Family Dwelling District)
WEST	Single-Family Homes	R1B

COMPARISON CHART

	EXISTING	PROPOSED	REQUIRED/PERMITTED
Zoning	R1B (Single-Family Dwelling District)	R1B	R1B
Gross Lot Area	462,678 sq ft (10.6 acres)	462,678 sq ft (10.6 acres)	10,000 sq ft MIN
Floor Area	56,689 sq ft (13%)	71,259 sq ft (15%)	NA
Minimum Lot Width	500 ft	500 ft	70 ft.
Setback – Front	100 ft – E. Stadium 37 ft- St. Francis 85 ft - Winchell	100 ft.- E. Stadium 37 ft - St. Francis 85 ft - Winchell	30 ft MIN
Setback – Side(s)	None	None	5 ft MIN One Side 14 ft MIN Total
Setback – Rear	185 ft – West	66 ft - West	40 ft MIN
Height	3 story 30 ft	3 story 30 ft	30 ft MAX
Parking – Automobile	287 spaces	282 spaces	260 spaces (1 space/3 seats or 1 space/6 feet of pew 3 spaces/classroom) *
Parking – Bicycle	83 Spaces – Class C	83 Spaces – Class C	78 spaces - Class C (1 space/50 seats or 100 feet of pew– Class C MIN 5 spaces/classroom Class C – MIN)

*Does not include the Parish addition as required parking is at different time than school & church

HISTORY

- 1960s - The church was built before special exception use requirements.
- 1979 - A site plan to construct an 8,050-square foot parish hall was approved.
- 1980 - An administrative amendment to increase the size of the parish hall by 320 square feet and to add ten parking spaces was approved.
- 1984 - A site plan for minor modification to add a 25-car parking lot with access from St. Francis Drive was considered by the Planning Commission at a public hearing. The item was tabled until outstanding issues could be addressed. It became an inactive file when no additional action was taken by the petitioner to revise the plans.
- 1992 - A site plan for minor modifications was approved to construct an addition to the rectory. During the review, it was discovered that a parking lot had been installed

without Planning Commission approval or building permits. The church was required to install a detention area along Stadium Boulevard to accommodate the additional runoff from the impervious surface of the parking lot.

- 1993 - A site plan for minor modifications was approved to construct a two-story, 4,602-square foot addition to the school. A modification to the interior landscaping requirement was approved because the reduction of interior trees was offset by perimeter landscaping.
- 2000 – a site plan for City Planning Commission was approved to add 43 additional parking spaces to the site.

PLANNING BACKGROUND

The MPLUE (Master Plan: Land Use Element) Future Land Use Map recommends single-family residential uses for this site. Churches and schools require special exception use approval in single-family residential zoning districts.

DEPARTMENT COMMENTS

Systems Planning – The driveway opening width for the St. Francis Drive curb cut does not meet the minimum width requirement, and the Winchell Drive curb cut does not meet the minimum driveway turning radius requirement. These drive approaches may remain in place until such time that the approaches require repair or replacement. At the time repair or replacement is necessary, the approaches shall be reconstructed to meet current City Code and specifications. Note this on the plans.

Transportation – The Parish Hall addition is an associated use with the existing worship area. It is anticipated the Hall will be used prior to or after gatherings in the worship space by attendees of the worship space. Therefore, little of no increase in traffic is anticipated.

Forestry – Staff supports the requested variance from planting street trees along E. Stadium as there isn't room for street trees between the sidewalk and road. Additional trees will be planted on private property along E. Stadium to meet the intent as closely as possible.

Staff supports the petitioner's request for a landscape modification to not install depressed bioretention as the existing parking lots are outside the limits of grading disturbance and the existing parking lots were part of previously approved site plans. The petitioner has confirmed and noted on the landscape and grading plans there will be no ground disturbance to the existing parking lot.

Planning – It was determined in previous site plan reviews for this site a SEU was not required since the church use was lawfully established prior to the SEU requirements being added to the Zoning Ordinance. The UDC does not recognize exemptions for SEU's. The proposed SEU conditions allow for a 10% addition in the future that can be approved under administrative amendment review.

At the time this staff report was written, it was determined a variance was necessary for not planting street trees in the public right-of-way. Staff is coordinating with the petitioner to update the ZBA application.

The petitioner indicates since their neighborhood participation meeting, they have not heard feedback from residents regarding this proposal.

In anticipation of the Electric Vehicle Ordinance being passed, staff requested EV stations be installed. The petitioner understands this requirement and has declined installation at this time. If the ordinance is passed as proposed, the church requirement is 10% of spaces EV-Installed and 10% EV-Ready and private school requires 25% EV-Capable, 15% EV-Ready and 10% EV-Installed. The petitioner has been informed if the EV Ordinance is passed before this petition is approved by City Council, EV stations will be required.

Prepared by Christopher Cheng
Reviewed by Brett D. Lenart
mg/12/10/20

Attachments: [Aerial Map](#)
[Zoning Map](#)
[Landscape Modification Application](#)
[Special Exception Use Application](#)
[Site Plan/Landscape Plan/Utility Plan/Elevations](#)
[Citizen Participation Notification](#)

C: Owner: St. Francis of Assisi Parish
2150 Frieze Ave.
Ann Arbor, MI 484104

Petitioner's Agent: Brian Bagnick & Dan Kohler
Hobbs & Black Architects
100 N. State St.
Ann Arbor, MI 48104

2150 Frieze Ave



- Railroads
- Huron River
- Tax Parcels



Map date: 12/1/2020
Any aerial imagery is circa 2020 unless otherwise noted
Terms of use: www.a2gov.org/terms

2150 Frieze Ave

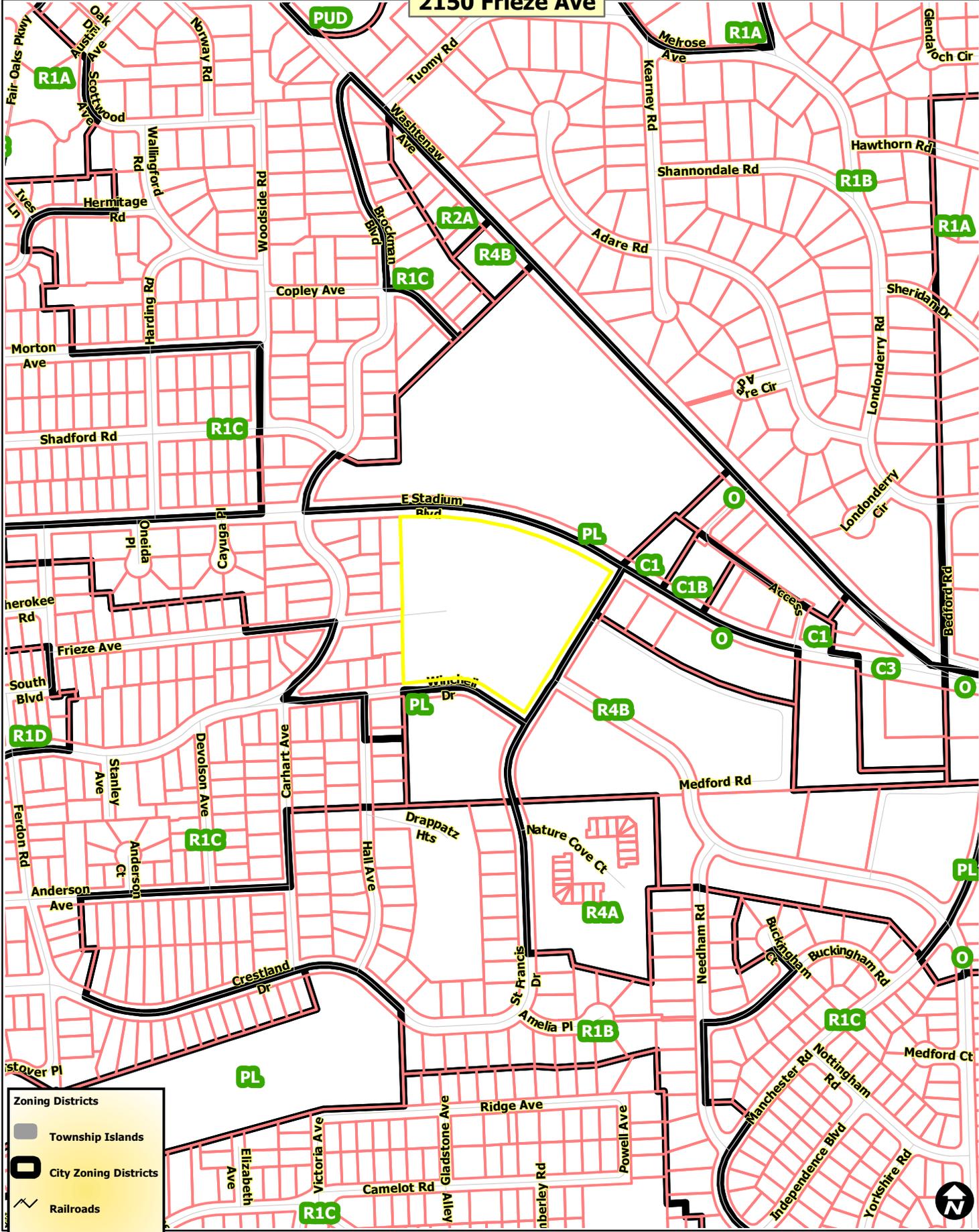


- Railroads
- Huron River
- Tax Parcels



Map date: 12/1/2020
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2150 Frieze Ave



Zoning Districts

- Township Islands
- City Zoning Districts
- Railroads
- Huron River
- Tax Parcels



Map date: 12/1/2020
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City of Ann Arbor

PLANNING & DEVELOPMENT SERVICES — PLANNING DIVISION

301 East Huron Street | P.O. Box 8647 | Ann Arbor, Michigan 48107-8647
p. 734.794.6265 | f. 734.994.8312 | planning@a2gov.org

APPLICATION FOR MODIFICATIONS FROM CHAPTER 62 (LANDSCAPE AND SCREENING)

See www.a2gov.org/planning for submittal requirements.

TO: Ann Arbor City Planning Commission

We, the undersigned, respectfully petition the City Planning Commission or City Council to approve these modifications from the landscape and/or screening requirements of Sections 5:602, 5:603, 5:604 or 5:606 of Chapter 62, as they relate to the property hereinafter described.

A. Project Information

(Give name of site plan project and tax code number of property)

*St. Francis of Assisi Parish
2150 Frieze Avenue
City of Ann Arbor, MI 48104
09-09-34-312-004
09-08-34-312-005*

B. Petitioner Information

The petitioner(s) requesting the modifications are:

(List petitioners' name; address; telephone number; and interest in the land; i.e., owner, land contract, option to purchase, etc.)

*Robert Kehn, CMA
Parish Business Manager
St. Francis of Assisi Catholic Church
2150 Frieze Avenue
Ann Arbor, MI 48104
Desk: 734-821-2111
Fax: 734-821-2102*

Also interested in the petition are:

(List others with legal or equitable interest)

C. Modification Request

The petitioner requests approval to modify the above landscape and/or screening requirements in the following ways (if necessary, attach additional page):

Section 5.20.4, Paragraph 4

When the total area required in interior landscape islands for all of the Vehicular Use Areas on Site exceeds 750 square feet, at least 50% of the area in the required interior landscape area must be depressed Bioretention areas and utilized for storm water management. Depressed Bioretention be used to meet the storm water pretreatment requirements in Section 5.22. When the total area required in interior landscape islands for all of the Vehicular Use Areas on Site is less than 750 square feet, interior landscape islands in the form of depressed Bioretention areas that are utilized for stormwater management are encouraged.

D. Standards for Approval

Flexibility in the application of the landscape and screening regulations may be allowed if certain standards are met. The modifications must be consistent with the intent of Chapter 62; be included on a site plan and in a motion approved by the City Planning Commission or City Council; and be associated with specific site conditions as listed in Section 5:608(2)(c).

1. What are the specific site conditions that necessitate this request and how do they warrant the modifications of Chapter 62 requirements? (See Section 5:608(2)(c)) List relevant subsection and explain how and to what extent the modifications are justified.

The current parking lot is greater than 750 square feet, but does not have bioretention areas. A waiver is requested for the bioretention areas because there are no changes proposed to the size and shape of the existing parking areas.

In lieu of bioretention areas in the parking lot, we are proposing a storm water treatment basin at the north edge of the existing parking lot.

2. How does the proposal meet the spirit and intent of Chapter 62? (See Section 5:600)

The proposed site plan brings all other landscape requirements up to code, including adding trees to the existing islands and buffers along the existing parking lots.

The undersigned states he/she is interested in the property as aforesaid and that the foregoing statements are true and correct to the best of his/her knowledge and belief.

Dated: MAY 20, 2020

Signature: *Thomas H. Diamond*

THOMAS H. DIAMOND
4927 NEMCO WAY SUITE 115
BRIGHTON, MI 48116
(Print name and address of petitioner)

STATE OF MICHIGAN)
) ss:
COUNTY OF WASHTENAW)

On this 20 day of May, 2020, before me personally appeared the above named petitioner(s), who being duly sworn, say that they have read the foregoing petition and by them signed, and know the contents thereof, and that the same is true of their knowledge, except as to the matter therein stated to be upon their information and belief, and as to those matters they believe it to be true.

Signature: *Pamela L. Merline*

Pamela L. Merline
(Print name of Notary Public)

PAMELA L. MERLINE
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF LIVINGSTON
My Commission Expires 12/11/2025
Acting in the County of Livingston

My Commission Expires: 12/11/2025



City of Ann Arbor

PLANNING & DEVELOPMENT SERVICES — PLANNING SERVICES

100 North Fifth Avenue | P.O. Box 8647 | Ann Arbor, Michigan 48107-8647
p. 734.794.6265 | f. 734.994.8312 | planning@a2gov.org

APPLICATION FOR SPECIAL EXCEPTION USE

See www.a2gov.org/planning/petitions for submittal requirements.

TO: Ann Arbor City Planning Commission

We, the undersigned, respectfully petition the City Planning Commission to approve this special exception use request as it relates to the property hereinafter described.

A. Legal Description

(Give or attach legal description and include address of property)

See attachment

B. Petitioner Information

The petitioner(s) requesting the special exception use are: *(List petitioners' name; address; telephone number; and interest in the land; i.e., owner, land contract, option to purchase, etc.)*

St. Francis of Assisi - Owner

2150 Frieze Ave.

Ann Arbor, MI 48104

734.821.2111

Also interested in the petition are: *(List others with legal or equitable interest)*

N.A.

C. Use Request

The applicant requests special exception use approval to permit the following use(s): *(state intended use)*

The existing Catholic church and school is proposing a 2 story parish hall addition on the west end

of the existing worship center to be used for events associate gatherings in the worship center and the school.

D. Specific Standards

The proposed use is allowed in accordance with the Schedule of Use Regulations, Chapter 55 (Zoning Ordinance), Section 5.11.2, Paragraph A. Specify how the project meets all standards cited. Add attachment if necessary.

As required by this section of the zoning ordinance, the expansion of the parish hall services residence and visitors in the area.

E. General Standards

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. Please explain how and to what extent the following standards are met by the proposal:

1. Will be consistent with the general objectives of the City Master Plan.

The proposed improvements limit the disturbance to the existing natural features on the site and at the same time prompting health and safety for the users and surrounding neighborhoods.

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 parish hall expansion has been designed into the existing topography to limit the visual impact to the area.

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 placement of the addition retains most of the existing buffer to the neighbors to the west.

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

Places of religious assembly in residential areas typically have little affect on adjacent property values and studies have shown they reduce crime rates in the area.

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

The parish expansion has been designed into the environment as illustrated on the alternatives analysis to retain much of the existing environment.

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. Please explain how and to what extent the following standards are met by the proposal:

- 6. The location of and access to off-street parking and the safe provision for pedestrian traffic.
No additional or changes are being proposed to the vehicle access points to the site.

Also, only minor modifications are being made to the internal parking lots and drives.

- 7. The relationship of the proposed use to main traffic thoroughfares and to streets and road intersections.
The primary access point for users of the expansion will be through the drive approach on stadium.

Also, the new hall is an associated use to the worship center and school. Therefore very little new traffic is anticipated.

- 8. Vehicular turning movements in relationship to traffic flow routes.
No changes are proposed to the vehicle access points to the property and very little change is proposed

for the existing drive isles and parking areas.

- 9. The intensity and character of traffic and parking conditions on the site and in the general area.
The addition is anticipated on having very little impact on the traffic and parking conditions due to the

parish hall addition is an associated use tot he worship space and school.

- 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.

Besides additional sanitary and water services to the building addition, no additional public services are anticipated being impacted by the addition.

F. Variance Information

In addition to the granting of the special exception use, the following variances from City regulations will be requested:

N.A.

Attached is a site plan of the property proposed for special exception use approval, showing the

boundaries of the property, the buildings, vehicular use areas, and all requirements set forth in Chapter 57 (Subdivision and Land Use Controls).

The undersigned states he/she is interested in the property as aforesaid and that the foregoing statements are true and correct to the best of his/her knowledge and belief.

Dated: 7.30.20

Signature: Brian C. Baguick
Brian Baguick
Hobbs + Black Assoc. Inc.
100 N. State Street, Ann Arbor, MI
48104
(Print name and address of petitioner)

STATE OF MICHIGAN

COUNTY OF WASHTENAW

On this 30 day of July, 2020, before me personally appeared the above named petitioner(s), who being duly sworn, say that they have read the foregoing petition and by them signed, and know the contents thereof, and that the same is true of their knowledge, except as to the matter therein stated to be upon their information and belief, and as to those matters they believe it to be true.

Signature: Erin R. Bailey

ERIN R BAILEY
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF LENAWEE
My Commission Expires May 14, 2023
Acting in the County of Washtenaw

My Commission Expires: May 14, 2023

Washtenaw

PROPERTY DESCRIPTION

Parcel 1

Lot 9, Assessor's Plat No. 49, as recorded in Liber 17 of Plats, Pages 33 and 34, Washtenaw County Records.

Parcel 2

Lot 41, Buell Subdivision Number 1, as recorded in Liber 6 of Plats, Page 51, Washtenaw County Records.

Parcel 3

Lot 42, Buell Subdivision Number 1, as recorded in Liber 6 of Plats, Page 51, Washtenaw County Records.

NOTICE OF CITIZEN PARTICIPATION MEETING: Ministry Center Plan Review

Citizen Participation Meeting

Postcards are being sent to all property owners within 1,000 ft of the project site to give notice that a development petition will be submitted to the City of Ann Arbor on 03/01/19. A citizen participation meeting will be held to give you an opportunity to review plans, ask questions, and provide comments that will be considered by the developer to finalize plans and then incorporated into a report for the City Planning Commission.

Project Description

The two-level, 17,000 sq. ft. Ministry Center will be beautifully situated on the west side of the Church, continuing the same architectural look of the current Church. There will be additional parking, water retention and access point on E. Stadium Blvd.

Meeting Logistics

Date: Tuesday, October 23, 2018

Time: 7:00 pm

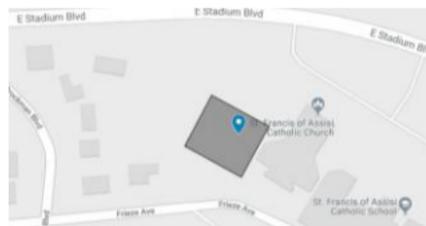
Place: Parish Activity Center (PAC) 2270 E. Stadium Blvd. Ann Arbor MI 48104

Questions or Comments

Questions or comments may be directed St. Francis Building Committee at ministrycenter@stfrancisa2.org or during business hours at 734-821-2100.

Persons with disabilities are encouraged to participate. Accommodations may be arranged by contacting St. Francis of Assisi Parish. Requests need to be received at least 24 hours in advance of the meeting.

Project Location



2250 E. Stadium Blvd.

Return Address

St. Francis of Assisi Parish
2150 Frieze. Ave
Ann Arbor, MI 48104

Proposed Project and Site Plan Review

In accordance with the City of Ann Arbor's Citizen Participation Ordinance, you are being notified that a proposal for Ministry Center will be submitted to the City of Ann Arbor's Planning Department. Details about a citizen participation meeting designed for you to learn about this project are described on the opposite side of this card. Visit www.a2gov.org/participation for more information about citizen participation in Ann Arbor.

Place address label here

