

Memo

DATE: May 25, 2021
TO: Plan Commission
FROM: Grace Stamper
Economic Development Associate
RE: 3000 Holbrook Rezoning Request

Staff Report

Site Address: 3000 Holbrook

Parcel Number: 41-005-06-0076-000

Location: South side of Holbrook just east of Joseph Campau

Applicant: Iqbal Hossain

Property Owners: Applicant

Request: Applicant is requesting to rezone the property from R (Residential) to C2 (Mixed-use commercial)

Zoning and Existing Use: R (Residential) and used as half residential and half commercial

Adjacent Zoning and Existing Uses:

North: C-2 (Mixed Use Commercial) & Commercial

East: R (Residential) & Residential Use

South: R (Residential) & Residential Use

West: C-2 (Mixed Use Commercial) & Commercial Use

Other: Public hearing notices were published in The Hamtramck Review on May 15, 2021 and notices were sent to all property within 300' of the subject property on May 15, 2021 in accordance with the Michigan Zoning Enabling Act.

Summary:

The applicants have requested to rezone the above specified properties from R (Residential) to C2 (Mixed Use Commercial). The property is along Holbrook, which is primarily a mix of C-2

mixed-use commercial and residential zoning. This property is a residential structure which is currently used partially for commercial use. The applicant would like to rezone the structure so he can use the whole property for commercial use without the use restrictions of residential.

Master Plan and Future Land Use:

The Future Land Use map in the 2020 Master Plan designates the subject property as residential. However, it is directly next to a property zoned C-2 mixed use commercial.

Zoning:

The existing zoning of the property is R (Residential). This district is meant “to encourage integration of a range of housing types and to enhance individual and neighborhood safety in a workable neighborhood oriented around the five-minute walk.” Its permitted uses included a range of housing options, home occupations, public utility stations, public services, schools and religious institutions, and cultural and fraternal activities. It also allows for some commercial uses as special land uses. However, a wider range of commercial services is not allowed in the district.

The requested zoning of the property is C2 (Mixed Use Commercial). This district is meant “to encourage a diversity of compatible land uses, which may include a mixture of residential, office, retail, recreational, office research, light manufacturing, and other miscellaneous uses within an aesthetically attractive environment conducive to the development and protection against nuisance type uses and combinations.” Its permitted uses include a range of commercial uses such as stores, restaurants, and professional offices, as well as some residential uses. This zoning district would expand the commercial uses allowed at the property.

Standards of Review for Rezoning:

The Hamtramck Zoning Ordinance does not have specific standards of review for rezoning requests. The following are some best practice standards to consider when reviewing a rezoning request. The Commission may use these as a guide in their decision making process.

(A) Consistency with the goals, policies, and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.

Response: The 2020 Hamtramck Master Plan designates the subject property as residential. Rezoning this to C-2 is not consistent with the Master Plan but would line up with the C-2 property next to 3000 Holbrook.

(B) Consistency with the basic intent and purpose of this Zoning Ordinance.

Response: The Zoning Ordinance intends to designate parts of the city as zones for commercial business. This is on a street with multiple commercial properties and next to a commercial property, but it is a residential structure.

(C) The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.

Response: The property is on Holbrook, which is capable of handling the traffic generated by uses in the C2 district.

(D) The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, and welfare of the City.

Response: The property is along a main street in Hamtramck that already has commercial development on it, so the City's utilities and services should be sufficient to accommodate a commercial use without compromising health, safety, and welfare.

(E) That conditions have changed since the Zoning Ordinance was adopted or there was an error in the Zoning Ordinance that justifies the amendment.

Response: This property is already being used partially for commercial use, but there is no error in the Zoning Ordinance.

(F) That the amendment will not be expected to result in exclusionary zoning.

Response: This property is already next to a C-2 property on a commercial road, so this would not result in exclusionary zoning.

(G) If a rezoning is requested, compatibility of the site's physical, geological, hydrological, and other environmental features with the uses permitted in the proposed zoning district.

Response: Holbrook has a variety of developments on it already, so it is likely that the site's physical, geological, hydrological, and other environmental features are compatible with the permitted uses in the proposed zoning district,

(H) If a rezoning is requested, compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.

Response: The property is on a street in which many other properties are used commercially. Allowing another commercial use is not expected to produce negative effects in regards to remaining compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.

(I) If a rezoning is requested, the boundaries of the requested rezoning district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.

Response: The property is next to a property that is zoned C-2, so the boundaries of the requested rezoning district will be reasonable in relationship to surrounding zoning districts. The lot is large enough to meet dimensional requirements.

(J) If a rezoning is requested, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.

Response: The Master Plan designates the property as Residential and it is a residential structure, but it is currently being used partially as commercial and next to a C-2 zoned structure, so the plan commission must decide whether it is appropriate to rezone.

(K) If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.

Response: Rezoning is more appropriate than amending the list of permitted or special land uses in the current zoning district because this one case of a residential zone on a partially commercial street should not require changes to an entire zoning district.

(L) If a rezoning is requested, the requested rezoning will not create an isolated or incompatible zone in the neighborhood.

Response: The property is along a street with other commercially zoned properties, so it will not create an isolated or incompatible zone in the neighborhood.