

City of Detroit

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City Clerk

Committee of the Whole Room • 1340 Coleman A. Young Municipal Center • (313) 224-3443 • Detroit, MI 48226

March 15, 2022

Mr. Charles Raimi, Deputy Corporation Counsel, Law Department
Ms. Kim James, Esq., Law Department
Mr. Daniel Arking, Law Department
Mr. Ron Brundidge, Director, Department of Public Works
Mr. David Bell, Director, Buildings, Safety Engineering and Environmental Department
Mr. James Foster, Building, Safety Engineering and Environmental Department
Mr. Antoine Bryant, Director, Planning and Development Department
Ms. Katy Trudeau, Deputy Director, Planning and Development Department
Ms. Karen Gage, Planning and Development Department
Mr. Greg Moots, Planning and Development Department
Mr. James Ribbron, Director, Board of Zoning Appeals
Mr. Marcell Todd, Jr., Director, City Planning Commission/Legislative Policy Division
Ms. Jamie J. Murphy, Staff, City Planning Commission/Legislative Policy Division
Mr. David Whitaker, Director, Legislative Policy Division

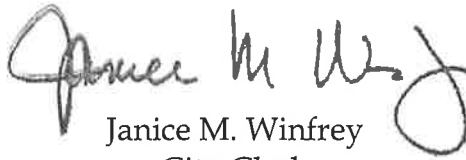
RE: An Proposed Ordinance to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XVII, *Zoning District Maps*, Section 50-17-30, *District Map No. 28*, to revise the existing R2 (Two-Family Residential) zoning classification to the R5 (Medium Density Residential) zoning classification for the parcel commonly known as 3917 McClellan Avenue.

The Detroit City Council has scheduled a **PUBLIC HEARING** in their Planning and Economic Development Standing Committee relative to the above-captioned proposed ordinance amendment for **THURSDAY, MARCH 17, 2022 AT 10:05 A.M.** Please plan to be present.

Pursuant to the *City of Detroit Health Department Emergency Epidemic Order in Response to the COVID-19 Pandemic Per MCL 333.2453 Declaration of Continued Emergency Due to COVID-19, to Extend Remote Public Access to Open Meetings and Prohibit Gatherings at Meetings that Risk the Personal Health and Safety of Members of the Public and Public Bodies*, effective from January 1, 2022 to March 31, 2022, the Detroit City Council will be meeting **in person** in the **City Council Committee of the Whole Room, 13th Floor, Coleman A. Young Municipal Center** for its Planning & Economic Development Standing Committee meeting. **Virtual public attendance is strongly encouraged**, as, pursuant to public health guidelines, the meeting room will be subject to space limitations, and there are limited additional opportunities for public viewing within the building. For the safety of the attendees and participants, it is recommended that the public participate by means of one of the methods listed below:

- To attend online: <https://Detroitmi.gov/Online-CC-Meeting> - Meeting ID: 85846903626
- To attend by phone only, call one of these numbers: +1-929-436-2866, +1-312-626-6799, +1-669-900-6833, +1-253-215-8782, +1-301-715-8592, or +1-346-248-7799
Enter Meeting ID: 85846903626

Very truly yours,



Janice M. Winfrey
City Clerk

JMW/mgw

Enclosures

cc: Ms. Gail Fulton, Legislative Liaison, Mayor's Office
Ms. Sharon Blackmon, Attorney, Law Department
Ms. Tonja Long, Attorney, Law Department
Mr. Rory Bolger, City Planning Commission/Legislative Policy Division

TUESDAY, FEBRUARY 22, 2022
THE DETROIT LEGAL NEWS - PAGE 6

NOTICE OF PUBLIC HEARING

**ON PROPOSED ORDINANCE TO AMEND CHAPTER 50 OF THE
2019 DETROIT CITY CODE, ZONING, BY AMENDING ARTICLE XVII,
ZONING DISTRICT MAPS, SECTION 50-17-30, DISTRICT MAP NO. 28
(PARCEL COMMONLY KNOWN AS 3917 McCLELLAN AVENUE)**

SUMMARY

An Proposed Ordinance to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XVII, *Zoning District Maps*, Section 50-17-30, *District Map No. 28*, to revise the existing R2 (Two-Family Residential) zoning classification to the R5 (Medium Density Residential) zoning classification for the parcel commonly known as 3917 McClellan Avenue.

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The Public Hearing may be viewed in the following manner:

1. Watch via television
 - Comcast: Channel 10
 - ATT: From Channel 99, click Detroit, then Channel 10
2. Watch online by using <https://detroitmi.gov/government/city-council/> and clicking on Channel 10.
3. To attend by phone only, call one of these numbers:
+1-929-436-2866, +1-312-626-6799, +1-669-900-6833, +1-253-215-8782,
+1-301-715-8592, or +1-346-248-7799 **Enter Meeting ID: 858 4690 3626**
4. To attend online: <https://Detroitmi.gov/Online-CC-Meeting>

Public Comment:

To participate at the time of Public Comment, please raise your hand within the zoom application.

1. Telephone participants: Raise your hand by pressing *9
2. Web participants: Raise your hand by clicking **raise hand** in the application or pressing
 - a. Windows computer = [ALT] + [Y]
 - b. Apple computers = [OPTION] + [Y]

To be consistent with how Public Comment has been handled for in-person meetings:

- You will be called on in the order in which your hand is raised
- All time limits set by the meeting Chair will still be enforced
- Any hands raised after the Chair ends submission of public comments, will not be able to speak at the meeting

All interested persons are invited to be present and be heard as to their views. Persons making oral presentations are encouraged to submit written copies to the City Clerk's Office CityClerkHelpDesk@detroitmi.gov via e-mail, for the record.

JANICE M. WINFREY
City Clerk

NOTICE TO THE HEARING IMPAIRED:

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including American Sign Language, language translation and reasonable ADA accommodations. Please contact the **Civil Rights, Inclusion and Opportunity Department** at (313) 224-4950, through the TTY number 711, or email crio@detroitmi.gov to schedule these services.

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PED

#10.8

Lauren Hood, MCD
Chairperson
Donovan Smith
Vice Chair/Secretary

Marcell R. Todd, Jr.
Director

City of Detroit

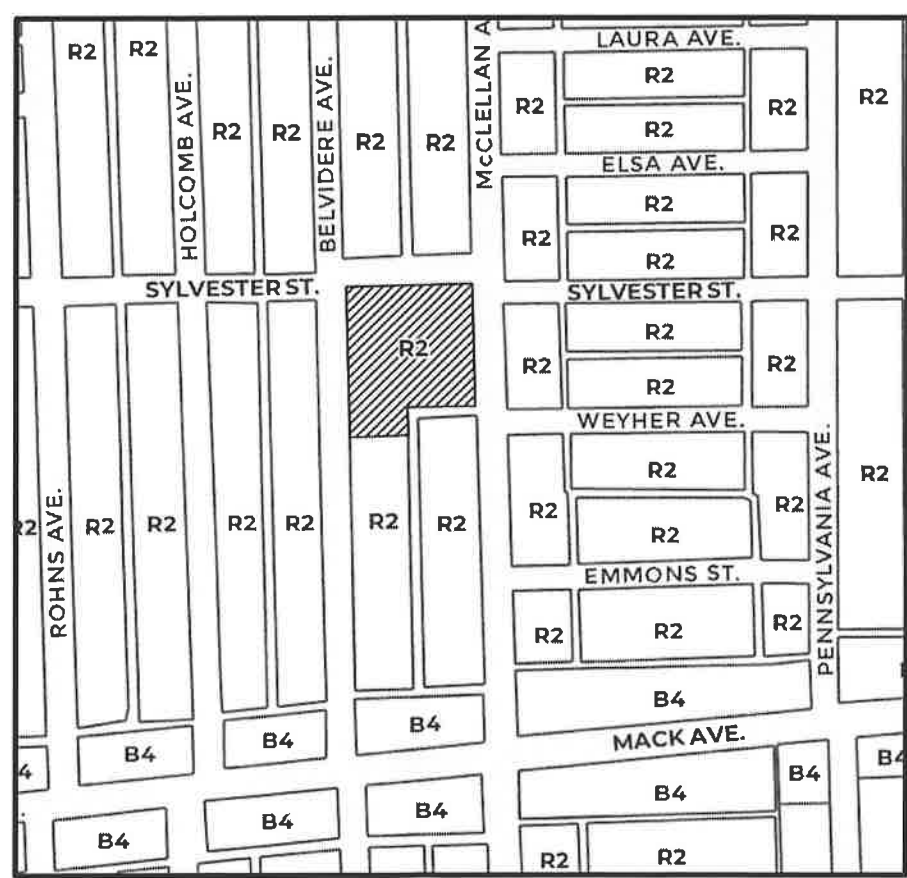
CITY PLANNING COMMISSION
208 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Phone: (313) 224-6225 Fax: (313) 224-4336
e-mail: cpc@detroitmi.gov

Brenda Goss Andrews
Kenneth R. Daniels
Damion W. Ellis
David Esparza, AIA, LEED
Ritchie Harrison
Gwen Lewis
Frederick E. Russell, Jr.

February 1, 2022

HONORABLE CITY COUNCIL

RE: Request of IFF ECE Detroit, LLC to rezone one parcel commonly known as 3917 McClellan Avenue from the R2 (Two-Family Residential) zoning district classification to the R5 (Medium Density Residential) zoning district classification. (**RECOMMEND APPROVAL**)



Current Zoning Map – Hatched area is proposed to be rezoned to R5 (Medium Density Residential)

2/10/2022 M.T.F. to NB for Introduction and setting of Public Hearing

BACKGROUND AND PROPOSAL

The City Planning Commission (CPC) has received a request from IFF ECE Detroit, LLC to amend District Map No. 28 of the 2019 Detroit City Code, Chapter 50, Zoning, by showing an R5 (Medium Density Residential) zoning district classification where an R2 (Two-Family Residential) zoning district classification is currently shown for the property located at 3917 McClellan Avenue, generally bounded by Sylvester Street to the north, Belvidere Street to the west, McClellan Avenue to the east, and Mack Avenue to the south.

The proposed map amendment is being requested to permit the development of a Child Care Facility to serve 80-110 children. Although the use is first allowed in the R3 District, the applicant would like the flexibility to add small-scale commercial uses in the future. The existing zoning district does not allow the proposed use or any commercial uses.

The existing building was built as an addition to the Pingree Elementary School in the 1960s. The petitioner bought the property in February 2021 from a religious organization which had owned it since the 1980s. The existing structure is proposed to be demolished and a new structure will be built. The preliminary site plan shows a 12,000 square foot building, a parking lot, a playground area, and a walking path. The site is approximately 1.7 acres.



Aerial view of the proposed rezoning

CPC MEETING

Public Hearing & Action – October 7, 2021

On October 7, 2021, the City Planning Commission held a public hearing on this rezoning request. At the hearing, no members of the public spoke. No letters of support or opposition were received. The City Planning Commissioners asked several questions about traffic, community engagement, sustainability features, and design changes in reaction to the pandemic. Based on the potential positive impact of the proposed project and the absence of community opposition, the City Planning Commission voted unanimously to recommend approval of the rezoning.

STAFF ANALYSIS

Surrounding Zoning and Land Use

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

- North: R2 (Two-Family Residential) – Single family dwellings & vacant land
- East: R2 (Two-Family Residential) – Single family dwellings & vacant land
- South: R2 (Two-Family Residential) – Single family dwellings & vacant land
- West: R2 (Two-Family Residential) – Single family dwellings & vacant land

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 corrects an error or meets the challenge of some changing condition, trend, or fact. *The changing condition that is addressed by the proposed rezoning is the overabundance of land zoned R1 and R2 in the City. These low density residential districts permit very few uses—mostly one- and two-family residences. When projects such as this one are proposed, it is difficult to find a large enough site that is also properly zoned. Rezoning a former school site is often the best option.*
- Whether the proposed amendment will have significant adverse impacts on other property that is in the vicinity of the subject tract. *The vacant, blighted building and unmaintained property will be replaced with a new building with extensive landscaping. The proposed use of an early childhood education center is needed in the neighborhood and will be beneficial to residents with young children. Although the new development will cause an increase in traffic, pick-up and drop-off times will be spread out throughout the day, not all at once like a school.*
- Whether the proposed rezoning will create an illegal “spot zone.” *Although there isn't other property zoned R5 in the vicinity, the parcel proposed to be rezoned is 1.7 acres which is fairly large compared to the surrounding residential lots (average .08 acres). Also, while the R5 district allows additional uses and density than the existing R2 district, both are residential districts that permit consistent uses and require similar setbacks.*

Master Plan Consistency

The subject site is located within the Kettering area of Neighborhood Cluster 3 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows “Low Density Residential” for the subject property. The Planning and Development Department (PDD) has

reviewed this proposed rezoning and determined that it will not change the overall character of the area and is generally consistent with the Master Plan. The full report is attached.



Conceptual Rendering of proposed development

Community Input

The applicant has conducted a thorough community engagement strategy as outlined in the attached summary and the neighborhood contact list (contained in the application). In an effort to obtain meaningful feedback, residents were asked about important elements of a child care center and additional amenities that could benefit the neighborhood. This feedback was incorporated into the proposal and led to the request for a more intense zoning district to permit additional uses.

CONCLUSION & RECOMMENDATION

On October 7, 2021, the City Planning Commission voted to recommend approval of the rezoning request to amend Article XVII, District Map 28 of Chapter 50 of the 2019 Detroit City Code, *Zoning*, to show an R5 (Medium Density Residential) zoning classification where an R2 (Two-Family Residential) zoning classification is currently shown for the property located at 3917 McClellan Avenue.

Respectfully submitted,

LAUREN HOOD, CHAIRPERSON

A handwritten signature in cursive script that reads "Marcell R. Todd, Jr.".

Marcell R. Todd, Jr., Director
Jamie J. Murphy, Staff

Attachments: Rezoning Ordinance
PDD Master Plan Interpretation
Updated District Map 28
Community Engagement Summary

cc: Antoine Bryant, Director, PDD
Katy Trudeau, Deputy Director, PDD
Karen Gage, PDD
Greg Moots, PDD
David Bell, Director, BSEED
James Foster, BSEED
Daniel Arking, Law Department

Introduced
2/15/2022
(ungrw)

1 BY COUNCIL MEMBER Tate :

2 AN ORDINANCE to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by
3 amending Article XVII, *Zoning District Maps*, Section 50-17-30, *District Map No. 28*, to revise
4 the existing R2 (Two-Family Residential) zoning classification to the R5 (Medium Density
5 Residential) zoning classification for the parcel commonly known as 3917 McClellan Avenue.

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

7 Section 1. Chapter 50 of the 2019 Detroit City Code, *Zoning*, Article XVII, *Zoning District*
8 *Maps*, Section 50-17-30, *District Map No. 28*, is amended as follows:

9 CHAPTER 50. ZONING

10 ARTICLE XVII. ZONING DISTRICT MAPS

11 Sec. 50-17-30. District Map No. 28.

12 For the property commonly identified as 3917 McClellan Avenue, being a part of the block
13 generally bounded by Sylvester Street to the north, McClellan Avenue to the east, Mack Avenue
14 to the south, and Belvidere Street to the west, and identified more specifically as:

15 LOTS 18 TO 28, BOTH INCLUSIVE, AND LOTS 74 TO 81, BOTH INCLUSIVE, AND
16 THE NORTH 15 FEET OF LOT 73, INCLUDING ALL OF THE VACATED ALLEY
17 ADJACENT TO THE REAR OF LOTS 18 TO 25, BOTH INCLUSIVE, AND THE
18 NORTH 15 FEET OF LOT 26, AND ADJACENT TO THE REAR OF LOTS 74 TO 81,
19 BOTH INCLUSIVE, AND THE NORTH 15 FEET OF LOT 73, OF "KROLIK'S
20 SHOOTING PARK SUBDIVISION", ACCORDING TO THE PLAT THEREOF
21 RECORDED IN LIBER 18 OF PLATS, PAGE 79 OF WAYNE COUNTY RECORDS

22 the existing R2 (Two-Family Residential) zoning classification is revised to the R5 (Medium
23 Density Residential) zoning classification.

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

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

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

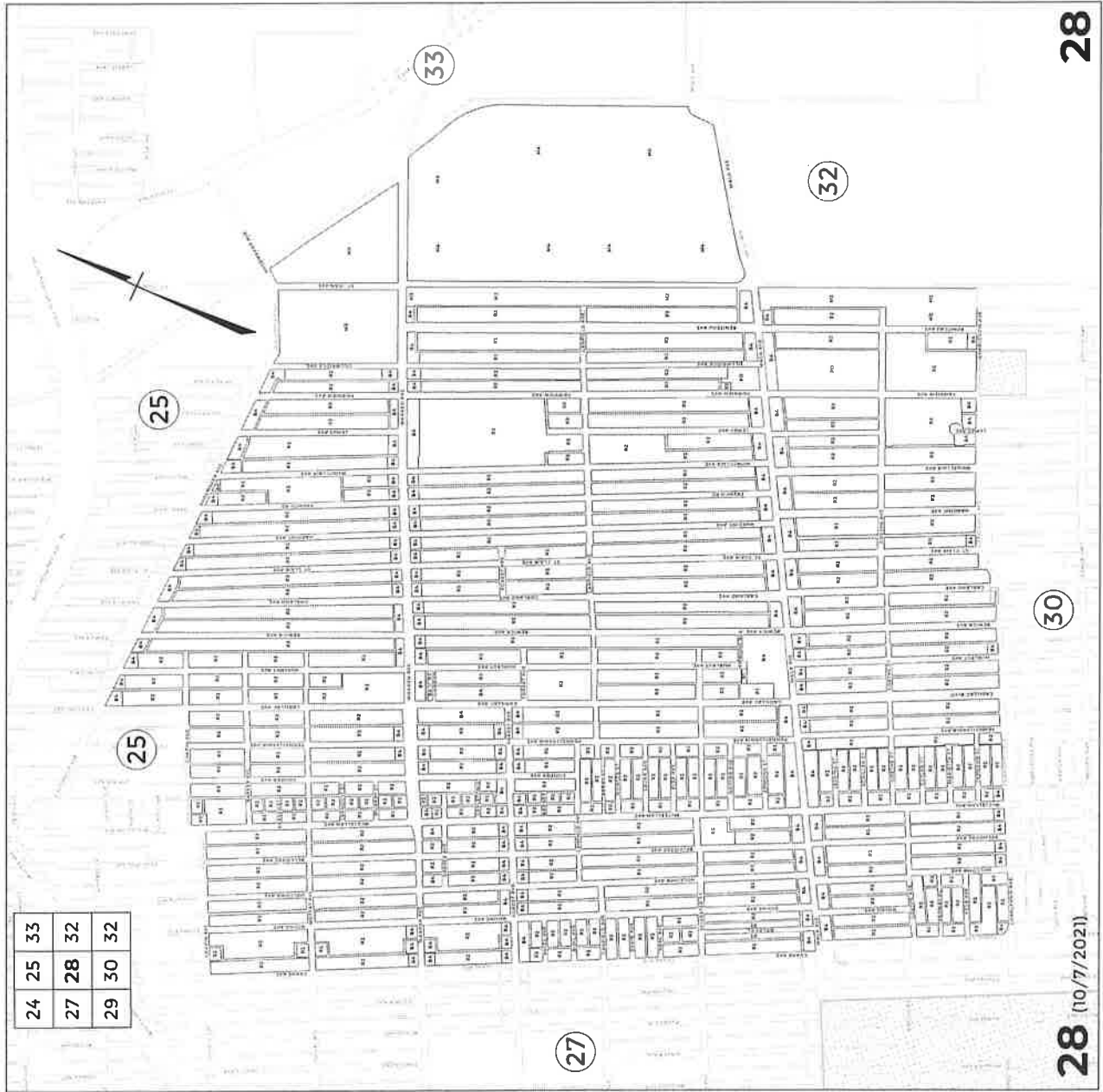
Approved as to Form:



Charles Raimi,
Deputy Corporation Counsel

**READ TWICE BY TITLE, ORDERED PRINTED
AND LAID ON TABLE**

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27	28	32
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28

28 (10/7/2021)