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TO: City Planning Commission

FROM: Christopher Gulock and Eric Fazzini, CPC Staff

RE: The revised request of Art Narthex LLC to rezone 4103 Cadillac Avenue from an R2 (Two-Family Residential) to an R5 (Medium Density Residential) zoning classification to redevelop an existing vacant church and school buildings
&
The revised request of New Path Villages to rezone 4100, 4106, 4110, 4118, 4122, 4134, 4140 Pennsylvania Avenue from an R2 to a PD (Planned Development) zoning classification for a Tiny Homes Shelter
&
The request of New Path Villages to rezone 3926, 3932, and 3938 Pennsylvania Avenue from an R2 zoning classification to an R5 zoning classification for parking
(RECOMMEND APPROVAL PRELIMINARILY)

DATE: June 30, 2022

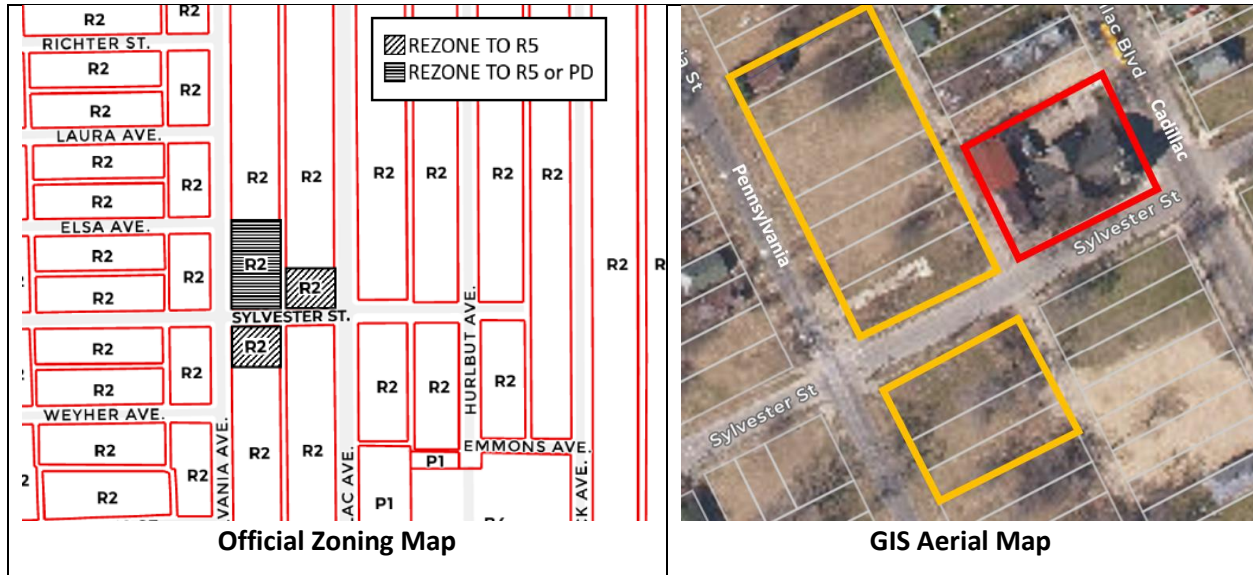
On April 21, 2022, the City Planning Commission (CPC) held an initial public hearing on the subject request. Based on the hearing results and in consultation with CPC staff, the petitioner is now requesting to amend Article XVII, Section 50-17-30, District Map No. 28 of the 2019 Detroit City Code, Chapter 50, Zoning as follows:

- The request from Art Narthex LLC to show an R5 zoning classification where an R2 zoning classification is currently shown at 4103 Cadillac Avenue to redevelop the vacant former church and school buildings as a mixed-use project [note: originally an SD1 (Special Development District, Small-Scale Mixed-Use) zoning classification was requested];
- The request from New Path Villages to show a PD zoning classification where an R2 zoning classification is currently shown at 4100, 4106, 4110, 4118, 4122, 4134, 4140 Pennsylvania Avenue to create a tiny homes shelter (note: originally a R5 zoning classification was requested); and
- The request from New Path Villages to show an R5 zoning classification where an R2 zoning classification is currently shown at 3926, 3932, 3938 Pennsylvania Avenue to create a parking lot serving the mixed-use project and tiny home shelter.

This report provides an overview of the proposal, a summary of the April 21st hearing, and CPC staff's analysis. The CPC will have another public hearing on July 7, 2022, to consider the three rezoning requests, two of which have been modified.

BACKGROUND AND PROPOSAL

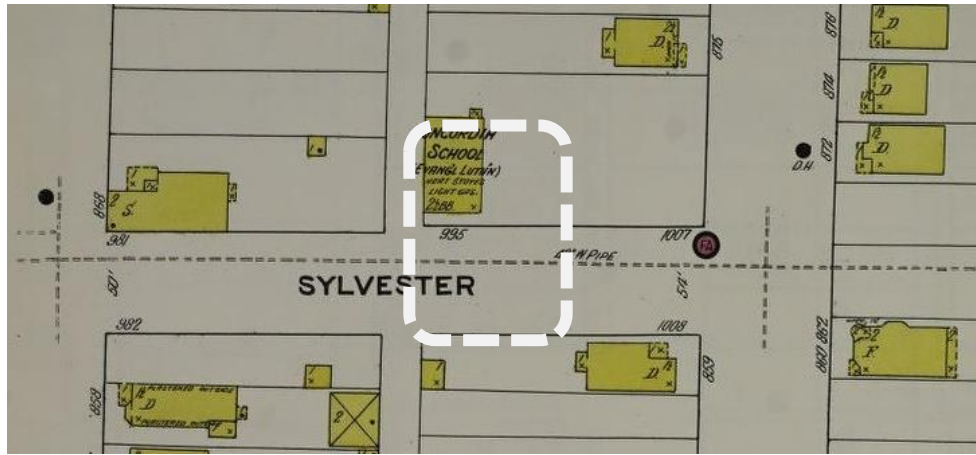
The subject requests are generally located along both sides of Sylvester Avenue between Cadillac and Pennsylvania Avenues and are zoned R2. The lots proposed to be rezoned are shown below.



The primary developers, Mike Willenborg and Danielle Kaltz, have created two entities: New Path Villages (NPV), a 501c3 non-profit, and Art Narthex LLC, a for-profit entity that would operate the development if approved. A percentage of the Art Narthex LLC's profits from proposed operations within the church and school buildings would go towards funding the tiny homes shelter.

Church/School Complex – the Northwest Corner of Sylvester and Cadillac Avenues

Regarding the history of the site, CPC staff found in 1905, four east side Lutheran churches established a mission of Bethany Evangelical Lutheran church (later Everybody's Universal Tabernacle Church of Holiness) at the corner of Cadillac and Sylvester. In 1906, Concordia Lutheran was organized and in 1914 the existing 600-seat church building was dedicated. Prior to the church being dedicated, sometime between 1905 and 1910, the existing school building, known as Concordia (Evangelical Lutheran) School, was constructed as indicated on the below 1910 map provided by the Library of Congress. Four years later in 1914, the existing church building (not depicted) was dedicated east of the school building.



1910 Sanborn Company (Fire Insurance) Map, Vol. 8

Art Narthex LLC has already purchased the two buildings and plans to renovate the former church and school buildings. Proposed uses in these buildings include the following:

- Renting the sanctuary (which seats about 200 people) for religious services
- Using the basement hall (which seats about 100 people) for banquet facilities including wedding receptions, etc.
- Allowing other possible uses, such as art shows, pop-up restaurants, etc.
- Renting out the 2nd floor of the former school for artist studios
- Using the first floor of the school building for office space and nonprofit neighborhood activities associated with the tiny homes shelter, including classrooms and job training space
- *At CPC staff's request, NPV has agreed to relocate the proposed tiny homes shelter kitchen and gathering space from the former school building onto the tiny homes shelter site; CPC staff believes this would help provide more accessible services and privacy to the shelter residents.*

Tiny Homes Shelter – the Northeast Corner of Sylvester and Pennsylvania Avenues

The land at the northeast corner of Sylvester and Pennsylvania Avenues includes a total of seven lots: six are vacant and one has a vacant house. NPV has a purchase agreement with the Detroit Land Bank Authority (DLBA) for the six lots and has already purchased the one privately held lot. Since the April 21st hearing, NPV has revised the tiny homes shelter site plan (please see Attachment A for reference). The proposed site plan for the tiny homes shelter includes the following:

- An emergency (homeless) shelter consisting of a cluster of ten tiny homes with phase two proposal to add four additional structures if needed; *since the hearing, the houses have been moved from the rear of the site toward the front of the site along Pennsylvania to give them more visibility to the neighborhood*
- Each tiny home would be attached to footings, contain 240 square feet, and consist of prefabricated insulated panels to be assembled
- Each tiny home would include a bed, electricity, heating/cooling, microwave, and locking door
- Adjacent to the tiny homes would be a stand-alone restroom facility with three stalls
- The property would have a security booth with controlled access by staff and volunteers

- The property would be surrounded by a fence to provide security and privacy; *CPC staff recommends the site plan show an opaque fence surrounding the site and it be a maximum of 5 feet along Pennsylvania and Sylvester Avenues, a maximum 6 feet on the eastern property line along the alley, and along the north end of the property a maximum of 5 feet within the first 20 feet from the sidewalk and a maximum of 6 feet for the remainder.*
- The site would include a vegetable, flower/herb and sculpture gardens, which residents could tend to at their desire; *since the hearing, the gardens have been moved to the rear of the site along the alley*
- *NPV is now proposing to demolish the existing house and build a new 1-story structure: one half of the building would include caretaker living quarters and the other half would be a common space for shelter residents, including a kitchen, showers, dining area, and living room*

Operational components of the shelter would include the following:

- The village would have 24/7 staffing and security
- Residents would live in tiny homes until more permanent housing accommodations are found – there is no time limit on length of stay or rent charged
- The project goal is to provide intermediate shelter while preserving individual autonomy, privacy, a sense of community, and responsibility
- The shelter would be run with help from residents with support provided by the newly created New Path Advisory Council
- NPV would have staff to provide case management and counseling; some services, such as substance abuse treatment component, would be referred out
- NPV would offer a computer lab and job training programs in the adjacent school building

Parking Lot – the Southeast Corner of Sylvester and Pennsylvania Avenues

The land at the southeast corner of Sylvester and Pennsylvania Avenues includes three vacant lots owned by the DLBA. NPV has a purchase agreement to buy these and develop a parking lot to service the homeless shelter and church building activities. The site plan shows a total of 34 spaces.

COMMUNITY MEETING AND CPC PUBLIC HEARING

The subject rezoning is located within City Council District 4. The petitioner indicates it has reached out to area groups, including the Eastside Community Network and Cadillac Boulevard Block Club. On January 13, 2022, the petitioner held a community meeting via Zoom with 14 participants. The participants on the Zoom call were generally supportive of the proposal, however, there were some questions about how the program would help treat the causes of homelessness. See Attachment B for a summary of the community meeting comments.

At the April 21st public hearing, the Commissioners had several questions regarding the project. Five persons spoke (two in support and three with concerns/questions) about the project. Please see Attachment B as well for a summary of the public hearing. Since the hearing, the petitioner has submitted 5 letters of support, which CPC staff will forward to the CPC for review.

APRIL 21ST PUBLIC HEARING FOLLOW-UP

Proposed Church/School Complex

R2 vs. R5 vs. SD1 Uses

At the April 21st public hearing, the Commission discussed what the best zoning category for the church/school complex would potentially be to allow the proposed redevelopment. The R5 district was explored as an additional alternative that may be a better fit for the existing surrounding zoning and neighborhood, which is substantially residential or vacant. The Commission specifically asked if any by-right uses in SD1 (Special Development District, Small-Scale Mixed-Use) might be too intense for the area. Attached to this report is a table listing all of the uses allowed by-right and conditional in R5 versus SD1. The below table highlights the proposed uses and whether these uses are allowed in R2, R5, or SD1.

USE	R2	R5	SD1
Artist workspace/dance studio	Not Allowed (NA)	By-right (R)	R
Non-profit Neighborhood Center	C	R	R
Religious Institution	C	R	R
Banquet Hall	NA	C*	R
Recording Studio	NA	C*	R
Art gallery	NA	C *	R
Bake shop	NA	C *	R
Restaurant	NA	C *	R
Concert café	NA	NA	NA
Sculpture garden	C	R	NA
Office	NA	C*	R
Child Care	NA	R	R
Commercial Trade School	NA	R	NA
Parking lot	C	R	R
Emergency shelter	NA	C	NA

(Note: C* means R5 allows as conditional select retail, service and commercial uses from SD1 where located on a zoning lot within one-half mile of a high-frequency transit corridor which this location qualifies – the uses are listed in the aforementioned attached table).

As shown in the above table, several of the proposed uses in the church building and adjacent school would not be allowed in R2; it appears R5 would allow the proposed uses, but some are conditional rather than by-right. Because the church is located on a zoning lot within one-half mile of a high-frequency transit corridor (approx. 1,800 feet south of Corridor No. 8 East Forest Avenue between Dequindre and Cadillac), by-right “retail, service, and commercial uses” listed as by-right in the SD1 district are permissible in the R5 district with conditional use approval. Therefore, the R5 district could be an appropriate district for this proposal instead of the need for rezoning to the more-intense SD1 district.

Proposed Tiny Homes Shelter

Zoning Districts That Allow “Emergency (Homeless) Shelters”

At the hearing, the Commission explored what zoning districts allow emergency shelters. Emergency shelters are always conditional and only allowed in R4 (Thoroughfare Residential), R5, R6 (High Density Residential), B4 (General Business), and B5 (Major Business) zoning districts. However, PD could allow shelters as well, subject to use and site plan approval by CPC and the City Council.

Analysis of Tiny Home Shelters

CPC staff has conducted research on tiny home shelters intended to serve people experiencing homelessness. Tiny home shelters (often called tiny home villages) have been an increasingly popular form of alternative shelter around the country, particularly on the west coast. It appears Seattle and Portland have the most tiny home villages - Seattle currently has approximately nine tiny home villages containing 230 tiny homes. Portland’s Dignity Village is the oldest and longest running since 2000, and Portland itself has six tiny home villages. Tiny home shelters are also found in other cities such as Madison, WI, Austin, TX, Los Angeles, CA, and Denver, CO, and others. Such shelters are currently being explored or planned in Michigan cities including Kalamazoo, Flint, and Ann Arbor.

Additional findings from researching tiny home shelters on a national level include:

- Many of these grew out of the need for cities to find a suitable replacement for unauthorized encampments or tent villages
- Some cities actually provide the land as part of their homeless strategy; some sites are within neighborhoods, in more commercial or industrial areas, on the edge of residential areas, or in more remote/isolated areas
- Many tiny home shelters have been established as partnerships between municipal governments, faith communities, social service providers, philanthropic foundations, and/or businesses
- Some of these shelters are funded, in part, by the host city and/or an overarching non-profit provider such as the Low-Income Housing Institute in Seattle and the Colorado Village Collaborative in Denver
- Some shelters charge monthly rent with some residents having outside employment
- Many cities have rewritten ordinances to regulate location and operation with some as emergency temporary housing or more permanent land uses. Denver regulates temporary tiny home shelters (up to four years) separately from permanent tiny home shelters.
- Some cities, such as Seattle and Portland, have made the tiny home shelters an important part of tools to address homelessness, oftentimes, with political and community support at times rising and at other times falling

In the national literature, some of the pros and cons of tiny home shelters are summarized in the table below:

Pros of Tiny Home Shelters	Cons of Tiny Home Shelters
<ul style="list-style-type: none">• Modular housing can be sited quicker and cheaper than constructing a large shelter or transitional housing	<ul style="list-style-type: none">• Some tiny homes are too small for humans with no kitchens or bath of their own

<ul style="list-style-type: none"> • COVID-19 has shifted homeless policy away from congregate sleeping quarters due to the transmission of the virus 	<ul style="list-style-type: none"> • The kitchen, bathroom, and shower facilities are placed outside the units – making them harder to access
<ul style="list-style-type: none"> • Tiny homes can have an innovative look with clustering of tiny homes – this can differ from institutional looking shelters contained within a large building 	<ul style="list-style-type: none"> • The villages can have a negative look - like a camp or housing for migrant workers
<ul style="list-style-type: none"> • Most tiny home shelters are developed with an effort to empower residents to assist with governing the village 	<ul style="list-style-type: none"> • Will the tiny homes be a temporary residence – residents could stay indefinitely
<ul style="list-style-type: none"> • Offers an option for chronic homeless or families who are unwilling or unable to go to congregate style shelters; offers an option for couples; and offers an option for persons with pets 	<ul style="list-style-type: none"> • Some homeless providers think tiny homes are a good temporary emergency option, but don't want them to divert funds and focus from finding permanent supportive housing; some providers think what's needed is living wage jobs, affordable housing stock, and housing vouchers
<ul style="list-style-type: none"> • The tiny homes provide shelter, privacy and ability to lock the door 	
<ul style="list-style-type: none"> • Tiny homes offer a hybrid between providing shelter and permanent housing – a bridge between homelessness and affordable housing 	

Feedback from the City's Housing and Revitalization Department

The City's Housing and Revitalization Department (HRD) has a Homelessness Solutions division which invests in service and housing providers designed to end homelessness. HRD is supportive of the proposed tiny home shelter project. HRD indicates many homeless shelters in the city, since prior to COVID-19, have been moving toward more permanent, non-congregate housing models, though no tiny home housing models have been proposed to-date. HRD staff have met with NPV and are providing technical support for the project. HRD believes tiny home shelters are a viable option for homeless who refuse to go to congregate style traditional shelter and does not anticipate tiny home shelters to be implemented citywide. The NPV would be eligible for HRD's Homeless Solutions Funding programs after two years of successful operation. To be eligible for federal funding, shelters must meet some basic standards, including having a safe building structure, accessible units, adequate sanitary facilities, a suitable food prep area, etc.

BSEED Oversight

From a building code perspective, preliminary feedback from BSEED indicates the proposed tiny home units would be allowed under the Building Code; however, the communal building would have to be constructed and operational before any of the residential units can be occupied. BSEED reports the units must be a minimum of five feet apart or greater, or the exterior walls must be fire rated.

Chapter 36 of the City Code entitled Public Lodging includes regulations for emergency shelters. Emergency shelters require a license issued by BSEED and are subject to an annual license renewal after all required departments have given a clearance. As a result, the proposed tiny home shelter, in order to open and continually operate, would need an annual license from BSEED's Business License Center.

Does Petitioner Have Necessary Experience?

At the hearing, the Commission asked if the developer has the experience for this type of project. In response, the developer indicated they have been working with the homeless since 2007, including outreach to the homeless; they also work with Mariner's Inn to provide hygiene kits, clothing, etc. Mr. Willenborg indicates he has 36 years running a successful business. Ms. Kaltz has worked with homeless for 15 years. HRD staff indicates it appears NPV is taking the necessary steps to run a successful homeless shelter and partner or communicate with the appropriate existing agencies. NPV indicates it is working with the Homeless Action Network of Detroit (HAND) - HAND is a leadership agency to address homelessness by working with community partners to identify, coordinate and implement strategies to create permanent solutions to homelessness. NPV states it will be part of the Coordinated Assessment Model (CAM) - CAM Detroit provides those experiencing homelessness with access to shelter and housing resources. NPV also indicates it will be partnering with the Fort Street Presbyterian Church's Open Door ministry which has been serving the homeless for more than 53 years

Proposed Parking Lot

Parking lots, which are allowed in most zoning districts, are conditional in R1, R2 (existing zoning), and R3, but by-right in R5. Parking lots in R1 and R2 have stricter size and setback requirements as well. The proposed lot would be considered accessory parking to the shelter and/or church. Since the lot has greater than 25 spaces, additional interior landscaping would need to be added.

PLANNING CONSIDERATIONS

Surrounding Zoning and Land Use

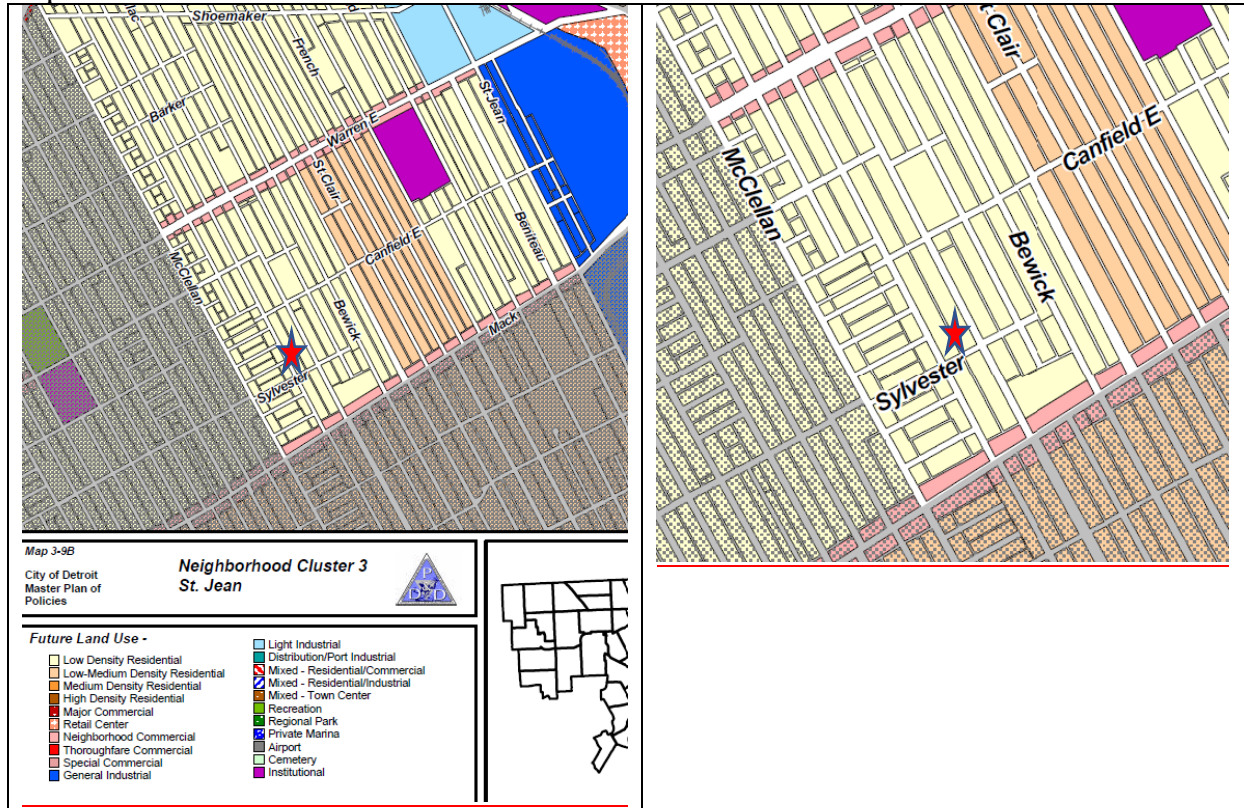
The zoning classification and land uses surrounding the subject area are as follows:

- North: R2; vacant land with residential houses beyond
- East: R2; vacant land and a vacant residential house
- South: R2; vacant land and with residential houses beyond
- West: R2; vacant land and residential houses all of which are vacant

Master Plan of Policies

The subject site is located within the St. Jean area of Neighborhood Cluster 4 of the Detroit Master Plan of Policies shown on the maps below. The Future Land Use map for this area shows Low Density Residential for the subject area. P&DD issued a memo regarding the proposed rezoning request, stating in part, that the proposed rezoning and development are not anticipated to change the overall character of the St. Jean neighborhood and is therefore generally consistent with the Master Plan classification; the site is only one block away from the higher density

developments on Mack Avenue and is under 2 acres in size. The current Master Plan of Policies maps for the area are shown below.



Proposed Planned Development (PD) District and Preliminary Conditions of Approval

Because the proposed Tiny Home Shelter is a new concept/land use to Detroit, CPC staff believes the PD zoning district classification merits consideration. PD districts are allowed to permit flexibility in overall development while ensuring adequate safeguards and standards for public health, safety, convenience, and general welfare.

Section 50-3-96 of the Zoning Ordinance lists approval criteria for PD map amendments (see Attachment C for listing of the 8 criteria). One PD criteria is that it covers a minimum of two (2) acres of contiguous land under the control of one (1) owner or group owners. The CPC may waive this requirement upon determining that an adequate development can be accomplished on a parcel of lesser size. The subject 7 lots for the proposed shelter contain about .85 acres. CPC staff thinks the proposed shelter with 10 tiny homes is reasonable number for the size of the site. It appears the project is being proposed as one integral unit, although the common area building and toilet facilities would have to be completed prior to any of the tiny homes being occupied as per Building Code.

The developer is still in the process of finalizing the site plan for the tiny homes shelter including the elevations. If the subject shelter site were rezoned to PD, CPC staff recommends the following:

1. That the site plans be prepared by a registered architect or engineer as appropriate, completed, dated and drawn to scale;
2. That the site plan show the tiny home units a minimum of 5 feet apart;

3. That the site plan be updated to show building elevations and materials for all buildings on the site;
4. That the site plan show the fencing and gate details (including height and material) with the following restrictions – the fence be opaque, be a maximum of 5 feet along Pennsylvania and Sylvester Avenues, be a maximum 6 feet on the eastern property line along the alley, and along the north end of the property be a maximum of 5 feet within the first 20 feet from the sidewalk and a maximum of 6 feet for the remainder;
5. That a landscaping plan be added to the site plan with adequate buffering along Pennsylvania and Sylvester Avenues;
6. That a lighting plan be shown on the site plan be compatible with the surrounding residential community, with lighting fixtures oriented at a downward angle in order not to intrude on adjacent property;
7. That the number of tiny home shelters at the site for phase one be no greater than ten units with an option for phase two if needed to add no more than four additional units; and
8. The final site plans, elevations, lighting, landscaping, and signage plans be submitted by the developer to the staff of the CPC for review and approval prior to making application for applicable permits.

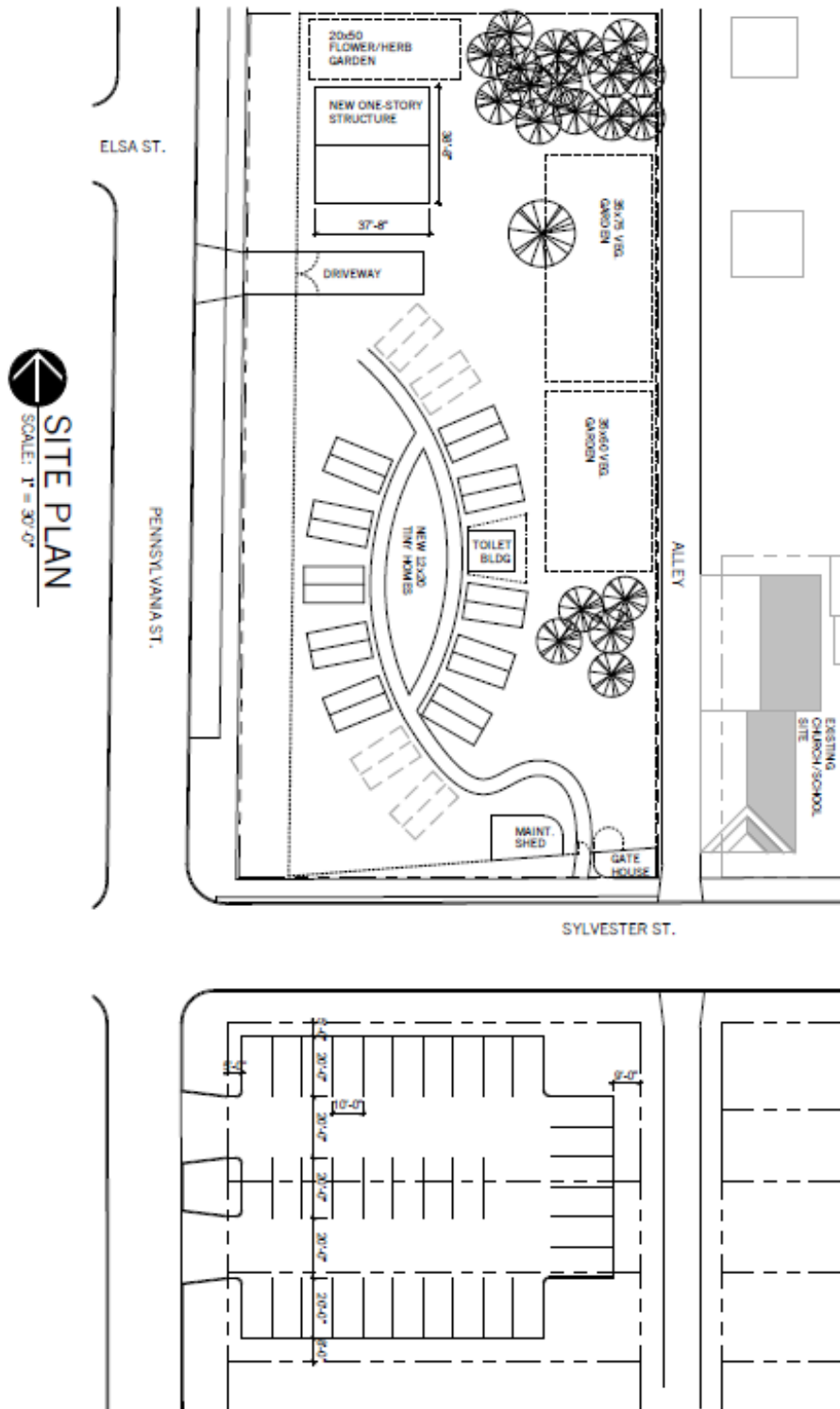
PRELIMINARY CONCLUSION

On July 7th, the CPC will have a second public hearing on the three rezoning requests for the proposed development. Two of the three requests have been modified from the original April 21st hearing. One request is to rezone the former church and school complex from R2 to R5 rather than SD1. The second request is to rezone the land for the tiny homes shelter from R2 to PD rather than R5. The third request is to rezone the land south of the shelter from R2 to R5 to allow a parking lot serving both the shelter and the adjacent church/school mixed-use project.

Attachments

cc: Antoine Bryant, Director, P&DD
Karen Gage, P&DD
Greg Moots, P&DD
Julie Schneider, Director HRD
David Bell, Director, BSEED
Jayda Philson, BSEED
Conrad Mallet, Corp. Counsel
Kim James, Law Department
Daniel Arking, Law Department

PROPOSED REVISED SITE PLAN



SUMMARY OF COMMUNITY MEETING PRIOR TO PUBLIC HEARING

On January 13, 2022, the petitioner held a community meeting via zoom with 14 participants with feedback summarized below:

- One area resident (near French Road and Warren) liked the concept of the Villages, but was concerned about the treatment for issues that cause homelessness;
- One area resident (President of the E. Canfield St. Block Club near Canfield and Cadillac) wanted to see what programs will be available for mental health and addiction concerns;
- A resident and her mother who live across from the church said meeting was helpful and pleased to hear about the plans;
- One participant who owns two houses on Cadillac across from the church south of Sylvester is glad to hear about renovations of the church and has no negative concerns about the project; and
- One resident who lives on Pennsylvania south of the proposed parking lot was supportive of the plans and hopefully the project will prevent dumping in the area which has been a problem.

SUMMARY OF PUBLIC HEARING RESULTS

At the April 21st hearing, the CPC discussed the following issues:

- The CPC asked staff to further clarify why the rezoning from R2 to R5 and R2 to SD1 were the appropriate zoning classifications? *In response, it was noted emergency shelters are first allowed in R5 in which they are conditional; SD1 would allow the variety of uses proposed for the church, including banquet facilities, which are also conditional.*
- It was asked what districts are homeless shelters allowed by-right? *It was noted emergency shelters are always conditional and only allowed in R4 (Thoroughfare Residential), R5, R6 (High Density Residential), B4 (General Business), and B5 (Major Business) zoning districts.*
- The CPC asked would the southeast corner of Sylvester and Pennsylvania Avenues be a surface parking lot and for how many vehicles? *CPC staff clarified it would be for a surface parking lot. CPC staff has calculated this lot could accommodate about 40 parking spaces.*
- It was asked does staff expect other City departments to weigh in on this proposal? *Staff explained the concept was already presented at Buildings, Safety Engineering and Environment Department's (BSEED) Preliminary Plan Review meeting. Various departments have given feedback on the proposal: the Planning & Development Department (P&DD) gave feedback on the plan and design; the Housing and Revitalization Department (HRD) expressed support for the homeless component, and BSEED provided feedback on zoning and building code issues.*
- The CPC asked if the developer has the experience for this type of project? *In response, the developer indicated they have been working with the homeless since 2007, including outreach to the homeless; they also work with Mariner's Inn to provide hygiene kits, clothing, etc.*

- It was asked how this tiny home project compared to the other tiny homes near the Lodge Freeway and Elmhurst, as well as the zoning? *It was explained the other tiny homes were bigger with kitchens, etc. and consisted of permanent rental housing - CPC staff later identified the zoning for the other tiny home project as R2.*
- The CPC asked how the separate hygiene facilities would be designed and work? *It was explained the restroom and showers would each have three separate stalls.*
- The CPC asked for more clarity regarding the proposed uses in the church/school facility. *In response, the school and church functions are mainly to provide fundraising for the shelter; the school would include a computer room, machine and woodworking shop, etc.*
- The CPC asked what is the normal zoning for a church or school building? *Staff responded most neighborhood churches are zoned R1 or R2, but because the developer wants a multi-purpose mixed-use facility, then it would need a higher zoning category.*
- The CPC had a concern that it was not clear why the zoning needed to change - it appears they could do proposed activities under current zoning. *In response, CPC staff noted BSEED would need to determine what the proposed principal uses are and then whether or not those uses are allowed under the zoning; the proposal is for a variety of principal uses, including religious services, small musical events, art shows, a sober bar, event space, etc.*
- It was asked when the proposed concept was explored, did it consider aspects of the specific site? *The developer responded that it favored doing the proposed project in a neighborhood setting, rather than in a commercial or industrial area; the developer said it would help to reutilize an area with vacant land, be part of a community, and possibly replicated.*
- The CPC asked would the New Village Advisory Council include residents in neighborhood as well? *The developer responded, yes, the Council would include staff, tiny home residents, and residents in the neighborhood.*
- The CPC asked are there any uses by-right in SD1 that would be disruptive to an area that is otherwise zoned residential? *CPC staff reviewed some of the uses allowed in SD1 but indicated it would have to review all SD1 uses and report back.*
- The CPC stated this is a worthy venture that could possibly be replicated; there is a concern if this goes away, would R5 allow something that dwarfs the surrounding neighborhood; they also asked staff to explore allowing homeless shelters as conditional in lower residential zones in the future. *CPC staff responded in part, the height in R5 is generally 35 feet or there is a floor area ration (FAR) restriction, depending on the use.*
- Additional Questions
In response for clarification, it was stated the campus would be gated controlled access community, and it was not expected residents would have vehicles.

At the hearing, five persons spoke (two in support and three with concerns/questions) with the following comments:

- One speaker, a neighborhood block club president in District 2, said they are supportive of the project and interested in watching how it develops - their area also has displaced persons and a lot of vacant land.
- A nearby resident, who owns about ½ acre of land, said every neighbor they spoke with is very supportive; they indicated there is a lot of vacant land, the area needs more people, and homeless persons often don't like existing shelters where are very transitional and can be unsafe.

- One speaker from District 5 is President of Charlevoix Village Association had concerns; they thought the houses too small for humans with no kitchen; the folks are already depressed; how is this project going to select residents? it is a type of slavery to require residents to work. *The developer responded, there is no requirement to work or rent to be paid; residents will be asked to work in the gardens, etc. if they so chose; the residents can stay as long as they need. The developer indicated the residents prior to living in this shelter, had no home, and the tiny home would be a step up, offering a sense of safety and community.*
- One speaker, who also lives in neighborhood and works with homeless, wondered how this project is different from the existing tiny home near Lodge and often poor conditions in current shelters; they asked how will this project be different from existing homeless shelter and bring persons out of homelessness? *The developer responded, it is the intention to meet people where they are; if one has a drug or drinking problem, they can stay at the shelter; residents will only be asked to leave if their behavior endangered someone else; the program will have social workers to help with counseling and will offer referrals.*
- One speaker asked what about displaced families, there are area schools that provide job training that are closing, and how will this empower communities as a whole? *The tiny homes are large enough to serve an individual or couples, but not large enough for families; the developer responded the tenants will hopefully have a sense of community.*

PD APPROVAL CRITERIA

Sec. 50-3-96. - Approval criteria.

In addition to the approval criteria for zoning chapter map amendments that are set forth in Section 50-3-70 of this Code, approvals of planned developments shall be based on consideration of the following criteria:

- (1) Whether the subject site:
 - a. Covers a minimum of two acres of contiguous land under the control of one owner or group of owners, except, that upon determining that an adequate development can be accomplished on a parcel of lesser size, the City Planning Commission may waive this requirement; and
 - b. Is capable of being planned and developed as one integral unit, except in unusual circumstances;
- (2) That no other zoning district classification would be more appropriate.
- (3) That the development will result in a recognizable and substantial benefit to the ultimate users of the project and to the City, where such benefits would otherwise be unfeasible or unlikely to be achieved. The benefits can be accomplished through a higher quality unified design that would be required by the typical regulations of this chapter. These benefits shall be demonstrated in terms of preservation of natural features, unique architecture, extensive landscaping, special sensitivity to land uses in the immediate vicinity, particularly well-designed access and circulation systems, and/or integration of various site features into a unified development;
- (4) Whether the location of the proposed Planned Development District is appropriate;
- (5) Whether the proposed planned development substantially responds to the intent of Section 503 of the Michigan Zoning Enabling Act, being MCL 125.3503, to:
 - a. Permit flexibility in the regulation of land development;
 - b. Encourage innovation in land use and variety in design, layout, and type of structures constructed;
 - c. Achieve economy and efficiency in the use of land, natural resources, energy, and the providing of public services and utilities, encourage useful open space; and
 - d. Provide better housing, employment, and shopping opportunities that are particularly suited to the needs of the residents;
- (6) That the proposed type and density of use shall not result in an unreasonable increase in traffic or the use of public services, facilities and utilities, that the natural features of the subject site have the capacity to accommodate the intended development, and that the development shall not place an unreasonable burden upon surrounding land or land owners;
- (7) That the proposed planned development is consistent with the Master Plan, as determined by the Planning and Development Department;

- (8) Whether uses and structures that are planned for the Planned Development District comply with all applicable site design standards and use regulations which are specified in Article XI, Division 2, of this chapter.

(Code 1984, § 61-3-96; Ord. No. 11-05, § 1(61-3-96), eff. 5-28-2005; Ord. No. 44-06, § 1(61-3-96), eff. 12-21-2006)