

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of January 20, 2011

**SUBJECT: Phi Kappa Psi Fraternity Special Exception Use and Site Plan for City
Planning Commission Approval
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), subject to building occupancy of no more than 24 persons; and, therefore, approves the Phi Kappa Psi Special Exception Use.

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 that action on the special exception use be **postponed** because revised site plans addressing code issues raised by city staff have not been submitted by the petitioner.

Staff recommends that action on this site plan be **postponed** because the original site plans do not meet code, and revised plans adequately addressing those issues have not been submitted by the petitioner for city staff review.

Once revised plans are submitted and meet all city requirements, the petition would be scheduled to return to the Planning Commission.

LOCATION

The site is located on the west side of Oxford Road, south of South University and north of Hill Street (Central Area). This site is located in the Allen Creek watershed.

DESCRIPTION OF PETITION

The petitioner seeks special exception use approval to allow a fraternity use in an existing two-family dwelling in an R2B (Two-Family Dwelling District and Student Dwelling District) zoning district.

Per Chapter 55 (Zoning Ordinance), Section 5:10.4, fraternities are permitted as a special exception use pursuant to Section 5:104. The parcel must have a minimum of 350 square feet per occupant, so this 16,553 square foot parcel could support 47 occupants. The petitioner is requesting a density of up to 24 occupants, one of whom must be a resident manager. No expansion of the current floor area of the building is proposed.

Parking for ten vehicles is proposed in the rear yard; five parking spaces are required. This number may change on the revised plans because of landscaping and buffer requirements. The current unpaved parking area would be paved and the existing asphalt driveway would be utilized. There is a recorded access agreement for use of the driveway, which lies on the parcel to the south.

Various corrections and additions to the site plan which are required by code have been identified by staff. Revised plans are necessary before staff can make a recommendation to Planning Commission on this petition.

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Delta Gamma Sorority	R2B (Two-Family Dwelling District and Student Dwelling District)
EAST	University of Michigan Housing	PL (Public Land) and R2B (Two-Family Dwelling District and Student Dwelling District)
SOUTH and WEST	Zeta Beta Tau Fraternity	R2B (Two-Family Dwelling District and Student Dwelling District)

COMPARISON CHART

	EXISTING	PROPOSED	REQUIRED/PERMITTED
Zoning	R2B (Two-Family Dwelling District and Student Dwelling District)	R2B (Two-Family Dwelling District and Student Dwelling District)	R2B (Two-Family Dwelling District and Student Dwelling District)
Gross Lot Area	16,553 sq ft	16,553 sq ft	8,500 sq ft MIN
Min. Net Lot Area per Occupant	Not Applicable	690 sq ft	350 sq ft MIN
Occupants	8 MAX	24 MAX	47 MAX
Minimum Building Size	To be determined	To be determined	5,000 sq ft MIN
Setback - Front	42 ft	42 ft	42 ft MIN (established front setback)
Setback – Side(s)	22 ft – North 26 ft – South	22 ft – North 26 ft – South	5 ft MIN
Setback – Rear	33 ft	33 ft	30 ft MIN
Parking – Automobile	10 spaces (unpaved)	10 spaces	5 spaces MIN (1 space per 5 beds)

HISTORY

The house was constructed as a single-family dwelling. It was converted to a duplex in 2001, and the attached garage was finished into a bedroom in 2006. The building is a registered rental property, with two four-bedroom units and a maximum occupancy of 8 people.

PLANNING BACKGROUND

The Master Plan Land Use Element recommends single and two-family housing and group housing 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 have not been included pending revised plans):

- (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.

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.

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.

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.

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.

(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.

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.

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.

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.

(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

Planning: The City Assessor's office lists the building size as 4,294 square feet, while the petitioner reports the building as 7,120 square feet. The minimum size requirement for fraternities, sororities, and cooperatives is 5,000 square feet. Various minor corrections to the site plan are also required.

Systems Planning and Project Management: Sewer flow data is required on the site plan, and various other corrections are required.

Land Development: Landmark trees are not indicated on the drawings, and several omissions require correcting, including a chart showing plantings for the conflicting land use buffer, vehicular use area interior landscaping, a soil erosion and sedimentation control plan, and several standard plan notations.

Prepared by Jill Thacher
Reviewed by Wendy Rampson
1/14/11

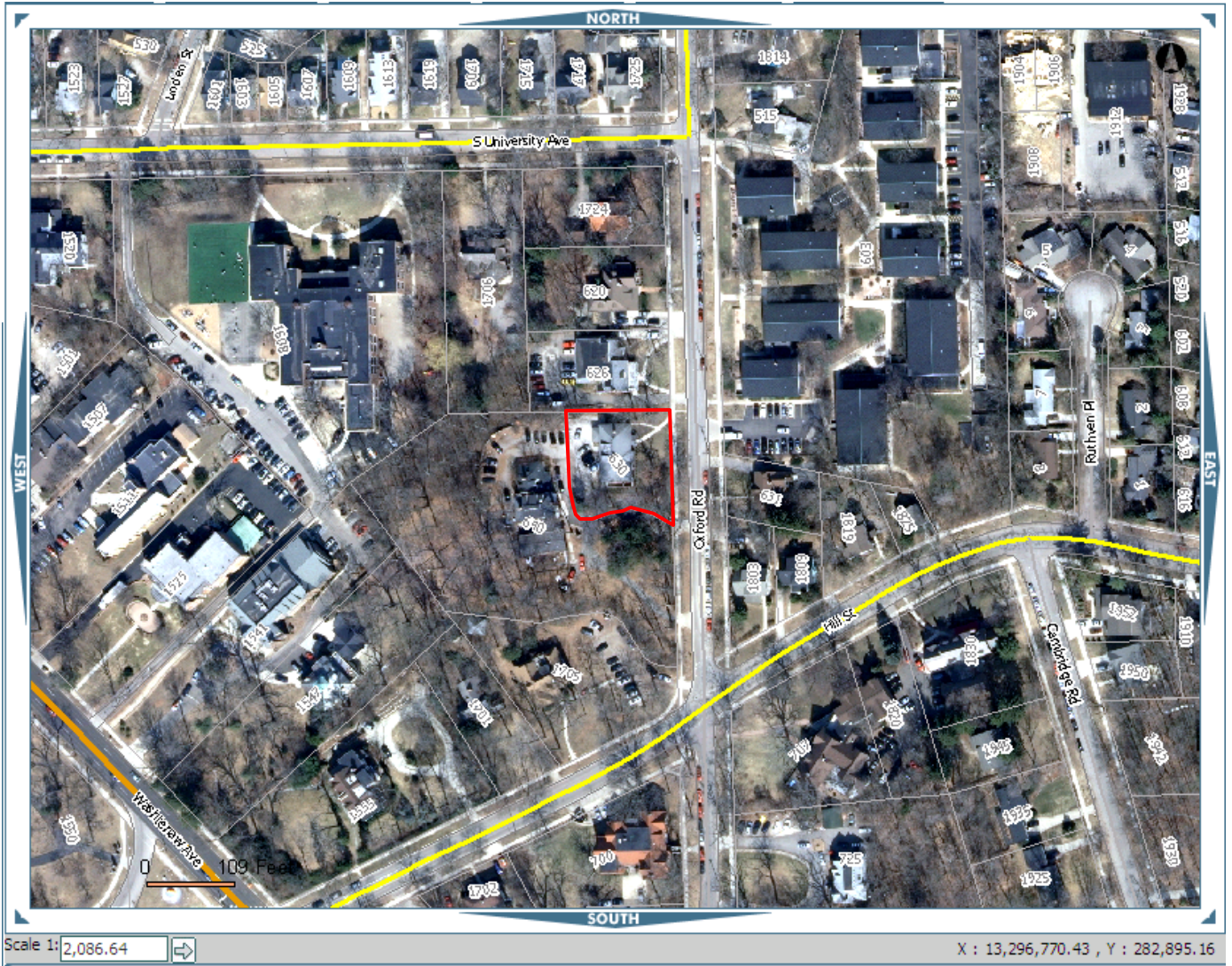
Attachments: Zoning/Parcel Maps
Aerial Photo
Site Plan

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

Owner: BH6300x LLC
2112 Vinewood
Ann Arbor, MI 48104

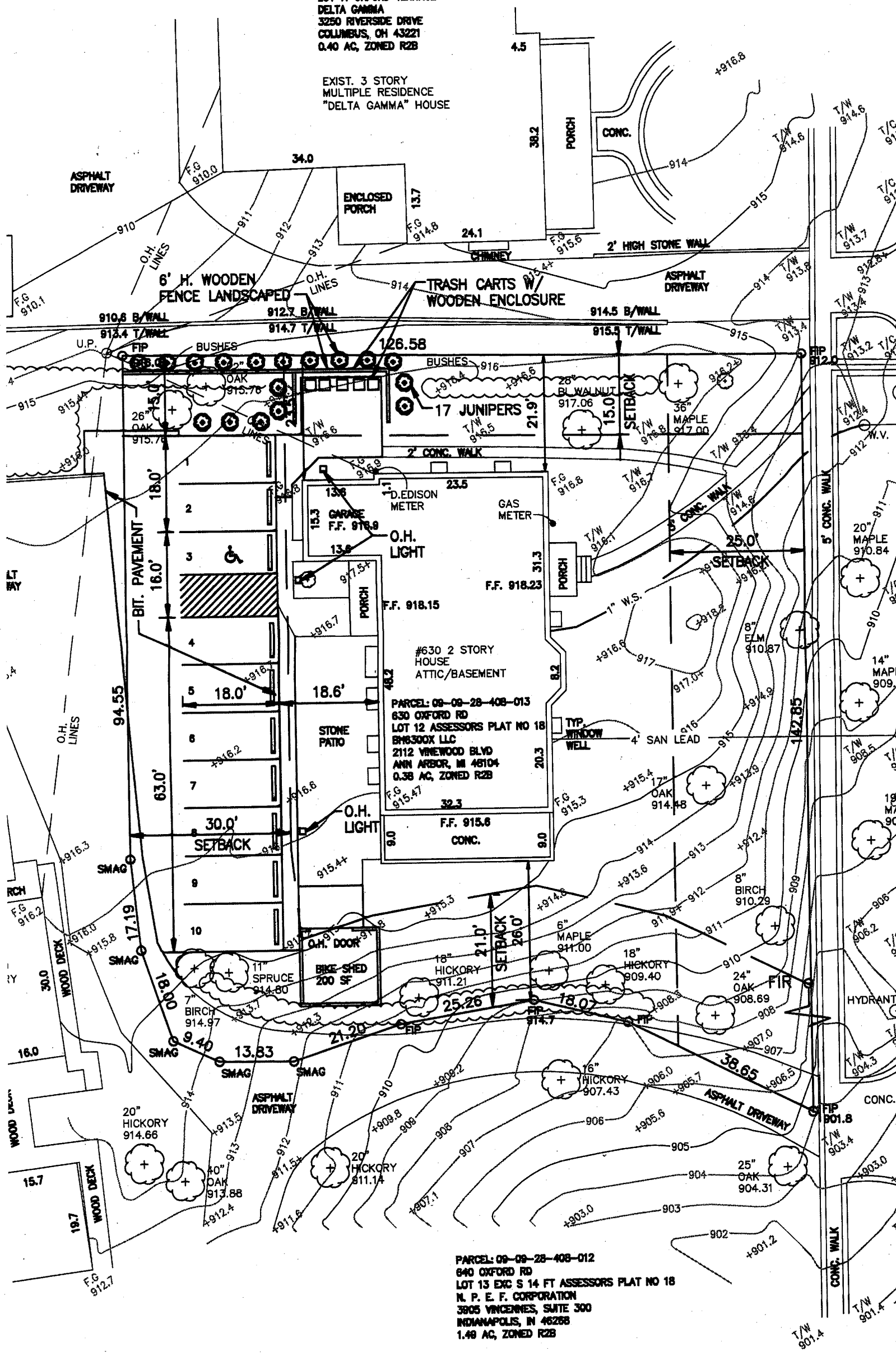
City Assessor
Systems Planning
File No. SEU10-004 and SP10-034

Phi Kappa Psi SEU SP 630 Oxford Road



626 OXFORD RD
 LOT 11 OXFORD TERRACE
 DELTA GAMMA
 3250 RIVERSIDE DRIVE
 COLUMBUS, OH 43221
 0.40 AC, ZONED R2B

EXIST. 3 STORY
 MULTIPLE RESIDENCE
 "DELTA GAMMA" HOUSE



PARCEL: 09-09-28-408-012
 640 OXFORD RD
 LOT 13 EXC S 14 FT ASSESSORS PLAT NO 18
 N. P. E. F. CORPORATION
 3905 VINCENNES, SUITE 300
 INDIANAPOLIS, IN 46268
 1.48 AC, ZONED R2B

PROPOSED SITE PLAN