

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of March 15, 2011

**SUBJECT: Phi Kappa Psi Fraternity Special Exception Use and Site Plan for City Planning Commission Approval (620 Oxford Road)
File Nos. SEU10-004 and SP10-034**

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 Phi Kappa Psi Special Exception Use for a fraternity with not more than 24 occupants.

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby approves the Phi Kappa Psi Site Plan, subject to satisfaction of all code requirements prior to issuance of building permits.

STAFF RECOMMENDATION

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.

Staff recommends **approval** of the site plan because it complies with applicable local, state and federal laws, ordinances, standards and regulations; limits the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; and does not cause a public or private nuisance and does not have a detrimental effect on the public health, safety or welfare.

STAFF REPORT

This petition was postponed at the January 20, 2011 meeting to allow the petitioner to respond to staff comments. Revised plans were submitted with the following changes:

Parking. Vehicle parking in the proposed rear parking lot has been reduced from 10 spaces to eight spaces.

Class A bicycle parking for 12 bikes has been added in a new 200 square foot shed located near the north property line. Class C hoops for four bikes will be located on the stone patio

between the house and parking lot. Code requires six class A indoor spaces and six class B covered spaces.

Storm Water. First-flush stormwater detention will be provided via a drywell and spillway located immediately south of the parking area.

Landscaping. There are nine landmark oaks on the property, none of which are proposed to be removed. A conflicting land use buffer is located between the parking lot and north property line. In order to minimize disturbance to the two landmark oaks in the northwest corner of the site, existing vegetation is being used for screening in that area.

Notice. An email was sent to the 3 persons who attended the January 20, 2011 meeting and requested to be notified when the project returns to the Commission

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 (petitioner's response in regular type, *staff 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 change of use of this property is consistent with the intent of the City Master Plan and Zoning ordinances, which attempt to locate higher density student properties in close proximity to the University of Michigan Central Campus and in areas of similar uses. This property is located in the R2B zoning district, which specifically lists in its intent, "to permit in the vicinity of the University of Michigan Campuses the operation of fraternity, sorority and student cooperatives." In addition, this neighborhood already contains several fraternities, sororities and cooperatives, so its impact on single family residents is minimized as compared to other alternative locations. Additionally, the University of Michigan campus extends to this neighborhood, where directly across the street from this property is University of Michigan housing and conference facilities, and where another University of Michigan owned building is located two properties to the north.

The Master Plan Land Use Element recommends group housing, along with single and two-family housing, for this area.

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 existing building is in very nice condition and is a compliment to this neighborhood. No changes to the exterior in the front yard or side yards that would be visible from the street are proposed. This fraternity currently employs Alpha Management Group to manage their current leased property, and this professional property management company has developed a track record of providing a higher level of maintenance, cleanliness and housing code compliance than many of the other fraternities and student housing properties. Further, the petitioner fully intends to maintain this property in a manner that compliments

and enhances this neighborhood. Therefore, this property is currently highly compatible with the character of this area now and for the future based on its intended use and operation.

The existing structure is well-integrated into the surrounding neighborhood, formalizing the parking area will help maintain order on the site, and the proposed use (group housing) is prevalent on this block.

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;

This property is already being utilized as student housing and has residents that are members of a sorority. This is a very similar use as what is proposed. The scale, bulk and character are not changing, and are already consistent with the area, which already includes 19 other fraternities, sororities and student cooperatives within two blocks of this location. Because of this property's proximity to other fraternities, sororities, cooperatives, university buildings and student housing, it will have little or no impact on the intensity or character of this area.

No changes to the design, scale, or bulk of the structure are proposed. The proposal would cause an increase in population density which, if limited to occupancy by 24 persons, would still be consistent with the neighborhood.

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

As noted above, this property is not being changed or expanded, and its use is similar to the existing use and in concert with the vast majority of the other properties in this area. Based on this, it will not be a detrimental impact on this property.

Staff is aware that fraternities at times can be a disruption to the peaceful enjoyment of neighboring properties. However, surrounding uses are predominantly multiple-family and group housing, and a resident manager is required as part of the Special Exception Use standards.

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

The property is not being altered, so its effect on the natural environment is not changing.

Plans have been drawn to minimize or eliminate possible negative impacts to landmark trees on the site.

(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;

The location and access to off-street parking is unchanged. Off-street parking will be via a paved parking area at the rear of the property, which abuts other parking areas to the north and west. Zoning requires a minimum of one parking space for every five residents, and in this case would require five parking spots to meet the desired occupancy. The parking area is designed for 10 parking spaces, which is double the requirement. The parking lot also includes handicap accessible parking and access to the building, which is an improvement to the existing conditions and will allow this property to be more convenient to people with physical challenges. The front yard includes paved sidewalks, and paved walkways serve the front, side and rear entrances. A University of Michigan bus stop is directly across the street. This property and its location is very friendly to pedestrians, bicycles, and public transportation.

Access to off-street parking is from an existing curb cut on Oxford. Sidewalks exist along the street that promote pedestrian traffic. Staff feels the location of and access to off-street parking is safe.

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

The vehicular traffic, off street parking, and traffic flow are expected to be the same as the existing use. The existing use provides for a shared circular driveway for vehicle ingress and egress which does not impact any road intersections.

The proposed use is located on Oxford Road, which is not a main traffic thoroughfare. Staff does not anticipate any increased traffic intrusion into the established neighborhood.

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

These will be unchanged.

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

These will be unchanged.

Parking on the site will be paved, striped, and reduced by two spaces, from ten informal gravel spaces to eight.

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.

No additional public services or facilities will be needed.

Adequate capacity exists for all City utilities to serve the site.

(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.

DEPARTMENT COMMENTS

Planning: Dates on plan sheets must be corrected from February 29 to March 1 prior to final approval.

Systems Planning and Project Management: Prior to final plan approval, the applicant must provide the drive approach dimensions (driveway opening width, curb cut width and turning radii) for the drive approach serving this parcel.

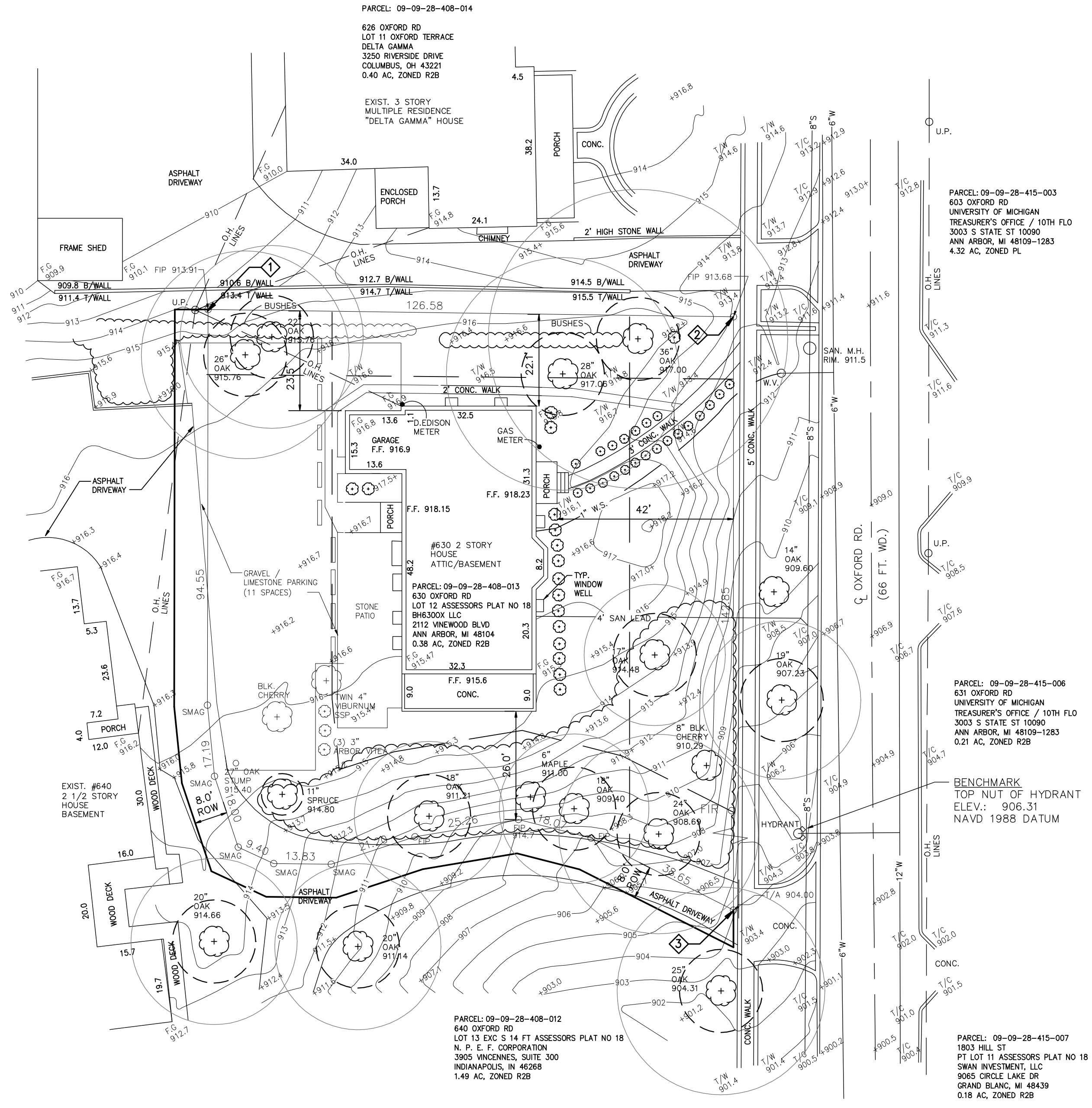
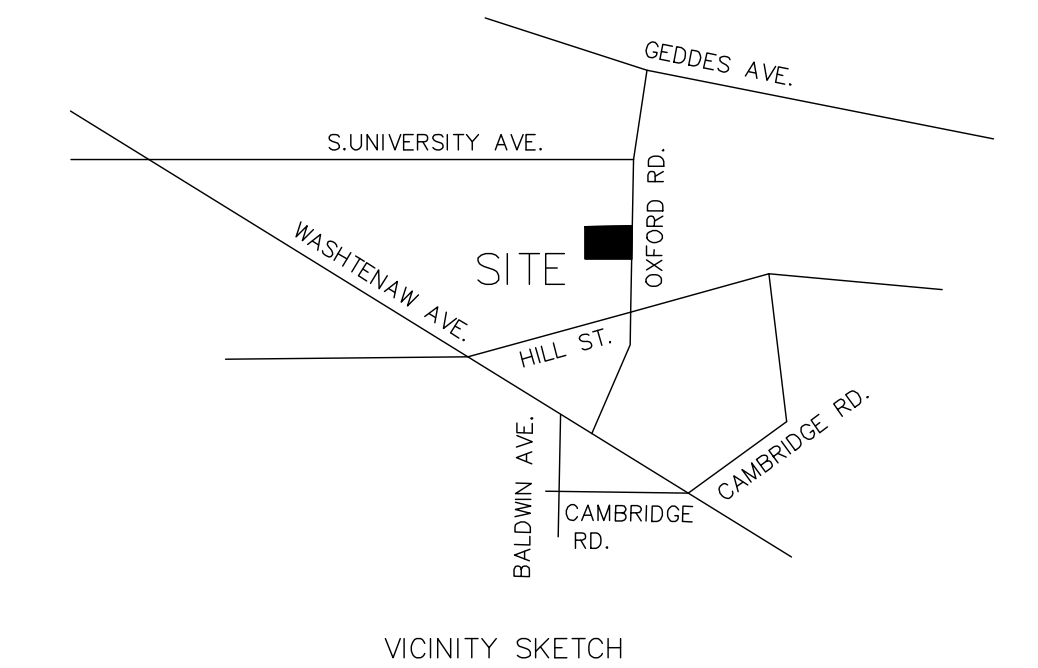
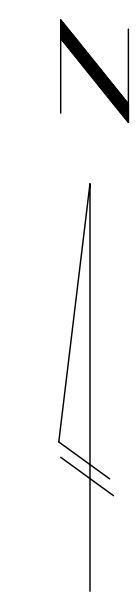
Prepared by Jill Thacher
Reviewed by Wendy Rampson
3/9/11

Attachments: January 20, 2011 Staff Report
 Sheet 2: Existing Site Plan – Date 2/29/11
 Sheet 4: Site Layout – Date 2/29/11
 Sheet 8: Landscaping Plan – Date 2/29/11
 Citizen Participation Report

c: Petitioner: Allan Lutes
 Alpha Management Group
 6921 Jackson Road, Suite 100
 Ann Arbor, MI 48103

Owner: BH630Ox LLC
 2112 Vinewood
 Ann Arbor, MI 48104

City Assessor – David Petrak
Systems Planning – Cresson Slotten
File No. SEU10-004 and SP10-034



EXISTING SITE PLAN
SCALE: 1" = 20'

LEGEND FOR ALL PLANS

- | EXISTING | | PROPOSED | |
|------------------|---------------------------|----------|--------------------------|
| ● | SECTION CORNER | ↓ | FIRE HYDRANT |
| ○ | IRON SET | ⊙ | LIGHT POLE |
| ○ _{12"} | FOUND IRON PIPE | — | SIGN |
| — | STORM SEWER | ● | MANHOLE |
| — | SANITARY SEWER | ○ | SPOT ELEVATION |
| — | WATER MAIN | ⊕ | VALVE BOX |
| ○ | SANITARY MANHOLE | — | CONTOUR LINE & ELEVATION |
| ○ | STORM MANHOLE | — | SETBACK LINE |
| ○ | ROUND CATCH BASIN | — | FENCE LINE |
| ⊕ | UTILITY POLE | — | SANITARY SEWER LINE |
| ○ | GLY POLE | — | STORM SEWER LINE |
| — | GLY | — | WATER MAIN LINE |
| — | ELECTRIC LINE | — | PAVEMENT |
| — | TELEPHONE LINE | — | CONCRETE WALKS & SLABS |
| ○ | WATER VALVE | ○ | LIGHT POLE |
| ○ | GAS RISER | ○ | NEW DECIDUOUS TREE |
| ○ | ELECTRIC RISER | — | CONSTRUCTION LIMITS |
| ○ | TELEPHONE RISER | | |
| ○ | MAILBOX | | |
| — | EXISTING CONTOUR | | |
| — | FENCE | | |
| ○ | EXISTING DECIDUOUS TREE | | |
| ○ | STORM MANHOLE/CATCH BASIN | | |
| ○ | SANITARY MANHOLE | | |
| ○ | VEGETATION CANOPY | | |
| ○ | SPOT ELEVATION | | |

STATE PLANE COORDINATES
SCALE FACTOR = 0.99996350
ELEVATIONS ARE ON NAVD88

NUMBER	NORTHING	EASTING	ELEVATION	RAW_DESC
①	282794.5865	13296571.6194	913.91	2.1P
②	282796.3418	13296698.0503	913.68	1R
③	282653.6330	13296702.0022	904.00	BEEP

PROJECT REFERENCE POINTS

NUMBER	NORTHING	EASTING
①	465.23	-50.47
②	463.48	75.96
③	320.72	75.96

NATURAL FEATURES STATEMENT OF IMPACT

THE 630 OXFORD ROAD SITE AND STREET GREENBELT CONTAINS NATURAL FEATURES CONSISTING OF NINE LANDMARK OAK TREES. THESE TREES RANGE BETWEEN 18 AND 34 INCHES DBH AND ALL BUT THREE APPEAR IN GOOD HEALTH AS NOTED IN THE LANDSCAPE DATA.

TWO OF THESE THREE TREES, A AND B, ARE LOCATED WITHIN THE EXISTING GRAVEL PARKING AREA. NEW PAVING WILL BE INSTALLED TEN FEET AWAY FROM A AND B WITHOUT MITIGATION. ALSO WITHIN THE GRAVEL PARKING AREA IS A BLACK CHERRY TREE THAT HAS A SPLIT TRUNK AND IS IN POOR CONDITION. THIS CHERRY TREE WILL BE REMOVED WITHOUT MITIGATION.

THE CITY HAS REMOVED THREE STREET TREES AND THREE NEW REPLACEMENT STREET TREES ARE PROPOSED UNDER THIS PROJECT AS IDENTIFIED ON THE LANDSCAPE PLAN.

THREE ADDITIONAL OFFSITE LANDMARK OAK TREES ARE PRESENT ON THE ADJACENT SOUTHERLY PROPERTY AND NOT IMPACTED BY THE PROPOSED CONSTRUCTION. TREES ON THE NORTHERLY ADJACENT PROPERTY ARE NOT IMPACTED BY THE PROPOSED CONSTRUCTION.

REV	DESCRIPTION	BY	DATE	CHK'D
3	THIRD SUBMITTAL		02/29/11	
2	SECOND SUBMITTAL		02/04/11	
1	FIRST SUBMITTAL		11/05/10	

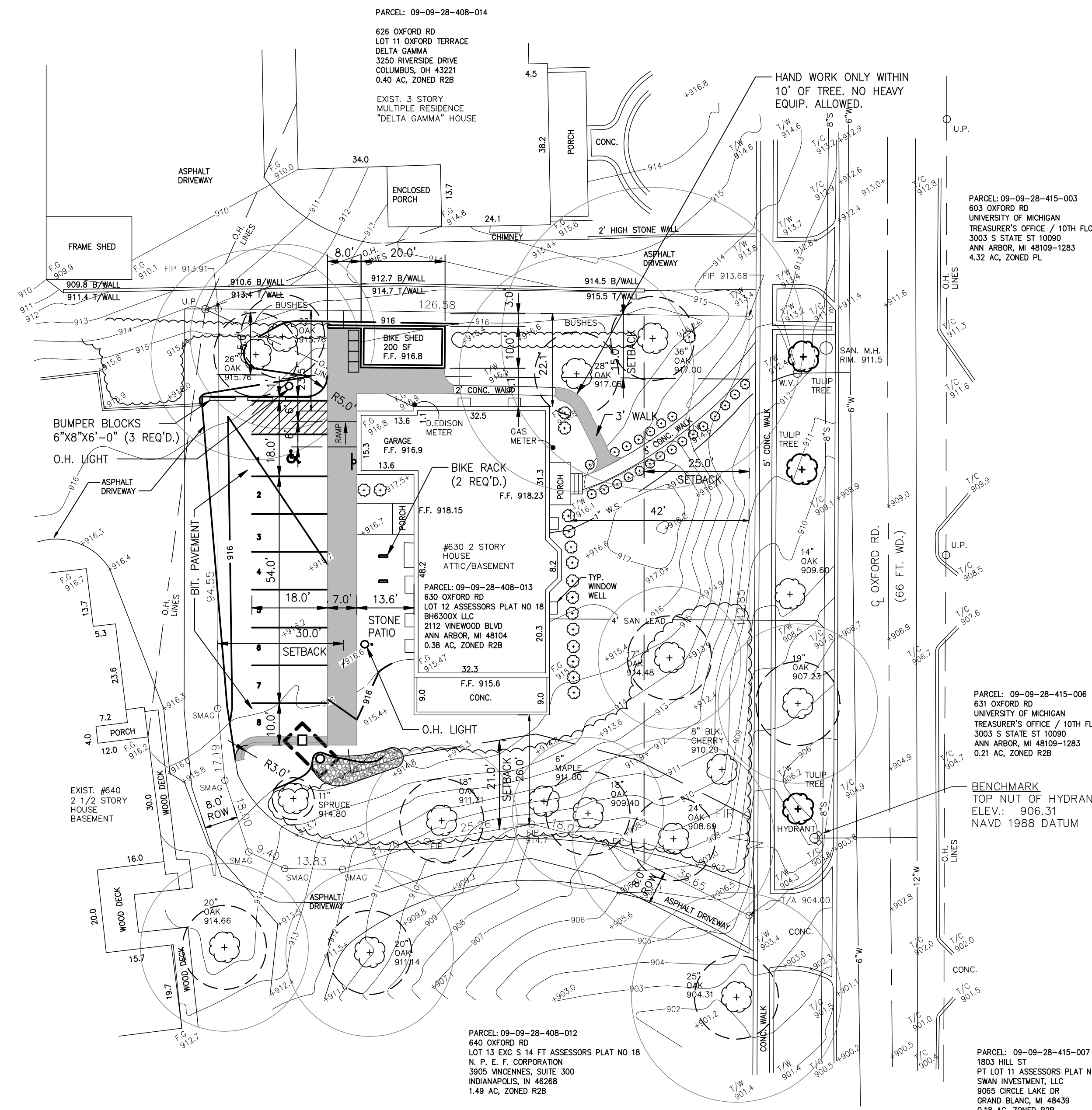
John Adams & Associates, Inc.
2039 Collegewood Drive, Ypsilanti, MI 48197

DESIGNED J. ADAMS CHECKED J. ADAMS
SCALE 1"=20' CADD DATE 02/29/11

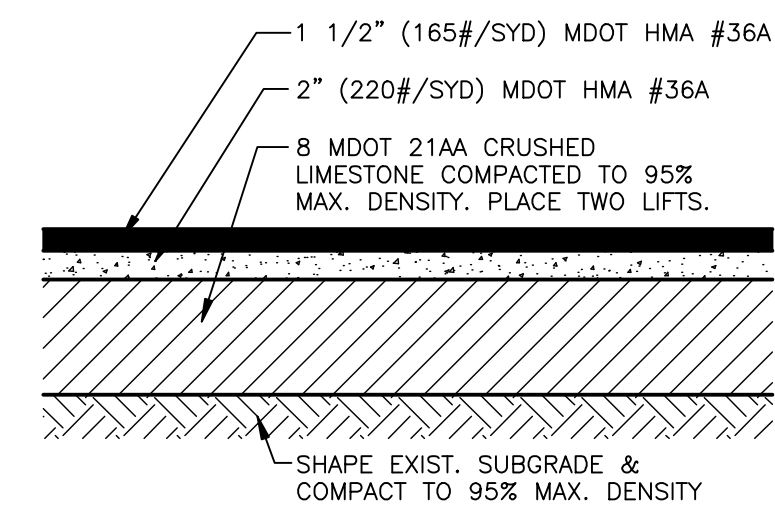
FILE NAME 2 EXISTING SITE PLAN
630 OXFORD ROAD
ANN ARBOR, MICHIGAN
PARKING LOT IMPROVEMENTS

**EXISTING SITE PLAN,
NATURAL FEATURES STATEMENT
& LEGEND**

DIVISION	CONTRACT	SHEET
	0600.055.05	2 OF 10

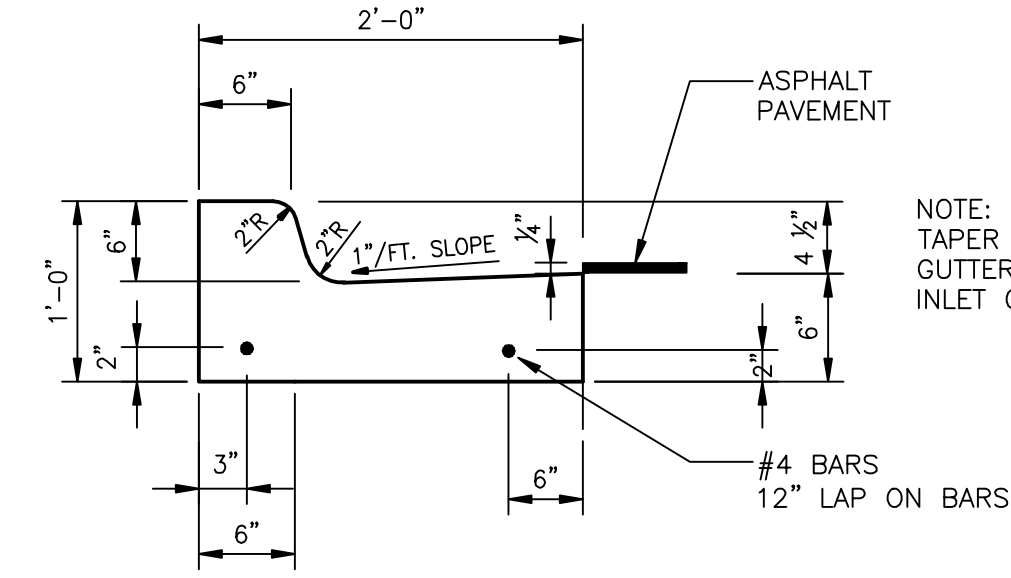


PROPOSED SITE PLAN
SCALE: 1" = 20'



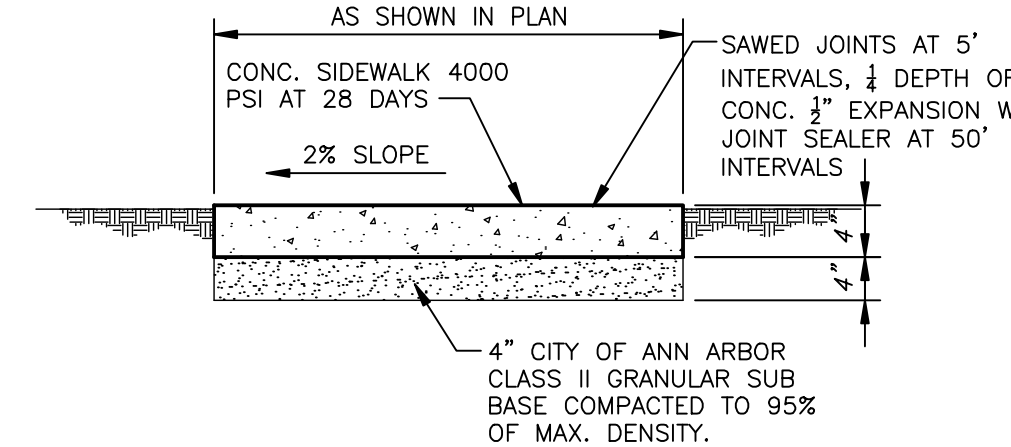
ASPHALT PAVEMENT SECTION

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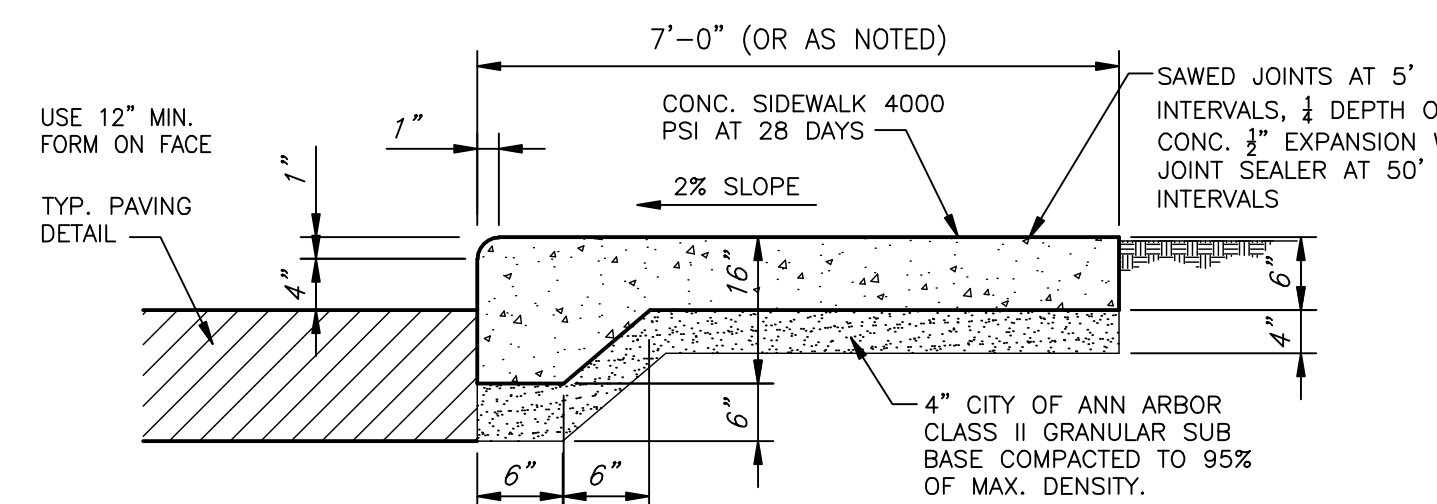
BARRIER CURB & GUTTER

NO SCALE
NOTE: RE-BARS NOT REQUIRED.



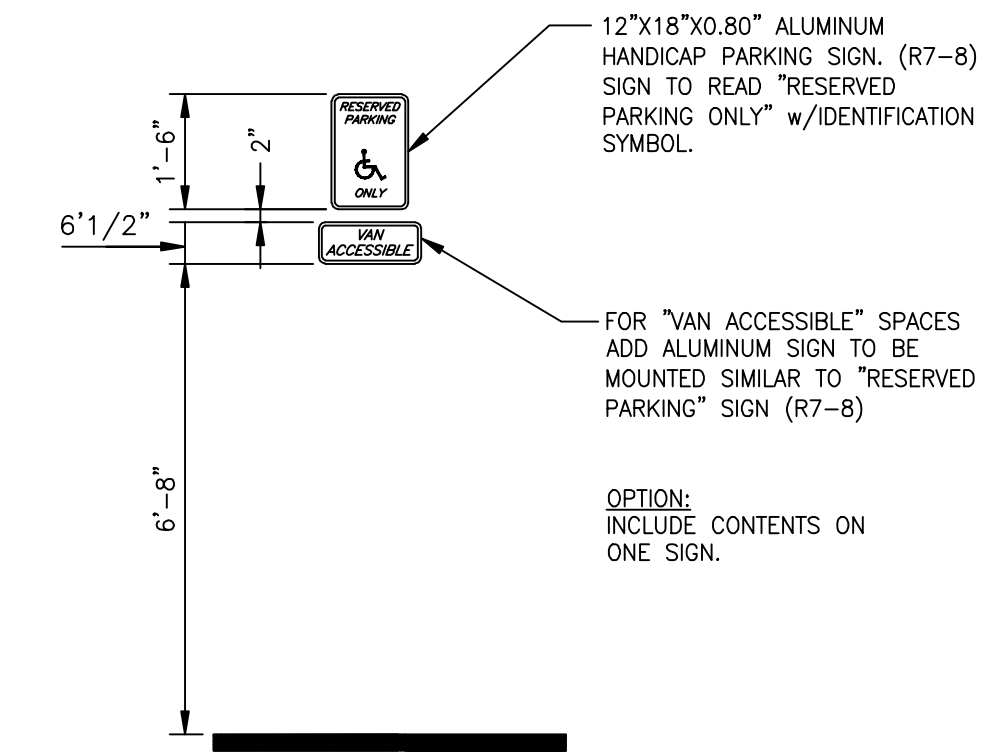
SIDEWALK SECTION

NO SCALE



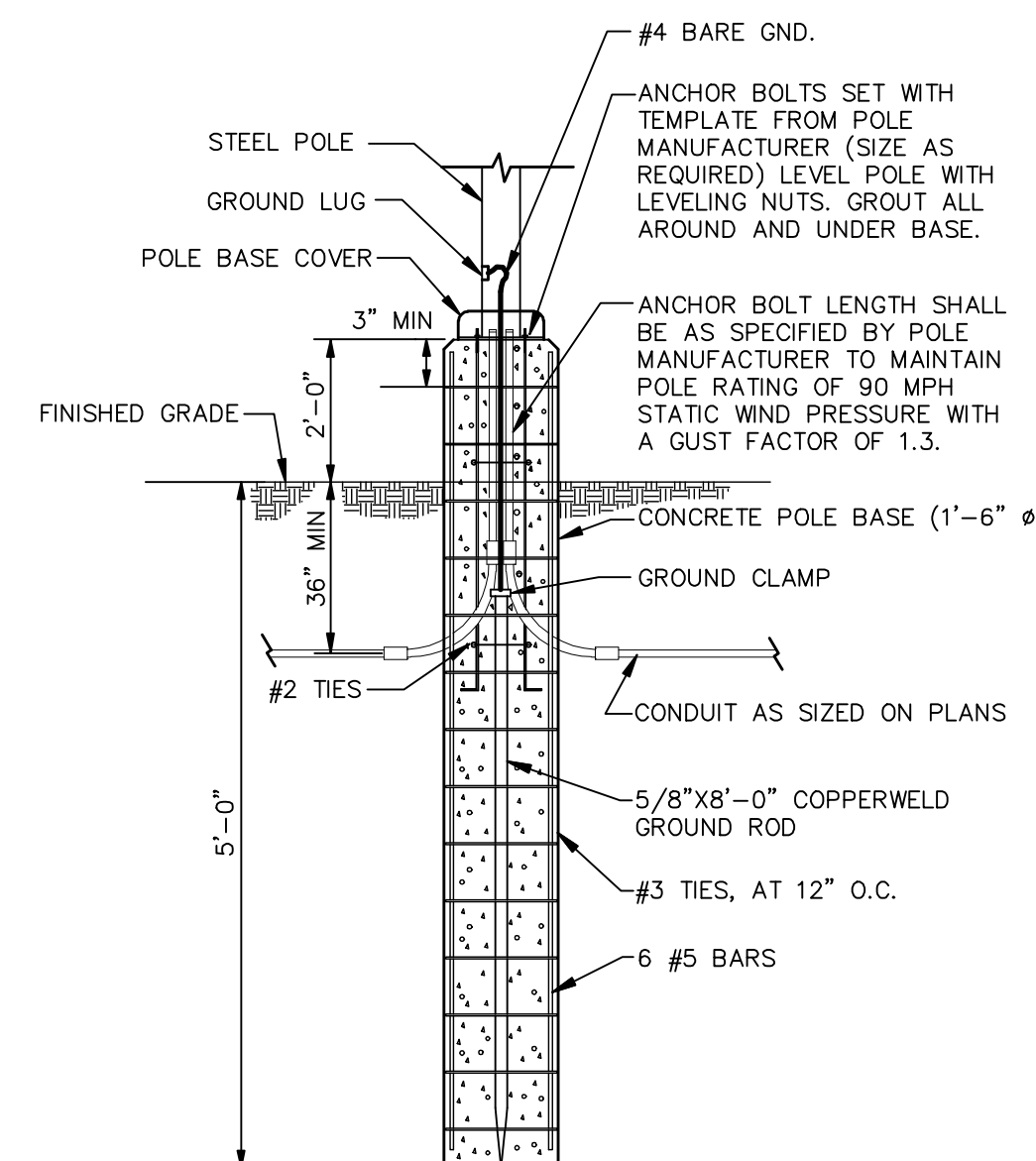
INTEGRAL CURB & WALK

NO SCALE



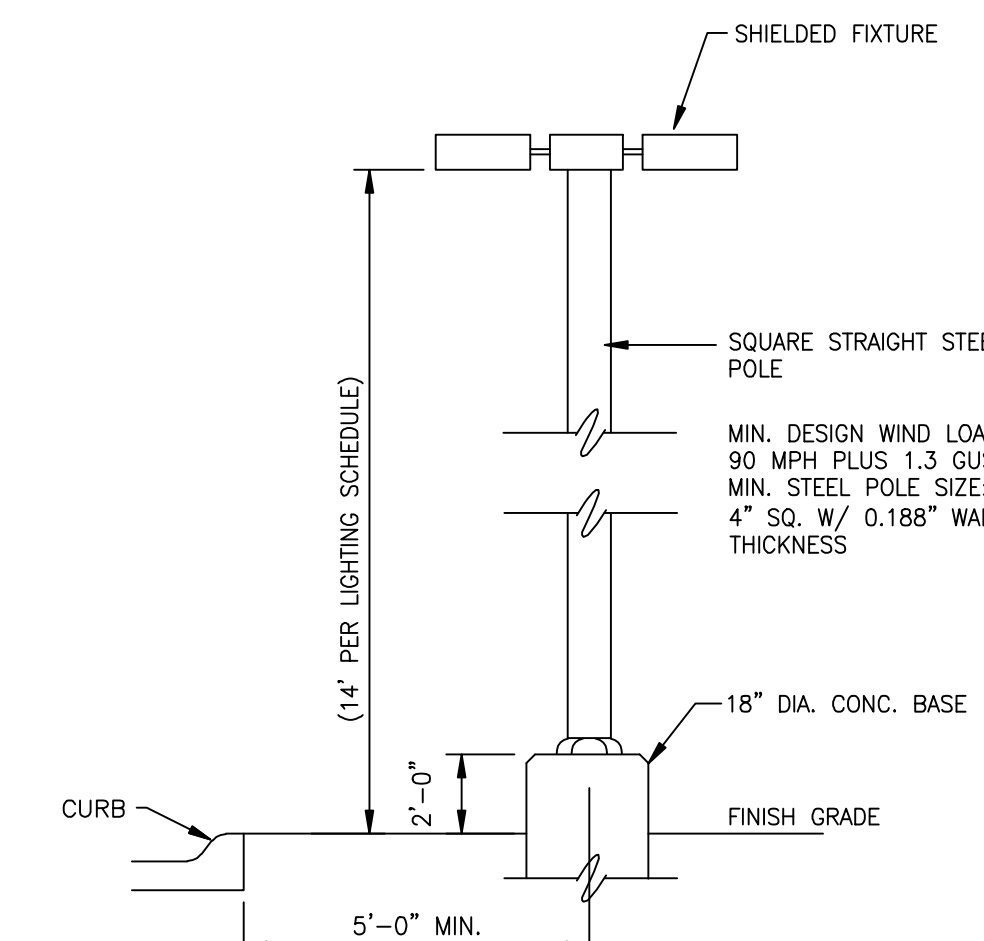
ABOVE GRADE ADA

NO SCALE



LIGHTING FIXTURE POLE BASE

NO SCALE



LIGHT STANDARD POLE DETAILS

NO SCALE

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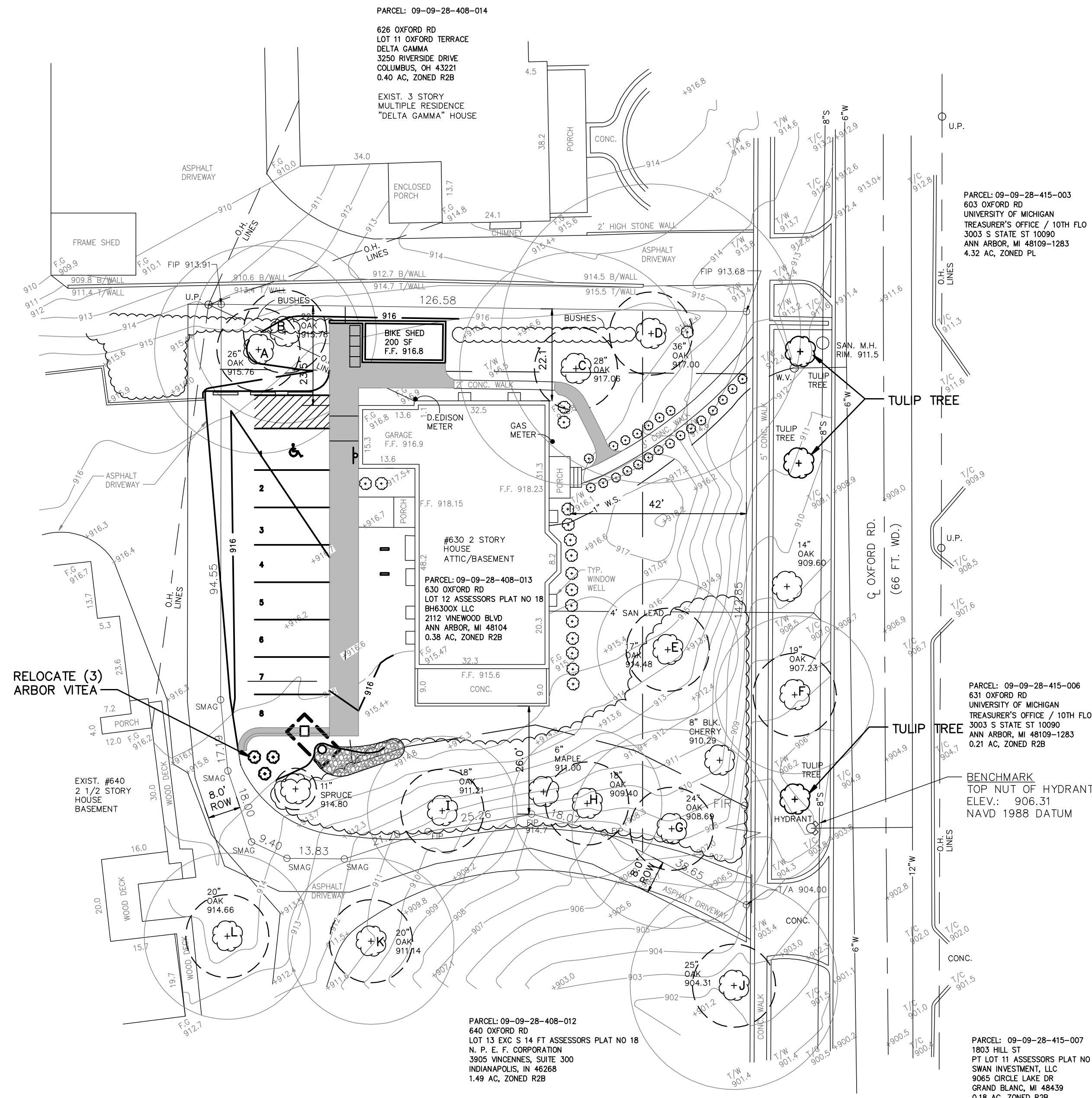
John Adams & Associates, Inc.
2039 Collegewood Drive, Ypsilanti, MI 48197

DESIGNED J. ADAMS
SCALE 1"=20'
FILE NAME 4 SITE LAYOUTS

630 OXFORD ROAD
ANN ARBOR, MICHIGAN
PARKING LOT IMPROVEMENTS

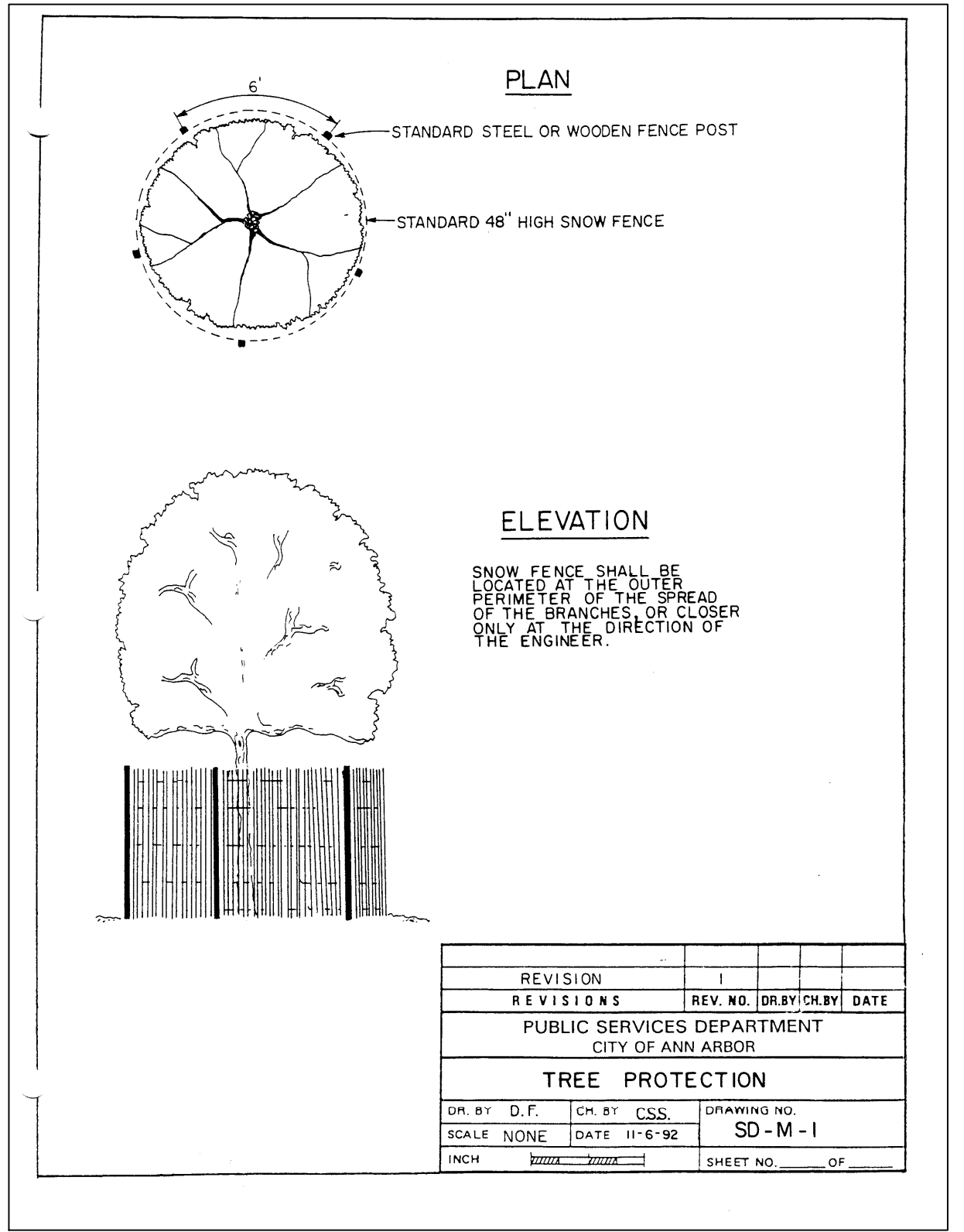
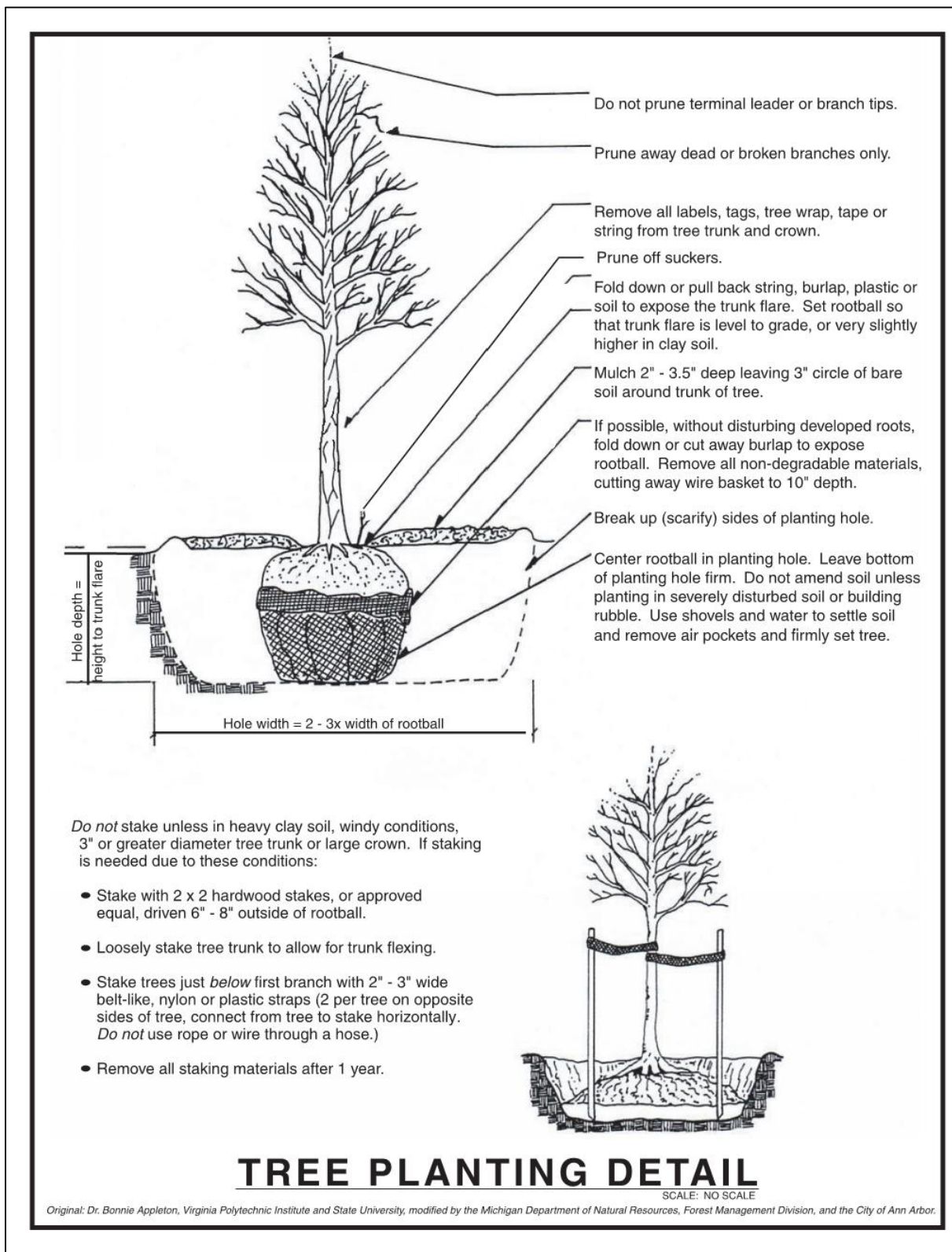
SITE LAYOUT & DETAILS

DIVISION CONTRACT SHEET
0600.055.05 4 OF 10



LANDSCAPING PLAN

SCALE: 1" = 20'



LANDSCAPE DATA: 630 OXFORD RD., ANN ARBOR, MI 48104

Provided by Hedberg Associates, Landscape Architects, Ann Arbor

#	Botanical Name	Com Name	DBH	Score	Trunk	Growth	Struct	Pests/Dis.	Crown	Life Exp.	Comments
A	Quercus spp.	Oak	24	26	5	3	5	5	3	5	Narrow crown
B	Quercus spp.	Oak	24	16	2	3	3	3	2	3	Unbalanced, hollow upper trunk
C	Quercus spp.	Oak	24	26	5	3	5	5	3	5	
D	Quercus spp.	Oak	34	29	5	5	5	5	4	5	Largest on property
E	Quercus spp.	Oak	18	28	5	5	5	5	3	5	
F	Quercus spp.	Oak	20	27	4	4	5	5	4	5	Split trunk
G	Quercus spp.	Oak	25	26	5	3	3	5	5	5	
H	Quercus spp.	Oak	19	24	5	3	4	5	3	4	
I	Quercus spp.	Oak	20	30	5	5	5	5	5	5	

EXISTING LANDMARK TREES adjacent property to the south

#	Botanical Name	Com Name	DBH	Score	Trunk	Growth	Struct	Pests/Dis.	Crown	Life Exp.	Comments
J	Quercus spp.	Oak	24	25	4	4	4	5	4	4	25" Oak 6' away fell Oct. 2010
K	Quercus spp.	Oak	21	26	5	4	4	5	3	5	
L	Quercus spp.	Oak	20	20	4	3	3	5	2	3	40" Oak 5' away rotted in center-removed

EXISTING Trees

#	Botanical Name	Com Name	DBH	Score	Trunk	Growth	Struct	Pests/Dis.	Crown	Life Exp.	Comments
1	Prunus spp.	Black Cherry	10"								Split trunk - poor tree - recommend removal.
1	Picea spp.	Spruce	11"								Dead leader, poor form
1	Acer spp.	Maple	10"								In buffer on south hill.
1	Quercus spp.	Oak	14"								Street tree. 4" to landmark status

EXISTING Shrubs

#	Botanical Name	Com Name	DBH	Score	Trunk	Growth	Struct	Pests/Dis.	Crown	Life Exp.	Comments
4	Thuja spp.	Arbor Vitea	5'								3 @ south end of parking & 1 @ north
1	Viburnum spp.	Viburnum	12'								South end of parking
15	Taxus spp.	Yew	2'								Along front of residence, back door & north
21	Buxus spp.	Boxwood	1'								Along front walk

PROPOSED Trees

#	Botanical Name	Com Name	DBH	Score	Trunk	Growth	Struct	Pests/Dis.	Crown	Life Exp.	Comments
3	Lindodendron t	Tulip Tree	2.5"								Street tree requirement
3	Thuja occ. Spp.	Arbor Vitea	4-5"								Transplant existing at parking lot

LANDSCAPE REQUIREMENTS : 630 OXFORD RD., ANN ARBOR, MI 48104

	REQUIRED	PROPOSED
PARKING - > 3,300-49,999 S.F. = 1:20 S.F. landscape		1940 S.F.
1 Tree per 250 S.F. landscape area.	0 Trees	6 Trees / Evergreen sm.
Vehicular areas that are visible from a public right-of-way.	0 Trees	3 Transplanted Evergreen sm.
10' Buffer Strip: 30" + high.	0 Trees	
STREET TREE LANDSCAPING		142.85 L.F.
Oxford frontage		3 Trees
Deciduous / Evergreen Trees, 1/20 l.f. (No more than 50' apart)	5 Trees	2 Existing
CONFLICTING LAND USE BUFFER LANDSCAPING	30 L.F.	30 L.F. Existing Vegetation
Buffer Width	15 L.F.	20 L.F. Existing Vegetation
Refuse container screening	Fenced Enclosure	Fenced Enclosure
Trees	2 Trees	2 Existing Trees
4' Screen	4' Tall Screen	Existing Vegetation
GENERAL LANDSCAPING	None required	Existing

- NOTES:**
- Water outlets will be provided within 150 feet of all *required plantings.
 - All green panels will be planted with shrubs or permanent ground cover.
 - Landscape maintenance plan: All diseased, damaged or dead material shown as proposed plantings on the site plan shall be replaced by the end of the following growing season.
 - Restore remaining areas with minimum four (4) inches topsoil then seed/fertilizer/mulch. Fertilizer for lawns shall provide not less than one (1) pound of actual nitrogen per 1000 sq. ft. of lawn area and shall contain not less than two percent (2%) potassium and four percent (4%) phosphoric acid. Grass Seed Mix shall be: 35% Creeping Red Fescue, 35% Chawing Fescue, 20% Turf Type Perennial Ryegrass & 10% Kentucky Bluegrass.
 - Any fertilizer application following the initial topsoil and seeding shall be fertilizer without phosphorus. Per Ann Arbor Ordinance.

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DESIGNED J. ADAMS CHECKED J. ADAMS
SCALE 1" = 20' CADD DATE 02/29/11

FILE NAME 0 LANDSCAPING PLANING
630 OXFORD ROAD
ANN ARBOR, MICHIGAN
PARKING LOT IMPROVEMENTS

**LANDSCAPING PLAN,
SCHEDULES AND
DETAILS**

DIVISION	CONTRACT	SHEET
	0600.055.05	8 OF 10

Meeting notes from Citizen Participation Ordinance Meeting on the Application for the Special Use Permit for 630 Oxford Rd.

Meeting Date: December 8, 2010

Meeting Time: 6:00 p.m.

Meeting Location: Offices of Alpha Management Group, 6921 Jackson Road, Ann Arbor, MI 48103

The meeting was called to order at 6:20 p.m. Only one member of the public who was not associated with the petitioner was present.

Attending from the neighborhood was Mrs. Seyanne Powell, 8 Ruthven Place, Ann Arbor, MI 48104. Ruthven Place is the side street with a cul-de-sac which is to the east of Oxford Road.

1. The meeting began with introductions. A sign in sheet is attached.
2. David Frayne, a board member with the Michigan Alpha Housing Corp. presented information related to the history of the University of Michigan chapter of Phi Kappa Psi and why it wishes to locate at 630 Oxford Road. Highlights of his presentation were:
 - A. This group has been on the U-M campus since 1876.
 - B. From the 1920's through 1970, Phi Kappa Psi occupied the property at 1550 Washtenaw, which is now owned by Zeta Tau Alpha. The group sold the property in 1970 due to financial difficulties and an anti-Greek culture at that time.
 - C. The group returned to the U-M campus in 1983 and has been renting housing since that time.
 - D. They have rented the building at 700 S. State for the past 14 years. The owners of this site plan to begin occupying it themselves in 2013, so Phi Kappa Psi is seeking to locate and purchase their own housing.
 - E. David listed the many accomplishments of the members of the fraternity recently.
 - F. David explained the increased alumni volunteer commitment of the past few years.
 - G. David explained that the new facility will have professional management from Alpha Management Group, which should also be a benefit to the neighbors as a consistent point of contact, as a way to keep this property properly maintained, and as a method to quickly address items of concern with the neighbors.
3. Allan Lutes, of Alpha Management Group, provided an overview of the property, changes that would be likely, and the surrounding property uses. Highlights of this presentation were:
 - A. The front elevation of the property is not going to change.
 - B. Improvements will include a paved parking area, fencing, landscaping, a bicycle storage shed, and screening around the trash receptacles.

- C. The property has been used as student rental property for the past eight years under the current owner. Prior to that, it was a boarding house form many years.
 - D. The properties in this area are predominantly Greek, University, churches or schools. Allan showed a map highlighting the property uses in the area. There are currently 29 fraternities, sororities or cooperatives within 400 yards of 630 Oxford.
 - E. For the past three years, the property has been leased out by members of the same sorority.
4. Comments from the Participants
- A. Mrs. Powell said that she was pleased that the front of the property was not going to be changed.
 - B. She felt that the property already looked like it was larger than a single family house and would look appropriate for a fraternity.
 - C. She said that the neighbors are concerned about being “pushed” by campus properties coming deeper into their neighborhood. However, she said that she really didn’t feel like this change would be a big change or make them feel like they were being pushed.
 - D. She discussed other neighboring properties on Oxford and Hill, which are now being used as student rental property. Given the properties that she pointed out, there were very few single family residents which were not student rentals in this area.
 - E. Mrs. Powell stated that she was also a member of the board of directors of the Oxbridge Neighborhood Association, and that she would provide a report to that group.
 - F. Overall, Mrs. Powell did not seem to object to the request for the special exception permit.
5. The meeting was adjourned at 7:24 p.m.