

**MODIFIED DEVELOPMENT PLAN  
(Fourth Modification)**

**BRUSH PARK REHABILITATION PROJECT**

DRAFT

**PLANNING AND DEVELOPMENT DEPARTMENT  
CITY OF DETROIT**

**Approved: 10, 2014**

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(~~Third~~ Fourth Modification)  
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**ATTACHMENTS**

- Attachment A - Estimated Cost of Improvements
- Attachment B - Brush Park Rehabilitation Project Relocation Plan

**LIST OF MAPS IN THE MODIFIED DEVELOPMENT PLAN**

<b><u>MAP NUMBER</u></b>	<b><u>TITLE</u></b>
A-1	Project Boundary and Streets and Other Public Facilities
A-3b	Local and National Historic District Boundaries
B-1	Land Use and Development Plan
C-1	Proposed Land Acquisition Plan [Deleted}
C-2	Rehabilitation Plan
C-5	Right-of-Way Adjustment Plan
D-4	Existing Zoning Map
D-5	Zoning Plan
D-6	Existing Land Use Map
D-7	District Plan Map

## **DEFINITION OF TERMS**

The following list of definitions is terms used throughout this document. The source of the definitions is primarily from the U.S. Department of HUD - 24 (CFR) Part 570 and Michigan Public Act 344 of 1945 - Blighted Area Rehabilitation.

**Blighted area:** means a portion of a municipality, developed or undeveloped, improved or unimproved, with business or residential uses, marked by a demonstrated pattern of deterioration in physical, economic, or social conditions, and characterized by such conditions as functional or economic obsolescence of buildings or the area as a whole, physical deterioration of structures, substandard building or facility conditions, improper or inefficient division or arrangement of lots and ownerships and streets and other open spaces, inappropriate mixed character and uses of the structures, deterioration in the condition of public facilities or services, or any other similar characteristics which endanger the health, safety, morals, or general welfare of the municipality, and which may include any buildings or improvements not in themselves obsolescent, and any real property, residential or nonresidential, whether improved or unimproved, the acquisition of which is considered necessary for rehabilitation of the area. It is expressly recognized that blight is observable at different stages of severity, and that moderate blight unremedied creates a strong probability that severe blight will follow. Therefore, the conditions that constitute blight are to be broadly construed to permit a municipality to make an early identification of problems and to take early remedial action to correct a demonstrated pattern of deterioration and to prevent worsening of blight conditions.

**Development area:** means that portion of a blighted area to which a development plan is applicable.

**Development plan:** means a plan for the rehabilitation of all or any part of a blighted area.

**Infill Housing:** Construction of new housing within the constraints of the existing built environment on available vacant lots.

**Low-Income:** A household whose income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller or larger families. HUD may establish income ceilings higher or lower than 80 percent of the median for the area median on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

**Market Rate units:** Housing units for which renters or homeowners do not have income eligibility restrictions.

**Moderate Income:** Households whose incomes are between 81 percent and 95 percent of the median income for the area, as determined by HUD, with adjustments for smaller or larger families. HUD may establish income ceilings higher or lower than 95 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs, fair market rents, or unusually high or low family incomes.

**Project:** means all of the undertakings authorized in 1945 PA 344 as amended for the rehabilitation of a blighted area.

**Public use:** when used with reference to land reserved for public use means only such uses as are for the general use and benefit of the public as a whole, such as schools, libraries, public institutions, administration buildings, parks, boulevards, playgrounds, streets, alleys, or easements for sewers, public lighting, water, gas, or other similar utilities.

**Real property:** means land, buildings, improvements, land under water, waterfront property, and any and all easements, franchises and hereditaments, corporeal or incorporeal, and every estate, interest, privilege, easement, franchise and right therein, or appurtenant thereto, legal or equitable, including rights of way, terms for years, and liens, charges, or encumbrances by mortgage, judgment, or otherwise.

## **SUMMARY OF CHANGES MADE TO THE MODIFIED DEVELOPMENT PLAN OF OCTOBER 9, 1996, JULY 10, 2002**

The ~~Third~~ Fourth Modification of the Brush Park Rehabilitation Plan includes a significant amount of rearranging and restructuring of the format in addition to items being moved, added or removed. This overhaul should make the Plan easier to read and use as a tool to guide development. ~~The Summary of Changes will not identify each specific adaptation, but rather will describe the major substantive changes: deletes, modifies and supersedes only certain portions, identified below, of the previous modified Brush Park Rehabilitation Project Development Plan adopted by the City Council of the City of Detroit on July 10, 2002.~~

### **DEFINITION OF TERMS**

~~A new section, Definition of Terms was added.~~

## **A. DESCRIPTION OF THE PROJECT**

### **Section A.2. URBAN RENEWAL PLAN OBJECTIVES**

#### ~~d. HOUSING QUALITY~~

~~This is a new heading which replaces the former heading "RELOCATION".~~

#### ~~e. RESIDENTIAL DEVELOPMENT~~

~~This heading also includes the "HOUSING" section from the former plan.~~

~~The objective to provide low and moderate housing was further defined to meet the HUD standards.~~

#### ~~i. TRAFFIC AND CIRCULATION~~

~~Text was added to discourage the use of vacant lots for parking lots.~~

#### ~~p. COMMERCIAL FACILITIES~~

~~This new objective was added to address commercial and retail needs within the community.~~

#### ~~q. NEIGHBORHOOD BEAUTIFICATION~~

~~This new objective was added to illustrate the importance to beautification and upkeep of existing facilities in the community.~~

~~Objective j. BRUSH PARK COMMUNITY from the former plan, was removed and the elements defined in this objective were moved to the appropriate sections of the plan.~~

~~Objective m. URBAN DESIGN from the former plan, was changed to exclude text that described proposed public improvements which were moved to the Project Proposal section of the Plan.~~

### **Section A.3. TYPES OF PROPOSED RENEWAL ACTIONS**

~~The actions "Conservation" and "Historic Preservation" from the former plan were merged into one action "Historic Preservation".~~

#### ~~a. ACQUISITION~~

~~Entire text is deleted. It is replaced by sentence stating that no further land acquisition will be necessary for this project.~~

## **B. LAND USE PLAN**

### **Section B.2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS**

- ~~a. PERMITTED USES WITHIN PROJECT BOUNDARY FOR DISPOSITION – Section has been extensively revised and includes the following changes to the text and Table B-2:~~

~~Uses listed in Table B-2 "Land Use Provisions and Building Requirements" and other uses determined by the City of Detroit to be similar or compatible are for land to be acquired by the project and to be redeveloped and are permitted as designated on Map B-1, "Land Use and Development Plan." Where an application is submitted for a land use that is not specifically listed in Article XII of the Detroit Zoning Ordinance, the Planning and Development Department shall be authorized to make a "similar use interpretation" based on the use category descriptions of Article XVI of the Detroit Zoning Ordinance; unlisted, proposed uses that are deemed to be similar to those uses listed in Table B-2 are also permitted as designated on Map B-1.~~

Table B-2 Land Use Provisions and Building Requirements has the following changes:

- Use Designation – Medium Density Residential has the following changes:
  1. Permitted Activities including Single Family Detached, Residential Lofts, Live/Work Lofts, Ancillary Retail Services, and Community Facilities, Recreation, Open Space were removed. Single Family Attached (Duplex) category changed to Two-family dwelling Social & Fraternal Organizations has been changed to Private clubs, lodges, or similar uses.
  2. Additional Permitted Activities: Single Family residential in existence at the time of the adoption of this ordinance, Civic uses including family home daycare, museum, neighborhood center nonprofit, etc.; Civic uses specified in Sec. 61-11-165, etc.; Accessory Parking Deck; Accessory Parking Lots; and Open Space, Outdoor recreation facility, etc.
  3. Density Requirements were revised: FAR restrictions have been removed. Townhouse density changed to 15-50 D.U./Acre from 20-30 D.U./Acre. Multiple Family Dwellings density changed to 15-60 D.U./Acre near Woodward and 15-50 D.U./Acre elsewhere. There is no density requirement for Single Family residential in existence at the time of the adoption of this ordinance as this activity is located within existing structures.
  4. Off-street parking requirements for all Permitted Activities: Minimum Parking Requirements shall be 0.75 of parking requirements, as specified in the Zoning Ordinance. Maximum parking permitted shall not exceed the number of spaces required for the proposed use per the City of Detroit Zoning Ordinance for the proposed use. For residential development projects, up to 2 parking spaces may be permitted per dwelling unit.
  5. Maximum building heights for two-family dwellings (formerly Single Family Attached Duplex) and Townhouses were increased to 50 feet. Maximum has been eliminated for parcels fronting Woodward. Height restrictions of 30 feet, minimum and 50 feet, maximum for new construction have been added for Private clubs, lodges, or similar uses (formerly Social & Fraternal Organizations. Civic uses specified in Sec. 61-11-165, etc. and Multiple Family Dwellings share height requirements of 3 stories minimum and 8 stories maximum fronting Woodward, and 30 feet minimum and 4 stories maximum elsewhere. Accessory Parking Deck will have a maximum height of 30 feet. All other uses are not applicable.
  6. Additional requirements: Height requirements have been removed from the section. Two-family dwellings may not be established on zoning lots fronting Woodward. No new townhouses may be established on zoning lots fronting Woodward. The open space requirement for multiple family dwellings and civic use specified in Sec. 61-11-165, etc. consisting of at least 15 units of new construction is 0.05 Recreational Space Ratios (RSR). For Civic uses including family home daycare, museum, neighborhood center nonprofit, etc., these uses are limited to existing structures built before 1940. In addition, in cases where a building built before 1940 is fronting a north-south street, brewpubs, establishments for the sale of beer or intoxicating liquor for consumption on the premises, and SDM uses may also be permitted on the ground floor. For Civic uses specified in Sec. 61-11-165, etc. these use are limited to the ground floor of Multiple Family residential structures located on zoning lots fronting Woodward, John R, Brush, Beaubien, and the Fisher Freeway service drive. For Private clubs, lodges, or similar uses motorcycle clubs shall be prohibited. For Accessory Parking Lots the maximum distance within which accessory parking shall be provided is 1,320 feet, as measured between the nearest point of the off-street parking facility and the nearest point of the building or use to be served. Accessory Parking Lots shall only be permitted for those uses located within the Brush Park District. For Open Space, Outdoor recreation facility, all other parks and open space; and Urban garden (small) up to 0.5 Acres the open space requirement for new construction developments consisting of at least 15 units of new construction is 0.05 RSR.
  
- Use Designation – High Density Residential has the following changes:
  1. Permitted Activities - Ancillary Retail Services and Medium-rise apartments were removed. Civic uses including family home daycare, museum, neighborhood center nonprofit, etc.; and Civic uses specified in Sec. 61-11-165, etc. were added. Residential Lofts, Live/Work Lofts was changed to Lofts. Open Space was changed to add Outdoor recreation facility, all other parks and open space; and Urban garden (small) up to 0.5 acre.
  2. Density requirements Multiple Family Dwellings density changed from 15-50 D.U./Acre to 15-60 D.U./Acre. Senior Housing Developments density changed from 20-50 D.U./Acre to 20-60 D.U./Acre. Requirements for all activities except Multiple Family Dwellings and Senior Housing Developments have been deemed as not applicable. FAR restrictions have been removed.
  3. Off-street parking requirements for all Permitted Activities: Minimum Parking Requirements shall be 0.75 of parking requirements, as specified in the Zoning

- Ordinance. Maximum parking permitted shall not exceed the number of spaces required for the proposed use per the City of Detroit Zoning Ordinance for the proposed use. For residential development projects, up to 2 parking spaces may be permitted per dwelling unit.
4. Minimum and Maximum building heights for Multiple Family Dwellings and Senior Housing Developments have been changed to a minimum height of 3 stories and a maximum height of 8 stories.
  5. The Additional Requirements for both activities beginning with Civic uses are the same as they are in the Medium Density Residential use designation. For Multiple Family Dwellings and Senior Housing Developments the open space requirement for new construction developments consisting of at least 15 units of new construction is 0.05 RSR. For Open Space, Outdoor recreation facility, all other parks and open space; and Urban garden (small) up to 0.5 Acres the open space requirement for developments consisting of at least 15 units of new construction is 0.05 RSR.
  6. Open Space requirements for Multiple Family Dwellings and Senior Housing Developments is designated as 0.07 RSR for new construction developments consisting of at least 15 units of new construction. Requirements for Open Space, Outdoor recreation facility, etc. use area is 0.07 RSR for developments consisting of at least 15 units of new construction.
- Use Designation – Institutional has the following changes:
    1. Permitted Activities – List of permitted activities has been revised to reflect the names given to these activities in the Detroit Zoning Ordinance (see Table B2).
    2. Density requirements new density requirements for all activities has been set at 20 to 60 D.U./Acre.
    3. Off-street parking requirements for all Permitted Activities: Minimum Parking Requirements shall be 0.75 of parking requirements, as specified in the Zoning Ordinance. Maximum parking permitted shall not exceed the number of spaces required for the proposed use per the City of Detroit Zoning Ordinance for the proposed use. For residential development projects, up to 2 parking spaces may be permitted per dwelling unit.
    4. Minimum and Maximum building heights for all activities: parcels abutting Woodward Ave; minimum height of 3 stories; maximum height of 8 stories. All other parcels: minimum height of 30 feet; maximum height of 4 stories.
    5. Additional Restrictions: “Integration of retail services into developments is permitted” has been removed. It is replaced by “Motorcycle clubs shall be prohibited.”
  - Use Designation – Commercial has the following changes
    1. Permitted Activities – List of permitted activities has been revised to reflect the names given to these activities in the Detroit Zoning Ordinance (see Table B2).
    2. Density requirements new density requirements for all activities has been set at 20 to 60 D.U./Acre.
    3. Off-street parking requirements for all Permitted Activities: Minimum Parking Requirements shall be 0.75 of parking requirements, as specified in the Zoning Ordinance. Maximum parking permitted shall not exceed the number of spaces required for the proposed use per the City of Detroit Zoning Ordinance for the proposed use. For residential development projects, up to 2 parking spaces may be permitted per dwelling unit.
    4. Minimum and Maximum building heights for all activities: parcels abutting Woodward Ave; minimum height of 3 stories; maximum height of 8 stories. All other parcels: minimum height of 30 feet; maximum height of 4 stories.
    5. Additional Restrictions: “As specified in the City of Detroit Zoning Ordinance for the Proposed Uses” has been removed. It is replaced by “Drive-in or Drive-Thru restaurants and Motorcycle clubs shall be prohibited. Parking structures shall be prohibited on zoning lots abutting Woodward Avenue except where a principal building is located at the front lot line and the parking structure is located to the rear of the zoning lot and is accessible only from an alley or side street; when parking structures are screened in this way the typical requirement of 60% of ground floor devoted to commercial space is waived. Assembly and Rental halls shall be restricted to parcels fronting Woodward Avenue.”
  - Use Designation – Commercial/Institutional has the following changes:
    1. Density, height, and additional requirements: All requirements have been listed as the same as those for Commercial and Institutional uses.
  - Use Designation – Neighborhood Center has been removed.
  - Use Designation – High Density Residential/Institutional has been added; use allows all activities that are allowed under High Density Residential and Institutional uses.

1. Density requirements new density requirements for all activities has been set at 15 to 60 D.U./Acre.

2. Minimum and Maximum building heights for all activities: minimum height of 3 stories; maximum height of 8 stories.

3. All Additional Requirements are the same as those under the High Density Residential and Institutional uses.

- Use Designation – Commercial/High Density Residential has been added; use allows all activities that are allowed under Commercial and High Density Residential uses.

1. Density requirements new density requirements for all activities has been set at 15 to 60 D.U./Acre.

2. Minimum and Maximum building heights for all activities: minimum height of 3 stories; maximum height of 8 stories.

3. All Additional Requirements are the same as those under the Commercial and High Density Residential uses.

- b. ADDITIONAL CONTROLS – Section is revised to read as follows:

Densities of Development, parking requirements and other controls, as indicated in Table B-2 and on the following pages, must be met for each parcel of acquired real property that is offered for sale or lease or that is to be retained.

~~Density of development, or the Floor Area Ratio (F.A.R.) is defined as the ratio of gross floor area of all buildings on a parcel (except space used for parking) to the total area of the given parcel, excluding bounding public streets, but including the area of any proposed internal drive or cul-de-sacs is specified for certain uses in terms of dwelling units per acre. The density requirements are not applicable for parcels developed solely for park use or parking non-residential uses. Maximum height limitations are specified for all uses, other than parks and parking lots, and minimum height requirements are specified for certain uses.~~

- c. ~~COMMERCIAL FACILITY NODES – This new section was added to address commercial and retail needs within the community and to identify appropriate placement of these facilities in the neighborhood within the Land Use Plan. It goes further to state that additional commercial space can be incorporated into residential projects as long as they occupy the first floor and consist of less than 35% of the gross square feet of the development. It also includes provisions regarding the development of parking. This section has been amended to present new priorities for commercial development within Brush Park. It emphasizes that commercial development is to be concentrated on Woodward between Alfred and Mack. It also eliminates the “Neighborhood Center” category, allows for certain commercial uses to be permitted in Medium Density and High Density Residential areas, permits uses allowed in SD2 zoning districts to be developed in rehabilitated homes along Mack between Woodward and Brush, and also eliminates the paragraph stating that additional commercial facilities may locate in existing buildings along the north-south collector streets. The paragraph on parking lots associated with commercial facilities is amended to add additional language regarding additional restriction per the Detroit Zoning Ordinance.~~

- d. ~~OPEN SPACE – This section was made more specific in stating that “Developments involving over 15 units of new housing are required to provide common open space. Requirements for open space are 145 square feet for every unit within a residential development. The nature of the open space shall be determined depending on the type of development.” This section was amended to add provisions regarding recreational space from the Detroit Zoning Ordinance.~~

- e. BUILDING SETBACKS – This section is amended to include guidelines for buildings fronting Woodward between Alfred and Mack and the placement of new buildings in areas where there are no historic structures.

- g. PARKING AND LOADING; CURB CUTS – Two elements were added to this Provision:

- ~~“If parking on local streets is regularly occupied by individuals utilizing sporting and entertainment venues outside of the community to a degree determined problematic by the community and the City of Detroit, a resident permit parking may be established.”~~
- The use of vacant lots and open space to accommodate rental event parking for fee is to be prohibited. This section has been extensively revised to reflect new guidelines regarding dimensions for off-street parking, curb cuts, the placement of parking areas in the rear of developments, vehicular access points, landscaping and screening provisions, and parking structures.



h. SIGNS – This section is amended to include the provisions of Chapter 3, Article VII of the 1984 Detroit City Code as a requirement for signs to be approved.

~~k. NEW DEVELOPMENT DESIGN GUIDELINES – This new heading replaces the provision in the former plan – j. URBAN DESIGN CRITERIA. It adds the following design criteria: “Brush Park Guidelines – A Handbook for New Construction Infill Housing and Rehabilitation, 1994.”~~

l. VARIANCE VARIATIONS OR MODIFICATIONS – The heading is modified. In addition, the basis for the Board of Zoning Appeal’s power to grant variations or modifications is spelled out by adding the phrase “...in accordance with the City of Detroit Zoning Code Section 61-2-53.” The words “or modification” are inserted into the middle of the sentence after the term “minor variation”

~~m. REVIEW OF PLANS – This section was changed to state that developers must submit plans in the form of the City’s Concept Plan Review and Site Plan Review to the Planning and Development Department as well as the Brush Park Citizens District Council.~~

~~The Provision – k. ALTERNATED LAND USES – from the former plan was removed.~~

#### **Section B.4. APPLICABILITY OF THE LAND USE PROVISIONS AND ADDITIONAL REQUIREMENTS TO REAL PROPERTY NOT TO BE ACQUIRED**

~~▪ – Section removed~~

### **C. PROJECT PROPOSALS**

#### **Section C.1. LAND ACQUISITION**

~~a. The chart which list all properties to be acquired has completely changed. Under this plan, city acquisition is limited to the following:~~

~~“Properties to be acquired will consist only of abandoned buildings, blighted non-residential buildings, vacant lots, properties subject to public right-of-way improvement projects and non-conforming uses. All owner-occupied residential properties are exempt from acquisition unless the property is needed for with proposed public right-of-way improvements. Privately held vacant or blighted buildings or vacant lots may be removed from the acquisition list if they comply to the following condition.~~

~~Concept Plans are submitted to the City of Detroit Planning and Development Department through the Concept Plan Review Process within 120 days of the effective date of this Modified Development Plan. Concept Plan Review instructions are available at the PDD. The property will be removed from the acquisition list if the Concept Plan is approved by the PDD and the proposed project is completed within two years of that approval.”~~

The entire section is deleted.

#### **Section C.2. REHABILITATION PROJECT**

~~A corresponding Map, C-2 Rehabilitation Plan, was added to this section which shows all buildings identified by the City for rehabilitation.~~

#### **Section C.3. RESIDENTIAL INFILL PROJECT**

~~This new section was added to describe the proposed development of vacant lots throughout the neighborhood on an infill basis.~~

#### **Section C.4. PUBLIC IMPROVEMENTS**

~~This new section was added to describe all proposed changes and improvements to the existing public right-of-way in the community. The Brush Beaubien Connector, introduced in the former Plan, has been removed from this Plan. In this Plan, both Brush and Beaubien will become two-way neighborhood collector streets.~~

### **D. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS**

#### **Section D.2. RELOCATION PLAN**

~~Sentence is added stating that no further relocation of residents or businesses is anticipated for this project.~~

## **ATTACHMENT A -- Estimated Cost Of Improvements**

Cost were updated for this plan and a new line item "Rehabilitation" was added.

## **ATTACHMENT B -- ~~Brush Park Rehabilitation Project Relocation Plan~~**

~~The Plan was updated with new survey information and statistical information.~~

### **LIST OF MAPS IN THE MODIFIED DEVELOPMENT PLAN**

The following maps have been revised or deleted:

- a. Map B-1, Land Use and Development Plan map is revised to add two new land use categories, Commercial/Medium Density Residential and Medium Density Residential/Institutional. The Neighborhood Center land use category is removed from its four locations on the map and from the legend text. The proposed land use for the three Neighborhood Center locations west of Beaubien are changed to Medium Density Residential. The proposed land use for Parcel 106 at the northwest corner of the Fisher Freeway Service Drive and John R is changed from Institutional to Medium Density Residential. The proposed land use for Parcel 396 at the northeast corner of Erskine and Brush is changed from Medium Density Residential to Institutional. All parcel numbers are removed from the legend. The map is further revised to reflect a proposed land use change from Institutional to Commercial/Institutional for the area bounded by Mack, John R, Erskine, and Woodward. Also, the proposed land use for the area bounded by Erskine, Beaubien, Wilkins, and Brush is changed from Commercial/Institutional to Medium Density Residential/Institutional. Finally, the land use for the area bounded by Winder, the Fisher Freeway Service Drive, and Beaubien is changed from Neighborhood Center to Commercial/Medium Density Residential.
- b. Map C-1, Proposed Land Acquisition Plan map is deleted.
- c. Map C-5, Right-of-Way Adjustment Plan map is revised to show Eliot to be reopened between Woodward and John R. The map is further revised to remove the text denoting that the pedestrian malls on Watson and Edmund Pl. between John R and Brush are to be removed, along with the "Reopen" labels on those streets as the streets have already been reopened. The arrows are removed and text modified that currently denotes that John R and Brush are to be converted to two-way collector streets as those streets have already been made two-way. The shading is removed that currently denotes that the rights-of-way on both Watson and Alfred between Brush and Beaubien may be vacated. Shading is added to the alley within the block bounded by Watson, John R, Edmund Pl., and Woodward to denote that it may be vacated. Finally, shading is added to the north-south portion of the alley within the block bounded by Erskine, John R, Watson, and Woodward to denote that it may be vacated.

## A. DESCRIPTION OF THE PROJECT

### 1. BOUNDARIES OF URBAN RENEWAL AREA

The boundaries of the project area are illustrated on Map A1 "Project Boundary" and are described as follows:

Beginning at the point of intersection of the centerline of Woodward Avenue and the centerline of Mack Avenue; thence easterly along said centerline of Mack Avenue to the extensions of the east right-of-way line of Beaubien Avenue; thence southerly along the east right-of-way line of Beaubien Avenue, and its extension, to the south right-of-way line of Winder; thence easterly along said south right-of-way line to the west right-of-way line of St. Antoine Avenue; then southerly along said west right-of-way line to its intersection with the north right-of-way line of Interstate-75 also known as the Fisher Freeway; thence westerly along said north right-of-way line to its intersection with the south right-of-way line of the north Fisher Freeway Service Drive; thence westerly along said south right-of-way line and its extension to the centerline of Woodward Avenue; thence northerly along said centerline to the point of beginning.

This entire area is a blighted area and makes up the development area.

### 2. URBAN RENEWAL PLAN OBJECTIVES

The objectives of the plan are:

- a. HISTORIC PRESERVATION -- To preserve the historical and architecturally significant character of both the Local and National Brush Park Historic Districts and recognize the context of their surrounding environment. As such, any proposed planning will not alter, isolate or provide intrusive elements in this environment, but rather, design elements will reinforce those characteristics of the historic properties that make them eligible for historic designation. The design guidelines established by the City of Detroit Historic District Commission will be abided by for all rehabilitation projects. These guidelines are available at the City of Detroit Planning and Development Department. Identifiable historic residential clusters will be retained, while providing for the opportunity for a blend of new residential and commercial development.
- b. DILAPIDATED AND SUBSTANDARD STRUCTURES -- To remove those dilapidated and substandard primary and secondary buildings, structures, and accessory items which are determined by the Planning and Development Department to be structurally and economically unfeasible to rehabilitate. If a structure is City-owned, the City will secure it until it is either rehabilitated or demolished.
- c. BLIGHTING INFLUENCES -- To remove all structures, uses, or conditions which are considered to be blighting influences and those that cannot be rented or used for purposes compatible with the character of the area, and which by their presence or due to long vacancy cause annoyances for, or lead to deterioration of adjacent property.
- d. HOUSING QUALITY -- To attempt, to the maximum extent feasible, to provide assistance to existing residents of Brush Park currently residing in substandard conditions to either rehabilitate their existing homes or move into decent, safe, sanitary and affordable housing.
- e. RESIDENTIAL DEVELOPMENT -- To provide quality new and rehabilitated housing to meet the needs of present and future Brush Park residents. New infill housing will compliment and reflect the historic character of each street within Brush Park. The new housing structures will have the appearance and massing of the large historic homes once common in the area, complimenting the distinguishing characteristics of the district while allowing expressions of change and adaptation.

To provide residential site design which functionally and aesthetically relates to the neighborhood as historically planned through unit relationship to the existing grid pattern. The relationship can be created by:

1. the creation of opportunities for significant residential redevelopment along with retention of existing owner-occupied residential structures,
  2. arrangement of residential units to public streets and pedestrian paths in existing and former alleys,
  3. group sharing of a central public open space; and
  4. to provide a broad income range of housing compatible with the size limitation of the available land and comprised of at least 20% low and moderate income housing, including senior housing, and up to 80% market rate housing base on the most recent U.S. Department of HUD standards.
- f. PUBLIC FACILITIES -- To provide the public facilities, including a community center, public walkways, and any other facilities which may be necessary to serve the needs of the Brush Park community.
- g. COMMUNITY STABILITY -- To provide the physical elements for a meaningful and effective interaction, cooperation, and identity of all social levels of the new Brush Park Community in a diverse and integrated social neighborhood system.
- h. NEIGHBORHOOD -- To provide a readily identifiable neighborhood image which aesthetically and functionally relates to the district as historically planned. The relationship can be created and enhanced by:
1. physical identification of the neighborhood as a community through entrance treatments and architectural style,
  2. formal organization of residents for maintenance and responsibilities for ongoing upkeep of the neighborhood; and
  3. group participation in planned economic, recreational, and social activities.
- i. TRAFFIC AND CIRCULATION -- To improve the streets and facilitate the movement of traffic both within and around the area and to develop a system of streets differentiated by use and consistent with the traffic patterns in the adjacent portions of Detroit.

To protect residents from high traffic volumes associated with attractions outside of the community, which may circulate through the Brush Park internal street system.

To provide an organized parking system to be available for residents and businesses within Brush Park. To discourage the use of vacant lots for parking lots, particularly to serve sporting and entertainment venues outside of the community.

- j. RECREATION AND OPEN SPACES -- To encourage a range of public and private open space appropriate to the needs of future residents through:
1. provision of centrally located open spaces, and
  2. provision for a recreation/ community center.
- k. RESIDENTIAL TYPES -- To provide a mix of residential units varying in size, number of bedrooms, and in cost so that the Brush Park community can encompass families and households from a wide range of economic and social backgrounds. All new and rehabilitated housing must meet design controls as determined by the City of Detroit Historic District Commission. Housing types within the community are to include the following.
1. Single Family Detached - Stand alone homes to be occupied by one family or household.

2. Single Family Attached or Duplex - Attached housing consisting of no more than two units either side by side or one above the other.
  3. Townhouse - Several attached dwelling unit sharing common walls, generally two to four stories.
  4. Low Rise Apartment - Complexes consisting of two- to four-story building with common access.
  5. Medium Rise Apartment - Five to fifteen story offering predominantly one- and two-bedroom apartments for senior citizens as well as buildings for tenants for varying ages.
- l. URBAN DESIGN -- The intent of the design concept for Brush Park is to make the community harmonious within itself. Brush Park as a community has strong edges and definite area limits. The design principles take into account these features. The following design principles shall be considered.
1. The location of neighborhood commercial and institutional uses along the eastern boundary of the Project Area will further define the community as well as serve the everyday needs of the residents of Brush Park and adjacent neighborhoods.
  2. The retention of commercial buildings on Woodward Avenue with exterior facade treatments that will create a strong edge on the project's western boundary.
  3. Design of new construction is to be compatible with the historic character of the immediate block area and meet controls as determined by the City of Detroit Historic District Commission.
- m. UTILITIES - To provide concealment of all utility lines by the provision of modern, subsurface facilities.
- n. EMPLOYMENT OPPORTUNITIES - To provide in areas near Mack Avenue, the Medical Center, and fronting Woodward Avenue north of Edmund Street the opportunity for commercial, office, and institutional facilities which retain or create jobs and economic base for the area and City.
- o. INSTITUTIONAL - To provide institutional resources in the community to serve both Brush Park residents and others. Uses in the project may include social and business organization, museums, schools and medically related activities. To retain viable churches within the area to serve existing and new residents.
- p. COMMERCIAL FACILITIES - To provide for the retention of certain existing commercial facilities. To attract new retail and commercial business to serve existing and new residents in the Brush Park community. To create commercial nodes which are appropriately located to serve the community without intrusion.
- q. NEIGHBORHOOD BEAUTIFICATION - To encourage existing establishments to improve the aesthetic appearance of their property through landscaping, façade improvements and general upkeep.

### 3. TYPES OF PROPOSED RENEWAL ACTIONS

- a. ACQUISITION - ~~In the areas so designated on Map C-1 the proposed renewal action is the public acquisition of all designated property.~~

~~In accordance with Section C-6 of this Plan, the land acquired by the City of Detroit will be disposed of subject to an agreement between the City and a developer. Said developer(s) will be encouraged, where feasible, to retain buildings of unique historic and/or architectural character.~~

~~Criteria for determining property acquisition and specific properties to be acquired are identified in Section C-1-A Land Acquisition. No further land acquisition will be necessary for this project.~~

- b. HISTORIC PRESERVATION - Conservation of existing buildings is a primary objective of the plan. Every effort should be given to protect and conserve the built environment with additional effort to protect buildings with unique historic character or quality. The proposed renewal action is the conservation of existing institutional, commercial, cultural and residential uses by providing support to existing properties owners who provide these resources to the community.

All conservation should be in a manner that historically preserves the properties in accordance with regulations established by the City of Detroit Historic District Commission. The *Brush Park Guidelines - A Handbook for New Construction Infill Housing and Rehabilitation, March 1994* should also be used as a guide. The City shall work to encourage the protection, conservation, improvements, renovation and reconstruction of historic Brush Park. See Map A-3-b for Local and National Historic District Boundaries.

- c. REDEVELOPMENT - Brush Park will be redeveloped as a residential community with related commercial, institutional, and recreational facilities and services. Where possible, two adjacent City-owned lots can be purchased by residents if they are not in an area designated for redevelopment. New housing construction will take place on vacant parcels on an infill basis. Design of the new housing product will be directed by the controls established by the City of Detroit Historic District Commission.
- d. PUBLIC IMPROVEMENTS - Land in the public right-of-way will be altered and improved to serve new and existing residents of the Brush Park community and to protect the area from traffic associated activity areas outside the neighborhood. Actions include resurfacing streets, redirecting of streets from one-way to two-way, opening of pedestrian malls to vehicular traffic, and vacation of streets on development sites. Specific improvements to be made are identified in Section C-5 Project Proposal.

## B. LAND USE PLAN

### 1. LAND USE MAP

The Map B-1 "Land Use and Development Plan" dated ~~2004~~ 2014, is included as part of this plan. This map illustrates proposed public and other land uses.

### 2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS

a. PERMITTED USES WITHIN PROJECT BOUNDARY FOR DISPOSITION - Uses listed in Table B-2 "Land Use Provisions and Building Requirements" ~~and other uses determined by the City of Detroit to be similar or compatible are for land to be acquired by the project and to be redeveloped and~~ are permitted as designated on Map B-1, "Land Use and Development Plan." Where an application is submitted for a land use that is not specifically listed in Article XII of the Detroit Zoning Ordinance, the Planning and Development Department shall be authorized to make a "similar use interpretation" based on the use category descriptions of Article XVI of the Detroit Zoning Ordinance; unlisted, proposed uses that are deemed to be similar to those uses listed in Table B-2 are also permitted as designated on Map B-1.

b. ADDITIONAL CONTROLS - Densities of Development, parking requirements and other controls, as indicated in Table B-2 and on the following pages, must be met for each parcel of ~~acquired real property that is offered for sale or lease or that is to be retained.~~

~~Density of development, or the Floor Area Ratio (F.A.R.) is defined as the ratio of gross floor area of all buildings on a parcel (except space used for parking) to the total area of the given parcel, excluding bounding public streets, but including the area of any proposed internal drive or cul-de-sacs is specified for certain uses in terms of dwelling units per acre. The density requirements are not applicable for parcels developed solely for park use or parking non-residential uses. Maximum height limitations are specified for all uses, other than parks and parking lots, and minimum height requirements are specified for certain uses.~~

c. COMMERCIAL FACILITY NODES ACTIVITY - The purpose of commercial facilities located within the Brush Park community is to serve the residents and employees of the area and should reflect this in use and scale. Businesses should be designed to serve a pedestrian clientele with minimal parking included. Parking associated with these facilities should be safe, attractive, and shielded from the view of residential properties. To promote the desired mixed-use character of the community, ~~C~~commercial facilities are to be ~~concentrated in three areas~~ located as follows:

1. Woodward Avenue Frontage – Commercial development is to be concentrated along Woodward Avenue between Alfred and Mack Avenues. The Woodward Avenue frontage will be aesthetically enhanced through new construction, the landscape treatment of vacant lots and facade improvements to commercial buildings that remain. All by-right, "retail, service, and commercial" uses permitted in the SD2 District are permitted, among others.
2. Neighborhood Center – ~~Neighborhood services shall be provided in a node fronting on John R between Adelaide and Alfred and abutting the new public open space area. This commercial node is intended to provide services that typically serve neighborhood residents and employees.~~ Medium Density and High Density Residential – In addition to various "public, civic and institutional uses," several "retail, service, and commercial" uses and selected "manufacturing and industrial uses" are permitted in those areas specified on Map B-1 as Medium Density Residential and High Density Residential.
3. Mack Avenue - ~~Mixed-commercial uses (retail and office)~~ All by-right, "retail, service, and commercial" uses permitted in the SD2 District, among others, will be pursued in the Commercial/Institutional area specified on Map B-1 for rehabilitated homes along Mack Avenue between Woodward Avenue and Brush Street.
4. ~~Additional commercial facilities may locate within existing buildings limited to the north-south collector streets John R., Brush and Beaubien.~~

~~Additional commercial facilities may be incorporated into residential projects, as long as they occupy the first floor only and consist of less than 35% of the gross square feet of the development.~~

~~Off-street Parking lots associated with these commercial facilities should be screened from adjacent residents and landscaped, as specified in Article XIV of the Detroit Zoning Ordinance. Parking lots is to be restricted along Woodward Avenue throughout the Brush Park Rehabilitation Project area in accordance with the Gateway Radial Ordinance are limited to those providing accessory parking as defined in the Detroit Zoning Ordinance (Sec. 61-16-151).~~

- d. OPEN SPACE - Developments involving over 15 units of new housing are required to provide common open space. Requirements for open space are ~~145 square feet for every unit within a residential development to be consistent with a~~ Recreational Space Ratio (RSR) of 0.07. The nature of the open space shall be ~~determined depending on the type of development conform to the recreational space provisions of Sec. 61-13-159 of the Detroit Zoning Ordinance.~~



- e. BUILDING SETBACKS - All structures and parking areas will have a minimum setback of 10 feet from the street right-of-way and a 5 foot minimum setback from the adjoining parcel line, except where common use or ownership conditions of adjacent parcels permit harmonious development with lesser or no setback as determined by the City of Detroit. This front setback will not apply to structures built along Woodward, John R., Brush and Beaubien. The setbacks will also not apply to new structures sharing a block frontage with an adjacent existing structure that is being retained, in which case, the new structure shall have a setback equal to that of the retained structure. If the new structure shares the block front with or is adjacent to two existing structures with different setbacks, the smaller setback shall be used for the new structure. Woodward—Principal buildings on Woodward Avenue between Alfred and Mack Avenues shall be located at the front lot line, except as may be provided in Sec. 61-14-282(b) of the Detroit Zoning Ordinance. Where there are no historic structures located on a block face, new principal buildings shall be located at the front lot line.
  
- f. NOISE CONTROL AND SOUNDPROOFING - Noise control and sound proofing should be maximized by eliminating interconnecting holes, cracks, or doors between dwelling units, by encasing in a sound deadening wrapping or cover all pipes and ducts which pass through rooms of more than one dwelling unit or occupied area; by providing tight fitting and crack free windows and entrance doors that prevent normal speech transmission from a point one foot from one side of the door or window to a point one foot from the opposite side of the door or window; and by surfacing or insulating partitions between dwelling units with sound deadening material, by providing carpeting or similar material for floors between dwelling units, by rearranging or constructing closets partitions, and voids, etc., between dwelling units.

Additionally, outdoor noise level standards shall be as follows:

<u>Daytime outdoor noise levels in DBA</u>	<u>Nighttime outdoor noise levels in DBA</u>
OPEN WINDOWS=55	OPEN WINDOWS=50
CLOSED WINDOWS=65	CLOSED WINDOWS=60

- g. PARKING AND LOADING; CURB CUTS - ~~Upon a determination that a combination of uses can be adequately served by a lesser number of parking space, the City of Detroit may reduce the amount of required parking. Likewise, the City of Detroit may reduce the amount of required parking upon determination that a use serves considerable walk-in traffic rather than primarily auto users.~~ The minimum off-street parking required in Brush Park shall be 0.75 of that required by the Detroit Zoning Ordinance (Article XIV, Division 1, Subdivisions A and B) for a given use; the maximum off-street parking for a given use shall not exceed 150% of that required by the Detroit Zoning Ordinance (Article XIV, Division 1, Subdivisions A and B); for residential development projects, not more than two (2) parking spaces may be permitted per dwelling unit.

In addition to the parking waiver granted for buildings under three thousand (3,000) square feet per Sec. 61-14-7(3) of the Detroit Zoning Ordinance, the Planning and Development Department may grant a waiver of the off-street parking requirements for the first three thousand (3,000) square feet of pedestrian-oriented retail, service, or commercial uses located in Brush Park. The Planning and Development Department shall have authority to consider such waiver, ensuring that the waiver will not be injurious to the adjacent or surrounding areas by creating or increasing traffic congestion or by disrupting traffic circulation. In the case where one building or development contains multiple retail, service, or commercial uses, the total number of spaces that may be waived for a building or development using this waiver shall not exceed forty five (45) spaces. The maximum distance within which accessory parking shall be provided is 1,320 feet, as measured between the nearest point of the off-street parking facility and the nearest point of the building or use to be served.

Except as otherwise provided in the Detroit Zoning Ordinance (Article XIV, Division 1). All loading will take place off the street right-of-way to avoid traffic

congestion.

All parking and loading areas and drives and access will be surfaced with concrete or asphalt pavement so as to provide a permanent, durable and dustless surface and shall conform to the Off-Street Parking Area Design provisions of the Detroit Zoning Ordinance, Article XIV, Division 1, Subdivision I.

Parking lots shall be landscaped and screened in accordance with the provisions for "Landscaping and Screening of Off-Street Parking Areas" as provided in Article XIV, Division 2, Subdivision C of the Detroit Zoning Ordinance.

If parking on local streets is regularly occupied by individuals utilizing sporting and entertainment venues outside of the community to a degree determined problematic by the community and the City of Detroit, a resident permit parking area may be established, as provided in Chapter 55, Article II, Division 2 of the 1984 Detroit City Code.

The use of vacant lots and open space to accommodate rental event parking for fee is to be prohibited.

Where an open alley is located at the rear lot line, parking areas shall be accessed from the alley. Parking areas shall be designed so as to locate as many parking spaces as possible to the rear of the principal building. Where the available space to the rear of the principal building is insufficient for required off-street parking, additional parking area may be located to the side of the building and shall be designed as close to the rear lot line as possible and as far from any lot line abutting a public street as possible. Where the available space to the rear and side of the principal building is insufficient for required off-street parking, additional parking area may be located within 1,320 feet of the principal building on a separate zoning lot not contiguous to the principal use and shall be designed as close to the rear lot line as possible and as far from any lot line abutting a public street as possible.

Where a zoning lot abuts an open alley, vehicular access to the zoning lot shall be limited to the alley. Curb cuts from a public street are prohibited except where a street wall is created or maintained intact, such as where vehicular access to the area behind or within a multi-story structure is provided via an opening at grade through the building.

- h. SIGNS - No signs shall be erected which do not pertain to activities conducted on the parcel upon which they are located. The size, location, and general design for all signs permitted shall be in conformance with development objectives and subject to approval of the City of Detroit Planning and Development Department and the provisions of Chapter 3, Article VII of the 1984 Detroit City Code.
- i. OUTDOOR UTILITY EQUIPMENT - Outdoor meters, air conditioning equipment and antennas shall be incorporated in the design and be as unobtrusive as possible. Meters and transformer boxes on residential parcels may be located above ground provided that they are screened from public view. The location of these meters and transformers and the screening treatment used shall be subject to approval by the City.

Telecommunication towers are prohibited in the area.

- j. GENERAL APPEARANCE AND ARRANGEMENT OF SITES  
All land not utilized for buildings and paving will be landscaped.

All storage of material will take place within the buildings unless other arrangements are specifically approved by the City of Detroit Planning and Development Department.

The arrangement of buildings on the site will provide for adequate light, air-circulation, and a maximum amount of privacy.

- k. NEW DEVELOPMENT DESIGN GUIDELINES - As the developer initiates his or her design procedure, the City of Detroit Planning and Development Department shall provide him or her with design criteria for his or her parcel encompassing:

1. urban renewal plan objectives as stated herein;
2. City of Detroit Historic District Commission Guidelines;
3. Brush Park Guidelines - A Handbook for New Construction Infill Housing and Rehabilitation, 1994; and
4. status of development plans on other adjacent parcels and recommendations to achieve proper compatibility amongst various development projects.

In addition, all developments must meet Americans with Disabilities Act requirements.

- I. VARIANCE VARIATIONS OR MODIFICATIONS- Where, owing to special conditions, a literal enforcement of these restrictions would result in unnecessary hardship involving practical difficulties, or would constitute an unreasonable limitation beyond the spirit and purpose of these restrictions, the Board of Zoning Appeals, in accordance with the City of Detroit Zoning Code Section 61-2-53, shall have the power to authorize a reasonable and minor variation or modification of the terms of these restrictions that will not be contrary to the public interest and provided that the modifications be consented to by the lessee and/or purchaser so that the spirit and purpose of these restrictions shall be observed.
- m. REVIEW OF PLANS - Prior to applying for a building permit for all present and future construction and exterior alteration, the developer must submit plans in the form of the City's Concept Plan Review Application to the Planning and Development Department. The Concept Plan Review Application shall also be submitted to the Brush Park Citizens District Council for review and comments. If approved by the Planning and Development Department, the developer must submit a Site Plan Review Application to the Department in sufficient detail to permit a determination that the construction is in compliance with the Master Plan and this Modified Development Plan. If the Department finds that the plan conforms to the Development Plan and these restrictions, it shall formally approve the plan. At the time of a city-owned land sale or transfer, with respect to new development, the City Planning Commission will review site plans and elevations and make recommendations to City Council who will ultimately approve or deny the land sale. Additionally, if a site is zoned Planned Development, the Plan will be reviewed by the City Planning Commission and City Council in accordance with the City of Detroit Zoning Ordinance.

### 3. INITIATION OF THE LAND USE PROVISION AND ADDITIONAL REQUIREMENTS

The land use provisions and buildings and other requirements enumerated above shall become effective on the date of the adoption of the Fourth Modified Development Plan by the City Council of the City of Detroit.

**C. PROJECT PROPOSALS**

**1. LAND ACQUISITION**

a. Real property to be acquired in the project acquisition areas, public improvement areas and spot clearance sites is indicated on the Map C-1, entitled "Proposed Land Acquisition Plan." The real property will be acquired for clearance, redevelopment, and historic conservation and be subject to the Urban Renewal Plan Objectives in Section A (2), Land Use Provisions and Building Requirements as outlined in Section B(2). Addresses to be acquired are listed below.

STREET NAME	CITY PRIMARY INTEREST *		PRIVATELY OWNED		
	Vacant Lot	Vacant Building	Vacant Lot	Vacant Building	Other**
MACK	262, 308	240, 248, 320	300, 314		
ELIOT		284	241, 263, 268	296/300, 308	
ERSKINE	214, 221, 230, 246, 297/303, 309/313, 314, 420, 430	203, 209, 215		253, 284, 291	
WATSON	87, 202, 205, 227, 241, 242, 249, 252, 257, 274, 287, 288, 295, 300/306, 313, 418, 427, 432, 437	64, 234	221, 301, 332	78/82, 312	
WILKINS			429, 437		
EDMUND PLACE	52, 74, 83, 84, 95, 112, 115, 118, 218, 219, 228, 238, 248, 256, 266, 276, 286, 301, 309, 315/321, 318	65, 92, 229	103	64, 245	
ALFRED	60, 106, 124, 216, 225, 227, 231, 250, 276	110/114, 231, 260	215	105, 205, 226-234, 295	
DIVISION					435
ADELAIDE	244		103, 111	123/125, 213-231, 224/226	257-89
WINDER	123/127, 231	291	57, 65, 75, 88/90, 108, 202/208, 224, 245, 260, 276	111, 115, 119, 255	203 (2500/2524 John R)
FISHER S.D. (NAPOLEON)				419/421	445 (2457 /2565 Beaubien)
WOODWARD	2828		2660/2700, 2800		2842-2854
JOHN R	2750	2959, 3121 (111 Watson)	2440, 2540/2556, 2700, 2802, 2941, 3148 (204 Erskine),	2627, 2832, 3412, 3418, 3422, 3426, 2965 (112 Watson)	2500/2524 (203 Winder), 2639
BRUSH	2702, 2821, 3124, 3136, 3137/3139	2465/2466/2470/2476, 2994/2998, 3119	2968, 3108, 2471, 3435	2458, 2515-2531, 2621, 2984, 3100	2555, 2801/2813 (315 Alfred)
BEAUBIEN	2473, 2481, 2487, 3001, 3009, 3019, 3027, 3035, 3101, 3109, 3119	3129	2711, 2717, 2725, 3137	2735/2737, 3125	2457/2565

\* Title subject to other potential interest.

\*\* Includes blighted non-residential buildings, properties needed for public right-of-way improvements and non-conforming uses.

b. Properties to be acquired will consist only of abandoned buildings, blighted non-

~~residential buildings, vacant lots, properties subject to public right-of-way improvement projects and non-conforming uses. All owner-occupied residential properties are exempt from acquisition unless the property is needed for proposed public right-of-way improvements. Privately held vacant or blighted buildings or vacant lots may be removed from the acquisition list if they comply to the following condition:~~

~~Concept Plans are submitted to the City of Detroit Planning and Development Department through the Concept Plan Review Process within 180 days of the effective date of this Modified Development Plan. Concept Plan Review instructions are available at the PDD. The property will be removed from the acquisition list if the Concept Plan is approved by the PDD and the proposed project is completed within two years of that approval.  
[Deleted]~~

## 2. REHABILITATION PROJECT

The rehabilitation program is designed to conserve and improve the quality of neighborhood housing and to facilitate the physical compatibility that is needed between the residential, commercial, and institutional sectors of the community. Attention shall be devoted to the older and more structurally sound homes which will be retained, repaired, and rehabilitated when feasible. Rehabilitation efforts shall be conducted so as to retain the original exterior design character of the structures. Buildings identified to be rehabilitated are identified in Map C-2 Rehabilitation Plan.

The City of Detroit Planning and Development Department has determined that the project may have an effect upon properties included in/or eligible for inclusion in the National Register of Historic Places. The City will consult with the Advisory Council on Historic Preservation and the Michigan State Historic Preservation Officer (MSHPO) pursuant to Section 800.13 of the regulation (36 CFR Part 800) implementing Section 106, of the National Historic Preservation Act (16 U.S.C. 470 f). The City, ACHP and MSHPO will agree that the program for the Brush Park Neighborhood shall be administered in accordance with stipulations to satisfy the City's Section 106 responsibilities for all individual undertakings having an effect on National Register eligible or included properties.

Buildings identified for Rehabilitation on Map C-2 within a chosen developer's project area shall at minimum be secured and mothballed prior to the Residential Infill Project activities described below. All rehabilitation projects will follow *The Secretary of the Interior's Standards for Rehabilitation*.

## 3. RESIDENTIAL INFILL PROJECT

The intention of the Infill Project is to add quality housing to the neighborhood on existing vacant lots. All new housing will conform to standards established by the City of Detroit Historic District Commission and must be designed to compliment, but not imitate the character of the existing historic structures in the community.

New infill housing will balance surrounding residential development, to compliment and integrate the existing and proposed housing format. New housing construction will reflect the historic character of each street within Brush Park. The new housing structures will have the appearance and massing of the large historic homes once common in the area.

All new construction and rehabilitation designs shall be reviewed by the City of Detroit Historic District Commission for approval.

Development proposals which integrate low or moderate income housing into at least 20% of the units will be given preference in the selection process.

The Infill Project will take place in a Medium Density Land Use District and should maintain the density requirements outlined in Section B(2) Land Use Provisions and Building Requirements, and will include common open space as described in Section B2c.

#### 4. PUBLIC IMPROVEMENTS

The following changes to the existing public right-of-way are proposed as part of this plan. All proposed changes are shown in the Right-of-Way Adjustment Plan C-5.

- a. Two-way Service Drive - Extending and connecting the west Chrysler Service Drive and the north Fisher Service Drive and creating the west Chrysler Service Drive into a two-way system to divert through traffic around Brush Park neighborhood and Brewster neighborhoods. This element will simultaneously happen with the vacation of the I-75 exit ramp east of Brush on the North service drive.
- b. The three north-south collector streets: John R., Brush and Beaubien streets will all be converted to two-way collector streets serving the neighborhood residents. Through traffic will divert to Woodward and the Chrysler Service Drive with the use of signage thereby minimizing intrusion into the community.
- c. Internal Street System - Newly rebuilt streets will be designed to meet current nationally accepted residential standards and allow for on-street parallel parking as necessary to accommodate visitor parking in the neighborhood. Included in the street rebuilding will be the installation of new street lights, new storm sewers, new water mains and relining existing sanitary sewers.
- d. Walkway System - Newly rebuilt sidewalks will provide a continuous public walkway system that will serve all parts of the community and will be handicapped accessible.
- e. Existing pedestrian malls on Watson and Edmund Place rights-of-ways between John R. and Brush streets will be reopened to accommodate residential vehicular traffic.
- f. Selective street and alley rights-of-way may be vacated or changed to easements to create larger development parcels for institutional, commercial, open space, or housing developments. These streets include:
  1. Eliot, Benton, Watson, Brewster and Alfred between Brush & Beaubien streets,
  2. Winder between Beaubien and Fisher Freeway service drive and;
  3. Any other alley that needs to be vacated to complete a development parcel for a development approved by the City.
- g. John R. and Brush streets between Winder and the Fisher Freeway service drive may be closed or vacated to eliminate through traffic if residential street traffic load limits as determined by the Detroit Department of Transportation are exceeded. Determination will be made through traffic counts one year after the completion of new residential units between Alfred and the Fisher Freeway service drive.

#### 5. REDEVELOPER'S OBLIGATIONS

The land acquired by the City of Detroit will be disposed of subject to an agreement between the City and the Redeveloper. Development Agreements and review of the Redeveloper's plan shall consider the following:

- a. Development agreement documents will incorporate provisions for achieving all elements of the development plan. Selection of a developer will be made using fixed price offering using Urban Renewal Plan Objectives criteria; or through negotiation where the objectives are determining factors; or by other means which will assure the attainment of the objectives. The developer's proposal will be enforced by the performance standards set forth in the development agreement.
- b. The development agreement shall spell out, in detail, the criteria to be met in order to achieve the urban renewal plan objectives.
- c. The development agreement shall also include provisions for insuring initiation

and completion of construction within a reasonable period of time after the effective date of contract as determined by the type of redevelopment to be undertaken.

- d. The development agreement shall also include provisions requiring that the Redevelopers, their successors, or assigns, shall agree that there will be no discrimination against any person or group of persons on account of race, creed, color, sect, or national origin in the lease, transfer, use, occupancy, tenure or enjoyment of the premises therein conveyed; nor will the Redeveloper him/herself or any person who works or serves under or through him/her establish or permit any such practice or practices of discrimination or segregation with reference to the selections, locations, number, or use or occupancy of tenants, lessees, sub-lessees, or vendees in the premises therein conveyed.

The above provisions will be perpetual and will run with the land disposed of within the urban renewal areas of the City of Detroit.

## 6. UNDERGROUND UTILITY LINES

Easement for subsurface utilities shall be maintained at locations shown on the Right-Of-Way Adjustment Plan. Additional easements for subsurface utilities shall be provided by the developer as required for development of the property, subject to the approval of the utility companies and/or municipal departments affected. No structures may be erected or trees planted within these easements without the permission of the affected Utility or Department.

In areas of the project to be designated for acquisition (as indicated on Land Acquisition Plan Map C-1), all utility equipment, including facilities for transmission or distribution of gas, electricity, steam, water, or communications except fire hydrants, lighting standards, and electric transformers will be located underground or enclosed entirely within a building.

In the residential parcels only, where low-rise dwelling units are developed, certain utility equipment such as transformer boxes may be located above ground provided that it be screened from public view, subject to approval of the Planning and Development Department.

**D. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS**

**1. ESTIMATED COST OF IMPROVEMENTS**

The estimated cost of improvements is attached hereto and hereby made part of this Third Modified Development Plan as required by Section 4(9)(b) of the Rehabilitation of Blighted Areas Act, Act 344 of the Public Acts of 1945, as amended. (see Attachment A).

**2. RELOCATION PLAN**

The relocation plan, more specifically entitled Brush Park Rehabilitation Project Relocation Plan and attached hereto is hereby made a part of this ~~Third~~ Fourth Modified Development Plan as required by Section 4(9)(c) of the Rehabilitation of Blighted Areas Act, Act 344 of the Public Acts of 1945 as amended (see Attachment B). No further relocation of residents or businesses is anticipated for this project.

**3. RIGHT-OF-WAY ADJUSTMENT PLAN**

The Right-of-Way Adjustment Plan C-5 shows:

- a. Public R.O.W.s streets to be reopened,
- b. Public R.O.W.s to be vacated,
- c. Public R.O.W.s change of directions, and
- d. Expansion of Fisher Freeway Service Drive.

This is hereby made a part of this ~~Third~~ Fourth Modified Development Plan as required by Section 4(9)(b) of the Rehabilitation of Blighted Areas Act, Act 344 of the Public Acts of 1945, as amended.

**4. EXISTING ZONING**

The Existing Zoning Map D-4 shows zoning classification as they existed at the time the Initial Development Plan was adopted and is hereby made a part of this ~~Third~~ Fourth Modified Development Plan.

**5. ZONING PLAN**

The Zoning Plan Map D-5 showing the zoning proposals for the project area and is hereby made a part of this ~~Third~~ Fourth Modified Development Plan.

**6. EXISTING LAND USE MAP**

The Existing Buildings Map D-6 shows existing buildings as of 2000 and is hereby made a part of this ~~Third~~ Fourth Modified Development Plan.

**7. DISTRICT PLAN MAP**

The District Plan Map D-7 is hereby made a part of this ~~Third~~ Fourth Modified Development Plan.

**8. STREETS AND OTHER PUBLIC FACILITIES**

The Project Boundary, Streets and other Public Facilities Map A-1 designates the location and extent of streets and other public facilities within the area is hereby made a part of this ~~Third~~ Fourth Modified Development Plan.



**E. PROCEDURE FOR CHANGES IN THE APPROVED PLAN**

If previous to the lease, sale, or exchange of any real property in the development area, the City Council of the City of Detroit desires to modify the Fourth Modified Development Plan, it shall hold a public hearing thereon, notice of such hearing to be given as provided in state law. The Citizen's District Council shall be periodically consulted with for advice regarding all aspects of the plan. If the modification is approved by the City Council, it shall become part of the approved Modified Development Plan.

The part of a development plan which directly applies to a parcel of real property in the area, can be modified by the City Council of the City of Detroit at any time or times after the transfer or lease or sale of the parcel of real property in the area provided that the modification be consented to by the lessee or purchaser.

**ATTACHMENT A**

**Estimated Cost of Improvements**

Acquisition:	\$12,000,000
Relocation:	\$665,000
Demolition/Environmental:	\$1,500,000
Public Improvements:	\$12,500,000
Rehabilitation:	\$15,000,000
<hr/>	
<b>TOTAL ESTIMATED COST OF IMPROVEMENTS</b>	<b>\$41,665,000</b>

**ATTACHMENT B**

**Brush Park Rehabilitation Project  
Relocation Plan**

The purpose of this relocation plan is to meet the requirements of Act 344 of the Public Acts of the State of Michigan of 1945, as amended.

Section 4 (2) (e) (111) states:

"The plan shall include estimates of the number of persons residing in the development area and the number of families and individuals to be displaced; a survey of their income and racial composition; a statistical description of the housing supply in the community including the number of private and public units in existence or under construction, the annual rate of turnover of the various types of housing and the range of rents and sale prices; an estimate of the total demand for housing in the community; and the estimated capacity of private and public housing available to displaced families and individuals."

The Relocation staff of the Planning and Development Department conducted a planning survey of the proposed Brush Park Rehabilitation Project. The purpose of the survey was to determine the size and general demographics of the workload to be displaced. The surveys were conducted between 1996 and 1999.

According to the Census 2000, there are 471 residents living in Brush Park. Of these, there are 21 households (18 tenants and 3 owners) and 8 businesses that already have been or will be relocated. Following is a racial description of the residential displacement.

**Profile of Individuals that Already Have Been or Will Be Displaced**

1. Number of Households that have been or will be Displaced

a.	White, not of Hispanic Origin	0
b.	Black, not of Hispanic Origin	21
c.	American Indian or Alaskan Native	0
d.	Hispanic	0
e.	Asian or Pacific Islander	0
f.	Unknown, incomplete information	0
	TOTAL:	21

2. Number of Families that have been or will be Displaced

a.	White, not of Hispanic Origin	0
b.	Black, not of Hispanic Origin	7
c.	American Indian or Alaskan Native	0
d.	Hispanic	0
e.	Asian or Pacific Islander	0
f.	Unknown, incomplete information	0
	TOTAL:	7

3. Number of Individuals that have been or will be Displaced

a.	White, not of Hispanic Origin	0
b.	Black, not of Hispanic Origin	30
c.	American Indian or Alaskan Native	0
d.	Hispanic	0
e.	Asian or Pacific Islander	0
f.	Unknown, incomplete information	0
	TOTAL:	30

4. Total Displacement by Household Size

Household Size	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
Number of Households	14	4	1	0	1

5. Income Characteristics of all Households

Income	\$0- \$9,999	\$10,000- \$19,999	\$20,000- \$29,999	\$30,000 and over
Households	12	2		

Unknown or Refused Information: 6

6.	Age of Head of Household							
	A. Tenants							
		<u>Less than 62</u>	<u>62 or older</u>		<u>unknown</u>			
		9	5		4			
	B. Owners							
		<u>Less than 62</u>	<u>62 or older</u>		<u>unknown</u>			
		1	2					
7.	Female Headed Households							
		<u>Tenants</u>	<u>Owners</u>					
		4	0					
8.	Size of Unit to be Acquired							
	Rooms	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>
	Households	5	8	2				
	Unknown:	5						

**Nonresidential Displacement**

The second part of the workload in the non-residential displacement in the project area. There are 6 commercial and 1 non-profit establishments to be relocated. Five of the non-residential relocates area owner occupied and three are tenant occupied. Of the 8 businesses, 3 are sole proprietorships and 5 are corporations. The businesses range from 1 to 15 employees. The number of employees per business includes:

No. of Employees	<u>1-5</u>	<u>6-10</u>	<u>11-15</u>	<u>16-20</u>	<u>21-25</u>	<u>25+</u>
Businesses	6		2			

**Statistical Description of Housing Supply in the Community**

The following statistics were derived from the City of Detroit HUD Consolidated Plan, 2000, the U.S. Census of Population and Housing, 1990 and 2000, Southeast Michigan Council of Governments and the Detroit Planning and Development Department Housing Survey, 1991.

a.	<u>Number of private and public units in existence or under construction</u>	375,096
	Number of occupied units	336,428
b.	<u>Condition of existing residential units</u>	
	Standard	262,567
	Sub-Standard	112,528
c.	<u>Number of owner occupied and tenant occupied units</u>	
	Owner occupied	184,647
	Tenant occupied	151,781
d.	<u>Annual rate of turnover of various types of housing</u>	
	Percentage of owner-occupant households who moved in one-year period	4.2%
	Percentage of renter-occupant households who moved in one-year period	26.6%

e. Range of sale prices and rents  
 The median value of Detroit's owner occupied housing was \$25,600 in 1990. This is a modest increase in value above the 1980 Census median of \$23,250. Housing values vary tremendously over different areas of the City. Currently, \$25,000 serves as the low range of home sales, and home sales have reached \$1,000,000 in the city's historic districts. It is estimated based on recently publicly listed property transactions that the median home sale in Detroit is approximately \$65,000.

According to the 1990 Census, Detroit's median cash rent paid in 1989 was \$265 a month. More current estimates of rental rates in downtown Detroit are \$877 per month in 2000 with a 4.6% vacancy rate, although rents within Brush Park are

significantly lower. There are currently buildings in Brush Park that rent studio apartments for \$270 per month including utilities.

- f. Estimate of the total demand for housing in the community  
The demand for standard housing units is approximately 1% less than the supply of standard housing ( i.e. demand equals about 259,941 out of a standard supply of 262,567 total standard units). This estimate is based on Detroit Planning and Development Department Housing Survey, 1991. More recent housing surveys of the Greater Downtown Area have identified a demand of nearly 15,000 in the greater downtown area according the Greater Downtown Partnership.
- g. Estimated capacity of private and public housing available to displaced families and individuals  
Persons to be displaced will receive at least one referral to a comparable unit, and where possible a choice of units to rent or purchase depending on current occupancy.

The comparable referrals will be to standard, decent, safe and sanitary units similar in size and number of rooms to the unit from which the displacement occurs.

### **Relocation Assistance**

Act 344 requires that the plan include "...a feasible method for the relocation of families who will be displaced from the area in decent, safe and sanitary dwelling accommodations and without under hardship to such families...."

The survey provided information regarding the resource needs of the relocatees. Of the 21 households to be relocated 18 are tenants and 3 are homeowners. Each residential relocatee will receive at least one comparable referral prior to receiving a 90 day notice to vacate.

All residential tenants will be informed about the availability of assistance from various federal, state and local agencies in helping them to relocate successfully.

Examples of assistance from other agencies include the availability of mortgage assistance from Michigan State Housing Development Authority and anti-discrimination assistance from the City of Detroit Human Rights Department.

### **Sales Housing - 3 Homeowners**

Homeowners occupy units ranging in size from 2 to 8 rooms.

The Relocation staff is in frequent contact with members of the real estate industry. Numerous brokers and agents share their individual listing with staff. Where possible, City of Detroit Certificates of Approval will be requested at the time a unit is referred to staff by a broker or agent. If the Certificate of Approval is not available, the broker or agent will be requested to have the owner submit an application for an inspection by the Department of Buildings and Safety Engineering. In the meantime, Relocation staff will look at the unit to determine size comparability with units to be acquired.

Units are entered into a referral data bank after they have been inspected and approved by Department of Building and Safety Engineering. Referrals to homeowners will be made on an individual basis.

The owner-occupant work load is small and the number of houses for sale are many. There will be no difficulty in securing decent, safe, and sanitary, comparable referrals for the 3 homeowners in he project area.

### **Rental Housing – 18 Tenants**

Federal regulations require that comparable units be "... currently available to the displaced person on the private market...", and "... as soon as feasible, the Agency shall inform the person in writing of the specific comparable replacement dwelling and the price of rent used for establishing the upper limit of the replacement housing payment..."

Both owners and tenants become eligible for relocation assistance and payments when the City makes its first written offer for a piece of property. It is essential to make an offer of a comparable unit as quickly as possible after the City initiates negotiations in order to inform the relocatee of the maximum relocation payments available.

### **Relocation Payments**

The Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended, provides the basis for technical assistance and relocation payments. Amendments to the Uniform Act were effective for all federal agencies on April 2, 1989.

### **Moving Claim**

A residential occupant may receive a fixed moving payment, including a dislocation allowance for moving furniture and personal items. The amount of the payment is based on the number of rooms of furniture owned and moved & will range from \$300 to \$1150. As an alternative, households may choose to receive a moving payment for the actual, reasonable expenses to move from a residential unit.

A business or nonprofit organization may receive a payment for actual, reasonable moving expenses, in addition, reestablishment expenses up to \$10,000 will be available. A business or non-profit organization may choose a fixed payment in lieu of actual moving expenses ranging from \$1,000 to \$20,000.

### **Replacement Housing Payment**

An owner-occupant may receive up to \$22,500 to purchase another dwelling unit. This payment has three components: differential, interest, and incidental expenses. In order to qualify for the payment, the owner must have occupied his/her unit for at least 180 days immediately prior to the acquisition offer from the City of Detroit. In addition, he/she must purchase and occupy a decent, safe and sanitary dwelling within one (1) year after moving or receiving the final payment for the unit sold to the City, whichever is later.

The payment is intended to cover the following:

1. The amount necessary to purchase a comparable replacement dwelling, or the actual cost of the standard replacement dwelling, if it is less;
2. The amount necessary to compensate the displacee for increased interest costs related to the replacement dwelling, or comparable dwelling, if it is less. The increased interest costs relates to the amount and time remaining on an existing mortgage of the property acquired by the City.
3. Reasonable expenses which are incidental to the purchase of the replacement dwelling.

A tenant occupant may qualify for a payment up to \$5,250 to rent a comparable decent, safe and sanitary dwelling unit. The tenant may choose to apply his/her replacement housing grant to the purchase of a decent, safe and sanitary unit.

### **Relocation Payments in Hardship Cases**

Generally, relocation payments are made after a person relocates. If this causes an undue hardship on a relocatee, advance payments will be available.

### **Technical Assistance for Business and Nonprofit Organizations**

Business and non-profit owners will be given assistance in finding a replacement location. They will also be kept informed of federal, state and local programs that may be of assistance in the reestablishment of their business or organization.

The business or non-profit will receive a payment for the actual reasonable moving expenses including the cost of transportation, packing, storage, licenses and permits, re-lettering of signs and replacement of signs and replacement of printed material and any other move related costs, or a fixed payment in lieu of the payment for the actual moving expenses. In addition, if a business or non-profit organization elects to receive actual moving expenses they may be entitled to receive a payment, not to exceed \$10,000 for expenses actually incurred in reestablishing their business at a replacement site.

### **Assistance in Minimizing Hardships to Displaced Persons**

The City will provide counseling and referral services to minimize undue hardships for residential relocatees. It has been the City's experience that approximately 10% of the households relocated from a project area require assistance in resolving a problem or series of problems prior to relocating. These problems may be economic, behavioral, social or health related.

The City will also provide counseling or referrals to tenants wishing to purchase a replacement dwelling. The counseling will include the responsibilities and opportunities that homeownership provides. The City will also work closely with mortgage companies and the Michigan State Housing Development Authority to provide relocatees with information about the availability of mortgage funds.

**Estimated Relocation Payments for Project  
Residential Payments**

**RESIDENTIAL**

Moving	\$40,000
Rehousing Tenants	\$250,000
Rehousing Homeowners	\$75,000
<b>Total Residential</b>	<b>\$365,000</b>

**BUSINESS**

Business Payments	\$200,000
Moving and Reestablishment	\$100,000
<b>Total Business</b>	<b>\$300,000</b>

**TOTAL PROJECT PAYMENTS**                      **\$665,000**