

*New BUSINESS*

*2-19-19.*

**PLANNING AND  
ECONOMIC  
DEVELOPMENT  
STANDING  
COMMITTEE**



CITY OF DETROIT  
LAW DEPARTMENT

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## CITY OF DETROIT MEMORANDUM

TO: Honorable City Council

FROM: Elizabeth M. Rogers *EMR*  
Transactions and Economic Development  
City of Detroit Law Department

DATE: February 14, 2019

RE: Wayne County Circuit Court's Decision Regarding City of Detroit Zoning Ordinance, Section 61-4-72

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Your Honorable Body, through Council Member Roy McCalister, has requested additional information concerning a relatively recent Wayne County Circuit Court decision referencing City of Detroit Zoning Ordinance Section 61-4-72. The questions posed to the Law Department are included in **bold** below; the Law Department's responses are not bolded.

(1) **Please provide an update and opinion of this decision.**

In following well-established Michigan case law, the Wayne County Circuit Court reversed the November 16, 2017 decision of the City of Detroit Board of Zoning Appeals (BZA) finding that: (a) the BZA did not have authority to hear the community appeal because the community appellant had not met the "aggrieved person" standard; (b) the BZA had no authorization to overturn the decision of the Buildings and Safety Engineering Department (BSEED) that was the subject of the community appeal because BSEED's decision conformed to the City of Detroit Zoning Ordinance (DZO); and, (c) there was insufficient factual evidence in the record to support the BZA's decision that granted the community appeal. *8640 Grinnell, LLC v. City of Detroit and the City of Detroit Board of Zoning Appeals (Case No. 18-004242-AV; 17-017586-AV)*.

The "aggrieved person" standard as established in Michigan, and as followed by the Court in the subject case, requires that a party must prove that he or she has suffered *special* damages related to the beneficial use and enjoyment of his/her own property that are not common to other property owners similarly situated. This means that the party must show damages that are unique to him or her and to his/her property, specifically, and that the party must be more than a mere resident of the City. Where the community appellant has not met this "aggrieved person" standard, the BZA has no authority to even hear the community appeal and cannot grant the relief requested.



The August 24, 2018 decision in *8640 Grinnell, LLC v. City of Detroit and the City of Detroit Board of Zoning Appeals* (the “8640 Grinnell Case”) was an appeal from the BZA’s November 16, 2017 decision which granted the community appeal requested by JoAnne Williams. Ms. Williams filed her appeal to the BZA under Section 61-4-72 of the DZO, requesting that BSEED’s April 13, 2017 decision granting 8640 Grinnell LLC’s request to establish a medical marijuana caregiver center as a conditional use, be overturned.

According to Section 61-4-72 of the DZO, appeals to the BZA may be taken by any person, firm, partnership or corporation or by any City department, commission, board or other City agency which is aggrieved 1) by a decision of an enforcing officer, or 2) by any decision made by BSEED involving conditional uses, or controlled uses, or 3) by any denial of a site plan by the Planning and Development Department. Any community appellant filing an appeal with the BZA under Section 61-4-72 of the DZO must be aggrieved; where the community appellant cannot show that it has met the “aggrieved person” standard, the appeal is not properly before the BZA and the BZA has no authority to hear the appeal.

Since the Court in *8640 Grinnell, LLC* followed long established Michigan precedent in rendering its Opinion, there is no basis for an appeal.

- (2) **How does this decision affect the appeals process for communities and organizations protesting Medical Marijuana Dispensaries authorized within their area and which will subsequently impact the area?**

The *8640 Grinnell LLC* case found that the community appellant (Ms. Williams) failed to meet the “aggrieved person” standard. In the hopes of avoiding future confusion about the same sort of thing, the Law Department drafted six suggested questions to assist the BZA in determining whether community appellants meet the “aggrieved person” standard in community appeals. These six questions had not before been a part of the questions posed by the BZA to community appellants, but they should allow community appellants to provide the kind of specific proof required by Michigan law and the DZO to meet the “aggrieved person” standard. While the BZA is not required to use these six suggested questions to community appellants, they may do better in avoiding reversals by the Circuit Court if they do.

- (3) **Why are the “6 Suggested Questions,” only applicable to the communities and organizations being impacted; and not the Medical Marijuana Dispensary Businesses? The decision appears to be a bias in favor of Medical Marijuana Dispensaries; an unconstitutionality of inequality towards communities.**

The “6 Suggested Questions” are applicable to every community appellant, irrespective of whether the community appellant is an individual



residing within an impacted community, or a medical marijuana dispensary. The questions are designed to insure that the appellant has standing as an “aggrieved person.” The questions are not intended to favor either side in the appeal.

According to Section 61-4-72 of the DZO, appeals to the BZA may be taken by any person, firm, partnership or corporation or by any City department, commission, board or other City agency which is aggrieved 1) by a decision of an enforcing officer, or 2) by any decision made by BSEED involving conditional uses, or controlled uses, or 3) by any denial of a site plan by the Planning and Development Department. This means that “community appeals” are not limited to individuals who reside within Detroit’s communities, but any firm, partnership, corporation, City department, commission, board or other City agency which is aggrieved by certain decisions can file a community appeal with the BZA. This also means that every community appellant – whether an individual community member, medical marijuana dispensary, corporation or City department – must meet the “aggrieved person” standard as established by well settled Michigan law; if any community appellant does not meet the “aggrieved person” standard, then under the DZO and Michigan case law, the BZA does not have the authority to hear the community appeal.

(4) **Do the “6 Suggested Questions,” fall under the Board of Zoning Standards?**

The “6 Suggested Questions” were drafted by the Law Department in response to the *8640 Grinnell, LLC* Opinion which overturned the BZA’s decision for failure to follow well-established Michigan law with regard to the “aggrieved person” standard applicable to community appeals. Again, the “6 Suggested Questions” are designed to obtain information from the community appellant that will allow the BZA to determine whether the community appellant has met the “aggrieved person” standard as established by Michigan law. This is an important consideration for all appeals to BZA, and it is not unique to zoning issues.

(5) **How does October 2018 Case Decision affect State Delegation to local municipalities?**

The *8640 Grinnell, LLC* Opinion has become part of Michigan case law by which all state courts in Michigan are bound, including the Wayne County Circuit Court.

(6) **How does this decision affect the earlier implementation of location distance in reference to churches, schools, other dispensaries and similar establishments; and how does this decision affect and/or impact the inspection decisions of Building Safety Engineering and Environment Department (BSEED)?**

This *8640 Grinnell, LLC* Opinion concerns the “aggrieved person” standard and the BZA’s authority to hear cases that are before it under Section 61-4-72 of the DZO. The implementation of location distance and BSEED inspection decisions are outside of the scope of the Opinion. In other words, the



*8640 Grinnell, LLC* decision does not disturb regulations regarding spacing, drug-free zones or BSEED's authority with respect to inspections.

(7) **Has the City Law Department questioned this decision?**

As is our standard, the Law Department analyzed the *8640 Grinnell, LLC* Opinion at the time it was rendered; since the Opinion follows well-established Michigan case law, there is no basis for objecting to the decision.

(8) **Does the City Law Department plan to appeal this decision? If no, why not?**

No, the Law Department does not plan to appeal this decision. The Opinion follows well-established Michigan case law; there is no basis for an appeal.

(9) **How does this decision affect current appeals? Will appeals entered prior to the Wayne County Circuit Court's decision be allowed to by-pass this decision process, or must they also comply with this decision? Will the City Law Department allow appeals entered prior to this decision to be grandfathered?**

The BZA has always been bound to follow well-established Michigan case law in determining whether a community appellant has met the "aggrieved person" standard. Current and prior appeals are, and were, subject to this standard; this Opinion does not change that.

(10) **How is "special damages" being defined, what qualifies as a special damage?**

"Special damages" are defined in the *8640 Grinnell LLC* Opinion as a harm that is unique to the party claiming it – something that is not common to other property owners similarly situated. Everyone who lives in Detroit may have a common distaste regarding a new slaughterhouse that is opened in the center of Hubbard Farms. However, an adjacent parcel may face the prospect of "special damages" in that the noise and smell of a butchering facility may be worst at the property line. The special damages requirement is intended to make sure that only those who are truly and uncommonly affected by a particular use are allowed to weigh in on the decision regarding use.

(11) **How is "harm" being defined, what qualifies as a harm?**

Harm is generally defined as an injury or a wrong.

(12) **Who developed these questions, have they been vetted by the law department to assure that they comply with state law?**

The questions were prepared by the Law Department in response to the Opinion in the *8640 Grinnell LLC* case that found that the BZA had not followed Michigan case law in granting the community appeal because the community appellant had not met the "aggrieved person" standard. The six suggested



questions are not required by state law, but they were drafted to assist the BZA in meeting state law requirements and the requirements set forth in the DZO.

(13) **What type of benefit do the questions have to fighting or opposing deleterious uses in our community?**

The six suggested questions were drafted to assist the Members of the BZA in gathering information from community appellants so that the BZA can properly determine whether the community appellant has met the “aggrieved person” standard as required by well-established Michigan case law. Community appellants fighting or opposing deleterious uses in their respective communities realize the benefit of community appeals when they can meet the “aggrieved person” standard.

(14) **Is there another way to identify or to meet the aggrieved person standard? What is the law department’s suggestion to meet the aggrieved person standard?**

Michigan case law has established the criteria that Michigan courts will consider, and that must also be considered by the BZA, when determining whether the “aggrieved person” standard has been met. According to Michigan cases, to prove that he is aggrieved, the party must prove that he has suffered damages related to the beneficial use and enjoyment of his own property that are not common to other property owners similarly situated. This means that the party must show damages that are unique to him and to his property, specifically; the party must be more than a mere resident of the City. According to Section 61-4-72 of the DZO, appeals to be BZA may be taken by parties who are *aggrieved* (emphasis added); where a community appellant cannot show that he has met the “aggrieved person” standard, then the community appeal is not properly before the BZA under Section 61-4-72, and cannot be heard.

The Law Department suggested that the BZA ask community appellants six questions to assist the BZA in determining whether a community appellant had met the “aggrieved person” standard; this remains the Law Department’s suggestion for assisting the BZA to make the required determination under the DZO and Michigan case law.

(15) **Why is the burden of proof on the community, particularly considering cases where the initial request is for a variance?**

If the initial request before the BZA is for a variance, then the request before the BZA would not fall under Section 61-4-72 of the DZO, and the appellant would not have to meet the “aggrieved person” standard under Section 61-4-72. This is an important distinction.

If the appeal is brought before the BZA pursuant to Section 61-4-72 of the DZO, then that person **must** meet the “aggrieved person” standard, by proving that he has suffered special damages related to the beneficial use and enjoyment of his/her own property that are not common to other property owners similarly



situated. The party claiming to have suffered special damages is in the best position to prove what damages he has actually suffered. So, the burden of proof is rightly on the party claiming to be aggrieved.

- (16) **The 6 “Suggested Questions” seem unfair in that they impose a speculative requirement to demonstrate future impact, please expound on this component.**

If a party is filing an appeal before the BZA under Section 61-4-72 of the DZO, then that Section requires that the filer be an aggrieved person; the “aggrieved person” standard is defined by well settled Michigan cases, and the BZA is bound to follow that established precedent when hearing community appeals and determining whether a community appellant has met the “aggrieved person” standard. If the party claiming to be aggrieved has actually suffered harm or has been wronged, then there is no speculation involved and the community appellant has an opportunity through the “6 Suggested Questions” to put his proofs on the record; if the party claiming to be aggrieved cannot actually prove that he has suffered a harm or special damages, then he is not an aggrieved party and the appeal is not properly before the BZA under Section 61-4-72 of the DZO.

In addition:

- (1) **What is the City of Detroit’s provisions for tracking taxable information in reference to Medical Marijuana Dispensary income, since collected dollars cannot be deposited in Federal Banks?**

The Law Department is not generally involved in tracking taxable information with respect to medical marijuana dispensaries; accordingly, this question may be better addressed by OCFO.

- (2) **In a recent NEWS article, “60 Michigan Cities have opted out of Recreational Marijuana Sales;” Detroit was not one of the listed 60; therefore, I am requesting the Law Department’s opinion on Detroit’s option of opting; what are the advantages and disadvantages of Detroit opting in and/or out; and what are the effects of either? How would opting out effect the legal standing for the City Law Department and the City of Detroit?**

Under the Michigan Regulation and Taxation of Marihuana Act (MARTA), a municipality may completely prohibit or limit the number of recreational marihuana establishments within its boundaries. So long as they are not unreasonably impracticable and do not conflict with MARTA, a municipality may adopt other ordinances that: (a) establish reasonable restrictions on public signs related to recreational marihuana establishments; (b) regulate the time, place and manner of operation of recreational marihuana establishments; (c) authorize the sale of marihuana for consumption in designated spaces that are not accessible to persons under 21 years of age or at special events in limited areas for a limited



time; and, (d) designate a violation of the ordinance as a civil infraction and provide for a penalty for that violation of not more than \$500.

Therefore, the option of opting remains open to the City.

However, given the overwhelming support for recreational marihuana as expressed through the vote, there may be serious political consequences to opting in spite of the majority support for legal, recreational marihuana. If this decision is taken up by this Honorable Body, the standard process for enacting and passing legislation must be followed; if an opt out or limitation ordinance is taken up by an individual, as also permitted by MARTA, then the individual must petition to initiate such an ordinance, and the submission of the petition must comply with the applicable provisions of MARTA and Michigan election law.



Alton James  
Chairperson

Lauren Hood, MCD  
Vice Chair/Secretary

# City of Detroit

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February 14, 2019

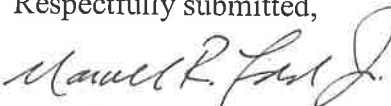
HONORABLE CITY COUNCIL

**Re: CPC/LPD comments on proposed Chapter 4 Sign Ordinance**

As per Your Honorable Body's request at the Planning and Economic Development standing committee meeting of February 7, 2019, City Planning Commission/Legislative Policy Division staff have reviewed the draft ordinance and compiled a series of comments, concerns, and observations as a basis for further discussion.

A copy of the CPC/LPD write-up is attached for your consideration.

A public discussion on signage, including the proposed Chapter 4 Sign Ordinance, is scheduled for the February 21, 2019 meeting of the City Planning Commission in advance of Council's March 7<sup>th</sup> continued review of the matter.

Respectfully submitted,  
  
Marcell R. Todd, Jr., Director

Attachment

## CPC/LPD Staff Comments

### Proposed Ordinance to Amend Chapter 4 of the 2018 Detroit City Code *Advertising and Signs*

- The proposed ordinance presumes that the 1984 Detroit City Code has already been recodified as the 2018 Detroit City Code. The proposed ordinance is premature until recodification is complete.
- The proposed ordinance contradicts current provisions of “Zoning” (Chapter 61 of the 1984 Detroit City Code) and “Streets, Sidewalks, and Other Public Places” (Chapter 50 of the 1984 Detroit City Code) without amending/repealing any text within Chapters 50 and 61. The proposed ordinance is incomplete. The sign ordinance will need to consist of three tie-barred chapters.
- Because of the US Supreme Court decision, *Reed v. Gilbert*, the Law Department has retained an outside First Amendment attorney, Brian Connolly—a national expert on sign law, who is also author of the “Michigan Sign Guidebook.” Law reports not having sent the proposed Chapter 4 ordinance to Mr. Connolly. The proposed ordinance lacks the anticipated outside review to ensure, among other things, the proper content neutrality in definitions, regulations, and exceptions to regulations.
- By removing the regulation of advertising-signs-outside-the-CBD from Zoning and placing that regulation in a standard Police power chapter of the City Code, hundreds of currently legal billboards on city and county streets and MDOT roadways would apparently be stripped of their nonconforming use rights.
  - Because proposed height, area, and setback standards are (appropriately) more restrictive, those legal billboards that exceed proposed standards are compelled to shrink height/area and increase setbacks in order to remain legal.
  - BSEED will face significant enforcement challenges to compel compliance with new standards for old billboards.
  - Law may be faced with numerous challenges of “partial regulatory taking” from outdoor advertisers forced to shrink their signs.
  - Clarification is needed from the Law Department as to the nonconforming use rights related to existing billboard advertising signs outside the CBD.
- While CPC/LPD staff sees merit in removing the regulation of CBD advertising signs from zoning, the removal of all other signs—on-premises and off-premises-outside-the-CBD—is problematic:

- The proposed ordinance deprives the public of notification of certain proposed signs—on-premises animated signs within the CBD and advertising signs outside the CBD on land zoned B2, B3, B4, M1, M2, and W1.
- The proposed ordinance removes the public voice from certain sign decisions. Rather than basing a decision whether to permit or deny a sign application on the results of an adversarial hearing (conditional use public hearing), authority is solely vested in BSEED to determine a sign’s appropriateness at a given location, making the ordinance vulnerable to claims of conferring unbridled discretion to BSEED.
- BSEED decisions are appealable to the Department of Hearings but no provision is made to notify the public of such a decision having been made.
- Rather than requiring review and action by the Board of Zoning Appeals in a public hearing where a sign is proposed to exceed proposed area, height, and/or setback standards, authority is ceded to BSEED to allow such variances/adjustments without hearing from the affected nearby public.
- The ordinance provides no criteria to BSEED for determining the appropriateness of a requested variance/adjustment.
- Instead of regulating signs by zoning district classification (R1, R2, B2, B4, M4, SD1, SD2, etc.), the proposed ordinance regulates signage based on the density of the actual usage of a given property (High-density nonresidential property; High-density residential/mixed use property; Low-density residential property; Medium-density residential/mixed use property). Problematic results include:
  - Advertising signs could now be permitted on non-CBD land zoned residential wherever a 17-unit apartment building stands—the R6-zoned Gold Coast along East Jefferson would newly be eligible for billboards.
  - City Council’s sign review/approval authority over high-density residential Planned Developments (PD) would be ceded to BSEED, as would its authority on land zoned PC, PCA, larger SD4 sites, and SD5 casinos.
  - Retail development outside the CBD that is not part of a mixed-use development appears to be ineligible for any sign application.
  - Vacant land appears to be ineligible for any sign application.

- Land zoned PR (Parks and Recreation) like Rouge Park and Belle Isle continue to fall between the cracks since park land/open space has no density of development.
- The definition of Central Business District is incorrect; it omits the entire north-of-Fisher-Freeway addition to the CBD.
- While the petitions to Council have urged the allowance of advertising sign in the Central Business District (approx. 1.49 sq miles), the proposed ordinance abolishes the entire Grand Boulevard Overlay Area (15.5 sq miles) advertising sign prohibition. The proposed ordinance is over-reaching by a factor of 10.

CPC/LPD staff initially suggests that, should they be permitted, CBD advertising wall graphics be regulated in the proposed Chapter 4 so that the limitation on the total number of new signs be capped and so the duration of the signs be time-limited—restrictions that are problematic under zoning.

CBD advertising wall graphics, should they be permitted, should be part of a formal City initiative that includes and promotes public art display, thus meriting unique treatment outside of Zoning.

All other signs, both on-premises and off-premises, should continue to be regulated by Zoning subject to established notice, hearing, and appeals procedures. The proposed Chapter 4 draft needs to be vetted by outside already-contracted First Amendment counsel.

Alton James  
Chairperson  
Lauren Hood, MCD  
Vice Chair/Secretary

# City of Detroit

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Angy Webb

February 14, 2019

## HONORABLE CITY COUNCIL

**RE:** Request of the Detroit-Wayne Joint Building Authority for PC (Public Center) Special District Review of proposed exterior alterations to 2 Woodward Avenue – Coleman A. Young Municipal Center (**RECOMMEND APPROVAL**)

## REQUEST

The City Planning Commission (CPC) has received a request from the Detroit-Wayne Joint Building Authority for PC (Public Center) Special District Review of proposed exterior alterations to 2 Woodward Avenue – Coleman A. Young Municipal Center (CAYMC). This request is being made consistent with the provisions of Section 61-3-182 of the Detroit Zoning Ordinance.

## BACKGROUND

The Detroit-Wayne Joint Building Authority (DWJBA) is continually making improvements to the CAYMC. Over the last few years, several waterproofing projects have been completed to correct water infiltration issues in the basement which extends beyond the building to the public sidewalks. The Jefferson (south) and Randolph (east) sides of the building have been completed and the Larned (north) side is planned for this spring and summer. As the waterproofing requires significant excavation, several improvements and minor changes are proposed as part of the construction.

The DWJBA requested review and approval last summer of proposed changes to improve security screening including the construction of a secure entry portal under the existing canopy. That project has been delayed due to construction costs being more than anticipated. However, the waterproofing cannot be delayed as the water infiltration is causing severe operational and safety issues in the basement.

The next planned project to improve security around the parking lot on the east side of CAYMC is currently in the bidding process and will be submitted for review within the next few months.

## PROPOSED PROJECT

The proposed changes can be divided into four main categories:

1. *Vehicular Drop-off* – The existing circular drive will be re-opened to vehicular traffic to allow people to be picked up and dropped off at the Larned entrance. The planter adjacent

to Larned under the People Mover track will be removed and replaced with concrete pavement.

2. *Main Entrance Plaza* – The pedestrian ramp will be reconfigured to comply with ADA guidelines and be relocated under the canopy and centered on the entrance. Some of the planters adjacent to the entry will be eliminated and others will be reduced in size (see attached drawings for details). The existing sign located on the planter under the People Mover tracks will be relocated adjacent to the entry door on the face of the modified planter. Additional bicycle racks and benches will be added. The steps near the loading dock will be replaced with an ADA-compliant ramp.
3. *Larned Streetscape* – New pavement will be provided including an ADA-compliant ramp. All brick pavers will be removed and replaced with concrete as the pavers are high maintenance and create a tripping hazard. The existing bus shelters will be reinstalled.
4. *Planting* – The lawn area between the Larned entry and the west corner of the building will be replaced after construction, but the trees will be permanently eliminated. The reduced-size planter east of the entrance will be planted with groundcover, perennials, grasses and shrubs that are appropriate for the location above a structure.

## **REVIEW & ANALYSIS**

### ***Circulation***

As a result of changes to the traffic patterns around the building generated by the establishment of Spirit Plaza and the relocation of several bus stops, there is a need for a safe drop-off area for employees and visitors. The reopening of the circular drive along Larned will provide a curbside drop-off separate from traffic to improve the safety for pedestrians and the flow of traffic. The enhanced ramp to the entrance will further improve access for the mobility-impaired.

### ***PC District Review Criteria***

There are eighteen PC District Review Criteria listed in Section 61-11-77 of the Zoning Ordinance. A few of the most applicable are:

- (3) The proposed development should be compatible with surrounding development in terms of land use, general appearance and function and should not adversely affect the value of adjacent properties.

*The proposed changes are minor and will not adversely affect adjacent properties.*

- (4) Vehicular and pedestrian circulation facilities should be adequately designed to meet expected demands; disruption of traffic flow in surrounding areas should be minimized; truck traffic should be carefully planned and controlled.

*The reopening of the circular drive will provide a safe drop-off area which is currently lacking with the closure of Woodward Avenue. Moving vehicles out of traffic that are dropping-off or picking-up will enhance traffic flow. The expansion of bicycle parking and bench seating will be beneficial to both employees and visitors.*

- (13) Barrier-free access and public safety features should be carefully planned.

*Improved ADA-compliant ramps will assist the mobility-impaired in accessing the building.*

***Design***

The Planning & Development Department has reviewed the proposed changes and recommends approval. Their report is attached.

**RECOMMENDATION**

CPC staff recommends approval of the proposed exterior modifications to 2 Woodward Avenue as detailed in the Smith Group renderings dated 2/8/2019 with the following conditions:

1. That the Detroit-Wayne Joint Building Authority continue to work with city agencies as may be appropriate to further refine the design and to ensure minimal disruption to the business conducted at the Municipal Center, and
2. That final site plans, elevations, landscape, lighting, and signage plans be submitted for City Planning Commission staff approval prior to making application for applicable permits.

Respectfully submitted,

ALTON JAMES, CHAIRPERSON



Marcell R. Todd, Jr., Director  
Jamie J. Murphy, Staff

Attachment: Design Narrative from Smith Group  
Project Narrative from DMJBA  
Drawings showing proposed changes  
PDD report

cc: Maurice Cox, Director, P&DD  
David Bell, Director, BSEED  
Lawrence Garcia, Corp. Counsel  
Mike Kennedy, Hines

# SMITHGROUP

## DESIGN NARRATIVE

February 8, 2019

### Transmitted – Via eMail

Mr. Gregory McDuffee  
Executive Director  
Detroit-Wayne Joint Building Authority  
Coleman A. Young Municipal Center  
2 Woodward Ave, STE 1316  
Detroit, MI 48226

Hines  
660 East Mason Street, Suite 200  
Milwaukee, Wisconsin 53202

**Re: Coleman A. Young Municipal Center, Detroit, Michigan  
Approval of Larned Street Redesign Concept Plan**

Dear Mr. McDuffee:

### Proposed Plan for the Coleman A. Young Municipal Center (Larned Street)

A new entrance plaza will be developed for Larned Street providing an accessible entrance. Part of the project area is located over structure and requires coordination with structural, architectural, mechanical, engineering, and plumbing to develop a comprehensive design.

### Vehicular Entry Drop-Off

- A new vehicular entrance will allow visitors to be dropped-off near the main entrance. The vehicular entrance will be reconfigured maintaining the same geometry as the existing entrance drive.
- Areas will be striped indicating no parking or standing zones.
- The existing curb on Larned Street will remain; however, new concrete curbs will be installed as indicated in the attached site plans meeting the City of Detroit standards. The interior curb of the drop-off lane will transition to a flush curb with illuminated stainless-steel bollards. Bollards will be medium- or heavy-duty; however, are not required to be crash-rated or removable.
- Additional security elements such as high/low railings or additional bollards are not required in the island or angled portion of the entry drop-off.
- The vehicular drop-off lanes will be heavy-duty concrete pavement.
- The island to the north of the drop-off will be rebuilt to match the current configuration.
- Existing planters in the island will be removed and replaced with heavy-duty concrete pavement (with a broom finish).

### Main Entrance/Plaza

- Site elements will be reconfigured to provide improved pedestrian access and circulation in front of the building.
- A new accessible ramp will be centered between two sets of stairs. The ramp will be rebuilt to match ADA standards and accommodate two-way travel. The ramp will consist of concrete pavement with stainless steel handrails and low marble site walls on each side.
- The stairs will be concrete with stainless steel handrails.
- The main canopy does not span and cover the entire main entry; therefore, two stainless steel trench drains will be installed adjacent to the east and west walls located perpendicular from the building face to the stairs. The trench drains will collect water that drains from the above building.

Hines  
Detroit-Wayne Joint Building Authority

**CAYMC – Larned Street Entrance Redesign**  
Detroit, Michigan

SmithGroup  
10680.000

DESIGN NARRATIVE



# SMITHGROUP

- The planters will not be rebuilt; therefore, new marble cladding will need to be installed at the building face.
- A new marble planter reduced in size and configuration will be located to the east of the main entrance and parallel to the north building face.
- The existing sign and associated marble panels currently located in the island will be reconfigured and integrated into the new marble site wall in front of the building if possible. In the event the existing sign and marble panels cannot be salvaged or are not feasible to relocate, a new sign (similar to the existing) will be provided. The building sign/location is an item to be further reviewed by DWJBA/Hines during the initial documentation phase.
- Skate deterrents are not needed at walls. A new barrier free concrete walk (with broom finish) will provide access to Randolph Street and the adjacent parking lot located to the east.
- Seventeen stainless steel bike racks will be installed to the east of the loading dock wall.
- A parking shelter is not requested.
- All paved areas along Larned Street will be heavy-duty concrete (with broom finish). The landing at the main entrance will be light duty concrete.
- New stone benches with stainless steel loop legs (as previously specified) will be installed in front of the building and to the west of the main entry.

## Larned Streetscape

- A new accessible sidewalk ramp and detectable warning mat meeting the City of Detroit standards will be installed on Larned Street.
- The extent of new heavy-duty concrete pavement is shown in the attached site plan. The extent of new pavement will continue down Larned Street to a designated point that is coordinated with the existing brick/concrete pavement and existing grades.
- A new concrete curb will be installed in the same location as the existing concrete curb that was previously situated between brick paving.

## Planting

- All planted areas will be located over structure.
- Lawn (sod) will be planted over a minimum of six (6) inches of topsoil over growing medium to the west of the main entrance.
- The raised planter to the east of the main entrance will be planted with a combination of groundcover, perennials, grasses, and shrubs in a plant bed mix designed for areas over structure.
- The minimum plant container size will be #1 containers for groundcover and #2 containers for other perennials and grasses.
- Shrubs will be selected that are a minimum of 18-inch height.
- Overall plans will be provided that indicate planting soil depths and irrigation zones.
- The irrigation system will be design-build by others.

The revised design will require Special District Review by the City of Detroit and City Planning Commission. Meetings and review will be coordinated/attended by Hines. The project schedule may be impacted by the review and approval process.

## Larned Canopy

Canopy rainwater discharge, and water intrusion to be the focus at this time. Canopy panel will not be replaced. Possible restoration at both Larned and Jefferson entrances to be revisited at a later day.

## Larned Revolving Door and Curtainwall

As previously discussed, the revolving doors and curtainwall system will be replaced as it exists. No design changes were made at the concept review meeting.

---

Hines	<b>CAYMC – Larned Street Entrance Redesign</b>	SmithGroup
Detroit-Wayne Joint Building Authority	Detroit, Michigan	10680.000

# SMITHGROUP

This document will serve as an agreement between us, and you may indicate your acceptance by signing in the space provided below and returning one (1) signed copy for our files.

\_\_\_\_\_  
Detroit-Wayne Joint Building Authority (*Signature*)

Gregory McDuffee, Executive Director  
(*Printed name and title*)

\_\_\_\_\_  
Date



February 12, 2019

To: Marcell R. Todd, Director  
City Planning Commission

Jamie Murphy  
City Planner

From: Mike Kennedy

Re: Larned Plaza Redesign – Coleman A. Young Municipal Center

Thanks again for meeting with me to discuss this project. I've listed the items below to help explain the evolution in arriving to this most recent design:

1. Over the past several years, the Detroit-Wayne Joint Building Authority (DWJBA) has systematically performed phased subterranean repairs to the roof membranes and expansion joints which have failed through the years and caused substantial water damage to the lower level. The prior two phases, (southwest and northeast locations) did not result in any changes to the site, as in both cases we restored the site to the original aesthetic once the repairs were made.
2. The north section of repairs includes the Larned entrance. The original thought was that the subterranean work would give us an opportunity to build out the lobby to better accommodate the security screening function. Subsequently, SmithGroupJJR (SGJJR) designed a new plaza and entrance which was presented to and approved by CPC and City Council.
3. The DWJBA awarded Gilbane as the General Contractor, and after months of planning and putting costs to the project, we found that the design was not feasible logistically or financially. Knowing that the primary focus of this project is the urgent repair to the failed waterproofing, we decided to replace the site to the current design, with the enhancements we proposed to you yesterday.
4. The new design enhancements will greatly improve safety and security to employees and visitors who are dropped off. Since the Woodward closure and the Jefferson bus stop addition, we have observed a dramatic increase in the Larned entrance traffic (pedestrian and vehicular). Our plan is to prohibit parking in the

“horseshoe” drive and use it exclusively for a drop off lane. This will eliminate having employees and visitors being dropped off in a very busy street, and provide a curbside drop off with enhanced ADA access. The new design falls within the original budget which has been previously funded by capital dollars from Wayne County and the City of Detroit.

5. The new design will also feature wider pedestrian walkways, canopy lighting upgrades, benches, and an expanded bike plaza.

Hoping this information is helpful. Please let me know if you have any questions.

Thanks



Detroit City Planning Commission  
208 CAYMC  
Detroit, MI 482266

February 15, 2019

RE: Public Center (PC) Review of exterior changes at 2 Woodward Ave (**RECOMMEND APPROVAL**)

The following is the Planning and Development Department's (PDD) review of the proposed exterior changes to the Coleman A. Young Municipal Center, located at 2 Woodward Avenue. This review is carried out per Sec. 61-11-76 for the review of developments located in the Public Center (PC) zoning district.

Following is our response to the applicable criteria from Sec. 61-11-77, with our response in italics.

- (1) The proposed development should reflect applicable policies stated in the Detroit Master Plan; *The proposal adds bicycle parking, furthering Goal 3 of "Transportation and Mobility"*
- (3) The proposed development should be compatible with surrounding development in terms of land use, general appearance and function and should not adversely affect the value of adjacent properties; *The changed drop-off lane, bike racks, and benches fit with the Civic Center.*
- (5) Adequate vehicular off-street parking and loading should be provided, where appropriate; *The redesigned drop-off lane continues to provide off-street loading for municipal vehicles.*
- (7) Adequate rights-of-way, easements and dedications should be provided where appropriate for trafficways, utilities and community facilities; *The provision of additional bike racks functions as a community facility.*
- (13) Barrier-free access and public safety features should be carefully planned; *The flush curb at the drop-off improves barrier-free access at the loading drop-off area.*
- (16) Special attention should be given to amenity and comfort considerations such as provision for outdoor seating, restrooms for public use, bicycle storage, convenience of access points and protection from harsh weather through such features as enclosed walkways and arcaded pedestrian areas; *Additional bike racks and benches are provided.*

Because of the conformance to the above standards for development in the PC district, the PDD is pleased to support the proposed changes to the Coleman A. Young Municipal Center.

Respectfully Submitted,



Gregory F. Moots, Lead Planner  
Office of Zoning Innovation

CC: Karen Gage  
Maurice Cox

DETROIT-WAYNE JOINT BUILDING AUTHORITY



# COLEMAN A. YOUNG MUNICIPAL CENTER CAPITAL MAINTENANCE PROJECT PHASE 1

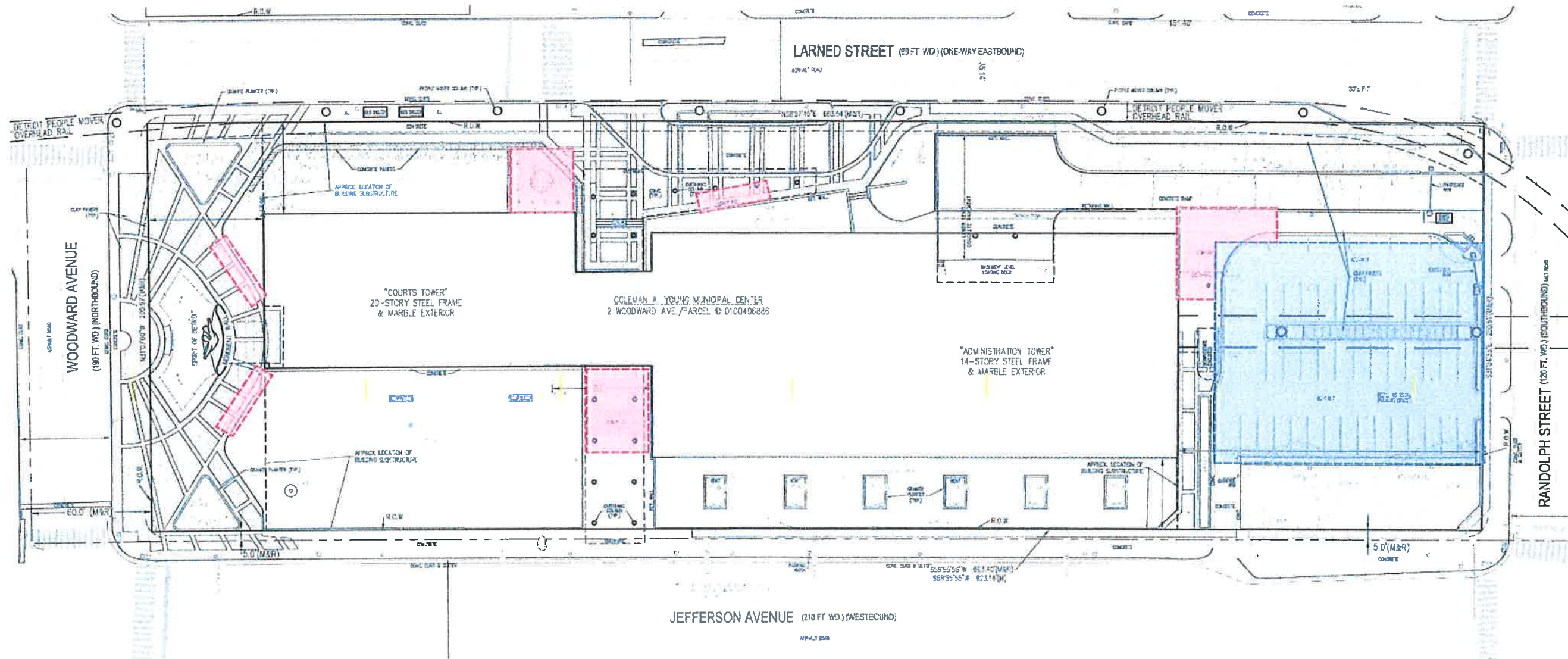
LARNED PLAZA



SMITHGROUP

FEBRUARY 8, 2019

# Existing Site

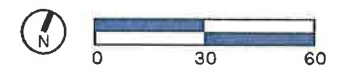
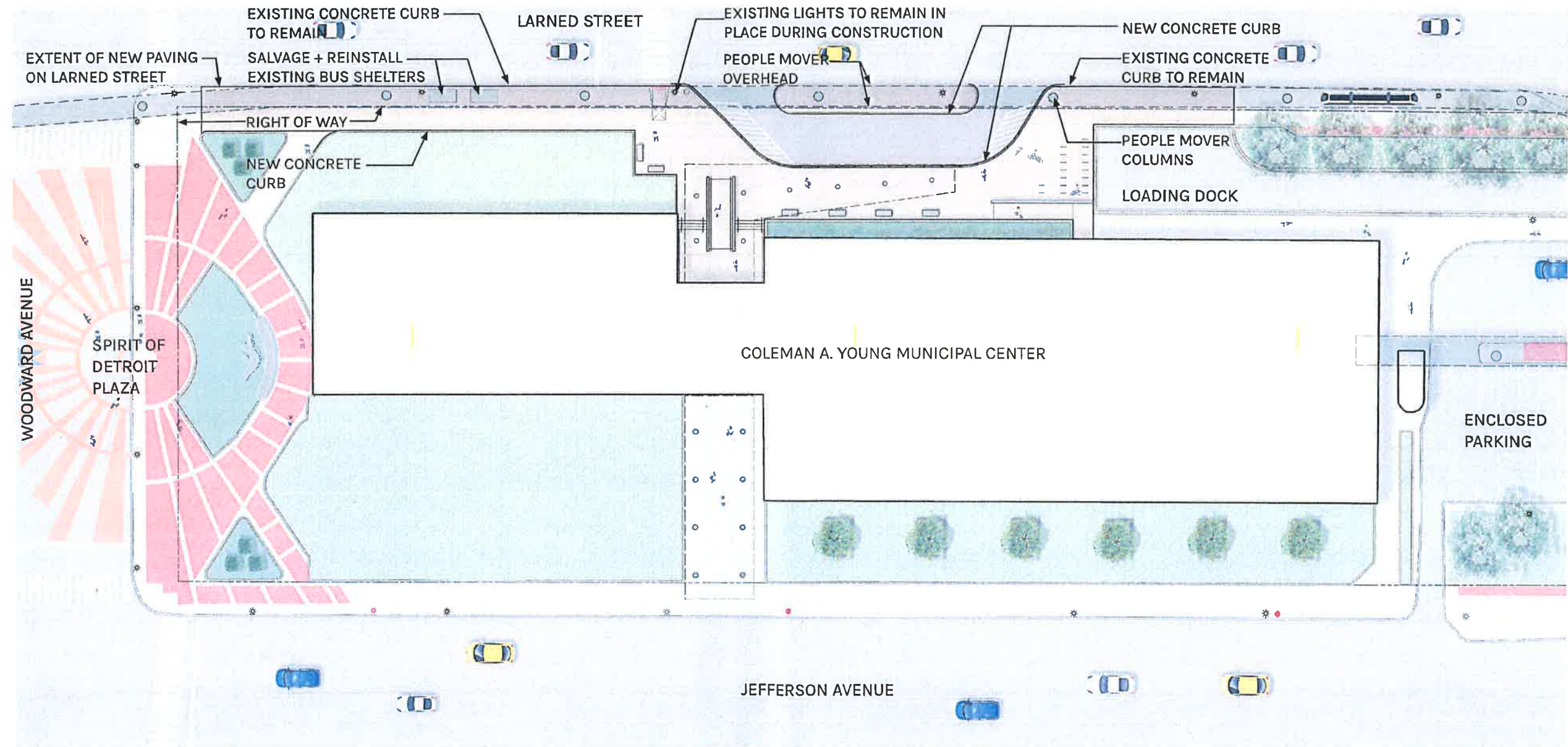


 Bike & Bench Locations

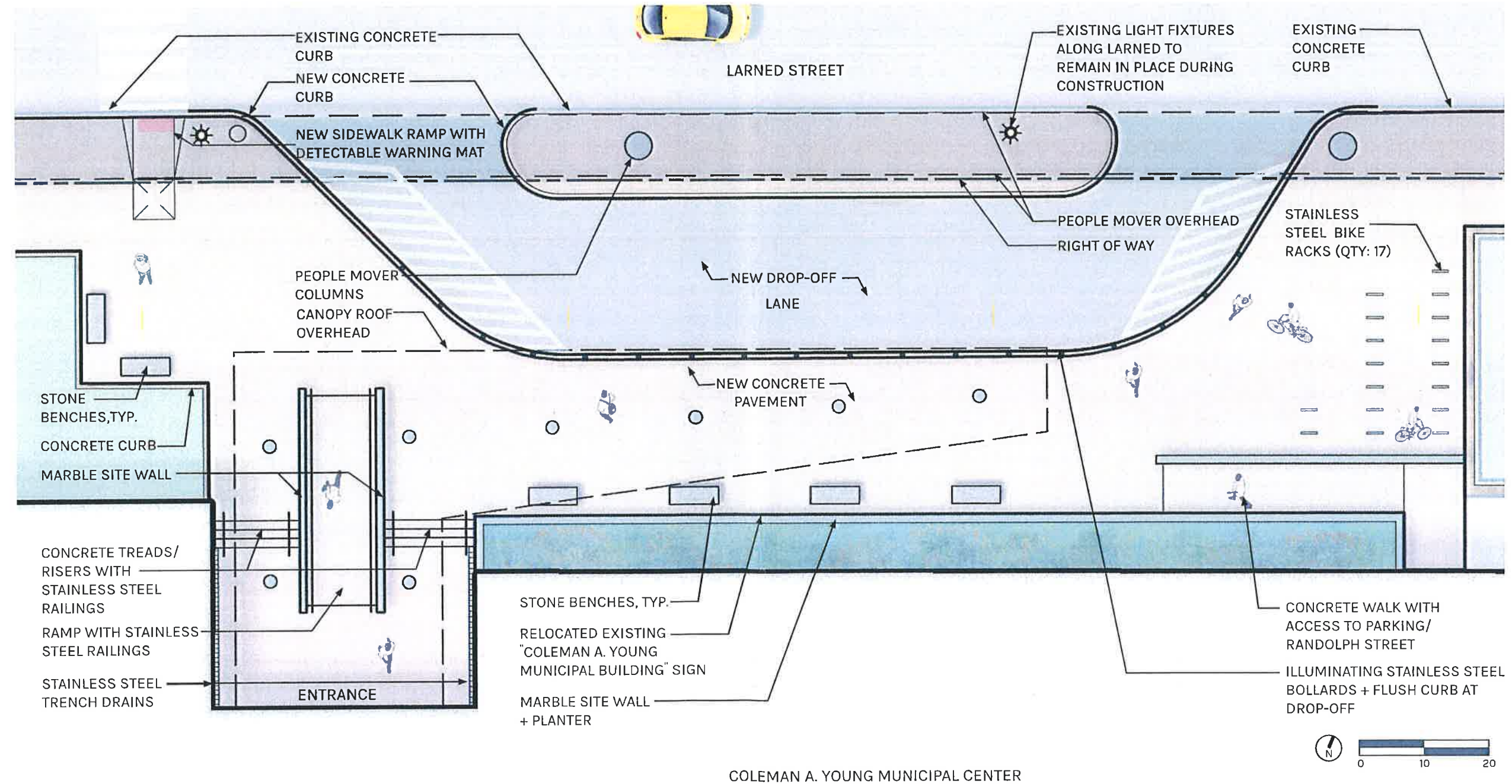
 Security Updates



# PROPOSED PLAN - OVERALL VIEW



# PROPOSED PLAN - ENLARGEMENT



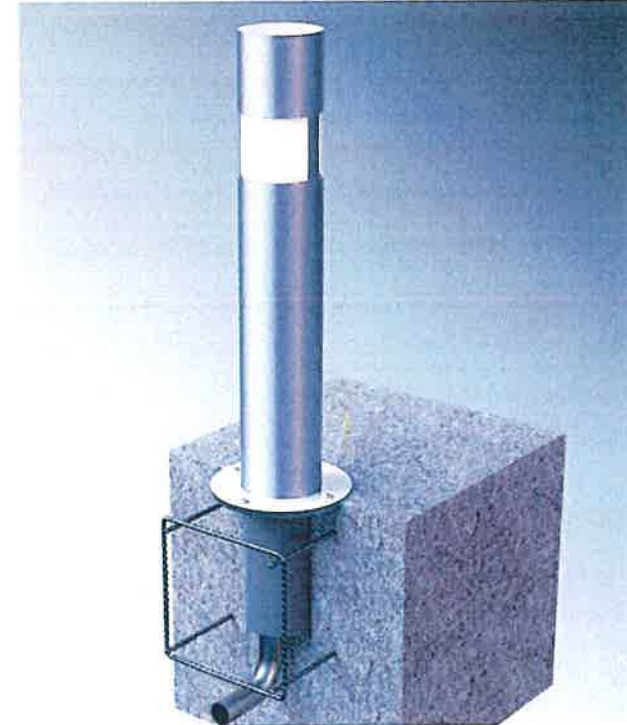
COLEMAN A. YOUNG MUNICIPAL CENTER

# SITE FURNISHINGS

DIAMANTE BENCH W/ STAINLESS STEEL LOOP SUPPORT



STAINLESS STEEL BOLLARDS (ILLUMINATING)



Alton James  
Chairperson  
Lauren Hood, MCD  
Vice Chair/Secretary

# City of Detroit

CITY PLANNING COMMISSION  
208 Coleman A. Young Municipal Center  
Detroit, Michigan 48226  
Phone: (313) 224-6225 Fax: (313) 224-4336  
e-mail: [cpc@detroitmi.gov](mailto:cpc@detroitmi.gov)

CITY CLERK 2019 FEB 15 PM 4:17

29

Brenda Goss Andrews  
Lisa Whitmore Davis  
David Esparza, AIA, LEED  
Gregory Pawlowski  
Frederick E. Russell, Jr.  
Angy Webb

February 14, 2019

## HONORABLE CITY COUNCIL

**RE:** Request of Plum Market for PCA (Public Center Adjacent) Special District Review of proposed exterior alterations to 500 Woodward Avenue – Ally Building (**RECOMMEND APPROVAL**)

### REQUEST

The City Planning Commission (CPC) has received a request from Plum Market for PCA (Public Center Adjacent) Special District Review of a proposed alteration to 500 Woodward Avenue – Ally Building. This request is being made consistent with the provisions of Section 61-3-182 of the Detroit Zoning Ordinance.

### PROPOSED PROJECT

The petitioner proposes to install an upscale grocery store including prepared foods, coffee bar, wine bar and indoor & outdoor seating. The proposed location is on the south side of the Ally Building facing Larned Street (see the attached renderings). The previous tenant of this space was a cafeteria style restaurant. Three exterior changes are proposed:

- New entrance at the southwest corner of the building
- New structure over the patio
- Signage over entrance and on Woodward façade (see attached renderings)

### REVIEW & ANALYSIS

#### *Surrounding Zoning & Land Use*

North: PCA (Public Center Adjacent) – First National Building & Vinton Building  
East: PCA (Public Center Adjacent) – parking garage  
South: PC (Public Center) – Coleman A. Young Municipal Center  
West: PCA (Public Center Adjacent) – vacant building

#### *Master Plan Consistency*

The subject site is located within the Central Business District area of Neighborhood Cluster 4 of the Detroit Master Plan of Policies. The Future Land Use Map for this area shows Major Commercial (CM) for this block which is appropriate for the proposed use. This development also furthers the goal of increasing retail along Woodward Avenue.

***Permissibility of the Proposed Use***

The proposed uses of *Retail Store, Carry-Out Restaurant* and *Establishment for the sale of alcoholic beverages for onsite consumption* are by-right uses in the PCA district per Section 61-11-86 of the Detroit Zoning Ordinance.

***PCA District Review Criteria***

There are eighteen PCA District Review Criteria listed in Section 61-11-97 of the Zoning Ordinance. A few of the most applicable are:

(3) The proposed development should be compatible with surrounding development in terms of land use, general appearance and function and should not adversely affect the value of adjacent properties.

*The proposed use and appearance are consistent with the adjacent properties. While the use is similar to the previous tenant of this space, the addition of a small grocery store will serve an unmet need in this area. The proposed design complements the additions on the north side of the building for the Townhouse restaurant.*

(5) Adequate public and private open space should be provided for light and air, landscaping, and, where appropriate, for passive and active recreation.

*The new design of the patio with a retractable roof covering will provide a more functional and attractive outdoor seating area than the current patio.*

***Design***

The Planning & Development Department has reviewed the proposed changes and recommends approval.

***Proposed Signage***

The proposed signs for the new business include:

- the name of the business on the overhang above the main entrance (120 square feet)
- two projecting signs on the Woodward façade (34 square feet total)
- a wall sign reading “wine • liquor” beside the main entrance (13.12 square feet)

All signs are proposed to be internally illuminated. The size and type of signage is appropriate for the development; however, the City Planning Commission was not in favor of the sign advertising alcohol sales. Although the City is restricted by the First Amendment from regulating the content of signs, CPC recommended that the exterior signage not reference the sale of alcohol.

**RECOMMENDATION**

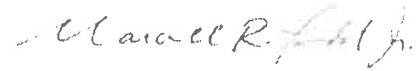
On February 7, 2019, the City Planning Commission voted to recommend approval of the proposed exterior modifications to 500 Woodward Avenue with the following standard condition:

That final site plans, elevations, landscape, lighting, and signage plans be submitted for City Planning Commission staff approval prior to making application for applicable permits.

The CPC also recommended that the petitioner voluntarily refrain from the use of exterior signage referencing the sale of alcohol. Staff has prepared and attached a resolution for approval for the consideration of Your Honorable Body.

Respectfully submitted,

ALTON JAMES, CHAIRPERSON

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

Marcell R. Todd, Jr., Director  
Jamie J. Murphy, Staff

Attachment: Proposed Architectural Drawings  
Exterior Renderings & Proposed Signs

cc: Maurice Cox, Director, P&DD  
David Bell, Director, BSEED

By Council Member \_\_\_\_\_:

**WHEREAS**, Plum Market proposes to make exterior alterations to the building at 500 Woodward Avenue including a new entrance, patio and signage; and

**WHEREAS**, the subject property is located within a PCA (Public Center Adjacent) zoning district; and

**WHEREAS**, the Planning and Development Department has provided their comments as to the appropriateness of the proposed alterations; and

**WHEREAS**, on Thursday, February 7, 2019, the City Planning Commission voted to recommend approval of the proposed alterations in accordance with the PCA District review criteria as listed in Section 61-11-97 of Chapter 61 of the Detroit City Code, 'Zoning'; and

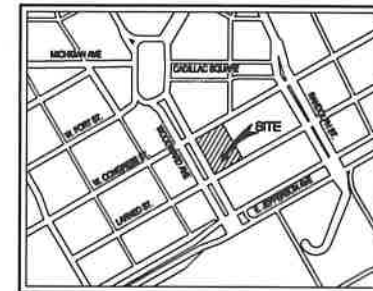
**WHEREAS**, although the City is restricted by the First Amendment from regulating the content of signs, the City Planning Commission recommended that the petitioner voluntarily refrain from the use of exterior signage referencing the sale of alcohol. **NOW THEREFORE BE IT**

**RESOLVED**, that the Detroit City Council hereby approves the proposed alterations to 500 Woodward Avenue as depicted in the drawings prepared by Saroki Architecture dated 12/26/2018, with the following condition:

1. That final site plans, elevations, landscaping, lighting and signage plans be submitted to the staff of the City Planning Commission for review and approval prior to application being made for applicable permits.

# PLUM MARKET KITCHEN

Ally Detroit Center  
500 Woodward Avenue  
Detroit, Michigan 48226



site location map:  
Not To Scale

**Tenant:**  
Plum Market  
30777 Northwestern Hwy  
Farmington Hills, Michigan 48334  
T: 248.706.1600  
Contact: Dan Keaton

**Landlord:**  
Bedrock Detroit  
630 Woodward Ave  
Detroit, MI 48226  
T: 888.300.9833  
Contact: David Brown, Project Director

**Architect:**  
Saroki Architecture  
430 N. Old Woodward Avenue, Suite 300  
Birmingham, Michigan 48009  
T: 248.258.5707  
Contacts: James DiMercurio  
Denis Veneziano

**General Contractor:**  
Jonna Construction  
6200 Second Avenue, D102  
Detroit, Michigan 48202  
T: 313.800.5411  
Contact: Frank Jonna

**MEP Consultant:**  
MA Engineering  
400 S. Old Woodward Ave, Suite 100  
Birmingham, MI 48009  
T: 248.258.1610  
Contact: Salim Sessine, P.E.

**Structural Consultant:**  
Desai/Nasr Consulting Engineers  
6785 Daly Road  
West Bloomfield, MI 48322  
T: 248.932.2010  
Contact: Athanacios Nasr, Ph.D., P.E.

**Food Service Consultant:**  
National Food Equipment  
3186 Old Farm Lane  
Walled Lake, MI 48390  
T: 586.201.9105  
Contact: Gary Kazanjian

**Lighting Consultant:**  
Illuminat  
5145 Livernois, Suite 100  
Troy, Michigan 48098  
T: 734.482.6066  
Contact: Karl Geil, LC, IES

**Refrigeration Consultant:**  
Hussmann  
3123 Wilson Dr.  
Grand Rapids, MI 49534  
T: 616.238.8225  
Contact: Michael Peterson

**Scope of Work:**  
The following drawings refer to the construction and interior build out on the 1st & 2nd Level of the existing Ally Detroit Center building. The new tenant is a Mercantile designation and plans to renovate the whole interior portion of his lease. Exterior construction consists of a new corner entry canopy and new doors leading to an existing outdoor patio.

**Building Code Information:**  
2015 Michigan Building Code  
2015 Michigan Mechanical Code  
2015 Michigan Plumbing Code  
2014 National Electrical Code  
2015 Michigan Uniform Energy Code  
2015 Edition NFPA 101

Barrier Free Requirements per PA Act 1 of 1966 as amended, ADAAG 2010, and ICC / ANSI A117.1-2009 Edition

**Use Group:**  
Primary: M (Mercantile)

**Construction Type:**  
Construction Type: Type I-A, FULLY SPRINKLERED (Existing & No Change)

**Building Area (Tenant):**  
Gross First Floor Area 6,834 S.F.  
Gross Second Floor Area 1,181 S.F.  
Total 8,015 S.F.

**Occupant Load - Interior:**  
Per Section 1005 & 1006; Refer to Life Safety Sheets: LS110, LS120  
(per Table 1004.1.2)

Use:	Calculation:	Occupants:
Mercantile	4,588 SF / 60 =	77
Assembly	1,186 SF / 15 =	79
Kitchen	900 SF / 200 =	5
Storage	975 SF / 300 =	4
Business	366 SF / 100 =	4
<b>Occupant Load - Interior:</b>	<b>(8,015 S.F.)</b>	<b>169</b>

**Occupant Load - Outdoor seating:**  
Per Section 1005 & 1006; Refer to Life Safety Sheets: LS110, LS120  
(per Table 1004.1.2)

Use:	Calculation:	Occupants:
Assembly	1,574 SF / 15 =	105
<b>Occupant Load - Outdoor seating</b>		<b>105</b>
<b>Total Combined Occupant Load</b>		<b>274</b>

**Plumbing Fixtures Count:**  
Per Table 403.1 M.P.C.

Use:	required WC. ratio:	required Lav. ratio:	required Drink. Fount. ratio:
Mercantile + Kitchen (82 occ.)	(1) per 500 = 0.16	(1) per 750 = 0.001	(1) per 1000 = 0.082
Assembly (184 occ.)	(1) per 75 = 2.45	(1) per 200 = 0.92	(1) per 500 = 0.37
Storage (4 occ.)	(1) per 100 = 0.04	(1) per 100 = 0.04	(1) per 1000 = 0.004
Business (4 occ.)	(1) per 25 = 0.16	(1) per 40 = 0.1	(1) per 100 = 0.04
<b>Total required fixtures</b>	<b>2.81 (Male + Female)</b>	<b>1.06 (Male + Female)</b>	<b>0.5</b>

<b>Total proposed fixtures</b>	<b>4 (2 Male + 2 Female)</b>	<b>2 (1 Male + 1 Female)</b>	<b>2</b>
--------------------------------	------------------------------	------------------------------	----------

(Note: 1 Service Sink provided in Kitchen)

**Egress Requirements:**  
Per Chapter 10 M.P.C., Tables 1006.3.1, 1006.2.1, 1017.2

Exits	Required:	Proposed:
Common Path of Travel	Required: (2) Exits	Proposed: (3) Exits
Exit Access Travel Distance	Allowed: 75'	Proposed: 73'
	Allowed: 250'	Proposed: 160'

**Sheet Index:**  
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○ DRAWING ISSUED FOR REFERENCE ONLY  
☒ DRAWING NOT ISSUED

NO.	DESCRIPTION	ISSUED	FOR REFERENCE	NOT ISSUED
0000	COVER SHEET	●	○	○
<b>GENERAL</b>				
<b>ARCHITECTURAL</b>				
A010	ARCHITECTURAL SITE PLAN	●	○	○
LS110	FIRST FLOOR LIFE SAFETY PLAN	●	○	○
LS120	SECOND FLOOR LIFE SAFETY PLAN	●	○	○
D110	FIRST FLOOR DEMO PLAN	●	○	○
D120	SECOND FLOOR DEMO PLAN	●	○	○
A110	FIRST FLOOR PLAN	●	○	○
A120	SECOND FLOOR PLAN	●	○	○
A200	EXTERIOR ELEVATIONS	●	○	○
A201	EXTERIOR ELEVATIONS	●	○	○
A301	ENLARGED CANOPY PLAN - SECTION - ELEVATION	●	○	○
A302	NEW ENTRY DOOR PLAN - SECTION - ELEVATION	●	○	○
A410	FIRST FLOOR REFLECTED CEILING PLAN	●	○	○
A420	SECOND FLOOR REFLECTED CEILING PLAN	●	○	○
A500	INTERIOR ELEVATIONS	●	○	○
A601	INTERIOR ELEVATIONS	●	○	○
A602	INTERIOR ELEVATIONS	●	○	○
A610	MILLWORK DETAILS	●	○	○
A611	MILLWORK DETAILS	●	○	○
A612	MILLWORK DETAILS	●	○	○
A613	MILLWORK DETAILS	●	○	○
A614	MILLWORK DETAILS	●	○	○
A690	PLUMBING DETAILS	●	○	○
A700	DOOR SCHEDULE	●	○	○
A840	CEILING PANEL SCHEDULE	●	○	○
A820	SECOND FLOOR FINISH PLAN	●	○	○
<b>STRUCTURAL</b>				
S-201	GENERAL STRUCTURAL NOTES	●	○	○
S-202	SPECIAL INSPECTION SCHEDULE	●	○	○
S-102	NEW CANOPY SECOND FLOOR AND FINISH PLANS	●	○	○
S-201	SECTIONS AND DETAILS	●	○	○
<b>MECHANICAL/PLUMBING</b>				
M200	MECHANICAL SYMBOLS, ABBREVIATION AND NOTES	●	○	○
M201	MECHANICAL SPECIFICATIONS	●	○	○
M209	DEMOLITION PLANS - HVAC	●	○	○
M210	FLOOR PLANS - SANITARY VENT	●	○	○
M201	FLOOR PLANS - PLUMBING	●	○	○
M202	FOOD SERVICE EQUIPMENT SCHEDULES	●	○	○
M203	FLOOR PLANS - HVAC	●	○	○
M204	FLOOR PLANS - PIPING	●	○	○
M205	MECHANICAL DETAILS	●	○	○
M202	MECHANICAL SCHEDULES & DETAILS	●	○	○
M203	TEMPERATURE CONTROLS	●	○	○
<b>ELECTRICAL</b>				
E101	ELECTRICAL LEGEND, SHEET INDEX, TABLE AND GENERAL NOTES	●	○	○
E102	ELECTRICAL RISER DIAGRAM	●	○	○
E103	ELECTRICAL PANEL SCHEDULES	●	○	○
E1101	DEMOLITION FLOOR PLANS - ELECTRICAL	●	○	○
E201	FLOOR PLANS - LIGHTING	●	○	○
E301	FLOOR PLANS - POWER	●	○	○
E401	ENLARGED KITCHEN PLAN - ELECTRICAL	●	○	○
E402	ENLARGED KITCHEN PLAN - ELECTRICAL	●	○	○
E403	ENLARGED 2ND FLOOR PLAN - ELECTRICAL	●	○	○
E404	ELECTRICAL KITCHEN DETAILS	●	○	○
E501	ELECTRICAL DETAILS	●	○	○
E601	ELECTRICAL SPECIFICATIONS	●	○	○

**Sheet Index:**  
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NO.	DESCRIPTION	ISSUED	FOR REFERENCE	NOT ISSUED
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R1.1	REFRIGERATION CASE LOCATION FLOOR PLAN	●	○	○
R2	REFRIGERATION FEATURE CONDENSATE FLOOR PLAN	●	○	○
R2.1	REFRIGERATION FEATURE CONDENSATE FLOOR PLAN	●	○	○
R3	REFRIGERATION FEATURE PIPING FLOOR PLAN	●	○	○
R3.1	REFRIGERATION FEATURE PIPING FLOOR PLAN	●	○	○
R4	REFRIGERATION FEATURE PIPING FLOOR PLAN	●	○	○
R4.1	REFRIGERATION FEATURE PIPING FLOOR PLAN	●	○	○
R5A	REFRIGERATION FEATURE ELECTRICAL FLOOR PLAN	●	○	○
R5B	REFRIGERATION SCHEDULE	●	○	○
R6	CONDENSER AND PROTECTIVE DETAILS	●	○	○
R7A	CASE DETAILS	●	○	○
<b>FOOD SERVICE</b>				
FSE-1	KITCHEN FOOD SERVICE EQUIPMENT FLOOR PLAN	●	○	○
FSE-2	KITCHEN FOOD SERVICE EQUIPMENT SCHEDULE	●	○	○
FSE-3	BAR & ZINGERMAN FOOD SERVICE EQUIPMENT FLOOR PLAN & SCHEDULE	●	○	○
FSE-4	KITCHEN FOOD SERVICE EQUIPMENT PLUMBING PLAN	●	○	○
FSE-5	KITCHEN FOOD SERVICE EQUIPMENT PLUMBING SCHEDULE	●	○	○
FSE-6	BAR & ZINGERMAN FOOD SERVICE EQUIPMENT PLUMBING PLAN & SCHEDULE	●	○	○
FSE-7	FOOD SERVICE EQUIPMENT PLUMBING & ELECTRICAL DETAILS AND NOTES	●	○	○
FSE-8	KITCHEN FOOD SERVICE EQUIPMENT ELECTRICAL PLAN	●	○	○
FSE-9	KITCHEN FOOD SERVICE EQUIPMENT ELECTRICAL SCHEDULE	●	○	○
FSE-10	BAR & ZINGERMAN FOOD SERVICE EQUIPMENT ELECTRICAL PLAN & SCHEDULE	●	○	○
FSE-11	SECOND FLOOR FOOD SERVICE EQUIPMENT FLOOR PLAN	●	○	○
FSE-12	SECOND FLOOR FOOD SERVICE EQUIPMENT PLUMBING PLAN	●	○	○
FSE-13	SECOND FLOOR FOOD SERVICE EQUIPMENT ELECTRICAL PLAN	●	○	○
<b>LIGHTING CONSULTANT</b>				
E200	FIRST FLOOR LIGHTING PLAN	●	○	○
E201	MEZZANINE LIGHTING PLAN	●	○	○

**SAROKI ARCHITECTURE**  
430 N. OLD WOODWARD  
BIRMINGHAM, MI 48009  
P. 248.258.5707  
F. 248.258.5515  
SarokiArchitecture.com

Project:  
**Plum Market Kitchen**  
800 Woodward Ave  
Detroit, MI 48226

Date: Issued For:

09-08-2016	Demo Permit
09-19-2016	Building Permit
10-17-2016	Progress Plan
10-19-2016	Permit Submittal
11-10-2016	Permit Revisions
11-16-2016	Permit Revisions
12-17-2016	Mechanical Details
12-21-2016	Addressed #1

Sheet No.:  
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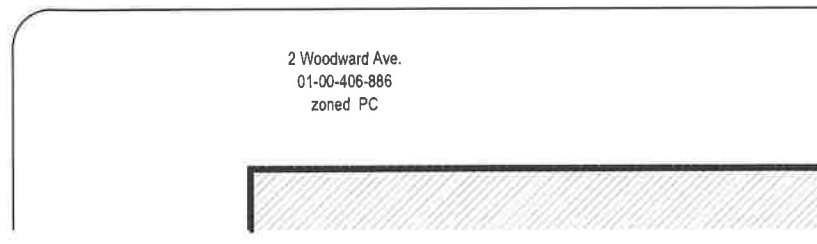
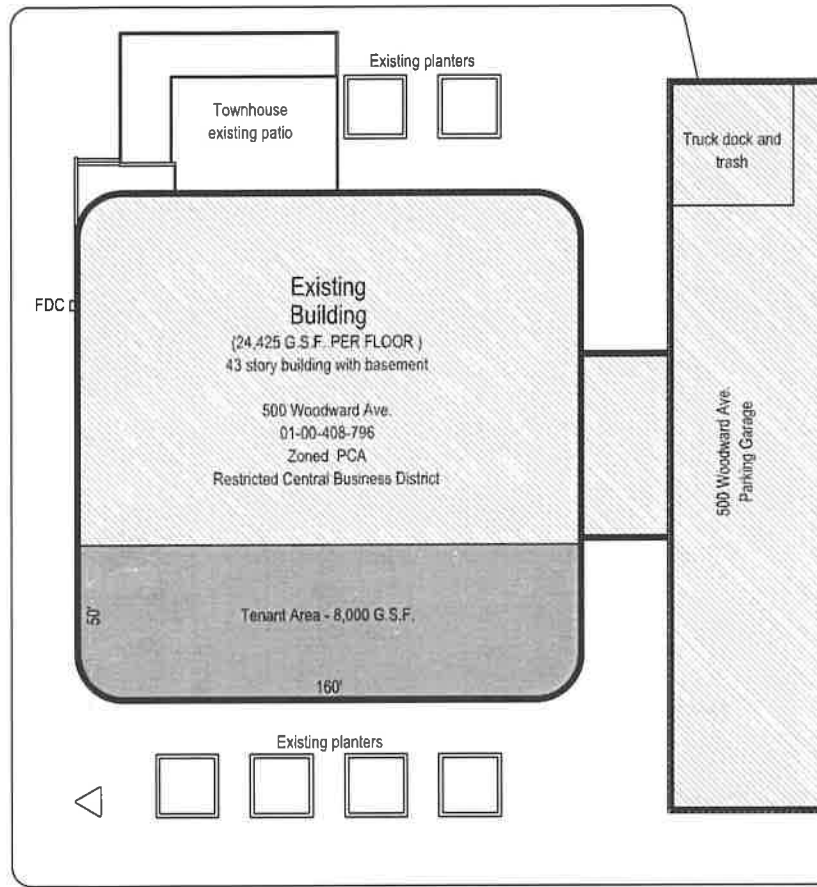
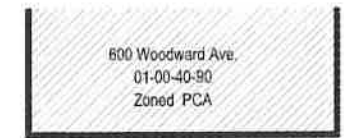
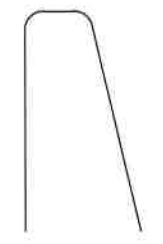
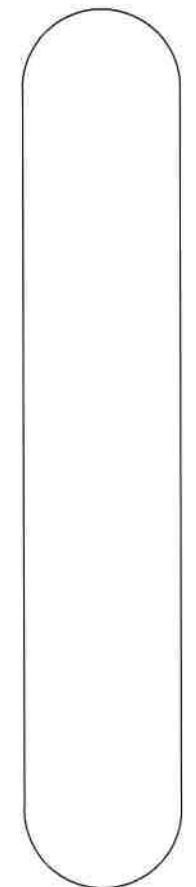
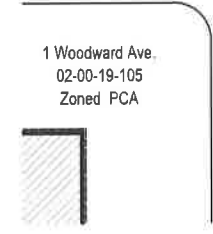
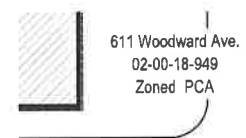
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7

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9

10



CONGRESS

LARNED

WOODWARD AVE.

HS  
A010  
Architectural Site Plan  
SCALE 1" = 30'-0"



**SAROKI**  
ARCHITECTURE  
430 N. OLD WOODWARD  
BIRMINGHAM, MI 48009  
P. 248.258.5707  
F. 248.258.5515  
SarokiArchitecture.com

Project:  
**Plum Market Kitchen**  
830 Woodward Ave  
Detroit, MI 48226

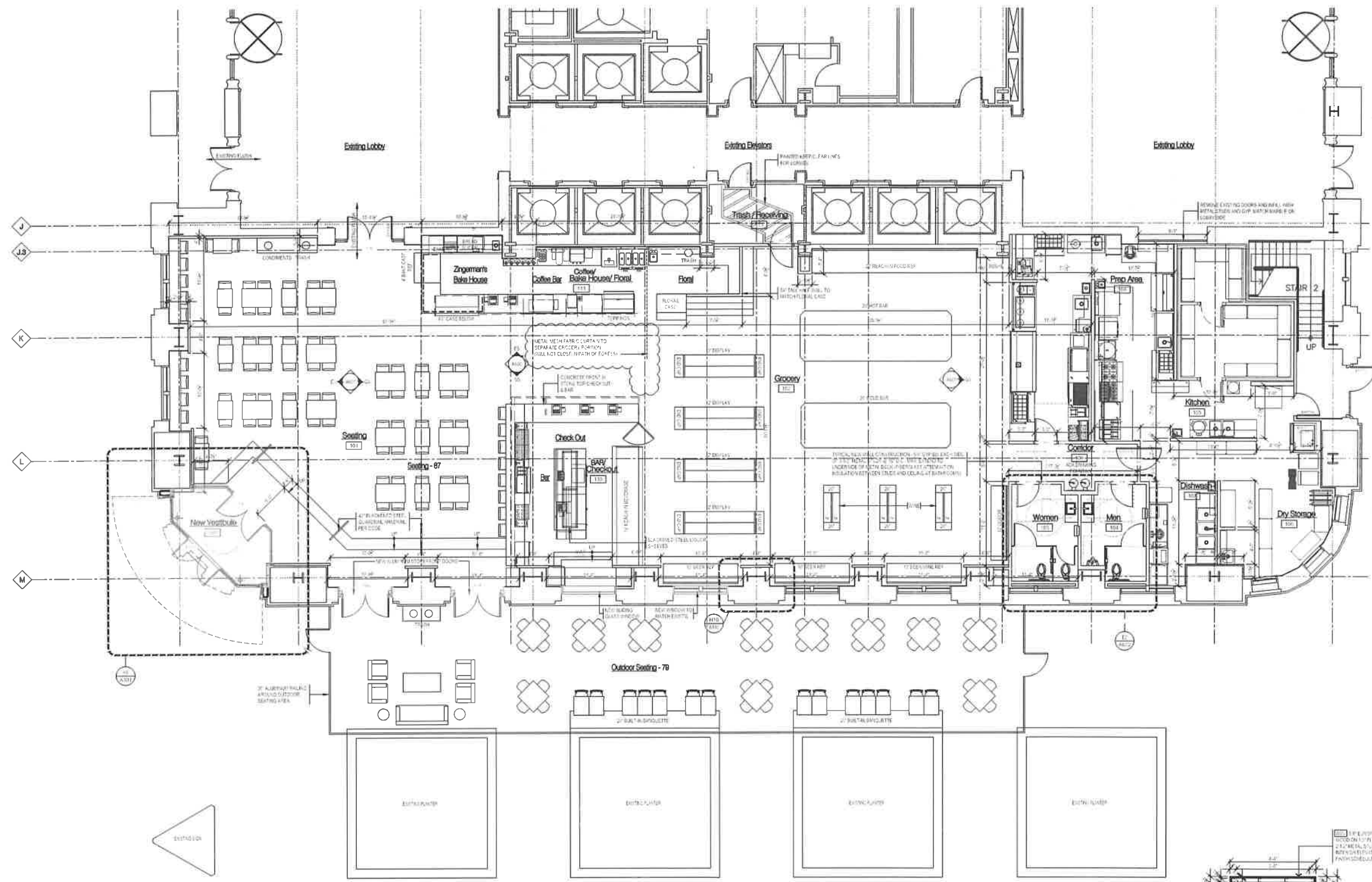
Date: Issued For:  
08-12-2018 Building Permit  
10-17-2018 Progress Det  
10-18-2018 Permit Submittal

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Sheet No.:

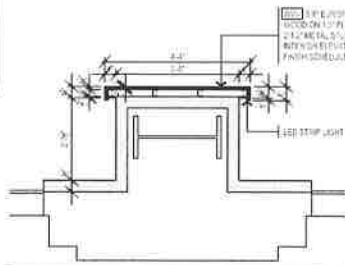
**A010**  
ARCHITECTURAL  
SITE PLAN

- GENERAL NOTES:
1. ALL TRICK-OUT WALLS TO EXTEND TO OVERHANG OF REAR DECK.
  2. RELOCATE EXISTING EXTERIOR LIGHTS TO EXTERIOR LIGHT FIXTURES PER CODE.
  3. EXISTING WALL SPECIFICATIONS & LOCATIONS WITH ARCHITECT.
  4. GIP BOARD TO RECEIVE IN-GAIT WATER AND DRAINAGE PERM.
  5. GIP TO COORDINATE WITH FIRE HAZARD ON FLOOR FINISHES ON LOCATIONS.
  6. FINISH REAR WALL CONSTRUCTION: 4" MIN. RIGID INSULATION TO INTERIOR SURFACE OF METAL DECK. EXTEND TO HEIGHT OF METAL DECK. PROVIDE AS ATTENTION TO INSULATION DETAIL ON STUDS AND CEILING AT MATERIALS.



**NOTE:**  
ALL EXTERIOR IMPROVEMENTS AND MODIFICATIONS (HIGHLIGHTED IN YELLOW) ARE SHOWN FOR REFERENCE ONLY AND WILL BE ISSUED UNDER A SEPARATE PERMIT SUBMISSION.

05 First Floor Plan  
410 SCALE: 3/16" = 1'-0"



110 Typical Pilaster Detail  
410 SCALE: 1/2" = 1'-0"

**SAROKI**  
ARCHITECTURE

430 N. OLD WOODWARD  
BIRMINGHAM, MI 48009

P. 248.258.5707  
F. 248.258.5515

SarokiArchitecture.com

Project:  
**Plum Market Kitchen**  
600 Woodward Ave  
Detroit, MI 48226

Date: Issued For:

08-18-2018	Building Permit
10-17-2018	Progress Det
10-19-2018	Permit Submittal
11-15-2018	Permit Revisions
12-26-2018	Permit Revisions (CPC)

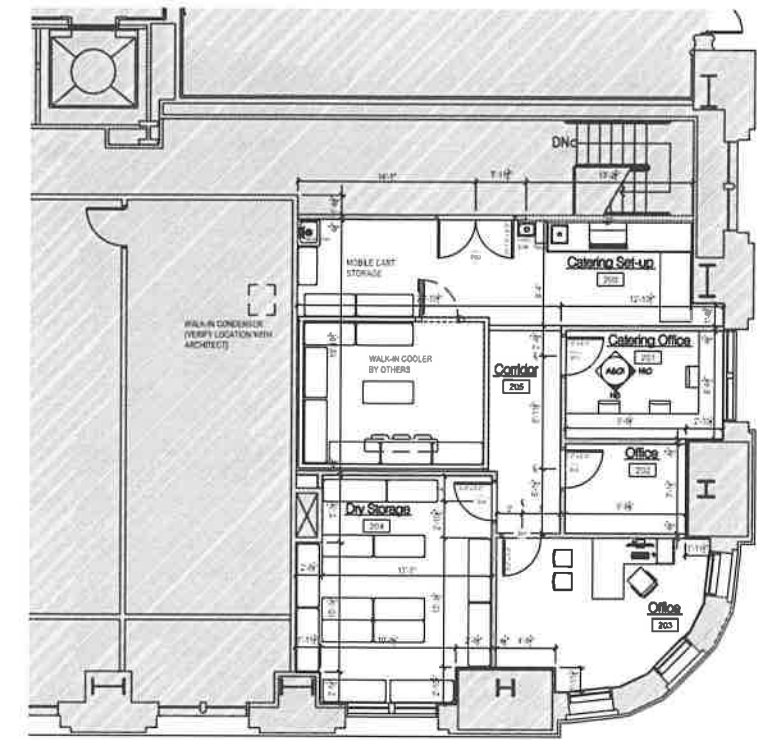
Sheet No.:

**A110**  
FIRST FLOOR PLAN

A  
B  
C  
D  
E  
F  
G  
H

**NOTES**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL BUILDING CODE (IBC) AND ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SCHEDULES OF WORK FROM THE ARCHITECT.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SCHEDULES OF WORK FROM THE ARCHITECT.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SCHEDULES OF WORK FROM THE ARCHITECT.
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8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SCHEDULES OF WORK FROM THE ARCHITECT.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SCHEDULES OF WORK FROM THE ARCHITECT.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY SCHEDULES OF WORK FROM THE ARCHITECT.



FS Second Floor Plan  
A120 SCALE: 3/16" = 1'-0"

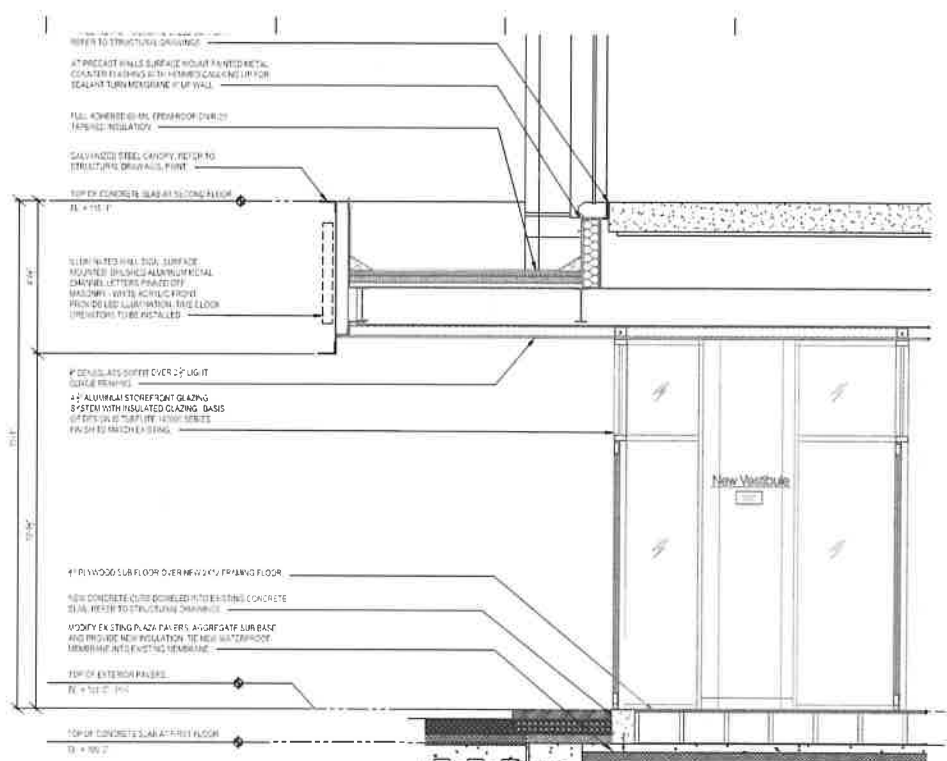
**SAROKI**  
ARCHITECTURE  
430 N. OLD WOODWARD  
BIRMINGHAM, MI 48009  
P. 248.258.5707  
F. 248.258.5515  
SarokiArchitecture.com

Project:  
**Plum Market Kitchen**  
800 Woodward Ave  
Detroit, MI 48226

Date:	Issued For:
09-19-2016	Building Permit
10-17-2016	Progress Bid
10-19-2016	Permit Submittal

Sheet No.:  
**A120**  
SECOND FLOOR PLAN

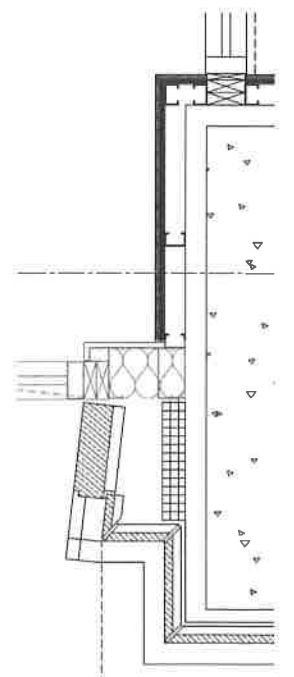
1 2 3 4 5 6 7 8 9 10



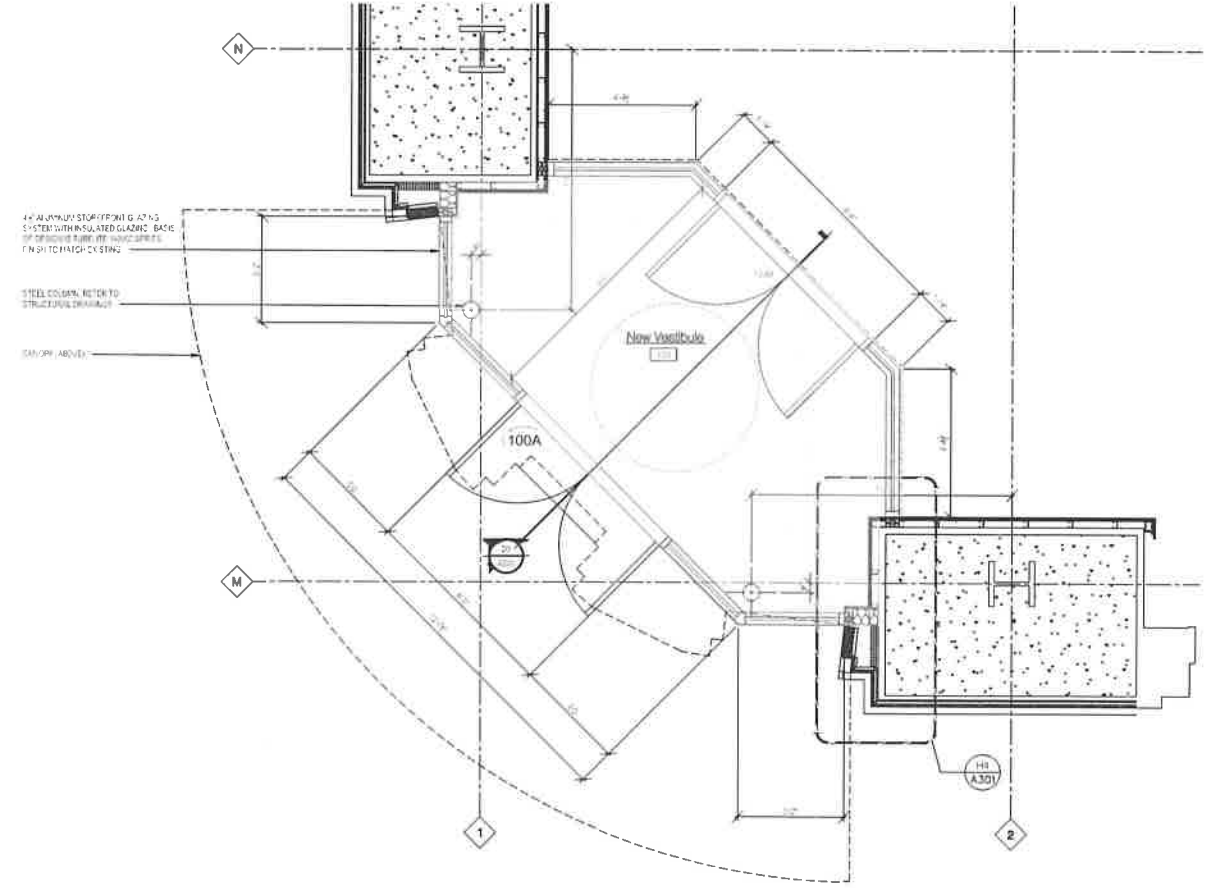
**GENERAL NOTES:**  
 1. ALL SIGNAGE TO BE SUBMITTED UNDER SEPARATE PERMIT.

D4 Elevation at Corner Entry  
 SCALE: 1/2" = 1'-0"

D1 Canopy Section  
 SCALE: 1/2" = 1'-0"



H4 Plan Detail at New Vestibule Base  
 SCALE: 1 1/2" = 1'-0"



H5 Enlarged Floor Plan - Vestibule  
 SCALE: 1/2" = 1'-0"

**NOTE:**  
 ALL EXTERIOR IMPROVEMENTS AND MODIFICATIONS (HIGHLIGHTED IN YELLOW) ARE SHOWN FOR REFERENCE ONLY AND WILL BE ISSUED UNDER A SEPARATE PERMIT SUBMISSION.

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 ARCHITECTURE  
 430 N. OLD WOODWARD  
 BIRMINGHAM, MI 48009  
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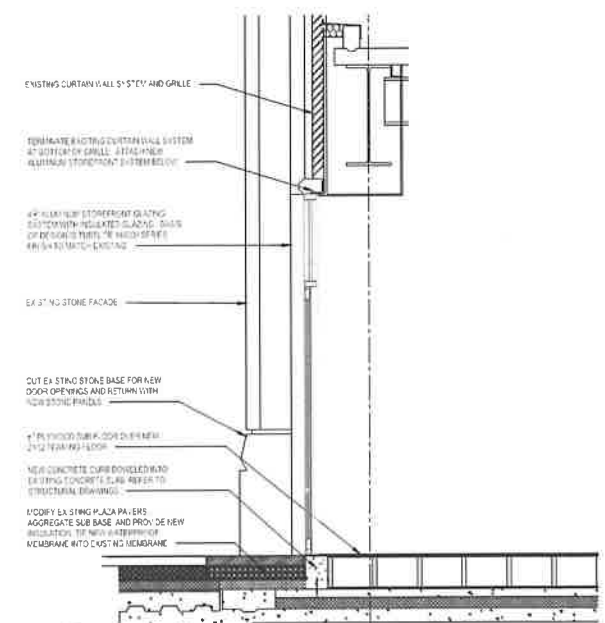
**Project:**  
 Plum Market Kitchen  
 500 Woodward Ave  
 Detroit, MI 48226

**Date:** Issued For:  
 10-19-2018 Permit Submittal  
 11-16-2018 Permit Revision

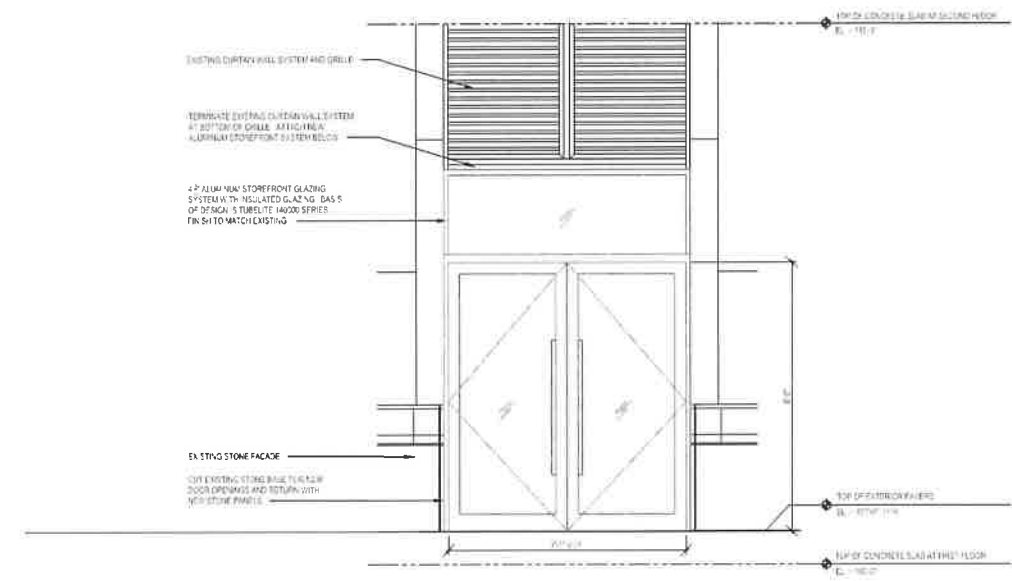
12-29-2018 Permit Revision (RFP)  
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Sheet No.:  
**A301**  
 ENLARGED CANOPY PLAN SECTION - ELEVATION

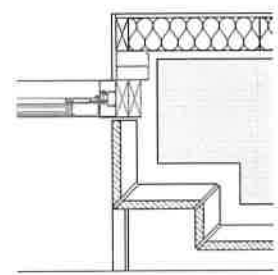
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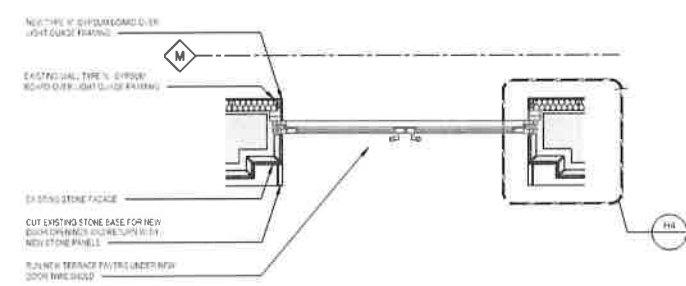
F4 Elevation at Corner Entry  
SCALE: 1/2" = 1'-0"



F4 Enlarged Elevation at New Exterior Door  
SCALE: 1/2" = 1'-0"



H4 Plan Detail at Base of New Doors  
SCALE: 1 1/2" = 1'-0"



H4 Enlarged Plan at New Exterior Door  
SCALE: 1/2" = 1'-0"

**NOTE:**  
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**SAROKI**  
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430 N. OLD WOODWARD  
BIRMINGHAM, MI 48009  
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F. 248.258.5515  
SarokiArchitecture.com

Project:  
**Plum Market Kitchen**  
500 Woodward Ave  
Detroit, MI 48226

Date: Issued For:  
10-19-2018 Permit Submittal

12-26-2018 Permit Revision (CPS)

Sheet No.:  
**A302**  
NEW ENTRY DOOR - PLAN SECTION - ELEVATION

1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10



**HURON SIGN CO.**  
 663 S. MANSFIELD  
 P.O. BOX 980423  
 YPSILANTI, MI 48198  
 PHONE 734-483-2000  
 1-800-783-0100  
 FAX 734-483-5164  
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## Custom Projecting Sign



APPROXIMATE SIZE & POSITION



**17 SQFT EA.**  
**34 SQFT TOTAL**

SCALE 3/4" = 1'



NIGHT SIMULATION



# OF SETS	1	RETURN DEPTH	12"	RACEWAY COLOR	N.A.	DESIGNER	S WILKIE
FACE COLOR	SEE ABOVE	TYPE OF INSTALL	MAST ARM / PLATES	TRANSFORMER	N.A.	DATE	12/12/18
RETURN COLOR	WHITE	TYPE OF FACE	3/16" LEXAN	BALLAST	N.A.	JOB NO.	
RETAINER COLOR	WHITE	RACEWAY D.	H. L. N.A.	COMMENTS:		JOB NAME	PLM-MRK-DET-121218-2
LED COLOR	WHITE	HOUSINGS	N.A.	SALESPERSON:	KEVIN SHORT	ADDRESS:	500 WOODWARD AVE., DETROIT, MI

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

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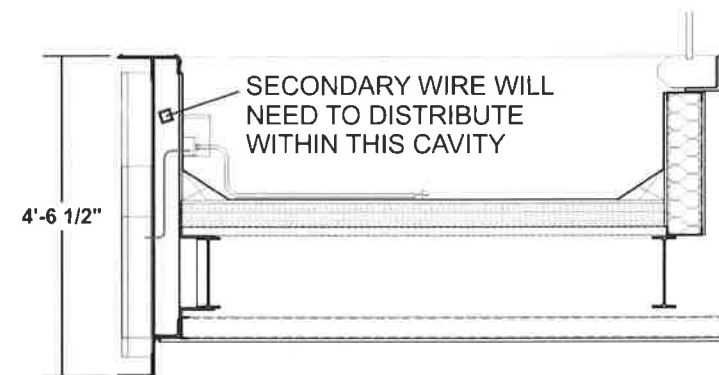
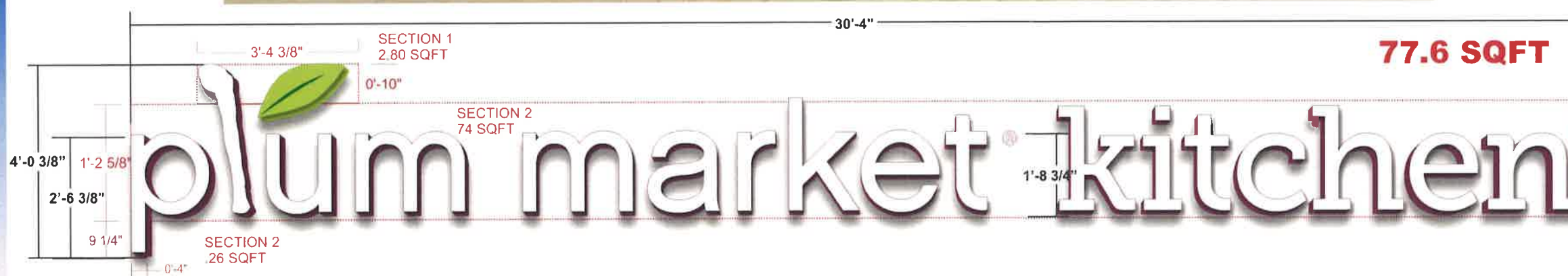
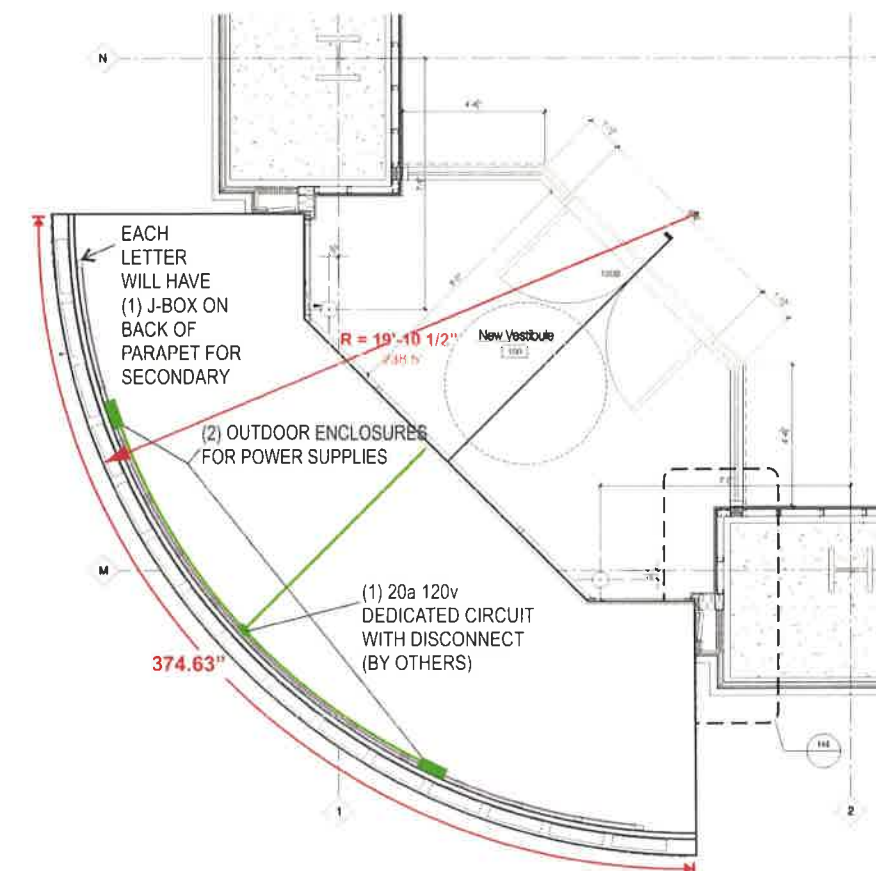


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## Channel Letter Sign



# OF SETS	1	RETURN DEPTH	5" LTR	RACEWAY COLOR	N.A.	DESIGNER	S WILKIE
FACE COLOR	WHITE/ LIME	TYPE OF INSTALL	DIRECT MOUNT	TRANSFORMER	N.A.	DATE	12/12/18
RETURN COLOR	RASBERRY/LIME	TYPE OF FACE	3/16" ACRYLIC	BALLAST	N.A.	JOB NO.	
RETAINER COLOR	MATCH RETURN	RACEWAY D.	H. L. N.A.	COMMENTS:		JOB NAME	PLM-MRK-DET-121218-2
LED COLOR	WHITE	HOUSINGS	N.A.	SALESPERSON:	KEVIN SHORT	ADDRESS:	500 WOODWARD AVE., DETROIT, MI

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

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# Custom Beveled Edge Low Profile Wall Sign



**13.12 SQFT**

SCALE 1/2" = 1'



NIGHT SIMULATION

SCALE 3/16" = 1'



# OF SETS	1	RETURN DEPTH	4.25"	RACEWAY COLOR	N.A.	DESIGNER	S WILKIE
FACE COLOR	TBD	TYPE OF INSTALL	DIRECT MOUNT	TRANSFORMER	N.A.	DATE	12/12/18
RETURN COLOR	TO MATCH	TYPE OF FACE	ALUMINUM - P/T	BALLAST	N.A.	JOB NO.	
RETAINER COLOR	MATCH RETURN	RACEWAY D.	H. L. N.A.	COMMENTS:		JOB NAME	PLM-MRK-DET-121218-2
LED COLOR	WHITE	HOUSINGS	N.A.	SALESPERSON:	KEVIN SHORT	ADDRESS:	500 WOODWARD AVE., DETROIT, MI

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

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plum market kitchen

Zingerman's  
COFFEE  
COMPANY

plum

plum





farm market kitchen

I DON'T KNOW WHAT THAT THING IS, BUT KEEP IT AWAY FROM MY MONEY.



ally





Alton James  
Chairperson  
Lauren Hood, MCD  
Vice Chair/Secretary

# City of Detroit

CITY PLANNING COMMISSION  
208 Coleman A. Young Municipal Center  
Detroit, Michigan 48226  
Phone: (313) 224-6225 Fax: (313) 224-4336  
e-mail: [cpc@detroitmi.gov](mailto:cpc@detroitmi.gov)

Brenda Goss Andrews  
Lisa Whitmore Davis  
David Esparza, AIA, LEED  
Gregory Pawlowski  
Frederick E. Russell, Jr.  
Angy Webb

CITY CLERK 2019 FEB 15 10:43:33

30

February 14, 2019

## HONORABLE CITY COUNCIL

**RE:** Request of Zaid Arabo on behalf of Jerry Pattah to amend the existing PD (Planned Development) zoning classification on District Map 6, Article XVII, of the 1984 Detroit City Code Chapter 61, 'Zoning' for the property located at 500 E. Warren Avenue generally bounded by St. Antoine Street, E. Hancock Street, Brush Street and E. Warren Avenue. **(RECOMMEND APPROVAL WITH CONDITIONS)**

### BACKGROUND AND PROPOSAL

The City Planning Commission (CPC) has received a request from Zaid Arabo on behalf of Jerry Pattah requesting that the City of Detroit amend the provisions of the existing PD (Planned Development) zoning classification on District Map No. 6, Article XVII, of Chapter 61 of the 1984 Detroit City Code, 'Zoning,' for the property located at 500 E. Warren Avenue generally bounded by St. Antoine Street, E. Hancock Street, Brush Street and E. Warren Avenue. The site was rezoned from B4 (General Business) and R5 (Medium Density Residential) to PD in 1974.

The site is currently developed with a multiple tenant shopping center. The anchor tenant is a large supermarket and five smaller units containing restaurants and a nail salon.

### *Proposed Development*

The applicant proposes to build a one-story, 9,500 square foot building at the southeast corner of the site for a Secretary of State branch office. The exterior cladding would be burnished block for the lower four feet, topped by a 2" limestone sill and brick for the remainder. A five foot landscaped setback would separate the building from the public sidewalk.

No additional curb cuts are proposed; the existing curb cuts will be utilized. The parking lot will be reconfigured resulting in slightly fewer parking spaces. Several trees at the southeast corner of the site will be removed, but extensive new landscaping is proposed including street trees and landscaped islands in the parking lot to manage storm water runoff.

### PLANNING CONSIDERATIONS

#### *Surrounding Zoning and Land Use*

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

North: PD – Townhouses (3-story) and Multiple-Family Dwelling (7-story)  
East: PD – Plymouth United Church of Christ

South: R5 – Hospital (4-story)  
West: PD – Multiple-Family Dwelling (9-story)

### ***Analysis***

Because this site was previously zoned B4, those standards are used as a benchmark for reviewing the PD proposal. The proposal meets the following standards:

- Use: Governmental service agency is allowed by-right
- Setbacks & maximum lot coverage: no requirements
- Minimum lot dimensions & area: no requirements
- Height: 35' maximum allowed; the tallest portion of the proposed building is 21.3' high
- Loading spaces: 3 required total; 4 existing
- Right-of-way screening: Requirement 5' wide strip with trees every 30' and 30"-36" high screen of vegetation, berm or masonry wall; existing landscape strip is 20' wide and has a berm, trees will be added every 30'

Several other standards are moderately deficient:

- Parking: Requirement 154 for existing building + 63 for new building = 217 total; 185 proposed, 32 deficient
- Interior landscaping: Requirement 4,070 sq. ft. (22 sq. ft. per parking space); existing about 1,120 sq. ft. with an additional 1,980 sq. ft. proposed, 970 deficient

### ***Approval Criteria***

Section 61-3-97 of the zoning ordinance gives the criteria for whether a change to an existing PD development is minor or major. This proposal meets the criteria for a major change—specifically, an increase in gross floor area in excess of 5% and an increase in coverage by structure.

This proposal appears to meet the eight approval criteria for a map amendment listed in Section 61-3-80 of the zoning ordinance, specifically:

- The amendment will protect the health, safety, and general welfare of the public. The proposed Secretary of State office will provide a needed service to the surrounding community.
- The amendment will not have adverse impacts on the natural environment. The proposed landscaping improvements will greatly decrease the storm water directed to the city's sewer system and the planting of additional trees and shrubs will be positive for the natural environment.

It also meets the PD District design criteria in Section 61-11-15, specifically:

- Compatibility – The proposed building is compatible with the existing structure and will complement the surrounding development.
- Parking & Loading – The existing parking is drastically under-utilized and although the parking provided does not meet the requirements of the Zoning Ordinance, it is adequate for this particular site.
- Screening – The improvements proposed as part of this project include an enclosure for an existing trash container adjacent to Hancock Street and upgrades to the landscaping which screens the parking lot from the right-of-way.

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

The subject site is located within the Lower Woodward area of Neighborhood Cluster 4 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows "Medium Density Residential" for the subject property. The Planning & Development Department has submitted a report stating that the proposed development is consistent with the Master Plan.

### ***City Planning Commission Public Hearing***

Midtown Detroit Inc. spoke at the public hearing and submitted a letter, generally in support of the modification but concerned about several maintenance issues at the site including graffiti and landscaping. The Planning Commissioners had numerous concerns which were addressed with conditions.

### **REVIEW**

The review of this proposal has been somewhat complicated and full of delays. Here is a brief timeline:

- *June 2018* – The architect submits for site plan review to the Buildings, Safety Engineering and Environmental Department. They are informed that site plan review is not required for the project despite the requirement of Section 61-3-113(8) of the zoning ordinance which specifies that projects in a PD zoning district do require site plan review.
- *July 2018* – The architect submits for the building permit. The application is routed to City Planning Commission as a reviewer as required by the PD zoning district. CPC staff informs the architect that site plan review is required including a PD modification which includes public hearings at both the City Planning Commission and City Council.
- *August 2018* – The application is submitted to CPC for the PD modification. The architect is informed about illegal signage at the site which needs to be removed or properly permitted.
- *September 2018* – The project is presented to the City Planning Commission prior to the scheduling of the public hearing. Several Commissioners raised concerns such as current maintenance of the site, lack of storm water mitigation features & landscaping, placement of the building and general building aesthetics. The Planning & Development Department also reviewed the proposed plans and suggested several improvements including better connections for the walkways, larger windows in the lobby and differentiating the entrance from the other facades. Midtown Detroit Inc. submitted a letter of support contingent on removal of graffiti and better maintenance of landscaping. The architect expressed intentions to change the location of the building and eliminate existing trees that were previously marked for preservation.
- *Early October 2018* – The public hearing at City Planning Commission is held on October 4. Although same day action was originally planned, lack of progress on previously discussed issues leads to a delay until the next meeting. A representative from the Secretary of State spoke via phone at the CPC hearing which was very helpful in answering Commissioners' questions. Renderings of the proposed building are presented which are unacceptable including blank walls, no landscaping, no signage, tinted windows and incompatible colors.
- *Late October 2018* – The project is again before the City Planning Commission at the 10/18 meeting. Despite advice to bring the site into compliance, illegal signage was still present and graffiti was being covered the morning of the meeting. However, based on improvements to the plans, staff recommends approval with several conditions and City Planning Commission voted to recommend approval also. The architect and property owner agree to improve the renderings and correct the violations at the site.
- *January 2019* – CPC staff visits the site in preparation for submitting the report to City Council. Illegal signage, trash and graffiti are still present. The architect and property owner are informed and agree to comply.
- *February 2019* – A permit application is submitted for the remaining illegal signage, but review is delayed due to the applicant not having a current sign erector license. Although the site is still not in compliance, the project is moved forward to avoid additional delays.

Your Honorable Body may wish to consider the above before advancing this matter further.



Throughout this extended process, Secretary of State staff have always been willing to answer questions and have been very helpful in encouraging the property owner to improve the site and bring it into compliance.

**RECOMMENDATION**


On October 18, 2018, the City Planning Commission voted to recommend approval of this PD modification request with the following conditions:

1. That landscaping is installed and maintained as shown on the submitted Landscape Plan prepared by Zaid Arabo Design Build and last revised 10/17/2018.
2. That interior landscaping islands are designed and constructed to DWSD standards for storm water retention.
3. That all existing graffiti on the site is removed promptly and the site is maintained in a graffiti-free condition to the extent practicable in accordance with City Code.
4. That windows marked as “frosted or tinted glass” on the elevations are in fact frosted glass in order to better replicate the appearance of clear windows.
5. That the site continue to participate in the Project Green Light Program with the Detroit Police Department including any modifications made necessary by the new building.
6. That final site plans, elevations, lighting, landscape and signage plans be submitted by the developer to the staff of the City Planning Commission for review and approval prior to submitting applications for applicable permits.

The ordinance establishing the map amendment has been reviewed and approved as to form by the Law Department and is attached for your consideration.

Respectfully submitted,

ALTON JAMES, CHAIRPERSON



Marcell R. Todd, Jr., Director  
Jamie J. Murphy, Staff

Attachments: Rezoning Ordinance  
PDD Master Plan Interpretation  
District Map 6  
CPC Public Hearing Notice  
Proposed Plans and Renderings

cc: Maurice Cox, Director, PDD  
David Bell, Director, BSEED  
James Foster, BSEED  
Lawrence Garcia, Corporation Counsel  
Arthur Jemison, Group Executive

## S U M M A R Y

An ordinance to amend Chapter 61 of the 1984 Detroit City Code, '*Zoning*,' commonly known as the Detroit Zoning Ordinance, by amending Article XVII, Zoning District Map No. 6 to modify an existing PD (Planned Development District) zoning classification established by Ordinance 902-G on land bounded by East Warren Avenue to the north, St. Antoine Street to the east, Hancock Street to the south, and Brush Street to the west to allow a new building to be constructed at the existing shopping center.

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

2 **AN ORDINANCE** to amend Chapter 61 of the 1984 Detroit City Code, ‘Zoning,’  
3 commonly known as the Detroit Zoning Ordinance, by amending Article XVII, Zoning District  
4 Map No. 6 to modify an existing PD (Planned Development District) zoning classification  
5 established by Ordinance 902-G on land bounded by East Warren Avenue to the north, St. Antoine  
6 Street to the east, Hancock Street to the south, and Brush Street to the west to allow a new building  
7 to be constructed at the existing shopping center.

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

9 **Section 1.** Chapter 61, Article XVII, of the 1984 Detroit City Code, ‘Zoning,’ commonly  
10 known as the Detroit Zoning Ordinance, is amended as follows:

11 District Map No. 6 is amended to show a PD (Planned Development District) zoning  
12 classification as established by Ordinance No. 902-G currently shown on land described as:

13 Land in the City of Detroit, County of Wayne and State of Michigan bounded by  
14 East Warren Avenue to the north, St. Antoine Street to the east, Hancock Street to  
15 the south, and Brush Street to the west.

16 The Detroit City Council approves the ‘Proposed Michigan Department of State’ site and  
17 landscape plans and elevations as drawn by Zaid Arabo Design Build, and dated October 17, 2018,  
18 with the following conditions:

- 19 1. That landscaping is installed and maintained as shown on the approved Landscape Plan.
- 20 2. That interior landscaping islands are designed and constructed to DWSD standards for  
21 storm water retention.
- 22 3. That all existing graffiti on the site is removed promptly and the site maintained in a  
23 graffiti-free condition to the extent practicable in accordance with City Code.


- 1 4. That windows marked as “frosted or tinted glass” on the elevations are in fact frosted  
2 glass in order to better replicate the appearance of clear windows.
- 3 5. That the developer consult with the Detroit Police Department to identify and implement  
4 any changes to the Green Light Program cameras onsite as a result of the construction.
- 5 6. That final site plans, elevations, lighting, landscape and signage plans be submitted by the  
6 developer to the staff of the City Planning Commission for review and approval prior to  
7 submitting applications for applicable permits.

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

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

12 **Section 4.** This ordinance shall become effective on the eighth (8<sup>th</sup>) day after publication  
13 in accordance with MCL 125.3401(6), and Section 4-118, paragraph 3 of the 2012 Detroit City  
14 Charter.

15  
16 **Approved as to form:**

17  
18   
19 \_\_\_\_\_  
20 Lawrence T. Garcia  
Corporation Counsel



Mr. Marcell Todd  
City of Detroit  
Legislative Policy Division  
208 Coleman A. Young Municipal Center  
Detroit, MI 48226

October 18, 2018

**RE: Master Plan of Policies Review of a proposal to modify an existing PD (Planned Development) zoning classification for development at 500 E. Warren for a Secretary of State Facility**

Dear Mr. Todd:

Pursuant to the City of Detroit's City Charter (Sections 6-202 and 6-204), the Planning and Development Department's (P&DD) Planning Division submits the following review of a proposed Planned Development District (PD) modification.

The petitioner, Zaid Arabo, has requested to modify the plans for the existing PD (Planned Development District) to construct a Midtown facility for the Secretary of State.

Project Location:  
500 E. Warren

Existing Site Information

The subject site is zoned PD. The subject site is a 3.73 acre lot. The Master Plan Future General Land Use designation for the site is Medium Density Residential

Project Proposal:

Project is seeking to construct a Secretary of State Facility in Midtown Detroit. The project proposes the new construction of a 9,500 SF structure on a 3.73 acre site. The subject parcel is zoned as Planned Development (PD), the project proposed will remain zoned PD. Project will offer off-street surface parking for 185 vehicles.

Interpretation:

Impact on Surrounding Land Use

The proposed development will contribute additional "retail and local services" uses as allowed by PD development in the immediate site area.

Impact on Transportation

There are DDOT transit routes to the west along Woodward, to the south along Canfield and to the north along Warren. The Q-Line rail is also on Woodward Avenue.



**Master Plan Interpretation:**

The Master Plan Future General Land Use designation for the site is RM (Medium Density Residential)

Medium Density Residential areas should have an overall density of 16 to 24 dwelling units per net residential acre. The areas are often characterized by multi-unit apartment buildings with a common entrance and shared parking. The residential classifications allow for neighborhood-scale commercial development. For instance, in a Low/Medium Density Residential area, small scale commerce (e.g. convenience stores) should exist to serve residents's day-to-day needs.

The proposed Secretary of State Facility, currently zoned PD, will expand “retail and local service” offerings to area residents and Detroiters.

**The development conforms to the Future General Land Use designation for the area.**

**Attachment: Future General Land Use Map: Map 4-5B, Neighborhood Cluster 4, Lower Woodward**

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read 'Esther Yang', with a long, sweeping underline that extends to the right.

Esther Yang  
Planning and Development Department

cc: Maurice Cox, Director, P&DD

Alton James  
Chairperson  
Lauren Hood, MCD  
Vice Chair/Secretary

# City of Detroit

**CITY PLANNING COMMISSION**  
208 Coleman A. Young Municipal Center  
Detroit, Michigan 48226  
Phone: (313) 224-6225 Fax: (313) 224-4336  
e-mail: [cpc@detroitmi.gov](mailto:cpc@detroitmi.gov)

Brenda Goss Andrews  
Lisa Whitmore Davis  
David Esparza, AIA, LEED  
Gregory Pawlowski  
Frederick E. Russell, Jr.  
Angy Webb

## **NOTICE OF PUBLIC HEARING**

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

**THURSDAY, OCTOBER 4, 2018 AT 5:15 PM**

to consider the proposal of Jerry Pattah to modify the plans for the existing PD (Planned Development District) zoning classification on District Map No. 6, Article XVII of the 1984 Detroit City Code, Zoning, for the property located at 500 East Warren Avenue generally bounded by St. Antoine Street, E. Hancock Street, Brush Street and E. Warren Avenue. The subject property is indicated on the accompanying map.

The change in the existing PD district is being proposed to allow for the construction of a new building for a Secretary of State branch office.

The existing zoning district is generally defined by the Zoning Ordinance as follows:

### **PD – PLANNED DEVELOPMENT DISTRICT**

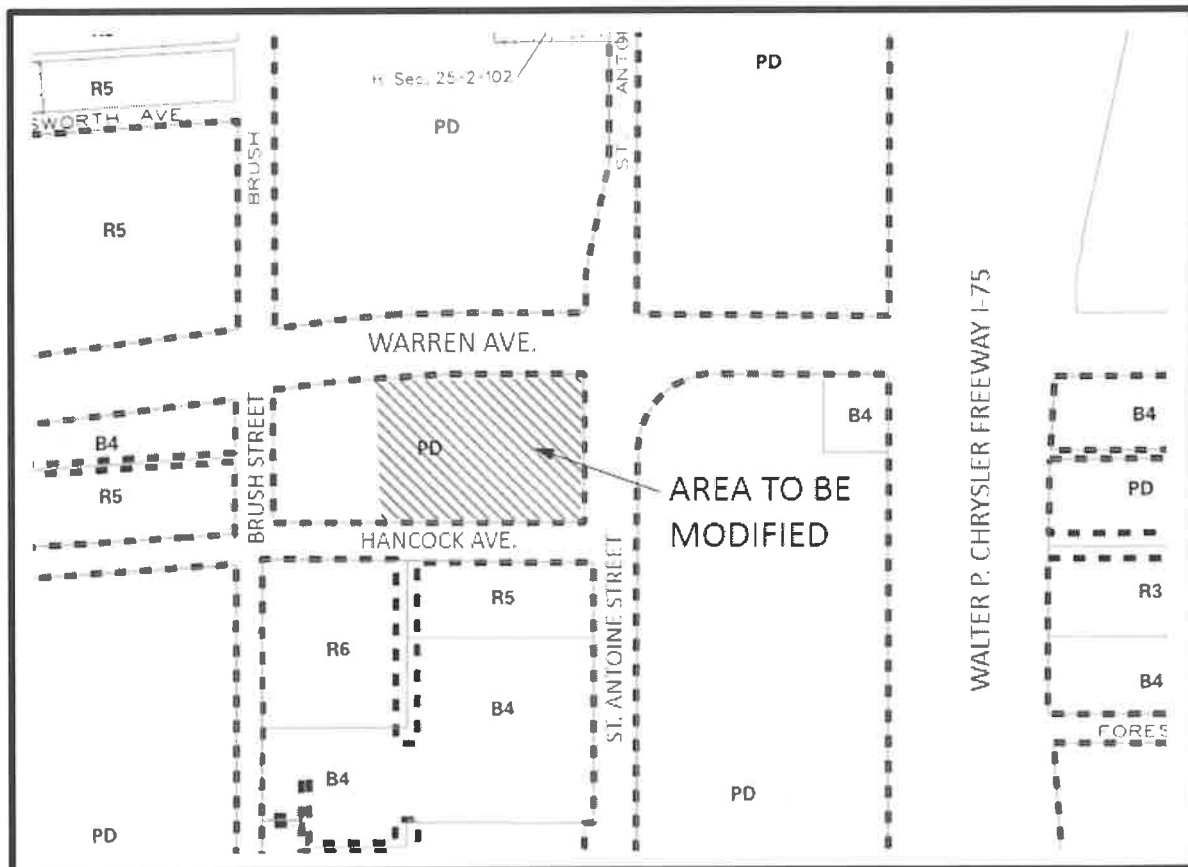
This district will permit planned developments throughout the City and will be particularly useful in urban renewal areas. Such planned developments shall be substantially in accord with the goals and objectives of the Master Plan, by having a major land use that corresponds to the most general category of land use, which are Residential, Public/Civic/Institutional, Retail/Service/Commercial, Manufacturing and Industrial, and Other, proposed in the Master Plan for the area involved. Such planned developments shall provide a desirable environment for the uses proposed and shall not be out of harmony with their general surroundings. The regulations of the district are designed to accomplish this by permitting flexibility in overall development while ensuring adequate safeguards and standards for public health, safety, convenience, and general welfare and, where applicable, encouraging historic preservation.

The proposed modification is being considered by the City Planning Commission in accordance with the provisions of Article III, Division 4 of the Detroit Zoning Ordinance. A major PD modification requires the approval of the City Council after a public hearing and after receipt of a report and recommendation by the City Planning Commission.

You may present your views on this proposal by attending this hearing, authorizing others to represent you, or by writing to this office, City Planning Commission, 208 Coleman A. Young Municipal Center, Detroit, Michigan 48226 (fax: 313-224-4336, email: [cpc@detroitmi.gov](mailto:cpc@detroitmi.gov)). Because it is possible that some who have interest in this matter may not have been notified, it is suggested that you kindly inform your neighbors so that they too may express their opinions if they desire.

An interpreter for the hearing impaired will be present at the meeting if requested at least 48 hours in advance. If interpretation or translation services are needed please call The Department of Civil Rights, Inclusion & Opportunity, Ryan Crige at (313) 224-1516 or (313) 224-4950.

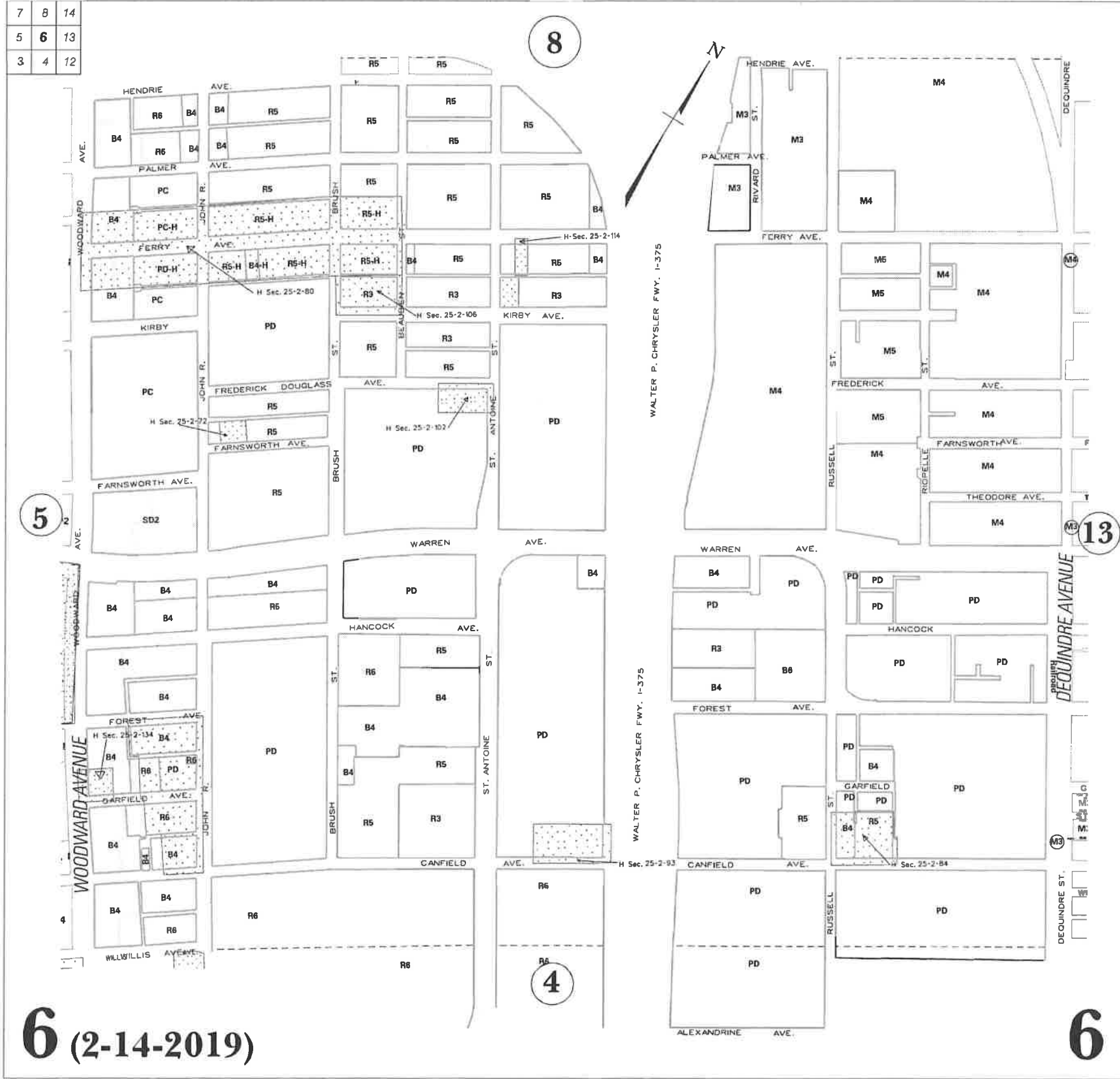
For additional information concerning this proposal or the scheduled hearing, please call 313-224-6225.





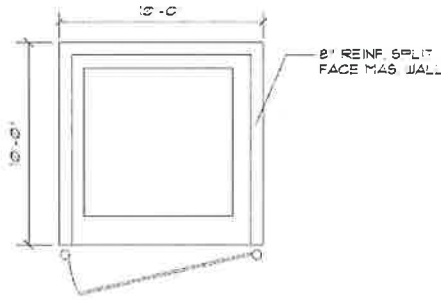


7	8	14
5	<b>6</b>	13
3	4	12

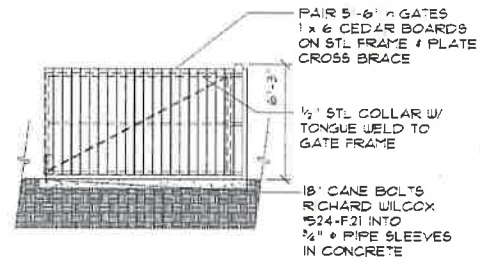


**6** (2-14-2019)

**6**



**DUMPSTER ENCLOSURE PLAN**  
NO SCALE



**DUMPSTER GATE DETAIL**  
NO SCALE



**LOCATION MAP**  
NO SCALE

**PROPOSED MICHIGAN DEPARTMENT OF STATE**

THE CITY OF DETROIT, MICHIGAN

PROPRIETOR:  
JERRY PATTAN  
18801 E. NINE MILE RD.  
EASTPOINTE, MI 48201  
248-701-6002

**SITE DATA:**  
ZONED: B-4  
SIZE: 162,484 SF. • 3.73 ACRE

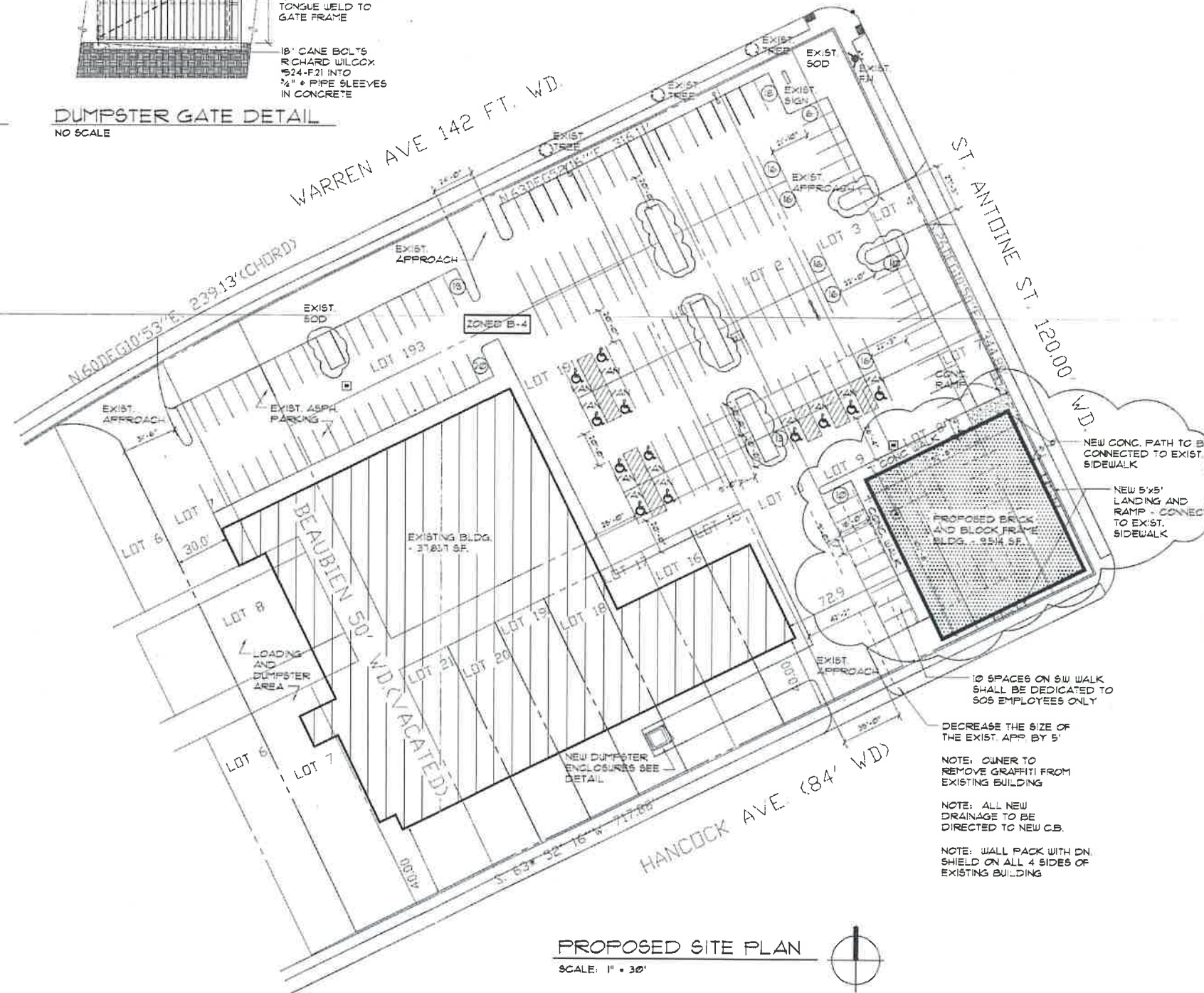
**BUILDING DATA:**

EXISTING BUILDING: 37,837 SF (GROSS)  
USEABLE: 30,270 SF (80% OF GROSS)  
PROPOSED BUILDING: 2,514 SF (GROSS)  
USEABLE: 7,612 SF (80% OF GROSS)  
TOTAL USEABLE: 37,882 SF  
USE GROUP: B (BUSINESS) SEC. 304  
CONSTRUCTION CLASS: 2B  
BUILDING RATIO: 23.32%

**PARKING DATA:**

MERCANTILE PARKING REQUIREMENTS:  
ONE PARKING SPACE PER 200 SF (GROSS)  
TOTAL REQUIRED: 37,882 SF / 200 = 189 SPACES  
TOTAL PROVIDED: 178 SPACES

HANDICAP PARKING:  
REQUIRED: 8 SPACES  
PROVIDED: 12 SPACES



**PROPOSED SITE PLAN**  
SCALE: 1" = 30'

**Z A  
D B**

31313 NORTHWESTERN HWY., SUITE 104  
FARMINGTON HILLS, MICHIGAN 48334  
OFFICE: 248-767-6928  
FAX: 248-564-5277



**PROJECT:**  
PROPOSED MICHIGAN DEPARTMENT OF STATE  
500 E. WARREN AVE. DETROIT, MICHIGAN 48201

ISSUED FOR:  
**REVIEW**  
03-27-2018  
**REVISED**  
08-06-2018  
10-03-2018  
10-12-2018  
10-17-2018

DO NOT SCALE PRINTS -  
USE FIGURED DIMENSIONS ONLY

JOB NO.  
**18-012**  
SHEET NO.

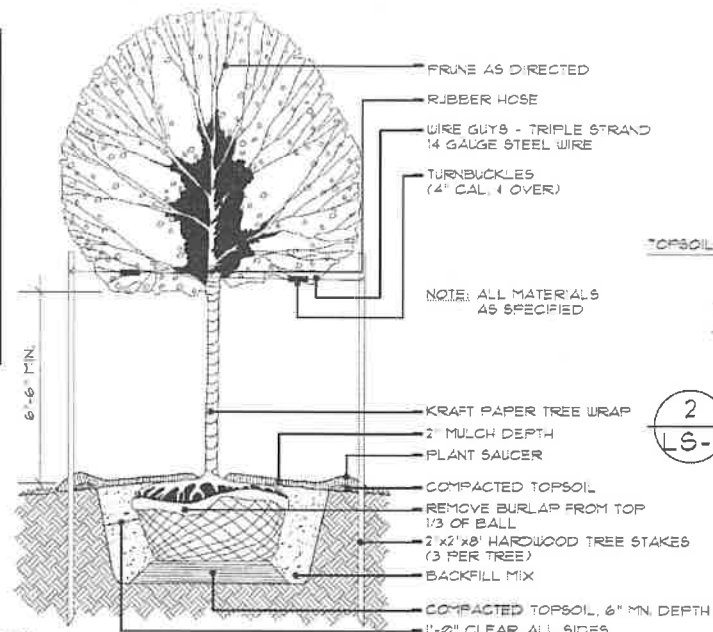
**AS.1**



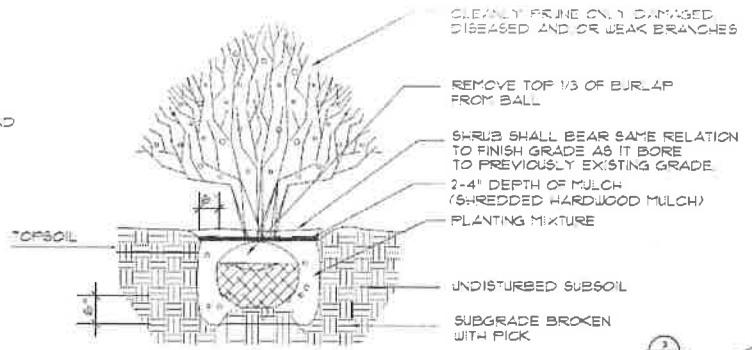
LOCATION MAP  
NO SCALE

PROPOSED MICHIGAN  
DEPARTMENT OF STATE  
THE CITY OF DETROIT, MICHIGAN

PROPRIETOR:  
JERRY PATTAN  
18801 E. NINE MILE RD.  
EASTPOINTE, MI 48201  
248-701-6002



1  
LS-1  
NO SCALE



2  
LS-1  
NO SCALE

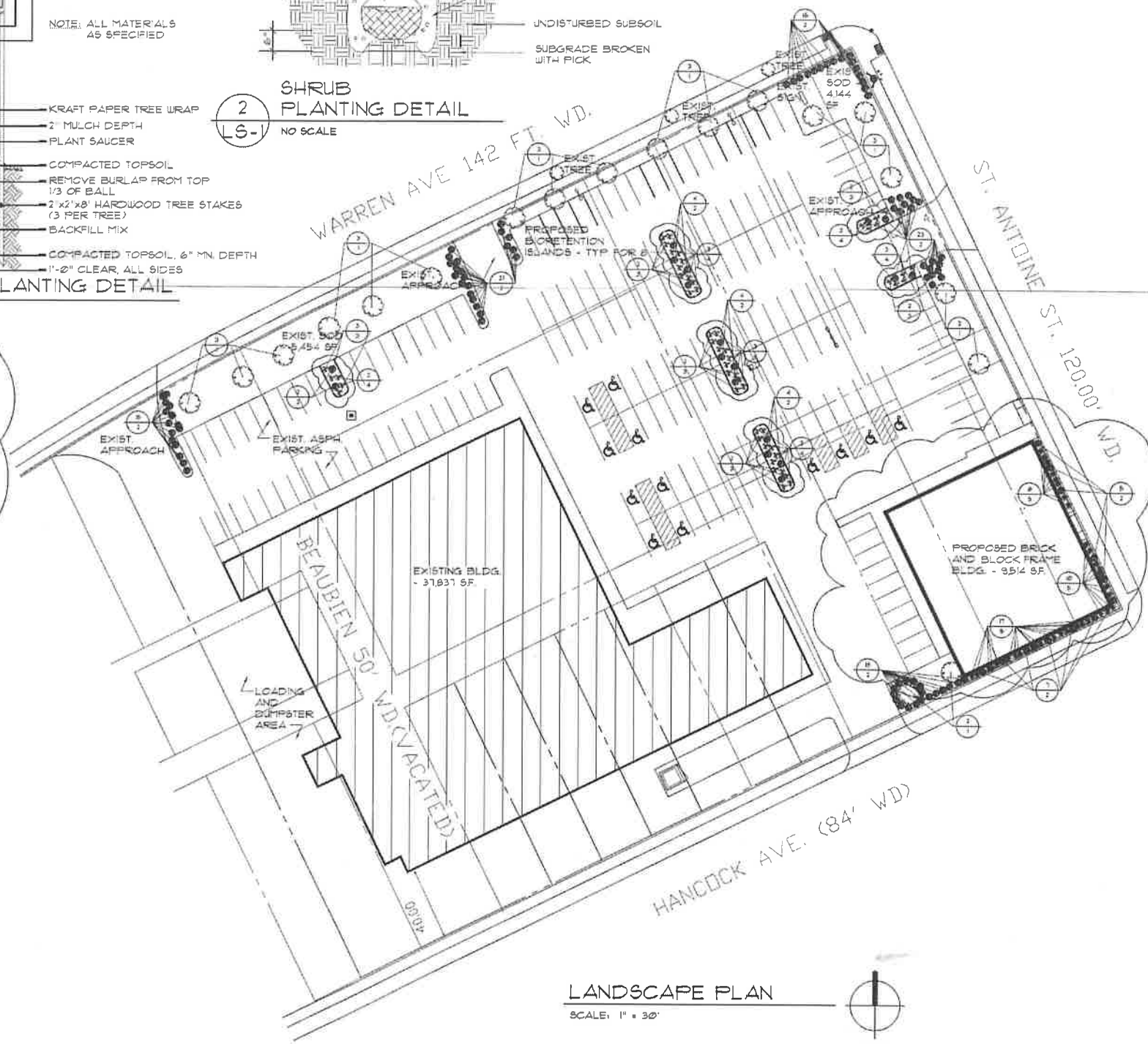
PLANT MATERIAL LIST

PLANT #	QUANT.	BOTANICAL NAME	COMMON NAME	SIZE
1	19	ACER RUBRUM	RED MAPLE	2\"/>
2	115	EUONYMUS ALATUS 'COMPACTA'	DWARF BURNING BUSH	2\"/>
3	23	IRIS VERSICOLOR	BLUE FLAG IRIS	2\"/>
4	23	ROSA CAROLINA	PASTURE ROSE	2\"/>
5	35	CLETHRA ALNIFOLIA	SUMMERSWEET	30\"/>

LANDSCAPING:  
REQUIRED: GREATER THAN 25 SPACES - 10 SF. PER PARKING SPACE, 10 (185) = 3,330 SF.  
PROVIDED: 12,865 SF

X = # OF PLANTS PLANT NO.

- LANDSCAPE NOTES:
- OWNER/CONTRACTOR MUST CONFORM TO ALL LANDSCAPING AND SCREENING REQUIREMENTS OF CITY OF DETROIT REFER TO THE CITY OF DETROIT ZONING ORDINANCE
  - INSTALL 4\"/>



LANDSCAPE PLAN  
SCALE: 1" = 30'



31313 NORTHWESTERN HWY., SUITE 104  
FARMINGTON HILLS, MICHIGAN 48334  
OFFICE - 248-767-6928  
FAX - 248-564-5277



PROJECT:  
PROPOSED MICHIGAN DEPARTMENT OF STATE  
500 E. WARREN AVE. DETROIT, MICHIGAN 48201

ISSUED FOR:  
REVIEW 03-27-2018  
REVISED 08-06-2018  
10-03-2018  
10-12-2018  
10-17-2018

DO NOT SCALE PRINTS - USE FIGURED DIMENSIONS ONLY

JOB NO.  
18-012

SHEET NO.

LS.1

**Z A  
D B**

31313 NORTHWESTERN  
HWY., SUITE 104  
FARMINGTON HILLS,  
MICHIGAN 48334  
OFFICE: 248-767-6928  
FAX: 248-564-5277



**PROJECT:**  
PROPOSED  
MICHIGAN  
DEPARTMENT  
OF STATE  
500 E. WARREN  
AVE, DETROIT,  
MICHIGAN 48201

**ISSUED FOR:**  
**REVIEW**  
03-27-2018  
**REVISED**  
08-06-2018  
10-03-2018  
10-12-2018  
10-17-2018

DO NOT SCALE PRINTS -  
USE FIGURED  
DIMENSIONS ONLY

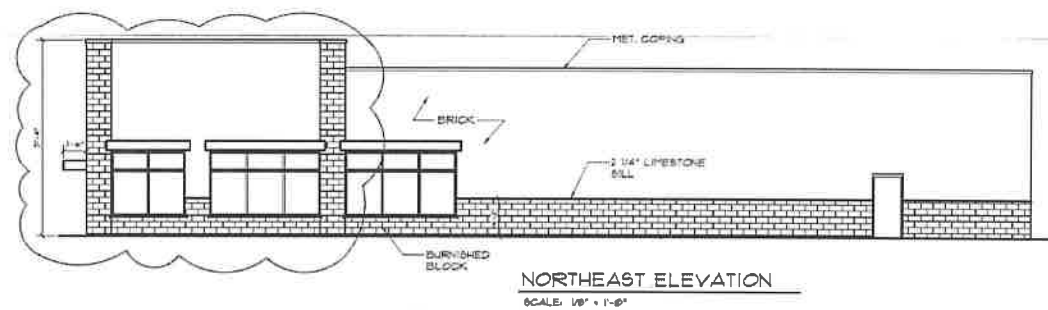
JOB NO.  
**18-012**

SHEET NO.

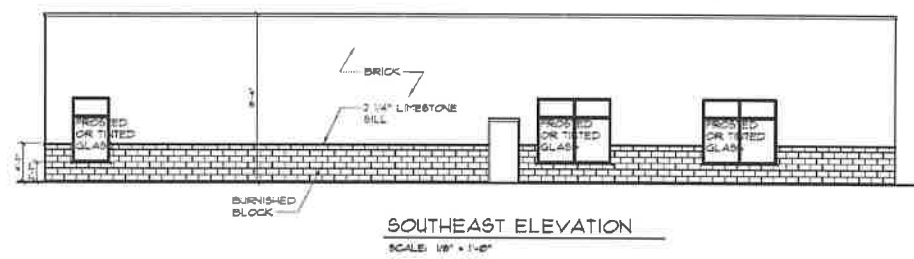
**AS.2**



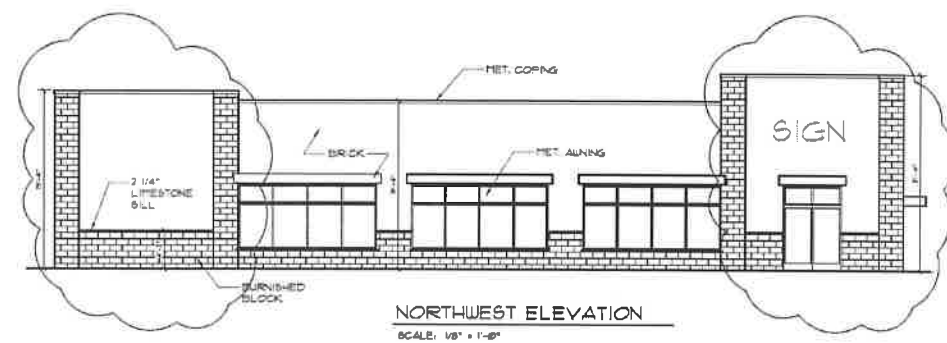
**SOUTHWEST ELEVATION**  
SCALE: 1/8" = 1'-0"



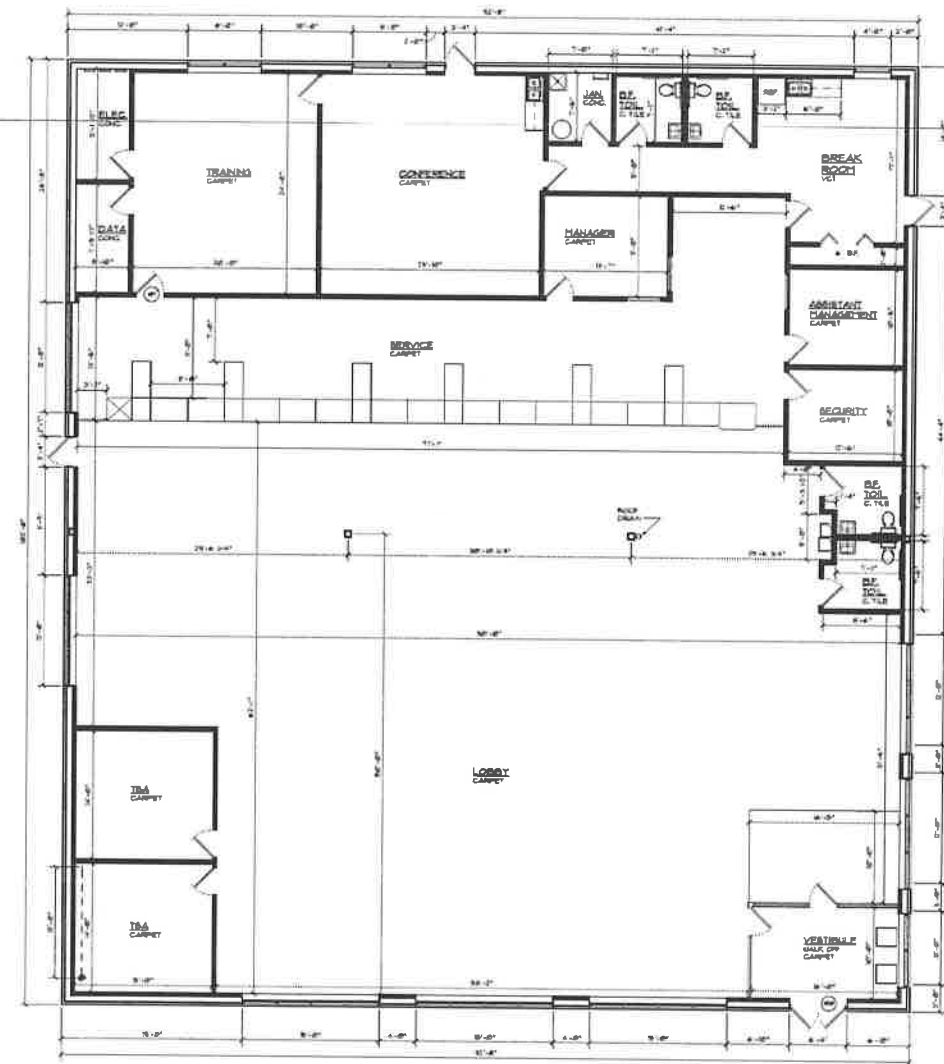
**NORTHEAST ELEVATION**  
SCALE: 1/8" = 1'-0"



**SOUTHEAST ELEVATION**  
SCALE: 1/8" = 1'-0"



**NORTHWEST ELEVATION**  
SCALE: 1/8" = 1'-0"



**FLOOR PLAN**  
SCALE: 3/8" = 1'-0"  
NORTH

RESOLUTION CALLING A PUBLIC HEARING REGARDING  
APPROVAL OF THE BROWNFIELD PLAN OF THE  
CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY  
FOR THE ALBERT KAHN BUILDING REDEVELOPMENT

---

The following preamble and resolution were offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_:

WHEREAS, the City of Detroit, County of Wayne, Michigan (the "City") is authorized by the provisions of Act 381, Public Acts of Michigan, 1996 ("Act 381"), to create a brownfield redevelopment authority; and

WHEREAS, pursuant to Act 381, the City Council of the City duly established the City of Detroit Brownfield Redevelopment Authority (the "Authority"); and

WHEREAS, in accordance with the provisions of Act 381, the Authority has prepared a Brownfield Plan for the Albert Kahn Building Redevelopment (the "Plan") and submitted the Plan to the Community Advisory Committee for review and comment; and

WHEREAS, after receipt of the recommendation of the Community Advisory Committee to approve the, the Authority has approved the Plan and forwarded it to City Council with a request for its approval; and

WHEREAS, prior to approval of the Plan, the City Council is required to hold a public hearing in connection with consideration of the Plan pursuant to Act 381.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby acknowledges receipt of the Plan from the Authority.

2. A public hearing is hereby called on Thursday, the 14<sup>th</sup> day of March, 2019 at 9:05 AM, prevailing Eastern Time, in the Council Chambers, 13<sup>th</sup> Floor of the Coleman A. Young Municipal Center in the City to consider adoption by the City Council of a resolution approving the Plan.

3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

4. The City Clerk is requested to submit three (3) certified copies of this resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226.

AYES: Members \_\_\_\_\_

\_\_\_\_\_

NAYS: Members \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

WAIVER OF RECONSIDERATION

\_\_\_\_\_  
Janice Winfrey, City Clerk  
City of Detroit  
County of Wayne, Michigan

**RESOLUTION APPROVING BROWNFIELD PLAN  
OF THE CITY OF DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY  
FOR THE ALBERT KAHN BUILDING REDEVELOPMENT PROJECT**

City of Detroit  
County of Wayne, Michigan

---

**WHEREAS**, pursuant to 381 PA 1996, as amended (“Act 381”), the City of Detroit Brownfield Redevelopment Authority (“Authority”) has been established by resolution of the City Council of the City of Detroit (the “City”) for the purpose of promoting the revitalization of eligible properties in the City; and

**WHEREAS**, under Act 381 the Authority is authorized to develop and propose for adoption by City Council a brownfield plan for one (1) or more parcels of eligible property; and

**WHEREAS**, pursuant to the resolution establishing the Authority and the bylaws of the Authority, the Authority has submitted a proposed Brownfield Plan for the Albert Kahn Building Redevelopment Project (the “Plan”); and

**WHEREAS**, the Authority submitted the Plan to the Community Advisory Committee for consideration on February 13, 2019, per the provisions of the resolution establishing the Authority, and a public hearing was conducted by the Authority on February 7, 2019 to solicit comments on the proposed Plan; and

**WHEREAS**, the Community Advisory Committee recommended approval of the Plan on February 13, 2019; and

**WHEREAS**, the Authority approved the Plan on February 13, 2019 and forwarded it to the City Council with a request for its approval of the Plan; and

**WHEREAS**, the required notice of the public hearing on the Plan was given in accordance with Section 13 of Act 381; and

**WHEREAS**, the City Council held a public hearing on the proposed Plan on February 14, 2019.

**NOW, THEREFORE, BE IT RESOLVED, THAT:**

1. Definitions. Where used in this Resolution the terms set forth below shall have the following meaning unless the context clearly requires otherwise:



“Eligible Activities” or “eligible activity” shall have the meaning described in Act 381.

“Eligible Property” means the property designated in the Plan as the Eligible Property, as described in Act 381.

“Plan” means the Plan prepared by the Authority, as transmitted to the City Council by the Authority for approval, copies of which Plan are on file in the office of the City Clerk.

“Taxing Jurisdiction” shall mean each unit of government levying an ad valorem property tax on the Eligible Property.

2. Public Purpose. The City Council hereby determines that the Plan constitutes a public purpose.

3. Best Interest of the Public. The City Council hereby determines that it is in the best interests of the public to promote the revitalization of environmentally distressed areas in the City to proceed with the Plan.

4. Review Considerations. As required by Act 381, the City Council has in reviewing the Plan taken into account the following considerations:

(a) Portions of the property designated in the Plan meets the definition of Eligible Property, as described in Act 381, including consideration of the criteria of “blighted” as defined in Act 381;

(b) The Plan meets the requirements set forth in section 13 of Act 381.

(c) The proposed method of financing the costs of eligible activities is feasible and the Authority has the ability to arrange the financing.

(d) The costs of eligible activities proposed are reasonable and necessary to carry out the purposes of Act 381.

(e) The amount of captured taxable value estimated to result from adoption of the Plan is reasonable.

5. Approval and Adoption of Plan. The Plan as submitted by the Authority is hereby approved and adopted. A copy of the Plan and all amendments thereto shall be maintained on file in the City Clerk’s office.

6. Preparation of Base Year Assessment Roll for the Eligible Property.

(a) Within 60 days of the adoption of this Resolution, the City Assessor shall prepare the initial Base Year Assessment Roll for the Eligible Property in the Plan. The initial Base Year Assessment Roll shall list each Taxing Jurisdiction levying taxes on the Eligible Property on the effective date of this Resolution and the amount of tax revenue

derived by each Taxing Jurisdiction from ad valorem taxes on the Eligible Property, excluding millage specifically levied for the payment of principal and interest of obligations approved by the electors or obligations pledging the unlimited taxing power of the local governmental unit.

(b) The City Assessor shall transmit copies of the initial Base Year Assessment Roll to the City Treasurer, County Treasurer, Authority and each Taxing Jurisdiction which will have Tax Increment Revenues captured by the Authority, together with a notice that the Base Year Assessment Roll has been prepared in accordance with this Resolution and the Plan approved by this Resolution.

7. Preparation of Annual Base Year Assessment Roll. Each year within 15 days following the final equalization of the Eligible Property, the City Assessor shall prepare an updated Base Year Assessment Roll. The updated Base Year Assessment Roll shall show the information required in the initial Base Year Assessment Roll and, in addition, the Tax Increment Revenues for each Eligible Property for that year. Copies of the annual Base Year Assessment Roll shall be transmitted by the Assessor to the same persons as the initial Base Year Assessment Roll, together with a notice that it has been prepared in accordance with the Plan.

8. Establishment of Project Fund; Approval of Depository. The Authority shall establish a separate fund for the Eligible Property subject to this Plan, which shall be kept in a depository bank account or accounts in a bank or banks approved by the Treasurer of the City. All moneys received by the Authority pursuant to the Plan shall be deposited in the Project Fund for the Eligible Property. All moneys in the Project Fund and earnings thereon shall be used only in accordance with the Plan and Act 381.

9. Use of Moneys in the Project Fund. The moneys credited to the Project Fund and on hand therein from time to time shall be used annually to first make those payments authorized by and in accordance with the Plan and any development agreement governing such payments and then to the Local Brownfield Revolving Fund, as authorized by Act 381:

10. Return of Surplus Funds to Taxing Jurisdictions. The Authority shall return all surplus funds not deposited in the Local Brownfield Revolving Fund proportionately to the Taxing Jurisdictions.

11. Payment of Tax Increment Revenues to Authority. The municipal and the county treasurers shall, as ad valorem and specific local taxes are collected on the Eligible Property, pay the Tax Increment Revenues to the Authority for deposit in the Project Fund. The payments shall be made not more than 30 days after the Tax Increment Revenues are collected.

12. Disclaimer. By adoption of this Resolution and approval of the Plan, the City assumes no obligation or liability to the owner, developer, lessee or lessor of the Eligible Property for any loss or damage that may result to such persons from the adoption

of this Resolution and Plan. The City makes no guarantees or representations as to the ability of the Authority to capture tax increment revenues from the State and local school district taxes for the Plan.

13. Repealer. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

14. The City Clerk is requested to submit four (4) certified copies of this Resolution to the DBRA, 500 Griswold Street, Suite 2200, Detroit, MI 48226

AYES:       Members

---

NAYS:       Members

---

RESOLUTION DECLARED ADOPTED.

---

Janice Winfrey, City Clerk  
City of Detroit  
County of Wayne, Michigan

WAIVER OF RECONSIDERATION IS REQUESTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Detroit, County of Wayne, State of Michigan, at a regular meeting held on \_\_\_\_\_, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

---

Janice Winfrey, City Clerk  
City of Detroit  
County of Wayne, Michigan

K:\Art's And Wills\Arts DBRA Backup\Correspondence\City Council Resolutions\2019 City Council Resolutions\Albert Kahn TIF CC resolution.docx



Detroit Brownfield Redevelopment Authority  
500 Griswold Street • Suite 2200  
Detroit, Michigan 48226  
Phone: 313 963-2940  
Fax: 313 963-8839

February 14, 2019

Honorable City Council  
City of Detroit  
1340 Coleman A. Young Municipal Center  
Detroit, Michigan 48226

Re: **Albert Kahn Building Brownfield Redevelopment Plan**

Dear Honorable Council Members:

The enclosed Brownfield Plan for the Albert Kahn Building Redevelopment Project (the "Plan") (Exhibit A), was submitted by the Detroit Brownfield Redevelopment Authority Board (the "DBRA") to the Community Advisory Committee (the "CAC"). The Plan was considered and reviewed by the CAC at its February 13, 2019 meeting and a public hearing was held by the DBRA on February 7, 2019 to solicit public comments. The Committee's communication to the City Council and the DBRA, dated February 13, 2019 (Exhibit B), recommending approval of the Plan, including the minutes of the public hearing held by the DBRA, are enclosed for the City Council's consideration.

On February 13, 2019, the DBRA adopted a resolution (Exhibit C) approving the Plan and authorizing the submission of a copy of its resolution and the Plan to the City Clerk, together with a request that the Detroit City Council call a public hearing concerning the Plan and to take all other actions to approve the Plan in accordance with Act 381.

The Plan is now presented to the City Council for approval. The Detroit City Council will, after publication of the notices, hold a public hearing on the Plan. After the public hearing, the City Council shall determine whether the Plan constitutes a public purpose and, if so, may approve or reject the Plan or approve it with modifications.

Project Introduction

AK Owner LLC is the project developer (the "Developer") for the Plan which entails the redevelopment of the Albert Kahn Building to create at least approximately 190 apartments (approximately 156 one-bedroom units, 21 two-bedroom units and 13 three-bedroom units) and rehabilitate or create up to 64,000 to 108,000 square feet of retail and other commercial space on the main floor and lower level concourse of the building. At least 20% of the building's residential apartments will be affordable units offering rents considered affordable to residents with incomes of not more than 80% of the area median income. The overall building restoration will include improvements to the exterior and interior, including full redesigns of public areas. One of the parcels will be used for surface parking for residential tenants and may be available for customers of retail and other commercial tenants.

The total investment is estimated to be \$48 million. The Developer is requesting \$2,976,700.00 in TIF reimbursement.

There will be 300 temporary construction jobs and 6 FTE jobs. The 300 temporary construction jobs are expected to be created over a 2-year period once construction begins. The 6 FTE jobs may be related to property management.

Property Subject to the Plan

The eligible property (the "Property") consists of two (2) parcels located at 7340 Second Avenue and 101 W. Bethune Street in Detroit's New Center area, east of Second Avenue, on the south sides of Bethune Street.

Basis of Eligibility

The Property is considered "eligible property" as defined by Act 381, Section 2 because (a) it was previously utilized for a commercial purpose and/or public purpose; (b) it is located within the City of Detroit, a qualified local governmental unit under Act 381; (c) it is functionally obsolete as defined by Act 381 and an historic resource, or, as to certain parcels, are adjacent and contiguous to the functionally obsolete property and historic resource and the development of the adjacent or contiguous parcels is estimated to increase the captured taxable value of the remainder of the eligible property.

Eligible Activities and Projected Costs

The "eligible activities" that are intended to be carried out at the Property are considered "eligible activities" as defined by Sec 2 of Act 381, because they include demolition, asbestos and lead based paint assessment and abatement, infrastructure improvements, development and preparation of a brownfield plan and work plan, and brownfield plan implementation. The eligible activities and budgeted costs are intended as part of the development of the Property and will be financed solely by the Developer. The Authority is not responsible for any costs of eligible activities and will incur no debt. The eligible activities are estimated to commence within 18 months of approval of the Plan and be completed within 3 years.

Tax Increment Financing (TIF) Capture

The Developer desires to be reimbursed for the costs of eligible activities. Tax increment revenue generated by the Property will be captured by the DBRA and used to reimburse the cost of the eligible activities completed on the Property after approval of this Plan pursuant to the terms of a Reimbursement Agreement with the DBRA.

**COSTS TO BE REIMBURSED WITH TIF**

1. Environmental Assessments	\$4,300.00
2. Demolition	\$1,857,400.00
3. Lead and Asbestos Activities	\$855,000.00
4. Infrastructure Improvements	\$200,000.00
5. Brownfield Plan & Act 381 Work Plan	\$30,000.00
6. Brownfield Plan Implementation	\$30,000.00
<b>*Total Reimbursement to Developer</b>	<b>\$2,976,700.00</b>
7. Authority Administrative Costs	\$860,539.00
8. State Brownfield Redevelopment Fund	\$175,013.00
9. Local Brownfield Revolving Fund	\$2,774,731.00
<b>TOTAL Estimated Costs</b>	<b>\$6,786,983.00</b>

The actual cost of those eligible activities encompassed by this Plan that will qualify for reimbursement from tax increment revenues of the DBRA from the Property shall be governed by the terms of the Reimbursement Agreement.

Other Incentives

The Developer is seeking additional incentives, which will include local and/or state approval of Commercial Rehabilitation Act (CRA) and Neighborhood Enterprise Zone (NEZ) Tax Abatements.

Honorable City Council

February 14, 2019

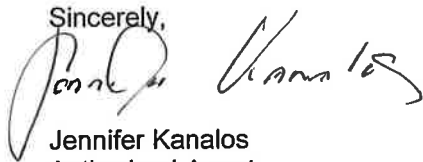
3

DBRA's Request

The DBRA is respectfully requesting the following actions from the City Council:

- a.) February 19, 2019  
City Council adoption of the Resolution (Exhibit D), setting the Albert Kahn Building Brownfield Redevelopment Plan public hearing, as approved by the Planning and Economic Development Standing Committee Chair and the City of Detroit Clerk, for March 14, 2019 at 9:05 AM in the Council Chambers, 13<sup>th</sup> Floor of the Coleman A. Young Municipal Center, located at 2 Woodward Avenue, Detroit, Michigan.
- b.) March 14, 2019, 9:00 AM  
Discussion with taxing jurisdictions regarding the fiscal impact of the Plan.
- c.) March 14, 2019, 9:05 AM  
Public Hearing at City Council's Planning and Economic Development Standing Committee concerning the Albert Kahn Building Brownfield Redevelopment Plan.
- d.) March 19, 2019  
City Council adoption of the Resolution approving the Albert Kahn Building Brownfield Redevelopment Plan (Exhibit E).

Sincerely,



Jennifer Kanalos  
Authorized Agent

- c
- City Clerk
  - Marcel Todd
  - Irvin Corley, Jr.
  - David Whitaker
  - Derrick Headd
  - Marcel Hurt
  - DeAndree Watson
  - Kevin Johnson
  - Malinda Jensen
  - Matthew Walters
  - Allen Rawls
  - Brian Vosburg
  - Stephanie Washington

EXHIBIT A

CITY OF DETROIT  
BROWNFIELD REDEVELOPMENT AUTHORITY

BROWNFIELD PLAN FOR THE  
ALBERT KAHN BUILDING  
REDEVELOPMENT PROJECT

Prepared by:

Richard A. Barr, Esq.  
Honigman LLP  
660 Woodward Avenue, Ste. 2290  
Detroit, Michigan 48226  
Phone: (313) 465-7308

Developer:

AK Owner LLC  
Attn: Matthew S. Sosin  
300 South Old Woodward  
Birmingham, Michigan 48009  
Phone: (248) 848-6400

February 4, 2019



**CITY OF DETROIT  
BROWNFIELD REDEVELOPMENT AUTHORITY  
BROWNFIELD PLAN**

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## **I. INTRODUCTION**

---

In order to promote the revitalization of environmentally distressed and blighted areas within the boundaries of the City of Detroit, Michigan (the “City”), the City has established the City of Detroit Brownfield Redevelopment Authority (the “DBRA”) pursuant to Michigan Public Act 381 of 1996, as amended (“Act 381”).

The primary purpose of this Brownfield Plan (“Plan”) is to promote the redevelopment of and private investment in certain “brownfield” properties within the City. Inclusion of property within this Plan will facilitate financing of environmental response and other eligible activities at eligible properties, and will also provide tax incentives to eligible taxpayers willing to invest in revitalization of eligible sites, commonly referred to as “brownfields.” By facilitating redevelopment of brownfield properties, this Plan is intended to promote economic growth for the benefit of the residents of the City and all taxing units located within and benefited by the DBRA.

This Plan is intended to apply to the eligible property identified in this Plan and, if tax increment revenues are proposed to be captured from that eligible property, to identify and authorize the eligible activities to be funded by such tax increment revenues.

This Plan is intended to be a living document, which may be modified or amended in accordance with the requirements of Act 381, as necessary to achieve the purposes of Act 381. The identification or designation of a developer or proposed use for the eligible property shall not necessitate an amendment of this Plan, affect the application of this Plan to the eligible property or impair the rights available to the DBRA under this Plan. The applicable sections of Act 381 are noted throughout the Plan for reference purposes.

This Plan describes the project to be completed (see Attachment C) and contains all the information required by Section 13(2) of Act 381.

**II. GENERAL PROVISIONS**

**A. Description of the Eligible Property (Section 13 (2)(h)) and the Project**

The property comprising the eligible property consists of approximately 1.6 acres of land within two (2) tax parcels, as well as the adjacent rights of way and easement parcels. The main tax parcel qualifies as functionally obsolete and as an historic resource, and the other tax parcel is adjacent and contiguous to the main tax parcel. The property comprising the eligible property and all tangible personal property located thereon will comprise the eligible property and is referred to herein as the “Property.”

Attachment A includes a site map of the Property. The Property is located in the New Center area, east of Second Avenue, on the north and south sides of Bethune Street.

The Building has been vacant since August, 2018 and was more than 50% vacant for at least approximately ten (10) years before then.

The eligible property will include all tangible personal property to be located on the real property. Parcel information is outlined below.

Address	7430 Second Avenue, tax parcel 02-001104-14; and 101 W. Bethune Street, tax parcel 02-001124-32
Parcel ID	See above
Owner	AK Owner LLC
Legal Description	<p>LAND SITUATED IN THE COUNTY OF WAYNE, CITY OF DETROIT, STATE OF MICHIGAN, IS DESCRIBED AS FOLLOWS:</p> <p>LOT(S) 86, 87, 88 AND 89, EXCEPT THE EAST 20 FEET OF THE WEST 25 FEET OF SAID LOT 89; LOT 90, EXCEPT THE EAST 15.57 FEET; ALSO LOT 105, EXCEPT THE EAST 15.57 FEET; ALL OF LOTS 106, 107, 108, 109 AND ALL OF VACATED PUBLIC ALLEY (20 FEET WIDE) ADJOINING THE SOUTHERLY LINE OF LOTS 86, 87, AND 88 AND ADJOINING THE SOUTHERLY LINE OF THE WEST 5 FEET OF LOTS 89 OF LOTHROP AND DUFFIELD'S SUBDIVISION OF PART OF 1/4 SECTION 55 AND 56 OF 10,000 ACRE TRACT, ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 17 OF PLATS, PAGE 22 OF WAYNE COUNTY RECORDS.</p>

	EASEMENT PARCEL: TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR SKYWALK AS CREATED LIMITED AND DEFINED IN INSTRUMENTS RECORDED IN LIBER 22315, PAGE 738 AND LIBER 23105, PAGE 12, WAYNE COUNTY RECORDS.  AND ALL ADJACENT RIGHTS OF WAY.
--	--

AK Owner LLC or its affiliate(s) (collectively, the “Developer”) will redevelop the Albert Kahn Building, 7430 Second Avenue (and adjacent parcel described herein), to create at least approximately 190 apartments (approximately 156 one-bedroom units, 21 two-bedroom units and 13 three-bedroom units) and rehabilitate or create up to 64,000 to 108,000 square feet of retail and other commercial space. See Attachment C.

It is currently anticipated that the redevelopment of the property will commence in the first quarter of 2019 and be completed in late 2020 or early 2021. The project description provided herein is a summary of the proposed development at the Property at the time of the adoption of the Plan. The actual development may vary from the project description provided herein, without necessitating an amendment to this Plan, so long as such variations are not material and arise as a result of changes in market and/or financing conditions affecting the project and/or are related to the addition or immaterial removal of amenities to the project. All such changes, as determined by DBRA in its sole discretion, to the project description are subject to the approval of the DBRA staff and shall be consistent with the overall nature of the proposed development, its proposed public purpose, and the purposes of Act 381.

Attachment C provides a detailed description of the project to be completed at the Property (the “Project”) and Attachment D includes letters of support for the Project.

**B. Basis of Eligibility (Section 13(2)(h) and Section 2(p))**

The Property is considered “eligible property” as defined by Act 381, Section 2, because (a) it was previously utilized for a commercial purpose and/or public purpose; (b) it is located within the City of Detroit, a qualified local governmental unit under Act 381; (c) it is functionally obsolete as defined by Act 381 and an historic resource, or, as to certain parcels, are adjacent and contiguous to the functionally obsolete property and historic resource and the development of the adjacent or contiguous parcel is estimated to increase the captured taxable value of the remainder of the eligible property.

The requisite affidavit signed by a level 3 or level 4 Assessor certifying the Assessor’s expert opinion that the Property is functionally obsolete shall be provided by Developer to the DBRA prior to the approval of this Plan by the DBRA and the governing body. Further description of its eligibility is outlined below.

- The current configurations do not meet market demand for the original commercial office and retail purposes of the building, nor does it meet market demand for its future residential use.
- Mechanical and electrical systems must be replaced.

- The elevators must be updated or replaced.
- Life safety systems (smoke detectors, fire alarm systems, exit signs and fire sprinklers) must be updated or replaced.
- The windows must be rehabilitated.
- Asbestos containing materials must be removed or encapsulated.
- The entire roof must be replaced.

It is noted that, prior to its creation of a commercial redevelopment district for the Property in 2018, the City Council of the City of Detroit concluded, upon recommendation from the City Assessor, that the Property is functionally obsolete.

**C. Summary of Eligible Activities and Description of Costs (Section 13(2)(a), (b))**

The “eligible activities” that are anticipated to be carried out at the Property for the Project are considered “eligible activities” as defined by Section 2(o) of Act 381, because they include demolition, asbestos and lead based paint assessment and abatement, infrastructure improvements, development and preparation of a brownfield plan and work plan, and brownfield plan implementation.

A summary of the eligible activities and the estimated cost of each eligible activity intended to be paid for with tax increment revenues (as defined by Section 2(ss) of Act 381) from the Property are shown in the table attached hereto as Attachment E.

The eligible activities described in Attachment E are not exhaustive. Subject to the approval of DBRA staff in writing, additional eligible activities may be carried out at the Property, without requiring an amendment to this Plan, so long as such eligible activities are permitted by Act 381 and the cost of such eligible activities does not exceed the total costs stated in Attachment E.

Unless otherwise agreed to by the DBRA, all eligible activities will commence within eighteen (18) months after the date the governing body approves this Plan. All eligible activities will be completed within three (3) years after approval of the Michigan Strategic Fund work plan, if applicable, or three years after execution of the Reimbursement Agreement (as that term is defined below). Any long-term monitoring or operation and maintenance activities or obligations that may be required will be performed in compliance with the terms of this Plan and any documents prepared pursuant to this Plan.

The Developer desires to be reimbursed for the costs of eligible activities incurred by it as described below. Some eligible activities may commence prior to the adoption of this Plan and to the extent permitted by Act 381 shall be reimbursable pursuant to the Reimbursement Agreement. Tax increment revenue generated by the Property will be captured by the DBRA and used to reimburse the cost of the eligible activities completed on the Property pursuant to the terms of a Reimbursement Agreement to be executed by the DBRA and the Developer after approval of this Plan (the “Reimbursement Agreement”), to the extent permitted by Act 381. In the event this Plan contemplates the capture of tax increment revenue derived from “taxes levied for school operating purposes” (as defined by Section 2(uu) of Act 381 and hereinafter referred to as “School

Taxes”), the Developer acknowledges and agrees that DBRA’s obligation to reimburse the Developer for the cost of eligible activities with tax increment revenue derived from Local Taxes, or Specific Taxes that are considered Local Taxes (as these capitalized terms are defined by Act 381) is contingent upon: (i) the Developer receiving at least the initial applicable work plan approvals by the Michigan Strategic Fund and the Michigan Department of Environmental Quality, as may be required pursuant to Act 381, within 180 days after the date this Plan is approved by the governing body, or such other date as the DBRA may agree to in writing; or (ii) the Developer providing the DBRA with evidence, satisfactory to DBRA, that the Developer has the financial means to complete the project without the capture of, and subsequent reimbursement with, the contemplated School Taxes.

The costs listed in Attachment E are estimated costs and may increase or decrease depending upon the nature and extent of environmental contamination and other unknown conditions encountered on the Property. The actual cost of those eligible activities encompassed by this Plan that will qualify for reimbursement from tax increment revenues of the DBRA from the Property shall be governed by the terms of the Reimbursement Agreement. No costs of eligible activities will be qualified for reimbursement except to the extent permitted in accordance with the terms and conditions of the Reimbursement Agreement and Act 381. The Reimbursement Agreement and this Plan will dictate the total cost of eligible activities subject to payment or reimbursement, provided that the total cost of eligible activities subject to payment or reimbursement under the Reimbursement Agreement shall not exceed the estimated costs set forth in Attachment E. As long as the total costs are not exceeded, line item costs of eligible activities may be adjusted after the date this Plan is approved by the governing body, to the extent the adjustments do not violate the terms of the approved MDEQ or MSF work plan.

**D. Estimate of Captured Taxable Value and Tax Increment Revenues (Section 13(2)(c)); Beginning Date of Capture of Tax Increment Revenues (Section 13(2)(f); Impact of Tax Increment Financing on Taxing Jurisdictions (Section 13(2)(g))**

This Plan anticipates the capture of tax increment revenues to reimburse the Developer for the costs of eligible activities under this Plan in accordance with the Reimbursement Agreement. Subject to Section 13(b)(16) of Act 381, a table of estimated tax increment revenues to be captured is attached to this Plan as Attachment F.

Tax increments are projected to be captured and applied to (i) reimbursement of eligible activity costs and payment of DBRA administrative and operating expenses, (ii) make deposits into the State Brownfield Redevelopment Fund, and (iii) make deposits into the DBRA’s Local Brownfield Revolving Fund, as follows:

Albert Kahn Building Redevelopment  
Brownfield Redevelopment Plan

	Totals	Reimbursement of costs	DBRA Admin. Costs	State Revol. Fund	Local Brownfield Revolving Fund
School Capture					
State Education Tax (as capped in 2034)	\$ 350,027	\$ 129,110	\$ -	\$ 175,013	\$ 1,075
School Operating Tax (as capped in 2034)	\$ 1,050,080	\$ 1,091,684	\$ -	\$ -	\$ 3,225
School Total	\$ 1,400,107	\$ 1,220,794	\$ -	\$ 175,013	\$ 4,300
Local Capture					
City Operating	\$ 2,559,405	\$ 834,264	\$ 408,858	\$ -	\$ 1,316,283
Library	\$ 594,018	\$ 193,626	\$ 94,893	\$ -	\$ 305,499
Wayne County Operating	\$ 1,003,392	\$ 327,065	\$ 160,289	\$ -	\$ 516,037
Huron Clinton Metropolitan Authority	\$ 29,365	\$ 9,572	\$ 4,691	\$ -	\$ 15,102
Wayne County ISD	\$ 477,832	\$ 155,754	\$ 76,332	\$ -	\$ 245,745
Wayne County ENH	\$ 275,861	\$ 89,919	\$ 44,068	\$ -	\$ 141,873
Wayne County Community College	\$ 447,004	\$ 145,706	\$ 71,408	\$ -	\$ 229,891
Local Total	\$ 5,386,876	\$ 1,755,906	\$ 860,539	\$ -	\$ 2,770,431
Total Captured School and Local Taxes	\$ 6,786,984	\$ 2,976,700	\$ 860,539	\$ 175,013	\$ 2,774,731

In addition, the following taxes are projected to be generated but shall not be captured during the life of this Plan:

Non-Capturable Millages	
City Debt	\$ 965,512
School Debt	\$ 1,793,093
Wayne County DIA	\$ 27,586
Wayne County Zoo	\$ 13,793
Total Non-Capturable Taxes	\$ 2,799,984

In no event shall the duration of this Plan exceed thirty-five years following the date of the governing body's resolution approving this Plan, nor shall the duration of the tax capture exceed the lesser of the period authorized under subsection (5) of Section 13 of Act 381 or 30 years. Further, in no event shall the beginning date of the capture of tax increment revenues be later than five years after the date of the governing body's resolution approving this Plan. The beginning date of the capture of tax increment revenues shall be the 2019 tax year (commencing with the Summer 2019 property taxes).

**E. Plan of Financing (Section 13(2)(d)); Maximum Amount of Indebtedness (Section 13(2)(e))**

The eligible activities are to be financed solely by the Developer. The DBRA will reimburse the Developer for the cost of approved eligible activities, but only from tax increment revenues generated from the Property. No advances have been or shall be made by the City or the DBRA for the costs of eligible activities under this Plan.

All reimbursements authorized under this Plan shall be governed by the Reimbursement Agreement. The inclusion of eligible activities and estimates of costs to be reimbursed in this Plan are intended to authorize the DBRA to fund such reimbursements and does not obligate the DBRA or the City to fund any reimbursement or to enter into the



Reimbursement Agreement providing for the reimbursement of any costs for which tax increment revenues may be captured under this Plan, or which are permitted to be reimbursed under this Plan. The amount and source of any tax increment revenues that will be used for purposes authorized by this Plan, and the terms and conditions for such use and upon any reimbursement of the expenses permitted by this Plan, will be provided solely under the Reimbursement Agreement contemplated by this Plan.

Unless otherwise agreed upon by the Developer, the DBRA, and the State of Michigan, the DBRA shall not incur any note or bonded indebtedness to finance the purposes of this Plan.

Reimbursements under the Reimbursement Agreement shall not exceed the cost of eligible activities permitted under this Plan.

**F. Duration of Plan (Section 13(2)(f))**

Subject to Section 13b(16) of Act 381, the beginning date of capture of tax increment revenues for each eligible property shall occur in accordance with the Tax Increment Financing (TIF) table described in Exhibit F. In no event, however, shall this Plan extend beyond the maximum term allowed by Section 13(2)(f) of Act 381 for the duration of this Plan.

Furthermore, this Plan, or any subsequent amendment thereto, may be abolished or terminated in accordance with Section 14(8) of Act 381 in the event of any of the following:

a. The governing body may abolish this Plan (or any subsequent amendment thereto) when it finds that the purposes for which this Plan was established have been accomplished.

b. The governing body may terminate this Plan (or any subsequent amendment thereto) if the project for which eligible activities were identified in this Plan (or any subsequent amendment thereto) fails to occur with respect to the eligible property for at least two (2) years following the date of the governing body resolution approving this Plan (or any subsequent amendment thereto), provided that the governing body first does both of the following: (i) gives 30 days' written notice to the Developer at its last known address by certified mail or other method that documents proof of delivery attempted; and (ii) provides the Developer with an opportunity to be heard at a public meeting.

Notwithstanding anything in this subsection to the contrary, this Plan (or any subsequent amendment thereto) shall not be abolished or terminated until the principal and interest on bonds, if any, issued under Section 17 of Act 381 and all other obligations to which the tax increment revenues are pledged have been paid or funds sufficient to make the payment have been identified or segregated.

**G. Effective Date of Inclusion in Brownfield Plan**

The Property will become a part of this Plan on the date this Plan is approved by the governing body.

**H. Displacement/Relocation of Individuals on Eligible Property (Section 13(2)(i-l))**

There are no persons or businesses residing on the eligible property and no occupied residences will be acquired or cleared, therefore there will be no displacement or relocation of persons or businesses under this Plan.

**I. Local Brownfield Revolving Fund (“LBRF”) (Section 8; Section 13(2)(m))**

The DBRA has established a Local Brownfield Revolving Fund (LBRF). The LBRF will consist of all tax increment revenues authorized to be captured and deposited in the LBRF, as specified in Section 13(5) of Act 381, under this Plan and any other plan of the DBRA. It may also include funds appropriated or otherwise made available from public or private sources.

The amount of tax increment revenue authorized for capture and deposit in the LBRF is estimated at \$2,774,731. All funds, if any, deposited in the LBRF shall be used in accordance with Section 8 of Act 381.

**J. Brownfield Redevelopment Fund (Section 8a; Section 13(2)(m))**

The DBRA shall pay to the Department of Treasury at least once annually an amount equal to 50% of the taxes levied under the state education tax, 1993 PA 331, MCL 211.901 to 211.906, that are captured under this Plan for up to the first twenty-five (25) years of the duration of capture of tax increment revenues for each eligible property included in this Plan. If the DBRA pays an amount equal to 50% of the taxes levied under the state education tax, 1993 PA 331, MCL 211.901 to 211.906, on a parcel of eligible property to the Department of Treasury under Section 13b(14) of Act 381, the percentage of local taxes levied on that parcel and used to reimburse eligible activities for the Project under this Plan shall not exceed the percentage of local taxes levied on that parcel that would have been used to reimburse eligible activities for the Project under this Plan if 50% of the taxes levied under the state education tax, 1993 PA 331, MCL 211.901 to 211.906, on that parcel were not paid to the Department of Treasury under Section 13b(14) of Act 381.

**K. Developer’s Obligations, Representations and Warrants**

The Developer and its affiliates shall comply with all applicable laws, ordinances, executive orders, or other regulations imposed by the City or any other properly constituted governmental authority with respect to the Property and shall use the Property in accordance with this Plan.

The Developer, at its sole cost and expense, shall be solely responsible for and shall fully comply with all applicable federal, state, and local relocation requirements in implementing this Plan.

The Developer represents and warrants that a Phase I Environmental Site Assessment (“ESA”), and if appropriate, a Phase II ESA, baseline environmental assessment, and due care plan, pursuant to Part 201 of Michigan’s Natural Resources and Environmental Protection Act (MCL 324.20101 *et seq.*), have been performed on the Property (“Environmental Documents”). Attached hereto as Attachment G is the City of Detroit’s

Department of Buildings, Safety, Engineering and Environmental acknowledgement of its receipt of the Phase I ESA, and if appropriate, the Phase II ESA.

The Developer further represents and warrants that the Project does not and will not include a City of Detroit Land Bank Authority, Wayne County Land Bank Authority or State of Michigan Land Bank financing component.

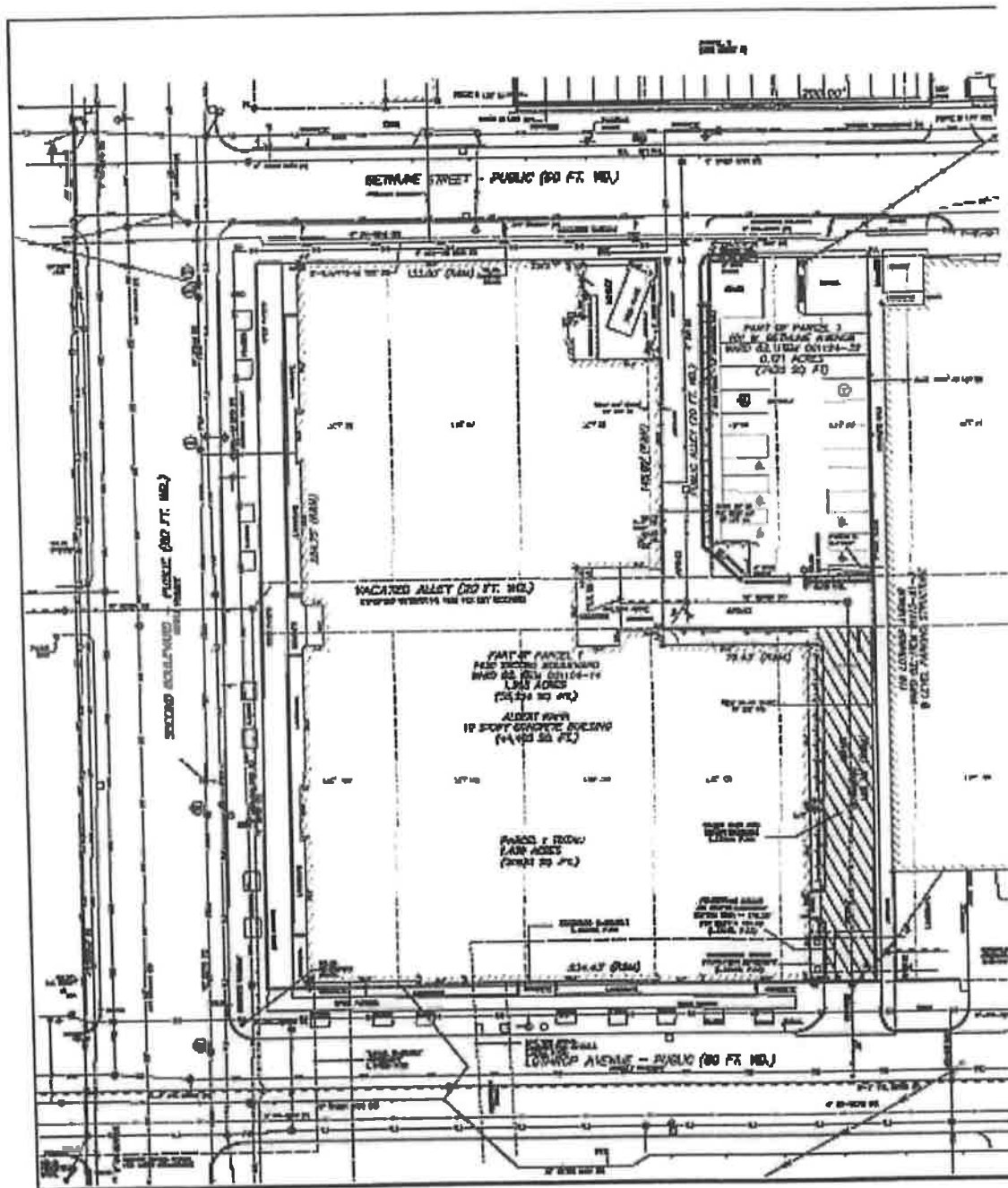
The Developer has applied or will apply for property tax abatements under the Commercial Redevelopment Act and the Neighborhood Enterprise Zone Act. If approved, the abatements will reduce the property tax obligations of the Property for the periods applicable under the abatement certificates, thereby reducing the amount of tax increment revenues available pursuant to this Plan.

Except as otherwise agreed to by the DBRA, any breach of a representation or warranty contained in this Plan shall render the Plan invalid, subject to the Developer's reasonable opportunity to cure as described in the Reimbursement Agreement.

### III. ATTACHMENTS

ATTACHMENT A

Site Map



## **ATTACHMENT B**

### **Legal Description of Eligible Property to which the Plan Applies**

Land situated in the City of Detroit, County of Wayne and State of Michigan, more particularly described as follows:

LOT(S) 86, 87, 88 AND 89, EXCEPT THE EAST 20 FEET OF THE WEST 25 FEET OF SAID LOT 89; LOT 90, EXCEPT THE EAST 15.57 FEET; ALSO LOT 105, EXCEPT THE EAST 15.57 FEET; ALL OF LOTS 106, 107, 108, 109 AND ALL OF VACATED PUBLIC ALLEY (20 FEET WIDE) ADJOINING THE SOUTHERLY LINE OF LOTS 86, 87, AND 88 AND ADJOINING THE SOUTHERLY LINE OF THE WEST 5 FEET OF LOTS 89 OF LOTHROP AND DUFFIELD'S SUBDIVISION OF PART OF 1/4 SECTION 55 AND 56 OF 10,000 ACRE TRACT, ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 17 OF PLATS, PAGE 22 OF WAYNE COUNTY RECORDS.  
EASEMENT PARCEL: TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR SKYWALK AS CREATED LIMITED AND DEFINED IN INSTRUMENTS RECORDED IN LIBER 22315, PAGE 738 AND LIBER 23105, PAGE 12, WAYNE COUNTY RECORDS.

Also described as:

7430 Second Avenue, tax parcel 02-001104-14; and  
101 W. Bethune Street, tax parcel 02-001124-32

## ATTACHMENT C

### Project Description

AK Owner LLC and its affiliate(s) (collectively, the “Developer”) intend to redevelop the Albert Kahn Building (“Building”) at 7430 Second Avenue and adjacent parking areas. The Building was constructed in approximately 1931. Since its initial construction, and until recently, it was used as an office building with ground floor commercial tenants. The Building has been vacant since August, 2018 and was more than 50% vacant for at least approximately ten (10) years before then. The Building contains approximately 322,213 square feet of space within its 11 floors and lower (concourse) level. There is also an adjacent surface parking lot and a parking lot across Bethune Street that are included in the project. The Building was listed on the National Register of Historic Places in 1980.

The Building suffers from widespread obsolescence. Although it maintains its historic character, it requires modern HVAC, electrical systems, plumbing and communications to operate efficiently as an apartment building with ground floor commercial/retail businesses. A wide variety of restoration activities are included in the project budget, as described below, to restore the Building to an economically efficient condition.

The project includes the rehabilitation of approximately 64,000 to 108,000 square feet of retail and other commercial space on the main floor and the lower level (concourse) of the Building. A PA 255 tax abatement was approved in November 2018 for the rehabilitation of the main floor and lower level (concourse). A second PA 255 tax abatement application has been submitted for the potential use of some or all of the 2nd floor for commercial use but the Developer has requested that be considered by the City Council only if, upon the outcome of certain inquiries, it is determined that the 2<sup>nd</sup> floor will be rehabilitated for commercial uses instead of or in addition to for additional apartments.

The balance of the Building will be rehabilitated to create approximately 190 rental apartments (approximately 156 one-bedroom units, 21 two-bedroom units and 13 three-bedroom units) and approximately 64,000 to 108,000 of retail and other commercial space (see above discussion regarding the 2<sup>nd</sup> floor). The Developer has filed a request for the establishment of a Neighborhood Enterprise Zone and intends to request the issuance of one or more Neighborhood Enterprise Zone certificates for the residential component of the project (which may include some of the 2<sup>nd</sup> floor, as described above).

The overall Building restoration will include improvements to the Building's exterior and interior, including full redesigns of public areas. The Building's exterior will benefit from limited work consistent with its historic character. See the attached schematic drawings for the overall Building restoration. As project plans are subject to revision, the actual dimensions and capacities may vary from this description.

The project will include multiple energy efficient and other “green building” components, including replacement of all building mechanicals including new state of the art in unit HVAC systems and programmable thermostats that allow for reduced energy consumption, use of no- or low-VOC paint, all new LED lighting, replacement of the roofs and addition of additional insulation and Energy Star appliances.

The project, estimated to cost over \$48,000,000, will enhance the neighborhood and bring hundreds of new residents to and continue the recent enhancement of the New Center neighborhood.

The Project is anticipated to create at least approximately 300 construction jobs during a 24 month construction period and an estimated 6 permanent full-time equivalent jobs related to property management. An unknown number of jobs are expected to be created by one or more businesses that will be located in the retail and other commercial portions of the project.

Preliminary eligible activities (e.g., engineering, planning, etc.) started in 2018. Construction is expected to start in February, 2019, be substantially completed by December, 2020 and be completed by early 2021.



Tentative Building Depictions (subject to change)



Natural finishes and brass hardware blend together to create an inviting space that can be enjoyed for any level chef.

**SOPHISTICATED**



UNIT KITCHEN

Kraemer Design Group  
Page 8 of 25



Striking hardware and subtle contrasting finishes complete this space to compliment any aesthetic.

**ABERRANT**



CORRIDOR

Kraemer Design Group  
Page 14 of 25



Brass Art Deco accents melded with lush velvets to create an inviting residence lobby. Bold chandeliers will lure passersby inside

**ART DECO FUSION**

MAILROOM AND RESIDENT LOBBY

KremerDesignGroup  
Page 8 of 14



The central hub where the residents gather to socialize. Leasing office located nearby for convenience

**PROPINQUITY**

THIRD FLOOR - COMMUNITY ROOM

KremerDesignGroup  
Page 9 of 14

**ATTACHMENT D**

**Supportive Letters**

(to be attached)



CITY OF DETROIT  
PLANNING AND DEVELOPMENT DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE SUITE 808  
DETROIT, MICHIGAN 48226  
(313) 224-1339 • TTY:711  
(313) 224-1310  
WWW.DETROITMI.GOV

January 24, 2019

Ms. Jennifer Kanalos  
Authorized Agent  
Detroit Brownfield Redevelopment Authority  
500 Griswold, Suite 2200  
Detroit, Michigan 48226

**RE: Albert Kahn Building Brownfield Redevelopment Plan**

Dear Ms. Kanalos,

The Detroit Brownfield Redevelopment Authority (DBRA) has asked that the Planning and Development Department to review and comment on the Albert Kahn Building Brownfield Redevelopment Plan (the "Plan").

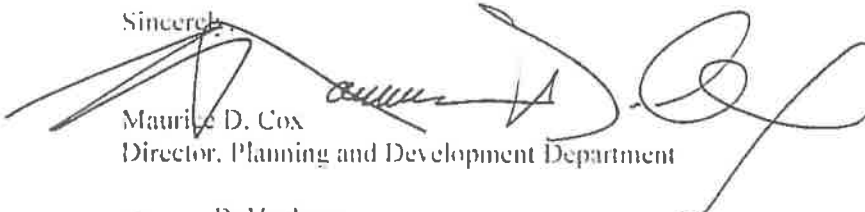
AK Owner LLC is the project developer ("Developer"). The property in the Plan is located on six parcels located in Detroit's New Center area, east of Second Avenue, on the north and south sides of Bethune Street.

The Plan will consist of the redevelopment of the Albert Kahn Building to create approximately 211 apartments and rehabilitate or create up to 64,000 to 108,000 square feet of retail and other commercial space on the main floor and lower level concourse of the building. The overall building restoration will include improvements to the exterior and interior, including full redesigns of public areas. Five of the parcels will be used for surface parking for residential tenants and may be available for customers of retail and other commercial tenants.

The Plan is in close proximity to Midtown and the North End neighborhood. Total investment is estimated at \$48 million.

The review for this brownfield plan is complete and all comments have been forwarded to the developer. No adverse comments were received. The Planning and Development Department recommends approval of the brownfield plan as submitted.

Sincerely,

  
Maurice D. Cox  
Director, Planning and Development Department

c: B. Vosburg



CITY OF DETROIT  
OFFICE OF THE CHIEF FINANCIAL OFFICER  
OFFICE OF THE ASSESSOR

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVENUE, SUITE 824  
DETROIT, MICHIGAN 48226  
(313) 224-3011 • TTY:711  
(313) 224-9400  
WWW.DETROITMI.GOV

February 7, 2019

Ms. Jennifer Kanalos  
Authorized Agent  
City of Detroit Brownfield Redevelopment Authority  
500 Griswold Street, 22<sup>nd</sup> Floor  
Detroit, Michigan 48226

RE: 7430 Second Avenue, Detroit, Michigan – Albert Kahn Building

Dear Ms. Kanalos:

The Office of the Assessor has reviewed the proposed project for the property located at 7430 Second Avenue, Detroit, Michigan (the “Property”) in anticipation of the Property being included in a future brownfield plan.

The Brownfield Redevelopment Financing Act (“Act 381”), as amended, requires that a level III or IV assessor make a finding that the Property is “functionally obsolete”, as defined by Act 381, as amended, and provide the underlying basis for that opinion.

Section 2(u) of Act 381, as amended, defines “functionally obsolete” as property that is “unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from factors such as overcapacity, changes in technology, deficiencies or super adequacies in design, or other similar factors that affect the property itself or the property’s relationship with other surrounding property.” MCL 125.2652(s).

The Assessors Manual defines functional obsolescence as “a loss in value occurring in a structure caused by changes in design, overcapacity, or inadequacy.” Michigan Assessors Manual, Vol. I Glossary, p. 239.

The Office of the Assessor has reviewed the Property and has found that it fits within the definition of functional obsolescence. The current configurations do not meet market demand for the original commercial office and retail purposes of the building, nor does it meet market demand for its future residential use. The mechanical and electrical systems and the elevators must be replaced. The life safety systems must be updated or replaced. The windows must be rehabilitated and the entire roof must be replaced and asbestos containing materials must be removed or encapsulated.

The Office of the Assessor finds the Property to be functionally obsolete within the definition of the Assessors Manual and the Brownfield Redevelopment Financing Act.

Sincerely,

Charles Ericson, MMAO (4)  
Board of Assessors



Ms. Jennifer Kanalos  
February 7, 2019



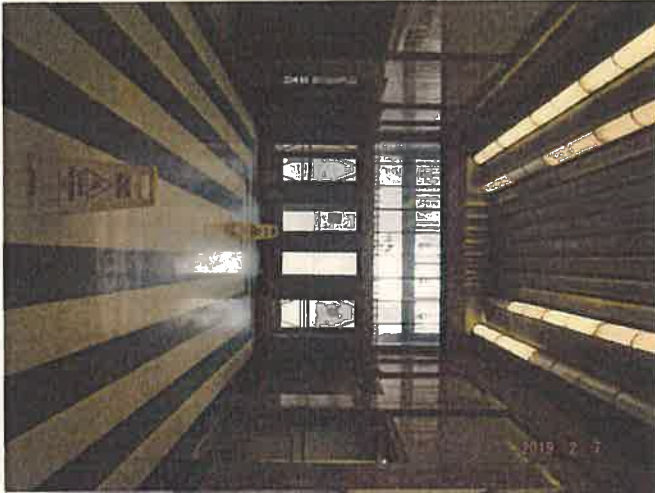


Ms. Jennifer Kanalos  
February 7, 2019





Ms. Jennifer Kanalos  
February 7, 2019







Ms. Jennifer Kanalos  
February 7, 2019





Ms. Jennifer Kanalos  
February 7, 2019



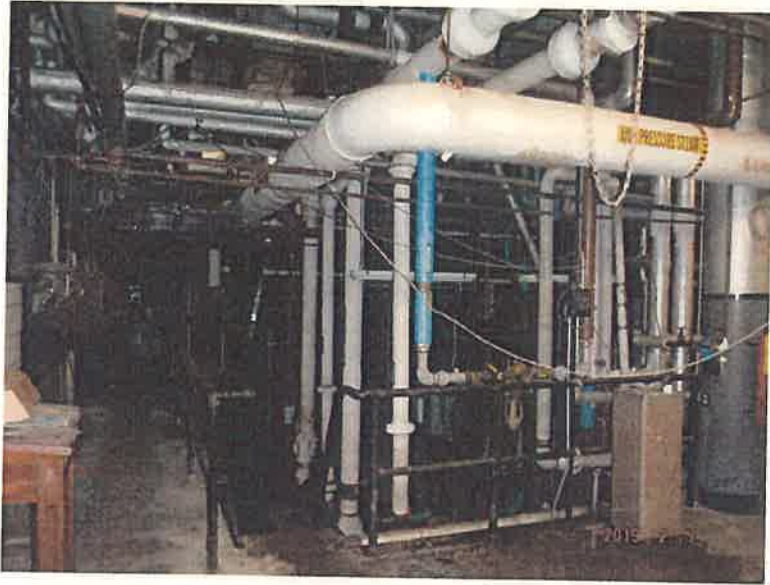


Ms. Jennifer Kanalos  
February 7, 2019





Ms. Jennifer Kanalos  
February 7, 2019



January 8, 2019

Sarah Pavelko  
Director of Real Estate  
Detroit Economic Growth Corporation  
500 Griswold, Suite 2200  
Detroit, MI 48226

**RE: *Albert Kahn Redevelopment***

Dear Ms. Pavelko,

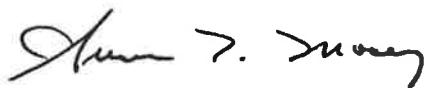
On behalf of Midtown Detroit, Inc. (MDI), I would like to express our support for the proposed mixed-use development of the historic Albert Kahn Building.

This project will rehabilitate 70,000 square feet of commercial space and add 190 new residential apartments. At least 20% of the residential units will be designated as affordable housing to households earning less than 80% of the area median income. The addition of new units will provide more housing options to an area facing 98% occupancy, while the rehabilitated commercial space will provide new economic opportunities for Detroiters.

MDI understands that the developer is pursuing the establishment of a Neighborhood Enterprise Zone, Brownfield Tax Increment Reimbursements, and Historic Tax Credits as part of the overall financing structure for the project. These tax credits will provide a valuable financial benefit to support the completion of the project, which will be a much-needed benefit to the surrounding neighborhood.

The overall reactivation of this site will build upon revitalization efforts taking place in the New Center neighborhood and will continue to push the City of Detroit forward. It is for this reason that MDI is pleased to offer its full support for this project. Should you have any questions, please feel free to contact me at 313.420.6000.

Sincerely,



Susan T. Mosey  
Executive Director

**ATTACHMENT E**

**Estimated Cost of Eligible Activities Tables**

The estimated total cost of eligible activities is \$2,976,700. For informational purposes, the eligible activities are presented below based upon their expected characterization as “Department Specific Activities” or “MSF Activities”, provided that the activities will be considered eligible activities regardless of if and how they are included in a work plan subsequently approved by the Michigan Department of Environmental Quality or Michigan Strategic Fund.

**Eligible Activities Expected To Be Considered Department Specific Activities**

Description	Costs	Category Totals	Completion Season/Year
Phase I	\$4,300	<u>\$4,300</u>	2018
<b>Total</b>		<b>\$4,300</b>	

**Eligible Activities Expected To Be Considered MSF Activities**

Description	Costs	Category Totals	Completion Season/Year
Asbestos Assessment and Abatement (including related architectural fees)	\$855,000	\$855,000	Summer, 2019
Demolition (interior; including related architectural fees and property condition assessment)	\$1,857,400	\$1,857,400	Summer, 2019
Public Infrastructure Improvements	\$200,000	<u>\$200,000</u>	2020
Subtotal		\$2,912,400	
Brownfield Plan & Work Plan Preparation		\$30,000	
Brownfield Plan Implementation		<u>\$30,000</u>	
<b>Total</b>		<b>\$2,972,400</b>	

**ATTACHMENT F**

**TIF Tables**

(see attached)





**Brownfield TIF Projections**  
2/04/2013

Brownfield TIF Reimbursement

Developer Reimbursement	Reimbursement	School & Local Taxes	Local-Only Taxes	Total
10%	\$ 1,031,819			\$ 1,031,819
15%	\$ 1,547,728			\$ 1,547,728
20%	\$ 2,063,637			\$ 2,063,637
25%	\$ 2,579,546			\$ 2,579,546
30%	\$ 3,095,455			\$ 3,095,455
35%	\$ 3,611,364			\$ 3,611,364
40%	\$ 4,127,273			\$ 4,127,273
45%	\$ 4,643,182			\$ 4,643,182
50%	\$ 5,159,091			\$ 5,159,091
55%	\$ 5,675,000			\$ 5,675,000
60%	\$ 6,190,909			\$ 6,190,909
65%	\$ 6,706,818			\$ 6,706,818
70%	\$ 7,222,727			\$ 7,222,727
75%	\$ 7,738,636			\$ 7,738,636
80%	\$ 8,254,545			\$ 8,254,545
85%	\$ 8,770,454			\$ 8,770,454
90%	\$ 9,286,363			\$ 9,286,363
95%	\$ 9,802,272			\$ 9,802,272
100%	\$ 10,318,181			\$ 10,318,181

Estimated Capture \$ 6,746,944  
 Administrative Fees \$ 460,539  
 State Brownfield Redevelopment Fund \$ 175,013  
 Local Brownfield Revolving Fund \$ 2,774,731

Estimated Total Years of Plan: 20

Year	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	TOTAL
Local School Incremental Revenue	\$ 11,251	\$ 11,206	\$ 11,343	\$ 11,581	\$ 11,839	\$ 12,117	\$ 12,414	\$ 12,731	\$ 13,068	\$ 13,425	\$ 13,793	\$ 14,172	\$ 14,562	\$ 14,963	\$ 15,375	\$ 15,797	\$ 16,229	\$ 16,670	\$ 17,121	\$ 17,581	\$ 1,400,107
State Brownfield Redevelopment Fund (5% of IET)	\$ 1,406	\$ 1,412	\$ 1,418	\$ 1,424	\$ 1,430	\$ 1,436	\$ 1,442	\$ 1,449	\$ 1,455	\$ 1,462	\$ 1,468	\$ 1,475	\$ 1,481	\$ 1,488	\$ 1,494	\$ 1,501	\$ 1,507	\$ 1,514	\$ 1,520	\$ 1,527	\$ 175,013
School TIF Available for Reimbursement	\$ 9,844	\$ 9,794	\$ 9,925	\$ 10,157	\$ 10,409	\$ 10,679	\$ 10,965	\$ 11,264	\$ 11,577	\$ 11,900	\$ 12,233	\$ 12,576	\$ 12,929	\$ 13,291	\$ 13,662	\$ 14,041	\$ 14,428	\$ 14,823	\$ 15,226	\$ 15,637	\$ 1,225,094
Local Local Reimbursement	\$ 19,371	\$ 19,450	\$ 19,530	\$ 19,612	\$ 19,696	\$ 19,781	\$ 19,868	\$ 19,957	\$ 20,047	\$ 20,140	\$ 20,235	\$ 20,332	\$ 20,431	\$ 20,532	\$ 20,634	\$ 20,738	\$ 20,843	\$ 20,949	\$ 21,056	\$ 21,164	\$ 1,718,370
88A Administrative Fee (15% of Local)	\$ 4,593	\$ 4,632	\$ 4,671	\$ 4,710	\$ 4,750	\$ 4,790	\$ 4,830	\$ 4,870	\$ 4,910	\$ 4,950	\$ 4,990	\$ 5,030	\$ 5,070	\$ 5,110	\$ 5,150	\$ 5,190	\$ 5,230	\$ 5,270	\$ 5,310	\$ 5,350	\$ 460,539
Local TIF Available for Reimbursement	\$ 14,778	\$ 14,818	\$ 14,859	\$ 14,901	\$ 14,943	\$ 14,985	\$ 15,027	\$ 15,069	\$ 15,111	\$ 15,153	\$ 15,195	\$ 15,237	\$ 15,279	\$ 15,321	\$ 15,363	\$ 15,405	\$ 15,447	\$ 15,489	\$ 15,531	\$ 15,573	\$ 1,257,831
Local School B Local TIF Available	\$ 24,632	\$ 24,722	\$ 24,812	\$ 24,902	\$ 25,000	\$ 25,098	\$ 25,196	\$ 25,294	\$ 25,392	\$ 25,490	\$ 25,588	\$ 25,686	\$ 25,784	\$ 25,882	\$ 25,980	\$ 26,078	\$ 26,176	\$ 26,274	\$ 26,372	\$ 26,470	\$ 2,174,731
<b>DEVELOPER Reimbursement</b>	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 47,534,000
Engineering/Construction Reimbursement Balance	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700
Local Fee Reimbursement	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700
Local Fee Reimbursement Balance	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700	\$ 2,376,700
<b>LOCAL BROWNFIELD REVOLVING FUND</b>	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 86,000
Local Fee Capture	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 86,000
Local Fee Capture Balance	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 4,300	\$ 86,000
<b>TOTAL</b>	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107	\$ 1,400,107

\* Up to the year of capture for LRF. Depends on the schedule activities as it is reimbursed. May be taken from DEC & Local TIF only.

**ATTACHMENT G**

**BSE&E Acknowledgement and Other Environmental Documents**

(to be attached)

**ATTACHMENT H**

**INCENTIVE INFORMATION CHART: Albert Kahn Building Rehabilitation**

<b>Project Type</b>	<b>Incentive Type</b>	<b>Investment Amount</b>	<b>District</b>
Mixed use building rehabilitation	NEZ and PA 255	\$48,506,254	5

<b>Jobs Available</b>							
<b>Construction</b>				<b>Post Construction</b>			
<b>Professional</b>	<b>Non-Professional</b>	<b>Skilled Labor</b>	<b>Non-Skilled Labor</b>	<b>Professional</b>	<b>Non-Professional</b>	<b>Skilled Labor</b>	<b>Non-Skilled Labor</b>
40-50	50-60	50-60	140-160	1	3	1	1

1. What is the plan for hiring Detroiters?

Subcontractor selection for the Project (as defined in this Plan) shall include a prequalification assessment prior to bidding. As part of the prequalification process, evaluation of geographic location of the business and their associated staff assigned to the Project will occur along with capacity assessment, relevant work experience, financial standing, and insurance and performance qualifications. It is the team's goal to provide local subcontracts that are qualified with the opportunity to participate within the Project based on a qualified and competitive process.

2. Please give a detailed description of the jobs available as listed in the above chart, i.e: job type, job qualifications, etc.

Construction related jobs shall include, but not limited to; skilled trades such as carpentry, electrical, mechanical, plumbing, finish work (painting, flooring and millwork), building façade and enclosure work. These jobs shall be provided via subcontractors selected to the project team. In addition to subcontract related positions, general labor positions will be available as well. Qualifications are subject to the individual business hiring requirements. A contact name and information shall be provided for inquiries.

3. Will this development cause any relocation that will create new Detroit residents?

The Project will bring approximately one hundred ninety (190) new residential apartment units to the City. Given the current demand in the market and the statistical data available, we are of the opinion that approximately 75% of the units will be occupied by residents relocating from outside of the City to the City of Detroit.

4. Has the developer reached out to any community groups to discuss the project and/or any potential jobs?

The Developer has assembled a team which has a depth of experience successfully developing real estate projects in the City of Detroit. In addition, we have cultivated relationships with Sue Mosey at Midtown Detroit, Southwest Solutions, District 5 Representatives and other community groups. We will call on those relationships to provide introductions to various stakeholders to discuss how the Project can best benefit our neighborhood and the City as a whole. We are in the process of setting up those meetings and look forward to active engagement from the community groups. Associated topics shall include, community sensitivities, project overviews and goals, employment opportunities for construction and post construction jobs. The timing of these meetings is critical to the development to enable early community feedback, which in turn will provide efficient opportunities to incorporate this feedback into the design.

5. When is construction slated to begin?

1st quarter of 2019.

6. What is the expected completion date of construction?

1st quarter of 2021.

ATTACHMENT I

Evidence of Historic Resource Status



UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

HISTORIC PRESERVATION CERTIFICATION APPLICATION  
PART 1 – EVALUATION OF SIGNIFICANCE

RECEIVED

AUG 28 2017

OMB Approved  
No. 1024-0009  
Form 10-188  
Rev. 2014

TX17-1019

NPS Project Number 37257

Instructions: This page must bear the applicant's original signature and must be dated. The National Park Service certification decision is based on the descriptions in this application form. In the event of any discrepancy between the application form and other, supplementary material submitted with it (such as architectural plans, drawings and specifications), the application form takes precedence. A copy of this form will be provided to the Internal Revenue Service.

1. Property Name Albert Kahn Building (formerly the New Center Building) P51326

Street 7430 Second Avenue

City Detroit County Wayne State MI Zip 48202-2798

Name of Historic District NA FISLER AND NEW CENTER BUILDINGS

National Register district  certified state or local district  potential district

2. Nature of request (check only one box)

- certification that the building contributes to the significance of the above-named historic district or National Register property for rehabilitation purposes
- certification that the building contributes to the significance of the above-named historic district for a charitable contribution for conservation purposes
- certification that the building does not contribute to the significance of the above-named district.
- preliminary determination for individual listing in the National Register.
- preliminary determination that a building located within a potential historic district contributes to the significance of the district.
- preliminary determination that a building outside the period or area of significance contributes to the significance of the district.



3. Project Contact (if different from applicant)

Name Myles Hamby Company The Platform

Street 3011 W Grand Blvd, Suite 2300 City Detroit State MI

Zip 48202-3030 Telephone (313) 446-8789 Email Address mhamby@theplatform.city

4. Applicant

I hereby attest that the information I have provided is, to the best of my knowledge, correct. I further attest that (check one or both boxes, as applicable) (1)  I am the owner of the above-described property within the meaning of "owner" set forth in 36 CFR § 67.2 (2011), and/or (2)  if I am not the fee simple owner of the above-described property, the fee simple owner is aware of the action I am taking relative to this application and has no objection, as noted in a written statement from the owner, a copy of which (i) either is attached to this application form and incorporated herein, or has been previously submitted, and (ii) meets the requirements of 36 CFR § 67.3(e)(1) (2011). For purposes of this attestation, the singular shall include the plural whenever appropriate. I understand that knowing and willful falsification of factual representations in this application may subject me to fines and imprisonment under 18 U.S.C. § 1001, which, under certain circumstances, provides for imprisonment of up to 5 years.

Name Dietrich Knoer Signature [Signature] Date 8/7/17

Applicant Entity Kahn 2015 Acquisitions LLC (building owner) SSN \_\_\_\_\_ or TIN 47-4346471

Street 3011 W Grand Blvd, Suite 2300 City Detroit State MI

Zip 48202-3030 Telephone (313) 446-8775 Email Address dknoer@theplatform.city

NPS Official Use Only

The National Park Service has reviewed the Historic Preservation Certification Application – Part 1 for the above-named property and has determined that the property:

- contributes to the significance of the above-named district or National Register property and is a "certified historic structure" for rehabilitation purposes.
- contributes to the significance of the above-named district and is a "certified historic structure" for a charitable contribution for conservation purposes.
- does not contribute to the significance of the above named district.

Preliminary Determinations:

- appears to meet the National Register Criteria for Evaluation and will likely be listed in the National Register of Historic Places if nominated by the State Historic Preservation Officer according to the procedures set forth in 36 CFR Part 60.
- does not appear to meet the National Register Criteria for Evaluation and will likely not be listed in the National Register.
- appears to contribute to the significance of a potential historic district, which will likely be listed in the National Register of Historic Places if nominated by the State Historic Preservation Officer.
- appears to contribute to the significance of a registered historic district if the period or area of significance as documented in the National Register nomination or district documentation on file with the NPS is expanded by the State Historic Preservation Officer.
- does not appear to qualify as a certified historic structure.

Date 11/8/17 National Park Service Authorized Signature [Signature] 202-354-2092

NPS comments attached

City of Detroit

## Brownfield Redevelopment Authority

### Community Advisory Committee

500 Griswold Street • Suite 2200

Detroit, Michigan 48226

Phone: 313 963-2940

Fax: 313 963-8839

February 13, 2019

The Honorable City Council  
City of Detroit  
Coleman A. Young Municipal Center  
2 Woodward Avenue, Suite 1340  
Detroit, Michigan 48226

City of Detroit Brownfield Redevelopment Authority  
Board of Directors  
500 Griswold Street, Suite 2200  
Detroit, Michigan 48226

Re: Recommendation for Approval of the Albert Kahn Brownfield Redevelopment Plan

Honorable Members of the Detroit City Council and the City of Detroit Brownfield Redevelopment Authority Board of Directors:

In accordance with the resolution of the Detroit City Council creating the City of Detroit Brownfield Redevelopment Authority (the "Authority"), the Community Advisory Committee, at its meeting of February 13, 2019, adopted a resolution approving the proposed Brownfield Plan for the Albert Kahn Redevelopment and recommending adoption of this Brownfield Plan by the Authority and City Council.

Please accept this letter of recommendation for approval from the Community Advisory Committee on the Brownfield Plan for the Albert Kahn Redevelopment.

Very truly yours,

By:



Allen Rawis, Chairperson

Community Advisory Committee to the City of Detroit  
Brownfield Redevelopment Authority



Detroit Brownfield Redevelopment Authority  
500 Griswold Street • Suite 2200  
Detroit, Michigan 48226  
Phone: 313 963-2940  
Fax: 313 963-8839

**MINUTES OF THE  
DETROIT BROWNFIELD REDEVELOPMENT AUTHORITY  
PUBLIC HEARING FOR THE**

**ALBERT KAHN BUILDING  
BROWNFIELD REDEVELOPMENT PLAN**

**Thursday, February 7, 2019  
Fisher Building  
3011 W. Grand Boulevard, Room #122  
Detroit, MI 48202  
5:30 PM**

In attendance were:

Jennifer Kanalos (DEGC/DBRA)  
Brian Vosburg (DEGC/DBRA)  
Cora Capler (DEGC/DBRA)  
Richard Barr (Honigman)  
Matthew Sosin (Albert Kahn)  
Adam Lutz (Albert Kahn)  
Steven Siegel (Albert Kahn)

Mr. Vosburg called the public hearing to order at 5:30 PM.

No members of the general public were in attendance. There were no comments received in favor of or in opposition to the plan.

Mr. Vosburg closed the public hearing at 5:54 PM.



Detroit Brownfield Redevelopment Authority  
500 Griswold Street • Suite 2200  
Detroit, Michigan 48226  
Phone: 313 963-2940  
Fax: 313 963-8839

**CODE DBRA 19-02-264-02**

**ALBERT KAHN BROWNFIELD REDEVELOPMENT PLAN**

WHEREAS, pursuant to 381 PA 1996, as amended ("Act 381"), the City of Detroit Brownfield Redevelopment Authority (the "DBRA") has been established by resolution of the City Council of the City of Detroit (the "City Council") for the purpose of promoting the revitalization of environmentally distressed areas in the City of Detroit; and

WHEREAS, under Act 381 the DBRA is authorized to develop and propose for adoption by City Council a brownfield plan for one or more parcels of eligible property; and

WHEREAS, in accordance with the policies, procedures and bylaws governing the DBRA, the DBRA has submitted a proposed Brownfield Plan for the Albert Kahn Redevelopment Project (the "Plan") to the Community Advisory Committee for its consideration and comment and has solicited comments by the public by publication of notice stating that the proposed Plan has been submitted to the Community Advisory Committee and by conducting a public hearing in the area to which the proposed Plan applies; and

WHEREAS, the Community Advisory Committee has considered the proposed Plan and approved a resolution recommending the approval of the proposed Plan by the DBRA and the City Council as presented by the DBRA; and

WHEREAS, in accordance with the provisions of Act 381, the Board of Directors of the DBRA has considered the proposed Plan and desires to approve the proposed Plan and to request that City Council call a public hearing to consider and adopt a resolution approving the proposed Plan.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of the DBRA has determined that the adoption of the Brownfield Plan for the **Albert Kahn Redevelopment Project** is in keeping with the purposes of Act 381 and recommends submittal of the Plan to City Council for approval.

2. The Board of Directors of the DBRA approves the Plan substantially in the form attached hereto and on file with the Secretary of the DBRA.

3. Any Authorized Agent of the DBRA is authorized and directed to submit a certified copy of this Resolution and the Plan to the City Clerk, together with a request that the City Council call a public hearing concerning the Plan and to take all other actions required to approve the Plan in accordance with Act 381.



4. That any one of the officers and any one of the Authorized Agents of the DBRA or any two of the Authorized Agents of the DBRA shall hereafter have the authority to negotiate and execute all documents, contracts, or other papers, and take such other actions, necessary or appropriate to implement the provisions and intent of this Resolution on behalf of the DBRA.

5. That all of the acts and transactions of any officer or authorized agent of the DBRA, in the name and on behalf of the DBRA, relating to matters contemplated by the foregoing resolutions, which acts would have been approved by the foregoing resolutions except that such acts were taken prior to execution of these resolutions, are hereby in all respects confirmed, approved and ratified.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

February 13, 2019

David Whitaker, Esq.  
Director  
Irvin Corley, Jr.  
Executive Policy Manager  
Marcell R. Todd, Jr.  
Senior City Planner  
Janese Chapman  
Deputy Director

**City of Detroit**  
**CITY COUNCIL**

**LEGISLATIVE POLICY DIVISION**  
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**TO:** Honorable Detroit City Council  
**FROM:** David Whitaker, Director   
Legislative Policy Division Staff  
**DATE:** February 13, 2019  
**RE: BUFFER SPACE LEGISLATION**

This memorandum is in response to the June 21, 2018 memo submitted by the office of Council Member Castañeda-López in regards to a request for the City Planning Commission and the Law Department to work jointly with her office to develop legislation regarding buffer space in the City of Detroit, inclusive of vegetative, spatial and sound buffers.

In June of 2018, Your Honorable Body approved a two-year contract with Code Studio to assist the City Planning Commission is revising and updating the Detroit Zoning Ordinance. Inclusive in that scope of work are appropriate zoning requirements for buffiering hazardous waste facilities, low-impact, high-medium, high and very high impact industrial districts. As this work will follow our typical collaborative process there will be opportunity for City Council and city agencies to contribute to this work.

The scope of work is anticipated to be completed in 2020, at which time the recommendations will be presented to the City Planning Commission and ultimately to Your Honorable Body for consideration.

Should you have any additional questions, or concerns, please contact our office directly.



CITY OF DETROIT  
PLANNING AND DEVELOPMENT DEPARTMENT

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2 WOODWARD AVENUE SUITE 808  
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(313) 224-1339 • TTY:711  
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January 23, 2019

Detroit City Council  
1340 Coleman A. Young Municipal Center  
Detroit, MI 48226

**RE: Property Sale  
5021 Tireman, Detroit, MI 48204**

Honorable City Council:

The City of Detroit, Planning and Development Department (“P&DD”) has received an offer from Detroit Sound Conservancy (the “DSC”), a Michigan nonprofit corporation, to purchase certain City-owned real property at 5021 Tireman, Detroit, MI (the “Property”). The P&DD entered into a purchase agreement dated January 3, 2019, with the Purchaser. Under the terms of the proposed Purchase Agreement, the Property will be conveyed to DSC for the purchase price of Eight Thousand Five Hundred and 00/100 Dollars (\$8,500.00).

The DSC proposes to rehabilitate the Blue Bird Inn, a Jazz club which was formerly operated in the structure which is still located on the Property. DSC intends to re-open the club in the existing structure. Currently, the Property is within a B4 zoning district (General Business District). DSC’s proposed use of the Property shall be consistent with the allowable uses for which the Property is zoned.

We request that your Honorable Body adopt the attached resolution to authorize the Director of P&DD to execute a deed and such other documents as may be necessary or convenient to effect a transfer of the Property by the City to Detroit Sound Conservancy.

Respectfully submitted,

Maurice D. Cox  
Director

cc: Stephanie Washington, Mayor’s Office

## RESOLUTION

BY COUNCIL MEMBER \_\_\_\_\_

**NOW, THEREFORE, BE IT RESOLVED**, that Detroit City Council hereby approves of the sale of certain real property at 5021 Tireman, Detroit, MI (the "Property"), as more particularly described in the attached Exhibit A incorporated herein, to Detroit Sound Conservancy ("DSC") for the purchase price of Eight Thousand Five Hundred and 00/100 Dollars (\$8,500.00); and be it further

**RESOLVED**, that the Director of the Planning and Development Department, or his authorized designee, is authorized to execute a quit claim deed and such other documents necessary or convenient to effect transfer of the Property to DSC consistent with this resolution; and be it further

**RESOLVED**, that the following Property Sales Services Fees be paid from the sale proceeds pursuant to the City's Property Management Agreement with the Detroit Building Authority ("DBA"): 1) Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) shall be paid to the DBA from the sale proceeds, 2) Four Hundred Twenty Five and 00/100 Dollars (\$425.00) shall be paid to the DBA's real estate brokerage firm from the sale proceeds and 3) customary closing costs up to Two Hundred and 00/100 Dollars (\$200.00) shall be paid from the sale proceeds; and be it further

**RESOLVED**, that the P&DD Director, or his authorized designee, is authorized to execute any required instruments to make and incorporate technical amendments or changes to the quit claim deed (including but not limited to corrections to or confirmations of legal descriptions, or timing of tender of possession of particular parcels) in the event that changes are required to correct minor inaccuracies or are required due to unforeseen circumstances or technical matters that may arise prior to the conveyance of the Properties, provided that the changes do not materially alter the substance or terms of the transfer and sale; and be it finally

**RESOLVED**, that the quit claim deed will be considered confirmed when executed by the P&DD Director, or his authorized designee, and approved by the Corporation Counsel as to form.

(See Attached Exhibit A)

**EXHIBIT A**

LEGAL DESCRIPTION

Property situated in the City of Detroit, Wayne County, Michigan, described as follows:

S TIREMAN LOT 32 BEECH HURST WILLIAM L HOLMES SUB L17 P40 PLATS, W C R  
16/169 30 X 120

a/k/a 5021 Tireman  
Tax Parcel ID 16001965

14-15 F

Description Correct  
Engineer of Surveys

By: 

Basil Sarim, P.S.  
Professional Surveyor  
City of Detroit/DPW, CED