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March 30, 2023

HONORABLE CITY COUNCIL

RE: Request of NP Conner Avenue Industrial, LLC and the City Planning Commission to amend Article XVII, Section 50-17-27, District Map No. 25 of the 2019 Detroit City Code, Chapter 50, Zoning, to show M2 (Restricted Industrial District) and PR (Parks and Recreation District) zoning classifications where M3 (General Industrial District) and M4 (Intensive Industrial District) zoning classifications are currently shown on approximately 63 acres generally bounded by Gratiot Ave. to the northwest, Conner St. to the east, and Harper Ave. to the south, and also known by the addresses, 10600 Gratiot Ave and 9701 Conner St. **(RECOMMEND APPROVAL – REQUESTING THE SETTING OF A PUBLIC HEARING)**

The City Planning Commission (CPC) has received a request from NP Conner Avenue Industrial, LLC to amend Article XVII, Section 50-17-27, District Map No. 25 of the 2019 Detroit City Code, Chapter 50, Zoning, to show M2 (Restricted Industrial District) and PR (Parks and Recreation District) zoning classifications where M3 (General Industrial District) and M4 (Intensive Industrial District) zoning classifications are currently shown on approximately 63 acres generally bounded by Gratiot Ave. to the northwest, Conner St. to the east, and Harper Ave. to the south. The addresses of the proposed rezoning are 10600 Gratiot Ave and 9701 Conner St.

The proposed downzoning is being requested to fulfill commitments made by NorthPoint Development, who are in the process of redeveloping the site of the former Cadillac Stamping Plant. The Class A light industrial/warehousing facility will contain about 682,000 sq. ft. of useable space. The total investment for the project is approximately \$48 million and includes \$18 million in city and state brownfield remediation incentives. The site is estimated to have created over 100 construction jobs during the construction phase, which is now complete, and is expected to create 450 permanent jobs after a tenant has been identified.

BACKGROUND AND REQUEST

The subject property is located in City Council District 3 and, again, is the former site of the Cadillac Stamping Plant. The original facility was built in 1925 for the Hudson Motor Company. In 1956, Cadillac bought the plant to produce body panels for their vehicles. The facility remained in use as an auto manufacturing facility until the 1980s. It remained vacant until 1993, when the Ivan Doverspike Company began to use it for their operations, including storage and dismantling of machinery. By 2015 most of the plant was abandoned and left vacant. In March of

2021, the former Cadillac Stamping Plant was demolished to allow for a new industrial facility to be built by NorthPoint Development.

Conner Creek Greenway

While exploring the proposed downzoning location, CPC staff identified 9700 Conner Street, a Detroit Parks & Recreation owned parcel with M4 (Intensive Industrial) zoning classification, as a potential opportunity to downzone to PR (Parks & Recreation). This site is the location of the Conner Creek Greenway, a recreational path that runs along Conner Street from Harper Avenue to Gratiot Avenue. CPC staff met with the Parks and Recreation staff to discuss downzoning the parcel from M4 to PR and their office expressed support.



Proposed zoning map with proposed rezoning shaded

Community Input

Northpoint Development held 4 community meetings on September 1, October 22, and December 15 of 2020 as well as January 6, 2021. In these meetings the developer presented the overview of the project including site plans to the community and received feedback which they followed up on. The developers responded to concerns about truck traffic and which street would be used as an access point. They revised their site plan in response to the comments on traffic and changed the primary entrance/exit to Devine Avenue and reserve the Conner Street access point for emergency vehicles.

PUBLIC HEARING RESULTS

On October 20, 2022, the City Planning Commission held a public hearing on this downzoning request. During the hearing, two members of the public spoke--one in support of the downzoning of the greenway, and the other with concerns about the downzoning. The member of the public who spoke in support of the downzoning of the greenway stated that the greenway acts as a buffer between the neighborhood across Conner St. and the industrial uses in the area. The legal counsel for PVS Chemicals, the owners of the land adjacent to Conner Creek Greenway spoke about concerns the business has with the greenway parcel being rezoned to the PR zoning classification. They stated that a downzoning and subsequent increase in use of the greenway could be used to challenge the operations of their business, which has existed in the area for over 70 years.

PLANNING CONSIDERATIONS

Current Zoning

M2 – Restricted Industrial District

The M2 Restricted Industrial District is designed for a wide range of industrial and related uses which can function with a minimum of undesirable effects. Industrial establishments of this type provide a buffer between residential districts and intensive industrial districts. New residential construction is excluded from this district with the exception of loft conversions of existing buildings and of residential uses combined in structures with permitted commercial uses. These requirements are both to protect residences from an undesirable environment and to ensure reservation of adequate areas for industrial development.

M3 – General Industrial District

The M3 General Industrial District is composed of property so situated as to be suitable for industrial development, but where the modes of operation of the industry may affect any nearby residential uses. The purpose of this district is to permit the normal operation of a majority of industries, subject only to those regulations needed to control congestion and to protect nearby residential districts. No new residential construction is permitted in this district with the exception of loft conversions of existing buildings and of residential uses combined in structures with permitted commercial uses. These requirements are to protect residences from an undesirable environment and to ensure reservation of adequate areas for industrial development.

M4 – Intensive Industrial District

The M4 Intensive Industrial District will permit uses which are usually objectionable and, therefore, the district is rarely, if ever, located adjacent to residential districts. A broad range of uses is permitted in this district. New residences are prohibited with the exception of loft conversions of existing buildings and of residential uses combined in structures with permitted commercial uses. These requirements are to protect residences from an undesirable environment and to ensure reservation of adequate areas for industrial development.

Proposed Zoning

M2 – Restricted Industrial District

The M2 Restricted Industrial District is designed for a wide range of industrial and related uses which can function with a minimum of undesirable effects. Industrial establishments of this

type provide a buffer between residential districts and intensive industrial districts. New residential construction is excluded from this district with the exception of loft conversions of existing buildings and of residential uses combined in structures with permitted commercial uses. These requirements are both to protect residences from an undesirable environment and to ensure reservation of adequate areas for industrial development.

PR – Parks and Recreation

The intent of the PR Parks and Recreation District is to retain, insofar as is practicable and desirable, publicly owned lands in excess of four acres in size already improved for or intended to be improved for recreational uses and/or to be preserved as open space. The restrictions of this classification are intended to encourage preservation of these lands and to permit development in keeping with the natural amenities of these areas. In addition to those uses allowed by right, commercial recreational facilities may be permitted upon approval of the City Council.

Surrounding Zoning and Land Use

The zoning classification and land uses surrounding the subject area are as follows:

North: M2 (Restricted Industrial) – Commercial Retail

East: B4 (General Business) – Commercial Retail

South: M4 (Intensive Industrial) – Manufacturing

West: M2 (Restricted Industrial) – Warehousing

Zoning Ordinance Approval Criteria

Section 50-3-70 of the Detroit Zoning Ordinance lists eight approval criteria on which zoning map amendments must be based. Following are the relevant criteria with CPC staff's analysis in italics:

- Whether the proposed amendment will protect the health, safety, and general welfare of the public. *The proposed downzoning of these parcels will decrease the number of intensive uses that may otherwise be able to establish on these parcels, which will protect the health, safety, and general welfare of the public. In addition, rezoning the Conner Creek Greenway parcel to PR will ensure that the greenway continues to act as a buffer between the industrial uses to the west and the neighborhood across Conner Street.*

- The suitability of the subject property for the existing zoning classification and proposed zoning classification. *The newly redeveloped Class A light industrial/warehousing facility on the site of the former Cadillac Stamping site fits well into the proposed M2 (Restricted Industrial District) zoning classification. The facility's maximum height of 52ft meets the maximum height requirement under the recently enacted amendment to increase the maximum height limitation in the M2 (Restricted Industrial District) from 40ft to 55ft.*

- Whether the proposed amendment will have significant adverse impacts on other property that is in the vicinity of the subject tract. *PVS Chemicals, the landowner of parcels across Athens Avenue from the Conner Creek Greenway expressed concern with the rezoning of the Conner Creek Greenway parcel. They stated that the downzoning of the parcels could be used, "as a basis for challenging PVS's ability to continue the industrial uses of the PVS Property." The Greenway parcel has been designated and operated as a parkway, defined as, "a broad roadway*

bordered and often divided with landscaped areas consisting of tree plants, bushes, and/or grass, is so designated, and is under the jurisdiction and control of the Recreation Department” for a number of years. Therefore, CPC staff is of the view that the Conner Creek Greenway parcel acts as a buffer from the industrial uses to the west and the proposed rezoning will simply align the zoning of the parcel with its ownership and current use. This is also consistent with Detroit Future City’s encouragement of greenways and urban reforestation in order to reduce our carbon footprint. Additionally, since the proposed rezoning does not change the zoning on PVS’s property, they will continue to be able to conduct their business.

Master Plan Consistency

The subject site is located within the Airport area of Neighborhood Cluster 1 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows Light Industrial (IL) and Recreation (PRC) in the Master Plan. The Planning and Development Department (PDD) has reviewed this request and found proposed zoning classifications are **consistent** with the Master Plan.

CONCLUSION

Based on the above analysis and consistent with the approval criteria of Sec. 50-3-70 of the Zoning Ordinance, the CPC voted at its November 3, 2022, meeting to recommend APPROVAL of the rezoning request. The approved-as-to-form Ordinance is attached for Your consideration.

Respectfully submitted,

LAUREN HOOD, CHAIRPERSON



Marcell R. Todd, Jr., Director
Christopher Gulock, Staff
Roland Amarteifio, Staff

Attachment: Ordinance
Application for Zoning Change
Master Plan Interpretation
PVS Chemicals Letter of Concern

cc: Antoine Bryant, Director, PDD
Greg Moots, PDD
David Bell, Director, BSEED
Conrad Mallett, Corporation Counsel
Daniel Arking, Law Department

Introduced *gk*
APR 11 2023

SUMMARY

An ordinance to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XVII, *Zoning District Maps*, Section 50-17-27, *District Map No. 25*, to revise the existing M3 General Industrial District and M4 Intensive Industrial District zoning classifications to M2 Restricted Industrial District and PR Parks and Recreation District zoning classifications for two parcels commonly known as 10600 Gratiot Avenue and 9701 Conner Street.

Introduced
4/11/2023 JH

TATE

BY COUNCIL MEMBER _____:

AN ORDINANCE to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XVII, *Zoning District Maps*, Section 50-17-27, *District Map No. 25*, to revise the existing M3 General Industrial District and M4 Intensive Industrial District zoning classifications to M2 Restricted Industrial District and PR Parks and Recreation District zoning classifications for two parcels generally bounded by Gratiot Avenue to the northwest, Conner Street to the east, and Harper Avenue to the south, commonly known as 10600 Gratiot Avenue and 9701 Conner Street.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Chapter 50 of the 2019 Detroit City Code, *Zoning*, Article XVII, *Zoning District Maps*, Section 50-17-27, *District Map No. 25*, is amended as follows:

CHAPTER 50. ZONING

ARTICLE XVII. ZONING DISTRICT MAPS

Section 50-17-27. District Map No. 25.

For the parcel commonly known as 10600 Gratiot Avenue, identified more specifically as:
S GRATIOT PT OF PCS 10 11 AND 389 AND PT OF FRAC SEC 23 T1S R12E; ALL
DESC AS BG N LN DETROIT TERMINAL RR AND E LN GRATIOT AVE (124 FT
WD) TH N 24D 49M 25S E 514.99 FT TH S 65D 09M 30S E 219.92 FT TH N 24D 50M
30S E 202.73 FT TH S 45D 23M 43S E 7.44 FT TH N 35D 54M 19S E 272.06 FT TH N
81D 30M 01S E 87.59 FT TH S 43D 55M 31S E 574.87 FT TH S 22D 54M 45S E 200.99
FT TH S 36D 23M 30S E 609.96 FT TH S 03D 05M 07S E 603.78 FT TH S 00D 05M
57S E 16.02 FT TH N 86D 51M 47S E 180.23 FT TH S 03D 08M 13S E 99.51 FT TH S
86D 51M 45S W 1011.10 FT TH N 36D 51M 15S W 1333.33 FT TO POB 1,869,087
SQFT OR 42.908 AC
SPLIT/COMBINED ON 12/15/2021 FROM 19001582.005, 19001582.006,
19001583.002L, 19001584., 19002594.001;

1 the existing M3 General Industrial District and M4 Intensive Industrial District zoning classifications
2 on the parcel are both revised to the M2 Restricted Industrial District zoning classification, and the
3 existing M2 Restricted Industrial District zoning classification on the parcel remains classified as such,
4 such that the entire parcel is now subject to an M2 Restricted Industrial District zoning classification.

5 For the parcel commonly known as 9701 Conner Street, identified more specifically as:

6 W CONNER AVE PT OF FRL SECS 23 T 1 S R 12 E & PCS 389 & 11 & 10 ALL DESC
7 AS COMM AT INT OF S LN PC 389 AND W ROW LN CONNER AVE (VAR WIDTH)
8 N 63D 54M 40S E 395.62 FT TO POB TH S 43D 20M 02S E 406.69 FT TH S 36D 23M
9 30S E 774.58 FT TH S 35D 43M 30S E 757.64 FT TH S 36D 37M 30S E 521.75 FT TH
10 ALG CUR TO R 159.99 FT RAD 234.00 FT CEN ANG 39D 10M 27S CHD BRG S 17D
11 02M 17S E 156.89 FT TH S 02D 32M 57S W 19.30 FT TH ALG CUR TO L 147.01 FT
12 RAD 732.49 FT CEN ANG 11D 29M 58S CHD BRG S 03D 12M 02S E 146.77 FT TH S
13 66D 15M 24S W 522.42 FT TH N 03D 14M 13S W 712.89 FT TH S 86D 49M 42S W
14 183.26 FT TH N 03D 06M 30S W 99.72 FT TH S 86D 52M 00S W 180.23 FT TH N 02D
15 58M 50S W 619.31 FT TH N 36D 23M 30S W 609.96 FT TH N 22D 54M 45S W 200.99
16 FT TH N 43D 55M 31S W 574.87 FT TH N 45D 10M 54S E 136.85 FT TH S 44D 32M
17 13S E 164.34 FT TO POB ALSO PT OF PC 10 N OF HARPER AVE AND E AND W
18 OF CONNER AVE 19/--- 18.627 ACRES

19 SPLIT/COMBINED ON 10/18/2019 FROM 19001582.003L;


20 the existing M2 Restricted Industrial District and M4 Intensive Industrial District zoning classifications
21 are both revised to the PR Parks and Recreation District zoning classification.

22 **Section 2.** All ordinances or parts of ordinances in conflict with this ordinance are
23 repealed.

24 **Section 3.** This ordinance is declared necessary for the preservation of the public peace, health,
25 safety, and welfare of the people of the City of Detroit.

1 **Section 4.** This ordinance shall become effective on the eighth (8th) day after publication in
2 accordance with Section 401 (6) of Public Act 110 of 2006, as amended, M.C.L. 125.3401 (6), and
3 Section 4-118, paragraph 3 of the 2012 Detroit City Charter.

Approved as to Form:



Conrad E. Mallett
Corporation Counsel

