

Donovan Smith  
Chairperson  
Melanie Markowicz  
Vice Chair/Secretary

Marcell R. Todd, Jr.  
Director

# City of Detroit

CITY PLANNING COMMISSION  
208 Coleman A. Young Municipal Center  
Detroit, Michigan 48226  
Phone: (313) 224-6225 Fax: (313) 224-4336  
e-mail: [cpc@detroitmi.gov](mailto:cpc@detroitmi.gov)

Adrian-Keith Bennett  
Kenneth R. Daniels  
David Esparza, AIA, LEED  
Ritchie Harrison

Gwen Lewis  
Frederick E. Russell, Jr.  
Rachel M. Udabe

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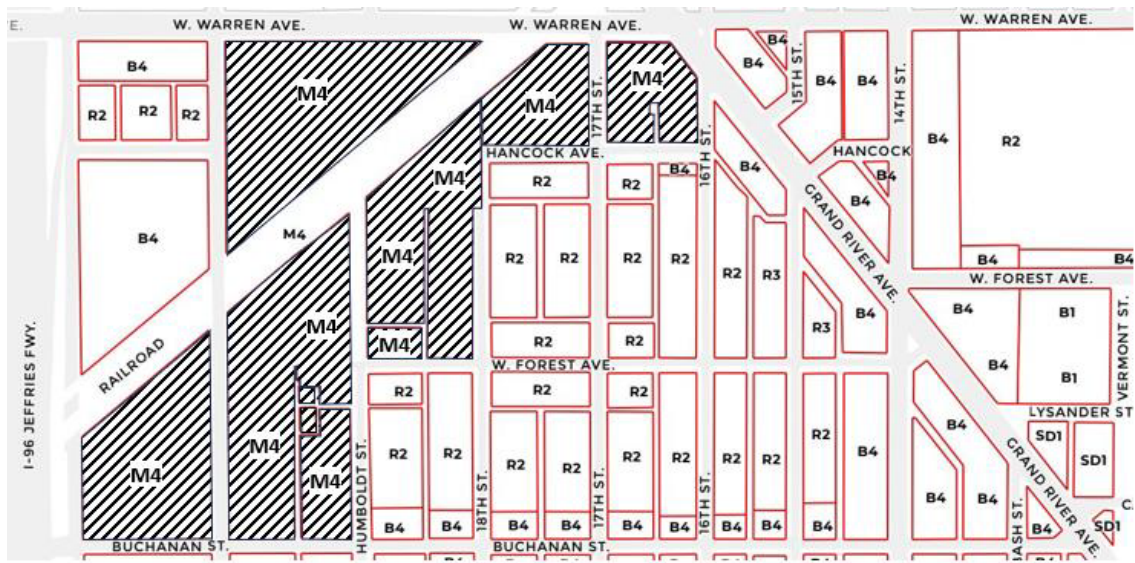
## HONORABLE CITY COUNCIL

**RE:** The request of the City Planning Commission to amend Chapter 50 of the 2019 Detroit City Code, Zoning by amending Article XVII, *Zoning District Maps*, Section 50-17-46, *District Map 44* of the Detroit Zoning Ordinance to show an SD2 (Special Development District, Mixed Use) zoning classification where an M4 (Intensive Industrial District) zoning classification is currently shown on the area generally bounded by West Warren Avenue, the Jeffries (I-96) Freeway, Buchanan Street, and Grand River Avenue, more specifically depicted on the map below.

The proposed map amendment is being requested in order to bring the subject parcels into conformance with the City's Master Plan of Policies and to protect the health, welfare and safety of the surrounding community by reducing intensive uses that are currently permitted (**RECOMMEND APPROVAL**).

## RECOMMENDATION

Before this Honorable Body is the CPC initiative to show an SD2 (Special Development District, Mixed Use) zoning classification where an M4 zoning classification is currently shown on properties depicted in the map below. The proposed map amendment is being pursued in order to bring the subject parcels into conformance with the City's Master Plan of Policies and to protect the health, welfare and safety of the surrounding community by reducing intensive uses that are permitted. On April 4, 2024, the City Planning Commission voted to recommend **APPROVAL** of this request.



Proposed parcels to be rezoned are within the boundary on the map

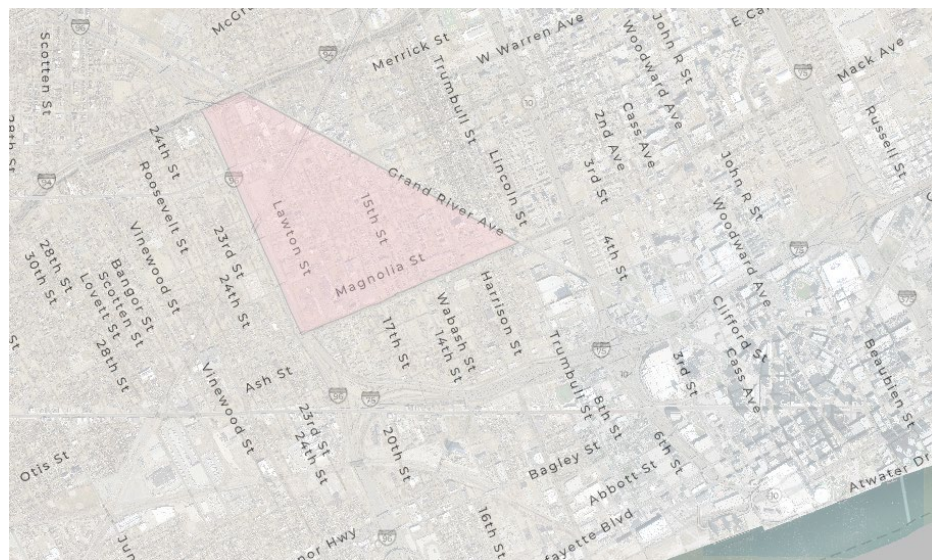
## BACKGROUND

Core City is a neighborhood in City Council District 6, just northwest of the downtown Central Business District and bounded by I-96 on the west, I-94 on the north, Grand River on the east and Martin Luther King Jr. Blvd on the south.

Members of Core City Strong, a community group in the Core City neighborhood, [approached the CPC staff](#) in 2023 to discuss issues that they were experiencing in their neighborhood. These community representatives expressed the desire to see their area transition from industrially zoned land to zoning more conducive to a residential community and that would bring in new housing and activities to support the neighborhood and offer protection from future intensive industrial uses.



Photograph of the Core City neighborhood



Core City neighborhood boundaries

The proposal that sparked the concern from residents was by Can-Am International Trade Crossing at 4445 Lawton (a 4.7 acre site) to establish a very high impact manufacturing or processing facility also commonly known as a concrete crusher (operation for the crushing, grading, and screening of rock, stone, slag, clay, or concrete). The proposal has received a lot of attention in the [local news](#) as it has gone through multiple hearings or reviews at the City. Those hearings included a Special Land Use hearing (SLU) on November 30, 2022, at the Buildings, Safety Engineering, and Environmental Department. Subsequently, the [Board of Zoning Appeals hearing](#) (BZA) also denied the appeal from the owner of the site for the proposed concrete crusher on July 17, 2023 (see attached documents). Additionally, the owner(s) of the site have also been [sued](#) by the City of Detroit for the site presenting a public nuisance.

In looking into these issues, as well as the overall area with community members, CPC staff worked with residents and business owners towards a proposed zoning plan that is based upon review of their concerns and the City of Detroit Master Plan of Policies. CPC staff researched the area and found that the Master Plan not only supports the downzoning of the site where the proposed concrete crusher lies, but also other M4 sites in the Core City area that currently permit intensive industrial uses. For this reason, CPC staff worked with community members to come to the proposed downzoning plan to SD2 for the subject parcels, to limit the number of hazardous activities that are permissible, and to also allow for the possibility of mixed-use activity in the neighborhood that can contribute to a vibrant community and present development opportunities for the owners of local properties.

## **PROPOSAL**

The rezoning proposes to downzone approximately 33 acres of land which includes 87 parcels from the M4 Intensive Industrial District to the SD2 Special Development District, Mixed-Use. The land that is proposed to be rezoned is shown in the map above. The intent of each zoning district can be found in the descriptions below:

### **M4 – Intensive Industrial**

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.

### **SD2 – Special Development District, Mixed-Use**

The SD2 Special Development District is designed to encourage a complementary mixture of more intensive pedestrian and transit-oriented uses that may be compatible with a neighborhood center or with a location along major or secondary thoroughfares. Parking requirements are reduced in certain circumstances to promote use of transit and non-motorized transportation; shared parking and a district approach to parking are encouraged to lessen demand for off-street parking spaces. Certain establishments that serve alcohol for consumption on the premises are permitted without a spacing requirement in order to attract increased pedestrian traffic to the area.



**Aerial of rezoning footprint**

## **PLANNING CONSIDERATIONS**

### ***Surrounding Zoning and Land Use***

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

- North:** M4; Ewald Cooling
- South:** R2 & B4; Residential homes, vacant land, Faithful Mt Triumph MB Church
- East:** R2; Residential homes, New Life Christian Ministries, The Caterpillar Detroit, True North Detroit, urban gardens
- West:** R2 & B4; Second Olivet Missionary Baptist Church; Pope Francis Bridge Housing Campus

### ***Master Plan Consistency***

The subject rezoning site is located within the Core City area of Neighborhood Cluster 6 of the Detroit Master Plan of Policies (MP). The Future Land Use map for the subject area shows IL (Light Industrial).

The Planning and Development Department has submitted a letter regarding the MP consistency of the area proposed to be rezoned. In their letter, they state that, “the area to be rezoned is located in the Jeffries neighborhood. All but one block of it is designated Light Industrial (IL).” Such areas “...should generally consist of industrial uses of low intensity that have minimum undesirable effects on adjacent residential or commercial land uses. Small-scale industrial uses may include machine shops, small scale assembly or packaging, warehousing or technology parks. The proposed rezoning to the SD2 classification is **consistent** with the IL designation.”

## **COMMUNITY INPUT**

The Core City community members organized with residents and many business owners of the area to hold meetings regarding this proposal which CPC staff presented at. One meeting was held virtually on November 11, 2023. Another meeting was held on March 14, 2024.

To advertise these meetings, the following methods were used by Core City Strong community organization:

- 5 social media posts
- 4 mass emails to community
- 3 mass emails to current land owners and interested developers
- 4 text tree messages to community, current land owners, and interested developers
- 1-on-1 door-to-door conversations

Additionally, CPC staff has spoken to multiple business owners separately and held a meeting specifically to answer questions for property owners in the subject rezoning footprint. This meeting was held virtually on April 2, 2024, in order to give clarity to any remaining questions or concerns that property owners or community members might have. Notice of that meeting was sent to tax payers of record and email addresses of property owners that staff was able to obtain. Lastly, property owners and residents within 300 feet of the rezoning footprint were sent a notice of the rezoning area for the CPC public hearing, 15 days in advance of the meeting.

In all, approximately 32 letters of support for this effort were received by the City Planning Commission staff. A support petition with signatures of approximately 90 residents that live in the 48208 zip code was also shared with CPC staff and can be found attached.

Letters of support for the rezoning of the subject properties to SD2 for the identified parcels include:

- Core City Strong (Vanessa Serna)
- Congressman Shri Thanedar, United States Congress
- Gabriela Santiago-Romero, Detroit City Council
- State Senator Erika Geiss, District 1
- Office of Wayne County Commissioner Jonathan Kinloch
- Detroit Hispanic Development Corporation (Angela Reyes)
- Great Lakes Environmental Law Center (Nicholas Leonard)
- Colin Laitner (Managing Member of 4444 Lawton; owner of 2728 Buchanan and 440 Lawton)
- Prince Concepts (Phil Kafka) owner of land in subject rezoning
- Alex Lauer (owner of 4277 18<sup>th</sup> St.)
- Greg Handberg of Artspace Projects (2775 W Warren purchaser of former Fire Department Training School; parcel in subject rezoning)
- Bruno Vanzielegem (owner of 5001 W Grand River)
- Chelsea Hyduk and David Axelson (owners of 656 17<sup>th</sup> Street)
- Woodbridge Neighborhood Development (Angie Gaabo)
- Kardia Kaiomene (Tommy Airey)
- Detroit Disability Power (Dessa Cosma)
- Detroit Justice Center (Nancy Parker)
- Ash Davis (nearby resident owner)

- Love Building - 4731 Grand River (Kwaku Osei)
- Detroiters Working for Environmental Justice (Laprisha Berry Daniels)
- Fisheye Farms (Andrew Chae)
- Naseem Alizadeh (owner of 4500 Lawton)
- Grand River Block Club
- Margot Guicheteau (owner of 4445 15<sup>th</sup> Street)
- Huckleberry Explorers Club Museum General Store and Gardens (Morgan Meis)
- Myaia Holmes (nearby resident owner)
- Morgan Meis (2660 Buchanan- owner of land in rezoning footprint)
- Pope Francis (Reverend Timothy McCabe, SJ)
- Shaney Whitfield (nearby resident owner)
- Steven Serna (nearby resident)
- Vanessa Serna (neighborhood business owner)
- Takoi Restaurant (Brad Greenhill)

Staff received two letters of opposition, from the owner and leasee of the 4445 Lawton site. Those entities are as follows:

- CAN-AM International Trade Crossing, LLC
- Mid-Michigan Recycling LLC

## **PUBLIC HEARING RESULTS**

At the public hearing for this matter, 16 people spoke in support including nearby residents, owners of property in the rezoning footprint, the Office of State Senator Erika Geiss, and other local environmental activists.

One person spoke in opposition to the rezoning proposal; that being the owner of CAN-AM International Trade Crossing LLC and property holder of 4445 Lawton, the proposed petitioner for the proposed concrete crusher use.

## **ANALYSIS**

The proposed rezoning has garnered a large amount of support from residents and business owners of the Core City neighborhood and surrounding area. There are several property owners with land that falls in the footprint of the rezoning that have supported the proposed downzoning to SD2 via support letter.

In addition to the outpouring of community support, CPC staff points out, once again, that this proposal was adopted as the future vision of this community and is the basis of our effort to rezoning this area of land. In the attached MP maps, you will see indicated by the light blue shading, that many of the intensively zoned areas in the city that follow the historic rail lines and industrial corridors, have been designated in the MP as areas ripe for downzoning from intensive industrial zoning to light industrial zoning classifications. The SD2 zoning district is an appropriate district for this MP designation according to the Master Plan of Policies, Zoning Table 2-5.

### ***Zoning Ordinance Approval Criteria***

According to Sec. 50-3-70, Approval criteria, recommendations and decisions on an amendment of a zoning map in Article XVII shall be based on consideration of the following criteria:

- (1) *Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend or fact;*

The proposed map amendment corrects the zoning for subject area by bringing it into conformance with the Master Plan of Policies. The area was not envisioned to have high intensity industrial uses. It was instead planned to decrease in intensity. Based on the Master Plan and the large amount of feedback from the surrounding community, this proposed amendment meets the changing conditions of the area and implements the City's Master Plan intention.

- (2) *Whether the proposed amendment is consistent with the Master Plan and the stated purposes of this chapter;*

The Planning and Development Department has submitted a letter regarding the MP consistency of the area proposed to be rezoned. In their letter, they state that, "the area to be rezoned is located in the Jeffries neighborhood. All but one block of it is designated Light Industrial (IL)." Such areas "...should generally consist of industrial uses of low intensity that have minimum undesirable effects on adjacent residential or commercial land uses. Small-scale industrial uses may include machine shops, small scale assembly or packaging, warehousing or technology parks. The proposed rezoning to the SD2 classification is **consistent** with the IL designation."

- (3) *Whether the proposed amendment will protect the health, safety, and general welfare of the public;*

The proposed amendment is expected to vastly reduce the amount of intensive industrial uses that are currently permissible in the area that is directly adjacent to a residential community. Based on that fact and public testimony supporting this change to protect the health of the community, staff believes that this is in the best interests of the general welfare of the public.

- (4) *Whether the City and other service providers will be able to provide adequate public facilities and services to the subject property, while maintaining adequate levels of service to existing development;*

This proposal is not expected to impact public facilities and services immediately. If new development might come in the future that is permissible under the SD2 zoning classification, service capacity would be reviewed for any project at the time of site plan review.

- (5) *Whether the proposed rezoning will have significant adverse impacts on the natural environment, including air, water, soil, wildlife, and vegetation and with respect to anticipated changes in noise and regarding stormwater management;*

The proposal is not expected to have significant adverse impacts on the natural environment. It is expected that the downzoning of this area will have a positive impact

on the environment as the permissible uses will be much less abrasive than what is currently permitted.

(6) *Whether the proposed amendment will have significant adverse impacts on other property that is in the vicinity of the subject tract;*

There are no significant adverse impacts expected for the property in the vicinity of rezoning footprint. Similar past efforts have shown evidence that the proposed zoning classification may possibly induce more development activity and help to revive an area, benefiting a community.

(7) *The suitability of the subject property for the existing zoning classification and proposed zoning classification;*

According to the Master Plan, the subject properties' existing zoning classification is not suitable and should be downzoned. The proposed zoning classification is consistent with City Policy, specifically the Master Plan Zoning table which reconciles Master Plan designations with the appropriate zoning districts that correlate with each.

(8) *Whether the proposed rezoning will create an illegal "spot zone."*

The proposed rezoning will not create an illegal spot zone. The area to be rezoned is consistent with the Master Plan which is a major criteria that is considered when determining spot zoning.

## **CONCLUSION**

The City Planning Commission voted to approve this proposal after hearing the huge amount of support from the surrounding community. Of the property owners with land in the rezoning footprint, only one has expressed opposition to this effort. All others that staff has interacted with have expressed support for this effort.

This is an effort to bring the zoning for this area into conformance with the vision of the Master Plan of Policies and to correct a zoning inconsistency that the vast majority of the community have demonstrated strong support for.

Respectfully submitted,

DONOVAN SMITH, CHAIRPERSON



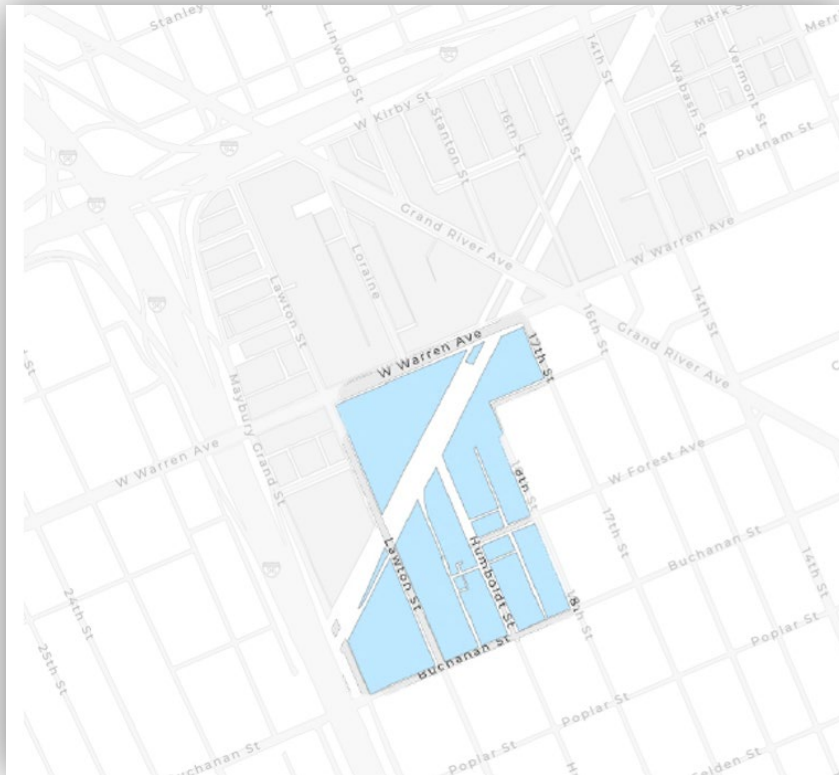
Marcell R. Todd, Jr., Director  
Kimani Jeffrey, City Planner  
Dolores Perales, City Planner



Attachment: Support Letters  
PDD Master Plan Letter  
Lawton SLU Report  
Rezoning Ordinance  
Updated Map 44

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

**MASTER PLAN OF POLICIES MAPS**



Master Plan Future  
Land Use  
Designation

Light Industrial Designations

