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September 26, 2024

HONORABLE CITY COUNCIL

RE: Request of Ibrahim Bazzi to amend Article XVII, Section 50-17-41, District Map No. 39 of the 2019 Detroit City Code, Chapter 50, Zoning, to show a B4 (General Business District) zoning classification where P1 (Open Parking District) and B2 (Local Business and Residential District) zoning classifications are currently shown on one parcel commonly known as 6181 Cadieux Rd. and generally bounded by Harper Ave. to the north, Cadieux Rd. to the east, Berden St. to the south, and Harvard Rd. to the west. **(RECOMMEND DENIAL)**

BACKGROUND AND PROPOSAL

The City Planning Commission (CPC) has received a request from Ibrahim Bazzi to amend Article XVII, Section 50-17-41, District Map No. 39 of the 2019 Detroit City Code, Chapter 50, Zoning, to show a B4 (General Business District) zoning classification where P1 (Open Parking District) and B2 (Local Business and Residential District) zoning classifications are currently shown on one parcel commonly known as 6181 Cadieux Rd. and generally bounded by Harper Ave. to the north, Cadieux Rd. to the east, Berden St. to the south, and Harvard Rd. to the west. The franchisees for the restaurant, if approved, will be westside Detroiters Antonio Barnett and Jennifer Walker.

The proposed rezoning is being requested to allow for the development of a restaurant with drive through and retail store. The location of the property was the former site of a Chase Bank which was purchased by Mr. Bazzi. The building was demolished in 2020 after years of vacancy and vandalism. The petitioner currently owns and operates the BP Motor Filling Station on Outer Drive and Harper on the eastside of Detroit.

SURROUNDING LANDUSE AND ZONING

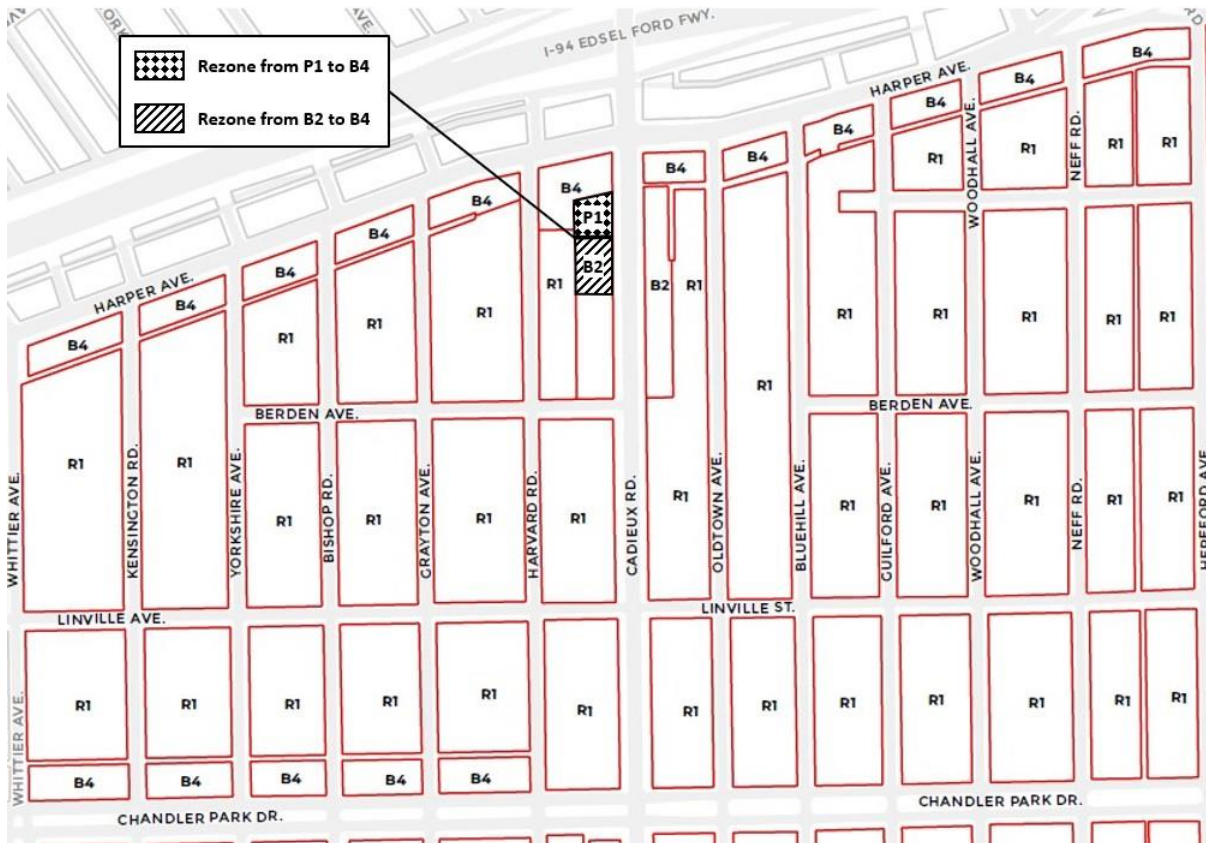
The zoning classification and land uses surrounding the subject area are as follows:

North: B4 (General Business District) – Motor vehicle filling station

East: B2 (Local Residential and Business District) – Vacant multi-family residential, medical clinic

South: B2 (Local Residential and Business District) – Religious institution

West: R1 (Single-Family Residential District) and B4 (General Business District) – Single-family residences, fastfood restaurant with drive through



PUBLIC HEARING RESULTS & COMMUNITY INPUT

On February 16, 2023, the City Planning Commission held a public hearing on this rezoning request. During the hearing nine members of the public spoke, seven in support, and two with concerns about the proposed rezoning. The nine people who spoke in support mentioned the following:

- Mr. Bazzi's reputation as a great business owner who employs community members and takes good care of his properties.
- The community needs development and the concerns about traffic have been exaggerated by opposers to this project.
- The character of Mr. Bazzi and the way he has supported the east side community, through employment, philanthropy, etc.
- The eastside needs the type of progress that turns vacant and unproductive parcels into businesses that can uplift the community.
- The eastside community network awarded Mr. Bazzi and his business for being a great community partner.
- The development of a Savvy Sliders restaurant would bring more options for residents to choose from.

The two people who spoke about concerns related to the proposed rezoning and development of the Savvy Sliders restaurant mentioned the following:

- Traffic near the site is already an issue and the proposed Savvy Sliders restaurant would add to the issues on Cadieux.

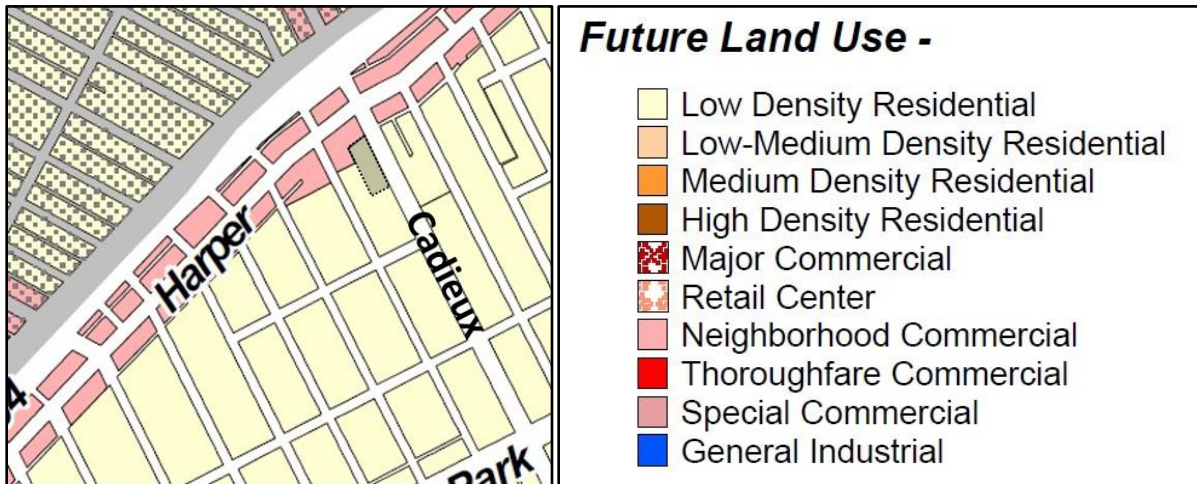
- The dedicated senior medical center (zoned B2) located across the street from the site would be negatively affected by the proposed rezoning.
- A traffic study needs to be done to understand Cadieux Road's current traffic load and how the proposed development would affect it.

STAFF ANALYSIS

Zoning Ordinance Approval Criteria

Section 50-3-70 of the Detroit Zoning Ordinance lists eight approval criteria on which zoning map amendments must be based. Following are the relevant criteria with CPC staff's analysis in italics:

- Whether the proposed amendment is consistent with the Master Plan and the stated purposes of this chapter. *The Planning and Development Department (PDD) provided a Master Plan Interpretation which found the proposal to be **generally consistent** with the Master Plan due to the small size of the subject site and its former commercial use. However, the document also states that the proposed rezoning significantly increases the intensity of the possible uses and traffic volume.*
- Whether the proposed amendment will protect the health, safety, and general welfare of the public. *The proposed rezoning from B2 (Local Business & Residential District) to B4 (General Business District) would bring thoroughfare-oriented commercial uses closer to residentially zoned land on Cadieux Road. The current proposal of a restaurant with drive-through would be conditionally allowed in the proposed B4 district and would likely add to the traffic volume on Cadieux Road. During peak hours (morning and evening) the line of cars waiting at the Harper and Cadieux intersection has been observed to stretch beyond the subject site. Any additional development on the currently vacant site can be expected to increase traffic volumes and conflicts. CPC staff is of the view that a restaurant with drive-through may have a negative impact depending upon site design and peak traffic volumes.*
- Whether the proposed amendment will have significant adverse impacts on other property that is in the vicinity of the subject tract. *There are four residential homes that directly abut the subject site. CPC staff spoke directly with the residents of those homes, and they expressed support for the proposed rezoning and development of the Savvy Sliders restaurant. During the public hearing the petitioner expressed that an 8ft masonry wall would be erected on the western property line in order to create a buffer between the subject site and the residential homes. As mentioned earlier the proposed rezoning would increase the number of by-right and conditional uses allowed on the site which directly abuts residential homes and the religious institution to the south.*
- The suitability of the subject property for the existing zoning classification and proposed zoning classification. *The Master Plan designates the entire Harper corridor as Neighborhood Commercial (CN). Generally, B1 and B2 zoning classifications are considered to be appropriate in the CN designation. The B4 zoning classification is generally not considered to be appropriate in the CN designation. Despite this the vast majority of land along Harper Avenue is currently zoned B4. The intersection of Harper and Cadieux hosts gas stations and fastfood restaurants with drive-through. The subject site has a Master Plan designation of Low Density Residential (RL) in which no business district zoning classification is considered to be appropriate. Rezoning the subject site to B4 would cause the business district to further encroach into the neighborhood.*



The location of the proposed rezoning is shaded

- **Community Input**

The petitioner presented their intention and plans to rezone the subject site to the Cornerstone Village (CSV) and East English Village (EEV) Neighborhood Associations. The meetings were held on January 21, 2023 (CSV) and February 8, 2023 (EEV). CPC staff attended both meetings and provided an overview of the rezoning request and the timeline of the process. Community members provided comments in both support and opposition of the proposed rezoning. There was a significant number of concerns raised by community members, and not the overwhelming support that was shown during the public hearing.

FURTHER ANALYSIS

Since this matter was last before the Commission, staff has worked with the petitioner and the Administration to the address the various concerns. We found some unique circumstances with the requested rezoning and desired use at this location. The above-mentioned traffic concerns and site design warranted further review.

The requested traffic study was not conducted as it was deemed unnecessary by the Traffic Engineering Division (TED). TED reviewed the proposal and determined that on site traffic capacity and the capacity of Cadieux are more than ample to handle peak traffic demands without compromising traffic flow along the Cadieux corridor. The onsite traffic capacity was ensured by the work of the design team at PDD working to develop an optimal site layout, which limited impacts on adjacent properties. The petitioner agreed and submitted the attached site plan compliant with PDDs and TED’s expectations of the site.

The Master Plan also presents some interesting challenges with regard to land use. As noted above this segment of Harper has historically functioned more like a major thoroughfare with more intense auto oriented uses, despite the MP’s Neighborhood Commercial designation. This is no doubt due in large part to the I-94 Fwy. access point to the north. The subject intersection hosts a gas station on each corner with two operating adjacent fastfood restaurants. At the very least there seems to be the ability to support more intense activities at this node. The intersection is also zoned B4 as is the Harper frontage itself.

At the end of 2022 the Council adopted the auto uses and junk yards ordinance, which significantly changed the general commercial landscape, making auto centric activities industrial uses. In the past it was those types of uses that created more conflicts with residential neighborhoods and made the B4

zoning district less appealing. What amounts to the expansion of B4 zoning at this node is now less objectional than it would have been in the past. As long as the residential/institutional uses that characterize Cadieux as you continue south are preserved and uninjured, the requested rezoning is more plausible.

CONCLUSION AND RECOMMENDATION

Despite a favorable recommendation from CPC staff, the Commission cites concerns with the Master Plan, area traffic, adjacencies and the site plan, and doubts that the site can support the proposed B4 zoning. Therefore, the City Planning Commission recommends denial of the request of Ibrahim Bazzi to rezone one parcel commonly known as 6181 Cadieux Road from P1 (Open Parking District) and B2 (Local Business and Residential District) zoning classifications to the B4 (General Business District) zoning classification.

Respectfully Submitted,

DONOVAN SMITH, CHAIRPERSON



Marcell R. Todd, Jr., Director

Attachment: Site Plan
DPW letter
PDD Design Review
PDD Master Plan Interpretation
Letters of Support
Feedback from Residents

cc: Amanda Elias, JET
Antoine Bryant, Director, PDD
Greg Moots, PDD
David Bell, Director, BSEED
Jayda Sanford, BSEED
Ronald Brundidge, Director, DPW
Prasad Nannapaneni, DPW, Traffic Engineering Division
Conrad Mallett, Corporation Counsel
Bruce Goldman, Law Department
Dan Arking, Law Department