

Alton James
Chairperson
Lauren Hood, MCD
Vice Chair/Secretary

Marcell R. Todd, Jr.
Director

City of Detroit

CITY PLANNING COMMISSION
208 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Phone: (313) 224-6225 Fax: (313) 224-4336
e-mail: cpc@detroitmi.gov

Brenda Goss Andrews
Damion Ellis
David Esparza, AIA, LEED
Gregory Pawlowski
Frederick E. Russell, Jr.
Angy Webb

REVISED REPORT

October 31, 2019

HONORABLE CITY COUNCIL

RE: The request of Fusco, Shaffer & Pappas, Inc. (Petition No. 642) on the behalf of its client, NSO Properties, to amend Article XVII, District Map 12 of the 2019 Detroit City Code, Chapter 50, Zoning by modifying the existing PD (Planned Development District) zoning classification established by Ordinance No. 12-17 on land bounded by Mack Avenue to the north, Ellery Street to the east, Ludden Street to the south, and Elmwood Avenue to the west.
(RECOMMEND APPROVAL)

On June 20, 2019, the City Planning Commission voted to recommend approval of a major modification to the PD established by Ordinance No. 12-17 to establish a multi-purpose emergency shelter and permanent housing development with supportive services slated to be developed at Mack Avenue and Ludden Avenue in the McDougall-Hunt neighborhood.

NATURE OF REQUEST

The CPC has completed its review of the request of Fusco Schaffer & Pappas Inc. on behalf of its client, Neighborhood Service Organization (NSO), to amend Article XVII, District Map 12, of the 2019 Detroit City Code Chapter 50, Zoning by modifying the existing PD (Planned Development District) zoning classification established by Ord. 12-17, on 3.16 acres of land generally bounded by Mack Avenue to the north, Ellery Street to the east, Ludden Street to the south, and Elmwood Avenue to the west. NSO was previously approved in March of 2017 to develop permanent housing, an emergency shelter with supportive services and accessory uses on the subject property. Subsequently a minor modification to the approved site plans was approved in April of 2018

In January of this year Your Honorable Body was informed of yet another minor change to the previously approved site plans adopted by Ord. 12-17. Given the unforeseen circumstances of a short fall in revenue due to the Illitch's failure to the follow through on the purchase of the current NSO facility (Tumaini Center) at Third Street and Martin Luther King, Jr. Blvd., as well as the unexpected \$1.2 million additional cost associated with building the previously approved multi-use site plans to the State of Michigan's building code standards, this item was resubmitted to the City Planning Commission for further modification

Public support for the project has resulted in the additional capital for phase two, of what is now known as the Clay Service Center development.

BACKGROUND

NSO currently operates the Tumaingi Center at 3450 Third Avenue, just south of Martin Luther King, Jr. Blvd., providing an emergency shelter and supportive service for the City of Detroit's homeless population. For the past eight years, they have sought to relocate the Tumaingi Center and develop a larger facility providing the same and greater services. The project, previously identified as the Sanctuary, is now known as the Clay Apartments, and NSO is now seeking approval of a modification to the approved plans of this PD district in order to proceed with the redevelopment of the eastern portion of the site.

Previously, Ord. 12-17 was modified to allow for the construction of a 37,167 sq. ft. facility. The approved facility currently under construction will provide 42 units of permanent supportive housing in a two story structure. The land use is identified as "single-room-occupancy (SRO) housing," which is permitted in the PD zoning district.

PROJECT PROPOSAL

The proposed modification now before Your Honorable Body is to allow for the construction of an additional one-story, 21,915 sq. ft. facility which will serve as a homeless shelter with 56 cots and an array of supportive services. The NSO/Clay Shelter will serve approximately 56 full-time clients per day, both men and women. The NSO Clay Service Center will provide substance abuse and mental health treatment, health care services, education, crisis intervention and referral services. The future NSO Service Center will be open 24 hours a day, 7 days a week for most of the year but will be closed 8 p.m.-8 a.m. on Saturdays and Sundays from April 1st through October 31st.

The cladding of the proposed building is brick and metal panel of varied colors, texture, and patterns similar to that which was approved via Ordinance No. 12-17. A 77-space surface parking lot will be provided. Outdoor recreation facilities, security walls and heavily landscaped areas, including rain gardens are included in the proposed site plans.

The permanent supportive housing will provide forty-two (42) 1-bedroom apartments with supporting amenities. The main entry will be located on the first floor with the units and amenities to be housed on both the first and second floors.

SURROUNDING LAND USE AND ZONING

To the North – institutional, parking and residential/commercial and scattered vacant land beyond-B2 (Local Business and Residential District)

To the South – residential – R2 (Two-Family Residential District)

To the East – commercial service/office/vacant land beyond, B2

To the West – commercial retail and office/residential–B2, B4 (General Business District)

COMMUNITY MEETINGS & PUBLIC HEARING

The CPC held a public hearing on the proposed PD modification on June 20, 2019. There were no members of the public present who spoke in support or opposition of the proposed modification. NSO is seeking further community reaction to this PD modification. Given that changes represent a return to the previously approved density and scope from the approved project via Ordinance No. 12-17, staff has been instructed to work with the Department of

Neighborhoods to garner community feedback. It is our intent to monitor the proceedings of ongoing community meetings with the McDougall Hunt CDC.

ANALYSIS

As eluded to above, the proposed modification results in a return to a previously considered and approved scale and more intensive operation. The one-story configuration is more compatible with surrounding building heights and facades. Initially, the entirety of the development consisted of one large facility, however, the revised plans for the development call for two smaller scaled buildings.

The site plan also includes of a basketball half court, horse shoes courts and a picnic area as the outdoor activities available.

Section 50-3-97 of the Zoning Ordinance provides the criteria for determining whether a proposed PD modification is major or minor. Sec. 50-3-97 states in part that:

“All approved site plans, elevations, and other development proposals, including proposed uses, may be amended, pursuant to the same procedure and subject to the same limitations and requirements by which said plans and proposals were initially approved.”

Three of the five criteria which distinguish a major from a minor modification have been met, given a change in character of the development by the division of the originally proposed single structure development into two structures resulting in an increase in the ratio of gross floor area to zoning lot area in excess of five percent (5%) as well as an increase in coverage by a structure.

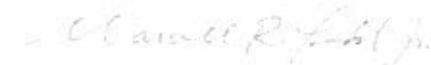
CONCLUSIONS AND RECOMMENDATIONS

The CPC voted on June 20, 2019 to recommend approval of the proposed PD modification with the following condition:

1. Prior to making application for applicable permits, final site plans, elevations, landscaping, lighting and signage plans shall be submitted to the City Planning Commission staff for review and approval for consistency with the plans approved by the City Council.

Respectfully submitted,

ALTON JAMES,
CHAIRPERSON



Marcell R. Todd, Jr, Director
George A. Etheridge, Staff

Attachments:
Site Plans

SUMMARY

An ordinance to amend Chapter 50 of the 2019 Detroit City Code, '*Zoning*,' commonly known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No. 12 to modifying an existing PD (Planned Development District) zoning classification established by Ordinance No. 12-17, on land bounded by Mack Avenue to the north, Ellery Street to the east, Ludden Street to the south, and Elmwood Avenue to the west, to enable the development of the Neighborhood Services Organization's Clay Apartments, which will provide permanent supportive housing and services.

1 **BY COUNCIL MEMBER _____:**

2 **AN ORDINANCE** to amend Chapter 50 of the 2019 Detroit City Code, ‘Zoning,’
3 commonly known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No.
4 12, by modifying the existing PD (Planned Development District) zoning classification
5 established by Ordinance No. 12-17 on land bounded by Mack Avenue to the north, Ellery Street
6 to the east, Ludden Street to the south, and Elmwood Avenue to the west, to enable the
7 development of the Neighborhood Services Organization’s Clay Apartments, which will provide
8 permanent supportive housing and services.

9 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:**

10 Section 1. Article XVII, Chapter 50 of the 2019 Detroit City Code, ‘Zoning,’ commonly
11 known as the Detroit Zoning Ordinance, is amended as follows:

12 (A) District Map No. 12, is amended to modify the existing PD (Planned
13 Development District) zoning classification established by Ordinance No. 12-17
14 to enable the development of the Neighborhood Services Organization’s Clay
15 Apartments, which will provide permanent supportive housing and services, on
16 land bounded by Mack Avenue to the north, Ellery Street to the east, Ludden
17 Street to the south, and Elmwood Avenue to the west, and more specifically
18 described as follows:

19 A PARCEL OF LAND LOCATED IN THE CITY OF DETROIT,
20 COUNTY OF WAYNE, STATE OF MICHIGAN, DESCRIBED AS:

21
22 LOTS 1 AND 2, BLOCK 7 OF “ZENDERS SUBN. OF THE
23 SOUTHERLY PARTS OF LOTS 16, 17 & 18 SUBN. OF THE LEIB

1 FARM, P.C. 15, ALSO ALL OF OUT LOTS 40 & 41 SUBN. OF THE G.
2 HUNT FARM, P.C. 182, LYING BETWEEN GRATIOT AVE. AND
3 LUDDEN ST.”, ACCORDING TO THE PLAT THEREOF AS
4 RECORDED IN LIBER 14 OF PLATS, PAGE 4, WAYNE COUNTY
5 RECORDS, ALSO LOTS 1 THROUGH 20, INCLUSIVE, INCLUDING
6 THE 18 FOOT VACATED ADJACENT ALLEY, OF “SMITH’S
7 SUBDIVISION OF LOTS 1 TO 20, BOTH INCLUSIVE, OF MRS.
8 RICH'S SUBDIVISION OF PART OF LOTS 38 AND 39 OF GEORGE
9 HUNT FARM”, ACCORDING TO THE PLAT THEREOF AS
10 RECORDED IN LIBER 23 OF PLATS, PAGE 32 WAYNE COUNTY
11 RECORDS, ALSO, LOTS 11 THROUGH 16, INCLUSIVE, OF
12 “MEIER’S SUBDIVISION OF THAT PART OF OUT LOT 37, P.C. 182,
13 BETWEEN LUDDEN STREET AND GRATIOT AVENUE”, AS
14 RECORDED IN LIBER 27 OF PLATS, PAGE 100 WAYNE COUNTY
15 RECORDS, ALSO, THAT PART OF OUT LOT 36 LYING BETWEEN
16 LUDDEN AND MACK, OF PLAT OF THE “GEORGE HUNT FARM,
17 SOUTH OF THE GRATIOT ROAD, AS SUBDIVIDED BY A. E.
18 HATHON”, 1846, ACCORDING TO THE PLAT THEREOF AS
19 RECORDED IN LIBER 27, PAGE 251 DEEDS, WAYNE COUNTY
20 RECORDS, BEING MORE PARTICULARLY DESCRIBED AS:
21
22 COMMENCING AT THE NORTHEAST CORNER OF LOT 8, BLOCK
23 7 OF SAID ZENDER’S SUBN., THENCE ALONG THE SOUTH LINE

1 OF MACK AVENUE (66 FEET WIDE) S. 64°00'00" W. 211.14 FEET
2 TO THE POINT OF BEGINNING; THENCE S. 26°00'00" E. 173.44
3 FEET; THENCE ALONG THE NORTH LINE OF LUDDEN STREET
4 (50 FEET WIDE) S. 60°00'49" W. 698.15 FEET; THENCE ALONG
5 THE EAST LINE OF ELMWOOD STREET (60 FEET WIDE) N.
6 26°00'00" W. 221.98 FEET; THENCE ALONG SAID SOUTH MACK
7 AVENUE N. 64°00'00" E. 696.46 FEET TO THE POINT OF
8 BEGINNING, CONTAINING 137,699 SQUARE FEET OR 3.16 ACRES
9 OF LAND MORE OR LESS, BEING SUBJECT TO EASEMENTS AND
10 RESTRICTIONS OF RECORD.

11
12 (B) The Detroit City Council approves the modification of the PD as described
13 above, and the corresponding development proposal, including the drawings
14 prepared by Fusco, Shaffer & Papas Inc. and dated May 31, 2019, subject to the
15 following conditions:

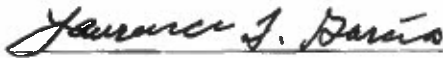
- 16 1. The site plan shall be revised to show interior landscaping consistent with
17 the standards set forth in Sec. 50-12-299 for off-street parking areas;
- 18
19 2. That final site plans, elevations, landscape, lighting and signage plans
20 shall be submitted to the staff of the City Planning Commission for review
21 for consistency with the approved plans and approval prior to application
22 being made for applicable permits.

1 **Section 2.** All ordinances or parts of ordinances in conflict with this ordinance
2 are repealed.

3 **Section 3.** This ordinance is declared necessary for the preservation of the public peace,
4 health, safety, and welfare of the people of the City of Detroit.

5 **Section 4.** This ordinance shall become effective on the eighth (8th) day after publication
6 in accordance with Section 401(6) of Public Act 110 of 2006, as amended, Michigan Compiled
7 Laws Section 125.3401(6) and Section 4-118, paragraph 3, of the 2012 Detroit City Charter.

Approved as to Form:



Lawrence Garcia
Corporation Counsel