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CITY PLANNING COMMISSION
MINUTES
JANUARY 19, 2023
5:00 PM

I. Opening

- A. Call to Order—Chairperson Lauren Hood called the meeting to order at 5:15 p.m.
- B. Roll Call Director Marcell Todd, CPC staff, called the roll; a quorum was present.
Attendees: Brenda Goss Andrews, Kenneth Daniels, David Esparza, Ritchie Harrison, Lauren Hood, Gwen Lewis, Melanie Markowicz, Frederick Russell, Jr., and Donovan Smith
- C. Amendments to and approval of agenda
Commissioner Smith motioned to approve the agenda, seconded by Commissioner Markowicz. Motion Approved.

II. Meeting minutes January 5, 2023

Marcell Director Todd stated minutes are still under review. These will be presented by next our meeting.

III. Public Hearings, Discussions and Presentations

- A. **6:15 PM PUBLIC HEARING** – Proposed map amendment to Chapter 50, *Zoning*, Article XVII, Section 50-17-46, Map No. 44, to show an R5 (Medium-Density Residential District) zoning classification where a PD (Planned Development District) zoning classification is currently shown on the block bounded by Selden Avenue, 18th Street, Magnolia Avenue, and Humboldt Avenue and to show a B4 (General Business District) zoning classification where an R3 (Low-Density Residential District) zoning classification is currently shown at 2640 Michigan Avenue. **60 mins**

Present: Dr. Bolger, CPC Staff

CPC Staff Member, Dr. Bolger gave a PowerPoint presentation on Zoning Map 44 SW Detroit related to the staff report of January 14, 2023. This included a background and rezoning classification for each property. District Map No. 44 is located in the southwest area of Detroit. Map 44 picks up a corner of Corktown and much of the Core Cities neighborhood. This map shows the location of two different sites: 1) North location is Selden-18th-Magnolia and Humboldt Street, and 2) South location is the north side of Michigan Avenue, 18th Street and Michigan Avenue.

- 1) This site is Selden-18th-Magnolia and Humboldt Street. The taxpayer is the Salvation Army.

It is approximately four acres, and it is located in zip code 48208. There is a warehouse building used for storage, equipment, and other materials on the property. The vacant land is maintained. It was classified as R2 before it was rezoned to PD. There is a church on the northeast corner built in 1899. The Salvation Army hoped to build transitional housing. Their development plan has been abandoned, and the work was not completed within three years. The northern site is proposed to be rezoned to R5 medium-density residential zoning district classification.

- 2) 2640 Michigan Avenue is bounded by Michigan Avenue on the south, 18th Street on the east, the Fisher Freeway to the north, and the ramp between I-96 and I-75 on the west. The zoning district classification is B4 on north side of Michigan Avenue. The land is near the Department of Public Works Asphalt Plant. It was the location of the old Western Market in the early 1960s. The southern site on Michigan Avenue is proposed to be rezoned to B4.

We are updating the zoning map according to the zoning ordinance. We are correcting a mistake of map errors. 2640 Michigan Avenue is a map error. The State of Michigan Department of Transportation obtained acres of land and constructed an interchange of the I-75 and I-96 freeways in the 1960s. 2640 Michigan is a remnant of the freeway construction. Map 44's mistake is that it is labeled as R3 not B6. Forensic zoning was used for these findings, and to correct the map error to B6. The R3 zoning district classification for 2640 Michigan Avenue, and low density housing is not appropriate; it should have been B4. This allows for a broad range of retail services.

Commissioner Harrison asked who is the owner of location 2?

CPC Staff Member Bolger answered Mr. Noto and Ms. Snyder own the site. They have plans to redevelop the property.

Commissioner Harrison asked if the rezoning was completed due to a property petition or are we being proactive?

CPC Staff Member Bolger replied we are correcting a CPC error, and CPC is the petitioner for the rezoning. We need to fix a previous error, which allows for a broader array of uses for the owner.

Commissioner Russell asked why did we bring both properties together?

CPC Staff Member Bolger stated we look at the zoning map to see if other areas need to be addressed and Map 44 needed attention and correction, so we present both at same CPC meeting.

Public Comment:

Three speakers commented:

- 1) Kathy Snyder mentioned that she is the property owner of 2640 Michigan Avenue. She is working on bringing Western Market back.
- 2) Richard Noto stated that his intention is to bring back Western Market in a multi-phase project. He desires to serve Corktown and the southwest area with fresh fruits and vegetables at affordable prices, including specialty goods. He wants it to be group-based with growing businesses in Corktown.
- 3) Reginald Poellnitz is the Pastor of Greater St. James Fire Baptized Holiness Church at 3903 18th Street on (corner of 18th and 2620 Selden). He acknowledged the church's inspection violations. He mentioned the amounts due were paid, and they are ready for reinspection. The church is functioning.

CPC Staff Member Bolger stated that the staff will come back with a report and recommendation at the February 5, 2023, commission meeting.

IV. Unfinished Business (May be taken up earlier in the meeting as opportunity presents)

Consideration of the proposed text amendment to Chapter 50 of the 2019 Detroit City Code, Zoning (Zoning Ordinance), that would consolidate all screening standards in the Zoning Ordinance into Article XIV, Division 2, Subdivision D, add trucking terminals, utilities, wholesaling, warehousing, storage buildings and public storage facilities, very high-impact manufacturing and processing uses, and off-street truck and semi-trailer parking areas to the list of uses that require screening, replace existing screening standards with updated and expanded screening requirements within Article XIV, Division 2, Subdivision D, and delete existing miscellaneous provisions for fences contained in Article XIV, Division 2, Subdivision D to be replaced with updated fence and wall requirements within a new Subdivision E of Article XIV, Division 2. (Eric Fazzini of CPC Staff and Julie Connochie of P&DD) (**ACTION REQUESTED**) 60 mins

Present: Eric Fazzini, CPC Staff; Julie Connochie, Planning & Development Department (P&DD)

CPC Staffer Eric Fazzini shared a PowerPoint presentation along with Ms. Julie Connochie of P&DD based on the staff report of January 18, 2023. Fazzini provided background information on the updated guideline and amendment to zoning ordinances for fencing and screening at industrial and commercial properties. The appearance of businesses has caused for frequent complaints from residents. Many businesses are not complying with the Code and some standards are unclear or cause conflicts with other city codes. We had 140 attendees at the October meeting. Also, our December 13, 2022, meeting District 3, CPC had 91 attendees with residents and business owners. Residents were supportive of the changes for fencing, and they want to enhance the appearance of areas. Some people asked if there were city incentives for modifications of screenings and fencing. There are current zoning ordinances found in Article 12 with a list of uses, but it needs some additions. The details of requirements in Section 54-14-367 and current standards are unclear or are not quantifiable which lead to inconsistencies on a case-by-case basis. Section 54-14-368 is unclear and lacks details on what is prohibited and what is permitted.

Next, Ms. Julie Connochie of P&DD presented a proposal on this matter. The goal is to make the rules that govern screening clearer, beautify our street frontages, and enhance landscape buffering with certain types of uses and neighborhoods. Screening applies to a limited amount of industrial and commercial properties, not residential homes. The new restrictions for fence height materials applied to industrial and commercial properties. The amendment adds to the list of uses and site features that require screening. New uses exceptions are trucking terminals, utilities (e.g., substations), warehouses and very-high impact manufacturing and processing. New site features are truck and semi-trailer parking, bus, and other commercial vehicle parking. Now all will be listed in the zoning ordinance for required screening. This list establishes rules that are easier to administer, and it is easier for property owners to know requirements. The amendment will introduce four buffer types. The buffer types dictate what type of screening is required and what it looks like. Each buffer type has clear standards for the depth, number of plantings required, and whether a solid fence is necessary. Four different types of buffers give flexibility depending on the property type. There is a screen standard and fencing consistency by district. Minor changes for fences simplifying heights by district and allow variability with height and opaque walls along the right of way. Julie Connochie shared a chart explaining permitted and prohibited fence materials. This amendment is within a zoning ordinance update. Therefore, any fence that legally exists today will remain compliant. Only if property owners are making site modifications that require a site plan review, building permit, or conditional land use grant will they have to appear for a P&DD site review. They will then become required to comply with this amendment.

Eric Fazzini provided an update on the financial impacts for this amendment. There are no city funding incentives for site improvements. The zoning ordinance has at least 240 uses. Now, 13 uses

out of 240 would now require screening. The city will lead by example by implementing the proposed standards with Joe Louis Greenway with fencing along its boundaries. CPC will try to notify property owners of proposed standards by brochure or informational letter.

Staff Recommendation

The City Planning Commission staff recommends APPROVAL of the update to modernize fencing and screening standards based on staff analysis and consistency with the approval criteria of the proposed text amendments to Chapter 50 of the 2019 Detroit City Code, Zoning (Zoning Ordinance).

Commissioner Donovan Smith motioned to adopt the amendment zoning text amendment as proposed by staff; second by Commissioner Brenda Goss Andrews. Motion Approved.

- A. Continued Review of the Proposed Capital Agenda FY 2023-2024 through 2027- 2028
(LPD and CPC staff) (ACTION REQUESTED) 60 mins

Present: Director Marcell Todd, CPC

CPC Director Todd stated the Capital Agenda is the city's capital planning document. It is not a budget. Capital Agenda is a city planning document for next five years. Every even number year the administration is responsible to submit this document to City Council by November 1 according to the city charter. CPC staff member Kimani Jeffery participated via Zoom PowerPoint presentation.

Director Todd mentioned CPC staff observations show: 1) The need to answer minor questions for clarifications 2) The need to address other issues that are significant in the Capital Agenda. 3) The need to address some omissions. For example, the library is not included, and we request that the library is added to the Capital Agenda.

HOUSING AND ECONOMIC DEVELOPMENT

Housing and Revitalization Department (HRD)

HRD does not have capital assets, and it does not own or maintain properties, facilities, or equipment. The department uses grants or U.S. Department of Housing and Urban Development (HUD) money for Community Development Block Grant and Neighborhood Opportunity Fund (CDBG/NOF) and the use of dollars for new construction. The city's practice is to support the renovation of existing facilities or make additions to them, but it does not support new construction from scratch. For example, the development of a childcare center. We have a policy question regarding new construction. Is this something we would like to continue? HRD may want to support certain sectors of community development needs. We would like for HRD to provide a better understanding of its policy.

Commissioner Lewis asked is there a way to make funding for new construction with nonprofit organizations separate, so that any nonprofit organization that meets minimum criteria can submit a proposal? We should make a way for any nonprofits to be eligible and given an opportunity to apply for the funds.

Director Todd mentioned there needs to be particular parameters, so that it is fair for all participants.

Commissioner Lewis asked can we make it a simple separate process?

Director Todd concurred and expressed we can add that in.

Commissioner Smith mentioned that new construction needs a separate category. It would dictate less back and forth of the dollars, and it establishes what is permissible or not permissible. It will

address money capping and funding for smaller projects.

Director Todd mentioned we concur about the new construction.

Commissioner Hood asked how are the NOF categories selected?

Director Todd stated these categories were established in the 1980's for NOF with HUD guidance.

CPC Staff Member Gulock expressed that it may be necessary to reevaluate the entire program. The problem is too much need and not enough money.

Planning and Development Department

Director Todd shared a chart with the Commission. There are questions on the focus of the department's work on the neighborhood framework plan and the neighborhood planning studies. The amount of money on the cost of phase 4 of the studies is lower than the prior studies. Why are the costs lower? How were the costs reduced? Which neighborhoods are they focusing on, so the community is aware. What is the vacant school stabilization status? Is rehab of buildings being considered and what is entailed with details? Phase 5 and 6 what neighborhoods, and how are they going to be considered?

Commissioner Hood asked is there a Master Plan process that may be starting? Can they work together?

Director Todd answered the intent is to continue in the Master Plan, and there is something coming.

Commissioner Hood asked why are we still doing these expensive studies if something is in place?

Director Todd explained the end goal is development of projects. For example, the phasing of Joe Louis Greenway project. There has been a great deal of community engagement, and we want to include what is next.

Staff Member Jeffrey commented it is at Tireman and Warren off the border of Dearborn. It continues to progress, and it will be good to have the next phases accounted for to be more transparent for those reviewing the Capital Agenda.

Commissioner Hood asked does the city own schools?

Director Todd replied yes, the city made a purchase or received in lieu of debt owed to the city by Detroit Public Schools. The city owns about 50 schools.

Commissioner Smith asked if the city owns vacant schools, what can person do to obtain or purchase the building?

Director Todd responded those properties are in the city's inventory. They would contact the city with their proposal.

CPC Staff Member Jeffrey commented many of the school buildings have been marketed, but they have not garnered interest. The buildings have 18 uses permitted for schools. We want to broaden that list in an effort to make them more marketable and attractive to buyers.

Commissioner Hood asked what are their designated zones?

Staff Member Jeffrey answered most schools are in the R1 and R2 zones.

Commissioner Lewis asked is demolition a part of the plan for the schools?

Staff Member Jeffrey commented this has been considered. Some schools are in bad condition. CPC, HDC and P&DD staff have toured and analyzed all schools in the city's inventory.

OPEN SPACES AND RECREATION

Charles H. Wright Museum of African American History

Director Todd stated the funding sources are not identified or explained.

Eastern Market

Director Todd told the Commissioners \$30 million is set aside for the replacement of Shed 4. What does the replacement involve? We would like more specific details (i.e., demolished, some portion retained, or a new shed built). Secondly, \$20 million is set aside for Shed X. Where and what is the site for Shed X? CPC staff would like additional information.

CPC Staff Member Jeffrey added Shed 4 is planned to be replaced, but it is designated as historic. This may present an issue. We need more answers to fully assess plans.

General Services Department – Parks, Public Places and Recreation

Director Todd mentioned we are satisfied. The strategic plan was presented back at a meeting on November 17, 2022, and the capital improvement section of the plan was not reflected in the proposed Capital Agenda. We are requesting some reconciliations of the provision for the parks and recreations strategic plans with the Capital Agenda.

Commissioner Hood asked do monuments fall under Parks?

Director Todd replied monuments are shared a responsibility with departments.

Commissioner Hood asked what about the monument at Hart Plaza? I have an activist friend working on it.

Director Todd stated it depends on where the monument is located. There may be shared responsibilities with Civic Center or Recreation. This was a part of legacy projects left by Detroit 300. There was an endowment of funds set aside and no work has been done on it except some minor fixes and touch-ups. The artist has been in town, and he was not pleased with how his creation is being treated. GSD Parks and Recreation take the lead to try to address concerns.

Commissioner Lewis asked how the Capital Agenda moves concurrent with the Master Plan?

Director Todd responded yes, the Capital Agenda is the reason why the charter requires City Council to implement it before it can have the authority to modify or add projects. They have to request recommendations of the planning director. The charter places the planning director in the seat of Master Planner and the departments coordinate. The Capital Agenda is parallel and consistent with the Master Plan. The planning director and the department are to coordinate all these activities of the various agencies.

Historical and Zoological Society

Director Todd stated the Historical Society and Zoological Society both agencies satisfied CPC staff with the content of their proposals. CPC staff has no concerns with the proposals of these agencies.

HEALTH AND PUBLIC SAFETY

Fire Department

Director Todd stated the department provided all comprehensive and consistent approaches, but there is no provision for vehicle replacements and maintenance included over the five-year cycle of the Capital Agenda. Does this accurately reflect the costs for any major apparatus used for firefighting, including vehicles, rigs, engines, and ambulances?

Health Department

Director Todd mentioned Animal Care and Control Facility at 401 Chrysler Service Drive. There is ongoing maintenance and a fleet of vehicles associated with animal care control. They are seeking to develop and design a new facility at 5700 Russell, based on increased needs. There were no new vehicle or equipment maintenance addressed.

Police Department

Director Todd commented there was an omission of resources. The Shotspotter Program was funded; however, there is no reference in the capital improvement plan.

Commissioner Hood asked how much was the Shotspotter? Was it several million dollars?

Director Todd replied we will get that information for you.

Commissioner Lewis asked does the Health Department have a mobile health clinic?

Director Todd stated yes, there was to be a second mobile clinic, but COVID-19 relief took precedence. It is not referenced for a second facility.

Commissioner Lewis asked does the Health Department have a building where people can go to for services?

Director Todd explained Herman Kiefer closed. The city health department began to operate with Wayne County Health Department taking over many services. City of Detroit Health Department uses a mobile clinic.

Commissioner Lewis asked what are the human health versus animal care control percentages? How much goes toward human health vs animal care? What type of effort is the Health Department putting into our children?

Director Todd replied our staff will find out and answer these questions.

Director Todd mentioned there is a lack of reference to the Police Department helicopter tactical vehicle, equipment, and shot spotter. These have been discussed before City Council, but they are not included in this capital plan. There is no reference to repair and maintenance of the helicopter. We want to see how resources are covered in this plan.

Transportation:

Director Todd stated there are several activities that are included in the Detroit International Airport concerning Engineered Material Arresting System (EMAS). EMAS is the system used to stop a plane on the runway. We would like to know if EMAS is new infrastructure, or is it repair and maintenance of an existing infrastructure? There is a necessity for clear guidance on how these things are characterized, administration costs and costs projection in their report.

Staff member Fazzini added that knowing if EMAS should be classified as a new infrastructure or repair and maintenance helps to track it through each capital agenda process. It gives consistency with how assets are identified, and it tracks what is being invested over the years.

DDOT:

Director Todd commented that in September/October of 2022 Detroit Department of Transportation (DDOT) was before City Council for new contracts. DDOT Director Oglesby advocated for transportation services for our handicapped community and updates to the status of the transit center at the former state fairgrounds. The plan was for the transit center to relocate to the Shops at Gateway along Eight Mile Road. Director Oglesby presented to council transportation reimagined upgrade and engaging heavily with the community. Some findings and images were presented with City Council. We would like to clarify with the transportation department on how those provisions relate to the Capital Agenda. We do not see a reflection of plans presented to City Council previously, and we would like clarification on how this relates.

Department of Public Works

CPC Staff found this report satisfactory, and it has no comment.

Commissioner Harrison expressed an interest in learning more about what is envisioned, and what's on the horizon for DDOT. We would like a presentation from DDOT.

Detroit Transportation Corporation

Fazzini discussed the People Mover. They are planning on 12 train cars being replaced. What is the timeframe on that project? Is equipment classified as an existing asset, or a new investment? This helps with tracking assets over time. We would like to know about new assets being acquired for technology and communications. \$50 million investment is for replacing 12 cars. Will the trains purchased be new cars or refurbished/used cars?

Director Todd added per Commissioner Harrison and Commissioner Markowicz requests, CPC Staff would like to recommend that DDOT and DTC provide a presentation to the Commission reviewing overall plans and direction of the combined infrastructure. Also, we would like to discuss plans and a realistic assessment of the People Mover, its ridership, and its use.

Commissioner Hood asked is all the money proposed related to the people mover? Do they want to put in the people mover about \$60 million dollars?

Commissioner Harrison mentioned we want to request discussion of future transits orientation and hubs.

Director Todd commented we did not see electric vehicles in the report. The State has a test pilot program near Michigan Avenue Corridor. City of Detroit needs to do it along with other cities.

Department of Information and Technology

CPC Staff is satisfied, and it has no comments. Also, we felt there can be more information on hardware and software to meet the needs of the agency and better engage. They have adequately supported the remote work operations.

Election Department

CPC Staff is satisfied, and it has no comments.

General Services Department – Facilities

CPC staff would like to know about consolidation of service yards and garages. Which will be kept, or which will be used or sold? Which facilities are you looking to decommission, and what is the likely future of those assets?

General Services Department – Fleet

CPC Staff is satisfied, and it has no comments.

Public Lighting Authority and Public Lighting Department

CPC Staff is satisfied, and it has no comments, according to the projected timeline.

Commissioner Hood asked what is the difference on what the Public Lighting Authority handles, and what the Public Lighting Department handles?

Director Todd stated the department is decommissioning the remaining vestiges with the full effect of the Authority. DTE has taken over certain operations, and some things were decommissioned. The department still exists. Mistersky and removal of 31 substations are planned on being disposed. CPC asks if there will be enough money to cover future costs? One engine turbine still works, and there are questions on do we need it for backup.

Commissioner Hood asked is the Public Lighting Authority a private authority?

Director Todd answered it is a public authority, and it is controlled by the city. Public Lighting Authority works through the lighting department. The department still has the responsibilities until all of the decommission is complete.

Commissioner Lewis asked are taxpayers responsible if something happens to occur and litigation became necessary?

Director Todd stated we have to investigate with the Law Department and see what we can find out.

Detroit Water and Sewerage Department

CPC Staff is generally satisfied. The issue of storm water management is ongoing. There are some backflow preventions being installed, and there are some improvements to our sewer system. \$19.4 million is going toward green storm water infrastructure solutions.

CPC staff member Bolger added CPC recommends the Capital Agenda prioritize capital expenditures to facilitate the removal of the flood plan designation that burdens property owners with flood insurance premiums and prevents the allocation of CDBG funds to flood zones such as Jefferson/Chalmers. There are some encouraging things in the Capital Agenda in response to flooding.

Affiliated Agencies

Detroit Economic Growth Corporation is not an owner of capital assets but influences and sometimes funds the development of facilities and development of improvements to infrastructure. We would like the information to be updated and more details provided regarding capital improvements.

Detroit-Wayne Port Authority did not provide a great deal of activity in reporting. It is limited due to contracts with Ambassador Port which operates the city's port, under the Port Authority. We need more information about operations, maintenance and improvements of their facility and dock. Also, they support the Great Lakes cruise industry. We need more eligible and appropriate information to augment what was submitted.

Riverfront Conservancy

It has the responsibilities for improvement they made to our Riverfront projects, and the need to create the final link between the Ralph Wilson Park (near River Towers) and Riverside Park (near Ambassador Bridge). We would like for this agency to add to the Capital Agenda the maintenance and support to other facilities and projects.

QLine was not included as an affiliated agency. We are suggesting that it is added to the Capital Agenda.

CPC staff recommends that various questions, concerns, clarifications, suggestions, and additions that are listed under each of these agencies go before the City Council and then to the administration for

responses as we have indicated. We would like to include the Library and QLine to the Capital Agenda.

Commissioner Andrews requested to include Commissioner Markowicz's concerns regarding the people mover and loss of money over the pandemic. Does revenue and production meet at costs? Also, she requested pre-pandemic costs and revenues for the people mover.

Director Todd stated we will ask Mr. Corley and Ms. Short for the specific costs and revenues.

Commissioner Hood added we request that the QLine projection costs be comprehensive.

Director Todd replied we can do a review of the QLine.

Commissioner Daniels asked what does city planning have on the Capital Agenda?

Director Todd summed this is not a budget which is upcoming for capital improvements. Our department wants to add more staff. Additionally, Director Todd requested that Commissioners come to City Council for the budget, speak about their concerns and form new relationships with new City Council members.

Donovan Smith: Motioned to approve staff's written and augmented recommendations and push those forward to City Council. Brenda Goss Andrews Second. Capital Agenda is approved. Motion approved.

V. New Business: There is no new business.

VI. Committee Reports: There are no committee reports.

VII. Staff Report

Present: Chris Gulock, CPC Staff

CPC Staff Member Chris Gulock shared a PowerPoint presentation of the preliminary chart of the Neighborhood Opportunity Fund. We are awaiting the mayor's recommendation report, and we can discuss and present results to the Commission next Thursday. Housing and Revitalization Department (HRD), Neighbor Opportunity Fund (NOF) screened and scored proposals with the office of Contracting and Procurement. There are five categories, and the funding will start on July 1, 2023. The groups must meet 10 threshold criteria (i.e., five-person board of directors). Groups scoring below 80 are not recommended. The five categories are as follows:

- Public Safety
- Seniors
- Education
- Recreation
- Health

Commissioner Melanie Markowicz affirmed that she abstains on the education category due to conflict of interest. She is on the board of directors for the applicant, Greening of Detroit.

Director Todd addressed all commissioners that any relationships with any of these organizations should be disclosed. If you receive any service/benefits, income, or money from any of these agencies, you will have to recuse yourself and abstain due to conflict of interest.

Commissioner Hood commented that David Silver of Detroit Horsepower is a friend, and we

exchange ideas. Should I formally disclose this?

Director Todd asked does he lobby you in any way?

Commissioner Hood stated no, and we will all (commissioners) take a look at the disclosure policy.

Director Todd stated any disclosure questions please email me or Mr. Gulock, and you can complete the disclosure forms and submit by next week's meeting.

CPC staff member Gulock added the Commissioners disclose any family members on the board or employed by these organizations.

VIII. Member Report - There are no member reports.

IX. Communications - There are no communications.

X. Public Comment

Mr. Overwith also known as Ruben Crowley expressed his displeasure with operations, dissemination of ARPA funds, and the development process and its effect on black people in Detroit.

XI. Adjournment

The meeting adjourned at 8:55 p.m.