

# City of Detroit

## CITY PLANNING COMMISSION

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Marcell R. Todd, Jr.  
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Brenda Goss Andrews  
Damion W. Ellis  
David Esparza, AIA, LEED  
Frederick E. Russell, Jr.  
Donovan Smith  
Angy Webb  
Henry Williams

### City Planning Commission Regular Meeting February 4, 2021

## MINUTES

### I. Opening

- A. Call to Order – Chairperson James called the meeting to order at 5:10 pm
- B. Roll Call - Marcell Todd, Executive Director, CPC called the role; a quorum was present.

**Attendees: Ellis, Hood, James, Smith, Webb, Williams and Russell**

**Excused: Andrews**

- C. Amendments to and approval of agenda

**Commissioner Williams motioned to approve the agenda; seconded by Vice-Chairperson Hood. Motion approved.**

### II. Minutes - January 21, 2021

**The minutes of the January 21, 2021 will be presented to the Commission at the next scheduled meeting.**

### III. Public Hearings, Discussions and Presentations

- A. **PUBLIC HEARING** to consider the request of the Planning and Development Department to amend the Future General Land Use map of the Detroit Master Plan of Policies for the Indian Village area of Neighborhood Cluster 3 for the portion of Gabriel Richard Park containing the R. Thornton Brodhead Naval Armory

Chris Gulock, CPC staff, provided a summary of report submitted February 1, 2021 relative to request of the Planning and Development Department (PDD) to amend the

Future General Land Use Map of the Detroit Master Plan of Policies for the Indian Village Area of Neighborhood Cluster 3.

The amendment would allow for the adaptive reuse of the Broadhead Armory located in a portion of Gabriel Richard Park, generally located on the south side of East Jefferson Avenue between Townsend Street (extended) and Baldwin Street (extended) from “PRC” Recreation to “INST” Institutional.

The Broadhead Armory, located at 7650 East Jefferson Avenue, was built in 1934 as a training center and barracks for Michigan’s military services. The building includes the front vestibule, facing Jefferson Avenue; the center main drill hall and three stories at the south end of the building. The site covers 87,000 square feet; has a semi-circular drive along E. Jefferson Avenue; a 46 space surface parking lot at the south side of the building and a rear loading dock area. The area between the rear loading area and the Detroit River measures approximately 275 feet in width.

The Broadhead Armory is listed on the National Register of Historic Places. The National Register has limited regulations on properties. The Armory was locally designated as a local historic district in Detroit on October 8, 2001. The Armory’s architecture consists of a mix of Art Modern and Art Deco influences; including several historic features, decorative tile work, stonework details and nautically themed artwork done under the Works Progress Administrative (WPA) under the New Deal. The interior of the building houses the largest collection of federally-funded Depression-era artwork of any building in the state. Any modifications require approval by the Detroit Historic District Commission.

The marketing of the building was turned over to the Detroit Economic Growth Corporation (DEGC). The City has received a request from the Detroit Parade Company to purchase the site, who proposes to rehabilitate the north end of the building (the vestibule and drill hall); demolishing the three-story south half of the Armory and construct a new 130,300 square foot addition. The rear addition would include a lower level for float storage and assembly and an upper main level to include a design studio, float storage and employee services. The proposal also includes exterior artwork to enliven the façade, landscaping and an exterior plaza at the south side of the building, connecting to the future Riverwalk.

The Broadhead Association indicates it has an alternative \$100 million plan to save the entire building for veteran activities, which could include a new residential tower of veterans. The City Council will have authority to take final action on the development and site plan because the site exceeds three acres.

Public Comments – Charles Mertz; Paul Palazzolo; Joseph Zena; James Semeran; Alicia Moss; Joann Warwick; Steve Braden; Francis Grokow; Toya Watts;

Gwendolyn Mingo; Mr. Veney; Dolores Moore

Commissioner Russell sought clarification relative to protection and maintenance of the building site; the proposal process and selection.

Catherine Frazier, DEGC Representative indicated that the responsibility for protection and maintenance is under the purview of the City of Detroit; DEGC established the RFP, the marketing proposal criteria and timeline of property notice; then the selection committee evaluates the proposal to determine how it fits within the plan for the City.

Commissioner Russell made request that CPC staff be included in the process because of their experience; and look into funding sources to stop the continued deterioration of the site.

Vice-Chairperson Hood requested more transparency on the process; not satisfied with the criteria selection or choices; would like presentation on selections. Questioned the reason for seeing development options if the Commission is only charged with zoning; noted difficulties keeping separated when presented with options; need better understanding.

Commissioner Smith requested additional information on process, financial liabilities; is rezoning to institutional the best designation; final approval and land sale.

Commissioner Webb questioned whether other proposal was presented.

Commissioner Ellis supported Vice-Chairperson Hood's concerns regarding the timelines of the previous RFP processes; suggested issue of new RFP.

Commissioner Williams suggested that staff should have additional discussions before this matter is brought back to the Commission for a vote.

Commissioner Esparza wants clarity on the entity making the request, the Planning and Development Department or the Detroit Economic Growth Corporation (DEGC).

**There was no action taken; item to be brought back for vote at a later time.**

- B. PUBLIC HEARING** – to consider the request of CCA Midtown Detroit, LLC to amend Chapter 50 of the 2019 Detroit City Code, Zoning, by amending Article XVII, Zoning District Maps, Section 50-17-5. District Map No. 4, of the Detroit Zoning Ordinance to modify the development regulations of the existing PD (Planned Development District) zoning classification for the properties commonly identified as 33 Elliot Street, and 3510, 3524 and 3540 Woodward Avenue at the southeast corner of Mack and Woodward Avenues.

During the January 28, 2021 City Planning Commission received a presentation relative to the above referenced request to amend Chapter 50, Article XVII, Zoning District Maps, Section 50-17-5, District Map No. 4 to modify the development regulations of the existing PD (Planned Development District) zoning classification in the area of Elliott, Woodward and Mack.

The petitioner, CCA Midtown Detroit, LLC, proposes to develop City Club Apartments on approximately 2.4 acres on the southeast corner of Mack and Woodward Avenues. The mixed use development will include three buildings which will be comprised a 32,000 square foot single story retail building; a 64,000 square foot, six story mixed use building with 12,500 square feet of ground floor retail and 77 apartments. Two-hundred and sixty-one (261) parking spaces are proposed; 186 parking spaces will be located below-grade on site. An additional 75 spaces will be located at the adjacent SOMA Parking Garage.

The total cost of the development is approximately \$95 million. The petitioner anticipates financing the project with senior and mezzanine construction loan. The petitioner anticipates financing the project with senior and mezzanine construction loans and the Brownfield TIF. The project is estimated to generate 133 full time labor and skilled trade jobs during construction; and 62 full time, 55 retail and several management positions upon completion. Completion is estimated around the fourth quarter of 2022.

The subject property is located in the Lower Woodward area of Neighborhood Cluster 4 of the Master Plan of Policies (MP). The future land use designation for the subject parcels indicates (MRC) Mixed Residential Commercial characterized by medium-to-high density housing developed compatibly with commercial and or institutional uses.

Commissioner Webb questioned the Brownfield TIF amount; petitioner indicated that the TIF amount will be based on eligible expenses for construction and environmental impacts.

Vice-Chair Hood expressed concern for types of jobs and wage ranges; advancement opportunities and benefits.

Chairperson James disappointed with vague guidelines; stressed the importance of mature tree installation; concerned with environmental justice; economic justice and mutual respect from petitioner. Jonathan Holtzman, property owner and developer, agrees with Chairperson James; appreciated Chairperson James' concerns; developer will come back with a more comprehensive plan.

Public Comments: Joann Warwick; Mike Esin; Gwen Mingo; Peter Rhodes; Peter Durand; Denise Fields; Jeff Cowan; Michael Blecher; Pat Borch; Amy Ceneis; Joseph Sentz; Mimi Trent; Daniel Arking.

Vice-Chair Hood expressed concern with occupancy rates and actual demand in Midtown, number of units needed; how many legacy businesses have been displaced?

Commissioner Esparza requested an observation letter from the Traffic Engineering Division/Public Works Department, including opinion on traffic impact; review acceptance of traffic justification presented by developer; concerned with placement of the loading docks. Does the City find that acceptable and can Commission expect a response?

**No Action taken; request to be voted on at next Commission meeting.**

- C. **PUBLIC HEARING** – to consider the proposed Amendment to Chapter 50 of the 2019 Detroit City Code, Article II, Division VII – Review and Decision-Making Bodies, Article III, Division XII - Medical Marihuana Caregiver Centers and Medical Marihuana Facilities, Article IX, Division III – B2 Local Business and Residential District, Article IX, Division V – B4 General Business District, Article IX, Division VI – B5 Major Business District, Article IX, Division VII – General Services District, Article X, Division II – M1 Limited Industrial District, Article X, Division III – M2 Restricted Industrial District, Article X, Division IV – M3 General Industrial District, Article X, Division V – Intensive Industrial District, Article X, Division VI – Special Industrial District, Article XI, Division II – PD Planned Development District, Article XI, Division X – SD2 Special Development District, Mixed Use, Article XI, Division 14 – Overlays, Article XII, Division I – Use Table, Article XII, Division 2 – General Use Standards, Article XII, Division III – Specific Use Standards, Article XII, Division VI – Temporary Uses and Structures, Article XIV, Subdivision B – Off-Street Parking Schedule A, and Article XVI, Division II – Words and Terms Defined Text Amendment

George Etheridge, CPC staff member, provided a summary and analysis of the proposed text amendments to Detroit City Code, Article II, Division 6; Article III, Division 7; Article IX, Divisions 3, 5, 6 and 7; Article X, Divisions 2, 3, 4, 5 and 6; Article XI, Divisions 2, 10, and 14; Article XII, Divisions 1, 2, 3, and 6; and Article XIV, Divisions 1 and 2.

### **Timeline**

**November of 2008** – The Michigan voters passed a ballot initiative, the Medical Marihuana Act Initiated Law 1 of 2008, allowing for the lawful sale and use of marihuana for medical use.

*The passage resulted in a proliferation of unlicensed and unregulated medical marihuana dispensaries and facilities throughout the City of Detroit.*

**November of 2012** - A citizen-initiated ballot proposal, allowing for the legal possession and consumption of one ounce of marijuana or less on private property by an adult, aged 21 or older, was passed by the City of Detroit electorate.

**2015** – The Detroit City Council voted on and passed the “Medical Marihuana Caregiver Center” Ordinance No. 31-15, enacted March 1, 2016 which amended the text of Chapter 61 of the 1984 Detroit City Code, ‘Zoning’, creating regulations to stem the proliferation and regulate such establishments in the City of Detroit.

**2016** – The Michigan Legislature enacted Public Acts, 281, 282 and 283, (the Medical Marihuana Facilities Licensing Act) (MMFLA), allowing for the licensure of five (5) Medical Marihuana Facility types, production and sale of marihuana infused products and the creation of a tracking system to monitor products from “seed to sale.” In accordance to PA 281, a resident can obtain a state license only if the municipality in which they wish to operate, opts into the state’s licensing scheme.

**February 14, 2018** - The Detroit City Council passed a 180-day moratorium on the acceptance of new medical marihuana facility applications pending review and recommendations on new language from the Office of Council Member James Tate relative to regulations for medical marijuana facilities.

**May 9, 2018** – The Office of Council Member James Tate submitted a revised draft ordinance to amend Chapter 61 of the 1984 Detroit City Code, ‘Zoning’, by amending Article II, Division 7 – Review and Decision-Making Bodies and Article III, Division 12, Medical Marihuana Caregiving Centers to create regulations for Medical Marihuana Facilities, which resulted in the enactment of Ordinance No. 20-18 on October 14, 2018.

**November 2018** – The Michigan electorate enacted Proposal 1 – The Michigan Regulation and Taxation of Marijuana Act, legalizing recreational marijuana possession, cultivation and consumption by adults 21 years of age or older in the State of Michigan.

**November 24, 2020** – The Detroit City Council passed the Medical Marijuana Facilities and Adult-Use Marijuana Establishments ordinance authorizing the Buildings, Safety Engineering, and Environmental Department (BSEED) to issue business licenses for co-location and adult use marijuana establishments, including growers, processors, retailers, secure transporters, safety compliance facilities, microbusinesses, marijuana event organizers, temporary marijuana events and designated consumption establishments.

After passage of Proposal 1, the Office of Council Member James Tate convened a working group to develop an ordinance specific to social equity to ensure that Detroiters benefit directly from the legalization of the adult-use cannabis industry. The results of the working group established the Detroit Legacy Program and adult-use marijuana

provisions of the Detroit Business Licensing Ordinance under Chapter 20 of the 2019 Detroit City Code, Health Article VI- Medical Marijuana Facilities (Ordinance No. 2020-44, enacted on January 11, 2021).

The proposed zoning provisions will fully effectuate adult-use marijuana facilities, accommodating the newly passed licensing provisions and new terms to Chapter 50 which delineate the adult use facilities from the medical marijuana facilities and permissibility for new adult uses.

### **Community Concerns**

Greenacres/Woodward Civic Association (GWCA) submitted a detailed list of suggested changes to Business Licensing (Chapter 20) and Zoning Ordinance (Chapter 50) provision pertaining to Adult-Use Marijuana establishment. As an effort to stop the over-concentration of marijuana related facilities along Eight Mile Road and Woodward Avenue, the GWCA proposed a new regulation prohibiting the establishment of retail marijuana establishments, marijuana micro-businesses, adult-use marijuana designated consumption establishments, and temporary marijuana events along the “Major Corridor Overlay Area”, defined in Section 50-11-402 as:

- (1) Woodward – All zoning lots abutting Woodward Avenue between the center line of West McNichols and the center line of West Eight Mile Road;
- (2) Eight Mile Road – All zoning lots abutting Eight Mile Road.

The Detroit Zoning Ordinance only prohibits sexually oriented business along the Major Corridor Overlay Areas. The proposed prohibition could prompt a greater distribution of marijuana facilities throughout the City of Detroit. The current zoning and spacing regulations imposed upon the existing medical marijuana establishments are the same regulations proposed for the adult use marijuana establishments; spacing restrictions are in place throughout the City which prohibits dispensary type facilities from locating within 1,000 radial feet of each other, drug free zones, schools, daycare centers, parks and regulated uses. Under state regulations, the operation and taxation of these establishments (MRTMA) facilities are permitted to co-locate on the same premises. The requested amendment were enacted, the City of Detroit would be acting contrary to the spirit and intent of the statute and future facility owners would seek out primary or secondary facilities throughout the city in closer proximity to historically residential neighborhood and commercial corridors.

The second zoning request by GWCA was to amend the current Traditional Main Street Overlay Area on Livernois Avenue by extending the boundaries from the current end point at St. Martin Avenue to West Eight Mile Road. This recommendation has acted on by the Commission and the City Council as part of the recent text amendment.

Additional recommendations submitted by the public including a spacing restriction of 500 radial feet from all land zoned residential. Every major and secondary thoroughfare

within the City of Detroit would be affected, prohibiting any facility from being established; any municipality, village or township which lawfully allows a principal land use, must also allow conditions in which that land use may be established. Enactment of this recommendation would make the City of Detroit vulnerable to litigation.

The Commissioner raised concerns during the CPC Presentation on January 28, 2021 relative to the utilization of “curbside” pick-up at retail and/or provisioning establishments and the elimination of an active list of state licensed facilities from the City of Detroit’s website. In regards to “curbside” and/or “drive-thru” operation, per Council Member Tate, the sponsor of the ordinance, that language was removed from the ordinance. In regard to the state issued list of licensed facilities on the City’s website, that list was removed and no rationale was given.

### **Public Comments**

#### **Kay K/Concerned Detroiter**

Asked the Commission not to support these recommendations at this time. There is an explicit stipulation that marijuana events are not allowed to be held in residential communities within 1000 feet of a residential community; stipulation that marijuana events are not allowed to be held in proximity to a school, church, daycare center, recreation center or parks. There must be a hearing for each marijuana event and community outreach must be conducted for each event. There should be at least a 1000-foot distance between a marijuana establishment and residential community that abuts a commercial district.

#### **JW**

The public needs more time; the portion about the maps didn't stay up long enough for me to get a good look at it; those kinds of visuals are very helpful; understand why people would be upset about that. The City should do some round table discussions about marijuana. People are upset about it. There are concerns about smell and we need more time for this, because even though the Commission heard about this last week there are a lot of other people with legitimate concerns that have not had the opportunity to digest this; it's unfortunate that this came with such a time crunch, and I know that people put a lot of work into it, because it isn't easy to please everybody all the time even with this subject.

#### **Frank K**

An attorney representing Mr. Serio, a 20 year business owner in Eastern Market. An unintended consequence of the current imposed restrictions would be to preclude Eastern Market from participating in the marijuana industry. Marijuana is one of the oldest farmed agricultural products and Eastern Market has been an integral part of Detroit since before the first Model T road out of the Piquette Avenue Factory line. To remain relevant and economically viable Eastern Market must continue to adapt and the decisions to be made by this committee as it relates to marijuana zoning will have a



lasting and significant impact on the future of Eastern Market. Respectfully requested that this Commission make the zoning changes necessary to permit Eastern Market the opportunity to include marijuana as part of its agricultural future including but not limited to setbacks, as it relates to control uses and marijuana establishments, as well as parking.

**Thomas Lavigne**

In supportive of the text amendment; is an attorney with the Cannabis Council and also supports the retailer in the Eastern Market. The controlled uses, which are for liquor stores it is really a disadvantage to this newly emerging market why we would protect alcohol over this, it's really almost an anti-trust issue, we've been up against it for 100 years for this natural resource, the removal of the controlled uses as a buffer zone, especially for the Eastern Market, is an unintended consequence. The Eastern Market Corporation is in support of having some retailers, some edibles and the foods support the Eastern Market theme and hope that that one change could be achieved.

**Semja Richardson**

Gave support for this ordinance; great for city; lifelong resident of Detroit; frequents the Eastern Market and would like to see it down there; can go down and pick up my cannabis, along with my fruit and vegetables, if the Commission will allow it; having it, the recreational marijuana throughout the city would bring more tax revenue, and free up resources to help out the city in terms of roads and infrastructure.

**Jared Jeffrey**

Also with the Cannabis Council Law Firm, representing Vincent Serio; have been doing some research for Mr. Serio on buffer zones throughout the Eastern Market over the last few weeks and we've come to find that if there is the 1,000-foot buffer around all controlled uses, including liquor stores, bars, breweries, it completely covers the entire Eastern Market District. Asking the Commission to consider waving the 1,000 foot buffer zone for controlled uses specifically within the upcoming market designation, which is another conversation that is ongoing at this time regarding the creation of a new zone in the Eastern Market, hope that you would consider including the market designation in the list of allowable zones for certain cannabis businesses, as well as waving the 1,000 foot buffer zone around specifically controlled uses, not the churches and schools which are drug free zones; only liquor stores and bars so that the Eastern Market is able to reach its goal of having a few cannabis stores within the market but not an overwhelming concentration of them.

**Vincent Serio**

He has two buildings in the market with hopes of opening a recreational marijuana facility. The Eastern Market Board would also like to see locations in the market; provided a public comment letter from the board to the Commission and the board is also on the call; asking the Commission to allow cannabis in the new MKT zone, do leave the 1,000-foot buffer zone for the schools and churches, etc. but remove the 1,000-foot

buffer for controlled use other marijuana business in the MKT zone to allow a limited number of provisioning centers and adult-use there.

**Patricia Carter/Oakman Community Association**

Concerned with the B1 and B2 zoning classifications which is part residential and business areas. Also, what about the public housing, you say that schools, churches are still within a 1,000 feet from a medical marijuana facility, but you did not state if public housing was still included within that 1,000 feet; against the drive-thru but there is a lot of crime around those marijuana places that were still open illegally during the process, on Livernois and Davison, Wyoming and different places around the neighborhood and children are dropped off in front of these facilities. Also, knows about a state ordinance that requires proper ventilation of these facilities to keep the smell from coming out.

**Pat Bosch**

Supported the comment from the first public speaker, believes she hit on the very points of concern about, but in addition to that, objects to the pretense that tonight is called a public hearing. How can it be a public hearing when there is no chance to ask questions, there needs to be so many clarifications, with respect to this zoning ordinance amendments and there was no opportunity to do that, especially when you look at the industrialized sections of District 3, we are going to be the scapegoat for all of this marijuana that other communities are going to be free of and if Eastern Market wants the marijuana, they can have it, but they better not tamper with the 1,000 foot control use leeway, because we need that 1,000 foot leeway here in the neighborhoods; submitting a letter in objection, because I think this is a violation of the Open Meetings Act.

**Peter Rhoades**

Resident of Green Acres Neighborhood and first Vice-President of the Green Acres/Woodward Civic Association (GAWCA). Since June 2018 the Green Acres/Woodward Civic Association has respectfully requested Overlay zoning along Eight Mile Road to address the over concentration of medical marijuana sales locations that together with existing strip clubs, adult bookstore, liquor stores and cheap motels contribute to a skid row atmosphere along Eight Mile Road. Mayor Duggin has ignored the GAWCA request for two and a half years.

Back in November 2020 the City of Detroit passed a recreational marijuana licensing ordinance that's going to allow 75 sales locations, plus 35 marijuana consumption locations and 35 marijuana micro businesses for a total of 145 businesses. Past experience shows that half of all marijuana businesses are located on Eight Mile Road North to pander to customers from Macomb and Oakland Counties. If repeated that would allow about 70 to 75 marijuana businesses along Eight Mile Road. Again GAWCA requested overlay zoning and again Mayor Duggin ignored us. Please listen to us and amend the major corridors overlay zoning to prohibit these uses, I want to thank you on behalf of GAWCA and the 2500 residents who live in the Green Acres neighborhood.

**Dan Carmody**

You have heard from some of our proponents and I don't know if it's unintended or

intended, but a consequence of the current regulations is that there would be no place in Eastern Market. We are very excited about the city's approach with regard to legacy businesses, we believe we are one of the entrepreneurial cauldrons of Detroit and we want to a variety of businesses succeed and we would like the opportunity; we have churches and schools and we have to respect those setbacks; is there a way we can get some parcels within the district eligible for cannabis users, we would appreciate your consideration, thank you.

**Mimi Trent**

Lives in District 6 area; concerned because instead of seeing billboards that say don't drink and drive when the inner city is flooded with liquor stores, now sees billboard that say don't drive while high, while the inner city is starting to be fun, it would legalize weed spots; knows that the laws are very lacks in the inner cities. Will there be a cap on how many legal weed entities in a certain perimeter and if not, why and how many facilities be in Midtown and other recently developed areas? There is a former church located at 8305 Livernois that is currently being renovated as a legal weed spot. And also does Detroit legacy include metro Detroit because we know that metro Detroit also includes the suburban areas as well.

**Chair Alton James**

*Thank you very much, hopefully we can get some of those questions answered to all of our public testimony folks that had spoken the session.*

**Amy Zhou**

Concerned for her neighborhood based on her real experience, listening to the zoning revision discussion, two things that are confusing, why is the zoning for medical use marijuana location 1,000 feet requirement not required for the recreational use, so when they transfer their location into recreational use then that location is in violation according to your zoning regulations. It is not a very well category because the marijuana business has a special character that is exclusive to other land uses and other businesses; it is different as other industrial or light industrial uses. Suggested some open drug free zone applications for the community that wants to have a drug free neighborhood; don't want the smoke everywhere in our community.

**Atty. Christina McPhail-Stockdale**

Native Detroiter, cannabis attorney that assists and now represents many legacy Detroiters as well as existing establishments. The micro business legislative scheme, which will be an important incentive to many of the legacy Detroiters who cannot engage in large scale marijuana facility type operations, with respect to the micro business, wanted to point out to the Commission that perhaps consider a buffer waivers with regards to churches and controlled liquor establishments because much of these businesses happened in the B2 and B4 in the 6<sup>th</sup> district uniquely in the way that the city's makeup of commercial and residential. These types of entities again are the smaller niches of the cannabis community

and are important and they strive to want to be in business and to hopefully streamline potentially, if there's a waiver of buffer process, especially if they're 20 or 10 feet away within the 1,000 square feet. Any parks or churches that no longer operate as churches or parks and don't maintain ecclesiastical zoning that there be some fast track to address the parks or the churches that don't operate so these businesses can thrive.

### **Julius Debardeleben**

The issue of concentration that was brought up is significant legitimate; works with under employed youth in the poor area of the city for the past 15 years. Prior to that did a lot of work on the consulting side and operational side in business. Two issues of concern, unemployment and the concentration of dispensaries; heard support earlier from commenters and this is a very lot of information very quickly provided in terms of public comment and that is something that really needs to be looked at. Typically, you have situations where you have existing facilities that are going to expand, as well as other facilities that might move into an area and there is a heavy concentration on Eight Mile. Another issue is business development, seen more tonight on business development detail out for this industry that I have ever seen before or for any industry for legacy type business development; that is something that needs to be looked at and you want to make sure that you do not cut out other opportunities. In terms of spinning this industry, if you have marijuana in your system, skilled trade jobs, technical jobs, medical jobs, you cannot go to and you start your business off the job that you had before, to start a business later, you want to be very careful with it.

### **Vanessa Peak**

The Detroit Housing Commission (DHC) has several jobs available, several positions, good position jobs, want to make everyone aware of a statement that they make before they post their jobs, it states: although marijuana has been legalized under Michigan Law, it is a scheduled one controlled substance and is illegal under Federal law. As a federally funded agency, DHC employees are not permitted to use or possess any form of marijuana for medical or recreational purposes. Any applicant for employment who tests positive for marijuana during the pre-employment drug screening shall not be eligible for employment with DHC. Any applicant for employment who advises DHC that he/she uses any form of marijuana will be ineligible for employment with DHC. DHC is unable to grant any request for accommodation to use marijuana under any circumstances. Brought this to everyone's attention because marijuana usage is illegal by Federal law and can this body explain to the citizens of Detroit, how is it that our local governments and the state government is engaged in an activity that is illegal by Federal law.

### **Staff Recommendation**

**The City Planning Commission staff recommends approval of the text amendment to amend Chapter 50 of the 2019 Detroit City Code, Zoning, Article II, Division 6 –**

***Review and Decision-Making Bodies; Article III, Division 12 - Medical Marihuana Caregiver Centers and Medical Marihuana Facilities; Article IX, Division 3 – B2 Local Business and Residential District; Article IX, Division 5 – B4 General Business District; Article IX, Division 6 – B5 Major Business District; Article IX, Division 7 – B6 General Services District; Article X, Division 2 – M1 Limited Industrial District; Article X, Division 3 – M2 Restricted Industrial District; Article X, Division 4 – M3 General Industrial District; Article X, Division 5 – M4 Intensive Industrial District; Article X, Division 6 – M5 Special Industrial District; Article XI, Division 2 – PD Planned Development District; Article XI, Division 10 – SD2 Special Development District, Mixed Use; Article XI, Division 14 – Overlay Areas; Article XII, Division 1 – Use Table; Article XII, Division 2 – General Use Standards; Article XII, Division 3 – Specific Use Standards; Article XII, Division 6 – Temporary Uses and Structures; Article XIV, Division 1 – Subdivision B – Off-Street Parking Schedule A; and Article XVI, Division 2 – Words and Terms Defined***

**Commissioner Williams motioned to accept staff recommendation to approve text amendment to amend Chapter 50 of the 2019 Detroit City Code; seconded by Commissioner Smith. Motion approved 6-1 (Commissioner Esparza – No)**

**Commissioner Webb offered a friendly amendment to the motion, adding the public comment suggestions; Commissioner Williams accepted the amendment.**

**IV. Unfinished Business - None**

**V. New Business - None**

**VI. Committee Reports - None**

**VII. Staff Report - None**

**VIII. Member Report - None**

**IX. Communications**

***Chairperson James thanked the Commission members and the CPC staff for always being there and for doing what the work that is assigned; representing our fellow citizens of the City of Detroit.***

**X. Public Comment**

**JW; Vicki Shah; VenetaThompkins; Gwen Mingo; Jared Jefferys**

**Adjournment**