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TO: City Planning Commission

FROM: M. Rory Bolger, City Planner

RE: **The initiative of the City Planning Commission to amend Article XVII, Section 50-17-73, District Map No. 71 of the 2019 Detroit City Code, Chapter 50, Zoning, to change the PD (Planned Development District) zoning classification as currently shown at eleven locations to either an R1 (Single-Family Residential District) or an R2 (Two-Family Residential District) or an R3 (Low-Density Residential District) or an R5 (Medium-Density Residential District) zoning classification. (RECOMMEND APPROVAL)**

DATE: April 29, 2025

RECOMMENDATION

The City Planning Commission (CPC) staff recommends APPROVAL of the Planning Commission-initiated proposal to rezone eleven locations on Zoning District Map No. 71 in City Council District 1 as follows:

1. To rezone land currently shown as PD (Planned Development District) to the R3 (Low-Density Residential District) classification at eight locations:
 - Three split-zoned lots on the north side of West Seven Mile between Woodbine and Lenore, commonly known as 24224, 24270, and 24290 West Seven Mile.
 - Two “through lots” north of West Seven Mile between Shiawassee and Appleton, commonly known as 19130 and 19220 Appleton.
 - One lot south of West Seven Mile on the east side of Fenton, commonly known as 18980 and 19000 Fenton.
 - One lot, east of Telegraph Road, containing two buildings on the west side of Shiawassee between West Seven Mile and Verdun, commonly known as 19301 Shiawassee and one 2.8-acre lot, west of Telegraph Road, on the west side of Woodbine 300 feet north of West Seven Mile, commonly known as 19225 Woodbine.
 - Two lots on the west side of Berg Road between West Seven Mile and Cambridge, commonly known as 19143 and 19173 Berg.

- Eight lots north of West Seven Mile between Lenore and Grandview, commonly known as 19141, 19160, and 19191 Winston and 19120, 19140, and 19180 Grandview and 24620 West Seven Mile and 19185 Lenore.
 - One lot at the northeast corner of Telegraph and Frisbee, commonly known as 19800 Telegraph.
 - One lot on the west side of Shiawassee between West Seven Mile and Verdun, commonly known as 19255 Shiawassee.
2. To rezone land currently shown as PD (Planned Development District) to the R5 (Medium-Density Residential District) classification at one location:
 - Two lots on the north side of Shiawassee between Fenton and Grandview, commonly known as 24540 and 24570 Shiawassee.
 3. To rezone land currently shown as PD (Planned Development District) to the R2 (Two-Family Residential District) classification at one location:
 - Eighty-one lots, (11 vacant residential lots and 70 lots with houses), from 770 feet north of West Seven Mile toward Frisbee: 31 of the 81 on the east side of Woodbine, commonly known as 19254 through 19534 Woodbine (even only); 29 of the 81 on the west side of Woodbine, commonly known as 19261 through 19511 Woodbine (odd only); and 21 of the 81 on the east side of Lenore, commonly known as 19280 through 19514 Lenore (even only).
 4. To rezone land currently shown as PD (Planned Development District) to the R1 (Single-Family Residential District) classification at one location:
 - One lot covering approximately nine acres of the former 46-acre Bonnie Brook golf course on the east side of Telegraph Road (US-24) between Frisbee and West Eight Mile Road (M-102), commonly known as 20400 Telegraph.

BACKGROUND

Nine of the eleven subject PD sites on Map No. 71 had been zoned in the R1 (Single-Family Residential District) zoning classification until 1957 through 1963 when they were rezoned to allow for Multiple Residential (RMA) development and then in 1968 were all re-classified as Planned Developments in the PD District zoning classification per Ord. No. 390-G. These nine sites are proposed to be rezoned because the Zoning Ordinance (Chapter 50 of the 2019 Detroit City Code) currently requires PD Districts to have an approved development plan and site plan and review by City Council—provisions that were not required between 1957 and 1963—and because other zoning district classifications can more adequately regulate these already-developed sites.

The remaining two of the eleven sites were more recently rezoned from R1 to allow for proposed developments that were never realized.

The eleven locations are indicated on the maps attached at the end of this report.

MASTER PLAN

All eleven subject PD locations on Map No. 71 are found within Neighborhood Cluster 8 in the Redford subsector of Detroit's 2009 Master Plan of Policies.

In its report dated April 2, 2025, the Planning and Development Department found the following with respect to the consistency between the proposed zoning district classifications and the future general land use designations in the Master Plan for the Redford subsector:

Consistent with the Master Plan:

- 19130 and 19220 Appleton (Site #2)
- 19143 and 19173 Berg (Site #5)
- 24540 and 24570 Shiawassee (Site #8)
- 19255 Shiawassee (Site #9)

Generally consistent with the Master Plan (*small size and/or unlikely to change overall character*):

- 24224, 24270, and 24290 West Seven Mile (Site #1)
- 18980 and 19000 Fenton (Site #3)
- 19301 Shiawassee and 19225 Woodbine (Site #4a and Site #4b)
- 19141, 19160, and 19191 Winston and 19120, 19140, and 19180 Grandview, and 24620 West Seven Mile, and 19185 Lenore (Site #6)
- 19800 Telegraph (Site #7)

Not consistent with the Master Plan:

- 19254 through 19534 Woodbine (even); 29 of the 81 on the west side of Woodbine, commonly known as 19261 through 19511 Woodbine (odd); and 21 of the 81 on the east side of Lenore, commonly known as 19280 through 19514 Lenore (even) (Site #10)
- 20400 Telegraph (Site #11)

In the Notice of Public Hearing for the eleven sites on Map No. 71, the Master Plan future general land use classification was identified for each of the eleven locations. For the nine, pre-1968 RMA/PD locations, the public hearing noted a proposed zoning classification that corresponded to the Master Plan's matrix of correspondence between zoning classifications and Master Plan designations. For the two locations that P&DD has found to be inconsistent with the Master Plan, staff notes that the hoped-for developments were abandoned.

The 81 lots on Lenore and Woodbine where a Home Depot big box development was proposed in 2004 have retained their low-intensity, single-family character and are presently proposed to be rezoned to R2 to support that character and to allow infill housing by both single- and two-family dwellings. No proposals for a retail center that would be consistent with the current Master Plan designation have come forward.

The nine-acre remnant of the Bonnie Brook golf course at 20400 Telegraph had been rezoned to PD from R1 in expectation of an extended-stay hotel being sited there, a project that never materialized. The owner of the land was contacted by CPC staff regarding possible commercial development

prospects. Given the owner's disinterest in pursuing commercial development at this time on the Telegraph Road portion of the golf course, the current proposal is to return the land to its previous R1 zoning classification, consistent with Sec. 50-3-98 regarding conditions that would constitute a lapse of PD authorization:

Where one of these conditions exists, the 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.

If the CPC were to approve the rezoning of the "Bonnie Brook" to a zoning district classification, such as PR (Parks and Recreation District) that is consistent with the Master Plan's PRC (Recreation) designation, the land might be left with little economic potential—a red flag for a constitutionally-suspect regulatory taking. The proposed R1 zoning is more of a place-holder zoning classification, unlikely to cause harm, rather than one merited by any likely single-family dwelling initiative. The landowner is supportive of the R1 classification and Sec. 50-3-98 points us toward a return to the *status quo-ante*.

PUBLIC HEARING RESULTS

The April 3rd CPC statutory public hearing was held in the community at the Northwest Center of the Wayne County Community College District, about four miles from the subject PD properties, rather than in Council chambers at the Coleman A. Young Municipal Center.

No testimony was raised either in person or remotely regarding any of the nine sites that were identified as RMA/PDs.

The most detailed discussion among Commissioners arose in response to the in-person testimony of Wanda Williams, a property owner and resident on Woodbine Avenue in the never-developed "Home Depot" area. Ms. Williams favored rezoning the land away from the retail-oriented PD classification to a zoning district that would allow for her to operate a transitional housing facility.

A discussion related to various types of "group homes" ensued, and it was clarified that the State Zoning Enabling Act preempts local municipalities from regulating designated "state licensed residential facilities" for one to six persons any differently than the municipality regulates single-family dwellings. That means that small adult foster care homes (with fewer persons) and small child caring institutions are permissible by right on land zoned R1 and R2 even though larger homes of the same type are prohibited.

However, the type of group home that Ms. Williams envisions for transitional housing would be permissible on land zoned R3 (Low-Density Residential District), but not on R1 or R2. The Commission directed staff to look into the possibility of part or all of the 81-lot "Home Depot" location to be rezoned to a more intensive residential classification than R2.

Although, rezoning part or all of the 81-lot location on Lenore and Woodbine would afford greater opportunity for various land uses, including group homes, the CPC would have to re-notify the public and hold a separate public hearing before recommending such a change to City Council.

The day after the public hearing, the CPC office received a call from a Lenore Avenue resident and homeowner in the "Home Depot" area interested in purchasing lots and seeking clarification as to the

ramifications of the proposed rezoning with regard to developing vacant and “oversize” lots. Staff explained that the proposed R2 zoning would allow for residential development whereas the existing PD zoning would prohibit it.

ZONING APPROVAL CRITERIA

Section 50-3-70 of the Detroit Zoning Ordinance lists eight approval criteria on which zoning map amendments must be based. Following are the relevant criteria with CPC staff’s analysis in italics:

- Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend, or fact. *Because the current Zoning Ordinance, Chapter 50 of the 2019 Detroit City Code, requires Planned Developments to include an approved development plan and site plan, the lack of such plans for the nine RMA/PDs makes them ripe for rezoning. When these nine RMA/PDs were established between 1957 and 1963 there was no such requirement. The Zoning Ordinance itself has changed to be more exacting and specific.*
- Whether the proposed amendment is consistent with the Master Plan and the stated purposes of this chapter. *P&DD has found the nine RMA PD rezonings to be either “consistent” or generally consistent” with the current Master Plan. For the “Home Depot” location involving 81 lots, the proposed R2 is inconsistent with the Master Plan’s “retail” vision; however, the merits of R2 are seen to outweigh the Master Plan inconsistency because it will return the existing properties to conforming status. No retail development proposals have come forth. For the “Bonnie Brook” location, the proposed R1 is inconsistent with the Master Plan’s “recreation” vision; however, the only zoning classifications consistent with the Master Plan would leave the land with little, if any, opportunity for economic return. Since the land had been R1 before PD, returning to the earlier classification would cause little, if any, harm and would respond to the direction of Sec. 50-3-98 for lapsed PDs.*
- Whether the proposed amendment will have significant adverse impacts on other property that is in the vicinity of the subject tract. *The proposed rezonings from PD to R3 or R5 or R2 or R1 are expected to have no adverse impacts. Importantly, for the 81-lot “Home Depot” location, the rezoning will finally change the status of the existing dwellings from nonconforming to conforming, thus allowing owners and residents to easily obtain permits for expansion or replacement or for new residential construction. Some lenders and insurance companies are reluctant to back nonconforming uses.*
- Whether the proposed rezoning will create an illegal “spot zone.” *No spot zone would be created by these rezonings. The R3, R2 and R1 zoning classifications and the land uses permitted thereunder are already widespread through this part of far northwest Detroit.*

CONCLUSION

Based on the above analysis, CPC staff finds that the proposed rezonings satisfy the approval criteria of Chapter 50, Article III, Division 3, Sec. 50-3-70 of the 2019 Detroit City Code. Further, nine of the eleven locations—the RMA/PDs—are proposed to be rezoned to zoning classifications which the

Planning and Development Department has found to be “consistent” or “generally consistent” with the Master Plan.

For the 81-lot site on Lenore and Woodbine where the proposed zoning is not consistent with the Master Plan’s retail/commercial vision for future development, the proposed zoning is justified and appropriate for restoring existing properties to a conforming zoning status. The replacement of the lapsed authorization for PD development at the nine-acre remnant of the former golf course by restoring the previous zoning is consistent with the mandate of Sec. 50-3-98.

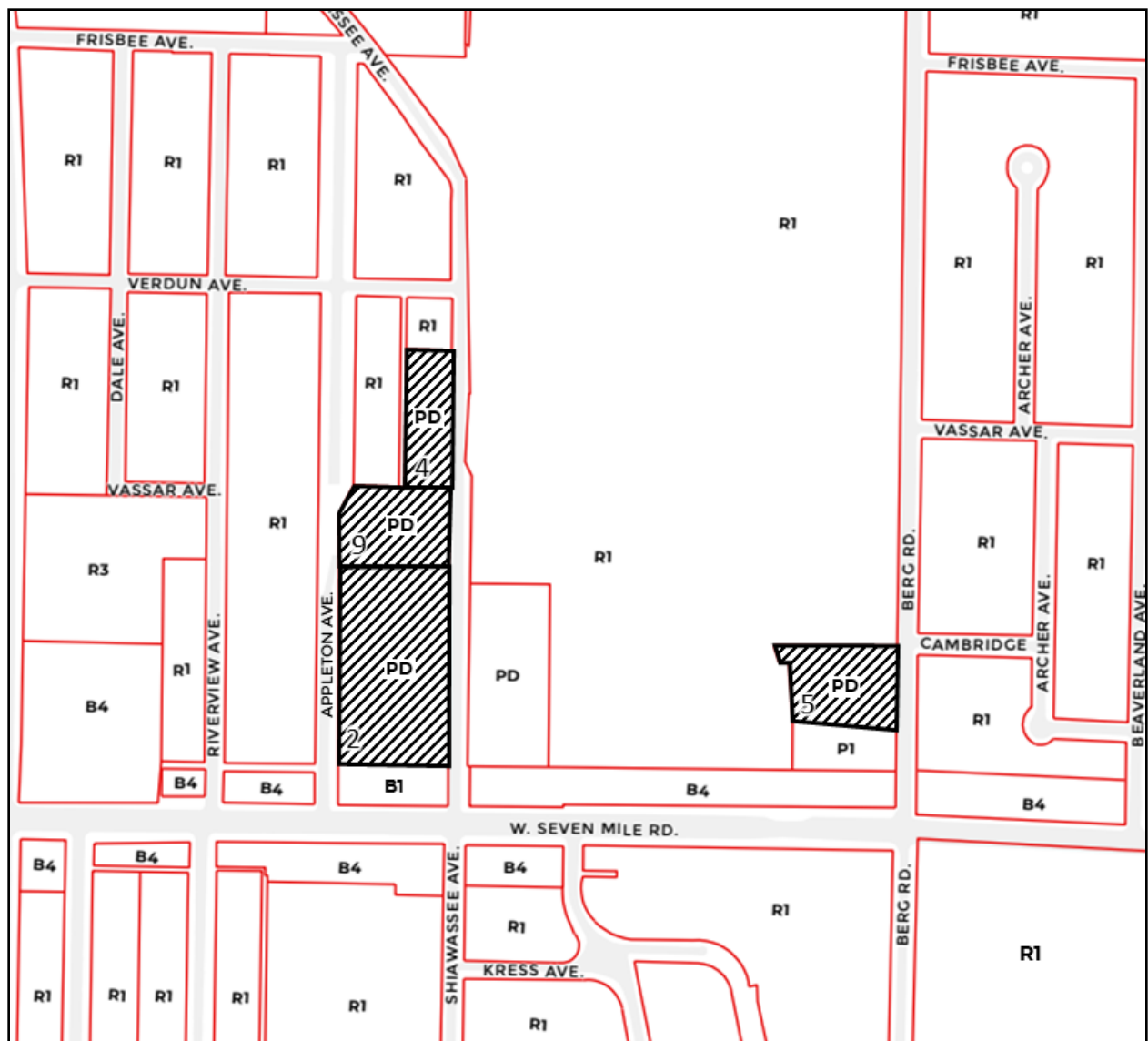
City Planning Commission staff recommends approval of the rezoning of the eleven subject PD locations as proposed in the notice of public hearing as indicated below:

1. To rezone land currently shown as **PD (Planned Development District)** to the **R3 (Low-Density Residential District)** classification at eight locations:
 - SITE #1. Three split-zoned lots on the north side of West Seven Mile between Woodbine and Lenore, commonly known as 24224, 24270, and 24290 West Seven Mile.
 - SITE #2. Two “through lots” north of West Seven Mile between Shiawassee and Appleton, commonly known as 19130 and 19220 Appleton.
 - SITE #3. One lot south of West Seven Mile on the east side of Fenton, commonly known as 18980 and 19000 Fenton.
 - SITE #4a and SITE #4b. One lot, east of Telegraph Road, containing two buildings on the west side of Shiawassee between West Seven Mile and Verdun, commonly known as 19301 Shiawassee and one 2.8-acre lot, west of Telegraph Road, on the west side of Woodbine 300 feet north of West Seven Mile, commonly known as 19225 Woodbine.
 - SITE #5. Two lots on the west side of Berg Road, just east of Greater Grace Temple, between West Seven Mile and Cambridge, commonly known as 19143 and 19173 Berg.
 - SITE #6. Eight lots north of West Seven Mile between Lenore and Grandview, commonly known as 19141, 19160, and 19191 Winston and 19120, 19140, and 19180 Grandview, and 24620 West Seven Mile, and 19185 Lenore.
 - SITE #7. One lot at the northeast corner of Telegraph and Frisbee, commonly known as 19800 Telegraph.
 - SITE #9. One lot on the west side of Shiawassee between West Seven Mile and Verdun, commonly known as 19255 Shiawassee.
2. To rezone land currently shown as **PD (Planned Development District)** to the **R5 (Medium-Density Residential District)** classification at one location:
 - SITE #8. Two lots on the north side of Shiawassee between Fenton and Grandview, commonly known as 24540 and 24570 Shiawassee.

3. To rezone land currently shown as **PD (Planned Development District)** to the **R2 (Two-Family Residential District)** classification at one location:
 - SITE #10. Eighty-one lots, (11 vacant residential lots and 70 lots with houses), from 770 feet north of West Seven Mile toward Frisbee: 31 of the 81 on the east side of Woodbine, commonly known as 19254 through 19534 Woodbine (even); 29 of the 81 on the west side of Woodbine, commonly known as 19261 through 19511 Woodbine (odd); and 21 of the 81 on the east side of Lenore, commonly known as 19280 through 19514 Lenore (even).
4. To rezone land currently shown as **PD (Planned Development District)** to the **R1 (Single-Family Residential District)** classification at one location:
 - SITE #11. One lot covering approximately nine acres of the former 46-acre Bonnie Brook golf course on the east side of Telegraph Road (US-24) between Frisbee and West Eight Mile Road (M-102), commonly known as 20400 Telegraph.

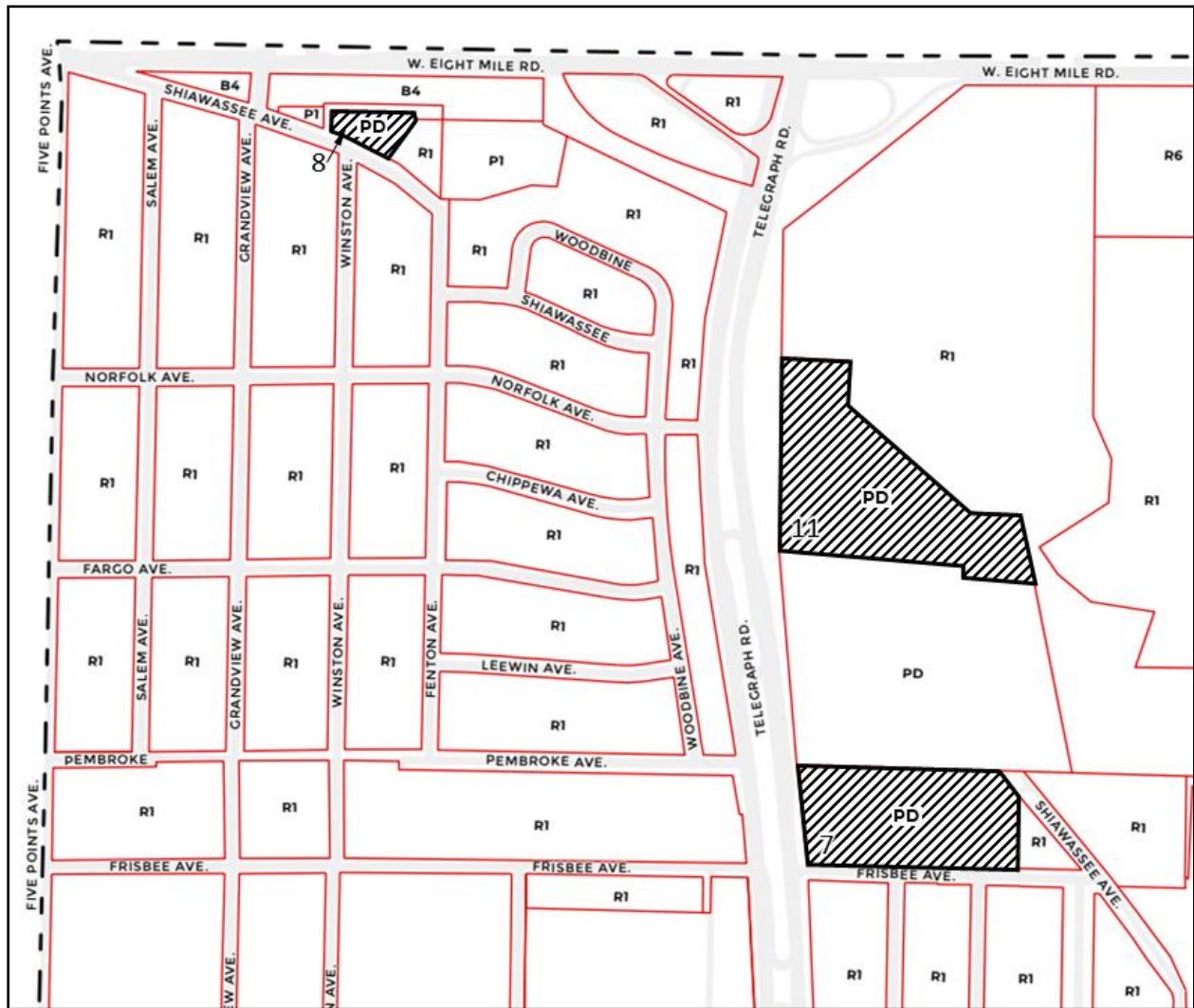
Attachments

cc: Alexa Bush, Director, P&DD
Dara O'Byrne, Deputy Director, P&DD
Karen Gage, P&DD
Greg Moots, P&DD
David Bell, Director, BSEED
James Foster, BSEED
Jayda Philson, BSEED
Bruce Goldman, Law Department
Daniel Arking, Law Department



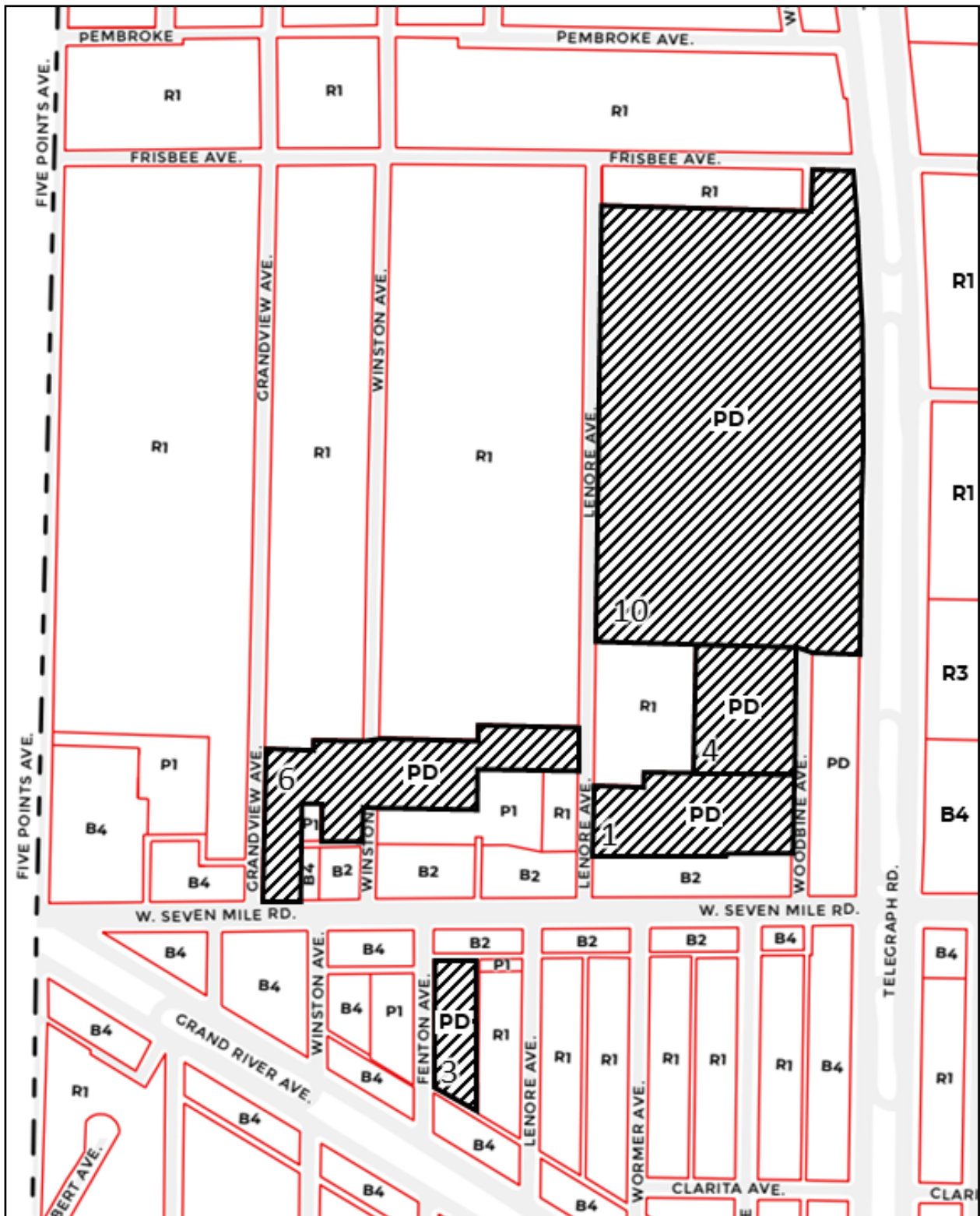
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The numbers correspond to the descriptions on page s 7-8.



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