

Lesley C. Carr, Esq.
Chairperson
Lisa Whitmore Davis
Vice Chair/Secretary

City of Detroit

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

Brenda Goss Andrews
Thomas Christensen
Karen M. Gage
Frederick E. Russell, Jr.
Arthur Simons
Roy Levy Williams

City Planning Commission Regular Meeting
November 21, 2013, 4:45 PM
Committee of the Whole Room
13th Floor – Coleman A. Young Municipal Center
Woodward at Jefferson
(use Randolph Street entrance after 5:30 PM)

AGENDA

I. Opening

- A. Call to Order – 4:45 PM
- B. Roll Call
- C. Amendments to and Approval of Agenda

II. Minutes

- A. Approval of minutes of the Regular Meeting of July 18, 2013
- B. Approval of minutes of the Regular Meeting of October 3, 2013 (**TENTATIVE**)
- C. Approval of minutes of the Regular Meeting of October 24, 2013 (**TENTATIVE**)

III. Public Hearings and Presentations

- A. **4:50 PM PUBLIC HEARING** – request of Matt Ward owner of Lahser Tire Inc., to amend Article XVII, District Map No. 73 of Chapter 61 of the 1984 Detroit City Code, Zoning, by rezoning properties Generally bounded by Grand River Ave., Cooley, Willmarth, Lahser and Redford from the current B3 (Shopping District) zoning classification to a B4 (General Business District) zoning classification. The subject properties are more specifically known as 22100, 22116, 22120, 22124, 22132, 22200, and 22250 as well as 17425 Lahser. (MT) *20 mins.*
- B. **5:20 PM PUBLIC HEARING** – to consider the proposed text amendment to the Chapter 3 of the 1984 Detroit City Code deleting Sec 3-4-1 to remove the prohibition of projecting signs over Woodward Ave. and the request of Midtown Inc. to amend Chapter 61 of the 1984 Detroit City Code, Zoning, by revising the provisions of the SD1 (Special Development District—Residential/Commercial) and the SD2 (Special Development District, Commercial/Residential) zoning district classifications. (GM) *30 mins.*

- D. 6:15 PM PUBLIC HEARING** – to consider the request of Norstar Development USA, L.P (developer) and the Detroit Housing Commission to modify the plans for the existing PD (Planned Development) zoning district presently shown on land comprising the central portion of the former Herman Gardens Housing Complex now known as Gardenvue Estates, which is generally bounded by Joy Road, Tireman Street, Asbury Park Avenue, and the Southfield Freeway. The request would modify the existing PD created by ordinance #15-10 of 2010 and amend Article XVII, District Map No. 40 of Chapter 61 of the 1984 Detroit City Code, Zoning. (MT) 30 *mins.*

IV. Unfinished Business

- A.** Consideration the request of Henry Ford Health Systems, to amend Article XVII, District Map No. 7 of Chapter 61 of the 1984 Detroit City Code, Zoning, by rezoning properties located south of Marquette Avenue and north of the Grand Trunk Railroad on the east and west sides of Hecla Avenue and the west side of Avery Avenue from the current M3 (General Industrial District) zoning classification, and R2 (Two-Family Residential District) zoning classification to a M2 (Restricted Industrial District) zoning classification. (MT) (TENTATIVE) 20 *mins.*

V. New Business

- A.** Modification of Planned Development (PD) zoning district at the Renaissance Center for the pumphouse adjacent to the Port Authority Building. (GM) 20 *mins.*

VI. Committee Reports

VII. Staff Report

VIII. Communications

IX. Public Comment

X. Adjournment (anticipated at 7:30 PM)

NOTE: An interpreter for the hearing impaired will be present at the meeting if requested at least 48 hours in advance. To request an interpreter, please call 313-224-4946.

City Planning Commission Regular Meeting

NOTE: The minutes do not represent a Verbatim transcription of the meeting

DRAFT

CITY PLANNING COMMISSION
REGULAR MEETING
July 18, 2013

I. Opening

Call to Order

The meeting was called to order by Commissioner Russell, in the Committee of the Whole Room, 13th Floor of the Coleman A. Young Municipal Center at 5:05 p.m.

Roll Call

Present: Commissioners Allen, Christensen, Gage, Goss-Andrews, Russell, Williams.
Commissioners Simons, Carr and Whitmore-Davis were excused.

Amendments to and Approval of Agenda

ACTION: There were no amendments to the agenda, but it was noted that there will be a brief staff meeting today regarding Item 5(A) and the matter will come back for a presentation on August 1, 2013 meeting. Commissioner Russell moved to approve the agenda noting the corrections. Commissioner Christensen second the motion. Motion carried.

II. Minutes

Minutes of the Regular Meeting of June 20, 2013 have not been distributed.

III. Public Hearings and Presentations

A. 4:45 PM PUBLIC HEARING - to consider the request of the Detroit Recreation Department to show an SD4 (Special Development District, Riverfront Mixed Use) where a PR (Parks and Recreation District) zoning classification is shown on Map #3 and #11 of Chapter 61, Article XVII of the 1984 Detroit City Code, Zoning, for the eastern portion of Chene Park and portions of the area, including a portion of Mt. Elliott Park, at the intersection of Wight Street and Mt. Elliot Street. The locations are more commonly known as 2200 E. Atwater (Map 3), 3414 Wight Street, 301 Mt. Elliot Street and 110 Mt. Elliot Street (Map 11)

Present: Alicia Minter, Director, Recreation Department
Will Taminga, Director of Project Management, DEGC
Andrea Haas, Detroit Economic Development Corporation (DEGC)

City Planning Commission Regular Meeting

CPC staff member Greg Moots gave a detailed presentation of the report dated July 11, 2013. The area proposed to be rezoned would be .84 acres. Two of the parcels will be used by the Coast Guard and two used for redevelopment. The SD4 district in the Zoning Ordinance is intended for areas with high intensity residential and commercial mixed-use development. The proposal meets that criteria and matches the zoning of the rest of the development. The parcels proposed meet the criteria for rezoning listed in Section 61-3-80 and is consistent with the Master Plan and its stated purposes. The property development should fit into the fabric of the area and the expansion of the Coast Guard facility seems appropriate. The parcels proposed to be transferred to the Coast Guard are part of a land swap that will allow the Riverwalk to be continued further east. CPC staff does not feel this request will create an illegal spot zone.

Alicia Minter, Director of The Recreation Department said that Recreation still wants to maintain the continuity of the space running to the southwestern portion along the water, including St. Aubin Park and Milliken State Park, and believe the designation as Parks and Rec. should stay in place. All other areas that have been designated and zoned as SD4 could also be considered on park and rec. property. The Recreation Department has communicated that Chene Park amphitheater and Chene Park itself have not been included within the conversion that was in process for the last six or seven years.

Will Taminga, Director of Project Management for DEGC said that since 2007, DEGC has actually put conditions in front of the Michigan Department of Natural Resources (MDNR) for some of the same reasons expressed by Ms. Minter and Mr. Moots. If accomplished, this rezoning effort supports an activated waterfront. It improves the accessibility to public spaces, including the Riverwalk. There are certain obligations the City has as well as the EDC, to the United States Coast Guard. There is an approved agreement called the Exchange Agreement that was cleared in 2001 that contemplates a land exchange. It is important for this rezoning effort to take place in order for this land exchange to occur. The City has an obligation to convey property to them that has the correct zoning.

Commissioner Williams asked if the City does the clean-up, are the properties exchanged of equal value?

Will Taminga answered it does contemplate the clean-up of the properties. Valuation was done with an expectation that the parcels would be cleaned up because the appraiser was aware of the exchange agreement terms. This was an executed agreement that was approved by City Council. He agreed to provide a copy of that agreement.

Commissioner Williams asked if the clean-up cost is included in the agreement.

Will Taminga stated they have not been finalized yet.

Commissioner Williams replied he would like the clean-up costs.

Commissioner Gage stated that Mr. Taminga probably had the appraisals and asked if they can they look at the appraisal reports to see if the appraiser made that adjustment in this appraisal.

City Planning Commission Regular Meeting

Will Taminga said that he could check.

Commissioner Williams said that most clean ups are extremely expensive. Is it as comparable as the City giving away property, again, at a higher expense than what we're getting in return?

Will Taminga answered that generally, the parcel the Coast Guard gives up is closer to the downtown area and it is essentially waterfront property with boat access, and that has a certain value. Then, of course, the parcels to the east on Mt. Elliott are both off water and that has a certain value too. He would have to go back and reflect on the actual appraiser's language.

Commissioner Russell requested that he come back with his answer.

Greg Moots also stated that Legislative Policy Division (LPD) staff could include a response to their questions as part of our follow-up report to the City Planning Commission.

PUBLIC COMMENTS

Helen Moore: Expressed her concern about how this change is going to affect Chene Park and the surrounding areas. If it is zoned for residency, then you're going to have people living around the area and there's a lot of music, jazz, etc. Looking to the future, is that going to cause a problem for the City of Detroit? What about congestion and people going to Chene Park? How is that going to affect the people who live there?

Greg Moots responded that Chene Park will not be changed in operation. This is just area on the far-east side that's presently not used by the park. As for the 15 nights a year there is a concert at Chene Park, there certainly would be congestion. There are only a limited number of events at Chene Park where there is a huge influx of people and someone moving there would certainly know they are moving next to Chene Park.

Raymond Solomon: When the park was built, the hills that are being considered for receding were built so they could block some of the noise. Being considered is the leveling that land. Then there may be a noise violation. He asked to leave this land just like it is and not bother anyone. Leave it for recreation, that is what it was meant for in the first place.

Holly Tugwell: The walkway has water on the right-hand side and grass and the trees on the left-hand side. She can sit on the grass under the trees and hear the concert. She doesn't see a need for the Riverwalk to have to go down that walkway and questioned who is trying to develop there.

Marcell Todd responded that at this point in time there is no identified developer. Currently, the CPC staff and the Commissioners at the table, are unaware of any particular development that has been envisioned for this property and have been given that understanding from the DEGC, EDC staff as well.

Helen Moore: How will the bankruptcy of the City of Detroit affect the zoning and everything we are talking about?

City Planning Commission Regular Meeting

Ray Johnson, a park operator, thanked the Commission for allowing him to make one correction. There are fifty (50) shows a year, not fifteen (15). The park serves 100,000 customers who generate over \$10 million every year. He doesn't want the removal of this sliver of land being dismissed as miniscule. It will present a problem in terms of traffic flow, noise, and public spaces for our citizens.

B. 5:30 PM PRESENTATION – The Downtown Development Authority is pursuing approval of a Restated Tax Increment Financing Plan and Development Plan for Development Area No. 1. The adjustments include the alteration of the boundaries of the district and other modifications necessary to facilitate the Catalyst Development Project which calls for the development of a 650,000 sq ft, 18,000 seat events center to house the Red Wings and host a number of sports and entertainment engagements.

Present: Brian Holdwick, Downtown Development Authority (DDA)
Jennifer Kandlos, DDA and DEGC
Mike McLaughlan, VP Government Relations for Olympia Development
Paul Childs, COO M1 RAIL
Summer Woods, Director of Community Affairs, DDA

Commissioner Christensen recused himself from the presentation because he is an employee of Olympia Entertainment.

Brian Holdwick gave a detailed presentation regarding the proposed amendment to the DDA TIF claim. Two important projects identified in the amendment are: 1) the Catalyst Development area and change of landscape in the City of Detroit; and, 2) the M1 Rail Project. M1 Rail is to come downtown from the New Center area. In 2009, the DDA authorized the use of \$900,000 for a ten-year period. Those monies were utilized under a prior line item in the DDA TIF Plan. That line item is separated out of this amendment to identify the project and to identify the funding sources. The project is moving forward. DDA is still committed to the \$9 million of tax increment dollars that has been allocated previously to the project.

Mike McLaughlan: The current status of the M1 Rail is that Olympia Development has engaged an engineering firm and construction management general contractors. They have a planned ground-breaking late summer, late fall in the immediate downtown area. They are also working very closely with Olympia Development under proposals to make sure that both projects are worked in concert. They have partners up and down the corridor that are providing financing, along with the federal government, MDOT and the DDA and a number of institutional and private donors.

Commissioner Gage: Can any of you speak to the issue of any community benefits/agreements that will be in place with the M1 Light Rail with partners along the corridor and with the stadium project?

City Planning Commission Regular Meeting

Brian Holdwick (DDA) replied, that they have a significant community outreach program that has been underway for a period of time. The Director of Community Affairs, Summer Woods, has been working in the community on a daily basis, with entities in downtown, midtown and the north end.

Summer Woods, Director of Community Affairs stated they are assessing exactly what the community is looking for. A main concern is workforce development. DDA is assessing what it can do as it relates to apprentice programs, so that they can have individuals trained for future opportunities with the bridge, the rail and other projects as well.

Brian Holdwick added that with any construction that the DDA is involved in, there is a requirement for compliance with the Executive Orders 2007; the one related to the amount of Detroit-based businesses and to Detroit residents.

At the end of last year, the state authorized the use of a revenue stream that the DDA captured for 30+ years, to use for economic development purposes. The state authorized that revenue stream if the City is presented with a Catalyst Development. They have been in negotiations for some time with Olympia Development in the building and replacement of Joe Louis Arena. This is an important tool in order to accomplish that. They have identified the site for the arena, which is north of the current Fisher Freeway.

What is before us today is the approval of two things. One, the approval of using that revenue stream of up to \$15 million annually to support the Catalyst Development Project. In addition to that, beginning in 2018-19 the DDA is expected to put in roughly \$2 million a year. Olympia Development will invest \$11.5 million. The Plan is to go to the market and issue bonds that support that a revenue stream in the amount of over \$450 million; and, bonds will be paid off on that revenue stream. It was important that we not just have an arena, but there was a commitment for private investment as well. There is a commitment to invest \$250 million of private funds into this Catalyst Development area and they are to enter into development agreements with the DDA within 5 years after the completion of the Events Center.

Mike McLaughlan said that Olympia Development entered into a Memorandum of Understanding (MOU) with the DDA and Wayne County in June. This MOU outlines the public-private partnership that creates a Catalyst Development Project which includes the new Events Center and ancillary development. The Events Center is going to be an approximately 650 thousand square foot arena with approximately 18,000 seats. Next steps outlined by the MOU will be to obtain approval of the DDA plan amendment and authorization of bonds from the Michigan Strategic Fund, required by the legislation that was passed last December. Public hearings, subsequent approval of the amendment, land transfers from the City of Detroit, and development of a concession management agreement. It appears all the necessary properties within the Event Center area have been assembled. We have several additional steps to take before we're prepared to cite the exact location of the arena, but it will be within the area indicated. Olympia has been in ongoing discussions with M1 and MDOT regarding ingress and egress issues around the project area. We need to insure compliance with zoning, regulatory and other requirements. We have begun several preliminary studies with Parson's Brinkerhoff, an

City Planning Commission Regular Meeting

expert in infrastructure, and have asked for their assistance in terms of understanding various traffic flows and other issues that are important as we develop further plans for the center.

Brian Holdwick added that the DDA Board has approved amendments to the plan. They were in front of City Council today and they have scheduled the public hearing for September 5, 2013. The specs will be in front of the Strategic Fund next Wednesday because they have to approve the Accounts Development Project. They also will move forward with whatever inducement recommendations necessary to start the bond process. They are very confident that the bonds will be sold.

Commissioner Gage asked, if the DDA was looking for \$450 billion bond sales? Based on what's going on now in this city, were they optimistic?

Brian Holdwick replied that based on the revenue stream, which again are tax increment dollars, they are comfortable they will be there. These are taxes that are paid and are redirected to the Downtown Development Authority (DDA). They're not general fund dollars that are being reallocated to this project. A large portion of this is two-fold; private money (Olympia) and the State's allocation of the project. DDA's contribution is approximately \$2 million a year to this project.

Commissioner Russell asked about the groundbreaking for the M1 that begins in summer/late fall. When will it conclude?

Brian Holdwick: It is approximately 2½ years, so we would be in revenue operation late 2015.

Commissioner Russell: You have in our packet Exhibit A, which lists the Catalyst Development Project written from A to L. Of course, A is the Events Center complex, but it goes down to the development retail and the development of different properties.

Mike McLaughlan: Obviously, there is a commitment to put \$200 million in private investment into this area. It's important that we put it in a small area, which is why we limited where the Catalyst Development area is versus the whole downtown. Obviously, Olympia has a number of assets in this area, so they've listed out some of those assets that could be potentially part of the \$200 million, but they have the ability to remove some projects and/or add new projects in. They're not necessarily committed to developing that whole list of projects, but they are committed to the \$200 million amount.

Commissioner Russell: How is the M1 Rail going to be integrated with the existing transportation system in the City?

Mike McLaughlan: We have partnerships with the City; meetings with not only D-DOT but also SMART, Transit Bus, RTA and SEMCOG, who participated in the alternative analysis that's going on right now for the entire Woodward Corridor. The parties, along with Traffic Engineering in the City and with the M-DOT traffic engineers. He can't give a specific answer yet, but can assure the CPC they are all working on this in a collaborative way and everybody's looking for the right solutions. Yes, the People Mover is also involved in those conversations.

City Planning Commission Regular Meeting

Commissioner Williams: I just wanted to know more about those TIF dollars, is that like TIFA?

Mike McLaughlan: Yes. The Downtown Development Authority (DDA) was established in 1977 and has expanded 7-8 times over the years. Those increment dollars that have been generated over that period of time. These are not additional taxes to be levied, this is all tax increment. No other taxes are going to be increased in the area, with one caveat: With expanding the Downtown Development Authority, those businesses in that area are subject to the additional 1 mil. for the expanded DDA operation. I don't believe that there are that many businesses in the area that will be subject to the additional 1 mil. DDA.

Commissioner Gage: What is the anticipated development timeline for the area around south of the freeway that currently has a lot of parking lots?

Mike McLaughlan: Obviously, we're going to focus in on the Event Center until that is up and running and we didn't want to have an unlimited amount of time for them to invest the \$200 million, so there will be a five-year period of time to enter into agreements to redevelop the areas.

Commissioner Gage: Did Parson's Brinkerhoff end their study yet? Are they working on how to develop a parking strategy in order to free up some of those surface lots into structures?

Mike McLaughlan: They're going to be taking a very comprehensive look. With the location of the Events Center in this area, coupled with the other facilities already (the Fox Theatre, Ford Field, Comerica Park) they must take a comprehensive look at not only the traffic patterns, but also parking. I would say from Olympia Development's perspective, we've acquired a fair amount of land in the hopes of doing something like this. As you know, the assembly of land is not the easiest thing to do. We don't have the same abilities of eminent domain that developers once had. As a result, we really have had to have a plan A, B and C for how and where the arena was going to be located. In working with the DDA and the DEGC, we've acquired land and have committed to making sure that there's \$200 million in private development in this area.

Commissioner Gage: It sounds like there might be enough TIF funds available to spur development of the site.

Mike McLaughlan: The \$200 million comes with some additional TIF dollars associated with that development. If that doesn't happen, we do have the ability to reprogram those TIF dollars so that developers will invest in that area.

Commissioner Russell asked the about the cost of the arena and the breakdown between public and private funds.

Mike McLaughlan: If you present-value that for the arena its probably a little over 54% of public dollars vs. private dollars; but, as you leverage the entire investment, the total project, it goes the other way, 55% to 46%. It's pretty consistent with other arena deals. The nice thing about this is we're writing a big check up front and we'll use our increment dollars over time.

City Planning Commission Regular Meeting

For the DDA its \$2 million a year for 30 years; so it's \$60 million to leverage \$650 million. In my opinion, that's a very good investment.

Commissioner Russell: What is needed for the land between Temple and the freeway to be zoned appropriately to accomplish our goal?

Marcell Todd: Based upon what was done in order to facilitate Comerica Park and Ford Field, they'd be able to move forward under a B4 zoning district classification; however, there's also the option of doing a PD if in fact there's something that needed to be done that may exceed the provisions that are available within the B4. If you have any questions, please feel free to submit them to us and we'll be able to respond. The staff will facilitate the questions that you have beyond this meeting. We will do a more thorough review and report, along with staff's recommendation at your next meeting.

Marcell Todd asked that unless the Commission had any further questions for staff, the representatives from the Recreation Department, EDG or DEGC, staff will take any direction that you have at this time and will bring the matter back at the next meeting.

IV. Unfinished Business

V. New Business

- A. SPECIAL DEVELOPMENT DISTRICT REVIEW - Consideration of a PCA (Public Center Adjacent) zoning district review of proposed modifications to the First National Bank Building, 600 Woodward Ave., to facilitate the development of a Papa Joe's market on the ground floor of the historic building along the Cadillac Square frontage. (MT) (ACTION REQUESTED)**

Present: Marcell Todd, City Planning Commission

Marcell Todd presented the Commission description of improvements proposed by Rock Ventures to the exterior of the First National Building, which is located in a PCA (Public Center Adjacent) zoning district. This zoning district requires a special district review, which necessitates review by CPC staff, Planning & Development Department staff, and the Commission itself, where warranted. Recommendations are forwarded to the City Council for their approval. Any alterations to the premises of the PC require Council's approval before permits can be issued.

We are looking at the northern facade of the First National Building, right around Cadillac Square. Rock Ventures indicated previously that Papa Joe's would be coming into and occupy the ground floor of the building at this location. They're looking at putting in a colored sign ban and an awning that would project out from the building façade about 10' into the sidewalk. It is intended to be a spring/summer/fall temporary image which would allow for seating underneath, café style, including some displays that could take place allowing for an open air feel to the market. The rest of the year, without the awning and the projections, the façade as we know it

City Planning Commission Regular Meeting

today would remain. The storefront features, at the granite base, would be removed along with five of the bays, in order to allow for the introduction of sliding or bi-folding storefront.

You are being asked to look at is this potential awning and its support system, the signage and the change to the storefront. There are other considerations being made for alterations elsewhere to the First National Building; additional awnings, lighting, etc. Some alterations are being presented at the Historic District Commission in order to get their input before finalizing their plans. This matter will come back to you with a detailed presentation on August 1st. The petitioner will be requesting action at that time.

The initial proposal would have brought a fixed secondary facade carried almost out to the curb. Historic objected to that because of what it would do to the façade of the building. Rock Ventures took the issue to the Department of Interior a couple months ago and the government concurred with the opinion of Historic Designation Advisory Board staff, as well as the Historic District Commission. They have now come up with this lighter, temporary structure. They would like to be able to isolate Papa Joes' patronage from other users of the building. The eastern and western most areas are your existing entry points. Users of the building can use the building entrances' proper as they exist today, those who would be patronizing the market could have direct access from the street. They are looking at all options.

Commissioner Williams: The biggest thing would be they would have an outside entrance which would allow many more people to see the cafe instead of going into the building to find it.

Marcell Todd: They will have five additional openings in the building façade that will allow you to enter the building where you can't now. During the spring and summer months when the awning is up and they've created this outdoor seating and display area; there will be limited access to that outdoor seating area.

Commissioner Russell: Even if they did make permanent awnings, it still doesn't change the historic character.

Marcell Todd: If I could put on Ms. Chapman's hat she would say, if they were individual awnings, yes that would be consistent. This is a monolithic structure they want to put up, which would not denote or respect the individual bays which exist today. CPC staff and the representatives of Rock Ventures will provide you with additional information prior to and on the occasion of your next meeting.

B. SITE PLAN REVIEW - Consideration of a PD (Planned Development) modification for expansion of an existing parking lot for Ye Olde Butcher Shoppe at 67 Watson Street. (GM) (ACTION REQUESTED)

Present: Greg Moots, City Planning Commission

Greg Moots indicated this is a request to expand the existing parking lot at 47 Winder, which is Ye Olde Butcher Shoppe at the northwestern corner of Woodward and Watson Street. They're proposing to expand their parking lot onto the parcel to the east, 67 Watson, and also onto the

City Planning Commission Regular Meeting

vacated alley at the eastern edge of the proposed parking lot. The property is zone PD, but if it's a PD in an urban area without an approved plan it would be approved via resolution by City Council. They are requesting to add 23 spaces in an area which is 50 feet wide and about 130 feet deep. The alley is not yet vacated. They have petitioned the Department of Public Works (DPW) and any action by the Commissioner or Council would have to be contingent on vacation of that alley. The alley is landscaped with six trees and will be planted with grass. In between the two parking lots is a landscaped area with grass and trees, which does serve to break up the parking lot.

Brush Park Urban Renewal Plan does designate the area as commercial where parking can be allowed. There are several site plan approval criteria that this does seem to meet. The Master Plan designation is special residential/commercial, which is appropriate. Setbacks required by the Brush Park Urban Renewal Plan are met. The fence style that's proposed matches that which was previously approved. The parking lot would become accessory to the grocery store. The PDD district criteria, the grocery store and its parking lot do fit into strong new residential neighborhood screenings requirement. A dumpster is proposed to be relocated from the parking lot to a screened enclosure in the middle of the new parking area. There would be a wrought iron styled fence around it. The PDD has determined that the land use does conform to the Urban Renewal Plan.

The closing of the alley is something that would have to be reviewed. Brush Park Citizens District Council (CDC) has been requested to review it. Staff has not heard whether they have approved it or not. CPC approval can be held off until the Brush Park CDC has the opportunity to review and comment on it, or action could be contingent upon the Brush Park CDC anticipated action. In the past, where property is urban renewal, zoned PD and there is not a previously approved plan, the approval of that proposed site plan is by Council via a resolution. If it's deemed a major modification, as this would be, it still must come through the City Planning Commission. Public Act 344 requires that the Citizen's District Council (CDC) have the opportunity to review and comment upon developments. They can choose whether to exercise that review or not and make any recommendations or comments they have. CDC's, of course, do not have final authority; but, we do want to provide them with the courtesy to review if they so choose and make comment prior to the City Council's action on this matter. There is an elected Brush Park CDC with a chair who was elected by the people and there is a shadow CDC; but, it does not have the weight of law in its actions because its members have not been voted on by the citizens.

The landlord's support of the modified site plan, the vacation of the alley, etc. does have a timeline on it and the owner of the business is being impacted by a lack of adequate parking for their patrons. He would like to see the project move forward as quickly as possible, still subject to the alley vacation. Staff would anticipate the Brush Park CDC review and expect their review to be completed within a couple of weeks. City Council, if they wanted, could approve it subject to the alley vacation. That would be up to their discretion. Doing so would at least give every approval possible except the mechanical process of the alley vacation; which, staff believes will have to go to the Board of Zoning Appeals as a minor deviation from the Brush Park Urban Renewal Plan.

City Planning Commission Regular Meeting

ACTION: Commissioner Williams motioned that the approval be contingent on the comments of the Brush Park Citizen's District Council and the vacation of the alley on the site. Commissioner Andrews second. Motion carried.

VI. Committee Reports (none)

VII. Staff Report

Marcell Todd apologized for not being able to provide a written report and not being able to complete the minutes. CPC no longer has the benefits of the Media Services crew of City Council. That function is squarely under the Administration. They are taping City Council sessions because the Charter requires it. I've been advised that I can make a request of Mr. Warfield on your behalf, if you so desire, to see if he will allow that group to continue to tape and broadcast the Commission sessions as well. When this question was raised by Council Members over the course of the past few months Mr. Warfield said, we will only do what the Charter requires

The staff for the Commission is now being provided via City Council's new Legislative Policy Division (LPD). The former four divisions of City Council: Fiscal Analysis Division, Research & Analysis Division, Historic Designation Advisory Board and City Planning Commission are now combined into one single Legislative Policy Division. There are now sixteen (16) staff in total. We will be moving into one office August 19th or 20th. The new division will occupy the entirety of the space currently occupied by the Auditor General and have a shared space with BZA. Staff is all on three month contracts. My title is currently Senior City Planner.

Everything is located on the 2nd Floor. The place previously occupied by City Council on the 14th floor has all been vacated and Council Administration is now in Chambers. The Council is looking to shrink the space it's leasing for the legislative body in the building overall. This is also being done in concert with a move by the City to bring every city function currently housed in Cadillac Tower here into Coleman A. Young; that will eventually include Planning & Development Department, City Engineering, etc.

The Council elected to pull from the table the resolution and report that Ms. Carr signed and was sent up back in June. Mr. Whitaker indicated there was still a need to have some formal recognition or designation of a staff for this Body and also the Historic Designation Advisory Board. We are still awaiting word from the Emergency Manager (EM) on the staffing of the City Planning Commission.

Recognizing this will be Commissioner Allen's last meeting, I wanted to say on behalf of the staff that we are disappointed to see you go. Commissioner Allen indicated although she is going to the University of Wisconsin, she will do her best to find a replacement for District 3.

Commissioner Allen spoke of the importance of trying to plan a consortium for reconsidering the whole of community development initiatives here in Detroit. Broadcasting City Planning Commission meetings is a crucial part of getting information to the citizens, information that isn't just relying on the mainstream media.

City Planning Commission Regular Meeting

ACTION: Commissioner Allen moved that the City Planning Commission send a formal request to the City Council through The Legislative Policy Division that CPC privileges of being broadcast on the appropriate channels be reinstated. Commissioner Andrews second. Motion carried.

VIII. Communications (none)

IX Public Comments (none)

X. Adjournment (meeting adjourned at 7:45 p.m.)

Lesley C. Carr, Esq.
Chairperson
Lisa Whitmore Davis
Vice Chair/Secretary

City of Detroit

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

Angela D. Allen, MSW, PhD
Brenda Goss Andrews
Thomas Christensen
Karen Gage
Frederick E. Russell, Jr.
Arthur Simons
Roy Levy Williams

To: City Planning Commission

From: Marcell R. Todd, Jr. 

RE: to consider the request of Matt Ward owner of Lahser Tire Inc., (DBA Detroit Tire and Wheel) to amend Article XVII, District Map No. 73 of the Detroit Zoning Ordinance, Chapter 61 of the 1984 Detroit City Code, by rezoning properties Generally bounded by Grand River Ave., Cooley, Willmarth, Lahser and Redford from the current B3 (Shopping District) zoning classification to a B4 (General Business District) zoning classification. The subject properties are more specifically known as 22100, 22116, 22120, 22124, 22132, 22200, and 22250 as well as 17425 Lahser. The location of the proposed rezoning is specifically indicated as the shaded area on the accompanying map.

Date: November 20, 2013

NATURE OF REQUEST

The City Planning Commission has received the request of Matt Ward owner of Lahser Tire Inc., (DBA Detroit Tire and Wheel) to amend Article XVII, District Map No. 73 of the Detroit Zoning Ordinance, Chapter 61 of the 1984 Detroit City Code, by rezoning property at 22100 Grand River from a B3 (Shopping District) zoning classification to B4 (General Commercial) zoning classification to legalize his vehicle repair and tire retail operation, which is not permitted under the current zoning designation. In review of this matter staff expanded the request to include the entire B3 zoning district subject of this request for your consideration.

BACKGROUND AND EXISTING CONDITIONS

The subject property includes a number of parcels and structures under varied ownership. The auto service operation is located at the corner of Grand River and Redford and occupies a former Comerica Bank building. It is the first of a series of adjoining buildings, having no setback, along the north side of Grand River moving west from Redford Ave. (The auto service operation was formally located in a now vacant B4 zoned facility at the corner of Willmarth and Lahser just north of the subject property.) Abutting the auto service center is a dentist office. The next storefront is maintained and appears to be functioning in some capacity, but there is nothing indicating what that function may be. The next storefront is boarded up, but appears to be open to trespass. The remaining two thirds of that segment of the frontage is occupied by a two story brick building, which appears to have functioned as a church most recently.

The rest of the B3 zoning parcel runs northwesterly one lot short of the corner of Grand River and Cooley, where the corner is zoned B4. It includes two separate structures, a Family Dollar and a Wendy's fast-food restaurant, both setback from Grand River by parking lots. The Wendy's parcel is split by zoning one half of the lot falling within the western end of the subject B3 district and the other in the B4 district at Cooley.

The B3 district also runs north through the center of this city block to Willmarth and is developed as surface parking. It is adjoined on the south by the Grand River frontage as described above, on the west and north by single-family residential and on the east by the former location of the auto repair and tire facility, parking, office, retail and public art. The surface lot is accessed from three points, one each along Grand River, Willmarth and Redford. At the point of access along Willmarth R1 zoning and a single-family dwelling intrude into the plane of this parking lot exposing it directly to the lot. This parking lot is deteriorating and is vastly under utilized.

SURROUNDING ZONING AND LAND USE

The zoning classification and land uses surrounding the proposed development are as follows:

North: R1 and R2 - Single-family residential, B4 - vacant commercial, parking, office

South: R1- institutional (school and church), B3, B4, commercial retail and auto service

East: B3 and B4 - commercial retail, entertainment; and R1 - residential beyond

West: B4 – commercial retail, R1 – single-family residential, vacant land

MASTER PLAN

The subject property is located within the Redford Subsector of Sector 8 of the Detroit Master Plan of Policies. The Future Land Use map designated "Mixed Town Center" for the subject area in the Master Plan. We have referred the rezoning request to the Planning and Development Department (P&DD) for comment on the consistency of the proposed rezoning with the Master Plan.

A full report and analysis will follow

Attachments

Lesley C. Carr, Esq.
Chairperson
Lisa Whitmore Davis
Vice Chair/Secretary

City of Detroit

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

Angela D. Allen, MSW, PhD
Brenda Goss Andrews
Thomas Christensen
Karen Gage
Frederick E. Russell, Jr.
Arthur Simons
Roy Levy Williams

NOTICE OF PUBLIC HEARING

A public hearing will be held by the City Planning Commission in the Committee of the Whole Room, 13th Floor of the Coleman A. Young Municipal Center, 2 Woodward Avenue, Detroit, Michigan 48226, on

THURSDAY, NOVEMBER 21, 2013 AT 4:50 PM

to consider the request of Matt Ward owner of Lahser Tire Inc., to amend Article XVII, District Map No. 73 of the Detroit Zoning Ordinance, Chapter 61 of the 1984 Detroit City Code, by rezoning properties Generally bounded by Grand River Ave., Cooley, Willmarth, Lahser and Redford from the current B3 (Shopping District) zoning classification to a B4 (General Business District) zoning classification. The subject properties are more specifically known as 22100, 22116, 22120, 22124, 22132, 22200, and 22250 as well as 17425 Lahser. The location of the proposed rezoning is specifically indicated as the shaded area on the accompanying map.

The rezoning is being requested to allow an existing automobile service facility to operate legally within the subject area at 22100 Grand River. The facility has operated for more than five years and only recently found to be in violation of the current zoning.

The Zoning Ordinance describes the B3 and B4 zoning districts as follows:

B3- Shopping District

The district provides for a range of convenience and comparison shopping goods stores, which are generally grouped into neighborhood and community shopping centers, depending on the size of the area so mapped. Uses permitted are inclusive enough to allow for the provisions of a broad range of goods and services for the consumer, and to allow for as much freedom and healthy competition in the commercial real estate market and commercial activities as is commensurate with other community values.

B4- General Business District

The district provides for business and commercial uses of a thoroughfare-oriented nature. In addition to these uses, other businesses, which may benefit by drawing part of their clientele from passing traffic are permitted. Additional uses, which may be successfully blended with permitted by-right uses, are conditional.

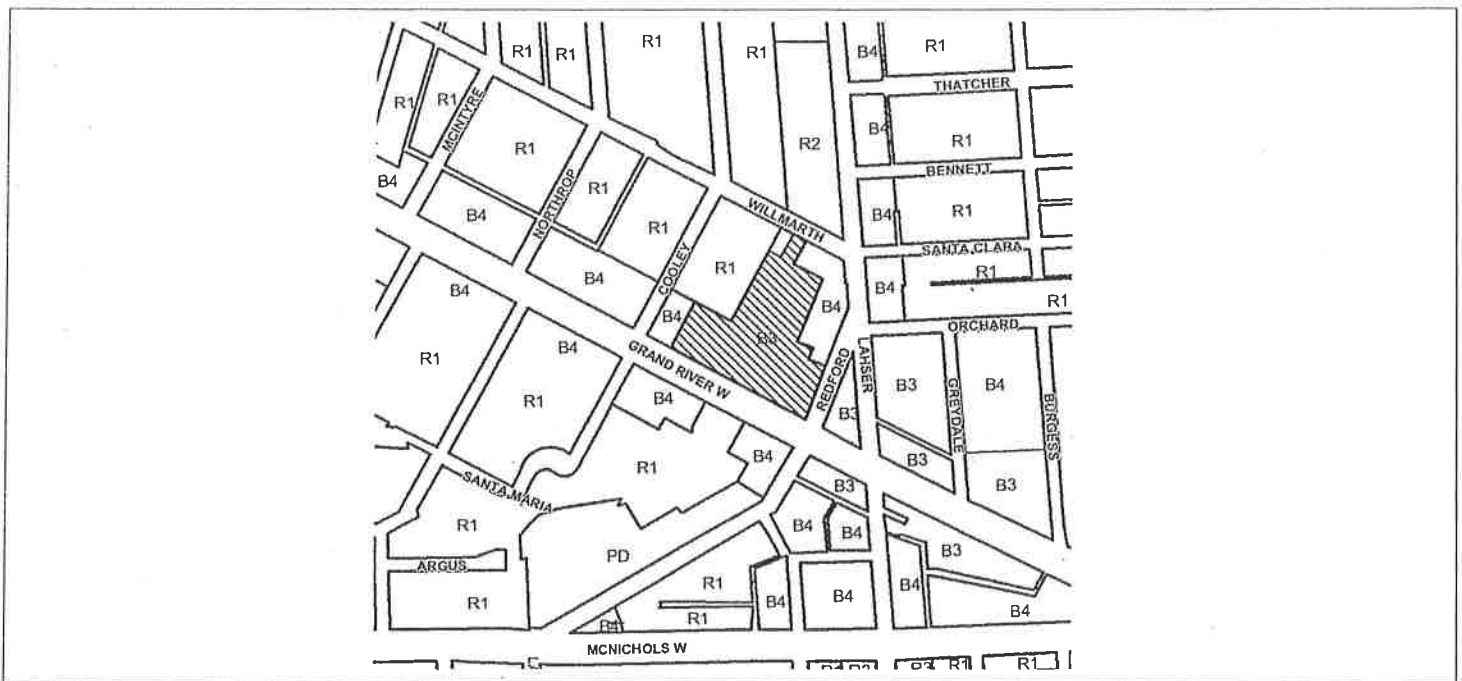
This hearing is being held in accordance with the provisions of Chapter 61, Article III, Division 3 of the 1984 Detroit City Code (the Detroit Zoning Ordinance). Approval of a rezoning request requires the

approval of the City Council after receipt of a report and recommendation by the City Planning Commission.

You may present your views on this proposal by attending this hearing, by authorizing others to represent you, or by writing to the City Planning Commission, 2 Woodward Ave., Room 202, Detroit, MI 48226 (FAX: 313-224-4336). Comments received at, or prior to, the public hearing will be considered by the Planning Commission. Because it is possible that some who are affected by this proposal may not have been notified, it is suggested that you kindly inform your neighbors so that they too may express their positions if they so desire.

For further information on this proposal or the public hearing, call (313) 224-6225.

An interpreter for the hearing impaired will be present at the meeting if requested at least 48 hours in advance. To request that an interpreter for the hearing impaired, please call 224-4946.



PROPOSED REZONING FROM B3 TO B4

City Planning Commission
202 Coleman A. Young Municipal Center
Detroit, Michigan 48226
(313) 224-6225 (phone)
(313) 224-4336 (fax)

CPC File #: _____

Date of Filing: _____

RE: _____

APPLICATION FOR A ZONING CHANGE

The City Council of the City of Detroit requires a report and recommendation from the City Planning Commission on all rezoning proposals before it takes final action. Please provide the following information regarding the proposal, so that the Commission may proceed in its review and processing of this request.

Section 61-3-3 of the Detroit Zoning Ordinance states that application for rezoning may be initiated by petition from:

1. all owners of the property that is the subject of the application;
2. the owners' authorized agents;
3. any review or decision-making body; or
4. other persons with a legal interest in the subject property, such as a purchaser under contract.

Petitions of the City Council are to be made through the City Clerk via separate written request prepared by the applicant or the completion of form available from the City Planning Commission.

The applicant will be notified at least seven (7) days prior to the meeting at which the proposal will appear on the Commission's agenda.

The applicant (or a representative of the applicant) is expected to be in attendance at the required public hearings to present the proposal and to answer any questions regarding the matter.

The City Planning Commission may request all necessary information pertaining to proposed ordinances for the regulation of development in carrying out its duties as set forth in Section 4-402 and 6-204 of the City Charter.

Failure to answer all pertinent questions and to supply all of the requested information will delay processing of this proposal.

NOTE: Applicants proposing a rezoning or modification to the PD (Planned Development), PC (Public Center), PCA (Restricted Central Business District) and the SD5 (Special Development District, Casinos) zoning district classifications must complete a different application which may be obtained from our office.

Signature of Applicant: Mark Wain

Date: May 6, 2013

ZONING FEE:

Effective January 11, 1995, the applicant will be charged a fee for the processing of a rezoning application. The fee schedule is as follows:

| Size of Property | Fee |
|------------------|--|
| One acre or less | \$350.00 |
| Over one acre | \$350.00 for the first acre plus \$25.00 for each additional acre to a maximum of \$1,000.00 |

Payment of the fee must be in the form of a check or money order payable to the "City of Detroit - Treasurer" When the City Planning Commission has accepted payment, the applicant should formally submit the petition to the office of the City Clerk.

ZONING CHANGE PROCEDURES:

A change in the zoning classification on property located within the City of Detroit requires action by the City Planning Commission (after the holding of a State-required public hearing) and approval by the City Council (after the holding of a Charter-required public hearing).

A change in zoning usually takes from three to four months to accomplish (from the date of submittal of the application to the effective date of the zoning change).

At each of the required public hearings, all owners of property, residents, businesses and known community organizations within 300 feet of the property in question are notified of the proposal and of the time, date and place of the hearing. The applicant will be responsible for posting public notice of the public hearing on the property in question in a manner acceptable to the Planning Commission. The persons so notified are invited to attend the hearing, hear presentations on what is being proposed, and express their opinions on the proposal if they so desire.

It is mandatory that the applicant, or the applicant's officially designated representative, attend both of the public hearings and justify to the satisfaction of the members of the City Planning Commission and the members of the City Council that the current zoning classification is inappropriate, and that the proposed change and resultant development can take place and be accomplished without adversely affecting the surrounding properties.

1. Name of Applicant: Matthew Ward
Address of Applicant: 25200 Mary
City, State & Zip Code: Taylor Mi. 48180
Telephone Number: (313) 743-8096

2. Name of Property Owner: SAME
(If same as above, write "SAME")
Address of Property Owner: _____
City, State & Zip Code: _____
Telephone Number: () _____

3. Present Zoning of Subject Parcel: B-3

4. Proposed Zoning of Subject Parcel: B-4

5. Address of Subject Parcel: 25200 Mary 22100 Grand River
between Redford and Cooley Ave
(Street) (Street)

6. General Location of Subject Property: Grand River + Lahser

7. Legal Description of Subject Parcel: (May be attached)
Attach

8. Size of Subject Parcel (Dimensions): 120 ft x 66 ft
(Acreage): Under 1 Acre

9. Description of anticipated development:
Major + Minor Auto Repair facility with
New Tire Sales

10. Reason why the present zoning classification is not appropriate and why the proposed zoning classification is more appropriate:

The current zoning does not support type of
Business being proposed. The current use of Buildings
and surrounding buildings is Vacant and Blight. The proposed
use will increase the use of area and will
develop that area more easily.

11. Zoning of Adjacent Properties:
To the North - B-4
To the South - B-4
To the East - B-3
To the West - B-3 + 4

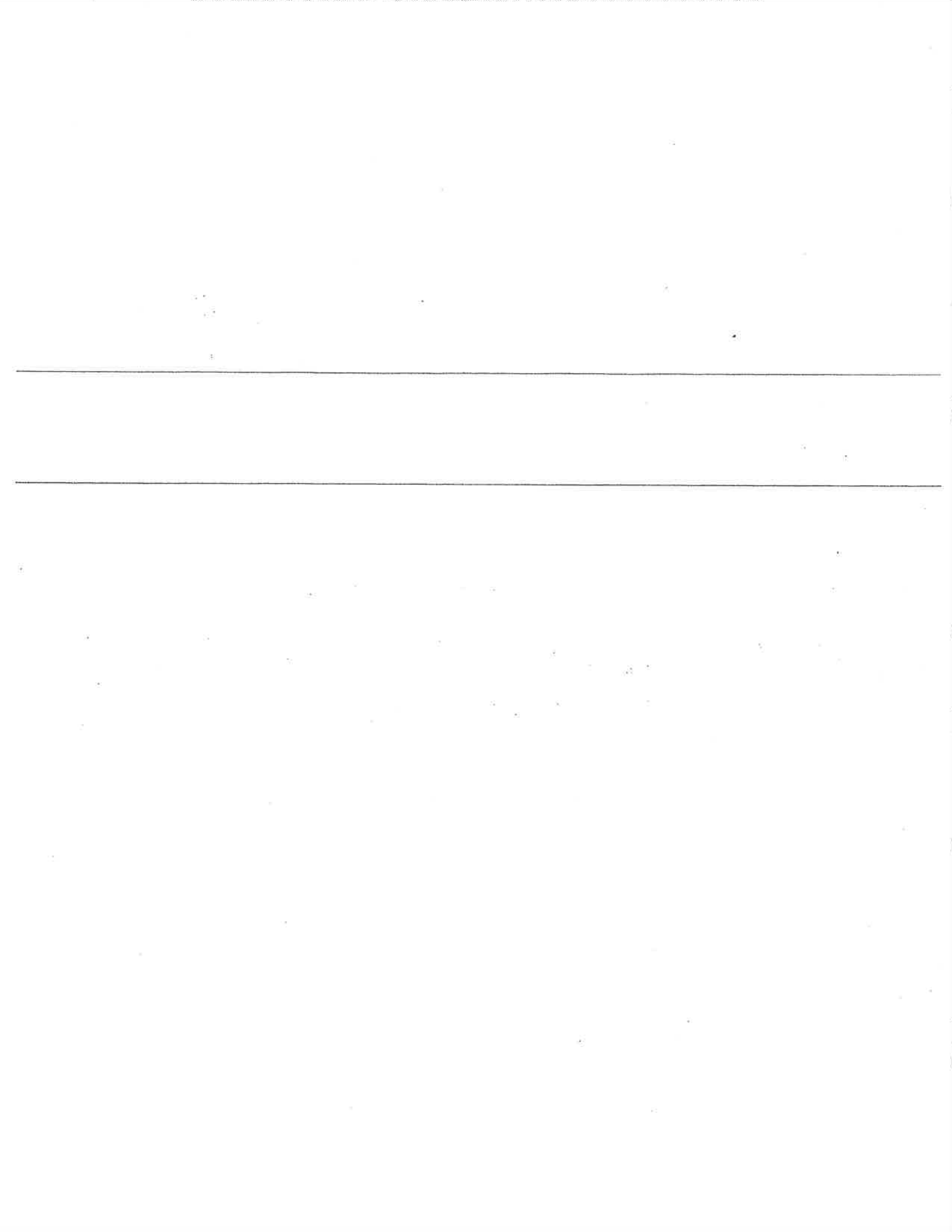
12. Development of Adjacent Properties:
To the North - B-4
To the South - B-4
To the East - B-4
To the West - B-4

13. Community Organizations and/or Block Clubs contacted by applicant:

| Group Name/Address | Contact Person/Phone Number |
|---------------------------|-------------------------------|
| Motor City Blight Busters | John George (313) 978-7218 |
| Redford ASSOC | (313) 532-7996 |
| | |
| | |

14. Adjacent Property Owners, Businesses or Residents contacted by Applicant:

| Name | Indicate: Owner Business Resident | Address | Address of Adjacent Property | Phone |
|------------------|--|--------------|---------------------------------|---------------|
| Alicia Monien | B | 17336 Lahser | 17340 Lahser | 313) 706-7578 |
| Renee Yacub | B | 17340 Lahser | 17346 Lahser | 313) 244-4191 |
| John Ideh | B | 17353 Lahser | N/A | 313) 538-4280 |
| Cassandra Thomas | B | 17337 Lahser | N/A | 313) 532-7996 |
| Sam Washou | B | 17330 Lahser | N/A | 313) 531-7474 |



Lesley C. Carr, Esq.
Chairperson
Lisa Whitmore Davis
Vice Chair/Secretary

City of Detroit

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

Brenda Goss Andrews
Thomas Christensen
Karen M. Gage
Frederick E. Russell, Jr.
Arthur Simons
Roy Levy Williams

TO: City Planning Commission

FROM: Gregory F. Moots, staff

DATE: November 19, 2013

RE: **Removal of Sec. 3-4-1 of the Detroit City Code to remove the prohibition of projecting signs over Woodward Avenue and amendments to the SD1 (Special Development District—Residential/Commercial) and SD2 (Special Development District, Commercial/Residential) zoning districts**

PRELIMINARY RECOMMENDATION

The proposed amendments eliminate an undesirable provision sign restriction in Chapter 3 of the City Code, while revising and broadening the utility of underutilized zoning classifications of Chapter 61 that have wide appeal. These changes will support various current and future development initiatives and lessen the need to employ the PD classification. Staff recommends approval of the proposed text changes, with the following changes:

1. That the Financial Services Center use be removed from SD1.
2. That single family residential use be made conditional in the SD1 district and that the following language in 61-11-161 be removed: "No new single-family residential development will be permitted in this district. However, the existing single or two-family family residential developments will not be considered non-conforming."

BACKGROUND

City Planning Commission (CPC) staff has been working with the staff of the Planning and Development Department (PDD), community representatives, and stakeholders to amend the text of the SD1 (Special Development District—Residential/Commercial) and SD2 (Special Development District, Commercial/Residential) zoning districts culminating in the proposed amendments to the Zoning Ordinance. We are also proposing an amendment to Chapter 3 of the City Code with the deletion of Sec. 3-4-1, which would remove the prohibition of projecting signs over Woodward Avenue.

This matter may be eligible for same day action depending upon the proceeding of your next meeting at which the public hearing on this matter is to heard and because it was presented at the November 3, 2013 CPC meeting. One issue has come up since that meeting. The Law Department has advised us that a use cannot be prohibited by the provisions and not non-conforming were such a use may be preexisting. This is relevant, as the ordinance as proposed

says that in the SD1 district, single family homes would not be an allowed use, but not withstanding that prohibition, they would not be considered a non-conforming use either.

The SD1 and SD2 districts are proposed to be revised to allow more of the mixed-use character that is seen as desirable in the most logical or targeted areas. It is anticipated that once these zoning districts are amended, various areas will be rezoned to these classifications, likely those designated as Traditional Main Street Overlay areas and portions of Midtown. The SD1 district is seen as being appropriate for lower intensity areas with a greater emphasis on residential development. While the SD2 is seen as more conducive to high intensity uses emphasizing commercial activity. More residential uses would be allowed on a by-right basis in the SD1 district. Both allow a mixture of residential, commercial and low-intensity industrial uses (limited in square footage and mandated to include a retail component) at different scales. Other, non-substantive changes are proposed as well.

Many changes were made to the allowable uses in order to provide for more retail opportunity, as well as the aforementioned low-intensity, small-scale industrial uses that include a retail component. Bars in the SD2 district were removed from the list of regulated uses to acknowledge the entertainment nature of the district. The intensity standards were also simplified to reduce the setbacks for many uses and also to change the height requirements.

PROPOSED AMENDMENTS

Following is the section of Chapter 3 of the City Code proposed to be amended with the proposed change and analysis where applicable in italics.

3-4-1 Prohibition of projecting signs over Woodward Avenue between Grand Boulevard and the Detroit River. *Delete. This does not seem necessary or appropriate at the present time. We have not been able to determine the origins of this provision, but will continue to investigate.*

Following are the sections of the zoning ordinance proposed to be amended with the proposed change and analysis in italics.

Sec. 61-3-113. Applicability. *Removal of requirement of site plan review (SPR) for any project in SD1 and SD2 and semantic changes. New construction still requires SPR.*

Sec. 61-3-121. Expedited review. *Removal of expedited site plan review for SD1/SD2. Alterations, the trigger for SPR, no longer requires SPR.*

Sec. 61-3-253. List of Regulated Uses. *Removal of brewpubs, microbrewery, and small distilleries located in the SD2 district from the list of regulated uses. This removes the spacing requirements.*

Art. XI, Div. 9 SD1 Name of district changed from *Special Development District, Residential/Commercial to Special Development District, —Small-Scale, Mixed-Use*

Sec. 61-11-161. Description *Changed to describe the desired character of the SD1 district.*

Sec. 61-11-162. Site plan review *clarify that only new construction and conditional uses in the SD1 District are subject to site plan review*

Sec. 61-11-164. By-right residential uses. *Remove:*

- *Convalescent, nursing, or rest home*

- *Fraternity or sorority house*

Add:

- *Loft*
- *the requirement that Religious residential facilities be in conjunction with religious institutions in the immediate vicinity*
- *Residential use combined in structures with permitted (first-floor) commercial uses*

Sec. 61-11-165. By-right public, civic, and institutional uses. *Add Fire or police station, post office and similar public building. Remove the following non-pedestrian, possibly unsightly uses:*

- *Electric transformer station*
- *Gas regulator station*
- *Telephone exchange building*
- *Water works, reservoir, pumping station, or filtration plant*

Sec. 61-11-166. By-right retail, service, and commercial uses.

Add:

- *Animal-grooming shop*
- *Art gallery*
- *Automated teller without drive-up, drive-through facilities*
- *Bake shop, retail*
- *Barber or beauty shop*
- *Brewpub or microbrewery or small distillery, not exceeding 3,000 square feet*
- *Dry cleaning, laundry, or laundromat*
- *Establishment for the sale of beer or intoxicating liquor for consumption on the premises, not exceeding 3,000 square feet*
- *Nail salon*
- *Pet shop*
- *Printing or engraving shops not exceeding 4,000 square feet of gross floor area with a minimum of 10 percent of the gross floor area being used as a retail store for the sale of the goods produced*

- *Recreation, indoor commercial and health club*
- *Restaurant carry-out or fast-food, without drive-up or drive thru facilities*
- *Restaurant, standard, without drive-up or drive-through facilities*
- *School or studio of dance, gymnastics, music, art or cooking*
- *Shoe repair shop*
- *Stores of a generally recognized retail nature whose primary business is the sale of new merchandise*
- *Veterinary clinic for small animal*

Remove:

- *Parking structure having ground floor commercial space or other space oriented to pedestrian traffic*
- *Radio or television station*

Sec. 61-11-167. By-right manufacturing and industrial uses. *Add uses not exceeding 4,000 square feet of gross floor area with a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced:*

- *Confection manufacturing*
- *Food catering*
- *Low/Medium impact Manufacturing or Processing facilities limited to the following:*
 - *Art needlework*
 - *Canvas goods manufacture*
 - *Cigar or cigarette manufacture*
 - *Clock or watch manufacture*
 - *Coffee roasting*
 - *Door, sash, or trim manufacture*
 - *Draperies manufacture*
 - *Flag or banner manufacture*
 - *Glass blowing*
 - *Knit goods manufacturing*
 - *Leather goods manufacture or fabrication*

- *Low-impact Manufacturing or Processing facilities*
- *Jewelry manufacture*
- *Lithographing, and sign shops*
- *Trade services, general, with the exception of cabinet making*
- *Wearing apparel manufacturing*

Sec. 61-11-168. By-right other uses. *Add Urban garden not exceeding 0.5 acres*

Sec. 61-11-170. Conditional residential uses. *Add:*

- *Assisted living*
- *Convalescent, nursing, or rest home*
- *Fraternity or sorority house*
- *Single-room-occupancy (SRO) housing, nonprofit*

Remove uses that predominantly become matter of right

- *Loft*
- *Residential use combined in structures with permitted commercial use*
- *Single-family detached dwelling*
- *Two-family dwelling*

• Sec. 61-11-171. Conditional public, civic, and institutional uses. *Add uses that had been matter of right*

- *Electric transformer station*
- *Gas regulator station*
- *Telephone exchange building*

Remove:

- *Fire or police station, post office and similar public building*
- *Hospital or hospice*
- *Substance abuse service facility*

Sec. 61-11-172. Conditional retail, service, and commercial uses. *Add*

- *Add the requirement that Brewpub or microbrewery are conditional when they exceed 3,000 square feet*
- *Add the requirement that Establishment for the sale of beer or intoxicating liquor for consumption on the premises are conditional when they exceed 3,000 square feet*
- *Financial services center without drive-up or drive-through facilities*
- *Kennel, commercial*
- *Add the requirement that parking structures must have at least 60% of the ground floor level façade abutting a public street dedicated to commercial space or other space oriented to pedestrian traffic*
- *Pool or billiard hall*
- *Radio or television station*
- *Secondhand store and secondhand jewelry store*
- *Theater, excluding concert café and drive-in theater, not exceeding 150 fixed seats*
- *Youth hostel/hostel*

Remove uses that have become, predominantly, matter of right:

- *Art gallery*
- *Bake shop, retail*
- *Barber or beauty shop*
- *Dry cleaning, laundry, or laundromat*
- *Motel*
- *Pool or billiard hall*
- *Radio or television station*
- *Restaurant, carry-out, fast-food without drive-up or drive-through facilities*
- *Restaurant, standard without drive-up or drive-through facilities*
- *Retail sales and personal service in business and professional offices*
- *Retail sales and personal service in multiple-residential structures*
- *Shoe repair shop*
- *Stores of a generally recognized retail nature whose primary business is the sale of new merchandise*

Sec. 61-11-173. Conditional manufacturing and industrial uses. *Remove “Research or testing laboratory” Add the following, when not exceeding 4,000 square feet and when containing a minimum of 10% of the area for retail sales:*

- *General: High/medium-impact Manufacturing or Processing limited to furniture manufacturing*
- *Machine shop*
- *Trade services, general limited to cabinet making*

Sec. 61-11-174. Conditional other uses. *Remove agricultural uses that are non-pedestrian. Small-sale gardens and hoop or green-houses that are a part of a garden center, a retail use, are permitted:*

- *Greenhouse*
- *Hoophouse*
- *Urban farm*
- *Urban garden*

Sec. 61-11-175. General intensity and dimensional standards. *No front setback is required and the maximum is the buildings located on either side or 20 feet, whichever is less. Off-street parking is prohibited in the front setback. Rear setbacks are dependent on building type and the zoning of the property to the rear. Side setbacks are again not required unless the building is adjacent to land zoned R1, R2, R3, or R4 Maximum height is limited to thirty-five (35) feet for non-mixed-use, fifty (50) feet for mixed-use buildings, not to exceed four (4) stories. Additional height is allowed when on a street wider than 50 feet.*

Art. XI, Div. 10 SD2 *Name of district changed from Special Development District, Commercial/ Residential/ Commercial to Special Development District, - Mixed-Use*

Sec. 61-11-181. Description. *Changed to describe the desired mixed-use character of the SD2 district.*

Sec. 61-11-182. Site plan review. *All new and conditional uses are subject to site plan review.*

Sec. 61-11-184. By-right residential uses. *Add “Multiple-family dwelling where combined in structures with permitted first-floor commercial use” and “Residential use combined in structures with permitted (first floor) commercial use”*

Sec. 61-11-185. By-right public, civic, and institutional uses. *Remove uses that are too intense or non-pedestrian:*

- *Electric transformer station*
- *Gas regulator station*
- *Telephone exchange building*

- *Water works, reservoir, pumping station, or filtration plant*

Sec. 61-11-186. By-right retail, service, and commercial uses. *Add:*

- *Animal-grooming shop*
- *Art gallery*
- *the requirement that Banks not have drive-up or drive-through facilities*
- *Nail salon*
- *the requirement that accessory parking lots or parking areas for operable private passenger vehicles not be farther than the maximum distance specified*
- *Pet shop*
- *Printing or engraving shops not exceeding 5,000 square feet of gross floor area with a minimum of 10 percent of the gross floor area being used as a retail store for the sale of the goods produced*
- *Theater, excluding concert café and drive-in theaters, not exceeding 150 fixed seats*
- *Veterinary clinic for small animals*

Remove:

- *Cabaret*
- *Parking structure*

Sec. 61-11-187. By-right manufacturing and industrial uses. *Remove Research or testing laboratory. Add the following uses not exceeding 5,000 square feet with a minimum of ten percent (10%) of the gross floor area being used as a retail store for the sale of the goods produced:*

- *Confection manufacturing*
- *Food catering*
- *Low/Medium impact Manufacturing or Processing facilities limited to the following:*
 - *Art needlework*
 - *Canvas goods manufacture*
 - *Cigar or cigarette manufacture*
 - *Clock or watch manufacture*
 - *Coffee roasting*