

City of Detroit

Alton James
Chairperson
Lauren Hood, MCD
Vice Chair/Secretary

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

Brenda Goss Andrews
Damion W. Ellis
David Esparza, AIA, LEED
Gregory Pawlowski
Frederick E. Russell, Jr.
Angy Webb
Henry Williams

Marcell R. Todd, Jr.
Director

Regular Meeting July 23, 2020

Virtual Meeting Via Video Conferencing

MINUTES

I. Opening

- A. Call to Order – The meeting was called to order by Vice-Chairperson Hood at 5:18 pm.
- B. Roll Call - Marcell Todd, Director CPC called the roll. A quorum was present.

Attendees: Andrews, Ellis, Esparza, Hood, Webb, Russell, Williams and James (5:20 pm)

Excused: Pawlowski

- C. Amendments to and approval of agenda

Commissioner Andrews motioned approval of the agenda, with amendments, for the July 9, 2020 meeting; seconded by Commissioner Williams. Motion approved.

II. Minutes

- A. Meeting minutes of May 21, 2020 and June 4, 2020.

Commissioner Williams motioned to approve the minutes of May 21, 2020 and bring back the minutes of June 4, 2020 at the meeting; seconded by Commissioner Esparza.

III. Public Hearings and Presentations

- A. **Discussion** – to consider the request of the Detroit City Planning Commission to amend Article XVII, District Map No. 20 of the 2019 Detroit City Code, Chapter 50, Zoning, by showing a B3 (Shopping District) zoning classification where an M4 (Intensive Industrial District) zoning classification currently exists on ten parcels, commonly

identified as 8230, 8400, 8500, 8600, 10000, and 10100 E. Eight Mile Road, 20200, 20210, 20222, and 20280 Conner Avenue, generally bounded by E. Eight Mile Road to the north, Hoover Road / Grosebeck Hwy. to the east, E. State Fair Avenue to the south, and Veach Street to the west.

The Commission extended condolences for the passing of Mr. Manuel "Matty" Morun to his family and Crown Enterprises.

George Etheridge, CPC staff, provided an update relative to Crown Enterprise's presentation regarding status of the Bel Air Shopping Center, specifically the demolition of two (2) vacant buildings on the site. At the behest of Council Member Scott Benson, the Commission received a memorandum in October of 2019 requesting the down zoning of ten parcels bounded by E. Eight Mile Road to the north, Hoover Road/Grosebeck Hwy. to the east, E. State Fair to the south and Veach to the west. Crown Enterprises acquired the property in the latter part of 2019 after the down zoning request.

There has been a series of community meetings to attempt to preserve some level of commercial retail at the shopping center complex. A planned charrette for the potential design of the site will be held during the first quarter of 2021 and will be spearheaded by John Seville of the Planning and Development Department.

The Commission received a timeline, summary for the proposed demolition, a map showing the sighting of the two structures and their proximity to existing residential properties. This presentation was not to further discuss the merits of a down zoning, but to hear a presentation from the property owner, as it relates to their request for the demolition of two properties on the subject site.

Marcell Todd, CPC Director: Emphasized that the presentation was provided for awareness and transparency, not for action before the Commission.

Commissioner Ellis: Requested clarity regarding the bidding process; whether there are any inclusion goals or requirements; has contractor been selected.

Sam Hat, President of Crown Enterprises: actively working with demolition contractors getting bids, even though very confident of who they would like to work with. have received four or five. The top one or two, we've worked with, would be our preference. It doesn't necessarily mean they have to be the absolute lowest price. The process will take approximately 30 days; tendency is to stay with them because we've had great success with them.

Commissioner Ellis: Aware there are not inclusion requirements but are there any process or encouragement to source out to local businesses, giving local contractors opportunities or hire locally?

Sam Hat: That is something that they always consider; there is a sensitivity to that and a priority.

Commissioner Ellis: is there an estimated cost for this demolition?

Sam Hat: Near three quarters of a million dollars.

Chairperson James: Expressed concerns regarding truck traffic and the community's ability to contact the petitioner if there are any problems or questions.

Sam Hat: The only ingress, egress to the center is Eight Mile Road.

George Etheridge, CPC staff: Specific community concerns should be forwarded to CPC office and staff will share those concerns with Crown Enterprises.

Public Comment

Russ Palante :this demolition really begins the process of undermining the rezoning and retaining the shopping center and having a big box shopping center that we have historically enjoyed and would envision as a positive presence for our future. The charrette in next year and we cannot rebuild these buildings and they won't be rebuilt. And we do not know when there will be another demolition planned. This begins the process of changing this into the owner's design, which is contrary to the wishes of the community, which CPC is well aware and knows how the community feels. We really are troubled by the demolition proceeding and undermining our capacity of having a future shopping center and bypassing the process that we thought was going to allow discussion of the future use of this facility.

Karen Washington: I am a resident and also involved in a nonprofit organization. I would like to recommend that North Town CDC be the representative and contact for this project to keep the membership and the residents aware of what is going on with this process.

Pat Borsh: At the onset of the presentation it was stressed that this whole presentation is done in the interest of transparency and cooperation. But it is not transparent because no one knew this meeting was taking place, we did not get any advance notice but maybe a few hours last night. I think the record shows that there were over 100 people in that theater when we started these negotiations and discussions and those hundred people did not know that this meeting was coming off. And now to have this issue of demolition of the buildings, that diminishes the prospect of us even sitting down for a design charrette it also speaks loudly to customers who still visit the shopping center with the hope of buying good products. When they see those demolition yellow machines out there spraying water and taking down buildings, it will show visibly that no one is here to save this center. And to say we're going to have a design charrette in the first quarter of 2021 is not a calming influence. It sounds like a waste of everyone's time maybe what we should be talking about is getting Crown Enterprises to maintain the properties they already own in our District 3. For example, visit the southeast corner of Seven Mile and Mt.

Elliot. And if's, that's an example of how Crown Enterprises maintains properties, we don't need them here as our neighbor.

George Etheridge, CPC staff: Apologized, it was staff's understanding that the district manager's office, as well as the Office of Council Member Scott Benson, were working with the community groups and getting the word out about this specific discussion. This discussion has been slated for at least a month. And it was our understanding that the word would have gone out through those means to inform the community.

- B. PUBLIC HEARING** – to consider the request of the City Planning Commission to rezone several blocks on Zoning Map Nos. 41, 42, and 43 in the area bounded by the rail corridor on the north, I-75/Fisher Freeway Service Drive on the east, Toledo Avenue on the south, and Livernois Avenue on the west

Chris Gulock, CPC staff, provided a summary of report submitted July 17, 2020 relative to the request to rezone several blocks in Southwest Detroit. The proposed amendments to Zoning Maps 41, 42, and 43 would make the area more consistent with existing land uses and the City's Master Plan of Policies; limit the influence of intensive industrial uses adjacent to residential and industrial land use; and add mixed-use commercial options at industrial parcels.

The subject parcels are located in the Master Plan Neighborhood Cluster 5 within two areas: Vernor/Junction and Hubbard Richard. CPC staff has submitted an inquiry to the Planning and Development Department (P&DD) requesting comments regarding the consistency of the proposal to the Master Plan.

Commissioner Ellis: Sought clarity regarding distribution of information due to the complexity of the proposal.

Chris Gulock, CPC staff: Meet with HF last summer and talked about some of the proposal; shared report and public hearing notice.

Commissioner Esparza: Did the city contact all or most of those property owners?

Chris Gulock, CPC staff: State law does require notification of the parcels that are proposed and to send additional notification 300 feet from those parcels. The mailing list included approximately five to 600 hundred individuals notified two weeks prior to this meeting.

Commissioner Esparza: Prior to that, when the city considered which parcels to put forward, was there any communication with any property owners during that time?

Chris Gulock, CPC staff: The Planning and Development Department initiated a major study of Southwest Detroit, about three years ago, which included 16th Street to Springwells and down to I-75 to the rail line. There was So they did quite a bit of community engagement on different parts of Southwest Detroit. These

recommendations are from that study. There was a lot of community engagement during last three years. CPC staff did meet with Hubbard Farms to talk about the project and get their feedback.

Commissioner Esparza: Since the actual public notification to place two weeks prior to this scheduled hearing, that there is a likelihood that the Commissioner is probably going to hear from those that are surprised and need clarity and detailed background regarding what is being considered.

Were there any other companies that decided that they wanted to opt out of the proposed rezoning but were kept in?

Chris Gulock, CPC staff: Staff's goal is not to make property owners non-conforming if avoidable. Staff did contact some owners who has operational businesses to determine what they did and informed them of the proposed rezoning. Staff did not ask whether they wanted to be a part of the rezoning if the buildings or land was vacant.

Vice-Chairperson Hood: Was there a particular developer interest that spurred this request or are you just trying to bring current uses into compliance and why would a resident or small business owner might not want the down zoning, because typically as my understanding that the downs on is a good thing; sensing that there's some resistance.

Chris Gulock, CPC staff: There was not a particular developer spurred this rezoning. Southwest Detroit does have some more complicated land use patterns, where you have residential next to industrial. Some goals of the Planning and Development Department and CPC were to clean up those discrepancies, to protect the neighborhoods from further encroachment and to bring it into conformance with the City's Master Plan. There is a third phase, which looks at the area along Vernor, West of Livernois.

Commissioner Williams: Expressed concern regarding the need for notification to property owners and residents relative to request and the need for their input.

Chris Gulock, CPC staff: Staff has been limited in our community outreach that is an ambitious rezoning. The planning department has done a lot of the legwork during the last three years but due to health concerns, since March 18th, staff has not been able to reach out, we would have had a community meeting to roll this out, but we were somewhat limited in that capacity.

Council Member Castaneda-Lopez: This is a continuation of rezoning versus just down zoning in multiple parts of the district and hopefully city wide. The year before we rezoned a parcel, a chunk of land, in 48217 which had residential directly abutting a majority of M-4 properties. The underlying value in principle is about wellness and making sure that people have healthy communities that they can live in; and the amount of community issues that come when you have residents directly abutting

heavy industrial areas.

You can see a large part of this is that you have residences in a M-4 zone and that is an issue. There have been many attempts to reach out to folks and address some of the community concerns. We have been doing sever zoning 1010 workshops with folks over the past two to three years to actually go through and explain just zoning is and the basic definitions and the different classifications, kind of in preparation with this. Planning and Development has done a lot of legwork. We do know that folks are supportive of rezoning from industrial to residential to create or lighter industrial to have a buffer space. There are have several more that we will be bringing to you; we want to go down the entire rail corridor; all the way to the borders to Dearborn to be able to rectify some of those situations.

Part of is not just cleaning it up and aligning with the Master Plan, what we are seeing happening in the area as Gordie Howe Bridge progressives, are speculators buying up more property and sitting on the property, wanting to open of semi-truck shops and other types of heavy industrial businesses, without taking into consideration of the residents. We will be bringing more proposals in the future to go down the entire railway corridor order to be able to rectify and be proactive and prevent further industrialization and have buffer space for residents. I urge you to support this proposal. We know for sure that there are going to be people who oppose the rezoning; and we recognize that and we value our businesses that have been here for a long time but that cannot come at the cost of people's public health and quality of life. We would urge you to approve this and move it forward. Thank you.

Isabelle Bradbury, Fehaj LP: Strong proponent of mixed use, thinks mixed use is the to so many different cities, including Detroit. It's also the most flexible. This is one thing that people don't realize is that when you downzone, it takes away the ability of residences to have a little job a little business on the side.

Christos Moisodes: Owns a large industrial property at 2703 23rd Street, Detroit Industrial Warehousing for about eight years; 16 contiguous acres between 22nd and 24th Street, just north of the rail line. Just wanted to shed some light on the huge opportunity Detroit has with the M-4 zoning that currently exists throughout the city. I'm against the majority of some of this rezoning or down zoning.

Nicholas Bachand: I received notice of this seven days ago, represents 21 acres of the property, located between Clark and Vinewood and north of Toledo. Development is continuing to occur in those areas without the changing of the M-4. The State of Michigan building was built to allow for a buffer area to connect to the community, that's been done in a M-4 zone; the area next to building is actually a trucking area that's being currently used. This area is a unique area for trucking for intermodal transport, I would ask that you not change the zoning the buffers are already there.

Keith Rodgeron: Lives at 25th Street and member of the block club that represents this edge of this proposed rezoning. There aren't going to be future proposed

industrial uses here; some of the renderings from the framework study are very alarming to the residents here.

Maria Koliantz: Husband is the pastor of Messiah church, the parsonage is adjacent to the church and we've been in Southwest Detroit for about five years. There are a lot of empty and vacant lots and warehouses surrounding our church and parking lot and all around the area, so I am in favor of down zoning. I would definitely be in favor of more usable community space there.

Jake Howlett: I represent the owners of the property. I think that's been identified during this meeting as the bridge company. It's technically not the bridge company, but it's an affiliated entity; their property is bordered by I-75 on the East of West Grand and on the West of Toledo. We had not received any communication about this plan rezoning until we saw the notices posted seven days ago. It sounds like some of the other businesses were given the opportunity to comment in advance and I think the term used was opt out of the down zoning; we would have loved that opportunity.

Al Ackerman: I have a couple of really serious problems with the way this is being done because moving some of this by downzoning to a residential type of use not only affects the opportunities and flexibility that exists now, but it diminishes a major part of their property because of the newly required setbacks, which don't exist now. What you're really doing is taking away the future development and much of the existing use and the flexibility that was required.

Gina Marotta: I live at 4018 Toledo street I was notified of this rezoning via the official letter. live in one of the 10th row houses, known as the Toledo, of which eight were purchased from an investor in Canada; that was the first investor developer that spoke; she purchased the property in June 2016. My concern with the zoning while I'm in favor of the zoning from heavy manufacturing to residential; I am not in favor of the SD-1, the special development district which would allow commercial use, and mixed use. I'm not in favor of that, I believe that the existing use as single family residential of these townhouses needs to be respected, preserved and honored.

Council Member Castaneda-Lopez: Wanted to clarify, to the developers or business owners who are on the call; if you are a current business owner, more than happy to meet with you; this is often the conversation and tension that exists between public health and environmental justice development. I'm saying you can have both, that we shouldn't be sacrificing people's health and well-being at the opportunity to allow more industry to develop. We have a tremendous amount of industrial land already; there's definitely still opportunities and given the transition that this land has taken you know what's taking place for decades that many of these parcels are being proposed and are already residential and so I just wanted to clarify that piece about it that there's still existing industrial parcels that can be used throughout the city. I think it's just important to recognize the demographic of this impacted community.

Important to recognize the demographics of the community, historically the folks that live down the street from the factories and industries are mostly people of color and

immigrants because they were not allowed to purchase property in other areas. So it still rings true to this day that low income people of color are of immigrant descent. These are vulnerable populations that continue to live in the shadow of industry. We are not saying that we don't want industry, we support industry but recognizing that there has to be balance in equity between economic development and opportunity, as well as protecting people's public health and the wellness of the surrounding neighborhoods.

C. PRESENTATION – Preview of Eastern Market rezoning scheme and proposed text amendment by P&DD Staff John Sivills, Karen Gage and Greg Moots

In January of 2018, the City of Detroit launched a comprehensive neighborhood framework study for Eastern Market. The core partnership for the project included the Detroit Economic Growth Corporation, the City Detroit Planning and Development Department, the Nature Conservancy, the Detroit Water and Sewerage Department and the Eastern Market Partnership. One of the primary recommendations stemming from this effort is an update to zoning. There were a series of meetings that were held in the community from 2018 through the end of 2019; continued engagement efforts are planned to go throughout the remainder of the summer, focusing on implementation. CPC staff has been very involved, partnering with the Planning and Development Department and the core team to refine the proposed amendments.

Mr. Dan Carmody, President of the Eastern Market Partnership will be acting as the co Petitioner. The initial project began in 2015 with the realization that the market need to expand its existing footprint in order to keep 1,500 to 2,000 food processing jobs in the city, with additional growth over time. Some of the sites are not large enough to accommodate modern food uses and there are opportunities in the food sector. The market needs land to accommodate those opportunities. The partnership has identified an innovative footprint where, with significant buffering spaces, these food processing facilities can create employment opportunities without environmental hazard; while the historic part of the market retains its authentic traditions.

John Sivills and Greg Moots, Planning and Development gave a PowerPoint Presentation that provided the outline relative to the proposed zoning amendments and the market expansion. The Eastern Market study framework area concentrated on the Core Market, which are the market sheds and the areas immediately surrounding them and the Greater Eastern Market, referred to as the GEM which provides an opportunity for businesses that are currently in the Core Market to move into the GEM. The proposed moves are prompted by the Food Safety Modernization Act of 2011. The goals and objectives for the framework are to provide jobs for Detroiters, improve the quality of life for residents and to keep the authenticity and function of the market. The proposed zoning is the most important part of this text amendment, creating a new zoning district, MKT (Market and Distribution).

Commissioner Esparza: Was there a portion that addressed the housing option for those that work in or around Eastern Market.

John Sivills, PDD staff: Yes, within the greater Eastern Market area. There is a plan or it's within the framework plan to provide for live, work, housing, or the opportunity for the development of live, work, housing and that would front the main streets within the GEM areas. So always you will have the opportunity, hopefully in the future as development progresses to live in close proximity, if you work elsewhere for free actually.

Commissioner Esparza: Do you or do we have developers or developments in the queue that are waiting for this rezoning to be realized?

John Sivills, PDD staff: My understanding that there are current developers.

Commissioner Esparza: Your schedule appears to be very fast. So that's why I was wondering whether there were developments or developers waiting in the wings for this. I think it's very thoughtful that your schedule is to have this completed before the end of the year.

John Sivills, PDD staff: It would have been a longer schedule that probably would have finished at this point originally, but because of the covid we've obviously had to make adjustments, but it also allowed us the opportunity to better the package.

Karen Gage, PDD staff: Clarified, that both the live, work and the properties in the GEM area, PDD has been working with the DTC to transfer the properties over there. The department has a lot of control over marketing and selecting who is able to move in and purchase land for, not only the food distribution uses, but we can also set the terms of the development agreements for the live, work, housing. And I did want it to allow the Detroit Economic Growth Corporation to speak to a little bit of the pipeline since they've been working so closely with Eastern Market Corporation and trying to attract businesses to this area.

Catherine Frazier, Real Estate Division of Detroit Economic Growth Corporation: It may seem like a short timeframe; the Eastern Market Framework Planning Study started in 2017. The Eastern Market Corporation did set the vision and strategy. There is a business that is currently located in Eastern Market that's looking to expand. DEGC has been in serious conversations and some of the current zoning of the site facilitates their food processing, but it's also necessary to have the land go through site plan review and all that needs to be happening with the zoning in place of this market designation. There are at least another two businesses; another Eastern Market business within the Market Core looking to expand into the GEM as well.

All of these businesses are not completely at the point of announcing who they are because we are still working through the finer points of all of their expansion projects. These are two multi-generational long time businesses within the Market Core. There is another business that we have been working with and the Eastern Market Corporation has been working closely with as well to bring to the market; a new product coming in and so we feel very strong about the coming businesses potential

to come and we are hopeful for how this area will remain connected to the food sector and connected to growing jobs for this for Detroiters.

Chairperson James: Expansion of the 300 feet radius for notifications; you go 300 feet outside of the market, you're not going to get to any people that live there. My recommendation is you go 600 to 1000 feet. We actually get folks in the community that are going to be there.

Vice-Chairperson Lauren Hood: Eastern Market isn't a traditional neighborhood, it's an asset that the whole city hears about so a zoning amendment coming somewhere that the whole city uses, you have to send mailers out to the whole city and are there other means to inform the community about what is happening in the in Eastern Market because people way beyond even 1000 feet outside of the area care about what happens in Eastern Market.

IV. Unfinished Business - None

V. New Business - None

VI. Committee Reports - None

VII. Staff Report - None

VIII. Member Report - None

IX. Communications - None

X. Public Comment - None

Adjournment at 8:45 pm