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City of Detroit

CITY PLANNING COMMISSION
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February 6, 2020

HONORABLE CITY COUNCIL

RE: Request from Parkstone Development Partners, on behalf of Better Made Snack Foods, Inc., (Petition No. 729) to rezone 6570, 6576, 6582, 6598, 6600, 6602, and 6608 Harding Avenue from a R2 (Two-Family Residential District) zoning classification to a M2 (Restricted Industrial District) zoning classification to develop an expanded employee parking lot (RECOMMEND APPROVAL)

Parkstone Development Partners, on behalf of Better Made Snack Foods, Inc., is requesting to rezone 6570, 6576, 6582, 6598, 6600, 6602, and 6608 Harding Avenue to a M2 zoning classification where a R2 zoning classification currently exists on Zoning Map No. 25. The change in zoning is being requested in order to allow for Better Made Snack Foods, Inc. to expand its employee parking area. Please see the attached public hearing notice which includes the location of the subject rezoning and surrounding zoning.

Background and Proposal

Since 1955, Better Made Snack Foods, Inc. has been located at 10148 Gratiot Avenue on the east side of Gratiot Avenue north of Harper Avenue. The Better Made facility is presently zoned M2.

South of the Better Made factory is a small residential neighborhood zoned R2. The CPC estimates that in the past, this residential area had about 125 houses. Over the years, many of these houses have been demolished, leaving about 35 houses remaining. Harding Avenue is a north/south street running from I-94 on the south, past Harper Avenue, and to a dead-end at the Better Made property. The east side of Harding Avenue once had about 13 houses. The block is presently vacant except for one house (6350 Harding Avenue) at the south end of the block.

Better Made has purchased seven of the lots on the east side of Harding Avenue and is requesting to expand part of its parking lot onto the seven lots adjacent to its facility. In the past year, Better Made secured a temporary permit and developed a fenced-in gravel parking lot. Better Made indicates it will access the subject site from within its existing facility, with no access from Harding Avenue. Please see the attached site plans of the proposed rezoning.

Community Input and Public Hearing Results

On November 7, 2019, the City Planning Commission held a public hearing on the rezoning request. One person representing Better Made employees spoke in support. CPC staff noted it received a letter of opposition from the homeowner of 6530 Harding Street. Four letters of

support were received from the Detroit Economic Growth Corp. (DEGC), State Representative Joe Tate, State Senator Adam Hollier, and Wayne County Commissioner Jewel Ware.

The petitioner provided a community engagement summary indicating it met with the homeowner at 6530 Harding Street to discuss their concerns. Parkstone indicated, prior to the hearing, it knocked on 20 doors and spoke with nine residents about the proposal. Parkstone hosted a community meeting on August 20, 2019 and indicates the main concerns and feedback included:

- Air quality/pollution from PVS Chemicals – the petitioner contacted the State of Michigan which asked residents to report exact times when air quality issues occur;
- Storm water management/drainage – Better Made indicated the new lot would tap into the sewers on French Road not Harding Avenue;
- The possible future expansion of Better Made – Better Made continues to explore adjacent areas to expand its operation;
- There were no objections to the proposed barbed wire on the fence.

During the hearing, the City Planning Commission discussed the following issues:

- The Commission said it would prefer letters of support from the community itself, not just elected officials. Better Made indicated it went door to door and held community meetings instead of seeking letters.
- The Commission asked if other zoning districts were considered. CPC staff indicated M2 matches the M2 zoning to the east on French Road; other zoning districts would require larger setbacks, whereby eliminating more parking spaces.
- The Commission discussed how Better Made currently operates its business, including truck traffic, and why the additional parking is needed. Better Made indicated its trucks, mostly box trucks, will access its facility from French Road. In last 8 years, Better Made has added a 2nd and 3rd shift.
- The Commission discussed screening and what type of landscaping would be planted around the site. Better Made indicated, because of utility wires, it would explore planting smaller mature trees along Harding Avenue. Better Made indicated it would be willing to look at buffers for the south end of the site.

Analysis

Surrounding Zoning and Land Use

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

North: M2: developed with the Better Made Snack Foods facility
East: M2: (the west side of French Road): developed with Better Made property
South: R2: vacant land
West: R2: housing and vacant land

South of the subject rezoning, there are five vacant lots owned by DS Development which operates Denn Co Construction located on Harper at French Road. South of the five lots owned by DS Development are three lots developed with a single-family house at 6530 Harding Avenue.

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. However, the proposed map amendment meets the challenge of a changing condition or trend. As noted earlier in this report, the adjacent neighborhood/subject block was previously developed with single-family houses. Over the years, many of the single-family houses have been demolished and the land has remained vacant.

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 Airport area of Neighborhood Cluster 1 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows Low/Medium Density Residential (RLM) for the subject block. The Master Plan also shows RLM for the remainder of the neighborhood to the west and the block to the east (facing French Road). The Better Made facility to the north is designated Light Industrial. The Planning & Development Department (P&DD) submitted a letter indicating the proposed development does not change the Future General Land Use characteristics of the area and 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 will protect the health, safety, and general welfare of the public by rezoning the subject vacant area to allow an existing business to provide additional employee parking.

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. Land directly to the south and west is presently vacant. Land to the north and east are already developed with Better Made operations.

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

The subject properties are not suitable for the existing zoning classification, because over the years the vast majority of residential houses have been demolished and not replaced.

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

The proposed rezoning will not create an illegal spot zone, because the proposed industrial zoning will be adjacent to existing industrial zones to the north and east.

Recommendation

The City Planning Commission recommends **APPROVAL** of the request of Parkstone Development Partners, on behalf of Better Made Snack Foods, Inc. to amend Article XVII, District Map No. 25 of the 2019 Detroit City Code, Chapter 50, Zoning, by showing a M2 zoning classification where a R2 zoning classification currently exists at 6570, 6576, 6582, 6598, 6600, 6602, and 6608 Harding Avenue. The ordinance approved as to form, is attached for Your consideration.

Respectfully submitted,

Alton James, CHAIRPERSON



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

Attachments: public hearing notice, application for zoning change, and ordinance

cc: Arthur Jemison, Administration
Lawrence Garcia, Law
Kim James, Law
Dave Bell, BSEED
Katy Trudeau P&DD
Karen Gage, P&DD
Greg Moots, P&DD

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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, NOVEMBER 7, 2019 AT 6:15 PM

to consider the request of Parkstone Development Partners on behalf of Better Made Snack Foods, Inc. to amend Article XVII, District Map No. 25 of the 2019 Detroit City Code, Chapter 50, Zoning, by showing a M2 (Restricted Industrial District) zoning classification where a R2 (Two-Family Residential District) zoning classification currently exists on property at 6570, 6576, 6582, 6598, 6600, 6602, and 6608 Harding Avenue, generally located on the east side of Harding Avenue near Sterritt Avenue. The location of the proposed rezoning is indicated as the highlighted area on the accompanying map.

The proposed map amendment is being requested to develop the presently vacant green space into an employee parking lot.

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.

M2 Restricted Industrial District

This district is designed for a wide range of industrial and related uses which can function with a minimum of undesirable effects. Industrial establishments of this type provide a buffer between residential districts and intensive industrial districts. New residential construction is excluded from 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 both to protect residences from an undesirable environment and to ensure reservation of adequate areas for industrial development.

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.

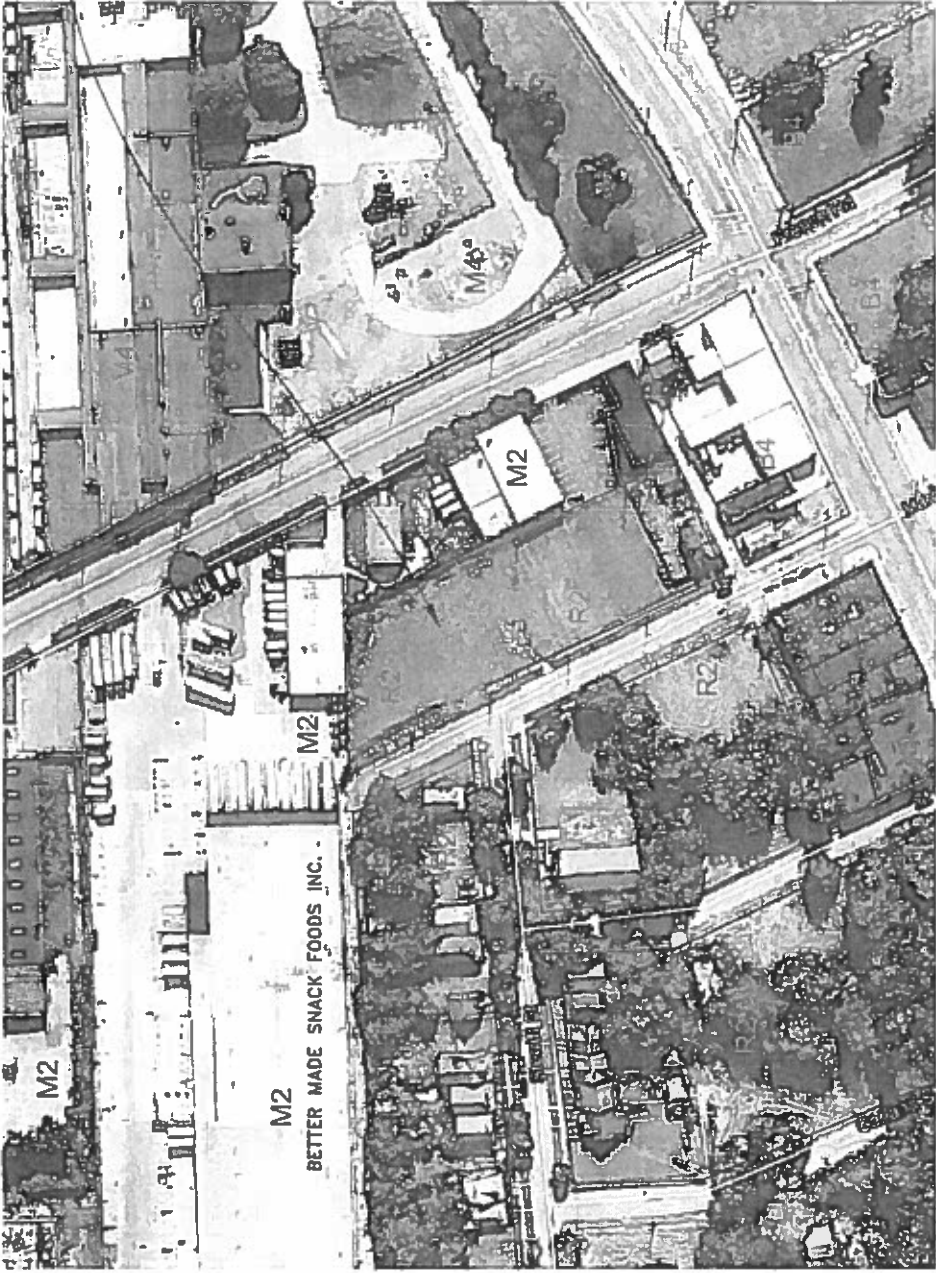
With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including language translation and reasonable ADA accommodations. Please contact the Civil Rights, Inclusion and Opportunity Department at (313) 224-4950, through the TTY number 711, or email crio@detroitmi.gov to schedule these services.

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

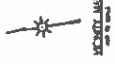


Proposed Rezoning from R2 to M2

JOB NO. 07-2019	SHEET NO. C-1	HANNA ENGINEERING AND CONSULTING Planners, Architect and Engineers 31708 Clark Livonia, Michigan 48152 Tel: (313) 575-0220 jsaad@mlrr.com	APPLICANT: BETTER MADE SNACK FOODS INC	DATE: 01-17-2019	SCALE:
			ISSUED FOR: REZONING MAP	DATE: 01-17-2019	SCALE:
SHEET TITLE: REZONING OF VACANT LOTS FROM R2 TO M2			DATE: 01-17-2019	SCALE:	



SITE



ZONING MAP

SUMMARY

An ordinance to amend Chapter 50 of the 2019 Detroit City Code, '*Zoning*,' by amending Article XVII, District Map No. 25 to show a M2 (Restricted Industrial District) zoning classification where a R2 (Two-Family Residential District) zoning classification is currently shown at 6570, 6576, 6582, 6598, 6600, 6602 and 6608 Harding Avenue, generally located on the east side of Harding Avenue north of Harper Avenue.

1 **BY COUNCIL MEMBER _____ :**

2 **AN ORDINANCE** to amend Chapter 50 of the 2019 Detroit City Code, ‘Zoning,’ by
3 amending Article XVII, District Map No. 25 to show a M2 (Restricted Industrial District) zoning
4 classification where a R2 (Two-Family Residential District) zoning classification is currently
5 shown at 6570, 6576, 6582, 6598, 6600, 6602 and 6608 Harding Avenue, generally located on
6 the east side of Harding Avenue north of Harper Avenue.

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

8 **Section 1.** Article XVII, Chapter 50 of the 2019 Detroit City Code, ‘Zoning,’ is amended
9 as follows:

10 District Map No. 25 is amended to show a M2 (Restricted Industrial District) zoning
11 classification where a R2 (Two-Family Residential District) zoning classification currently exists
12 at 6570, 6576, 6582, 6598, 6600, 6602 and 6608 Harding Avenue, generally located on the east
13 side of Harding Avenue north of Harper Avenue, identified more specifically as:

14 Land situated in the City of Detroit, Wayne County, Michigan being: East Harding, Lots
15 100 through 106, inclusive. Coopers Subdivision Liber 26 Page 42 of Plats, Wayne
16 County Records 19/413.

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

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

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

Approved as to Form:

Lawrence T. Garcia
Lawrence T. Garcia
Corporation Counsel