

## PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of February 21, 2013

**SUBJECT: Theta Delta Chi Fraternity Special Exception Use and Site Plan for City Council Approval  
(700 South State Street)  
File Nos. SEU13-001 and SP13-001**

### **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 Theta Delta Chi Special Exception Use for a fraternity use with a building occupancy of no more than 33 persons, including the required resident manager.

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

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Theta Delta Chi Site Plan, subject to approval of necessary variances by the Zoning Board of Appeals.

### **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, if the requested variances are granted, it complies with applicable local, state and federal laws, ordinances, standards and regulations; does not cause a public or private nuisance and does not have a detrimental effect on the public health, safety or welfare. There are no regulated natural features on the site.

### **LOCATION**

The site is located on the southwest corner of South State Street and Monroe Street (Central Area). This site is located in the Allen Creek watershed.

## DESCRIPTION OF PETITION

The petitioner seeks special exception use approval to continue a fraternity use in an existing fraternity house 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 17,583 square foot parcel could support 50 occupants. The petitioner is requesting to maintain the current density of up to 33 occupants, one of whom must be a resident manager. The current floor area of the building is proposed to be expanded from 12,386 square feet to 14,752 square feet. The addition on the rear of the building would contain expanded restroom and shower facilities, common space, a resident manager's apartment, and a bike room with nine class A bicycle spaces.

Parking for five vehicles is proposed: four in the rear (west) yard, with access off of Monroe Street, and one barrier-free space located off South State Street with a separate one-way driveway. Seven spaces are required. The Monroe Street driveway is being moved five feet to the east; to accomplish this, the petitioner will enter into an agreement with the DDA and shift two on-street parking meters a few feet to the east. The width of the Monroe Street driveway is 15 feet 7 inches and the drive approach is 15 feet 8 inches; the allowed drive width for a two-way drive is 18 to 24 feet, with a minimum drive approach of 24 feet.

A conflicting land use buffer is required along the vehicular use area abutting the west property line. The buffer strip is required to be an average of 15 feet in width (but no less than 8 feet in width); the proposed buffer is 2 feet in width. Additional requirements for a fence and trees in the buffer have been met.

Permission to alter a nonconforming structure (due to height and setbacks) will be required from the Zoning Board of Appeals, along with variances from Chapter 59 (Off-Street Parking) to reduce the number of parking spaces required and allow one parking space in the front open space, a variance from Chapter 47 (Streets) to reduce the drive opening width, and a variance from Chapter 62 (Landscape and Screening) to reduce the conflicting land use buffer width.

The current unpaved and informal parking area wraps around the west and south sides of the house; this plan converts the side yard to the south of the house into a large patio. A new shed for a dumpster, recycling carts, and class B bicycle storage is proposed near the southwest corner of the site.

A first-flush stormwater management system is required, and is being accomplished through a large area of permeable pavement in the back yard and under the State Street driveway, with partial exfiltration and a dry well, and also a retention chamber below the Monroe Street driveway.

Per the Citizen Participation Ordinance, the petitioner sent a postcard notice to all residences and owners within 500 feet of the site. Notice of the application was distributed through RSS feed to individuals on the "Petitions Under Review" subscription list. Two individuals responded, one asking who the general contractor would be, and the other advertising interior shower surfacing.

**SURROUNDING LAND USES AND ZONING**

	<b>LAND USE</b>	<b>ZONING</b>
NORTH	Chi Psi Fraternity	R2B (Two-Family Dwelling District and Student Dwelling District)
EAST	University of Michigan Law School	PL (Public Land)
SOUTH and WEST	Multi-family apartment building	R4C (Multiple-Family Dwelling District)

**COMPARISON CHART**

	<b>EXISTING</b>	<b>PROPOSED</b>	<b>REQUIRED/PERMITTED</b>
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	17,583 sq ft	17,583 sq ft	8,500 sq ft MIN
Min. Net Lot Area per Occupant	532 sq ft	532 sq ft	350 sq ft MIN
Occupants	33 MAX	33 MAX	50 MAX
Minimum Building Size	12,386 sq ft	14,738 sq ft	5,000 sq ft MIN
Building Height	36.3 ft*	31.8 ft (addition)**	30 ft MAX
Setback – Front (State St)	16.4 ft*	16.4 ft	19 ft (average front setback) MIN
Setback – Front (Monroe St)	46.5 ft	46.5 ft	46.5 ft (established front setback) MIN
Setback – Side (South)	30.3 ft	20 ft	8 ft MIN
Setback – Rear (West)	30.9 ft	30.9 ft	30 ft MIN
Parking – Automobile	7-9 spaces (unpaved)	5 spaces**	7 spaces MIN (1 space per 5 beds)
Parking – Bicycle	None	9 Class A 11 Class B	9 Class A 8 Class B

\* Non-conforming

\*\* Variance requested

## HISTORY

The building first appears in the 1931 Polk City Directory as the home of Theta Delta Chi fraternity, which had previously been located across the street at 621 South State.

## PLANNING BACKGROUND

The Master Plan Land Use Element recommends multiple family housing for this parcel in the Central Area.

## 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 are 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 fraternity provides housing for students of the University of Michigan in a close proximity to the campus in a manner that is consistent with the City Master Plan.

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

There are other existing fraternities of similar character along State St. This building, having existed since the 1920s at this site, has helped define the character of this neighborhood. The new construction will be a relatively small infill addition in the back of 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;**

There are other existing fraternities of similar size and character along State St. The capacity of the fraternity will remain at 33 so the activity is not expected to change.

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

The fraternity does not intend to be detrimental to the neighborhood in any way. A renovation took place during the summer of 2012 to renovate the basement so that social activities could take place below grade.

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

The fraternity does not intend to be detrimental to the natural environment. The new construction is going to infill an area of existing asphalt driveway.

**(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;**

Off-street parking will be located along an existing drive. Capacity will remain unchanged, so it is not expected that there will be any new impact on traffic, public services, or facilities.

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

Primary vehicular access will occur at the Monroe St drive so that vehicles can turn off State St. first, then access the site at Monroe St.

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

Vehicles will be backing out onto Monroe St. There is very little traffic on this section of street because it only runs one block and then dead-ends before Packard Street.

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

Traffic on State St. can be very steady, to the primary vehicular access to the building will be off of the Monroe St. drive. Parking can be difficult in the area, but four off-site parking spots will be provided on site and there is good access to city and campus mass transit.

*Staff note: The site plan has been revised since this writing to include five parking spaces.*

**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.**

The capacity of the site is not changing so there is no intention for additional requirements of public services and facilities as a result of this 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.**

~~Building height (Ch. 55),~~ Parking (Ch. 59), Drive Width (Ch. 59), Conflicting Land Use Buffer (Ch. 62).

*Staff note: A variance is not required for building height since the addition is lower than the existing structure. Permission to alter a nonconforming building will be required from the ZBA.*

### STAFF COMMENTS

DDA: Four metered parking spaces on Monroe Street are proposed to be shifted a few feet to the east. The space dimensions need to be field checked for adequate length; if inadequate, the driveway would shift several feet west.

Prepared by Jill Thacher  
Reviewed by Wendy Rampson  
02/15/2013

Attachments: Notification Postcard  
Citizen Participation Report  
Zoning/Parcel Maps  
Aerial Photo  
Site Plan  
Landscape Plan  
Elevations

c: Petitioner: Eugene C. Hopkins  
Hopkinsburns Design Studio  
4709 N Delhi Rd  
Ann Arbor, MI 48103

Owner: Gamma Deuteron Building Association  
Theta Delta Chi  
700 S State Street  
Ann Arbor, MI 48103

City Assessor  
Rental Housing  
Systems Planning  
File No. SEU13-001 and SP13-001

## Citizen Participation Ordinance (CPO) Notice

Dear Citizen,

A petition has been submitted to the City of Ann Arbor for Site Plan Approval regarding a proposal for a rear in-fill addition and site enhancements for the Theta Delta Chi fraternity at 700 South State Street. Citizens receiving this note reside within a 500 foot radius of the site and may provide their comments and concerns regarding this proposal in an effort to mitigate any impacts this project may have on the community.

Please review the information contained on this card and submit any comments and concerns via email or phone using the contact information below. This feedback will be shared with the City of Ann Arbor Planning Department and will be considered for incorporation into the final proposal.

Sincerely,

Your Neighbor at 700 S. State St.

**Contact:** Gene Hopkins, HopkinsBurns Design Studio 734.424.3344 hopkinsburns@gmail.com

**Proposal Description:**

The proposed addition will be built in the rear (south) yard of the house and will fill in the area between the two existing wings. This addition will provide new life safety and accessibility features, new toilets and showers and other shared amenities. The housing capacity will not change based on this petition.

The proposed site plan improvements will include new fence and landscape screening for new car and bike parking areas and for a new dumpster and recycling enclosure. Also included will be new site lighting and storm water management capabilities.



**Concept Sketch of Proposed Rear Addition (View from Rear Yard)**

# HopkinsBurns

DESIGN STUDIO

historic preservation & design  
communities by design

TO: Jill Thacher, City of Ann Arbor, Planning and Development  
FROM: David Rochlen, Associate AIA, HopkinsBurns Design Studio  
DATE: January 23, 2012  
SUBJECT: Theta Delta Chi Special Exception Use & Site Plan  
Citizen Participation Comments

Dear City of Ann Arbor Officials,  
Please accept the following list of Citizen Participation Comments for your consideration of Special Exception Use approval, Zoning Variance approval and Site Plan approval.

**Citizen: Jill Boeve**

COMMENT

*Good Morning,*

*I am wondering if the Theta Delta Chi project has a General Contractor?*

*If so, what is the name of the firm?*

*If not, will the project bid to a select group of General Contractors and will they be local to Ann Arbor?*

**Citizen: Jennifer Smith**

COMMENT

*Hi Gene-*

*My name is Jennifer and I work for Superior Play LLC, we are your local representatives for DuMor site furnishings and Aquaflex surfacing and have worked with many organizations in Michigan to improve their recreation facilities and communities.*

*I noticed on the builders exchange your project for the renovation/addition to the Theta Delta Chi house and wanted to share some information with you. Aquaflex is a breakthrough surfacing; it is durable, non-skid and can be cleaned with all common commercial cleaners. Aquaflex might be a great solution for surfacing in the shower facility of the house, it is the only products of its kind on the market and a great alternative to conventional tile surfacing. Please take a look at the website and let me know if I can get you any other information as you move through the planning and design stage of your project, <http://www.aquaflexsurfaces.com/Pages/default.aspx>. Also, DuMor site furnishings offer a variety of bike racks which you may find useful on your project. Please let me know if I can provide any additional information to you or if you would like to receive one of our catalogs. Thanks, have a good one!*

HopkinsBurns

DESIGN STUDIO

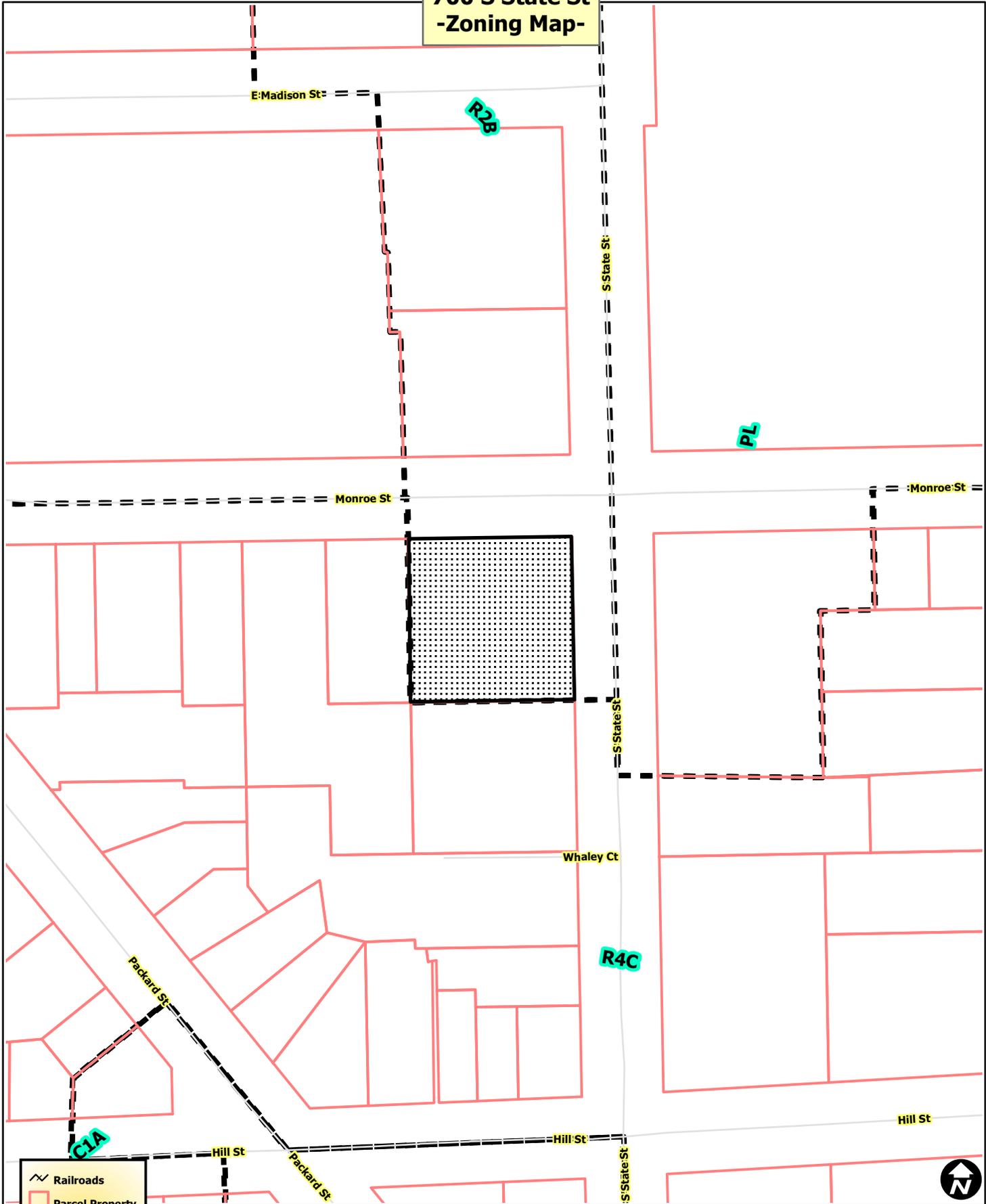
4709 N. Delhi Road

Ann Arbor, Michigan 48103

dave.rochlen@hopkinsburns.com

o| 734.424.3344 c| 313.610.3664

# 700 S State St -Zoning Map-



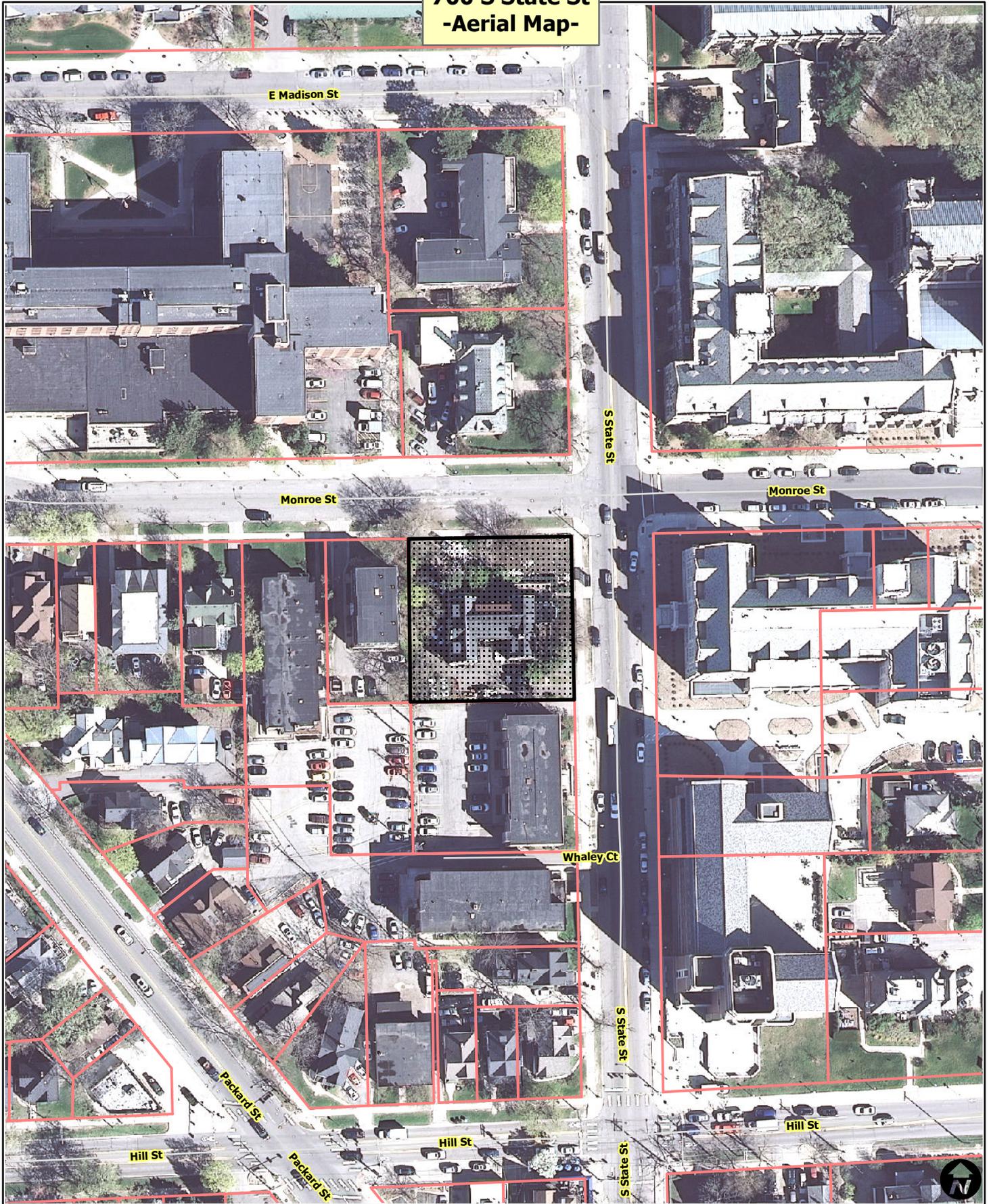
**Legend**

- Railroads
- Parcel Property
- Zoning**
- Township
- Zoning



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# 700 S State St -Aerial Map-



-  Railroads
-  Parcel Property



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