

City of Detroit

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June 28, 2024

HONORABLE CITY COUNCIL

RE: The request of the Detroit International Bridge Company, LLC and the City Planning Commission to rezone numerous parcels near the Ambassador Bridge Plaza (RECOMMEND APPROVAL)

The Detroit International Bridge Company, LLC (DIBC) and the City Planning Commission (CPC) are requesting to amend Article XVII, Section 50-17-44, District Map No. 42 of the 2019 Detroit City Code, Chapter 50, Zoning, to rezone numerous properties generally located east of the Ambassador Bridge plaza and north of West Fort Street (St.). A map of the proposed rezoning is located later in this report and on the attached public hearing notice.

BACKGROUND

The DIBC owns and operates the Ambassador Bridge and bridge plaza area. Over the years, the DIBC has acquired adjacent parcels with the interest of expanding and improving the plaza area.

The Hubbard Richard neighborhood is the residential area located adjacent to the Ambassador Bridge plaza area - the general boundaries of this neighborhood are West Grand Boulevard, Toledo Street, rail line, 16th Street, and West Fort Street. The Hubbard Richard neighborhood is represented by the Hubbard Richard Resident Association (HRRA).

The map below shows the current location and zoning of the Ambassador Bridge plaza area. The land within the plaza is mostly owned by the DIBC, but a smaller section is owned by the United States General Services Administration (GSA). Over the years, the plaza has been incrementally expanded and now consists of a variety of zoning districts, including R2 (Two-Family Residential District), R3 (Low-Density Residential District), B4 (General Business District), B6 (General Services District), and M3 (General Industrial District). Most of the plaza is zoned B6, which allows bridge plazas by-right. The bridge plaza area was often expanded onto other non-B6 land via the Board of Zoning Appeals (BZA). Most of the streets and alleys within the plaza have been vacated.

Map of Existing Zoning within the Bridge Plaza boundary

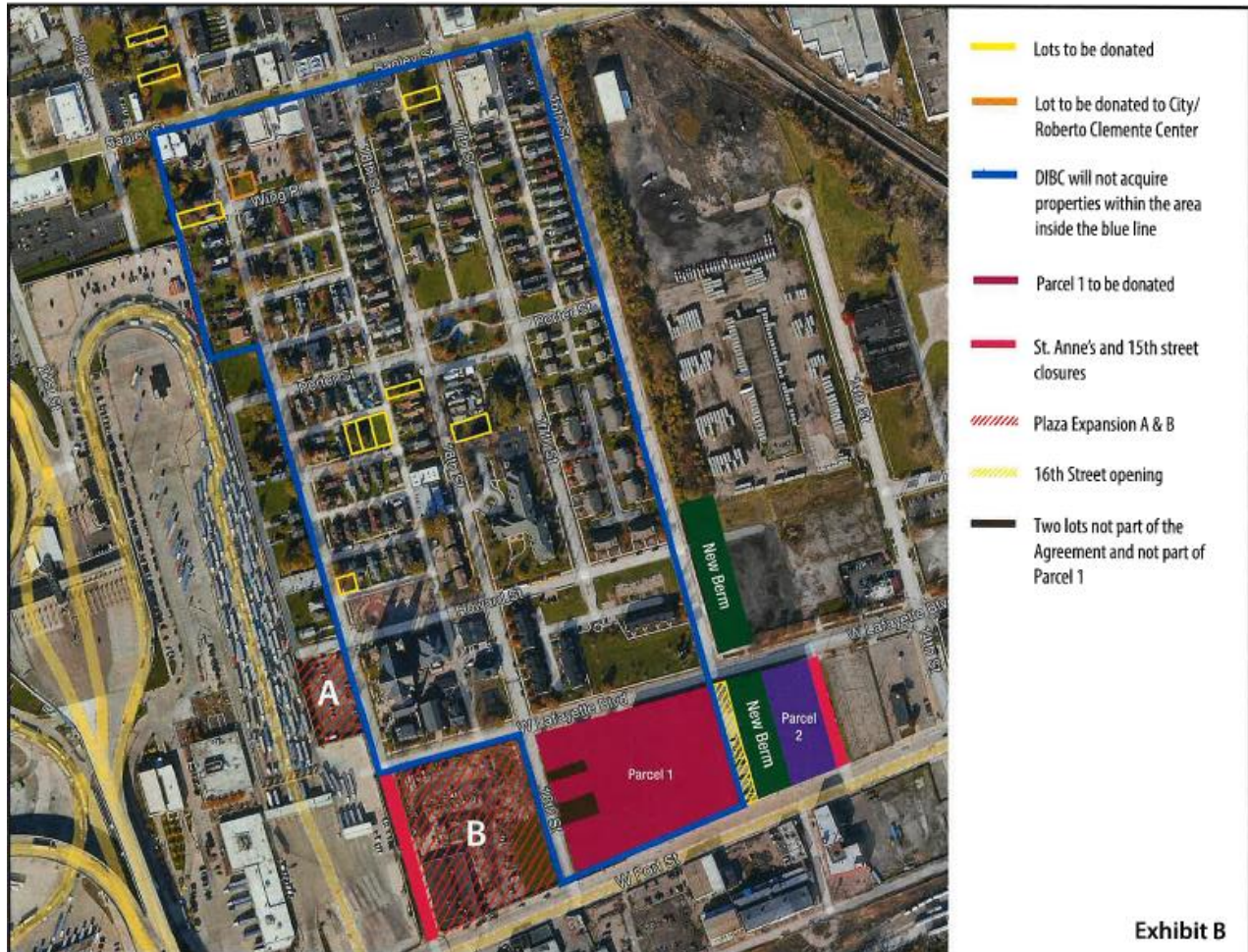


COMMUNITY AGREEMENT

Since January 2022, representatives of the Mayor’s Office, the HRRRA, and the DIBC have met to negotiate an agreement to allow the DIBC to expand its plaza area in return for protections to the Hubbard Richard neighborhood. Council Members Gabriella Santiago-Romero’s and Mary Waters’ offices also participated in these negotiations. Toward this end, on October 19, 2023, the City (represented by Mayor Duggan and Corporation Counsel Conrad Mallett), the HRRRA (represented by President Sam Butler and Secretary Jessica Trevino), and the DIBC signed a Community Agreement (CA). The CA will be forwarded to the City Council by the Administration for review and approval.

Below is a map from the Community Agreement (Exhibit B in the CA) and summary of several key components of the CA as shown on the map.

Map of Exhibit B from CA



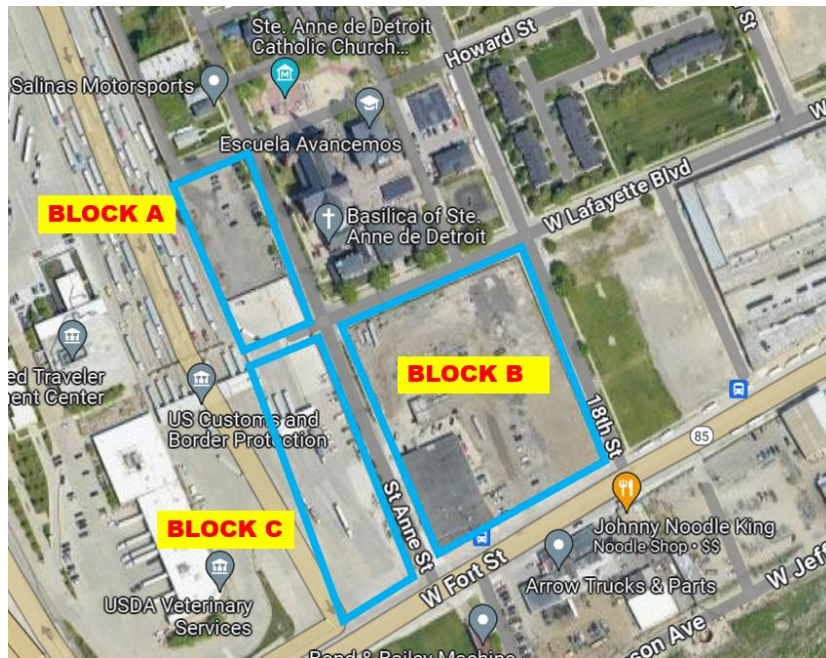
- The DIBC will donate 10 of its lots to HRRRA – shown as yellow boxes.
- The DIBC will donate one of its lots adjacent to Roberto Clemente Center to the City– shown as an orange box.
- The DIBC will not acquire new properties within HRRRA – shown as the area inside the blue box.
- The DIBC will demolish the Greyhound bus garage and reopen 16th St. between W. Lafayette Blvd. and W. Fort St. This will create **Parcel 1** bounded by W. Lafayette Blvd. on the north, newly created 16th St. on the east, W. Fort St. on the south, and 18th St. on the west. The DIBC will donate the land it owns within **Parcel 1** to HRRRA – shown as solid red rectangle.
- Two lots within **Parcel 1** are privately owned and not part of the **Parcel 1** donation – shown as black boxes.
- The City will close both St. Anne St. and 15th St. between W. Lafayette Blvd. and W. Fort Street – shown as pink boxes.
- The DIBC will create **Parcel 2** with added berm area, bounded by W. Lafayette Blvd. on the north, newly closed 15th St. on the east, W. Fort St. on the south, and newly created 16th St. on the west – shown as the purple box with green berm area.
- The DIBC will expand the bridge plaza onto the block bounded by Howard St. on the north, St. Anne St. on the east, and W. Lafayette Blvd. on the south – shown as Block A with a red cross hatch.

- The DIBC will expand the bridge plaza onto the block bounded W. Lafayette Blvd. on the north, 18th St. on the east, W. Fort St. on the south, and newly closed St. Anne St. on the west – shown as Block B with a red cross hatch.

DIBC REZONING REQUEST

Over the years, the DIBC has acquired all of the land within the three blocks listed and shown below:

- **Block A:** bounded by Howard St. on the north, St. Anne St. on the east, and W. Lafayette Blvd. on the south. This block is directly west across the street from Ste. Anne Church. The DIBC is requesting to rezone this block from R2 to B6 to expand plaza operations.
- **Block B:** bounded by W. Lafayette Blvd. on the north, 18th Street on the east, W. Fort St. on the south, and St. Anne St. on the west. The DIBC is requesting to rezone this block from a PD (Planned Development District), M2 (Restricted Industrial District), and M3 to B6 to expand plaza operations, including conceptual plans for a parking lot and new customs building.
- **Block C:** bounded by W. Lafayette Blvd. on the north, St. Anne St. on the east, and W. Fort St. on the south. The DIBC is requesting to rezone this block from R3 and M3 to B6 to reflect existing plaza operations.



Map of DIBC Requested Rezoning Area

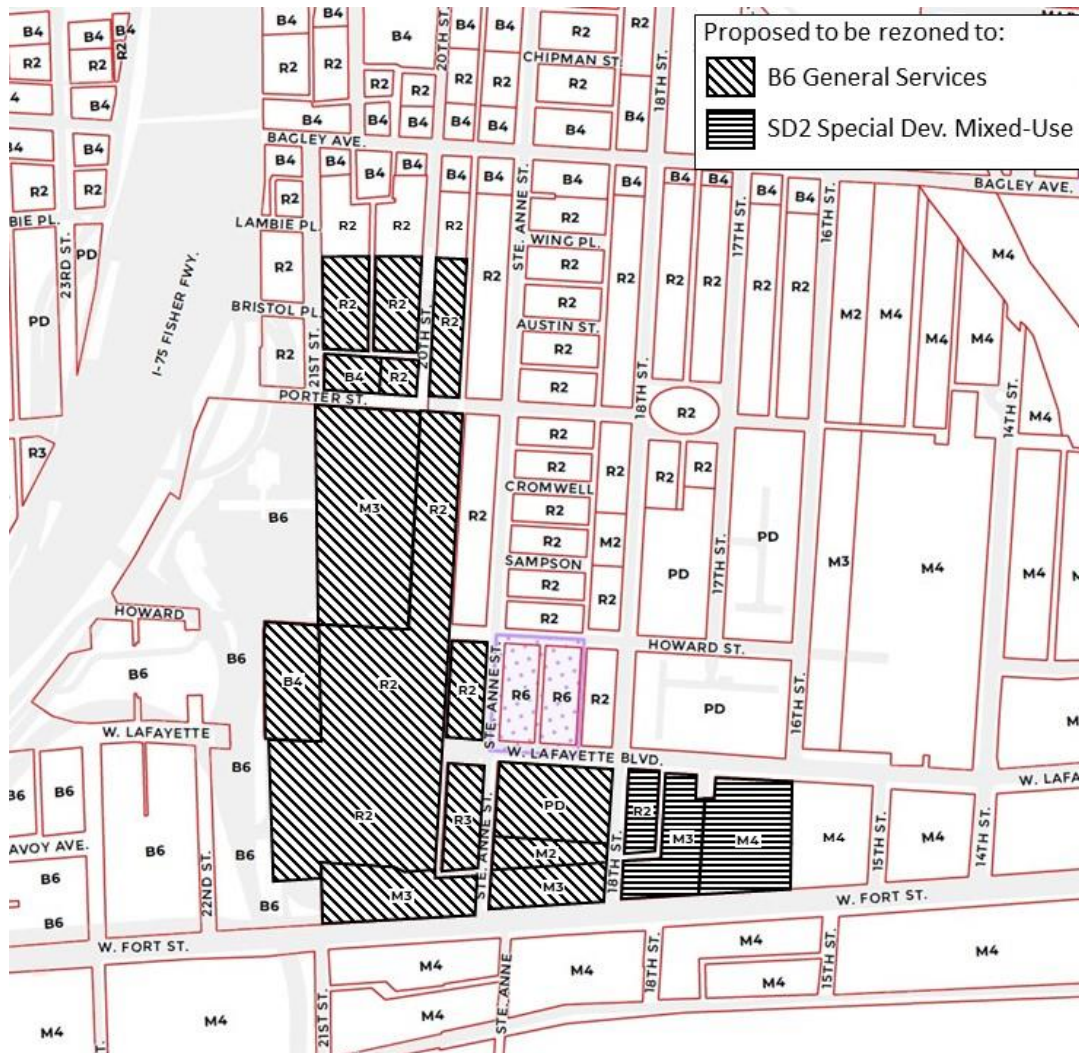
THE CITY PLANNING COMMISSION EXPANDED REZONING REQUEST

In addition, the CPC is requesting to expand the rezoning request as summarized below:

- **Rezone Land Within Existing Plaza:** the CPC recommends all of the parcels within the existing plaza be rezoned to B6 to reflect existing bridge operations.
- **Rezone Newly Created Parcel 1:** the CA requires the land owned by the DIBC within *Parcel 1* to be transferred to a fiduciary or HRRA. Any future development of *Parcel 1* is limited to residential, commercial, or mixed use – no industrial development will be permitted. As a result, the CPC is recommending *Parcel 1* be rezoned from R2, M3, and M4 (Intensive Industrial District) to SD2 (Special Development District, Mixed-Use) zoning classification.

The DIBC and Administration have not objected to this proposal. A summary of the overall requested rezoning changes is shown on the below map.

Map of Requested Rezoning Changes



PUBLIC HEARING AND FOLLOW-UP

On February 15, 2024, the CPC held a public hearing on the rezoning request. Below is a summary of the public hearing and follow-up responses:

- A representative of the HRRRA, Sam Butler, was present to provide background information on the community’s role in signing the CA. HRRRA negotiated and signed the CA, primarily to stop DIBC’s further acquisition of parcels and demolition of buildings and to encourage continued stabilization and development of the neighborhood. Mr. Butler said most residents support the CA, because they recognize this is the most concrete protection against further expansion.
- Luke Polcyn, representing the Mayor’s Office, summarized the negotiations leading up to the signing of the CA. Mr. Polcyn stated a primary goal was to mitigate the impacts of the wall placement and preserve the residential character of the neighborhood, including vegetative buffer, taller trees, and context appropriate wall.
- Ken Dobson, representing the DIBC, said the expansion would allow them to develop two new primary inspection lanes/booths. The DIBC wants to improve getting vehicles through and off

the plaza as quickly as possible. The proposed expansion will limit backups and vehicles stuck idling in the Plaza. The plan would also allow the DIBC to build a new customs and border patrol processing center to improve efficiency and throughput.

- The CPC received one letter of support from the Archdiocese of Detroit (owners of Ste. Anne’s church) that it supported the rezoning.
- One resident who had to leave the hearing early, left a message that they were cautiously excited about the Greyhound lot being rezoned and placed into community hands; there is a basilica, park and school nearby; they were concerned the neighborhood would lose two streets and gain only one street onto W. Fort St; the resident is still concerned about truck traffic and the lack of info. The neighborhood needs better zoning and planning for this area. The DIBC responded that the uses of Blocks A and B have been discussed with the HRRRA and is in the CA.
- One resident stated that the City needed to deliver more housing.
- One resident raised concerns about the materials used to create the new berms (along 16th St.) and who will be responsible for monitoring and taking care of the berms? The DIBC stated the berms are an extension of the existing berm to the north on the east side of 16th; the DIBC will follow City requirements and maintain the berms.
- A person who owns a house on Sampson Street in the neighborhood and also submitted an email in opposition, raised concerns that the wall will come directly up to St. Anne Street; in the past, the DIBC has destroyed beautiful houses in the area. They said the DIBC cannot be trusted.
- One resident stated it is sad the wall will take over the area; they are concerned about added trucks and pollution. The DIBC responded that the CA includes the height, placement and aesthetics of the wall and the buffer.
- The City Planning Commission had several questions and comments regarding the proposed rezoning which are summarized in Attachment A.

PLANNING CONSIDERATIONS

Surrounding Zoning and Land Use

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

North: R2: vacant land and commercial uses on Bagley
East: R2: developed with single-family housing and M4: vacant land and a bank along W. Fort
South: M4: industrial land on the south side of West Fort Street
West: B6; developed with bridge plaza operations

B6 Zoning Classification

The Zoning Ordinance presently lists the subject land use as, “tunnel or bridge plaza and terminal, vehicular”. This land use is only allowed in the B6 and PCA (Public Center Adjacent) zoning districts, where it is allowed as by-right.

Additionally, the Zoning Ordinance presently defines “bridge plaza and terminal, vehicular” as follows, “That property immediately contiguous to a vehicular bridge where motor vehicles enter and exit the bridge. Certain uses and activities, if oriented and available exclusively to bridge traffic, shall be considered incidental and accessory to the vehicular bridge plaza and terminal: toll

booths, inspection and weigh stations, customs and immigration facilities, duty-free retail stores, motor vehicle filling stations, and uses similar to the preceding.”

The proposed B6 rezoning for the existing and expanded bridge plaza would bring the bridge plaza and terminal into compliance with the City’s Zoning Ordinance.

Zoning Ordinance Criteria

Section 50-3-70 of the Detroit Zoning Ordinance lists eight approval criteria on which zoning map amendments must be based. The CPC’s analysis of the criteria is as follows:

1. Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend or fact;

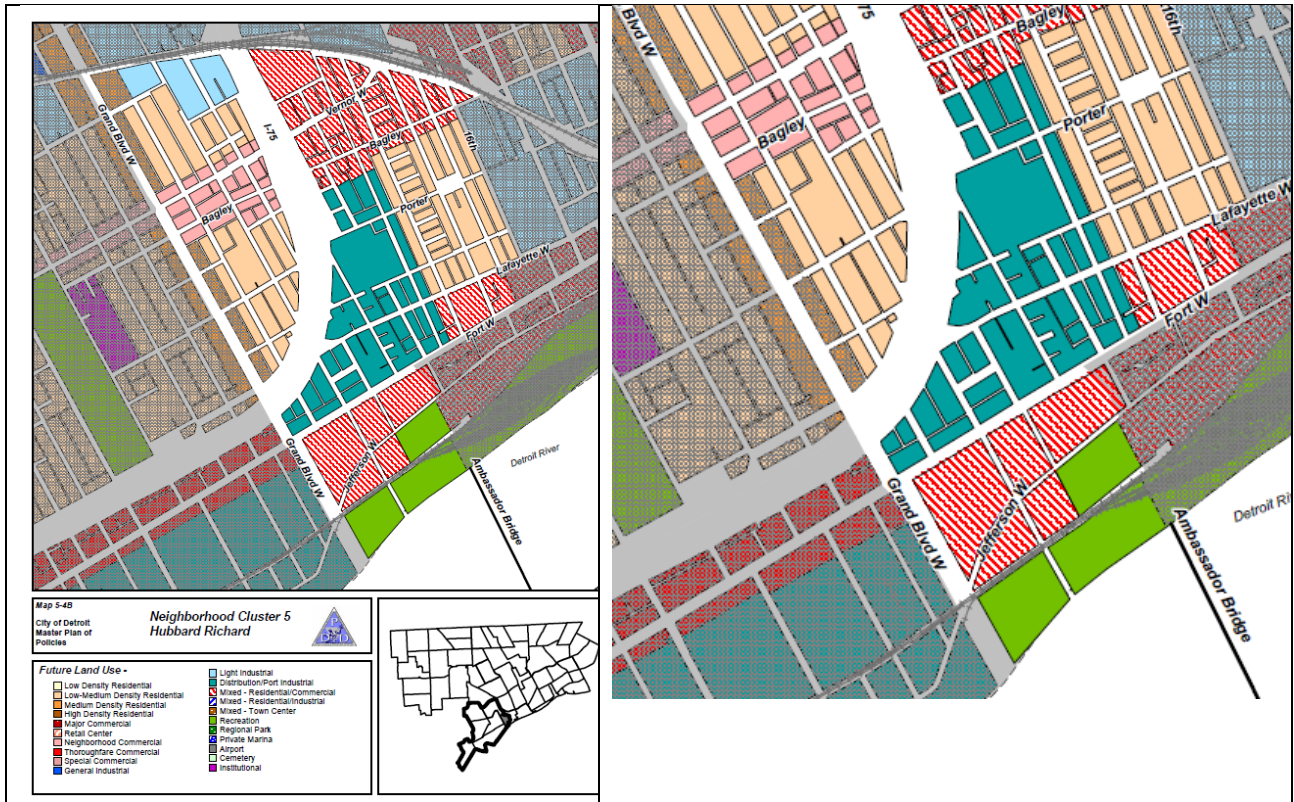
The proposed amendment would not correct an error on the zoning map. The HRRRA indicates it negotiated and signed the CA, primarily to stop DIBC’s further acquisition of parcels and demolition of buildings in the neighborhood and to encourage continued stabilization and development of the neighborhood. The proposed rezoning would be to 1) reflect current bridge plaza operations, and 2) to reflect the plaza expansion as negotiated in the CA.

2. Whether the proposed amendment is consistent with the Master Plan and the stated purposes of this Zoning Ordinance;

The subject site is primarily located within the Hubbard Richard Area of Neighborhood Cluster 5 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows Distribution/Port Industrial (IDP), Low-Medium Density Residential (RLM), and Mixed Residential/Commercial (MRC) for the subject area. A small portion of the proposed rezoning extends onto the Corktown area of Neighborhood Cluster 4. The Future Land Use map for this area shows Mixed Residential/Commercial (MRC) for the subject area.

The Planning and Development Department (P&DD) submitted a memo regarding the consistency of this proposal with the City’s Master Plan. P&DD indicates, “The proposed rezoning to the B6 classification is consistent with the Distribution – Port Industrial (IDP) designation in the Master Plan, which comprises the majority of the proposed area”, and “The small portion of the proposed rezoning east of 17th Street in the Corktown neighborhood is designated as Mixed – Residential/Commercial (MRC). The proposed rezoning to the SD2 classification is consistent with the MRC designation in the Master Plan”.

Master Plan – Future Land Use Map



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

The Administration, DIBC, and HRRRA negotiated a Community Agreement with the goal of allowing the Bridge to expand its plaza operations in exchange for protections to the neighborhood. The HRRRA indicates the plaza expansion allowed by the CA and rezoning assists the DIBC with meeting its business goals while giving binding commitments to protect and enhance the existing Hubbard Richard neighborhood. The plaza expansions to the east are primarily near the church complex and away from the residential area to the north.

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;*

It is assumed the City will be able to provide public facilities to service the site. The reopening of 16th Street between W. Lafayette and W. Fort will allow access to Hubbard Richard to make up for the closure of St. Anne Street.

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;*

It appears the proposed project will not have significant adverse impact on the natural environment. One goal of the proposed plaza expansion is to reduce vehicle idling and thus improve air quality. The CA also includes wall type and buffering to reduce impacts on the adjacent neighborhood.

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

The proposed rezoning would expand the plaza further east (closer to Ste. Anne's church) and south of the Ste. Anne Church complex. However, the CA includes a buffer and wall to help reduce impacts on the church and adjacent residential neighborhood.

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

Block A, while previously developed with residential housing, has for a number of years been used as a gravel parking lot. B6 for this block would allow the plaza to expand in order to reduce congestion on the plaza. Block B has been developed with industrial uses over the years and was recently acquired by the DIBC. Part of this block is being downzoned from industrial (M2 & M3) to the General Services B6 to allow services related to the bridge plaza.

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

As shown on the existing zoning map, the proposed rezoning would rezone the entire existing plaza to B6 and expand the B6 zoning further east of the existing plaza. As a result, the proposed rezoning would not create a spot zone.

CONCLUSION

In conclusion, based on the public hearing, above analysis, and review of the Section 50-3-70 criteria of the Zoning Ordinance, the CPC voted at its meeting on March 21, 2024, to recommend **APPROVAL** of the rezoning request. The approved-as-to-form Ordinance is attached for Your consideration.

Respectfully submitted,
DONOVAN SMITH, CHAIRPERSON



Marcell R. Todd, Jr., Director
Christopher J. Gulock, AICP, Staff

Attachments: public hearing notice and ordinance

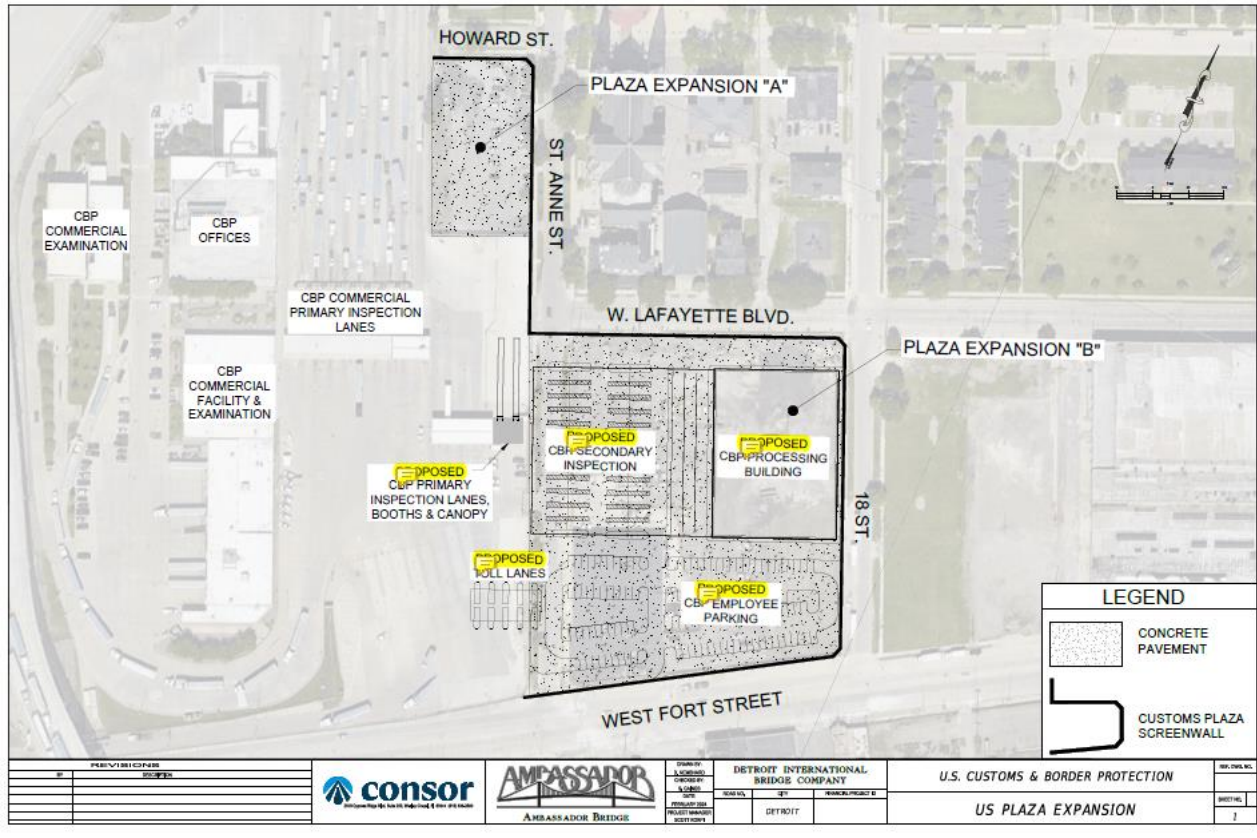
cc: Luke Polcyn, Mayor's Office
Antoine Bryant, Director, PDD
Greg Moots, PDD
Kevin Schronce, PDD
David Bell, Director, BSEED
Conrad Mallett, Corporation Counsel
Bruce Goldman, Law
Daniel Arking, Law

Below is a summary of the comments and questions from the City Planning Commission at its February 15, 2024, public hearing.

- Regarding the CA map, one Commissioner asked why the blue line did not include/protect land on the west side of St. Anne Street north of Howard Street? *The HRRA responded that this had been a major source of disagreement between the community and DIBC. The HRRA supports this area being in the non-acquisition area, but have agreed to disagree with the DIBC. It was clarified by CPC staff that the area was not part of the current rezoning under consideration; if acquired by the DIBC, it would have to come back for a rezoning.*
- The Commission asked for a copy of DIBC's proposed site plan and the CA. *These items were emailed to the CPC during the hearing. Please see Attachment B for a copy of the DIBC's conceptual site plan.*
- The Commission asked how far does the CA go into the future? *The DIBC responded that the CA is indefinite as long as its requirements are met.*
- The Commission asked the height of the proposed buffer wall - is 20 feet sufficient? *The DIBC stated the wall for the plaza expansion on Block A would be 20 feet, consistent with the current wall, and Block B would be 10 feet because there will be no truck traffic in that location.*
- The Commission asked is there a proposed use of the former Greyhound site? *The DIBC stated it would demolish the building, and the land would be donated as part of the CA to the community for a mixed-use non-industrial development.*
- The Commission asked if there was a summary of the concerns from the community discussions? *Mr. Butler indicated a consolidated report does not exist, but the HRRC would be happy to create a summary of the concerns and engagement.*
- The Commission asked for background information on the existing PD which is part of Block B. *CPC staff suspects this PD was previously an RMA District (Multiple Residential, Approved); between 1947 and 1966, the Zoning Ordinance was amended numerous times to rezone land to what was then labeled an RMA District. These RMA Districts were established in areas that were largely characterized by residential development and required special review and approval by the then City Plan Commission. In 1968, when the Zoning Ordinance underwent its first major rewrite, any land that was identified as RMA was reclassified as PD.*
- The Commission asked for information on the environmental review for Parcel 1 and does SD2 for example allow for phytoremediation? *Mr. Polcyn indicated the DIBC is committed to funding a Phase 1 investigation but not a Phase 2 review. The City is committed to identifying funding for any future environmental investigation and response. CPC staff responded that the SD2 district would allow plantings on the site to draw out contaminants.*
- The Commission asked why the DIBC purchased parcels within the neighborhood and does the DIBC own any other parcels within the blue area? *The DIBC responded that many of these parcels were acquired by the DIBC decades ago. The DIBC stated it owned no other residential parcels in the blue area shown on Attachment A.*

- The Commission stated the \$20,000 per lot (paid by the DIBC to HRRRA) as listed in the CA totaling \$200,000 is not a lot of money. There was a concern about industrial expansion into residential areas and would like to see more info about the DIBC's proposed site plan, height of the wall and vegetative buffer. *Please see Attachment C for a cross section of the buffer and wall from the CA.*
- The Commission asked what is the proposed use of Parcel 2 and the need for closing 15th Street as listed in the CA? *The DIBC responded it doesn't have a current plan for Parcel 2, other than incorporating it into the land it owns along 14th Street. For 15th St., the DIBC owns the land on either side and requests to vacate to benefit the property owner.*
- The Commission asked for a map with an overlay showing all of the surrounding land that the DIBC owns. *Please see Attachment D.*
- The Commission asked questions about the current Bridge Plaza, the capacity of the Ambassador Bridge now and expected crossing rate once the new Gordie Howe bridge opens, the acres of the current Bridge site, and did the Plaza need to be expanded. *The DIBC indicated the current bridge plaza is about 35 acres. CPC staff estimates the proposed rezoning would add to the plaza about 5.2 acres (1 acre on Block A and 4.2 acres on Block B). The DIBC indicated the capacity of the Ambassador Bridge is 6 million vehicles per year. The DIBC indicated the entire customs operation is on the east side of the plaza.*
- The Commission asked are there any plans for improvements to the current wall and then had questions about the new wall location. *The CPC staff indicated there would be no changes to the existing 20-foot-high wall and reviewed the proposed wall extensions. Please see Attachment C for a cross section of the proposed buffer and wall expansions from the CA.*
- The Commission asked if there was any new technology used to assist with efficiency of vehicles crossing - could technology result in the need to not expand the plaza? *The DIBC indicated investments in technology are not part of the CA, but the DIBC looks at investments in technology every day. The DIBC indicated the capacity of the bridge is completely dependent on the Customs policy on each side of the border to protect the public. The DIBC said space is critical to increase throughput. Technology can help, but added space is needed to assist Customs.*

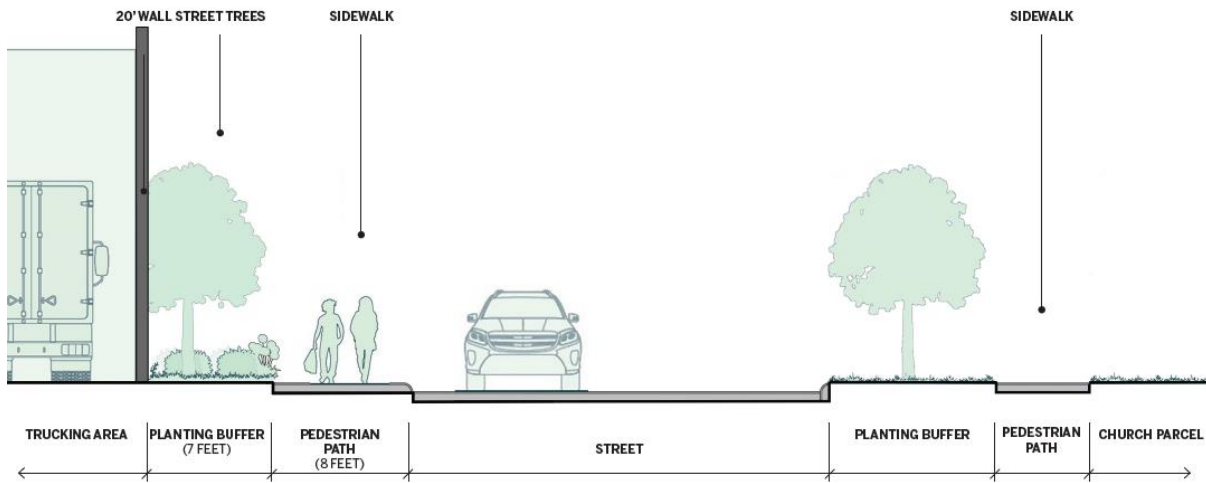
Copy of the DIBC's conceptual site plan.



Cross section of St. Anne Street between Howard St. and West Lafayette Blvd.



ENLARGED PLAN OF ST. ANNE STREET



SECTION THROUGH ST. ANNE STREET

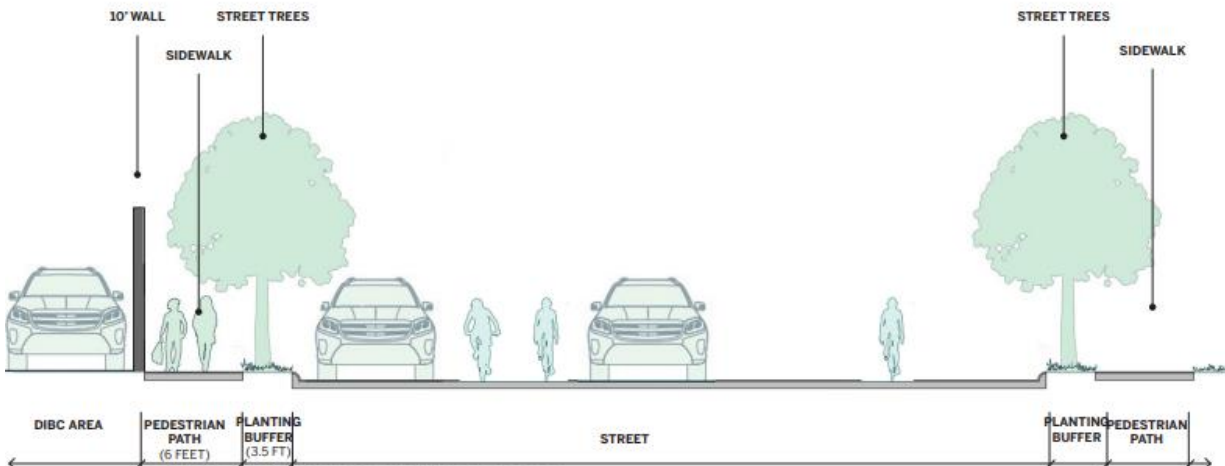


VIEW LOOKING SOUTH ALONG ST. ANNE STREET

Cross section of West Lafayette between St. Anne and 18th Streets



ENLARGED PLAN OF WEST LAFAYETTE STREET

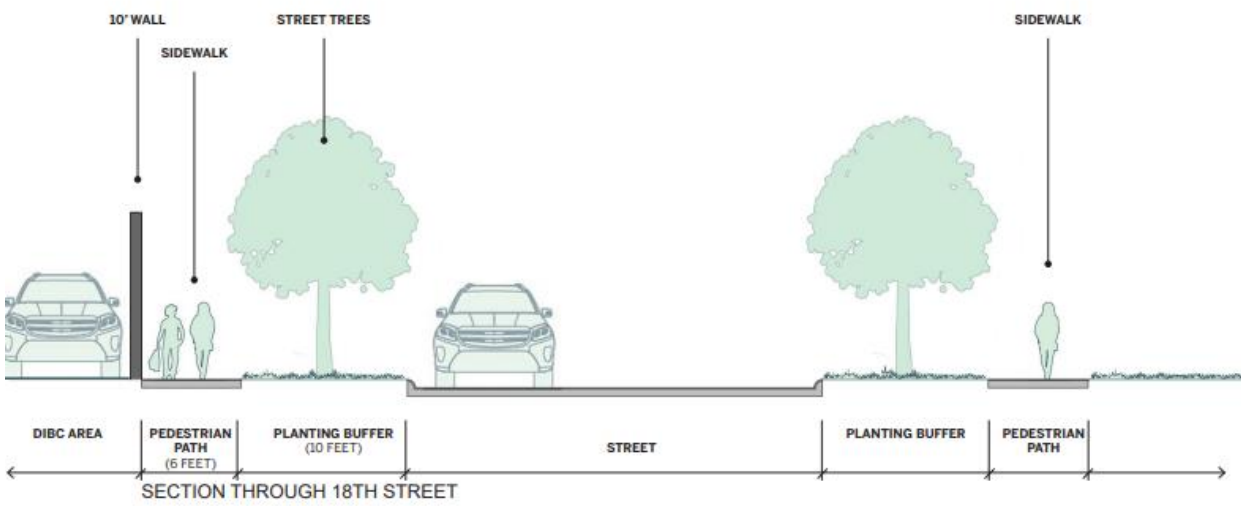


SECTION THROUGH WEST LAFAYETTE STREET



VIEW LOOKING SOUTHWEST AT THE CORNER OF 18TH STREET AND LAFAYETTE STREET

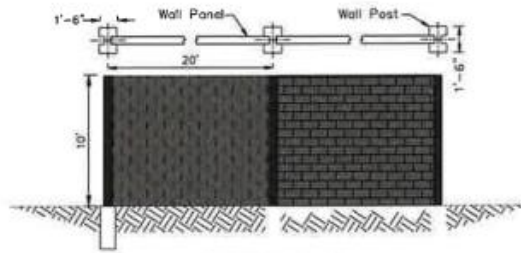
Cross section of 18th Street between West Lafayette and West Fort Streets



VIEW LOOKING NORTH AT THE CORNER OF 18TH STREET AND FORT STREET



SCREEN WALL RENDERING






SCREEN WALL DETAIL
RT2

General Notes:

1. Screen wall height of 10ft between W. Lafayette Blvd. and W. Fort Street.

LEGEND

-  10ft SCREEN WALL
-  6' SIDEWALK
-  APPROX. 30 sq ft (10'x10'x14") GREEN SPACE TRIANGLE AREA

Plaza Expansion Area B

N.T.S