

# Lapsed, abandoned, and no-plan PDs

## City Planning Commission

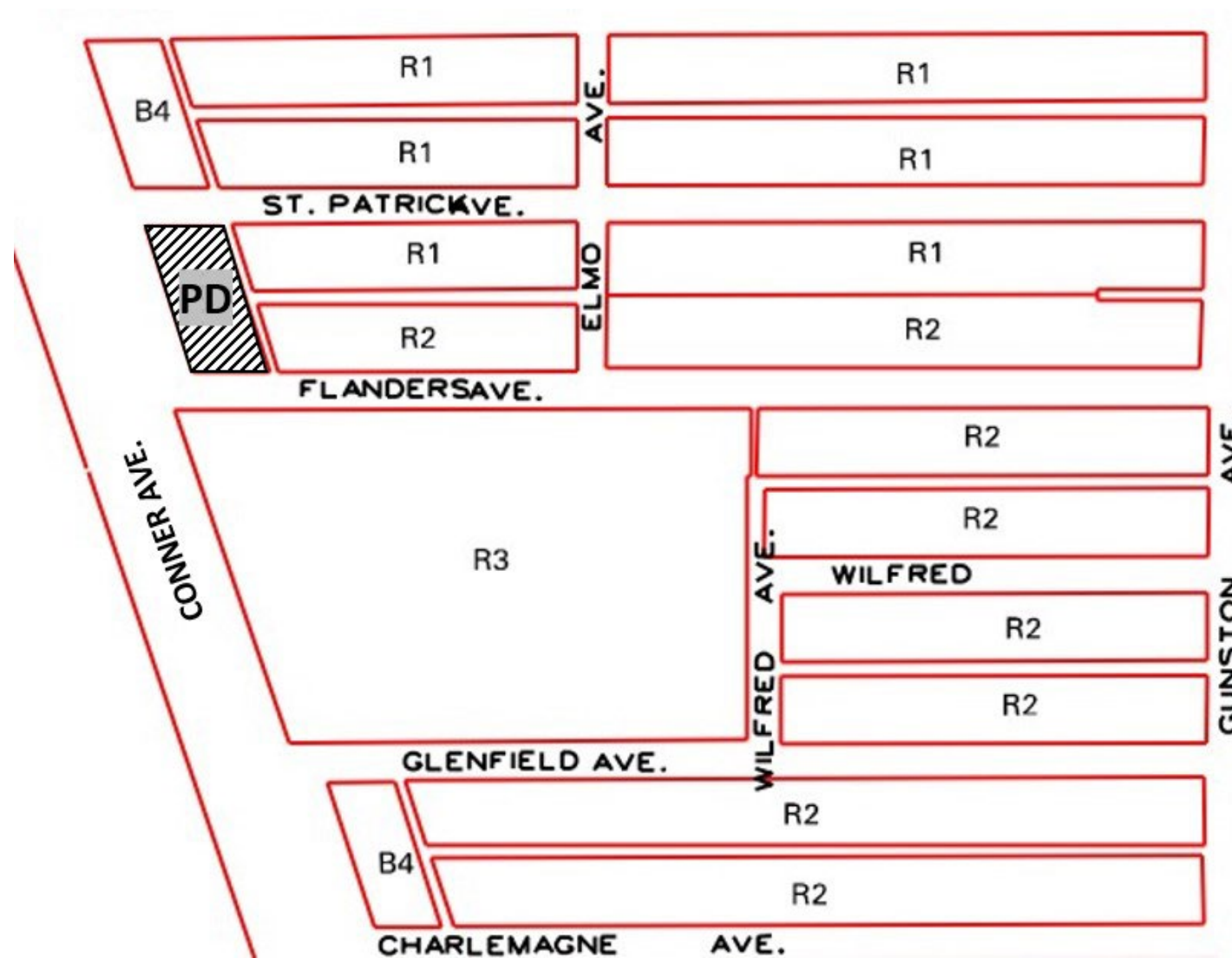
### June 29, 2023

CPC proposal to rezone PD at  
11500, 11510, 11530, 11534, and 11542 Conner  
Between Flanders and St. Patrick  
Zoning Map No. 26

11500-11542 Conner Avenue.



Vicinity map.



# How does land get zoned PD?

Planned Development (PD) Districts are authorized by State law to provide flexibility in development.

The diagram consists of two circular nodes connected by two arrows. The left node is orange and contains text about state law authorization. The right node is grey and contains text about council approval. An orange arrow points from the left node to the right node, and a grey arrow points from the right node back to the left node, indicating a reciprocal relationship.

PDs are typically created by Council pursuant to a development plan and subject to a specific site plan reviewed by the CPC and approved by Council.

# Atypical PDs

However, the 1968 major revision of the Zoning Ordinance converted any land that had been zoned RMA (Multiple Residential, Approval) to PD.

Between 1947 and 1966, numerous RMA Districts were established.

32 of those RMA Districts remain on the books today as PDs, but have no plan to guide or limit development.

## “No-plan” PDs.

- The Conner Avenue properties are one of those no-plan PDs
- The Law Department has counseled that *“All PD Districts that are not associated with any development regulations should be either (1) modified to adopt development regulations that are relevant to existing or proposed development projects located in the PD District, or (2) eliminated and rezoned to the most appropriate non-PD zoning classification.”* (7/20/2020)

“No-plan” PDs.

- Similarly, where a PD has lapsed, the Zoning Ordinance specifies: “...*City Council shall act to rezone the property to the zoning district classification which existed immediately prior to the time of rezoning to planned development, or to another zoning district classification as deemed appropriate. (Sec. 50-3-98)*

# Conner block zoning history

11500-11542 Conner were zoned R2 (Two-Family Residential District) from 1941 to 1954. (Ord. No. 171-D)

In 1954, Council rezoned the properties from R2 to RMA (Multiple Residential, Approval). (Ord. No. 916-E)

RMA was apparently unique among zoning districts to require greater review and approval of a proposal by the then City Plan Commission.

The applicant wanted to “...erect a multiple-dwelling structure thereon to alleviate an acute need for housing for transient patrons of the Detroit City Airport, located across Conner from said property.” (JCC 8/24/1954, Pg. 2040).

City Plan recommended denial; Map No. 26 was rezoned notwithstanding, 10/28/1954.

The properties became PD in 1968 (Ord. No. 390-G).



# CPC proposes...rezone from PD to R2



The original zoning classification, R2, would be appropriate.



The Master Plan classifies the land as “Low-Density Residential.”



No property would be rendered nonconforming.



The Adult Foster Care for 16 adults maximum at 11542 Conner operates pursuant to a BZA grant (BZA No. 977-82) and would continue as a legal nonconforming use.



The remaining vacant land and single/two-family dwellings are permitted by-right in R2.

# Engagement

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The five lots are owned by four different parties, including the City of Detroit.



CPC has alerted all property owners of our interest in rezoning the property.



Staff spoke directly with the representative of the LLC that owns two of the properties, who is in full support of the rezoning, and wondered if we knew anyone who would like to buy his eastside portfolio.



Staff exchanged emails on two occasions with the owner of the AFC who feared the rezoning would put her out of business; we explained that their status would not be affected.



One property owner, a Fort Lauderdale LLC, did not respond to outreach.



# Master Plan Consistency

- The Planning & Development Department submitted a report, dated June 15, 2023, indicating that the proposed rezoning would be consistent with the Master Plan.

# Broader view—The PD Project

- During the pandemic, CPC staff visited and photo-documented all 400+ sites zoned PD in the City.
- All PD rezoning ordinances and related JCC documentation are being compiled into a hard copy document and electronically for easier access by city staff and the general public.
- A dozen lapsed or abandoned or no-plan PDs are slated for rezoning consideration in the coming year.
- The first of the lapsed PDs came before Council this morning for scheduling of a public hearing (Map No. 44).

June 15<sup>th</sup> Statutory public hearing

- No comment was offered by the public at the meeting or remotely.

# CPC Staff Findings and Recommendation

- CPC staff finds the proposed rezoning to satisfy the applicable approval criteria of Sec. 50-3-70 of the 2019 Detroit City Code.
- The Planning and Development Departments finds the proposed rezoning to be consistent with the Master Plan.
- No objection to the rezoning has been presented.
- CPC staff recommends approval of the amendment of Map No. 26 to rezone 11500, 11510, 11530, 11534, and 11542 Conner Avenue from PD to R2.