

**PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of April 17, 2012**

**SUBJECT: Sigma Phi Epsilon Special Exception Use Modification  
(730 Tappan)  
File No. SEU12-002**

**PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission, after hearing all interested persons and reviewing all relevant information, finds the petition 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 Modification for a fraternity with not more than 45 occupants.

**STAFF RECOMMENDATION**

Staff recommends the special exception use modification 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 modification to the approved special exception use to permit the addition of one occupant to the previously approved maximum of 44 occupants, for a maximum of 45 occupants. The petitioner is establishing a fraternity in a former church located at the northwest corner of Hill and Tappan Streets. The 15,560-square foot structure currently is being renovated by the fraternity in accordance with the special exception use approved by the Planning Commission on March 1, 2011.

The site is zoned R4C (Multiple-Family Dwelling District), in which fraternities are permitted with special exception use approval. Per Chapter 55 (Zoning Ordinance), Section 5:10.4, a parcel used for a fraternity use must have a minimum of 350 square feet per occupant, so this 22,400 square foot parcel could support up to 64 occupants. The petitioner is requesting an occupancy increase to 45 occupants, one of whom must be a resident manager.

The site is currently accessed by two curb cuts, one on Tappan Street 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). 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.

### COMPARISON CHART

		EXISTING/PROPOSED	REQUIRED
Zoning		R4C (Multiple-Family Dwelling District)	R4C
Gross Lot Area		22,400 sq ft (0.51 acres)	8,500 sq ft MIN
Setbacks	Front	Olivia – 19.50 ft	25 ft MIN *
		Cambridge – 20.42 ft	
	Side	22.33 ft	13.9 ft MIN (10% of the lot width)
	Rear	44 ft	30 ft MIN
Parking - Vehicles		17 spaces (includes 1 barrier-free)	9 spaces MIN (1 space per 5 beds)
Parking – Bicycles		11 Class A 11 Class C	22 spaces MIN

\* Permission to alter a non-conforming structure obtained from the Zoning Board of Appeals

### SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
<b>NORTH</b>	Multiple-Family Residential	R4C (Multiple-Family Dwelling District)
<b>EAST</b>	University of Michigan	PL (Public Land)
<b>SOUTH</b>	Multiple -Family Residential	R4C (Multiple-Family Dwelling District)
<b>WEST</b>	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. The Zoning Board of Appeals granted approval to alter (add dwelling units) to this non-conforming structure on February 23, 2011. A special exception use was approved by the Planning Commission in March 2011 for a fraternity use with a maximum of 44 occupants. The fraternity purchased the property in early 2012 and interior renovations for the fraternity were begun in March 2012.

## 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):**

Increase the previously approved Special Use (44 bed fraternity occupancy – see attached letter and building permit) by one bed to a total of 45 beds to allow a separate bedroom for the required resident manager.

*The petitioner is proposing to re-use the existing church structure for occupation starting in the fall 2012. The modification request seeks an increase of one occupant for a maximum of 45 occupants (previously approved maximum was 44 occupants). The structure 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.**

Yes, as previously approved.

*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.**

Yes, as previously approved. See attached floor plans for most recent room layout.

*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, substantially multi-family (student rental), commercial, and university occupancies in that block north of Hill Street.

*The existing structure has been at this location since 1923 and is similar in character to the surrounding land uses. No changes are proposed to the exterior of the structure or to the site. 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.**

Will not- as previously approved.

*An increase of one occupant will not have a detrimental effect on the neighborhood. 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.**

Will not- as previously approved.

*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.**

See approved site plan – attached.

*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.**

See approved site plan – attached.

*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.**

See approved site plan – attached.

*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.**

See approved site plan – attached.

*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.**

No increase in public services and facilities, as previously approved and shown on the attached site plan.

*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.

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

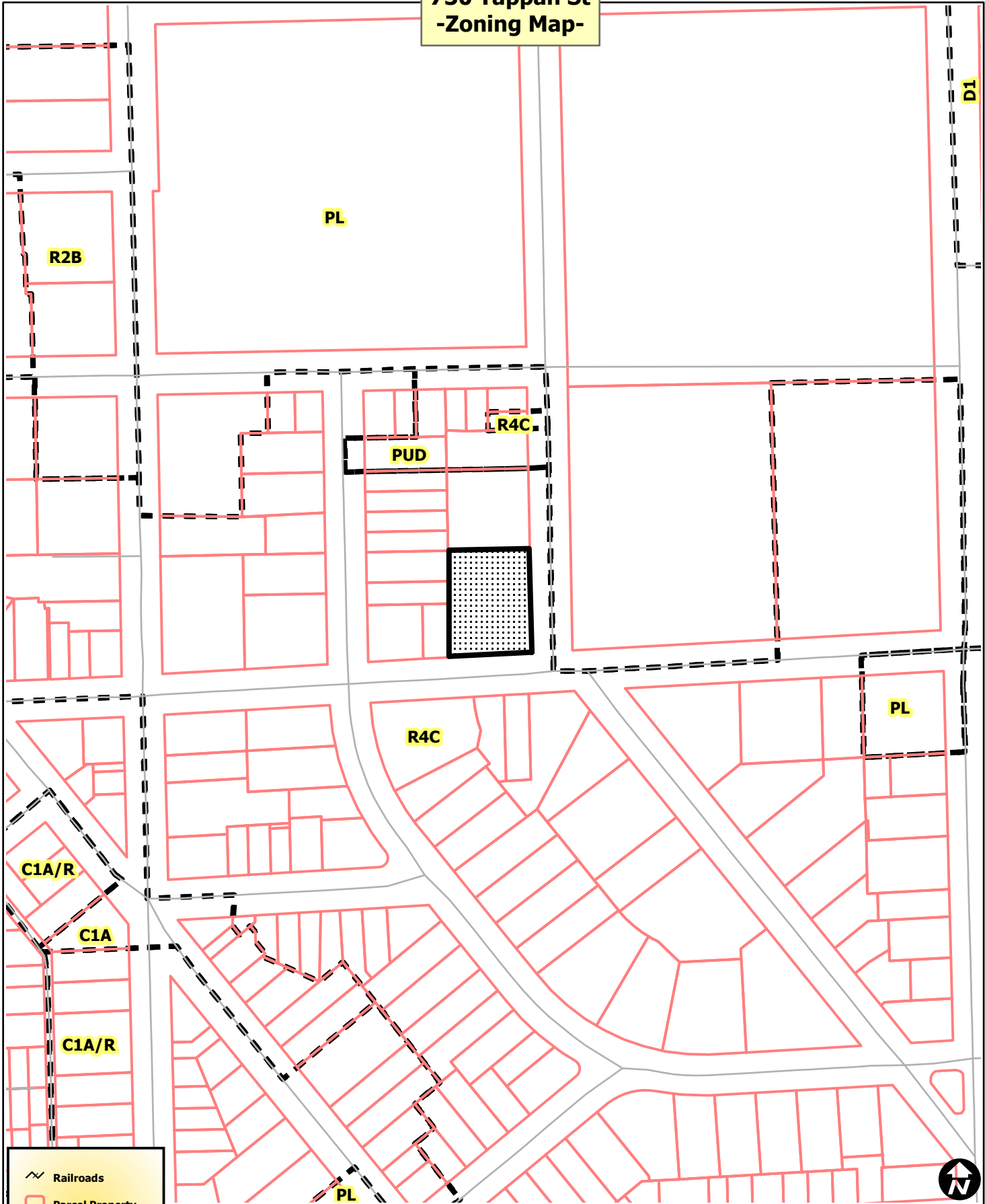
Attachments: Zoning/Parcel Maps  
Aerial Photo  
Site Survey





c: Owner: SIG EP Housing of Michigan Alpha, LLC  
c/o Patrick Murphy  
310 South Boulevard  
Richmond, VA 23220

Petitioner: Jonathan Kucera, Architect  
3711 Darby Drive  
Midlothian, VA 23113

Systems Planning  
File No. SEU12-002

# 730 Tappan St -Zoning Map-



-  Railroads
-  Parcel Property
-  Township
-  City of Ann Arbor



City of Ann Arbor Map Disclaimer:  
 No part of this product shall be reproduced or transmitted in any form or by any means, electronic or mechanical, for any purpose, without prior written permission from the City of Ann Arbor.  
 This map complies with National Map Accuracy Standards for mapping at 1 Inch = 100 Feet. The City of Ann Arbor and its mapping contractors assume no legal representation for the content and/or inappropriate use of information on this map.  
 Map Created: 3/26/2012

# 730 Tappan St -Aerial Map-



-  Railroads
-  Parcel Property



City of Ann Arbor Map Disclaimer:  
 No part of this product shall be reproduced or transmitted in any form or by any means, electronic or mechanical, for any purpose, without prior written permission from the City of Ann Arbor.  
 This map complies with National Map Accuracy Standards for mapping at 1 inch = 100 Feet. The City of Ann Arbor and its mapping contractors assume no legal representation for the content and/or inappropriate use of information on this map.  
 Map Created: 3/26/2012



