

Alton James  
Chairperson  
Lauren Hood, MCD  
Vice Chair/Secretary

**City of Detroit**  
**CITY PLANNING COMMISSION**  
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Brenda Goss Andrews  
Lisa Whitmore Davis  
David Esparza, AIA, LEED  
Gregory Pawlowski  
Frederick E. Russell, Jr.  
Angy Webb

**Regular Meeting Minutes**  
**November 1, 2018**  
**13th Floor - Committee of the Whole Room**  
**Coleman A. Young Municipal Center**

**I. Opening**

**A. Call to Order**

The meeting was called to order by Chairperson James at 5:10 p.m.

**B. Roll Call**

Dr. Rory Bolger called the roll. A quorum was present.

Attendees: Hood, Andrews, Esparza, Pawlowski, Russell, Webb and James.

Excused: Davis.

**C. Amendments to and approval of agenda**

**Commissioner Pawlowski motioned to approve agenda; seconded by Commissioner Hood. Motion approved.**

**II. Minutes**

**A. Minutes of the of the October 4, 2018 and October 18, 2018**

**Commissioner Hood motioned to approve the minutes of the October 4, 2018 and October 18, 2018 meetings; seconded by Commissioner Pawlowski.**

**III. Public Hearings and Presentations**

- A. PUBLIC HEARING** – Request of the Detroit Water and Sewage Department (DWSD) to amend the text of the Detroit Zoning Ordinance, Chapter 61, of the 1984 Detroit City Code for proposed to require areas of new development and/or redevelopment to manage stormwater to the performance standards set forth by the DWSD. As well require the review and approval of Stormwater Management Plans, developed as part of the site plan review process, to ensure compliance with the performance standards. These amendments are being requested in order to develop a Post-Construction Stormwater Management Ordinance (PCSWMO) to meet the National Pollutant Discharge Elimination System (NPDES) permit obligation to develop stormwater control for areas of new development and/or redevelopment.

City Planning Commission

Meeting Minutes – November 1, 2018

Kimini Jeffrey, CPC staff and Ms. Polencia Mobley, Deputy Director, DWSD provided a summary of the Detroit Water and Sewage Department's request to amend the text of Chapter 61 – Detroit Zoning Ordinance of the 1984 Detroit City Code.

The proposal is to amend Chapter 56, of the 1984 Detroit City Code, Utilities, to adopt a Post Construction Stormwater Ordinance (PCSWMO); make provisions for a Stormwater Management Design Manual and; require Zoning Ordinance text amendments to allow DWSD Site Plan Review authority to review applicable development site plans.

The zoning amendments proposed apply to:

Sec. 61-3-113 provides that development projects, which meet the PCSWMO thresholds, be subject to the Site Plan Review (SPR) process conducted by the Buildings Safety Engineering Environmental Department (BSEED).

Sec. 61-3-125 (t) and (u) sets provisions for site plans submitted by developers that trigger the PCSWMO and references 56-3-102.

Sec. 61-3-127 (d) and (6) add language to include copies of application and/or permits related to Stormwater be submitted to BSEED for SPR. Also, adds language and reference to require a Post Construction Stormwater Management Plan.

Sec. 61-3-141 adds language to give authorization for DWSD to participate in the site plan review of development plans that are eligible through PCSWMO in zoning districts that are under the purview of the Planning and Development Department.

Sec. 61-3-142 adds language to give authorization for DWSD to participate in the site plan review of development plans that are eligible through PCSWMO in zoning districts that are under the purview of the City Council

Sec. 61-3-168 amends the Zoning Ordinance to state that proposed developments shall comply with the PCSWMO and references Chapter 56, Article III, Division 4.

The proposal meets (1), (2) and (3) approval criteria listed in Section 61-3-59 of the Zoning Ordinance; and (2), (8), (10), (13), (14) and (15) approval criteria listed in Sec 61-1-5 of the Zoning Ordinance.

*Projects regulated by the ordinance are any new or redevelopment project which creates or replaces 0.5 acres (21,780 square feet) or more of impervious surface.*

Alternative Compliance

*Must demonstrate extraordinarily difficult site conditions for detaining/retaining water onsite.*

Two Options

- Offsite mitigation – constructs elsewhere in the City on land with equivalent or greater impervious space and space for a stormwater practice (with permission)
- In-lieu fee – paying a one-time fee to the City in lieu of constructing stormwater practice.

*The ordinance does not apply to construction of one Single Family Detached Dwelling as defined in the Zoning Ordinance (4 residential units or less); emergency maintenance work to protect public health and safety and Regulated Construction Activity with direct stormwater discharge to the Detroit River or Rouge River via any conveyance not owned by the City.*

Enforcement

- BSEED and DWSD will approve/certify installed stormwater practices.
- Certificate of Occupancy issued after approval of installation
- DWSD will conduct inspections once practice is installed and; after certificate of occupancy (annually)
- DWSD has authority to require a performance bond, if necessary

*Appeals can be made to the DWSD Stormwater Appeals Board which consists of two engineers from the academic sector, two engineers from the private sector and one stormwater management expert.*

**Chairperson James suggested that a member of the Commission be appointed to the DWSD Stormwater Appeals Board.**

**Public Comment**

Erma Leaphart – In Favor  
Khalil Ligon – In Favor

CPC staff recommends approval of the text amendments request; the proposed text amendments meet the requirements to be eligible for approval. Staff requested authority to make changes relative to minor items, non-substantive text amendments for some sections and updated language prior to sending ordinance to the Law Department.

**Commissioner Russell motioned to accept Staff recommendation for approval and to give staff authority to make changes relative to minor items: non-substantive text amendments for some sections and updated language prior to sending ordinance to the Law Department; seconded by Commissioner Esparza. Motion approved.**

**B. PRESENTATION - Code Codification and the conversion of Chapter 61 to Chapter 50**

Dr. Rory Bolger, CPC staff, Dr. Josephine Powell, Office of the City Clerk, and Mr. Dennis Marzurek, Office of the City Clerk provided an overview of the recodification of the Detroit City Code and the conversion of Chapter 61 – Zoning Ordinance to Chapter 50.

The current City Code consists of 61 chapters; the forthcoming 2018 Detroit City Code will have 50 chapters. The last recodification was completed in 1984. The numbering system and cross references will change. The state mandates requires an updated City Code due to changes in state and federal laws. Ms. Powell and Mr. Mazurerk, from the Detroit City Clerk Office, are working with the Municipal Code Corporation to recodify the Code.

Mr. Bolger provided a summary of the Zoning Ordinance changes and the mandates due to the Michigan Enabling Zoning Act. The changes will be non-substantive; consisting of changes due to terminology, cross-referencing, eliminations, consolidations of City Departments, programs and procedures.

**C. PRESENTATION - SD4 Site Plan Review for Atwater Beach**

Wesley Lawrence, on behalf of the Detroit Riverfront Conservancy and Kimini Jeffrey, CPC staff provided a presentation regarding the status of the SD4 Site Plan Review for Atwater Beach. The proposal is to install a virtual beach on a three (3) acre parcel located at 2670- 2652 Atwater, between Jos Campau and Chene. The Conservancy plans to begin site work in November, completing the project by June of 2019. A parking plan is pending. The presentation materials were not up-to-date. The Administration is to determine if this proposal requires a legislative review.

Commissioners Hood, Webb, Russell and Pawlowski expressed concerns relative to the level of community engagement. Chairperson James and Commissioner Russell requested current site plans; with all amendments.

Commissioner Hood requests a member from the Conservancy attend a CPC meeting.

Chairperson James expressed the need for the Administration to address parking in the area.

Staff recommendation is to bring proposal back if it is determined that the request requires legislative review. If the proposal does not require legislative review, a presentation from the Conservancy is requested.

**IV. Unfinished Business**

**V. Committee Reports – Goals and Objections Committee met November 1, 2018; next meeting will be November 15, 2018 at 3:00 pm.**

**VI. Staff Report**

Marcell Todd, Executive Director provided a summary of the following items:

- Re-institute By-Laws Committee
- City’s Capital Agenda has be received; affect the Commissioner to appear on the agenda of future meeting; staff to begin review next week.
- Block Grant Report next meeting.
- 6<sup>th</sup> Initial Block Grant Presentation
- Moved proposed Public Hearing on Form Based Code (Brush Park) on December 6, 2018
- AARP – Commissioner Davis (upon her return) to provide update on undertaking livable communities model; advance information to Administration.
- Provided AARP latest publication; will provide copy of grant activities across the nation.
- Attended AARP Tactical Urbanization Training, similar to activities done (public spaces, pop-up activities; Pilot land use activities at Campus Martis in collaboration with Bedrock.
- City Lab Detroit
- Concerns expressed regarding the pending election relative to the Charter Commission
- Commissioner Hood wants to invite the Charter Commissioners to a CPC meeting.
- Commissioner Webb would like to attend PDD meetings relative to proposals that involve CPC
- Commissioner Russell requested information regarding the for each out to neighbors, bordering communities; review of past projects on a regular basis; processed, decisions made and pending; school sites, drop-off and pick-up procedures; what happens to the bike lanes in the winter; are they removed, instead of limiting the

space in the streets; whose responsible for street clean up in areas such as, Grand River and Fenkell, Southfield Service Drive – who is responsible.

**Commissioner Andrews motioned to direct staff to draft a letter to the Planning and Development Department requesting notification of pending meetings relative to development in the City of Detroit and cc: to the City Council; specifically in each district; seconded by Commissioner Webb. Motion passed.**

**Commissioner Hood motioned for the re-appointment of Marcell Todd as the Executive Director of the City Planning Commission; seconded by Commissioner Andrews. Motion passed.**

**VIII. Communications - None**

**IX. Public Comment – Ashley Williams**

**X. Adjournment - The meeting adjourned at 10:17 pm.**