

PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

THURSDAY, APRIL 13, 2023

10:25 A.M. – PUBLIC HEARING

(JT/mgw)

CITY PLANNING COMMISSION

RE: An Proposed Ordinance to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XVII, *Zoning District Maps*, Section 50-17-41, *District Map No. 39*, to revise the R1 (Single-Family Residential District) zoning classification to the B4 (General Business District) zoning classification for the seven parcels generally located on the east side of Cadieux Road commonly known as 4342, 4336, 4330, 4324, 4318, 4312, and 4300 Cadieux Road, and for the one parcel generally located on the north side of Waveney Street commonly known as 17131 Waveney Street.

Attending:

(City Planning Commission/LPD; Law Department; Planning and Development Department; Building, Safety Engineering, and Environmental Department; and Legislative Policy Division)

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~~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~~

#19.13
#19.14

~~Brenda Goss Andrews~~
~~Kenneth R. Daniels~~
~~David Esparza, AIA, LEED~~
~~Ritchie Harrison~~
~~Gwen Lewis~~
~~Melanie Markowicz~~
~~Frederick E. Russell, Jr.~~

January 5, 2023

HONORABLE CITY COUNCIL

RE: Request of Cadieux Real Estate, LLC to amend Article XVII, Section 50-17-41, District Map No. 39 of the 2019 Detroit City Code, Chapter 50, Zoning, to show a B4 (General Business District) zoning classification where an R1 (Single-Family Residential District) zoning classification is currently shown (RECOMMEND APPROVAL – ORDINANCE INCLUDED TO SET A PUBLIC HEARING)

The City Planning Commission (CPC) has received a request from Cadieux Real Estate, LLC to amend Article XVII, Section 50-17-41, District Map No. 39 of the 2019 Detroit City Code, Chapter 50, Zoning, to show a B4 (General Business District) zoning classification where an R1 (Single-Family Residential District) zoning classification is currently shown on eight parcels generally bounded by Cincinnati St. to the north, Waveney St. to the south, Cadieux Rd. to the west, and Guilford to the east.

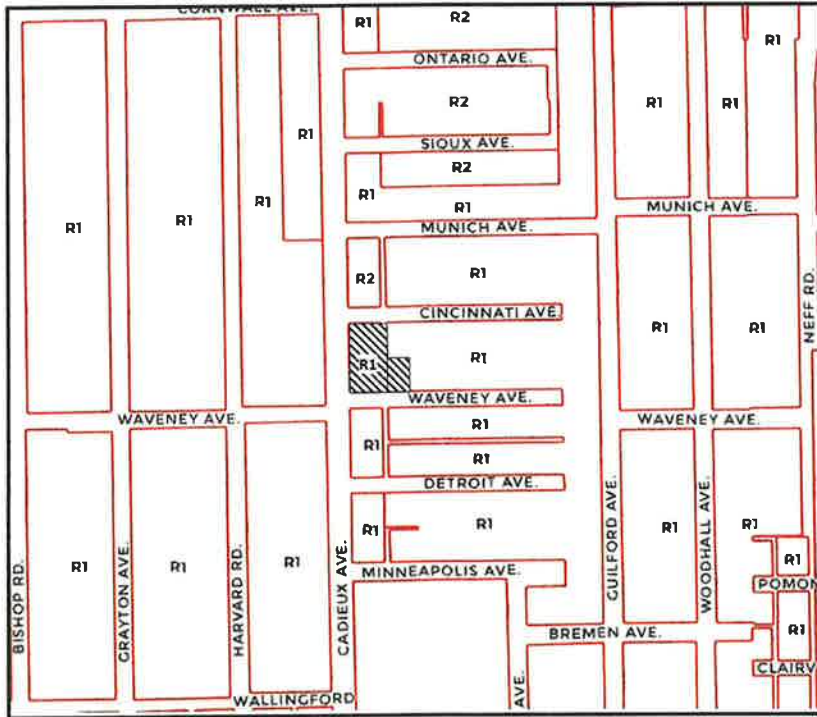
The proposed map amendment is being requested in order to align the existing zoning with the historic and current use of the parcels. The subject is proposed to continue its current use as a restaurant, parking, indoor recreation (feather bowling) and outdoor seating as well as to expand to include an outdoor stage and entertainment space. Additionally, there is a small structure just east of the Cadieux Café building (originally built as a garage) that is being used to serve alcohol for consumption on the premises for the outdoor entertainment space. The outdoor uses were added during the height of the COVID-19 pandemic to allow the restaurant to continue to serve its customers. These uses are not allowed in the current R1 zoning district but are allowed by-right and conditionally in the proposed B4 district.

BACKGROUND AND REQUEST

The subject property is located in Council District 4 and measures at approximately 0.6 acres in area. The subject property contains Cadieux Café, a restaurant that has operated on the site for over 80 years. The restaurant was founded on Detroit's east side in the 1930s as a speakeasy and has operated as a neighborhood gem ever since. Cadieux Café is well known for its feather bowling alleys and Belgian culture and cuisine.

The subject property includes the restaurant building, patron and staff parking, outdoor seating, outdoor bar, and outdoor stage. The property also includes an alley that was vacated in 1996

according to Petition No. 1957 of the Department of Public Works City Engineering Division. The proposed area to be rezoned is shown on the zoning map below.



The petitioner is proposing the change in zoning to align the current zoning with the historic and current use on the premises. Additionally changing the zoning would allow the petitioner to seek approval of their various uses through the conditional land use process conducted by BSEED and apply for the proper permitting.



The restaurant is known for its feather bowling, which is a traditional Belgian game. In fact, the restaurant is one of the few places outside of Belgium that hosts a feather bowling league. The restaurant's Belgian cuisine and beer, live music, and "old world charm" have made it a consistent attraction for residents in the East English Village and Cornerstone Village neighborhoods that it borders, as well as visitors from all over the country. The restaurant was even featured on the late Anthony Bourdain's tv show, No Reservations, when he visited Detroit in 2009.

COMMUNITY FEEDBACK & PUBLIC HEARING RESULTS

Pre-hearing Feedback

The petitioner reached out to the neighborhood associations of East English Village (EEV) and Cornerstone Village to inform them about the proposed rezoning. The petitioner also attended an East English Village Association meeting and gave a presentation on their plans to rezone. The feedback from the attendees was positive and the EEV board voted unanimously to support the rezoning and sent a letter of support. In addition, the Cornerstone Village Community Association provided a letter of support prior to the CPC public hearing.

CPC Hearing Results

On September 29, 2022, the City Planning Commission held a public hearing on the proposed rezoning. 3 members of the public spoke, all in support of the rezoning. One community member who owns property near Cadieux Café spoke to the restaurant being a cornerstone of the community and how well the owners maintain their property and the surrounding community. The president of the Cornerstone Village Community Association also spoke in support of the proposed rezoning.

PLANNING CONSIDERATIONS

Current Zoning

R1 – SINGLE-FAMILY RESIDENTIAL DISTRICT

The R1 Single-Family Residential District is designed to protect and preserve quiet, low-density residential areas now primarily developed and those areas which will be developed with single-family detached dwellings and characterized by a high ratio of home ownership. The regulations for this district are designed to stabilize and protect the essential characteristics of the district and to promote and encourage a suitable environment for activities associated with family life. To these ends, development is limited to a relatively low concentration and uses permitted by right are limited to single-family detached dwellings which provide homes for the residents of the area. Additional residential uses such as religious institutions, neighborhood centers, and utility uses necessary to serve the immediate area may be permitted on a conditional basis.

Proposed Zoning

B4 – GENERAL BUSINESS DISTRICT

The B4 General Business District provides for business and commercial uses of a thoroughfare-oriented nature. In addition to these uses, other businesses, which may

benefit by drawing part of their clientele from passing traffic are permitted. Additional uses, which may be successfully blended with permitted by-right uses, are conditional.

Surrounding Zoning and Land Use

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

North: R2 (Two-Family Residential)

East: R1 (Single-Family Residential)

South: R1 (Single-Family Residential)

West: R1 (Single-Family Residential)

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 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 map amendment would align the historic and current use of the subject property with current zoning standards.*

2. Whether the proposed amendment is consistent with the Master Plan and the stated purposes of this Zoning Ordinance; *The subject site is located within the Finney area of Neighborhood Cluster 3 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows Low Density (RL) in the Master Plan. The Planning & Development Department (P&DD) has provided a Master Plan Interpretation and found the proposed rezoning to be generally consistent with the Master Plan classification. P&DD stated that while the proposed zoning classification is not consistent with the Master Plan's Future General Land Use classification, its small size is not anticipated to change the overall character of the Finney neighborhood.*

3. Whether the proposed amendment will protect the health, safety, and general welfare of the public; *The restaurant has been in operation for over 80 years and therefore, CPC is of the mind that the proposed map amendment will not have any negative impact on the health, safety, and 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. *It is assumed the City will be able to provide adequate services to the subject property.*

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 is not anticipated the proposed rezoning would adversely impact the natural environment.*

6. Whether the proposed amendment will have significant adverse impacts on other property that is in the vicinity of the subject tract. *It is not anticipated the proposed rezoning will have significant adverse impacts on other property that is in the vicinity. As a part of the conditional land use hearing for the various operations of the restaurant, the City Planning Commission has recommended that BSEED explore additional screening between the restaurant and the adjacent property owners.*

7. The suitability of the subject property for the existing zoning classification and proposed zoning classification; *The R1 (Single-family residential) zoning district does not allow any of the restaurant's uses either by-right or conditionally. Therefore, the subject property is a non-conforming use. Under the proposed B4 (General Business) zoning district, the restaurant and indoor recreation (feather bowling alley) use would be allowed by-right. In addition, the cabaret (outside of the CBD) and establishment for the sale of beer or alcoholic liquor on the premises (outside the CBD) uses could apply to receive approval from BSEED through the conditional land use hearing process.*

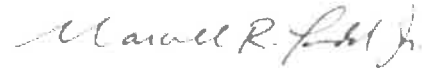
8. Whether the proposed rezoning will create an illegal "spot zone." *Due to the historic nature of the Cadieux Café restaurant and its place as a neighborhood gem, the City Planning Commission does not believe that the proposed rezoning will create a spot zone.*

RECOMMENDATION

Based on the above analysis and consistent with the approval criteria of Sec. 50-3-70 of the Zoning Ordinance, the CPC voted at its September 29, 2022, meeting to recommend approval of the rezoning request. The approved-as-to-form Ordinance is attached for Your consideration.

Respectfully submitted,

Lauren Hood, CHAIRPERSON



Marcell R. Todd, Jr., Director
Kimani Jeffrey, Staff
Roland Amarteifio, Staff

Attachment: Ordinance

East English Village Association Letter of Support

Cornerstone Village Community Association Letter of Support

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

#19.13
#19.14
Introduced
1/17/2023
(mgw)

BY COUNCIL MEMBER President Pro Tem Tate:

AN ORDINANCE to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XVII, *Zoning District Maps*, Section 50-17-41, *District Map No. 39*, to revise the R1 (Single-Family Residential District) zoning classification to the B4 (General Business District) zoning classification for the seven parcels generally located on the east side of Cadieux Road commonly known as 4342, 4336, 4330, 4324, 4318, 4312, and 4300 Cadieux Road, and for the one parcel generally located on the north side of Waveney Street commonly known as 17131 Waveney Street.

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

Section 1. Chapter 50 of the 2019 Detroit City Code, *Zoning*, Article XVII, *Zoning District Maps*, Section 50-17-41, *District Map No. 39*, is amended as follows:

CHAPTER 50. ZONING

ARTICLE XVII. ZONING DISTRICT MAPS

Section 50-17-41. District Map No. 39.

For the seven parcels generally located on the east side of Cadieux Road commonly known as 4342, 4336, 4330, 4324, 4318, 4312, and 4300 Cadieux Road, and for the one parcel generally located on the north side of Waveney Street commonly known as 17131 Waveney Street, identified more specifically as:

E CADIEUX 7 BLK 6 COLUMBIA FREUNDS SUB L17 P93 PLATS, W C R 21/831 32
X 100.06,

E CADIEUX 6 BLK 6 COLUMBIA FREUNDS SUB L17 P93 PLATS, W C R 21/831 30
X 100.06,

1 E CADIEUX 5 BLK 6 COLUMBIA FREUNDS SUB L17 P93 PLATS, W C R 21/831 30

2 X 100.06,

3 E CADIEUX 4 BLK 6 COLUMBIA FREUNDS SUB L17 P93 PLATS, W C R 21/831 30

4 X 100.06,

5 E CADIEUX 3 BLK 6 COLUMBIA FREUNDS SUB L17 P93 PLATS, W C R 21/831 30

6 X 100.06,

7 E CADIEUX 2 BLK 6 COLUMBIA FREUNDS SUB L17 P93 PLATS, W C R 21/831 30

8 X 100.06,

9 E CADIEUX 1 BLK 6 COLUMBIA FREUNDS SUB L17 P93 PLATS, W C R 21/831 32

10 X 100.06,

11 N WAVENEY 43 W 15 FT 42 AND S VAC ALLEY ADJ BLK 6 COLUMBIA

12 FREUNDS SUB L17 P93 PLATS, W C R 21/831 45 X 107,

13 the existing R1 (Single-Family Residential District) zoning classification is revised to the B4

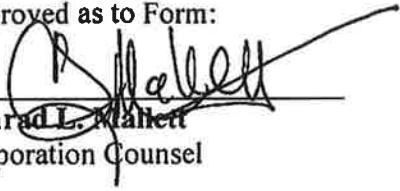
14 (General Business District) zoning classification.

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

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

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

Approved as to Form:



Conrad L. Mallett
Corporation Counsel

READ TWICE BY TITLE, ORDERED PRINTED
AND LAID ON TABLE