

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of March 1, 2011

**SUBJECT: Sigma Phi Epsilon Special Exception Use (730 Tappan)
File No. SEU10-005**

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 contained in Chapter 55 (Zoning Ordinance), Section 5:104 (Special Exceptions), and, therefore, approves the Sigma Phi Epsilon Special Exception Use for a fraternity with not more than 44 occupants, subject to the combination of parcels.

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.

LOCATION

This site is located on the northwest corner of Tappan and Hill east of State Street (Central Area; Allen Creek watershed).

DESCRIPTION OF PROJECT

The petitioner seeks approval for a special exception use to operate a fraternity in an existing 15,560-square foot structure which is currently used as a church. The 0.68-acre site is zoned R4C (Multiple-Family Dwelling District), in which fraternities are permitted with special exception use approval. No site plan is required because there are no changes being proposed to the site that trigger site plan requirements. No expansion of the current floor area of the building is proposed and only interior building modifications are proposed at this time.

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 22,400 square foot parcel could support 64 occupants. The petitioner is requesting a density of up to 44 occupants, one of whom must be a resident manager.

The site is currently accessed by two curb cuts, one on Tappan and one on Hill Street. Parking for seventeen vehicles (including one barrier free) is provided; 9 spaces parking spaces are required. The petitioner will install 22 bicycle parking spaces, 11 exterior spaces (Class C) and 11 within the basement level of the structure (Class A).

The existing structure is non-conforming for the front setbacks along Tappan and Hill. Any alteration to the structure must be approved by the Zoning Board of Appeals (ZBA). According to Chapter 55(Zoning) Section 5:87 (2), "alteration shall mean any change in a building which results in additional floor area being fit for occupancy, **a greater number of dwelling or rooming units** or an increase in the exterior

dimensions of the building.” Although no exterior modifications are proposed, the project is adding dwelling units which triggered ZBA approval. This project was granted approval to alter (add dwelling units) by the ZBA on February 23, 2011.

COMPARISON CHART

		EXISTING	REQUIRED
Zoning		R4C	R4C
Gross Lot Area		22,400 sq ft (0.51 acres)	8,500 sq ft
Parking		17 spaces (includes 1 barrier-free)	9 spaces * (based on current occupancy) * 1 space per 5 beds
Setbacks	Front	Olivia – 19.50 ft	25 ft MIN
		Cambridge – 20.42 ft	
	Side	22.33 ft	13.9ft MIN (10% of the lot width)
	Rear	44 ft	30 ft MIN

SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
NORTH	Multiple-Family Residential	R4C (Multiple-Family Dwelling District)
EAST	University of Michigan	PL (Public Land)
SOUTH	Multiple -Family Residential	R4C (Multiple-Family Dwelling District)
WEST	Multiple-Family Residential	R4C (Multiple-Family Dwelling District)

HISTORY

The main sanctuary of the church was constructed in 1891 and moved to the current site in 1923. The educational wing along Tappan was constructed in 1973. A small elevator room addition was constructed in 1991.

PLANNING BACKGROUND

The Master Plan Land Use Element recommends multiple-family uses for the site.

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*):

Use and Specific Standards:

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

Adaptive reuse and renovations to the interior spaces to convert the existing church to a fraternity use, with a maximum of 44 beds. For resident student occupancy and approximately 100 active members.

The petitioner is proposing to re-use the existing church structure for occupation starting in the fall 2011. The house is 15,560 square feet in size and could have a maximum occupancy of 64 occupants. Any special exception use granted by the Planning Commission must be activated within three years of approval.

The proposed use is allowed in accordance with the Schedule of Use Regulations, Chapter 55 Section 5:10.2 Paragraph 3a. Specify how the project meets all standards cited:

The current zoning R4C allows as a permitted principal use any special exception use in R2B, which allows a fraternity occupancy stated in 5:10.4(3)(a)(1-6). The requirements will be met or are not an issue as illustrated on the attached Exhibit 3.

General Standards: The proposed use(s) 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 proposed use relates well to master plan uses in close proximity to the UM Central Campus.

The Master Plan Land Use Element recommends multiple-family uses for the site.

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 fraternity will operate utilizing the existing site conditions, as illustrated on the attached site plan/plot plan from 1991. Interior renovations will be implemented based on approved plans to be submitted once the purchase has closed.

The existing structure has been integrated well into the surrounding area of multiple-family and University structures.

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.

Yes; no changes to the existing structure, other than doors and windows for energy efficiency.

The existing structure has been at this location since 1923 and is similar in character to the surrounding land uses. It is consistent in scale and bulk with structures on adjacent parcels.

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

The use as a fraternity will fit well with the existing occupancy of private properties for multi-family student housing, or sororities/fraternities.

Staff is aware that fraternities at times can be a disruption to the peaceful enjoyment of neighboring properties. However, surrounding uses are multiple-family and the parcel is located directly across the street from the U of M Central Campus and the School of Business. A resident manager is also required as part of the Special Exception Use standards..

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

There will be no changes to the existing site and landscaping.

No changes are proposed to the site.

The location and size of the proposed use(s), 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(s), 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 and access to off-street parking and the safe provision for pedestrian traffic.

Access to/from Tappan and Hill Street for 17 existing parking spaces (9 required). 11 "A" Bicycle spaces will be provided in the basement/ 11 "C" Bicycle spaces will be provided in the rear lot.

Access to off-street parking is from existing curb cuts on Tappan and Hill. Sidewalks exist along both streets 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.

As currently exists.

The proposed use is located on the corner of Tappan and Hill, which are not main traffic thoroughfares. Staff does not anticipate any increased traffic intrusion into the established neighborhood.

8. Vehicular turning movements in relation to traffic flow routes.

As currently exists.

The two main access points are on Tappan and Hill, streets with minor traffic flow. The access to Hill is one-way, only providing an exit, all traffic entering the site will use the Tappan entrance.

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

As currently exists.

The traffic patterns and parking on the site will not change from its historical use. There will be no increase in on-site parking.

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.

Building renovations will add a fire sprinkler system. As a qualified UM student organization, the SPE Alpha Chapter will be a valuable student entity immediately adjacent o UM Central Campus.

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

COMMENTS PENDING, UNRESOLVED OR NOTED

Planning – The standards for fraternities listed under Chapter, 55 Section 5:10.4(3) must continue to be met at all times (see attached excerpt). The site currently is two parcels, this parcels must be combined if Special Exception Use is granted.

Systems Planning and Project Management: Sewer flow data indicates that three footing drains will be required to be disconnected as part of this project.

Prepared by Matthew Kowalski
Reviewed by Jill Thacher

Attachments: Zoning/Parcel Maps
Aerial Photo
Site Survey

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Systems Planning
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