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Marcell R. Todd, Jr.
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City of Detroit
CITY PLANNING COMMISSION
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January 6, 2022

HONORABLE CITY COUNCIL

RE: The request of North Corktown Butternut Inc to amend Article XVII, Section 50-17-24, District Map No. 22 of the 2019 Detroit City Code, Chapter 50, Zoning, to rezone 10409, 10411, and 10417 Castle Street generally, located on the west side of Castle Street, north of Lynch Road from a R1 (Single-Family Residential) zoning classification to a M2 (Restricted Industrial) zoning classification (RECOMMEND APPROVAL)

The City Planning Commission (CPC) has received a request from the North Corktown Butternut Inc to amend Article XVII, Section 50-17-24, District Map No. 22 of the 2019 Detroit City Code, Chapter 50, Zoning, to show a M2 zoning classification where a R1 zoning classification is currently shown at 10409, 10411, and 10417 Castle Street generally located on the west side of Castle Street north of Lynch Road near City Airport. The proposed map amendment is being requested so that the petitioner can expand their existing adjacent contractor yard located at 8301 Lynch Road.

BACKGROUND AND PROPOSAL

The subject request, which is located on the west side of Castle just north of Lynch Road (east of Van Dyke and northwest of City Airport), includes three small vacant lots zoned R1 shown on the map below.



The petitioner, North Corktown Butternut Inc (NCB), has an affiliate company Premier Group Associates (PGA) which was founded in 2007 to provide lawn care and snow removal for the Detroit Public Schools. Over the years, PGA has expanded its services and is now a full-service provider of property maintenance, commercial grounds care, snow removal, construction management, etc. Since 2012, PGA has been located at 8301 Lynch Road on the north side of Lynch Road just west of Castle. PGA's present location is shown below.



PGA has an option from March 2021 to purchase the subject three lots from the Detroit Land Bank Authority (DLBA) in order to expand its operation. PGA is proposing the following on the three parcels (the proposed site plan is shown below):

- Remove all brush and debris
- Vacate adjacent city alleys north and west of the lots
- Install a gravel lot for parking and storage piles
- Install landscaping and chain-link fence along Castle with faux hedge privacy screening



THOMAS HODEBETS Architect

PREMIER GROUP ASSOCIATES - SHOP EXPANSION

Scope of Work:

- REMOVE BRUSH AND DEBRIS FROM LOT = \$10,000
- PURCHASE PRICE = \$5,000
- GRAVEL LOT = \$5,000
- FENCE = \$10,000
- TREES AND PLANTINGS = \$10,000
- FENCE AND CAMERAS = \$10,000
- TOTAL COST = \$50,000

CONCRETE AND FINISHES:

- CONCRETE AND FINISHES = 2 WEEKS
- FENCE AND CAMERAS = 4 WEEKS

SCOPE AND FINISHES:

PREMIER GROUP ASSOCIATES SUBMIT A HIGHEST AND BEST OFFER OF \$50,000 FOR THE PURCHASE OF THE LOT AND THE SHOP. THE PROJECT WILL BE FINANCED BY CASH ASSETS, SUPPORTED BY THE ATTACHED BANK STATEMENT.

DISCLAIMER:

THESE PROPOSALS ARE NOT A GUARANTEE OF ANY KIND. THE CLIENT IS ADVISED THAT THE PROJECT IS SUBJECT TO THE AVAILABILITY OF FINANCING AND THE MOST ECONOMICALLY FEASIBLE AND TECHNICALLY SOUND SOLUTION FOR THE PROJECT. THE CLIENT IS ADVISED THAT THE PROJECT IS SUBJECT TO THE AVAILABILITY OF FINANCING AND THE MOST ECONOMICALLY FEASIBLE AND TECHNICALLY SOUND SOLUTION FOR THE PROJECT. THE CLIENT IS ADVISED THAT THE PROJECT IS SUBJECT TO THE AVAILABILITY OF FINANCING AND THE MOST ECONOMICALLY FEASIBLE AND TECHNICALLY SOUND SOLUTION FOR THE PROJECT.

COMMUNITY FEEDBACK & PUBLIC HEARING RESULTS

Pre-hearing Feedback

CPC staff shared the subject request with both the District 3 City Council Member office and Department of Neighborhoods manager. The petitioner indicates that its shop manager resides on the south side Lynch Road about a quarter mile west of the PGA facility and this helps to keep it tied to the surrounding neighborhood.

On October 7, 2021, the CPC held a public hearing on the subject request. Prior to the hearing, the CPC received a letter from a nearby resident raising concerns about PGA including: the residents don't want to live in an industrial area; the company's large trucks go up and down adjacent Siebert Street; the company's employees drink in their cars on the street and throw trash on the ground; and the company needs to do a better job of keeping the area clean.

CPC staff visited the site prior to the public hearing and was surprised to find a large number of tree limbs and stumps on the subject parcels considered for rezoning. CPC staff spoke with the petitioner/owner, Andrew Housey, who indicated the company had received a large amount of tree limbs/tree stumps from recent storms which it had placed on the back subject lots. Mr. Housey indicated his company recently determined it needed more space, and as a result, recently purchased a large site at 2221 Bellevue (south of E. Vernor and east of Mt. Elliott) in Detroit. Mr. Housey/PGA representatives reached out to the resident who complained in order to explain the company's new plans and to clean up the area.

CPC Hearing Results

At the CPC hearing, Mr. Housey reviewed the company's plans. PGA staff apologized for the condition of the property and said that he would address the neighbors' concerns. They indicated they already have started to clean up the area, clear the debris, sweep the street, etc. Mr. Housey explained the Lynch and Castle site would remain as an auxiliary command center for major events like snowstorms. The site would not be used to store piles of debris, but just used for storage of materials and vehicles and used primarily during snow events.

Pat Bosch, representing the Nortown Community Development Corp., also spoke at the hearing and asked for an immediate cleanup of the area, for good landscaping plans in the future, and requested the rezoning not be approved until the applicant proves their good intentions.

At the conclusion of the hearing, the Commission asked to see any pictures of the promise to clean up the site before voting on the request.

CPC Hearing Follow-up

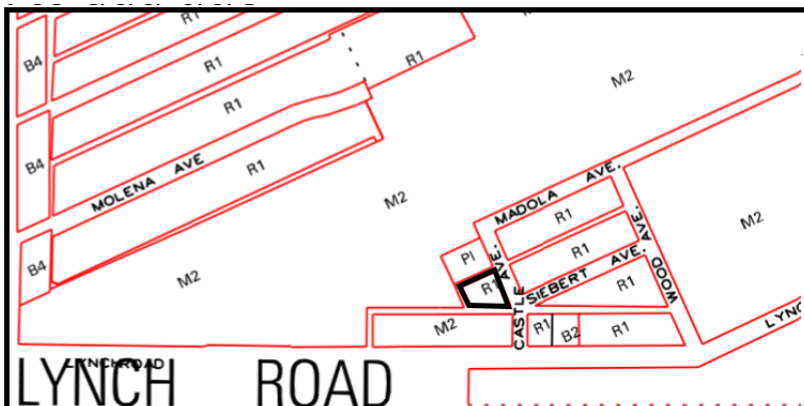
On October 19, 2021, the aforementioned neighbor who raised initial concerns told CPC staff the area is being cleaned; it had not looked like this for years; and hopefully PGA will keep up their promise to keep it clean. The neighbor and PGA sent the following pictures.



PLANNING CONSIDERATIONS

Zoning Classifications

The existing zoning map for this area is shown below.



Zoning Ordinance Criteria

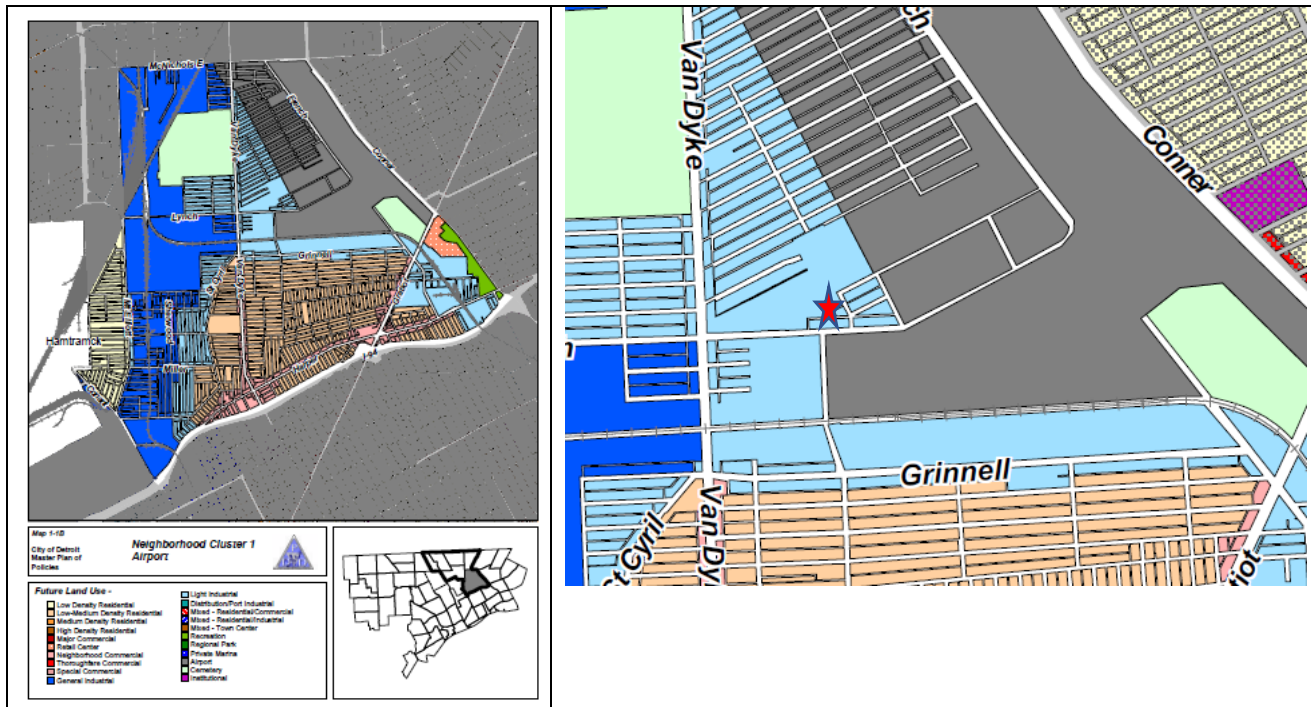
Section 50-3-70 of the Detroit Zoning Ordinance lists eight approval criteria on which zoning map amendments must be based. The CPC analysis of the criteria is as follows:

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. The proposed map amendment meets the challenge of a changing condition or trend. It appears the subject area was previously developed with single-family houses. Over the years, the single-family houses were demolished and the land has remained vacant.

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 Airport area of Neighborhood Cluster 1 of the Detroit Master Plan of Policies shown below. The Future Land Use map for this area shows Light Industrial (IL) for the subject parcels. The Planning and Development Department (P&DD) reported back that the Future General Land Use of the site is Light Industrial, and therefore the rezoning is consistent with the Master Plan.



3. *Whether the proposed amendment will protect the health, safety, and general welfare of the public;*

The CPC does not think the proposed amendment will negatively impact the health, safety, and general welfare of the public. The rezoning would allow the subject vacant area to be redeveloped as part of the adjacent light industrial use.

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;*

It is assumed the City will be able to provide adequate services to the subject property.

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 developer indicates the development will clean-up debris on the site and provide landscaping.

6. *Whether the proposed amendment will have significant adverse impacts on other property that is in the vicinity of the subject tract;*

It is not anticipated the proposed rezoning will have significant adverse impacts on other property that is in the vicinity. Land directly to the west and north is vacant and undeveloped. Land directly east on the residential street is vacant. The developer is proposing to clean the site, install lighting, landscaping, and screening.

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

It appears that the subject properties are not suitable for the existing zoning classification because over the years, the residential houses have been demolished and not replaced.

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

Land to the west and south of the subject rezoning is already zoned M2. Furthermore, the proposed rezoning is in conformance with the Master Plan. Therefore, the CPC maintains the proposed rezoning will not create a spot zone.

CONCLUSION AND RECOMMENDATION

Based on the above analysis and consistent with the approval criteria of Sec. 50-3-70 of the Zoning Ordinance, the CPC voted at its October 21, 2021 meeting to recommend **approval** of the rezoning request. The CPC and area residents were very concerned about the condition of the subject property prior to its public hearing. The results since the CPC hearing show the petitioner taking major steps to clean up the site. CPC staff will continue to monitor the condition of the property over the next several months as the subject request is presented to City Council for consideration. The approved-as-to-form Ordinance is attached for Your consideration.

Respectfully submitted,

Lauren Hood, CHAIRPERSON



Marcell R. Todd, Jr., Director
Christopher J. Gulock, AICP, Staff

Attachments: public hearing notice, site plans, and ordinance

cc: Antoine Bryant, Director, PDD
Karen Gage, PDD
David Bell, Director BSEED

PREMIER GROUP ASSOCIATES - SHOP EXPANSION

FILE PETITION TO VACATE L-SHAPED PUBLIC ALLEY OFF OF CASTLE AVE.

| ADDRESS | OWNER |
|------------------|------------------------------|
| 8247 LYNCH RD | NORTH CORKTOWN BUTTERNUT LLC |
| 8261 LYNCH RD | |
| 8269 LYNCH RD | |
| 8301 LYNCH RD | |
| 10409 CASTLE AVE | DETROIT LAND BANK AUTHORITY |
| 10411 CASTLE AVE | |
| 10417 CASTLE AVE | |

EXPERIENCE
SEE ATTACHED QUALIFICATIONS OF NORTH CORKTOWN BUTTERNUT (NCB) AND PREMIER GROUP ASSOCIATES (PGA) INCLUDING BUSINESS FLYER, RESUME, AND RELEVANT CERTIFICATES AND LICENSES.

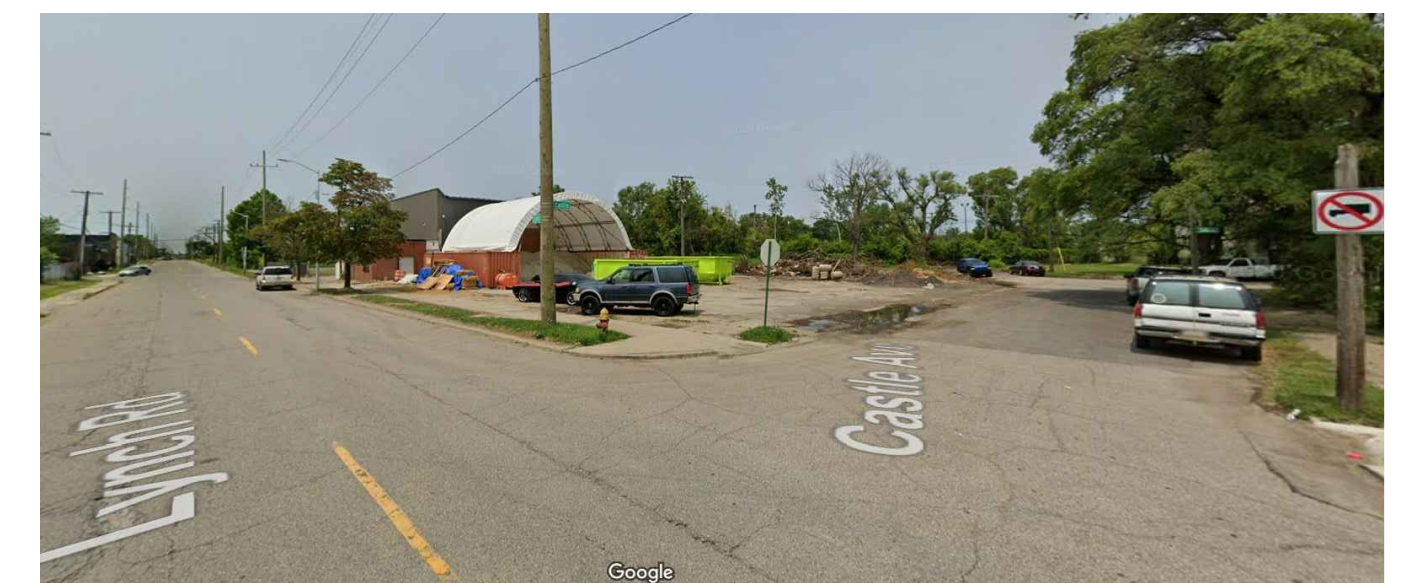
NEIGHBORHOOD BENEFIT
SINCE 2012, PGA HAS BEEN A TENANT AT 8301 LYNCH. IN 2021, PGA PURCHASED 8301 LYNCH. PGA IS AN AFFILIATE OF NORTH CORKTOWN BUTTERNUT (NCB). PGA HAS MADE NUMEROUS IMPROVEMENTS TO 8301 LYNCH INCLUDING LANDSCAPE ENHANCEMENTS, PROJECT GREENLIGHT, \$35,000 STORAGE DOME ADDITION, SHIPPING CONTAINER STORAGE SYSTEMS, AND CLEANED-UP SURROUNDING PROPERTIES.

IN 2019, NCB PURCHASED 8247, 8251, 8269 LYNCH. AFTER PERFORMING STRUCTURAL REPAIRS AND INSTALLING A NEW ROOF, DOORS, AND OVERHEAD DOORS, NCB INSTALLED A GATED FENCE WITH SCREENING AROUND THE PROPERTY. ADDITIONALLY NCB INSTALLED PARKING LOT AND BUILDING LIGHTING FOR ADDITIONAL SAFETY IN THE AREA.

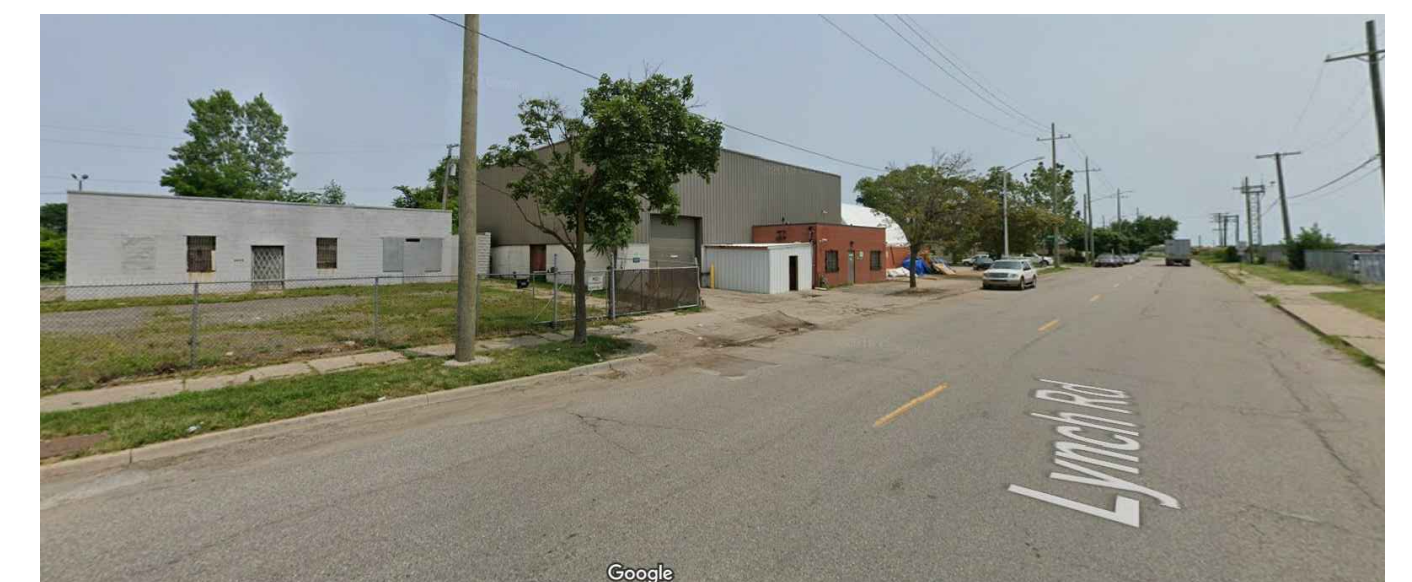
ADDITIONALLY, PGA HAS MAINTAINED ADJOINING PROPERTIES DURING ITS 7+ YEARS AS A RESIDENT OF THE NEIGHBORHOOD. DURING SNOW EVENTS PGA PROVIDES SNOW REMOVAL FOR GENERAL STREET SAFETY, AND SPECIFICALLY FOR TORCH STEEL AND BIODIESEL INDUSTRIAL, NEIGHBORING PROPERTIES. PGA HAS ALSO ENGAGED RESIDENTIAL NEIGHBORS. JOHN FRANKLIN, A RESIDENT OF 8056 LYNCH, IS THE SHOP MANAGER OF THE FACILITIES THEREBY KEEPING NCB TIED TO THE SURROUNDING NEIGHBORS.



VIEW FROM CASTLE AVE LOOKING SOUTH



VIEW FROM CORNER OF CASTLE AVE AND LYNCH RD



VIEW FROM LYNCH RD LOOKING EAST

PREMIER GROUP ASSOCIATES - SHOP EXPANSION

SCOPE OF WORK:

COMPLETED:

- CLEARING RUBBISH AND DEBRIS FROM LOT = \$12,000

PENDING:

- PROPERTY PURCHASE PRICE = \$25,000

PROPOSED:

- GRAVEL LOT = \$5,000
- FENCING = \$5,000
- SCREENING = \$2,000
- TREES AND PLANTINGS = \$2,500
- POLE MOUNTED SECURITY LIGHTS AND CAMERAS = \$2,000

TOTAL COST = \$53,500

SCHEDULE AND TIMELINE

PROPERTY ACQUISITION = 2 WEEKS

RE-ZONE FROM R1 TO M2 CONCURRENT WITH SITE IMPROVEMENTS = 6 WEEKS

PRICE AND FINANCING

PREMIER GROUP ASSOCIATES SUBMIT A HIGHEST AND BEST OFFER OF \$25,000 FOR THE PURCHASE OF 10409, 10411, AND 10417 CASTLE. THE PROJECT WILL BE FINANCED BY CASH ASSETS, SUPPORTED BY THE ATTACHED BANK STATEMENT.

FEASIBILITY OF PROJECT

AFTER SEARCHING THE EXISTING MARKETPLACE FOR SIMILAR AVAILABLE PROPERTIES IN THIS NEIGHBORHOOD OF THE CITY, WE HAVE DETERMINED THAT THE THREE LOTS ON CASTLE OWNED BY THE DLBA ARE THE MOST ECONOMICALLY REASONABLE AND TECHNICALLY FEASIBLE SOLUTION FOR EXPANDING OUR PROFESSIONAL SERVICES. AS A TOTAL PROPERTY MANAGEMENT COMPANY, INCLUDING BUILDING MAINTENANCE, CONSTRUCTION SERVICES, LANDSCAPE AND SNOW REMOVAL, WE HAVE THE PEOPLE, TOOLS, TECHNOLOGY, AND RESOURCES NECESSARY FOR THIS PROJECT TO SUCCEED.



GRAVEL LOT



BLACK CHAIN LINK SLIDING GATE



BLACK CHAIN LINK FENCING



CHAINLINK FENCE WITH FAUX HEDGE PRIVACY SCREENING



SECURITY POLES



SHADE TREE W/ PLANT BEDS



SHADE TREE W/ PLANT BOXES

SUMMARY

This ordinance amends Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XVII, *Zoning District Maps*, Section 50-17-24, *District Map No. 22*, to revise the zoning classification for three parcels generally located on the west side of Castle Street north of Lynch Road, commonly known as 10409 Castle Street, 10411 Castle Street, and 10417 Castle Street from the R1 Single-Family Residential District zoning classification to the M2 Restricted Industrial District zoning classification.

1 **BY COUNCIL MEMBER _____** :

2 **AN ORDINANCE** to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by
3 amending Article XVII, *Zoning District Maps*, Section 50-17-24, *District Map No. 22*, to revise
4 the zoning classification for three parcels generally located on the west side of Castle Street north
5 of Lynch Road, commonly known as 10409 Castle Street, 10411 Castle Street, and 10417 Castle
6 Street from the existing R1 Single-Family Residential District zoning classification to the M2
7 Restricted Industrial District zoning classification.

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

10 **Section 1.** Chapter 50 of the 2019 Detroit City Code, *Zoning*, Article XVII, *Zoning District*
11 *Maps*, Section 50-17-24, *District Map No. 22*, is amended as follows:

12 **CHAPTER 50. ZONING**

13 **ARTICLE XVII. ZONING DISTRICT MAPS**

14 **Section 50-17-24. District Map No. 22.**

15 For the properties generally located on the west side of Castle Street north of Lynch Road,
16 commonly known as 10409 Castle Street, 10411 Castle Street, and 10417 Castle Street and
17 identified more specifically as:

18 W CASTLE 41 SIEBERTS LYNCH AVE SUB L46 P40 PLATS, W C R 17/241 35 X 114,

19 W CASTLE 40 SEIBERTS LYNCH AVE SUB L46 P40 PLATS, W C R 17/241 35 IRREG, and

20 W CASTLE 39 SIEBERTS LYNCH AVE SUB L46 P40 PLATS, W C R 17/241 46.45 IRREG,

21 the existing R1 Single-Family Residential District zoning classification is revised to the M2

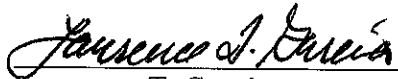
22 Restricted Industrial District zoning classification.

1 **Section 2.** All ordinances or parts of ordinances in conflict with this ordinance are
2 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, M.C.L. 125.3401(6),
7 and Section 4-118, paragraph 3 of the 2012 Detroit City Charter.

Approved as to Form:


Lawrence T. Garcia
Corporation Counsel

Lauren Hood, MCD
Chairperson
Donovan Smith
Vice Chair/Secretary

Marcell R. Todd, Jr.
Director

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NOTICE OF PUBLIC HEARING

The Detroit City Planning Commission will conduct a public hearing on a proposed amendment to the Detroit Zoning Ordinance:

THURSDAY, OCTOBER 7, 2021 AT 6:45 PM

to consider the request of North Corktown Butternut LLC to amend Article XVII, Section 50-17-24, District Map No. 22 of the 2019 Detroit City Code, Chapter 50, Zoning, to show a M2 (Restricted Industrial District) zoning classification where a R2 (Two-Family Residential District) zoning classification is currently shown at 10409, 10411, and 10417 Castle Street generally located on the west side of Castle Street north of Lynch Road near City Airport. The location of the proposed rezoning is indicated as the shaded area on the accompanying map.

The proposed map amendment is being requested so that the petitioner can expand their existing contractor yard located at 8301 Lynch Road. The pertinent zoning district classifications are described as follows:

R2 TWO-FAMILY RESIDENTIAL DISTRICT

The 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. Additional uses are conditional.

M2 RESTRICTED INDUSTRIAL DISTRICT

This district is designed for a wide range of industrial and related uses which can function with a minimum of undesirable effects. Industrial establishments of this type provide a buffer between residential districts and intensive industrial districts. New residential construction is excluded from this district with the exception of loft conversions of existing buildings and of residential uses combined in structures with permitted commercial uses. These requirements are both to protect residences from an undesirable environment and to ensure reservation of adequate areas for industrial development.

Zoning Ordinance amendments require approval by the City Council following a separate public hearing conducted by the Council. The Council considers the matter upon receipt of a report and recommendation from the City Planning Commission. This Zoning Ordinance map amendment request is being considered consistent with the provisions of Article III, Divisions 2, 3 and 4 of Chapter 50 of the 2019 Detroit City Code, the Detroit Zoning Ordinance.

All interested persons are invited to be present and be heard as to their views. Persons making oral presentations as well as those persons who are unable to attend this public hearing are encouraged to submit written testimony, for the record, to the City Planning Commission via e-mail at cpc@detroitmi.gov or via US Mail to the above address. Public comment/testimony may be given at the appropriate times when called for during the meeting. If you desire to speak and are attending the meeting online, press the “raise your hand” icon at the bottom of the screen or press ALT-Y

for a PC or OPT-Y for a MAC to raise your hand virtually. If attending by phone press *-9 to raise your hand.

If interpretation or translation services are needed, including for the hearing impaired, call the Department of Civil Rights, Inclusion & Opportunity at 313-224-4950. For further information on this proposal or the public hearing, please call (313) 224-6225.

CPC Webpage: <https://detroitmi.gov/government/commissions/city-planning-commission>

Pursuant to the Michigan Open Meetings Act, as amended, and in response to the COVID-19 pandemic the Detroit City Planning Commission (CPC) will be meeting virtually using a videoconferencing platform.

The CPC meeting may also be viewed in the following manner.

Online:

<https://cityofdetroit.zoom.us/j/96355593579?pwd=TTloMzN5M3pmU1RKNXp1MjJlczN3UT09>

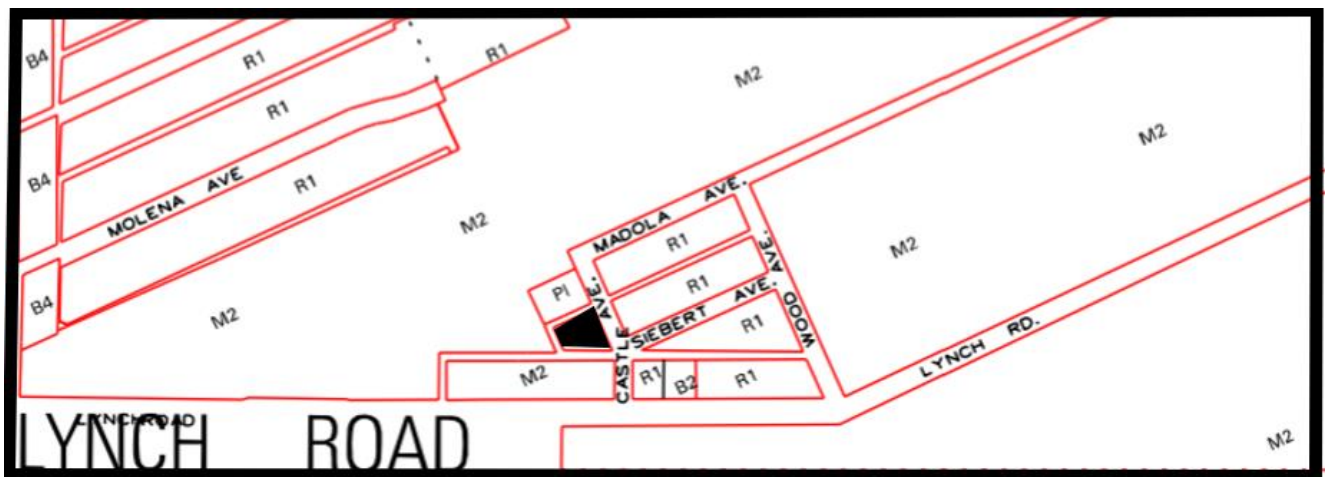
Or iPhone one-tap:

US: +12678310333,96355593579# or +13017158592,,96355593579#

Or by Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 267 831 0333 or +1 301 715 8592 or +1 312 626 6799 or +1 213 338 8477 or +1 253 215 8782 or +1 346 248 7799 Webinar ID: 963 5559 3579



Highlighted area proposed to be rezoned to M2