

Josh Berkow & Sarah Pappas  
1764 W Forest Ave  
Detroit, MI 48208  
April 8, 2022

City Planning Commission  
Attn: Lauren Hood, Chairperson  
208 Coleman A. Young Municipal Center  
Detroit, MI 48226

RE: Request of R. Philip Lockwood on behalf of XYZ 20-02 RPF LLC and the City Planning Commission to rezone 22 parcels from the R2 (Two-Family Residential), R3 (Low Density Residential), and B4 (General Business) zoning district classifications to the SD1 (Special Development, Small-Scale, MixedUse) zoning district classification.

Ms. Hood, Commissioners, and Commission Staff,

We are writing today in regards to the request by XYZ 20-02 RPF LLC to amend District Map No. 5 of the 2019 Detroit City Code, Chapter 50, Zoning by showing an SD1 zoning district where R2 is currently shown. We are homeowners and residents adjacent to the proposed development. We oppose the proposed zoning change for the parcels on the north side of West Forest Avenue (1732, 1738, and 1746 West Forest).

The proposed high density building with no setbacks from lot lines is not at all keeping with the flavor or convention of Woodbridge. Our neighborhood values trees, plants, and open space. If the project is to move forward, we strongly request a legally binding commitment to minimum 6-foot setbacks from sidewalks, alleys, and lot lines for green space. Not only would this help retain the charm, safety, and value of our neighborhood, but it would also be a step towards alleviating the increased stormwater runoff from the development.

We request the City Planning Commission and City Council vote to deny the zoning change for 1732, 1738, and 1746 West Forest for the following reasons:

- The proposed SD1 zoning allows for construction with no setbacks from lot lines, which is inconsistent with the current and historic uses of the neighboring properties.
  - Other properties adjacent to the proposed rezoning area are low density residential with setbacks from the property lines.
  - Historic uses of the proposed rezoning area were low density residential with setbacks from the property lines.
  - Other multi-family properties in the neighborhood include greenspace setbacks on either the front or sides of the property.
- The proposed SD1 zoning allows for construction with no setbacks from lot lines which has significant adverse impacts on adjacent property.
  - Conversion of the existing property to hardscape with no setbacks will increase stormwater runoff onto neighboring properties. Due to the high presence of clay soils in the neighborhood, this increases the likelihood of ponding and other standing water

which degrades neighboring properties and provides breeding ground for mosquitos and other pests.

- A building with no setbacks removes any vegetative visual buffers. This replaces the current view of open space and forest with a view of the rear parking lot of the proposed development. This lack of setbacks places the burden of visual buffers on the neighboring landowners.
- A building with no setbacks allows for noise sources to be located directly at property lines including idling automobiles, air conditioners, refrigeration equipment associated with commercial uses, etc. This places the burden of noise mitigation on the neighboring landowners.
- Construction up to the lot lines removes the ability to stockpile snow removed from parking facilities. Snow melt from any stockpiles and associated chemicals (road salt, oil leaks from parked cars, etc...) would flow onto neighboring properties.
- Construction up to the lot lines leaves no physical space for installing silt fence or other Best Management Practices for erosion and sediment control. The lots in question fall below the threshold to require E&SC measures. Bare soil during construction will erode onto neighboring properties. We have performed soil tests on 1752 W Forest and determined that much of the soil and backfill is clear of common contaminants in the City. Erosion of bare soil onto the property risks introducing lead and arsenic contaminants common on other parcels in the neighborhood.
- The City of Detroit and Great Lakes Water Authority are unable to provide adequate stormwater drainage to the subject property.
  - The storm drains on West Forest Avenue are currently incapable of handling flows from the average rainfall event and thus do not provide adequate levels of service to existing development. Conversion of the subject property to hardscape will increase stormwater flows which the infrastructure already can't handle.
- The alley north of the proposed SD1 zoning between West Forest Avenue and Hancock Street has two (2) 90-degree turns.
  - Even with improvements to the pavement in the alley, there is insufficient turning radius to allow for garbage trucks, utility maintenance trucks, or snow removal trucks.
  - Even with improvements to the pavement in the alley, there is insufficient space for stockpiling of removed snow. Snow stockpiles and melting will impact neighboring properties.
- The proposed SD1 zoning allows for construction with no setbacks from lot lines which has significant adverse impacts on the natural environment including air, wildlife, vegetation, and stormwater management
  - The proposed development removes approximately ½ acre of publicly accessible green space. The need for public green space has been largely ignored by redevelopment projects in Cass Corridor, Midtown, Brush Park, and District Detroit. This will contribute to an increased heat island effect in Woodbridge
  - The proposed development directly removes existing habitat which has been host to nesting pheasants for at least the past 8 years.
  - The proposed development removes existing small mammal habitat, which will increase rodent pressure on neighboring landowners.



We are supportive of the zoning change for the properties south of West Forest Avenue. We oppose the zoning change for the properties north of West Forest Avenue. We are not experts in the Detroit Zoning Code, and request that the City Planning Commission determine a different zoning that would be more appropriate for this site while allowing for beneficial redevelopment. We request that City Planning Commission and City Council deny the proposed zoning change for the properties north of West Forest Avenue.

Thank you for your prompt attention and action on this matter.

Regards,

Josh Berkow & Sarah Pappas

Sarah Pappas & Josh Berkow  
1764 W Forest Ave  
Detroit, MI 48208  
May 12, 2022

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The proposed high density building with no setbacks from lot lines is not at all keeping with the flavor or convention of Woodbridge. Our neighborhood values trees, plants, and open space. If the zoning change is to move forward, we strongly request a legally binding commitment to minimum 6-foot setbacks from sidewalks, alleys, and lot lines for green space. Not only would this help retain the charm, safety, and value of our neighborhood, but it would also be a step towards alleviating the increased stormwater runoff from the development.

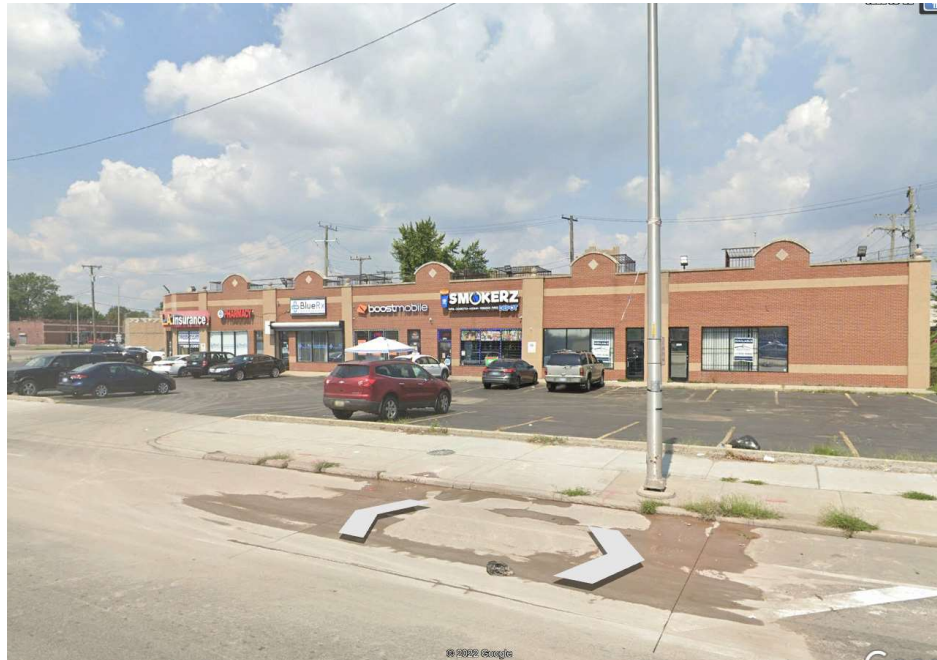
It bears repeating that City Planning Commission is not actually voting on the proposed development. Should the zoning change be approved, the developer can build anything allowed by right under SD1. Additionally, if the proposed development fails to proceed, the land will return to Detroit Land Bank Authority (DLBA) per the terms of the sale agreement between XYZ and DLBA. DLBA or a subsequent developer could then develop anything allowed by right under SD1 without any neighborhood input.

We request the City Planning Commission and City Council vote to deny the zoning change for 1732, 1738, and 1746 West Forest for the following reasons:

- The proposed SD1 zoning allows for construction with no setbacks from lot lines, which is inconsistent with the current and historic uses of the neighboring properties.
  - Other properties adjacent to the proposed rezoning area are low density residential with setbacks from the property lines.
  - Historic uses of the proposed rezoning area were low density residential with setbacks from the property lines.

- Other multi-family properties in the neighborhood include greenspace setbacks on either the front or sides of the property.
- The proposed SD1 zoning allows for construction with no setbacks from lot lines which has significant adverse impacts on adjacent property.
  - Conversion of the existing property to hardscape with no setbacks will increase stormwater runoff onto neighboring properties. Due to the high presence of clay soils in the neighborhood, this increases the likelihood of ponding and other standing water which degrades neighboring properties and provides breeding ground for mosquitos and other pests.
  - Construction with no setbacks removes any vegetative visual buffers. This replaces the current view of open space and forest with a view of the rear parking lot of the proposed development. This lack of setbacks places the burden of visual buffers on the neighboring landowners.
  - Construction with no setbacks allows for noise sources to be located directly at property lines including idling automobiles, air conditioners, refrigeration equipment associated with commercial uses, etc. This places the burden of noise mitigation on the neighboring landowners.
  - Construction with no setbacks means snow removed from the required on-site parking will be stockpiled in the adjacent alleys. Melt-water and any contaminants (salt and automotive fluids) will drain onto neighboring property.
- The City and other service providers are currently unable and will be further unable to provide adequate public facilities and services to the subject property while maintain adequate levels of services to existing development
  - The City of Detroit and Great Lakes Water Authority are unable to provide adequate stormwater drainage to the subject property. The storm drains on West Forest Avenue are currently incapable of handling flows from the average rainfall event and thus do not provide adequate levels of service to existing development. Conversion of the subject property to hardscape will increase stormwater flows which the infrastructure already can't handle.
  - Construction to the property line allowed under SD1 means dumpsters and other waste handling equipment will need to be located in the adjacent alleys. The City has been unable to maintain an adequate road surface in these alleys. Additionally the alleys lack sufficient turn radius for large waste-handling vehicles.
  - Construction to the property line allowed under SD1 means there is no location for stockpiling snow removed from the required parking lot. Snow would be stockpiled in the adjacent alleys, further reducing the usability of those alleys.
- The proposed SD1 zoning allows for construction with no setbacks from lot lines which has significant adverse impacts on the natural environment including air, wildlife, vegetation, and stormwater management
  - The proposed development removes approximately ½ acre of publicly accessible green space. The need for public green space has been largely ignored by redevelopment projects in Cass Corridor, Midtown, Brush Park, and District Detroit. This will contribute to an increased heat island effect in Woodbridge

- The proposed development directly removes existing habitat which has been host to nesting pheasants for at least the past 8 years.
- The proposed development removes existing small mammal habitat, which will increase rodent pressure on neighboring landowners.
- The proposed development replaces vegetative cover with hardscape which increases pressure on the stormwater system. The storm drains on West Forest Avenue are already incapable of handling flows from the average rainfall event.
- Construction with no setbacks from the lot lines provides no physical space to implement stormwater Best Management Practices required under the Clean Water Act.
- The proposed SD1 zoning allows for multiple residential, institutional, commercial, and industrial uses that are inconsistent with existing and historical neighborhood uses and could cause adverse impacts to the residential environment.
  - Examples of what could be build under SD1 include the following:
  - Strip mall @ Livernois & Michigan:





- Fast food restaurant @ West Forest & Woodward



- Dollar General @ East Jefferson and Continental



- - The proposed SD1 zoning is surrounded on two sides by R2 zoned property and by residential property with B4 zoning on the third side. As such SD1 zoning on these parcels would create an illegal “spot zone”.
  - The proposed SD1 zoning change is opposed by owners of at least 20% of the area of land within an area extending outward 100 feet from the boundary of the land included in the proposed change on the north side of West Forest Avenue.



- The proposed SD1 zoning is on land that was secured from the Detroit Land Bank Authority. Should the proposed development not proceed, the land will revert to DLBA for subsequent sale. DLBA has no requirement to follow the development plans proposed by XYZ and has wide latitude under SD1 to develop something inconsistent with the neighborhood.
- The proposed SD1 zoning gives XYZ Development wide latitude to develop the property, including for uses allowed under SD1 but not presented to the City Planning Commission. Approval of SD1 means this is the last opportunity for meaningful and legally binding public input into the development.

To be clear, we are not opposed to the redevelopment of this area; only to the use of SD1 zoning. We are supportive of the zoning change for the properties south of West Forest Avenue. We oppose the zoning change for the properties north of West Forest Avenue. The zoning change north of West Forest Avenue is inconsistent with the approval criteria in the Detroit Zoning Ordinance.

We are not experts in the Detroit Zoning Code, and request that the City Planning Commission determine a different zoning that would be more appropriate for this site while allowing for beneficial redevelopment. We understand that the developer could instead use R or B zoning designations combined with zoning variances. We request that City Planning Commission and City Council deny the proposed zoning change for the properties north of West Forest Avenue.

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Scott Kirschner  
Avery St  
Detroit, MI 48208  
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