

Alton James
Chairperson
Lauren Hood, MCD
Vice Chair/Secretary

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
Damion Ellis
David Esparza, AIA, LEED
Gregory Pawlowski
Frederick E. Russell, Jr.
Angy Webb
Henry Williams

February 13, 2020

HONORABLE CITY COUNCIL

RE: Request from Morton Manor Limited Dividend Housing Corporation, LLC to rezone 20000 Dequindre from an R2 (Two-Family Residential) to an R3 (Low Density Residential) zoning classification to bring the existing use into compliance with the Zoning Ordinance (RECOMMEND APPROVAL)

Morton Manor Limited Dividend Housing Corporation (LDHC), LLC is requesting to rezone 20000 Dequindre Avenue, which is generally located on the east side of Dequindre Avenue north of East Outer Drive, from an R2 to an R3 zoning classification on Zoning Map No. 18. The change in zoning is being requested in order to bring the existing use into compliance with the Zoning Ordinance. Please see the attached rezoning application (Attachment A) and public hearing notice (Attachment B) which includes a map of the subject location.

Background and Proposal

The subject property, 20000 Dequindre Avenue, is presently developed with Morton Manor Apartments, an eight-story 150-unit elderly apartment building built in 1983. The site includes parking on the north and south sides of the building with a total of 80 spaces. The building was originally constructed with a HUD 202 loan and currently supported by Section 8. The R2 zoning district allows multiple-family dwellings as a conditional use with not more than eight dwelling units. In 1981, the Board of Zoning Appeals (BZA) granted a use variance to allow the subject 150-unit building to be constructed on the R2 land.

Morton Manor LDHC, LLC is proposing to purchase and renovate the building utilizing low income housing tax credits and Michigan State Housing Development Authority (MSHDA) gap financing. In order to qualify for the financing, MSHDA is requiring that the current use comply with zoning.

The developer is proposing to keep the building with 150 affordable units for the elderly and planning \$8 million in renovations, including:

- repair and replace damaged brick
- new energy star windows
- upgrades to the parking lot, landscaping, and lighting
- new energy efficient HVAC, electrical and plumbing systems and fixtures
- renovations to existing units, including renovated kitchen and bath, new flooring, new cabinets, security systems, and energy star appliances

Morton Manor LDHC, LLC is comprised of representatives of Communities of Hope, Inc., Christina Love, LLC and Metropolitan Baptist church Non-Profit Housing Corporation, the original entity involved in building the apartment building in 1983. The developer is keeping Premier Property Management, which assumed management of the site in 2017, to market, lease, and manage the building.

Public Hearing Results and Follow-up

On December 5, 2019, the City Planning Commission held a public hearing on the rezoning request. At the hearing, no one from the public spoke. During the hearing, the City Planning Commission asked for details as to how the renovations would be conducted. The representative of Premier Property Management indicated the development team had extensive experience with renovating occupied buildings including senior buildings. Premier indicated the building was currently nearly fully leased. As a result, tenants would be relocated for 2-3 weeks on-site if possible or off-site with relatives or nearby hotels. The Commission also asked for additional assurances from the developer that the building would remain affordable into the future.

In response, the petitioner submitted a sample plan for resident relocation during the renovation (Attachment C), as well as a memorandum dated January 29, 2020 committing to keeping the property affordable for another 40 years (Attachment D).

Analysis

Surrounding Zoning and Land Use

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

North: R2: developed with residential housing
East: R1 (Single-Family Residential): developed with residential housing
South: B2 (Local Business and Residential): developed with a gas station
West: R2: developed with residential housing and a church

Zoning Ordinance Criteria

Section 50-3-80 of the Detroit Zoning Ordinance lists eight approval criteria on which zoning map amendments must be based. The CPC finds that the present request meets the criteria for the following reasons:

- 1. Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend or fact:*

The proposed amendment does not correct an error. As noted earlier in this report, in 1981 the BZA granted a use variance to allow the subject 150-unit building to be constructed on the R2 land. The developer indicates in order to qualify for the financing, MSHDA is requiring that the current use comply with zoning, which does meet the challenge of a changing condition.

- 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 Nolan area of Neighborhood Cluster 1 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows Low Density Residential for the subject block. CPC staff submitted a letter to the Planning and

Development Department (P&DD) requesting its comments regarding the consistency of this proposal with the City's Master Plan. P&DD responded: "Such developments do not change the overall character of the area, and hence we find that the proposed rezoning does not change the Future General Land Use characteristics of the area and thus conforms to the policies of the City's Master Plan."

3. *Whether the proposed amendment will protect the health, safety, and general welfare of the public:*

The proposed amendment could help protect the health, safety, and general welfare of the public by allowing the 150-unit building to remain as affordable housing for seniors.

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:*

Not applicable.

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 will have significant adverse impacts on 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. The site is expected to continue to be developed with the 8-story senior apartment building originally constructed in 1983. The CPC thinks the building being located on Dequindre, which is a busier road, and adjacent to commercial activity on East Outer Drive, helps makes the higher density 8-story building more compatible with the surrounding residential area.

7. *The suitability of the subject property for the existing zoning classification and proposed zoning classification: and*

The subject property is not suitable for the existing zoning classification, because multiple-family dwellings greater than eight-units are not allowed in R2.

8. *Whether the proposed rezoning will create an illegal "spot zone."*

The proposed rezoning will not create an illegal spot zone, because the proposed R3 zoning will be applied to the entire block and fits into the context with R2 zoning to the north and west and R1 zoning to the east.

Recommendation

The City Planning Commission recommends **APPROVAL** of the request of the Morton Manor Limited Dividend Housing Corp., LLC to amend Article XVII, District Map No. 18 of the 2019 Detroit City Code, Chapter 50, Zoning, by showing a R3 zoning classification where a R2 zoning

classification currently exists on property at 20000 Dequindre Avenue. The ordinance approved as to form, is attached for Your consideration.

Respectfully submitted,

Alton James, CHAIRPERSON

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

Marcell R. Todd, Jr., Director
Christopher J. Gulock, AICP, Staff

Attachments

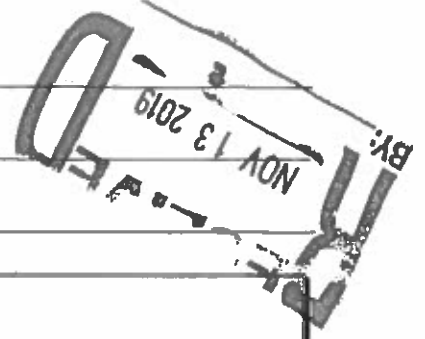
cc: Katy Trudeau, P&DD
Karen Gage, P&DD
Greg Moots, P&DD

City Planning Commission
208 Coleman A. Young Municipal Center
Detroit, Michigan 48226
(313) 224-6225 (phone)
(313) 224-4336 (fax)

CPC File #: _____

Date of Filing: _____

RE: _____



APPLICATION FOR A ZONING CHANGE

The City Council of the City of Detroit requires a report and recommendation from the City Planning Commission on all rezoning proposals before it takes final action. Please provide the following information regarding the proposal, so that the Commission may proceed in its review and processing of this request.

Section 61-3-3 of the Detroit Zoning Ordinance states that application for rezoning may be initiated by petition from:

1. all owners of the property that is the subject of the application;
2. the owners' authorized agents;
3. any review or decision-making body; or
4. other persons with a legal interest in the subject property, such as a purchaser under contract.

Petitions of the City Council are to be made through the City Clerk via separate written request prepared by the applicant or the completion of form available from the City Planning Commission.

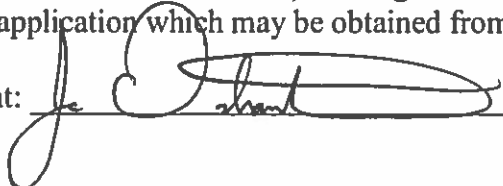
The applicant will be notified at least seven (7) days prior to the meeting at which the proposal will appear on the Commission's agenda.

The applicant (or a representative of the applicant) is expected to be in attendance at the required public hearings to present the proposal and to answer any questions regarding the matter.

The City Planning Commission may request all necessary information pertaining to proposed ordinances for the regulation of development in carrying out its duties as set forth in Section 4-402 and 6-204 of the City Charter.

Failure to answer all pertinent questions and to supply all of the requested information will delay processing of this proposal.

NOTE: Applicants proposing a rezoning or modification to the PD (Planned Development), PC (Public Center), PCA (Restricted Central Business District) and the SD5 (Special Development District, Casinos) zoning district classifications must complete a different application which may be obtained from our office.

Signature of Applicant:  _____

Date: 11/12/19

ZONING FEE:

Effective January 11, 1995, the applicant will be charged a fee for the processing of a rezoning application. The fee schedule is as follows:

Size of Property	Fee
One acre or less	\$350.00
Over one acre	\$350.00 for the first acre plus \$25.00 for each additional acre to a maximum of \$1,000.00

Payment of the fee must be in the form of a check or money order payable to the "City of Detroit – Treasurer" When the City Planning Commission has accepted payment, the applicant should formally submit the petition to the office of the City Clerk.

ZONING CHANGE PROCEDURES:

A change in the zoning classification on property located within the City of Detroit requires action by the City Planning Commission (after the holding of a State-required public hearing) and approval by the City Council (after the holding of a Charter-required public hearing).

A change in zoning usually takes from three to four months to accomplish (from the date of submittal of the application to the effective date of the zoning change).

At each of the required public hearings, all owners of property, residents, businesses and known community organizations within 300 feet of the property in question are notified of the proposal and of the time, date and place of the hearing. The applicant will be responsible for posting public notice of the public hearing on the property in question in a manner acceptable to the Planning Commission. The persons so notified are invited to attend the hearing, hear presentations on what is being proposed, and express their opinions on the proposal if they so desire.

It is mandatory that the applicant, or the applicant's officially designated representative, attend both of the public hearings and justify to the satisfaction of the members of the City Planning Commission and the members of the City Council that the current zoning classification is inappropriate, and that the proposed change and resultant development can take place and be accomplished without adversely affecting the surrounding properties.

1. Name of Applicant: Morton Manor Limited Dividend Housing Association, LLC
Address of Applicant: 20000 Dequindre St.
City, State & Zip Code: Detroit, MI 48234
Telephone Number: (810) 629 -9500

2. Name of Property Owner: Same
(If same as above, write "SAME")
Signature of Property Owner
(If different than Applicant) _____
Address of Property Owner: _____
City, State & Zip Code: _____
Telephone Number: () _____

3. Present Zoning of Subject Parcel: R2

4. Proposed Zoning of Subject Parcel: R3

5. Address of Subject Parcel: 2000 Dequindre St, Detroit, MI 48234
between 8 Mile and Outer Drive
(Street) (Street)

6. General Location of Subject Property: _____
Cluster 1 – Nolan neighborhood / City Council District 3

7. Legal Description of Subject Parcel: *(May be attached)*
See Exhibit A attached

8. Size of Subject Parcel (Dimensions): 120 ft by 650 ft
(Acreage): 1.79

9. Description of anticipated development:
8 story 150 unit elderly only apartment community

10. Reason why the present zoning classification is not appropriate and why the proposed zoning classification is more appropriate:
Present zoning is R2 (two family residential). The permit was issued in 1981 and is
satisfactory for its current use but not necessarily for its reconstruction. We are
requesting the property be rezoned in accordance with its current construction in order
to mitigate any rebuild issues in the event of a catastrophic loss.

11. Zoning of Adjacent Properties:
To the North - R2
To the South - B2
To the East - R1
To the West - R2

12. Development of Adjacent Properties:
To the North - House
To the South - Gas station
To the East - House
To the West - House

13. Community Organizations and/or Block Clubs contacted by applicant:

Group Name/Address	Contact Person/Phone Number
Greater Rose-Sharon Baptist Church	Pastor Rev Murray Roberts 313-366-7611
L&L Adult Day Care	313-366-1100
Communities of Hope	Rick Fulgenzi 248-505-4887

14. Adjacent Property Owners, Businesses or Residents contacted by Applicant:

Name	Indicate: Owner Business Resident	Address	Address of Adjacent Property	Phone

Exhibit A
Legal Description

Land located in the City of Detroit, County of Wayne, State of Michigan, and is described as follows:

Lots 99 through 131, inclusive, JOHN B. SOSNOWSKI CONANT AVENUE SUBDIVISION, as recorded in Liber 43, Page 65 of Plats, Wayne County Records.

Alton James
Chairperson
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CITY PLANNING COMMISSION
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Frederick E. Russell, Jr.
Angy Webb

NOTICE OF PUBLIC HEARING

A public hearing will be held by the Detroit City Planning Commission in the Committee of the Whole Room, 13th Floor, Coleman A. Young Municipal Center, 2 Woodward Avenue, Detroit, Michigan 48226, on

THURSDAY, DECEMBER 5, 2019 AT 6:15 PM

to consider the request of Morton Manor Limited Dividend Housing Association, LLC to amend Article XVII, District Map No. 18 of the 2019 Detroit City Code, Chapter 50, Zoning, by showing a R3 (Low Density Residential District) zoning classification where a R2 (Two-Family Residential District) zoning classification currently exists on property at 20000 Dequindre Avenue, generally located on the east side of Dequindre Avenue north of East Outer Drive. The location of the proposed rezoning is indicated as the highlighted area on the accompanying map.

The proposed map amendment is being requested to allow the zoning to reflect the current use of property which is developed with an eight-story 150-unit apartment building.

The pertinent zoning district classifications are described as follows:

R2 Two-Family Residential District

The 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. Additional uses are conditional.

R3 Low Density Residential District

This district is designed as a low-density multi-family district. The regulations are designed to promote and encourage town and terrace house development, courts, and garden apartments. It is intended that this district be used primarily on local thoroughfares thereby encouraging a suitable environment for family life. Among others, uses permitted by right include single and two-family dwellings, town houses, multi-family dwellings, and community facilities necessary to serve a residential district.

A Zoning Ordinance map amendment requires approval of the City Council after a public hearing and after receipt of a report and recommendation by the City Planning Commission. This Zoning Ordinance map amendment request is being considered consistent with the provisions of Article III, Division 3 of Chapter 50 of the 2019 Detroit City Code, the Detroit Zoning Ordinance.

You may present your views on this proposal by attending this hearing, by authorizing others to represent you, or by writing to this office prior to the hearing; 2 Woodward Avenue, Room 208, Detroit, Michigan 48226 (FAX: 313-224-4336). Because it is possible that some who are affected by this proposal may not have been notified, it is suggested that you kindly inform your neighbors so that they too may express their positions if they so desire.

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including 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.

For further information on this proposal or the public hearing, please call (313) 224-6225.



Proposed Rezoning from R2 to R3

Morton Manor Apartments
Resident Transition and Relocation Plan
December 2019

- 1) Plan to notify and regularly communicate to residents during rehab.
 - a. Prior to Initial temporary relocation, resident communication will occur by:
 - i. Posting in common areas.
 - ii. Posting on occupied residence doors.
 - iii. The residents will be notified 30 days in advance of their unit being placed in the schedule. Follow-up reminders will be sent as the date approaches.
 - iv. We will conduct resident meetings to explain the process in detail and answer any questions residents may have. The residents will be informed of the preparations they need to undertake in order to successfully renovate their unit. These consist of not leaving valuables in their units, packing up their items in the cabinets if the unit is slated for cabinet replacement etc. We will provide boxes and packing material for the residents use. The resident will be visited the day before the unit is due to begin renovation to ensure that the unit is prepped for renovation and to assist in whatever way we can.
 - b. At least 7 days prior to the completion of the renovations to the resident unit, the resident will be notified of the scheduled return date to their original unit or to a more appropriate unit based on household composition and needs.
 - i. The resident will be visited the day before the unit is ready for re-occupancy to ensure that the resident is prepared to return and the resident will be reminded of the return process.
- 2) Identification of appropriate means of notification and directions for residents should emergency or fire systems be rendered inoperable.
 - a. Prior to any event of emergency or fire systems being rendered inoperable, residents will be notified by posting in common areas and each affected unit.
- 3) Process for reimbursement to the development for use of utilities (gas, electric, and water) water during rehab.
 - a. Construction utilities will be billed and paid directly through the construction funds.
 - b. Common area utility increases attributable to rehab activities (if any) will be reimbursed to the development as approved by the ownership.
- 4) Identification of appropriate Management Agent and Contractor contact persons in case of emergency.

Morton Manor Apartments
Resident Transition and Relocation Plan
December 2019

- a. Management Agent
Robert Beale
Premier Property Management, LLC.
120 N. Leroy
Fenton, MI. 48836
(810) 629-9500

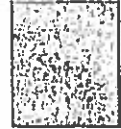
 - b. Construction Company
Howard Katzman
Slavik Building and Development
32500 Telegraph Road
Suite #222
Bingham Farms, MI 48025
(248) 203-0011
- 5) Process of identifying and accounting for specific residents who may have special needs during rehab.
- a. Special needs residents will be identified by name and unit number. The list of Special needs residents will be kept by the onsite management and be made available to emergency personnel and site staff in case of an emergency.
 - b. If any resident requires some type of special accommodation, we will see to it that their needs are met.
- 6) Identify designated parking areas to be used by the Contractor during rehab. Such areas should include space for materials, office, trailers, construction equipment, and worker parking. Sufficient resident parking near building(s) must remain available and properly identified.
- a. Construction parking areas will be outlined using signage/cones where required to ensure adequate parking for residents.
 - b. The contactors will be parking in specially designated spaces – see site plan attached. We currently have an abundance of additional parking and do not foresee any reason for conflict with existing residents' parking spaces.
- 7) Plan noting specific times when construction workers will use elevators for transporting materials and waste during rehab. If an elevator is to be made inoperable due to repair or replacement, sufficient notification and accommodations must be made for all residents.
- a. One elevator will remain available for residents use at all times.

Morton Manor Apartments
Resident Transition and Relocation Plan
December 2019

- b. In the event the elevator is removed from service due to repair or replacement, Residents will be notified by posting in common areas and at each occupied residence door.
 - c. The entire second floor of each building will be vacated of all residents during the rehab of that floor's units. The first floor residents do not require the use of an elevator. There should not be any interference in the use of the elevators for residents during rehab.
- 8) Plan for temporary relocation of residents if they are displaced from their units during rehab. Related costs will be the responsibility of the contractor.
- a. It is anticipated that many of the residents will be temporarily relocated to vacant, made-ready apartments within the existing development. In addition, some residents will be offered temporary accommodations at local hotels or nearby apartments during the renovation of the resident's existing unit.
 - b. Residents will have their belongings transferred to the temporary unit during the renovations and then transferred back to their original apartment (or a more appropriate apartment) once renovations are complete.
 - c. Residents will be offered incentives to temporarily live with relatives or friends during the renovations should they choose not to be transferred to an apartment on site.
 - d. The renovation plan will require the complete vacancy of at least one floor in a building at a time (maximum 28 units and an average of 22 units). This will limit any interactions between residents and construction activity.
- 9) Plan for providing packing materials and appropriate staff (if necessary) to pack and relocate household goods for residents being relocated due to rehab.
- a. The rehab process is not expected to permanently displace residents. However, residents will be asked to pack up their household goods to facilitate the necessary rehab inside their unit. Packing materials and personnel will be made available to residents to facilitate the move from one unit to another suitable unit.
 - b. Resident belongings that are packed up can be transferred to their temporary relocation destination as described above, however, storage pods will be located on site for residents use in temporarily storing items they do not wish transferred.
 - c. The storage pods will be provided with locks and security tabs provided to ensure resident belongings are secure.
 - d. Professional movers will be utilized to move residents packed belongings and furniture as needed.

MORTON MANOR APARTMENTS

20000 DEQUINDRE ST, DETROIT, MI 48234



January 29, 2020

Detroit City Council
2 Woodward Ave, Suite 1340
Detroit, MI 48226

Re: Morton Manor Rezoning Request – Affordability Commitment

Dear Council Members:

Thank you for considering our proposal to rezone Morton Manor in accordance with its current construction. As communicated during our attendance at City Planning Commission meetings, the rehabilitation efforts related to this property are intended to allow us to provide many more years of service to our affordable residents.

In conjunction with HUD and MSHDA, we will be closing on new financing that will allow this project to proceed. At the time of closing, the project will enter into a restrictive covenant agreement that will require this property to remain affordable for another 40 years.

Please accept this letter from Morton Manor Apartments and the development team as our commitment to ensuring that this project remains an affordable property.

Should you require any additional information, please do not hesitate to contact me.

Sincerely,

Jason Ostrander

Chief Financial Officer

SUMMARY

An ordinance to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, Article XVII, *Zoning District Maps*, by amending Section 50-17-20, *District Map No. 18*, to show an R3 (Low Density Residential) zoning classification where an R2 (Two-Family Residential District) zoning classification is currently shown at 20000 Dequindre Avenue, generally located on the east side of Dequindre Avenue between East Outer Drive and Remington Avenue.

BY COUNCIL MEMBER _____:

1 AN ORDINANCE to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, Article
2 XVII, *Zoning District Maps*, by amending Section 50-17-20, *District Map No. 18*, to show an R3
3 (Low Density Residential) zoning classification where an R2 (Two-Family Residential District)
4 zoning classification is currently shown at 20000 Dequindre Avenue, generally located on the
5 east side of Dequindre Avenue between East Outer Drive and Remington 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*, Section 50-17-20, *District*
8 *Map No. 18*, is amended as follows:

9 District Map No. 18 is amended to show an R3 (Low Density Residential) zoning
10 classification where an R2 (Two-Family Residential District) zoning classification is currently
11 shown at 20000 Dequindre Avenue, generally located on the east side of Dequindre Avenue
12 between East Outer Drive and Remington Avenue, identified more specifically as:

13 Land located in the City of Detroit, County of Wayne, State of Michigan, and described
14 as follows: Lots 99 through 131, inclusive, JOHN B SOSNOWSKI CONANT AVENUE
15 SUBDIVISION, as recorded in Liber 48, Page 65 of Plats, Wayne County Records 9/200.

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

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

20

21


22

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

4

5 Approved as to Form:

6

7 
8 Lawrence T. Garcia
9 Corporation Counsel