

City of Detroit

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TO: City Planning Commission

FROM: Timarie Szwed, City Planner
M. Rory Bolger, City Planner

RE: The initiative of the City Planning Commission to amend Article XVII, Section 50-17-49, District Map No. 47 of the 2019 Detroit City Code, Chapter 50, Zoning firstly to show an R3 (Low Density Residential District) zoning classification where a PD (Planned Development District) zoning classification is currently shown for sixteen lots on Yosemite Avenue and Riviera Avenue in the vicinity of Chapple Hill Missionary Baptist Church on Joy Road near Grand River Avenue, namely 9230, 9231, 9236, 9237, 9243, 9251, 9255, 9261 and 9267 Yosemite and 9238, 9248, 9256, 9266, 9276, 9286, and 9320 Riviera, and secondly to show an R2 (Two Family Residential District) zoning classification where a PD (Planned Development District) zoning classification is currently shown at 3761 and 3767 Humphrey Avenue in the vicinity of St. Paul AME Zion Church on Dexter Avenue between Lawrence and Humphrey.

DATE: October 2, 2024

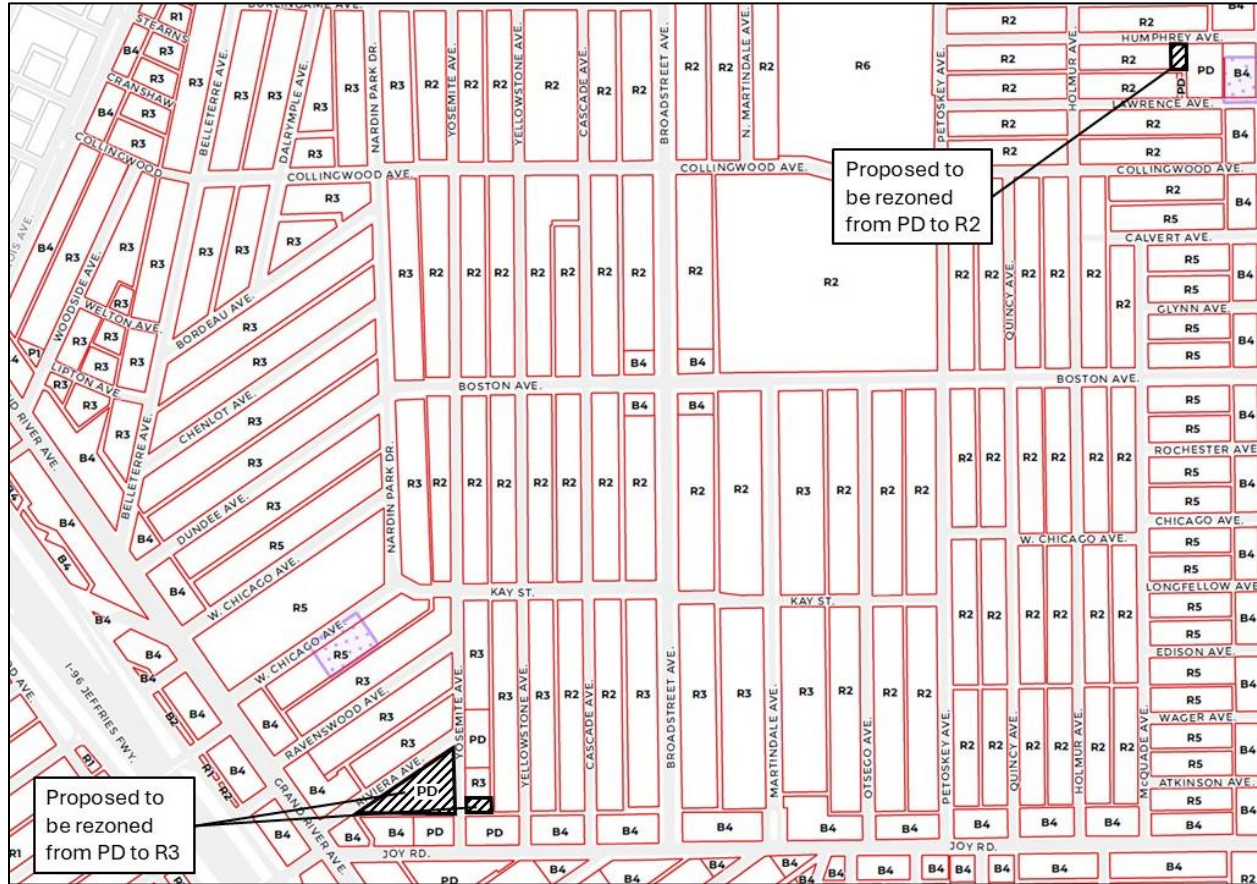
On October 3, 2024, the City Planning Commission (CPC) will convene a 5:15 PM public hearing to consider the rezoning of land at two unrelated locations on zoning district Map No. 47 on the near west side of Detroit. At both locations, land which is currently zoned PD (Planned Development District) is proposed to be rezoned to zoning classifications consistent with the Master Plan. These properties were previewed for rezoning at the Planning Commission's meeting of July 25, 2024. Both locations are found in Council District 7. The locations are indicated on the map below.

Location 1

16 undeveloped lots in the vicinity and under the control of Chapel Hill Missionary Baptist Church, currently zoned PD, are proposed to be rezoned to R3 (Low-Density Residential District) in the vicinity of Joy Road and Grand River, namely 9230, 9231, 9236, 9237, 9243, 9251, 9255, 9261, and 9267 Yosemite Avenue and 9238, 9248, 9256, 9266, 9276, 9286, and 9320 Riviera Avenue.

Location 2

Two lots which are currently zoned PD are proposed to be rezoned to R2 (Two-Family Residential District), namely 3761 and 3767 Humphrey Avenue. The subject properties are found on the block bounded by Humphrey on the north, Dexter on the east, Lawrence on the south, and Holmur to the west in the vicinity of St. Paul AME Zion Church on the west side of Dexter Avenue between Lawrence and Humphrey Avenues.



The “PD Project”

As the City Planning Commission (CPC) will note from staff’s presentations at several previous CPC meetings, some 403 locations in the city of Detroit are zoned in the Planned Development (PD District) classification. Because the authorizations for those PDs have a limited “shelf life,” staff is identifying those locations that do not comport with the current Chapter 50 of the 2019 Detroit City Code, *Zoning*, and for which a rezoning may be needed. Earlier this year, the CPC recommended approval of the rezoning of the “lapsed PD” on zoning district map No. 44, the Salvation Army property (Selden, 18th, Magnolia, and Humboldt Streets) to a more appropriate R5 District classification; Conner Avenue property opposite City Airport, rezoned to R2; and industrial land in the Research Park West, downzoned to M2 and SD2.

CPC staff continues to audit the existing PDs for appropriate rezonings. Map No. 47 presents two opportunities to reconcile Chapter 50’s zoning maps with the vision of future general land use envisioned in the Master Plan.

Zoning history of subject properties

Location 1. Ordinance No. 27-02 went into effect on December 19, 2002 for the purpose of rezoning twenty-seven parcels at the intersections of Yosemite and Joy Rd, and Yosemite and Riviera, 16 of which are the subject of the proposed rezoning. The original PD called for the development of a 58-unit senior housing complex, seven townhomes, a charter school and parking lots with 233 spaces. The PD was modified in March 2004, specifically for the subject parcels of this rezoning, to allow for 12 townhomes rather than the 58-unit housing complex. The townhomes were not constructed, and today the land remains undeveloped, prompting the reason they are proposed for rezoning.

Location 2. Ordinance No. 550-G went into effect on October 6, 1970 for the purpose of rezoning land at 11421 Dexter, 3760 Lawrence, and 3761 and 3767 Humphrey Avenues from R2 to PD for the development of a high-rise senior residential housing tower. A 12-story apartment building was constructed on the Dexter property and the Lawrence Avenue lot was used for associated parking. The two lots on Humphrey Avenue, however, were never acquired by the church or included in the senior housing development. Those two lots contain single-family dwellings which predate the PD development plan and are inconsistent with the PD plan; for that reason, they are proposed to be rezoned.

PLANNING CONSIDERATIONS

Current Zoning

PD – Planned Development District

The PD district will permit planned developments throughout the City and will be particularly useful in urban renewal areas. Such planned developments shall be substantially in accord with the goals and objectives of the Master Plan, by having a major land use that corresponds to the most general category of land use, which are Residential, Public/Civic/Institutional, Retail/Service/Commercial, Manufacturing and Industrial, and Other, proposed in the Master Plan for the area involved. Such planned developments shall provide a desirable environment for the uses proposed and shall not be out of harmony with their general surroundings. The regulations of the district are designed to accomplish this by permitting flexibility in overall development while ensuring adequate safeguards and standards for public health, safety, convenience, and general welfare and, where applicable, encouraging historic preservation.

Proposed Zoning

R2 – Two-Family Residential District (proposed for Location 2)

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 and family day care homes.

R3 – Low-Density Residential District (proposed for Location 1)

The R3 Low Density Residential District is designed as a low-density multi-family district intended to be used primarily along local thoroughfares. The district regulations are designed to promote and encourage a suitable environment for family life. Permitted by-right uses include single- and two-family dwellings, townhouses, multi-family dwellings, and community facilities necessary to serve a residential district.

Surrounding Zoning and Land Use

The zoning classification and land uses for nearby properties are as follows:

Location 1.

North: R3 - single-family dwellings and vacant land
East: R3 – single-family dwellings
South: B4 and PD – commercial and religious use
West: B4 – multi-family residential and commercial

Location 2.

North: R2; vacant land and single-family dwellings.
East: PD; senior housing tower.
South: R2; vacant land and single-family dwellings.
West: R2; vacant land and single-family dwellings.

Master Plan Consistency

Both locations on Map No. 47 are found within Neighborhood Cluster 6 in the Winterhalter subsector.

Location 1. The future general land use classification for the parcels on Riviera and Yosemite are “Thoroughfare Commercial and “Low-Medium Density Residential.” Prior to the current PD zoning, the parcels had been zoned R3 and B4. Since the historic Riviera Theater was demolished, the commercial designations for the surroundings seem less appropriate.

Location 2. The future general land use classification for the two lots on Humphrey Avenue is “Low-Medium Density Residential,” a classification which aligns with the proposed R2 zoning district. Prior to the 1970 PD rezoning, 3761 and 3767 Humphrey had been zoned R2

Outreach

All properties within 300 feet of the two locations have been mailed notifications about the public hearing on October 3rd. Taxpayers of record for all affected lots were informed in advance over the past year regarding this upcoming rezoning initiative.

Location 1 – All subject parcels are owned by Chapel Hill Missionary Baptist Church. CPC staff contacted Reverend Lamont Smith from Chapel Hill MBC and had multiple communications with him regarding the rezoning. Staff investigated the church’s future plans for the land and were informed that there are no plans to develop multi-family housing as described in the PD in the foreseeable future.

Rev. Smith expressed the following concerns to staff (staff responses are in italics):

1. Will the rezoning impact Chapel Hill MBC's ownership of the subject parcels?
Rezoning of the property will in no way change the ownership status of the property.
2. Will the current way in which Chapel Hill MBC utilizes the subject parcels continue to be permitted? *Chapel Hill MBC has continued to utilize the subject parcels as they did prior to the PD designation, there should be no issue in continuing said uses. Additionally, multi-family housing is permitted in the proposed R3 zoning.*

After receiving clarification to the above questions and concerns, Rev. Smith stated that Chapel Hill MBC does not oppose efforts to rezone the 16 parcels.

Location 2. Neither of the taxpayers of record on Humphrey Avenue has responded to indicate support or opposition, nor have they sought clarification regarding the proposed rezoning. One house is owner-occupied, while the owner of the other house resides elsewhere in the city.

Because the 12-story apartment building has been vacant for a number of years, it was unclear whether the PD for 11421 Dexter should also be considered for rezoning. Fortunately, a developer has received State approval of Low-Income Housing Tax Credits (LIHTC) for rehabilitation of the senior building and anticipates a closing during the Fall of 2024. Icon Heritage Partners is the developer.

The lone property on Lawrence Avenue is owned by the Detroit Land Bank Authority and has not been included in this proposed rezoning given the housing developer's intent to acquire that property for inclusion in the to-be-re-occupied PD.

Attachment: Notice of Public Hearing

cc: Antoine Bryant, Director, PDD
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