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City Planning Commission
Minutes
February 2, 2023
5:00 PM

MINUTES

I. Opening

- A. Call to Order - Chairperson Lauren Hood called the meeting to order at 5:16 p.m.
- B. Roll Call Director Marcell Todd, CPC staff, called the roll; a quorum was present.
Attendees: Kenneth Daniels, David Esparza, Gwen Lewis, Melanie Markowicz, Frederick Russell, Lauren Hood, and Donovan Smith
Excused: Brenda Goss Andrews, Ritchie Harrison
- C. Amendments to and approve agenda
There was a request to add new business items regarding signage waiver report and signs for Grand Prix.

Commissioner Smith moved to approve the agenda with CPC Staff recommended amendments, seconded by Commissioner Daniels. Motion approved.

II. Meeting minutes

Meeting minutes are still under review and may be provided before next meeting.

III. Public Hearings, Discussions and Presentations

- A. 5:10 P.M. INFORMATIONAL PRESENTATION – Overview of the Request for Proposals (RFP) for the update of the Detroit Master Plan of Policies (Antoine Bryant, Director P&DD) 20 mins**

Present: Director Antoine Bryant, Planning and Development Department and Matthew Williams, Planning and Development Department

Director Bryant provided a PowerPoint presentation regarding the Master Plan update. He reaffirmed that the RFP is live. The Master Plan sets forth a comprehensive strategy for the entire City of Detroit. The last substantial Master Plan was in 2009. City Council requested a Master Plan update. Federal resources are available for municipalities with an actual Master Plan in place. Planning and Development Department (PDD) will prepare the Master Plan document. The City

Planning Commission (CPC) will hold hearings, make recommendations and then City Council will approve the actual Master Plan. Director Bryant reviewed the five goals of the Master Plan including the codifying of 15 Neighborhood Framework Plans.

Director Bryant discussed the consultant's scope and deliverables. He mentioned the City will seek a contractor that has expertise in urban planning, real estate, land use and law. The contractor is expected to participate in a tour of the entire City of Detroit to gain proper perspective of the City's challenges and opportunities. They will be expected to engage with leadership. There will be data collection, and analysis that will include the analysis of real estate, and trends relating to land use, and economic development. The prospective consultant will review plans from the Planning Department Neighborhood Framework Plans that began in 2017 (i.e., Greater Warren/Conner, Brightmoor, Midwest/Tireman, North End and Joe Louis Greenway). The consultant will review the Master Plan, and they will update the City's general land use map.

Director Bryant stated PDD will draft policy recommendations, and they will return to the City Planning Commission and Mayor's office. This will result in a deliverable of a comprehensive cohesive summary document outlining policy updates and recommendations along with relevant documentation. The executive summary and final report will be accessible virtually for all to read.

The RFP's deadline for questions is February 3, 2023. There is a virtual pre-proposal conference next week. The proposals are due February 22, 2023, and then interviews and evaluations. The goal is to have the Master Plan of Policies recorded and amended by quarter three of 2024.

Commissioner Esparza asked what type of engagement or review would the City of Detroit (COD) have with City of Highland Park and City of Hamtramck? Will the City of Detroit refer to and review their Master Plans? Is the Detroit Public School Community District (DPSCD) included?

Director Bryant mentioned PDD has been in contact with DPSCD, and they will remain in communication with them throughout the process. Also, Director Bryant agreed that PDD will have to engage cities that are within Detroit and all cities that border Detroit.

Director Bryant assured Commissioner Lewis that the Detroit Land Bank will be part of the conversation of the Master Plan.

Commissioner Lewis asked if there will be public access to the pre-proposal conference?

Director Bryant answered the pre-proposal is only for the bidders. You have to be registered in the oracle process. It is the standard for all the RFPs.

Commissioner Hood asked who are on the evaluation team?

PDD Staff Member, Matthew Williams answered that the evaluation team will include designated members of the Planning and Development Department, City Planning Commission, Department of Neighborhoods, and Office of Contracting.

Commissioner Hood asked if the Commission will be able to communicate with this team once they are selected? The Commission will want to contribute some ideas.

Director Bryant responded yes that can be arranged after the team is selected.

B. 5:30 P.M. DISCUSSION – City Planning Commission History, Policies and Sub Committees (MT) 60 mins

Present: Director Marcell Todd, City Planning Commission

This matter was heard by the Commission after the Unfinished Business item.

Director Todd discussed COVID-19, how to set-up committee structure and rules, and CPC history.

First, Director Todd mentioned that President Biden intends to lift the health emergency federally in May 2023. If there is no declared health emergency, CPC would not have the authority to require masking, social distancing, or any COVID-19 precautions. The Law Department advised the Open Meetings Act does not have any provisions in anticipation of a health emergency. Last year, the Open Meetings Act allowed a public body to meet virtually only, but this provision has expired. Therefore, City Planning Commission, City Council and others have returned to in-person meetings. Currently, hybrid meetings are provided allowing for participation via in-person and via online streaming. CPC will follow the Open Meetings Act, Building Authority, and City Council's way of handling COVID-19. Currently, testing, masking, and social distancing are optional.

Second, Director Todd explained the committees of the City Planning Commission. During the 1970s, there was a budget committee and personnel committee. The Commission was more hands on. CPC's traditional committees were the Rules or By-laws Committee, Goals and Objectives Committee, and other special committees added in response to special circumstances. The committee would have no more than three members of the Commission with the Chair and Vice Chair being Ex-Officio members of those committees. The committee would not have more than four members, so it can never have a quorum which is five of the entire Commission. The committee members are appointed at the discretion of the Chair. The scheduling and conducting of a committee meeting must meet the requirements of the Open Meetings Act. Each committee meeting is open to the public. The committee ends with the Commission adopting the work product of the committee. CPC staff supports the Commission to reestablish committees.

Director Todd advised Commissioner Hood on the establishment of committees. Also, he agreed with Commissioner Lewis that I-375 is an appropriate committee.

Commissioner Hood stated a preference to get started on committee initiation with volunteers. She asked if the Commission should start a charge as to what is to be handled at the committee meetings. She requested to have the Law Department at the next CPC meeting.

Director Todd responded that an appearance request will be forwarded to the Law Department.

Commissioner Smith asked if it is possible to have a generic subcommittee meeting to entail the Commission's plan?

Director Todd confirmed that it is permissible, and only the chair or vice chair can attend, either or not both as Ex-Officio.

Commissioner Hood finalized volunteers for an ad hoc steering committee which will explore what the committees will address.

Commissioner Smith and Commissioner Lewis volunteered for the new committee. The Commission designated four types of committees needed: 1) Goals and Objectives 2) By-laws 3) I-375 and 4) Master Plan.

Commissioner Smith confirmed the meeting will be February 16, 2023, at 3:30 p.m. at a location to be determined for the initial ad hoc Goals and Objective Committee meeting.

Commissioner Russell requested more education on other cities that have dealt with the rezoning of lands.

Commissioner Hood requested all commissioners send their recommendations and ideas for the committees to CPC Staff. The committees will meet, deliberate, and present to the whole body what is proposed under committee reports on the agenda. Also, she requested that Jonathan Lourey of Michigan Department of Transportation (MDOT) come to present the I-375 project before the Commission. The Commission wants to know regarding I-375 what is the decision-making process, who has the power, and where does the Commission fit in that equation as the body who decides what happens with land use.

Director Todd agreed that CPC Staff will request an MDOT presentation. Also, he and a staff member will be at the committee meeting and will provide an agenda and per Commissioner Smith's request.

Third, Director Todd expounded on his research from the archive files of the Planning Commission. Handouts were given to the Commissioners that provided written history on City of Detroit City Planning Commission.

Further, Director Todd made reference to the Zoning Luncheon which many retirees of CPC and PDD attend. These retirees provide more information about the previous directors of CPC, and they may be able to fill in the history gap. Mr. Charlie Blessing was one of the fathers of City Planning.

CPC Staff Member Dr. Bolger summarized that he attended the Zoning Luncheon, and the conversation questioned who was around when Mr. Charlie Blessing was in charge of the old City Planning Commission. It was discovered three of the attendees were hired by Mr. Blessing. The discussion came up that someone should do a chronology of when, what happened, and what was the succession of directors.

Director Todd discussed that beginning in 1918, a previous Charter was adopted, and the Plan Commission was formed. It was formed out of the City Plan and Improvement Commission from the 1800s. Director Todd quoted an excerpt from the City of Detroit Journal of the Common Council (JCC) from January 8, 1918 to January 14, 1919:

“From the City Plan and Improvement Commission To the Honorable the Common Council: Gentlemen: In accordance with the provisions of the new city charter for Detroit, the City Plan Commission has organized and is meeting every Thursday at 3 p.m., in their office, Room 403, City Hall.”

This Commission was from 1918-1974. Architecture and planning were being revered, and the trends were to achieve the visionary developments in cities and downtowns. It required attention and autonomy. This Commission had an independence, that is not extended today. The Plan Commission and its director (appointed by the mayor) made the final decision, and they were the authority on a number of items. The mayor's power may have not been completely quantified at that time. In fact, the Commission had more authority in some instances than the mayor and city council. The Commission did things and spent money that caused problems. Director Todd read a commentary from the 1974 Charter Chapter 4-City Planning Commission 4-401 (p. 12-13) that stated, “Planning was a function carried on haphazardly....Detroit City government is a service institution whose annual budget exceeds 0.67 billion dollars. The demand made on scarce dollars is awesome and every expenditure must be planned carefully. Detroit can no longer afford the luxury of planning that is not responsive and responsible to the

officers charged with raising, appropriating, and spending the City's tax dollars." It directed the authority of the "planning department in the executive branch of government," under the mayor's control. Also, it announced, "The city planning commission will be appointed by and serve at the pleasure of the council." This charge captures the moment in time, and the reason the Charter made the change. It is understood that Mr. Blessing was not associated with any of this haphazard activity, but he was no longer in the historical role of the plan commission director. Director Todd mentioned the names of Edmund Bacon and John Moses in roles of urban planning.

Director Todd referred to the next resolution from the JCC September 18, 1974. The Charter took effect in July 1974. One of the first actions taken was defining the responsibilities of the Planning Commission and the responsibilities of PDD. It is noted that there were items going to City Council without going to the Commission first. Later, City Council passed a resolution for ordinance changes, and the jurisdiction of the planning commission is listed in the resolution. The renamed and repositioned City Planning Commission moved from executive branch to legislative branch with the same authorities. It was advised to send items first to the Planning Commission for their advice. The Charter presented some swift changes. The roles, responsibilities, understanding, and protocols needed to be defined. Director Todd referred to a letter from the Commission to Mr. Greg Ward, Executive Director of the Charter Commission seeking to have him come in September 1975 and explain to the new Planning Commission the new Charter's intent. There was not enough understanding to really put in place the necessary structure; however, things were quickly defined. For example, the 1976 Community Development Block Grant (CDBG) was created after Council President Erma Henderson requested from Mayor Coleman A. Young that a portion could be used to establish the Neighborhood Opportunity Fund. City Council handed this assignment to the Commission to assist with handling the process. City Council set-up divisions for support (legal, policy and financial) today known as the Legislative Policy Division. There has always been question of does the CPC staff work for either the City Planning Commission or City Council. The CPC works for City Council, and it is entitled to a staff. Therefore, there has always been an understanding that CPC Staff is shared.

Director Todd agreed with Commissioner Hood that technically staff works for the Commission.

Commissioner Lewis asked is there a way for the Commissioners to be compensated based on the responsibilities charged to the Commission?

Director Todd suggested that the Commissioners extend an invitation to City Council members to attend a meeting. During that meeting, the Commission may present a prepared packet of researched material showing how justified compensation may be achieved. Currently, Commissioners can be reimbursed for mileage, parking, and other expenses.

Commissioner Lewis commented on the JCC, September 18, 1974, page 2050, Item Two under Division of Research and Analysis it describes that the Commission will, "Initiate studies and proposals for social, economic and physical development." She recognized that this is a PDD function, and there is an overlap of responsibilities. Also, she requested that CPC Staff give the Goals and Objectives Committee advice on how this Commission can meet that directive. She requested that the Commission is allowed to do what it is charged to do as a partner with PDD.

Commissioner Hood asked if the Commission will be fully activated in full capacity with regards to the way the Master Plan is presented? Is there something the Commission can do on the front end to be more engaged?

Director Todd explained the previous Master Plan work was separate between PDD and

CPC. Now, the suggestion is that CPC and PDD do it jointly.

Director Todd assured Commissioner Hood that CPC Staff will request a Land Bank representative to give a presentation to the Commission. Also, he agreed to provide Detroit Land Bank inventory numbers per Commissioner Russell's request.

IV. Unfinished Business –

- A. Consideration of the 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.

(RB) ACTION REQUESTED) 30 mins

This matter was heard by the Commission after the New Business walk-on item.

Present: Dr. Rory Bolger, CPC Staff

Dr. Bolger presented via PowerPoint the CPC Staff recommendation relating to the rezoning of two non-contiguous properties in southwest Detroit. Both properties appear on Zoning Map No 44. This rezoning requires updates because of the zoning ordinance requirements and to correct an error in the zoning maps. Zoning Map No. 44 is in southwest Detroit north Corktown and includes much of the Core City neighborhood. The two sites are separated by the Fisher Freeway.

The first location is currently zoned PD. It is the northernmost location. The square block is bounded by Selden-18th Street-Magnolia and Humboldt. CPC Staff are proposing that it is rezoned to R5 medium-density residential district. It is characterized as a lapsed planned development. The taxpayer of record is the Salvation Army, and the property covers four acres of land. The Master Plan for the area is institutional land use. There is one building at the southwest corner. The surrounding zoning land to the north is vacant residential land. There is a school, and a church (St. James Fire Baptized Holiness Church). The pastor spoke at the public hearing. The east is Domestic Uniform Rental an operating plant non-conforming industrial use. The south is University of Detroit Mercy Dental School. The west is Salvation Army property. This property was rezoned to PD at the request of the Salvation Army for a prospective transitional housing development. The zoning ordinance requirement states that City Council rezone any PD property that has been abandoned, or which the authorization has been lapsed. This property has lapsed since more than three years has occurred since the PD zone was established in 2010. The R5 medium-density residential zoning classification permits a broad range of institutional uses. There are 18 different institutional uses permitted in R5. Therefore, it is proposed that this location is rezoned to R5 medium-density residential district.

The second location is on Michigan Avenue. It is the southernmost location. It is west of 18th Street, wedged between Michigan Avenue and the Fisher Freeway. The east of it, on the north side of Michigan Avenue the property is zoned B4. The south is the City of Detroit Department of Public Works (DPW) Asphalt Plant. 18th and Michigan are at the edge of Corktown neighborhood, and it is vacant property. The north is the Fisher Freeway. The east is New Life Rescue Mission and numerous operating commercial businesses. The west is unzoned land. The remnant land is the result of Michigan Department of Transportation (MDOT) taking of the land for the construction of the freeway. The remnant of the land was zoned, and it

was labeled as RN. In 1968 there was a major revision to the zoning ordinance, and at that time any land classified as RN was relabeled as R3. The R3 zoning district is inappropriate for this Michigan Avenue location. CPC Staff met with PDD and decided it is more appropriately zoned as B4. B4 will allow for a broad range of uses. Therefore, it is proposed that this location is rezoned to B4.

CPC Staff spoke with the Salvation Army, submitted written confirmation of its support of the rezoning to R5. Mr. Noto and Ms. Snyder of Michigan Avenue property are in support of the rezoning of location number two. Also, CPC Staff contacted Core City Strong, East End Corktown Block Club, Core City Neighborhood Association, North Corktown Neighborhood Association and Woodbridge Neighborhood development, and there was no opposition in writing.

Commissioner David Esparza motioned to accept the CPC Staff recommendation regarding to this agenda item; seconded by Commissioner Daniels. Motion Approved.

V. New Business –

Present: Gregory Moots, Planning and Development Department

This matter was heard by the Commission after the PDD Informational Presentation.

Director Todd provided a statement regarding the amendment to the City’s sign regulations and zoning ordinance. There are some needed amendments to the sign regulations. There is a more immediate need for the upcoming Grand Prix that has been relocated to be held downtown Detroit.

Gregory Moots stated that the report was submitted to City Council on January 31, 2023. The report is focused on the sign waiver process and the recommended amendments to the ordinance. Buildings, Safety Engineering, and Environmental Department (BSEED) is the administrator of the ordinance. Mr. Moots discussed the January 31, 2023, report of PDD recommendations submitted to City Council. Mr. Moots explained to the Commission the waiver chart displaying the outcomes of the 20 Sign Waiver and Adjustment Public Hearings. 13 were approved, five approved with conditions, and two were denied. He described the waiver types for the approvals. Also, he discussed the 22 items of the ordinance presented as 2022 recommendations.

Commissioner Markowicz commented about advertisements on buildings, and that PDD does not want to have them right on the street. There is an exclusion for those that are overlooking surface parking lots, etc. There is a large one on Buffalo Wild Wings overlooking a tiny parking lot. How will downtown signs be looked at and treated? For example, the Cadillac Square Building has a huge sign. Is there better understanding on how you will treat those type of occurrences?

Mr. Moots responded that the intent would be that it is not literally on the street. If it is on the front on the street, it would not be permitted.

Commissioner Markowicz asked how are temporary signs treated under this ordinance? For instance, the treatment of temporary signs that the business owners erect, such as, “Opening soon!” Also, she asked a detailed question about the treatment of signs that are erected on the outside of buildings, and signs that are attached to the outside of outdoor patio enclosures that are not temporary but are Budweiser or similar.

Mr. Moots answered those types of signs would have a current permit. The ordinance states signs oriented to the right-of-way and visible to the public need a permit. The building owner does want to pull a permit for the sign on the patio.

Commissioner Markowicz further asked is there any update to the sign ordinance on how the City will treat billboards that are erected on the top of buildings, particularly in

downtown?

Dr. Bolger, CPC Staff answered any existing rooftop signs would need to be removed by January 1, 2030. Presently, they are under a period of amortization.

Commissioner Esparza asked what is the definition of temporary? Is it days, weeks, or months?

Mr. Moots answered it is 90 days for a temporary sign.

Commissioner Esparza asked how does the City categorize large inflatable motion action figures that are promotional signs?

Mr. Moots answered those are temporary signs that are designed to direct attention to the business, so that falls under the definition of a sign. It will be regulated by BSEED, and a permit is necessary.

Commissioner Daniels asked are there any new restrictions for billboards in the City of Detroit? Are they restricted in a certain area?

Mr. Moots answered the ordinance makes provision for 70 advertising signs of certain number of super, meaning above 700 square feet and certain number of local below 700 square feet signs within the Central Business District (CBD). The ordinance provides for outside of the Central Business District stating no new advertising signs may be erected, nor may a structure be changed. For instance, if a sign is planned to change from a static traditional vinyl sign to a LED sign, it needs an approved waiver. A waiver hearing which PDD would give a review, and there are spacing requirements for advertising signs outside of the Central Business District.

Commissioner Daniels asked if an individual wants to put a new sign on Jefferson Avenue and Grand Boulevard or Grand River is that allowed?

Mr. Moots added areas outside of the Central Business District require a waiver review. If a business meets the spacing requirements, and it is not in a historic district or outside of the Central Business District you can apply for a waiver, and then the PDD would review it. PDD would have the opportunity to approve with or without conditions or deny based on the specific impact of that sign.

Commissioner Smith asked about the signage for TCF or Huntington building would that process be affected by this if their organization changes hands again? Would they have to change?

Mr. Moots responded no those are reviewed under zoning because it is a government building. A governmental sign is not covered under the sign ordinance.

Commissioner Lewis asked does the sign ordinance disallow or not permit tobacco and advertising?

Gregory Moots mentioned it is covered and prohibited within a certain distance of parks and playgrounds, where children frequent. There is a spacing requirement for such type of advertising from sensitive uses.

Commissioner Lewis asked is CBD and marijuana a part of that spacing requirement, or is there any future intent to address CBD and marijuana?

Mr. Moots responded no that has not come up before; however, the Commission may like to request City Council consider it as a part of the anticipated amendments.

Director Todd expressed a hope that the Commission endorse what has been presented at the meeting. This matter has already gone to City Council in the form of the original report last year, and there was no action. After the ordinance was adopted, there was a change from the Law Department, and the ramifications were not clear. There seems to be a misunderstanding about the effect of the PD provision being added more restrictive shall apply. CPC Staff and PDD would like to pursue the matter very intentionally to make sure

that it gets changed. The City needs to have it back.

Commissioner Russell moved to support the report and the recommendations of the Planning and Development Department concerning amendments to the sign ordinance. Commissioner Lewis seconded the motion with the addition of addressing CBD and marijuana signage and Commissioner Russell agreed to add. Motion approved.

VI. Committee Reports – There are no committee reports.

VII. Staff Report –

CPC Staff will be providing the Commissioners with the upcoming budget schedule. Also, City Council adopted the schedule hearing Block Grant Fund recommendations that will begin on February 22, 2023.

VIII. Member Report – There are no member reports.

IX. Communications – There are no communications.

X. Public Comment –

- 1) Mr. Richard Noto related his appreciation of the zoning change of 2460 Michigan, and he mentioned his future plan with Kathy Snyder to bring back Western Market.
- 2) Mrs. Vanessa Butterworth mentioned she is a representative from Core City Strong, and the group wholeheartedly supports the decision for rezoning.
- 3) Caller with phone number ending in 124 expressed her displeasure in the Master Plan being 10 years behind. Additionally, she stated her displeasure in the secretive planning of North End Landing on her block, the Community Development Corporation, and the impacted residents.

XI. Adjournment

The meeting adjourned at 8:55 p.m.