

# City of Detroit

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**TO:** City Planning Commission

**FROM:** Kimani Jeffrey, Staff

**RE:** Request of Rose and Jacqueline Cuevas to amend Article XVII, Section 50-17-45, District Map No. 43 of the 2019 Detroit City Code, Chapter 50, Zoning, to show an SD1 (Special Development District, Small-Scale, Mixed-Use) zoning classification where an R2 (Two-Family Residential District) zoning classification is currently shown on the property commonly known as 3260, 3266, & 3274 Junction. The location of the proposed rezoning is indicated as the outlined area on the accompanying map.

The proposed map amendment is being requested for the rehabilitation and addition to an existing building for a mixed-use development with an SDD Specially Designated Distributor's establishment (alcoholic liquor for consumption off the premises).

**DATE:** June 13, 2023

On June 15, 2023, the City Planning Commission (CPC) will hold a 5:15p.m. public hearing on the subject rezoning. A map of the requested rezoning is attached.



Junction frontage of subject property

## **BACKGROUND**

The petitioners, Rose and Jacqueline Cuevas entered an agreement with the previous operator of Junction Party Store in 2019 to purchase the properties known as 3260 and 3266 Junction. There is approximately one year and a half left to complete the land contract for the property. The property known as 3274 is owned by the Detroit Land Bank Authority and the purchase of this property by the Cuevas' is expected to close in July of this year. Both land owners have given written permission for the petitioner to pursue this rezoning, which gives them legal interest to proceed.

According to the Buildings, Safety Engineering, and Environmental Department (BSEED), the current legal nonconforming land use of 3260 and 3266 Junction is a Residential single dwelling combined in structures with permitted commercial uses and Retail with Specially Designated Merchant's (SDM) Establishment. SDM allows specifically for the sale of beer and wine (not liquor) for consumption off the premises.

A retail space with SDM (2,460 square feet) is located on the ground floor of the existing two-story building and includes a 500 square-foot detached accessory storage structure. The dwelling (1,526 square feet) is located on the second floor of the existing building. The property known as 3274 Junction is currently legally classified as vacant land, but used for parking.

## **PROPOSAL**

The petitioner plans to construct an accessory off-street parking area of approximately nine spaces and to include 3274 Junction in the subject zoning lot. Additionally, the petitioner plans to add a ground-floor dwelling unit within the existing footprint of the building and reduce the floor area of Retail with SDM.

The proposal to expand the zoning lot of a nonconforming use requires a Board of Zoning Appeals (BZA) hearing and approval. This hearing has already been held and in May 2023, the BZA granted approval of the request outlined above.

The petitioner is now before the CPC with a proposal to add an SDD Specially Designated Distributor's establishment (alcoholic liquor for consumption off the premises) to the current permitted uses. The SD1 zoning district classification would allow for the SDD use, as well as the mixed-use components of the project, although the BZA grant already allows for everything except for the SDD use.

### ***Current Zoning***

#### **R2- TWO-FAMILY RESIDENTIAL DISTRICT**

The R2 Two-Family Residential 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.

### ***Proposed Zoning***

#### **SD1- SPECIAL DEVELOPMENT DISTRICT, SMALL-SCALE, MIXED-USE**

The SD1 Special Development District is designed to encourage a complementary mixture of small-scale pedestrian and transit-oriented uses that are compatible in a neighborhood setting. It is intended to ensure a neighborhood character and place a proper balance of activities within

walking distance of one another while serving the day-to-day needs of residents. Parking requirements are reduced in certain circumstances to promote use of transit and non-motorized transportation; shared parking and a district approach to parking are encouraged to lessen demand for off-street parking spaces. Certain 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.

## **PLANNING CONSIDERATIONS**

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

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

North: R2; Congress of Communities/community garden

East: R2; Residential dwellings (Single Family)

South: R2; Residential dwellings, parking lot

West: R5; St. Hedwig Catholic Church

### ***Master Plan Consistency***

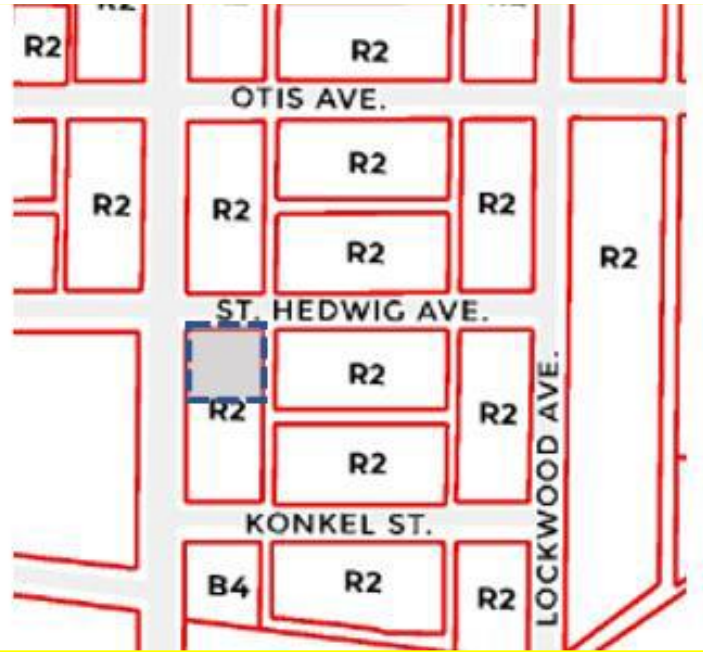
The subject site is located within the Condon area of Neighborhood Cluster 5 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows Low/Medium Density Residential (RLM). The Planning & Development Department (P&DD) has been requested to provide a Master Plan Interpretation for this matter and will be reported on subsequently.

## **COMMUNITY INPUT**

The petitioner held a community meeting in conjunction with CPC staff on May 15, 2023. At this meeting the petitioner displayed drawings of their proposed expansion and discussed the proposed SDD use alongside CPC staff. Staff presented on the proposed rezoning and also shared printed handouts of the SD1 district in English and Spanish languages. No opposition was expressed at the meeting. The project was seemingly supported by the majority and some attendees expressed support directly to staff after the presentation. Lastly, the petitioner has submitted numerous letters of support that are attached.

Attachment: Zoning map  
BZA Grant  
Support letters  
Proposed Site Plan

cc: Antoine Bryant, Director, PDD  
Greg Moots, PDD  
David Bell, Director, BSEED  
Conrad Mallett, Corporation Counsel  
Bruce Goldman, Law  
Daniel Arking, Law



**Proposed parcel to be rezoned is identified on the map**