

# City of Detroit

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August 28, 2019

## HONORABLE CITY COUNCIL

**RE:** Request of the City of Detroit Brownfield Redevelopment Authority to amend Article XVII, District Map No. 24 of the 1984 Detroit City Code, Chapter 61, Zoning, by showing an M3 (General Industrial District) zoning classification where an R2 (Two-family Residential District) zoning classification currently exists on three-hundred and twelve (312) parcels commonly identified as the former Kettering High School located at 6101 Van Dyke Avenue and the former Rose Elementary School located at 5800 Field Avenue, generally bounded by the I-94 Edsel Ford Expressway and Medbury Avenue to the north, Van Dyke Avenue to the east, Hendrie Avenue to the south and Townsend Avenue to the west. **(RECOMMEND APPROVAL)**

## NATURE OF REQUEST AND PROJECT PROPOSAL

The City Planning Commission (CPC) has completed its review and deliberations on the request of the Detroit Brownfield Redevelopment Authority to amend Article XVII, District Map No. 24 of the 1984 Detroit City Code, Chapter 61, Zoning, by showing an M3 (General Industrial District) zoning classification where an R2 (Two-family Residential District) zoning classification currently exists on three-hundred and twelve (312) parcels commonly identified as the former Kettering High School located at 6101 Van Dyke Avenue and the former Rose Elementary School located at 5800 Field Avenue, generally bounded by the I-94 Edsel Ford Expressway and Medbury Avenue to the north, Van Dyke Avenue to the east, Hendrie Avenue to the south and Townsend Avenue to the west.

## REVIEW

The R2 district is designed to protect and enhance those areas developed or likely to develop with single- or two-family dwellings. The district regulations are designed to promote a suitable environment for homes and for activities connected with family life. The only principal uses permitted by right are single- and two-family dwellings. With limited additional uses being allowed on a conditional basis.

The M3 district is composed of property so situated as to be suitable for industrial development, but where the modes of operation of the industry may affect nearby residential uses. The purpose of this district is to permit the normal operation of certain industrial uses, subject only to those regulations needed to control congestion and to protect nearby residential districts. No new residential construction is permitted in this district with the exception of loft conversions of existing buildings and of residential uses combined in structures with permitted commercial uses. These requirements are to protect residences from an undesirable environment and to ensure reservation of adequate areas for industrial development.

The subject properties are located in Council District 5 and measure approximately 31.9 acres in area. The subject parcels are currently under the sole ownership of Detroit Public Schools Community District, however are being offered for sale to accommodate the pending Dakkota Integrated Systems manufacturing development on the subject site.

The subject properties are located in Census Tract 5159. Based on the most recent census data the total population for the area is 1,645. There are approximately 471 occupied residential units and 393 vacant residential structures which results in a vacancy rate of 45%.

### ***Proposed Development***

The proposed map amendment is being requested to allow for the establishment of an “high/medium-impact manufacturing facility” specifically an “automobile accessory manufacture (not including tires, heat treating, or foundry work) at the former Kettering High School located at 6101 Van Dyke Avenue and the former Rose Elementary School located at 5800 Field Avenue. The proposed use would be permitted on a by-right basis in an M3 zoning district per Sec. 61-10-57(12).

This rezoning request is being sought in order to allow the development of a 632,500 square foot automobile accessory manufacturing facility. Dakkota Integrated Systems is a joint venture with Rush Group LLC and Magna International Inc., that will manage the complete assembly and sequencing of interior components and suspension for the soon to be expanded FCA Jeep Plant in the area of St. Jean between E. Warren Avenue and Kercheval Avenue. It is anticipated that this proposed development will create approximately 625 new jobs for Detroit residents.

The parcels identified as 6101 Van Dyke Avenue and 5800 Field Avenue are presently both zoned R2. 6101 Van Dyke Avenue is presently the site of the former Kettering High School. 5800 Field Avenue is presently the site of the former Rose Elementary School. Both properties are anticipated to be demolished to accommodate the development of the proposed Dakkota manufacturing facility. The footprint of the main facility will primarily be on the site of the former Kettering High School. The entirety of the Kettering High School building will be razed, however, the iconic “K” in front of the property will remain as an homage to the history of the site and the thousands of Kettering High School alumni. 5800 Field Avenue is also anticipated to be razed, however this site is slated to accommodate a detention basin bounded by Medbury Avenue to the north, Van Dyke Avenue to the east, Hendrie Avenue to the south, and Field Avenue to the west. The entirety of the site is anticipated to be landscaped and buffered in order to screen the development from the adjacent residential communities. Preliminary site plans shows landscaped berms along Van Dyke Avenue to the east and Hendrie Avenue to the south. A narrow strip of landscaping is also present along Townsend Avenue where the majority of occupied residential is present.

### **SURROUNDING LAND USE AND ZONING**

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

North: I-94 Edsel Ford Expressway with B3; Shopping District beyond.

East: R2; Single-family and Two-family residential.

South: R2; Single-family and Two-family residential.

West: R2; Single-family and Two-family residential.

### **CITY PLANNING COMMISSION PUBLIC HEARING & OTHER COMMUNITY MEETINGS**

One-hundred and two (102) notices were sent out to residents and property owners within 300 radial feet of the subject site. Twelve (12) have been returned as undeliverable. To date, the Commission has received no communications via mail or telephone either in opposition or support of the

requested rezoning.

On Tuesday, July 9, 2019 a community meeting was held regarding this proposed rezoning and development at Alkebu-Lan Village, located at 7701 Harper Avenue. There were approximately 74 members of the public in attendance. In anticipation of the aforementioned meeting, the Department of Neighborhoods District 5 Manager Ms. Melia Howard canvassed the area of the proposed plant along Townsend Avenue, Field Avenue, Sheridan Avenue, Van Dyke Avenue, Granger Avenue, E. Edsel Ford Service Drive, E. Palmer Avenue and Baldwin Avenue. In total contact was made with occupants of 75 residential structures. Residents provided mixed responses to the proposed development ranging from excited about employment opportunities, to not caring to engage because they felt their voices wouldn't matter in the process. Additionally, the project was discussed with several area block clubs and neighborhood associations in order to increase attendance at the July 9th meeting.

At the community meeting there were several questions with regards to Dakkota having a Community Benefits Agreement with the residents even though the proposed development does not meet the city's threshold criteria of \$75,000,000.00. The anticipated amount of capital investment for this development is \$55,000,000.00. Residents in attendance raised questions regarding truck traffic, air and noise pollution, jobs and wages, the preservation of the "Big K," being bought out of their homes in the future to expand the plant, and one resident asked Dakkota to have revenue sharing with residents within the impact area. Overall, the meeting was perceived as being productive with the majority of residents in attendance agreeing with and voicing support of the planned project.

On July 18, 2019, the City Planning Commission held a public hearing on this request. There were thirteen members of the public in attendance to address the rezoning request. All thirteen of those who spoke during public comment were in support of the proposed rezoning.

The Commission requested that staff report back with information pertaining to the ownership of vacant parcels adjacent to the project area; the administration's overall vision for industrial development on the east side of Detroit, (particularly along with I-94 industrial corridor) as well as what impacts, if any, would the pending development have on emergency services.

In response to Commission's questions regarding the ownership of the vacant parcels adjacent to the Kettering/Rose – Dakkota site, CPC staff presented a detailed listing of publicly held vacant properties. In order to determine the feasibility of establishing an infield housing strategy in close proximity to the subject site.

#### **MASTER PLAN CONFORMANCE**

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 "Institutional" for the subject property. An amendment will be forthcoming to show "Light Industrial" as the future intended land use. Additionally, a review of the Van Dyke frontage between I-94 and Hendrie Avenue will be reviewed to determine the feasibility of establishing a commercial or mixed use character for that corridor.

#### **ANALYSIS**

The proposed zoning classification of M3 would permit the requested use of a "high/medium-impact manufacturing facility" specifically an "automobile accessory manufacture (not including tires, heat treating, or foundry work) on a by-right basis.

The proposed M3 zoning classification would permit 113 by-right public, civic, institutional, retail, service, commercial and other uses. The most intensive uses in the M3 zoning classification include “Trucking terminals, transfer buildings, truck garages, recreational vehicle storage lots, and open areas for the parking of semi-trailers, buses, and other operable commercial vehicles, not including limousines and taxicabs” and “Storage or killing of poultry or small game for direct, retail sale on the premises of for wholesale trade.”

The following analysis details how the proposed rezoning either meets or fails to meet the eight approval criteria of Section 61-3-80 of the Zoning Ordinance, which must be considered in making recommendations and decisions on standard rezoning requests.

- (1) Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend or fact;

With the dramatic decline in population of the City of Detroit over the past 20 years, several of the city’s neighborhood schools have closed and have fallen into disrepair. Among them are the former Kettering High School and the former Rose Elementary School. In 2012, the City of Detroit adopted an adaptive reuse ordinance for the city’s former school sites, however, the level of capital reinvestment in these properties has been nominal to nonexistent. The challenge remains as to what to do with these properties which have since become a blighting influence on our communities. The City of Detroit has taken the approach of re-energizing the manufacturing sector of our economy. Many publicly held properties have been and are being sought for this purpose. The rezoning request is in line with this stated purpose.

- (2) Whether the proposed amendment is consistent with the Master Plan and the stated purposes of this Zoning Ordinance;

The proposed rezoning to M3 is not consistent with the Master Plan of Policies; however the Planning and Development Department is purposing a Master Plan amendment to accommodate this rezoning request, as well as to address other concerns raised by members of the public at the July 18, 2019 hearing regarding the potential for commercial frontage along the east side of Van Dyke Avenue between I-94 and Hendrie Avenue.

- (3) Whether the proposed amendment will protect the health, safety, and general welfare of the public;

Given the nature of the proposed development and the impact that the operations are anticipated to have on the adjacent community, mitigating factors are being implemented to minimize the negative impacts of noise, light and fumes, which may emit from the premises. There are approximately 14 residential properties along Townsend Avenue which will be impacted directly as a result of this development. The vast majority of the adjacent parcels are vacant and primarily publicly owned. The subject site is located directly south of the I-94 Expressway and west of a Major Corridor (Van Dyke Avenue). In general, an intensification in zoning adjacent to residentially zoned properties is not the preferred approach. However, the inclusion of 20 foot setbacks from residentially zoned land as required by the zoning ordinance as well as the implementation of landscaping and elevated berms along the perimeter of the property will aid in the goal of protecting the health, safety, and general welfare of the adjacent residents.

- (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;

The physical characteristics of the subject property will change significantly as a result of the proposed rezoning. Preliminary site plans have been presented which show the layout of the proposed development. Given the anticipated consolidation of the subject parcels as well as the potential for street and alley vacations which will not be disruptive to the traditional street grid, disruption to city services is not anticipated.

- (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 storm water management;

The proposed development is anticipated to create a vast amount of hard surface, where pervious green space currently exists. This was taken into account with the planning of the site, hence the inclusion of the detention basin on the former Rose Elementary School site, to address stormwater management concerns.

- (6) Whether the proposed amendment will have significant adverse impacts on other property that is in the vicinity of the subject tract;

The vast majority of the uses in the immediate area are residential. Given that the truck traffic will primarily be internal to the site, adjacent to Townsend Avenue, design elements are being implemented to mitigate any negative impacts which may occur.

- (7) The suitability of the subject property for the existing zoning classification and proposed zoning classification; and

As noted previously, the existing R2 zoning classification is not conducive for the proposed use which is industrial in nature. Before making the recommendation to pursue an M3 zoning classification, CPC staff evaluated all zoning classifications and determined that the M3 zoning classification was the least intensive zoning classification that would allow for the proposed use.

- (8) Whether the proposed rezoning will create an illegal "spot zone."

Given the commercial/industrial nature of the corridor in which this rezoning has been requested along with the size and proposed consistency with the pending Master Plan amendment, staff is of the opinion that the proposed rezoning would not constitute an illegal "spot zone."

#### ***Suitability of the Property***

One of the aforementioned criteria for rezoning states, "The suitability of the subject property for the existing zoning classification and proposed zoning classification." Zoning Map No. 24 generally shows R2 zoning to the north, south, east and west of the subject property. This section of the Kettering subsector is primarily developed with residential and institutional uses. The existing residential properties along Townsend Avenue and Hendrie Avenue were primarily built between 1900 and 1921. The newer infield housing along Hendrie Avenue was built in 2011.

As previously stated, the M3 zoning classification allows for a variety of manufacturing type uses. Historically, the manufacture of automotive related uses necessitated the demand for parking for employees. Given automation and the implementation of the third shift, the parking demand for this use and similar uses has drastically declined since the advent of the current parking requirements, circa 1968.

The current parking standards for a Schedule A use require the greater of either 1 space per every 800 square feet, or 1 per 3 employees. With this current formula, the petitioner would be required to provide 790 off-street employee parking spaces, although they will only have approximately 200 employees per shift. The current site plans, which show approximately 230 off-street parking spaces will require the petitioner to appeal to the Board of Zoning Appeals (BZA) for a parking variance. A possible alternative would be the adoption of a proposed text amendment to allow the Planning and Development Department to make the determination on the number of spaces needed, similar to what was done in 2016 for "Recreation, indoor commercial and health club." In that situation, much like what is anticipated to occur with Dakkota Integrated Systems, and likely any other automotive supplier looking to break ground in the City of Detroit, the usable floor area is much greater than the number of individuals occupying the space at any given time.

The Commission recommends that language similar to that adopted in 2016 be adopted for manufacturing uses moving forward. Such language is currently before the Commission and is slated for a public hearing on September 5, 2019. As a point of reference the existing language for the aforementioned use is included below.

*"Because Schedule C uses have widely varying parking demands, it is difficult to specify a single requirement. The off-street parking requirement for such uses shall be established by the Planning and Development Department based on estimates of parking demand, which may include recommendations of the Institute of Traffic Engineers (ITE), data collected from uses that are the same or comparable to the proposed use, or other relevant information. The Planning and Development Department may require that a parking study be prepared at the applicant's expense. Said study shall provide analysis and justification for the proposed number of spaces to be provided. Parking studies shall document the source of data used to develop the recommendations. The Planning and Development Department shall review the submitted study along with any other traffic engineering and planning data that are appropriate and establish the off-street parking or loading requirements for the use proposed."*

Such a text amendment could benefit future developments by allowing the applicant to move straight towards permitting, rather than applying to the BZA for a parking variance. The text amendment is now being proposed.

In general, the CPC looks favorably on the rezoning of the subject parcel to accommodate the establishment of an automobile manufacturing supplier.

#### ***Land Use***

The CPC is of the opinion that an M3 zoning classification is an appropriate designation consistent with the characteristics of the adjacent properties, which will allow for the establishment of industrial related uses.

#### ***Significant Impact on Other Property***

The CPC is of the opinion that the rezoning of this property from an economic development standpoint will add to the sustainability of the surrounding community by allowing the establishment of an economically viable, job creating, tax revenue generating development. Given the landscape of the City of Detroit, wherein educational institutions are nestled in the midst of residential communities, an M3 zoning classification would not typically be ideal for such a site. However, given the sites adjacency to the I-94 Expressway as well as its adjacency to Van Dyke Avenue, along with the stated buffering and landscaping along Townsend Avenue and Hendrie Avenue, the Commission is of the

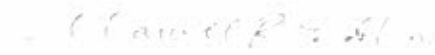
opinion that any adverse impacts associated with locating an M3 zoning classification alongside an R2 zoning classification can be addressed.

**RECOMMENDATION**

On July 18, 2019 the City Planning Commission voted to recommend approval of the request of the City of Detroit Brownfield Redevelopment Authority to amend Article XVII, District Map No. 24 of the 1984 Detroit City Code, Chapter 61, Zoning. by showing an M3 (General Industrial District) zoning classification where an R2 (Two-family Residential District) zoning classification currently exists on three-hundred and twelve (312) parcels commonly identified as the former Kettering High School located at 6101 Van Dyke Avenue and the former Rose Elementary School located at 5800 Field Avenue, generally bounded by the I-94 Edsel Ford Expressway and Medbury Avenue to the north, Van Dyke Avenue to the east, Hendrie Avenue to the south and Townsend Avenue to the west.

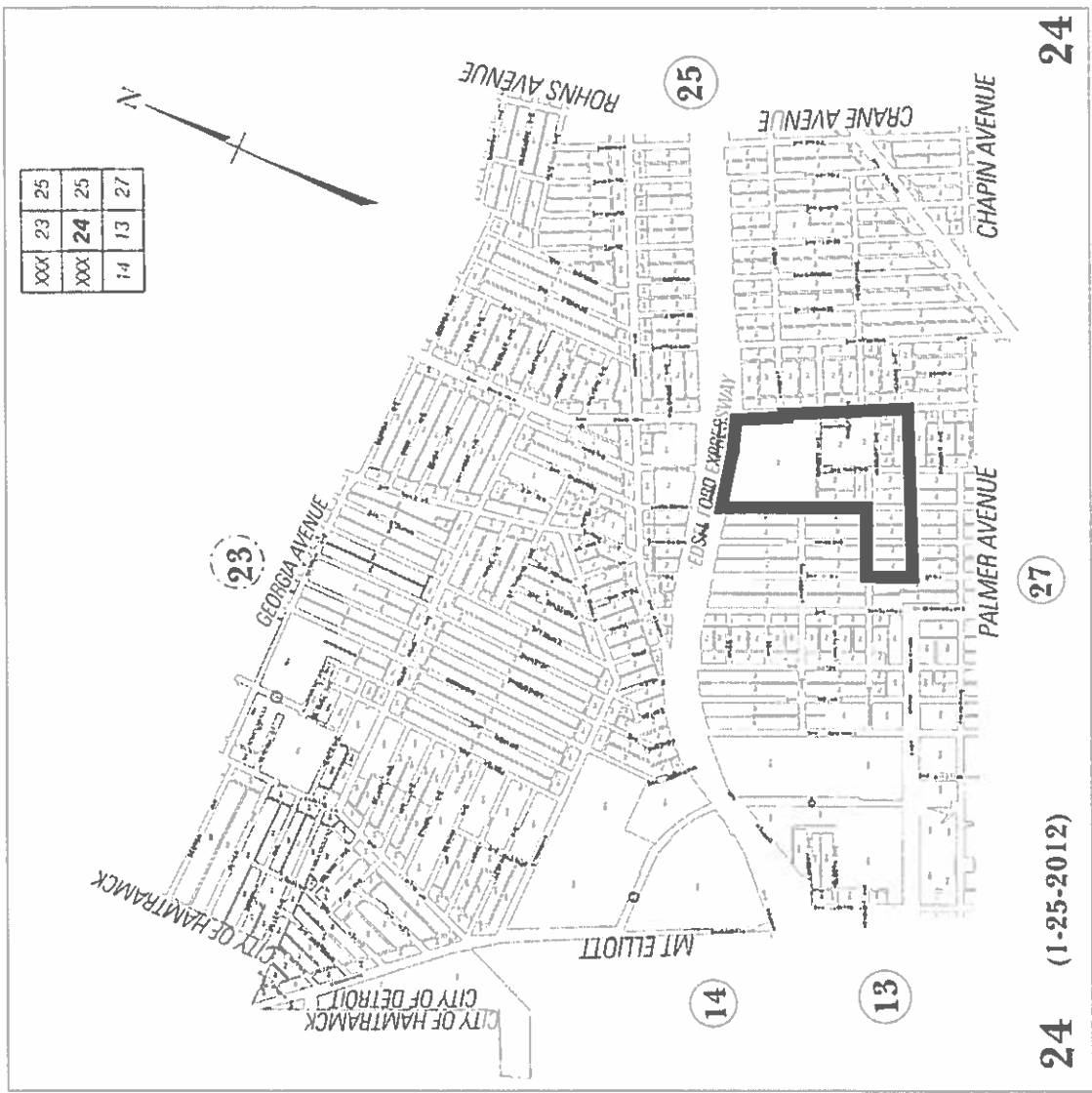
Respectfully submitted,

ALTON JAMES,  
CHAIRPERSON



Marcell R. Todd, Jr, Director  
George A. Etheridge, Staff

Attachments:  
Zoning Map No. 24  
Ordinance



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24 (1-25-2012)

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## SUMMARY

An ordinance to amend Chapter 61 of the 1984 Detroit City Code, '*Zoning*,' commonly known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No. 24, by showing an M3 (General Industrial District) zoning classification where an R2 (Two-family Residential District) zoning classification currently exists on three-hundred and twelve (312) parcels commonly identified as the former Kettering High School located at 6101 Van Dyke Avenue and the former Rose Elementary School located at 5800 Field Avenue, generally bounded by the I-94 Edsel Ford Expressway and Medbury Avenue to the north, Van Dyke Avenue to the east, Hendrie Avenue to the south and Townsend Avenue to the west.

1 **BY COUNCIL MEMBER \_\_\_\_\_:**

2 **AN ORDINANCE** to amend Chapter 61 of the 1984 Detroit City Code, ‘Zoning,’  
3 commonly known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No.  
4 24, by showing an M3 (General Industrial District) zoning classification where an R2 (Two-family  
5 Residential District) zoning classification currently exists on three-hundred and twelve (312)  
6 parcels commonly identified as the former Kettering High School located at 6101 Van Dyke  
7 Avenue and the former Rose Elementary School located at 5800 Field Avenue, generally bounded  
8 by the I-94 Edsel Ford Expressway and Medbury Avenue to the north, Van Dyke Avenue to the  
9 east, Hendrie Avenue to the south and Townsend Avenue to the west.

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

11 **Section 1.** Article XVII, Chapter 61 of the 1984 Detroit City Code, ‘Zoning,’ commonly  
12 known as the Detroit Zoning Ordinance, is amended as follows:

13 District Map No. 24 to show an M3 (General Industrial District) zoning  
14 classification where an R2 (Two-family Residential District) zoning classification  
15 currently exists on three-hundred and twelve (312) parcels commonly identified as the  
16 former Kettering High School located at 6101 Van Dyke Avenue and the former Rose  
17 Elementary School located at 5800 Field Avenue, generally bounded by the I-94 Edsel  
18 Ford Expressway and Medbury Avenue to the north, Van Dyke Avenue to the east,  
19 Hendrie Avenue to the south and Townsend Avenue to the west, identified more  
20 specifically as:

21 Land situated in the City of Detroit, County of Wayne, State of Michigan, as follows:

22 PARCELS 1, 2, 3, 4, 5 AND 6 ALSO DESCRIBED BY SURVEY AS FOLLOWS:

23 Part of POTTER’S SUBDIVISION of the East part of P.C. 390, North of Gratiot Ave ..  
24 according to the Plat thereof as recorded in Liber 13 of Plats, page 92, and Part of GEO.

25 H. MARTZ’S SUBDIVISION OF THE WEST PART OF P.C. 390, according to the plat  
26 thereof as recorded in Liber 14 of Plats, page 5, and part of WILLIAMS TAIT’S

27 SUBDIVISION OF PART OF CHURCH FARM (P.C. 16) NORTH OF GRATIOT

28 AVE., according to the plat thereof as recorded in Liber 16 of Plats, page 87 in the City

1 of Detroit, Wayne County, Michigan and being described by metes and bounds as  
2 follows: Beginning at the Southeast Corner of Lot 115 of said POTTER'S  
3 SUBDIVISION; thence South 62 degrees 50 minutes 00 seconds West 540.64 Feet along  
4 the Northerly right-of-way line of Hendrie Boulevard (80.00 feet wide); thence South 26  
5 degrees 56 minutes 05 seconds East 17.16 feet along the Westerly right-of-way line of  
6 Baldwin Avenue (60.00 feet wide); thence South 62 degrees 50 minutes 18 seconds West  
7 273.83 feet along the Northerly right-of-way line of Hendrie Avenue (60.00 feet wide) to  
8 a point hereinafter referred to as reference point "A"; thence North 27 degrees 15 minutes  
9 02 seconds West 1586.59 feet along the Easterly right-of-way line of Townsend Avenue  
10 (60.00 feet wide); thence along the Southerly right-of-way line of I-94 the following nine  
11 (9) courses: (1) North 76 degrees 49 minutes 02 seconds East 136.29 feet; (2) North 84  
12 degrees 08 minutes 38 seconds East 19.31 feet; (3) North 76 degrees 01 minute 23  
13 seconds East 135.63 feet; (4) North 75 degrees 51 minutes 47 seconds East 61.53 feet; (5)  
14 North 69 degrees 55 minutes 52 seconds East 100.71 feet; (6) North 69 degrees 26  
15 minutes 10 seconds East 14.09 feet; (7) North 68 degrees 22 minutes 19 seconds East  
16 194.36 feet; (8) North 62 degrees 20 minutes 18 seconds East 16.01 feet; (9) North 69  
17 degrees 05 minutes 11 seconds East 56.52 feet; thence along the Westerly right-of-way  
18 line of Van Dyke Avenue the following three (3) courses: (1) South 29 degrees 11  
19 minutes 01 second East 166.49 feet; (2) South 62 degrees 26 minutes 18 seconds West  
20 9.90 feet; (3) South 29 degrees 11 minutes 01 second East 216.03 feet; (4) South 62  
21 degrees 31 minutes 36 seconds West 61.06 feet; (5) South 29 degrees 11 minutes 01  
22 second East 50.01 feet; (6) North 62 degrees 31 minutes 26 seconds East 115.09 feet; (7)  
23 South 29 degrees 11 minutes 01 second East 1014.44 feet to the Point of Beginning.  
24 ALSO: Commencing at reference point "A"; thence South 62 degrees 50 minutes 18  
25 seconds West 60.00 feet along the Northerly right-of-way of said Hendrie Avenue to the  
26 Point of Beginning; thence continuing South 62 degrees 50 minutes 18 seconds West  
27 549.63 feet; thence North 27 degrees 11 minutes 09 seconds West 313.98 feet along the  
28 Easterly right-of-way line of Field Avenue (66.00 feet wide); thence North 62 degrees 51  
29 minutes 12 seconds East 549.28 feet along the Southerly right-of-way line of Medbury  
30 Avenue (60.00 feet wide); thence South 27 degrees 15 minutes 02 seconds East 313.82  
31 feet along the Westerly right-of-way line of Townsend Avenue (60.00 feet wide) to the

1 Point of Beginning, including in the above descriptions all the vacated alleys adjacent  
2 thereto and vacated Ladue Avenue, Lambert Avenue, Conger Avenue, Medbury, Baldwin  
3 Avenue, Phelps Avenue, Piquette Avenue and Sheridan Avenue.

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

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

7 **Section 4.** This ordinance shall become effective on the eighth (8<sup>th</sup>) day after publication  
8 in accordance with Section 401(6) of Public Act 110 of 2006, as amended, Michigan Compiled  
9 Laws Section 125.3401(6) and Section 4-118, paragraph 3, of the 2012 Detroit City Charter.

Approved as to Form:



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Lawrence T. García,  
Corporation Counsel