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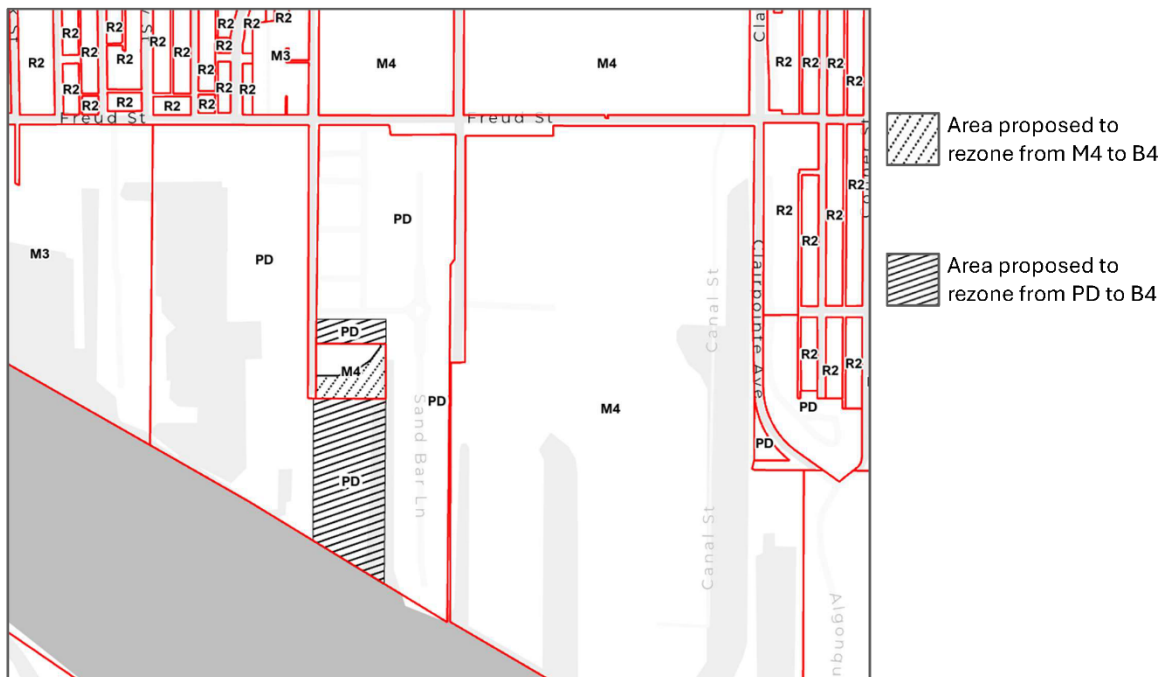
October 10, 2025

HONORABLE CITY COUNCIL

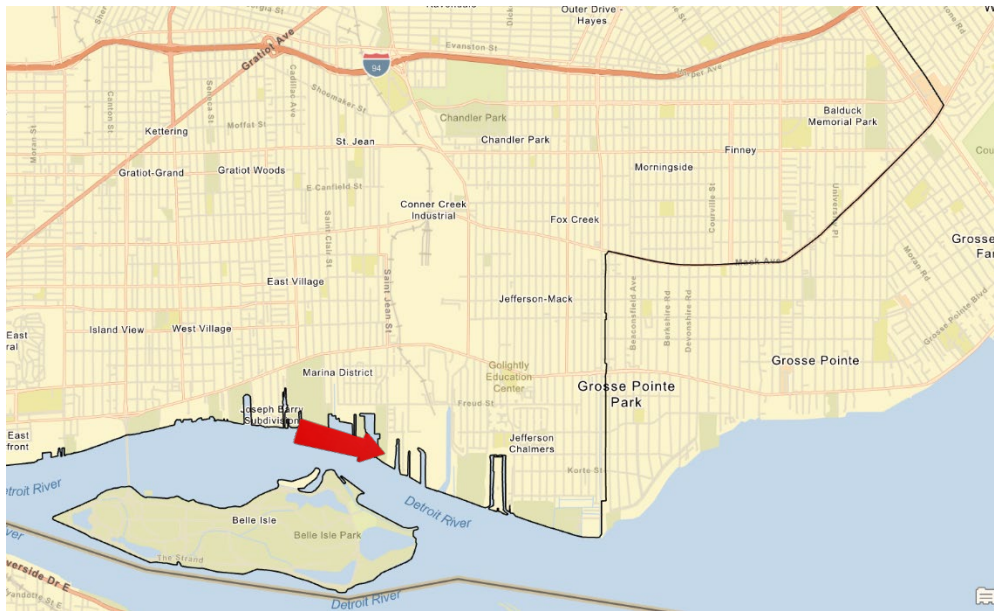
RE: The request of Matthew Walters on behalf of Goat Yard Marine, LLC (doing business as Detroit Boatworks) to rezone the properties at 2 St. Jean, 21 St. Jean, 95 St. Jean Street, and 140 Terminal Street, from PD (Planned Development) and M4 (Intensive Industrial) zoning classification to a B4 (General Business) zoning classification. **(RECOMMEND APPROVAL – INTRODUCTION OF ORDINANCE AND THE SETTING OF A PUBLIC HEARING)**

REQUEST

The City Planning Commission (CPC) has received and processed the request of Matthew Walters on behalf of Goat Yard Marine, LLC (doing business as Detroit Boat Works) to rezone the land at 2 St. Jean, 21 St. Jean and 140 Terminal from PD (Planned Development), and the land at 95 St. Jean from M4 (Intensive Industrial) to B4 (General Business) to permit a marina expansion.



BACKGROUND



On September 4, 2025, the City Planning Commission (CPC) held a public hearing on the request of Matthew Walters to amend Chapter 50, Article XVII, Section 50-17-32, District Map No. 30 of the 2019 Detroit City Code, to show a B4 (General Business) zoning classification where a PD (Planned Development) and M4 (Intensive Industrial) zoning classification is currently shown at 2, 21, 95 St. Jean Street, and 140 Terminal Street. The location is indicated on the map above by the red arrow.

The proposed map amendment is requested in order to permit a marina expansion, including boat yard, inside storage, new boat slips, restaurant and retail. The proposal would amend/remove a portion of the PD created by Ordinance No. 23-05 in 2005.

The subject parcels include the following:

- 21 St. Jean – owned by the petitioner; formerly developed as Precision Marine; CPC staff is still researching if this land is zoned M4 or part of the 2005 PD amendment; research to date shows it is still zoned M4.
- 95 St. Jean – owned by the petitioner; the petitioner purchased in 2018 and has since cleaned up the property and uses for boat storage; it is zoned M4.
- 140 Terminal; a small sliver of land owned by the City; the petitioner is negotiating to purchase this parcel; CPC staff is still checking if this land is zoned or M4 or PD, but preliminary research shows it is zoned PD.
- 2 St. Jean – owned by the City; the land is vacant except for western edge used for parking for adjacent public boat launch across the street at 150 St. Jean; this land is zoned PD.

The subject site is in District 4 in the Marina District. The site is generally bounded by Nautical Way to the north, Sand Bar Lane and a canal of the Detroit River to the east, the Detroit River to the south, and St. Jean Street to the west. The subject parcels are indicated on the map below.



The proposed rezoning would remove/rezone the portion of the existing PD that was not developed as planned, but keep the portion of the PD associated with phases 1 and 2, commonly known as the Morgan Waterfront Estates. 45 St. Jean is located in the middle of the subject rezoning and developed with Hackett Brass Foundry. The City Planning Commission understands that Hackett Brass is presently marketing this building for sale and does not want to lose the current M4 zoning classification.

The petitioner currently operates boat storage at 21 and 95 St. Jean. The petitioner is proposing to expand the existing business and is negotiating with the City to purchase 140 Terminal and 2 St. Jean. The petitioner is proposing to provide more access to the waterfront and support the demand of the boating community. Their goal is to retain some of the marine industry that is leaving the City of Detroit due to a lack in marine services. The current owners seek to take a city property which has sat vacant for some years (2 St. Jean) and expand their marine services. The development would include the following:

- A new marina along the canal with new boat slips
- Outside boat storage
- A new warehouse with indoor boat storage, as well as accessory retail and maintenance
- Restaurant at the south end of the site

- Maintenance of the existing public parking on the west edge of the site utilized for the adjacent public boat launch

PUBLIC HEARING, AND FOLLOW-UP

On September 4, 2025, the CPC held the statutory public hearing regarding the proposed rezoning.

Public Comment and Communications

Prior to the public hearing CPC staff received one letter of support for the proposed rezoning from the president of the Morgan Waterfront Estates Homeowner’s Association. The letter indicated that the HOA board was in support of the project and rezoning.

At the public hearing four members of the public spoke, each expressing concerns around the proposed project. These concerns included the increase in traffic coming in and out of the canal, increased vehicular traffic, possible noise during summer months, and the impact that losing the view of downtown could have on property values.

Following the public hearing, the petitioner engaged with residents of the Morgan Waterfront Estates. Through the continued engagement the petitioner was able to address the residents concerns. The petitioner has informed CPC staff that concerns have been resolved. A letter from the residents in question has been received by CPC stating that their issues have been satisfactorily addressed.

Commissioner Comments and Concerns

During the public hearing, the commission discussed the following:

- Commissioners encouraged the petitioner to engage further with the community, specifically the residents of the Morgan Waterfront Estates.
- Will the rezoning create an illegal spot zoning, specifically the parcel located at 45 St. Jean Street.
- Will the proposed rezoning impact the St. Jean public boat launch? Are there improvements planned for the existing boat launch?
- Will there be programming geared toward educating youth on sailing as a part of the proposed development.

Public Hearing Follow-Up

Following the public hearing the petitioner participated in further engagement with the residents that expressed concerns during the hearing. The petitioner successfully addressed the residents concerns, and subsequently received a letter of support from two of the residents. Additionally, the CPC received one letter of opposition following the public hearing.

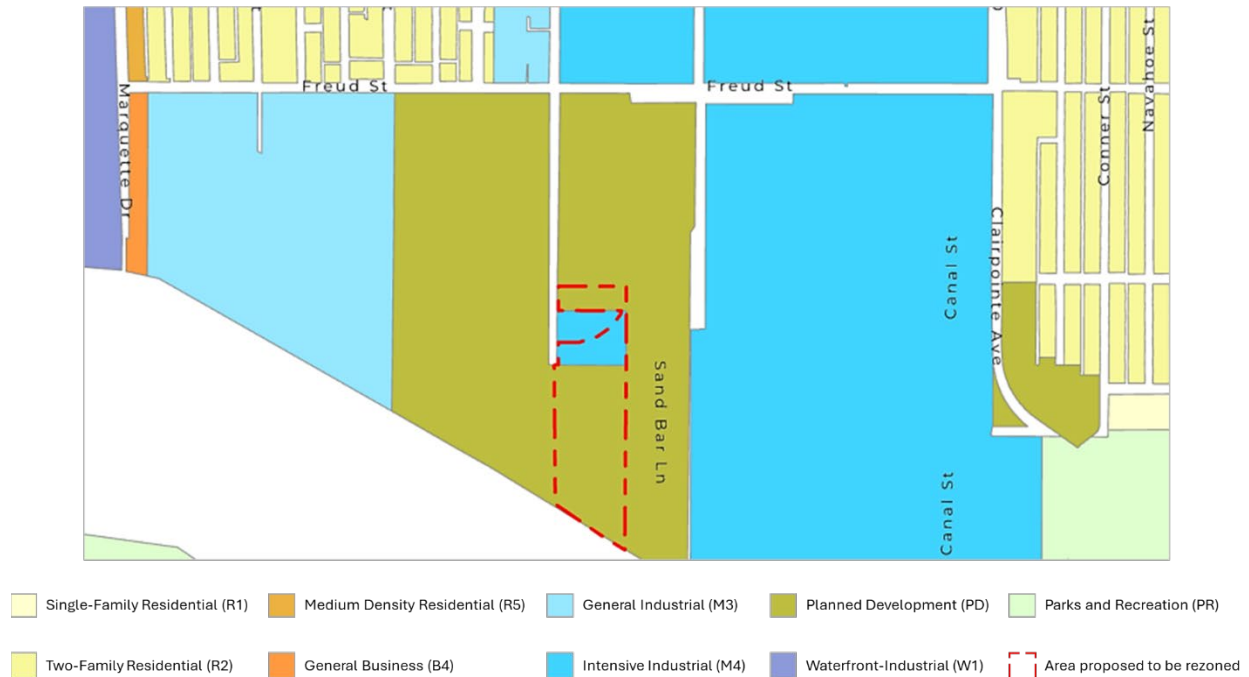
PLANNING CONSIDERATIONS AND ANALYSIS

Surrounding Zoning and Land Use

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

North: PD – Residential development
East: PD – Residential development
South: Detroit River
West: PD – vacant owned by the City of Detroit Parks and Recreation

CURRENT ZONING MAP



The area surrounding the subject site hosts a variety of uses which include residential, industrial, commercial and recreational. M3 and M4 zoned parcels can be seen immediately adjacent to the subject site as well as further to the east and west. In addition to a marina, a variety of uses can be found on the industrially zoned parcels, including but not limited to boat sales, cycle boat tours, and a park. Further west shows W1 and B4 zoning classifications where the historic Waterworks Park is located, as well as a restaurant and event center. To the east and south of the site is also PR zoning, which include both Belle Isle and Maheras-Gentry Park. Further to the east and northwest of the subject site shows residential zoning ranging from single-family to medium density.

Section 50-3-70 of the 2019 Detroit City Code provides eight criteria that must be considered when making recommendations and decisions regarding zoning map amendments. The following analysis is based on those criteria. The applicable criteria are shown in italics.

Correction of Error or Changing Conditions

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

The proposed rezoning would remove an existing PD designation that has not, and likely will not, come to fruition. The existing PD would only allow for two 18-story condo buildings to be developed on the site, limiting the marketability of the currently vacant land.

Master Plan Consistency

Criterion #2: Whether the proposed amendment is consistent with the Master Plan and the stated purposes of this chapter.

P&DD staff has informed the CPC that the proposed rezoning is **not consistent** with the current FLU designation for the subject site. To address this inconsistency, P&DD staff will consider amending the FLU Map as a part of the Master Plan update.

FUTURE LAND USE MAP



Impact on Natural Environment

Criterion #2: 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 CPC anticipates no adverse impact on the natural environment. The clearing of the adjacent canal and remediation of the once industrial land will have positive implications for the surrounding environment. Currently, the canal has multiple sunken boats that need to be cleared, which will improve the quality of the water in the area.

Impact on Surrounding Property

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

The CPC does not anticipate any significant adverse impacts on other properties in the vicinity of the subject tract.

Suitable Zoning

Criterion #7: The suitability of the subject property for the existing zoning classification and proposed zoning classification

As the property has not been developed as indicated in the existing PD for the site, the proposed zoning would be more suitable for the subject property, as it would allow for a variety of uses and development types, where it is currently quite restricted.

Possibility of Illegal Spot Zoning

Criterion #8. Whether the proposed rezoning will create an illegal “spot zone”

Spot zoning case law has in the past indicated that some of the primary criteria in determining whether a rezoning results in an illegal spot zone is not so much the size of the area in consideration as much as it is related to the purpose and intent. Please see below:

According to the Michigan state University Extension Public Policy Brief entitled “Removing Spot Zoning From the Fabric of Zoning Practice” dated January 2004,

“The vast majority of spot zoning cases involve a single parcel or landowner. Essexville confirmed that rezoning a single parcel owned by a single landowner to an inconsistent use, standing alone, is an insufficient legal basis upon which to conclude that illegal spot zoning has taken place. This conclusion makes perfect sense in the big picture of zoning practice, for the vast majority of rezoning requests are made by a single landowner for a single parcel. This is not a unique identifier of spot zoning. However, it is a factor that will raise a red flag for the courts if it is accompanied by the other listed considerations.”

The vast majority of spot zoning cases involve a single parcel or landowner. This would seem to imply that one of the concerns surrounding spot zoning is favorable treatment of a single individual. The cases, however, never articulate this concern. The courts tend to focus instead on the inconsistency of land uses resulting from spot zoning. Several cases have used language similar to that found in Anderson, that “The legislative intention in authorizing comprehensive zoning is reasonable uniformity within districts having the same general characteristics and not the marking off, for peculiar uses or restrictions of small districts essentially similar to the general area in which they are situated.”

“Essexville, however, raises the possibility that unfavorable treatment of a single individual by the city could be illegal if the city’s motives are improper. In Essexville the landowner asserted that his land was placed in a zone permitting parks and recreational uses, when the vast majority of the surrounding land was industrial, in order to depress the property value for later acquisition by the city for public parkland. The Court of Appeals remanded Essexville to the trial court to take further evidence on this issue. Likewise, the court in Michaels considered the possibility (without deciding the specific question) that the village was refusing plaintiff’s rezoning request in order to depress the market value for eventual purchase. In many of the cases when the public derides a particular decision as spot zoning, the public is really voicing a belief that “something fishy is going on here.” The courts, however, seem more concerned with consistency in land uses. Absent a showing of actual fraud, a legal challenge solely on the basis of improper motive is not likely to succeed if the decision is supported by the master plan.”

RECOMMENDATION

Based upon the findings in this report and consistent with the recommendation of the staff, the City Planning Commission voted unanimously to **recommend approval** of the requested rezoning of 2, 21, 95 St. Jean Street and 140 Terminal Way from PD and M4 to B4 on October 9, 2025 at a

Special meeting of the Commission. Please find attached a draft ordinance to effectuate the recommended request. The Law Department is presently reviewing the ordinance for approval as to form.

Respectfully submitted,

DONOVAN SMITH, CHAIRPERSON



Marcell R. Todd, Jr., Director
Timarie DeBruhl, City Planner
Kimani Jeffrey, City Planner

Attachments: Draft ordinance
Application for zoning change
Public hearing notice
Site plan
Topographic surveys
Letters from neighboring residents and property owners
MSU Extension document on Spot Zoning

CC: Alexa Bush, Director, P&DD
Dara O'Byrne, Deputy Director, P&DD
Karen Gage, P&DD
Greg Moots, P&DD
Bruce Goldman, Law Department
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