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# City of Detroit

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**TO:** City Planning Commission

**FROM:** M. Rory Bolger, George A. Etheridge, Jamie Murphy, Staff

**RE:** **Zoning Ordinance Text Amendment** (Maximum lot coverage, Governmental Service Agency, Parks and Recreation - incidental retail sales, high-frequency transit corridors, Assembly-, Banquet- and Rental Halls)

**DATE:** April 2, 2019

On April 4, 2019, the City Planning Commission (CPC) will hold a 5:15 P.M. public hearing with respect to a proposed text amendment to the Detroit Zoning Ordinance.

## **BACKGROUND**

The City Planning Commission (CPC) has received several rezoning requests for city and privately held property which would or may benefit from the one or more of the proposed text amendments. The proposal includes amendments to the use lists of various zoning classifications as well as dimensional standards as outlined in the report below.

## **SCOPE OF ORDINANCE**

- 1) With the passage of Ordinance No. 37-17, the Fifth General text amendment, Sec. 61-13-102 was inadvertently left unchanged in regards to the language specifying a conditional retail, service, and commercial use; uses occupying not more than 3,000 square feet of gross floor area and not having drive-up or drive-through facilities, where located in a building constructed prior to January 1, 2017 and located on a zoning lot not farther than one-half (1/2) mile from bus rapid transit, streetcar / trolley or light rail line, strictly limited to...

It was the intent of Ordinance No. 37-17 to amend this section by striking the language "...bus rapid transit, streetcar / trolley or light rail line..." and replacing it with "a high-frequency transit corridor as defined in Sec. 61-16-102 of the Code,"

- 2) With the pending redevelopment of the former Arnold Home site located at W. Seven Mile Road and Greenview Avenue, slated to house a new Health and Human Services Governmental Service Agency Office and additional retail offerings, Secs. 61-9-15 and 61-9-35 are proposed to be amended to include "Governmental service agency" as a by-right use in both the B1 (Restricted Business District) zoning classification and the B2 (Local Business and Residential District) zoning classification.

- 3) With the continued development of the Detroit river-front in conjunction with the non-profit organizations and other governmental entities which exist to manage and maintain public assets such as Campus Martius, Mt. Elliot Park and Milliken State Park, staff is initiating the proposed text amendment to expand the by-right retail, service, and commercial use related to retail sales clearly incidental and accessory to uses permitted in the PR district to include other governmental agencies or non-profit agencies with duly recognized authority over land zoned PR (Parks and Recreation District).
- 4) With the passage of Ordinance No. 18-18 which went into effect on August 30, 2018 the uses of banquet halls and rental halls were bifurcated and banquet halls were made a conditional retail, service, and commercial use in the B2 and B4 zoning classifications. In the Fall of 2018 the York and Cass Community Benefits process began, and unfortunately has since stalled, partially due to the developers inability to secure funding for the proposed development. The development is anticipated to be a mix-use facility with ground floor retail, a banquet facility on the second level and residential on the remaining floors. The ability to utilize the second floor as a banquet hall, rental hall or assembly space appears to be a major factor in whether the developer will be able to secure the necessary funding to bring this development to fruition. With the passage of Ordinance No. 18-18 the assembly hall, banquet hall and rental hall uses were expanded to the B2 and B4 zoning classifications on a by-right basis, however, they were omitted from the SD1 and SD2 zoning classifications. In consultation with Midtown, Inc., the inclusion on these land uses on a by-right basis in the SD1 and SD2 appear to be favorable when taking into consideration that dance halls are presently permitted on a by-right basis.
- 5) Additionally, in the SD1 zoning classification there was an oversight in regards to the maximum lot coverage dimensional requirements which dates back to the passage of Ordinance No. 16-16 which went into effect on May, 20, 2016. The maximum lot coverage for mixed-use developments in the SD1 should be unlimited rather than 35% as presently reflected. The proposed text amendment seeks to rectify this error.
- 6) Finally, given the proposal to expand the zoning classifications in which Governmental service agencies, assembly halls, banquet hall, and rental halls are permitted, Secs. 61-12-22 and 61-12-42 of the Use Table are being recommended for amendment to reflect that change.

### **COMMUNITY INPUT**

As previously stated in this report support from various community agencies has been received in regard to the recommended changes to the SD1 and SD2 use lists. In regards to the B1 and B2 recommended amendments a community meeting was held with the O’Hair Park Community Association on Tuesday, March 19, 2019, at which time support for the proposed text amendment and rezoning of the former Arnold Home site located at 18520 W. Seven Mile Road was offered.

To date, staff has received no additional communications via mail or telephone either in opposition or support of the requested text amendments.

### **Attachment**

cc: Maurice Cox, Director PDD  
Dave Walker, Western District Design Director, PDD  
Karen Gage, PDD  
Esther Yang, PDD  
David Bell, Director, BSEED  
Lawrence Garcia, Corporation Counsel