



Department of Planning,  
Building & Development

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PC Agenda: March 8, 2017

**STAFF REPORT**  
**March 3, 2017**  
**Site Plan and Special Use Permit Application**  
**1100 Trowbridge**

**Subject:**

An application from United Hospitality Group East Lansing, LLC, for Site Plan and Special Use Permit Approval for the property located at 1100 Trowbridge Road to construct a four-story SpringHill Suites by Marriott hotel and a one-story commercial building with a drive-through lane for a fast food restaurant on a 3.43 acre parcel. The property is zoned B2, Retail Sales Business District.

Specifically, the applicant is requesting the following Special Use Permits:

- A Special Use Permit for a building (hotel) to exceed the maximum building height of two stories or 36 feet; the applicant wishes to construct a four-story building with a height of 49 feet 2 inches;
- A Special Use Permit for a drive-in restaurant.

**Proposed Development:**

The applicant wishes to demolish the vacant Howard Johnson hotel and construct a four-story SpringHill Suites hotel by Marriott and a one-story commercial building with a drive-through lane for a fast food restaurant.

The proposed hotel would have 88 extended stay hotel rooms with kitchenettes accessible from inside the building. An indoor swimming pool and fitness center is proposed on the first floor.

The northern suite in the retail building is proposed for a restaurant which would serve alcohol although the applicant is not requesting a liquor license as part of this application. A drive-through restaurant is proposed for the retail space closest to Trowbridge Road and this use requires a Special Use Permit. The two suites between the restaurants are proposed for general retail.

A total of 158 parking spaces are being provided for the uses on the entire site. Since this is 37 fewer parking spaces than the minimum parking requirement of 195 parking spaces for the proposed uses, the applicant has requested a 19% reduction in the required number of parking spaces under Section 50-814(6). This allows the City

Council to approve such a reduction in conjunction with site plan approval when there is a mix of uses on a parcel. The standard for approving such reduction is a finding that the individual uses on a site experience peak parking demands at different times or where the individual uses serve complementary functions.

The parking requirement for all uses on the site is 195 spaces. A 25% reduction would result in 147 parking spaces. The site plan provides 158 parking spaces for a reduction of 19% or 37 fewer spaces than required. The peak hour parking demands among the major uses on site being the two restaurants and the hotel are different plus a certain amount of hotel guests are likely to patronize the on-site restaurants.

A new eight feet (8') wide sidewalk is proposed to be constructed within the Trowbridge Road right-of-way to replace the existing four feet (4') wide sidewalk. In addition, a three feet (3') high brick wall is proposed along the east lot line to separate the proposed parking lot from the driving lane which currently provides access to the parcels to the east and north.

#### **Existing Site Conditions:**

A former Howard Johnson which has not been in operation for approximately five (5) years is located on the site surrounded by a crumbling asphalt parking lot. A former extension of the hotel that occupied the rear (north) portion of the site was demolished following a series of fires and now consists of grass and asphalt.

Access to the site is via a driveway onto Trowbridge Road located on and shared with the property to the east. A sidewalk within the Trowbridge Road right-of-way abuts the property.

#### **Adjacent Land Uses:**

*North* - Red Cedar playground and school buildings - currently vacant/Emerson Park, Red Cedar Neighborhood

*East* - Woody's Oasis Restaurant, Swagath Indian Cuisine, office building

*South* - Office buildings and Taco Bell along the south side of Trowbridge

*West* - Arbor Forest Apartments: four buildings with 80 apartment units

#### **Adjacent Zoning:**

*North* - C, Community Facilities

*East* - B2, Retail Sales Business

*South* - B2, Retail Sales Business

*West* - RM32, City Center Multiple Family Residential

See the attached zoning map for the zoning designations of the surrounding properties.

### **Site History:**

On June 3, 2008, the East Lansing City Council approved a Special Use Permit and Site Plan application from Mr. Tass Mekani to construct a 3-story, 77-room Holiday Inn Express hotel behind (north of) the existing Howard Johnson hotel at 1100 Trowbridge Road. This project was not built. A condition of approval required that a six feet (6') high masonry wall be installed along the north lot line.

### **STAFF REVIEW – Site Plan**

Staff has provided the following review of the site plan for compliance with the general standards of review specified in **Sec. 50-38** of the Code.

#### **A. Zoning District Standards**

The B2, Retail Sales Business District generally permits a variety of retail stores, personal service shops, restaurants, offices, mixed-use structures containing residential dwellings and other businesses necessary to provide for the wide range of shopping and service needs of the community. Hotels are a Permitted Use.

Uses allowed by Special Use Permit include drive-through facilities including restaurants, motor vehicle sales, car washes, restaurants serving alcohol and multi-family dwellings in the same building as non-residential uses.

As indicated on the attached Zoning Analysis form, the application meets the applicable required conditions of the B2 District except one (1) additional bike parking space is needed and the locations need to be revised.

#### **B. General Standards of Review for Site Plan Approval**

- (1) **General site conditions.** *The site shall be designed and developed to provide a logical relationship between functional elements, to effectively serve the purposes for which it is to be developed, and to be reasonably compatible with surrounding properties.*

The project proposes only one access point into the site which could create congestion on site by funneling all traffic to one driveway.

Providing another drive opening to the north of the proposed drive to align with the driving aisle closest to the hotel will improve on site circulation by giving drivers another way into and out of the site. The City Fire Marshal concurs with the need for this second driveway in order to be able to better maneuver a fire truck into and through the site. The applicant has added the second access at the request of Staff.

This second drive will require approval from the adjacent property owner although it appears that vehicles from all adjacent parcels have historically used the access lane along the east side of the hotel site.

The retail building is compatible with adjacent land uses.

Vehicles accessing the drive-up window will be driving along the west lot line adjacent to Arbor Forest Apartments. The carport and masonry wall along this west lot line do provide a visual and sound buffer for the residents in the apartments from the vehicles using the drive-through lane. The lights on the rear of the retail building facing Arbor Forest are shielded and will prevent light from spilling onto the adjacent property. The applicant shifted the building further to the east and added trees to further screen the building.

The hotel is compatible with the commercial uses to the east and the office uses to the south. To the west the narrow portion of the hotel is located approximately 30 feet from the west lot line and 85-90 feet from the closest apartment building within Arbor Forest.

The proposed four-story building would be partially screened from the apartment building within Arbor Forest by a new six feet (6') high concrete wall constructed on the hotel site, an existing nine feet (9') high fence in the northwest corner and several mature deciduous trees also in the northwest corner.

There are two building lights on the west side of the hotel facing Arbor Forest but these lights will be shielded and mounted only 10 feet above grade preventing them from spilling onto the adjacent property. The parking lot behind the hotel (north side) would have two shielded lights on 15 feet high poles which should not create any lighting issues for Arbor Forest residents.

Hotel guests loading and unloading their vehicles in the north parking lot could make noise discernible to Arbor Forest residents depending upon the time of day or night.

The location of the dumpsters serving the retail building is next to the east lot line of Arbor Forest. The existing carport on the Arbor Forest side and the dumpster enclosure provides a sufficient screen but emptying of the dumpster could create a noise issue if emptied in the early morning. The Commission may wish to stipulate the times when the dumpster is not permitted to be emptied to avoid this.

The vacant Red Cedar playground and school buildings abuts the site to the north. While the property is currently vacant the East Lansing School Board will

be seeking voter approval for a school millage in May of 2017 which, if approved, would eventually allow for the re-use of this school.

The Commission may wish to require that a wall or fence be installed along the north lot line to serve as a barrier between the hotel parking lot and the abutting school playground. A four feet (4') high chain link fence exists along the north lot line. In 2008 the Commission required that a six feet (6') high masonry wall be installed along the north lot line when it approved the Holiday Inn Express for this site. The applicant added a six-foot (6') brick fence at the north side of the site.

- (2) **Natural features.** *The site shall be designed and developed to minimize the disruption or loss of its desirable natural qualities and to enhance its overall appearance. There shall be no net loss in either wetland area or wetland benefits due to development of the site.*

The site is covered by asphalt and buildings and there are no natural features to preserve.

- (3) **Traffic Access.** *The site shall be designed and developed to provide safe and efficient access for all forms of travel and to minimize impacts on adjacent public facilities.*

The applicant's traffic impact assessment has been reviewed and approved by East Lansing City Design Engineer Steven Roach as it meets the traffic analysis requirements for the redevelopment of this site. Mr. Roach has determined that no additional mitigation would be necessary on Trowbridge Road. A copy of the assessment and the approval letter are attached.

As noted in Item (b) above vehicle access into and out of the site could be improved if a second driveway were provided along the east lot line close to the hotel entrance. The applicant added a second access to the site plan.

- (4) **Utilities and public services.** *The site shall be designed and developed to facilitate the efficient provision and maintenance of adequate public services.*

Public water, sanitary sewer and storm sewer are available to serve the proposed use. Public Works Department has submitted the attached review which requests additional information from the applicant.

- (5) **Environmental protection.** *The site shall be designed and developed to minimize any risk of pollution of natural resources and to protect the public health, safety and welfare.*

The proposed uses are not expected to create any pollution or safety issues.

### **C. Objectives of the Comprehensive Plan**

The 2006 Comprehensive Plan recommends mixed-use development with buildings of two to four-stories for this property and the land along the north side of Trowbridge Road between this site and Harrison Road. The Plan does not specify the land use mix envisioned for this area but does set forth the following goals, objectives and actions.

Goal 3: *To improve the quality and vitality of the City's commercial districts including the downtown and neighborhood commercial areas such as Brookfield Plaza/East Grand River, Coleman Corners, Trowbridge, Michigan/Harrison, Lake Lansing/Coolidge, Saginaw/Abbott.*

Objective 3-1: *Support both commercial and residential development opportunities downtown.*

Action 3-1.8: *Require any redevelopment of existing commercial areas to include mixed-use, multiple-story buildings rather than strip development.*

Goal 5: *To have land use patterns in new development, infill development and redevelopment which sustain greater density and integration of uses, therefore providing greater community self-sufficiency and quality of life.*

The 2009 Trowbridge Road Corridor Study, though not officially adopted recommended that buildings along Trowbridge Road have a “minimum building height of 3-6 stories by right with build-to-lines at the right-of-way except where development is adjacent to the Red Cedar Neighborhood.”

### **D. Other Department, State, Federal Reviews**

The Fire Marshal has requested the following changes to the site plan:

- Provide an additional driveway along the east lot line to align with the driving aisle closest to the hotel to allow for better access for large fire trucks.
- Remove or reduce the width of the landscape islands directly in front of the retail building and the islands north of the retail building to allow for a more accessible path for emergency vehicles to the area in front of the retail store. (Applicant modified site plan)
- Pave the area in the northeast corner next to the dumpster to provide a larger area for fire trucks to set up in case of a fire in the hotel.

To date we have not received comments from the Police Department.

### **1. STAFF REVIEW – Special Use Permit (Drive-thru Window)**

- A.** The two Special Use Permit requests are analyzed below according to the requirements of Section 50-94. Each Special Use Permit application shall meet each of the following standards:

- (1) ***The proposed use shall be consistent with the purpose of the use district in which it is located and the purpose and provisions of this division.***

The B2 Retail Sales Business District is intended “to provide for the development of a variety of retail stores, personal service shops, restaurants, offices, mixed-use structures containing residential dwellings and other businesses necessary to provide for the wide range of shopping and service needs of the community.” The drive-up window for the restaurant and the additional two stories requested for the hotel would meet this standard by providing uses which contribute to the commercial vitality of this area and providing a service to the community.

- (2) ***The site plan for the property shall be approved in accordance with the provisions of section 50-36 of this chapter.***

The site plan meets the requirements of this B2 District subject to revisions as noted under the site plan review section of this report. The submittal was made properly and the plan has been presented in accordance with Section 50-36.

- (3) ***The proposed size, height, architectural character and placement of new or expanded structures on the site shall be reasonably compatible with the existing or anticipated buildings on adjacent properties.***

The proposed hotel will have four stories, a height of 49 feet, with a flat roof and a contemporary building style similar to Trowbridge Lofts. Surrounding buildings vary in height with neighboring Arbor Forest Apartments being approximately 29 feet in height and the existing vacant hotel being 22 feet high. Buildings nearby have both flat and pitched roofs. The architecture of the building containing the drive-up window will be a contemporary style, intended to fit in with neighboring buildings.

Additionally, the hotel is set back 33 feet from the residential property to the west, Arbor Forest Apartments, which exceeds the 13 foot setback which would be required for the proposed 49 foot high building.

- (4) ***Streets and access facilities serving the site shall be able to safely accommodate the expected traffic generated by the proposed use; the use shall not cause excessive traffic congestion or delays, obstruct access to adjacent properties, or imperil the safety of motorists, pedestrians or bicyclists.***

Staff has recommended several revisions to the project layout to improve

pedestrian safety, vehicle movement and emergency vehicle access. With these changes the intent of this standard is met. The traffic expected to be generated is not likely to create congestion issues on Trowbridge Road according to the traffic assessment study.

- (5) ***The proposed use shall not adversely affect the use and enjoyment of adjacent properties by generating excessive noise, vibration, light, glare, odors or any other form of pollution or nuisances.***

Excessive noise, vibration, light, glare, odor, or any other nuisance or pollution are not expected from this project. All applicable City ordinances related to soil erosion, noise, lighting, etc., will be enforced through construction and operation of the project.

- (6) ***The proposed use shall not materially diminish the economic value of adjacent properties or the city as a whole.***

The hotel and retail building containing the restaurant with the drive-up window would have a positive impact on the overall fiscal health of the City, bringing a property that was previously valued for vacant land onto the tax rolls with a newly constructed commercial use. Additionally, neighboring properties should not see any diminishing, as the investment being made is substantial and will be an improvement to the area in general.

- (7) ***The proposed use shall not materially diminish the privacy, safety, security or enjoyment of any residential dwelling or residential neighborhood within the vicinity of the site.***

The additional two stories proposed for the hotel will be visible to the residents of Arbor Forest Apartments but so is the existing vacant hotel which operated on this site for many years. It is only the two stories which are subject to the SUP requirement – a two story hotel would be a Permitted Use. The noise generated by the vehicles and hotel guests and retail customers is not expected to be more than has historically been generated by previous commercial uses.

The masonry wall and carports along the west property line between the hotel and Arbor Forest will remain in place providing some security from trespassing. A four foot (4') high chain link fence along the north lot line abutting the Red Cedar School property will remain in place for security purposes.

The drive-up window will be screened from Arbor Forest residents by the existing carport and masonry wall. More information is needed on the

location of the menu board before it can be determined if this will be audible to nearby residents.

- (8) ***The proposed use shall be located with direct access to and frontage on a major street as designated in the major street plan, or within an area designated for adaptive reuse in the city center element of the comprehensive plan.***

Trowbridge Road is designated as a Major Street in the Comprehensive Plan.

## **2. STAFF REVIEW - Special Use Permit (Building exceeding two stories or 36 feet)**

In addition to the standards above, Section 90-94(5) requires the following standards to be met in order for a SUP to be approved for a building exceeding two stories or 36 feet in height.

Where a special use permit is required to permit building height above the base level permitted in any use district, the compatibility of the building shall be determined in part by the extent to which the use of the building and the building design, its setbacks and its orientation on the site successfully mitigate negative impacts upon neighboring uses, the natural features of the site and public facilities and services. Such buildings may be approved only if they comply with subsection (a) of this section and all of the following additional standards:

1. ***The building shall not be located in such proximity to a single-family or two-family neighborhood so as to cause excessive noise or shadowing impacts, or substantial reductions in personal privacy or property values. The planning and zoning administrator may require the applicant to submit a solar angle diagram and shadow analysis prepared by a registered architect or engineer showing the extent of shadowing caused by the proposed building on adjacent properties and structures.***

The proposed four-story hotel is over 500 feet away from the single-family neighborhood to the north so there is no issue with excessive noise or shadowing.

2. ***The portion of the building extending above the base level permitted in each use district shall be located no closer to the property line of a residentially zoned property than a distance equal to the amount of the height in excess of the base level.***

Arbor Forest is zoned RM32 which is a residential zoning district so the height of the hotel is subject to this regulation. The base level height in the B2 Zone is 36 feet. The proposed hotel height is 49 feet 2 inches which exceeds the base level height by 13 feet 2 inches. Based on this formula the hotel must be set back from the west lot line 13 feet 2 inches. The proposed setback per the site plan is 33 feet.

- 3. The building shall not result in traffic generation which exceeds the carrying capacity of adjacent streets, exceeds the parking capacity of on-site spaces or nearby municipal parking facilities, causes excessive congestion or risks to public safety, or causes or substantially contributes to excessive volumes of traffic through residential neighborhoods.***

The traffic expected to be generated is not likely to create congestion issues on Trowbridge Road according to the traffic assessment study. Parking spaces are sufficient and traffic from this use will not result in traffic through residential neighborhoods.

- 4. The building shall not generate demands which exceed the capacity of public utilities and services necessary to serve the site.***

The City Engineer has listed a number of plan revisions and other requirements which the applicant must satisfy before the project can be approved but the project itself will not exceed the capacity of public utilities and services.

## **PLANNING COMMISSIONER CONCERNS**

During the public hearing held on February 22, 2017, the Planning Commission had requests for additional information and questions and concerns with the proposed project; staff provides the following information in response:

- 1. A request that the applicant provide a shadow study.***

See attached sheet G.005.

- 2. A request that the applicant provide a response to the request for a second access point into the site.***

The applicant is showing a second curb cut at the northeast side of the property where they will continue to seek information necessary to determine whether the owner of the abutting property will grant them an easement to use the curb cut for non-emergency traffic. (See attached letter from applicant)

**3. *Can the applicant place a six (6) foot high brick wall at the north side property line within the sanitary sewer easement?***

A six foot (6') high brick wall can be placed in the sanitary sewer easement as long as it can be placed seven feet (7') away from the sanitary sewer.

**4. *Can the City place a condition of approval on the application that the hotel has to be a specific hotel?***

See attached e-mail from City Attorney Tom Yeadon.

**5. *Are there other drive-through restaurants abutting residential properties in the City?***

The City has only a small number of drive-through restaurants. They are as follows:

- Burger King – West Lake Lansing Road
- McDonalds – East Grand River Avenue
- Starbucks – East Grand River Avenue
- Taco Bell – Trowbridge Road
- Wendy's – Trowbridge Road

## **STAFF REVIEW**

The applicant amended the Site Plan based on the input they felt they heard from the Planning Commission and Staff. The following are the amendments the applicant lists in the letter dated February 28, 2017 made to the Site Plan:

- Simplified parking circulation
- Provided larger green spaces on the west and east side of the property
- Moved the retail 29' to the east and provided a tree line between the apartments and the retail
- Added a menu board to within 20' either way of likely location;
- Added a "bump-out" leaving the drive-thru
- Added bike racks to retail
- Added curb cut for emergency access near the hotel
- Added a six-foot (6') wall between the hotel and school property

In addition to the list of modifications that were provided by the applicant, the three foot (3') high wall was also eliminated from the east side of the site and replaced with the wider Island and landscaping.

The applicant is requesting a 25 percent (25%) reduction for the future restaurant in the event they need more seats than they had anticipated. The Code only allows consideration of a reduction of the information on the site plan under consideration. For instance the parking required, based on the information provided is 195 parking spaces and 25 percent (25%) of this number is 50 parking spaces. The applicant would then only be required to have 145 parking spaces. They are currently proposing to provide 158 parking spaces. Therefore approving a 25 percent (25%) reduction when the only need a reduction of 19 percent (19%) does not have the result the applicant believes it does.

## **SUMMARY COMMENTS**

In the matter of the request from United Hospitality Group East Lansing, LLC for the property located at 1100 Trowbridge Road to construct a four-story hotel and a one-story commercial building with a drive-through lane for a restaurant. Motion to **recommend City Council approve** the proposed Site Plan, Special Use Permits, and the 19 percent (19%) reduction in parking **for the following reasons.....**

- *(Insert specific Planning Commission reasons here)*

### **Subject to the following conditions...**

- *(Insert specific Planning Commission conditions here)*
1. Water and sanitary sewer extensions and connections shall be approved by the City Engineer in accordance with all applicable State and local regulations.
  2. Final grading, soil erosion control, paving and utility plans for the site shall be approved by the City Engineer in accordance with all applicable local requirements.
  3. The applicant shall construct an 8 foot wide sidewalk along Trowbridge Road R.O.W. and 5 foot wide sidewalk shall extend from the public sidewalk to the entrance of the building(s).
  4. Final landscaping and screening details shall be designed in accordance with section 50-840 of the City Code and any additional landscaping that is requested as a condition of the overall site plan approval. A final landscape plan shall be approved by the Planning and Zoning Administrator and signed-off on prior to installation.
  5. Bike racks shall be installed sufficient to accommodate at least 18 bicycles.
  6. Site lighting shall be installed in accordance with the requirements of section 50-155 of the City Code.

7. Trash containment shall be constructed and containers screened in accordance with the requirements of section 50-147 of the City Code.
8. Trash and Recycling containers shall be provided in accordance with section 36-86 of the City Code.
9. The required permit(s) shall be obtained from the Department of Planning, Building, and Development for all exterior signs, in accordance with Chapter 32 – Signs of the City Code.
10. The project shall be designed and developed in accordance with all applicable State and local statutes, codes and regulations.
11. A six foot (6') high brick fence shall be installed along the north property line at least seven feet away from the sanitary sewer line.
12. A Memorandum of Special Use Permit shall be filed with the County Register of Deeds per section 50-96 of the City Code.
13. Per the Public Art Requirement Supplement signed by the applicant, a monetary donation will be made in lieu of art therefore \$25,000 must be donated to the Public Art fund upon submission of the building permit.

**ZONING ANALYSIS**

**Development:** 1100 Trowbridge

| <u>Zone:</u>                    | <b>B-2</b> | <u>Standard</u>      | <u>Proposed</u>            | <u>Conformity</u> |
|---------------------------------|------------|----------------------|----------------------------|-------------------|
| <b>Min. Site Area:</b>          |            | None                 | 3.43                       | Yes               |
| <b>Min. Lot Width/Frontage:</b> |            | None                 | 283 ft<br>along Trowbridge | Yes               |
| <b>Max. Building Height:</b>    |            | 2 Stories<br>36 Feet | 49 Feet                    | Yes*              |
| <b>Max Building Cover</b>       |            | None                 | 17%                        | Yes               |
| <b>Max. Ground Cover</b>        |            | None                 | 76                         | Yes               |
| <b>Min. Bldg Setbacks:</b>      |            |                      |                            |                   |
| Rear (North) yard               |            | 0 feet               | 60feet                     | Yes               |
| Front (South) Yard              |            | 0 feet               | 60 feet                    | Yes               |
| Front (West) Yard               |            | 0 feet               | 30 feet                    | Yes               |
| Side (East) Yard                |            | 0 feet               | 32 feet                    | Yes               |
| <b>Parking Spaces:</b>          |            |                      |                            |                   |
| Min. Required                   |            | 195 spaces           | 158 spaces                 | <b>No**</b>       |
| Min. Stacking                   |            | 10 Spaces            | 10 Spaces                  | Yes               |
| Max. Permitted                  |            | 244 spaces           | 158 spaces                 | Yes               |
| Max. Small Spaces               |            | 59 spaces            | 30 spaces                  | Yes               |
| Min. Barrier Free Spaces        |            | 6 spaces             | 8 spaces                   | Yes               |
| Min. Bike Spaces                |            | 17 spaces            | 18 spaces                  | <b>Yes</b>        |
| <b>Min. Parking Setbacks:</b>   |            |                      |                            |                   |
| Rear (North) yard               |            | 8 feet               | 8 feet                     | Yes               |
| Front (South) Yard              |            | 3 feet               | 10 feet                    | Yes               |
| Side (West) Yard                |            | 3 feet               | 3 feet                     | Yes               |
| Side (East) Yard                |            | 3 feet               | 10 feet                    | Yes               |

**Comments:**

\* Buildings may be up to four stories or 64 feet in height, subject to an approved special use permit.

\*\* Applicant is seeking a parking reduction of 25% under section 50-814(6)

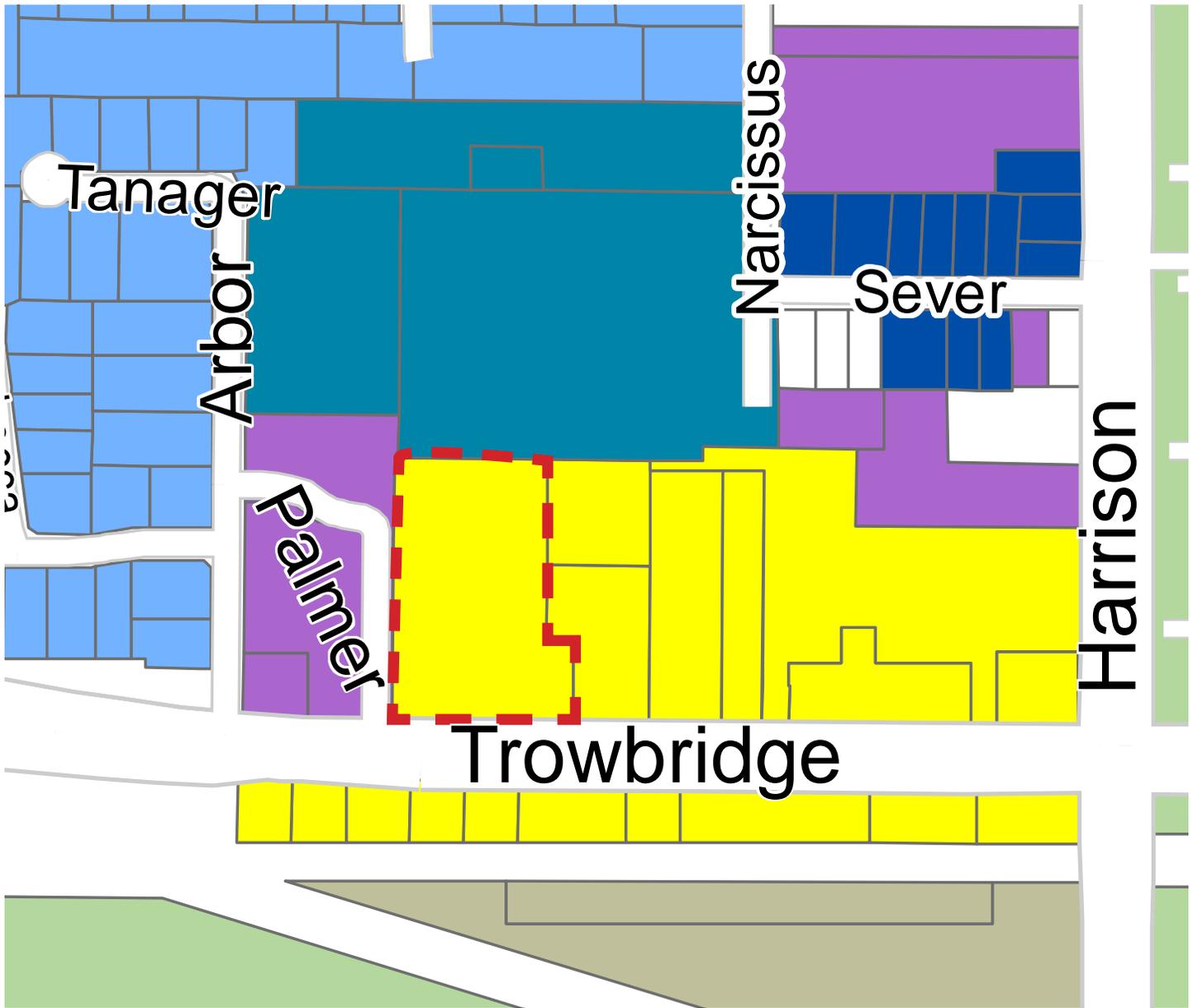
# CITY OF EAST LANSING

## AERIAL PHOTOGRAPH



# CITY OF EAST LANSING

## ZONING MAP



- |   |                                    |   |  |
|---|------------------------------------|---|--|
|  | B2-Retail Sales Business           |  | RM08-Planned Unit Development            |
|  | B3-City Center Commercial          |  | RM14-Low Density Multiple Family         |
|  | B4-Restricted Office Business      |  | RM22-Medium Density Multiple Family      |
|  | B5-Community Retail Sales Business |  | RM32-City Center Multiple Family Res     |
|  | BC*-Dewitt Township - Business     |  | R1-Low Density Single-Family Residential |
|  | C-Community Facilities             |  | R2-Medium Density Single-Family Resident |
|  | U- University                      |  | R3-Single & Two Family Residential       |

