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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

City Planning Commission
Regular Meeting
April 11, 2019

I. Opening

- A. Call to Order - The meeting was called to order by Chairperson James at 5:26 pm.
- B. Roll Call - Marcell Todd, Director called the roll; quorum present.

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

- C. Amendments to and approval of agenda

Commissioner Andrews motioned to approve the agenda with amendments; seconded by Commissioner Hood. Motion approved.

II. Minutes

- D. Minutes for the meeting of February 7, 2019

Commissioner Andrews motioned to approve the minutes of the February 7, 2019 with any noted corrections; seconded by Commissioner Esparza. Motioned approved.

III. Public Hearings and Presentations

- A. **PUBLIC HEARING** – to consider the request from Parkstone Development Partners, on behalf of Better Made Snack Foods, Inc., (Petition No. 729) to rezone 6576, 6582, 6598, 6600, 6602, and 6608 Harding Avenue from a R2 (Two-Family Residential District) zoning classification to a M2 (Restricted Industrial District) zoning classification to develop an expanded employee parking lot.

Chris Gulock, CPC staff, provided a summary review of report submitted on April 8, 2019. Petitioner requests an amendment of a zoning classification by showing a M2 zoning classification where a R2 zoning classification currently exists on property known as 6575, 6582, 6598, 6600, 6602, and 6608 Harding Avenue. Better Made Snack Foods, Inc. wished to expand its employee parking lot; it has purchased most of the lots on the east side of Harding and is requesting expansion of parking lot onto the six (6) lots adjacent to its facility.

The site is within the Airport area of Neighborhood Cluster 1 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows Low/Medium Density Residential (RLM). The Better Made Facility is designated as a Light Industrial. CPC staff has submitted a letter to PDD requesting its comments relative to the City's Master Plan.

Staff received one letter of opposition from two (2) residents living in the single-family home located on District Map No. 25, with a zoning classification R2. The residents expressed concerns regarding air quality due to PVS Chemicals located behind their property and the potential for increased air pollution due to Better Made's request.

Commissioner Andrews wants abandoned homes in neighborhood reported to Building, Safety Engineering and Environmental Department.

Commissioner Russell questioned the zoning classification; is there another zoning classification for that area that could accommodate petitioner and residents in area? Issues relative to air quality due to PVS Chemicals. Instructed staff to contact Michigan Department of Environmental Quality (MDEQ) to determine any violations in area and file complaint; contact homeowner who submitted letter for review of their concerns.

Chris Gulock suggested P1 zoning classification could be a better fit to accommodate all concerns.

Commissioner Hood stated that the Commission advocates for the lowest zoning level; concerned that M2 classification would allow for additional development of the area in the future.

Petitioner prefers the M2 zoning classification for flexibility in the future.

Chair James concerned with M2 zoning classification and by right uses; questioned buffering, timeline of construction, truck route, noise consideration. Staff to provide comparisons of R2 and M2 zoning classifications. Chair James asked about buffer; petitioner willing to provide buffer.

Staff to make recommendation on zoning classification; item will be presented after further investigation.

- B. PUBLIC HEARING** – to consider the request of Rockford Construction to amend Article XVII, District Map 4, of the 1984 Detroit City Code Chapter 61, Zoning, by modifying the provisions of the existing PD (Planned Development District) zoning classification for the property located at 3750 Woodward Avenue generally bounded by Alexandrine Avenue, John R. Street, Mack Avenue and Woodward Avenue to establish a mixed-use development to include a hotel, retail space, condominiums, student residences, multi-family units, and on-site parking. Additionally, the request of the Roxbury Group, LLC to modify the provisions of the PD (Planned Development District) classification at 3800 Woodward Avenue to allow for the existing tower with an 'establishment that serves alcohol for consumption on the premises.' Each of these

requests proposes to allow those uses that are generally permitted in the B5 Major Business District.

Kimani Jeffrey, CPC staff, submitted a report dated April 9, 2019 regarding requests from Rockford Construction and Roxbury Group, LLC for a Planned Development (PD) modification for properties located at 3750 and 3800 Woodward Avenue, on land generally bounded by Alexandrine Avenue and Woodward Avenue. The requests are separate, having no common ownership or relation. CPC staff has packaged the requests together due to location. The approximate 9.2-acre portion of land was rezoned in October 1998 by Ordinance 37-98, replacing the B4 (General Business district), to accommodate the Medical Center Rehabilitation Project No. 1 Urban Renewal Area plan.

Rockford Construction proposes to develop a mixed-use development at 3750 Woodward, *The Mid*, which will include retail pavilions, hotel, condominiums, student residences and a multi-family residential tower. The development will also include a parking structure with above and below grade-level parking and additional off-street surface parking; allowing uses that are generally permitted in the B5 Major Business District.

A traffic study was conducted to assess the impact of the development on the surrounding area. CPC staff will provide an analysis in a subsequent report. The developer is seeking the following subsidies: Neighborhood Enterprise Zone, Brownfield Tax Increment Financing, Brownfield MBT Credit, Commercial Property Tax Abatement and MEDC DRP Loan. This proposal meets the qualifying threshold that triggers the Community Benefits Ordinance. Midtown Detroit Inc. has submitted a letter of support.

The Roxbury Group proposes to reestablish the existing development located at 3800 Woodward, *The Professional Plaza Tower* (“*The Hammer and Nail Building*”) to allow for the sale of beer or intoxicating liquor for consumption on the premises; permitting those uses that are generally permitted in the B5 Major Business District. The developer has been working with Midtown Detroit Inc. regarding the Professional Plaza Tower proposal.

The subject properties are located within the Lower Woodward area of Neighborhood Cluster 4 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows Mixed Residential Commercial (MRC). Planning and Development Department (PDD) will provide a determination regarding the consistency of this proposal with the Master Plan of Policies.

Public Comments

Stewart McGraph, Children’s Center – In support; expressed concern regarding traffic study and potential traffic increase; asked for consideration for changing some of side streets to one-way; supports increase coverage by WSU Police and Detroit Police Department; suggested an increase of additional traffic lights on Woodward.

Sue Mosey, Executive Director, Midtown Inc. – Supports proposals

Item will come back before the Commission, within the next two (2) weeks for consideration.

- C. **PUBLIC HEARING** – to consider the request of the Roxbury Group, LLC to amend Article XVII, District Map 4, of the 1984 Detroit City Code Chapter 61, Zoning, by modifying the provisions of the existing PD-H (Planned Development District-Historic) zoning classification for the property located in the 3400 Woodward Avenue block generally bounded by Eliot Street and the vacated portion of Eliot Street, John R. Street, Erskine Street and Woodward Avenue to establish the development known as the West Elm Hotel Detroit. The request proposes to allow for a twelve (12)-story hotel tower and a two (2)-story glass conservatory.

Kimani Jeffrey, CPC staff, submitted a report dated April 8, 2019 regarding request from the Roxbury Group, LLC of a Planned Development (PD) modification for land located at 3400 Woodward Avenue, generally bounded by Eliot, John R, Erskine and Woodward.

The developer proposes to erect the West Elm Hotel in the Brush Park Historic District. The proposed hotel is to have twelve (12) stories, with 154 guest rooms, dining and lounge venues, restaurant, bar, conference center and fitness center. A proposed new conservatory will stand between the hotel and the *Bonstelle Theater*.

The subject site is located within the Lower Woodward area of Neighborhood Cluster 4 of the Detroit Master Plan of Policies. The Future Land Use map for the area shows Mixed Residential Commercial (MRC) for the subject property. The Planning and Development Department will provide a determination regarding the consistency of the proposal with the Master Plan of Policies.

Public Comments

Charlie Adams – Resident – Expressed concern about the traffic study. Traffic study conducted in February and it does not represent the actual traffic congestion in area. The proposed entrance and exit of the garage should be installed on Eliot Street because it is a dead end, alleviating traffic on an already crowded street. Motorists do not pay attention to stop signs.

Sue Mosey, Executive Director, Midtown Inc. – Supports proposals but is aware of the traffic concerns; aware of the Mayor’s Office working with departments to alleviate the concerns.

Commissioner Russell requested a presentation regarding the street plan from departments referencing improvements.

Director Todd – will engage at staff level to get information from the administration regarding what the city plans to do based on issues raised; what does the profile of the street from one area to the next based on its character.

Commissioner Hood expressed interest in the staging of the construction in the area.

Commissioner Russell questioned whether there were plans to educate the community relative to the new traffic policies, specifically the maneuvering around and in the bike lanes.

Commissioner Pawlowski wants to encourage departments to create a website showing all of the new projects and stages going on in the city.

Chairperson James directed staff to facilitate a meeting with the Department of Public Works and Buildings, Safety Engineering and Environmental Department for discussion regarding construction projects, identifying areas and timelines, to determine the manageability and hear concerns.

Staff will provide a complete analysis, tentatively on April 25, 2019 when this item is presented again to the Commission.

IV. Unfinished Business

- A.** Consideration of a proposed text amendment to the 1984 Detroit City Code, Chapter 61, Zoning relative to the R5 (Medium Density Residential District) to amend provisions regarding bus rapid transit, streetcar / trolley, or light rail lines, B1 (Restricted Business District) zoning classification to allow for governmental service agency; B2 (Local Business and Residential District) zoning classification to allow for governmental service agency; PR (Parks and Recreation District) to allow other governmental agencies or non-profit agencies with duly recognized authority over land zoned PR to engage in incidental retail sales; SD1 (Special Development District – Small-Scale, Mixed-Use) zoning classification to allow for assembly hall, banquet hall uses, and rental hall in addition to removing the maximum lot coverage requirement for mixed-use development; and SD2 (Special Development District, Mixed-Use) to allow for assembly hall, banquet hall, and rental hall uses.

George Etheridge and Jamie Murphy, CPC staff, provided a summary of report

Scope of Amendments

- Ordinance No. 37-17, the Fifth General text amendment, Sec. 61-8-102 was inadvertently left unchanged in regards to the language specifying a R5 conditional retail, service and commercial use; uses occupying not more than 3,000 square feet of gross floor area and not having drive-up or drive-through facilities, where located in a building constructed prior to January 1, 2018 and located on a zoning lot not farther than one-half (1/2) mile from bus rapid transit, streetcar/trolley or light rail line, strictly limited to.....

It was the intent of Ordinance No. 37-17 to amend this section by striking the language "...bus rapid transit, streetcar/trolley or light rail line..." and replacing it with 'a high-frequency transit corridor as defined in Section 61-16-102 of the

Code,”

- Section 61-9-15 and 61-9-35 are proposed to be amended to include “Governmental service agency” as a by-right use in both the B1 (Restricted Business District) zoning classification and the B2 (Local Business and Residential District) Zoning Classification
- Proposed text amendment to expand the by-right retail, service and commercial use related to governmental agencies or non-profit agencies with duly recognized authority over land zoned PR (Parks and Recreation District)
- In Ordinance No. 18-18 assembly halls, banquet hall and rental hall uses were expanded to the B2 and B4 zoning classifications on a by-right basis and omitted from the SD1 and SD2 zoning classification. The inclusion on these land uses on a by-right basis in the SD1 and SD2 Districts appear to be favorable when taking into consideration that dance halls are presently permitted on a by-right basis.
- Based on discussion during the April 4, 2019 public hearing, staff recommends that “rental halls,” which are considered a more abrasive use, be permitted on a conditional basis, provided that they exceed 3,000 square feet.
- Revision of Section 61-12-227 should reflect, “rental halls, not exceeding 3,000 square feet are permitted by-right in the SD1 District.”
- The maximum lot coverage for mixed-use developments in the SD1 should be unlimited rather than 35%.
- Based on the proposal to expand the zoning classifications in which governmental service agencies, assembly halls, banquet hall and rental halls are permitted, Sections 61-12-22 and 61-12-43 of the Use Table are being recommended for amendment to reflect that change.

Staff Recommendation

Staff recommends the inclusion of the text in regards to the size threshold specifications for rental halls as a by-right versus conditional use in the SD1 zoning classification, in addition to the recommended approval of the accompanying text changes related to the R5, B1, B2, SD1, SD2 and PR zoning classifications.

Commissioner Russell motioned to accept staff recommendations for approval; seconded by Commissioner Esparza. Motion approved.

- B.** Consideration of the request of Thomas Group Consulting and Parkstone Development Partners to amend Article XVII, District Map No. 63 of the 1984 Detroit City Code, Chapter 61, Zoning, by showing a B1 (Restricted Business District) zoning classification and a B4 (General Business District) zoning classification where a R6 (High Density Residential District) zoning classification currently exists on one (1) parcel commonly

identified as 18520 West Seven Mile Road, generally bounded by Vassar Avenue to the north, Glastonbury Avenue to the east, W. Seven Mile Road to the south and Greenview Avenue to the west.

George Etheridge, CPC staff, provided a summary of report dated April 8, 2019 regarding request of the Thomas Group Consulting and Parkstone Development Partners for zoning amendment. The proposed text amendments would allow for the establishment of a “*Store of a generally recognized retail nature whose primary business is the sale of new merchandise*” and the establishment of a “*governmental service agency*”. The initial phase would consist of a strip retail development along the W. Seven Mile Road frontage and a Department of Health and Human Services office on the northern portion of the site. Both the general retail and governmental service agency uses would be permitted by right in the B1 and B4 zoning classifications.

The proposed B1 zoning classification would permit thirty-six (36) by right residential, public, civic, institutional, retail, service, commercial and other uses. The proposed B4 zoning classification would permit seventy-four (74) by-right public, civic, institutional, retail, service, commercial, manufacturing, industrial and other uses.

CPC staff analysis determined that the proposed rezoning met the eight (8) approval criteria in Section 61-3-80 of the Zoning Ordinance. The subject property is located within the Cody Area of Neighborhood Cluster 8 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows “*Institutional*” for the subject property. The Planning and Development Department (P&DD) has submitted a report dated April 2, 2019, which states in part:

“The proposed development conforms to the Future General Land Use characteristics of the area.”

Staff Recommendation

CPC staff completed its review of the above captioned request to amend District Map No. 63 and recommends approval.

Commissioner Esparza strongly noted that he is very hopeful that the conceptual images presented and the quality of the materials and design will become a reality; and hopeful that the State of Michigan facility will not be alone on the site for any long period of time and the remaining build out will soon follow.

Commissioner Russell that the development encourages walkable community and interaction with that community; the development, from its beginning, increases the esthetics, safety and financial feasibility of Seven Mile Road; and addresses all of those streets and is not an island unto itself.

Commissioner Andrews motioned to accept staff recommendations for approval; seconded by Commissioner Hood. Motion approved.

V. New Business - None

VI. Committee Reports - None

Staff Report - Notes from minutes of 2/7/19

The 2019-20 CPC Budget - Marcell Todd, Director, provided an update on the pending 2019-20 CPC Budget:

- New furniture purchase – Two new cubicles and corresponding furniture and equipment have been purchased and installed for staff. Additional workspace is still needed for new staff.
- New Staff – we are still working to identify and hire two new staff with the availability of new space to house them. Unfortunately, the individuals we were hoping might be available and/or interested may not be due to timing conflicts and obligations.
- Different space options; Jamie Murphy is working on conceptual plan to expand into the space occupied by the BZA. BZA Director Ribbron has been very cooperative indicating that the BZA has more space than needed and that our offices can benefit from a shared arrangement. We hope to proceed in the spring.
- Conferring with the Law Department, regarding stipend for Commissioners.
- Extending invitation to City Council – Staff will again extend an invitation to City Council members to address the Commission with their individual needs, desires and expectations. We can also inquire of Council as to when the Commission may come forward and attend a Council session.
- Retreat/Conference schedules - MSU Center on Woodward and Erskine has tentatively made space available to the CPC for a retreat or training session should the Commission desire.

VIII. Communications - None

IX. Public Comment - None

X. Adjournment – Meeting adjourned at 9:30 pm