

# City of Detroit

Alton James  
Chairperson  
Lauren Hood, MCD  
Vice Chair/Secretary

Marcell R. Todd, Jr.  
Director

**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](mailto:cpc@detroitmi.gov)

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

September 28, 2020

## HONORABLE CITY COUNCIL

**RE:** Request of Brush Park Properties, LLC to modify the provisions of an existing PD-H (Planned Development-Historic) zoning classification to amend Chapter 50 of the 2019 Detroit City Code, Zoning by amending Article XVII, *Zoning District Maps*, Section 50-17-5, *District Map No. 4* to allow for a five-story mixed-use building to include a restaurant-bar, office space and residential building with an adjacent four-story mixed-use parking structure which will include townhomes. This property is commonly known as 2827 John R. Street, 79 and 105 Alfred Street. **(RECOMMEND APPROVAL)**

## BACKGROUND

Brush Park Properties, LLC (BPP) is led by principal, Michael Van Overbeke who has been involved in the Brush Park neighborhood for many years, having completed projects such as the Hudson Evans House, Mt. Sinai Grand Lodge Building, the HP Pulling Home, and the Lucien Moore Estate. A portion of the subject block is currently under the ownership of entities associated with this developer.

In 2018, BPP requested to develop properties commonly known as 79 and 105 Alfred and 2827 John R. The existing historic building on this site is underutilized and the project called for it to be restored and incorporated into the new construction project.

## PROPOSAL

The developer is currently proposing two buildings on 2/3<sup>rd</sup> of an acre, at property commonly known as 2827 John R. and 79 and 105 Alfred. The first building is 62 feet high and consists of a five-story residential building with eight for-sale residential units. The building at 2827 John R Street also includes reuse of an existing carriage house on the site to create a new restaurant and bar, and including commercial office space. The second building consists of two townhome units combined with a 48 foot high, 80-stall parking structure. The two buildings collectively total 89,250 gross square feet. Amenities that are planned for the buildings include an outdoor terrace with shifting glass partitions, a fitness room, meeting room, and bike storage.



Images from Oombra Architects renderings.

## COMMUNITY INPUT AND PUBLIC HEARING RESULTS

When this project originally came before the Commission, there were some elements of the project that caused contention. Most of those elements have been resolved through a series of meetings with the community and developer over the years, while a couple of discrepancies still linger.

At the time of the original approval, all of the previously mentioned issues were heard. Public comment was taken from several community members during the public hearing, some in support and some with concern and/or in opposition. Two public hearings were held with regard to this matter in 2018 and the Commission, after hearing all related testimony, voted to recommend approval of the project.

More recently, after revisions to the plan post CPC approval, staff requested that the developer once again present their latest revisions to the Brush Park CDC. This was done on May 19, 2020 at the Brush Park CDC regularly scheduled meeting. A letter has been submitted by the Brush Park CDC, voting against the project with a four to five vote and one abstention. Based on comments in the letter and those garnered from the meetings held on this matter, those objections seem to stem from an existing curb cut that the developer plans to use as the vehicular entrance for the proposed parking structure. In response, the developer has submitted a plan detailing the operations and a traffic mitigation strategy for the development, and, has requested to move forward in the processing of the request. Below are listed some of the meetings that have taken place for the development:

**June 2017 – PDD Meeting**

**September 2017 – PDD Meeting**

**October 2017 – HDC Informal Meeting**

**November 2017 – Brush Park CDC Formal Presentation**

**December 2017 – PDD Meeting**

**January 2017 - CPC Meeting**

**February 2017 — CPC Meeting**

**March 2018 – CPC Public Hearing 1**  
**March 2018 – Alfred Neighbors Meeting 1**  
**April 2018 – Alfred Neighbors Meeting 2**  
**April 2018 – Edmund Neighbors 1**  
**May 2018 – Edmund Neighbors 2**  
**May 2018 – CPC Public Hearing 2**  
**June 2018 –CPC/PDD staff meet with residents**  
**May 2020- Brush Park CDC meeting**

## **HISTORIC DISTRICT CRITERIA**

On June 10, 2020, the Historic District Commission voted to approve the newest iteration of the project that is before this Honorable Body. In accordance with Chapter 21 of the 2019 Detroit City Code, the Historic District Commission, is tasked with reviewing development proposals in the historic district to determine whether or not the proposal is appropriate for the historic district. The HDC has issued a certificate of appropriateness for the project.

## **PLANNING CONSIDERATIONS**

### ***Surrounding Zoning and Land Use***

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

**North:** PD; Carlton Lofts

**South:** PD; City Modern

**East:** PD; City Modern

**West:** PD; JL Hudson Mansion-Law Offices

### ***Master Plan Consistency***

The subject property is located in the Lower Woodward area of Neighborhood Cluster 4. The future land use designation for the subject parcels indicates (MRC) Mixed Residential-Commercial. The Planning and Development department has submitted a letter stating that this development is appropriate for the mixed-use character of the Master Plan (MP) designation of the area and thus is consistent.

## **ANALYSIS**

This project is generally in conformance with the PD District design criteria of Sec. 50-11-15 of the Zoning Ordinance. CPC's review is as follows:

Criterion (a) *Master Plan outlines that this zoning ordinance requires that the proposed major land use be consistent with the adopted Master Plan in all PD developments.*

Regarding the City of Detroit Master Plan of Policies ,the subject property is located in the Lower Woodward area of Neighborhood Cluster 4. The future land use designation for the subject parcels indicates (MRC) Mixed Residential-Commercial. The Planning and Development department has submitted a letter stating that this development will contribute to the mixed-use character of the MP designation of the area. CPC concurs that the proposed development is consistent with the MRC designation.

Criterion (b) *addresses scale, form, massing and density*

As it relates to scale, form, massing and density, CPC believes that the building heights and scale are appropriate for the current site. The heights and massing fit the existing context of the Brush Park neighborhood. The proposed buildings have been designed to fit into the context of the community. This is accomplished by providing a liner building of residential units to mask the parking structure that sits 20 feet from the front lot line. The restaurant in the development is oriented towards John R to appeal to the higher level of pedestrian activity. The building's height has been thoughtfully placed at similar scale with surrounding buildings in order to not overpower other structures.

*Criterion (c) asks whether the proposed development is compatible with surrounding development in terms of land use, general appearance and function, and should not adversely affect the value of properties in the immediate vicinity.*

CPC believes that the development is compatible with the surrounding area and that the developer has worked closely with the community and City to come to a product that takes into consideration all concerns that can reasonably be accommodated and make the project remain feasible.

*(f) Environmental impacts and (g) Open Space inquire into any health impacts and open space provided by the development.*

CPC does not expect that this project would create any deleterious impacts on the environment related to pollution, waste or other toxic conditions. Regarding open space, the development does provide balconies and terraces for recreational space, as well as a green roof. The restaurant and commercial space also add to the amenities of the project.

*(h) Rights-of-way, easements, and dedications*

To CPC's knowledge, there is no need for easements or dedications, but there is likely a requirement for a maintenance agreement by the petitioner to maintain the portion of the alley that immediately abuts their project since the plans show the alleys as a component of the circulation plan.

*(o) Preservation and restoration- Preservation and restoration of buildings.*

The plans preserve the historic carriage home on John R. which has been in disrepair for some time before it is beyond preserving.

## **CONCLUSION**

The development team has worked to resolve many of the community concerns over the life of this project. There were many engagement efforts that took place. The design and programming of the subject buildings have changed drastically as a result of the community and City feedback. CPC voted to approve this project in 2018, taking those items and public testimony into account. For the reasons as stated above, the Commission again reaffirmed its vote in July 2020.

## **RECOMMENDATION**

The City Planning Commission having completed its review and processing of the requested rezoning recommends approval. This recommendation comes with the following condition:

1. That the developer submit a community impact plan to the CPC staff and surrounding neighborhood prior to construction which will addresses negative impacts that may arise. The community impact plan must provide the following:
  - a. A construction schedule to describe the start and end dates and other anticipated milestones of the development.
  - b. A strategy to mitigate fugitive dust, noise pollution, and pest infestation that may arise from ground disturbance and other construction activities.
2. The developer provide a strategy for temporary site screening, construction staging, and construction-related vehicle parking.
- 3 The developer must submit final site plans and elevations, landscaping, lighting, and signage plans to the CPC staff for review and approval prior to making application for required permits.

Respectfully submitted,



Marcell R. Todd, Jr., Director  
Kimani Jeffrey, City Planner

Attachment:  
Plans

Cc: Katy Trudeau, Deputy Director P&DD  
Karen Gage, P&DD  
Esther Yang, P&DD  
Greg Moots, P&DD  
Arthur Jemison, Group Executive of Planning, Housing and Development  
David Bell, Director BSEED  
Lawrence Garcia, Corp. Counsel

## **SUMMARY**

This ordinance amends Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XVII, *Zoning District Maps*, Section 50-17-5, *District Map No. 4*, to modify the development regulations of the existing PD-H Planned Development District-Historic zoning classification for the properties commonly identified as 2827 John R Street, 79 Alfred Street, and 105 Alfred Street to allow for two residential and mixed-use buildings with a supportive parking structure.

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

2 **AN ORDINANCE** to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by  
3 amending Article XVII, *Zoning District Maps*, Section 50-17-5, *District Map No. 4*, to modify the  
4 development regulations of the existing PD-H Planned Development District-Historic zoning  
5 classification for the properties commonly identified as 2827 John R Street, 79 Alfred Street, and  
6 105 Alfred Street to allow for two residential and mixed-use buildings with a supportive parking  
7 structure.

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

9 **Section 1.** Article XVII of Chapter 50 of the 2019 Detroit City Code, *Zoning*, Article  
10 XVII, *Zoning District Maps*, Section 50-17-5, *District Map No. 4*, is amended as follows:

11 **CHAPTER 50. ZONING**

12 **ARTICLE XVII. ZONING DISTRICT MAPS**

13 **Sec. 50-17-5. District Map No. 4.**

14 For the properties commonly identified as 2827 John R Street, 79 Alfred Street, and 105  
15 Alfred Street, more specifically described as:

16 A parcel of land described as Lots 15, 16, 17, and a part of Lot 18 of "Brush Subdivision"  
17 of part of Block 5 of Park Lots 11, 12, & 13, as recorded in Liber 1, Page 191 of Plats, City  
18 of Detroit, Wayne County, Michigan being more particularly described as:

19 BEGINNING at the southeasterly corner of Lot 15 of said "Brush Subdivision", also being  
20 the intersection of the westerly line of John R Street (60 feet wide) and the northerly line  
21 of Alfred Street (60 feet wide); thence along said northerly line of Alfred Street South 60  
22 degrees 00 minutes 00 seconds West 185.49 feet; thence North 30 degrees 01 minutes 39  
23 seconds West 166.92 feet to the southerly line of a 20-foot wide Public Alley, on the

1 northerly line of said Lot 18; thence along said southerly alley line North 60 degrees 00  
2 minutes 00 seconds East 178.57 feet to the westerly line of said John R Street; thence along  
3 said westerly line South 32 degrees 24 minutes 05 seconds East 167.07 feet to the POINT  
4 OF BEGINNING. Containing 30,385 square feet, more or less, and subject to easements  
5 and restrictions of record, if any. Currently known as parcels: 01000668., 01000669., and  
6 part of 01000666-7

7 the development regulations of the existing PD-H Planned Development District-Historic zoning  
8 classification are modified as follows:

9 (1) All development shall be in accordance with the site plans, elevations, and other  
10 components of the development proposal for Brush Park Properties, LLC in the  
11 drawings prepared by Oombra Architects, LLC, dated July 9, 2020,  
12 notwithstanding any regulations to the contrary that are set forth in the Brush Park  
13 Form-Based Code, and

14 (2) The developer shall submit final site plans and elevations, landscaping, lighting,  
15 and signage plans to the CPC staff for review and approval prior to making  
16 application for required permits.


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



1           **Section 4.** This ordinance shall become effective on the eighth (8<sup>th</sup>) 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 Approved as to form:

5  
6   
7 \_\_\_\_\_  
8 Lawrence T. Garcia,  
Corporation Counsel