

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

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

**City of Detroit**  
**CITY PLANNING COMMISSION**  
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**Kenneth R. Daniels**  
**David Esparza, AIA, LEED**  
**Ritchie Harrison**  
**Gwen Lewis**  
**Melanie Markowicz**  
**Frederick E. Russell, Jr.**  
**Rachel Udabe**

## City Planning Commission Meeting

**MINUTES**  
**May 4, 2023**  
**5:00 P.M.**

### I. Opening

A. Call to Order – Chairperson Hood called the meeting to order at 5:34 p.m.

B. Roll Call

Attendees: Kenneth Daniels, David Esparza, Ritchie Harrison, Lauren Hood, Gwen Lewis, Melanie Markowicz (5:43 p.m.), Frederick Russell, Donovan Smith, and Rachel Udabe

A quorum was present.

C. Amendments to and approval of agenda

Commissioner Daniels moved to approve the agenda, seconded by Commissioner Russell.  
Motion approved.

### II. Meeting minutes of March 2, 2023

Commissioner Daniels moved to approve the minutes, seconded by Commissioner Harrison.  
Motion approved.

### III. Public Hearings, Discussions and Presentations

A. **5:15 PM PRESENTATION** – Proposed text amendment to the 2019 Detroit City Chapter 50, Zoning, addressing crematoria, the composition of the Board of Zoning Appeals and demolition within the Traditional Mainstreet Overlay District. **(TS, RB, Greg Moots of PDD)**  
**45 mins**

Present: Timarie Szwed, Rory Bolger, CPC Staff, and Greg Moots, PDD (absent)

Timarie Szwed, CPC Staff via PowerPoint discussed the proposed text amendment zoning of crematories, making them consistent with State law, number of board members on the Board of Zoning Appeals (BZA), and Planning and Development Department's (PDD)

authority on demolitions. The City of Detroit's zoning code regarding crematories is currently not in alignment with State law. The zoning code was changed in 2014 to allow crematoriums as an accessory use with funeral homes, which is not allowed in the state of Michigan. Ms. Szwed read specific definitions of cemetery and crematorium, and she recited where the City comes into conflict with State law, Michigan Occupational Code (anti-combo law for funeral homes and crematoriums). CPC Staff is proposing that the zoning code changes to eliminate crematories as an accessory use to mortuary or funeral homes, create a new principal use for crematory or pet crematory, and propose to allow the new use in zoning districts M1, M2, M3, M4, and M5. Ms. Szwed explained CPC would like to add a specific use standard for crematories stating, "Crematories whether as a principal use or accessory to a cemetery shall be located not less than 150 feet from the nearest residential property line." Also, CPC Staff proposes adding definitions of pet crematories to the zoning code. Ms. Szwed explained the proposed amendments will properly match the City to the State of Michigan's definitions. This matter will be returned to the Commission at a later date.

Timarie Szwed stated the specific rules the Michigan Zoning Enabling Act allows for the number of Board of Zoning Appeals' (BZA) board members. The number of board members shall be specified in the zoning ordinance.

Further, Dr. Rory Bolger explained that CPC Staff recommends a change in the Zoning Ordinance in Article 2, Subsection B stating the member should serve for the term of three years each and add at least one member from each non At-large district to be appointed to the BZA. A revision will allow City Council to add members.

Additionally, Dr. Bolger discussed demolitions of traditional mainstreet overlay areas and school building adaptive reuses. These are instances where someone pulls a building permit for demolition and Buildings, Safety Engineering, and Environmental Department (BSEED) can refer to PDD for consideration and discussion about the appropriateness of the demolition versus other available options. This way things are reviewed and easily caught at the time an application is submitted at BSEED. The Law Department agreed that the amendments are appropriate provisions, but they are placed in the wrong chapter. The provisions need to be extracted from Chapter 50 – Detroit City Code (Zoning Ordinance) and recited in Chapter 8 of the City Code (Building Code). This amendment will be a part of the building code rather than the zoning code, and it will make the City Code more coherent and intact. This is a preview to the statutory public hearing, and this matter will be brought back before the Commission.

Director Todd stated previously City Council Member Mary Waters noticed that there were no City Council At-large board members of the BZA. This year there was an expansion to BZA's budget to accommodate two additional members. Now, CPC is charged with the responsibility to make this change in the Code in response to Commissioner Esparza's BZA inquiries.

Dr. Bolger agreed to email a list of the overlay areas and maps per Commissioner Lewis' request.

Ms. Szwed responded to Commissioner Russell's questions that some family members desire to be onsite during their loved one's cremation. Crematories and standalone crematories have the ability to be created and designed in a way that is comfortable for the family. Crematoriums are not allowed in funeral homes.

**B. 6:00 PM PRESENTATION** – From Recovery to Renaissance, the status of Day Care in Detroit, needs and opportunities.  
**(Adrian Monge, Director, Lisa Sturges, Office of Early Learning)** **45 mins**

Present: Adrian Monge, Director and Dr. Lisa Sturges, Office of Early Learning

Director Todd stated that this presentation will familiarize the Commission with the overall view and vision of daycare. He mentioned that at a later date CPC Staff will provide the proposed zoning specifics and amendments for daycare.

Director Adrian Monge via PowerPoint and based on CPC Staff Dr. Bolger’s zoning report of May 3, 2023, discussed the current state of childcare, and prospective opportunities to strengthen the City’s current landscape. Director Monge admonished if the City has proper and adequate childcare, it will attract and retain more families to the City of Detroit, which provides an increase in tax revenue for the City. Ms. Monge shared that 96% of childcare providers identify as women and women of color, so this is an opportunity for the City to invest in this minority business industry. She mentioned that there are nearly 52,000 children, ages 0-5, living in the City. Approximately, 37,000 children need care consistently based on parents’ work and school schedule. There are 21,500 licensed childcare seats in the City, which means 15,500 kids and their parents do not have access to adequate childcare. Most parents strongly prefer a home-based setting versus a center based setting. Nationally 30% rely on home-based childcare service, but in Detroit there are only 6% home-based facilities, which is far below the demand.

Director Adrian Monge stated childcare providers are experiencing a high demand and need every day. The highest need in Detroit is in southwest, northeast and river rouge park-downriver area. Financial barriers, including wages, present challenging issues for providers who are hoping for more support from City. The Office of Early Learning conducted a survey, 94% of respondents said they would be interested in expanding from a family home to a group home, if they did not have to go through the conditional use hearing and pay additional fees (approximately \$2,000). Director Monge expressed that by changing the zoning ordinance for childcare the City can add 550 seats to the childcare landscape without any financial investments. Ms. Monge suggested that the City can act using community resources and supporting childcare providers with over 300 new facilities to service children ages 0-5 years, adding 1300 new classrooms and teachers. Also, Director Monge suggested the City create conditions for more childcare centers to open (i.e., recreation centers, old school buildings or churches), and seek City owned unused spaces for possible childcare facilities. She advised that the City could assist home-based providers by removing barriers for expansion without any additional financial barriers. Director Monge explained childcare zoning and licensing with the State.

Dr. Bolger discussed the zoning ordinances and different types of child daycare land uses permitted. Family daycare homes will allow a provider to take care of one to six children, and group daycare homes will allow from seven to 12 children. Due to recent changes in State law, the zoning ordinance is not completely consistent with State law. Dr. Bolger further explained the proposed zoning ordinance amendment will allow the group daycare homes to operate on a by-right basis not conditional land use basis in response to Commissioner Russell’s inquiries.

Dr. Lisa Sturges discussed the standards and schedules that are appropriate for each age group including time for various classroom activities, meal plans, and education

and training of teachers, in response to Commissioner Markowicz's questions about baseline standards.

Director Monge stated that when this matter returns before the Commission, a State of Michigan Licensing and Regulatory Affairs (LARA) representative will be available to respond to any State daycare regulation questions.

Public Comment:

Hilanius Phillips expressed his displeasure in the Commission and City departments not responding to his petitions. He gave his personal contact information to the Commissioners to obtain documents that validate his claims.

Commissioner Hood suggested that Mr. Phillips submit a written request to formally present before to the Commission his concerns.

**IV. Unfinished Business –**

- A.** Consideration of the request of Joseph Nikollaj and the Detroit City Planning Commission to amend Article XVII, Section 50-17-78, District Map No. 76 of the 2019 Detroit City Code, Chapter 50, Zoning by rezoning the property at 19500 W. Davison Street and a portion of the property at 19536 W. Davison Street from an R1 (Single-Family Residential) zoning district classification to a M2 (Restricted Industrial) zoning district classification.  
**(TS) (RECOMMEND APPROVAL) 30 mins**

The rezoning request was originally made by Nikollaj Holdings for 19500 W. Davison, and CPC Staff discovered that a neighboring parcel, 19536 W. Davison Street was split zoned in error and joined the petition to correct it. The location is in District 1, and the majority of the area is industrial with residential to the north and to the east. There are 114 by-right uses and 37 conditional uses, including provisions for marijuana facilities in M2. The property at 19500 W. Davison is currently listed for sale online. There have been significant extensive renovations to the building to make it a marijuana grow facility. There has been community engagement with the developer and neighborhood association on two occasions. The neighbors spoke highly of Mr. Nikollaj, and the written petition in support has 65 signatures. Additionally, CPC Staff met with McDonald Wholesale of 19536 W. Davison, and a letter expressing full support has been submitted. There were no public comments at the public hearing.

The impact of commercial truck traffic on the community was verified through onsite observations, and the trucks use an alleyway, not the residential street, to access the site. The Master Plan future land use map shows that this is low density residential with light industrial to the west and south, and it was found to be generally consistent with the Master Plan. It was noted the impact on the surrounding land use could include significant increases in the intensity of the possible uses and in truck volumes, and truck traffic is possible with these industrial uses. CPC staff contacted PDD for further explanation regarding the impact of truck traffic. PDD indicated that while this rezoning is industrial small scale, the rezoning likely mitigates against the most abrasive uses especially auto related uses, and the potential noise from a bar or restaurant with outdoor seating could impact neighbors the same way as truck traffic. The recommendation criteria set forth in the zoning code found that this proposed rezoning to M2 will correct an error, create a uniform rezoned parcel at 19536 W. Davison (currently split into M2 and R1), and this will not have any significant adverse impact on the environment. Therefore, CPC Staff recommends the rezoning of this property.

Director Todd responded that BSEED expressed to the owners that they were in violation, and the matter was addressed. Currently, the owners are seeking compliance in response to Commissioner Lewis' questions.

**Commissioner Russell moved to accept CPC Staff recommendation for rezoning the property at 19500 W. Davison Street and a portion of the property at 19536 W. Davison Street from an R1 (Single-Family Residential) zoning district classification to a M2 (Restricted Industrial) zoning district classification; seconded by Commissioner Markowicz**

**V. New Business** – There was no new business.

**VI. Committee Reports** – The Commission proposed meeting dates of May 10 or May 17 at 3:30 p.m. for the next subcommittee meeting.

**Chairperson, Commissioner Hood moved to reinstate Brenda Goss Andrews as a civilian committee member.**

**VII. Staff Report** – Director Todd discussed the status of appointments, reappointments and elections. Commissioner Russell and Commissioner Esparza were formally reappointed. It is anticipated more potential commissioner interviews will be scheduled. Director Todd mentioned the need for scheduling elections of CPC for June meeting. Also, Director Todd explained there will be a meeting with finance regarding the process of the Commission's new stipend and establish attendance requirements. The Bylaws will need to be amended and adopted.

**VIII. Member Report** – Commissioner Markowicz updated the Commission on the I-375 Reconnecting Communities Project, Local Advisory Committee. She announced the next meeting dates of May 23, 2023, at 3:00-4:30 p.m. (stakeholders) and 5:30-7:00 p.m. (residents); June 13, 2023, at 3:00-4:30 p.m. (stakeholders) 5:30-7:00 p.m. (residents); and July 25, 2023, at 3:00-4:30 p.m. (stakeholders) and 5:30-7:00 p.m. (residents) held at 1010 Antietam Avenue. Commissioner Markowicz reviewed the last meeting's discussion of the results of the public open house, furnishings, aesthetics, redesign, geometric updates (traffic access), and the oversight of no exit or direct access to Mack Avenue.

**IX. Communications** – There was no communications.

**X. Public Comment** – There was no public comment.

**XI. Adjournment**

The meeting adjourned at 8:10 p.m.