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REVISED

TO: City Planning Commission

FROM: Kathryn Underwood, Staff
Kimani Jeffrey, Staff

RE: Request of the Planning and Development Department to amend the Detroit Master Plan of Policies for a portion of the area containing the former State Fairgrounds, generally bounded by West Eight Mile Road, the Grand Trunk Railroad right-of-way, West State Fair Street, Woodward Avenue, vacated Winchester Street, and Ralston Street to accommodate the sale and reuse of the site (**RECOMMEND APPROVAL - REVISED**).

DATE: September 30, 2020

On September 24, 2020, during the public hearing on the above captioned request, the staff of the City Planning Commission (CPC) provided your honorable Body with our report and recommendation bearing the same date. In response to the proceedings of that hearing, staff is now providing the additional analysis below. We are also revising concurrent recommendation #3 in order to encompass all three historic structures on the site. We trust this revised report and recommendation, the attached responses to the Commission's requests and the additional information provided by the administration are beneficial toward your continued deliberations and final decision on this request.

Public Hearing Results

Total comments	65
Yes	31 (48%)
No	19 (29%)
General concerns	15 (23%)

(no definitive position expressed)

There were also 5 persons who spoke under General Public Comment each was had also given testimony during the public hearing.

Community Concerns Regarding Conformance with the Master Plan of Policies and Zoning

The State Fairgrounds Development Coalition submitted the attached letter with regard to their assessment that the proposed Master Plan amendment (and specifically the proposed development) is not consistent with the Master Plan of Policies. They further contend that the amendment fails to satisfy the approval criteria under the provisions of the Zoning Ordinance, as set forth in Section 50-3-70.

There is no zoning change needed or being proposed.

As stated in the CPC staff report of September 23, 2020, the subject property is currently zoned B4 (General Commercial). A warehouse facility is allowed as a conditional use. A Buildings, Safety Engineering and Environmental Department (BSEED) Special Land Use Hearing for the proposed conditional use was held on September 2, 2020, subsequently a conditional approval and became effective September 18, 2020 (attached).

There has been a considerable amount of confusion with regard to the need for an amendment to the Master Plan versus what is required by the Zoning Ordinance. The Master Plan gives *guidance* for development, whereas the Zoning Ordinance sets forth *specific codified regulations* for adherence that are applied to all parcels of land. There is no zoning change being requested, nor is a rezoning required for the subject site. Therefore, the approval criteria under Section 50-3-70 of the Zoning Ordinance does not apply nor is appropriate for this request to amend the Master Plan.

Master Plan as Guidance

The Master Plan quotes the City Charter (Section 8-104) regarding intent:

The master plan shall be a set of guidelines to assist the mayor and others in proposing and the city council in evaluating and implementing, specific proposals for the total development of the city and its residents. (City of Detroit Master Plan of Policies, page 4)

In the Introduction to the Master Plan, it states:

“...The document is intended to be both long range and visionary and to provide guidance for actions to be taken in the next ten years. However, not every goal or policy will be accomplished within any specific time frame. Elected officials must prioritize and balance many desirable actions with available resources, legal constraints and market conditions...”(Ibid; page 3)

Further, regarding citywide policies:

“The Master Plan’s citywide policies...outline policies for the social, economic and physical development and conservation of the City. Most of the neighborhood policies emphasize land use. But, citywide policies recognize priorities and opportunities for collaboration between other organizations and the Planning and Development Department regarding topics such as education, public safety, social services and economic development.” (Ibid; page 3-4)

Issues Raised by SFDC

The SFDC, as noted in the September 23, 2020 CPC staff report, produced a plan, METAExpo (Michigan Energy Transportation Agriculture Expo), for a proposed mixed use development in 2012; and has been shown much interest and concern about the redevelopment of the Fairgrounds for as many years. They contend, in the attached letter, that the requested amendment is inconsistent with the Master Plan, specifically policy recommendations in the citywide elements of City Design; Environment and Energy; History, Legacies and Preservation; Industrial Centers; Parks, Recreation and Open Space; and the recommendations for the State Fair Neighborhood Area.

Specific policies highlighted include, but are not limited to:

- Walk-ability
- Incorporate analysis of socio-economic characteristics regarding policy or projects with significant environmental impact
- Increase the accessibility of open space and natural habitat
- Maintain integrity of historic areas
- Minimize conflicts between industrial centers and residential areas
- Protect City parks from being acquired for private development
- Reduce conflicts between industrial and residential areas

- Establish and enforce designated truck routes to and from the Chrysler Freeway and Eight Mile
- Increase open space and recreational opportunities
- Support diverse, year-round recreational activities at the State Fairgrounds

Master Plan designations and amendments do not prescribe specific conditions and provisions with regard to a proposed development and do not call for nor require review of site plans and elevations. However, CPC staff acknowledges the concerns raised by SFDC and other concerned citizens that have given comment at the community meetings and public hearings; and to that end put forth specific recommendations to hold the City responsible for certain community protections and benefits. These are detailed below, and as well, have been responded to by the Administration, who is willing to put certain actions in the form of resolutions to be reviewed and approved by City Council.

Responsibility to Address Community Concerns

In our report, CPC staff also reiterated generally the concerns that have been consistently raised by community. Additionally, it is noted that the City "...has made it clear that the deal (i.e. purchase agreement) is not being re-negotiated, emphasizing that there are no incentives being offered to Amazon and extolling the job and other economic benefits. If that is indeed the case, that being there is nothing more that will be added to the purchase agreement, then the community will have to seek certain assurances with the City."

As a result of the feedback from the community and other meetings attended by CPC staff, we came to certain conclusions and drafted complementary recommendations to the approval of the proposed Master Plan amendment. CPC staff met with the Administration and shared our proposed recommendations. The Administration responded by agreeing to commit via resolution(s) to be voted on by City Council to what is included in the attached memo.

Community Engagement and Input

To re-state what is in the initial staff report:

"The community continues to express concern about environmental and health impacts, even in light of the presentation covering how air, noise, and light impacts would be mitigated. CPC staff feels that a large part of the challenge with the community being at ease with this project is based on what is continually articulated regarding the lack of written commitments, particularly with regard to environmental concerns, and that so much of the response is from the City instead of the development team, as well as no response directly from Amazon."

Additionally, CPC noted that Development plans for the "Magic Plus" parcels are still in process at this time. And, while it would have been desirable to advance the appropriate Master Plan designation for these parcels concurrently, the plans being uncertain, the Administration elected not to do so at this time. Staff believes it to be appropriate to remove the Regional Park designation from the entire site since a park of that type has not been the focus of redevelopment. A subsequent Master Plan amendment to Mixed Residential Commercial (MRC) or Mixed Residential Industrial (MRI) after further analysis of future development is expected to result and should be prepared and presented to the Commission in the near future.

Final Recommendation on the Proposed Master Plan Amendment and Concurrent Recommendations

After review of the proposed Master Plan amendment for this redevelopment project CPC staff finds

- the amendment to be appropriate and recommends approval of the proposed Master Plan amendment from Regional Park (PR) to Light Industrial (IL), and,
- a subsequent Master Plan amendment to Mixed Residential Commercial (MRC) or Mixed Residential Industrial (MRI) after further analysis of future development be considered for the remaining property not included within the boundaries of the current proposed amendment.

Further, to better address the various community concerns which accrue more appropriately to the development project itself, CPC staff presents concurrent and complementary set of recommendations:

That the Administration, through a resolution(s) that would be presented to and approved by City Council, set out the actions and intentions articulated in the September 23, 2020 memo from the Mayor's Office to the chairperson of the City Planning Commission to address the following CPC staff recommendations.

1. Establish a body and/or mechanism to continue to share, engage with and respond to the community throughout the development of this project, construction phases and beyond.
2. Perform a health impact analysis addressing concerns regarding environmental impacts during construction and on-going with regard to any possible noise, light and/or air quality impacts. Measure the claimed efficacy of the mitigation actions, and as has been suggested, demonstrate this project as a model for this type of redevelopment in an urbanized setting.
3. Consider the feasibility of utilizing some portion of the Hertel Coliseum in the design of the new transit center. Add architects with expertise in preservation to the team doing the assessment and design. Consider also the feasibility of adaptive reuse of Dairy Cattle Building and Agricultural Building (Joe Dumars Fieldhouse).
4. Consider memorializing additional commitments for the project in an MOU, memo or other means.

Attachments

cc: Esther Yang, P&DD
 Greg Moots, P&DD
 Karen Gage, P&DD
 Katy Trudeau, Deputy Director, P&DD
 Raymond Diggs, Jobs and Economy Team
 Luke Polcyn, Group Executive, Jobs and Economy Team
 Nick Khouri, Group Executive, Jobs and Economy Team
 Arthur Jemison, Group Executive for Housing Planning and Development
 Lawrence Garcia, Corp. Counsel