

Referrals  
6/25/19

**PLANNING AND  
ECONOMIC  
DEVELOPMENT  
STANDING  
COMMITTEE**



CITY OF DETROIT  
LAW DEPARTMENT

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June 20, 2019

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

**RE: Proposed Ordinance to Amend Chapter 50 of the 1984 Detroit City Code, *Streets, Sidewalks and Other Public Places*, Article VII, *Opening, Closing, Extending, Widening, Vacating, Naming, and Renaming of Streets and Assigning Secondary Names to Streets*, by Adding Division 3, *Secondary Street Signs*.**

Honorable City Council:

Pursuant to the request of City Council Member James Tate, the above-referenced ordinance is being submitted to Your Honorable Body for consideration. This proposed ordinance will amend Chapter 50 of the 1984 Detroit City Code, *Streets, Sidewalks, and Other Public Places*, Article VII, *Opening, Closing, Extending, Widening, Vacating, Naming and Renaming of Streets and Assigning Secondary Names to Streets*, by adding Division 3, *Secondary Street Signs*, which consists of Section 50-7-21 through Section 50-7-46, to provide a process for the assignment of secondary street signs, either by petition or by City Council initiative; to provide criteria for eligibility for the assignment of a secondary street sign; to provide timing requirements for the process of assigning a secondary street sign; to establish the duties of the Office of the City Clerk, Legislative Policy Division, and Department of Public Works in relation to the assignment of secondary street signs; to establish costs to be charged for the application for and installation of a secondary street sign; and to establish a limit for the quantity of secondary street signs that may be assigned within a calendar year

We are available to answer any questions that you may have regarding the proposed ordinance. Thank you for your consideration.

Respectfully submitted,

Alex Henderson  
Assistant Corporation Counsel

Enclosure

CITY OF DETROIT, MICHIGAN JUN 20 2019

## S U M M A R Y

**AN ORDINANCE** to amend Chapter 50 of the 1984 Detroit City Code, *Streets, Sidewalks and Other Public Places*, Article VII, *Opening, Closing, Extending, widening, Vacating, Naming and Renaming of Streets and Assigning Secondary Names to Streets*, by adding Division 3, *Secondary Street Signs*, Section 50-7-21, *Assignment of secondary street signs permitted*; Section 50-7-22, *Location of secondary street signs*; Section 50-7-23, *Maintenance of secondary street signs*; Section 50-7-24, *Removal of secondary street signs*; Section 50-7-25, *Limit on quantity of secondary street signs assigned per year*; Section 50-7-31, *Official petition form required*; Section 50-7-32, *Procedure*; Section 50-7-33, *Duties of the Legislative Policy Division to provide notice*; Section 50-7-34, *Duties of the Legislative Policy Division to prepare report*; Section 50-7-35, *Public hearing*; Section 50-7-36, *Resolution by City Council authorizing secondary street sign*; Section 50-7-37, *Duties of the Department of Public Works*; Section 50-7-41, *Procedure for City Council initiative*; Section 50-7-42, *Duties of the Legislative Policy Division to provide notice regarding assignment of secondary street sign through City Council initiative*; Section 50-7-43, *Report by the Legislative Policy Division regarding assignment of secondary street name through City Council initiative*; Section 50-7-44, *Public hearing regarding assignment of secondary street name through City Council initiative*; Section 50-7-45, *Resolution by City Council authorizing secondary street name*; and Section 50-7-46, *Duties of the Department of Public Works regarding assignment of secondary street sign through City Council initiative*; to create a process for the assignment of secondary street signs, either by petition or by City Council initiative; to provide criteria for eligibility for the assignment of a secondary street sign; to provide timing requirements for the process of assigning a secondary street sign; to establish the duties of the Office of the City Clerk, Legislative Policy Division, and Department of Public Works in relation to the assignment

of secondary street signs; to establish costs to be charged for the application for and installation of a secondary street sign; and to establish a limit for the quantity of secondary street signs that may be assigned within a calendar year.



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

2 **AN ORDINANCE** to amend Chapter 50 of the 1984 Detroit City Code, *Streets, Sidewalks*  
3 *and Other Public Places*, Article VII, *Opening, Closing, Extending, widening, Vacating, Naming*  
4 *and Renaming of Streets and Assigning Secondary Names to Streets*, by adding Division 3,  
5 *Secondary Street Signs*, Section 50-7-21, *Assignment of secondary street signs permitted*; Section  
6 50-7-22, *Location of secondary street signs*; Section 50-7-23, *Maintenance of secondary street*  
7 *signs*; Section 50-7-24, *Removal of secondary street signs*; Section 50-7-25, *Limit on quantity of*  
8 *secondary street signs assigned per year*; Section 50-7-31, *Official petition form required*; Section  
9 50-7-32, *Procedure*; Section 50-7-33, *Duties of the Legislative Policy Division to provide notice*;  
10 Section 50-7-34, *Duties of the Legislative Policy Division to prepare report*; Section 50-7-35,  
11 *Public hearing*; Section 50-7-36, *Resolution by City Council authorizing secondary street sign*;  
12 Section 50-7-37, *Duties of the Department of Public Works*; Section 50-7-41, *Procedure for City*  
13 *Council initiative*; Section 50-7-42, *Duties of the Legislative Policy Division to provide notice*  
14 *regarding assignment of secondary street sign through City Council initiative*; Section 50-7-43,  
15 *Report by the Legislative Policy Division regarding assignment of secondary street name through*  
16 *City Council initiative*; Section 50-7-44, *Public hearing regarding assignment of secondary street*  
17 *name through City Council initiative*; Section 50-7-45, *Resolution by City Council authorizing*  
18 *secondary street name*; and Section 50-7-46, *Duties of the Department of Public Works regarding*  
19 *assignment of secondary street sign through City Council initiative*; to create a process for the  
20 assignment of secondary street signs, either by petition or by City Council initiative; to provide  
21 criteria for eligibility for the assignment of a secondary street sign; to provide timing requirements  
22 for the process of assigning a secondary street sign; to establish the duties of the Office of the City  
23 Clerk, Legislative Policy Division, and Department of Public Works in relation to the assignment

1 of secondary street signs; to establish costs to be charged for the application for and installation of  
2 a secondary street sign; and to establish a limit for the quantity of secondary street signs that may  
3 be assigned within a calendar year.

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

6 **Section 1.** Chapter 50 of the 1984 Detroit City Code, *Streets, Sidewalks and Other Public*  
7 *Places*, Article VII, *Opening, Closing, Extending, Widening, Vacating, Naming, and Renaming of*  
8 *Streets and Assigning Secondary Street Names to Streets*, be amended by adding Division 3,  
9 *Secondary Naming of Streets*, Section 50-7-21 through Section 50-7-50 to read as follows:

10 **CHAPTER 50. STREETS, SIDEWALKS AND OTHER PUBLIC PLACES**

11 **ARTICLE VII. OPENING, CLOSING, EXTENDING, WIDENING, VACATING,**  
12 **NAMING, AND RENAMING OF STREETS; AND ASSIGNING SECONDARY NAMES**  
13 **TO STREETS STREET SIGNS.**

14 **DIVISION 3. SECONDARY STREET SIGNS.**

15 **Subdivision A. Generally**

16 **Sec. 50-7-21. Assignment of secondary street signs permitted.**

17 (a) A street may be assigned a secondary street sign that displays a different name than  
18 the official street name in accordance with this division.

19 (b) The assignment of a secondary street sign is for purposes of honorary recognition  
20 only and shall not replace the official street name or require changing official maps, surveys, or  
21 records.

22 (c) The assignment of a secondary street sign may be sought to recognize a person who  
23 meets the following criteria:

1           (1)    The person has achieved prominence as a result of his or her significant, positive,  
2                   and extraordinary contributions to the City of Detroit, State of Michigan, the United  
3                   States of America, or the international community;

4           (2)    The person was a resident of the City for a cumulative time of not less than ten  
5                   years; and

6           (3)    The person has been deceased for a period of not less than five years, unless the  
7                   secondary street sign is requested by a City Council Member pursuant to the  
8                   procedure provided in Subdivision C of this division, and the requested secondary  
9                   street sign is sought to recognize a deceased person who either:

10           a.     Held a public office in the federal government, or

11           b.     Was killed while performing his or her duty as a police officer, firefighter,  
12                   or member of the emergency medical services for the City.

13    **Sec. 50-7-22. Location of secondary street signs.**

14           (a)    The secondary street sign shall be placed above the official street sign and be of a  
15                   different color than the official street sign.

16           (b)    A maximum of one secondary street sign shall be placed at only one identified  
17                   intersection in the area significant to the honoree's historical residence or the location of the  
18                   honoree's historical contribution.

19    **Sec. 50-7-23. Maintenance of secondary street signs.**

20           The cost of replacing any missing or damaged secondary street sign shall be borne by the  
21                   petitioner or City Council Member who requested the secondary street sign.

1 **Sec. 50-7-24. Removal of secondary street signs.**

2 (a) Secondary street signs may be subject to removal after a period of five years  
3 pursuant to the following:

4 (1) A written recommendation from the Department of Public Works that the  
5 secondary street sign should be removed.

6 (2) Upon receipt of the written recommendation, City Council shall schedule a public  
7 hearing. Notice of the public hearing shall be:

8 a. Given to the owners and occupants of real property within 300 linear feet  
9 of the intersection abutting such street that was assigned the secondary street  
10 sign;

11 b. Published in a newspaper of general circulation at least five days prior to  
12 the date fixed for the hearing; and

13 c. Given to the original petitioner or City Council Member who requested the  
14 secondary street sign.

15 (3) Following the public hearing, City Council shall adopt a resolution approving or  
16 denying the recommendation submitted by the Department of Public Works.

17 (b) The cost to remove a secondary street sign for the purpose of installing a new  
18 secondary street sign shall be borne by the petitioner or City Council Member requesting the new  
19 sign.

20 **Sec. 50-7-25. Limit on quantity of secondary street signs assigned per year.**

21 No more than five secondary street signs may be assigned by City Council, either through  
22 petition or City Council initiative, pursuant to this division, each calendar year.

23 **Secs. 50-7-26 – 50-7-30. Reserved.**

**Subdivision B. Procedure for Installation of Secondary  
Street Sign Through Petition**

**Sec. 50-7-31. Official petition form required.**

(a) Petitions for the assignment of a secondary street sign in the City shall be provided by the Office of the City Clerk.

(b) The petition shall state in bold face type that the consent of 2/3 of those who own or occupy property that abuts the street within 300 linear feet of the intersection where the secondary street sign is proposed to be located is required.

(c) No form other than that referenced in Subsection (a) of this section shall be accepted as a valid petition.

**Sec. 50-7-32. Procedure.**

(a) A petition for a secondary street sign shall be filed with the Office of the City Clerk.

(b) The petitioner shall provide the following as an attachment to the petition:

(1) Information pertaining to the proposed honoree, including a biography, honors received, and contributions to the local, State, national or international community;

(2) A letter of concurrence from either the honoree's surviving spouse or living descendants, if applicable;

(3) The proposed location for the installation of the secondary street sign consistent with Section 50-7-22 of this Code;

(4) Information that is sufficient to accurately assess the appropriateness of the secondary street sign for the proposed location; and

(5) Proof of payment of the application fee described in Subsection (c) of this section.

1           (c)     A non-refundable application fee of \$665 shall be charged for the administration,  
2 processing, issuance, and enforcement of the petition under this division, made payable to “City  
3 Treasurer,” and submitted to the Legislative Policy Division.

4           (d)     Upon receipt of a petition for a secondary street sign, and the non-refundable  
5 application fee, the Office of the City Clerk shall assign a petition number to the petition, report  
6 receipt of the petition to City Council, and transmit the petition to the Legislative Policy Division.

7           (e)     Petitions for secondary street signs shall be submitted to, and accepted by, the  
8 Office of the City Clerk from the date of January 1 until the date of June 30 of each calendar year.

9     **Sec. 50-7-33. Duties of the Legislative Policy Division to provide notice.**

10          (a)     Within two weeks of receiving a petition from the Office of the City Clerk, the  
11 Legislative Policy Division shall complete a review of the petition and determine whether 2/3 of  
12 the owners and occupants of real property within 300 linear feet of the proposed intersection  
13 abutting such street to be assigned a secondary street sign have signified, in writing, their consent  
14 to granting such petition. Upon making its determination, the Legislative Policy Division shall  
15 proceed according to the following:

16           (1)     Where the petition does not contain the required number of verified signatures, the  
17 Legislative Policy Division shall conclude its investigation and report its findings  
18 to City Council.

19           (2)     Where the petition does contain the required number of verified signatures:

20           a.     The Legislative Policy Division shall mail a copy of the petition, via first  
21 class mail, to each owner and occupant as described in Subsection (a) of  
22 this section, and a notice stating that they have 21 calendar days from the

1 date the notice is mailed to submit comments or objections regarding the  
2 petition to the Legislative Policy Division; and

3 b. The Legislative Policy Division shall notify all necessary City departments,  
4 including the Department of Public Works, Detroit Police Department, and  
5 Detroit Fire Department, identified community groups in areas adjacent to  
6 the subject street, and governmental agencies, including the United States  
7 Postal Service, of the proposed secondary street sign, and that they have 21  
8 calendar days from the date the notice is mailed to submit comments or  
9 objections regarding the petition to the Legislative Policy Division.

10 (b) Upon expiration of the 21 day comment period, the Legislative Policy Division  
11 shall make a written report summarizing the comments and objections, if any, regarding the  
12 petition, and forward the report to City Council.

13 **Sec. 50-7-34. Duties of the Legislative Policy Division to prepare report.**

14 (a) Between the dates of July 1 and October 31 of the calendar year in which the  
15 petition for a secondary street sign was filed with the Office of the City Clerk, but after submission  
16 of the report referenced in Subsection 50-7-33(b) of this Code, the Legislative Policy Division  
17 shall review all documentation submitted by the petitioner, and prepare and submit a report of its  
18 findings as to whether the proposed secondary street sign meets the following criteria:

19 (1) The proposed honoree positively reflects or exemplifies the cultural, social,  
20 economic, or political history of the City, State, nation or world;

21 (2) The proposed honoree was a resident of the City for a cumulative time of not less  
22 than ten years;

1           (3)    The proposed honoree has been deceased for a period of not less than five years;

2                    and

3           (4)    The proposed location of the secondary street sign bears a clear association with a

4                    site, building, structure, or event directly related to the proposed honoree.

5           (b)    Upon finding that the above criteria are satisfied, the Legislative Policy Division

6 shall issue to City Council a recommendation in favor of the proposed secondary street sign, and

7 submit a resolution for consideration by City Council that includes:

8           (1)    A description of the historical significance of the proposed honoree;

9           (2)    The appropriateness of the location where the secondary street sign is proposed to

10                   be installed; and

11           (3)    The requirement that the cost of designing, producing, and erecting the sign shall

12                   be paid, in advance, to the street fund by the petitioner requesting the secondary

13                   street sign.

14           (c)    If the Legislative Policy Division determines that the criteria are not satisfied, its

15 report to City Council shall so indicate.

16 **Sec. 50-7-35. Public hearing.**

17           (a)    Upon receipt of the report from the Legislative Policy Division, City Council shall

18 adopt a resolution fixing the time and place of a public hearing.

19           (b)    The public hearing shall be fixed for a date between the months of July and

20 November of the calendar year in which the petition for a secondary street sign was filed with the

21 Office of the City Clerk.

22           (c)    Notice of the public hearing shall be:



1           (1)   Given to the owners and occupants of real property within 300 linear feet of the  
2                   proposed intersection abutting such street to be assigned a secondary street sign;  
3                   and

4           (2)   Published in a newspaper of general circulation at least five days prior to the date  
5                   fixed for the hearing.

6    **Sec. 50-7-36. Resolution by City Council authorizing secondary street sign.**

7           Where a petition for a secondary street sign is granted by City Council, a certified copy of  
8    the resolution adopting the request shall be transmitted by the Office of the City Clerk to the Detroit  
9    Fire Department, Detroit Police Department, Department of Public Works, and the United States  
10 Postal Service.

11 **Sec. 50-7-37. Duties of the Department of Public Works**

12           (a)   After adoption of the resolution by City Council, the Department of Public Works  
13 shall collect payment from the petitioner.

14           (1)   Payment of \$200 shall be made by the petitioner prior to installation of the  
15                   secondary street sign for the cost of designing, producing, and installing the sign;  
16                   and

17           (2)   Payment shall be deposited into the street fund.

18           (b)   The Department of Public Works shall erect the secondary street sign within 45  
19 days from receipt of the payment required under Subsection (a)(1) of this section.

20 **Secs. 50-7-38 – 50-7-40. Reserved.**

1                    **Subdivision C. Procedure for Installation of Secondary Street Sign**

2                                    **Through City Council Initiative**

3                    **Sec. 50-7-41. Procedure for City Council initiative.**

4                    (a)      City Council may, on its own initiative, adopt a resolution that assigns a secondary  
5 street sign based upon criteria set forth in Section 50-7-21 of this Code without following the  
6 procedures that are set forth in Subdivision B of this division.

7                    (b)      Any Member of City Council may propose a secondary street sign for consideration  
8 by forwarding a request to the Legislative Policy Division.

9                    (c)      The City Council Member shall provide the following as an attachment to the  
10 request:

11                    (1)      Information pertaining to the honoree, including biography, honors received, and  
12 contributions to the local, national or international community.

13                    (2)      A letter of concurrence from either the honoree's surviving spouse or living  
14 descendants, if applicable;

15                    (3)      The proposed location for the installation of the secondary street sign consistent  
16 with Section 50-7-22 of this Code;

17                    (4)      Information that is sufficient to accurately assess the appropriateness of the  
18 secondary street sign for the proposed location; and

19                    (5)      A non-refundable fee of \$400 for the administration, processing, issuance and  
20 enforcement of the request under this division.

21                    (d)      Requests submitted pursuant to this section shall only be forwarded to the  
22 Legislative Policy Division from the date of January 1 until the date of June 30 of each calendar  
23 year.

1 **Sec. 50-7-42. Duties of the Legislative Policy Division to provide notice regarding assignment**  
2 **of secondary street sign through City Council initiative.**

3 (a) Within two weeks of receiving a request from a City Council Member, the  
4 Legislative Policy Division shall mail a copy of the request, via first class mail, to each owner and  
5 occupant of real property within 300 linear feet of the proposed intersection abutting such street to  
6 be assigned a secondary street sign, and a notice stating that they have 21 calendar days from the  
7 date the notice is mailed to submit comments or objections regarding the request to the Legislative  
8 Policy Division.

9 (b) The Legislative Policy Division shall notify all necessary City departments,  
10 including the Department of Public Works, Detroit Police Department, and Detroit Fire  
11 Department, identified community groups in areas adjacent to the subject street, and governmental  
12 agencies, including the United States Postal Service, of the proposed secondary street sign, and  
13 that they have 21 calendar days from the date the notice is mailed to submit comments or objections  
14 regarding the request to the Legislative Policy Division.

15 (c) Upon expiration of the 21 day comment period, the Legislative Policy Division  
16 shall make a written report summarizing the comments and objections, if any, regarding the  
17 request, and forward the report to City Council.

18 **Sec. 50-7-43. Report by the Legislative Policy Division regarding assignment of secondary**  
19 **street name through City Council initiative.**

20 (a) Between the dates of July 1 and October 31 of the calendar year in which the request  
21 for a secondary street sign was forwarded to the Legislative Policy Division, but after submission  
22 of the report referenced in Subsection 50-7-42(c) of this Code, the Legislative Policy Division  
23 shall review all documentation submitted by the City Council Member requesting the secondary

1 street sign, and prepare and submit a report of its findings as to whether the proposed secondary  
2 street sign does or does not meet the following criteria:

3 (1) The proposed honoree positively reflects or exemplifies the cultural, social,  
4 economic, or political history of the City, State, nation, or world;

5 (2) The proposed honoree was a resident of the City for a cumulative time of not less  
6 than ten years;

7 (3) The proposed honoree has been deceased for a period of not less than five years, or  
8 is a deceased person who either:

9 a. Held a public office in the federal government; or

10 b. Was killed while performing his or her duty as a police officer, firefighter,  
11 or member of the emergency medical services for the City; and

12 (4) The proposed location of the secondary street sign bears a clear association with a  
13 site, building, structure, or event directly related to the proposed honoree.

14 (b) Upon finding that the above criteria are satisfied, the Legislative Policy Division  
15 shall issue to City Council a recommendation in favor of the proposed secondary street sign, and  
16 submit a resolution for consideration by City Council that includes:

17 (1) A description of the historical significance of the proposed honoree;

18 (2) The appropriateness of the location where the secondary street sign is proposed to  
19 be installed; and

20 (3) The requirement that the cost of designing, producing, and erecting the sign shall  
21 be paid, in advance, to the street fund by the City Council Member requesting the  
22 secondary street sign.

1 (c) If the Legislative Policy Division determines that the criteria are not satisfied, its  
2 report to City Council shall so indicate.

3 **Sec. 50-7-44. Public hearing regarding assignment of secondary street name through City**  
4 **Council initiative.**

5 (a) Upon receipt of the report from the Legislative Policy Division, City Council shall  
6 adopt a resolution fixing the time and place of a public hearing.

7 (b) The public hearing shall be fixed for a date between the months of July and  
8 November of the calendar year in which the request for a secondary street name was forwarded to  
9 the Legislative Policy Division.

10 (c) Notice of the public hearing shall be:

11 (1) Given to the owners and occupants of real property within 300 linear feet of the  
12 proposed intersection abutting such street to be assigned a secondary street sign;  
13 and

14 (2) Published in a newspaper of general circulation at least five days prior to the date  
15 fixed for the hearing.

16 **Sec. 50-7-45. Resolution by City Council authorizing secondary street name.**

17 Where a request for a secondary street sign is granted by City Council, a certified copy of  
18 the resolution adopting the request shall be transmitted by the Office of the City Clerk to the Detroit  
19 Fire Department, Detroit Police Department, Department of Public Works, and the United States  
20 Postal Service.

1 **Sec. 50-7-46. Duties of the Department of Public Works regarding assignment of secondary**  
2 **street sign through City Council initiative.**

3 (a) After adoption of the resolution by City Council, the Department of Public Works  
4 shall collect payment from the City Council Member requesting the secondary street sign.

5 (1) Payment of \$200 shall be made by the City Council Member's office prior to the  
6 installation of the secondary street sign for the cost of designing, producing, and  
7 installing the sign; and

8 (2) Payment shall be deposited into the street fund.

9 (b) The Department of Public Works shall erect the secondary street sign within 45  
10 days from its receipt of the \$200 payment.

11 **Secs. 50-7-47 – 50-7-50. Reserved.**

1           **Section 2.** All ordinances, or parts of ordinances, that conflict with this ordinance are  
2 repealed.

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

5           **Section 4.** Where this ordinance is passed by a two-thirds (2/3) majority of City Council  
6 Members serving, it shall be given immediate effect and shall become effective upon publication  
7 in accordance with Section 4-118(1) of the 2012 Detroit City Charter. Where this ordinance is  
8 passed by less than two-thirds (2/3) majority of City Council Members serving, it shall become  
9 effective thirty (30) days after publication in accordance with Section 4-118(2) of the 2012  
10 Detroit City Charter.

**Approved as to form:**



Lawrence T. García  
Corporation Counsel

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OFFICE OF THE CITY CLERK

Alton James  
Chairperson  
  
Vice Chair/Secretary  
  
Marcell R. Todd, Jr.  
Director

**City of Detroit**  
**CITY PLANNING COMMISSION**  
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June 21, 2019

**HONORABLE CITY COUNCIL**

**RE: Repeal of the home occupations prohibition in Chapter 61 of the City Code (Zoning); and, amendments to Chapter 9 of the City Code (Buildings and Building Regulations) to define and establish provisions relative to Short Term Rentals**

**Background**

Chapter 61 of the 1984 Detroit City Code, *Zoning*, is proposed to be amended at Article XII, *Use Regulations*, for consistency with proposed provisions to be added to Chapter 9, *Buildings and Building Regulations*, at Article I, *Detroit Property Maintenance Code*, Division 3, *Requirements for Rental Property*, Subdivision C, *Short Term Rentals*.

**Scope of the *Zoning* Amendment, Chapter 61**

When the CPC took up the Fifth General Text Amendment to the Zoning Ordinance in March and April 2017, one of the items addressed in the 209-page ordinance was “home occupations” in response to the request of the Boston-Edison association and concerns from other communities. The provision clarified that an Airbnb-type use (short term rental) could not be established under the guise of “home occupation,” consistent with the spirit of the long-established prohibition of bed and breakfast inns on land zoned R1 and R2.

The proposed zoning amendment has the effect of repealing the “home occupations” prohibition that was established in the Fifth General Text Amendment (Sec. 61-12-392) for the purpose of consistency with and enabling of the proposed provisions to be added to Chapter 9.

**Scope of the *Property Maintenance/Rental Code* Amendment, Chapter 9**

The Chapter 9 ordinance is an outgrowth of inter-departmental working group deliberations. The Law Department has drafted and revised the proposed amendment, which is sponsored by Council Member Janee Ayers. Key provisions of the Chapter 9 “Short term rentals” ordinance include:

- *Definitions of terms.* Among them, “short term rental,” means “any rental of a dwelling unit, or rooming unit in exchange for compensation or other consideration, as residential accommodations for at least one night, but no more than 90 cumulative days of the year” (Sec. 9-1-100.2).
- *Residency requirement.* Any property used as a short term rental must be the owner’s principal residence (Sec. 9-1-100.3).



- *Registration required.* Any short term rental must be registered with the Buildings, Safety Engineering, and Environmental Department (BSEED) (Sec. 9-1-100.4).
- *Spacing between short term rentals.* A short term rental will not be registered if located within 1,000 feet (measured linearly) of another short term rental; BSEED has limited discretion to relax the 1,000-foot spacing (Sec. 9-1-100.4(d)).
- *Limitation on groups.* A host may not rent to more than one group of guests under more than one reservation at any given time (Sec. 9-1-100.8(b)).
- *Limitation on number.* Not more than ten people may be accommodated at one time (Sec. 9-1-100.8(d)).
- *Limitation on rentals per year.* A short term rental unit may not be rented more than 90 days per calendar year (Sec. 9-1-100.8(e)).
- *Certificate.* The short term rental must post its certificate of registration in a conspicuous place on the property and provide it in electronic format to all guests (Sec. 9-1-100.8(f)).
- *Notification of neighbors.* Within 30 days of registration, a short term rental host must notify neighboring dwelling units within 300 feet of the property's approval for short term rentals and provide the phone number of the rental's local contact person (Sec. 9-1-100.8(g)(1)).
- *Violations and enforcement.* BSEED is responsible for enforcement of the ordinance; violations are subject to issuance of a blight violations; violators may be removed from the rental registry (Sec. 9-1-100.13).
- *Denials and appeals.* Where an applicant is denied registration or where BSEED determines a registration should be removed, the applicant is entitled to a hearing (Sec. 9-1-100.14).

### **Results of June 6, 2019 public hearing and public discussion**

A public hearing and discussion was held on June 6, 2019. There was considerable discourse on the proposed ordinances involving Commissioners, CPC staff, the Law Department, thirteen members of the public and the Office of the Ombudsman.

No speaker suggested that short term rentals should not be subject to registration including those speakers who objected to various provisions of the proposed Chapter 9 ordinance. No speaker voiced objection to the requirement that the short term rental property be the primary residence of the owner although one speaker spoke positively of his short term rentals, one of which was his primary residence and two of which were his income properties. No speaker raised an issue over the 10-person maximum per short term rental nor over the 1-group maximum per night.

Three members of the public objected to the proposed 1,000-foot linear spacing requirement as being too restrictive. A Commissioner also expressed concern over the spacing requirement

One speaker, a short term rental owner/operator, felt that a 90-day maximum per calendar year was too restrictive and that registered short term rentals should be able to operate more than that.

A speaker from the Boston-Edison neighborhood spoke of considerable negative experience toward the neighbors from an existing short term rental. A Boston-Edison block club president noted responsible operation at one short term rental but bad experiences with a different short term rental. A third speaker from Boston-Edison objected on the grounds that the proposed 90-day maximum on short term rental operations would still allow operation most weekends of the year.

A speaker in support of the proposed ordinances, believed that short term rentals take units off the market and raise rents elsewhere.

An advocate for short term rentals portrayed them as a healthy aspect of the sharing economy and that registration of the properties was appropriate.

Two speakers and a CPC member questioned the lack of an “inspection” requirement; the \$250 application fee was viewed as too little; a more significant fee was thought to be appropriate to cover the cost of inspections.

Two speakers questioned the appropriateness of the proposed “1<sup>st</sup> come-1<sup>st</sup> served” approach to reviewing and approving applications for short term rentals in light of the 1,000-foot spacing requirement. Renewals of registered short term rentals involved a lesser fee than for the initial application; one speaker questioned whether a lesser fee was warranted.

Problems that were voiced over existing short term rentals suggested a connection between the non-resident status of the operator and the trouble experienced. Speakers who were concerned about short term rentals mentioned their experience with parking problems, noisy parties and gatherings, disrespect to the neighbors, uncut grass, lack of snow removal, trash, neglected dumpsters, and the existence of a business in the residential neighborhood.

A speaker questioned whether it mightn’t be appropriate to exempt the least active short term rentals from the registration requirement, suggesting 14 days as a threshold for being subject to the ordinance.

A letter submitted by a Woodbridge homeowner in support of the proposed ordinances observed that nearby single-family homes had been bought up at bargain rates and then turned into a short term rental business, replacing neighbors with strangers.

CPC staff and the Law Department had conflicting understandings of a two-family dwelling or apartment building unit’s eligibility for a short term rental. Clarification was offered that such residential uses would be ineligible for short term rental except for the actual space or unit occupied by the owner of the building.

A Commissioner raised a concern over the Chapter 9 ordinance’s discretion afforded BSEED, noting that the application of discretion often results in a favorable outcome to those with higher socio-economic status. Another Commissioner suggested that the ordinance require three, rather than two, pieces of identification to document the owner’s proof of residency in the unit to be rented for short term and that neighborhood associations also be notified of registered short-term rentals in their community.

## **Analysis**

At the conclusion of public testimony and discussion among Commissioners, the chairperson directed staff to return at the June 20<sup>th</sup> meeting after further examining several issues, as discussed below.

**Spacing.** The sponsor of the Chapter 9 ordinance included the 1,000-foot linear spacing requirement as a way of avoiding an over-concentration of short term rentals in any one neighborhood. Speakers at the public hearing documented nuisances arising from existing short term rentals and their belief that long-term residents better ensured and protected the character of their neighborhood than did transient guests.

CPC staff felt that a spacing requirement that would have the effect of generally limiting short term rentals to not more than one short term rental per block would respond to the

sponsor's and concerned speakers' concerns. In many communities, a typical block might be 1/8<sup>th</sup> of a mile long—660 feet. Staff wanted to test whether a lesser spacing requirement might effectively protect Detroit neighborhood's from more than one short term rental per block.

Staff measured the lengths of 40 blocks in randomly selected areas of the city and found block length to vary from 250 feet to 1,000. Half of the blocks measured were 760 feet in length, half were longer. If the spacing were reduced from 1,000 to 660 feet, we project that only 28% of the blocks in the city would be protected from more than one short term rental. If the spacing were reduced to 800 feet, only 55% would be so protected. With a 900-foot spacing requirement, 93% of the blocks would only be able to host one short term rental. Staff concludes that the proposed 1,000 foot linear spacing is the most appropriate measurement to prevent more than one short term rental per block.

**Parking.** During the June 6<sup>th</sup> deliberations, CPC staff questioned the appropriateness of requiring the short term rental applicant to disclose the amount of parking available even though the proposed ordinance specifies no requirement or expectation for parking to be provided. Staff continues to believe that, lacking a parking requirement, the applicant should not be required to disclose the availability or non-availability of parking. If parking availability is meant to be a factor in BSEED's decision to approve or deny a short term rental application, then a specific standard should be stated to avoid vagueness or abuse of discretion.

CPC staff also notes that the reference in the Chapter 9 ordinance to parking governed by Chapter 55 refers to the "permit parking" provisions. Although we recommend removing the language related to "parking," if it is retained, a fuller cross-reference should be incorporated with title to article and division within Chapter 55 that contains the "permit parking" provisions; presumably, short term rental guests would enjoy no special advantage or suffer any greater detriment in a "permit parking" area than would any other visitor.

**Renewals.** Staff believes the ordinance would benefit from a fuller treatment of registration renewals. The term, renewal, seems to imply that a registered short term rental with a clean record can expect renewal upon payment of the appropriate fee, as is the case for holders of vending licenses. That seems to conflict with the 1<sup>st</sup> come-1<sup>st</sup> served application process.

If a registration certificate holder is not meant to have any expectation of approval over a competing, new applicant whose property is within the 1,000-foot spacing area, then the term, renewal, should not be used and the ordinance should be explicit in clarifying that new applicants and existing registrants compete on an equal footing.

**Equity/discretion.** The proposed ordinance provides for BSEED to apply discretion in considering approval of a second or subsequent short term rental property within the same 1,000-foot spacing area. Unbridled discretion could well favor those with higher socio-economic standing, however the proposed ordinance ties BSEED's hands to consider waivers of spacing only from applicants whose properties would be less at least 900 feet from an approved short term rental. This discretion mimics the 10% "Administrative Adjustment" that has been a feature of the Zoning Ordinance since 2005.

## Conclusions and Recommendation

CPC staff, the Law Department and staff from Council Member Ayers office sat in review and discussion of the various comments and suggestions for the proposed Chapter 9 language. Additional review and consideration was conducted by the Council Member's office and the Law Department to develop specific responses. Subsequently, these items were presented and discussed with the City Planning Commission at the regular meeting of June 20<sup>th</sup> with Council Member Ayers joining them at the table. The following modifications resulted:

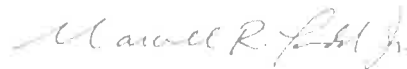
1. Language was added to include "utility bill" as one of the documents and showing both the owner's name and address as a means of corroborating residency.
2. Language was added to address possible confusion between required parking provisions of the Zoning Ordinance and the provisions of the newly adopted Resident Permit Parking Ordinance.
3. Language was added to address concerns for the timing, processing and administration of short term rental registration and renewal by the BSEED.
4. Language was added to require the registration certificate holder to notify not only BSEED but also the neighbors within 300 feet of the change of "local contact."

Additionally, and outside of the ordinance provisions, the suggestion was made that a webpage be created listing and mapping the locations of registered Short Term Rental locations for general public awareness, which could also be used by City Council Members and other City agencies to notify specific groups such as neighborhood associations.

With the above understanding, the City Planning Commission recommended approval of the attached ordinance amending Chapter 61 and the forthcoming ordinance amending Chapter 9 of the Detroit City Code in support of the regulation of Short Term Rentals.

Respectfully submitted,

ALTON JAMES, CHAIRPERSON



Marcell R. Todd, Jr., Director

M. Rory Bolger, Staff

Kathryn Lynch Underwood, Staff

Marcel Hurt, Esq., Legislative Policy Division

Attachment



CITY OF DETROIT  
LAW DEPARTMENT

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January 24, 2019

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

**Re: Amendment To Chapter 61, *Zoning*, of the 1984 Detroit City Code, Article XII, *Use Regulations*, Section 61-12-392, *Prohibited uses and activities*.**

Honorable City Council:

The Law Department has prepared an ordinance which amends a portion of the Zoning Code, specifically Chapter 61 of the 1984 Detroit City Code, *Zoning*; by amending Article XII, *Use Regulations*, by removing a portion of the language in Section 61-12-392, *Prohibited uses and activities*, to bring this section into compliance with Chapter 9, *Buildings and Building Regulations*, Article I, *Detroit Property Maintenance Code*, Division 3, *Requirements for Rental Property*, Subdivision C, *Short Term Rentals*. A copy of the ordinance, which has been approved as to form, is attached for your consideration.

I look forward to discussing this important legislation with this Honorable Body.

Respectfully Submitted,

Mary Parisien  
Assistant Corporation Counsel  
City of Detroit  
Municipal Law Section

CITY CLERK 2019 JAN 24 PM 1:53

## SUMMARY

AN ORDINANCE to amend Chapter 61 of the 1984 Detroit City Code, *Zoning*; by amending Article XII, *Use Regulations*, by removing a portion of the language in Section 61-12-392, *Prohibited uses and activities*, to bring this section into compliance with Chapter 9, *Buildings and Building Regulations*, Article I, *Detroit Property Maintenance Code*, Division 3, *Requirements for Rental Property*, Subdivision C, *Short Term Rentals*.

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

2 AN ORDINANCE to amend Chapter 61 of the 1984 Detroit City Code, *Zoning*; by  
3 amending Article XII, *Use Regulations*, by removing a portion of the language in Section 61-12-  
4 392, *Prohibited uses and activities*, to bring this section into compliance with Chapter 9, *Buildings*  
5 *and Building Regulations*, Article I, *Detroit Property Maintenance Code*, Division 3,  
6 *Requirements for Rental Property*, Subdivision C, *Short Term Rentals*.

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

8 Section 1. Chapter 61 of the 1984 Detroit City Code, *Zoning*; Article XII, *Use Regulations*,  
9 by amending Section 61-12-392, *Prohibited uses and activities*, to read as follows:

10 **CHAPTER 61. ZONING**

11 **ARTICLE XII. USE REGULATIONS**

12 **Sec. 61-12-392. Prohibited uses and activities.**

13 Any sale of fireworks, any firearms dealership, any materials or service characterized by  
14 an emphasis on “specified anatomical areas” or “specified sexual activities” as defined in Sec. 61-  
15 16-174 of this Code, and any type of repair or assembly of vehicles or equipment with internal  
16 combustion engines, such as automobiles, motorcycles, scooters, snowmobiles, outboard marine  
17 engines, lawn mowers, chain saws, and other small engines, are prohibited. Any other work related  
18 to automobiles and their parts, that is not conducted as a home occupation and is merely incidental  
19 and accessory to the principal use, is subject to the provisions of Sec. 61-8-27 of this Code.

20 In addition, no home occupation may use, store, handle, or manage “significant quantities”  
21 of hazardous substances as defined in Sec. 61-16-101 of this Code. For purposes of this provision,  
22 “significant quantities” shall mean amounts exceeding those commonly used for typical residential  
23 or office purposes. However, this does not include gasoline, oil, or other vehicle fluids that are  
24 contained in vehicles traversing or parked at a property for individual use or on a short-term basis.

1 Further, those land uses specified in Sec. 61-12-11 of this Code, the "Group Living" use  
2 category, being adult foster care facility, assisted living facility, convalescent, nursing, or rest  
3 home, emergency shelter, fraternity or sorority house, religious residential facility, residential  
4 substance abuse service facility, rooming house, and shelter for victims of domestic violence, and  
5 in Sec. 61-12-13 of this Code, the "Institutional Living" use category, being boarding school,  
6 dormitory, child caring institution, penal or correctional institution, detention facility, and pre-  
7 release adjustment center, may only be permitted as principal uses of the land in those zoning  
8 districts where such uses are permitted. In no instance shall such uses be considered as a home  
9 occupation accessory to a single-family dwelling, two-family dwelling, multiple-family dwelling,  
10 town house, or loft.

11 ~~Use of a dwelling to accommodate paid overnight guests is prohibited as a home occupation;~~  
12 ~~notwithstanding this regulation, public accommodations, including bed and breakfast inns outside~~  
13 ~~the R1 and R2 Districts, are permitted as provided in Sec. 61-12-46 of this Code.~~

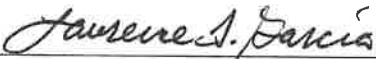


**Section 2.** This ordinance is hereby declared necessary to preserve the public peace, health, safety, and welfare of the People of the City of Detroit.

**Section 3.** All ordinances, or parts of ordinances, that conflict with this ordinance are repealed.

**Section 4.** In the event this ordinance is passed by two-thirds (2/3) majority of City Council Members serving, it shall be given immediate effect and become effective upon publication in accordance with Section 4-118 of the 2012 Detroit City Charter. Where this ordinance is passed by less than a two-thirds (2/3) majority of City Council Members serving, it shall become effective on the thirtieth (30) day after enactment, or on the first business day thereafter, in accordance with Section 4-118 of the 2012 Detroit City Charter.

**Approved as to form:**

  
\_\_\_\_\_  
Lawrence T. García  
Corporation Counsel

Alton James  
Chairperson

Vice Chair/Secretary

Marcell R. Todd, Jr.  
Director

# City of Detroit

## CITY PLANNING COMMISSION

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June 20, 2019

### HONORABLE CITY COUNCIL

**RE:** Request of Rockford Construction to amend Article XVII, District Map 4, of the 1984 Detroit City Code Chapter 61, Zoning, by modifying the provisions of the existing PD (Planned Development District) zoning classification for the property located at 3750 Woodward Avenue generally bounded by East Alexandrine Avenue, John R. Street, Mack Avenue and Woodward Avenue to establish a mixed-use development to include a hotel, retail space, condominiums, student residences, multi-family units, and on-site parking. Additionally, the request of the Roxbury Group, LLC to modify the provisions of the PD (Planned Development District) classification at 3800 Woodward Avenue to allow for the existing tower with an 'establishment that serves alcohol for consumption on the premises.' Each of these requests proposes to allow those uses that are generally permitted in the B5 Major Business District (**RECOMMEND APPROVAL**).

### RECOMMENDATION

The City Planning Commission voted to recommend approval of this request, requiring the repeal of Ordinance #2914 which authorized development activities for these properties that were not and will not be realized at this time. The recommendation also includes the following conditions:

1. The developer must work with the immediately adjacent community to minimize disruption to the neighborhood during construction and address impacts that may arise;
2. All changes in the development that do not change the overall character or increase the height or massing of buildings within the development are subject to approval by the City Planning Commission staff;
3. The permissible uses for the development must be limited to those uses currently permissible for the B5 (Major Business District) zoning classification, with the exception the following specific uses:
  - Mortuary or funeral home, including those containing a crematory
  - Firearms dealership
  - Firearms target practice range, indoor
  - Motor vehicle filling station
  - Motor vehicle services, minor
  - Parking structure not having ground floor commercial space or other space oriented to pedestrian traffic

- Heliports
  - Medical marihuana provisioning center facility
  - Medical marihuana safety compliance facility
  - Medical marihuana safety transporter facility
4. All final site plans, elevations, lighting, landscape and signage plans for the development are subject to review and approval by the City Planning Commission staff prior to the developer's application for applicable building or construction permits.

### **NATURE OF REQUEST**

Before this Honorable Body are two separate requests for PD modifications on the land generally bounded by Alexandrine Avenue, John R. Street, Mack Avenue and Woodward Avenue.

Although these two requests are adjacent to one another, they are separate and distinct, having no common ownership interests or relation, according to documentation that has been submitted to CPC. However, since both requests were received generally at the same time and physically abut one another, CPC has packaged the requests together.

The specific requests and proposed developments are as follows:

1. **3750 Woodward, The Mid-** Rockford Construction's request for a \$310 million mixed-use development to include retail pavilions, a hotel, condominiums, student residences, and a multi-family residence tower. Also included is a parking structure with above and below grade-level parking and additional off-street surface parking. Also to permit those uses that are generally permitted in the B5 Major Business District.



3750 Woodward proposed site for "The Mid."

2. **3800 Woodward, The Professional Plaza Tower ‘Hammer and Nail Building’**- The Roxbury Group’s request to reestablish the existing development and allow for the sale of beer or intoxicating liquor for consumption on the premises, and also to permit those uses that are generally permitted in the B5 Major Business District.



## **BACKGROUND**

### ***Overall Site Zoning history***

The two requests that are now before Your Honorable Body for consideration, lie on an approximately 9.2 acre portion of land that was rezoned to the PD (Planned Development district) zoning classification in October 1998 by <sup>1</sup>ordinance 37-98. The PD classification at the time was established to implement the Medical Center Rehabilitation Project No. 1 Urban Renewal Area plan. The PD zoning district replaced the B4 (General Business district) which accounted for the land within the boundaries mentioned.

Subsequent to the entire parcel being rezoned to Planned Development (PD), there have been projects proposed for the site that did not come to fruition. In 1998 there was a project approved by Council for an additional tower to be placed adjacent to the Professional Plaza to include a hotel, a retail mall, and office space.

Another project was approved for the 3750 Woodward site, which was never realized. It included a four-story medical office building that would’ve housed the Wayne State University Physician Group, the Detroit Medical Center surgery offices, etc. That project also anticipated the closure and demolition of the Carpenter Plaza development now known as the Professional Tower Plaza.

Projects that did in fact come into being after approval by City Council at the southern end of the

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<sup>1</sup> Subsequent to the original Ordinance, 804-G.

site include the Ellington Lofts with an accompanying six (6) story parking garage (including 954 parking spaces). Subsequently, the Whole Foods market was developed to the east of the lofts completing the redevelopment of the southern third of the PD superblock.

The Professional Plaza Tower, the <sup>2</sup> “Hammer and Nail Building’ as many know it, is a twelve (12) story International Style structure, designed by Gerald Crane and Norbert Gorwic and erected in 1964-1966. The building was originally planned to be one of several towers, but in the end, was the only building completed from the plan.

### **PROJECT PROPOSAL -3750 Woodward (The Mid)**

The project that is being proposed at 3750 Woodward is a \$310 million large scale mixed-use development in the heart of Midtown. The plans call for the approximately 3.78 acre L-shaped site to include 60 Luxury Condominiums, 313 Multifamily Apartments and 520 beds (within 154 student units) for student residences. Of the multi-family apartment units, 54 are planned as efficiency units of approximately 515 sq. ft. each; 172 are 1-bedroom units of approximately 671 sq. ft. each; and 87 are 2-bedroom units of approximately 1,190 sq. ft. each.

A breakdown of the proposal components is found below:

**Retail Anchor-** 50,581 sf total, 23,747 sf 1st floor, 26,834 sf 2nd floor

**Retail Grocer-** 29,640 sf

**Retail Pavilion (West)** - One (1) story (3,870 sf.)

**Retail Pavilion (East)** - 1 story (4,256 sf )

**Student Residence-** twelve (12) stories (228,526 sf)

**Multi-Family Residence-** 35 stories (325,474 sf)

**Hotel-** (209,485 sf,) and Luxury Condominiums (100,381 sf) which together comprise 24 stories of the development.

**Underground Parking-** One (1) story below grade (139,420 sf) and Above Ground Parking-five (5) stories above grade (172,723 sf) total

The total gross square footage of all structures is estimated to be 1,124,936 sf (excluding underground the parking)

The project plans to include affordable units according to the department of Housing and Urban Development standards. Of the total number of multiple family dwelling units, 62 units would be affordable, which is 20% of the total unit number.

In addition to the housing component of the development, the plan is to create outdoor plazas, a hotel, and multiple retail spaces that include one that will accommodate a large scale big box retailer, large scale grocer and also small boutique retailers.

To support all of the components of the development, the plan proposes 743 parking spaces, with the large majority of 728 spaces being structured parking (5 structured stories above grade and one (1) level of structured parking would be below-grade. The remaining 15 spaces would be

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<sup>2</sup> Known as the Hammer and Nail building because of two signs that once adorned the façade that depict a hammer and nail. The signs were a trademark of the Carpenters Union that once had offices on the top floors of the Plaza. The Roxbury Group has restored one of the signs and reintroduced it into the building lobby, after it was removed in 2016.



surface lot parking housed outside of the structure. A traffic study has been conducted to assess the impact of the development on the surrounding area (see attached).

The developer would like to begin the project as soon as possible, and complete construction by 2021. The developer anticipates that this project would spur approximately 1300 to 1500 temporary jobs and 400+ permanent jobs and is seeking a number of subsidies including the Neighborhood Enterprise Zone, Brownfield Tax Increment Financing, Brownfield Michigan Business Tax Credit, Commercial Property Tax Abatement, and Michigan Economic Development Corporation DRP Loan.

### **3800 Woodward (The Professional Plaza Tower/Hammer and Nail Building)**

The Roxbury group has in recent years purchased the Professional Plaza Tower and rehabilitated it into 72 apartment units with the project estimated to have a cost \$20 million. The primary request for the 3800 Woodward Professional Plaza, is to allow for the building to have an “upscale cocktail bar, offering a carefully curated menu of classic and original cocktails, as well as a selection of beer, wine and small plates. This venue would provide seating for approximately 65 guests in a midcentury modern atmosphere.” Such a venue would be considered an ‘establishment that serves alcohol for consumption on the premises’ per the Zoning Ordinance. Additionally, the developer is also requesting that the uses allowed in the B5 Major Business District also be allowed for the subject property. This is being requested to allow for flexibility in operations and future programming of the building.

## **PLANNING CONSIDERATIONS AND ANALYSIS**

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

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

**North:** PD; Bicentennial Tower senior apartments

**South:** PD; The Ellington Lofts parking deck; Whole Foods market

**East:** PD; McLaughlin Hall Medical Center

**West:** PD; Music Orchestra Hall/ Max M. & Marjorie Music Center and the Detroit School of Arts (high school)

## **ANALYSIS**

### **3800 Woodward**

The proposal of the 3800 Woodward developer is one that is consistent with the surrounding Midtown area. In 2016, the City Council approved an ordinance that rezoned a large portion of Midtown to the SD1-SD2 zoning classifications. In these districts, ‘establishments that serve alcohol for consumption on the premises’ are permitted without a spacing requirement in order to attract increased pedestrian traffic to the area.

This proposal seems appropriate given that much of the Midtown neighborhood currently allows this use with more liberal standards than other districts. The additional B5 uses would also allow the property to address changing factors in demand for commercial space etc.

### **3750 Woodward**

The 3750 Woodward development is planned to be one of the largest new developments that Midtown has seen in years. The project as planned will create places and public spaces that will

not only serve the tenants of the development, but also the general public.<sup>3</sup>The luxury boutique hotel being proposed by the developer is much needed according to industry leaders. According to the Detroit Free Press, “

Today, hotel occupancy and nightly rates in downtown are at near- record highs and greater downtown is in the middle of a building boom of small and midsize boutique hotels.” The hotel serving as an anchor for the entire development is seemingly appropriate for the needs of the area as there are not enough hotel rooms online to fill current and projected demand in the city.

In addition, the project plans to create a range of housing options, from the student style housing to luxury condominiums, creating options for various households. With what currently exist as dead space in a prime Woodward Avenue block, this project seeks to reinvigorate with over 100,000 square feet of retail that would transform this portion of Midtown. The developer also seeking to attract a grocer to the neighborhood which staff has encountered as a top request from residents in the area during public meetings.

#### **PD Criteria 61-11-15**

The zoning ordinance, provides that for a planned development to be approved it should meet the following criteria found in Sec. 61-11-15. PD District design criteria.

*(a) Master Plan. The proposed development should reflect applicable policies stated in the Detroit Master Plan. The policies relating to the geographic area in question as well as general policies will be considered. This zoning ordinance requires that the proposed major land use be consistent with the adopted Master Plan in all PD developments.*

Both petition requests align with the Master Plan of Policies as the Mixed Residential Commercial designation calls for development that “consists predominantly of medium-to-high density housing developed compatibly with commercial and/or institutional uses. This classification is well suited to areas proximal to existing centers of major commercial activity, major thoroughfares, transportation nodes, or gateways into the city.” Woodward Avenue is encouraged to be a major host for activity so this proposal accomplishes that goal.

*(b) Scale, form, massing, and density. Scale, form, massing and density should be appropriate to the nature of the project and relate well to surrounding development.*

This development would erect buildings with heights that exceed those in the nearby surrounding area with two of its buildings reaching 366 ft. and 383 ft., however, the scale form, massing and density can be deemed appropriate. The architect for the project has been thoughtful in designing the buildings in the site so that there are cues in the massing and materiality that honor the surrounding building scales. For instance, at the max height of the Professional Plaza Tower, the buildings that are nearest the plaza tower, express a change in massing at the same level of the plaza tower’s pinnacle. The massing and materials change as they exceed above the height of the plaza to show contrast. If no other place in the City, Woodward, in the greater downtown area is appropriate for this type of density to create a bustling center that will impact the entire area.

*(c) Compatibility. The proposed development should be compatible with surrounding*

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<sup>3</sup> Detroit Free Press article <https://www.freep.com/story/money/business/2019/04/04/detroit-hotels/3342429002/>

*development in terms of land use, general appearance and function, and should not adversely affect the value of properties in the immediate vicinity.*

The proposed development is deemed appropriate in staff's estimation as it will spur opportunities for the surrounding area and bring more vibrancy to this corridor. The project pays homage to the surrounding buildings. It also serves as a connector, from Woodward to John R. The architectural team's intent was to be a connector of the major institutions and to bridge the gap with a place that would serve as a central area for all to congregate. Staff believes this goal has been achieved. There is a strong argument that this development will raise the values of surrounding properties.

*(d) Circulation. Vehicular and pedestrian circulation facilities should be adequately designed to meet expected demands. Disruption of traffic flow in surrounding areas should be minimized, and truck traffic should be carefully planned and controlled, especially to avoid use of residential streets.*

A traffic study was done by ROWE Professional Services Co. to examine the circulation and traffic flow of the site and the following are the summary of findings of that study:

ROWE has conducted a traffic impact assessment related to the proposed 3750 Woodward Avenue mixed-use development to be located between M-1 (Woodward Avenue) and John R Street, north of Mack Avenue, in the City of Detroit, Wayne County. The current site plan (included in the materials attached to this report) indicates a total of 373 multi-family residential units (both rental apartments and luxury condominiums), 520 total beds within 154 student apartments, a 225-room hotel, a 29,640-square-foot grocery store, and 31,873 total square feet of general retail space. This traffic impact assessment has been completed in accordance with the requirements specified by the City of Detroit and the Michigan Department of Transportation (MDOT).

To summarize, the findings show that the development would generate 419 new trips at peak morning hours and 550 at peak evening hours. To adjust for this, there are recommendations for traffic signal timing changes, a right turn lane to minimize traffic disruption and interference with the Q-line.

*(e) Parking and loading. Where appropriate, adequate vehicular off-street parking and loading should be provided. The City Planning Commission will be guided by standards delineated in this zoning ordinance with adjustments appropriate to each specific situation.*

Parking and loading is appropriate as proposed at this site as parking will be self contained. The parking will also be hidden from the street view by being located within and masked by the buildings themselves. The multi-level structured above and below grade parking is ideal for a project such as this, because it is hidden from street view largely, and therefore does not create a dead space and also does not interrupt with existing conditions. A loading diagram has been submitted and is appropriate for the site, also keeping from interference with current traffic patterns on Woodward and John R.

In general, the 3800 and 3750 Woodward sites, meet the intent and requirements of Sec. 61-11-15 PD District design criteria.



## **PUBLIC HEARING RESULTS COMMUNITY ENGAGEMENT**

During the public hearing, two (2) people spoke in regard to the proposed development(s). One person representing Midtown Detroit Inc. spoke in favor of both projects. A second person representing the nearby hospital spoke in favor of the 3750 Woodward project, but also had concerns about traffic impacts to the nearby hospital. This will be addressed in staff's analysis. Additionally, this project has completed the City's Community Benefits Process which garnered more community input. Lastly, Midtown Detroit Inc. has submitted a letter of support for this project.

### **3750 Woodward**

The petitioner for the 3750 Woodward project has provided the following entities as stakeholders that were included in community outreach efforts:

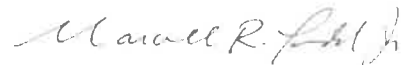
The Detroit Medical Center, Detroit Symphony Orchestra, Henry Ford Health Systems, Wayne State University, Bicentennial Towers Tenant Association, Whole Foods, Plaza Midtown.

The owner of the 3800 Woodward Professional Plaza Tower has been supported by Midtown Detroit Inc. for their request.

### **3800 Woodward**

The developer has been working with Midtown Detroit Inc. with regard to the Professional Plaza Tower proposal,

Respectfully submitted,



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

#### **Attachment:**

- Ordinance
- Plans
- Map
- Support Letter

Cc: Maurice Cox, Director, P&DD  
Karen Gage, P&DD  
Esther Yang, P&DD  
Greg Moots, P&DD  
David Bell, Director, BSEED  
Lawrence Garcia, Corp. Counsel  
Arthur Jemison, Chief of Services and Infrastructure



August 22, 2018

Brian Vosburg, AICP  
Brownfield Redevelopment Manager  
Detroit Economic Growth Corporation  
500 Griswold, Suite 2200  
Detroit, MI 48226

**RE: 3750 Woodward Avenue LLC Brownfield Redevelopment Plan**

Dear Mr. Vosburg,

On behalf of the Midtown Detroit, Inc. (MDI), I would like to express our support for the redevelopment of 3750 Woodward Avenue. MDI recognizes that this project is eligible for brownfield redevelopment tax credits. These 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 development site is in a great, centralized location within the Midtown District. This proposed \$175 million mixed-use project aims to further develop Midtown by bringing a 225-room boutique hotel; 60 luxury condos; 200 apartment units; 500 beds of student housing; 100,000 square feet of retail; and a 750-space parking deck.

New for-sale, rental housing, and student housing options will support the growing residential demand of a neighborhood facing 98% occupancy. The hotel and retail components will create new economic opportunities for all. The various elements of this project will contribute to the revitalization taking place in the area.

3750 Woodward is currently an underutilized property with the potential to become a thriving part of the neighborhood. MDI is encouraged by the proposed development of 3750 Woodward Avenue and believe it will have a meaningful impact on the surrounding neighborhood. MDI offers its full support of this project. If you have any questions, please feel free to contact me at 313.420.6000.

Sincerely,



Susan T. Mosey  
Executive Director

## **SUMMARY**

An ordinance to amend Chapter 61 of the 1984 Detroit City Code, '*Zoning*,' commonly known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No. 4 to modify an existing PD (Planned Development District) zoning classification, established by Ordinance No. 29-14 and amended by Ordinance No. 37-98, on land generally bounded by East Alexandrine Avenue to the north, John R. Street to the east, Mack Avenue to the south, and Woodward Avenue to the west to allow for the construction of a mixed-use development and an establishment that serves alcohol for consumption on the premises, as well as for those uses that are generally permitted in the B5 (Major Business District) zoning classification.

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

2 **AN ORDINANCE** to amend Chapter 61 of the 1984 Detroit City Code, 'Zoning,' commonly  
3 known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No. 4 to modify  
4 an existing PD (Planned Development District) zoning classification, established by Ordinance  
5 No. 29-14 and amended by Ordinance No. 37-98, on land generally bounded by East Alexandrine  
6 Avenue to the north, John R. Street to the east, Mack Avenue to the south, and Woodward Avenue  
7 to the west to allow for the construction of a mixed-use development and an establishment that  
8 serves alcohol for consumption on the premises, as well as for those uses that are generally  
9 permitted in the B5 (Major Business District) zoning classification.

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

11 **Section 1.** Article XVII of Chapter 61 of the 1984 Detroit City Code is amended as  
12 follows:

13 (A) District Map No. 4 is amended to modify the existing PD (Planned Development  
14 District) zoning classification currently shown on:

15 **PARCEL 1**

16 Part of Lots 1, 2 and 3, and part of the South 1/2 of vacated Martin Place, all of "Medical  
17 Center Urban Renewal Plat No. 1", part of Park Lots 20 to 24 and 26 and P.C.'s, 1, 2 and  
18 5, City of Detroit, Wayne County, Michigan, as recorded in Liber 88 of Plats, Page 74,  
19 Wayne County Records, as amended by Surveyor's Affidavit, recorded in Liber 15931,  
20 Page 224, Wayne County Records, more particularly described as:

21 Beginning at the Northwest corner of said Lot 1, thence along the Northerly line of said  
22 Lot 1, North 60 degrees 09 minutes 30 seconds East, 159.50 feet; thence North 26 degrees  
23 27 minutes 00 seconds West, 37.90 feet; thence North 60 degrees 09 minutes 30 seconds

1 East, 100.00 feet; thence North 63 degrees 33 minutes 00 seconds East, 8.01 feet; thence  
2 South 26 degrees 24 minutes 40 seconds East, 158.48 feet; thence South 18 degrees 35  
3 minutes 20 seconds West, 28.28 feet; thence South 63 degrees 35 minutes 20 seconds West,  
4 137.00 feet; thence South 26 degrees 24 minutes 40 seconds East, 8.99 feet; thence South  
5 63 degrees 35 minutes 20 seconds West, 110.02 feet, to the Easterly line of Woodward  
6 Avenue, 120 foot wide, thence, along the said Easterly line of Woodward Avenue, North  
7 26 degrees 24 minutes 30 seconds West, 134.03 feet, to the point of beginning.

8 **PARCEL 2**

9 PART OF LOTS 2 AND 3, AND PART OF THE SOUTH 1/2 OF VACATED MARTIN  
10 PLACE, ALL OF MEDICAL CENTER URBAN RENEWAL PLAT NO. 1, PART OF  
11 PARK LOTS 20, 21, 22, 23, 24 AND 26 AND PRIVATE CLAIMS 1, 2 AND 5, CITY OF  
12 DETROIT, WAYNE COUNTY, MICHIGAN, AS RECORDED IN LIBER 88 OF  
13 PLATS, PAGE 74, WAYNE COUNTY RECORDS, AS AMENDED BY SURVEYOR'S  
14 AFFIDAVIT RECORDED IN LIBER 15931, PAGE 224, WAYNE COUNTY  
15 RECORDS, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE  
16 NORTHWEST CORNER OF LOT 1 OF SAID MEDICAL CENTER URBAN  
17 RENEWAL PLAT NO. 1: THENCE ALONG THE NORTHERLY LINE OF SAID LOT  
18 1, NORTH 59 DEGREES 16 MINUTES 11 SECONDS EAST (RECORDED AS NORTH  
19 60 DEGREES 09 MINUTES 30 SECONDS EAST), 159.50 FEET; THENCE NORTH 27  
20 DEGREES 20 MINUTES 19 SECONDS WEST (RECORDED AS NORTH 26  
21 DEGREES 27 MINUTES 00 SECONDS WEST), 37.90 FEET; THENCE NORTH 59  
22 DEGREES 16 MINUTES 11 SECONDS EAST (RECORDED AS NORTH 60 DEGREES  
23 09 MINUTES 30 SECONDS EAST), 100.00 FEET; THENCE NORTH 62 DEGREES 39

1 MINUTES 41 SECONDS EAST (RECORDED AS NORTH 63 DEGREES 33 MINUTES  
2 00 SECONDS EAST), 8.01 FEET TO THE POINT OF BEGINNING; THENCE NORTH  
3 62 DEGREES 39 MINUTES 41 SECONDS EAST (RECORDED AS NORTH 63  
4 DEGREES 33 MINUTES 00 SECONDS), 225.17 FEET; THENCE SOUTH 27  
5 DEGREES 20 MINUTES 19 SECONDS EAST (RECORDED AS SOUTH 26 DEGREES  
6 27 MINUTES 00 SECONDS EAST), 20.00 FEET; THENCE NORTH 62 DEGREES 39  
7 MINUTES 41 SECONDS EAST (RECORDED AS NORTH 63 DEGREES 33 MINUTES  
8 00 SECONDS EAST), 32.85 FEET TO THE WESTERLY LINE OF JOHN R STREET,  
9 84 FOOT WIDE; THENCE ALONG THE SAID WESTERLY LINE OF JOHN R  
10 STREET, SOUTH 27 DEGREES 14 MINUTES 49 SECONDS EAST (RECORDED AS  
11 SOUTH 26 DEGREES 21 MINUTES 30 SECONDS EAST), 387.64 FEET; THENCE  
12 SOUTH 62 DEGREES 42 MINUTES 11 SECONDS WEST (RECORDED AS SOUTH  
13 63 DEGREES 35 MINUTES 20 SECONDS WEST), 524.70 FEET TO THE EASTERLY  
14 LINE OF WOODWARD AVENUE, 120 FEET WIDE; THENCE ALONG THE SAID  
15 EASTERLY LINE OF WOODWARD AVENUE, NORTH 27 DEGREES 17 MINUTES  
16 49 SECONDS WEST (RECORDED AS NORTH 26 DEGREES 24 MINUTES 30  
17 SECONDS WEST), 219.97 FEET; THENCE NORTH 62 DEGREES 42 MINUTES 01  
18 SECONDS EAST (RECORDED AS NORTH 63 DEGREES 35 MINUTES 20 SECONDS  
19 EAST), 110.02 FEET; THENCE NORTH 27 DEGREES 17 MINUTES 59 SECONDS  
20 WEST (RECORDED AS NORTH 26 DEGREES 24 MINUTES 40 SECONDS WEST),  
21 8.99 FEET; THENCE NORTH 62 DEGREES 42 MINUTES 01 SECONDS EAST  
22 (RECORDED AS NORTH 63 DEGREES 35 MINUTES 20 SECONDS EAST), 137.00  
23 FEET; THENCE NORTH 17 DEGREES 42 MINUTES 01 SECONDS EAST

1 (RECORDED AS NORTH 18 DEGREES 35 MINUTES 20 SECONDS EAST), 28.28  
2 FEET; THENCE NORTH 27 DEGREES 17 MINUTES 59 SECONDS WEST  
3 (RECORDED AS NORTH 26 DEGREES 24 MINUTES 40 SECONDS WEST), 158.48  
4 FEET TO THE POINT OF BEGINNING.

5 to repeal approval of the site plans, elevations, and other components of any development proposal  
6 described in Ordinance No. 29-14 or Ordinance No. 37-98 for the property described herein and  
7 to approve the site plans, elevations, and other components of the development proposals for The  
8 Mid 3750 Woodward Avenue project, as depicted in the drawings prepared by Inform Studio,  
9 dated March 2019, as well as for The Hammer and Nail Building; The Plaza project, as prepared  
10 by Badrack Design Group, Inc. and Architects Chester Stempien Associates AIA, dated December  
11 1, 2017.

12 (B) All site plans, elevations, and other components of the development proposals  
13 identified in Subsection (A) of this Section are subject to the following conditions:

- 14 (1) The developer must work with the immediately adjacent community to minimize  
15 disruption to the neighborhood during construction and address impacts that may  
16 arise;
- 17 (2) All changes in the development that do not change the overall character or increase  
18 the height or massing of buildings within the development are subject to approval  
19 by the City Planning Commission staff;
- 20 (3) The permissible uses for the development must be limited to those uses currently  
21 permissible for the B5 (Major Business District) zoning classification, with the  
22 exception the following specific uses:
- 23 (a) Mortuary or funeral home, including those containing a crematory



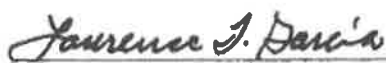
- 1 (b) Firearms dealership
- 2 (c) Firearms target practice range, indoor
- 3 (d) Motor vehicle filling station
- 4 (e) Motor vehicle services, minor
- 5 (f) Parking structure not having ground floor commercial space or other space
- 6 oriented to pedestrian traffic
- 7 (g) Heliports
- 8 (h) Medical marihuana provisioning center facility
- 9 (i) Medical marihuana safety compliance facility
- 10 (j) Medical marihuana safety transporter facility
- 11 (4) All final site plans, elevations, lighting, landscape and signage plans for the
- 12 development are subject to review and approval by the City Planning Commission
- 13 staff prior to the developer's application for applicable building or construction
- 14 permits.

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

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

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

Approved as to Form:



Lawrence T. García,  
Corporation Counsel

**THE MID**  
3750 WOODWARD AVENUE  
MARCH 2014



Design for activation



Introduce multi-seasonal public space



Enrich existing neighborhoods



Strengthen Midtown retail environment



Link urban ecosystems





# Key Districts + Anchors



Wayne State University



College of Creative Studies

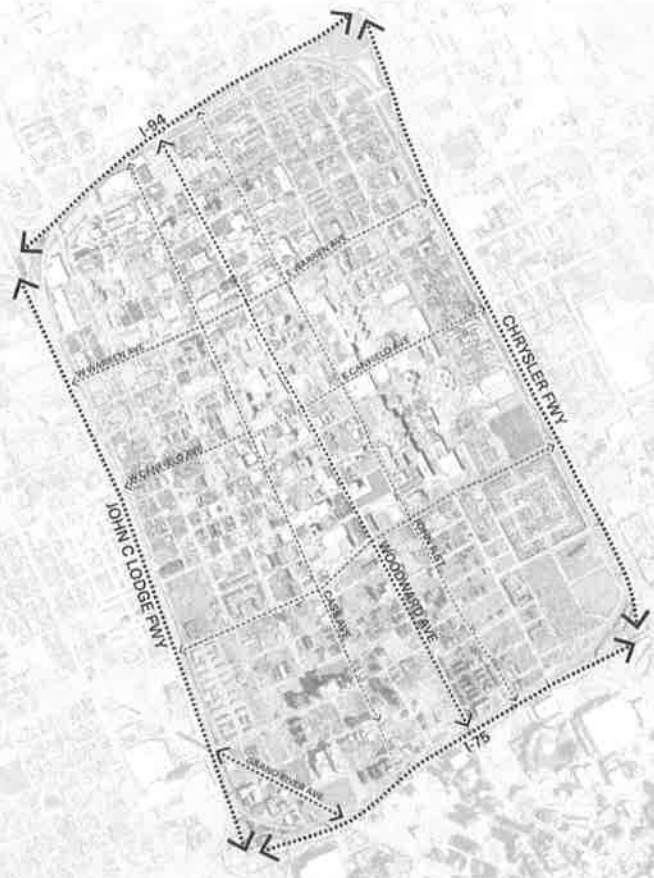


Detroit Institute of Arts



Detroit Medical Center / Karmanos / Veterans

**Traffic**

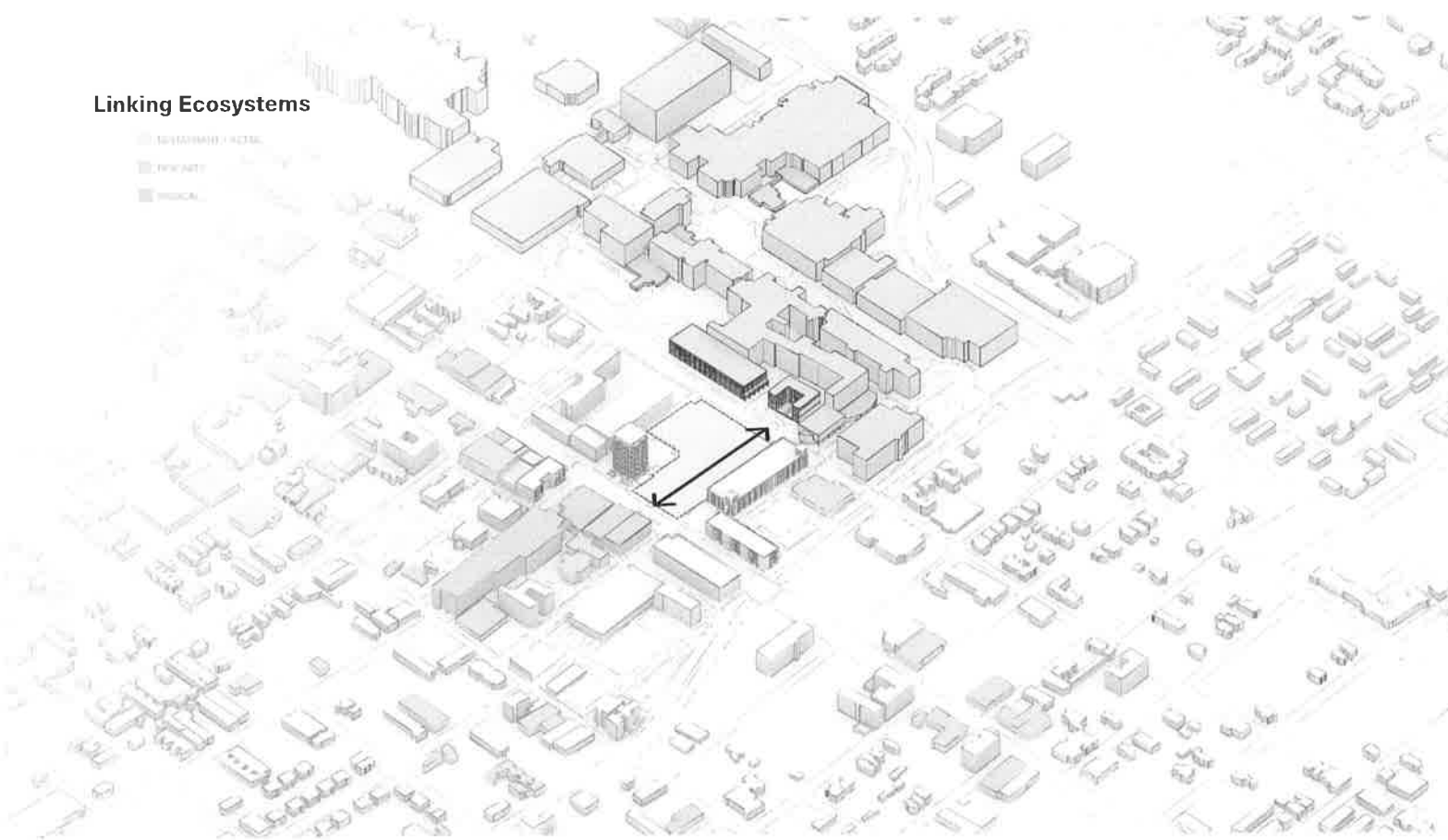


**City Transportation Routes**



### Linking Ecosystems

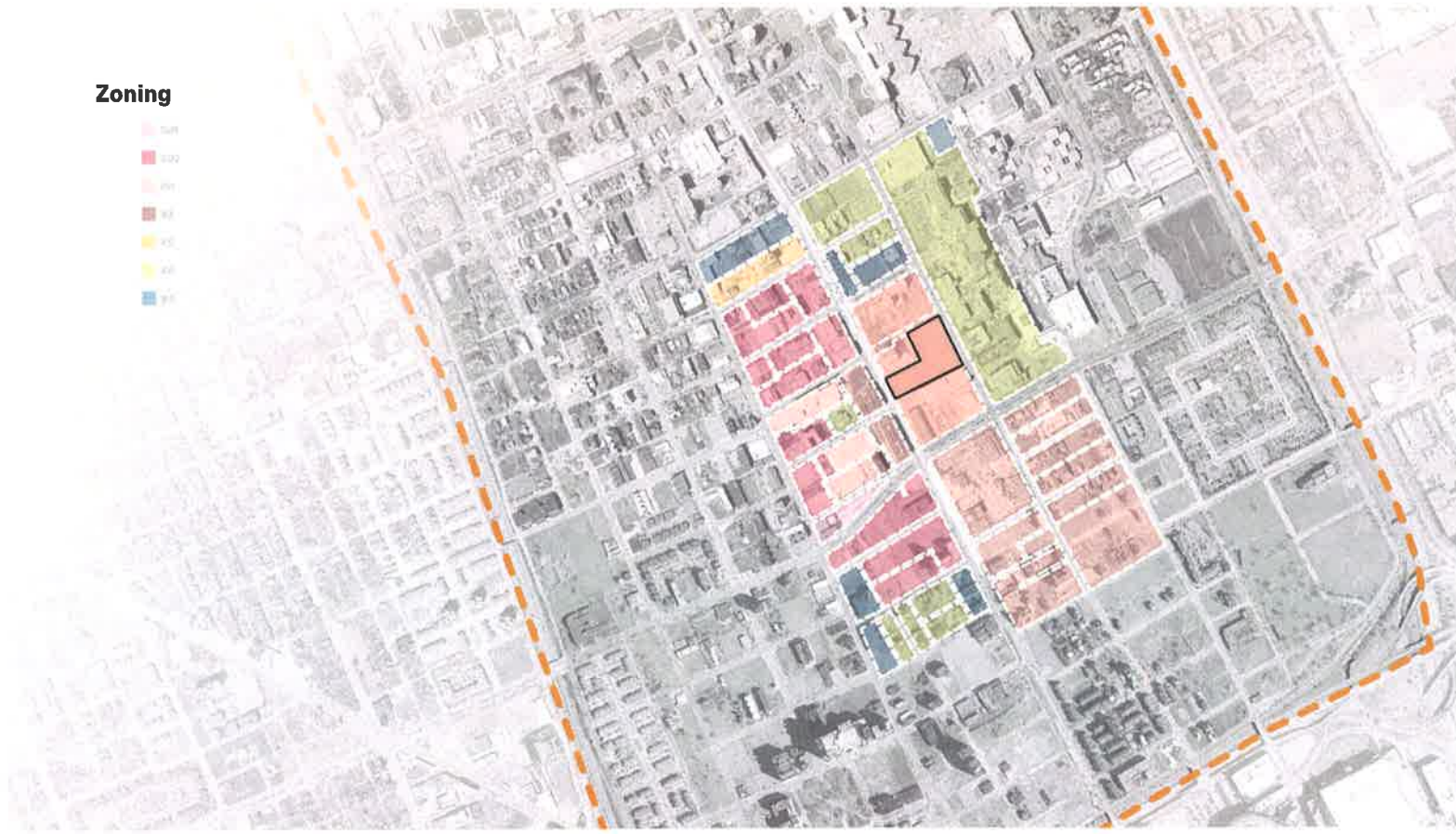
- BROADWAY / 103RD
- MARKET
- PARK





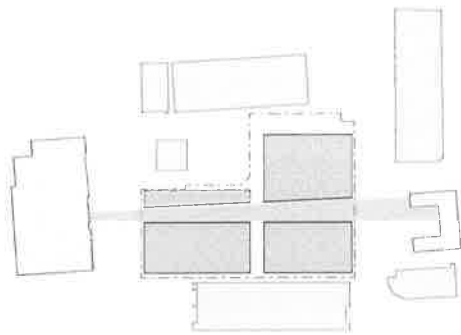
**Zoning**

- SDR
- R20
- R10
- R5
- R35
- R20
- R10

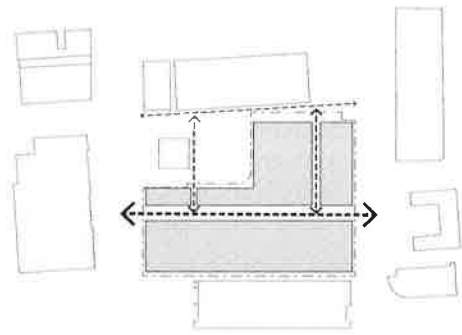




## Site Strategy Diagrams

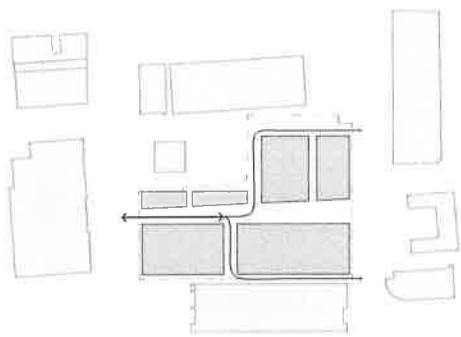


Circulation Linkage

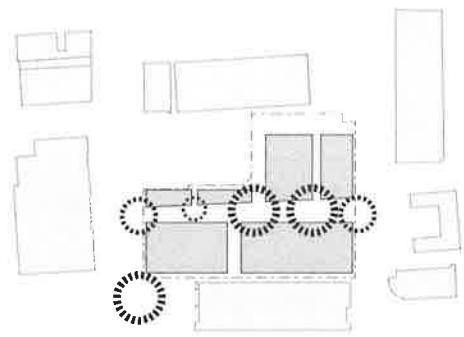


Pod, Street Activation

## Site Strategy Diagrams

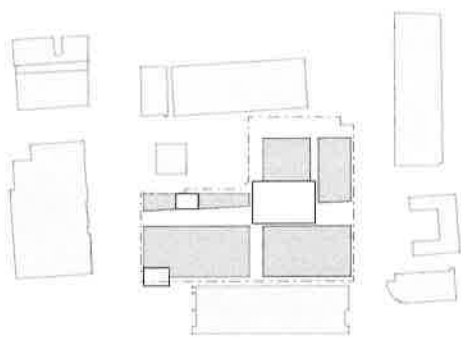


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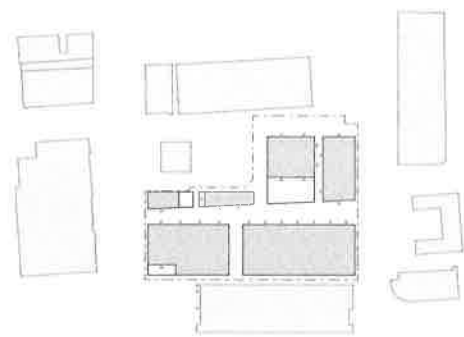


Gießhosen Rindis

## Site Strategy Diagrams

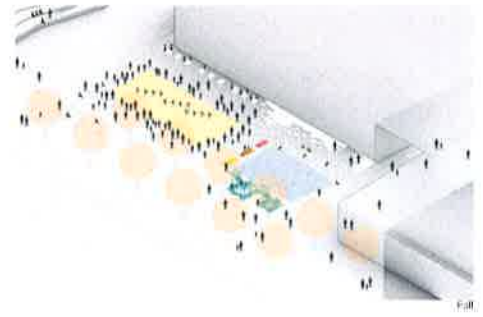
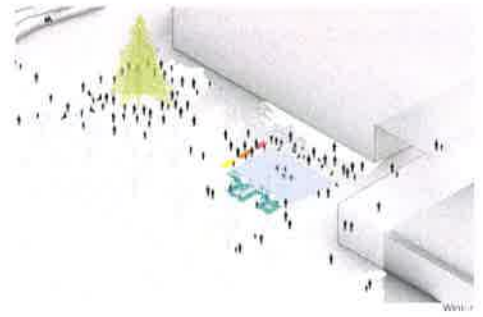
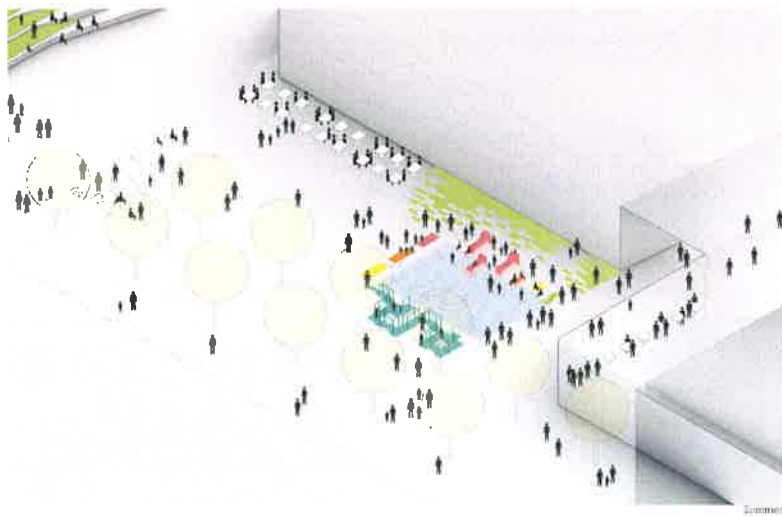


Public Plaza

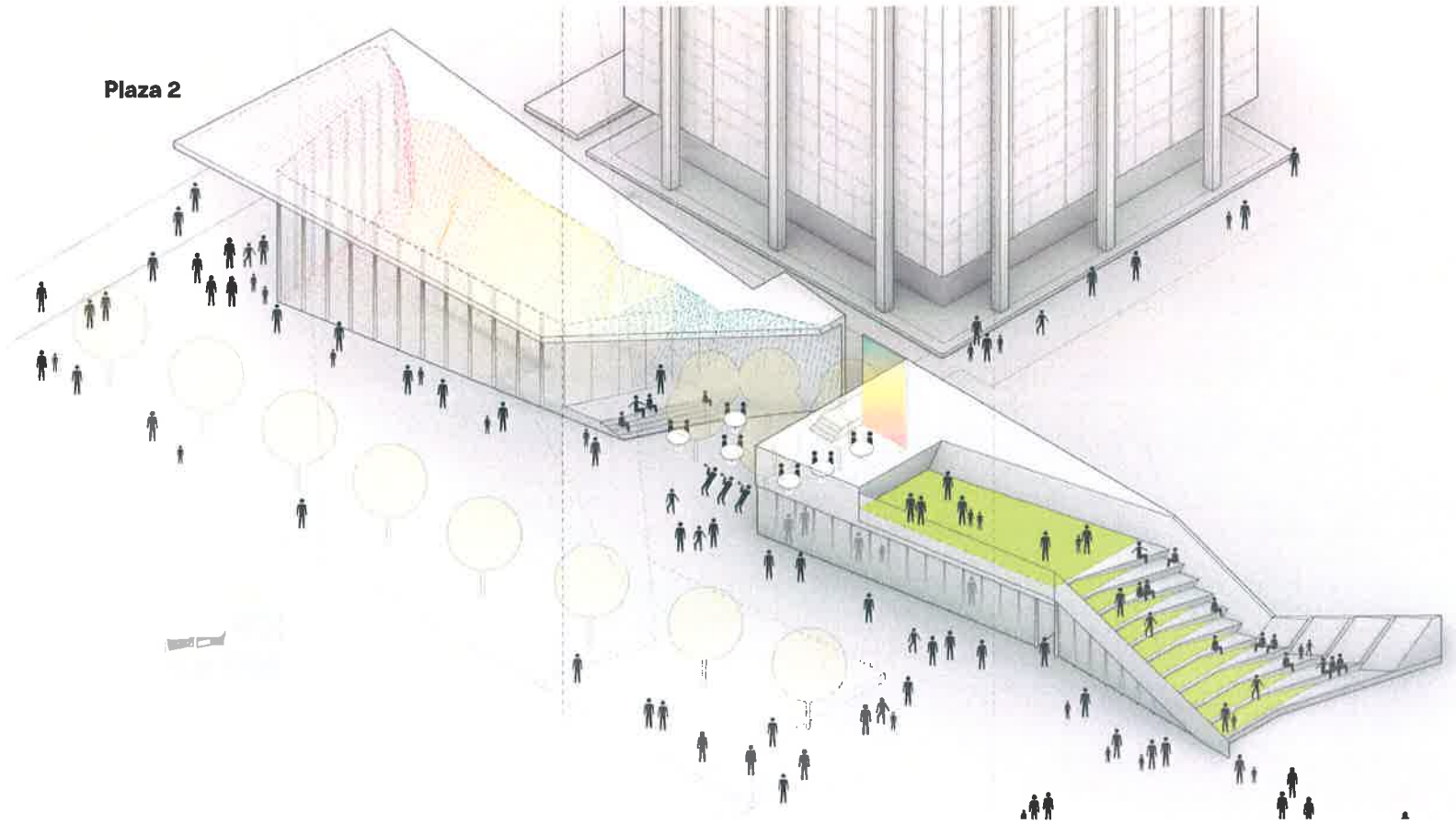


COMV Activation

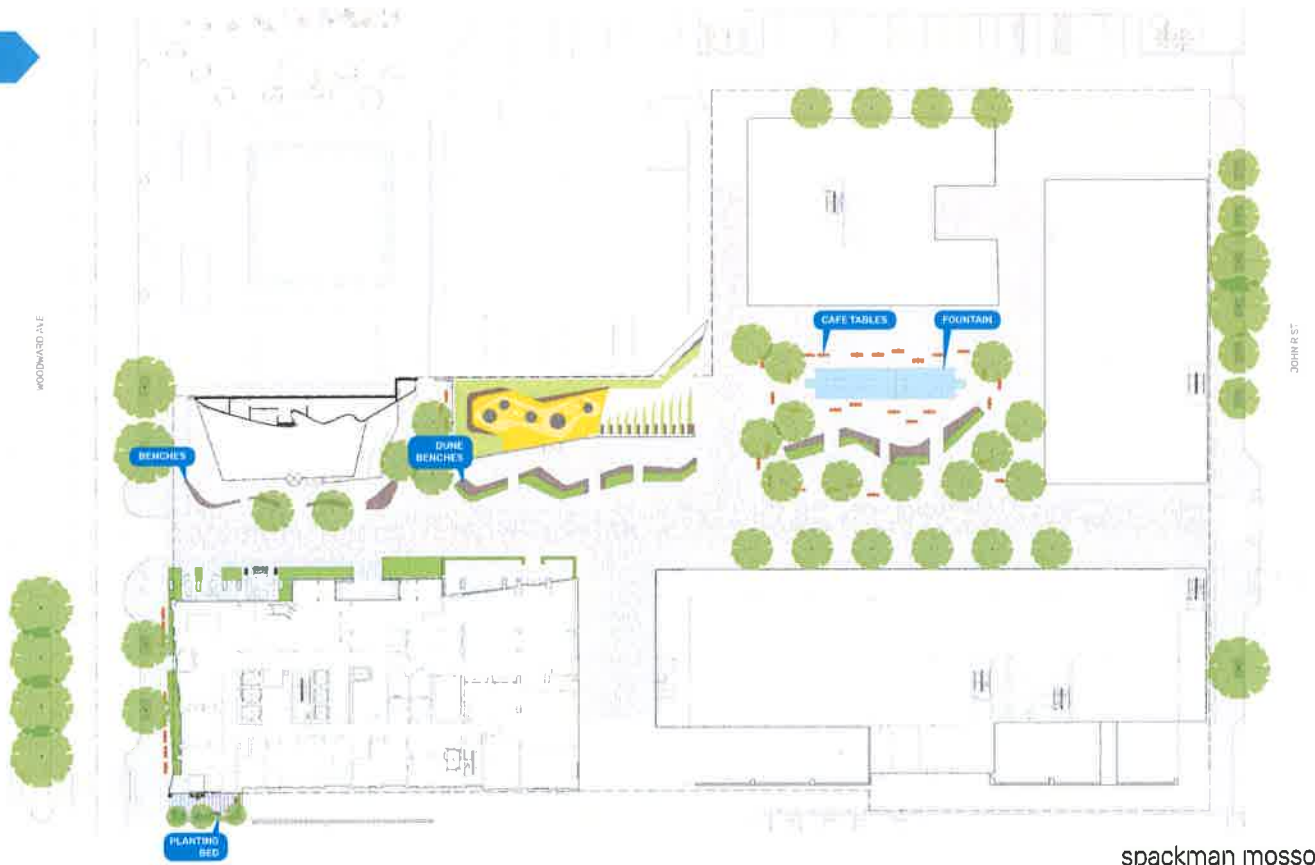
**Plaza 1**



**Plaza 2**

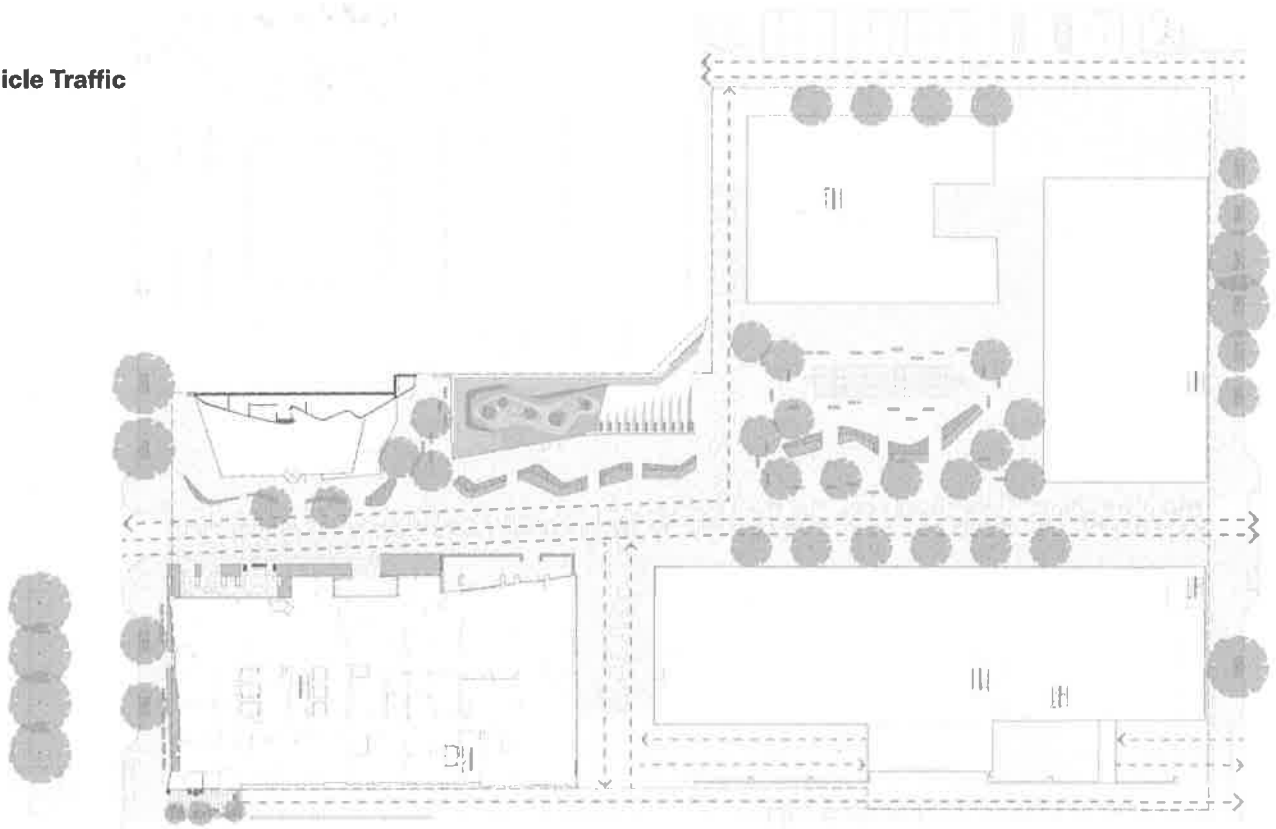


site plan



spackman mossop michaels

**Vehicle Traffic**



## Building Program

- HOTEL / CONDOMINIUMS
- CO-LIVING HOUSING
- MULTI-FAMILY HOUSING
- PARKING
- PLAZA
- PUBLIC PLAZA

- Luxury Boutique Hotel**
- 209,485 SF Total
  - 21,456 SF Footprint
  - 17 Levels
  - 228 keys

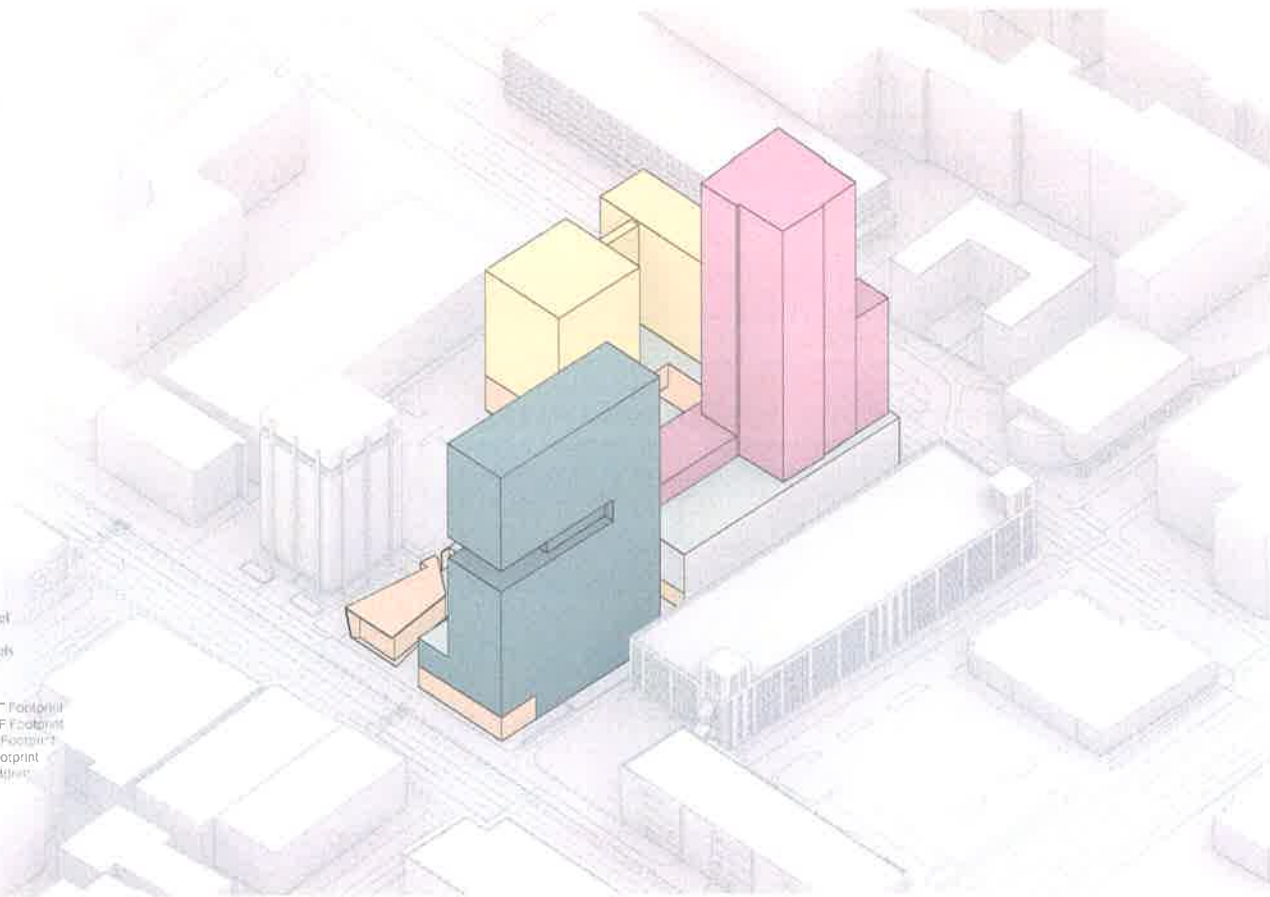
- Luxury Condominiums**
- 100,381 SF Total
  - 10 levels

- Co-Living Housing**
- 228,526 SF Total
  - 500 - 550 beds

- Multi-Family Housing**
- 325,474 SF Total
  - 30 levels
  - 200 units
  - 270 beds

- Parking**
- 764 spaces
  - 324 spaces one level below ground
  - 440 spaces & 5 levels below ground

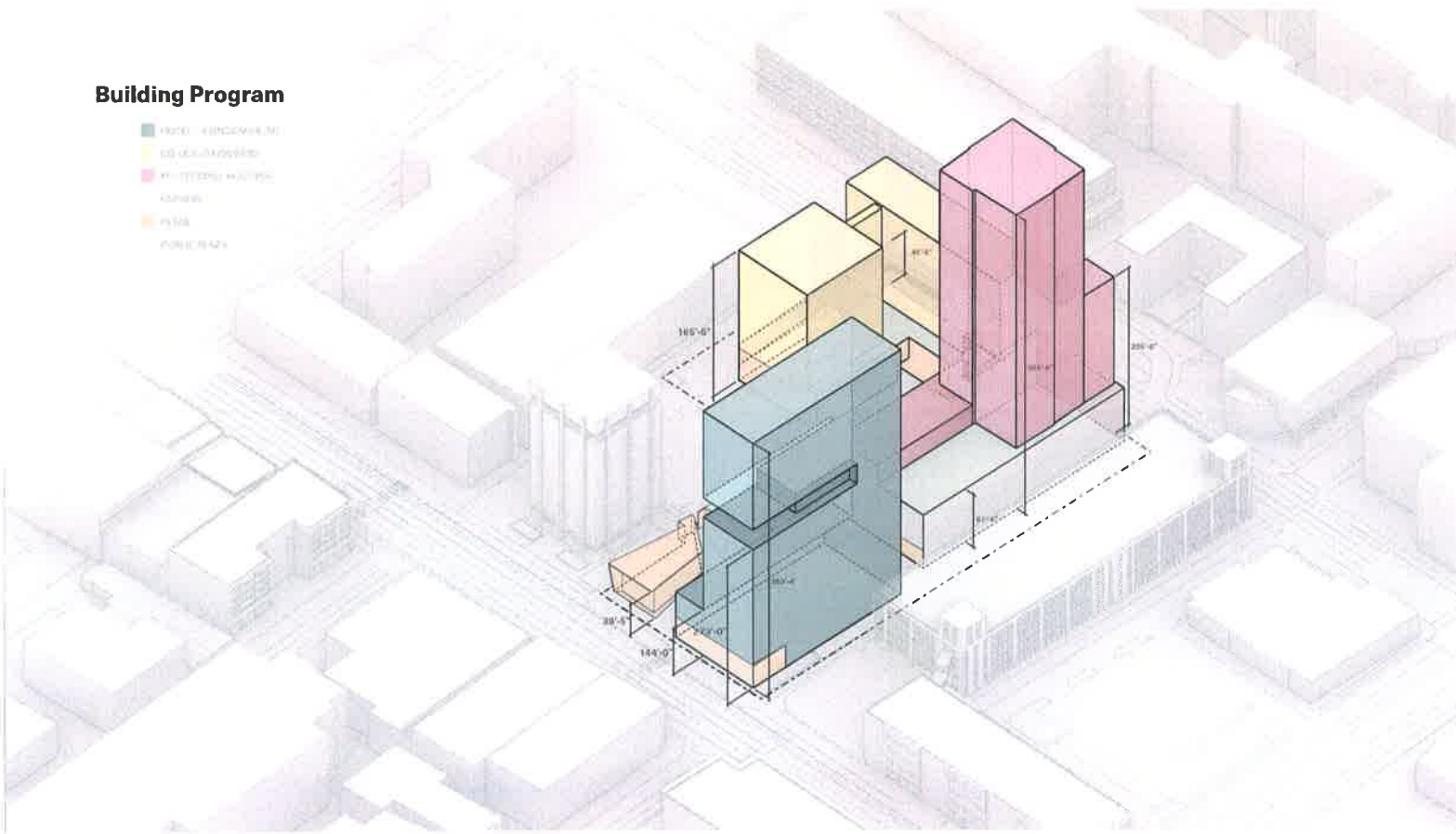
- Retail**
- Multi-Family 28,730 SF Footprint
  - West Pavilion 3,894 SF Footprint
  - East Pavilion 4,331 SF Footprint
  - Co-Living 13,116 SF Footprint
  - John R 13,860 SF Footprint





### Building Program

- FLOOR CONDOMINIUM
- LOBBY/GALLERY
- FITTING ROOMS
- OFFICE
- PORCH















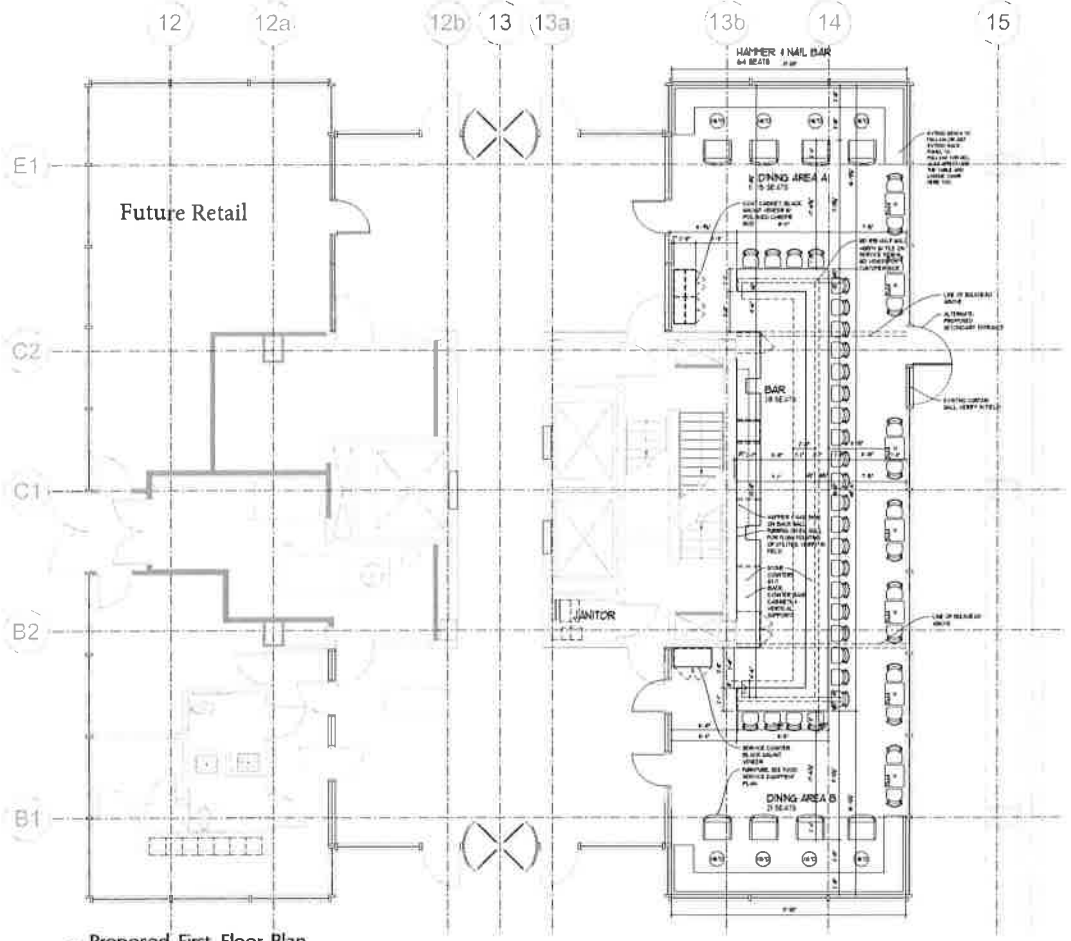












**Proposed First Floor Plan**  
SCALE: 1/4" = 1'-0"

**bdg**

**ARCHITECTS**  
**bdg architectural group, inc.**  
 100 W. MAIN ST., SUITE 200  
 BOSTON, MA 02108  
 TEL: 617.552.1234 FAX: 617.552.1235  
 WWW.BDGP.COM

**PROJECT**  
**HATPER 4 NAIL**  
 100 W. MAIN ST., SUITE 200  
 BOSTON, MA 02108

**PROPOSED FLOOR PLAN**  
 SHEET NO. 101  
 DATE: 08/11/11  
 DRAWN BY: JMG

200 NUMBER DR  
**A2**  
 SHEET X OF X



Alton James  
Chairperson

Vice Chair/Secretary

Marcell R. Todd, Jr.  
Director

**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  
Damion W. Ellis  
Gregory Pawlowski  
Frederick E. Russell, Jr.  
Angy Webb

June 21, 2019

**HONORABLE CITY COUNCIL**

**RE:** Neumann-Smith Architecture to amend Article XVII, District Map 4, of the 1984 Detroit City Code Chapter 61, Zoning, and the provisions of the existing PD-H (Planned Development District-Historic) zoning classification for the property commonly known as 100 Mack Avenue, generally bounded by Eliot Street and the portion of vacated Eliot Street on the north, John R. Street on the east, Erskine Street on the south and Woodward Avenue on the west.

The request will facilitate the construction of a multi-level parking deck with first floor retail/commercial space. Additionally, the request includes plans for an adjacent open space amenity.

**RECOMMENDATION**

The City Planning Commission (CPC) has completed its review and consideration of the above captioned request. Based upon the findings outlined in this report, the Commission recommends approval of the requested PD modification and the proposed SOMA development with the following conditions:

1. That the developer work with the immediately adjacent community to minimize disruption to the neighborhood during construction and operation of the proposed deck and address impacts that may arise;
2. That the developer work with the City Planning Commission and Planning and Development Department staff to ensure that all safety design concerns have been addressed to the extent practicable; and
3. 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.

**NATURE OF REQUEST**

Before the Commission is the request of Neumann-Smith Architecture to amend Article XVII, District Map 4, of the 1984 Detroit City Code Chapter 61, Zoning, and the provisions of the existing PD-H (Planned Development District-Historic) zoning classification for the property commonly known as 100 Mack Avenue, generally bounded by Eliot Street and the portion of

vacated Eliot Street on the north, John R. Street on the east, Erskine Street on the south and Woodward Avenue on the west.

The request is planned to facilitate the construction of a multi-level parking deck with first floor retail/commercial space. Additionally, the request includes plans for an adjacent open space amenity.

The property owner and developer, Adam Nyman of Woodward Mack 22, LLC is proposing to erect this multi-level parking deck with first floor retail space along with an adjacent park/open space at the parcel commonly known as 100 Mack Avenue in the Brush Park Historic District.





The project is planned just east of Woodward and between Erskine Street and the partially closed Eliot Street. The structure is proposed to be five (5) stories totaling 94 feet (inclusive of a penthouse roof) with a total gross square footage of 213,099 gsf. The structure would include 591 spaces in total. The development team anticipates that the project would produce 40 temporary jobs and 10 permanent jobs. Their goal would be to break ground on the project on March 1, 2019 and complete construction by March 1, 2020, filling the retail space by June 1, 2020.

SOMA (South of Mack) as it is currently referred to, is according to the development team intended to be used for the surrounding neighborhood users. The parking operator, Premier Parking would be responsible for the operation of the 24 hour parking deck that would offer monthly passes and also accommodate transient users.

A parking attendant would be on-site during the morning and evening rush hours. During other hours, the structure would be monitored by a "roaming manager." Automated gates with access badges would also be incorporated for users. Parking security is planned to be on-site as well.

The subject site as it currently exists, hosts 187 parking spaces. The structure that is proposed would replace this ground level off-street parking with the approximately 591 spaces planned for the deck. A portion of this space would also serve as the park/open space that the developer plans.

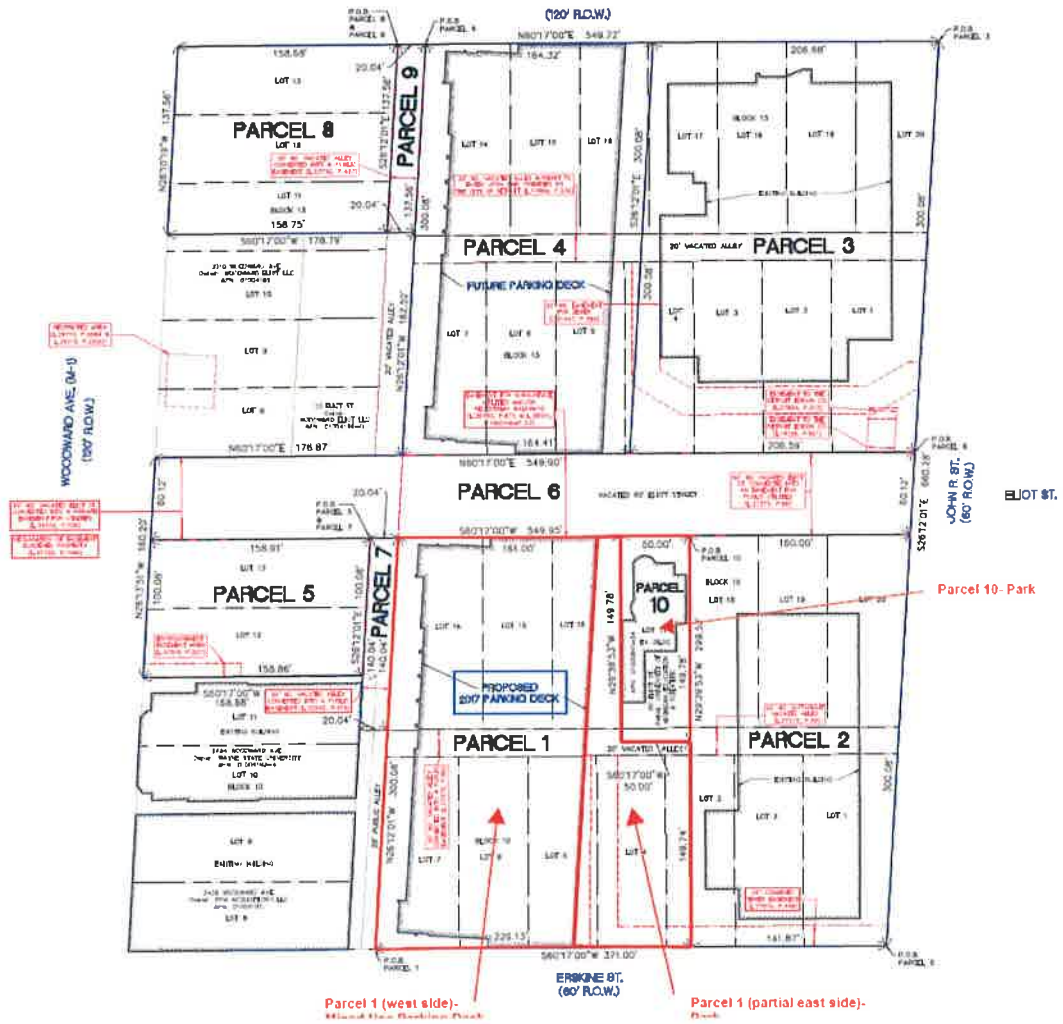
The users of the deck according to staff's understanding, also include proposed future developments that are scheduled to come before the Commission in the coming months, such as the Elmwood Hotel that is being planned off of Woodward Avenue.

There is also a possible lease agreement that is being negotiated between the developer and the City for space at the Red Cross building(s). If the City strikes an agreement to move certain<sup>1</sup> departments to the Red Cross site, then there is also the likelihood that those users would also utilize the parking deck for day-to-day parking. After work hours, the developer plans to serve more transient users that visit the area.

The site is a part of a larger property controlled largely by the same entity. The property in question, is labeled Parcel 1 in the subsequent parcel map.

---

<sup>1</sup> Possible departments that might move to the site abutting the parking structure include the General Services Department, Health Department and Department of Transportation. The departments, would occupy 90% of the space with a ten year lease in the two Red Cross buildings that abut the subject property. If executed, approximately 400-500 employees would be relocated to the Red Cross buildings. The goal of this move would be to serve citizens in a more centrally located area of the City and to consolidate departmental staff into one place. This would allow for an easier process for citizens and increased efficiency. This project is not anticipated to come before CPC.



**PLANNING CONSIDERATIONS**  
*Surrounding Zoning and Land Use*

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

- North: PD: Red Cross site
- East: PD: Existing two (2) story residential/office building
- South: PD: The Scott apartment building
- West: PD: Michigan State Building

**ANALYSIS**

This project is generally in conformance with the PD District design criteria of **Sec. 61-11-15** of the Zoning Ordinance. Some of the criteria that are considered as a part of the process are as outlined:

***Master Plan.** The proposed development should reflect applicable policies stated in the Detroit Master Plan. The policies relating to the geographic area in question as well as general policies will be considered. This zoning ordinance requires that the proposed major land use be consistent with the adopted Master Plan in all PD developments.*

The Planning and Development Department has submitted a Master Plan Determination, stating

that the proposed development does conform to the MP Future Land Use designation. Regarding the City of Detroit Master Plan of Policies, the subject property is located in the Lower Woodward area of Neighborhood Cluster 4. The future land use designation for the subject parcels indicates (MRC) Mixed Residential-Commercial. "These areas are often characterized by medium-to-high density housing developed compatibly with commercial and/or institutional uses."

***Scale, form, massing, and density.*** *Scale, form, massing and density should be appropriate to the nature of the project and relate well to surrounding development. **Compatibility.** 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 properties in the immediate vicinity.*

The scale, form, massing and density proposed for this development are appropriate for a site of this nature. The proposed parking structure abuts a Major Street and Mass Transit Route in Neighborhood Cluster 4 according to the Master Plan of Policies. Woodward is the spine of the City and serves as an appropriate thoroughfare for dense development, especially, those within the greater downtown area. The development is proposed to have ground level commercial spaces that will help to activate the pedestrian realm.

As it relates to the massing and form of the structure, city staff did have meetings for approximately a year to understand how the development might be improved by incorporating a liner building to mask the parking element from the street. This would have been desired by CPC and PDD staff in the beginning. However, after a series of meetings and studies that were conducted, the developer concluded that the proposal was not feasible for the constraints of the site.

While the density, in terms of person(s) able to be accommodated by the structure, will be low. The structure will however, serve the purpose of housing the many vehicles for the Red Cross site that would otherwise be located at grade level surface parking. In essence, the structure will allow for much greater density for the overall site, as developments such as the West Elm Hotel are now being considered to locate on the surrounding area and utilize the SOMA structure for parking.

***Circulation.*** *Vehicular and pedestrian circulation facilities should be adequately designed to meet expected demands. Disruption of traffic flow in surrounding areas should be minimized, and truck traffic should be carefully planned and controlled, especially to avoid use of residential streets.*

Circulation and pedestrian safety have been the central issue of concerns surrounding the SOMA development proposal. For that reason, the City's Mayor's Office has been integral in finding mitigation strategies that will not only help the SOMA project, but the existing traffic issues that exist now. The measures that the Mayor's Office, Detroit Police Department and the Department of Public Works have committed to include the following:

1. The intersection of Edmund and John R will be converted from two-way to all way stop controlled.
2. Pedestrian crossing signs with blinking lights will be installed at the intersection of Watson and John R.

3. Yield to pedestrian signs will be installed in the crosswalks at the intersection of Watson and John R.
4. Yield to pedestrian signs will be installed at the intersection of Eliot and John R.
5. Pedestrian crossing signs with blinking lights will be installed at the intersection of Eliot Street and John R.
6. Spaces on Erskine will be marked as loading areas to alleviate congestion and double parking while trucks unload for the Scott apartments and commercial/retail business.
7. The DPD Commander for the precinct has committed to allocating resources during high traffic event nights by deploying officers to ticket and mitigate traffic.

This is in addition to zebra cross walks that were installed last fall at Watson and John R and Erskine and John R.

***Parking and loading.*** *Where appropriate, adequate vehicular off-street parking and loading should be provided. The City Planning Commission will be guided by standards delineated in this zoning ordinance with adjustments appropriate to each specific situation.*

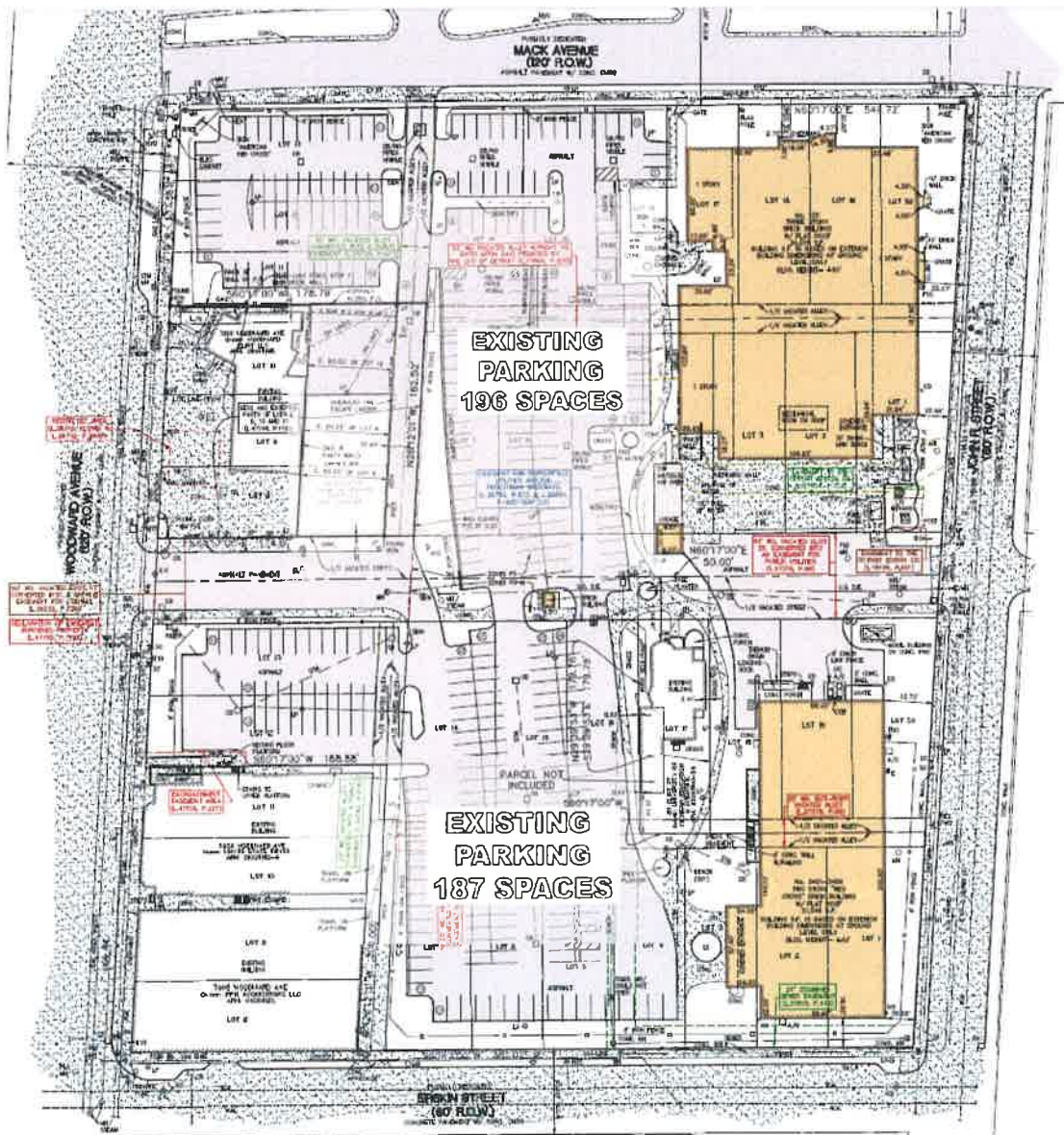
While this proposed parking garage with commercial space is holds many more spaces that what would be required for the ground floor commercial space (approximately 60 spaces) it can be argued that the structure will provide relief to the entirety of the Red Cross site which is expected to experience much change in coming years. Currently there is the proposal from the West Elm Hotel development that would occupy 116 spaces of the proposed SOMA parking deck. This is one of several developments and deals that are expected to come to fruition as this site is expanded and built out.

The subject property being on a prime piece of real estate in the greater downtown area, locating on Woodward Avenue a major street, which is the spine of the city and just off of Mack Avenue which is another major street, it is expected that very dense development will take place on this site as more development interest grows in this area. So while the SOMA development might usually not be the most desired type of development in and of itself, if looking at the site holistically, it can add to the larger picture of how parking will be accommodated for a site that will have dense developments overall.

The current Red Cross uses alone could utilize a sizeable amount of the parking deck if they are filled (which there is a possible deal being negotiated for City Departments to locate in the existing Red Cross buildings) which would take a sizable amount of the parking stalls in the structure in addition to the already anticipated hotel.

There are currently an approximate 383 surface level off-street parking spaces that exist on the Red Cross site. If built the SOMA parking deck would replace the portion of the site that houses 187 spaces and replace that footprint with a structure that holds 591 spaces. There is a case to be made that this would be a more efficient use of the current surface parking lot space and help the site (See site plan below).





**Environmental impacts.** Environmental impacts that relate to such factors as noise, air, combustibles and explosives, gases, soil, and water pollution, toxic waste, vibration, odor, glare, and radiation, should be controlled to be within acceptable levels at all times.

A case could be made that this parking deck would add to the noise and air pollution of the site and it likely will bring slight increase in undesirable conditions. However, based on the traffic study that was conducted and spoken to at the public hearing by Giffels and Webster, it is not expected that the parking structure will induce more traffic, but instead simply alleviate parking and traffic problems that currently exist, at least regarding the traffic that is a result of uses that are being served on site. Given the amount of on-street parking that takes place currently on any event night, one could also argue that this could alleviate “<sup>2</sup>sharking.”

<sup>2</sup> The continual revolving search for on-street parking spaces by commuters as they clog streets until a space becomes available.

***Orientation.*** Careful consideration should be given to orientation both for solar access to the proposed project and for shadow impact upon surrounding development.

Again, CPC would have desired that the front facing façade of the building that faces Erskine, not be that of a parking structure. However, based on the studies that the developer has conducted and the limitations that have been found, staff has digressed on the issue of the portion of the development that is oriented towards Erskine Street and what this façade looks like.

***Signage.*** Signage and graphics should be tastefully designed to be visually appealing and in character with surrounding development. They should provide needed information, direction, and orientation in a clear and concise manner.

CPC also strongly encourages that the City be allowed to have full review over any signage that is placed on the subject building, so that the signage is not overwhelming to the street scape. We will work with HDC staff to finalize. Signage that has been shown in renderings is likely not desirable for this building and other tasteful signage will be explored.

***Amenities.*** 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 features as enclosed walkways and arcaded pedestrian areas.

One of the best features this site is that it will be creating park/open space amenity adjacent to the structure. The park would complement the commercial and retail space that it rests alongside. This will serve to create even more synergy for the businesses as well as bring alive a site that has been dormant for decades serving only as surface parking. This will be a major amenity for the community as the developer plans for it to remain a public space. This help to fill the void of a lack of open spaces in the Brush Park neighborhood and supplement other City efforts that are also underway.

## **PUBLIC HEARING RESULTS AND COMMUNITY ENGAGEMENT**

The development team has provided letters of support from the Brush Park CDC and Midtown Detroit Inc. as well as one additional supporter (See attached letters).

In addition to this, CPC staff also requested that the developer hold an additional meeting in the immediate area and reach out to the neighbors on the subject street. The developer held this meeting on January 9<sup>th</sup>. CPC staff attended and about 10 residents and stakeholders were at the meeting. The meeting was held in the communal area so there were also many people that passed by and observed the drawings that were on display. Some concerns regarding traffic impacts were raised. These concerns were taken into consideration by Giffels and Webster during their traffic study and reported on. Overall those in attendance were seemingly acceptant of the proposal. No opposition was stated. Some favorable comments were given.

At the CPC public hearing, three individuals spoke to the project. One was a representative from Midtown Detroit Inc. who spoke in support of the proposed parking deck stating that this will help the parking problems for the area. The representative also spoke to the need for shared parking for multiple projects in the area that will allow parking to concentrate instead of being dispersed neighborhood wide. Additionally, a representative from Giffels and Webster spoke

regarding a traffic study that had been conducted for this site and surrounding area that concludes that the parking deck would not have any overbearing negative impact on the neighborhood, but would only slightly alter traffic conditions (this study was provided in staff's original report for this matter).

Another speaker was a resident who spoke in opposition to the proposal because of the size and scale of the parking structure. The person also spoke to this development having a negative impact on the neighboring community. Specifically the resident spoke to dangerous traffic conditions that exist on John R and the fear that the proposed garage will exacerbate the current issues (to this issue, the Mayor's Office has created a traffic calming mitigation plan to address these issues. Please see staff analysis).

A representative from the Mayor's Office also spoke at the public hearing, stating that the Mayor's Office would be taking this matter up and working with the appropriate departments to create a traffic mitigation plan.

The Brush Park CDC has submitted an updated letter of support attached to this report.

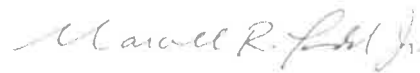
### CONCLUSION

This request amounts to the provision of commercial parking, which is not consistent with the spirit and intent of the never adopted Brush Park 4 Modified Development.

However, existing and anticipated development require parking that the proposed structure can supply. The end result, achieved via separate undertakings, we believe, will be a build out that does achieve the vision of the Urban Renewal Plan. The traffic issues present and future are real and will require intervention and coordination with the City to support the desired density with the redevelopment of this area. Staff supports implementation of the traffic mitigation plan developed by the Mayor's Office, the Department of Public Works and the Detroit Police Department. Staff will be working with the administration on the progression of the plan and report back to the Commission as appropriate.

Respectfully submitted,

ALTON JAMES, CHAIRPERSON

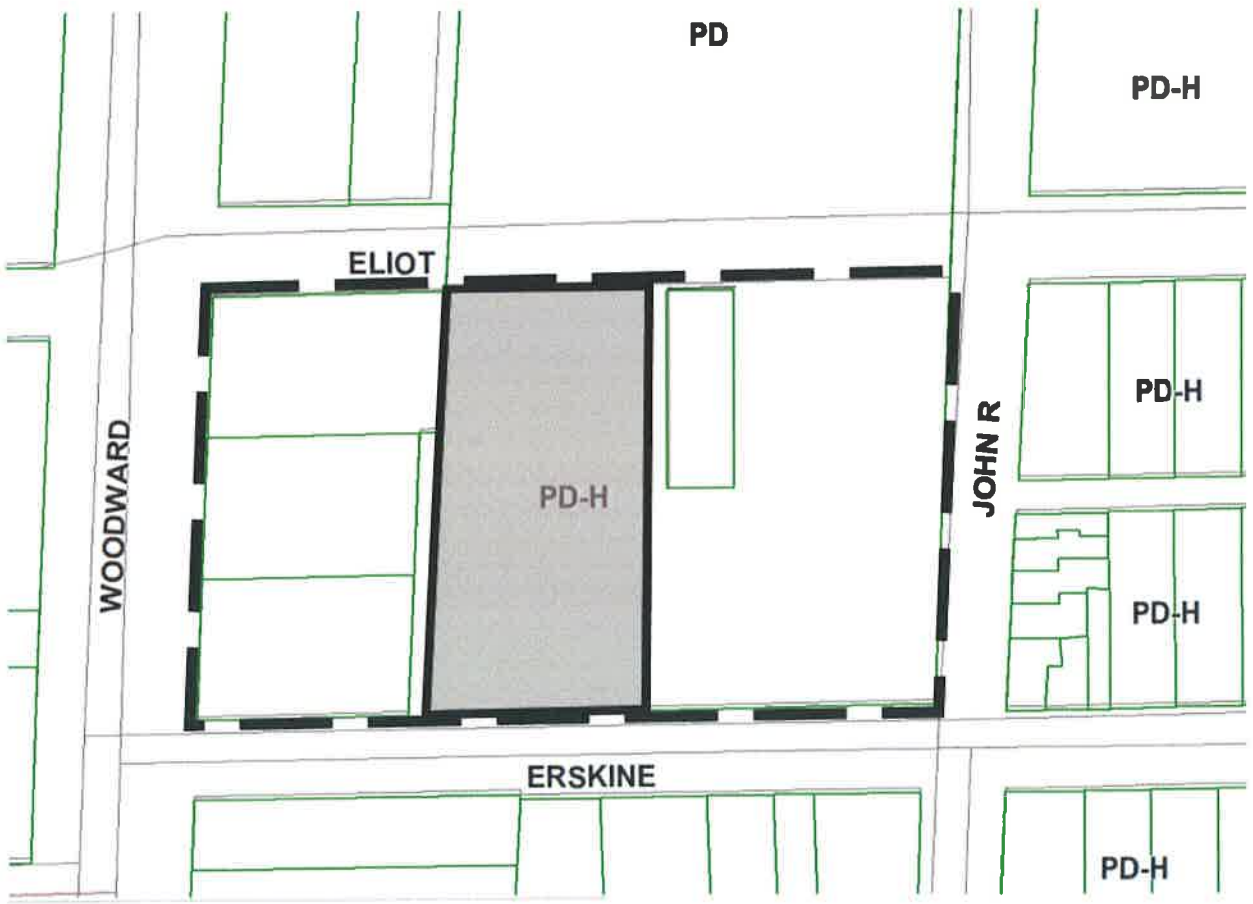


Marcell R. Todd, Jr., Director  
Kimani Jeffrey, City Planner

Attachment:

- Ordinance
- Plans
- Map
- Support Letter

Cc: Maurice Cox, Director, PDD  
Arthur Jemison, Director, HRD  
David Bell, Director, BSEED  
Detroit Housing Commission



January 10, 2018

Scott Gustafson  
Newmann Smith Architecture  
400 Galleria, Suite 555  
Southfield, MI 48034

**RE: Support of SOMA Development**

Dear Mr. Gustafson:

On behalf of Midtown Detroit, Inc. (MDI), I would like to express our support for phase one of the proposed SOMA Development, located at 3150 Woodward Avenue in the Brush Park neighborhood. This development will provide a number of benefits, while enhancing the overall character of the neighborhood.

Phase one of the project will be the development of a mixed-use parking structure located on Erskine. This structure will provide six levels of parking, and ground level retail spaces. Future phases will call for the construction of residential units above this parking structure. The overall plan calls for over 400,000 square feet of mixed-use development that will bring new office/retail space, hundreds of new residential units, and plenty of parking.

This overall development will increase density and significantly add to the number of residential units within the Midtown district. The addition of new commercial spaces will provide more economic opportunity for new and growing businesses. The construction of contiguous urban wall space will increase walkability of the area and add to the urban character of the neighborhood.

The SOMA development aims to transform an important corner along a busy corridor, and MDI offers its full support. If you have any questions, please feel free to contact me at our MDI office.

Best regards,



Susan T. Mosey  
Executive Director



January 31, 2018

Mr. Adam Nyman  
Woodward Mack 22 LLC  
Professional Property Management Inc  
115 West Brown  
Birmingham, MI 48009

**Re: Brush Park CDC Letter of Support for SoMA Brush Park Mixed Use Project**

Dear Mr. Nyman:

On behalf of Woodward & Erskine LLC, we enthusiastically support the proposed SOMA development that is planned for the southeast corner of Woodward and Mack Avenue, immediately north of our development, the Scott at Brush Park.

We understand that the first phase of the project consists of a 550+ car parking deck and that a future phase will include a vertical expansion for construction of residential units above. The proposed design of the deck presents a thoughtful response to the neighborhood's form-based code, providing an activated alley with retail shops and pedestrian circulation access, restored Eliot Street connecting Woodward with John R, and providing new landscaping and recreation space between existing office, historic home and the proposed parking deck.

We believe that this development will continue to generate further investment in the Midtown area. We look forward to being neighbors across Erskine Street.

Sincerely,

BRODER & SACHSE REAL ESTATE, Inc., Agent for  
WOODWARD & ERSKINE, LLC

Richard Broder  
CEO

Cc: City of Detroit Planning & Development

260 East Brown Street | Suite 280 | Birmingham, MI 48009  
P: 248.647.4100 | Fax: 248.647.4180  
[BroderSachse.com](http://BroderSachse.com)





234 Winder Street • Detroit, MI 48201 • [www.BrushParkCDC.org](http://www.BrushParkCDC.org) • [BrushParkCDC@Gmail.com](mailto:BrushParkCDC@Gmail.com)

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April 18, 2019

Joel Smith  
NEUMANN/SMITH ARCHITECTURE  
[JSmith@neumannsmith.com](mailto:JSmith@neumannsmith.com)

**Re: SoMA Parking Deck**

The Brush Park Community Development Corporation (the “CDC”) forwards this letter in response to the proposed SoMA Parking Deck development for the property located on Erskine (the “Project”).

The updated Project plan for the proposed new construction of a 5 story stand-alone parking deck was presented before the CDC and the Brush Park community at a public meeting held on March 19, 2019. There were limited comments received by the Community, which were generally not supportive of aspects of the project.

After careful consideration, by a vote of 4 in favor and 5 objections, the Board voted to decline to support the Project. We understand that our decision is a departure from our prior support of the project, and Attachment A contains the opinions offered by the Board during the voting process for your consideration and provide explanation on the result of the Board’s vote.

Should you have questions or concerns, please feel to reach out to us at [hello@BrushParkCDC.org](mailto:hello@BrushParkCDC.org).

Sincerely,

Karissa Holmes, Secretary

Cc: City of Detroit Planning & Development  
Historic District Commission

## **Attachment A: Poll Comments for "SoMA Parking Deck"**

Below are the opinions submitted by CDC Board Members during the voting process for reference and consideration. Please note, the opinions have no bearing on the Board's final vote and are included for reference only.

### **Comment 1**

While I support the development of the parking structure in general because I believe it is necessary to support the development of the West Elm hotel, I am not in support (and do not believe that the community supports) the current traffic plan/ingress/egress, and based upon the developers "traffic study" do not believe that they will seriously consider the valid concerns of our community if we provide support on this project. The traffic study is seriously deficient and they did not even attempt to address the first question: "Erskine traffic levels are already at capacity and increased traffic will cause significant delays and undue hardship for the surrounding area". The developer has provided no justification for why traffic cannot flow from Eliot, other than the fact that it does not seem to want to do so. The developer seems to be completely disregarding the very real concerns of residents and business owners who live with the impact of traffic in Brush Park on a daily basis. We have seen how a 30 car parking lot on Winder has created serious traffic impediments and safety concerns and the developer has not adequately addressed how they plan to mitigate those concerns. I would ask that the developer move ingress/egress to Eliot, which is a non-residential street. Lastly, although the CDC supported this deck in the past, we believed that the developer would develop residential above the deck and that is why we supported it. We do not generally support stand-alone parking decks as we do not want our neighborhood to become a parking lot/deck. It is very disappointing that the developer has decided to no longer move forward with the residential portion of this development and that it has no clear plans to develop the rest of the land it controls.

### **Comment 2**

I wholeheartedly agree with and second each concern articulated by [Comment 1]

### **Comment 3**

I support the overall project, however I object to using Erskine as the main entrance/exit. It makes more sense to use Eliot, especially since there are no residential properties on that block of Eliot. The residents of Brush Park do not want MORE event-related traffic/congestion.

### **Comment 4**

While a very different version of this project was previously approved, my contention at the time was building a parking deck in the neighborhood, however I approved at the time because it was mixed use with residential, and more important to me it was closer to Woodward than the interior of the neighborhood. Subsequently, when another development wanted to build a parking deck within the interior of the neighborhood, our previous approval of SOMA was brought up as precedence by both the city and developer because of this I cannot support a stand-alone parking structure within Brush Park with no ancillary use such as the residential that was previously attached to the project. I support the Bonstelle development and understand a parking deck is needed to support it, but listening to the concerns of the community to this and other developments I cannot support the proposal as is.

### **Comment 5**

I echo the thoughts of other Board members in that I strongly do not support a stand-alone parking structure in the neighborhood, and the intent of the original plan presented years ago has significantly changed. There is no reason why this building cannot be and should not be truly mixed use, where parking is an ancillary use rather than the primary use as it is in this case. Not only would it set a dangerous





precedent in the neighborhood, but specific to this parcel, it would not maximize or even come close to reaching the potential of this site. It would also negatively impact residents in this immediate area and diminish the urban fabric of this block. The structure should not be approved without residential, office, and/or a similarly active use as the primary use, with enough parking only to support those primary uses and the adjacent hotel. There are many other design solutions for this site that do not include 500+ public parking spaces; the CDC would be happy to discuss some of those with the developer if they are having design challenges and/or having trouble understanding the Brush Park community's goals. Furthermore, residents are generally not supportive of this project based on comments at the March CDC meeting. It is also general consensus among the community that standalone parking structures should not be allowed anywhere.

**Comment 6**

Until they can provide a solid feasible plan for handling traffic at that corner of Brush Park which feeds into a heavily used intersection at Woodward Avenue and Mack Avenue, I cannot support building a 5 story parking lot - and, especially since it's use would be seriously questioned in the absence of proximal commercial and residential activity.



## SUMMARY

An ordinance to amend Chapter 61 of the 1984 Detroit City Code, '*Zoning*,' commonly known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No. 4 to modify an existing PD (Planned Development District) zoning classification, established by ordinance 39-07, on land generally bounded by Eliot Street and a portion of vacated Eliot Street to the north, John R. Street to the east, Erskine Street to the south, and Woodward Avenue to the west to allow for the construction of a multi-level parking deck with first floor retail-commercial space and an adjacent open space-park area.

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

2 **AN ORDINANCE** to amend Chapter 61 of the 1984 Detroit City Code, 'Zoning,' commonly  
3 known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No. 4 to modify  
4 an existing PD (Planned Development District) zoning classification, established by ordinance 39-  
5 07, on land generally bounded by Eliot Street and a portion of vacated Eliot Street to the north,  
6 John R. Street to the east, Erskine Street to the south, and Woodward Avenue to the west to allow  
7 for the construction of a multi-level parking deck with first floor retail-commercial space and an  
8 adjacent open space-park area.

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

10 **Section 1.** Article XVII of Chapter 61 of the 1984 Detroit City Code is amended as  
11 follows:

12 (A) District Map No. 4 is amended to modify the existing PD (Planned Development  
13 District) zoning classification currently shown on:

14 **PARCEL 1:**

15 Part of lot 3, also all of lots 4,5,6,7,14,15 and 16, and part of the east-west vacated  
16 alley adjacent to said lots, block 10, Brush's Subdivision of part of park lots 17, 18, 19,  
17 20 and 21, and part of Brush Farm adjoining, as recorded in Liber 8, page 12 of Plats,  
18 Wayne County Records, also being described as: Beginning at the southwest corner  
19 of said lot 7, also being a point on the northerly line of Erskine Street (60' wide) and  
20 a point on the easterly line of a north-south vacated alley (20' wide); thence N.  
21 26°12'01" W. 300.08 feet to the northwest corner of said lot 14; thence N.60°17'00"E.  
22 161.00 feet to the northeast corner of said lot 16; thence S.29°39'53"E. 149.78 feet;

1 thence N.60°17'00"E. 50.00 feet; thence S.29°39'53"E. 149.74 feet to a point on said  
2 northerly line; thence S.60.17'00"W. 229.13 feet to the point of beginning.

3 Containing: 58,424.67 square feet or 1.341 acres

4 **PARCEL 6:**

5 Vacated Eliot Street (60' wide), lying between Woodward Avenue (120' wide, as  
6 widened) and John R. Street (60' wide), adjacent to lots 13 through 20, block 10, also  
7 being adjacent to lots 1 through 8, block 13, Brush's Subdivision of part of park lots  
8 17, 18, 19, 20 and 21, and part of Brush Farm adjoining, as recorded in liber 8 page 12  
9 of plats, Wayne County Records, also being described as: Beginning at the southeast  
10 corner of said lot 1; thence S.26°12'01" E. 60.12 feet to the northeast corner of said  
11 lot 20; thence S.60°17'00"W. 549.95 feet to a point on the easterly line of said  
12 Woodward Avenue; thence N.26°13'51"W. 60.12 feet; thence N.60°17'00"E. 549.90  
13 feet to the point of beginning.

14 Containing: 32,996.18 square feet or 0.757 acres

15 **PARCEL 7:**

16 All of vacated alley adjacent to lots 12, 13, 14, and part of lot 11, block 10, Brush's  
17 Subdivision of part of park lots 17, 18, 19, 20 and 21, and part of Brush Farm  
18 adjoining, as recorded in Liber 8, page 12 of plats, Wayne County Records, also being  
19 described as: Beginning at the northeast corner of said lot 13; thence N.60°17'00" E.  
20 20.04 feet to the northwest corner of said lot 14; thence S.26°12'01"E. 140.04 feet;  
21 thence S.60°17'00"W. 20.04 feet to a point on the easterly line of said lot 11; thence  
22 N.26°12'01"W. 140.04 feet to the point of beginning.

23 Containing: 2,800.84 square feet or 0.064 acres

1 to repeal approval of the site plans, elevations, and other components of any development proposal  
2 described in Ordinance No. 39-07 for the property described herein and to approve the site plans,  
3 elevations, and other components of the development proposal for the SOMA project, as depicted  
4 in the drawings prepared by Neumann Smith Architecture, dated November 27, 2018.

5 (B) All site plans, elevations, and other components of the development proposals  
6 identified in Subsection (A) of this Section are subject to the following conditions:

7 (1) The developer must work with the immediately adjacent community to minimize  
8 disruption to the neighborhood during construction and address impacts that may  
9 arise: and

10 (2) The developer must work with the City Planning Commission staff and Planning  
11 and Development Department to ensure that all safety design concerns have been  
12 addressed to the extent possible, to staff's reasonable satisfaction: and

13 (3) All final site plans, elevations, lighting, landscape and signage plans for the  
14 development are subject to review and approval by the City Planning Commission  
15 staff prior to the developer's application for applicable building or construction  
16 permits.

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

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

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

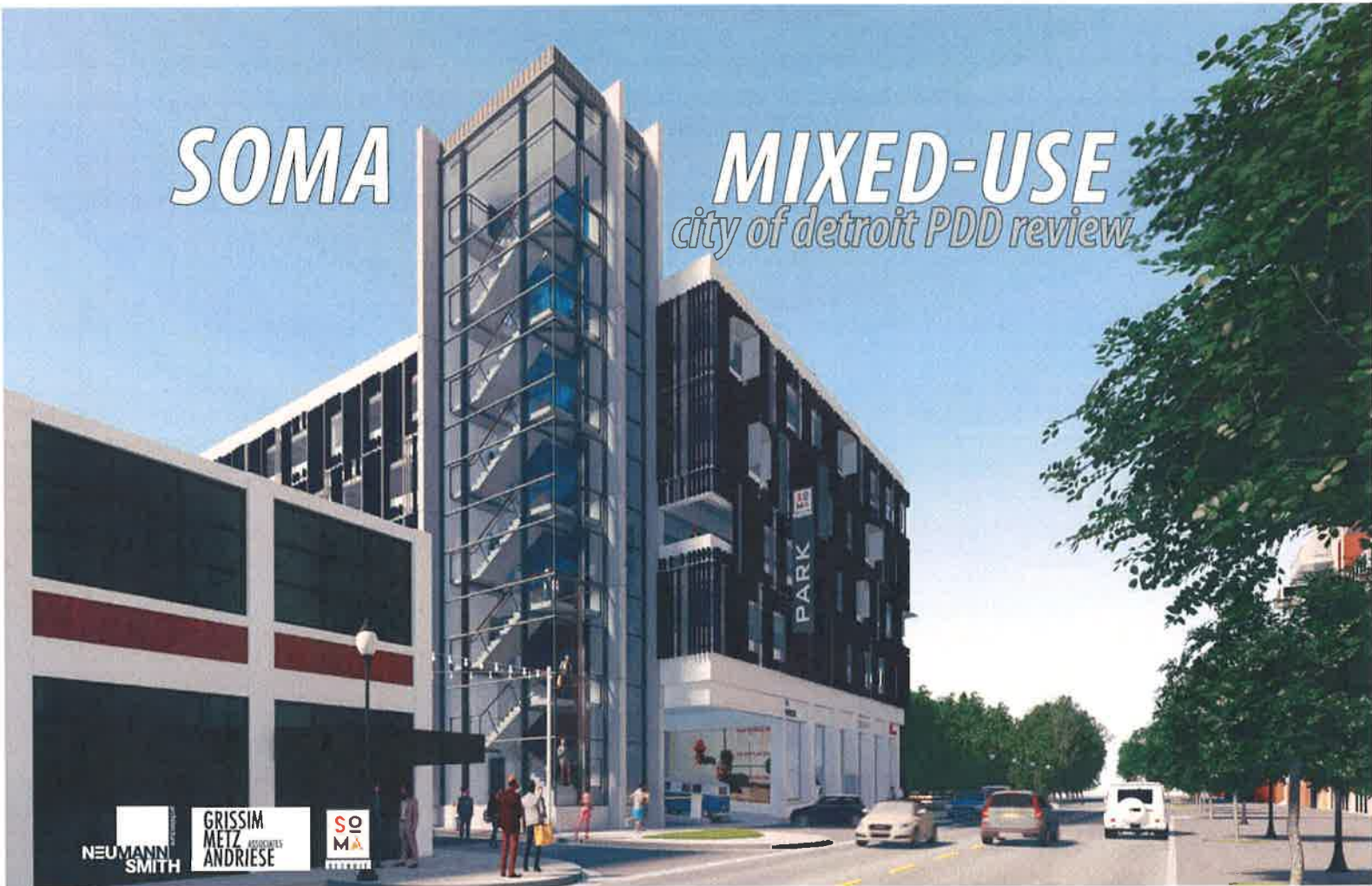
Approved as to Form:



\_\_\_\_\_  
Lawrence T. Garcia,  
Corporation Counsel

**SOMA**

**MIXED-USE**  
*city of detroit PDD review*



NEUMANN  
SMITH

GRISSIM  
METZ  
ASSOCIATES  
ANDRIESE

SOMA



AERIAL PHOTO SOURCE - GOOGLE EARTH PRO

11.27.2018 *project location in detroit*

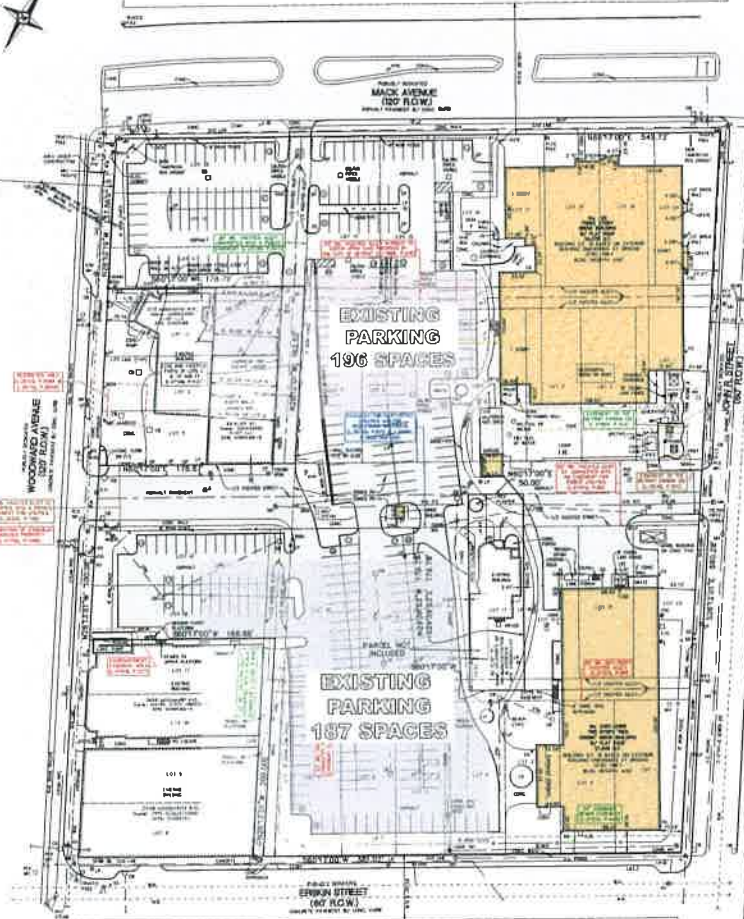
1001.10PM1420



GRISSIM  
METZ  
ANDRIESE







- LEGAL DESCRIPTION**
- Land 1 through 7 inclusive and lots 1 through 20 inclusive and one-half of the parcel above referred to in lot 1, and 1/2 of parcel 21, Block 13, BROWN'S SUBDIVISION as set out in Plat 147, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 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993, 994, 995, 996, 997, 998, 999, 1000.
- TITLE NOTES**
1. Right of easement of public in possession was given by the public records.
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**NF ENGINEERS**  
 CIVIL ENGINEERS  
 LAND SURVEYORS  
 LAND PLANNERS

**NOWAK & FRAUS ENGINEERS**

4077 WOODWARD AVENUE  
 FOK-THC 401 1812  
 115 GARDEN ST. 7911  
 FAX 1248 222 8237  
 E-MAIL: office@nowak-engineers.com

**LEGEND**

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100	As Shown

**BASE OF FINISH NOTES**

The base of finish for this survey was established by the base line of the parcel as shown in the 1909 subdivision of PARK LOTS 17, 18, 19, 20, 21 and 22, and 1/2 of PARK LOTS 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

**PLANS DATA**

Area 100,000 Square Feet or 2.31 Acres  
 Area 20,000 Square Feet or 0.46 Acres  
 Building Footprint 100,000 Square Feet or 2.31 Acres  
 1/2 Acre 100,000 Square Feet or 2.31 Acres

**AREA DATA**

Area 100,000 Square Feet or 2.31 Acres  
 Area 20,000 Square Feet or 0.46 Acres  
 Building Footprint 100,000 Square Feet or 2.31 Acres  
 1/2 Acre 100,000 Square Feet or 2.31 Acres

**PLANS NOTES**

The plans show the location of the building and the location of the parking spaces. The plans also show the location of the easements and the location of the utility lines.

**UTILITY NOTES**

All utility lines are shown as indicated on the plans. The utility lines are shown as indicated on the plans.

**SETBACK NOTES**

The setback lines are shown as indicated on the plans. The setback lines are shown as indicated on the plans.

**REMARKS**

The remarks are shown as indicated on the plans. The remarks are shown as indicated on the plans.

**CONSTRUCTION NOTES**

The construction notes are shown as indicated on the plans. The construction notes are shown as indicated on the plans.

**PROJECT:**  
 RED CROSS DETROIT

**PROJECT NO.:**  
 No 100 Mack Avenue  
 & 3013-3199 John R  
 Part of Block 10A, 13A of  
 Block 10A, 13A of  
 Park Lots 17, 18, 19, 20  
 & 21 & Part of  
 Block 10A, 13A of  
 City of Detroit  
 Wayne County MI

**DATE:**  
 10/13/2015

**SCALE:**  
 1" = 100'

**PROJECTED BY:**  
 R. B. FRAUS

**DATE:**  
 10/13/2015

**PROJECT NO.:**  
 1001



**PROPOSED BUILDING**

- 6 LEVELS ABOVE GRADE - VISUALLY APPEARS LIKE A 5 LEVEL BUILDING
- 580 AUTOMOBILE PARKING STALLS
- ELECTRIC VEHICLE CHARGING / PRIORITY PARKING FOR E.V. AND ALTERNATIVE FUELS
- 4 TO 6 COMMERCIAL SPACES (OFFICES, RESTAURANT, CAFÉ, SPECIALTY SHOPS, ETC.)

**KEY PROJECT GOALS**

- RESTORE GAPS IN THE URBAN AND CULTURAL FABRIC
- ACTIVATE THE STREET WITH PEDESTRIAN AND COMMERCIAL VIBRANCY
- BALANCE BUILDING MASS AND GARDEN SPACE
- SERVE THE COMMUNITY WITH PRIVATELY OWNED PUBLIC SPACES FOR DAILY ACTIVITIES AND SPECIAL EVENTS

**SITE AMENITIES**

- ACTIVATED ALLEY WITH RETAIL SHOPS AND PEDESTRIAN CIRCULATION ACCESS (STAIRS AND ELEVATOR)
- RESTORED ELIOT STREET CONNECTING WOODWARD AVENUE TO JOHN R STREET
- NEW LANDSCAPING AND RECREATION SPACE BETWEEN EXISTING OFFICE, HISTORIC HOME AND PROPOSED PARKING DECK

**PRIMARY EXTERIOR MATERIALS**

- WHITE PRECAST CONCRETE COLUMNS AND SPANDRELS
- SANDBLASTED PRECAST CONCRETE STAIR AND ELEVATOR TOWERS
- RECYCLED PLASTIC LUMBER SCREENS
- CLEAR GLASS
- ALUMINUM CURTAIN WALLS
- L.E.D. LIGHTING

**ZONING**

- PD and PD-H ZONES

STRUCTURE



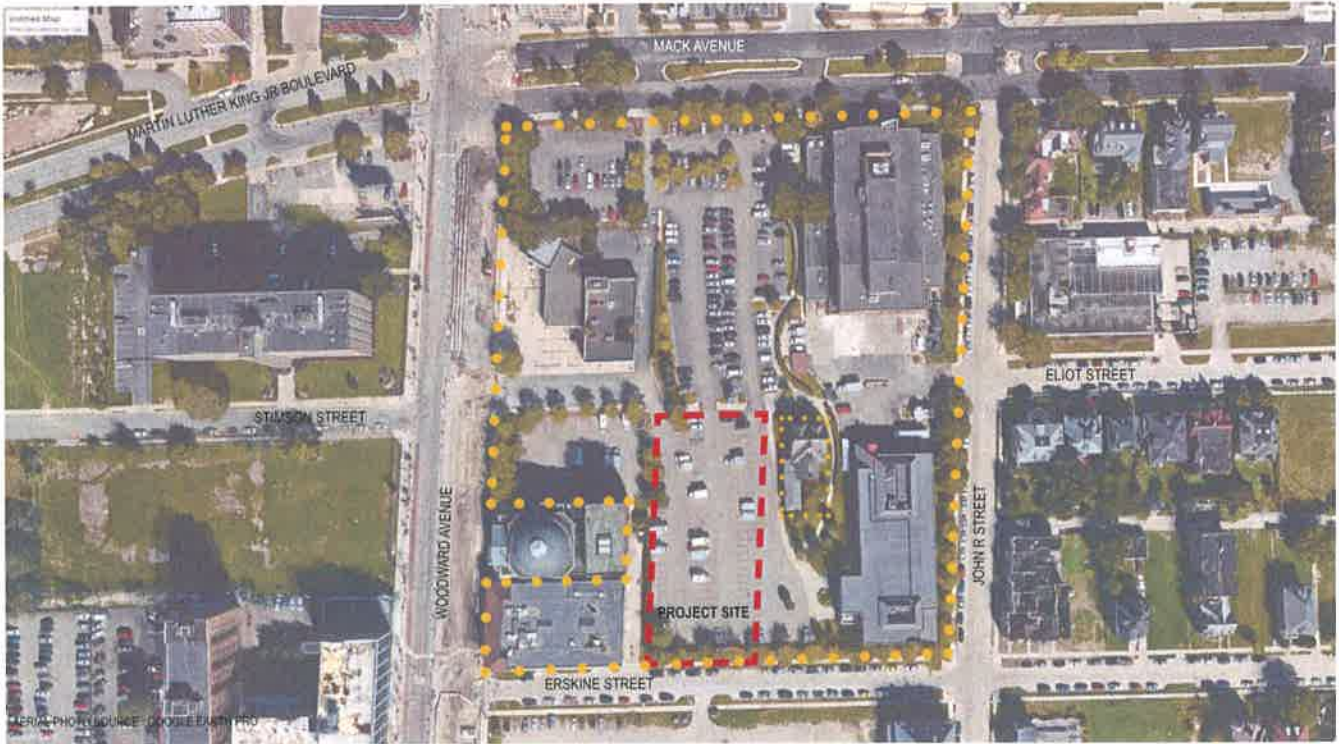
TEXTURE



CONTRAST







*project site*

EST. 1894  
**NEUMANN  
SMITH**

**GRISSIM  
METZ  
ANDRIESE**

**S  
O  
M  
A**  
ARCHITECTS

11.27.2018



- Legend**
- 40 100' x 100' PLANTING TO BE REMOVED
  - 4 100' x 100' PLANTING TO BE REMOVED - SEE PLAN TO BE DEVELOPED BY OTHERS
  - 4 100' x 100' PLANTING TO BE REMOVED - SEE PLAN TO BE DEVELOPED BY OTHERS
- Note Key**
- 1. 100' x 100' PLANTING TO BE REMOVED
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- General Notes**
- 1. 100' x 100' PLANTING TO BE REMOVED - SEE PLAN TO BE DEVELOPED BY OTHERS
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The Brush Park Elements of Design guidelines identify vacancy as the primary landscape characteristic. The proposed project replaces two minimally landscaped surface parking lots with an urban building and a verdant park. This area contains a fountain, a sculpture and lawns that contribute to the network of green spaces in Brush Park. Additionally, it highlights and makes publicly accessible the Victorian home on Eliot Street owned by the University of Michigan. The existing fence that fortified the institutional campus from the neighborhood will be removed. The garden provides a shortcut through the block towards the public transit stops at Woodward Avenue and Mack Avenue.

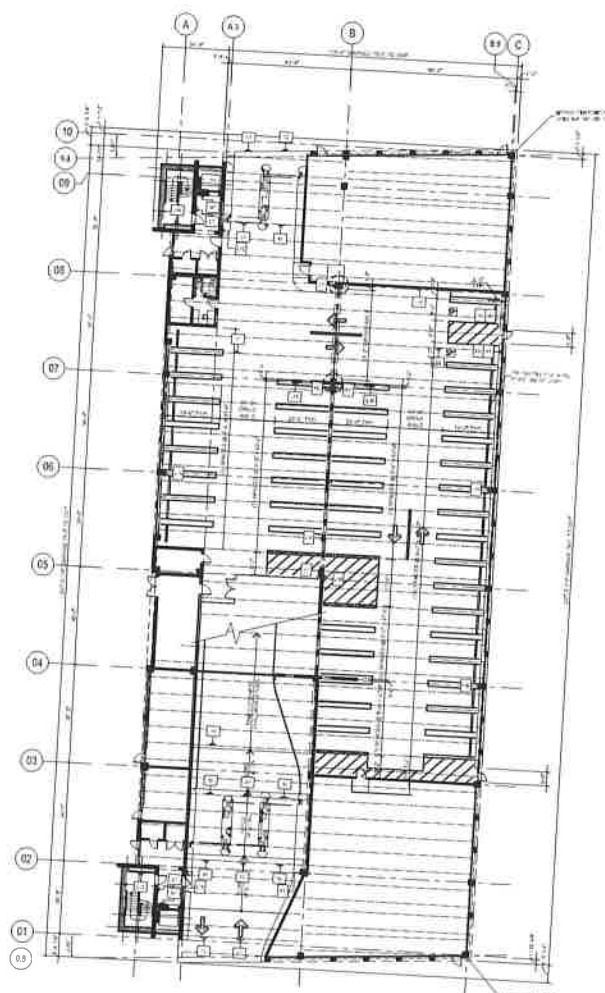
SOMA Brush Park

Landscape Schematic Design

11.27.2018

*public realm*





**LEVEL G1 STRIPING PLAN**  
 1/16" = 1'-0"  
 PS201

CAR COUNT SUMMARY				
LEVELS	STANDARD	BARRIER	COMPACT	TOTAL
01	46	2	1	49
02	88	5	3	96
03	191	8	1	200
04	102	2	1	105
05	102	2	1	105
06	102	1	1	104
<b>TOTALS</b>	<b>543</b>	<b>12</b>	<b>10</b>	<b>591</b>

LEVEL COLOR CHART	
LEVEL	MARKING
01	1/2" x 1/2" x 1/2"
02	1/2" x 1/2" x 1/2"
03	1/2" x 1/2" x 1/2"
04	1/2" x 1/2" x 1/2"
05	1/2" x 1/2" x 1/2"
06	1/2" x 1/2" x 1/2"
07	1/2" x 1/2" x 1/2"
08	1/2" x 1/2" x 1/2"
09	1/2" x 1/2" x 1/2"
10	1/2" x 1/2" x 1/2"

**NOTES**

- SEE ALL NOTES ON ALL DRAWINGS FOR GENERAL NOTES AND SPECIFICATIONS.
- ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
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- GENERAL NOTES**
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**ISOMETRIC**  
 1/16" = 1'-0"  
 PS201

**NEUMANN SMITH**  
 400 Osborn Office Centre  
 Suite 555  
 Southfield, Michigan 48034  
 Phone 248.352.8339  
 Fax 248.352.8321  
 ne@neumannsmith.com

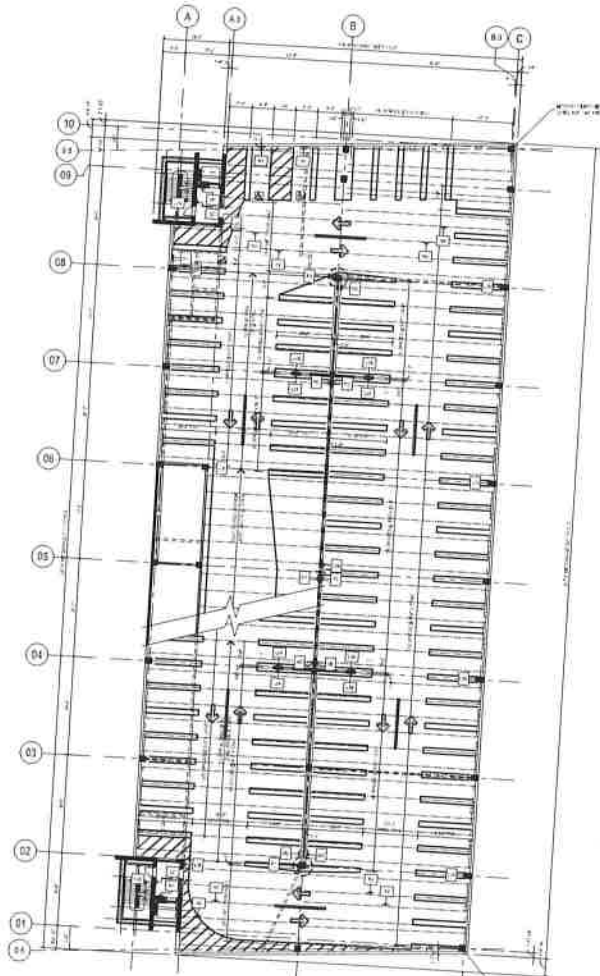
**SO MA**  
 DETROIT  
 MIXED-USE BUILDING

**SOUTH OF MACK AVENUE**  
 DETROIT MICHIGAN USA 48201

**RIEN & ASSOCIATES**  
 ARCHITECTS  
 10000 E. 14th Ave., Suite 200  
 Detroit, MI 48204  
 313.963.1100  
 www.rien.com

**100% BIDDING AND PERMIT**

**03/04/19**  03/04/19  
**JJD**  JJD  
**MJJ**  MJJ  
**MJJ**  MJJ  
**2018085**  
**LEVEL G1 STRIPING PLAN**  
 Scale: 1/16" = 1'-0"  
 PS201



**LEVEL G2 STRIPING PLAN**

CAR COUNT SUMMARY				
LEVELS	STANDARD	BARRIER FREE	COMPACT	TOTAL
G1	45	2	1	47
G2	88	5	0	93
G3	88	5	0	93
G4	95	7	0	102
G5	95	7	0	102
G6	102	7	0	109
G7	102	7	0	109
G8	102	7	0	109
G9	102	7	0	109
G10	102	7	0	109
<b>TOTALS</b>	<b>543</b>	<b>43</b>	<b>15</b>	<b>591</b>

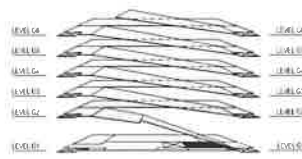
LEVEL COLOR CHART	
STANDARD	WHITE
BARRIER FREE	YELLOW
COMPACT	RED
STAIR	GREEN
DRIVE	BLACK
WALKWAY	BLACK

**NOTES:**

- SEE GENERAL NOTES FOR ALL NOTES.
- SEE GENERAL NOTES FOR ALL NOTES.
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- GENERAL STRIPING NOTES:**
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**ISOMETRIC**

**NEUMANN SMITH**

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na@neumannsmith.com

**SOMA**

**DETROIT**

**MIXED-USE BUILDING**

**SOUTH OF MACK AVENUE**

**DETROIT MICHIGAN USA 48201**

**BIER & ASSOCIATES**

ARCHITECTS • ENGINEERS • PLANNERS

**100% BIDDING AND PERMIT**

**01/04/18**

**JJD**

**MJJ**

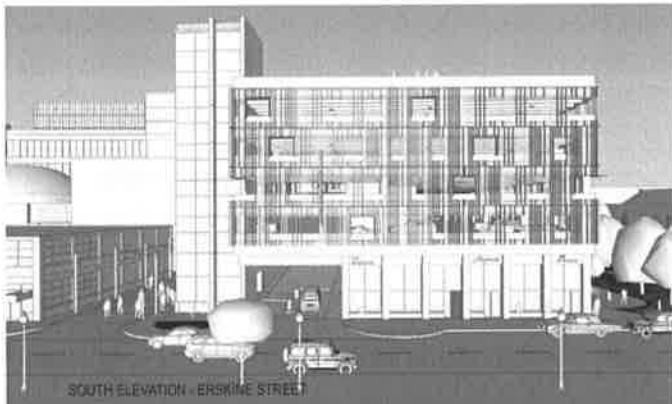
**2016085**

**LEVEL G2 STRIPING PLAN**

Scale: 1/16" = 1'-0"

**PG202**





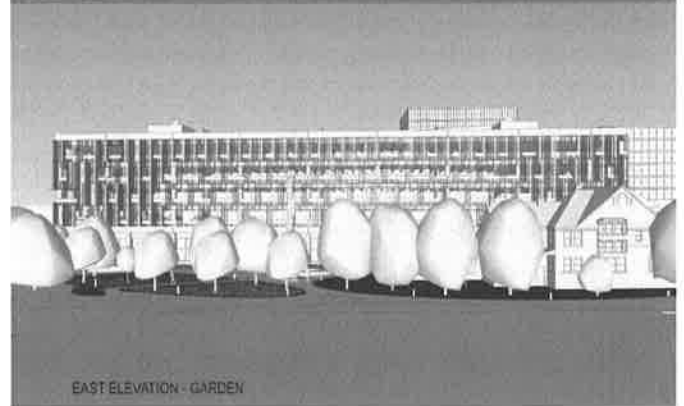
SOUTH ELEVATION - ERSKINE STREET



WEST ELEVATION - ACTIVATED ALLEY

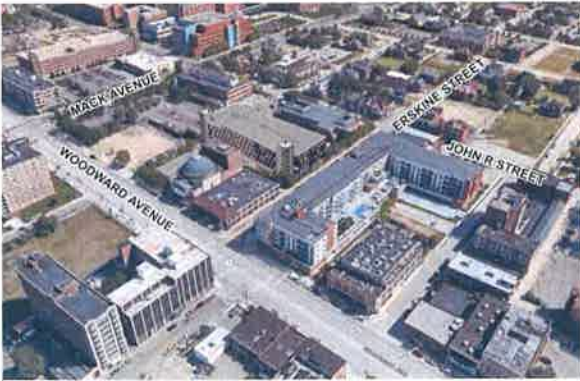


NORTH ELEVATION - SNOT STREET



EAST ELEVATION - GARDEN

*exterior elevations*



VIEW LOOKING NORTH EAST



VIEW LOOKING NORTH WEST



VIEW LOOKING SOUTH EAST

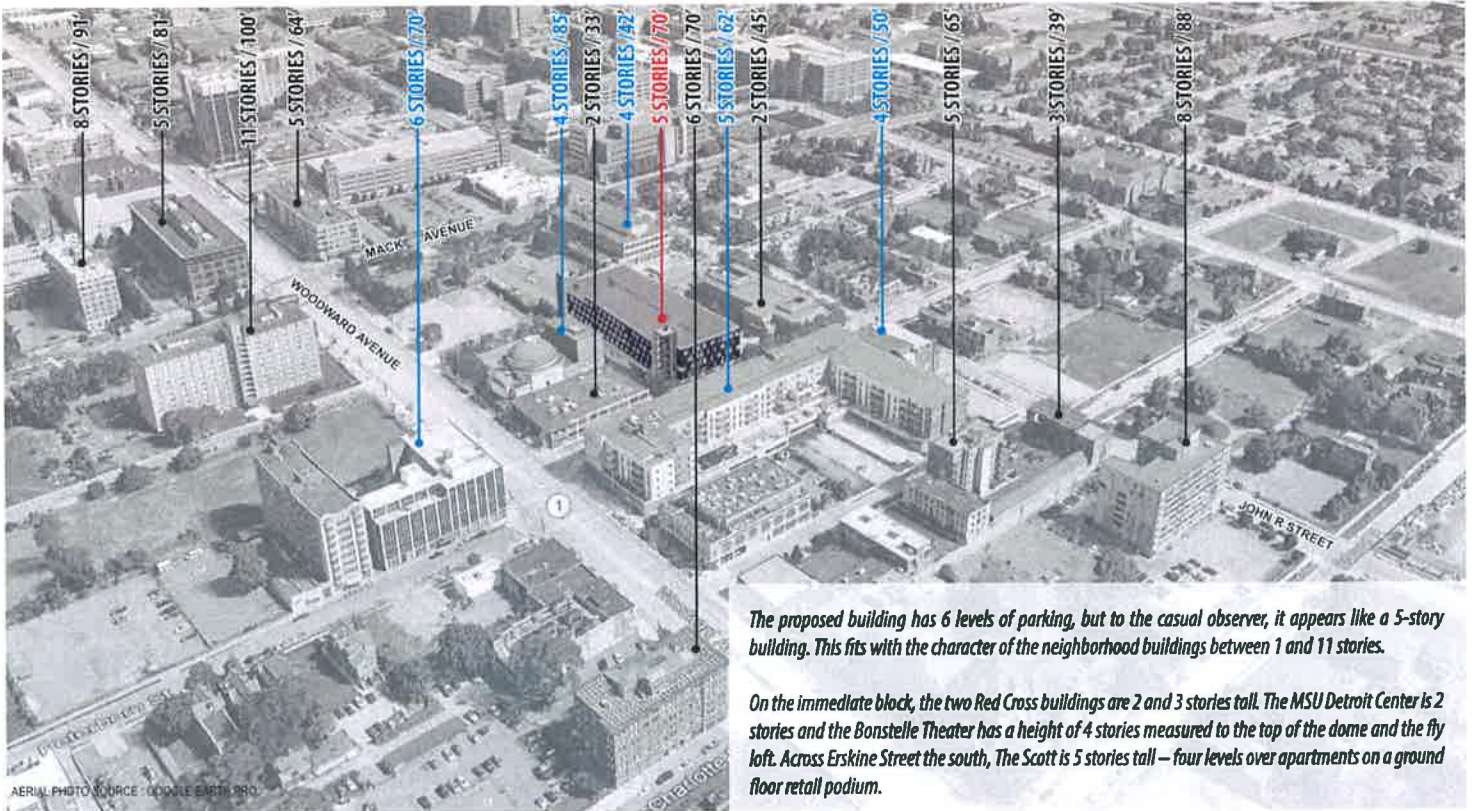


VIEW LOOKING SOUTH WEST

11.27.2018  
 NEUMANN SMITH  
 GRISSIM METZ ANDRIESE  
 SOMA

11.27.2018

*neighborhood context*



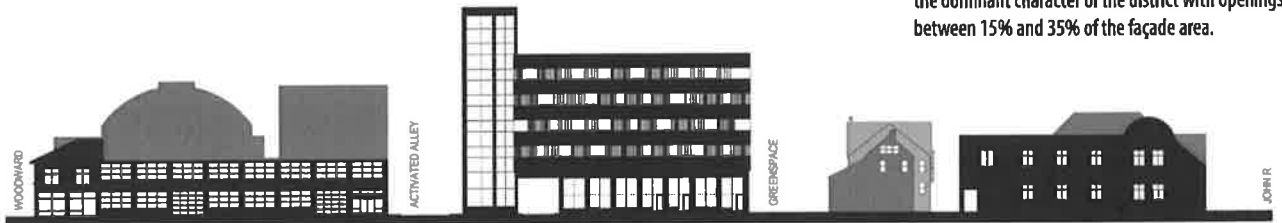
*The proposed building has 6 levels of parking, but to the casual observer, it appears like a 5-story building. This fits with the character of the neighborhood buildings between 1 and 11 stories.*

*On the immediate block, the two Red Cross buildings are 2 and 3 stories tall. The MSU Detroit Center is 2 stories and the Bonstelle Theater has a height of 4 stories measured to the top of the dome and the fly loft. Across Erskine Street the south, The Scott is 5 stories tall – four levels over apartments on a ground floor retail podium.*

## massing and scale

11.27.2018

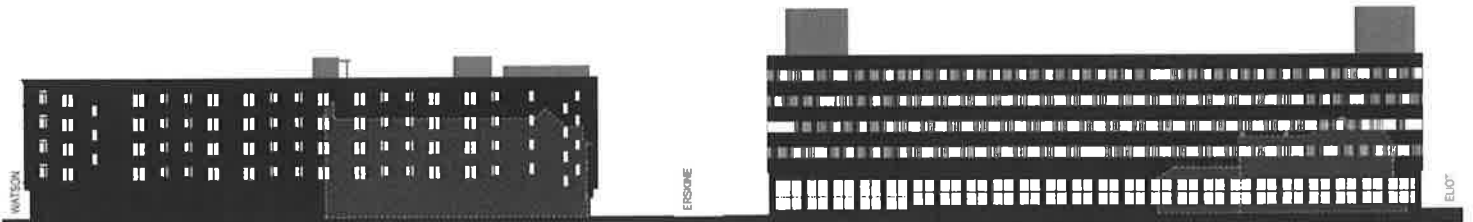
The proposed building has open areas in the façade averaging 30% on all four elevations. This fits with the dominant character of the district with openings between 15% and 35% of the façade area.



SOUTH FAÇADE FIGURE GROUND STUDY - ERSKINE STREET LOOKING NORTH



NORTH FAÇADE FIGURE GROUND STUDY - ADJACENT BUILDINGS - ERSKINE STREET LOOKING SOUTH



EAST FAÇADE FIGURE GROUND STUDY

# *massing and scale*

11.27.2018







The proposed building is wider than it is tall on all four sides. The structural expression and architectural screen is designed to emphasize the vertical dimension of the building.

The building has openings in the screen which appear like windows in varying widths. All the openings at the parking areas are 5 feet tall. The screen itself has two different densities. The design of the façades does not have the grid-based modularity typical of modern architecture, or most parking structures. The playfulness of the design masks the sobriety of the underlying function.



NEIGHBORHOOD CONTEXT - TRADITIONAL AND MODERN ARCHITECTURAL STYLES. VERTICAL STRUCTURAL EXPRESSION, BUILDINGS WIDER THAN TALL, PUNCHED WINDOWS

## *massing and scale*



11.27.2018



On Erskine Street, the plinth respects the height of the MSU Detroit Center and continues the urban street wall.



On Eliot Street, a new urban street wall is defined by the strong plinth and wide sidewalk.



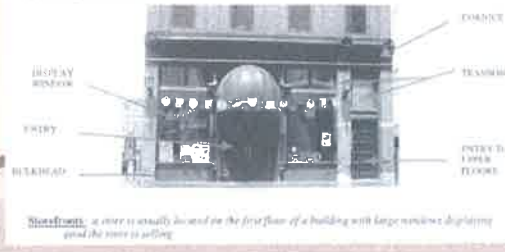
The proposed building maintains the zero-setback line of the adjacent MSU Detroit Center reinforcing the urban street wall. The height of the ground floor plinth respects the roof line. Retail storefronts on the Erskine Street and Eliot Street elevations promote vibrancy in the public realm.





- CORNICE
- ORGANIZED AND CONSISTENT BAND FOR TENANT SIGNAGE
- TRANSOM
- DISPLAY WINDOW
- ENTRY
- BULKHEAD

DIAGRAM SOURCE: CITY OF DETROIT POD 'DESIGN GUIDELINES FOR COMMERCIAL BUILDINGS'  
Elements of a Storefront



The proposed building incorporates the traditional elements of a storefront with a contemporary design style. Columns are spaced 12 feet on center to break down the scale of the building to legible human proportions.

The National Bank of Detroit Building (Qube) designed by Albert Kahn Associates served as a design reference for the clarity of the street level plinth separated from the repetitive office floors above.



The primary material of the proposed building is acid washed precast concrete. The columns and spandrels at each floor level are creamy limestone color. The stair and elevator towers are sandblasted grey concrete and clear glass. The color of the white concrete is intended to be compatible with the adjacent Bonstelle Theater and the MSU Detroit Center both designed by Albert Kahn Associates. The screen surrounding the building is made from extruded, post-consumer recycled plastic lumber in dark blue and grey colors. The bold colors and patterns recalls the traditional architecture of terracotta and glazed brick found in Detroit.

The stepped bond pattern of National Bank of Detroit Building (also Albert Kahn) and the prominent texture of the Henry Ford Hospital Parking Structure influenced the design of the proposed building.



MSU DETROIT CENTER  
EXPOSED CONCRETE FRAME AND GLASS



TEMPLE BETH-EL / BONSTELLE THEATER  
CREAM COLORED LIMESTONE



NATIONAL BANK OF DETROIT / QUBE  
RUNNING BOND MODULE OF WINDOWS AND MARBLE PANELS



HENRY FORD HOSPITAL PARKING STRUCTURE  
EXPRESSIVE SCREEN TO CONCEAL AUTOMOBILES

**materials**



11.27.2018



AVEL LORING  
NEUMANN  
SMITH

GRISSIM  
METZ  
ANDRIESE

SO  
MA

11.27.2018

*public realm*





CEMENT BOARD



PAINT FOR STEEL COLUMNS/  
GIRDERS AND BALUSTERS



ALUMINUM MULLIONS



ROUND SCRIM STICKS  
OPTION A



RECTANGULAR SCRIM STICKS



INTERIOR STAIRWELL

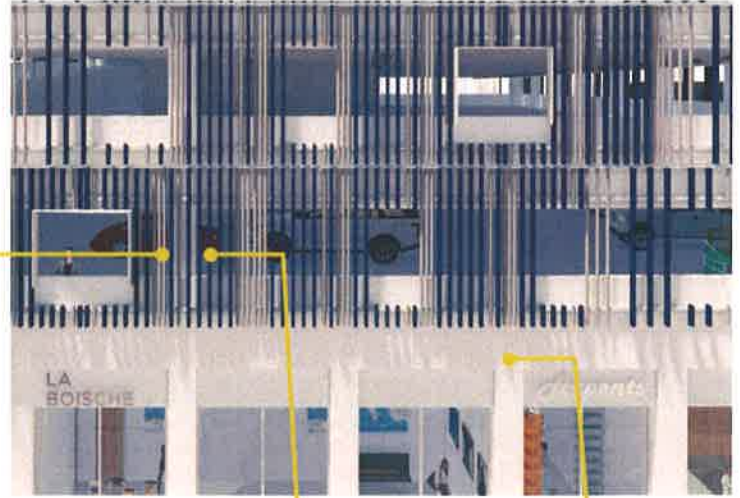


CMU INFILL



11.27.2018

*finish board*



CEMENT BOARD



PAINT



ALUMINUM MULLIONS



ROUND SCRIM STICKS  
OPTION A



RECTANGULAR SCRIM STICKS



COLUMNS AND SPANDRELS



11.27.2018

*finish board*

68

Alton James  
Chairperson  
  
Vice Chair/Secretary  
  
Marcell R. Todd, Jr.  
Director

**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: cc-cpc@detroitmi.gov

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

June 21, 2019

**HONORABLE CITY COUNCIL**

**RE:** Request of 112 Edmund Place, LLC to modify the provisions of an existing PD-H (Planned Development-Historic) zoning district on Article XVII, District Map 4 of the 1984 Detroit City Code, Chapter 61, Zoning, to allow for a mixed-use building to include commercial and residential space on property commonly known as 112 Edmund Place (**RECOMMEND APPROVAL**).

**RECOMMENDATION**

The City Planning Commission (CPC) has completed its review of the above captioned request. Based on the information that was provided at the public hearing, the public testimony that was submitted and the work that the developer has adhered to, in order to meet City and community requests, CPC recommends approval of this petition. This recommendation includes the following conditions:

1. That the developer work with the immediately surrounding property owners to minimize disruption to the neighborhood during construction and address impacts that may arise;
2. That the developer work to mitigate any possible unforeseen concerns and work with the CPC staff to further refine any aspect of the project design if necessary;
3. That the developer work with the neighbor immediately adjacent to the west to add a possible brick masonry wall and/or vegetative buffer as appropriate between subject lots working with the subject neighbor and to be done to CPC staff's satisfaction;
4. That the developer would address setback concerns of the adjacent property known as the Lucien Moore, to mitigate outstanding issues to CPC staff's satisfaction; and
5. That the developer submit final site plans and elevations, landscaping, lighting, and signage plans to the CPC staff.

**BACKGROUND**

This matter first came before the City Planning Commission in 2018. The original request proposed to allow for a multi-building mixed-use development on the subject block to provide two buildings which would include office, retail, commercial and residential space and to also construct a parking structure with retail and commercial space on the ground level. The project

CITY CLERK 2019 JUN 24 09:10L



originally consisted of three (3) buildings total at 112 Edmund, 2827 John R. and 105 Alfred Street.

The City Planning Commission approved this overall project in 2018, however, the matter never advanced to City Council. Since then the project before this Honorable Body has been refined to only the scope of the 112 Edmund building proposal for the parcel located at John R. and Edmund Place. The other portions of the original project will be presented at a later date. The developer has also made modifications to the 112 Edmund design that have improved the project and also addressed some of the neighbor's concerns even after the original approval by the City Planning Commission of the wholistic project in 2018.

## **PROPOSAL**



The developer is currently seeking to move forward with a project known as 112 Edmund which is a mixed-use residential building at the intersection of John R. Street and Edmund Place in Brush Park. The ground floor is planned to house parking and 1,000 sf of commercial space at the corner of John R and Edmund. The above floors would include 36 residential units with the overall height of the building being five (5) and four (4) stories at different portions of the building which incorporates as step down. The building would have 49, 540 gross square feet (sf). Units would range from 639 sf to 1294 sf. Construction is desired to begin in 2020 and end in 2022.

## **PUBLIC HEARING AND COMMUNITY INPUT**

At the original CPC hearing in 2018, some residents from the Carlton spoke to concerns about their downtown views being obstructed by the then proposed seven (7) story building (since then the building has been lowered to five stories). Other concerns were raised as well. Some members of the public spoke in support.

Since then for various reasons, the project has been modified as previously mentioned in this report. The building massing has been drastically reduced. After many public discussions on this project, the Brush Park CDC has submitted a letter of support for the 112 Edmund proposal.

## ANALYSIS

This project is generally in conformance with the PD District design criteria of Sec. 61-11-15 of the Zoning Ordinance. CPC's review is as follows:

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

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

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

CPC points to the surrounding context when it comes to scale, form, massing and density. Regarding the buildings height and scale being appropriate for the current site, it is very plausible to say that the proposed building's five (5) story height fits the existing and historic context of the Brush Park neighborhood as there are surrounding buildings that reach heights of seven (7) to eight (8) stories.

This project is seemingly consistent with the scale, form massing and density of the historic precedents of the neighborhood, particularly for buildings between John R. and Woodward. At the time of the Brush Park Historic District designation of the 22 block area in 1980 by the Historic Designation Advisory Board (HDAB), buildings varied greatly in size. According to the HDAB staff report for the district, "*Houses are generally oriented to the east-west streets, while apartments and commercial structures are more often oriented to the north-south streets.*" Most lots were around 50 feet wide and the neighborhood historically maintained all types of buildings from Victorian style mansions to institutional churches, to apartment buildings and hotels.

The historic district ordinance speaking of the period of designation, states that, 2 "***Height varies in the district from one (1) to eleven (11) stories. In the area between Woodward and Brush.... All other buildings more than four (4) stories in height are located between Woodward and John R, and generally on or immediately adjacent to buildings on those streets***" the ordinance states.

*"Older single family houses between Woodward and Brush generally occupy about twenty-five (25) to thirty (30) percent of the building lot, not including coach houses or garages. Later apartments and commercial buildings often fill a much higher percentage of the lot, sometimes approaching or reaching complete lot coverage."* Some of the taller buildings in Brush Park were directly adjacent to the smaller two (2)- three (3) story buildings. Brush Park had many building typologies. St. Patrick's Church that once existed on John R. and Adelaide, was a church that maintained two very large steeples and is a good example of the vastly different mix of scale and land use that existed in the area.

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

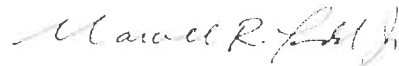
CPC believes that the development is compatible with the surrounding area and that the developer has worked closely with the community and City to come to a product that takes into consideration all concerns that can reasonably be accommodated and make the project still remain feasible.

## **CONCLUSION**

CPC has worked inter-departmentally, with the developer and with the community to reach the conclusion for the project that is currently before Your Body. We view the 112 Edmund building as being cohesive to the neighborhood. The developer has been very cooperative and conducive to changes over the time of this project and has incorporated numerous design changes based on city and community feedback.

Respectfully submitted,

ALTON JAMES, CHAIRPERSON



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

**Attachment:**

Ordinance  
Plans

Cc: Maurice Cox, Director, P&DD  
Karen Gage, P&DD  
Esther Yang, P&DD  
Greg Moots, P&DD  
David Bell, Director, BSEED  
Lawrence Garcia, Corp. Counsel  
Arthur Jemison, Chief of Services and Infrastructure

## **SUMMARY**

This ordinance amends Chapter 61 of the 1984 Detroit City Code, '*Zoning*,' commonly known as the Detroit Zoning Ordinance, by amending Article XVII, District Map 4 and the provisions for an existing PD (Planned Development-Historic) zoning classification established by Ordinance 39-07 to allow for a mixed-use building on land commonly known as 112 Edmund Place.

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

2 **AN ORDINANCE** to amend Chapter 61 of the 1984 Detroit City Code, 'Zoning,' commonly  
3 known as the Detroit Zoning Ordinance, by amending Article XVII, District Map 4 and the  
4 provisions for an existing PD (Planned Development-Historic) zoning classification established  
5 by Ordinance No. 39-07 to allow for a mixed-use building on land commonly known as 112  
6 Edmund Place.

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

8 Section 1. Article XVII, Chapter 61 of the 1984 Detroit City Code, Zoning, amends  
9 District Map 4 and Ordinance No. 39-07 as follows:

10 (A) District Map 4 is amended to modify the approved plans for the PD (Planned  
11 Development District) zoning classification currently shown on:

12 SOUTH EDMUND PLACE Lot 14 and the East 10 feet of Lot 13, Block 5, Brush  
13 Subdivision, as recorder in Liber 1, Page 191 of Plats, Wayne County Records  
14 1/40 71.54 Irregular.

15 (B) The site plan, elevations and other components of the development proposal for the  
16 112 Edmund Place project as depicted in the drawings prepared by McIntosh Poris  
17 Associates and Oombra Architects, LLC dated May 30, 2019, are approved with  
18 the following conditions:

19 1. The developer will work with the immediately surrounding property  
20 owners to minimize disruption to the neighborhood during construction  
21 and address impacts that may arise; and

- 1           2.    The developer will work to mitigate any possible unforeseen concerns and  
2                   work with the City Planning Commission staff to further refine any aspect  
3                   of the project design if necessary; and
- 4           3.    The developer will work with the neighbor immediately adjacent to the  
5                   west to add a possible brick masonry wall and/or vegetative buffer as  
6                   appropriate between subject lots, to the satisfaction of the City Planning  
7                   Commission staff; and
- 8           4.    The developer will address setback concerns of the adjacent property  
9                   known as the Lucien Moore, to mitigate outstanding issues to the City  
10                  Planning Commission staff's satisfaction; and
- 11          5.    Final site plans, elevations, lighting, landscape and signage plans will be  
12                  submitted by the developer to the staff of the City Planning Commission  
13                  for review and approval prior to making application for applicable  
14                  permits.

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

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

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

22    Approved as to Form:

23                   *Lawrence T. Garcia*  
24                   \_\_\_\_\_  
25                  Lawrence T. Garcia,  
26                  Corporation Counsel





# 112 EDMUND PLACE

MAY 30, 2019



MCINTOSH  
PORIS

**OMBRA**  
ARCHITECTS



## SUMMARY OF MODIFICATIONS TO 112 EDMUND PLACE

- **HEIGHT:**
  - REDUCED BUILDING HEIGHT FROM SEVEN TO FIVE STORIES (82' TO 68')
- **MASSING:**
  - REDUCED OVERALL BUILDING SQUARE FOOTAGE FROM 82KSF TO 50KSF
- **CURB CUTS:**
  - REMOVED STREET CURB CUT FROM EDMUND PLACE - ONLY ACCESSED FROM ALLEY
- **PARKING:**
  - REDUCED PARKING COUNT FROM 48 SPACE TO 31 SPACES - NO UNDERGROUND PARKING
- **PROGRAM:**
  - REDUCED RETAIL PROGRAM FROM 5KSF TO 1.2KSF (NO PARKING REQ'D FOR RETAIL)
  - REMOVED COMMERCIAL OFFICE PROGRAM (REDUCED AMOUNT OF PARKING REQ'D)
  - INCREASED UNIT COUNT FROM 32 TO 36

PREVIOUS DESIGN



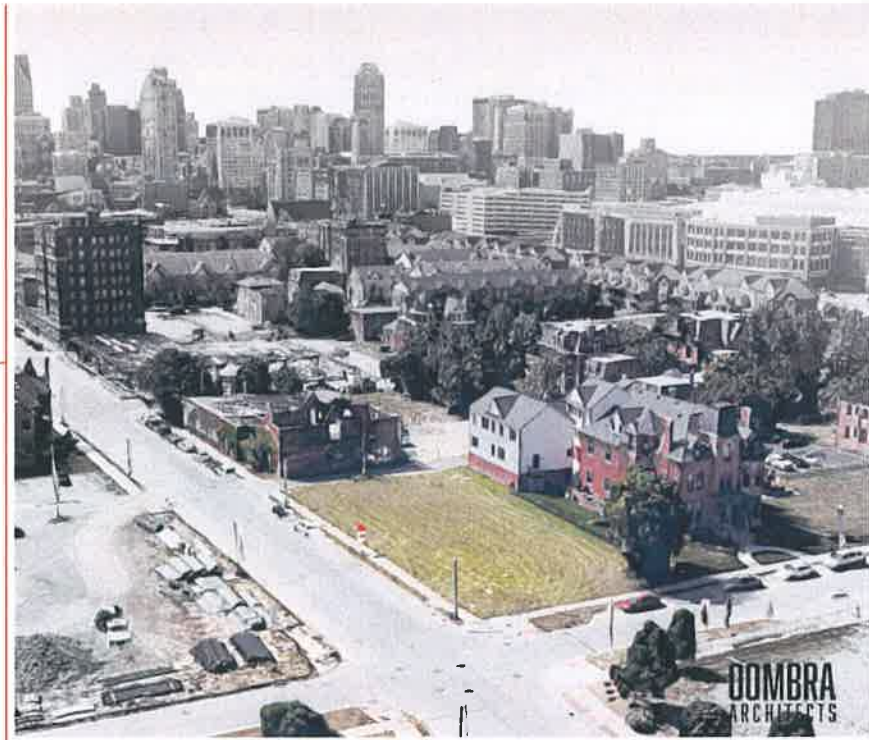
**CURRENT DESIGN**



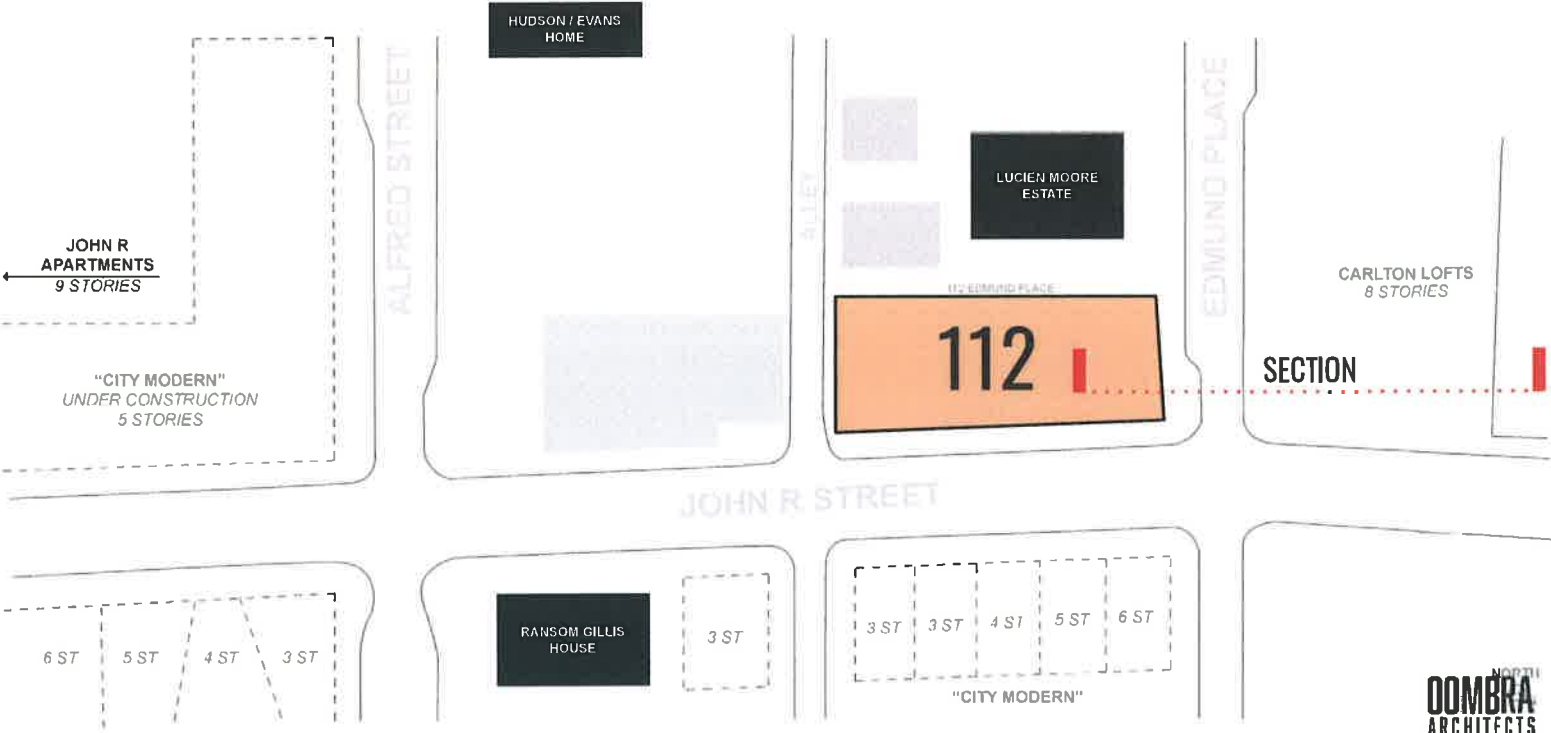
**DOMBRA**  
ARCHITECTS

**SITE LOCATION**

**ON JOHN R ST BETWEEN ALFRED ST AND EDMUND PL**



**SITE PLAN**





HEIGHT AND CONTEXT

**112**  
EDMUND PLACE

80 FT  
(PREVIOUS HEIGHT)  
(7 STORIES)

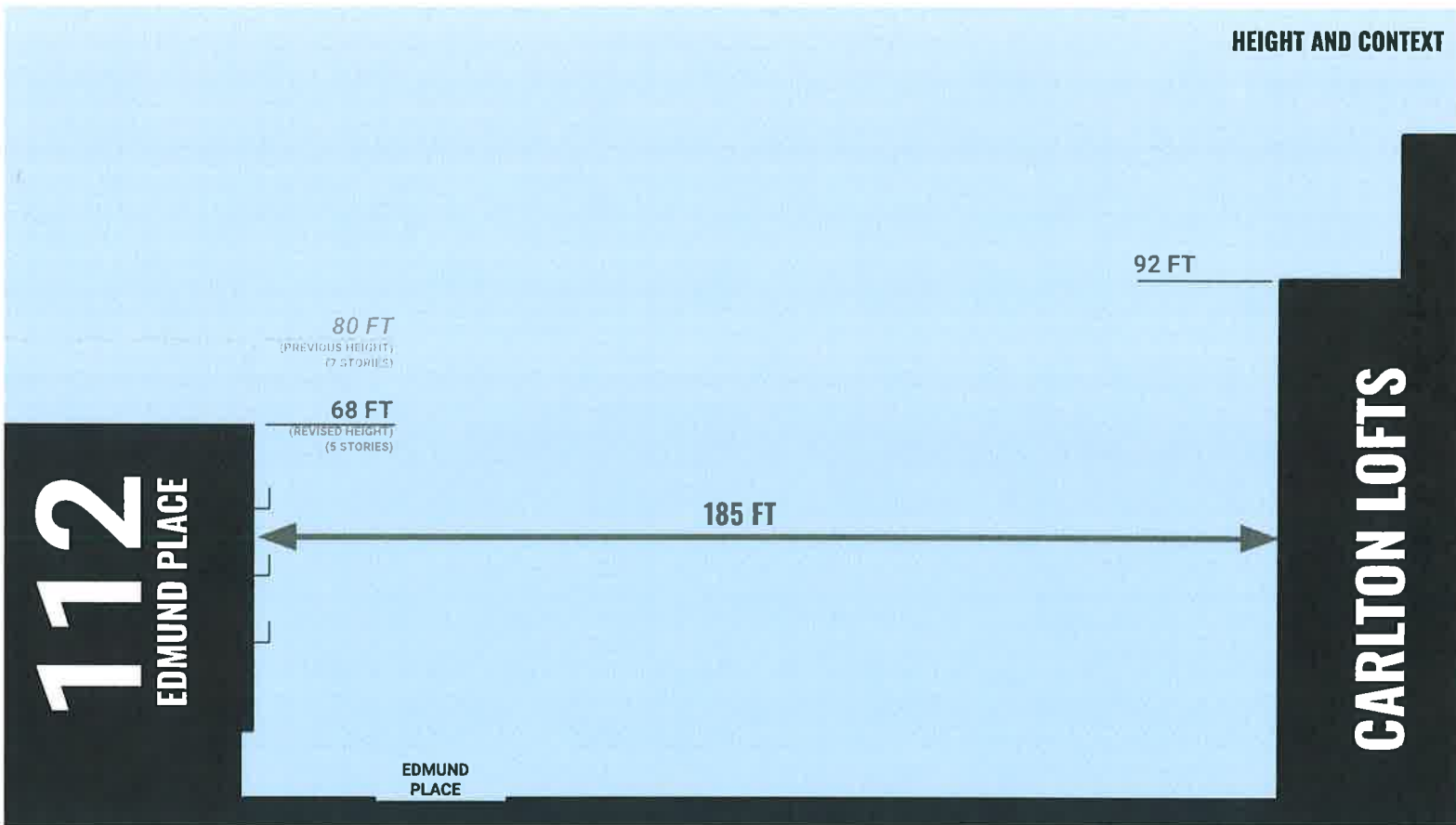
68 FT  
(REVISED HEIGHT)  
(5 STORIES)

185 FT

92 FT

**CARLTON LOFTS**

EDMUND  
PLACE



**GROUND FLOOR PLAN**



LUCIEN MOORE ESTATE

LANDSCAPED BRICK SCREEN WALL

SCREEN WALL

ALLEY

EDMUND PLACE

31 PARKING SPACES  
PARKING GARAGE  
3,375 SF

ELEV

TRASH  
12' x 12'

PACKAGE  
10' x 12'

RESIDENTIAL LOBBY  
14' x 12'

RESIDENTIAL AMENITY  
17' x 12'

COMMERCIAL TENANT

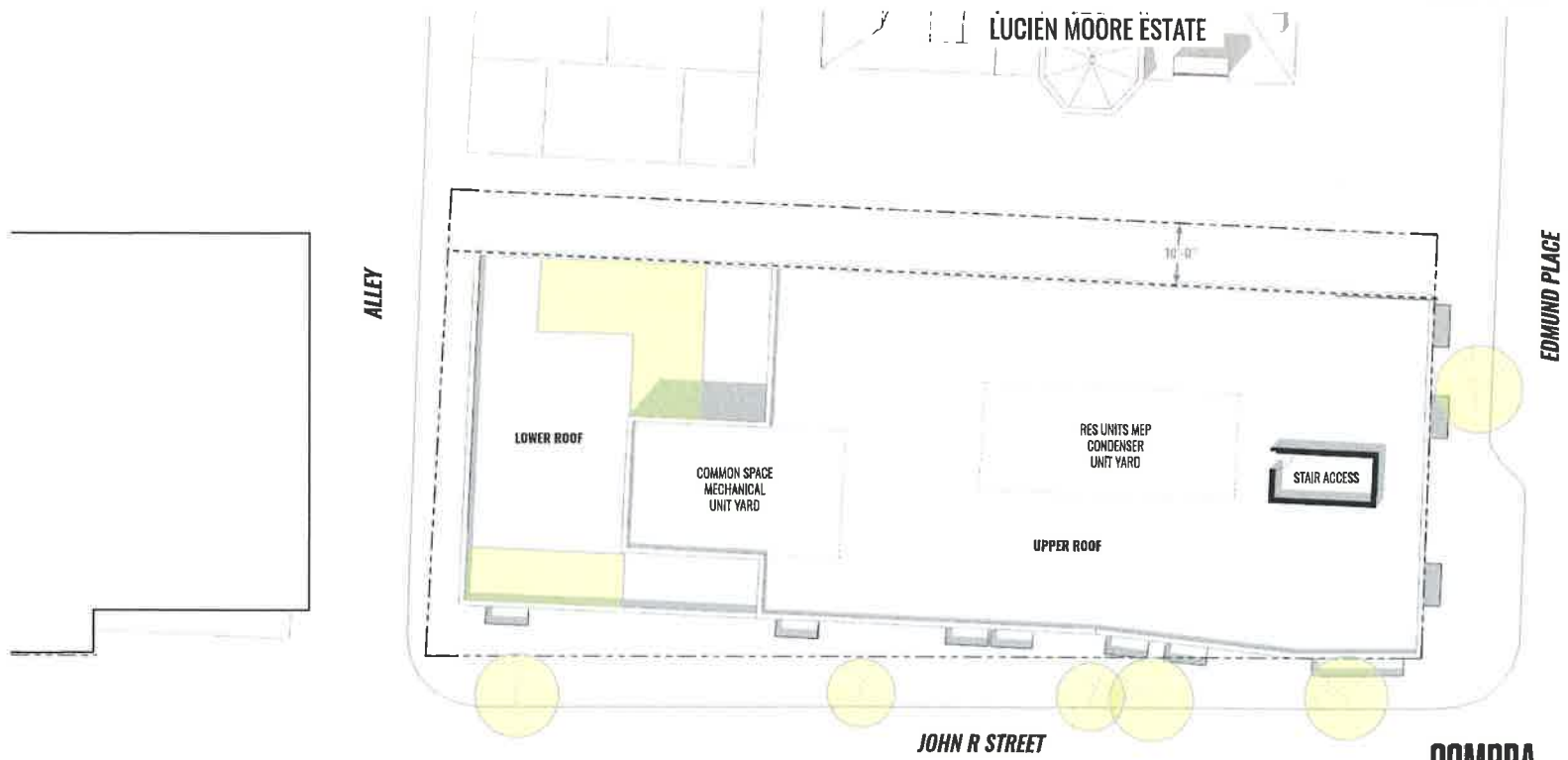
TRANSFORM  
16' x 12'

SER  
12' x 12'

JOHN R STREET

**OMBRA**  
ARCHITECTS

**ROOF PLAN**



LUCIEN MOORE ESTATE

ALLEY

EDMUND PLACE

LOWER ROOF

COMMON SPACE  
MECHANICAL  
UNIT YARD

RES UNITS MEP  
CONDENSER  
UNIT YARD

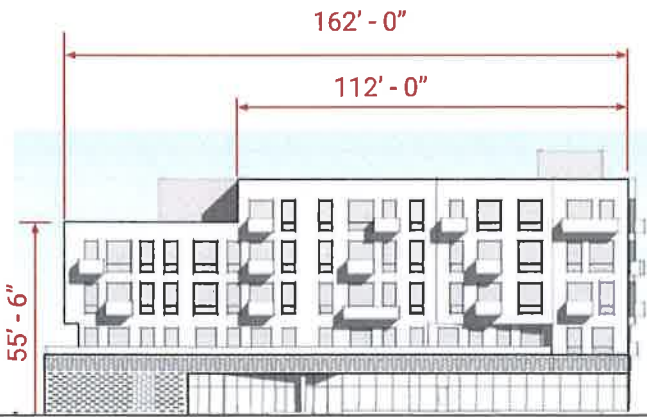
STAIR ACCESS

UPPER ROOF

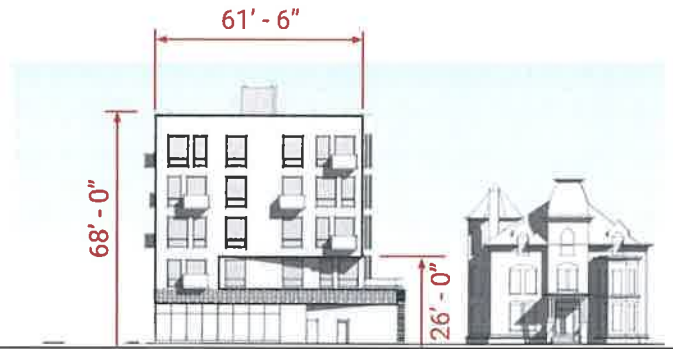
JOHN R STREET

**DOMBRA**  
ARCHITECTS

**ELEVATIONS**



East Elevation



North Elevation

# MATERIALS

**METAL MESH GUARD**  
Dark Bronze



**BRICK**  
Light Grey at overruns and accents



**WINDOWS**  
Dark Bronze fiberglass @ residential units



East Elevation



North Elevation



**BRICK SCREEN**  
White running bond with openings (saxon or norman style)



**BRICK**  
White running bond (saxon or norman style) in main field



**BRICK**  
White with relief pattern @ fascia band



**STOREFRONT**  
Dark bronze @ ground floor lobby/retail

**MATERIALS**

**BRICK**  
*White running bond (saxon or norman style) in main field*



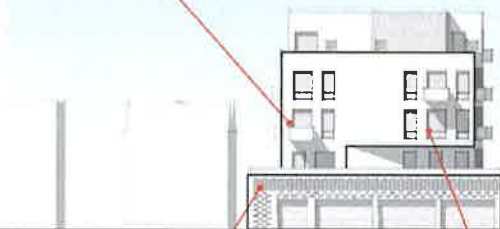
**WINDOWS**  
*Dark Bronze fiberglass @ residential units*



**METAL MESH GUARD**  
*Dark Bronze*



*West Elevation*



*South Elevation*



*LIGHT BRICK (PATTERSON TERRACE)*



*REGULAR WINDOW PATTERN (CARLTON LOFTS)*



*PATTERNED BRICK (2827 CARRIAGE HOUSE)*



*DARK BRONZE WINDOWS (VARIOUS)*



**EAST ELEVATION ALONG JOHN R**



**UOMBRA**  
ARCHITECTS

**LOOKING NORTH ON JOHN R**



**DOMBRA**  
ARCHITECTS

INTERSECTION OF EDMUND AND JOHN R



OMBRA  
ARCHITECTS



# City of Detroit

Alton James  
Chairperson

Vice Chair/Secretary

Marcell R. Todd Jr.  
Director

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

69  
CITY CLERK 2019 JUN 21 10:05  
Brenda Goss Andrews  
Lisa Whitmore Davis  
Damion W. Ellis  
David Esparza, AIA, LEED  
Gregory Pawlowski  
Frederick E. Russell, Jr.  
Angy Webb

June 21, 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 & PROPOSAL

The Detroit-Wayne Joint Building Authority (DWJBA) is continually making improvements to the CAYMC. The current project under consideration has three components:

1. Fencing around the parking lot and gates across curb cuts – 6' high black ornamental steel fence similar to the fencing across Jefferson Avenue at Mariners' Church
2. Additional bike racks and benches matching those that have been previously approved at the Jefferson (south) and Woodward (west) entrances
3. Removing brick pavers and replacing with plain concrete in additional locations to eliminate tripping hazards and maintenance issues

The next minor project being planned is the installation of new cameras around the building. The Building Authority is also in the early stages of planning to activate the lawn area between the Spirit of Detroit and Jefferson Avenue, adjacent to the flagpole. The intent is to create a plaza space to complement Spirit Plaza and to minimize the grass which is difficult to keep healthy due to its location on the roof of the basement level. They are engaging local architectural students in a design competition and will involve a broad audience in the review and selection process.

### REVIEW & ANALYSIS

Some concern was raised regarding the removal of the pattern in the pavement around the Spirit of Detroit. After much consideration, the Building Authority prefers plain concrete in a grid pattern due to three major factors:

- The existing concrete ribbons are only two years old and already cracking. Due to the small size of the pieces and the freeze/thaw cycle, the longevity of the concrete would be greatly reduced.

- The cost of replacing the concrete in the ribbon pattern is well over the budget for the project.
- This plan restores the original design of the concrete in that location (see attached photos)

***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.

*(12) Security considerations should be a major element of the design program.*

Securing and controlling access to the parking lot where public officials park has been a long-standing priority which this project addresses.

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

Ramps are provided where necessary and the plan calls for removal of the brick pavers which will eliminate tripping hazards and improve safety.

*(18) Phasing, staging and interim circulation patterns should be well-planned so as to minimize disruption during the construction period.*

Extensive planning has been done to phase the concrete work so that each section can be completed in one day to reduce the impact on pedestrian circulation.

***Design***

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

**RECOMMENDATION**

CPC staff recommends approval of the proposed exterior modifications to 2 Woodward Avenue as detailed in the attached drawings 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: Drawings showing proposed changes

## Historic Photos

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



**A RESOLUTION AUTHORIZING ALTERATIONS IN A PC ZONING DISTRICT  
AT THE COLEMAN A. YOUNG MUNICIPAL CENTER**

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

**WHEREAS**, the Coleman A. Young Municipal Center (CAYMC) is located within an established PC (Public Center) zoning district; and

**WHEREAS**, the Detroit-Wayne Joint Building Authority, which owns and operates the CAYMC, has initiated various improvements and repairs to the Center over the years of its existence; and

**WHEREAS**, the Detroit-Wayne Joint Building Authority has undertaken ongoing subsurface waterproofing repairs, examined and implemented various means of improving security around the Center; and

**WHEREAS**, work to be performed within a PC zoning district requires Special District Review and the purpose of the PC zoning district classification is provided for in Section 61-11-61 of the Zoning Ordinance as follows:

*This district includes areas used or to be used for governmental, recreational, and cultural purposes of particular or special civic importance. All construction or other improvement within this district requires that the Planning and Development Department and the City Planning Commission review and make recommendation to City Council, as provided for in ARTICLE III, DIVISION 6 of this Chapter so as to ensure a completely harmonious, pleasing, and functional public center; and*

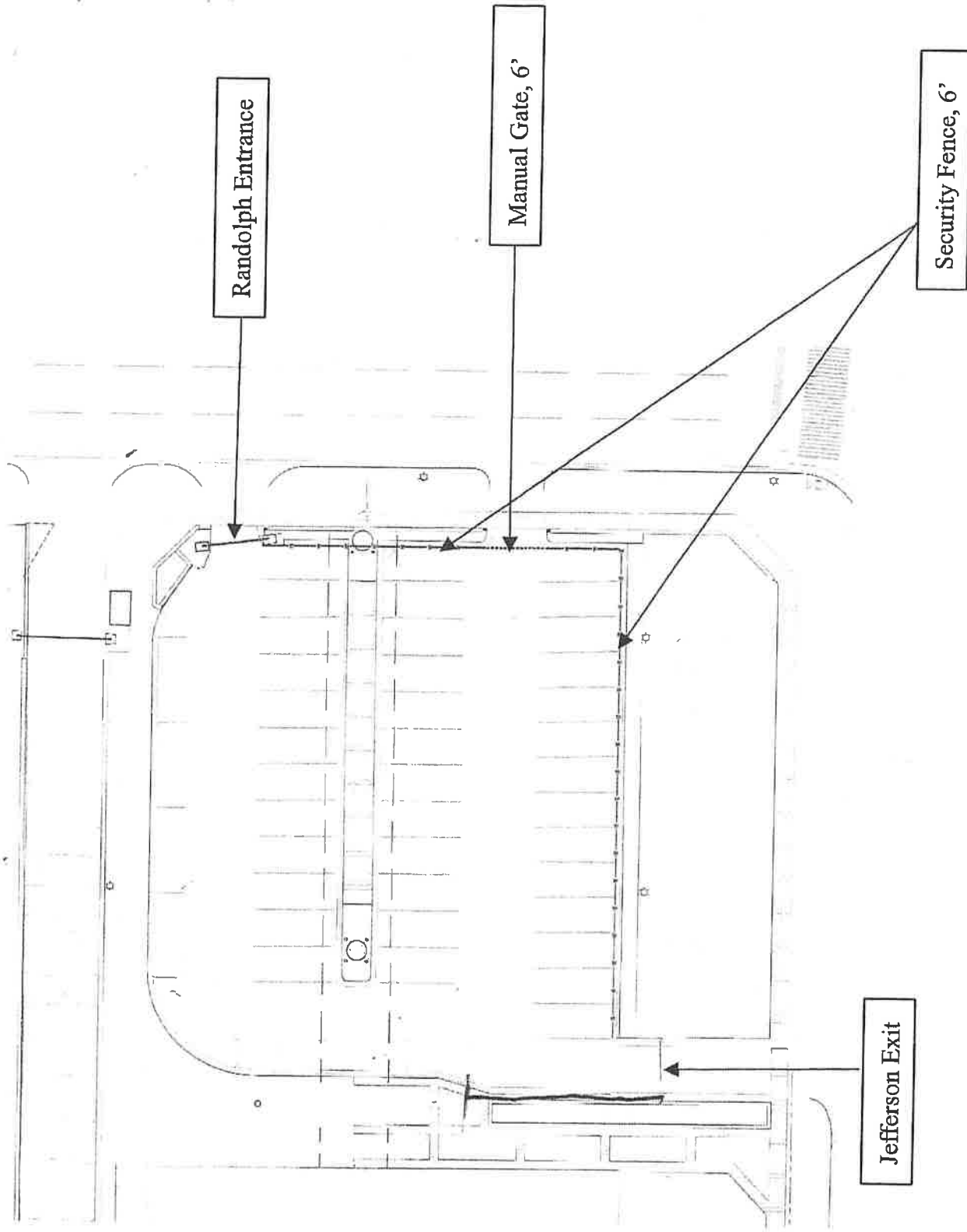
**WHEREAS**, the Detroit-Wayne Joint Building Authority has requested Special District Review and approval for installation of fencing and gates around the parking lot, removal of brick pavers and installation of plain concrete, and additional benches and bicycle parking; and

**WHEREAS**, the City Council has received the CPC staff recommendation and concurrent support of the Planning and Development Department in the CPC report dated June 21, 2019;

**NOW THEREFORE BE IT RESOLVED**, that the Detroit City Council hereby authorizes repairs and improvements to the Coleman A. Young Municipal Center to be undertaken by the Detroit-Wayne Joint Building Authority as described in the previously discussed report with the following conditions;

1. That Detroit-Wayne Joint Building Authority 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 during construction, and
2. That final site plans, elevations, lighting, signage and landscape plans be reviewed by CPC staff for consistency with approval prior to application be made for applicable permits.

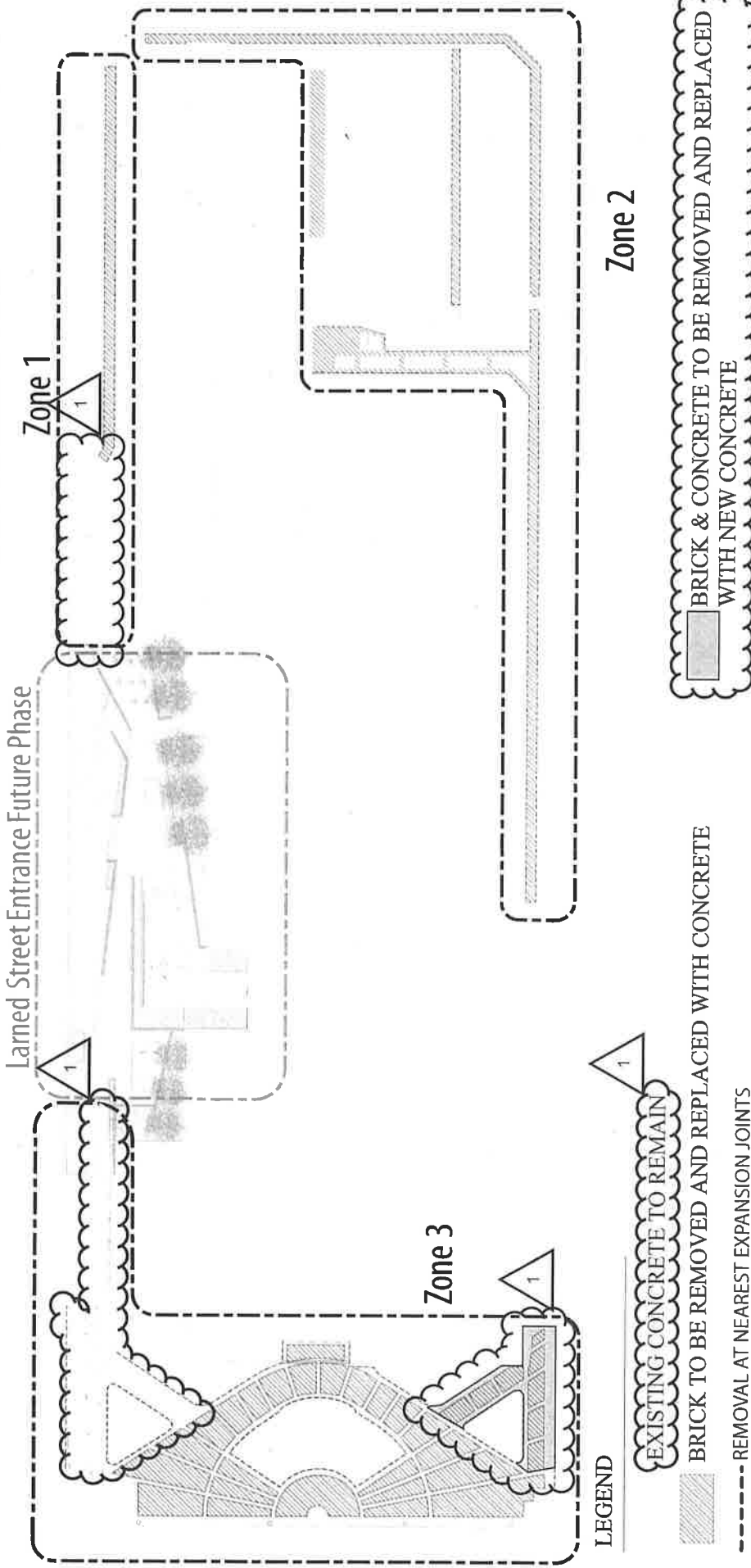
# Randolph Parking Lot Security Enhancement

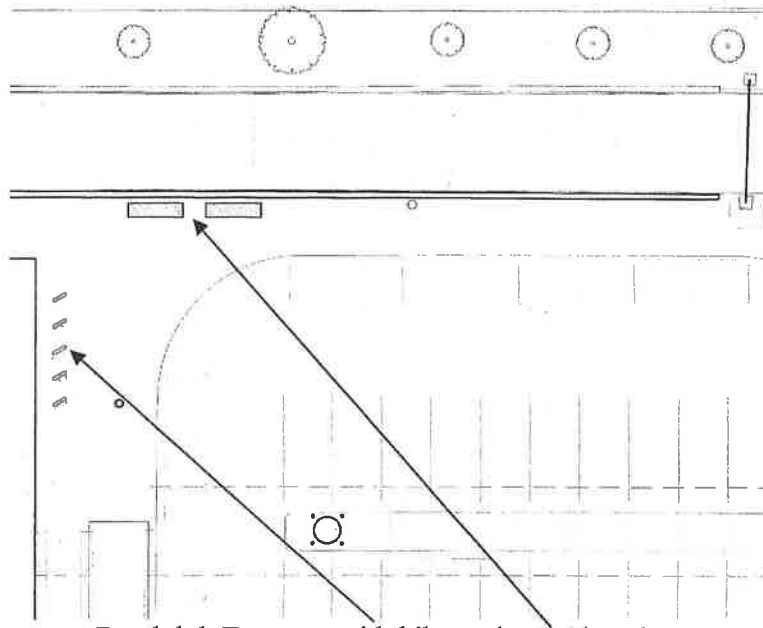


Enhancements include 6' fence along south and west border and a manual swing gate to replace existing chain. Entrance and exit gate arms will remain in place. Security cameras will be added to corners of lot.

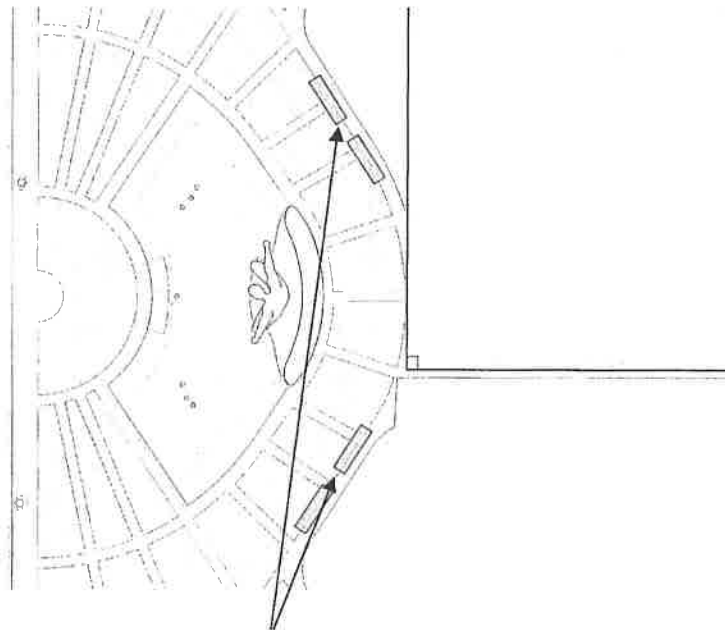
# Pavement Removal Plan

1 REVISION 1 - 5.21.19





Randolph Entrance with bike racks and benches



Backless benches at Woodward Entrance

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### APPLICATIONS

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- Self Storage
- Apartments (Multi-Family)
- Parks & Recreation
- Schools & Universities



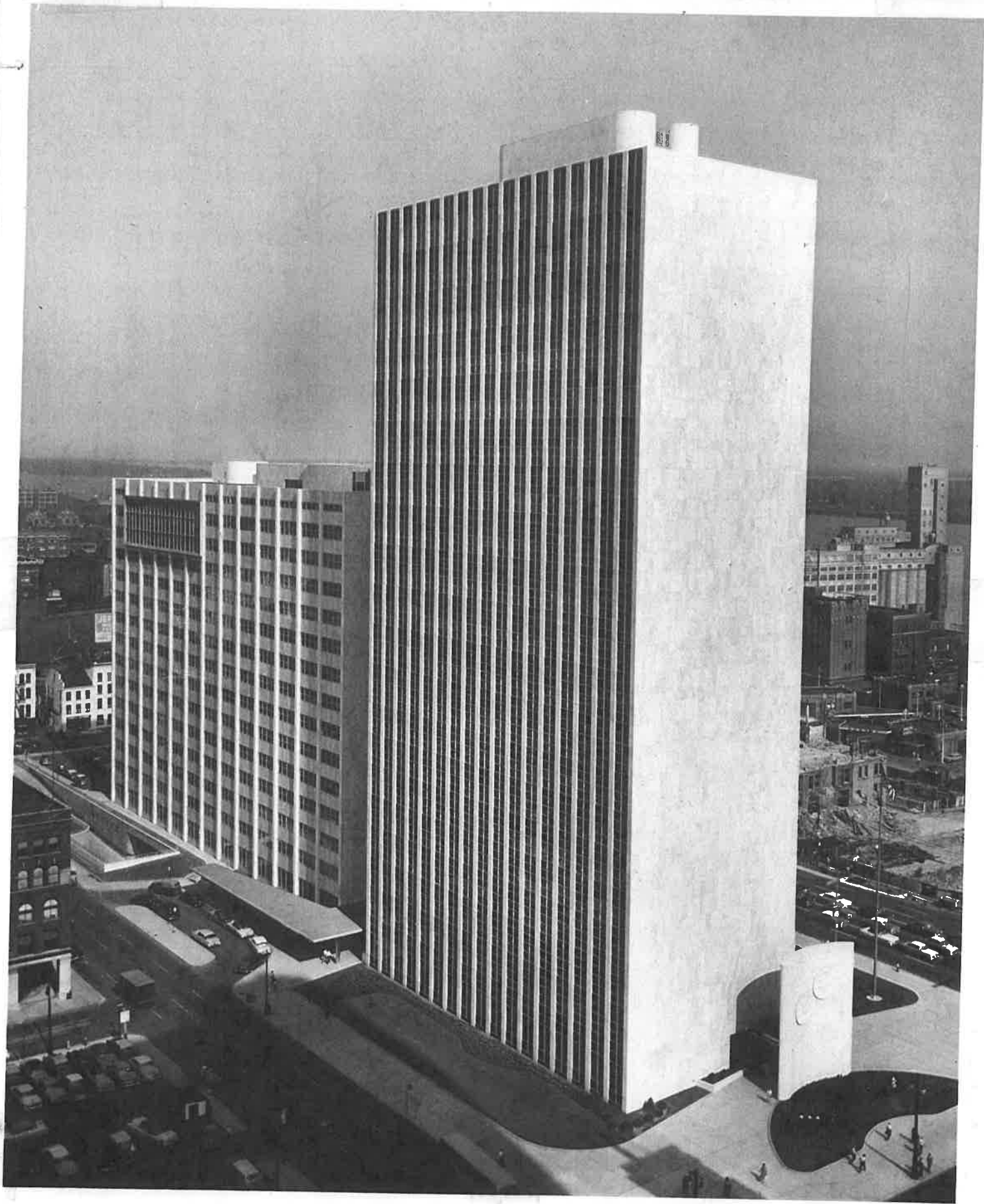
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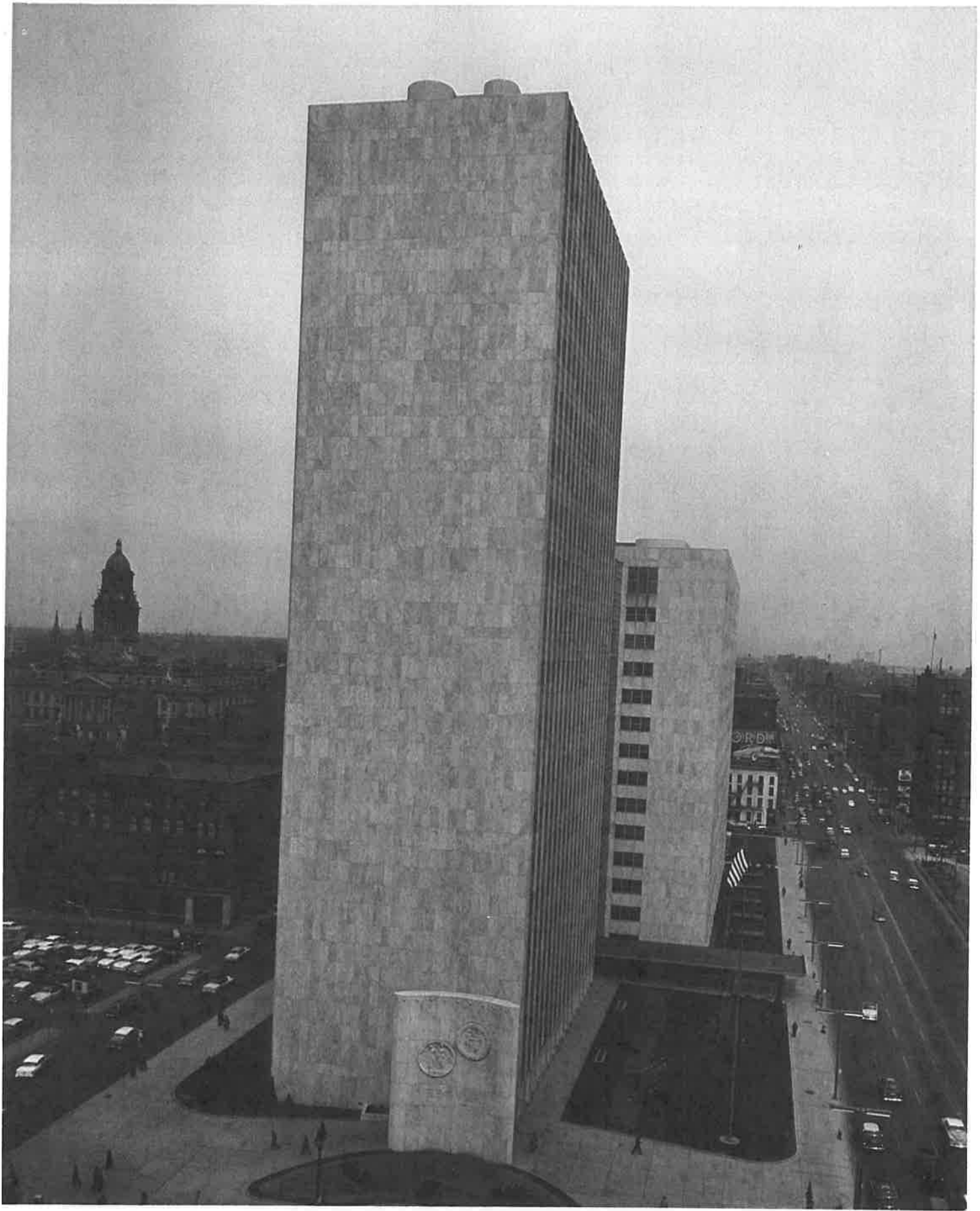
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69



1-25

3 1/16"

→



Office of the Chief Financial Officer

Coleman A. Young Municipal Center  
2 Woodward Avenue, suite 1100  
Detroit, Michigan 48226

Phone: 313-628-2535  
Fax: 313-224-2135  
www.detroitmi.gov

June 21, 2019

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

**RE: Transfer of Jurisdiction / Surplus of Real Property  
15003 E. Jefferson Ave, Grosse Pointe Park, MI**

Honorable City Council:

The City of Detroit, Detroit Department of Transportation (“DDOT”) has recently requested that the Finance Department transfer jurisdiction of certain City-owned real property known as 15003 E. Jefferson Ave., Grosse Pointe Park, MI (the “Property”) to the Planning and Development Department (“P&DD”) to administer as surplus real property.


The Property is approximately 0.44 acres of vacant land. The Property is surplus and DDOT no longer has need for it. P&DD intends to assume jurisdictional control over the Property for sale to the Urban Renewal Initiative Foundation for use as a non-profit ART center with theater/museum space.

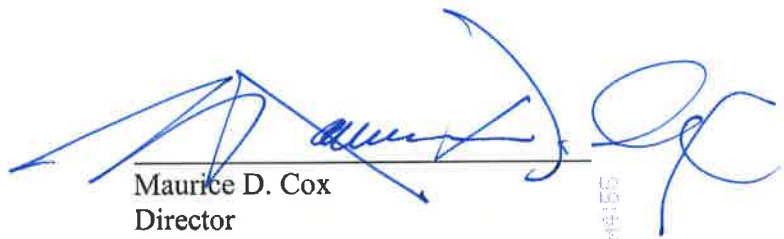
Pursuant to Sec. 14-8-3 of the Detroit City Code, it is hereby requested by the Finance Department that Detroit City Council approve the transfer of jurisdiction over the Property to P&DD. Additionally, pursuant to Sec. Sec. 14-8-4, it is hereby requested by P&DD that the Property be deemed surplus and available for sale.

Respectfully submitted,

OFFICE OF THE CHIEF FINANCIAL OFFICER /  
FINANCE DEPARTMENT

PLANNING & DEVELOPMENT DEPARTMENT

  
\_\_\_\_\_  
John Naglick  
Chief Deputy CFO / Finance Director

  
\_\_\_\_\_  
Maurice D. Cox  
Director

cc: S. Washington (Mayor’s Office)

CITY CLERK 2019 JUN 21 PM 4:55



**RESOLUTION**

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

**WHEREAS**, the Detroit Department of Transportation (“DDOT”) has jurisdiction over certain City of Detroit real property located at 15003 E. Jefferson Ave., Grosse Pointe Park, MI (the “Property”) as further described in the attached Exhibit A; and

**WHEREAS**, DDOT has requested that the Finance Department transfer jurisdiction of the Property to the Planning & Development Department to administer as surplus real property; and

**WHEREAS**, the Planning & Development Department deems the Property not essential to the City and therefore requests that the Property be deemed surplus and be offered for sale; now therefore be it

**RESOLVED**, that in accordance with § 14-8-3 of the Detroit City Code, Detroit City Council hereby approves the transfer of jurisdiction of the Property from DDOT to the Planning & Development Department; and be it further

**RESOLVED**, that in accordance with § 14-8-4 of the Detroit City Code, Detroit City Council hereby deems the Property surplus real property that may be offered for sale by the Planning & Development Department.

**EXHIBIT A**


LEGAL DESCRIPTION

Property situated in the City of Grosse Pointe Park, Wayne County, Michigan, described as follows:

PKWW203B 204 LOT 203 EXC SLY 110 FT. OF WLY 60.64 FT THEREOF ALSO LOT 204  
TURNBULL AND EPSTEAN'S JEFFERSON AVENUE SUB, PC 570 L26 P98 WCR

a/k/a 15003 E. JEFFERSON AVE.  
Tax Parcel ID 008-07-0203-002

Description Correct

By:   
Jim Knoll  
City of Detroit/DPW, CED



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



June 21, 2019

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

**RE: Property Sale / Memorandum of Understanding  
15003 E. Jefferson Ave, Grosse Pointe Park, MI**

Honorable City Council:

The City of Detroit (“City”), through its Planning & Development Department (“P&DD”), the Urban Renewal Initiative Foundation (“URIF”) and the City of Grosse Pointe Park (“GPP”) have been in discussions regarding the sale of certain City-owned land located at 15003 E. Jefferson Ave, Grosse Pointe Park (the “Property”) to URIF for the purchase price of Three Hundred Thousand and 00/100 Dollars (\$300,000.00).

In conjunction with the sale of the Property to URIF, GPP has agreed to: (1) modify their traffic island located in Jefferson Avenue immediately west of the intersection of Jefferson Avenue and Lakepointe Street in a manner that would permit the City’s Detroit Department of Transportation (“DDOT”) buses to turnaround and head west on Jefferson Avenue and (2) construct a parking area for DDOT buses on westbound Jefferson Avenue on land that GPP owns between Maryland Street and Lakepointe Street. The commitments of GPP are codified in a Memorandum of Understanding (“MOU”) that is included in the attached resolution.

URIF proposes to utilize the Property to construct and operate a non-profit ART center that includes theater and museum space and that is used in conjunction with adjoining land that it owns.

We request that your Honorable Body adopt the attached resolution to: (1) authorize the Director of P&DD, or his designee, to execute a quit claim deed and such other documents as may be necessary or convenient to effect a transfer of the Property by the City to URIF and (2) approve the MOU.

Respectfully submitted,

Maurice D. Cox  
Director

cc: Stephanie Washington (Mayor’s Office)

CITY CLERK 2019 JUN 21 PM 4:55



## RESOLUTION

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

**WHEREAS**, the City of Detroit (“City”), through its Planning & Development Department (“P&DD”), has received an offer from the Urban Renewal Initiative Foundation (“URIF”) to purchase certain City-owned real property at 15003 E. Jefferson Ave., Grosse Pointe Park, MI (the “Property”), as more particularly described in Exhibit A incorporated herein, for the purchase price of Three Hundred Thousand and 00/100 Dollars (\$300,000.00) (the “Purchase Price”); and

**WHEREAS**, to entice the City to sell the Property to URIF, URIF and the City of Grosse Pointe Park (“GPP”) wish to enter into a Memorandum of Understanding with the City (the “MOU”) wherein GPP has committed and agreed to: (1) modify their traffic island located in Jefferson Avenue immediately west of the intersection of Jefferson Avenue and Lakepointe Street in a manner that would permit the City’s Detroit Department of Transportation (“DDOT”) buses to turnaround and head west on Jefferson Avenue and (2) construct a parking area for DDOT buses on westbound Jefferson Avenue on land that GPP owns between Maryland Street and Lakepointe Street; and

**WHEREAS**, the MOU is substantially in the form attached hereto in Exhibit B and made a part hereof, with the two (2) GPP commitments given in the preceding paragraph above to be known herein as the “GPP Commitments”; now therefore be it

**RESOLVED**, Detroit City Council hereby approves the sale the Property to the URIF, its successors or assignees, for the Purchase Price; and be it further

**RESOLVED**, that the Director of P&DD, or his authorized designee, is authorized to execute a quit claim deed and such other documents as may be necessary or convenient to effect the transfer of the Property to the URIF consistent with this resolution and the forgoing communication; and be it further

**RESOLVED**, that the Director of P&DD, 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) 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 Property, provided that the changes do not materially alter the substance or terms of the transfer and sale; and be it further

**RESOLVED**, that Detroit City Council hereby approves the MOU; and be it further

**RESOLVED**, that Detroit City Council hereby authorizes the Director of P&DD to modify, revise and/or amend the final form of the MOU at the discretion of the Director of P&DD, provided that the final, executed MOU include the GPP Commitments and provided that the Purchase Price not be less than Three Hundred Thousand and 00/100 Dollars (\$300,000.00); and be it finally

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

(See Attached Exhibits A and B)

**EXHIBIT A**


LEGAL DESCRIPTION

Property situated in the City of Grosse Pointe Park, Wayne County, Michigan, described as follows:

PKWW203B 204 LOT 203 EXC SLY 110 FT. OF WLY 60.64 FT THEREOF ALSO LOT 204  
TURNBULL AND EPSTEAN'S JEFFERSON AVENUE SUB, PC 570 L26 P98 WCR

a/k/a 15003 E. JEFFERSON AVE.  
Tax Parcel ID 008-07-0203-002

Description Correct

By:   
Jim Knoll  
City of Detroit/DPW, CED

**Exhibit A**

**Legal Description**

**EXHIBIT B**

MEMORANDUM OF UNDERSTANDING

[see attached]

**MEMORANDUM OF UNDERSTANDING  
AMONG  
THE CITY OF DETROIT,  
URBAN RENEWAL INITIATIVE FOUNDATION  
AND  
THE CITY OF GROSSE POINTE PARK**

This Memorandum of Understanding ("MOU") is entered into by the City of Detroit, a Michigan municipal corporation ("City"), Urban Renewal Initiative Foundation or its successor or assignee ("Foundation"), a Michigan non-profit corporation, and the City of Grosse Pointe Park ("GPP"), a Michigan municipal corporation, in order to cooperate and to coordinate their respective activities in furtherance of the construction of a non-profit community center for the arts, (The A. Paul and Carol C. Schaap Center for the Performing Arts and the Richard and Jane Manoogian Art Gallery), a bus turnaround, and parking area for DDOT busses. The City, Foundation and GPP each may be referred to herein as a "Party" or collectively as the "Parties," as applicable.

**RECITALS:**

- A.** The City owns but no longer uses as a bus turnaround or for any other purpose the real property located on Jefferson Avenue between Wayburn Street and Maryland Street in the City of Grosse Pointe Park and more particularly described on the attached Exhibit A (the "City Property");
- B.** The Foundation is desirous of purchasing the City Property for the construction of a non-profit community center for the arts that will be operated by the Foundation or another non-profit entity.
- C.** GPP owns and currently maintains as green space the real property located on Jefferson Avenue between Maryland Street and Lakepointe Street in the City of Grosse Pointe Park and more particularly described on the attached Exhibit B (the "GPP Property");
- D.** GPP owns and maintains the traffic island located in Jefferson Avenue immediately west of the intersection of Jefferson Avenue and Lakepointe Street (the "Traffic Island").
- E.** GPP has offered (among other things, as set forth below) to modify the GPP Property and the Traffic Island as necessary for use by the City's Department of Transportation ("DDOT") in perpetuity for a bus turnaround and parking area for DDOT busses.
- F.** GPP and the City believe that the construction and operation of a non-profit community center for the arts, bus turnaround and parking area is in the best interest of the public and are desirous of seeking necessary approvals and consummation of the same.

**Accordingly**, the City, Foundation and GPP mutually acknowledge the following understanding:

**Section 1 - Purpose:** The purpose of this MOU is to set forth the required activities of the Parties hereto in furtherance of the construction of the non-profit community center for the arts, bus turnaround, and parking area.

**Section 2 - Activities of the City.** In furtherance of the construction of the non-profit community center for the arts, bus turnaround and parking area, the City agrees to perform the following independent activities: the City will at its earliest opportunity request authorization from the Detroit City Council to sell the City Property to the Foundation for the Purchase Price of **Three Hundred Thousand Dollars (\$300,000.00)**. The City shall convey title to the City Property to the Foundation by quit claim deed. The City will deliver the quit claim deed to the Foundation only after the following conditions have been met:

- A. Detroit City Council has authorized, by resolution, the sale and conveyance of the City Property to the Foundation; and
- B. GPP has performed its obligations under Section 4, Paragraphs A, B, C, and D, of this MOU.
- C. GPP and the City have executed as the binding obligation of each a Memorandum of Understanding reopening Kercheval to two way traffic.

Title will be conveyed, in a Closing described in Section 5 of this MOU, by the City as soon as practicable but in no event more than 30 days after the aforementioned conditions have been met.

**Section 3 - Activities of the Foundation.** In furtherance of the construction of the non-profit community center for the arts, bus turnaround and parking area, the Foundation agrees to perform the following independent activities:

- A. The Foundation will position and construct the structure/building that will be the community center for the arts in substantial compliance with the Site Plan attached as Exhibit C. The Foundation agrees that if the community center for the arts is not constructed that the Foundation will not construct, build or erect any other building or structure on the City Property unless it has received written approval, which shall not be unreasonably withheld, from the Mayor of the City of Detroit or his/her designee. The Foundation further agrees it will not convey its interest in the City Property to another person or entity without the written approval, which shall not be unreasonably withheld, of the Mayor of the City of Detroit or his/her designee, except that the Foundation may convey its interest to a separate tax exempt non-profit entity provided such non-profit entity agrees to the conditions stated in this MOU regarding use of the City Property provided the Foundation gives the City notice of the assignment and a signed Assignment and Assumption of MOU or such other document as may be reasonably requested by the City between the Foundation and the non-profit assignee after which the City shall release the foundation of its obligations under this MOU.
- B. Provide evidence to the City of the necessary corporate authority to enter into this MOU.
- C. Operate the non-profit community center for the arts in such a manner that any loading/unloading or backing up of vehicles in any loading dock that is adjacent to properties located within the boundaries of the City of Detroit occur only within the hours



of 8 a.m. and 5 p.m. Further, vehicle engines shall not idle for more than 5 minutes in said loading dock area.

**Section 4 – Activities of GPP.** In furtherance of the construction of the non-profit community center for the arts, bus turnaround, and parking area, GPP agrees to perform the following independent activities at its own cost:

- A. Provide evidence to the Foundation and the City of the necessary authority to enter into this MOU.
- B. Request and receive authorization from all necessary GPP legislative and executive members to construct the bus turnaround and parking area on the GPP Property for use, in perpetuity, only as a bus turnaround and parking area for DDOT busses. Said use shall run with the land and GPP agrees that the City may seek any and all remedies available to it in a breach of contract action including but not limited to specific performance if GPP infringes or interferes in any way on this use.
- C. Provide reasonably satisfactory evidence of GPP's ability to perform its obligations under this MOU with respect to the GPP Property.
- D. At GPP's cost, provide a cash or surety (with such surety as is reasonably satisfactory to the City) bond in the amount of **Fifty Thousand and 00/100 Dollars (\$50,000)** to secure GPP's performance of its obligations under Section 4, Paragraphs E and F, of this MOU. In the event
  1. GPP submits a surety bond, and GPP does not perform its obligations under Section 4, Paragraphs E and F, of this MOU, the proceeds of such bond shall be paid to the City of Detroit for use to complete the bonded obligations, GPP will issue a right of entry to the City or is contractor to complete the construction and will provide the City with an easement to erect signs on the GPP Property that notifies the public that the area is for DDOT bus parking only, with any balance paid to GPP, or
  2. GPP submits a cash bond, such bond shall be held by such title company as is reasonably satisfactory to the City; GPP may draw against it to complete its obligations under Section 4, Paragraphs E and F, of this MOU in accordance with the reasonable requirements of such title company; and if GPP does not perform its obligations under Section 4, Paragraphs E and F, of this MOU, the proceeds of such bond shall be used to complete the bonded obligations, with any balance paid to GPP.
- E. Prepare the GPP Property depicted on Exhibit C(4) for use by DDOT as a bus staging and turnaround area within one year of the date of Detroit City Council authorization described in Section 2 of this MOU. This preparation will include, but is not limited to, removal of existing curbs, sidewalks and green space along Jefferson Avenue, proper signage indicating the area is for DDOT parking only, site preparation for paving, and paving of the area with curbs and drainage. All such work will be completed to the reasonable

satisfaction of the City and in accordance with applicable State of Michigan Department of Transportation standards and specifications for road construction.

- F. Construct the improvements to the Traffic Island depicted on Exhibit C(4) to permit DDOT buses of no more than sixty (60) feet long to turn from eastbound Jefferson Avenue into the bus staging area and/or to complete a U-turn from eastbound to westbound Jefferson Avenue within one year of the date of Detroit City Council authorization described in Section 2 of this MOU. All work will be completed to the reasonable satisfaction of the City and in accordance with applicable State of Michigan Department of Transportation standards and specifications for road construction.
- G. Maintain (in a clean and orderly fashion together with providing reasonable supplies of soap, towels and toilet paper) a restroom facility or facilities located within the City of Grosse Pointe Park municipal facilities at 15115 East Jefferson Avenue, for use by DDOT drivers, on a continuous and uninterrupted basis as long as the City operates a bus line/route along Jefferson Avenue. GPP agrees that said use shall run with the land as long as the City operates a bus line/route along Jefferson Ave and that the City may seek any and all remedies available to it in a breach of contract action, including but not limited to specific performance, if GPP infringes in any way on this use.

#### **Section 5 – Closing Between the City and the Foundation.**

- A. The Foundation shall, at its expense, order a commitment for title insurance from First American Title Insurance Company (the “Title Company”) for the City Property and title to the City Property must be reasonably satisfactory to the Foundation. In the event title to the City Property cannot be conveyed in the condition required by this MOU, the Foundation may terminate this MOU and the parties shall have no further obligation under this MOU.
- B. The conveyance of the City Property to the Foundation will occur at a Closing. The Closing shall take place at the offices of the Title Company at a time mutually agreeable to the City and the Foundation.
- C. At the Closing, the Foundation shall:
  - 1. pay the Purchase Price to the Title Company for disbursement in conformity with a closing statement agreed to by the parties,
  - 2. pay the closing costs charged by the Title Company and the premium on a policy of title insurance insuring the Foundation’s interest in the City Property, and
  - 3. execute such other documents and take such other actions as are customary and reasonable to close the transaction.
- D. At the Closing, the City shall:
  - 1. deliver a quit claim deed in a form substantially similar to that attached as Exhibit D conveying the City’s interest in the City Property to the Foundation; and

2. the City shall execute such documents and take such actions consistently with the policies of the City to cause the Title Company to issue a policy of title insurance in conformity with this MOU.

**Section 6 – Meetings.** The City and GPP will meet at their mutual convenience, whether in person or by video conference, telephone, or other convenient means, on a periodic basis to review the progress of each Party’s activities under this MOU, to coordinate further activities as may be necessary, and to discuss any other relevant issues as may arise from time to time.

**Section 7 - Effective Date and Termination.** This MOU will be effective as of the date upon which it has been signed by an authorized representative of each of the Parties (the “Effective Date”). This MOU shall terminate upon the conveyance of the City Property to the Foundation except for those obligations and responsibilities found in Sections 3 & 4 which shall survive termination of this agreement. Any Party to this MOU has the right to terminate this MOU if, by December 31, 2019, any Party to this MOU has not received all necessary authority to enter into this MOU. Termination for failure to receive necessary authority shall be effective seven (7) calendar days after receipt of notice provided in accordance with Section 8 of this MOU.

**Section 8 – Notices.** Notices, requests, notifications, and other communications (collectively, “Notices”) related to this MOU by either Party will be given in writing, signed by an authorized representative of the Party, and hand-delivered, mailed by first-class mail or by overnight courier, or emailed with receipt confirmation enabled, and addressed as follows:

If to City:                      City of Detroit  
  
   Mayor’s Office  
   2 Woodward Ave, Ste 1126  
   Detroit, MI 48226  
   *Attention:* F. Thomas Lewand  
   Email: lewandt@detroitmi.gov

If to Foundation:              Urban Renewal Initiative Foundation  
   President  
   *Attention: A. Paul Schaap*  
   15115 East Jefferson Avenue  
   Grosse Pointe Park, MI 48230

and

Stephen J. Pokoj  
Fildew Hinks, PLLC  
26622 Woodward Avenue  
Suite 225 –  
Royal Oak, MI 48067

If to GPP: City of Grosse Pointe Park  
City Manager  
*Attention:* Dale Krajniak  
15115 East Jefferson Avenue  
Grosse Pointe Park, MI 48230

Email: [citymanager@grossepointepark.org](mailto:citymanager@grossepointepark.org)

-and-

City of Grosse Pointe Park  
City Attorney  
*Attention:* Dennis J. Levasseur  
6<sup>th</sup> Floor at Ford Field  
1901 Saint Antoine Street  
Detroit, Michigan 48226

Email: [dlevasseur@bodmanlaw.com](mailto:dlevasseur@bodmanlaw.com)

#### Section 9 – Miscellaneous.

- A. **Relationship of the Parties.** Each Party acknowledges that the Parties are independent of each other and do not intend, as a result of this MOU or otherwise, to become a joint venture, partners, employees, servants, agents, representatives, contractors, or any type of related business entities to one another with respect to the subject matter of this MOU. Each Party acknowledges that it is individually responsible for maintaining compliance in all respects with all applicable federal, state, and local laws, rules, regulations, and orders to which it is subject.
- B. **Assignment.** Except as otherwise provided in this MOU, this MOU sets forth each Party's intended activities in furtherance of the Land Swap, and no Party intends to delegate or assign this MOU, or any portion of or responsibility under this MOU, without the prior written notice to and consent of the other Parties.
- C. **Merger.** This MOU sets forth the entire understanding between the Parties as to their activities in furtherance of the construction of the non-profit community center for the arts, bus turnaround and parking area, and all prior discussions, negotiations, communications, and understandings, whether written or verbal, are merged into this MOU.
- D. **Amendments.** No amendment to this MOU will be effective unless it is in writing, expressly makes reference to this MOU, and is executed by a duly authorized representative of each Party.
- E. **Counterparts.** This MOU may be executed in counterparts, each of which shall be deemed to be an original, but all of which together shall constitute but one document. Each counterpart may be executed by facsimile or electronic signature, which will be deemed to be an original signature, to the extent permitted by applicable law.

F. **Authority of the City.** Notwithstanding anything in this MOU, in law, in equity, or otherwise to the contrary, this MOU shall be of no force or effect and may not in any way be enforced against the Parties unless and until the MOU between the City and GPP pertaining to the reopening and redevelopment of Kercheval Avenue has been signed by all necessary parties thereto, this MOU has been fully executed by a duly authorized agent of the Foundation, GPP and the City and approved by the City of Detroit Law Department, and the transactions contemplated hereby have been approved pursuant to a Resolution of the Detroit City Council as approved by the Mayor of the City of Detroit. Any amendments or modifications of this MOU shall likewise be fully executed by a duly authorized agent of the Foundation, GPP and the City, approved by the City of Detroit Law Department, and approved pursuant to a Resolution of the Detroit City Council as approved by the Mayor of the City of Detroit that incorporates such amendments or modifications.

[Signatures appear on next page.]

[Signature page to Memorandum of Understanding between the City of Detroit, the Urban Renewal Initiative Foundation and the City of Grosse Pointe Park]

IN WITNESS WHEREOF, the Parties have executed this MOU as of the dates shown below, to be effective as of the Effective Date.

**CITY OF DETROIT,**  
a Michigan public body corporate

By: \_\_\_\_\_

Print: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MICHIGAN        )  
  )ss.  
COUNTY OF WAYNE        )

The foregoing instrument was acknowledged before me on \_\_\_\_\_, 2018 by \_\_\_\_\_, the \_\_\_\_\_ of the City of Detroit, a Michigan public body corporate, on behalf of the City.

\_\_\_\_\_  
Print:  
Notary Public, Wayne County, Michigan  
My commission expires:  
Acting in the County of \_\_\_\_\_

Pursuant to § 18-5-4 of the Detroit City Code, I hereby certify that proper and fair consideration has been received by the City pursuant to this instrument.  _____ Finance Director	Approved by City Council on _____  Approved by the Mayor on _____
--	---

Approved by Corporation Counsel pursuant to §7.5-206 of the 2012 Charter of the City of Detroit.  
  
\_\_\_\_\_  
Corporation Counsel



**URBAN RENEWAL INITIATIVE FOUNDATION,**  
a Michigan non-profit corporation

By: \_\_\_\_\_

Print: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MICHIGAN        )  
  )ss.  
COUNTY OF \_\_\_\_\_    )

The foregoing instrument was acknowledged before me on \_\_\_\_\_, 2018 by \_\_\_\_\_, the \_\_\_\_\_ of the Urban Renewal Initiative Foundation, a Michigan non-profit corporation, on behalf of the corporation.

\_\_\_\_\_  
Print:  
Notary Public, \_\_\_\_\_ County, Michigan  
My commission expires:  
Acting in the County of \_\_\_\_\_

**CITY OF GROSSE POINTE PARK,**  
a Michigan municipal corporation

By: \_\_\_\_\_

Print: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MICHIGAN        )  
  )ss.  
COUNTY OF WAYNE        )

The foregoing instrument was acknowledged before me on \_\_\_\_\_, 2018 by \_\_\_\_\_, the \_\_\_\_\_ of the City of Grosse Pointe Park, a Michigan public body corporate, on behalf of the City.

\_\_\_\_\_  
Print:  
Notary Public, Wayne County, Michigan  
My commission expires:  
Acting in the County of \_\_\_\_\_

**EXHIBIT A**

**LEGAL DESCRIPTION FOR CITY PROPERTY**  
(To be provided by City)

EXHIBIT A

Land described as Parcel Identification No. 008-07-0203-002

Commonly known as: 15003 E Jefferson Ave., Grosse Pointe Park

PKWW203B 204 LOT 203 EXC SLY 110 FT. OF WLY 60.64 FT THEREOF ALSO LOT 204  
TURNBULL AND EPSTEAN'S JEFFERSON AVENUE SUB, PC 570 L 26 P98 WCR

DESCRIPTION CORRECT

A handwritten signature in black ink, appearing to be "J. Hall", is written over a horizontal line.

**EXHIBIT B**

**LEGAL DESCRIPTION FOR CITY OF GROSSE POINTE PARK PROPERTY**  
(To be provided by Grosse Pointe Park)

**EXHIBIT B**

**LEGAL DESCRIPTION FOR CITY OF GROSSE POINTE PARK PROPERTY**

**PROPERTY ADDRESS:**

15175 EAST JEFFERSON

GROSSE POINTE PARK, MI 48230

**DATE PRINTED:** 01/25/2019

**2018 LEGAL DESCRIPTION:**

\*PKSSA1- - D1\* THE SLY PTS OF LOTS A TO D COMBINED DESC AS BEG S 25D 47M 57S  
E 186.00 FT FROM THE NE COR OF LOT 1; TH S 25D 47M 57S E 198.57 FT - TH S  
60D 18M 42S W 169.95 FT - TH N 25D 52M 13S W 210.66 FT - TH N 64D 23M 29S E  
169.82 FT POB - - - BERNS JEFFERSON AVE SUB PC 570 L26 P22 WCR - - K - 0.80

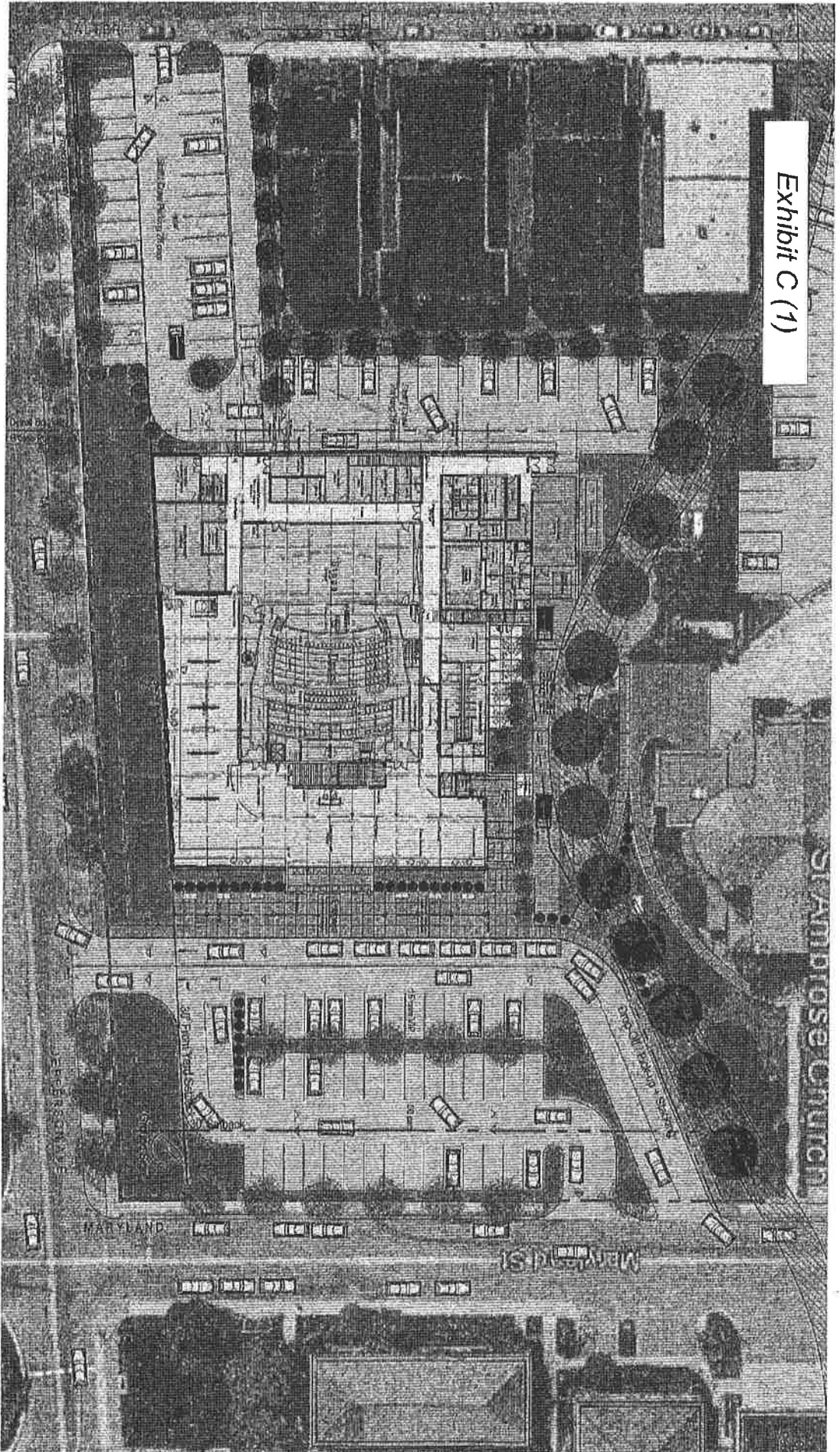
**EXHIBIT C (1-4)**

**C (1)**

Overall Site Plan to be provided by the Foundation



Exhibit C (1)



A. Paul and Sara C. Schapp Center for the Performing Arts and the Richard and Jane Marquardt Art Gallery.

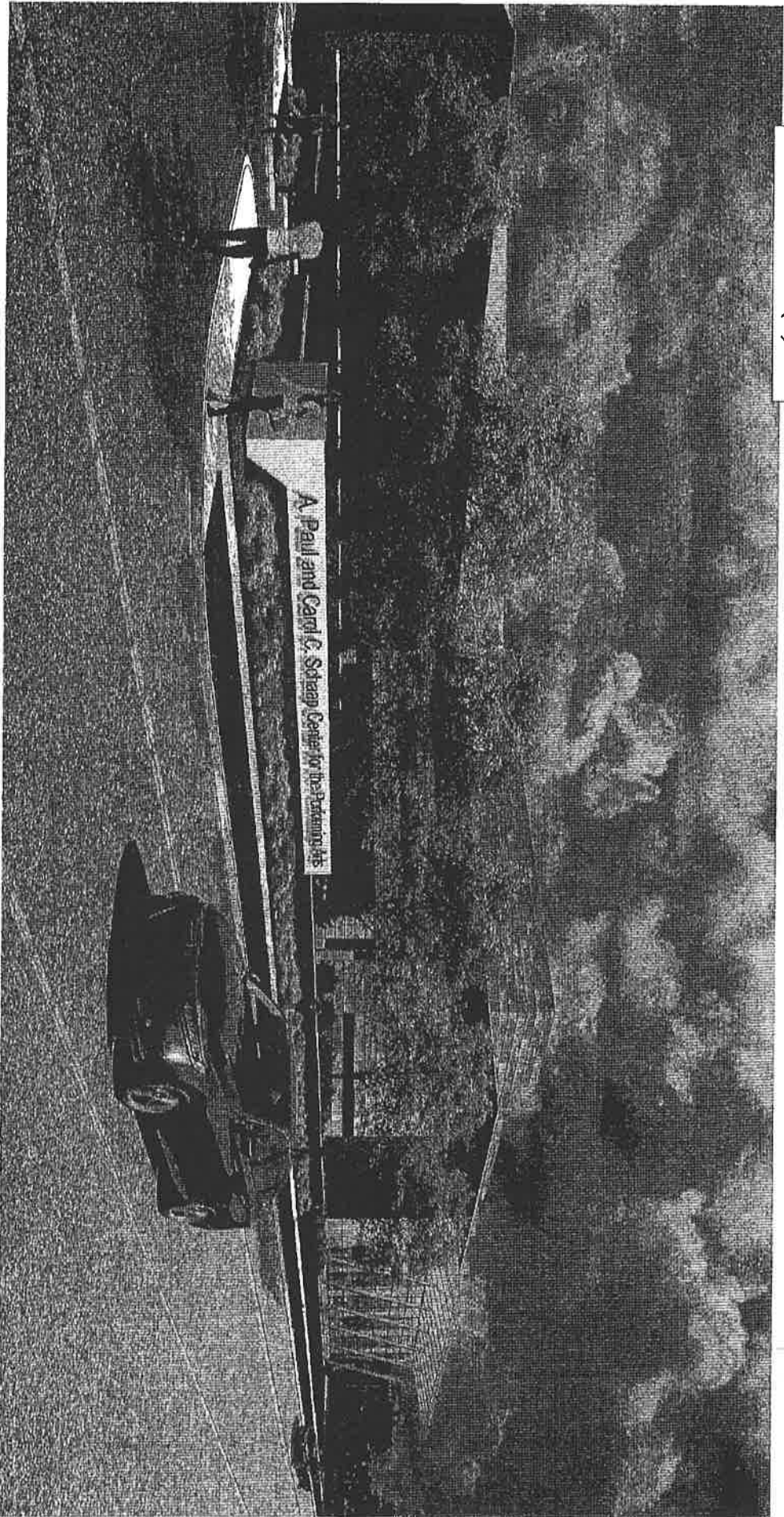
Overall Site Plan

Landry | Cekauskas

C (2)

Revised view of building from City at Jefferson/Alter intersection to be provided by the  
Foundation

Exhibit C (2)



A. Paul and Carol C. Schreier Center for the Performing Arts  
and the Richard and Jeanne Mandoukian Art Gallery

View of Building at Jefferson / After Intersection

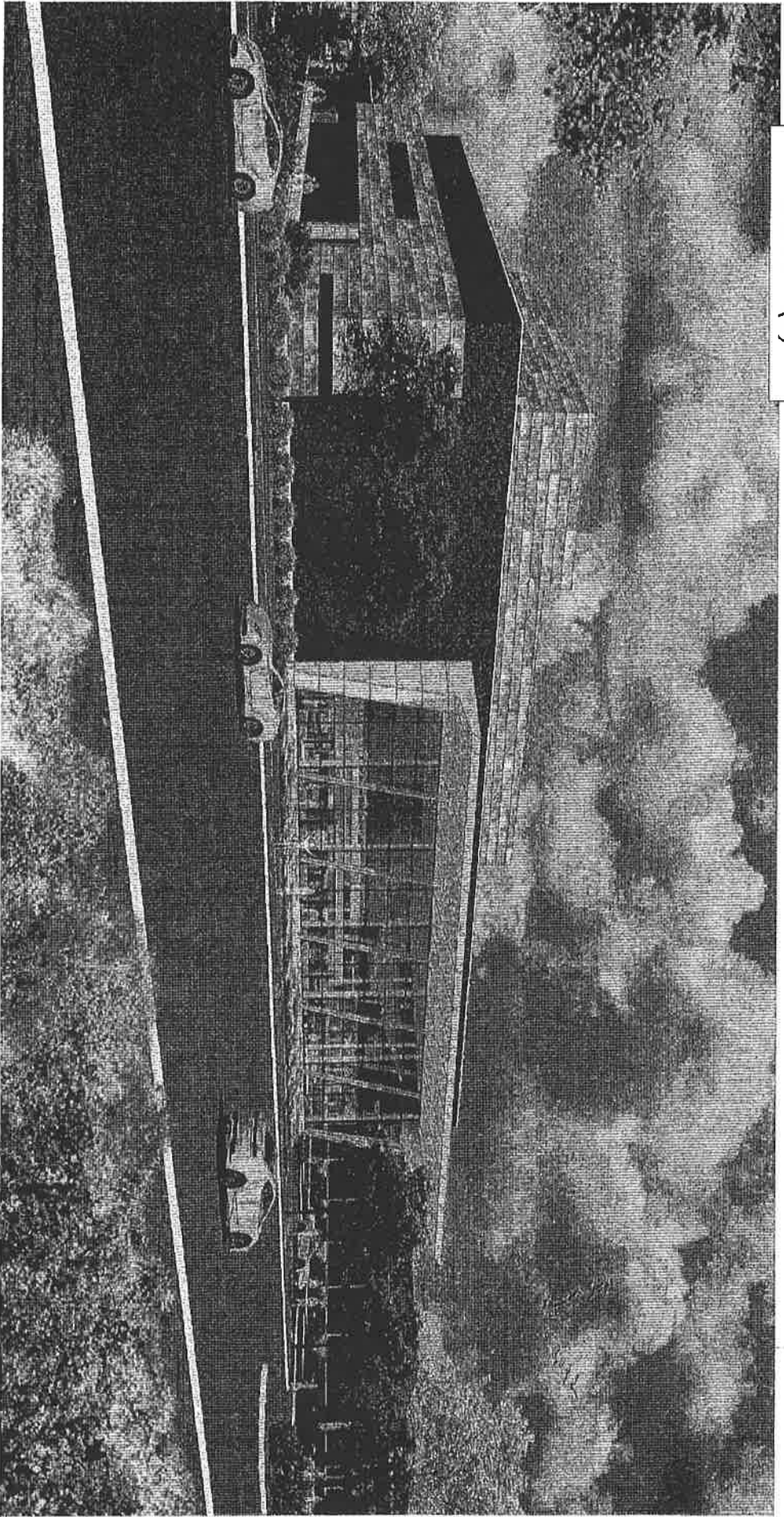
Landry | Cekauskas

C (3)

Revised view of building along Jefferson Avenue to be provided by the Foundation



Exhibit C (3)



A. Paul and Carol C. Schupp Center for the Performing Arts and the Richard and Jane Manogger Art Gallery

View of Building Along Jefferson

Landry | Cekauskas

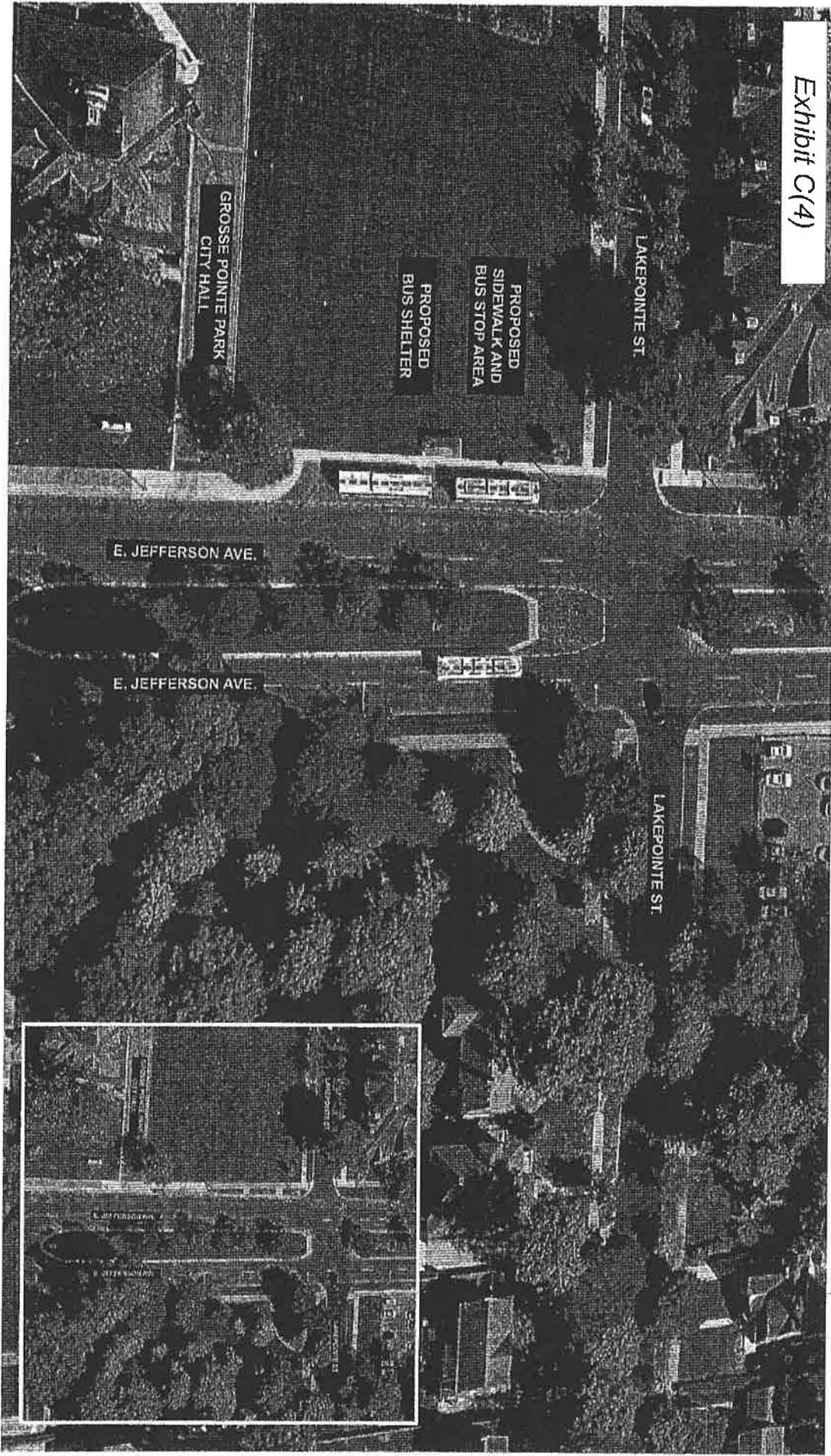
ASCE FEATURE

C (4)

DDOT bus turn around to be provided by GPP



Exhibit C(4)



A. Paul and Carol C. Schaepp, Center for the Performing Arts and the Richard and Jane Manogian Art Gallery

Proposed DDOT Bus Stop

Landy | Cekauskas

**EXHIBIT D**

**QUIT CLAIM DEED**

Subject to the following paragraph, the City of Detroit, a Michigan public body corporate, whose address is 2 Woodward Avenue, Suite 802, Detroit, Michigan 48226 ("**Grantor**"), quit claims to \_\_\_\_\_, a Michigan \_\_\_\_\_ ("**Grantee**"), whose address is \_\_\_\_\_, the premises located in the City of Detroit, Wayne County, Michigan, described as:

**In attached Exhibit "A"**

(the "**Property**"), for the sum of **Three Hundred Thousand and 00/100 Dollars (\$300,000.00)**, subject to and reserving to the City of Detroit its rights under public easements and rights of way, easements of record, applicable zoning ordinances, development plans pursuant to Act 344 of 1945 as amended (if any), and restrictions of record.

The following language is included pursuant to MCL Sections 560.109(3) and 560.109(4), added by 1996 PA 591, and applies only if the Property is not platted: "The Grantor grants to the Grantee the right to make all divisions under Section 108 of the land division act, Act No. 288 of the Public Acts of 1967, as amended. This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan right to farm act."

This deed is dated as of \_\_\_\_\_, 20\_\_\_\_.

Witnesses:

**CITY OF DETROIT,**  
A Michigan public body corporate

\_\_\_\_\_  
PRINT NAME

By: \_\_\_\_\_

\_\_\_\_\_  
PRINT NAME

Print: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MICHIGAN )  
 )SS  
COUNTY OF WAYNE )

The foregoing instrument was acknowledged before me on \_\_\_\_\_,  
20\_\_ by \_\_\_\_\_, the \_\_\_\_\_ of the  
City of Detroit, a Michigan public body corporate, on behalf of the City.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_  
County, Michigan

My commission expires: \_\_\_\_\_  
Acting in the County of \_\_\_\_\_

Pursuant to § 18-5-4 of the Detroit City Code, I hereby certify that proper and fair consideration has been received by the City pursuant to this instrument.

Approved by City Council on June 13, 2017

Approved by the Mayor on June 19, 2017

\_\_\_\_\_  
Finance Director

Approved by Corporation Counsel pursuant to § 7.5-206 of the 2012 Charter of the City of Detroit.

\_\_\_\_\_  
Corporation Counsel

This instrument drafted by:  
City of Detroit Law Department  
2 Woodward Avenue, Suite 500  
Detroit, Michigan 48226

When recorded return to:

Exempt from transfer tax pursuant to MCL § 207.505(h)(i) and MCL § 207.526(h)(i).



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

72

June 21, 2019

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

**RE: Memorandum of Understanding with City of Grosse Pointe Park  
Reopening of Kercheval Avenue to Two-Way Traffic**

Honorable City Council:

The City of Detroit (“City”), through its Planning & Development Department, and the City of Grosse Pointe Park (“GPP”) have been in discussions regarding GPP reopening Kercheval Avenue to two-way vehicular traffic and the potential to redevelop certain areas at the boarder of both cities along Kercheval Avenue between Alter Road and Wayburn.

The City and GPP have reached agreement through that certain Memorandum of Understanding (the “MOU”) that is substantially in the form included in the attached resolution and that requires: (1) the reopening of Kercheval Avenue to two-way vehicular traffic by GPP no later than August 1, 2019, provided that the road may be closed by either city for annual weekend public square programing events between June 1 and September 30 of each year, (2) each city shall work cooperatively on the development of plans for the reopening of Kercheval Avenue and the surrounding area and (3) each city will support the potential redevelopment along Kercheval Avenue only so long as such redevelopment does not require the closing of Kercheval Avenue or the bridging of Kercheval Avenue by a building or other structure.

We hereby request that your Honorable Body adopt the attached resolution to approve the MOU.

Respectfully submitted,

Maurice D. Cox  
Director

cc: Stephanie Washington (Mayor’s Office)

## RESOLUTION

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

**WHEREAS**, the City of Detroit, through its Planning and Development Department (“P&DD”), and the City of Grosse Pointe Park (“GPP”) wish to enter into that certain Memorandum of Understanding (the “MOU”) wherein the City and GPP have committed and agreed to: (1) the reopening of Kercheval Avenue to two-way vehicular traffic by GPP no later than August 1, 2019, provided that the road may be closed by either city for annual weekend public square programming events between June 1 and September 30 of each year, (2) each city shall work cooperatively on the development of plans for the reopening of Kercheval Avenue and the surrounding area and (3) each city will support the potential redevelopment along Kercheval Avenue only so long as such redevelopment does not require the closing of Kercheval Avenue or the bridging of Kercheval Avenue by a building or other structure; and

**WHEREAS**, the MOU is substantially in the form attached hereto in Exhibit A and made a part hereof, with the three (3) commitments given in the preceding paragraph above to be known herein as the “MOU Commitments”; now therefore be it

**RESOLVED**, that Detroit City Council hereby approves the MOU; and be it further

**RESOLVED**, that Detroit City Council hereby authorizes the Director of P&DD to modify, revise and/or amend the final form of the MOU at the discretion of the Director of P&DD, provided that the final, executed MOU include the MOU Commitments; and be it finally

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

(See Attached Exhibit A)

**EXHIBIT A**

MEMORANDUM OF UNDERSTANDING

[see attached]



**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE CITY OF DETROIT  
AND  
THE CITY OF GROSSE POINTE PARK**

This Memorandum of Understanding (“MOU”) is entered into by the City of Detroit, a Michigan municipal corporation (“City”), and the City of Grosse Pointe Park (“GPP”), a Michigan municipal corporation, effective on \_\_\_\_\_, 20\_\_\_, in order to allow cooperation and the coordination of their respective activities in the reopening and redevelopment of certain portions of Kercheval Avenue, as described below. The City and GPP each may be referred to herein as a “Party” or collectively as the “Parties,” as applicable.

**RECITALS:**

**A.** The City and GPP mutually desire that Kercheval Avenue in Grosse Pointe Park, east of Alter Road and west of Maryland Street and that portion of Kercheval Avenue in the City of Detroit, east of Alter Road and west of Maryland, (“Kercheval”), be and henceforth remain open to two-way vehicular traffic, with the exception of accommodating public square related functions on weekends between June 01, and Sept 30 of each year. (art fairs, farmers markets, music and entertainment events) and further the Parties hereto agree that any redevelopment along Kercheval will not close or bridge over Kercheval.

**B.** GPP and the City believe that the opening of Kercheval in connection with the project described herein is in the best interest of the public, and the Parties hereto wish to seek the necessary approvals and consummation of this goal.

**C.** GPP and the City believe that a mutual approach to creating a streetscape improvement plan with beautiful landscaping, park benches and other seating and appropriate paving in the section immediately East of Alter Road will provide a more inviting approach to and from each City and allow for street fairs and other similar activities open to all citizens.

**D.** The City and GPP desire to create a safe, walkable and visually pleasing environment at the border of both Cities near Kercheval Avenue and Alter Road between Jefferson Avenue and Mack Avenue (“Project Area”) and to work cooperatively to redevelop the Project Area in manner that is mutually beneficial to the residents of both Cities.

**Accordingly**, the City and GPP mutually acknowledge and agree to the following understanding:

**Section 1 – Purpose.** The purpose of this MOU is to assist the Parties hereto in coordinating their activities by providing a written memorandum of each Party’s legal obligations. This MOU neither requires nor authorizes the disposition or acceptance of any property or the expenditure or receipt of any funds by either Party.

**Section 2 - Activities of the City.** In furtherance of the reopening of Kercheval to two-way traffic and the redevelopment of the Project Area, the City will perform the following independent activities:

- A. The City will not close that portion of Kercheval Avenue under the City’s jurisdiction and control that is immediately adjacent to and abuts GPP without the prior written approval of GPP. Furthermore, any such closure shall be temporary and shall not exceed 72 hours unless otherwise agreed to in writing by the Mayor of the City of Detroit and the Grosse Pointe Park City Manager.
- B. The City has provided an alternative for the redevelopment along Kercheval that does not include the closing or bridging of Kercheval by any structure. (Drawings and details of these alternatives are attached hereto as Exhibit A). The City will work collaboratively with GPP to develop plans for creating a streetscape improvement project with landscaping, benches (and other seating) and appropriate paving on the area immediately East of Alter Road.
- D. The City will work with GPP on the development of a Pud/Master Plan for the Project Area and pledges to assist, where possible, the creation or addition of additional off street public parking.
- E. The City shall take reasonable steps to inspect the property located at 2115 Alter Road for property maintenance ordinance and/or building code violations.
- F. Obtain Detroit City Council authorization, by resolution, of this MOU.

**Section 3 – Activities of GPP.** In furtherance of the reopening of Kercheval and the redevelopment of the Project Area, GPP will perform the following independent activities at its own cost:

- A. No later than August 1, 2019, open Kercheval to two-way vehicular traffic, and not close Kercheval (west of Maryland) without the City’s prior approval, with the exception of annual public square weekend activities between June 1 and September 30 of each year. Furthermore, any closure will only be temporary and for no longer than 72 hours unless agreed to in writing by the Mayor of the City of Detroit and the Grosse Pointe Park City Manager, which agreement shall not be unreasonably withheld.
- B. Support redevelopment along Kercheval, and for any potential redevelopment at the border of the City and GPP, only if such redevelopment does not require the closing of Kercheval or the bridging of Kercheval by a building or other structure. (The City has proposed and GPP will assist with facilitating the placement for the potential Beaumont Health Systems structure, Exhibit A).
- C. GPP will work with the City on the development of a Pud/Master Plan for the Project Area.
- D. GPP will seek to provide resources to assist with the construction of the streetscape improvement plan and such improvements will be undertaken only upon joint plan approval.
- E. Obtain all necessary legislative, executive and other necessary approval and authorization of this MOU for this MOU to be effective and enforceable.

**Section 4 – Joint Activities of the Parties.** The City and GPP will jointly perform, in furtherance of the complete reopening of Kercheval and the redevelopment of the Project Area, the following activities:

- A. Work cooperatively to develop a Pud/Master Plan for the Project Area with the goal of having the Pud/Master Plan completed and approved by March 1, 2020.
- B. Agree the Pud/Master Plan for the Project Area shall include traffic engineering, any necessary relocation of utilities, signage, law enforcement, demolition of structures to implement the Pud/Master Plan, branding and marketing resources, and maintenance.
- C. With regard to any structure erected in connection with the Pud/Master Plan that is within the borders of both Cities, GPP and the City shall: a. Immediately develop a “joint building code understanding” agreeable to counsel for the Parties hereto as in compliance with each City’s building ordinances; b) appoint a key person who has full authority on behalf of each government to handle obtaining all necessary permits. All plan approvals and inspections shall occur promptly. In no event shall plan approvals take more than 2 weeks after submission, and inspections more than 2 days after written request is made to the Director of Buildings, Safety Engineering & Environmental Department or his/her designee.

**Section 5 – Meetings.** The City and GPP will meet at their mutual convenience, whether in person or by video conference, telephone, or other convenient means, on a periodic basis to review the progress of each Party’s activities under this MOU, to coordinate further activities as may be necessary, and to discuss any other relevant issues as may arise from time to time. For the first year after this MOU is executed, said meetings shall occur at least quarterly.

**Section 6 - Effective Date, Term, and Termination.** This MOU will be effective as of the date upon which it has been signed by an authorized representative of each of the Parties (the “Effective Date”). This MOU will remain in effect until the legal obligations of each Party set forth above are completed. However, the obligations of Sections 2(A) and 3(A) shall survive the termination of this MOU and will remain enforceable. .

**Section 7 – Notices.** Notices, requests, notifications, and other communications (collectively, “Notices”) related to this MOU by either Party hereto will be given in writing, signed by an authorized representative of the Party, and hand-delivered, mailed by first-class mail or by overnight courier, or emailed with receipt confirmation enabled, and addressed as follows:

If to City: City of Detroit  
Mayor’s Office  
2 Woodward Ave, Ste 1126  
Detroit, Michigan 48226  
*Attention:* F. Thomas Lewand  
Email: [lewandt@detroitmi.gov](mailto:lewandt@detroitmi.gov)

If to GPP: City of Grosse Pointe Park  
City Manager

*Attention:* Dale Krajniak  
15115 East Jefferson Avenue  
Grosse Pointe Park, Michigan 48230  
Email: [citymanager@grossepointepark.org](mailto:citymanager@grossepointepark.org)

-and-

City Attorney  
*Attention:* Dennis J. Levasseur  
6<sup>th</sup> Floor at Ford Field  
1901 Saint Antoine Street  
Detroit, Michigan 48226  
Email: [dlevasseur@bodmanlaw.com](mailto:dlevasseur@bodmanlaw.com)

**Section 8—Default, Remedies.** A failure to complete or breach of any legal obligation created hereunder shall constitute a Default. The non-defaulting Party shall give the defaulting Party written notice of the Default at the addresses provided herein. If the Default is not cured within 30 days of receipt of said notice, the non-defaulting Party shall have all rights and remedies available to them as provided by law.

**Section 9 – Miscellaneous.**

- A. **Relationship of the Parties.** Each Party acknowledges that the Parties are independent of each other and do not intend, as a result of this MOU or otherwise, to become a joint venturer, partners, employees, servants, agents, representatives, contractors, and/or any type of related business entities to one another with respect to the subject matter of this MOU. Each Party hereto acknowledges that it is individually responsible for maintaining compliance in all respects with all applicable federal, state, and local laws, rules, regulations, and orders to which it is subject.
- B. **Assignment.** This MOU sets forth each Party hereto's intended activities in furtherance of the reopening and redevelopment of Kercheval, and neither Party intends to delegate or assign this MOU, or any portion of or responsibility under this MOU, without the prior written notice to and written consent of the other Party.
- C. **Merger.** This MOU sets forth the entire understanding between the Parties hereto as to their activities and legal obligations in furtherance of the complete reopening and redevelopment of Kercheval, and all prior discussions, negotiations, communications, and understandings, whether written or verbal, are merged into this MOU.
- D. **Counterparts.** This MOU may be executed in counterparts, each of which shall be deemed to be an original, but all of which together shall constitute but one document. Each counterpart may be executed by facsimile or electronic signature, which will be deemed to be an original signature, to the extent permitted by applicable law.
- E. **Amendments.** Notwithstanding anything in this MOU, any amendments or modifications of this MOU must be in writing and signed by both Parties hereto.

- F. **Authority.** This MOU shall not be effective unless and until the transactions and respective responsibilities contemplated hereby have been approved by resolution of the legislative bodies of each party, and this MOU is fully executed by a duly authorized agent of GPP and the City.

[Signatures appear on next page.]

[Signature page to *Memorandum of Understanding between the City of Detroit, and the City of Grosse Pointe Park*]

IN WITNESS WHEREOF, the Parties hereto have executed this MOU as of the dates shown below, to be effective as of the Effective Date.

CITY OF DETROIT,  
a Michigan municipal corporation

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

CITY OF GROSSE POINTE PARK,  
a Michigan municipal corporation

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_



**EXHIBIT A**  
**Kercheval Development Drawing**



**Department of  
Public Works**

Coleman A Young Municipal Center  
Detroit, MI 48226

Phone: 313-224-3901  
Fax: 313-224-1464  
www.detroitmi.gov

73

June 21, 2019

Honorable City Council:

RE: Petition No. 846: Eatori, 1215 Griswold, requests permission to provide Outdoor Café Service. This service will be seasonal, and will convene April 1<sup>st</sup> through November 30<sup>th</sup>, yearly with yearly administrative review, from the date of your Honorable Body's approval.

The Department of Public Works (DPW) who has jurisdiction over temporary encroachment in the public right-of-way, for Outdoor Café use, has approved this request contingent upon the petitioner's compliance with applicable City ordinance related to outdoor café activities and the remittance of the annual use-permit fee to the DPW.

The Detroit Health Department (DHD) has approved this petition, subject to the petitioner's strict adherence to the 199 Food Code, Food Law of 2000 and City Ordinance, Chapter 21. No outdoor grilling is permitted without approval from the Health Department's Food Safety Division.

Approval from the Detroit Police Liquor License Bureau is contingent upon the final action given by the City Council towards the above-referenced petition. Prior approval from the Central District Precinct does not cover serving liquor in outdoor café area until the Detroit Police Liquor License Bureau has given approval.

The Department of Public Works/ Traffic Engineering Division (DPW/TED) has approved this request contingent upon the petitioner's compliance with provided DPW/TED instructions.

The Legislative Policy Division has reviewed the petitioner's request and issued their approval with no objections.

It is the recommendation of DPW that the petitioner's request be granted subject to the terms and conditions provided in the attached Resolution and that this service will convene April 1<sup>st</sup> through November 30<sup>th</sup> yearly with yearly administrative review from the date of your Honorable Body's approval.

Respectfully submitted,

Chisara Brown, Mobility Planner

CC: Caitlin Malloy Marcon, Deputy Director Complete Streets Division



**Department of  
Public Works**

Coleman A Young Municipal Center  
Detroit, MI 48226

Phone: 313-224-3901  
Fax: 313-224-1464  
[www.detroitmi.gov](http://www.detroitmi.gov)

PROVIDED, That the designated outdoor seating area shall be properly identified through the use of clear delineation in order to regulate and control the serving of liquor within the perimeter of the café; and

PROVIDED, That the outline and location of the outdoor café is not to be different from the site plan approved by the DPW/CSD; and

PROVIDED, That if any tent, canopy or other enclosure is to be utilized on the subject site, the applicant shall secure prior approval from Building, Safety Engineering & Environmental Department and the Department of Public Works/City Engineering Division; and

PROVIDED, That all physical barriers and fixtures shall be removed from the public right-of-way during the months of non-operation and placed in storage; and

PROVIDED, That a certified copy of this Resolution shall be recorded with the Office of the Register of Deeds for Wayne County at the "permittee's" expense;

Adopted as follows:

Yeas-

Nays-

## DEPARTMENTAL REFERENCE COMMUNICATION

*Wednesday, April 24, 2019*

*To: The Department or Commission Listed Below*

*From: Janice M. Winfrey, Detroit City Clerk*

---

The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

---

PLANNING AND DEVELOPMENT DEPARTMENT    DPW - CITY ENGINEERING DIVISION

**846**    *Eatori Market, request a Seasonal Outdoor Café Permit for 1215 Griswold St.*



**APPLICATION FOR SEASONAL OUTDOOR CAFÉ PERMIT:**

**PETITIONER'S INFORMATION:**

EATORI MARKET 313 395 3030 EATORI MARKET@gmail.com  
 (PETITIONER'S NAME) (TELEPHONE NUMBER) (EMAIL ADDRESS)  
1215 Griswold St. DET MI 48224  
 (PETITIONER'S ADDRESS) Suite 150 (CITY) (STATE) (ZIP)

**OWNER'S INFORMATION:**

ZAK YATIM 313 999 1674 Zak@EATORI MARKET.COM  
 (OWNER'S NAME) (TELEPHONE NUMBER) (EMAIL ADDRESS)  
1840 Royal Oak 1840 Vinsetta MI 48073  
 (OWNER'S ADDRESS) (CITY) (STATE) (ZIP)

**OUTDOOR CAFÉ INFORMATION:**

EATORI MARKET  
 (CAFÉ NAME)  
1215 Griswold St Suite 150 DET MI 48073  
 (CAFÉ ADDRESS) (CITY) (STATE) (ZIP)

**TYPE OF OUTDOOR CAFÉ:**  SEASONAL (SUBMIT TO H&RD, SUITE 908)  
 PERMANENT (SUBMIT TO DPW/CITY ENGINEERING, SUITE 642)  
 ON YOUR OWN PROPERTY (SUBMIT TO BSEED, SUITE 401)

**WILL PROPOSED OUTDOOR CAFÉ BE:** OPEN  ENCLOSED  FIXED AWNING

**DO YOU SERVE ALCOHOL?** YES  NO

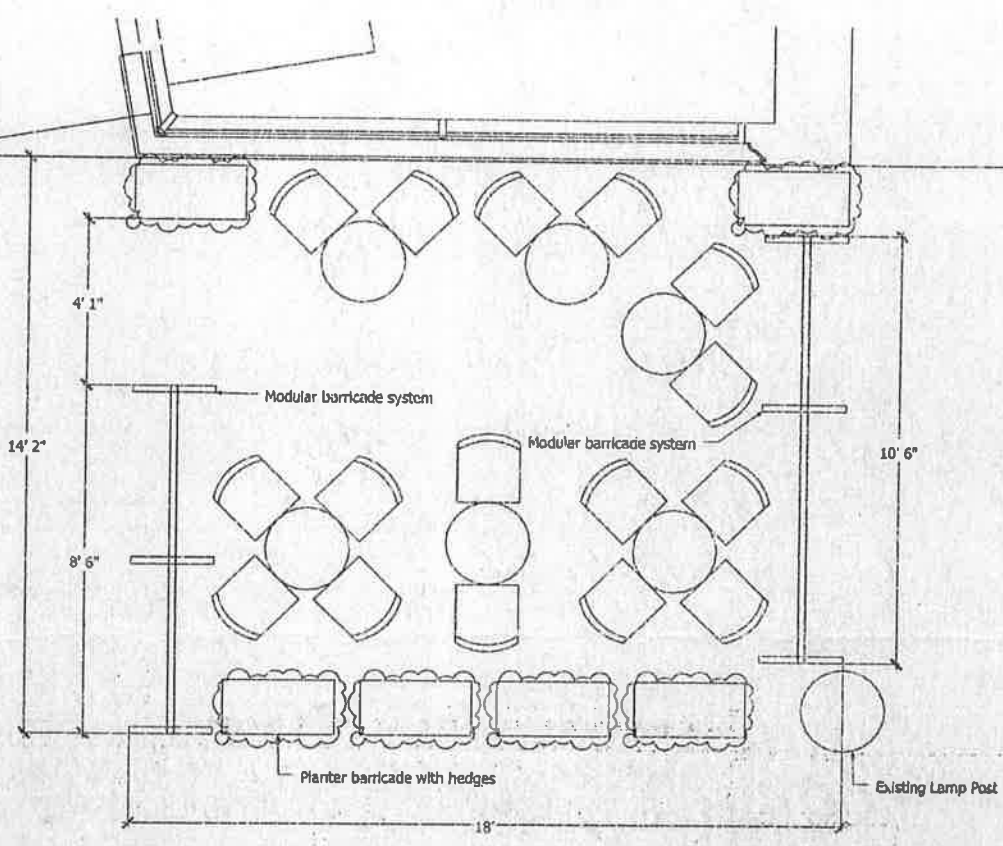
Zak Yatim (OWNER'S SIGNATURE) 4/22/19 (DATE)

**(FOR DEPARTMENT USE ONLY)**  
 APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 DENIED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 COMMENTS: \_\_\_\_\_

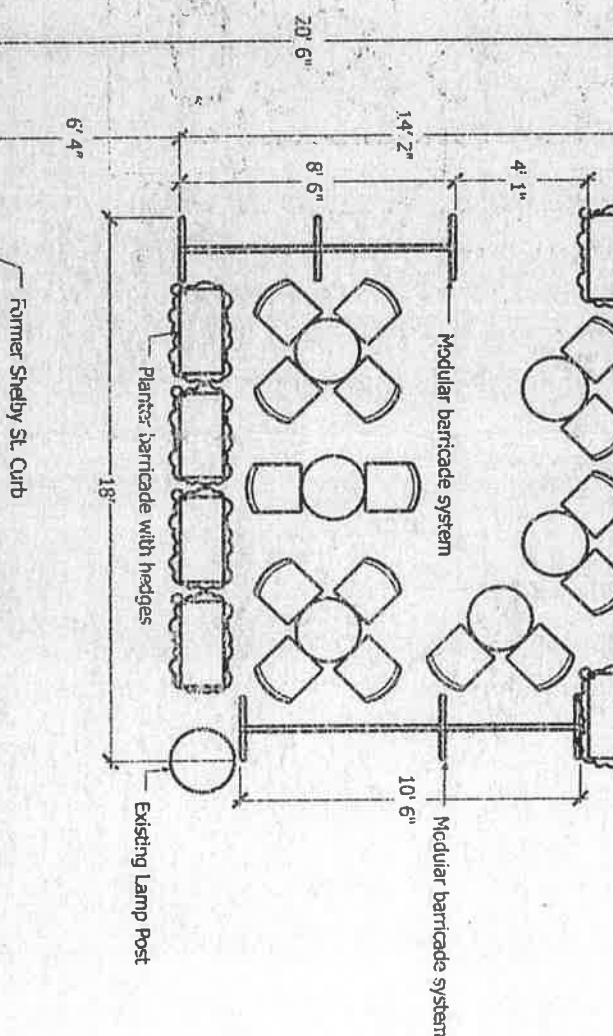
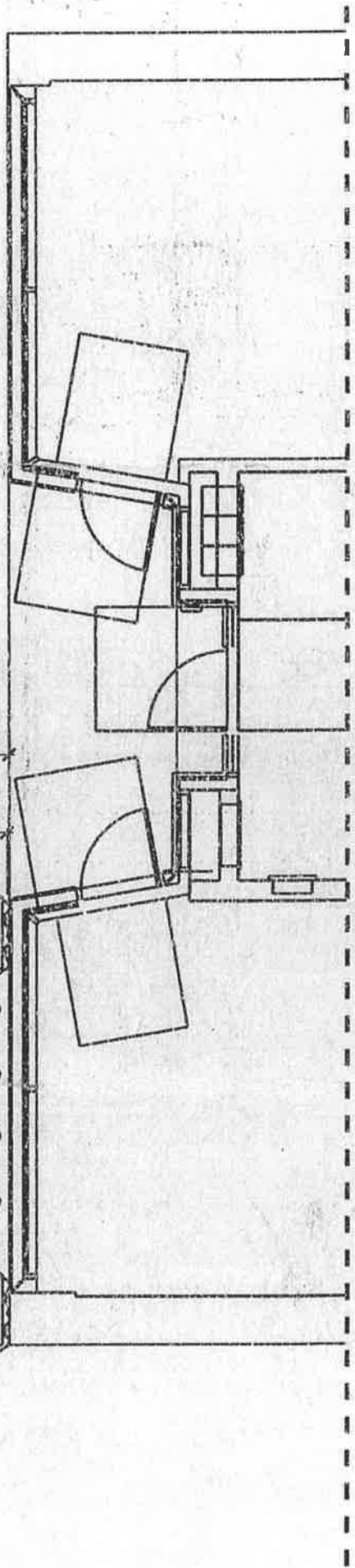
**REQUIRED ATTACHMENTS TO BE SUBMITTED WITH APPLICATION (HARD COPY OR PDF):**

- 11"x17" Site Plan** of 1"=10' Scale, depicting dimensions of seating area and its setbacks from the street curb and any obstructions in the right-of-way, (i.e. parking meter, tree trunk and light pole). A Location Map with the north arrow of the subject site should be provided on the site plan. \*\*\*See Attached Sample Plans\*\*\*
- 11"x17" Floor and Elevation Plans** of 1/8" or 1/4"=1' Scale, showing layout of the tables and chairs, service corridor dimensions and location. In addition, show type and height of fencing including fastening details, and photos/images of the type of fencing/gate and street furniture that will be installed.
- Provide Photos** for the section of the right-of-way and building in question.

CITY CLERK 22 APR 2019 PM 2:40

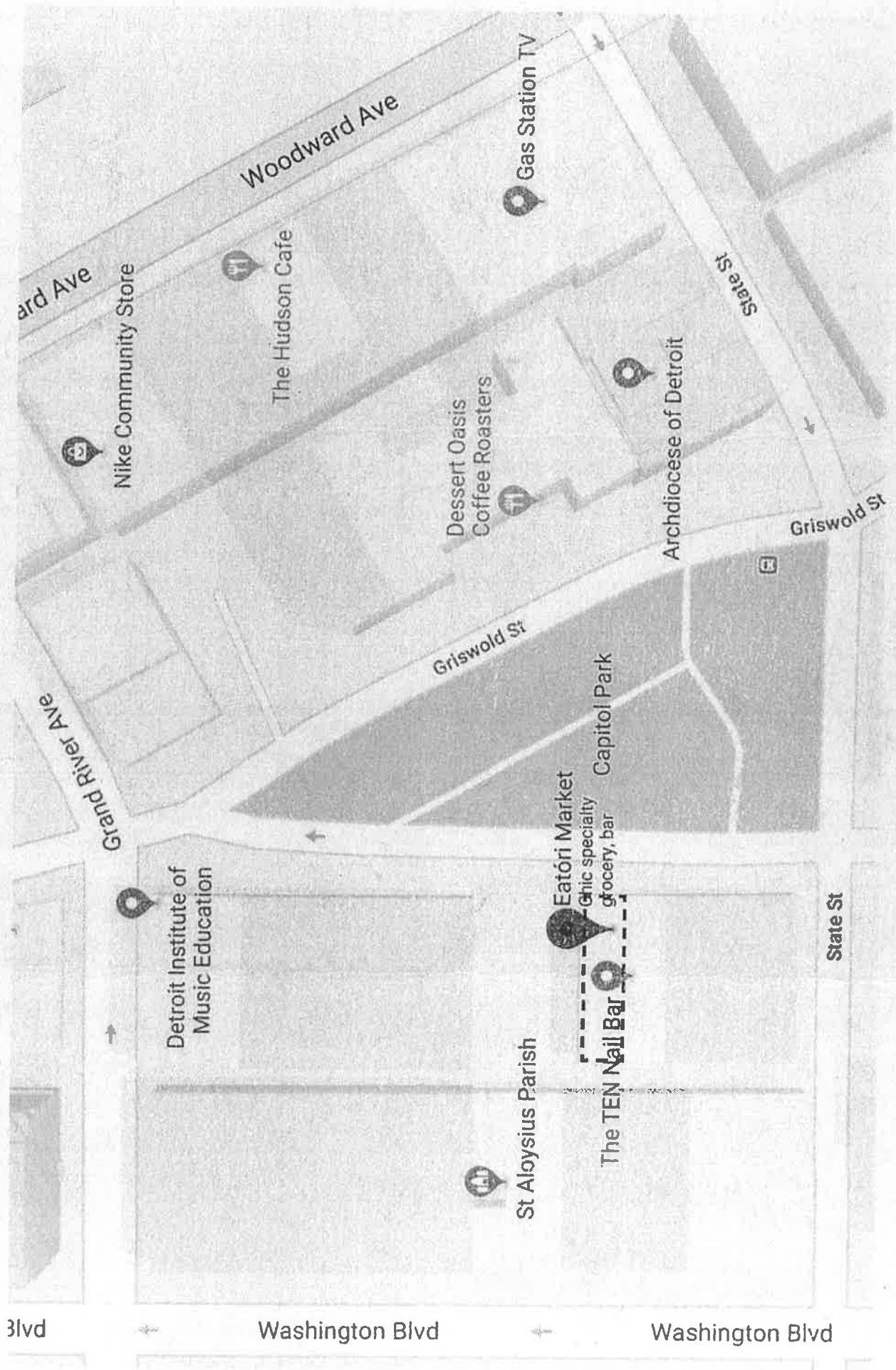






1215 GRISWOLD  
 EATORI MARKET PATIO - NTS

NORTH 



**1215 GRISWOLD  
LOCATION MAP**

3lvd

Washington Blvd

Washington Blvd

2019-04-24

**846**

**846** *Petition of Eatori Market, request a  
Seasonal Outdoor Café Permit for  
1215 Griswold St.*

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REFERRED TO THE FOLLOWING DEPARTMENT(S)

PLANNING AND DEVELOPMENT DEPARTMENT DPW -  
CITY ENGINEERING DIVISION



**Department of  
Public Works**

Coleman A Young Municipal Center  
Detroit, MI 48226

Phone: 313-224-3901  
Fax: 313-224-1464  
www.detroitmi.gov

74

June 21, 2019

Honorable City Council:

RE: Petition No. 883: Cannelle, 45 W Grand River Ave, requests permission to provide Outdoor Café Service. This service will be seasonal, and will convene April 1<sup>st</sup> through November 30<sup>th</sup>, yearly with yearly administrative review, from the date of your Honorable Body's approval.

The Department of Public Works (DPW) who has jurisdiction over temporary encroachment in the public right-of-way, for Outdoor Café use, has approved this request contingent upon the petitioner's compliance with applicable City ordinance related to outdoor café activities and the remittance of the annual use-permit fee to the DPW.

The Detroit Health Department (DHD) has approved this petition, subject to the petitioner's strict adherence to the 199 Food Code, Food Law of 2000 and City Ordinance, Chapter 21. No outdoor grilling is permitted without approval from the Health Department's Food Safety Division.

Approval from the Detroit Police Liquor License Bureau is contingent upon the final action given by the City Council towards the above-referenced petition. Prior approval from the Central District Precinct does not cover serving liquor in outdoor café area until the Detroit Police Liquor License Bureau has given approval.

The Department of Public Works/ Traffic Engineering Division (DPW/TED) has approved this request contingent upon the petitioner's compliance with provided DPW/TED instructions.

The Legislative Policy Division has reviewed the petitioner's request and issued their approval with no objections.

It is the recommendation of DPW that the petitioner's request be granted subject to the terms and conditions provided in the attached Resolution and that this service will convene April 1<sup>st</sup> through November 30<sup>th</sup> yearly with yearly administrative review from the date of your Honorable Body's approval.

Respectfully submitted,

Chisara Brown, Mobility Planner

CC: Caitlin Malloy Marcon, Deputy Director Complete Streets Division



**Department of  
Public Works**

Coleman A Young Municipal Center  
Detroit, MI 48226

Phone: 313-224-3901  
Fax: 313-224-1464  
[www.detroitmi.gov](http://www.detroitmi.gov)

PROVIDED, That the designated outdoor seating area shall be properly identified through the use of clear delineation in order to regulate and control the serving of liquor within the perimeter of the café; and

PROVIDED, That the outline and location of the outdoor café is not to be different from the site plan approved by the DPW/CSD; and

PROVIDED, That if any tent, canopy or other enclosure is to be utilized on the subject site, the applicant shall secure prior approval from Building, Safety Engineering & Environmental Department and the Department of Public Works/City Engineering Division; and

PROVIDED, That all physical barriers and fixtures shall be removed from the public right-of-way during the months of non-operation and placed in storage; and

PROVIDED, That a certified copy of this Resolution shall be recorded with the Office of the Register of Deeds for Wayne County at the "permittee's" expense;

Adopted as follows:

Yeas-

Nays-

## DEPARTMENTAL REFERENCE COMMUNICATION

*Monday, May 20, 2019*

*To: The Department or Commission Listed Below*

*From: Janice M. Winfrey, Detroit City Clerk*

---

The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

---

DPW - CITY ENGINEERING DIVISION    PLANNING AND DEVELOPMENT DEPARTMENT

**883**      *Cannelle, request for a Seasonal Outdoor Café permit for 45 West Grand River.*



# 883



HOUSING & REVITALIZATION DEPARTMENT  
2 Woodward Avenue, Suite 908, Detroit, MI 48226  
(313) 224-6380

**APPLICATION FOR SEASONAL OUTDOOR CAFÉ PERMIT:**

**PETITIONER'S INFORMATION:**

Cannelle 3134180131  
(PETITIONER'S NAME) (TELEPHONE NUMBER) (EMAIL ADDRESS)  
45 West Grand River Detroit MI 48226  
(PETITIONER'S ADDRESS) (CITY) (STATE) (ZIP)

**OWNER'S INFORMATION:**

MATT KNIO 3134180131 mattknio@hotmail.com  
(OWNER'S NAME) (TELEPHONE NUMBER) (EMAIL ADDRESS)  
4615 Arrowhead Westbloomfield MI 48323  
(OWNER'S ADDRESS) (CITY) (STATE) (ZIP)

**OUTDOOR CAFÉ INFORMATION:**

Cannelle  
(CAFÉ NAME)  
45 West Grand River Detroit MI 48226  
(CAFÉ ADDRESS) (CITY) (STATE) (ZIP)

**TYPE OF OUTDOOR CAFÉ:**  SEASONAL (SUBMIT TO H&RD, SUITE 908)  
 PERMANENT (SUBMIT TO DPW/CITY ENGINEERING, SUITE 642)  
 ON YOUR OWN PROPERTY (SUBMIT TO BSEED, SUITE 401)

**WILL PROPOSED OUTDOOR CAFÉ BE:** OPEN  ENCLOSED  FIXED AWNING

**DO YOU SERVE ALCOHOL?** YES  NO

 (OWNER'S SIGNATURE) 05 20 19 (DATE)

**[FOR DEPARTMENT USE ONLY]**

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

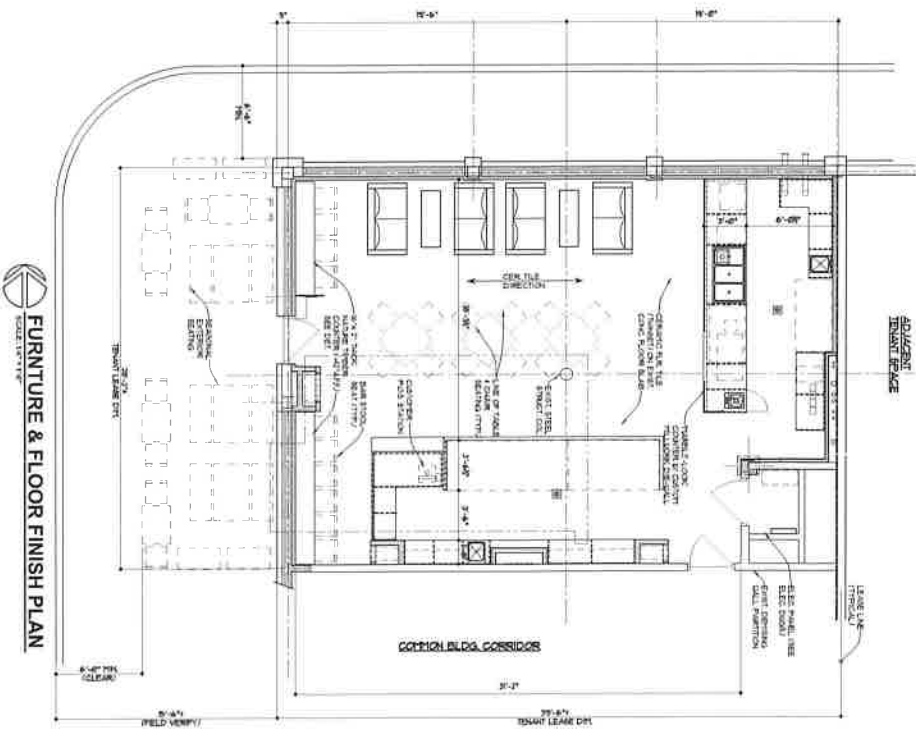
DENIED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

**REQUIRED ATTACHMENTS TO BE SUBMITTED WITH APPLICATION (HARD COPY OR PDF):**

- 11"x17" Site Plan** of 1"=10' Scale, depicting dimensions of seating area and its setbacks from the street curb and any obstructions in the right-of-way, (i.e. parking meter, tree trunk and light pole). A Location Map with the north arrow of the subject site should be provided on the site plan. \*\*\*See Attached Sample Plans\*\*\*
- 11"x17" Floor and Elevation Plans** of 1/8" or 1/4"=1' Scale, showing layout of the tables and chairs, service corridor dimensions and location. In addition, show type and height of fencing including fastening details, and photos/images of the type of fencing/gate and street furniture that will be installed.
- Provide Photos** for the section of the right-of-way and building in question.

NO.	DESCRIPTION	QTY	UNIT	EST. COST	FIN. COST
1	STAINLESS STEEL COUNTER	1	LINEAR FOOT	1500.00	1500.00
2	P.O.S.	1	UNIT	1000.00	1000.00
3	EPSON REMOTE TICKET PRINTER	1	UNIT	200.00	200.00
4	P.O.S. SERVER	1	UNIT	500.00	500.00
5	COMMERCIAL CUP DISPENSER	1	UNIT	150.00	150.00
6	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
7	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
8	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
9	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
10	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
11	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
12	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
13	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
14	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
15	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
16	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
17	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
18	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
19	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
20	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
21	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
22	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
23	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
24	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
25	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
26	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
27	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
28	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
29	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
30	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
31	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
32	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
33	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
34	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
35	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
36	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
37	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
38	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
39	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
40	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
41	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
42	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
43	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
44	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
45	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
46	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
47	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
48	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
49	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00
50	STORAGE SHELF (4 DRIVERS)	1	LINEAR FOOT	100.00	100.00



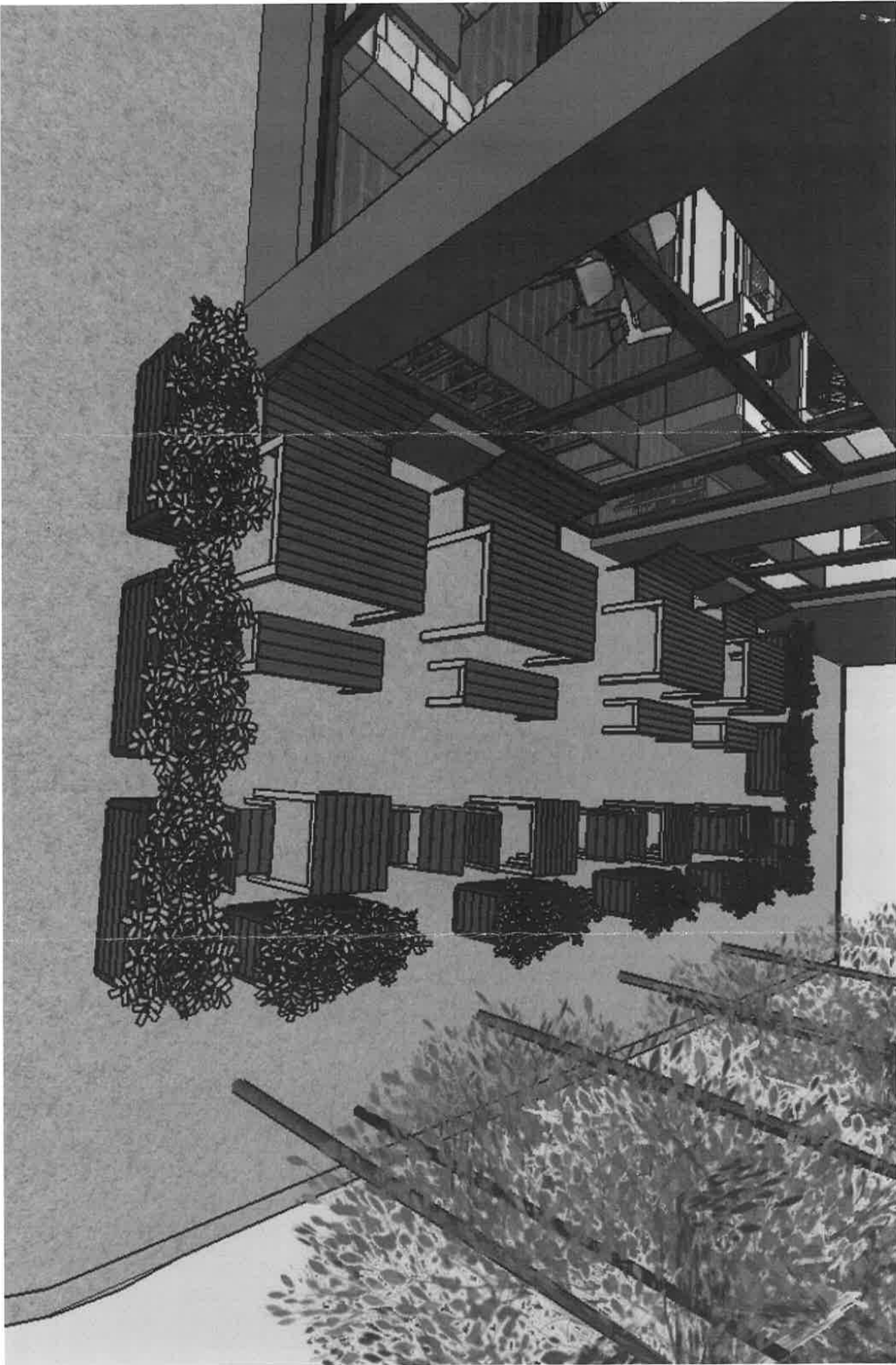
**FURNITURE & FLOOR FINISH PLAN**

1712  
A-4

**CANNELLE  
PATISSERIE  
INTERIOR  
CONSTRUCTION**  
45 W. GRAND RIVER AVE.  
DETROIT, MI 48226

ARCHITECTURAL INTELLIGENCE LLC  
Architecture • Planning • Interiors  
P.O. BOX 2914 • Ferndale, MI 48229  
(313) 296-3223 • Fax (313) 943-2939  
E-Mail: [info@archintel.com](mailto:info@archintel.com)

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Architect shall be deemed the author of  
content of these documents and will retain all  
rights in the drawings, and control rights,  
in addition to the copyright.









### Restaurant Seating

6206 Sepulveda Blvd., Van Nuys, California, 91411, United States

✉ requests@restaurantseating.com ☎ 888.302.2276

#### 🕒 Retail Store Hours

Monday - Saturday 10AM - 6PM

Sunday 11AM - 5PM

## Italian Cafe Chair



### Details

Stock #	DRFNE8053
Dimensions	35"H x 17"W x 20"D

### Description

This Fabric stripes Aluminum Side Chair is a beautiful chair with its perfect combination of Red and White colors that goes well with the aluminum frame. This side chair is easy to clean, extremely durable and stackable feature makes this a must own furniture. Contact our Contract Sales Department for more information.

Seat: 16" W x 16 1/2" D x 17 1/2"H



### Restaurant Seating

6206 Sepulveda Blvd., Van Nuys, California, 91411, United States

✉ requests@restaurantseating.com ☎ 888.302.2276

#### 🕒 Retail Store Hours

Monday - Saturday 10AM - 6PM

Sunday 11AM - 5PM

## Sapele Patio Outdoor Slat Top



### Details

Stock #

DRAWTSAPELE

### Description

#### **Table Tops are Available in Any Size**

Solid Sapele Outdoor Tops These are our ultimate slatted outdoor table tops. They are the finest solid wood tops available and are suitable for exterior or interior use. Shown is the Sapele Wood in a Natural Exterior Oil Rubbed finish or choose Character American Black Walnut. You can also choose an exterior Urethane clear coat over stain. You have unlimited color choices to suite your design needs.

There are no glue lines to open no matter how hot or dry the climate and we use stainless steel fasteners to



2019-05-20

**883**

**883** *Petition of Cannelle, request for a  
Seasonal Outdoor Café permit for 45  
West Grand River.*

---

REFERRED TO THE FOLLOWING DEPARTMENT(S)

DPW - CITY ENGINEERING DIVISION PLANNING AND  
DEVELOPMENT DEPARTMENT

74



Department of  
Public Works

Coleman A Young Municipal Center  
Detroit, MI 48226

Phone: 313-224-3901  
Fax: 313-224-1464  
www.detroitmi.gov

75

June 21, 2019

Honorable City Council:

RE: Petition No. 891: Mootz Pizzeria, 1234 Library, requests permission to provide Outdoor Café Service. This service will be seasonal, and will convene April 1<sup>st</sup> through November 30<sup>th</sup>, yearly with yearly administrative review, from the date of your Honorable Body's approval.

The Department of Public Works (DPW) who has jurisdiction over temporary encroachment in the public right-of-way, for Outdoor Café use, has approved this request contingent upon the petitioner's compliance with applicable City ordinance related to outdoor café activities and the remittance of the annual use-permit fee to the DPW.

The Detroit Health Department (DHD) has approved this petition, subject to the petitioner's strict adherence to the 199 Food Code, Food Law of 2000 and City Ordinance, Chapter 21. No outdoor grilling is permitted without approval from the Health Department's Food Safety Division.

Approval from the Detroit Police Liquor License Bureau is contingent upon the final action given by the City Council towards the above-referenced petition. Prior approval from the Central District Precinct does not cover serving liquor in outdoor café area until the Detroit Police Liquor License Bureau has given approval.

The Department of Public Works/ Traffic Engineering Division (DPW/TED) has approved this request contingent upon the petitioner's compliance with provided DPW/TED instructions.

The Legislative Policy Division has reviewed the petitioner's request and issued their approval with no objections.

It is the recommendation of DPW that the petitioner's request be granted subject to the terms and conditions provided in the attached Resolution and that this service will convene April 1<sup>st</sup> through November 30<sup>th</sup> yearly with yearly administrative review from the date of your Honorable Body's approval.

Respectfully submitted,

Chisara Brown, Mobility Planner

CC: Caitlin Malloy Marcon, Deputy Director Complete Streets Division



**Department of  
Public Works**

Coleman A Young Municipal Center  
Detroit, MI 48226

Phone: 313-224-3901  
Fax: 313-224-1464  
[www.detroitmi.gov](http://www.detroitmi.gov)

PROVIDED, That the designated outdoor seating area shall be properly identified through the use of clear delineation in order to regulate and control the serving of liquor within the perimeter of the café; and

PROVIDED, That the outline and location of the outdoor café is not to be different from the site plan approved by the DPW/CSD; and

PROVIDED, That if any tent, canopy or other enclosure is to be utilized on the subject site, the applicant shall secure prior approval from Building, Safety Engineering & Environmental Department and the Department of Public Works/City Engineering Division; and

PROVIDED, That all physical barriers and fixtures shall be removed from the public right-of-way during the months of non-operation and placed in storage; and

PROVIDED, That a certified copy of this Resolution shall be recorded with the Office of the Register of Deeds for Wayne County at the "permittee's" expense;

Adopted as follows:

Yeas-

Nays-

Janice M. Winfrey  
City Clerk

**City of Detroit**  
OFFICE OF THE CITY CLERK

Caven West  
Deputy City Clerk/Chief of Staff

**DEPARTMENTAL REFERENCE COMMUNICATION**

*Wednesday, May 29, 2019*

*To: The Department or Commission Listed Below*

*From: Janice M. Winfrey, Detroit City Clerk*

---

The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

---

DPW - CITY ENGINEERING DIVISION    PLANNING AND DEVELOPMENT DEPARTMENT

**891**    *Brian Hurttienne, request for a Permanent Outdoor Café Permit for the property located at 1234 Library St, Detroit, MI.*



**APPLICATION FOR SEASONAL OUTDOOR CAFÉ PERMIT:**

NOTE: ALL APPLICANTS MUST SUBMIT ZONING CLEARANCE WITH THIS FORM BEFORE YOU CAN BEGIN OUTDOOR CAFÉ PROCESS. PLEASE PROCEED TO BSEED – ZONING SECTION, SUITE 401.

**PETITIONER'S INFORMATION:**

BRIAN HURTTIENNE 313-825-2005 brian@cha-c.com  
 (PETITIONER'S NAME) (TELEPHONE NUMBER) (EMAIL ADDRESS)  
2111 WOODWARD, STE. 201 DETROIT MI 48201  
 (PETITIONER'S ADDRESS) (CITY) (STATE) (ZIP)

**OWNER'S INFORMATION:**

TONY SACCO 734-735-4480 tony@mootzpizza.com  
 (OWNER'S NAME) (TELEPHONE NUMBER) (EMAIL ADDRESS)  
1234 LIBRARY STREET DETROIT MI 48226  
 (OWNER'S ADDRESS) (CITY) (STATE) (ZIP)

**OUTDOOR CAFÉ INFORMATION: (CAFÉ NAME)** MOOTZ PIZZA

1234 LIBRARY STREET DETROIT MI 48226  
 (CAFÉ ADDRESS) (CITY) (STATE) (ZIP)

**TYPE OF OUTDOOR CAFÉ:**

- SEASONAL – PROCEED TO H&RD, SUITE 908  
 PERMANENT – PROCEED TO DPW/CITY ENGINEERING, SUITE 642  
 ON YOUR OWN PROPERTY – PROCEED TO BSEED, SUITE 401

**WILL OUTDOOR CAFÉ BE:**

- OPEN  ENCLOSED  FIXED AWNING

**DO YOU SERVE ALCOHOL?**

- YES  NO

[Signature] 5-21-19  
 (OWNER'S SIGNATURE) (DATE)

**[FOR DEPARTMENT USE ONLY]**

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 DENIED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 COMMENTS: \_\_\_\_\_

**REQUIRED ATTACHMENTS TO BE SUBMITTED WITH APPLICATION (HARD COPY OR PDF):**

- 11"x17" Site Plan of 1"=10' Scale, depicting dimensions of seating area and its setbacks from the street curb and any obstructions in the right-of-way, (i.e. parking meter, tree trunk and light pole). A Location Map with the north arrow of the subject site should be provided on the site plan.
- 11"x17" Floor Plan of 1/8" or 1/4"=1' Scale, showing layout of the tables and chairs, service corridor dimensions and location. In addition, show elevation, type and height of fencing including fastening details.
- 11" x 17" Elevation Plan of 1/4"=1' Scale, and photos for section of the right-of-way and building in question.

*(See Attached Sample Plans)*



**Department of  
Public Works**

Coleman A Young Municipal Center  
Detroit, MI 48226

Phone: 313-224-3901  
Fax: 313-224-1464  
www.detroitmi.gov

76

June 21, 2019

Honorable City Council:

RE: Petition No. 892: Taqueira El Nacimiento, 7400 W Vernor Hwy, requests permission to provide Outdoor Café Service. This service will be seasonal, and will convene April 1<sup>st</sup> through November 30<sup>th</sup>, yearly with yearly administrative review, from the date of your Honorable Body's approval.

The Department of Public Works (DPW) who has jurisdiction over temporary encroachment in the public right-of-way, for Outdoor Café use, has approved this request contingent upon the petitioner's compliance with applicable City ordinance related to outdoor café activities and the remittance of the annual use-permit fee to the DPW.

The Detroit Health Department (DHD) has approved this petition, subject to the petitioner's strict adherence to the 199 Food Code, Food Law of 2000 and City Ordinance, Chapter 21. No outdoor grilling is permitted without approval from the Health Department's Food Safety Division.

Approval from the Detroit Police Liquor License Bureau is contingent upon the final action given by the City Council towards the above-referenced petition. Prior approval from the Central District Precinct does not cover serving liquor in outdoor café area until the Detroit Police Liquor License Bureau has given approval.

The Department of Public Works/ Traffic Engineering Division (DPW/TED) has approved this request contingent upon the petitioner's compliance with provided DPW/TED instructions.

The Legislative Policy Division has reviewed the petitioner's request and issued their approval with no objections.

It is the recommendation of DPW that the petitioner's request be granted subject to the terms and conditions provided in the attached Resolution and that this service will convene April 1<sup>st</sup> through November 30<sup>th</sup> yearly with yearly administrative review from the date of your Honorable Body's approval.

Respectfully submitted,

Chisara Brown, Mobility Planner

CC: Caitlin Malloy Marcon, Deputy Director Complete Streets Division





**Department of  
Public Works**

Coleman A Young Municipal Center  
Detroit, MI 48226

Phone: 313-224-3901  
Fax: 313-224-1464  
[www.detroitmi.gov](http://www.detroitmi.gov)

PROVIDED, That the designated outdoor seating area shall be properly identified through the use of clear delineation in order to regulate and control the serving of liquor within the perimeter of the café; and

PROVIDED, That the outline and location of the outdoor café is not to be different from the site plan approved by the DPW/CSD; and

PROVIDED, That if any tent, canopy or other enclosure is to be utilized on the subject site, the applicant shall secure prior approval from Building, Safety Engineering & Environmental Department and the Department of Public Works/City Engineering Division; and

PROVIDED, That all physical barriers and fixtures shall be removed from the public right-of-way during the months of non-operation and placed in storage; and

PROVIDED, That a certified copy of this Resolution shall be recorded with the Office of the Register of Deeds for Wayne County at the "permittee's" expense;

Adopted as follows:

Yeas-

Nays-

Janice M. Winfrey  
City Clerk

**City of Detroit**  
OFFICE OF THE CITY CLERK

Caven West  
Deputy City Clerk/Chief of Staff

**DEPARTMENTAL REFERENCE COMMUNICATION**

*Wednesday, May 29, 2019*

*To: The Department or Commission Listed Below*

*From: Janice M. Winfrey, Detroit City Clerk*

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The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

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DPW - CITY ENGINEERING DIVISION    PLANNING AND DEVELOPMENT DEPARTMENT

**892**    *Taqueria El Nacimiento, request for a Seasonal Outdoor Café Permit for the property located at 7400 West Vernor, Detroit, MI*



**HOUSING & REVITALIZATION DEPARTMENT**  
2 Woodward Avenue, Suite 908, Detroit, MI 48226  
(313) 224-6380

**APPLICATION FOR SEASONAL OUTDOOR CAFÉ PERMIT:**

**PETITIONER'S INFORMATION:**

Taqueria El Nacimiento                      313-554-1790                      elnacimiento@yahoo.com  
(PETITIONER'S NAME)                      (TELEPHONE NUMBER)                      (EMAIL ADDRESS)

7400 West Vernor                      Detroit                      MI                      48209  
(PETITIONER'S ADDRESS)                      (CITY)                      (STATE)                      (ZIP)

**OWNER'S INFORMATION:**

Rodrigo Padilla                      313-978-4122                      elnacimiento@yahoo.com  
(OWNER'S NAME)                      (TELEPHONE NUMBER)                      (EMAIL ADDRESS)

22076 Hunter Circle N.                      Taylor                      MI                      48180  
(OWNER'S ADDRESS)                      (CITY)                      (STATE)                      (ZIP)

**OUTDOOR CAFÉ INFORMATION:**

Taqueria El Nacimiento  
(CAFÉ NAME)

7400 West Vernor                      Detroit                      MI                      48209  
(CAFÉ ADDRESS)                      (CITY)                      (STATE)                      (ZIP)

**TYPE OF OUTDOOR CAFÉ:**

SEASONAL (SUBMIT TO H&RD, SUITE 908)  
 PERMANENT (SUBMIT TO DPW/CITY ENGINEERING, SUITE 642)  
 ON YOUR OWN PROPERTY (SUBMIT TO BSEED, SUITE 401)

**WILL PROPOSED OUTDOOR CAFÉ BE:**    OPEN     ENCLOSED     FIXED AWNING

**DO YOU SERVE ALCOHOL?**    YES     NO

\_\_\_\_\_  
(OWNER'S SIGNATURE)                      05-23-19  
(DATE)

**[FOR DEPARTMENT USE ONLY]**

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

DENIED BY: \_\_\_\_\_                      DATE: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

**REQUIRED ATTACHMENTS TO BE SUBMITTED WITH APPLICATION (HARD COPY OR PDF):**

- 11"x17" Site Plan of 1"=10' Scale, depicting dimensions of seating area and its setbacks from the street curb and any obstructions in the right-of-way, (i.e. parking meter, tree trunk and light pole). A Location Map with the north arrow of the subject site should be provided on the site plan. \*\*\*See Attached Sample Plans\*\*\*
- 11"x17" Floor and Elevation Plans of 1/8" or 1/4"=1' Scale, showing layout of the tables and chairs, service corridor dimensions and location. In addition, show type and height of fencing including fastening details, and photos/images of the type of fencing/gate and street furniture that will be installed.
- Provide Photos for the section of the right-of-way and building in question.

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

May 23, 2019

RE: Taqueria El Nacimiento an outdoor cafe area for 7400 W. Vernor

To whom it may concern,

Taqueria El Nacimiento is seeking approval from the appropriate city departments and/or agencies for their review and recommendation as well as permission from the Honorable City Council for the Outdoor Café Service at 7400 W. Vernor for this season having begun on April 1.

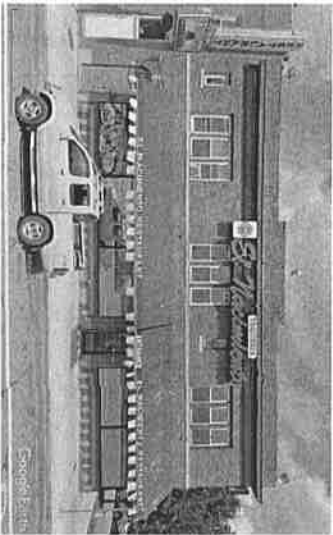
The architectural designs and elevations have been provided. The proposed patio space has been approved by the Michigan Liquor Commission and the License is in good standing with State of Michigan.

Please do not hesitate in contacting me for any questions and concerns or follow up materials.

Sincerely

A handwritten signature in black ink, appearing to read 'Rodrigo Padilla', is written over a horizontal line. The signature is stylized and cursive.

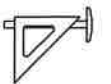
Rodrigo Padilla  
313-978-4122



SOUTH ELEVATION @ NO SCALE



EAST ELEVATION @ NO SCALE



SKETCH DESIGN GROUP  
 PETER GILMAN HERR  
 TITLE: ARCHITECT  
 734-343-9900  
 734-343-9900  
 Email: peter@sketchdesigngroup.com

HARVARD ENGINEERING  
 734 WASHINGTON BLDG. 4TH FL. #2301  
 PHOENIX 304-776-8488



**EL NACIMENTO  
 SIDEWALK PATIO PLAN  
 7400 WEST VERNOR HWY.  
 DETROIT, MI**

DATE	BY	REVISION

PROJECT # 18104  
 SHEET NO.  
**A2**

# EL NACIMIENTO SIDEWALK PATIO PLAN 7400 WEST VERNOR HWY. DETROIT, MI 48209

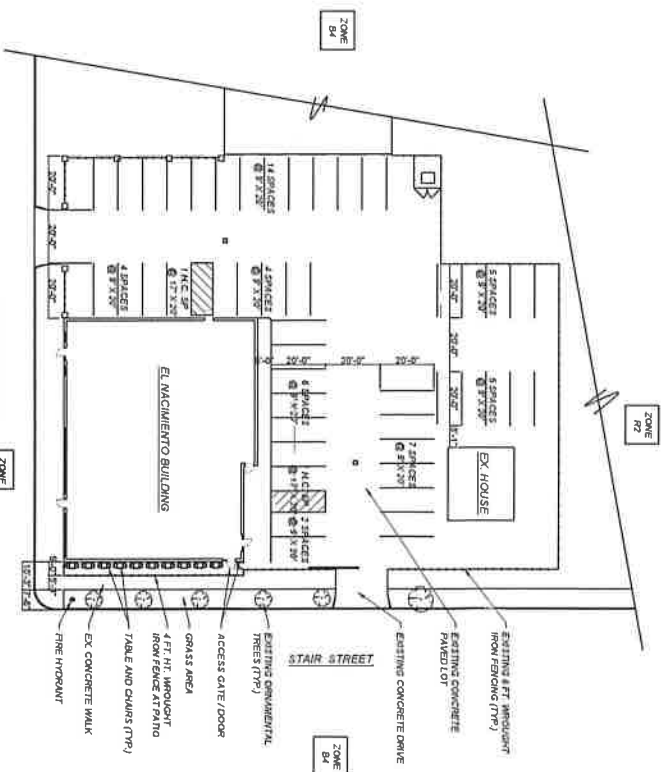
**DATA:**  
 GROSS SITE AREA = 21,103 SQ. FT.  
 EXISTING BUILDING = 4,211 SQ. FT.  
 ZONE: = B4  
 USE GROUP = GROUP A-3  
 CONSTRUCTION TYPE = TYPE IIB  
 PARKING PROVIDED = 41 SPACES @ 9' X 20'  
 = 2116 SPACES @ 17' X 20'  
 MICHIGAN BUILDING CODE 2015

**INDEX:**  
 SHT: SP1 SITE PLAN

**LEGAL DESCRIPTION:**  
 N VERNOR HWY S 1/4 PT OF S 1/4 S 56 BURNS SUB L14 PRES PLATS, WCR 18/195 30 X 140, COMMONLY KNOWN AS: 7418 W VERNOR HWY;  
 N VERNOR HWY S 1/4 BURNS SUB L14 PRES PLATS, WCR 18/195 30 X 140, COMMONLY KNOWN AS: 7424 W VERNOR HWY;  
 N VERNOR HWY S 1/4 BURNS SUB L14 PRES PLATS, WCR 18/195 30 X 140, COMMONLY KNOWN AS: 7430 W VERNOR HWY;  
 W STAR 136 BURNS SUB L14 PRES PLATS, WCR 18/195 30 X 110, COMMONLY KNOWN AS: 2333 STAIR



SIMILAR DESIGN @ NO SCALE



EXISTING SITE PLAN @ SCALE 1" = 20'-0"

DESIGN NO.	DATE
PROJECT #	THRU
SP1	

**EL NACIMIENTO  
SIDEWALK PATIO PLAN  
7400 WEST VERNOR HWY.  
DETROIT, MI 48209**



**HARWARD ENGINEERING**  
 7587 GAMBROCK DRIVE  
 DETROIT, MI 48231  
 PHONE: 313-737-6488

**ARCHITECT DESIGN GROUP**  
 2520 GRAND AVENUE  
 DETROIT, MI 48226  
 PHONE: 313-833-2024  
 www.architectdesigngroup.com





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2019-05-29

**892**

**892**     *Petition of Taqueria El Nacimiento,  
request for a Seasonal Outdoor Cafe  
Permit for the property located at  
7400 West Vernor, Detroit, MI*

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REFERRED TO THE FOLLOWING DEPARTMENT(S)

DPW - CITY ENGINEERING DIVISION    PLANNING AND  
DEVELOPMENT DEPARTMENT

MEMORANDUM

TO: David Whitaker, Director  
Legislative Policy Division

FROM: Roy McCalister, Jr., Member  
Detroit City Council

DATE: June 21, 2019

RE: Requesting an Amendment to the proposed Secondary Street Signs replacement ordinance

My office is requesting an amendment to the proposed Secondary Street Signs ordinance to allow for a community appeals process.

Thank you,  
Roy McCalister, Jr.  
Detroit City Council

CC: City Council  
City Clerk  
Stephanie Washington, Mayor's Office

## MEMORANDUM

**TO:** Alton James, Chair  
City Planning Commission

**CC:** Honorable Colleagues  
Louise Jones, Senior City Clerk

**FROM:** Council President Brenda Jones

**DATE:** June 25, 2019

**RE:** Zoning Ordinance Amendments

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BG

Please draft an ordinance amending the zoning ordinance to address the following issues impacting retail corridors:

- Reduction of parking requirements for small businesses
- Separating second-hand clothing stores from the uses requiring a special land use permit (pawn shops, etc.)
- Making a-frame signage by-right in our commercial corridors (this is part of the new sign ordinance update).