

# City of Detroit

## CITY PLANNING COMMISSION

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**Lauren Hood, MCD**  
Chairperson  
**Donovan Smith**  
Vice Chair/Secretary

**Marcell R. Todd, Jr.**  
Director

**Brenda Goss Andrews**  
**Kenneth R. Daniels**  
**Damion W. Ellis**  
**David Esparza, AIA, LEED**  
**Gwen Lewis**  
**Frederick E. Russell, Jr.**  
**Henry Williams**

### City Planning Commission Regular Meeting Minutes

**March 18, 2021**

#### **I. Opening**

- A. Call to Order – Chairperson Hood called the meeting to order at 5:08 pm
- B. Roll Call – George Etheridge, CPC Staff member, conducted the roll call

Attendees: Hood, Smith, Daniels, Lewis, Russell and Esparza (Left at 6:00 pm.)  
Excused: Andrews, Ellis and Williams

- C. Amendments to and approval of agenda

**Commissioner Daniels motioned to approve the agenda with the amendments; seconded by Vice-Chairperson Smith. Motion approved.**

#### **II. Minutes - January 28, 2021 and February 4, 2021**

**Vice-Chairperson Smith motioned to bring the meeting minutes for the January 28, 2021 and February 4, 2021 at the next meeting; seconded by Commissioner Daniels. Motion approved.**

#### **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 Cluster 5 for portions of land within Riverside Park and land adjacent to Riverside Park

Chris Gulock, CPC, Greg Moots, PDD, Juliana Fulton, GSD, Caitlin Malloy Marcon, Deputy Director of Complete Streets, DPW, provided an overview of the proposed amendment of the Future General Land Use Map of the Detroit Master Plan of Policies Cluster 5 for portions of land within the Riverside Park and land adjacent to Riverside

Park.

Riverside Park is located in southwest Detroit at the foot of West Grand Boulevard and West Jefferson Avenue, west of the Ambassador Bridge and is designated in the Master Plan of Polices as PRC (Recreation), MRC (Mixed-Residential/Commercial) and IDP (Distribution/Port Industrial). All of the subject sites are bounded by West Jefferson, the Ambassador Bridge, the Detroit River and Swain Street.

The Detroit Bridge Company proposes a Land Exchange Agreement for a portion of Riverside Park, 3085 West Jefferson Avenue, referred as the Conversion Parcel; which is adjacent to the Ambassador Bridge; for a parcel to the west, 3401-3601 West Jefferson Avenue, the News Warehouse, that can accommodate recreational uses. The swap requires the City of Detroit to designate the portion of Riverside Park as surplus real property; City Council approval for the transfer of jurisdiction of the Conversion Parcel; and the removal of the Recreation Designation in the Master Plan.

The proposed amendment includes three changes summarized as follows (more detailed maps may be found in P&DD's attached request):

1. Land within the Hubbard Richard Area of Cluster 5 at **3085 West Jefferson Ave.** (referred to as the Conversion Parcel), which is generally bounded by West Jefferson Ave., the Ambassador Bridge, the Detroit River, and 22<sup>nd</sup> St. (extended), where the Future General Land Use Map depicts a PRC land use designation would be amended to show an IDP land use designation. This site, which is owned by the City and presently developed with open recreation space, is proposed to be conveyed to the Detroit International Bridge Company (DIBC) in exchange for the News Parcel (discussed later in this report as the Land Exchange Agreement).
2. Land within the Hubbard Richard Area of Cluster 5 at **3401-3601 West Jefferson Ave.**, which is generally bounded by railroad right-of-way, 23<sup>rd</sup> St., West Jefferson Ave., and West Grand Blvd., where the Future General Land Use Map depicts a MRC land use designation would be amended to show a PRC land use designation. This site, which will continue to be owned by the City, is part of Riverside Park and presently developed with a playground and accessory parking.
3. Land within the West Riverfront Area of Cluster 5 at **3801 West Jefferson Ave.** (referred to as the News Parcel), which is generally bounded by railroad right-of-way, 23<sup>rd</sup> St., West Jefferson Ave., West Grand Blvd., the Detroit River, and Swain St. (extended) where the Future General Land Use Map depicts an IDP land use designation would be amended to show a PRC land use designation. This property is owned by the DIBC, part of the former Detroit News warehouse site, and presently vacant. This site is proposed to be conveyed to the City, in exchange for the Conversion Parcel. In return, the DIBC will provide a \$2 million grant to develop a new park at the News Parcel and to be combined with Riverside Park.

### **Staff Recommendation**

CPC staff recommends approval of request from the Planning and Development Department to amend the Future General Land Use map of the Detroit Master Plan of

Policies for Cluster 5 for portions of land within Riverside Park and land adjacent to Riverside Park.

**Commissioner Russell motioned to waive same day action regulations for approval; seconded by Vice-Chairperson Smith. Motion approved.**

**Commissioner Daniels motioned to accept staff recommendation for approval; seconded by Vice-Chairperson Smith. Motion approved.**

- B. PUBLIC HEARING** – to consider an amendment to Article XVII, Section 50-17-3, District Map No. 2 for land commonly known as 400 Monroe Street and 1000 Brush Street on the block bounded by Monroe, Beaubien, E. Lafayette, and Brush by showing a B5 (Major Business District) zoning classification where a B6 (General Services District) zoning classification currently exists. *(These properties are part of the proposed Greektown/Bricktown rezoning initiative of the City Planning Commission but were inadvertently omitted from the notice of public hearing that was held on February 18, 2021 for twenty-four other blocks or portions of blocks within the Greektown/ Bricktown area.)*

**This item and IV. Unfinished Business, A. were combined.**

#### **IV. Unfinished Business**

- A.** Consideration of the proposed map amendment to Chapter 50, *Zoning*, Article XVII, Section 50-17-3, for the rezoning of land in Greektown and Bricktown, Zoning Map No. 2 from the B4, B6, PD, and SD5 zoning district classifications to the B5 zoning district classification.

The City Planning Commission (CPC) convened the second of two public hearings to consider the rezoning of land depicted on Map No. 2 in Article XVII of Chapter 50 of the 2019 Detroit City Code, *Zoning*, from the B6 (General Services) zoning district classification to the B5 (Major Business) zoning district classification. Zoning Map No. 2 covers the eastern portion of the Central Business District (CBD) and includes notable areas such as Bricktown and Greektown.

The B6 land that is proposed at this hearing to be rezoned is on one block in Greektown bounded by Monroe Street on the north, Beaubien Avenue on the east, East Lafayette Avenue on the south, and Brush Street on the west and includes properties commonly known as 1000 Brush Street and 400 Monroe Street. These properties were inadvertently omitted from the public hearing notice for the CPC hearing of February 18, 2021, which considered the rezoning of land on 24 blocks within the Greektown and Bricktown area.

The current zoning maps are inconsistent with the future General Land Use visions of the Detroit Master Plan of Policies for land in Greektown and Bricktown. The current zoning allows for some land uses that are inappropriate for the Central Business District and prevents some desirable ones. In the eastern portion of the downtown area there are several blocks identified as Special Commercial. The Special Commercial Designation aligns with several zoning districts: Planned Development (PD), PCA, B5, SD2 and SD5 zoning districts. Greektown is

currently zoned B6 & B4. Authority for one of the PD properties has lapsed and will need to be resolved. The current B6 and B4 zoning classifications no longer fit the Central Business District.

The zoning to B5 zoning classification will not change their permissive ability or legality. The Wayne County Jail would be rendered non-conforming. The Greektown and Bricktown parking structures were envisioned as part of casino operations and had been rezoned to SD5 and now will be rezoned to B5 for other uses. The consequences of the rezoning to B5 permits most of the retail/service/commercial land uses as B4 and B6. No land use rendered non-conforming except the jail.

*Commissioner Russell: Were there any landowners who objected to the proposed rezoning?*

CPC Staff - Rory Bolger: During the months leading up to the February meeting, staff had spoken with the Greektown Neighborhood Partnership and with their assistance, we were able to identify some of the key stakeholders in the area. In November, we did a preview of what we were looking at and were able to talk to principals at the Greektown Casino and Bedrock which controls a number of the properties. Staff also had some contact with the Archdiocese of Detroit and joined in meetings with the Board of Directors of the Greektown Neighborhood Partnership and at a membership meeting. The response was uniformly supportive of the move toward the rezoning.

*Commissioner Russell: The Master Plan Designation for this area, it's a special commercial and what is the City's intent for this area for the next 50 years; and the heights, is this proposed change going to allow for some tall buildings and are we meeting the City's intent?*

CPC Staff - Rory Bolger: By pursuing rezoning like this, it does allow for buildings to have much greater height and it would put us into conformity with what the City has been saying for a good number of years. It is the appropriate development and the appropriate vision for Downtown.

*Chairperson Hood: Is Greektown on the local historic register, are there any other protections for this area of this size in this Master Plan document?*

CPC Staff - Rory Bolger: Much of Greektown is on the National Register of Historic Places so that affords some tax credits as a result of work that may be done in the area. There are a couple of properties which do have local historic designation. Greektown it is not locally designated as an historic district.

*Chairperson Hood: There is a lot that could happen when we do this designation change; it said three times the width of the most adjacent right of way, which street is three times as wide as Monroe Street or what is?*

CPC Staff - Rory Bolger: Depending on the street, if you look at the Atheneum on Brush Street, is only 48 feet in width, it's the narrowest of the streets. Lafayette is a good bit wider; if it's 60 feet in width, a building could rise to a height of 180 feet on a by-right basis; as developers discovered within the past year, when they were proposing a high rise development on Gratiot at Brush. The land is currently zoned B4 where there is a 35-foot height limitation, they ended

up having to go to the Board of Zoning Appeals to be able to put what is proposed to be a 16 story building. I believe that a 120-foot width street like Gratiot Avenue could allow for a building of 360 feet, we are looking at over a 30 story building that could go up without the need for a Board of Zoning Appeals height variance.

*Commissioner Lewis: In the report, the subject block would not be rendered non-conforming, is that for the total area or just for the subject block?*

CPC Staff - Rory Bolger: The one block would remain conforming, when we look at the entire 24 block area there is one property which would be rendered non-conforming and that is the County jail.

*Commissioner Lewis: Speak to the Special Commercial and then give a description of the adverse consequences in the Central Business District, what do we consider dubious or adverse, what types of businesses?*

CPC Staff - Rory Bolger: When we look at the kinds of uses which the existing B6 zoning classification and the B4 zoning district classification which applies to a good bit of the rest of this 24 block area, the two zoning classifications do not fit a downtown character. The B6 opens the door for some light industrial uses, trucking related uses that may work fine in the Eastern Market but not necessarily add to the Central Business District. The B4 zoning classification would allow for some uses that are unlikely to fit well in the CBD, even single family detached houses can be permitted in a B4 zoning district classification, uses like car lots and a number of retail uses that would have a drive-up or drive thru facility that would fit on Plymouth Road, Van Dyke, East Jefferson or Seven Mile Road but not in a dense area such as downtown. The B5 classification seems to provide a good boost toward attracting or removing barriers to kinds of uses that fit well in a special commercial area.

*Commissioner Lewis: Could you talk in terms of the vision that the City has relative to the B5 zoning in layman's terms so that the regular resident can understand what we would see in this area in the future.*

CPC Staff - Rory Bolger: The City, through the Master Plan regarding the special commercial area, emphasizes uses that are attractive to both visitors from outside the area and local residents. Entertainment certainly being part of that, lodging and also a residential living component, vertical residential living. This will continue to keep the welcome mat out for those kinds of uses.

### Public Comment

Melanie Markowicz, Executive Director, Greektown Neighborhood Partnership, is in full support of the rezoning. It is critical to the future success of our district, as we move forward. Our Community Development Organization is charged with implementing our framework vision for the future which has a few different components, increasing built density, taking vacant land surface parking lots and developing buildings; with the diversity of uses and expanding beyond entertainment. We have a 16 story residential tower breaking ground next month. We are very excited to have the first residents in Greektown in decades, increasing build density, working

on pedestrian oriented infrastructure, development of new public parks, increasing all kinds of business and really honing in on that culture and heritage that is so very important to our district.

### **Staff Recommendation**

Rory Bolger: CPC staff finds that the proposed rezoning of land zoned B6, PD and SD5, totaling 24 blocks or portions of blocks that has been the subject of the February 18<sup>th</sup> and March 18<sup>th</sup> public hearings satisfies the approval criteria for Zoning Ordinance map amendments as indicated in Section 50-3-70 of the Detroit City Code, staff respectfully recommends the following:

#### **That B6 properties be rezoned to B5—blocks/portions (10):**

- Gratiot, Raynor, Clinton, Beaubien
- Macomb, Beaubien, Monroe, Brush
- e/w alley 1st south of Macomb, St. Antoine, Monroe, Beaubien
- Monroe, Beaubien, E. Lafayette, Brush (excluding 457 E. Lafayette)
- E. Lafayette, Beaubien, e/w alley 1st north of E. Fort, property line 1st east of Brush
- e/w alley 1st south of E Lafayette, property line 1st west of Beaubien, E. Fort, Brush
- E. Fort, Beaubien, E. Congress, Brush
- Bricktown People Mover Station on east side of Beaubien between E. Lafayette and E. Congress (541 E. Fort)
- E. Congress, Beaubien, E. Larned, Brush
- E. Congress, St. Antoine, E. Larned, Beaubien

#### **That B4 properties be rezoned to B5—blocks/portions (10):**

- Gratiot, Beaubien, Clinton
- Gratiot, St. Antoine, Clinton, Raynor
- Gratiot, Brush, Macomb, Randolph
- Gratiot/Clinton, Beaubien, Macomb, Brush
- Clinton, property line 1st west of St. Antoine, Macomb, Beaubien
- Macomb, Brush, Monroe, Randolph
- Monroe, Chrysler, E. Lafayette, St. Antoine
- E. Lafayette, Brush, E. Fort, Randolph
- E. Fort, Brush, E. Congress, Randolph
- Church property on west side of Chrysler between E. Lafayette, E. Congress (641 Chrysler)

#### **That SD5 properties be rezoned to B5—blocks/fragments (3):**

- Monroe, Brush, E. Lafayette, Randolph
- E. Lafayette, property line 1st west of Beaubien, e/w alley 1st north of E. Fort, Brush
- e/w alley 1st south of E. Lafayette, Beaubien, E. Fort, property line 1st east of Brush

#### **PD property be rezoned to B5—block fragment (1):**

- Northwest corner of Beaubien at E. Lafayette (457 E. Lafayette)

**Vice Chairperson Smith motioned to approve the recommendation provided by CPC staff as presented; seconded by Commissioner Daniels. Motion approved.**

**V. New Business - None**

**VI. Committee Reports - None**

**VII. Staff Report**

**Marcell Todd, Executive Director, CPC**

The staff report concerns the status of adult use marijuana; updates relative to items on the agenda for April 1<sup>st</sup> which will include information of revised CPC applications and status of CPC By-Laws.

The Adult Use Marijuana Ordinance was approved with some modification on Tuesday, March 16, 2021. The public hearing took place a week ago during the Planning and Economic Standing Committee. There was a full discussion and there was an additional proposed amendment that did not make it through the process involving the changing of spacing requirements for one or more of the involved sets of uses. There are four different spacing requirements that are part of the adopted regulations. Staff anticipates that there could possibly be an amendment request. There are also some changing understandings and approaches at the State level. Two of these uses, micro businesses and consumption lounges or designated establishments for consumption which is due to the fact that the City and the State are beginning to understand how these businesses will operate. Staff will be in conversation with the State, our colleagues and other City agencies to determine what may be both appropriate and necessary. Given the uniqueness of those two issues, staff will look at anything else that may arise between now and then that may warrant an amendment. We are trying to be respectful of the various community concerns, needs and desires relative to the evolving regulatory scheme.

**George Etheridge, CPC Staff**

During the Planning and Economic Standing Committee Meeting on Thursday, March 11, 2021, staff gave a presentation relative to the text amendment advanced from the City Planning Commission and acted on by the City Council Tuesday, March 16, 2021. There were two recommended changes, the first involved the Gateway Radial Thoroughfare which are the five major arteries that extend from Downtown Detroit. Since 2015 there has been a prohibition of retail type establishments associated with marijuana locating on the Gateway Radial Thoroughfare. What was permissible were growers, processors, safety compliance facilities and secure transport. That prohibition was incorporated into the past draft and was discussed during the City Planning Commission public hearing held on January 28, 2021 and was subsequently acted on and removed by the City Council during their public hearing last Thursday.

The second change related to Planned Development (PD) units. There was an intent to allow for marijuana establishments within the PD units, provided that they were not zoned residential. There was a distinction made between solely residential and mixed-use, knowing that the vast majority of facilities within the Midtown and Corktown areas have mixed-use planned development units and do intend to attract tenants to fill out space in the marijuana industry.

There was amended language added to state solely residential PD units as the prohibition and giving City Council the authority to serve as the Special Land Use Hearing Board. Typically, when a PD comes before the City Council, it is for site plan review where they speak to the form and manner in which the PD is built; conditional uses they typically go before Buildings, Safety Engineering and Environmental Department's (BSEED) special land use officer where those determinations are made. Since it is a PD and that authority rests with the City Council, that review now rests with Council for marijuana related industries.

As Council Member Tate indicated, there was a discussion about reducing the spacing requirements around existing marijuana facilities that dispense, as well as, controlled uses defined as beer, wine and liquor stores that are 15,000 square feet or less in addition to arcades and billiard halls. Those are the three uses that typically classify as controlled uses. There was a lengthy discussion, noting that the existing parcels with the existing 1,000-foot buffer currently allows for 2,500 potential parcels, not establishments, existing business, land that meets the spacing requirement and land zoning requirements.

We have between 45 and 47 licensed facilities, should the spacing solely around those controlled uses on existing licensed facilities that dispense be decreased to 750 feet, the number could go to approximately 3,800; we would be looking at approximately a 53% increase of potential available parcels for marijuana related activities. There were lengthy discussions through several community forums and before the City Council that did not gain any traction but with the other space requirements regarding consumption establishments and micro businesses there may be amendments coming before the City Planning Commission.

*Chairperson Hood: The reason why they were rethinking those estimates is so that legacy Detroiters would have access to more potential properties because property owners were jacking up their prices so high that legacy Detroiters could not get in this game; to get into the game you have to get some property. Properties were too expensive; they were trying to change the spacing ordinances so more properties would qualify to be purchased.*

Marcell Todd, Director: Yes, that is the primary thrust because legacy Detroiters and potential legacy Detroiters have been coming to those meetings, leading up to the adoption of these regulations. There were still a lot of challenges with acquiring land; there are caps on a number of the uses and this would not affect the caps; what the City Planning Commission advanced would not expand the potential landscape.

#### **VIII. Member Report - None**

#### **IX. Communications - None**



CPC Meeting Minutes  
March 18, 2021

**X. Public Comment - None**

**Adjournment at 6:56 pm.**