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TO: City Planning Commission

FROM: Eric Fazzini, Staff

RE: Request of Shane Overbey to amend Article XVII, Section 50-17-30, District Map No. 28 of the 2019 Detroit City Code, Chapter 50, Zoning, to show a B4 (General Business District) zoning classification where an R2 (Two-Family Residential District) zoning classification is currently shown at 4630 Crane Street, generally located on the east side of Crane Street between East Forest Avenue to the north and Yates Street to the south. **(CONTINUED PUBLIC HEARING)**

DATE: November 2, 2022

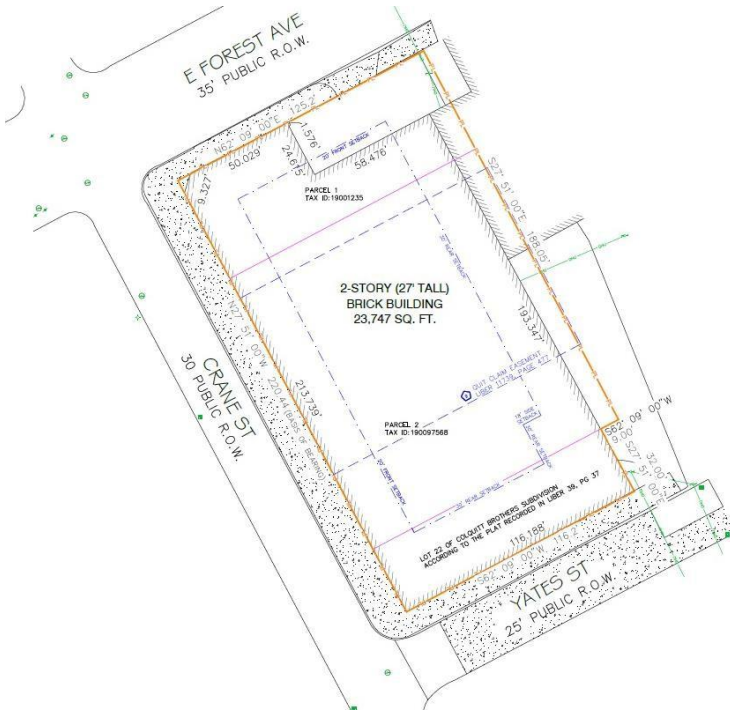
On November 3, 2022, the City Planning Commission (CPC) will hold a 6:45 p.m. continued public hearing on the subject rezoning. Below is a map indicating the area proposed to be rezoned from R2 to B4. Since the October 6, 2022, initial public hearing when this request was first considered, the applicant has presented their proposal to community members for feedback and discussion. A summary of the community meeting that occurred on November 1 is contained in this report.



BACKGROUND AND PROPOSAL

Existing Conditions

The subject site is in the Gratiot Woods neighborhood in City Council District 5. The Gratiot Woods neighborhood is part of the larger Kettering neighborhood area as specified within the City of Detroit Master Plan of Policies. The proposed rezoning is being requested to allow for the redevelopment of an existing vacant industrial building and site that currently has split zoning: B4 on the north half of the site with frontage on East Forest Avenue and Crane Street, and R2 on the south half of the site with frontage on Crane Street and Yates Street. The overall redevelopment site contains an area (0.63 acres) that is larger than the R2 area subject to this rezoning request indicated on the previous page given the split zoning and that rezoning is not required for the current B4 portion of the site. Below is a survey indicating the entire redevelopment area. The red dashed line dividing current B4 zoning (orange) along the East Forest Avenue corridor and R2 zoning (yellow) to the south runs through the site parallel to the north boundary of the alley and rear building walls immediately to the east of the site. This split zoning was likely the result of a historic rezoning that occurred along both sides of the East Forest Avenue corridor ending at Cadillac Avenue to the east. Where alleys are present, they were often used as a zoning dividing line between commercial corridors and residential areas, which could be extended through properties and buildings to provide a uniform depth of commercial zoning along corridors.



ALTA Survey



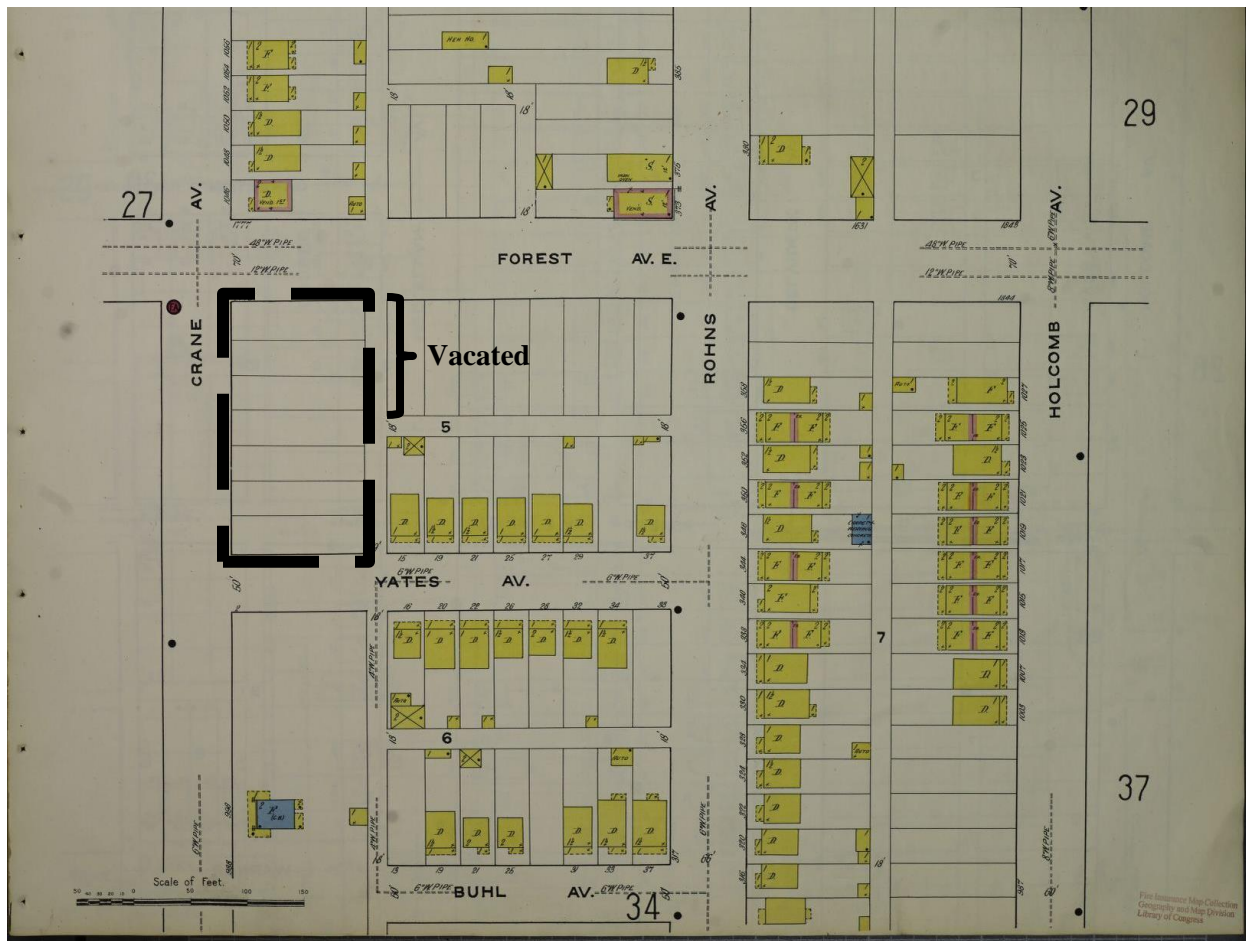
GIS Zoning Map



East Forest Avenue corridor from Crane St to the west and Cadillac Ave to the east

Crane Street Alley – 1915 Sanborn Map

At the October 6 CPC meeting, there was a discussion about the alley to the east of the site and the possibility of it being vacated with the applicant proposing an off-street parking area to the east across the alley. Below is a 1915 Sanborn Map indicating the boundaries of the redevelopment site and nearby alleys. On this 1915 map, an alley is indicated that runs north-south to the rear (east) of Crane Street. This historic Crane Street alley appears to be more consistent through the corridor than east-west alleys to the rear of Forest Avenue. However, as Crane Street was not historically a commercial corridor, that may explain why commercial zoning follows the east-west Forest Avenue commercial corridor and does not wrap around Crane Street, despite the historic use of this site which this map pre-dates. At some point in time, the north half of the Crane Street alley connected to Forest Avenue immediately east of the site was vacated, leaving only the south half of the alley. The north half of the Crane Street alley that was vacated is now occupied by the existing building immediately adjacent to the east of the site.



Should the applicant desire to pursue vacating the remaining south half of this Crane Street alley, they could submit a petition to the Department of Public Works (DPW). Prior to the application being accepted, the applicant would be required to obtain a letter of support from all adjacent property owners. However, it is unlikely that DPW would permit the remaining south half of this alley to be vacated as it would create a dead-end east-west alley from Rohns Street to the east with the through connection to Yates Street to the south being eliminated. Avoiding the creation of dead-end alleys is one of DPW's submission requirements.

Nonconforming Status – 4630 Crane Street

At the October 6 meeting, there was a question inquiring if the existing site is considered nonconforming given that there is a vacant industrial building present on a site zoned R2. The applicant has submitted a letter from BSEED (attached) that states the current legal nonconforming use of the building is “dry cleaning and laundering” per a Board of Zoning Appeals (BZA) Grant from 1976 and a building permit issued in 1977. Zoning Ordinance (ZO) Section 50-15-30 provides a process for applicants with a nonconforming use to pursue permitting a change of use subject to review and approval by the BZA. This process was established, in part, to encourage the reuse of existing non-residential buildings that may not be zoned appropriately.

This ZO procedure was previously discussed with the applicant and may remain an option should this rezoning request be denied or withdrawn. However, staff believes that rezoning this site to B4 would be a more appropriate procedure than utilizing Section 50-15-30 given that the nonconforming dry cleaning and laundering use appears to have been abandoned at some point as the building is vacant, and that this rezoning request would correct what appears to be a zoning map oversight as the current R2 zoning does not reflect the historic use of this site and building, which is an extension of commercial/industrial uses that were present along East Forest Avenue.

Zoning District Descriptions

Below are the Zoning Ordinance descriptions for the applicable zoning districts.

R2 – Two-Family Residential (Current)

The district is designed to protect and enhance those areas developed or likely to develop with single- or two-family dwellings. The district regulations are designed to promote a suitable environment for homes and for activities connected with family life. The only principal uses permitted by-right are single- and two-family dwellings. Additional uses are conditional.

B4 – General Business (Proposed)

This district is designed to provide for business and commercial uses of a throughfare-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.

Proposed Development

The rezoning would allow for the redevelopment of the first floor of the existing building for the use of “trade services, general”, which would include a cabinet making shop and other uses. Within the existing second floor, one future office tenant space is indicated and one future living space. Please refer to the plan set dated September 30 for detailed information on the proposed redevelopment of the site that would occur if this rezoning were approved.

It is important to note that in general, rezoning approval does not legally constitute approval of a specific proposed development, site plan, or set of land uses. If approved, the By-right and Conditional uses included in the B4 district would be permissible on the site, subject to the development meeting the full set of permitting requirements included in the Zoning Ordinance and the remaining 2019 Detroit City Code. We have no reason to believe that the applicant would ultimately develop the site differently than what is currently proposed, but we point this out as zoning is a long-term and general regulatory impact on property rights. However, we would like to emphasize that the split zoning that is currently affecting the overall site appears to be an inexact treatment of the property that does not reflect the historic use of the building intended to be redeveloped. Approval of this zoning request would correct this historic zoning map oversight and

would eliminate this conflicting messaging that this portion of the site and building were ever used as a two-family dwelling.

PLANNING CONSIDERATIONS

Surrounding Zoning and Land Uses

North: B4 (Commercial)
East: R2 (Vacant Land)
South: R2 (Vacant Land)
West: R2 (Residential – Single Family Dwellings)

Status of Adjacent Crane Street Homes

At the October 6 meeting, there was a question about the ownership and occupancy status of the five existing homes immediately to the west of the site across Crane Street. Below is a summary of information regarding this. At the November 1 community meeting, staff was made aware that the two single-family homes in the below photo that appear to be vacant are currently undergoing renovation. With this renovation, it appears that all five of the single-family homes adjacent to the site along Crane Street would be occupied in the near future.

| Address | Taxpayer (address) | Occupancy |
|---------------|---------------------------------------|---------------------|
| 4627 Crane St | Michelle Gowens-Smith (4627 Crane St) | Occupied |
| 4621 Crane St | 4 Show Michigan LLC (Dearborn) | Occupied |
| 4617 Crane St | Fannie Mae (Texas) | Vacant – Renovation |
| 4611 Crane St | Pavala LLC (Florida) | Vacant – Renovation |
| 4549 Crane St | Carlton Spencer (4549 Crane St) | Occupied |



4611 Crane Street

4617 Crane Street

Impacts on Surrounding Land Use and Transportation

The site contains the southern portion of a former dry-cleaning establishment. Because the site has contained a commercial use for many years, a significant impact is not anticipated. The site is served by a bus route on East Forest Avenue, which is designated as a “Secondary Thoroughfare”. Traffic generation is not anticipated to be significantly higher than the previous use, so minimal impact is

anticipated. Lastly, a bike lane is present along East Forest Avenue immediately to the north of the site, which is the eastbound bike lane that is coupled with the westbound bike lane present on East Warren Avenue to the north. These bike lanes provide cycling infrastructure from Cadillac Avenue to the east, which is the end of East Forest Avenue, and Dequindre Street to the west.



Bike Lanes – East Forest Avenue and Warren Avenue (2009 DPW Map)

Master Plan Consistency

The site is designated Low Density Residential (RL) in the Master Plan. The RL areas should have an overall density up to 8 dwelling units per net residential acre. These areas are often characterized by single-family homes with front yard setbacks and driveways with garage or off-street parking. While the proposed zoning classification is not consistent with the Master Plan's Future General Land Use classification, its size is quite small and the rezoning and proposed use is similar to that which has been on the site for many years. Therefore, the rezoning is not anticipated to change the overall character of the neighborhood. It is therefore **generally consistent** with the Master Plan classification. The mixed-use development will provide needed commercial activity in this area and permit reuse of a long-vacant building.

Applicant Contact with Neighbors

The applicant has indicated that they have contacted three residential neighbors and one commercial neighbor in the adjacent building to the east. The applicant stated that all feedback was very positive and that neighbors do not like having a vacant building across the street from their homes. Below are the individuals that the applicant stated they have contacted and their address:

1. Roosevelt Hendrix: 8842 East Forest Avenue (commercial building adjacent to the east)
2. Carlton Spencer: 4549 Crane Street (immediately west of the site across Crane Street)
3. Michelle Gowens: 4627 Crane Street (immediately west of the site across Crane Street)
4. Hudson McKay: 4534 Rohns Street (east of the development site)

November 1 Community Meeting

As mentioned previously, on November 1, with assistance from the Department of Neighborhoods District 5 Manager and Eastside Community Network, the applicant presented their proposal to community members for feedback and discussion. Approximately 30 people attended this meeting,

including leadership from two Crane Street block clubs. Additionally, Eastside Community Network (ECN) conducted their own community outreach on October 28 to contact residents in the area of Crane Street and East Forest Avenue to make them aware of the proposal. A key focus of this meeting was to make the applicant and attendees aware of the efforts of the Goodstock Detroit community development organization that operates in the area defined by Gratiot Avenue and I-94 to the north, St. Jean to the east, Mack Avenue to the south, and Van Dyke to the west. The boundary of this area includes the subject rezoning site. Goodstock Detroit was created by community leaders and ECN in 2015 and contains over two square miles that includes block clubs, neighborhood groups, faith-based organizations, and businesses. Goodstock Detroit's purpose is as follows from the ECN website:

“To build community capacity so that neighbors can target and plan for themselves and their neighborhood in a sustainable and achievable way. The purpose of this committee is to establish a resident-led anchor in the community to plan, drive equitable development, spur authentic collaboration with the city of Detroit in order to advocate for city services and prompt response time, and to effectively engage stakeholders toward the revitalization of the neighborhood.”

After the applicant's presentation, attendees were invited to ask questions and engage the applicant in a discussion of the project. Some topics discussed were directly related to zoning and the rezoning process, while others were more focused on the applicant's proposal, business, and future desires should the redevelopment proposal be completed. Below is a summary of zoning-related and non-zoning comments. In general, attendees were in favor of the applicant's investment in the building and area and were supportive of his proposal.

Comments/Concerns (applicant's response is below each question)

- Would heavy machinery be stored on-site?
 - No
- How many employees would be on-site?
 - Subcontractor who would occupy part of the building currently has 10 employees but is looking to grow to up to 14.
- Hours of operation?
 - Normal hours of operation, 7am-4pm/8am-5pm
- Would the building be open to the public?
 - There would be no storefront for the contractor businesses, but other unidentified tenants could potentially have a storefront (likely along East Forest Avenue).
- Would there be noise or light pollution that could disturb neighbors?
 - General lighting would be provided for surrounding sidewalks, the masonry construction of the building should limit any noise from the interior.
- Are there any plans to redevelop the adjacent commercial buildings to the east?
 - No, these are owned by different entities. There is the hope that this redevelopment may spur these adjacent property owners to improve their vacant buildings.
- One block club president indicated their opposition to certain types of retail, including beer/wine stores or cannabis. (site appears to be within a drug free zone per BSEED maps)
- Could a commercial kitchen be provided for the community?
 - There are no plans for a commercial kitchen, but one may be feasible in the future.
- Where are contractor vehicles stored and what size vehicles are used?
 - Normal personal pickup trucks, maybe vans, are driven by employees, currently three to four pickup trucks but no more than five daily. No company vehicles.
- Are there environmental issues with the building?

- Brownfield remediation will be needed due to the previous use, soil tests have not been done yet but are scheduled.
- The Planning and Development Department, and Law Department, should coordinate on assisting in redevelopment/improvement of the adjacent vacant commercial buildings.
- Do clients visit the applicant's current contractor business location?
 - Yes, they may come to visit the office but the majority of meetings are on-site.
- How many employees of the applicant are from or currently live in Detroit?
 - Two employees do not currently live in Detroit but one is in the process of moving to Detroit. Subcontractor has about four to six employees that currently live in Detroit. The applicant currently lives in Detroit.
- How would the applicant become a part of the community?
 - Will coordinate with Goodstock on how this could be achieved.
- Would you be able to commit one tenant space for a Detroit small, black-owned business?
 - Desire that all tenants be based in Detroit, have spoken with a couple of subcontractors that would consider.
- Can the applicant guarantee to the community that they're committed to developing the property so that the building doesn't remain vacant or flipped to a different entity?
 - Committed to making the project happen.
- Is the applicant able to support any Detroit Public Schools near Crane and Forest?
 - Have had several suburban schools contact but would be interested in providing opportunities for local schools.
- Applaud the applicant for coming to the community.
- How much would be invested into the project?
 - The building is in rough shape, approximately \$1.4 to \$1.6 million.
- What is project timeline?
 - Hoping to close on the property in early 2023, starting work late summer.
- Purchasing other surrounding property?
 - Yes, purchasing four (DLBA) lots behind the building (for parking).
- Could rain gardens/stormwater management be provided on the four lots for parking (or for the building)? Would like green infrastructure.
 - CPC staff will assist the applicant in coordinating the stormwater design of the parking area with P&DD as these are currently city-owned lots.
- Why did you choose this property for your investment?
 - Wanted to be on the east side and needed a certain size building, other buildings looked at were too large for business needs or capacity.

CONCLUSION

CPC staff will provide a full presentation of this request and the related issues as part of the November 3rd continued public hearing.

Attachments: Public Hearing Notice
 Petition 2022-219
 Sept. 30 Plan Set
 P&DD Master Plan Interpretation
 BSEED Nonconforming Letter

cc: Antoine Bryant, Director, P&DD
 Karen Gage, P&DD

Greg Moots, P&DD
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