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TO: City Planning Commission

FROM: M. Rory Bolger, Staff

RE: **Proposed map amendment to Chapter 50, Zoning, Article XVII, Section 50-16-3, for the rezoning of land in Greektown and Bricktown, Zoning Map No. 2 from the B4, B6, PD, and SD5 zoning district classifications to the B5 zoning district classification**

DATE: February 16, 2021

On February 18, 2021, the City Planning Commission (CPC) will convene a 6:00 PM public hearing to consider the rezoning of land covering 24 blocks or portions or fragments of blocks depicted on Map No. 2 in Article XVII of Chapter 50 of the 2019 Detroit City Code, the Zoning Ordinance from the B4, B6, PD, and SD5 zoning district classifications to the B5 zoning district classification. Zoning Map No. 2 covers the eastern portion of the Central Business District (CBD) and includes notable areas such as Bricktown and Greektown.

Master Plan and Zoning

Detroit's Master Plan identifies the future general land use for the bulk of this area as "Special Commercial (CS);" where the Frank Murphy Hall of Justice and the Wayne County Jail are located, the Master Plan calls out the future general land use as "Institutional (INST)." Special Commercial is described as follows:

Special Commercial (CS)

Special Commercial areas attract people from the City, region, and State. These areas may include sports stadia, convention centers, casinos, or compatible uses such as theatres, nightclubs, bars and restaurants. Areas should be accessible to mass transit routes and automobile parking located on the street or in structures. Ground level activity should be pedestrian-oriented. Ancillary uses may include medium-rise offices, motels, medium- and high-rise apartments, and mixed-use developments.

Similarly, the 2012 Detroit Future City framework, the 50-year land use scenario, reflects the long-term vision for the city and identifies this same area as part of the "City Center."

The Master Plan aligns several zoning district classifications as appropriate for a "Special Commercial" designation:

- PD—Planned Development
- PCA—Public Center Adjacent/Restricted Central Business District
- B5—Major Business
- SD2—Special Development District, Mixed-Use
- SD5—Special Development District, Casinos

The Zoning Ordinance, however, shows a score of blocks within this area as being zoned in zoning district classifications inconsistent with the Master Plan.

- B6—General Services District
- B4—General Business District

Both B6 and B4 permit numerous uses of dubious or adverse consequence to the Central Business District. CPC staff's preliminary review of the B6 list of permitted uses suggests that no existing land use, other than the soon-to-be-replaced county jail, would be rendered nonconforming by a rezoning, although numerous currently-permitted uses would be newly prohibited.

Staff also finds three properties zoned SD5 (Special Development District—Casinos) that are no longer part of a casino complex and one property zoned PD (Planned Development District) that was originally part of the Greektown temporary casino development but is longer related to a casino and was never rezoned to SD5 when the permanent casino opened. These SD5 and PD properties are also ripe and proposed for rezoning. The properties in question are depicted in color on the attached map.

PERTINENT ZONING DISTRICT CLASSIFICATIONS

B4 GENERAL BUSINESS DISTRICT

The B4 General Business District provides for business and commercial uses of a thoroughfare-oriented nature. In addition to these uses, other businesses, which may benefit by drawing part of their clientele from passing traffic are permitted. Additional uses, which may be successfully blended with permitted by-right uses, are conditional.

B5 MAJOR BUSINESS DISTRICT

The B5 Major Business District is designed to provide adequate regulations within the Central Business District, the New Center Area, and may be successfully utilized in other regionally oriented shopping and office areas.

B6 GENERAL SERVICES DISTRICT

The B6 General Services District provides for wholesaling, transport, food services, and similar activities essential to the commerce and health of the City. Office, retail, service, and other uses normally desiring to locate in this type of district are also permitted.

SD5 SPECIAL DEVELOPMENT, CASINOS

The SD5 Special Development District, Casinos, is designed to facilitate the location of licensed casinos and casino complexes within the boundaries established by the City for casino gaming

activities. The SD5 District focuses on urban entertainment and recreational activities that will enhance the area as a desirable location for tourists, conventions, and urban life.

PROPERTIES IN QUESTION

On the land proposed to be rezoned are counted some 27 venues for drinking and/or eating, 18 surface parking lots, 11 multi-tenant/multi-story buildings (offices), 5 public/civic/ institutional buildings (only 3 active), 5 stores or personal service, 5 vacant buildings, 4 churches, 2 parking structures, 2 adult cabarets, 2 bakeries, 1 hotel, 1 People Mover Station, and 1 dance hall.

- B6 properties proposed to be rezoned to B5—blocks/portions (10):
 - Gratiot, Raynor, Clinton, Beaubien
 - Macomb, Beaubien, Monroe, Brush
 - e/w alley 1st south of Macomb, St. Antoine, Monroe, Beaubien
 - Monroe, Beaubien, E. Lafayette, Brush (excluding 457 E. Lafayette)
 - E. Lafayette, Beaubien, e/w alley 1st north of E. Fort, property line 1st east of Brush
 - e/w alley 1st south of E Lafayette, property line 1st west of Beaubien, E. Fort, Brush
 - E. Fort, Beaubien, E. Congress, Brush
 - Bricktown People Mover Station on east side of Beaubien between E. Lafayette and E. Congress (541 E. Fort)
 - E. Congress, Beaubien, E. Larned, Brush
 - E. Congress, St. Antoine, E. Larned, Beaubien
- SD5 properties proposed to be rezoned to B5—blocks/fragments (3):
 - Monroe, Brush, E. Lafayette, Randolph
 - E. Lafayette, property line 1st west of Beaubien, e/w alley 1st north of E. Fort, Brush
 - e/w alley 1st south of E. Lafayette, Beaubien, E. Fort, property line 1st east of Brush
- B4 properties proposed to be rezoned to B5—blocks/portions (10):
 - Gratiot, Beaubien, Clinton
 - Gratiot, St. Antoine, Clinton, Raynor
 - Gratiot, Brush, Macomb, Randolph
 - Gratiot/Clinton, Beaubien, Macomb, Brush
 - Clinton, property line 1st west of St. Antoine, Macomb, Beaubien
 - Macomb, Brush, Monroe, Randolph
 - Monroe, Chrysler, E. Lafayette, St. Antoine
 - E. Lafayette, Brush, E. Fort, Randolph
 - E. Fort, Brush, E. Congress, Randolph
 - Church property on west side of Chrysler between E. Lafayette, E. Congress (641 Chrysler)
- PD property proposed to be rezoned to B5—block fragment (1):
 - Northwest corner of Beaubien at E. Lafayette (457 E. Lafayette)

Zoning Considerations

This proposed rezoning follows on the heels of the CPC's November 5th public hearing of the proposed rezoning of property north of Gratiot Avenue and also depicted on Map No. 2—the Paradise Valley Real Estate request to rezone seven parcels from the B4 district classification to the B5 district classification. At that time, staff noted that additional proposed rezonings to B5 in the same area would be coming and pointed out the discrepancies between the Master Plan's vision for the area and what zoning actually permits.

The **B6 General Services District**, which governs all or portions of ten blocks in Greektown/Bricktown, is a carry-over from earlier decades when the eastern part of downtown had more of a heavy commercial or light manufacturing character. When staff characterizes the B6 District, we inevitably point to Eastern Market—the city's largest concentration of B6-zoned property, recently proposed to be reclassified as an MKT (Market) zoning district. B6 discourages residential use of the land and expects a lot of heavy truck traffic, whereas the B5 District allows a variety of higher density residential development.

B6 also allows commercial uses whose placement in the Central Business District (CBD) is unlikely to be the highest and best use of limited downtown property—slaughter houses, trucking terminals and open truck parking, truck/trailer rental lots, wholesale produce/fruit markets, used car lots, banks with drive-up/drive-through facilities. Buildings on land zoned B6 can rise to a height of 80 feet.

The **B4 General Business District** zoning classification appears on ten blocks or portions of blocks in Greektown/Bricktown. While it is a zoning classification appropriate for business strips such as on Van Dyke, Telegraph Road, Gratiot Avenue, and Plymouth Road, the character of downtown is decidedly distinct from a neighborhood commercial corridor.

Changing the zoning classification from B4 to B5 would **prohibit** new single-or two-family houses and 15 uses classified as “retail, service and commercial”—drive-up/drive-through features for banks, customer service centers, retail stores and stand-alone, carry-out restaurants; amusement parks; bed and breakfast inns; go-cart tracks; marinas; miniature golf courses; used car lots; storage lots for used cars; major motor vehicle services; motorcycle sales/rental/service; outdoor commercial recreation; pawnshops; rebound tumbling centers; trailer coach/boat sales/rental/service; and, utility trailers sales/rental/service. The proposed B5 zoning district classification would **permit and encourage** residential development and many of the same commercial uses as allowed in the B4 District.

One difference between B5 and B4 or B6, however, is the maximum permissible height specification. Buildings on land zoned B4 can rise to a **height** of 35 feet, with extra height allowable up to a maximum 70 feet where fronting on wide thoroughfares. (For each foot in excess of 80 feet in right-of-way width, one extra foot in height can be added to the 35-foot building height limit, not to exceed 70 feet. Buildings proposed for heights greater than that permitted by formula require a variance from the Board of Zoning Appeals as was needed for the recently approved 16-story mixed-use development, The Exchange, proposed at Gratiot and Brush.)

The B6 District allows buildings up to 80 feet in height. Maximum permissible height in the B5 District depends on the “cubical content” formula in the Zoning Ordinance. Essentially, a

building in B5 can reach a height equal to three times the width of the widest street abutting the subject property. This would facilitate high-rise development without need for a height variance from the Board of Zoning Appeals. Brush Street has a width of 48 feet; E. Fort, E. Lafayette, Macomb, Monroe, and St. Antoine are 50 feet wide; Beaubien (north of E. Lafayette), E. Congress, E. Larned, and Randolph are 60 feet wide; Beaubien (south of E. Lafayette) is 115 feet; and Gratiot is generally 120 feet wide.

The **SD5 Special Development District, Casinos** designation is only appropriate for land actually associated with a licensed casino. Three properties that were originally part of the Greektown Casino vision are no longer under control of the casino and are proposed for rezoning.

The **PD Planned Development District**, unlike other zoning district classifications, includes a 3-year “shelf life” for development to occur. One property that was originally part of the Greektown temporary casino rezoning is no longer under control of the casino and is proposed for rezoning. It is one of the “lapsed PDs” that the Commission will be examining for rezoning in the forthcoming year.

Engagement

CPC staff has conferred with the Greektown Neighborhood Partnership, Bedrock Properties, and Greektown Casino and found preliminary support for the proposed rezonings.

Next Steps

Subsequent to publication and mailing of the notice of the February 18th public hearing, staff discovered an omission in the text of the hearing notice. The B6-zoned property on the block bounded by Monroe, Beaubien, E. Lafayette, and Brush was not included in the listing of properties to be rezoned. The map in the notice, however, did properly identify the B6 portion of that block to be rezoned to B5. Consequently, another public hearing will be noticed and convened for the portion of that one block on March 18, 2021 lest there be any confusion of procedural concerns over the intended rezoning. The results of both public hearings can be merged and voted on by the Commission subsequent to the March 18th hearing.

cc: Council Member James Tate
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Attachment (2)
Notice of Public Hearing
Color-coded map