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City of Detroit

CITY PLANNING COMMISSION
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REVISED REPORT

June 27, 2024

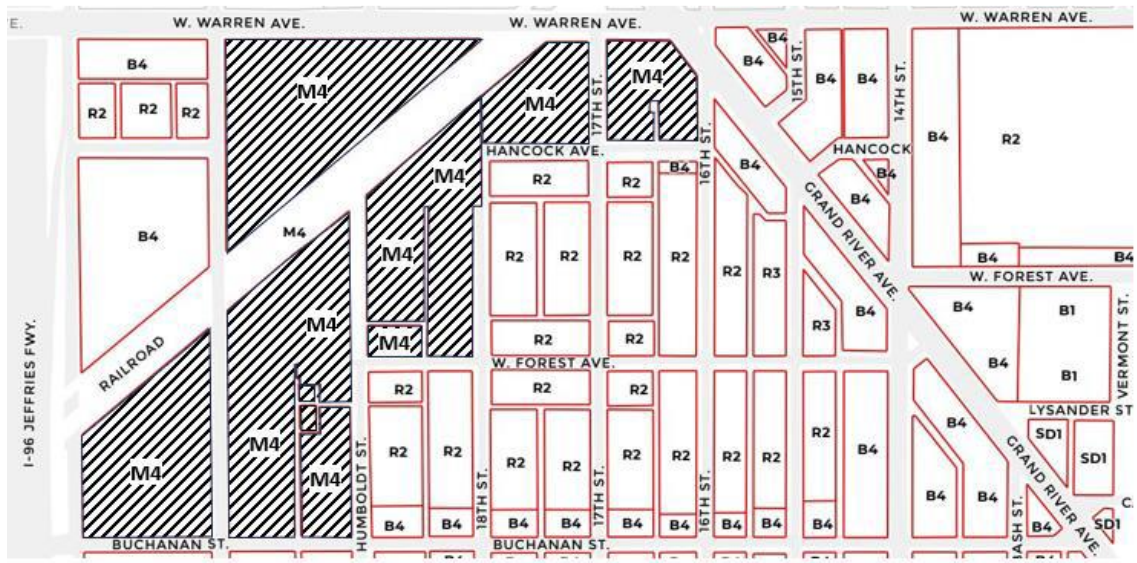
HONORABLE CITY COUNCIL

RE: The request of the City Planning Commission to amend Chapter 50 of the 2019 Detroit City Code, Zoning by amending Article XVII, *Zoning District Maps*, Section 50-17-46, *District Map 44* of the Detroit Zoning Ordinance to show an SD2 (Special Development District, Mixed Use) zoning classification where an M4 (Intensive Industrial District) zoning classification is currently shown on the area generally bounded by West Warren Avenue, the Jeffries (I-96) Freeway, Buchanan Street, and Grand River Avenue, more specifically depicted on the map below.

The proposed map amendment is being requested in order to bring the subject parcels into conformance with the City's Master Plan of Policies and to protect the health, welfare and safety of the surrounding community by reducing intensive uses that are currently permitted (**RECOMMEND APPROVAL**).

PROPOSAL

Before this Honorable Body is the City Planning Commission (CPC) initiative to show an SD2 (Special Development District, Mixed Use) zoning classification where an M4 zoning classification is currently shown on properties depicted on the map below. The proposed map amendment is being pursued in order to bring the subject parcels into conformance with the City's Master Plan of Policies and to protect the health, welfare and safety of the surrounding community by eliminating the potential of intensive uses that are allowed under current zoning.



Proposed parcels to be rezoned are within the boundary on the map

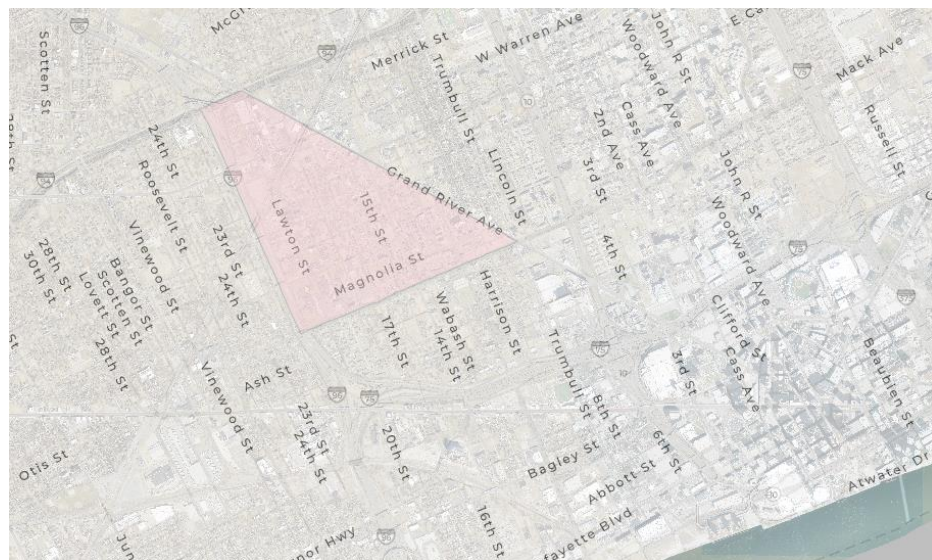
BACKGROUND

Core City is a neighborhood in City Council District 6, just northwest of the downtown Central Business District and bounded by I-96 on the west, I-94 on the north, Grand River on the east and Martin Luther King Jr. Blvd on the south.

Members of Core City Strong, a community group in the Core City neighborhood, [approached the CPC staff](#) in 2023 to discuss issues that they were experiencing in their neighborhood. These community representatives expressed the desire to see their area transition from industrially zoned land to zoning more conducive to a residential community and that would bring in new housing and activities to support the neighborhood and offer protection from future intensive industrial uses.



Photograph of the Core City neighborhood



Core City neighborhood boundaries

The proposal that sparked the concern from residents was by Can-Am International Trade Crossing at 4445 Lawton (a 4.7 acre site) to establish a very high impact manufacturing or processing facility also commonly known as a concrete crusher (operation for the crushing, grading, and screening of rock, stone, slag, clay, or concrete). The proposal has received a lot of attention in the [local news](#) as it has gone through multiple hearings or reviews at the City. Those hearings included a Special Land Use hearing (SLU) on November 30, 2022, at the Buildings, Safety Engineering, and Environmental Department. Subsequently, the [Board of Zoning Appeals hearing](#) (BZA) also denied the appeal from the owner of the site for the proposed concrete crusher on July 17, 2023 (see attached documents). Additionally, the owner(s) of the site have also been [sued](#) by the City of Detroit for the site presenting a public nuisance.

In looking into these issues, as well as the overall area with community members, CPC staff worked with residents and business owners towards a proposed zoning plan that is based upon review of their concerns and the City of Detroit Master Plan of Policies. CPC staff researched the area and found that the Master Plan not only supports the downzoning of the site where the proposed concrete crusher lies, but also other M4 sites in the Core City area that currently permit intensive industrial uses. For this reason, CPC staff worked with community members to come to the proposed downzoning plan to SD2 for the subject parcels, to limit the number of hazardous activities that are permissible, and to also allow for the possibility of mixed-use activity in the neighborhood that can contribute to a vibrant community and present development opportunities for the owners of local properties.

PROPOSAL

The rezoning proposes to downzone approximately 33 acres of land which includes 87 parcels from the M4 Intensive Industrial District to the SD2 Special Development District, Mixed-Use. The land that is proposed to be rezoned is shown in the map above. The intent of each zoning district can be found in the descriptions below:

M4 – Intensive Industrial

The M4 Intensive Industrial District will permit uses which are usually objectionable and, therefore, the district is rarely, if ever, located adjacent to residential districts. A broad range of uses is permitted in this district. New residences are prohibited 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.

SD2 – Special Development District, Mixed-Use

The SD2 Special Development District is designed to encourage a complementary mixture of more intensive pedestrian and transit-oriented uses that may be compatible with a neighborhood center or with a location along major or secondary thoroughfares. Parking requirements are reduced in certain circumstances to promote use of transit and non-motorized transportation; shared parking and a district approach to parking are encouraged to lessen demand for off-street parking spaces. Certain establishments that serve alcohol for consumption on the premises are permitted without a spacing requirement in order to attract increased pedestrian traffic to the area.



Aerial of rezoning footprint

PLANNING CONSIDERATIONS

Surrounding Zoning and Land Use

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

- North:** M4; Ewald Cooling
- South:** R2 & B4; Residential homes, vacant land, Faithful Mt Triumph MB Church
- East:** R2; Residential homes, New Life Christian Ministries, The Caterpillar Detroit, True North Detroit, urban gardens
- West:** R2 & B4; Second Olivet Missionary Baptist Church; Pope Francis Bridge Housing Campus

Master Plan Consistency

The subject rezoning site is located within the Core City area of Neighborhood Cluster 6 of the Detroit Master Plan of Policies (MP). The Future Land Use map for the subject area shows IL (Light Industrial).

The Planning and Development Department has submitted a letter regarding the MP consistency of the area proposed to be rezoned. In their letter, they state that, “the area to be rezoned is located in the Jeffries neighborhood. All but one block of it is designated Light Industrial (IL).” Such areas “...should generally consist of industrial uses of low intensity that have minimum undesirable effects on adjacent residential or commercial land uses. Small-scale industrial uses may include machine shops, small scale assembly or packaging, warehousing or technology parks. The proposed rezoning to the SD2 classification is **consistent** with the IL designation.”

COMMUNITY INPUT

The Core City community members organized with residents and many business owners of the area to hold meetings regarding this proposal which CPC staff presented at. One meeting was held virtually on November 11, 2023. Another meeting was held on March 14, 2024.

To advertise these meetings, the following methods were used by Core City Strong community organization:

- 5 social media posts
- 4 mass emails to community
- 3 mass emails to current land owners and interested developers
- 4 text tree messages to community, current land owners, and interested developers
- 1-on-1 door-to-door conversations

Additionally, CPC staff has spoken to multiple business owners separately and held a meeting specifically to answer questions for property owners in the subject rezoning footprint. This meeting was held virtually on April 2, 2024, in order to give clarity to any remaining questions or concerns that property owners or community members might have. Notice of that meeting was sent to tax payers of record and email addresses of property owners that staff was able to obtain. Lastly, property owners and residents within 300 feet of the rezoning footprint were sent a notice of the rezoning area for the CPC public hearing, 15 days in advance of the meeting.

In all, approximately 32 letters of support for this effort were received by the City Planning Commission staff. A support petition with signatures of approximately 90 residents that live in the 48208 zip code was also shared with CPC staff and can be found attached.

Letters of support for the rezoning of the subject properties to SD2 for the identified parcels include:

- Core City Strong (Vanessa Serna)
- Congressman Shri Thanedar, United States Congress
- Gabriela Santiago-Romero, Detroit City Council
- State Senator Erika Geiss, District 1
- Office of Wayne County Commissioner Jonathan Kinloch
- Detroit Hispanic Development Corporation (Angela Reyes)
- Great Lakes Environmental Law Center (Nicholas Leonard)
- Colin Laitner (Managing Member of 4444 Lawton; owner of 2728 Buchanan and 440 Lawton)
- Prince Concepts (Phil Kafka) owner of land in subject rezoning
- Alex Lauer (owner of 4277 18th St.)
- Greg Handberg of Artspace Projects (2775 W Warren purchaser of former Fire Department Training School; parcel in subject rezoning)
- Bruno Vanzielegem (owner of 5001 W Grand River)
- Chelsea Hyduk and David Axelson (owners of 656 17th Street)
- Woodbridge Neighborhood Development (Angie Gaabo)
- Kardia Kaiomene (Tommy Airey)
- Detroit Disability Power (Dessa Cosma)
- Detroit Justice Center (Nancy Parker)
- Ash Davis (nearby resident owner)

- Love Building - 4731 Grand River (Kwaku Osei)
- Detroiters Working for Environmental Justice (Laprisha Berry Daniels)
- Fisheye Farms (Andrew Chae)
- Naseem Alizadeh (owner of 4500 Lawton)
- Grand River Block Club
- Margot Guicheteau (owner of 4445 15th Street)
- Huckleberry Explorers Club Museum General Store and Gardens (Morgan Meis)
- Myaia Holmes (nearby resident owner)
- Morgan Meis (2660 Buchanan- owner of land in rezoning footprint)
- Pope Francis (Reverend Timothy McCabe, SJ)
- Shaney Whitfield (nearby resident owner)
- Steven Serna (nearby resident)
- Vanessa Serna (neighborhood business owner)
- Takoi Restaurant (Brad Greenhill)

Staff received two letters of opposition, from the owner and leasee of the 4445 Lawton site. Those entities are as follows:

- CAN-AM International Trade Crossing, LLC
- Mid-Michigan Recycling LLC

PUBLIC HEARING RESULTS

At the public hearing for this matter, 16 people spoke in support including nearby residents, owners of property in the rezoning footprint, the Office of State Senator Erika Geiss, and other local environmental activists.

One person spoke in opposition to the rezoning proposal; that being the owner of CAN-AM International Trade Crossing LLC and property holder of 4445 Lawton, the proposed petitioner for the proposed concrete crusher use.

ANALYSIS

The proposed rezoning has garnered a large amount of support from residents and business owners of the Core City neighborhood and surrounding area. There are several property owners with land that falls in the footprint of the rezoning that have supported the proposed downzoning to SD2 via support letter.

In addition to the outpouring of community support, CPC staff points out, once again, that this proposal was adopted as the future vision of this community and is the basis of our effort to rezoning this area of land. In the attached MP maps, you will see indicated by the light blue shading, that many of the intensively zoned areas in the city that follow the historic rail lines and industrial corridors, have been designated in the MP as areas ripe for downzoning from intensive industrial zoning to light industrial zoning classifications. The SD2 zoning district is an appropriate district for this MP designation according to the Master Plan of Policies, Zoning Table 2-5.

Zoning Ordinance Approval Criteria

According to Sec. 50-3-70, Approval criteria, recommendations and decisions on an amendment of a zoning map in Article XVII shall be based on consideration of the following criteria:

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

The proposed map amendment corrects the zoning for subject area by bringing it into conformance with the Master Plan of Policies. The area was not envisioned to have high intensity industrial uses. It was instead planned to decrease in intensity. Based on the Master Plan and the large amount of feedback from the surrounding community, this proposed amendment meets the changing conditions of the area and implements the City's Master Plan intention.

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

The Planning and Development Department has submitted a letter regarding the MP consistency of the area proposed to be rezoned. In their letter, they state that, "the area to be rezoned is located in the Jeffries neighborhood. All but one block of it is designated Light Industrial (IL)." Such areas "...should generally consist of industrial uses of low intensity that have minimum undesirable effects on adjacent residential or commercial land uses. Small-scale industrial uses may include machine shops, small scale assembly or packaging, warehousing or technology parks. The proposed rezoning to the SD2 classification is **consistent** with the IL designation."

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

The proposed amendment is expected to vastly reduce the amount of intensive industrial uses that are currently permissible in the area that is directly adjacent to a residential community. Based on that fact and public testimony supporting this change to protect the health of the community, staff believes that this is in the best interests of the general welfare of the public.

- (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;*

This proposal is not expected to impact public facilities and services immediately. If new development might come in the future that is permissible under the SD2 zoning classification, service capacity would be reviewed for any project at the time of site plan review.

- (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;*

The proposal is not expected to have significant adverse impacts on the natural environment. It is expected that the downzoning of this area will have a positive impact

on the environment as the permissible uses will be much less abrasive than what is currently permitted.

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

There are no significant adverse impacts expected for the property in the vicinity of rezoning footprint. Similar past efforts have shown evidence that the proposed zoning classification may possibly induce more development activity and help to revive an area, benefiting a community.

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

According to the Master Plan, the subject properties' existing zoning classification is not suitable and should be downzoned. The proposed zoning classification is consistent with City Policy, specifically the Master Plan Zoning table which reconciles Master Plan designations with the appropriate zoning districts that correlate with each.

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

The proposed rezoning will not create an illegal spot zone.

CONCLUSIONS AND RECOMMENDATION

On April 4, 2024 the City Planning Commission voted to approve this proposal after hearing the huge amount of support from the surrounding community assessing impacts and considering the criteria. Of the property owners with land in the rezoning footprint, only one has expressed opposition to this effort. All others that staff has interacted with have expressed support for this initiative.

This is an effort to bring the zoning for this area into conformance with the vision of the Master Plan of Policies and to address a zoning inconsistency that the vast majority of the community have demonstrated strong support for. The City Planning Commission voted to recommend **APPROVAL** of this request.

Respectfully submitted,

DONOVAN SMITH, CHAIRPERSON



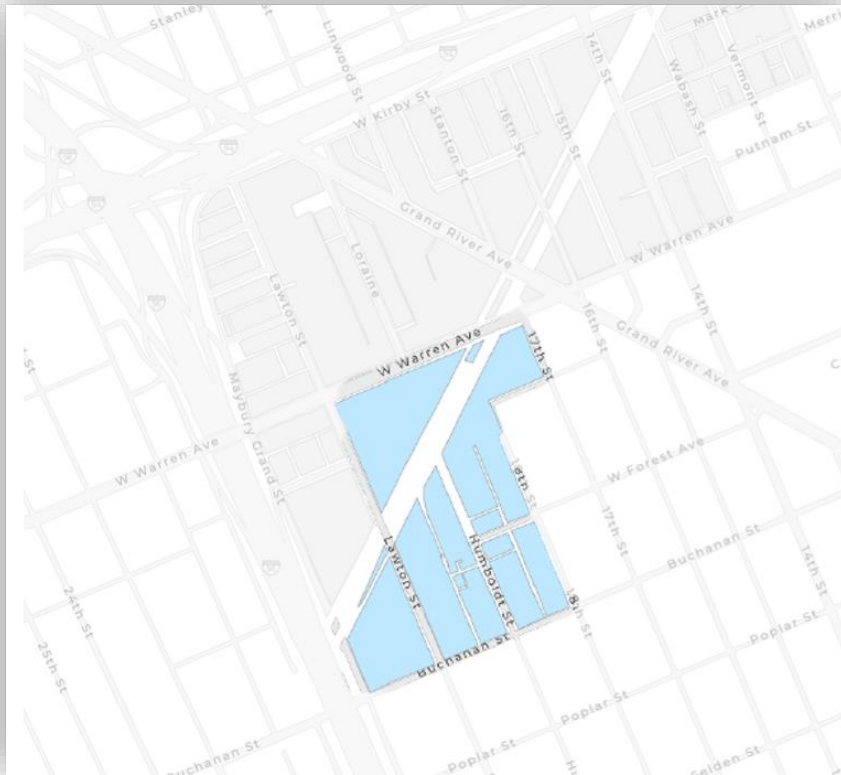
Marcell R. Todd, Jr., Director
Kimani Jeffrey, City Planner
Dolores Perales, City Planner

Attachment: Support Letters

PDD Master Plan Letter
Lawton SLU Report
Rezoning Ordinance
Updated Map 44

cc: Antoine Bryant, Director, PDD
Greg Moots, PDD
Kevin Schronce, PDD
David Bell, Director, BSEED
Conrad Mallett, Corporation Counsel
Daniel Arking, Law

MASTER PLAN OF POLICIES MAPS



SUMMARY

This ordinance amends Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XVII, *Zoning District Maps*, Section 50-17-46, *District Map No. 44*, to revise the zoning classifications for property generally bounded by West Warren Avenue, the Jeffries Freeway, Buchanan Street and Grand River Avenue from the existing M4 (Intensive Industrial District) zoning classification to the SD2 (Special Development District, Mixed Use) zoning classification.

1 **BY COUNCIL MEMBER _____ :**

AN **ORDINANCE** to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XVII, *Zoning District Maps*, Section 50-17-46, *District Map No. 44*, to revise the zoning classifications for property generally bounded by West Warren Avenue, the Jeffries Freeway, Buchanan Street and Grand River Avenue from the existing M4 (Intensive Industrial District) zoning classification to the SD2 (Special Development District—Mixed Use) zoning classification.

2 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**

3 **THAT:**

4 **Section 1.** Chapter 50 of the 2019 Detroit City Code, *Zoning*, is amended by amending
5 Article XVII, Section 50-17-46 as follows:

6 **CHAPTER 50. ZONING**

7 **ARTICLE XVII. ZONING DISTRICT MAPS**

8 **Section 50-17-46. District Map No. 44.**

9 For the properties described specifically as:

- 10 • Area bounded by West Warren Avenue, the Michigan Consolidated Railroad Right of
11 Way and Lawton Street.
- 12 • Area bounded by the Michigan Consolidated Railroad Right of Way, Lawton Street,
13 Buchanan Street, and the I-96 Jeffries Freeway Service Drive.
- 14 • Area bounded by the Michigan Consolidated Railroad Right of Way, Humboldt Street,
15 Buchanan Street, and Lawton Street.

- 1 • Area bounded by the Michigan Consolidated Railroad Right of Way, West Warren
2 Avenue, 17th Street, Hancock Avenue, 18th Street, West Forest Avenue and Humboldt
3 Street.
- 4 • Area bounded by West Warren Avenue, Grand River Avenue, 16th Street, Hancock
5 Avenue, and 17th Street


6 the existing M4 (Intensive Industrial District) zoning classification is revised to the SD2 (Special
7 Development District—Mixed Use) zoning classification.

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

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

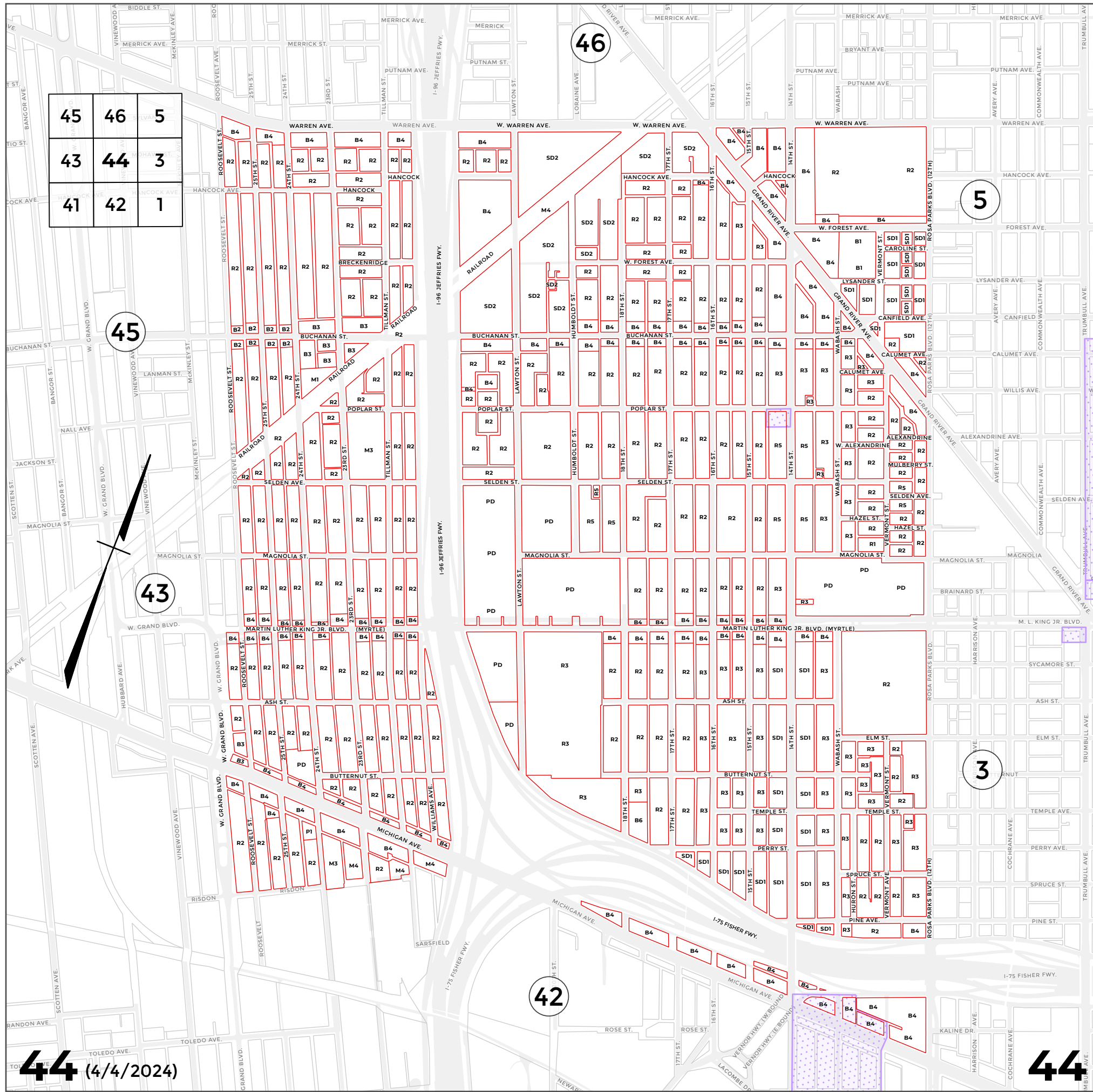
11 **Section 4.** This ordinance shall become effective on the eighth day after publication in
12 accordance with Section 401(6) of Public Act 110 of 2006 as amended, being M.C.L. 125.3401(6),
13 and Section 4-118, paragraph 3 of the 2012 Detroit City Charter.

Approved as to Form:



Conrad L. Mallett
Corporation Counsel

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43	44	3
41	42	1





THE SENATE
STATE OF MICHIGAN

ERIKA GEISS

1ST DISTRICT

P.O. BOX 30036

LANSING, MI 48909-7536

PHONE: (517) 373-7800

FAX: (517) 373-9310

senegeiss@senate.michigan.gov

February 23, 2024

City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI 48226
Re: Downzoning in Core City

To Whom It May Concern:

As the State Senator representing District 1, which includes Core City, I am in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use.”

I stand with the residents of Core City in wanting to make sure there will be no new toxic project proposals beside, near, or adjacent to the residents, businesses, and community organizations of Core City. I join in their desire to see zoning that is fully compatible with the Core City neighborhood so as to safeguard from potential future bad actors and attract more people to become community members in this beautiful Detroit neighborhood. When it comes to building community—that is attracting and retaining residents—toxic projects are not the way.

One of my duties as an elected representative is to amplify the voices of my community and they are overwhelmingly opposed to any new toxic projects. These projects will have a direct impact on their community and lives—and their voices deserve recognition. I will continue to advocate for the community members of Core City and will always stand up to environmental injustices. Please listen to and hear these Core City voices who, with great clarity and purpose, are urging a downzoning of the M4 Intensive Industrial lot to SD Special Development District—Mixed Use.

Thank you,

A handwritten signature in cursive script that reads "Erika Geiss".

Erika Geiss
State Senator, District 1



February 27th, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

I, Margot Guicheteau, a representative from the Grand River Block Club located just adjacent to the impacted lots, am in favor of downzoning the "M4 Intensive Industrial" lots in the Core City neighborhood of Detroit to "SD2 Special Development District—Mixed-Use".

We want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, we want to see zoning that's fully compatible with the neighborhood that will safeguard the community from potential future bad actors and attract more people to become neighbors in their beautiful part of Detroit.

Thank you,

Margot Guicheteau
(313) 320-9331

February 23rd, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

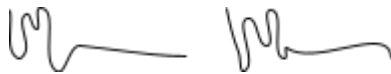
Re: Downzoning in Core City

To whom it may concern,

I, Morgan Meis, a representative from The Huckleberry Explorers Club Museum, General Store, and Gardens am in favor of downzoning the "M4 Intensive Industrial" lots in the Core City neighborhood of Detroit to "SD2 Special Development District—Mixed-Use".

We want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, we want to see zoning that's fully compatible with the neighborhood that will safeguard the community from potential future bad actors and attract more people to become neighbors in their beautiful part of Detroit.

Thank you,

A handwritten signature in black ink, appearing to read 'Morgan Meis', with a stylized, cursive script.

Morgan Meis

morganmeis@gmail.com

3136909795

2660 Buchanan Street

Detroit, MI 48208

February 26th, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

I, Philip Kafka, owner of Prince Concepts is in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”.

I want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, I want to see zoning that’s fully compatible with our neighborhood that will safeguard us from potential future bad actors and attract more people to become our neighbors in our beautiful part of Detroit.

Thank you,

A handwritten signature in black ink that reads "Philip Kafka". The signature is written in a cursive, slightly slanted style.

Philip Kafka

pk@princeconcepts.com

214-674-4458

Wayne County Commission



WAYNE COUNTY COMMISSION
500 GRISWOLD, 7TH FLOOR
DETROIT, MICHIGAN 48226

Jonathan C. Kinloch

Commissioner District 2

Office: Commission
(313) 224-0916

February 23, 2024

City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI 48226

Re: Downzoning in Core City

Dear Commissioners,

As someone who has seen the drastic improvements in the quality of life for residents in the area. I support the proposed downzoning from “M4 Intensive Industrial” lots to “SD2 Special Development District—Mixed-Use”, in the Core City neighborhood.

I’m in support of this rezoning to ensure there will be no new toxic project proposals within the footprint of residents, businesses, and community organizations within Core City.

It is my hope to see zoning that’s fully compatible with the Core City neighborhood that will safeguard this community from potential future bad actors and attract more people to become neighbors in this family appealing and thriving part of Detroit.

YOURS FOR A BETTER WAYNE COUNTY!

Respectfully yours,

Jonathan C. Kinloch
Wayne County Commissioner
District 2

February 23rd, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

I, Myaia Holmes, owner of 3979 16th Street is in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”.

I want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, I want to see zoning that’s fully compatible with our neighborhood that will safeguard us from potential future bad actors and attract more people to become our neighbors in our beautiful part of Detroit.

Thank you,

Myaia Holmes

myaiach@gmail.com

313-266-0206

February 23rd, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

I, Margot Guicheteau, owner of 4443 15th street is in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”.

I want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, I want to see zoning that’s fully compatible with our neighborhood that will safeguard us from potential future bad actors and attract more people to become our neighbors in our beautiful part of Detroit.

Thank you,

Margot Guicheteau

313-320-9331

Margotguicheteau8@gmail.com

February 23rd, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

I, Morgan Meis, owner of 2660 Buchanan Street, Detroit, MI 48208, a property directly adjacent to the impacted area, am in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”.

I want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, I want to see zoning that’s fully compatible with our neighborhood that will safeguard us from potential future bad actors and attract more people to become our neighbors in our beautiful part of Detroit.

Thank you,

Morgan Meis

morganmeis@gmail.com

3136909795

2660 Buchanan Street

Detroit, MI 48208



January 30, 2023

The Board of Zoning Appeals of the City of Detroit
(313) 224-1317
zoning@detroitmi.gov

BZA Case #1-23 for 4445 Lawton

To The Board of Zoning Appeals of the City of Detroit:

Michigan United would like to submit our official opposition document against the proposed concrete crushing facility at 4445 Lawton St. We are a statewide organization of community members and institutions fighting for the dignity and potential of every person. We are committed to a participatory democracy at every level, an economy that works for the many, and a society that identifies and confronts racism and uplifts our common humanity. To ignite the power of our communities and shift the balance of power, we cultivate the leadership of those directly affected by injustice/oppression, and build popular institutions.

The proposed concrete crusher facility goes against the values of Michigan United. Our organization has fought against the Marathon Plant in Detroit and is currently fighting against the AJAX Asphalt plant in Flint. In this case, the proposed concrete crushing facility at 4445 Lawton St. would mean placing a heavy industrial use site right next to Core City's residential area. It would have negative impacts on residents' health, quality of life and property values – all of which far outweigh the minimal economic benefit of the concrete crusher: five “permanent” jobs.

There are 27 homes or residential lots within 250 - 1000 feet of 4445 Lawton St. The proposed facility would bring in semi-trucks hauling equipment emissions, and fugitive dust would significantly impact air quality for current and future residents as the westerly wind would blow the emissions into residential areas.

The facility would violate the basic environmental justice pillars of racial justice, inclusivity in community and environmental sustainability. Murray Wikol wants to operate this facility in a low-income Black neighborhood. Detroit has already been placed at the top of lists of air-polluted cities, and there is a long history of racial injustice and segregation in one of the most diverse and majority Black-populated cities in Michigan.

We urge you to listen to the community, which does not want this project to move forward.

Sincerely,

Yeri Kim

Em Perry

Contact info:

Yeri Kim
Environmental Justice Organizer
ykim@miunited.org

Em Perry
Environmental Justice Director
313-241-4543
eperry@miunited.org



FEEDING. SERVING. **EMPOWERING.**

February 23rd, 2024

City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To Whom It May Concern,

I, Reverend Timothy McCabe, SJ, CEO & President of The Pope Francis Center, located at 2915 W Hancock St, Detroit, MI 48208, am in favor of downzoning the "M4 Intensive Industrial" lots in the Core City neighborhood of Detroit to "SD2 Special Development District—Mixed-Use".

I want to ensure there are no new toxic project proposals next door to the residents, businesses, and community organizations in Core City. Zoning that is fully compatible with our neighborhood would safeguard us from those wishing ill intent on the health of our neighborhood while attracting additional stakeholders to become neighbors in our unique section of Detroit.

Thank you,

Rev. Timothy McCabe, SJ
CEO & President

Pope Francis Center
438 Saint Antoine St
Detroit, MI 48226
313-964-2823

February 23rd, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

I, Shaney Whitfield, owner of 3979 16th Street am in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”.

I want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, I want to see zoning that’s fully compatible with our neighborhood that will safeguard us from potential future bad actors and attract more people to become our neighbors in our beautiful part of Detroit.

Thank you,

Shaney Whitfield

shaneywhitfield@gmail.com

615-902-4136

February 27th, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

I, Steven Serna, owner of Serna Design LLC and a resident in the neighborhood, am in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”.

I want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, I want to see zoning that’s fully compatible with our neighborhood that will safeguard us from potential future bad actors and attract more people to become our neighbors in our beautiful part of Detroit.

As an environmentally focused business, that relies on individuals and other businesses. It is so important to us that the city fosters a vision and plan that encourages growth more in the vein of SD2.

Thank you,

Steven Serna

(360) 878-6028

March 5th, 2024

To:

City of Detroit Planning Commission

2 Woodward Ave # 208

Detroit, MI

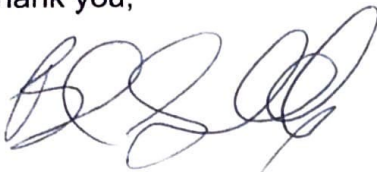
48226

Re: Downzoning in Core City

To whom it may concern,

I, Brad Greenhill, owner of Takoi Restaurant in Corktown and HiO Farm in Core City am in favor of downzoning the "M4 Intensive Industrial" lots in the Core City neighborhood of Detroit to "SD2 Special Development District—Mixed-Use". I want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, I want to see zoning that's fully compatible with our neighborhood that will safeguard us from potential future bad actors and attract more people to become our neighbors in our beautiful part of Detroit.

Thank you,

A handwritten signature in black ink, appearing to read 'Brad Greenhill', with a stylized, cursive script.

Brad Greenhill

drew@takoidetroit.com



February 27th, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

I, Vanessa Serna, a business owner directly adjacent to the impacted area, am in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”.

We want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, we want to see zoning that’s fully compatible with the neighborhood that will safeguard the community from potential future bad actors and attract more people to become neighbors in their beautiful part of Detroit.

Thank you,

Vanessa Serna

(313) 451-6593



February 21, 2024

City of Detroit
City Planning Commission
2 Woodward Ave, Suite 208
Detroit, MI 48226

Re: Downzoning in Core City

Dear City Planning Commission:

Woodbridge Neighborhood Development is the nonprofit community development organization serving the Woodbridge community, which is directly east of the Core City neighborhood. Our organization is generally opposed to new intensive industrial activities in close proximity to residential neighborhoods.

We are writing to express our support for the proposed rezoning/downzoning in the Core City neighborhood which would change the designation of lots currently zoned M4 (Intensive Industrial) to SD2 (Special Development District—Mixed-Use).

It does not make sense to intensify industrial uses near an area currently experiencing new housing and commercial development. We want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in and near Core City. Instead, we believe Core City deserves zoning compatible with the neighborhood that will safeguard the community from potential future bad actors and attract more people to become neighbors in their beautiful part of Detroit.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Angie Gaabo', with a long horizontal flourish extending to the right.

Angie Gaabo
Executive Director

City of Detroit

CITY COUNCIL

GABRIELA SANTIAGO-ROMERO

COUNCIL MEMBER, DISTRICT 6

February 22, 2024

City of Detroit Planning Commission
2 Woodward Ave., #208
Detroit, MI 48226

Re: Downzoning in Core City

To Whom It May Concern,

As the Detroit City Council Member for District 6, I ask that you please accept this letter of support for the downzoning of parcels currently zoned “M4 Intensive Industrial” in the Core City neighborhood to “SD2 Special Development District – Mixed-Use”.

The nonprofit Core City Neighborhoods is a community-based development organization, located just passed the northwest border of Corktown and Woodbridge. The work that Core City Neighborhoods does aligns with my policy priorities, including environmental justice and equitable development.

I have fought against bad actors in our communities for years and continue to do so as the elected official for Core City. To that end, I strive to make sure our communities are protected from environmental injustice and ensure zoning centers the health of our neighborhoods. We need clear separation between residential and industrial zoning to help achieve that.

Once again, I fully support Core City Neighborhoods’ request to downzone parcels in Core City currently zoned “M4 Intensive Industrial” to “SD2 Special Development District – Mixed Use.”

Please let me know if you have any questions. I can be reached at 313-224-2450 or councilmembregabriela@detroitmi.gov.

Sincerely,



Gabriela Santiago-Romero
Detroit City Council, District 6

FROM THE DESK OF COLIN LAITNER

February 23rd, 2024

City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI 48226

Re: Downzoning Proposal for Core City

Dear Sir or Madam:

My name is Colin Laitner and I am the managing member of 4444 Lawton LLC, the owner of property located at the addresses of 2728 Buchanan and 440 Lawton in the Core City neighborhood of Detroit Michigan. My property is made up of a small lot and a large industrial building in which I have significant investment and plan to multiply that investment in the coming years.

According to your Downzoning Proposal, my property will be downzoned from M4 Intensive Industrial to SD2 Mixed Use. In general, I very much agree with your proposal, and my intended redevelopment plans nearly identically match your proposed uses. HOWEVER, there are certain limitations set forth to that downzoning that I oppose as they are unworkable or undesirable for that zoning change for nearly any developer as well as the residents thereof.

My limited objections are as follows:

- 1) The required setbacks for SD2 (40 feet from R1/R2/R3)) are unworkable since any existing buildings that happen to be adjacent to residential zones will not be able to redevelop existing buildings. Such setbacks are a good thing to protect residential residents, but any existing envelope or building should be grandfathered such that tearing down the building to move it 5-40 feet is not required. I expect the enforcement of such setbacks on existing envelopes stemming from a downzoning would be met with not only developer opposition.
- 2) The limitation of SD2 that excludes first floor residential and requiring commercial “Active ground-floor use” requirement is undesirable for developers and residents alike. Not only does it lower ability to deliver affordable units, but it also forces developers to overbuild generally undesirable product. You’re no doubt well aware of very desirable areas in Detroit (and elsewhere) where first floor commercial in mixed use properties remain vacant for years. A good example are the many of the newer mixed use buildings in and around Corktown off Michigan Ave, particularly Elizabeth and 8th Streets in Detroit. You’ll note that these lease spaces are not particularly

desirable commercial spaces and the related vacancies that serve no one in the community.

In general, Core City is changing and your proposal is not only well intentioned, but well executed. However, I strongly urge you to amend the proposal to address my two concerns herein.

I joined the residents of this important and growing community to oppose Murray Wikol's Concrete Crushing Conditional Use permit at 4445 Lawton Street and like the residents, I want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, I want to see zoning that's fully compatible with the neighborhood but that will not unreasonably stifle positive development by limiting creativity and flexibility and I look forward to working with you and the City of Detroit for years to come.

Thank you,

Colin Laitner

Managing Member for 4444 Lawton LLC and Metis Capital LLC

512-732-2650; Colin@deeterinv.com;

February 23rd, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

I, Alex Lauer, owner of 4277 18th St. am in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”. I also am the broker/owner of Clyde Realty and actively deal with many development projects and businesses in Core City.

I want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, I want to see zoning that’s fully compatible with our neighborhood that will safeguard us from potential future bad actors and attract more people to become our neighbors in our beautiful part of Detroit.

Thank you,

Alex Lauer

Clyde Realty

(313) 974-1830

alexclauer@gmail.com

February 22, 2024

City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI 48226

Re: Downzoning in Core City

To whom it may concern:

This letter is in support of the Core City neighborhood's request to downzone the portion of the neighborhood that is currently zoned as M4 – Intensive Industrial.

Artspace and the City of Detroit's Planning and Development Department executed a Purchase and Sale Agreement for the retired Fire Department Training School, located at the corner of W. Warren and Lawton (2775 W. Warren Ave) in September of 2023. The project site is currently within the M4 zoning subject to the residential community's request for permanent rezoning.

Artspace is planning to rehabilitate the existing structure on the site and add a new structure to create approximately 53 affordable artist live/work spaces and commercial spaces on the ground floor. This "residential with permitted first-floor commercial" is permitted conditionally in the M4 zone subject to site plan review and Special Land Use Hearing. Artspace completed these steps and has received an approval from the Building, Safety Engineering and Environmental Department of conditional use.

Naturally, Artspace supports Core City neighborhood's downzoning request. We hope that the project proceeds to be an asset to the neighborhood and its livability. Please contact me at 612-889-3905 or Greg.handberg@artspace.org if you have any questions.

Sincerely,



Greg Handberg
Senior VP, Properties
Artspace Projects, Inc.

March 7, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

I, Bruno Vanielegem, owner of 5001 W Grand River and a resident in the neighborhood, am in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”.

I want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, I want to see zoning that’s fully compatible with our neighborhood that will safeguard us from potential future bad actors and attract more people to become our neighbors in our beautiful part of Detroit.

As an environmentally focused business, that relies on individuals and other businesses, it’s so important to us that the city fosters a vision and plan that encourages growth more in the vein of SD2.

Thank you,

Bruno Vanielegem
brunovz@gmail.com

February 23rd, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226


Re: Downzoning in Core City

To whom it may concern,

I, Chelsea Hyduk & David Axelson, owners of 4656 17th Street, are in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”.

I want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, I want to see zoning that’s fully compatible with our neighborhood that will safeguard us from potential future bad actors and attract more people to become our neighbors in our beautiful part of Detroit.

Thank you,



Chelsea Hyduk

chelseahyduk@gmail.com



David Axelson

djaxelson@gmail.com

SHRI THANEDAR
13TH DISTRICT, MICHIGAN

COMMITTEE ON HOMELAND
SECURITY

SUBCOMMITTEE ON TRANSPORTATION AND
MARITIME SECURITY *RANKING MEMBER*

COMMITTEE ON SMALL BUSINESS

SUBCOMMITTEE ON INNOVATION,
ENTREPRENEURSHIP, AND WORKFORCE
DEVELOPMENT



Congress of the United States
House of Representatives
Washington, DC 20515

WASHINGTON, D.C. OFFICE
1039 LONGWORTH HOB
WASHINGTON, D.C. 20515
PHONE: (202) 225-5802

MI DISTRICT OFFICE
400 MONROE STREET, SUITE 420
DETROIT, MI 48226
PHONE: (313) 880-2400

February 23, 2024

City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI 48226

Re: Downzoning in Core City

To whom it may concern,

As Representative of Michigan's 13th District, which includes Core City, I am in favor of downzoning the "M4 Intensive Industrial" lots in the Core City neighborhood of Detroit to "SD2 Special Development District—Mixed-Use".

I want to make sure there will be no toxic project proposals beside the residents, businesses, and community organizations of Core City. Instead, I want to see zoning that's fully compatible with the Core City neighborhood that will safeguard them from potential future bad actors and attract more people to become neighbors in their beautiful part of Detroit.

Sincerely,

A handwritten signature in blue ink that reads "Shri Thanedar".

Shri Thanedar, Ph.D.
Member of Congress, Michigan's 13th District



February 21, 2024

City of Detroit
City Planning Commission
2 Woodward Ave, Suite 208
Detroit, MI 48226

Re: Downzoning in Core City

Dear City Planning Commission:

Woodbridge Neighborhood Development is the nonprofit community development organization serving the Woodbridge community, which is directly east of the Core City neighborhood. Our organization is generally opposed to new intensive industrial activities in close proximity to residential neighborhoods.

We are writing to express our support for the proposed rezoning/downzoning in the Core City neighborhood which would change the designation of lots currently zoned M4 (Intensive Industrial) to SD2 (Special Development District—Mixed-Use).

It does not make sense to intensify industrial uses near an area currently experiencing new housing and commercial development. We want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in and near Core City. Instead, we believe Core City deserves zoning compatible with the neighborhood that will safeguard the community from potential future bad actors and attract more people to become neighbors in their beautiful part of Detroit.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Angie Gaabo', with a long horizontal flourish extending to the right.

Angie Gaabo
Executive Director

Kardia Kaiomenē



February 22, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

I am the executive director of a non-profit called Kardia Kaiomene and I work out of my home on the edge of the Core City neighborhood. I am in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District – Mixed-Use”.

I want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, I want to see zoning that’s fully compatible with our neighborhood that will safeguard us from potential future bad actors and attract more people to become our neighbors in our beautiful part of Detroit.

Sincerely,
Tommy Airey
Kardia Kaiomene, Executive Director
1786 W. Willis, #4
Detroit, MI 48208
949/842/9503

Kardia Kaiomenē is a community-supported non-profit, partnering with friends, families and faith communities to equip and accompany all those whose hearts burn for intimacy, community and justice.



February 27th, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

I, Vanessa Serna, a representative from Core City Strong, the neighborhood block club directly adjacent to the impacted area, am in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”.

We want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, we want to see zoning that’s fully compatible with the neighborhood that will safeguard the community from potential future bad actors and attract more people to become neighbors in their beautiful part of Detroit.

Thank you,

Vanessa Serna

(313) 451-6593



February 23rd, 2024

To: City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

I am the Executive Director of Detroit Disability Power. We are a social justice organization with nearly 300 member and our office is located in Core City. I am in favor of downzoning the "M4 Intensive Industrial" lots in the Core City neighborhood to "SD2 Special Development District—Mixed-Use."

We want to make sure there will be no new toxic project proposals next to residents, businesses, and community organizations in Core City. Instead, we want to see zoning that's fully compatible with the neighborhood, that will safeguard the community from potential future bad actors, and that will attract more people to become neighbors in this beautiful part of Detroit.

As a disability justice organization with our home base in Core City, we ally ourselves with residents and are committed to environmental and racial justice. Downzoning will help protect residents' health, as well as provide additional opportunity for vibrant community building.

Thank you,

A handwritten signature in black ink, appearing to read "Dessa".

Dessa Cosma
4731 Grand River Ave, Suite 307
Detroit, MI 48208
Dessa@DetroitDisabilityPower.org
www.DetroitDisabilityPower.org

February 23, 2024

City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To Whom It May Concern,

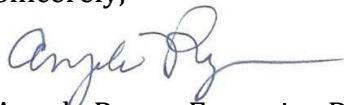
As the representative of Detroit Hispanic Development Corporation (DHDC) I would like to express our full support for the recommended downzoning of the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”.

DHDC is a nonprofit community-based organization located in and serving Southwest Detroit, which is immediately adjacent to the Core City neighborhood. Our mission is to enact meaningful change by providing life-changing opportunities, serving over 10,000 youth and adults annually.

DHDC has worked in collaboration with other Detroit organizations and the University of Michigan for over 25 years to address the social determinants of health in Detroit, including air quality, childhood asthma and cardiovascular disease. We have decades of research documenting the health impacts of these types of facilities which are dangerous sources of toxins.

We want to ensure that the city does not allow any new developments that can worsen air quality and the health of the people who live and work there. It is imperative that zoning in the area be fully compatible with the neighborhood and will safeguard the well-being and future growth of the local community.

Sincerely,



Angela Reyes, Executive Director & Founder
Detroit Hispanic Development Corporation



Detroit Justice Center
4731 Grand River Ave
Detroit, Michigan 48208
(313) 736-5957

March 13, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI 48226

Re: Downzoning in Core City

To Whom It May Concern:

I, Nancy A. Parker, Executive Director of the Detroit Justice Center and on behalf of the Detroit Justice Center, declare that we are in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use.”

We believe this action is necessary in order to ensure that there will be no new toxic project proposals adjacent to the residents, businesses, and community organizations of Core City. Instead, we want to see zoning that’s fully compatible with the neighborhood and one that safeguards the community from potential future bad actors. Our zoning should be one that attracts more people to become neighbors in our beautiful section of Detroit.

Sincerely,

Nancy A. Parker
Executive Director
Detroit Justice Center
4731 Grand River Ave
Detroit, Michigan 48208
(313) 736-5957

February 23rd, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI 48226

Re: Downzoning in Core City

To whom it may concern,

I, Ash Davis, homeowner in Core City at 3987 Lawton St, am in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”.

In light of the recent controversies surrounding project proposals in Core City, it's clear that we must prioritize the wellbeing of our residents, businesses, and community organizations. There should be no room for any new toxic initiatives that could jeopardize our neighborhood's safety and health.

It is essential to establish zoning regulations that align with our community's needs and characteristics. Such measures would not only protect us from future harmful ventures but also make our area more appealing to potential residents.

Our neighborhood is a beautiful part of Detroit, and it deserves to be treated as such. Let's ensure that Core City remains a safe, welcoming, and thriving community for everyone.

Thank you,
Ash Davis
3987 Lawton, Detroit
248 921 2145



4731 Grand River Ave.
Detroit, MI 48208

Tuesday March 12, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

We are a collective of non-profit organizations located in the Core City neighborhood: Allied Media Projects, Detroit Justice Center, Detroit Community Technology Project, Detroit Disability Power, Detroit Narrative Agency. We share a home called the LOVE Building at 4731 Grand River Ave.

We are strongly in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”. We believe this change will benefit the constituents we serve and whose interests we seek to advance.

We want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, we want to see zoning that’s fully compatible with the neighborhood that will safeguard the community from potential future bad actors and attract more people to become neighbors in their beautiful part of Detroit.

Sincerely,

A handwritten signature in black ink, appearing to read "Kwaku Osei".

Kwaku Osei, LOVE Building Executive Director



February 23rd, 2024

City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

On behalf of the Great Lakes Environmental Law Center, I am expressing my strong support for downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”.

Zoning ordinances are the best means of protecting residents from excessive exposure to environmental risk and preventing environmental injustice. In the past zoning ordinances often allowed highly toxic and harmful industrial uses to be placed directly adjacent or nearby residential uses. By downzoning, the City of Detroit can create a future for its residents where they do not have to be concerned about whether their neighborhood is safe from industrial polluters.

Thank you,

/s/Nicholas Leonard

Nicholas Leonard
Executive Director
Great Lakes Environmental Law Center
313-782-3372 | nicholas.leonard@glelc.org



February 23, 2024

City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI 48226

Re: Downzoning in Core City

To whom it may concern,

Detroiters Working for Environmental Justice (DWEJ) was the first environmental justice organization established in Michigan. Its purpose then and now is to amplify the voice of community members to protect and maintain their physical, mental, spiritual and economic health. Too often in Detroit communities are in the shadow of industry and it negatively impacts health. Downzoning, especially in established residential areas, can support all aspects of health and help communities thrive.

Detroiters Working For Environmental Justice (DWEJ) is in favor of downzoning the “M4 Intensive Industrial” lots in the Core City neighborhood of Detroit to “SD2 Special Development District—Mixed-Use”. We want to make sure that there are no new toxic projects proposed near residents, businesses, and community organizations in Core City. We want to see zoning that is responsive to community needs and zoning that will safeguard the community from potential future bad actors.

Sincerely,

Lapriisha Berry Daniels, MSW, MPH
Executive Director
Detroiters Working for Environmental Justice

4750 Woodward Avenue, Detroit, MI 48201 | Phone (313) 833-3935

February 23rd, 2024

To:
City of Detroit Planning Commission
2 Woodward Ave # 208
Detroit, MI
48226

Re: Downzoning in Core City

To whom it may concern,

I, Andrew Chae, owner of Fisheye Farms and a resident in the neighborhood am in favor of downzoning the "M4 Intensive Industrial" lots in the Core City neighborhood of Detroit to "SD2 Special Development District—Mixed-Use".

I want to make sure there will be no new toxic project proposals beside the residents, businesses, and community organizations in Core City. Instead, I want to see zoning that's fully compatible with our neighborhood that will safeguard us from potential future bad actors and attract more people to become our neighbors in our beautiful part of Detroit.

Thank you,

Andrew Chae

Fisheye Farms

fishyefarms@gmail.com

April 4, 2024

City of Detroit Planning Commission
Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 208
Detroit, Michigan 48226
(313) 224-6225
cpc@detroitmi.gov

Subject: Support for Maintaining M4 Zoning in Core City Neighborhood

City of Detroit Planning Commission,

I am writing to express our support for not modifying all parcels to SD2. The downzone of all M4 properties located within the Core City neighborhood for the City of Detroit as depicted is arbitrary and does not consider parcel characteristics, highest and best use, and/or adjoining zoning. While we understand the desire of some residents for these properties to be changed to an SD2 zoning classification, we believe that maintaining the current M4 zoning designation is more suitable for several reasons. With some dialogue, we would consider an alternative zoning designation of M1, M2, B2, B4, etc.

First and foremost, existing property owners within the Core City neighborhood may have invested significant resources and efforts into their M4 zoned properties under the understanding of the current zoning regulations. Changing the zoning classification to SD2 could potentially disrupt their operations, limit their development options, or impose additional regulatory burdens, leading to financial and logistical challenges. Furthermore, the plan as proposed is essentially a taking under the United States Constitution Articles, 5 and 14.

The existing M4 zoning classification typically allows for a broader range of industrial and manufacturing activities, which may be essential for the economic vitality and diversity of the Core City neighborhood. Many current and past businesses operating within M4 zoned properties have and do contribute to job creation, economic growth, and local entrepreneurship, thus playing a crucial role in the community's prosperity.

Additionally, while we acknowledge the desire of a few vocal residents for all properties to be changed to an SD2 zoning classification, we believe that there are other properties within the neighborhood that may be more appropriate for this zoning designation. By strategically identifying suitable locations for SD2 zoning, the City of Detroit can effectively balance the interests of residents with the needs of existing businesses and property owners.

In conclusion, we respectfully urge the City of Detroit Planning Commission to consider the implications of changing the zoning classification for all M4 properties within the Core City neighborhood more carefully. Maintaining the current M4 zoning designation is essential for supporting the continued growth and development of businesses, preserving the economic diversity of the neighborhood, and ensuring a balanced approach to zoning

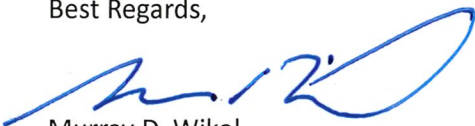
regulations. The City of Detroit has rarely, if ever, downzoned a M4 to a SD2. It simply does not make sense, in the past and/or now.

There is no need to rush such an important decision. Landowners like us, were not made aware of the downzoning until the past few weeks. There are thousands of people in Core City and a few residents and outsiders are trying to hijack the process of good government.

Furthermore, more open public meetings need to be held. Currently, Public Officials and a few residents are holding meetings in violation of the Public Meetings Act. A few Core City residents (20-40 persons) are holding secret meetings and correspondences with Public Officials and City of Detroit appointed board members in blatant violation of the Open Meeting Act 267 of 1976 and MCL 15.261. Gross misrepresentations have been made in these meetings regarding this downzoning.

Thank you for considering our perspective on this matter. Should you require any further information or clarification, please do not hesitate to contact me.

Best Regards,



Murray D. Wikol
Can-Am International Trade Crossing LLC
Member
(248) 988-9341 (Office)
mwikol@provisions.ws

Mid-Michigan Recycling LLC
17195 Silver Parkway #314
Fenton, Michigan 48430

April 4, 2024

City of Detroit Planning Commission
Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 208
Detroit, Michigan 48226
(313) 224-6225
cpc@detroitmi.gov

Subject: Support for Maintaining M4 Zoning at 4445 Lawton Street, Detroit Michigan

City of Detroit Planning Commission,

I am writing to inform you that I am against the zoning change from M4 to SD2. Mid-Michigan Recycling LLC ("Mid-Michigan") has been on site since 2021. We have invested heavily to clean up the site of illegal dumping. Mid-Michigan has also added a fence to stop the illegal dumping that has been happening at this property for years.

The M4 zoning was what attracted my company to lease this space from the owner. Rezoning to SD2 would be devastating to our business model. Mid-Michigan needs M1, M2 and preferably M4 to operate, SD2 does not work for us. SD2 eliminates many potential uses for the site that benefit the community. Including, but not limited to, Produce or Food Markets, Wholesale, Food Stamp Distribution Center, Greenhouses, Etc.

Thank you for your time on our perspective on this matter. Should you require any further information or clarification, please do not hesitate to contact me.

Best Regards,



Vaughn Smith
Owner
(810) 459-9190
VMMCR@aol.com



**CITY OF DETROIT
BOARD OF ZONING APPEALS
DECISION AND ORDER**

IN RE APPEAL BY BZA PETITIONER:

BZA CASE NO.: 1-23

LOCATION: 4445 LAWTON, between W. Hancock and Buchanan in a M4 zone (Intensive Industrial District). City Council District #1

PETITIONER: CAN-AM INTERNATIONAL TRADE CROSSING, LLC
6632 TELEGRAPH #350
BLOOMFIELD HILLS, MI. 48301

REPRESENTATIVE: KRISTIN LUSN
1312 JOILET PLACE
DETROIT, MI. 48207

LEGAL DESCRIPTION: Available upon request

PETITION: Can-Am International Trade Crossing, LLC appeals the decision of the Buildings Safety and Engineering and Environmental Department (BSEED SLU2022-00131 Decision Date: December 20, 2022, Effective Date: January 3, 2023) which DENIED the establishment of a very high-impact manufacturing or processing facility (crushing, grading, and screening of rock, stone, slag, clay, or concrete) on a 4.7-acre vacant site in a M4 (Intensive Industrial District).

FACTS AND PROCEDURAL POSTURE OF APPEAL:

The Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department.

PETITIONER'S REQUESTED ACTIONS:

Can-Am International Trade Crossing, LLC appeals the decision of the Buildings Safety and Engineering and Environmental Department (BSEED SLU2022-00131 Decision Date: December 20, 2022, Effective Date: January 3, 2023) which DENIED the establishment of a very high-impact manufacturing or processing facility (crushing, grading, and screening of rock, stone, slag, clay, or concrete) on a 4.7-acre vacant site in a M4 (Intensive Industrial District).

PETITIONER'S STANDING TO BRING APPEAL:

The Law Department had determined that the petitioner has standing to bring this case before the Board.

BZA'S AUTHORITY TO CONSIDER PETITIONER'S APPEAL:

The BZA has authority to consider the Petitioner's appeal based on 50-4-101 Jurisdiction over Appeals of Administrative Decisions and Sec. 50-3-281 General approval criteria

PUBLIC NOTICE AND HEARING:

On July 1, 2023, 12 notices of the Board's public hearing were distributed via certified mail to (1) all persons whose names and mailing addresses appeared in the current assessment roll as owners of property located within 300 feet of the exterior boundaries of the Subject Property, (2) the occupants of all single and two-family dwellings located within 300 feet of the exterior boundaries of the Subject Property, and (3) all neighborhood improvement associations whose subject areas are known to be located within at least 300 feet of the exterior boundaries of the Subject Property.

On July 17, 2023 the Board held a public hearing to consider the Petitioner's appeal. In advance of and during the public hearing, the BZA was presented with testimony, documents, and other information pertinent to the Petitioner's appeal:

Information from BZA Staff:

- BZA Appeal Petition filed December 22, 2022.
- BZA Staff Report prepared by Inspector April Purofoy
- Photo Presentation of BZA Staff Field Inspection, conducted on July 17, 2023.

Information from Petitioner:

- Testimony of the Petitioner.
- 1. Petitioner testified that they wish to overturn the BSEED Decision to allow for the **establishment of a very high-impact manufacturing or processing facility (crushing, grading, and screening of rock, stone, slag, clay, or concrete) on a 4.7-acre vacant site in a M4 (Intensive Industrial District).**
 2. Petitioner further testified that the requested variance is consistent with the Master Plan as it is located in an intensive industrial district.
 3. BSEED attorney stated that BSEED in their decision that at the time of inspection, there were numerous piles of dirt, concrete, and asphalt on the site. The applicant does not have the correct screening to shield the residential neighborhood, thus could pose an adverse public health, noise and safety hazard for residents.
 4. BSEED attorney stated that BSEED in their decision per the Planning and Development Department, due to the very high impact nature of the proposed asphalt production plant, heavy vehicle traffic associated with the use (around 60 trucks daily) and its proximity to the southern residential community, it does not comply with the current Master Plan of Policies Future Land Use designation of Light Industrial thereby could aggravate any pre existing physical, social or economic deterioration of the adjacent residential neighborhood.
 5. BSEED attorney stated that BSEED in their decision per the City Planning Commission, the Pope Francis Center Bride Housing is a 40 unit housing facility that is currently under construction, to the north of the subject property. To serve the homeless and provide social services help. This use is less than 300 feet away. Which could expose the campus to external emissions and environmental impacts\.
 6. BSEED attorney stated that BSEED in their decision the applicant has otherwise failed to meet its burden and satisfy other general approval criteria outlined in Section 50-3-281 that the conditional use sought will not substantially diminish or impair property values within the neighborhood.

7. BSEED attorney stated that BSEED in their decision the applicant has otherwise failed to meet its burden and satisfy other general approval criteria outlined in Section 50-3-281 that conditional use sought will be compatible with the capacities of public services and public facilities that area affected by the proposed use.
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11. Petitioner was not present for the hearing so no testimony was garnered.

Information from the Public in Support or Opposition of Petitioner's Appeal:

1. Large amounts of opposition was present to testify that this type of use is too intense for this area.
2. Large amounts of opposition testified that BSEED made the right decision to deny the proposed request at this location because it would interfere with the air quality.
3. Large amounts of opposition testified that the proposed facility would interfere with enjoyment of the use of their properties as the trucks would utilize residential streets.
4. Large amounts of opposition testified that this type of use is not the highest and best use for not only this property but also the surrounding community.

BZA DECISION:

WHEREAS, the BZA has authority under the Detroit Zoning Ordinance to consider this appeal and the Petitioner has standing to bring this appeal before the BZA; and

WHEREAS, the BZA has provided public notice of this appeal in accordance with the Michigan Zoning Enabling Act and the Detroit Zoning Ordinance; and

WHEREAS, the BZA staff has reviewed this appeal, conducted field inspections of the Subject Property, and reported its findings to the BZA; and

WHEREAS, the BZA has held a public hearing on this appeal, during with the Petitioner, relevant City Departments, and all members of the public who desired to be heard were provided opportunity to provide testimony, documentation, and other information relevant to this appeal; and

WHEREAS, the Petitioner has been given the opportunity to present this appeal before the BZA; and

WHEREAS, all testimony, documentation, and other information submitted to the BZA prior to or during the public hearing has been provided to the BZA for consideration;

NOW THEREFORE:

After careful consideration and based on the following findings, Board Member Hill-Knott offered a motion to **Uphold BSEED's Decision to Deny** the Petitioner's request. This motion was seconded by Board Member Moore.

1. The Board found that P&DD recommended Denial for the proposed use.
2. The Board further found that BSEED made the correct decision based on the information submitted and it is proper to Uphold BSEED's decision.
3. The Board further found that petitioner was not present to give any explanation which is disrespectful to the Board, staff and citizens of this community.
4. The Board further found that the establishment, maintenance, location and operation of this proposed conditional use would be detrimental to and endanger the social, physical, environmental and economic well being of the surrounding neighborhoods.
5. The Board further found that the conditional use would involve activities, processes, materials, equipment or conditions of operation that would be detrimental to the physical environmental or public health and general welfare by reason of excessive production of noise, smoke, fumes glare and maybe odors.

CAUTION

The granting of an appeal by the Zoning Board of Appeals pertains only Zoning regulations. The grant does not abrogate or release the grantee from complying with all laws relating to safety, stability, health, etc., as required by the Building, Housing, Electrical, Plumbing and other Municipal Codes

FINAL DECISION

Any decision of the Board of Zoning Appeals may be appealed to Circuit Court as specified in 125.585 (MSA 5.2935) of the Zoning Enabling Act of Michigan, Act 207 of the Public Acts of 1921, as amended.

The minutes of the Board of Zoning Appeals decision in this case were approved by the Board during its public meeting held on July 24, 2023.

CERFITIFIED COPY FROM THE BOARD OF ZONING APPEALS, CITY OF DETROIT FOR THE WAYNE COUNTY REGISTER OF DEEDS.



James W. Ribbron, Director – Board of Zoning Appeals

PREPARED BY APRIL T. PUROFOY



**CITY OF DETROIT
BOARD OF ZONING APPEALS
DECISION AND ORDER**

IN RE APPEAL BY BZA PETITIONER:

BZA CASE NO.: 1-23

LOCATION: 4445 LAWTON, between W. Hancock and Buchanan in a M4 zone (Intensive Industrial District). City Council District #1

PETITIONER: CAN-AM INTERNATIONAL TRADE CROSSING, LLC
6632 TELEGRAPH #350
BLOOMFIELD HILLS, MI. 48301

REPRESENTATIVE: KRISTIN LUSN
1312 JOILET PLACE
DETROIT, MI. 48207

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James W. Ribbron, Director – Board of Zoning Appeals

PREPARED BY APRIL T. PUROFOY



**BUILDINGS, SAFETY ENGINEERING
AND ENVIRONMENTAL DEPARTMENT**

Coleman A. Young Municipal Center
2 Woodward Avenue, Fourth Floor
Detroit, Michigan 48226

Phone 313•224•2733 TTY:711
Fax 313•224•1467
www.detroitmi.gov/BSEED

BSEED Case No.: SLU2022-00131
Property Address: 4445 Lawton
Decision Date: December 20, 2022
Effective Date: January 3, 2023

Applicant/Owner

Murray Wikol
Can-Am International Trade Crossing, LLC
3890 Oakland Drive
Bloomfield Hills MI 48301

Request: Establish a very high-impact manufacturing or processing facility (crushing, grading, and screening of rock, stone, slag, clay or concrete) on a 4.7-acre vacant site.

Location: 4445 Lawton, located between Buchanan and West Hancock Streets in an M4 (Intensive Industrial) Zoning District and legally described as: *W LAWTON 41 THRU 50; 55 THRU 58 & VAC ALLEY ADJ RESUB OL 8 PC 729 L6 P24 PLATS, WCR 12/60 TH PT OF OL 9 BETW LAWTON & MAYBURY GRAND PLAT OF REAR CONC PC 729 L99 P402 DEEDS, WCR 12/160 204,694 SQ FT (PIN 12000553-6)*

The current legal land use of the subject property is 'Vacant Land' by demolition permit number 7596 issued on May 8, 1997. The applicant is proposing a stone crushing and recycling facility that will produce and store crushed material including but not limited to concrete, brick, stone, etc. The applicant operations include, receiving raw demolished concrete material, trucks will be weighed, material inspected, processed through impactor and jaw crusher, inspected, and shipped out by truck to suppliers.

The proposed use of "Concrete Crushing" (Very high-impact manufacturing or processing)" is permitted conditionally in a M4 Zoning District per Section 50-10-113(19). Additionally, the proposed change of use requires review by the Industrial Review Committee per Section 50-2-104(1) of the Detroit Zoning Ordinance. The property is zoned M4 (Intensive Industrial) Zoning District. The proposed use of 'Crushing, grading, and screening of rock, stone, slag, clay, or concrete (Very high-impact manufacturing or processing)' is permitted conditionally in a M4 Zoning District per Section 50-10-113(19) ("Applicability"), thus require, Site Plan Review, a Special Land Use Hearing, and Industrial Review Committee prior to issuance of permits.

This request has been processed in accordance with the provisions of Sections 50-3-241, 50-10-113(19), and 50-12-365 of the Detroit Zoning Ordinance and the following submittals were considered as part of this request:

1. Preliminary Plans prepared by Giffels Webster, last revised 10/12/2022, approved by BSEED on 11/1/2022 and including site plan, floor plan and elevations; and

BSEED Case No.: SLU2022-00131
Property Address: 4445 Lawton
Decision Date: December 20, 2022
Effective Date: January 3, 2023



2. Recommendation to deny the use with conditions from the Detroit Planning & Development Department received 12/14/2022; and
3. Recommendation to deny the use from the Environmental Affairs Division dated 12/16/2022.
4. Recommendation to deny the use from the City Planning Commission dated 12/12/2022.

Our department held a public zoom hearing on 11/30/2022. Notice of this hearing was published in the Detroit Legal News on 11/15/2022 and mailed to property owners within 300' of the subject site. In addition to representatives from the City of Detroit, the hearing was attended by the owner, his lawyer: civil consultant, and operator of the property. No one spoke in support and 20 people spoke in opposition. 5 letters of support received before the hearing.

100 plus emails of opposition had been received by the department at time of this decision and a 600 plus signed petition. General concerns articulated by residents in the opposition emails include proximity of the concrete crushing to the neighborhood, lack of residential screening being proposed by the applicant, potential negative noise impact from heavy truck traffic, potential residential property value decline, and the adverse impact of particulate matter emitting from the piles upon the residential neighborhood.

After careful consideration, we were unable to make the required findings of fact as required by Section 50-3-281, specifically:

- A) At the time of the inspection, there were numerous piles of dirt, concrete, and asphalt on the site. The applicant does not have the correct screening to shield the residential neighborhood, thus could pose an adverse public health, noise, and safety hazard for residents.
- B) Per the Planning and Development Department, due to the very high-impact nature of the proposed concrete crushing, heavy vehicle traffic associated with the use (around 60 trucks daily) and its proximity to the southern residential community, it does not comply with the current Master Plan of Policies Future Land Use designation of Light Industrial or (IL), thereby could aggravate any pre-existing physical, social or economic deterioration of the adjacent residential neighborhood.
- C) Per the City Planning Commission, the Pope Francis Center Bride Housing is a 40-unit housing facility that is currently under construction, to the north of the subject property. To serve the homeless and provide social services help. This use is less than 300 feet away. Which could expose the campus to external emissions and environmental impacts.
- D) The applicant has otherwise failed to meet its burden and satisfy other general approval criteria outlined in Section 50-3-281 of the 2019 Detroit City Code. More specifically, the applicant has not provided evidence which demonstrates:

BSEED Case No.: SLU2022-00131
Property Address: 4445 Lawton
Decision Date: December 20, 2022
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- a. The conditional use sought will not substantially diminish or impair property values within the neighborhood.
- b. The conditional use sought will be compatible with the capacities of public services and public facilities that are affected by the proposed use.
- c. Adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided.
- d. The conditional use sought will be compatible with land uses on adjacent and nearby zoning lots in terms of location, size, and character.
- e. The conditional use sought is so designed, located, planned, and will be operated so that the public health, safety, and welfare will be protected

Therefore, this request is DENIED.

This decision will become effective **January 3, 2023**. However, Section 50-3-302 of the Zoning Ordinance provides the right to appeal this decision to the Board of Zoning Appeals prior to the effective date of this decision. A fee may be required for an appeal to the Board of Zoning Appeals. **All appeals must be made in person at the Zoning Counter, 4th Floor, Coleman A. Young Municipal Center.**

It shall be the responsibility of the person or organization who files an appeal, or his/her duly authorized representative, to attend and testify at the Board of Zoning Appeals hearing as to why the original decision of this Department should not take effect.

If no written appeal is filed prior to the effective date of this decision, the denial shall be deemed final, and the use shall cease immediately. No application which has been denied wholly or in part shall be submitted for a period of one (1) year from the date of said order of denial, except on the grounds of new evidence or proof of changed conditions.

Sincerely,

David Bell
Director

DB/JSP