

# Old Schools, New Uses: Property Developers Conference

March 13, 2014

Rory Bolger, Detroit City Planning Commission

# Zoning in Detroit

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- Zoning in Detroit was adopted in 1940 after many schools had been built.
- Most, but not all, schools are located on land zoned RESIDENTIAL where use of the property is intentionally limited.

# Zoning in Detroit

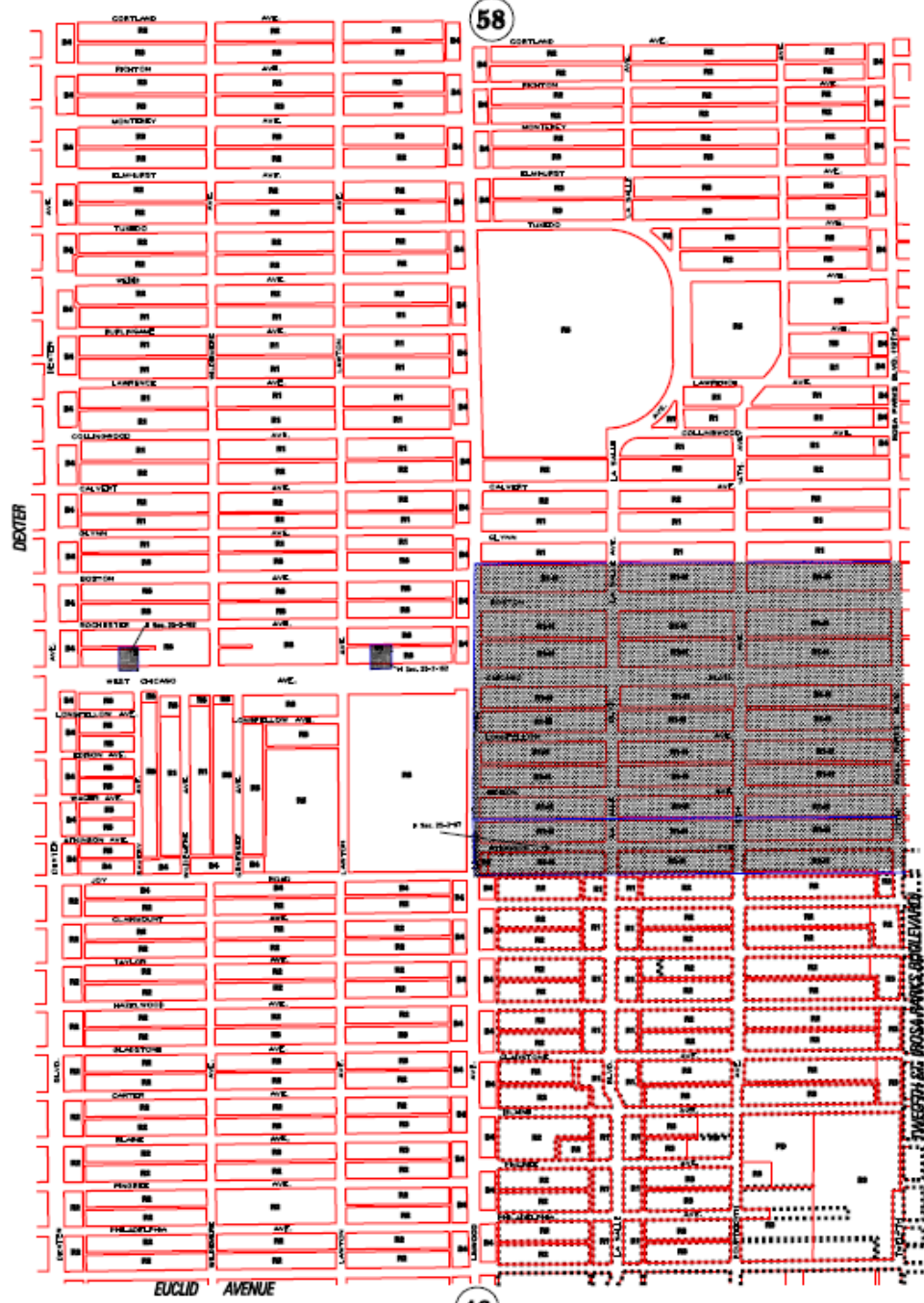
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- Residential districts range from lowest intensity to higher intensity: R1, R2, R3, R4, R5, R6.
- Even R1 and R2 permit “schools” and “non-profit neighborhood centers” and “religious institutions” but on a conditional basis not on a matter of right basis.

# Zoning Districts – Residential Intensities

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- R1 Single-family Residential District
- R2 Two-family Residential District
- R3 Low Density Residential District
- R4 Thoroughfare Residential District
- R5 Medium Density Residential District
- R6 High Density Residential District



58	58	58
47	48	9
45	46	7

47

9

58

46

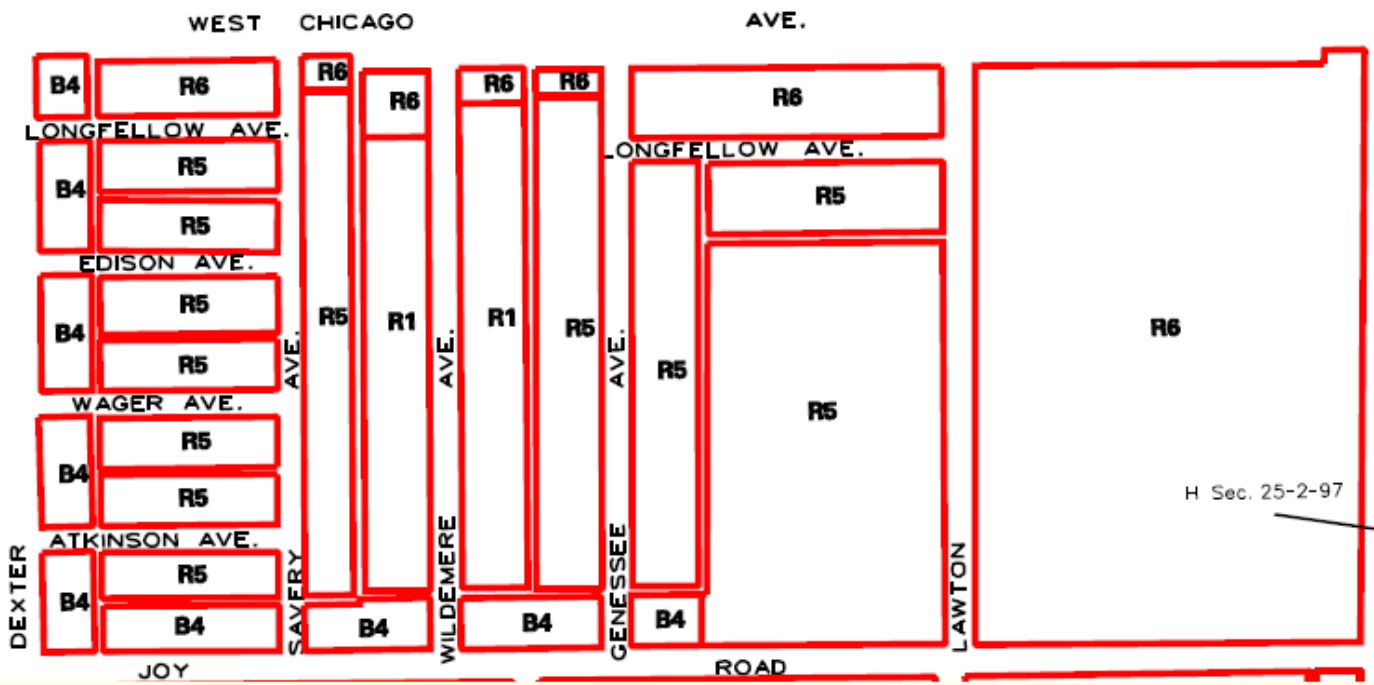
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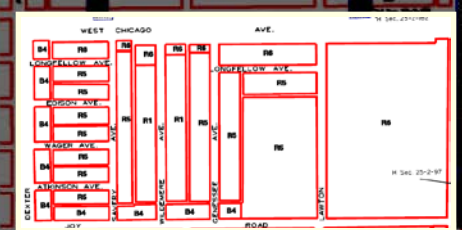
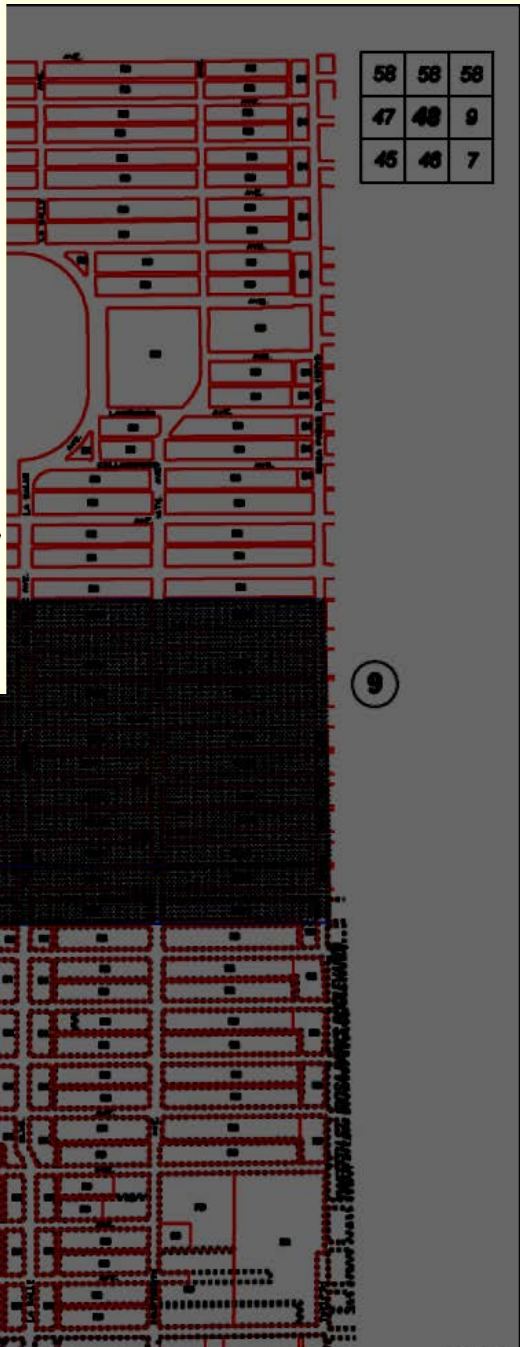


EUCLID AVENUE

WEST CHICAGO AVE  
LINDEN AVE  
BERRY AVE  
WILSON AVE  
DIXON AVE  
JOY AVE  
CLINTON AVE  
TAYLOR AVE  
HARRISON AVE  
BUCKINGHAM AVE  
CARTER AVE  
BLAKE AVE  
PHILLIPS AVE  
THEODORE AVE



58	58	58
47	48	9
45	40	7



# Zoning in Detroit

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If you want to use a school building for a use already permitted in that building's zoning district, go directly to the Buildings, Safety Engineering and Environmental Department (BSEED) and apply for land use permit.

# Zoning in Detroit

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- If you want to redevelop a school building as a use that is prohibited in that building's zoning district, the recently adopted School Building Adaptive Re-Use ordinance may help.
- For example, you want to convert the school building to “office” or “multiple-family dwelling” or “adult day care center” and the land is zoned R1...these are otherwise prohibited uses.



# School Building Adaptive Re-Use Ordinance

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The City adopted Ord. No. 21-12 on November 2, 2012 to help you—the School Building Adaptive Re-Use Ordinance amendment to the Detroit Zoning Ordinance.

# School Building Adaptive Re-Use Ordinance

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- This ordinance allows 19 otherwise-prohibited land uses to be processed as “conditional uses” by BSEED.
- The ordinance was adopted to provide for the adaptive reuse and preservation of existing school buildings.

# School Building Adaptive Re-Use Ordinance

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If you are purchasing a school building in order to demolish it and just use the land, the School Building Adaptive Re-Use ordinance does not help you.

Use of the land after tear-down is subject to the usual zoning restrictions.

# School Building Adaptive Re-Use Ordinance

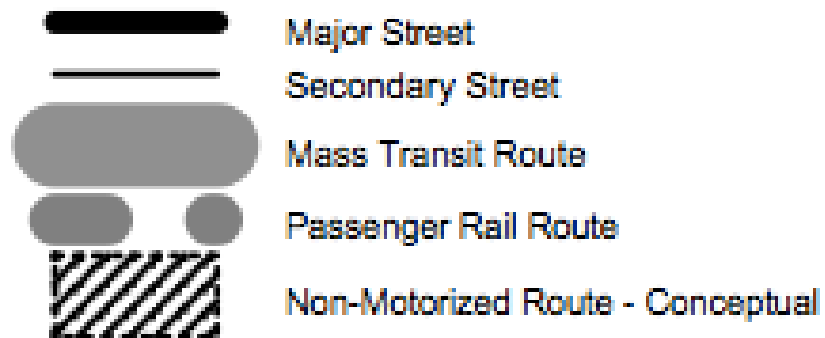
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Of the 19 uses, five are “residential” uses:

- Assisted living facility, where located on a major thoroughfare;
- Boarding school and dormitory, where located on a major thoroughfare;
- Convalescent, nursing, or rest home, where located on a major thoroughfare;
- Loft
- Multiple-family dwelling



### ***Transportation Network***



# School Building Adaptive Re-Use Ordinance

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Of the 19 uses, six are “public, civic, and institutional” uses:

- Adult day care center;
- Child care center;
- Educational institution
- Governmental service agency
- Library
- Museum

# School Building Adaptive Re-Use Ordinance

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Of the 19 uses, eight are “retail, service, and commercial” uses:

- Business college or commercial trade school;
- Medical or dental clinic, physical therapy clinic, or massage therapy clinic;
- Office, business or professional;
- Radio or television station;

# School Building Adaptive Re-Use Ordinance

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Of the 19 uses, eight are “retail, service, and commercial” uses—continued:

- Recording studio or photo studio or video studio, no assembly hall;
- Recreation, indoor commercial and health club;
- School or studio of dance, gymnastics, music, art, or cooking;
- Youth hostel/hostel, where located on a major thoroughfare



# School Building Adaptive Re-Use Ordinance

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All off-street parking for a use permitted under the “School Building Adaptive Re-Use” Ordinance must be provided on the same zoning lot as the school building.

# School Building Adaptive Re-Use Ordinance

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If the school building has been designated as a local historic district, then any demolition and/or exterior alteration is subject to review and approval by the City's Historic District Commission.

# School Building Adaptive Re-Use Ordinance

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Partial demolition of a building for a new use permitted under the “School Building Adaptive Re-Use” Ordinance (as opposed to interior demolition to re-configure space) is very limited.

# School Building Adaptive Re-Use Ordinance

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- Partial demolition generally may be considered by BSEED provided that 75% of the gross floor area is retained.
- The 75% needn't include accessory buildings unless the City's Historic Designation Advisory Board (HDAB) identifies them as "contributing resources" eligible for the National Register of Historic Places.
- The 75% needn't include additions to the principal school building that do not contribute to the historic character of the property as determined by BSEED and HDAB.



# Permitting



# Issuing of Permits

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The **Buildings, Safety Engineering and Environmental Department** is empowered by the Zoning Ordinance to “to administer and enforce all laws, ordinances and regulations relating to the use of land (‘zoning’).”



# City of Detroit

BUILDINGS AND SAFETY ENGINEERING DEPARTMENT  
4<sup>th</sup> Floor Coleman A. Young Municipal Center  
Telephone: 224-3235



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## APPLICATION FOR BUILDING PERMIT

APPLICANT SHALL FILL IN ALL BLANKS PERTINENT TO BUILDINGS AND PREMISES

Separate applications and three sets of plans are required for each building or structure. Such plans shall include lot plots.

Applications must be TYPEWRITTEN or PRINTED IN INK.

**FOR ADDITIONS, ALTERATIONS OR REPAIRS**

(Exterior or Interior) \_\_\_\_\_

DATE \_\_\_\_\_

Describe in Detail \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If addition, please state use \_\_\_\_\_

SIZE \_\_\_\_\_ ft. WIDE by \_\_\_\_\_ ft. LONG by \_\_\_\_\_ ft. HIGH \_\_\_\_\_ Stories

Will the proposed building or structure encroach upon any easement, alley or public property? \_\_\_\_\_

Estimated cost of additions, alterations or repairs \$ \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### FOR CHANGE OF OCCUPANCY:

Portion of Building Involved \_\_\_\_\_

Proposed Use of Portion Involved \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

USE OF LAND (Fill in this section only when securing a permit for the use of vacant land)



CITY OF DETROIT

# Special Land Use Zoning Application

Revised 3/21/11

Date Filed \_\_\_\_\_

Case # \_\_\_\_\_

Application is hereby submitted for: (check all that apply)

- Site Plan Review (\$100)
- Conditional Use Permit, new (\$1,000)
- Modification of a Previous Grant (\$500)
- Variance/Waiver - BZA (\$1,000)
- Expand Non-Conforming Use (\$1,000)
- Hardship Relief (\$1,000)
- Appeal of Administrative Decision (\$1250)

Name of Applicant \_\_\_\_\_

Applicant's Address \_\_\_\_\_

Number Street City, State Zip Code

Phone \_\_\_\_\_ Email Address \_\_\_\_\_

*Providing complete contact information will expedite communication during the review process.*

Name(s) of Legal Owner(s) \_\_\_\_\_

Owner's Address \_\_\_\_\_

Number Street City, State Zip Code

The Property is located at \_\_\_\_\_ located on the (circle one)

(Address and Street)

north, south, east, west side of the street between \_\_\_\_\_ and \_\_\_\_\_ street.

Conditional Uses



# Conditional Uses

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- If the land use you want to establish in a building originally built as a school under the provisions of the “School Building Adaptive Re-Use” ordinance, BSEED will process your request as a Conditional use.
- All owners and residents within 300 feet of the property will be notified of your intent.
- BSEED will convene a special land use hearing to receive your testimony and that of any attendees before returning a decision.

# Conditional Uses

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- The BSEED hearing officer conducts the hearing and the Planning and Development Department reviews the site plan.
- The hearing officer forwards a recommendation to the BSEED director. If the request is approved by the BSEED director, you receive a Zoning Grant that allows you 6 months to pull a permit.

# Conditional Uses

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- Whether the BSEED Director approves or disapproves the proposed use, any party who is aggrieved of the decision may appeal the decision to the Board of Zoning Appeals (BZA).
- The BZA then schedules a hearing of its own.
- If no one appeals an approval by the BSEED Director within 14 days of the decision, then you can obtain the zoning grant.
- Then, record the zoning grant with the Register of Deeds in order to pull a permit from BSEED.

# Buildings, Safety Engineering and Environmental Department

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## Contact Information:

- [www.detroitmi.gov](http://www.detroitmi.gov) → Departments → Buildings, Safety Engineering and Environmental
- General Number: (313) 224-2733
- Special Land Use: (313) 224-3172 or 224-0156

# On-line Zoning Ordinance

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- The Zoning Ordinance can be viewed on-line at the City Planning Commission's website.
- <http://www.detroitmi.gov/Portals/0/docs/legislative/cpc/pdf/Ch%2061%20Dec%2021,%202013.pdf>

# For further information on this presentation:

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Council

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(313) 224-3219