

City of Detroit

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TO: City Planning Commission

FROM: Jamie Murphy, Staff

RE: Request of Parkstone Development Partners on behalf of Corktown Historic Developments, LLC to show a PD (Planned Development) zoning district where an R2 (Two-Family Residential) zoning district is currently shown on four parcels commonly known as 2099, 2087, 2081, and 2075 Vermont Street.

DATE: January 29, 2024

On January 18, 2024, the City Planning Commission (CPC) held a 5:15 PM public hearing on the subject rezoning. Due to an issue with the legal notice, the hearing has been continued to February 1, 2024 at 6:15pm. Below is the current zoning map with the proposed area hatched.



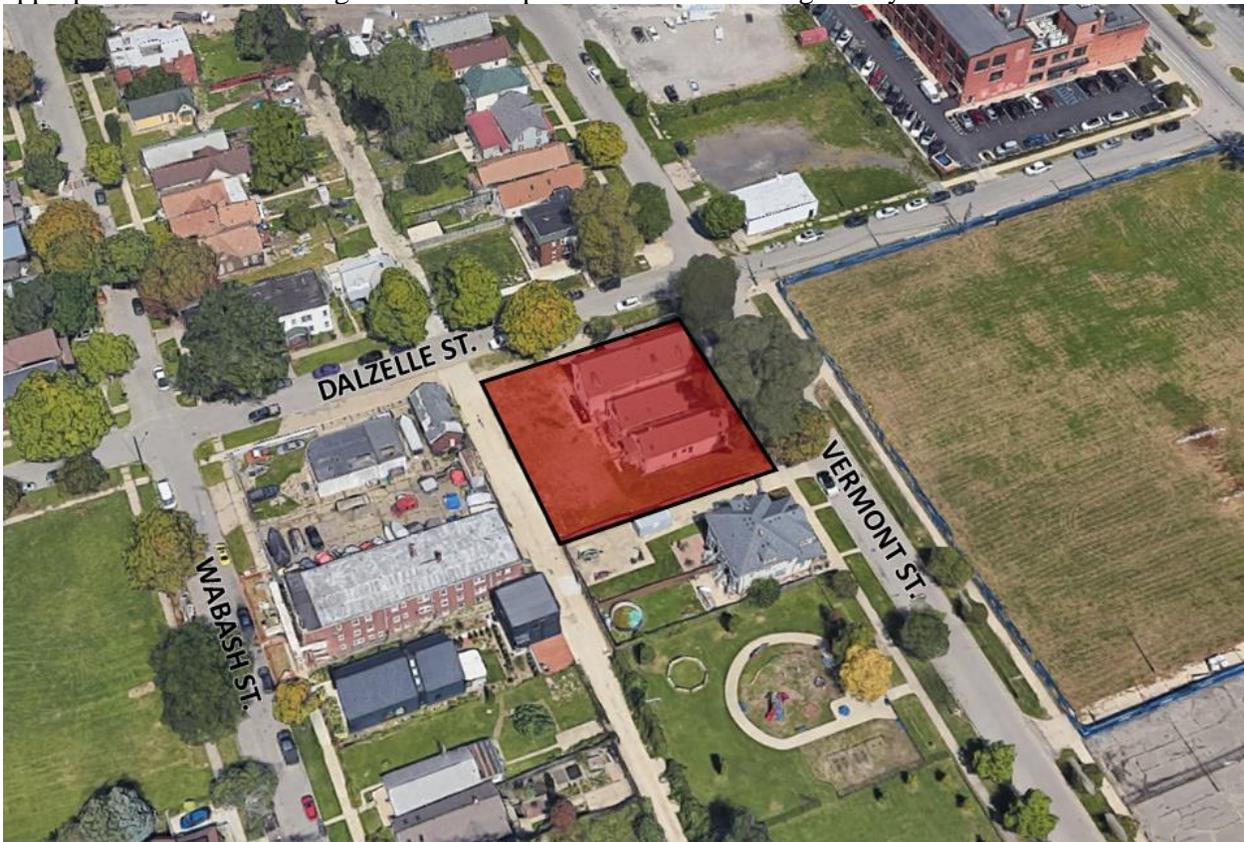
BACKGROUND AND PROPOSAL

The CPC has received a request from Parkstone Development Partners on behalf of Corktown Historic Developments, LLC to amend District Map No. 42 of the 2019 Detroit City Code, Chapter 50, Zoning, by showing a PD (Planned Development) zoning district where an R2 (Two-Family Residential) zoning district is currently shown on four parcels commonly known as 2099, 2087, 2081, and 2075 Vermont Street. The property is located at the southwest corner of Dalzelle and Vermont Streets which is south of Michigan Avenue and west of Rosa Parks Boulevard.

The subject site is currently occupied by three historic residential structures facing Vermont Street which are not proposed to be altered. This request was originally submitted in 2021 but the existing structures suffered extensive damage due to the flooding that summer and the project was delayed while repairs were underway. A public hearing was scheduled in June 2023 but the applicant requested that it be delayed so that additional community engagement could be conducted.

The site is located in City Council District 6 and measures 0.37 acres. The proposed map amendment is to permit the development of a multiple-family residential building that would consist of five townhouse units and three stacked apartment units along the alley property line. The street side of the site contains three historic homes—a five-unit multiple-family dwelling and two single-family dwellings. The total development as proposed would include 15 units (seven existing and eight new).

The proposed project is not allowed in the existing R2 district because multiple principal buildings are not allowed on one lot (Sec. 50-8-56). Also, several dimensional variances would be required as the proposed structure does not comply with setback, lot coverage, floor area ratio (FAR), or parking requirements. No other residential district would allow the project without multiple variances; the SD1 district would mostly allow it, but it would also permit commercial uses which would not be appropriate for the area. Page six of this report has a more thorough analysis.



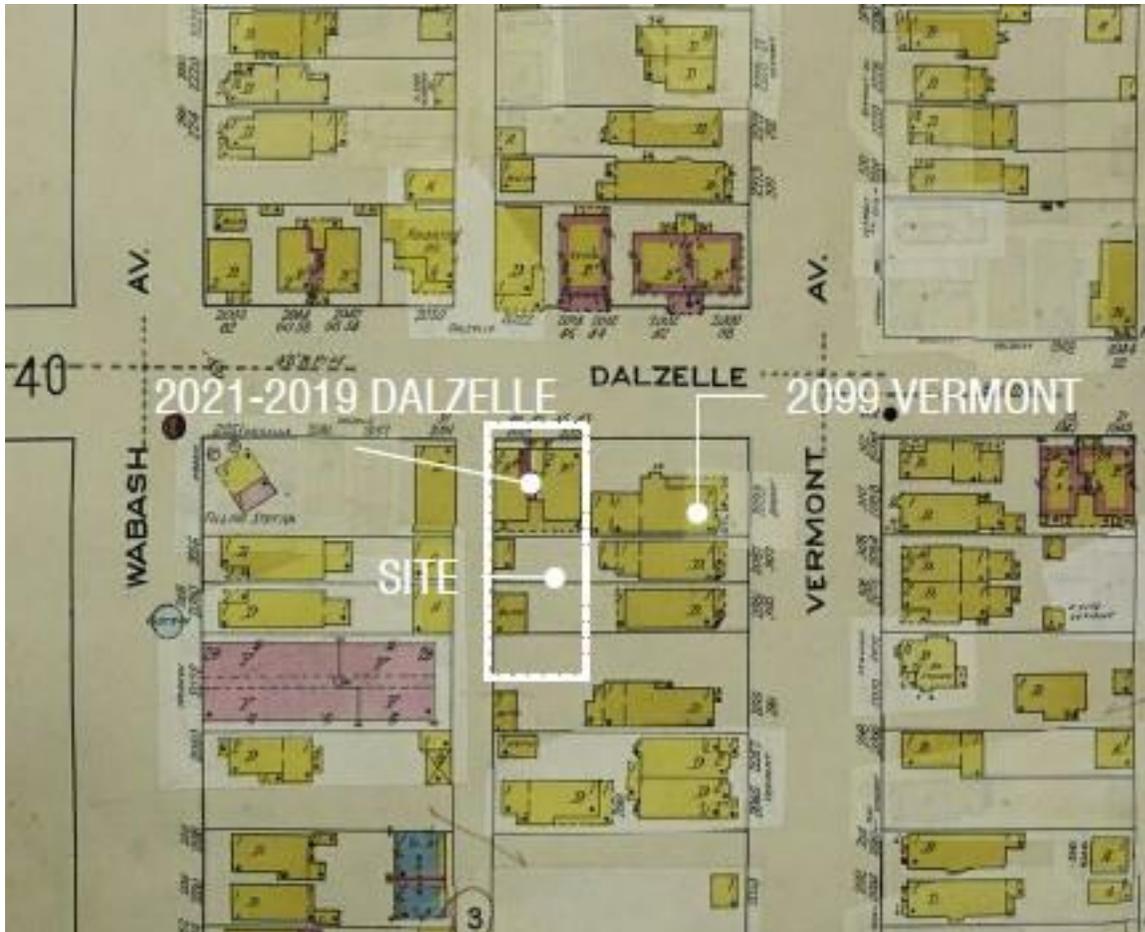
Aerial view of proposed rezoning

PLANNING CONSIDERATIONS

Surrounding Zoning and Land Use

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

- North: R2 (Two-Family Residential) – Four-unit residential building
- East: M3 (General Industrial) – Vacant land
- South: R2 (Two-Family Residential) – Two-family dwelling
- West: R2 (Two-Family Residential) – Auto Repair Garage, 16-unit residential building



Historic Sanborn Map (approx. 1950) showing neighborhood context

Proposed Plans

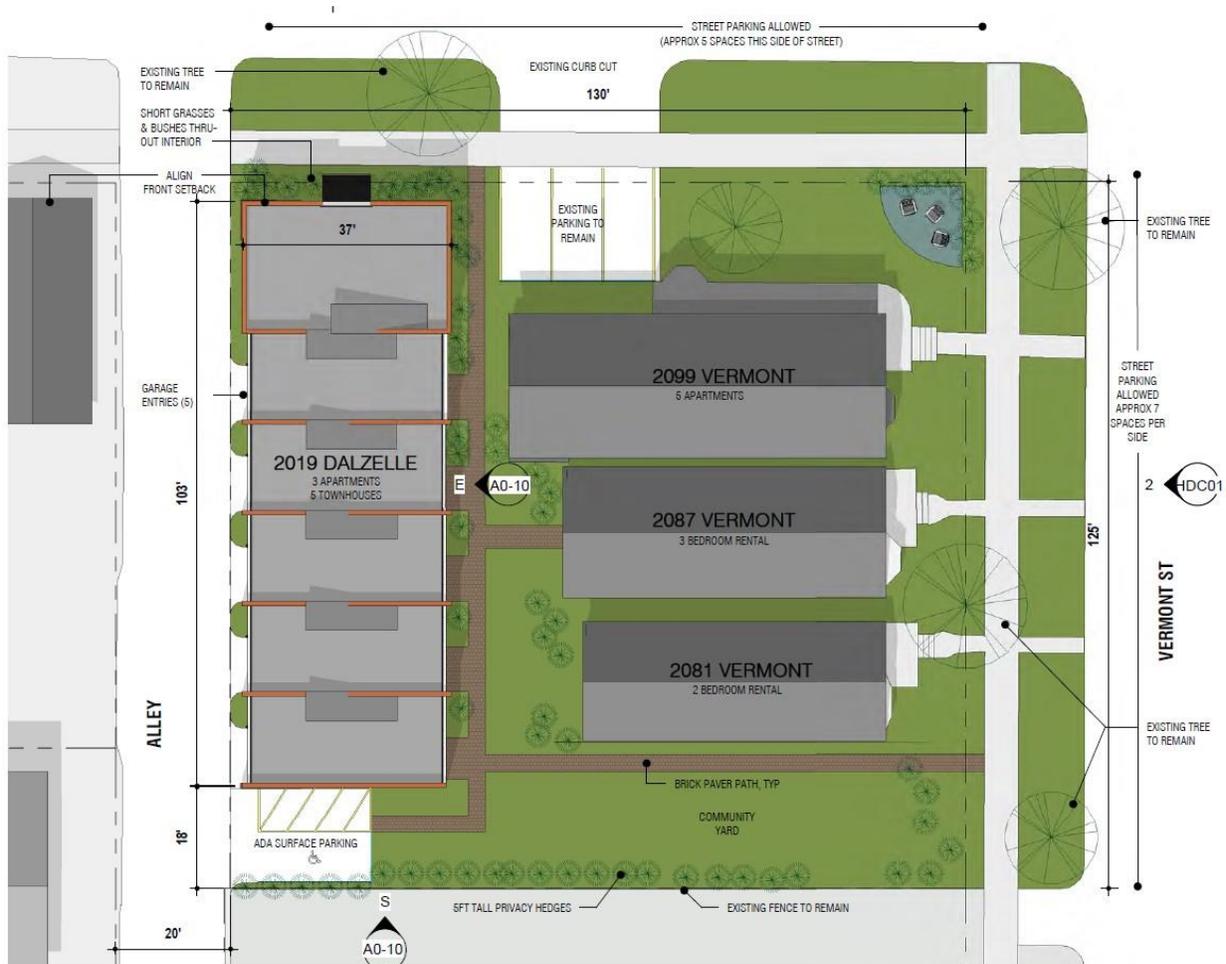
Because the proposed district is PD, the design of the development is also under consideration including the site plan, elevations, exterior materials, and landscaping. The proposed plans are attached for reference.

The intent of the project is to increase the residential density of the neighborhood to be more consistent with the historic density. As shown on the Sanborn map above, a four-unit building was previously located in this space and several other residences were also located along the alley. The eight new units along the alley would form a residential court (buildings facing each other across green space). The new units would share an amenity space with the existing units at the southern portion of the site (as shown on the site plan on the following page).

The height of the proposed building would be three stories (33 feet) which is slightly shorter than the tallest of the existing houses. The massing of the building is intended to be similar to the building that previously existed in this location. The exterior material is proposed to be mostly brick with some cementitious horizontal siding as an accent. The proportions and vertical orientation of the windows are designed to reflect those of the neighboring structures and the pedestrian entrance facing Dalzelle is also similar to others found nearby.

Nine parking spaces are proposed to serve the 15 residential units which is 0.6 spaces per unit. The general parking requirement for multiple-family residential is 0.75 spaces per unit because this site is located within 0.50 miles of a high-frequency transit corridor. As Corktown is a very walkable neighborhood, slightly less parking is reasonable. The developer will also monitor the parking situation to mitigate any unanticipated issues.

Because the site is located in the Corktown Historic District, the proposed new structure must be reviewed and approved by the Historic District Commission (HDC). This approval was obtained in 2021. The HDC staff report is attached for reference.



Proposed Site Plan



Proposed and existing elevations facing Dalzelle Street



Comparison of new building massing against existing houses as viewed from Vermont Street

Master Plan Consistency

The subject site is located within the Corktown area of Neighborhood Cluster 4 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows “RLM – Low-Medium Density Residential” for the subject property. The Planning and Development Department (PDD) has reviewed this proposed rezoning and determined that it is generally consistent with the Master Plan and would not change the overall character of the neighborhood. PDD further concluded that the building would fit the scale of the area and that the new units would not add a significant amount of traffic. The full report is attached for reference.

Community Input

The applicant canvassed the neighborhood and held an in-person community meeting in June 2021 (when this application was originally submitted). A second community meeting was held via Zoom on May 22, 2023. A total of seven people attended the meeting. Parking was the main concern of the residents and the developer will continue monitoring the parking situation.

When the public hearing was scheduled in June 2023, several nearby residents and property owners expressed concern about the density of the proposed development and its potential effect on parking, utilities, and as a precedent for future development. In response, the applicant held several additional meetings with nearby residents and property owners and found that many support the project.

PUBLIC HEARING SUMMARY

On January 18, 2024, the CPC held a public hearing for the proposed rezoning with the following public feedback:

- A Vermont Street resident said they support the project.

- The owner of a nearby property welcomes new development but is concerned about parking. New trial of two-way traffic on Dalzelle and Marantette Streets may affect parking.
- The property owner across the alley is not opposed to new residential development but feels that this proposal is too big and too close to the property line and doesn't provide enough parking.
- An owner of nearby vacant land supports the project.
- A resident of West Village said they like the density and support the project.

Comparison of R2 District to proposed development

| | Allowed in R2 | Proposed | Difference |
|-------------------------------------|------------------------------------------------------------------------------------------|--------------------------------------------------------------------|-------------------------------------------------------|
| Front Setback | 20 feet | approximately 90 feet | Standard is met |
| Side Setback | 10 feet | 4 feet and 18 feet | Standard is partially met |
| Rear Setback | 30 feet | Approximately 3 feet | 27 feet deficient |
| Maximum Height – principal building | 35 feet* | 33 feet | Standard is met |
| Maximum Height – accessory building | 15 feet | 33 feet | Over height if this was an accessory building |
| Floor Area Ratio (FAR) | 0.50 (8,125 sq. ft. max. based on size of site) | 1.07 (10,815 sq. ft. in new building + existing buildings' area) | 0.57 over maximum |
| Minimum Lot Size | 7,000 sq. ft. | 16,250 sq. ft. | Standard is met |
| Minimum Lot Width | 70 feet | 125 feet | Standard is met |
| Maximum Lot Coverage | 35% 5688 sq. ft. | 48% - 4,181 sq. ft. existing buildings, 3,605 sq. ft. new building | 13% over max. lot coverage or 2,098 sq. ft. in excess |
| Parking | 10 spaces required (Townhouses require 1.5 per unit; Multi-family require 0.75 per unit) | 6 new spaces on-site, 12 on-street spaces directly abut the site | 4 spaces deficient |
| Use | Multiple-family dwelling and Townhouses up to 8 units are permitted conditionally | 8 unit building (5 townhouse units & 3 multi-family units) | Standard is met |

*Height limits in the R2 District are based on the use of the structure. Most uses have a height limit of 35 feet; however, multiple-family dwellings have no maximum height limit because the height and bulk of the building is controlled by Floor Area Ratio (FAR)

Additional explanation and qualifications on the comparison table (zoning is rarely straight-forward and often has various loopholes, exceptions, and interpretations):

- Setback types are somewhat open to interpretation. In this case, the front of the parcel abuts Vermont Street, the rear abuts the alley, the sides abut Dalzelle Street and the neighbor to the south. However, it could be argued that the proposed building actually fronts on

Dalzelle Street with the rear abutting the neighbor to the south, and the sides abutting the alley and the existing houses onsite. The proposed building still would not be compliant with R2 setbacks.

- Because this building is proposed to be located in the rear yards of existing houses along the alley, it might appear to be an accessory structure (with the existing houses being principal structures). However, the definition of accessory use/structure in Section 50-16-111 has three conditions for a use or structure to be considered accessory:
 - Is incidental and subordinate to and devoted exclusively to a principal building or a principal use legally existing on the same zoning lot;
 - Is subordinate in area, extent and purpose to the principal building or principal use;
 - Contributes to the comfort, convenience or necessity of the occupants, business or industry of the principal structure or principal use served.

The proposed building does not meet any of these requirements and thus is not an accessory use/structure but would be an additional principal use/structure on the site.

- Section 50-8-56(2) states that: “In the R2 District, not more than one principal detached residential building shall be located on a zoning lot. Likewise, no principal detached residential building shall be located on the same zoning lot with any other principal building in the R1 and R2 Districts, except in the case of buildings used for educational or religious purposes.” This stipulation would prohibit the proposed project and is another reason for the request to rezone to PD Planned Development District.
- When calculating parking required for the proposed new building, the impulse may be to calculate the parking required for the existing units on the site. However, parking is only required for the newly constructed units per Section 50-14-2(2) which states: “*Expansions and increases in intensity*. Unless otherwise expressly stated, the parking, loading, and access standards of this division shall apply where an existing structure or use is expanded or enlarged, through the addition of dwelling units, floor area, seating capacity, employees or other units of measurement that are used for establishing off-street parking and loading requirements. **Additional off-street parking and loading spaces shall be required only to serve the enlarged or expanded area, and not the entire building or use.**” (emphasis added) Thus the parking calculation includes only the new units (and the new parking spaces, not existing).
- Section 50-14-34 outlines parking requirements for household living uses. While Townhouses always require 1.5 spaces per unit, multiple-family dwellings have different requirements depending on a number of factors. In this case, only 0.75 spaces are required per multi-family unit because the location is within 0.50 miles of a high-frequency transit corridor (both Michigan Avenue and Bagley). The general parking requirement for multi-family units without any reductions is 1.25 spaces per unit. If the Townhouse use had a similar reduction for being close to transit, fewer parking spaces would be required.
- Although the existing houses are deficient parking as required by the Zoning Ordinance, that does not affect the parking calculation for the proposed building. The three existing on-site parking spaces would also not count toward the required parking for the new building as they are serving as the required parking for the existing units.

- Several areas of the City are allowed to count on-street parking spaces directly abutting the site toward satisfying required parking spaces on the site. While Corktown is not one of these areas, in Brush Park and in two Traditional Main Street Overlay Areas (Woodward & Grand River/Lahser), this additional credit is allowed to promote walkability.

Comparison of R3-R6 Districts to proposed development

| | R3 | R4 | R5 | R6 | Proposed |
|--------------------------------------------|-------------------------------------------------------------|---------------|---------------|---------------|------------------|
| Front Setback | 20 ft. | 20 ft. | 20 ft. | 20 ft. | Approx. 90 ft. |
| Side Setback | Formula A* | Formula A* | Formula A* | Formula A* | 4 ft. and 18 ft. |
| Rear Setback | 30 ft. | 30 ft. | 30 ft. | 30 ft. | Approx. 3 ft. |
| Maximum Height | None | None | None | None | 33 ft. |
| Floor Area Ratio (FAR) | 0.70 | 1.00 | 1.50 | 2.00 | 1.07 |
| Minimum Lot Size | 7,000 sq. ft. | 7,000 sq. ft. | 7,000 sq. ft. | 7,000 sq. ft. | 16,250 sq. ft. |
| Minimum Lot Width | 70 ft. | 70 ft. | 70 ft. | 70 ft. | 125 feet |
| Maximum Lot Coverage | None | None | None | None | 48% |
| Recreation Space Requirement (RSR) | 0.12 minimum | 0.10 minimum | 0.085 minimum | 0.07 minimum | 0.38 |
| Parking | Parking requirements do not change based on zoning district | | | | |
| Use (Townhouse & Multiple-Family Dwelling) | By-right unless >50% efficiency units, then conditional | By-right | By-right | By-right | |

**Formula A = [Length in feet + 2(height in feet)]/15 (6.9 feet would be required for the proposed building)*

The proposed development meets many of the dimensional requirements for the R3-R6 zoning districts including front setback, minimum lot size, minimum lot width, recreation space, and permissibility of use. The Floor Area Ratio (FAR) of the proposed building is too high for the R3-R4 districts, but would be permitted in the R5-R6 districts. The problem in every R-district is the rear setback requirement of 30 feet—it essentially prohibits a second building being built in the rear yard along the alley.

Accessory Dwelling Units (ADUs)

ADUs have been gaining popularity in cities around the country. Also referred to as in-law or mother-in-law suites, granny flats or carriage houses, they have been touted as a way to keep family members nearby or as a way to make home ownership more affordable (among other things). The graphic below defines ADUs and explains the various types and how they can be incorporated into a property.

Accessory Dwelling Units

An accessory dwelling unit (ADU) is a smaller, independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached) single-family home. ADUs go by many different names throughout the U.S., including accessory apartments, secondary suites, and granny flats. ADUs can be converted portions of existing homes (i.e., internal ADUs), additions to new or existing homes (i.e., attached ADUs), or new stand-alone accessory structures or converted portions of existing stand-alone accessory structures (i.e., detached ADUs).

Internal, attached, and detached ADUs all have the potential to increase housing affordability (both for homeowners and tenants), create a wider range of housing options within the community, enable seniors to stay near family as they age, and facilitate better use of the existing housing fabric in established neighborhoods. Consequently, many cities and counties have signaled support for ADUs in their plans and adopted zoning regulations that permit ADUs in low-density residential areas.

From this page you can search for resources that provide background, policy guidance, and examples of local plan recommendations and zoning standards for ADUs from across the country. And you can filter these search results by various geographic and demographic characteristics.

Adapted from the [ABCs of ADUs](#)

From the American Planning Association website: <https://www.planning.org/knowledgebase/accessorydwellings/>

The Zoning Ordinance currently specifically prohibits what we generally think of as ADUs in most of the city. Section 50-12-454 states: “In the R1 and R2 Districts, accessory buildings shall not be occupied for dwelling purposes or used for any business profession, trade, or occupation, except, that carriage houses built prior to 1940 may continue to be occupied for dwelling purposes.” While this prohibition only applies to the R1 and R2 Districts, approximately 62% of the city is zoned R1 or R2.

One exception to the restriction is in Brush Park. Development in Brush Park is regulated by a form-based code that was adopted in 2020 and two of the principal building types are specifically designed to be “rear buildings” that are located along the alley or rear of the site. The intent was to allow additional density in the neighborhood without overshadowing the existing historic structures. Lots in Brush Park are particularly suitable for units in the rear yard as they are generally very deep (150 feet on average).

In addition, the regulations prohibiting ADU-style units are appealable to the Board of Zoning Appeals (BZA) and several of these proposals have been approved in recent years.

The rezoning request under consideration does not strictly fit the definition of an ADU. It may have some of the characteristics such as being built behind existing houses along the alley, but does not have the one-to-one correlation of one ADU unit to one single-family house. However, zoning ordinance restrictions designed to prohibit ADUs are also affecting the permissibility of the proposed development.

Attachment: Continued Public Hearing Notice
PDD Master Plan Interpretation
HDC Staff Report
Proposed Plans - updated
Public Comment Letters

cc: Antoine Bryant, Director, PDD
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