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Donovan Smith
Vice Chair/Secretary

Marcell R. Todd, Jr.
Director

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

Regular Meeting
September 23, 2021

I. Opening

A. Call to Order - Chairperson Hood called the meeting to order at 5:13 PM

B. Roll Call - Director Marcell Todd called the roll; quorum was present.

Attendees: Andrews; Esparza; Harrison; Hood; Lewis, Smith and Russell

Excused: Daniels and Ellis

C. Amendments to and approval of agenda

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

Minutes - July 8, 2021, July 22, 2021, and September 9, 2021

The meeting minutes of July 8, 2021, July 22, 2021, and September 9, 2021 will be presented at the next meeting.

II. Public Hearings, Discussions and Presentations

A. PRESENTATION – Land Acknowledgement, Antonio Cosme

B. PUBLIC HEARING – The request of Woodbridge Neighborhood Development Corporation to amend Article XVII, Section 50-17-46, District Map No. 44 of the 2019 Detroit City Code, Chapter 50, Zoning, to show an SD1 (Special Development District, Small-Scale, Mixed-Use) zoning classification where R2 (Two-family Residential District), R3 (Low Density Residential District), and B4

(General Business District) zoning classifications are currently shown on 72 parcels generally bounded by Forest Avenue to the north, Rosa Parks Blvd. to the east, Calumet Avenue to the south, and Grand River Avenue to the west.

CPC staff members, Jamie Murphy and Rory Bolger, provided a summary presentation relative to the request of the Woodbridge Neighborhood Development Corporation, on behalf of Cinnaire Solutions, to amend Chapter 50, Zoning, District Map No. 44, to show an SD1 zoning classification where R2, R3 and B4 zoning classifications are currently shown on 72 parcels generally bounded by Forest Avenue, Rosa Parks Blvd. Calumet Avenue and Grand River Avenue.

The subject properties, located in District 6, are currently vacant and undeveloped. The proposed map amendment would allow the development of various building types, including mixed-use residential/commercial, townhouses, multi-family residential, standalone retail, parking and dedicated green space. The proposed uses of Multiple family dwelling, residential use combined in structures with permitted (first floor) commercial uses and stores of a generally recognized retail nature, without drive-up or drive-through facilities would be permitted on a by-right basis in the SD-1 zoning classification. The proposed townhouse would be permitted on a conditional basis and would require a Special Land Use hearing before the Building, Safety Engineering and Environmental Department (BSEED).

The subject site is located within the Jeffries Area of Neighborhood Cluster 4 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows “INST” Institutional for the subject properties. The Planning and Development Department (PDD) is reviewing the proposed zoning and will provide an official opinion.

CPC staff will provide a recommendation incorporating the results of the public hearing at a future meeting.

Commission Concerns

Vice Chairperson Smith - Wanted to know the phasing timeline relative to completion, parking for the townhouses on site, etc.

Commissioner Esparza - Expressed concern regarding properties not included in the request, owned by others and community engagement. Developer had not contacted neighboring properties owners on Grand River.

Chairperson Hood - Questioned affordability. Developer indicated that there will be several mixed-use properties which will cover mixed incomes.

Commissioner Lewis - Questioned flexibility of SD1 as opposed to the R2 and R3 zoning classifications as it relates to the proposed residential/commercial development.

Vice- Chairperson Smith - Wanted to know if there was a neighborhood steering committee or board.

Commissioner Harrison - Wanted further details regarding outreach to neighborhoods in the vicinity.

Public Comments

Amy McLaughlin – Woodbridge Resident, in support of the amendment, attending community engagement meeting; wants to keep the neighborhood intact.

Katie Sovan – Wants an overview, specifically on how some of the input from community engagement has informed decisions in the plan shared and in some of the phasing decisions.

For the plan go to woodbridge@nbc.org/guidelines for more information.

Staff will provide a recommendation incorporating the results of the public hearing at a future meeting.

- C. **PUBLIC HEARING** – The request of the Museum of Modern Art Detroit (MOCAD) to amend Article XVII, Section 50-17-7, District Map No. 6 of the 2019 Detroit City Code, Chapter 50, Zoning, to show a B4 (General Business District) zoning classification where an R6 (High Density Residential District) zoning classification is currently shown on two parcels, commonly identified as 52 and 62 Garfield Avenue, generally bounded by Garfield Avenue to the north, John R. to the east, Canfield Avenue to the south, and Woodward Avenue to the west.

Kimani Jeffrey, CPC staffing, provided a summary presentation relative to the request of the Museum of Modern Art Detroit (MOCAD) to show a B4 (General Business District) zoning classification where an R6 (High Density Residential District) zoning classification where two parcels commonly known at 52 and 62 Garfield Avenue.

The developer proposes to repurpose the two parcels to allow for the expansion of the “Museum” use which would allow for the creation of “an outdoor art exhibition grounds or sculpture garden”; or a “Commercial Outdoor Recreation Facility”. Each proposed purpose would be permitted on a by-right basis in the B4 zoning classification.

The subject site is located within Lower Woodward Neighborhood Cluster 4 of the Detroit Master Plan of Polices. The Future Land Use Map for the area shows Mixed/Residential – Commercial (MRC).

The Planning and Development Department (PDD) is reviewing the proposed zoning and will provide an official opinion.

Commission Concerns

Commissioner Andrews - Questioned the upgrades to air filtration. Developer indicated that currently there is no air conditioning in the facility and minimal heat. There will be installation of built into the filtration system, meeting all requirement standards.

Commissioner Esparza - Questioned whether there has been proper notification given to the property owners on Garfield. Developer indicated that the owners had been invited to the community engagement meeting.

Commissioner Harrison - Expressed concern regarding change in circulation after the renovations relative to entrance and exists as it relates to the neighborhood. Developer indicated that there will two openings as opposed to the original one and removal of the change fence currently sounding one side of the facility.

Public Comments

Elise Fields, Midtown Inc. – Is in support of the project.

Chris Piligran, Owner of property on Garfield – Supports the project, only concern is the noise that may result during the events. The Developer indicated that prior to COVID, there were only 4 to 5 events a year; one incident they did receive a complaint when the doors to the facility where open due to the heat which should be eliminated with the upgrades to the HVAC systems. They will not install a sound system during renovation; the event sponsors will work with the staff to mitigate any concerns and there will be cooperation with the local authorities.

CPC staff will provide a recommendation incorporating the results of the public hearing at a future meeting.

- D. PUBLIC HEARING** – The request of Taco Bell America, LLC to amend Article XVII, Section 50-17-41, District Map No. 39 of the 2019 Detroit City Code, Chapter 50, Zoning, to show a B4 (General Business District) zoning classification where a B2 (Local Business and Residential District) zoning classification is currently shown at the property commonly referred to as 18550 E. Warren Avenue.

Kimani Jefferey, CPC staff, provided a review of the report submitted September 16, 2021 regarding the zoning amendment request from Taco Bell America, LLC to show a B4 (General Business District) zoning classification where a B2 (Local Business and Residential District) zoning classification on property commonly known as 18550 E. Warren Avenue, where a vacant building currently stands. The developer proposes construct a Taco Bell food restaurant, with a drive-through facilities.

The site is partially zoned B4 and B2 zoning classifications, which does not permit drive-through restaurants. The B4 zoning classification of the entire site would allow for the fast-food restaurant and drive-up as a conditional use. A conditional use designation requires a Buildings and Safety Engineering, Environmental Department (BSEED) special land use hearing.

The subject site is located within the Finney Area of Neighborhood Cluster 3 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows “CN/Neighborhood Commercial” for the subject properties. The Planning and Development Department (PDD) will provide an official opinion in regard to the appropriateness of the requested zoning amendment and its conformance with the Master Plan of Policies. K. Jeffrey, CPC is expecting a report from the Planning and Development Department regarding consistency with the Master Plan of Policies. The Planning and Development Department agreed to the project pending the changes.

Commissioner Esparza – Is the ownership of the property is pending the approvals?

Taco Bell Representative – Taco Bell is going to lease the property from the current landowner.

Commissioner Esparza - Is there on-going master planning occurring on Mack Avenue by one of the Grosse Pointes, extending on Mack?

K. Jeffrey, CPC staff - There has been a plan put together by the Eastside Community Network, which also has representatives from Grosse Pointe and Detroit which has be taken into consideration regarding discussions relative to this proposed development.

smcgowan@gpdgroup.com – **Taco Bell Representative** – The Eastside Community Network attended our neighborhood meeting and we have there contact information. The has been discussion regarding pedestrian safety and the patio. They were not in support; they were encouraging provided plans that we are trying to incorporate as much as we can.

Commissioner Esparza - Mack and Warren is a very prominent intersection. What are the thoughts of the other city departments for this type of use at this location? This proposal would have a significant impact and change compared to what is at this site

now. Wants a response at a subsequent meeting or when the final report comes back, very uncomfortable with this rezoning.

Commissioner Russell – Is there another zoning classification that allows for a drive-thru?

K. Jeffrey, CPC staff - This is the typical zoning district that would allow for the drive thru; B2 does not allow.

Commission Russell - To the left is Warren and to the right is Mack and there are three entrances, are there other layouts where there are just two?

Taco Bell Representatives – This is the fifth generation of this site plan that we've gone back and forth with the Planning Department on. They wanted to have a bypass lane for the drive thru.

Commissioner Russell - Are all those entrances both entry and exit for vehicular traffic; how would a pedestrian approach the building without having to walk over a vehicular pathway? How would a pedestrian approach; walking across Anatole; is there going to be a crosswalk with different material?

Taco Bell looked at ways to reduce the number of driveways and simplify traffic but did not want to put more traffic on Opal Street where there are residents. The existing parking lot, they wanted to leave as a parking lot and encourage people to come in and off of Mack; the building was placed in every configuration possible on the site being so oddly shaped and doing the best not to move down into the lower portion which is being left residential this has been. This the best configuration that they came up with.

Commissioner Harrison - Regarding Community input, has there been input from the community; were there any questions or opposition received related to proposed plan; questions about the drive thru function

Taco Bell Representative - Firm completed a traffic analysis to see the impact and difference between if the Bank was operating today compared to Taco Bell operating; finding that there would be a similar impact based on using the calculations and the traffic counts. Another question regarded pedestrian access and we are working with the different groups that have reached out through email. They attended the meeting with Cornerstone Village discussing this business use around the site and thoughts about what types of traffic impacts me be considered. The survey conducted focused on the traffic coming out of the Mack Avenue driveway.

Commissioner Lewis - Question related to traffic and the time of day, and what traffic counts look like during those times in comparison to what they might have looked like before.

smcgowan@gpdgroup.com – **Taco Bell Representative** – The survey looked at morning peak time, 8 am to 8 pm; and at the evening peak time, 5 pm to 6 pm. The morning peak was very similar by 2 or 3 cars different from the bank. There were a few more trips; about 10 more generated trips during peak time and afternoon between the bank and Taco Bell.

Commissioner Lewis – Echoed concerns of Commissioner Esparza; listening to traffic analysis, based on the bank and the proposed Taco Bell, how do the numbers pan out, being that a bank generally closes around 5 pm and the hours of the proposed Taco Bell is between 7 am to 3 am?

smcgowan@gpdgroup.com – **Taco Bell Representative** - There needs to be another analysis that show a 7-day trip generation as opposed to a daily peak generation which will be proved.

Commissioner Andrews – Agrees with colleagues about traffic study. The traffic study talked about morning and evening peak traffic; where is the noon rush hour analysis, between 11 am to 2 pm? The analysis needs to include those hours. If Taco Bell is going to be open until 3 am, interested in knowing what bars are in the area. Bars close at 2 am, the count will be different especially if Taco Bell is open 3 am. Wants that data added to the report, with inclusion of what bar establishments are the area that would close at 2 am.

Commissioner Russell – Wants to hear from Traffic Engineering Division/DPW on their thoughts of this plan and how they see it fitting in that area during the next meeting. How much parking is required for that building, do they need that much parking space there?

smcgowan@gpdgroup.com – **Taco Bell Representative** - The site plan for the parking requires 24 spaces and we're providing 25.

Commissioner Russell – Is the utility easement on the site abandoned or is it needed?

K. Jeffrey – We can check into that but legally that easement is active, and we are not able to build upon it if it is needed.

Commissioner Harrison – Wants more information related to traffic circulation around the site included in the report; hours of intensity of traffic expected as it relates to customers.

Public Comments

Jim Grunwick, President Cornerstone Village Community Association -

Supports the proposed Taco Bell; likes the planning and architecture; feels it would upgrade the area.

Mackie Management – Owns property on Mack, uncomfortable with proposal for various reasons, there are already fast-food restaurants in area which are poorly managed, unnecessary traffic, litter and potential crime. In the Mack Avenue Business Plan there is a push to try and get small businesses up and down the corridor of Mack to Alter Road; by bringing in a large fast-food restaurant that goes against that plan.

Maureen Dritsan, Vice President of East English Village Association - Supports the proposal; has been very involved in East English Village which needs more business development projects, as well as improvement; attended the July 21 meeting and endorses the project.

Chairperson Hood - The concerns mentioned during public comments regarding the Mack Avenue Master Plan and that a fast-food restaurant wasn't incoherence with the new business plan; wants an outtake from that business plan in the report.

M. Todd, Director, CPC – Staff has been working with Traffic Engineering Division/DPW and the Planning and Development Department and others to address the various things that the Commission talked about, given the original configuration and appearance of the site plan for this project.

CPC staff will provide a recommendation incorporating the results of the public hearing at a future meeting.

III. Unfinished Business

- A. Consideration of the request of the Planning and Development Department, Motor City Blight Busters, and CHN Housing Partners, to amend Article XVII, Section 50-17-76, District Map No. 74 of the 2019 Detroit City Code, Chapter 50, Zoning, by showing an R3 (Low-Density Residential District) zoning classification where an R1 (Single-family Residential District) zoning classification currently exists on forty-eight (48) parcels generally bounded by Santa Clara Street to the north, Bentler Street to the east, Orchard Street to the south, and the north-south alley first east of Lahser Road to the

west.

Vice-Chairperson Smith motioned to postponement to next meeting; seconded by Commissioner Lewis. Motion approved.

- B.** Consideration of the request of Fusco, Shaffer, & Pappas, Inc. on behalf of the Pope Francis Center to rezone three parcels commonly known as 2915 West Hancock and 4520-50 Jeffries Service Drive from the M4 (Intensive Industrial) zoning district classification to the B4 (General Business) zoning district classification.

Jamie Murphy, CPC staff, provided an overview of report submitted September 15, 2021 relative to the September 9, 2021 public hearing regarding the request of Fusco, Shaffer and Pappas, Inc., on behalf of the Pope Francis Center to rezone three (3) parcels commonly known at 2915 West Hancock and 4520-50 Jeffries Service Drive from a M4 (Intensive Industrial) zoning district classification to the B4 (General Business) zoning district classification.

The proposed rezoning would allow for the development of a Bridge Housing Facility which will serve Detroit's homeless community. The proposed facility will include forty (40) residential units, cafeteria, gymnasium, library, classrooms, health clinic and outdoor warming plaza.

The subject site is located within the Jeffries area of Neighborhood Cluster 4 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows Light Industrial for the subject property. The land is currently city owned and the developer is required to undergo design review with the Planning and Development Department (PDD).

Staff Recommendation

The City Planning Commission staff recommends approval of the request of Fusco, Shaffer & Pappas, Inc. on behalf of the Pope Francis Center to rezone three (3) parcels commonly known as 2915 West Hancock and 4520-50 Jeffries Service Drive from the M4 (Intensive Industrial) zoning classification to the B4 (General Business) zoning district classification.

Commissioner Russell motioned to accept staff recommendation to approve rezoning of proposed development; seconded by Commissioner Andrews. Motion approved.

V. New Business - None

VI. Committee Reports – None

VII. Staff Report

Christopher Gulock – CPC staff - Provided an update on the Zone Detroit Project.

CPC staff and the consultants have done a lot of work within the last two years, including a survey, mapping analysis, brochures, zoning game, and an engagement plan that began in the Fall of 2018. An advisory group is composed of 2 Commissioners appointed by the Commission, stakeholders from around the city, architects, community groups, and nonprofits, that have met at least 15 times in the past 2 years. It an important group of ambassadors for the City of Detroit that CPC staff relies on as a sounding board for the work. The Advisory Group meets tentatively once a month on Wednesdays at 3 pm.

The current zoning ordinance had major updates in 1968 and in 2005. The current ordinance is 16 years old and is 800 pages long. In 2017, staff a consultant to do a comprehensive overview and overhaul of the zoning ordinance. A zoning analytic was produced by the consultants in March of 2020 and was presented to the Commission in January of 2020. It contained their assessment of all the things that they wanted to fix or investigate; it is approximately 70 pages long and it's on the website ZoneDetroit.com. The document has 4 focus areas, making zoning easier for everyone. It looks at growth in commercial and neighborhood areas, expansion of housing options; accessory dwelling units in the missing middle, focusing on jobs, and how to allow more home-based businesses.

The timeline for completion was delayed because of COVID. There have been staffing issues, but they have been working on different sections over the last 9 months, trying to produce a draft by the end of October. Once it's released, it will be shared with city departments, the ambassadors, and the Commission. Within 5 months, the goal is to have a draft document for public review. If the deadline is met, it will be presented by CPC staff to all Council Districts, explaining the draft, getting feedback, fixing, and tweaking it to tentatively deliver it to City Council by June 2022.

The Commissioner and the public are encouraged to look at the Zone Detroit website which gives a complete overview of the project; residents can sign up for updates and email feedback of what they want fixed or comments. Email blasts will be sent providing updates.

Chairperson Hood – There is a need for the Commissioner to consider an appointment for a new member to replace former Chairperson Elton James, who term expired. Vice-Chairperson Smith volunteered for the position.

Director Antoine Bryant – PDD - The Planning and Development Department is looking forward to working with this effort to address equity holistically after this meeting and discussion tomorrow to look at how we can address equity, not only for our residents, but also for our developer community. Including and highlighting our black developers all throughout the city so we're going to aggressively look at equity from soup to nuts in the city. Everything from the development process to developer access, to resident inclusion and input and so many of the things discussed today. PDD will partner with CPC looking forward to having more to report on.

Chairperson Hood - I am particularly interested in the equity conversation.

VIII. Member Report

Commissioner Esparza – Requested status update on the Fiat Chrysler Development on the eastside of Detroit, believes there was a Community Benefits Agreement attached to that. There has been some press recently regarding some of the impact to the neighborhoods, wants a full picture of the progress and any issues or topics that should be brought to the Commission's attention regarding that development.

IX. Communications - None

X. Public Comment - None

Adjournment – Adjourned at 8:24 pm.