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Kenneth R. Daniels
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Ritchie Harrison
Gwen Lewis
Melanie Markowicz
Frederick E. Russell, Jr.
Rachel Udabe

City Planning Commission Meeting

MINUTES
May 18, 2023
5:00 P.M.

I. Opening

A. Call to Order – Vice Chair Smith called the meeting to order at 5:25 p.m.

B. Roll Call

Attendees: Kenneth Daniels, Ritchie Harrison, Gwen Lewis, Melanie Markowicz, Frederick Russell, Donovan Smith, and Rachel Udabe (remote)

Excused: David Esparza and Lauren Hood

A quorum was present.

C. Amendments to and approval of agenda

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

II. Meeting minutes of March 16, 2023

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

III. Public Hearings, Discussions and Presentations

- A.** **5:15 PM PUBLIC HEARING** – Proposed text amendment that would amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, to bring Chapter 50 into alignment with the State of Michigan’s Cemetery Regulation Act (1968 PA 251) by removing crematories as an allowed accessory use to mortuaries and funeral homes, to create a “Crematory or pet crematory” principal land use label and designate appropriate zoning districts for such use, to add definitions for crematory and pet crematory, to define specific use regulations for the “Crematory or pet crematory” principal use; to reconcile the provision related to membership on the Board of Zoning Appeals with the same provision in the Detroit City Charter and

Michigan Zoning Enabling Act (2006 PA 110); and to remove provisions authorizing the Planning and Development Department to review certain demolition permit applications, which are to be relocated to Chapter 8, Article II of the 2019 Detroit City Code (**TS, RB, Greg Moots of PDD**) 45 mins

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

Timarie Szwed, CPC Staff via PowerPoint introduced presentations on proposed text amendments (1) zoning of crematories, (2) number of board members on the Board of Zoning Appeals (BZA), and (3) Planning and Development Department's (PDD) authority on demolitions and Traditional Mainstreet Overlay Areas (TMSO).

Ms. Szwed recited the State of Michigan Cemetery Regulation Act of 1968 and Michigan Occupational Code regarding crematoriums. She answered Commissioner Daniels' previous question that any individual may own a cemetery, but it must be managed and directed by someone with a mortuary science degree. A zoning code amendment was entered in 2014, and its specified language regarding crematoriums and cemeteries was intentional at that time; however, it is not consistent with State of Michigan law. CPC Staff recommends deleting the added portion of the use and revising it to mortuary or funeral home as it was originally stated. Ms. Szwed mentioned CPC Staff proposes to create a new use for crematory or pet crematory encompassing any standalone crematory allowed by-right for M1, M2, M3, M4 and M5 zoning districts. Also, CPC Staff created specific use standards stating that whether a crematorium is an accessory to a cemetery or a standalone it must be at least 150 feet away from the residential property line. She mentioned CPC Staff's recommendation to add definitions for crematory and pet crematory to the City's zoning code which will bring it consistent with the State of Michigan's definitions.

Dr. Rory Bolger discussed the CPC Staff report of May 17, 2023, regarding the text amendment for the number of members to the Board of Zoning Appeals (BZA). Currently, the City's BZA is composed of seven members one each from City Council non at-large districts. There are nine City Council members, and there was an inadvertent cap placed on the number of BZA members in the zoning ordinance. Dr. Bolger summarized the text amendment would change this provision and add language that permits at least one member from each at-large City Council district.

Greg Moots of PDD discussed the text amendment proposing that the zoning ordinance is not the proper location for reference to demolitions and Traditional Mainstreet Overlay Areas (TMSO). The Law Department advised that PDD remove demolition standards from the zoning ordinance and appropriately insert it in Chapter 8, the Building Code. The amendment will allow PDD to review all commercial demolitions that are non-emergency and not being handled by the City Demolition Department. This amendment will provide the City an opportunity to discuss alternatives and suggestions with developers within a limited review period (10 days).

Dr. Bolger read and described street names and corridors of all 12 Traditional Mainstreet Overlay Areas (TMSO) in response to a Commissioner's question from a previous meeting. Dr. Bolger concluded that these proposed text amendments will affect demolitions, and the school buildings adaptive reuses provision that allow for limited demolition of buildings. This provision is being updated and moved to Chapter 8.

Dr. Bolger advised the Commission may take permissible same day action on the proposed text amendments and accept CPC Staff's recommendation as drafted.

Commissioner Markowicz motioned to approve text amendments as proposed to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, to bring Chapter 50 into alignment with the State of Michigan’s Cemetery Regulation Act (1968 PA 251); to reconcile the provision related to membership on the Board of Zoning Appeals; and to remove provisions authorizing the Planning and Development Department to review certain demolition permit applications, seconded by Commissioner Daniels. Motion Approved.

- B. 6:15 PM PUBLIC HEARING** – The request of NP Detroit Commerce Center, LLC and the Detroit City Planning Commission to amend Article XVII, Section 50-17-72, District Map No. 70 of the 2019 Detroit City Code, Chapter 50, Zoning, to show a M2 (Restricted Industrial) zoning classification where M3 (General Industrial), M4 (Intensive Industrial), R1 (Single-Family Residential), and P1 (Open Parking) zoning classifications are currently shown at 14250 Plymouth Road, generally bounded by Fullerton Street to the north, Hubbell Street to the west, Shirley Street to the east, and Plymouth Road to the South. (TS) 45 mins

Present: Timarie Szwed, CPC Staff
Petitioner: Robbie Nguyen

Timarie Szwed via PowerPoint discussed CPC zoning report of May 17, 2023, proposed rezoning of 14250 Plymouth former AMC Headquarters Building, and addresses at 11603, 11701, and 12101 Shirley Street. The location is in District 7 between Greenfield and Schaefer, south of Jeffries Freeway (I-96). The Petitioners, NP Detroit Commerce Center, LLC., uniquely do not need to rezone. This rezoning request is only to substantiate their compliance with a commitment made to City agencies that they would downzone the site. The petitioners have worked with the community and saved a portion of the building containing a historic pendant, and the pendant is planned to be a monument. Ms. Szwed explained that the City owns parcels 11603, 11701 and 12101 Shirley Street. It is requested to downzone these parcels since a rezoning to either R1 or PR would allow the entire strip of Shirley Street to be transformed into a greenway. She stated that there is an active rail line that runs through the site, and a railroad to the north. The Master Plan future land use interpretation will be provided at a later meeting. Presently, the petitioners’ land use for 14250 Plymouth is light industrial warehousing use.

Robbie Nguyen, petitioner and development manager, stated there has been community engagement with 12 block clubs and neighborhood associations, and 83 letters of support. He mentioned efforts to install landscaping to block the neighbors view of trucks as a result of their concerns.

Director Todd explained that there are some questions and issues regarding PR uses for a greenway, but clarity is expected by the next hearing. Also, he anticipates there will be some text amendments, characterizations or definitions in response to the Commissioner Smith amendment questions.

Public Testimony:

Marjorie Rumbly asked questions about zoning M4, B4, PR, and what the truck view will be from her street. Also, she expressed her displeasure of dust in the neighborhood.

Robbie Nguyen stated that they will add mounting, fencing and landscape to cover the

façade of the building, so residents will not see the trucks. Also, he explained the procedure used to mitigate dust in the neighborhood.

Mr. Nguyen stated a Summer 2024 goal for project completion in response to Commissioner Smith's timeline question.

Ms. Szwed stated that CPC Staff recommends approval of the rezoning of the industrial portion of 14250 Plymouth Road.

Commissioner Russell motioned to Waive Same Day Action, seconded by Commission Markowicz. Motion Approved.

Commissioner Lewis motioned to support CPC Staff's recommendation on the industrial portion of the public hearing regarding 14250 Plymouth, seconded by Commissioner Daniels. Motion Approved.

IV. Unfinished Business – There was no unfinished business.

V. New Business – There was no new business.

VI. Committee Reports – Commissioner Lewis discussed CPC Staff Chris Gulock's presentation on the Citizens Review Committee (CRC). Commissioner Lewis, Commissioner Smith and Commissioner Harrison each expressed pleasure in the progress and vision of the subcommittee.

Director Todd summarized that the subcommittee would like to continue to discuss CRC possibly recasting its role. This would include reviewing, evaluating and monitoring the effectiveness of the awarded programs, projects and activities where Community Development Block Grant (CDBG) money is used for the community's benefit. CRC results will be reported back to City Council and the City's Administration. The subcommittee will further explore this matter.

Commissioner Lewis announced the subcommittee proposes a retreat possibly in August 2023, and the date of the next subcommittee meeting is May 31, 2023.

Director Todd mentioned that the public can watch subcommittee meetings virtually via Zoom, CPC's Facebook page and CPC's website in response to Commissioner Smith's questions about public viewing access.

VII. Staff Report – There was no staff report.

VIII. Member Report – Commissioner Markowicz updated the Commission on the I-375 Reconnecting Communities Project, Local Advisory Committee. She mentioned the May meeting was cancelled, and a meeting location is to be determined.

IX. Communications – There was no communications.

X. Public Comment – There was no public comment.

XI. Adjournment

The meeting adjourned at 7:02 p.m.