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# City of Detroit

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**TO:** City Planning Commission

**FROM:** Christopher Gulock, AICP, Staff

**RE:** **Request from Pogoda Companies to rezone 15999 Joy Road and a portion of 15801 Joy Road from an R5 (Medium Density Residential) and an M4 (Intensive Industrial) zoning classification to a B4 (General Business District) zoning classification to develop a self-storage facility/public storage house (RECOMMEND DENIAL)**

**DATE:** June 14, 2019

## RECOMMENDATION

The City Planning Commission (CPC) staff recommends **DENIAL** of the request of the Pogoda Companies to amend Article XVII, District Map No. 40 of the 1984 Detroit City Code, Chapter 61, Zoning, by showing a B4 zoning classification where an R5 and M4 zoning classification currently exists on property at 15999 Joy Road and a portion of 15801 Joy Road.

## BACKGROUND AND REQUEST

The subject property, which is located at the southeast corner of Joy Road and St. Mary's Avenue, is presently zoned R5 with the smaller M4 section at the northeast corner of the property. The site, which is currently owned by the Episcopal Diocese of Michigan, contains 4 acres and is presently vacant with grass and trees.

Zoning Map #40 from 1940 shows the subject area south of Joy Road and west of Greenfield zoned as heavy manufacturing, most likely due to the proximity to the rail corridor to the south. The 1968 zoning map shows the subject area zoned M4. In the past, the Episcopal Diocese of Michigan owned overall about 22 acres in this area, which included St. Martha's Church built in 1954, St. Peter Home for Boys, and a small cemetery. In 2007, due to dwindling membership, St. Martha's ceased holding regular Sunday services and sold the building to Triumph Church. In 2010, St. Peter Home for Boys closed and was later demolished.

In 2007, Presbyterian Villages of Michigan and Saint Luke's Health Ministries petitioned the City to rezone the aforementioned 22 acres to R5 (except for two small M4 areas). This request was approved by City Council (Ordinance No 25-07) in order to allow for the development of the Presbyterian Villages of Michigan facility west of the church, as well as a senior continuum of care retirement community on the south and east edges of the campus including 11 apartment

buildings adjacent to the church and home for boys. In 2008, Presbyterian Villages constructed the Village of St. Martha's, a 3-story senior independent living facility on 2.8 acres. Saint Luke's Health Ministries project was never built.

Pogoda Companies is proposing to purchase the subject 4 acres and construct a self-storage development with free-standing units including climate controlled and standard units in a drive up configuration. Pogoda Companies, founded in 1987 and based out of Farmington Hills, MI, is one of Michigan's largest self-storage operators and brokers in 35 locations. A preliminary site plan for the proposal shows 7 rectangular shaped buildings. The Zoning Ordinance first allows public storage houses as conditional in B4 and B5 and by-right in M1 through M5.

## **PUBLIC HEARING RESULTS**

On May 16, 2019, the City Planning Commission held a public hearing on the rezoning request. At the hearing, the petitioner provided an overview of the development, including:

- The petitioner explained how the facility would operate;
- The company's research showed the area is underserved for storage facilities; and
- The project is proposing simulated wrought iron along Joy Road and to save any many mature trees as possible.

At the hearing, an administrator of St. Martha's spoke in opposition and 4 residents of St. Martha's spoke in opposition. Some of the concerns included:

- The proposed commercial use would be incompatible with the adjacent residential senior building;
- There are concerns about traffic, noise, lighting, visual impacts, neighborhood security, etc.; and
- The facility should be built in a non-residential area.

During the hearing, the City Planning Commissioners also discussed the following issues:

- One Commissioner noted at recent community meetings held on the proposal, it appeared the majority of residents who attended were not interested in the proposed facility;
- One Commissioner stated the proposed use can be very helpful to have in a community, especially if a house has flooding problems, etc., and
- One Commissioner raised concerns about the loss of the natural green area and asked for a review of the types of businesses allowed in B4.

## **STAFF ANALYSIS**

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

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

North: B4; developed with a church, party store, vacant land, and apartments  
East: R5; developed with a senior independent living facility  
South: M4; vacant land, and Rail Road  
West: B4 and R3; vacant with residential beyond

### ***Zoning Ordinance Criteria***

Section 61-3-80 of the Detroit Zoning Ordinance lists eight approval criteria on which zoning map amendments must be based. CPC staff's analysis of the criteria is as follows:

1. *Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend or fact;*  
The proposed amendment would not correct an error on the zoning map. Regarding changing trends, in 2007, the subject area was rezoned from M4 to R5 to encourage medium density residential development west of the existing church.
2. *Whether the proposed amendment is consistent with the Master Plan and the stated purposes of this Zoning Ordinance;*  
The subject site is located within the Brooks area of Neighborhood Cluster 7 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows Institutional for the subject area. It is assumed this area was designated Institutional, because over the last 60 plus years, the area has included the church, boys home, and 2 former high schools to the south.
3. *Whether the proposed amendment will protect the health, safety, and general welfare of the public;*  
It is staff's determination, the proposed zoning map amendment would not serve to protect the general welfare of the public. The B4 district provides for business and commercial uses of a thoroughfare-oriented nature. In the 2008, Presbyterian Villages of Michigan constructed the 3-story senior building with 46 apartments. The proposed zoning map amendment would adversely affect the general welfare, because it could result in the establishment of commercial uses of a thoroughfare-oriented nature that would negatively impact the existing residential character of the area.
4. *Whether the City and other service providers will be able to provide adequate public facilities and services to the subject property, while maintaining adequate levels of service to existing development;*  
Not applicable.
5. *Whether the proposed rezoning will have significant adverse impacts on the natural environment, including air, water, soil, wildlife, and vegetation and with respect to anticipated changes in noise and regarding stormwater management;*  
The existing site is developed with a number of mature trees. The developer indicated a willingness to save as many mature trees as possible. The nature of most commercial uses is to have high visibility from the adjacent commercial corridor. There is a higher probability that developing the site with medium density residential uses would result in the need to remove less existing vegetation. Furthermore, the proposed development would have a significant number of buildings and paved area to access the buildings, which would leave little remaining permeable surface area on the entire 4 acre site.
6. *Whether the proposed amendment will have significant adverse impacts on other property that is in the vicinity of the subject tract;*  
The proposed rezoning has the potential to have significant adverse impact on the property that is in the vicinity of the subject tract. The subject site contains 4 acres with a depth of 587 feet along St. Mary's Avenue. The proposed commercial use would bring additional

lighting, traffic, noise, and activity in close proximity to the adjacent 3-story senior building adjacent to the site.

7. *The suitability of the subject property for the existing zoning classification and proposed zoning classification; and*

While there presently is some B4 zoned land (vacant) on the south side of Joy Road just west of St. Mary's Avenue. The larger tract of land to the west is zoned R3 (Low Density Residential) which is presently vacant and to the east which is zoned R5 which is developed with senior housing and vacant space owned by the nearby church. As a result, the proposed B4 commercial land would be located primarily between two residentially zoned areas. The subject request might be more appropriately at the intersection of two major thoroughfares. Furthermore, the character of the Joy Rd. frontage along this segment is more residential/institutional with most development setback from the propertyline.

8. *Whether the proposed rezoning will create an illegal "spot zone."*

Not applicable.

## CONCLUSION

In conclusion, based on the public hearing, above analysis and review of the Section 61-3-80 criteria of the Zoning Ordinance, CPC staff finds the menu of B4 uses presents too many potential conflicts with existing development and the pattern of development along this segment of the Joy Rd corridor. Therefore, staff recommends **DENIAL** of the rezoning request.

cc: Maurice Cox, Director, P&DD  
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Mona Ali, District Manager  
David Bell, Director, BSEED  
Lawrence Garcia, Corp. Counsel