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Melanie Markowicz  
Vice Chair/Secretary  
Marcell R. Todd, Jr.  
Director

# City of Detroit

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## CITY PLANNING COMMISSION MINUTES September 7, 2023 5:26 P.M.

### I. Opening

#### A. Call to Order

Chair Smith called the meeting to order at 5:26 p.m.

#### B. Roll Call

Director Todd called the Roll. A quorum was present.

*Present:* Commissioners: Daniels, Esparza (virtual), Harrison, Lewis, Markowicz, Udabe, Smith

*Excused:* Commissioners Hood and Russell

*CPC Staff:* Marcell Todd, Dr. Rory Bolger, Roland Amarteifio, and Willene Green

#### C. Amendments to and approval of the agenda

Commissioner Harrison moved to adopt the agenda. The motion was seconded by Commissioner Markowicz. The motion was **ADOPTED** unanimously.

### II. Meeting Minutes.

Commissioner Harrison moved to approve the minutes of September 29, 2022, as distributed. The motion was seconded by Commissioner Markowicz. The motion was **ADOPTED**, unanimously.

Commissioner Markowicz moved to approve the minutes of October 6, 2023, as distributed. The motion was seconded by Commissioner Harrison. The motion was **ADOPTED**, unanimously.

Commissioner Daniels moved to approve the minutes of May 18, 2023, as distributed. The motion was seconded by Commissioner Markowicz. The motion was **ADOPTED**, unanimously.

### III. Public Hearings, Discussions, and Presentations

**A. 5:15 PM PUBLIC HEARING** – To consider the request of Perfecting Church to replace the existing Planned Development (PD) Zoning classification at 19150 Woodward Avenue, the authorization for which has lapsed, with a new PD and site plan. The lapsed PD was created by Ordinance No. 40-04 of 2004; the proposed PD would amend Article XVII, Section 50-17-64, District Map No. 62, Chapter 50 of the 2019 Detroit City Code, *Zoning*. The approximately 12-acre subject property is generally bounded by Bryson Avenue on the north, Bauman Avenue on the east, Larchwood Avenue on the south, and Woodward Avenue on the west.

**(RB, RA)**

**45 Mins.**

*Present:* The Development Team:

Ben Tools, Tools Contracting Group, representing Perfecting Church,  
Jim Cummings, Hannah Newman Dokes, Project Manager/Project Architect  
DeMario Brown, Project Manager, DOT Architecture and Engineering  
Jamie Nair, Designer, Hannah Newman Dokes

CPC Staff:

Director Marcell Todd, Willene Green, Dr. Rory Bolger, and Roland Amarteifio

This is the fourth Hearing as part of the Planned Development (PD) project that the staff is working on to make sure that the zoning for the above-stated property complies with the city's ordinance. The city's ordinance requires planned developments to have a certain shelf life. If the planned development is not accomplished in a specified amount of time, then it needs to be reviewed.

The background and information regarding the site and the planned development were given to the commissioners in the September 5<sup>th</sup> report.

Roland Amarteifio gave a PowerPoint presentation covering a proposed map amendment. Perfecting Church is requesting to replace the existing PD that lapsed at 19150, 19200, and 19212 Woodward. The PD District is being requested to facilitate the development of a 4,200-seat church complex. The CPC staff are exploring the expansion of the PD zoning district classification.

Dr. Bolger explained that the scope of the submitted and approved 2004 plan. In 2004, the church envisioned a three-phase development. Now, however, the scope is narrowed in focus. Two structures in the original plan are excluded.

Roland Amarteifio showed aerial images of the approved 2004 plan which indicated that the designation for the master plan of the site is institutional. Then he talked about and showed images of the recent site visit. It was determined that a master plan amendment was also needed for the site in 2004 as part of the PD designation.

Ben Tools reported that Perfecting Church has reviewed the notations made by the City Planning Commissioners and BSEED. They are currently in the process of incorporating and developing landscaping for the project. The church needs to expand the Planned District because several areas of the project are zoned R2, and they would like to have a complete Planned District. Their goal is to resubmit for a Public Hearing with the entire site of the plan

completed, along with incorporating the notes from the City Planning Commission and BSEED.

Chair Smith asked Director Todd, “Since Perfecting Church is returning for an expansion, will the formal public hearing be held today?”

Director Todd replied that there was an outstanding issue that required a second hearing. After today’s hearing, it will be returned for a second hearing. Also, the church’s second meeting would be eligible for same-day action.

Jamie Nair reported that the Civil Engineers and Architects are furthering the development of the site, including incorporating suggestions that were given by the City Planning team. Also, she narrated a slide presentation showing the layout of the church. The goal is to bring 750 parking spaces to the outer ring of the property and focus on renovating the exterior and the landscape near the exterior entries of the building.

Ms. Nair gave detailed descriptions and showed images of the architectural interior design of the mezzanine, first, second, and third floors. Also, she showed aerial views of the church showing the north and east entries. In essence, she gave details and showed imagery of the interior and exterior architectural design of the church.

A question-and-answer session took place. No assignments or motions resulted from the questions and answers session.

**Public Comments**

Mr. Amarteifio read a question on behalf of a resident who did not want to speak publicly. The resident wanted to know what was happening on Penrose Street. There are a couple of concrete blocks on the corner of Penrose and Bauman. What is going to happen during the development of the church complex?

Mr. Tools stated that there will be new landscaping along Bauman. There are two lots that the City does not have control of, but all vacant land around those concrete blocks will be addressed and the barriers will be removed.

**B. 6:00 PM INFORMATIONAL PRESENTATION – Status of proposed animal keeping (husbandry) regulations.**

**KJ**

**45 Mins.**

CPC Staff:

Director Marcell Todd, Willene Green and Kimani Jeffrey

The first public hearing was held in 2016. However, there were delays in developing the policies. During the past ten years, delays have been caused by staff or directorship turnover, particularly in the animal control division. Additionally, delays have been caused by the election of new officials. There is a learning curve each time a new staff member, director, or elected official comes on board. Moreover, adding to the delays was the retirement of Ms. Kathryn Underwood, who led the efforts to bring about animal livestock policies.

Currently, CPC is at a point where the project can be advanced with the support of the City Planning Commission and the Detroit City Council. City Council President Pro-Tempore

James Tate plans to sponsor the legislation. Thus far, he and staff have held three community meetings throughout the City of Detroit. President Pro-Tempore Tate plans to tailor the ordinance to incorporate several of the community's suggestions and the language the commission would like to include.

The presentation did not get into specifics of the policies but would give the commissioners an idea of what is being proposed. Staff would like to hear from more community people and legislative bodies before finalizing the policies. The staff is here to speak on what has come to be known as the Animal Keeping Ordinance. This title was given for community purposes so that people can more easily identify what the city is speaking of. It was previously referred to as Animal Husbandry. Animal Keeping and Animal Husbandry are talked about interchangeably.

Currently, people are keeping animals or livestock, mainly chickens and ducks, around the city. These animals are kept in various neighborhoods. At one point, the staff talked about looking at a pilot that only encompasses a certain area, i.e., Brightmoor. However, the problem is that these animals are being kept in different types of neighborhoods across the city, from traditional neighborhoods to mixed-use, from stable to high-vacancy areas. The staff is considering a policy tailoring an approach to the entire city.

Also, people around the city are keeping bees. The staff likes to make the distinction between bees and wasps. Wasps are more aggressive and more prone to sting. Whereas honeybees are gentler, they rarely sting; they are pollinators. More importantly, for the purposes of the kind of policy being entertained, honeybees produce honey. This is why they are being considered in this legislation.

Beekeeping has changed the course and direction of people's lives. For example, Mr. Jeffrey showed an article from the Detroit Free Press featuring a non-profit called Detroit Hives. They testified about their role in beekeeping and how it has changed the course and direction of their lives for the better.

The staff defines animal keeping as *keeping certain urban farm animals and domestic honeybees for personal consumption or utilization of agricultural products, such as eggs, meat, and honey*. The animals that are under consideration are chickens, ducks, and honeybees.

Another category is educational activities; this would be for rare circumstances; for instance, a horse training program to help children become familiar with horses and learn how to be responsible and maintain them. This is considered an exception for principal use.

This type of situation would have a higher level of review. What is being proposed is the legalization of animal keeping in the City of Detroit to allow chickens, ducks and honeybees. These animals are being considered for the products they produce for food consumption, not as pets.

Additionally, our food systems are vulnerable. The staff has spoken to Eastern Market officials and state officials, and it has become evident that COVID-19 exposed our food system as weak.

There are also economic and business opportunities, from slaughtering opportunities to providing animal bedding, housing, different types of feeds, and everything that goes along with animal keeping. This is not a new concept; this has been done across the country. Mr. Jeffrey showed a map of the cities that have already adopted animal husbandry ordinances, from Seattle to Portland, Oakland, San Francisco, and New York City, to name a few. In Michigan, there are over 20 cities that have adopted animal husbandry ordinances to date.

This work has had in-depth attention paid to it over time. Before the first public hearing, there were community engagement opportunities and research done to inform the public about this ordinance. The approach to policy took into consideration three perspectives: 1) consider the animals and what they need to be well kept in the city; 2) consider the people raising the animals; and 3) the people who live nearby.

The staff had conversations with a variety of stakeholders; people who work for the city and have responsibilities in different departments. The staff also had conversations with the stakeholders most impacted, the animal keepers and citizens.

The external partners included organizations like Food Plus Detroit and DCDC at UDM, which helped with the early design and research work around this ordinance. Also, the staff is engaging with Michigan State and others. The team carried out creative methods to engage with people to get their input about the animal-keeping ordinance. Neighbor relations were the number one concern.

The ordinance will touch on two chapters of the City Code; 1) Zoning, Chapter 50, and Chapter 6, Animal Care Control Regulation. Chapter 50 would regulate the districts that animal and beekeeping would be permitted in.

The violations and penalties for animal husbandry will be the same as for any other pet, such as dogs. The first fine might be one hundred dollars, the second fine might be two-hundred dollars, and the third fine could be five hundred dollars. Penalties can be up to 90 days in jail. The staff believes this will help to encourage people to comply with the ordinance.

The staff found over five thousand citations for animals for the City of Detroit, including dogs and other animals. From the animal care and control data only 34 of those citations were for farm animals. So, that gives some credence to the fact that if this is permitted, there is not going to be a drastic increase in citations.

Staff plans to include Animal Control staff at the next public hearing to answer any questions the commissioners may have and to inform and encourage people that there is a legal process and a way to become legalized, enabling them to conform to the animal-keeping ordinance. The staff knows where the activities are taking place and will have a way to mitigate and help the community.

The City Planning Commission in 2016 did approve an ordinance. But because so much time has passed and some changes have happened in the ordinance, the staff is bringing this back to the commission and hopes to have a public hearing soon.

Questions and Answers. No assignments or motions resulted from the questions and answers session.

**IV. Public Comment**

None

**V. Unfinished Business**

- A. Consideration of the City Planning Commission’s proposed rezoning of the industrial portion of the Research Park West Rehabilitation Project bounded by the railroad on the north, Trumbull Avenue on the east, Edsel Ford Freeway on the south, and Rosa Parks Boulevard on the west as follows:

**Zoning District Map No. 5** to rezone 15 lots from the Planned Development (PD District) zoning classification to the Restricted Industrial (M2 District) zoning classification – 5671 Trumbull Avenue; 5465, 5611, 5625, 5641, 5647, 5651, 5651, 5659, and 5663 Commonwealth; 5457, 5462, and 5463 Avery; 5437, 5456, and 5460 Hecla – and to rezone eight lots from the Intensive Industrial (M4 District) to the M2 District zoning classification – 5483, 5617, 5621, 5635, 5667 Commonwealth; 5470 Hecla; 5400, 5450 Rosa Parks.

Zoning District Map No. 7 to rezone four lots from the Planned Development (PD District) zoning classification to the Special Development District, Mixed Use (SD2 District) zoning classification – 5703, 5707, 5715 Trumbull, 1510 Stanley and one lot from the Intensive Industrial (M4 District) zoning classification to the SD2 District zoning classification – 757 Trumbull.

**(TS, KJ, RB)**

**25 Mins.**

Present: CPC Staff: Director Marcell Todd, Dr. Rory Bolger, Timarie Szwed, and Willene Green

The purpose of this proposal is to rationalize the rezoning of the old Research Park West Industrial Area. This rezoning involves two different maps, Zoning Map No. 5, and Zoning Map No. 7. The current zoning maps show that the zoning district classifications are inconsistent. CPC staff is attempting to correct the inconsistencies.

The Research Park West industrial area was set up to allow for light industrial development. Yet not all the properties within the area were categorized under the Planned Development (PD) zoning classification. At one time, the City did have development plans that were underlying the industrial (PD) properties; yet the plans were repealed by the Emergency Manager along with the Citizens District Council. The Citizens District Council advised the City on appropriate development. However, since neither is no longer in place, the staff is recommending that the properties be rezoned.

The staff is recommending the downzoning of the M4 Intensive Industrial zoning district. The M4 zoning classification is not consistent with the current Master Plan classification. In the Master Plan, there are only certain zoning districts that would be appropriate for light industrial M1, M2, or M3. The current proposal is to go from M4 and PD to the M2 and SD2 zoning classification.

At a Public Hearing held on July 20<sup>th</sup>, regarding Research Park West, two people from the public spoke. Both people spoke in favor of the proposed rezoning. During the hearing, the commission asked about nonconformity. What type of nonconformity might be created by the rezoning? There is only one existing use that would be prohibited under the proposed zoning, warehousing. Warehousing would not be permitted in the SD2 classification.

Also, a request was made to identify the property owners. There are 28 lots and seven separate taxpayers of record. Six of the lots are under the control of LECOM Incorporated. The Hecla Warehouse has two large buildings that are remaining on the site. Five lots are under the control of 5757 Trumbull Detroit Partners, LLC, which is based out of Austin, Texas. Two lots are owned by the Land Bank, one is owned by the City of Detroit through the Building Authority, and one through the Detroit Housing Commission.

At the Public Hearing held on July 20<sup>th</sup>, PDD submitted its findings that the proposed rezonings would be consistent with the Master Plan.

### **Staff Recommendations**

On Map No. 5 – the 15 lots be rezoned from the Planned Development zoning district classification to the M2 Limited Industrial zoning classification.

On Map No. 5, the eight lots currently zoned M4, the addresses of which are spelled on the agenda sheet be rezoned from M4 the Intensive Industrial zoning district classification to M2.

On Map No. 7 the four lots currently zoned PD be rezoned to SD2, Special Development District, mixed-use as indicated address by address on the commissioners' agenda sheet.

On Map No. 7 the one lot which is currently zoned M4 be rezoned to the SD2 zoning district classification.

Commissioner Daniels moved to approve staff's recommendations for the series of rezoning related to the old Research Park West industrial area. Commissioner Markowicz seconded the motion.

The motion to approve the staff's recommendations for the series of rezoning related to the old Research Park West industrial area was **ADOPTED** by a roll call vote as follows:

### **Roll Call**

Commissioner Daniels	Support
Commissioner Harrison	Support
Commissioner Lewis	Support
Commissioner Markowicz	Support
Commissioner Udabe	Support
Commissioner Smith	Support

## **VI. New Business**

None

## **VII. Committee Reports**

Director Todd, CPC stated that the commission needs to formulate the new committees. Also, the special committee on committees needs to schedule a meeting.

## **VIII. Staff Reports**

Director Todd stated that a press release was prepared by the Communications Department regarding the new chair and vice chair. That he shared the press release with new and outgoing leadership; however, he will make sure to circulate it to everyone.

To address all the concerns that have been raised and to effectuate proposed solutions that seem to be coming forward to certain issues, staff will have to conduct a new hearing for the Perfecting Church. Staff will provide the commissioners with a status report on September 21<sup>st</sup>.

In August, the commission received a rushed proposal regarding a senior housing development project that is being proposed at the Gesu Parish on West McNichols. The housing will be developed on vacant land immediately east of the church and school and repurpose the rectory. This is something that is being done in anticipation of seeking Low Income Housing Tax Credits (LIHTC,) from the State of Michigan. The deadline for the nine percent category for housing is from October to the end of the year. The staff is hoping to see a great deal of community support.

The commission is scheduled to meet on October 5<sup>th</sup>. However, the Michigan Association of Planning Conference is from October 4<sup>th</sup> through October 6<sup>th</sup>. Several staff members and commissioners plan to attend. Therefore, a decision needs to be made regarding the October 5<sup>th</sup> meeting.

The staff have looked at moving the meeting, however, there is no available space at CAYMC that will work considering what is needed to hold a hybrid meeting. Therefore, Director Todd reached out to Michigan State to ask if their facility is available. Director Todd is waiting for confirmation and anticipates receiving an answer by Monday.

Commissioner Markowicz moved to reschedule the October 5<sup>th</sup> meeting to October 12<sup>th</sup> and to identify an alternative meeting room. The motion was seconded by Commissioner Daniels. The motion was **APPROVED** unanimously.

## **IX. Member Reports**

Commissioner Markowicz is continuing to attend the I-375 meetings. She asked if it would be possible to get a list of all commissioners' City of Detroit email addresses or personal email addresses and phone numbers distributed to each of the commissioners. Also, she asked about the commissioners' stipend status.



Director Todd will ensure that the commissioners receive a list of emails and phone numbers. Also, he will inquire about the next steps to take to begin the process so that the commissioners can receive their stipends since they have met all the requirements in the Zoning Enabling Act. Commissioner Harrison asked if the commission needed to amend the Bylaws.

Director Todd informed the commissioners that the text had been drafted and did have tentative approval from the Law Department. The language must be added to the Bylaws.

Commissioner Harrison stated that he recalled there being a press conference or meeting with the Mayor. There was some talk about property taxes, residential land, and vacant land. Could some of that information be shared with the commission either via a report or possibly a presentation?

Director Todd responded that the same questions have been raised this week by the City Council and various members of the public who have been attending and speaking. The staff is attempting to collect more detailed information beyond what has been circulated by the Administration as part of the Press Conference. Many people are asking for and looking for details. So as soon as the staff receives it, the staff will be able to share it with the commissioners. The Legislative Policy Division has been asked to prepare a report. Therefore, there will be corresponding reports forthcoming to the City Council that the staff will be able to share with the commissioners.

**X. Communications**

None

**XI Adjournment (anticipated by 7:45 p.m.)**

The meeting adjourned at 8:35 p.m.