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Vice Chair/Secretary

# City of Detroit

**CITY PLANNING COMMISSION**  
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Brenda Goss Andrews  
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Karen M. Gage  
Frederick E. Russell, Jr.  
Arthur Simons  
Roy Levy Williams

**City Planning Commission Regular Meeting**  
**February 6, 2014, 4:45 PM**  
**Committee of the Whole Room**  
**13th Floor – Coleman A. Young Municipal Center**  
**Woodward at Jefferson**  
**(use Randolph Street entrance after 5:30 PM)**

## AGENDA

### **I. Opening**

- A. Call to Order – 4:45 PM
- B. Roll Call
- C. Amendments to and Approval of Agenda

### **II. Minutes**

- A. Approval of minutes of the Regular Meeting of December 5, 2013
- B. Approval of minutes of the Regular Meeting of January 9, 2014

### **III. Public Hearings and Presentations**

### **IV. Unfinished Business**

- A. Consideration of the request of Norstar Development USA, L.P (developer) and the Detroit Housing Commission to modify the plans for the existing PD (Planned Development) zoning district presently shown on land comprising the central portion of the former Herman Gardens Housing Complex now known as Gardenvue Estates, which is generally bounded by Joy Road, Tireman Street, Asbury Park Avenue, and the Southfield Freeway. The request would modify the existing PD created by ordinance #15-10 of 2010 and amend Article XVII, District Map No. 40 of Chapter 61 of the 1984 Detroit City Code, Zoning. (MT) 20 mins
- B. Consideration of the request of Volunteers of America for site plan review and approval for the proposed Bradby Village housing development within an approved PD (Planned Development) zoning district in the Elmwood Park 3 Urban Renewal Area. (GM) 20 mins

- C. Consideration of the request of Jacob Isaac and Marcus LLC, on behalf of Detroit Ice Inc. to show a B4 (General Commercial District) where a B2 (Local Business and Residential District) zoning classification is shown on Map No. 61 of Chapter 61, Article XVII of the 1984 Detroit City Code, Zoning, for the properties on the south side of Eight Mile Road West between Manor and Pinehurst Streets. **(GM)** 20 mins.

**V. New Business**

**VI. Committee Reports**

**VII. Staff Report**

**VIII. Communications**

**IX. Public Comment**

**X. Adjournment** (anticipated at 6:30 PM)

**NOTE:** An interpreter for the hearing impaired will be present at the meeting if requested at least 48 hours in advance. To request an interpreter, please call 313-224-4946.

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**NOTE:** These minutes do not represent a verbatim transcription of the meeting.

CITY PLANNING COMMISSION  
REGULAR MEETING  
December 5, 2013

**DRAFT**

## I. Opening

### Call to Order

The meeting was called to order by Chairperson Carr in the City Council Committee of the Whole Room on the 13<sup>th</sup> Floor of the Coleman A. Young Municipal Center at 5:26 p.m.

### Roll Call

Commissioners Carr, Andrews, Gage, Simons, Davis and Russell were present. Commissioners Christensen and Williams were absent (excused).

### Amendments to and Approval of Agenda

Commissioner Russell moved to remove Item 4B from today's agenda. Commissioner Simons second the motion. Motion carried.

Commissioner Davis moved to approve the agenda with the amendment. Commissioner Andrews second the motion. Motion carried.

## II. Minutes

### Approval of minutes of the Regular Meeting of October 24, 2013

Minutes of the meeting of October 24, 2013 were distributed today and will be brought back at the next meeting.

### Approval of minutes of the Regular Meeting of November 7, 2013

Minutes of the meeting of November 7, 2013 were distributed. Commissioner Simon motioned to approve the minutes with need of typographical corrections. Commissioner Davis second the motion. Motion carried.

## III. Public Hearings and Presentations

- A. **5:00 PM PRESENTATION** – of the Detroit Stormwater Policy Initiative developed by the Water Subcommittee of City Council's Green Taskforce. City Council member Kenneth V. Cockrel, Jr. and subcommittee members will be present.

Present: Kenneth V. Cockrel, Jr., Detroit City Council Member  
Kahlil Mogassabi, Planning & Development Department

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Melissa Nemashki, Co-Chair of the Green Task Force Water Subcommittee  
Dan Schechter, Detroit Water and Sewerage Department

Council Member Kenneth V. Cockrel, Jr., told the Commission of his support for the Detroit Stormwater Policy Initiative. He has reviewed the presentation and would like the Commission to give serious consideration to the Initiative. Also, before leaving the table, Mr. Cockrel stated that it has been a pleasure to have worked with the Commission and Mr. Todd over the past few years and that he looks forward to working with the Commission to move the City of Detroit forward in the future.

Legislative Policy Division staff member Marcell Todd expressed his appreciation for Mr. Cockrel's service to the City and that it was an honor to serve under him and with him over the years. The Commissioners agreed.

Kahlil Mogassabi spoke on behalf of the Water Subcommittee of Council Member Cockrel's Green Task Force and also as part of the Planning & Development Department of the City of Detroit. Mr. Mogassabi expressed his appreciation for Council Member Cockrel and his Green Task Force.

Melissa Nemanshki, Co-Chair of the Green Task Force Water Subcommittee and Great Lakes Program Director for the Sierra Club. In late 2010, the Water Subcommittee was established by Council Member Cockrel and the Green Task Force. The Water Subcommittee first looked at what other Great Lakes communities were doing. Detroit is part of an eco-system that has 20% of the world's fresh surface water. The Water Committee wants to protect this resource because it's our drinking water and it is important to our region's economy in helping to provide jobs. The City of Milwaukee's Mayor signed an Executive Order to reduce storm water by 15%. The City of Chicago started a Green Alley Initiative and a Green Roof Initiative to address cutting the volume of storm water entering their sewer system. Cleveland was starting Project Clean Lake that works towards polluted run-off. The Water Subcommittee decided to look at water issues in the City of Detroit and figure out recommendations that we could make to our community on how to protect this valuable resource.

Kahlil Mogassabi gave a presentation of the Detroit Water Agenda 2012, which was submitted to the Commission along with the meeting materials. The Water Agenda has eight primary topics. Water conservation is a very important element, but the storm water element is the focus today. Storm water could be rain, sleet or snow. Detroit gets about 32" of rain and snow per year. One inch of rain, when it falls on one acre of land, is about 27,000 gallons; and, when 1" falls on one square mile that is 17 million gallons.

Commissioner Carr asked how does that compare to other states that have water agendas or policy?

Kahlil Mogassabi replied that, for example Minnesota, they get more water a year because their total amount of rain per year is about 40".

Melissa Nemanshki stated that it is similar across the region. All of the cities in the Great Lakes region have combined sewer systems and whenever we have heavy rainfalls, it adds a burden to the combined sewer systems and they cannot handle the volume and that is when we start to see these problems. Cities have started implementing programs to cut that volume of rainwater.

Kahlil Mogassabi stated that in the natural setting when the water falls you have grass not pavement and that's the ideal setting because about 50% of the water gets filtered through the ground. When you have a lot of pavement you get a lot of run-off, about 55% will go into the combined storm system. Typically urban areas have commercial and residential roofs, parking lots and streets and sidewalks. Wet weather conditions are when storm water gets mixed with waste water and goes into the combined sewer. The

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Detroit Water and Sewerage Department (DWSD) has detention basins and try to keep it so there is no overflow. Even with that, in extreme weather they cannot control it. Eventually the overflow bypasses the treatment plants and goes into the river, which is called a Combined Sewer Overflow (CSO) event. A lot of urban areas have the same systems. The EPA has the Clean Water Act from 1972, a permit process for an entity to discharge their water to make sure the water discharged is actually clean water. Because Detroit is primarily a combined sewer system, we also fall under the DEQ under what they call Long-Term Combined Sewer Overflow control plan, a plan where the City of Detroit through DWSD may have to submit to DEQ making sure the City is following a plan to eliminate this CSO problem or these events where the water just goes into the river. Detroit has 97,000 acres with about 78 outfall locations. Green infrastructure is a better way to manage storm water. Green infrastructure is less concrete and more green space. It is trying to reduce the concrete pavements and trying to make the ground have the capability to infiltrate the water that comes down. Vegetation and soil makes it easier for the water to mimic the natural setting. The Water Subcommittee wants to promote those best management practices and try to incorporate these strategies into our zoning ordinances.

Dan Schechter, Superintendent of Engineering at Detroit Water and Sewerage Department (DWSD), stated that DWSD has spent \$1.5 billion over the last 15 years in gray infrastructure to handle CSO issues and is looking at avoiding those costs in the future and doing something a lot better for the environment and the community by spending a significant amount of money on green infrastructure. DWSD is just starting to spend the first of \$50 million in the City of Detroit on green infrastructure and has been doing some of that with Greening of Detroit and SEMCOG. Beginning in January DWSD will spend about \$3 million a year of green infrastructure in the upper Rouge area as part of their permit conditions with DEQ. The largest cost for other cities that have been doing green infrastructure is the cost of land. That creates a real opportunity in Detroit where the cost of land will probably be our number three cost.

Kahlil Mogassabi said that there is encouraging language in the 1997 Charter calling for environmental legislation and conservation. The only thing that has changed from the 1997 Charter to the 2012 Charter is the name of the department, the language is still there. It says that "Building & Safety Engineering shall develop programs for the protection and conservation of natural resources within the City of Detroit". That is something that we should be striving for. It also calls for Building & Safety to propose new ordinances, laws and regulations to improve the quality of the environment. The 2012 Charter proposed additional things like green initiatives and sustainable technologies.

Commissioner Carr said that she was interested to hear how you balance the cost of implementing these programs? Some of my colleagues often ask developers about green initiatives, who often say that it is too costly. How can we factor that in? We do not want to discourage development, but we want to be green conscious.

Kahlil Mogassabi responded it depends on what strategies you are installing, but typically when you do green building, green infrastructure in general there is a premium, 2% up to 10% premiums over and above the normal cost. You can always cut the costs in other areas.

Dan Schechter added that from DWSD's standpoint, they are rolling out a Storm Water Fee Program that has already been in place for customers and is now going out to non-customers, who own things like parking lots, but may not have a water and sewer connection. DWSD is hopeful that many of those who anticipate that fee will want to do something about it to reduce their impervious area and, thereby, reduce their fee and reduce their storm water input into the sewer system.

Melissa Nemanshki said that the Ford Rouge Plant has a green roof on top of it and wanted to show that they have cost savings when it came permitting for their storm water. In some cases green infrastructure is cheaper than traditional ways of managing storm water, but it has to be caught at the beginning of the

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project when it is constructed. It is harder when buildings are being retrofitted to implement. Some cities create incentive programs like Chicago who provided tax incentives with their Green Alley and Green Roof Initiatives.

Commissioner Andrews asked of any cost savings to the City for adopting water agenda or green sustainability programs, have you been able to quantify that and, if so, and there is savings in dollars can you tell Kevin Orr?

Dan Schechter responded that, for the DWSD, the costs don't quite translate into development costs. We can come up with costs per gallon of storm water removed.

Commissioner Andrews asked that in terms of savings to the City or what the fees will translate into in terms of dollars, what would that look like on the balance sheet?

Dan Schechter said that currently we work with a number that is about \$80 million a year, which is what DWSD spends on an operations and maintenance standpoint to treat storm water in the City. There is a capital cost when we have to build facilities, for instance last year we opened our Oakwood CSO Facility, a \$100 million CSO treatment facility that will operate approximately 30 days out of the year just to treat storm water and sewage. With an investment in green infrastructure of 1/5<sup>th</sup> to 1/10<sup>th</sup> of that, we think we can get the same sort of storm water control and pollutant removal. We have to demonstrate that and that will take some time.

Commissioner Andrews asked if that translates into a savings in the long term for the City?

Dan Schechter said yes, but it's not a hard number. Whether it is saving 90% or 50%, I could not tell you. We are putting the fees in place and in some cases they will result in decreases in the waste water fee. The goal is to collect nearly the same amount of money. We really want customers and businesses to show us what the most affordable economic method of controlling storm water is.

Commissioner Andrews said she didn't see any schools mentioned.

Melissa Nemashki said that there is an Educational Workgroup but there has been no representative from Detroit Public Schools (DPS) involved with the Water Subcommittee. The DPS has a Sustainability Office and there is a representative that attends the Green Task Force Meetings as a whole. Sierra Club has a lot of gardens at schools and rain barrels at a number of schools.

Kahlil Mogassabi added he thinks the Water Subcommittee should reach out to some of the folks within the DPS system itself, like the Real Estate Office, because they do have a lot of land.

Commissioner Russell said that he believes charging people who are using the sewer system but haven't been paying for it is great because it will lessen the costs for the people who have been footing the bill. What is the cost if we separated the sewer system? Is that feasible? Could it be done? What is your preferred spec for pervious concrete? When a developer installs the pervious pavers and any other combination of sustainable concepts, can the requirements for catch basin be lessened or removed? With the small compact parking, what would be your preferred percentage for that? On grass pavers, can you plan for snow removal? When it rains, the small barrels on homes fill up the first rain, what is the right size system for an average home under 3,000 square feet that would actually absorb a lot of water that you can then parcel out and not just overflow after the first rain. Can you call for tours at green roof projects at DWSD?

Kahlil Mogassabi said that as far as separating the storm from the sewer, it is probably too costly.

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Dan Schechter said it is too costly for retrofit. We have a requirement that new developments need to have separated sewers. As we prioritize going forward we might look at separated sewers on the river side of Jefferson on the river side of I-94.

Commissioner Russell asked when a development has two separate systems, where do they go?

Dan Schechter responded that they go into the combined system.

Kahlil Mogassabi said that Ann Arbor assumed that 30% of their parking is for compact cars and they decided that they don't need 20' by 10' like Detroit does, so they said 16' by 8'. We are suggesting, can we reduce ours and gain 2' on either side for certain areas, let's just say 30%. As far as pavers of different kinds, we could come up with a generic spec for that, something that other cities have used. In terms of the snow, that is a problem for the pavers because they could pop up, so you have to raise the blade a couple of inches.

Melissa Nemashki said that you want to have seven rain barrels full of rain water and then you have no use for that rain water. It depends on how the rain water would be used. The Waste Water Treatment Plant provides tours of its facility. We have also been doing green infrastructure bike rides where we see examples of rain gardens. There are some rain barrels on Rivard Plaza on the riverfront and examples all over the city. Greg McDuffee who is the Director of the Building Authority has given several tours of the green roof on top of the Coleman Young Municipal Center. There is also a beehive up there too.

Commissioner Gage asked would it be effective to implement some of the green infrastructure policies on no longer used city-owned land or under-utilized parks or is it more effective to implement green infrastructure practices in more impervious already developed areas where you have more runoff. What is the cost benefit of that? Would there be any benefit of going into the more vacant areas of the city and trying to make it greener or plant some trees to retain some of the water there?

Kahlil Mogassabi responded that if you have the vacant land and it doesn't have any impervious pavement, I think you are fine. When you want to develop a land that is where you have to apply the cost.

Commissioner Gage said that the Commission has seen projects that cannot do some of these green infrastructure suggestions that we have made because the current building code doesn't allow for these items. I think that is an important issue.

Melissa Nemashki said we need to look at how a complete audit is done and how we really welcome this kind of development because it has a lot of benefit with helping the Water Department with less costs of gallons of storm water in the City.

Commissioner Carr asked if the Water Subcommittee have any for profit representatives.

Kahlil Mogassabi said that they have a cross sectional group and there are folks that are for profit businesses. Most of the people that come to the Water Subcommittee or the Green Task Force are really promoting sustainability and are willing to do the extra step. We also have some representation from the state, Michigan Department of Transportation (MDOT) and we have the DEQ. The Water Subcommittee is open to anyone. There are some parts of the Municipal Code, not necessarily the Zoning Ordinance where there is more of a leeway, there are some issues.

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Commissioner Russell asked how much as the City of Detroit been fined for CSO events?

Dan Schechter said the City has had a lot of costs associated with compliance and 36 years of federal court oversight, which ended last year. I am not sure the biggest expenses were the fines themselves, which were minor by comparison to our operational costs and our capital costs, but last year our fines were in the \$30,000 range and this year they will probably be in the \$10,000 range. The highest they have been is probably in the million dollar range. When you talk about reducing the catch basins in the pipes, we are doing it on a small basis site by site, but we are also trying to reduce that for the City overall.

Commissioner Gage said that it is her understanding rainfall is actually increasing in this region and that severe weather conditions are going to continually rise and CSO events are going to keep happening. Is that what is really going on here? We really need to look at these measures in order to keep these fines from being levied, is that correct?

Melissa Nemanshki said that according to the federal agency NOAA, in the Great Lakes region we are seeing increases in precipitation and we are also seeing increases in extreme weather events. We will have a storm come through which produces a large amount of rainfall within a short period of time, which is problematic for any city that has a combined sewer system.

Commissioner Gage asked are there are other municipalities where the Water and Sewer Department actually do mitigation measures instead of building bigger pipes or certain water retention facilities? Or, primarily, do you see the private industry and residential communities implementing rain gardens and barrels, etc. to mitigate storm water.

Melissa Nemanshki responded she thinks it is a combination of both. Cities like Milwaukee, Cleveland and Chicago that are going forward implementing green infrastructure but also doing gray infrastructure as well, because they cover such a large land area that you have to do both. Rain water is something that all of us need to address. Every city department needs to figure out how to address and reduce the volume of rain water. The Detroit Water Agenda asks how we have that kind of unity here in Detroit where we have all of our departments working together, along with community organization, to implement green infrastructure to reduce costs and beautify our community as well.

Commissioner Carr said that the Commission looks forward to ordinance revisions and amendments to help the Water Subcommittee's cause to have some impact and hopes we will think about incentives that are not tax reducing.

Melissa Nemanshki asked what the best way is for the Water Subcommittee to move forward with the review of codes and ordinances. How do we keep the dialogue going?

Marcell Todd said suggested that if the Commission desires to take an action to request that the new City Council follow through with the Green Task Force's work and ask that the Water Subcommittee be expanded or take it to the next step so that we could have an audit brining in BSEED or the Law Department. Detroit Future Cities may even have some resources to assist in that analysis and the development of some proposed amendments.

Kahlil Mogassabi added the Water Subcommittee is working with BSEED and DWSD to come up with a Memorandum of Understanding (MOU) and looks forward to passing that on to the City Planning Commission's office to, hopefully, make its way to you.

Commissioner Carr said she thinks that the MOU should probably be done first, so that the departments are all on the same page and we are sure what we want to change.



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Commissioner Russell asked if Council Member Cockrel's Green Task Force will continue.

Marcell Todd responded he believes that Mr. Cockrel was trying to lay the foundation and may be in the process of discussion with some of his colleagues or Council Member elect who might want to take over the Chair of that Task Force. Support from the Planning Commission would not hurt.

**ACTION:** Commissioner Russell motioned to compose a letter to send to City Council to request they continue with the Green Task Force and Water Subcommittee. Commissioner Andrews second the motion. Motion carried.

Commissioner Carr asked Commissioner Russell would like to assist with the writing of the letter, along with Mr. Todd.

Marcell Todd said that Katheryn Underwood has been serving the Green Task Force and I think that she would be more than happy to pen something.

- B. 5:45 PM PRESENTATION** – Special District Review, alteration of a PC (Public Center) to accommodate proposed modifications to Cobo Square plaza just outside of the former Cobo Arena as well as placement of public art.

**Present:** Greg Moots, Legislative Policy Division Staff Member  
Geoffrey Harrison, Architects for Detroit Regional Convention Center Authority

Legislative Policy Division staff member, Greg Moots gave a brief presentation noting the modification due to DPW requesting a different slope of Civic Center at West Jefferson than what had been previously discussed. The action taken by the Commission explicitly did not review the statue location. For the Plaza, SP1 was previously approved. What has changed since then is DPW disallowed the slope of Civic Center Drive intersecting Jefferson. The modified alignment is significantly different in that Civic Center Drive does not slope up to hit Jefferson. It will stay level and enter the Cobo Parking Garage where there will be a large enough turning radius for vehicles to turn around. The advantage of this is that it expands the Plaza. The landscaping in front of Cobo Hall has changed somewhat, the striped pavers have been detailed a little more and extend up Washington Blvd. to the end of Cobo Hall at Congress Street; a slight refinement of what has been previously reviewed and approved by the Commission. The other changes are the art. The Authority has requested to relocate the two pieces of art in Cobo outside the arena. The art will be visible to more people. The Authority has agreed to maintain the art. The Commission staff did pull together the members of the Public Art Site Review Committee. Staff met members of the Public Art Site Review Committee, we met with the Recreation Department, Historic Designation Advisory Board and Planning & Development staff to review the statutes and the Committee was in general agreement with what was shown. The Spirit of Transportation sculpture, which is proposed relocated to be just to the east of Steve Yzerman Drive is presently located by the People Mover stop in Cobo Hall. The Spirit of Transportation would be on the south side of Cobo Hall and they are proposing some planting around it. The Joe Louis statue is proposed to be in the middle of the turn-around. Staff did review these changes and we feel that the changes to Civic Center Drive, with the turn-around it allows adequate turning breeze for buses, trucks and cars and it really does improve the Plaza with the report we provided, the PC review provisions are included.

Commissioner Simons asked about the turn-around.

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Gregory Moots indicated that it was reviewed previously by the Commission and City Council approved it in July. That is unchanged. The Commission did not take action on the statue in the middle and it was decided that should be reviewed separately.

Geoffrey Harrison added that the intent of the turn-around is when you are coming southbound on Washington Blvd. we have created a portal, which the major entrance to the new ballroom from the north. People can drop off at the portal and go either eastbound on Jefferson or back north on Washington Blvd. When the Commission approved the plan in July there was a very reasonable comment about the safety. We had the Police Department look at that and they felt it was a controllable risk and they were quite happy about that.

Commissioner Carr asked Mr. Mogassabi and Mr. Evans if they had any comments on this matter and they did not.

Commissioner Gage said that, as a pedestrian on the Cobo Square level, is there a way to access the river?

Geoffrey Harrison answered that there are existing steps west of the UAW Ford Building/Veteran's Memorial Building that would go down to the river level. If you are walking from Hart Plaza you can walk down and walk along Civic Center Drive to the river.

Commissioner Gage asked how about for cyclists? Civic Center Drive is a cut-through for cyclists that come up Washington Blvd. to get to the Riverwalk.

Geoffrey Harrison answered that they would now have to go down to Bates. Hart Plaza is going to be modified and would probably allow them to come through Hart Plaza if the plan goes ahead.

Commissioner Gage said that this area is very hard to navigate as a pedestrian or a cyclist and I am saddened by the elimination of access to the river.

Gregory Moots said that the Department of Public Works (DPW) approved it and withdrew their support of what we previously approved for the intersection of Civic Center to West Jefferson.

Commissioner Gage asked if there is a way that access could be supported through the Plaza concept or is it that the great change was so much that it is hard to get people who are not in cars up.

Geoffrey Harrison said that we believe the whole theme of the capital improvements from the Cobo is the use of the total asset of the river. The change that significantly improves the access to the river is the atrium. If you go into Cobo you can go straight down the stairs and right out to the Riverwalk.

Commissioner Russell asked about the modification that happened to Civic Center Drive.

Geoffrey Harrison answered it was important to create a Plaza in front of Cobo Arena. Currently, the pedestrian area in front of Cobo is destroyed by the road that comes in front of Cobo Arena. In June, this year, we brought the concept of the Plaza to close the current line of Civic Center Drive to take it due north to intersect with Jefferson Ave. The Commission recommended that to City Council and it was passed by City Council in July. The plan was developed with the written support of the DPW Traffic Engineering. Also, based on the written support, the Convention Authority secured a grant from M-DOT to construct the road. All of the construction documents were completed, it was bid, a contractor was selected and on the point of starting work DPW announced they had re-thought it and wanted to withdraw their support from building it. Then the Convention Authority decided to be cooperative and work with them and conceived of the idea of terminating Civic Center Drive at the lower level, but creates a turn-

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around so trucks and buses can turn around. They dedicated a corner of the Atwater Garage to doing that. The exterior wall of the Atwater Garage is now notched at the lower level to create the turn-around. The Pedestrian Plaza is connected with a street-free connection directly to Hart Plaza. DPW supported that. M-DOT tentatively has agreed the funds that they have granted to construct the slope up to Jefferson Ave. can be retained to create the turn-around. We are in the process of starting construction documents for that work.

Commissioner Russell asked about the truck turn-around.

Geoffrey Harrison responded that the street is under the Plaza, so the turn-around is totally covered. They are leaving Jefferson Ave. level intact, but structurally are removing five columns underneath it and putting a structure so that we can create a turn-around with enough clearance for trucks and enough turning radius for semi-trucks to turn around. To get a car from Washington Blvd. to the Atwater Parking you have to go to Bates and drive around. The Atwater Garage will be much smaller. When the Convention Authority took over the parking structures from the City, for which they paid the City \$20 million, we found that they were dangerously deteriorated. They were immediately closed. The Authority spent \$7 million rebuilding the Washington Blvd. Garage. The Atwater Garage was a two-story garage. They are in the process of demolishing the second floor, which is unsafe. It will be a single-story with a ceiling height of 18'. There is a potential of not only using it as a garage, but maybe you can bring buses or stage trucks in there.

Commissioner Gage said if you have to go the Bates Street to get to the Riverwalk you are battling traffic coming off of Woodward and going onto the bridge into Canada. Is there a way that we can find out if we can put in some type of bike lane or some type of mitigated effort that might accommodate access to the Riverwalk along Jefferson. It is a main pathway for people to access the Riverwalk, if you are on a bike.

Gregory Moots said that staff could ask DPW what analysis is being done on Jefferson. As the Hart Plaza plans are slowly moving forward, what happens with Jefferson and how to cross Jefferson is a significant part of those discussions. We certainly anticipate Jefferson being very closely looked at, at least north of Hart Plaza. Staff can look at what access is there for cyclists or that cyclist ride on the newly created Plaza south of Jefferson completely through there.

Commissioner Carr said that seems reasonable since it was DPW who changed their recommendation. I am just asking what the plan is now for pedestrian cyclists, since that is no longer available.

Marcell Todd added that since M-DOT is providing the money, I recognize that it was just a grant but were they also involved at more of an engineering level in terms of design.

Geoffrey Harrison responded no.

Marcell Todd asked what would be the likelihood that M-DOT might get on board. DPW would have to subordinate themselves to M-DOT for what Commissioner Gage is suggesting. I am wondering if it could be done in the spirit of cooperation that we seem to have.

Geoffrey Harrison responded that the grant is a TDF Economic Development Grant rather than a Transportation Enhancement Grant. M-DOT and the Governor are being very supportive.

Gregory Moots said that Civic Center Drive south of Cobo is unchanged. The entrance is brand new. The glass is the new curtain wall around what used to be Cobo Arena.

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Geoffrey Harrison said that they have added 450 spaces onto the Detroit Ball on the north, there are 550 in the Washington Blvd. Garage and the Atwater Garage will go down to 156 spaces, and there are 1,200 spaces on the roof of Cobo. We are opening elevators from the roof to the atrium that will serve the ballroom.

Commissioner Russell asked what the plan is for the Ford Auditorium site. We should incorporate access, pedestrian and bike traffic, to the Riverwalk.

Gregory Moots responded that is part of the overall Hart Plaza planning effort being led by the Detroit Economic Growth Corporation (DEGC). The long-term plans of the Ford Auditorium site is a part of the analysis that is supposed to be undertaken. No definite plans at this time. Adjacent to Ford Auditorium there is access to the river. Commissioner Gage is raising the point that there is no access between Bates St. and the Cobo façade. Once you get closer to Ford Auditorium there is plenty of access, either through Hart Plaza or the hardscape path where the boat docks, or the road next to Ford Auditorium. We will be asking DPW what the plans are and as the plans for Hart Plaza move forward, when the Steering Committee for that is again convened, that would be the point where we would be cognizant of the pedestrian and cycle access between Jefferson and the Riverwalk.

Commissioner Russell said that, if this goes forward, we have cut off a bike route.

Gregory Moots said that there is a path where the boat docks you can take.

Commissioner Russell said it would be nice to mention that we have eliminated something.

Gregory Moots responded that staff is committing to convey that to DPW as a part of the DEGC planning effort.

Commissioner Carr asked will bringing this item back hinder the project, since City Council will not be meeting until January? If you want to get more information, would it be a better recommendation to have that information first or do you just want to incorporate the suggestion into our recommendation?

Marcell Todd answered the document as proposed today could go through the process so that when Council returns in January it could be properly referred to Committee. The Commission's next meeting, should you follow staff's direction in the staff report, would be Thursday, January 9, 2014. It is possible that the Committee would be receiving it that day. As the new Council comes on board they will still have to go and impanel the Committees and there may even be some changes in the dates. We do not know what the schedule will be like. The Committee's next opportunity would be the 16<sup>th</sup> and if you meet on the 9<sup>th</sup> you could have opportunity to weigh in before Council would weigh in and take action.

Gregory Moots said that he doesn't see any more information coming out of the Hart Plaza planning effort between now and January and there is not much more information that will be available regarding the bike access for a good number of months.

Commissioner Carr said she is talking about getting the plan for pedestrians and bikes.

Gregory Moots answered that is part of the Hart Plaza planning effort and that is an ongoing, relatively slow planning effort now. I don't see having a firm answer to that in several months. We are supposed to be on the Steering Committee and we haven't had meetings in months. DEGC is struggling to find the funding to keep extending it. We will be happy to convey that request to DEGC to request them to incorporate it into the Hart Plaza planning that their consultants are undertaking and to the Department of Public Works that this change in alignment that what was previously proposed does inconvenience a part

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of the traveling public and to have access to complete streets. This is something that needs to be looked at and make sure that it is being addressed in their current planning efforts and see if there is some way it can be addressed in something other than adjacent to the Cobo developments which are before you tonight. CPC staff has completed its review of the proposed modification to the Plaza and terrace areas, the shifting of Civic Center Drive and the relocation of the two statues. We find that post-exterior changes would be in keeping with the spirit of the PC district. Staff recommends approval of the proposed changes. We can put in that, furthermore, the Planning Commission recommends that access between the Riverwalk and West Jefferson be incorporated into the Hart Plaza planning efforts and the review of West Jefferson.

Commissioner Carr added access for pedestrians, cyclists or persons in a wheelchair.

Gregory Moots said he could phrase it non-motorized access between West Jefferson and the Riverwalk as a part of your recommendation to City Council.

Commissioner Gage asked, if this is approved, when does the road get removed?

Geoffrey Harrison replied it will probably be closed in February and the road will probably be April or May.

**ACTION:** Commissioner Simons motioned to approve staff recommendation. Commissioner Davis second the motion. Motion carried.

### **IV. Unfinished Business**

- A. Consider the request of Matt Ward owner of Lahser Tire Inc. (DBA Detroit Tire and Wheel), to amend Article XVII, District Map No. 73 of Chapter 61 of the 1984 Detroit City Code, Zoning, by rezoning properties Generally bounded by Grand River Ave., Cooley, Willmarth, Lahser and Redford from the current B3 (Shopping District) zoning classification to a B4 (General Business District) zoning classification. The subject properties are more specifically known as 22100, 22116, 22120, 22124, 22132, 22200, and 22250 as well as 17425 Lahser.

Present: Marcell Todd, Legislative Policy Division

Legislative Policy Division staff member, Marcell Todd, responded to questions and concerns raised as a result of the previous public hearing. Staff did indicate that the petitioner, Mr. Ward, on behalf of the Lahser Tire Center, which is doing business at Detroit Tire and Wheel, we did note some violations that exist today that he has agreed to address. Staff has also looked into violations that exist with the other properties that comprise the subject property, as well as taxes. We do note that Mr. Ward is behind on his taxes for this year and we will address that with him. It may be that he has paid them and that the City system is not reflecting it as of yet. With respect to the other properties that abut his business, there are numerous violations for those properties, the dentist office, the former church, the other vacant facility and of course the larger bowling alley at the west end which has the vacant storefront. There are a couple of investigations that are in place on the bowling alley. Staff is comfortable at this point in time with making a recommendation for rezoning to B4 for the Grand River frontage. While this B3 was implemented with the hopes of building a shopping district you really do have that successfully with the B4. There is an opportunity to create a more viable commercial district with this property if it did go to B4. Given the character of Grand River and that it is a major corridor, the B4 is appropriate and warranted. As it concerns proliferation of auto-related uses, you do have a number already in this

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location in terms of auto repair facilities and used car facilities that are now better regulated than they were before and would be subject of conditional use hearing. Should the Commission and the City Council authorize this rezoning, he would still have to get a conditional-use hearing grant before he can legalize his business. With that said, staff is comfortable making the recommendation to unity 600 or so feet of frontage along Grand River under the B4 in that the Wendy's located on the corner is split between B3 and B4. As it concerns the remainder of the lot, we think P1 is probably the way to go, if in fact this is to be preserved as parking to protect the single home (residential development).

Commissioner Simons said he wouldn't support a motion unless the taxes were paid.

Commissioner Carr asked if it is lawful to say that the conditional use not be granted until he resolved those issues.

Marcell Todd said that, while it is not normal procedure, it is certainly within Buildings & Safety Engineering's purview to do that and it has been done in the past. I think that before City Council would let this pass, they would indicate the same. As Council has been doing it both in situations like this as well as the situations where the provisions are more applicable and that is when there is an actual contract. Contract requires that the contractor not have any violations or be in default with the City. In the case of rezoning we do not want to have it look as though it is a contract zoning.

Commissioner Carr said that perhaps we can indicate which businesses will be affected by this rezoning and that we know some violations were discovered.

Marcell Todd added that, with respect to the other properties, this may be another of those situations where they are on the verge of going into foreclosure. Currently what is shown is that nothing has been paid since 2010 on all of the remaining properties. It may well be that someone is keeping it from going into reversion by paying the outstanding 4<sup>th</sup> year to keep it out. If it is not, these properties may make their way into the City's inventory and can be part of that public land process.

**ACTION:** Commissioner Simons motion for approval to include the payment of taxes.  
Commissioner Russell second the motion. Motion carried.

- B.** Consider the request of Norstar Development USA, L.P (developer) and the Detroit Housing Commission to modify the plans for the existing PD (Planned Development) zoning district presently shown on land comprising the central portion of the former Herman Gardens Housing Complex now known as Gardenview Estates, which is generally bounded by Joy Road, Tireman Street, Asbury Park Avenue, and the Southfield Freeway. The request would modify the existing PD created by ordinance #15-10 of 2010 and amend Article XVII, District Map No. 40 of Chapter 61 of the 1984 Detroit City Code, Zoning. **(MT)**

(REMOVED FROM AGENDA)

**V. New Business** – (none)

**VI. Committee Reports** – (none)

**VI. Staff Report**

Legislative Policy Division staff member, Marcell Todd, reported that the City Council Orientation is scheduled for Monday through Wednesday of next week. Staff does not yet have the Commission's full

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schedule of meetings for next year and is working with the City Council President's Office to get them set. Staff would like the Commission to authorize to schedule January 9 and 23, 2014 for their next meetings, in that the holiday will prevent the Commission from meeting on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday in January.

**ACTION:** Commissioner Simons moved to schedule the next Commission meetings on January 9 and 23, 2014. Commissioner Russell second. Motion carried.

### VIII. Communications - none

### IX. Public Comment

Kahlil Mogassabi, speaking on behalf of P&DD with respect to the Carpenter Plaza Building on Woodward Avenue, which came to the Commission as part of a Planned Development Review a while back. Was there any consideration when the Planned Development District was approved as a whole thing or segmented in phases? The developer proposed it in two phases. P&DD raised the issue that we want to save the walkway. I am not sure if there has been a sale made yet on the sliver on the side of the property because it is owned by P&DD. Planning opposed it because we want to keep the sidewalk and keep that public access. We asked for the new 4-story medical facility to be offset slightly away from the public sidewalk, from the property line. Can be consideration, for the high-rise building, to revisit the decision and save or modify the way the PD is reviewed?

Marcell Todd said that Mr. Mogassabi is referring to a procedural issue. When working within a PD when demolition is being considered or required, demolition has to be authorized. While the Commission may make obvious reference to it, as in this case, the Commission did not specifically authorize the demolition, but authorized a plan that included it. Mr. Mogassabi is saying you still have the opportunity to speak to that, if you would like. In other words, have two separate approvals. As it stands now, staff understands that you would authorize the demolition. Based upon what you have done, that was the indication to the petitioner at the time that those steps would not be separated.

Commissioner Carr said that she does not know if public comment is the proper place to discuss all of this. We need more information. I do not want to set that precedent. Has the request for demolition come around? Maybe at the next meeting maybe we can have a formal presentation or an agenda item.

Marcell Todd responded, if that is the Commissions desire. Staff will be reporting the outcome of the meeting that will take place tomorrow with the developer as it concerns the modification to the design.

Kahlil Mogassabi said he is just raising the question that there is the possibility to split the PD.

Commissioner Carr said that for the future she will consider that being two-steps and maybe we do need two portions of the recommendation to address it, but I do not know about stopping past approval.

Kahlil Mogassabi said that, unconventionally, he is trying to reach out to their development team to see if it is a possibility that the building could be saved. That effort is ongoing.

Commissioner Carr added that if you do decide this to be on the agenda next time, provide the Commission with whatever information you have as early as possible so that we can review it

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timely.

X. **Adjournment** (meeting adjourned at 7:42 PM)

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# City Planning Commission Regular Meeting

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**NOTE:** These minutes do not represent a verbatim transcription of the meeting.

CITY PLANNING COMMISSION  
REGULAR MEETING  
January 9, 2014

## DRAFT

### I. Opening

#### Call to Order

The meeting was called to order by Chairperson Carr in the City Council Committee of the Whole Room on the 13<sup>th</sup> Floor of the Coleman A. Young Municipal Center at 5:10 p.m.

#### Roll Call

Commissioners Carr, Goss-Andrews, Gage, Simons, Russell and Williams were present. Commissioners Whitmore-Davis and Christensen were absent (excused).

#### Amendments to and Approval of the Agenda

Commissioner Simons motioned approval of the agenda. Commissioner Andrews second the motion. Motion carried.

### II. Minutes

#### Approval of minutes of the Regular Meeting of October 24, 2013

Commissioner Russell motioned to approve the minutes of October 24, 2013 as distributed. Commissioner Simons second the motion. Motion carried.

#### Approval of minutes of the Regular Meeting of December 5, 2013

Minutes of the meeting of December 5, 2013 will be distributed at the next meeting.

### III. Public Hearings and Presentations

- A. **5:00 PM PUBLIC HEARING** - to consider the request of the Detroit Recreation Department to show an SD4 (Special Development District, Riverfront Mixed Use) where a PR (Parks and Recreation District) zoning classification is shown on Map #3 and #29 of Chapter 61, Article XVII of the 1984 Detroit City Code, Zoning, for the eastern portion of Chene Park and portions of the area, including a portion of Mt. Elliott Park, at the intersection of Wight Street and Mt. Elliot Street. The locations are more commonly known as 2200 E. Atwater (Map 3), 3414 Wight Street, 301 Mt. Elliot Street and 110 Mt. Elliot Street (Map 29)

Present: Gregory Moots, Legislative Policy Division  
Alicia Minter, Recreation Department  
Will Taminga, Detroit Economic Growth Corporation  
Andrea Haas, Detroit Economic Growth Corporation

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Legislative Policy Division staff member Gregory Moots, gave a brief overview of the report dated January 3, 2014, distributed with the meeting materials. A public hearing on the matter was held on July 18, 2013. Following the Commission's action, when the draft ordinance was submitted to the Law Department for approval as to form, it was brought to staff's attention that the public hearing notice incorrectly listed one of the maps that would be changed; therefore, a new hearing is required. Nothing has changed since the Commission first considered this matter. At the July 18, 2013 public hearing, three (3) Commissioners had questions and three (3) members of the public spoke during public comment. Staff recommends approval.

There were no public comments. Public Hearing concluded at 5:26 p.m.

**ACTION:** Commissioner Russell motioned to accept staff recommendation. Commissioner Andrews second the motion. Motion carried.

- B. 5:30 PM PUBLIC HEARING** – to consider the request of Jacob Isaac and Marcus LLC, on behalf of Detroit Ice Inc. to show a B4 (General Commercial District) where a B2 (Local Business and Residential District) zoning classification is shown on Map No. 61 of Chapter 61, Article XVII of the 1984 Detroit City Code, Zoning, for the properties on the south side of Eight Mile Road West between Manor and Pinehurst Streets.

**Present:** Greg Moots, Legislative Policy Division  
Asad Aboe, Detroit Ice Inc.

Legislative Policy Division staff member, Gregory Moots, gave a presentation on the report dated January 3, 2014, distributed along with the meeting materials. There was a discussion on creating a cul-de-sac on Monte Vista, but that proposal is not moving forward. The current zoning of B2 does not allow the ice manufacturing, whereas that use is allowed as a conditional use in the proposed B4 district. That is what necessitates the rezoning. It seems most appropriate to rezone the existing building as well as the other related parcels and the adjacent parking as opposed to the applicant seeking an expansion of a non-conforming use from the Board of Zoning Appeals (BZA).

Commissioner Carr asked if they already had a variance.

Gregory Moots responded that the building, I believe, received one many years ago to be there, but if they want to expand they would have to go to the BZA for the expansion of the non-conforming use. The parking for the use could stay in the B2. It seemed to staff most appropriate just to rezone all the parcels owned by Detroit Ice. The current use can be continued in perpetuity under the BZA grant as nonconforming, but now we can con making the use conforming across all properties with the change in the zoning. A meeting was held with the adjacent property owners regarding the proposed rezoning and the expansion of Detroit Ice operation. That was also in conjunction with the proposed cul-de-sac so we are hoping that those issues will be able to be separated out. A letter of support has been received from the Eight Mile Boulevard Association and I will be happy to provide you a copy of it formally in your packet when this matter comes back for a recommendation.

Commissioner Carr asked if there were any B4 properties in the area.

Gregory Moots responded not on this part of Eight Mile Road. This was a part of the west side down-zoning from B4 to B2 which took place about 25 years ago.

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Commissioner Simons sought confirmation that ice manufacturing is not allowed in the B2 or the B4 and if it was a conditional use in the B4?

Gregory Moots answered that after the zoning is approved he would immediately be able to request his conditional land use hearing with the Buildings & Safety Engineering & Environmental Department (BSEED). The only thing that would allow ice manufacturing as a matter of right would be one of the Industrial Districts and that did not seem appropriate for this portion of Eight Mile or a PD. It seemed the rezoning to a B4 was one of the least intensive ways to allow the operation to continue as a conforming use and to expand. If the Commission were interested in something else, it can be discussed.

Commissioner Williams asked if the actual expansion of the building is going to be where the internal parking is located.

Gregory Moots responded it will be to the west. The existing building is on the eastern portion of the site, between Monte Vista and Pinehurst. The building that was recently demolished is on the west and that is where the expansion is to take place. The building is taking place on the same zoning lot as the current building and the parking will be across the Monte Vista to the west.

Asad Aboe of Detroit Ice, Inc. said that they purchased their property in 1992 and received rezoning approval to put in an ice plant at that time. The expansion is to move the office from the east to the west side; separating the customers and putting in an addition, mostly offices, on the other side. Keeping the plant in the same building where it exists now. We used to be on Fitzpatrick by the 6<sup>th</sup> Precinct for eight years and we moved to expand and bought this property on Eight Mile and built it in 1992. We moved in in 1994 and have been operating out of there since then.

Commissioner Simons ask about the company and its operation, i.e., number of trucks coming and going, noise, etc.

Asad Aboe said Detroit Ice, Inc. manufactures and bags the ice and the trucks load and distribute the ice to gas stations and supermarkets. Loading is done on one side and all the ice making is in the old existing building. The hours of operation will not change. In the summertime there are more hours. Winter time hours are 9:00 a.m. to 5:00 p.m.

Greg Moots added that the trucks are fairly small trucks, the size of a small U-Haul truck.

Commissioner Russell asked if the walk-in customers will be located on the new part and is the parking on the west of Monte Vista going to be for employees and walk-in customers. Have you been working with the neighborhood group on the cul-de-sac project?

Asad Aboe said that he asked the neighborhood if they could close the road and put a cul-de-sac there and make the whole parking lot a part of the building. Some residents were for it and some were against it. I had decided that if everyone was not for it, I will not do it.

Commissioner Russell asked are the alleys between Pinehurst and Monte Vista still functioning or have they been abandoned.

Asad Aboe responded they received approval from the City to close the alleys and there is just a gate there so utilities can be accessed.

Commissioner Russell asked if the rest of the alleys are open.

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Greg Moots said that the alley to the east of Pinehurst, behind the adjacent auto repair, does show as open on the City's records. It has not been vacated. Whether it has been closed with a fence does not show up on a parcel map, but it is still right-of-way. Vacated means all utilities have been removed and you are allowed to build on it. Closed means the utilities are still there and you cannot build on it, but you are allowed to close it, park on it or drive on it, but it can be dug up at any time because there are still utilities under there. So, if you build on it they will demolish the building.

Commissioner Russell asked if there is any vehicular traffic to the west, behind and to the south of this property.

Gregory Moots responded that the alley is closed.

Commissioner Russell asked about the façade program in the letter from the Eight Mile Boulevard Association and the Detroit Ice's participation in that program.

Asad Aboe said Detroit Inc., Inc. is re-facing the entire new and existing buildings.

Commissioner Russell asked if the Association has a Design committee that approves the designs.

Greg Moots added that he is on the Design Committee.

Commissioner Gage asked if façade improvements include landscaping and fencing improvements?

Greg Moots said that the façade improvements are to improve the site. It can be improvements to the parking lot, the screening, the building itself, signage, etc.

### Public Hearing

Barbara Hunt said she was confused about the zoning. She had previously attended a meeting that the petitioner had about the property some time ago. It was her understanding at that time there would be no more construction for the ice company on that property because the Zoning Board said they could not do any more building of the ice company onto the property that they had. The only thing that was supposed to be going on for that property was what was already zoned for and they could not add anything. The trucks were not supposed to be on a certain part of that property, only the customers were allowed to park in there. That did not happen. It makes a lot of noise. I am one of the closest properties, about 2 yards away from the property. The owner installed a type of washing machine that made so much noise I could not sit on my deck. Then he built his property upwards. Is there a rule that they can only go so far up? That blocked out a lot of sunlight. Also, he put ice generators on top of the building, which also made a lot of noise. They do not close at 5:00 p.m. That noise in going on sometimes until 11:00 p.m. I do not have a problem with him building the new building. I just do not want him to build the new building and then all of a sudden it starts changing, like it did before. He starts adding what he wants to add and then the noise factor goes up. That is my main concern. What does the zoning really mean?

Gregory Moots said that the current B2 zoning is a low density zoning classification. It is a commercial classification; it is a local business and residential district. The proposed zoning district is B4 which is a general business district. The parking on the west side is allowed in the current B2 zonings. That does not have to be rezoned. The ice manufacture use is not allowed in the current B2 zoning. It sounds like he went to the Board of Zoning Appeals (BZA) twenty years ago and got what would have been a Use Variance to allow ice manufacturing that piece of property, a use you normally could not do. The addition of height and things like that, because he is on a wide street, I am assuming that is why he was able to get a permit for what is taller than

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you could normally do in a B2 zone. If it were just adding something in I am not sure residents would have to be notified. It would depend on what the conditions of the Board of Zoning Appeals grant, which would limit what he can do. When Mr. Aboe went in for his building permits, I am hoping that BSEED checked to see if it was something the BZA grant allowed, the current zoning allowed, and that they reviewed it. To your point, as to if he can do something in the future, once the property is zoned B4 he could add ice manufacturing as opposed to the office use. It would be conditional. That means if he changed that use, he would have to go to BSEED for a conditional land use hearing. Everyone within 300 feet would be notified; the same mailing list that we used for this hearing. I would have to see what the exact threshold is if he wanted to add ice manufacturing instead of office to the western side, where that building used to be that he demolished. I can look at tell you at the next meeting.

Commissioner Carr asked if currently his ice manufacturing is operating legally.

Greg Moots responded, I am not aware of any BSEED violations. It sounds like Mr. Aboe went to the BZA 20 years ago for a use variance to establish the ice manufacturing use. I am not aware of any violations for operating without a permit or illegal expansions. I would be happy to check for you for the next meeting. Current ice operation, because of the BZA grant, allows the use to continue forever. He is here because he wants to expand. His other option would be to go back to the BZA and request the expansion of a non-conforming use. It seemed easier to make it a conditional use instead of always having to go back to the BZA. Staff tries to view going to the BZA as a last resort instead of as a part of the process.

Barbara Hunt said that because of this expansion the property values have gone down, drastically.

Commissioner Carr responded to be fair, in the last 15 years it is not just because of the ice manufacturing.

Barbara Hunt said she was going to make that stipulation. But, a lot of the residents have tried to sell our property and the number one thing that the realtor says is that you have that ice company on the corner and you cannot get the value for the home. That has been said each time. The business does not stop after 5:00 p.m. I just do not want him to expand to the point that I do not have a life any more. He hires riff-raff. The neighborhood is full of winos and prostitutes and a lot of them work at the ice company.

Commissioner Carr asked what the purpose of the building was before it was demolished.

Marcell Todd said transmission repair.

Greg Moots added there is also a collision shop immediately to the east of there, which I've asked BSEED to check on because the B2 use normally doesn't allow collision shops so maybe they also got a BZA grant 20 years ago to establish that business.

Everett King said that when he received the notice of public hearing it appeared that Detroit Ice wanted to join the parking lot and the building together. That was the impression that I got because you used the word adjacent. When you were adjacent, you put it together. That was my interpretation. Now that he explained that it is not going to be joined, I have a better understanding. I am not opposed to him staying on the property that he purchased. I just do not want the street closed.

Waymond Fordham said he does not object to Mr. Aboe adding to the building as long as he does not close Monte Vista off. At the first meeting we had Mr. Aboe was discussing the cul-de-sac. Now I understand it will not happen, I do not object.

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Tami Salisbury, Eight Mile Boulevard Association, said they are the ones facilitating the façade improvement program. The Association has renovated over 20 facades and intend to renovate 20 facades in 2014. When Mr. Aboe came to us and said he wanted to expand his business we were really excited because, unfortunately when people need to expand, they vacate Eight Mile Road and find another location. The Association is in the process of doing conceptual renderings of how the exterior of the building would look. The Association recommended the cul-de-sac for the community as something that the residents may want. We overwhelmingly heard the residents. They do not want a cul-de-sac. We are not pursuing that. The Association is in support of this and we are going through a conceptual design review process. Mr. Moots is Chair of our Design Review Committee.

Everett King suggested Mr. Aboe clean the snow off the streets on each side and in the front. Citizens cannot walk through there and would appreciate if it were cleaned up.

Greg Moots responded that City Code requires all sidewalks be removed and cleared of snow within 24 hours of the snow fall. He should be doing that already.

Commissioner Carr added that since you are here with the owner, maybe you can talk to him after the meeting.

Commissioner Williams said in this area and in many planning arenas the cul-de-sac would be desirable because it would reduce crime. In this particular case, you might solve some of your problems in relationship to crime. Folks do not rob cul-de-sacs as much, basically because they only have one way to get away. Think about it.

Dorothy Bledsoe lives next to US Ice on Monte Vista. Barbara Hunt has already stated how much noise comes out of it. Because my house is the very first one, I get the brunt of all the noise. I was not clear if he wants to build his second structure the same as the first with the towers or generators that he has, which would double not only the noise coming from the generators but also double the noise as far as the PA system, especially in the summertime. In the summertime, there is rainwater coming in my back yard, because of the water that comes out of the towers. It looks like it is raining in my yard. I was not clear about this second structure. Is he going to build it just like the first?

Commissioner Carr said that it is only one structure. He is expanding the one he has. He has said he will make that one the offices and customer/commercial use. He will be able to do whatever he wants if he has a conditional use with it.

Gregory Moots added that presently any use allowed in a B2 zone is allowed on that property. If he wins \$100 million and moves to Florida tomorrow, he can do any use that the zoning allows there now and if it is rezoned to B4 and he wins the lottery and moves to Florida and the ice business closes, any use allowed in the B4 could go on that property. We cannot just look at his proposal. This is not a district where only the exact proposal that is shown can be built.

Dorothy Bledsoe stated that Mr. Aboe wants to change it from a B2 to a B4, what is the reason for that?

Gregory Moots answered that because the ice manufacturing use is not allowed in the B2 zone. He went to the Board of Zoning Appeals, it sounds like, 20 years ago to get a use variance which says you cannot do that but we will allow you to do this specific thing on this specific piece of property. That use can stay there forever. Staff thought it would make more sense to make that use a conforming use, where it is called conditional at BSEED. If he is expanding that use, he now has to go to the BSEED after the rezoning is approved. He could then go to BSEED and say

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I would like to add an ice manufacturing use on the east side of Monte Vista where there used to be a transmission shop. BSEED would then hold a hearing, notifying everyone within 300 feet. Residents could come voice their opinions and BSEED, because it is a conditional hearing, can approve it with conditions. They are allowed to put conditions onto the request. You would have the chance to come and speak and BSEED would have the chance to put conditions upon it.

Dorothy Bledsoe asked if there was anything she could do about the noise?

Gregory Moots responded that unless it constitutes a nuisance of some sort under City Zoning, I would not think so. Unless there is something that Mr. Aboe can install on the cooling towers on the roof that would screen the noise and make it quieter, I do not know.

Commissioner Carr asked if Ms. Bledsoe has talked to Mr. Aboe, because he is here and I am sure he would want to be a good neighbor if he could. Try that after the meeting.

Carolyn Ivory (speaking on behalf of herself and her husband, James) wanted to understand the rezoning. Would it change their zip codes or things like that? There is an alley behind where the transmission shop was, is that his property as well? She is also concerned because previously there was a spill in the neighborhood and the Fire Department asked residents to please close their windows and stay in. You could smell the ammonia. I am concerned about that as far as where the towers are. Also, is Mr. Aboe going to build his new building higher than the older building?

Gregory Moots responded that the black areas of the map on the public hearing notice are the areas proposed to be rezoned. He wants to expand where the transmission shop used to be. He wants to build an office building. He wants to use the property on the other side of Monte Vista for parking. The only thing that the City Planning Commission is looking at tonight is that area. Nothing else changes at all. Mr. Aboe does not own the alley, the City has given him permission to close the alley to people driving through it, but it is not a vacated alley. It is not his property. He can put in a fence, but the fence has to have a gate. Utility companies have to be able to get to the water and power lines that run there.

Asad Aboe responded that the new building will be a little bit higher than the one that used to be there. They are putting a two-story building there, but it is a lower two-story building because the old building used to be 20 feet high and the new building, we are making two-stories, will be 28 to 30 feet high.

Commissioner Simons asked Mr. Todd if he could check with BSEED and BZA to find out what took place 20 years ago when Mr. Aboe received the permit.

Commissioner Carr asked that he include the information in the next meeting.

Marcell Todd agreed.

Public hearing ended at 6:20 p.m.

Commissioner Williams asked if the building being built is structured so that Mr. Aboe can put towers there at some point.

Asad Aboe responded not at this time. I do not think I should be expanding the machinery any more. The equipment that I have over there now is pretty much what I will have. If I do expand, it will probably be in a different location.

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Commissioner Williams asked Mr. Aboe, if he has heard of the breathing problems in the past or the noise problem.

Asad Aboe response was yes; noise in terms of cooling towers. They have them in hotels and supermarkets. I would aim it toward Eight Mile to try to minimize the noise. When the customers come in we call out the orders to the customers through the P.A. System. I could try to play with it a little to minimize it. Direct it towards Eight Mile Road. We have to have some kind of P.A. System to call out things.

Commissioner Williams said that it would be helpful as a good neighbor if you would try to do that.

Asad Aboe said he will work on that. I heard that and want to make sure. I have been there for 20 years and I do as much as I can to work with everybody.

Commissioner Williams added if Mr. Aboe can do what he can to tweak the P.A. System.

Asad Aboe responded, I will work on that.

Commissioner Russell asked about the hours of operation and how long does the manufacturing of ice take.

Asad Aboe responded it is mostly 9-5 or 5:30 pm maybe, this time of year. In the summertime, depending on the weather, we do work longer hours. Usually, we close to the public and then loading the trucks (towards Eight Mile). You can hear the machines inside the building. It is very rare you can hear the machines outside the buildings.

Commissioner Russell said that the noise the residents spoke of was not the cooling towers but the loading of the trucks with the ice.

Asad Aboe said it is the noise of the fan running the cooling towers. Loading the trucks is not much noise.

Commissioner Russell said that the cooling towers are only on when you are manufacturing ice. When you stop manufacturing ice; the noise stops. Is it possible for you to limit the hours you actually manufacture the ice?

Asad Aboe responded we try to limit it as much as we can, but it depends upon demand.

Commissioner Russell asked about the height of the new building, 28 feet, which is less than your existing manufacturing building, and the height of the cooling towers. In the new design, the façade and landscape design can use landscape to mitigate sound. On the southern edge of your property, is that something you would look at including like tall pine trees or even some building materials that could buffer the sound and be more aesthetically pleasing.

Commissioner Carr added that maybe the Eight Mile Association can help you research it to see what the cost would be.

Asad Aboe responded he has no problem looking at it to see if there is something he can do about it. None of my blowers are facing the back. The noise is usually directed towards Eight Mile, away from the neighborhood.



## City Planning Commission Regular Meeting

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Commissioner Russell said that when Eight Mile was originally laid out, I would think the original use, the zoning was B4 or maybe more intense along there and then it was all downgraded. It is B2 now and the neighbors that are there need some consideration.

Asad Aboe said that what he is requesting will not add in any way to what he has been doing the past twenty years. As a matter of fact, he is beautifying the whole building. The majority of my employees are from the neighborhood.

Commissioner Carr said it is always good to hear about businesses that are doing enough to want to expand at this time. Let us hope you can hear the complaints today and work towards improving where you can.

Asad Aboe added when I build the new building I will see if I can do anything about the intercom system.

Commissioner Carr said maybe some digital sign that flashes the numbers.

Commissioner Russell asked if there is a community group or block club in that area.

Gregory Moots said yes. They previously met with Mr. Aboe early December to go over both the proposal and the cul-de-sac. The cul-de-sac portion did not happen because the community expressed their concerns.

Commissioner Russell asked if the new building was presented at that time. Are the Eight Mile Boulevard Association Design Committee meetings open and would the neighborhood groups be invited to that meeting.

Gregory Moots replied that the Eight Mile Boulevard Association is not a public agency. The Design Review Committee is made up of representative/planners from six (6) or eight (8) Eight Mile communities. Generally it is not a public meeting. If the City has Design Review, i.e., Southfield, the designs developed would be presented to the City for their review. Once the designs are developed Mr. Aboe could come to the community meeting and present it. We could certainly request that he present them once they are completed in the near future, before construction begins.

Commissioner Russell said, he knows it is not something that can be required, but if you share something with your neighbors it will get you down the road a little smoother.

Asad Aboe added that the expansion is going to add 6-10 more employees; hopefully, locally from the area.

Gregory Moots said he anticipates bringing this back at the Commission's next meeting for a recommendation. We will be able to get the information you requested from Buildings & Safety Engineering Department and the Board of Zoning Appeals prior to that, as well as develop a recommendation.

Commissioner Carr said that we will hear more information about what happened in the past and make a recommendation for the future.

Public hearing ended at 6:30 p.m.

## City Planning Commission Regular Meeting

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IV. **Unfinished Business** – (none)

V. **New Business** – (none)

VI. **Committee Reports** – (none)

VI. **Staff Report**

Legislative Policy Division staff member, Marcell Todd, discussed the draft of the City Planning Commission meetings scheduled for 2014. Commissioner Russell noted that November 22 is a Saturday and should be corrected to November 20, 2014.

Commissioner Andrews asked if there would be evening community meetings, which should be guided by staff and agenda items that will be of interest to the community.

Marcell Todd responded that staff would facilitate and secure the necessary venue when appropriate. The scheduled can be amended at that time.

Commissioner Carr added that in the past the Commission just assigned a different venue for an already scheduled meeting. She also requested that September 4, 2014 be eliminated from the draft schedule unless there are agenda items that are required. She also noted the letterhead used for the draft schedule is the old letterhead and should be corrected.

**ACTION:** Commissioner Andrews motioned to omit the September 4, 2014 meeting and otherwise accept the schedule as presented. Commissioner Russell second the motion. Motion carried.

Marcell Todd reported to the Commission that LPD staff will request the new City Council to resume taping City Planning Commission meetings.

Marcell Todd reported that when the Water Subcommittee of the Green Task Force presented its Detroit Water Agenda at the December 5, 2013 City Planning Commission, the Commission wanted to convey support of the Green Task Force to the City Council, along with expressions for continuation of the Green Task Force. Direction was given at that time for a letter to be drafted by Commissioner Russell and Kathryn Underwood. When I spoke with Ms. Underwood she informed me that a resolution, distributed to the Commission today, was passed in 2012 in order to initiate this effort and authorize the subcommittee's work underneath the Task Force. Newly elected Council Member Scott Benson from District 3 will be taking over the work of the Task Force, so it will continue. What that will necessitate is an action by City Council to re-establish that Task Force. Staff recommends that this resolution be reaffirmed. If there is anything you would like to add to this resolution, we can do that, as well as the accompanying letter from the Commission indicating its specific support of what was presented. Staff is looking for clarification of the action that the Commission previously took.

Commissioner Carr said it will be efficient if the Commission includes items such as the commission of Citizen's Review Committee, and other issues that we regularly see put aside for a few years and then come back up. Just give a "this is what we've seen has worked" letter. If you think it is better to have each item on different letters that is fine.

## City Planning Commission Regular Meeting

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Marcell Todd said given what we have seen already from the new City Council this week, they expressed their interest in getting a very clear understanding as to how the Council operates, some desired changes and a very clear desire to better understand its staff, Boards and Commissions. We will be looking to invite the President and all the Council Members, certainly the Council Members who are part of the Planning & Economic Development Planning Standing Committee. Council Member Gabe Leland, who represents District 7 is the Chair of the Committee. Council Member Scott Benson is the Vice Chair and he represents District 3. Council Member Mary Sheffield, who represents District 5, is the third member. There are a number of items still within your rules that need to be addressed both with respect to the Planning Enabling Act, the Zoning Enabling Act, as well as the Charter. As staff has been reviewing the two Acts, we have found things that both CPC staff and the Law Department has missed over the last 6-7 years. Minor, but they are now leaping off the page to us. Staff can present those items to you at your next meeting or the meeting thereafter.

Commissioner Williams asked if the new Council has decided to keep the same structure as it relates to the Committees.

Marcell Todd answered, that is correct. In that Committee Structure was established pursuant to the provisions of the previous Charter, the (New) Charter actually recognizes and has codified that structure. That was one of the issues presented earlier this week by Council President Pro Tem Cushingberry. They are looking to make some changes, so they will be looking at their rules and they will be looking at the applicability of Charter provisions and other provisions within the Home Rule Cities Act to see where they have latitude. Council is looking to do as much streamlining as they can in order to improve their operations.

Commissioner Andrews asked if Mr. Todd can have a list of all the Council Members, their e-mail addresses and telephone numbers and then the list the Committees that they are on or Chair.

Marcell Todd answered that normally we would have been able to provide you with that today, but some of the other Charter changes have resulted in a delay in reconciling things such as the space in the chambers Council Members occupy. The previous Charter indicated that the top two vote getters would be President and President Pro Tem. The succession of votes also tied, in some instances at least, to the parking space that a council person would be assigned to, the office, etc. That no longer being the case, those things could not be addressed until their first meeting. In some instances, Council Members and their staff do not even have telephone numbers, office space or e-mail yet. Hopefully, the information will all be available on January 23<sup>rd</sup>.

Commissioner Andrews asked how the Citizens Review Committee and CDBG will be addressed.

Marcell Todd answered that the leadership at Planning & Economic Development Department (PEDD) is in the process of being changed. Mr. Anderson resigned effective the end of the year. He was not asked to stay. Unfortunately, Ms. Winters was let go. With that, the Block Grant, along with a number of other things, stands in limbo. Staff is unsure when CDBG will happen because nothing has been done and authorized by the Emergency Manager's Office in order to finalize a process in order for staff to prepare the RFP and to set up workshops and submission dates.

Commissioner Andrews asked if Mr. Todd if he could keep the Commission apprised of the status.

Marcell Todd responded yes. Dr. Bolger is back working with the Legislative Policy Division (LPD). It does not appear that we will bring on anyone else to provide additional clerical assistance. The LPD, working with the Internal Operations Committee which is now Chaired by Council Member Spivey, will once again request that they address the vacancy on the Commission. Council Member Benson, District

## City Planning Commission Regular Meeting

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3, which is the district that is currently vacant on the Commission, has identified an individual and a resume has been submitted. I am waiting for him to formally submit that to the City Council. Hopefully, that is something that can be rectified shortly.

Commissioner Carr asked if LPD can take interns.

Marcell Todd replied that he has discussed it with Mr. Whitaker. There have been two individuals who have come forward and presented themselves as candidates who would take on responsibility without compensation. We have two problems with that, and one is office space. Analine Powers, formally with the Research and Analysis Division as a Parliamentarian, came back on a part-time basis.

Commissioner Williams asked who else is on your (CPC) staff at this point.

Marcell Todd answered that would be myself, Mr. Moots and Ms. Underwood, Ms. Chapman and Ms. Braynon from Historic Designation, and now Dr. Bolger. The six contractual positions that were previously set aside for the former CPC and HDAB staff are now filled. However, in Dr. Bolger's case it is only filled 20 hours a week.

Commissioner Carr said that you have room for 20 hours. Maybe you can get a student, especially for the clerical work.

Marcell Todd said I will see what we can do. We will attempt to do that.

Mr. Todd continued with his report noting that at the end of October, Commissioner Simons reported some concerns with 8222 Joy Road, the location of zoning that the Commission acted on in early 2013. It was a rezoning from B2 to B4 in order to provide for the establishment of an Adult Foster Care (AFC) in a former school building. Commissioners will recall the community concerns, issues with the petitioner, etc. Mr. Simons reported that his neighbors had noticed some activity taking place. At his and the Commission's request staff did ask BSEED to go out and inspect the property. BSEED's initial findings found that no permits had been pulled. It is clear that none of the work that was anticipated or necessary to establish an AFC had been done and no occupancy permit had been issued to allow for anything to take place there. BSEED did inspect in late November and found an illegal operation. They were issued a notice to vacate the premises on December 6<sup>th</sup>. BSEED will go out to see if in fact they have done so and they will follow-up with appropriate action going forward. If that is what they want to establish, they will still have to go through the proper procedures and go through another conditional hearing process.

Commissioner Simons said that the petitioner came before the Commission and had two meetings in the community; one meeting at the location. She was so sure she was going to have an Adult Foster Care. She came to this Board and we approved it. I said to her at the time to make sure you follow the rules of the neighborhood so you will be happy there. She did everything but that. Now, she is opened up a half-way house. I wish you would take this information back to Council for me.

Commissioner Williams asked do we rezone it for a half-way house?

Marcell Todd answered, as Mr. Moots gave the explanation about B2 or B4 rezoning, we cannot rezone it to a specific use.

Commissioner Williams asked if a half-way house in the zone.

Marcell Todd responded that it is conditional.

## City Planning Commission Regular Meeting

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Commissioner Russell said that the Commission took those properties from a B4 to a B2, so we made it less intensive, because in a B4 they could have done that without condition. It is a good thing that we did rezone it because now you can shut them down because it is conditional.

Marcell Todd reported that City Council came back on December 20, 2013 to deal with the Catalyst Project, which was before the Commission in September. The Catalyst Project is the requested amendment to the DDA boundary and the revision of the TIFA in order to facilitate the events center for the Red Wings north of I-375 and west of Woodward Ave. The matter was delayed in that it was originally supposed to be heard and acted upon in November, was delayed because of concession agreement between the DDA and Olympia Development of Michigan (ODM) who would be operating the facility needed to be ironed out. City Council did act to approve the amendment to the DDA boundaries to include this expansion and also the TIF. The third item, which was necessary for the matter to move forward, the transfer of city-owned land, was held and referred to the new City Council in order to address Council's primary concern, the lack of commitment in job creation opportunities for Detroiters. In the past, there was proposed a minimum commitment of 30%. For the casinos we got a 51% commitment as a minimum and the casinos have been able to meet that. In this case ODM was not willing to make any specific commitment for a minimum number of jobs for Detroiters. They have the general language in there, minus a specific number. As a result of that primary issue and I think a number of other concerns for community benefits in general or maybe a community benefits agreement and a number of other concerns raised by Council Members and the public that spoke. The matter was held in order that a working group might be formed among the City, DDA, the developer and community members to begin to talk about some of these issues. We had an initial meeting today. It did not include community representatives, but did include City staff (Law and Planning & Development Departments, Legislative Policy Division) the developer as well as three Council Members, at one point, the Council President Brenda Jones, Council Member Casteñeda-López from District 6 and Council Member Sheffield along with their staff and staff representatives from other City Council offices were present. It was quite a productive and thorough discussion. There is clear agreement that some sort of community advisory groups should be formed that could not only advise this project through construction, but maybe even through operation, in order that there would be a community voice. This would be purely advisory and voluntarily. It would not supplant the DDA requirement for the downtown CDC to play that sort of role officially.

Commissioner Gage asked who agreed to that.

Marcell Todd said that no one agreed, there was consensus that is the direction that should be taken. To put it in the context of one of the representatives, Greg Solomon with Motor City Casino, what we were having were the same sort of discussions that we are having about the casinos. We presented issues to them that are the sorts of things that will have to be dealt with the zoning and the design review. Issues that were previously laid out by the community in public comment and are the sorts of things that were addressed by the casinos. We still left room to talk about commitment to jobs, for youth programs and things of that nature. We are trying to set a context wherein the dialogue can occur and we are hoping at the next meeting that we will have commitment, at some level, of the things that they will be willing to work with and establish a minimum baseline that the community can go with. That understanding will be part of the conditioning of the land transfer so that it can move forward. February 4, 2014 has been identified as the date for the land transfer to be acted upon. They are more willing to talk about these things now because it is getting to crunch time. They will be at risk of losing the window for the bond market. As they said they have opened up the doors in the community meetings that they have had. But in spite all of the groups that came forward and spoke on the 20<sup>th</sup>, there is only one group, The Corridor Alliance, has actually presented them with anything. Council Member Casteñeda-López has taken the lead and will work with staff and have a community meeting next week. That completes the staff report.

## City Planning Commission Regular Meeting

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Commissioner Andrews said that she knows the Law Department is transitioning once again. There were a number of items like the Golf Club that is two-years old now. Do you need to reintroduce that to the Law Department? How do we get resolution on those things?

Marcell Todd responded the new Corporation Counsel, Mr. Butch Hollowell, is meeting with everyone across the board. Legislative branch of government, and not just with Directors, he is meeting with staff. He wants to get a full handle. He gave, what some has termed, one of the best interviews that an appointee has ever given the City Council, because he came in prepared. Mr. Hollowell did come and speak with myself and Mr. Whitaker. He would like to sit down and talk about those issues. With respect to the Golf Club, I have mentioned it to Mr. Beckett and Mr. Gerald Hudson. Given the passage of time, once we finally get it out of the agency, it will make sense to bring it back for the Commission to reaffirm its action and then forward it on to the new Council. That is one of the things that Mr. Hollowell would like to talk about as well as the other items that you have acted upon and we have yet to convey to the Law Department for approval as to form. He wants to get an understanding what the process has been, where the problems have been and see what can be done to streamline.

Commissioner Andrews said that my concern is that people have not heard anything in so long that some of them may go on operating anyway because they feel there is no real checks and balances and no one is enforcing anything.

Marcell Todd said that, while I agree with the Commissioner's remarks, I will remind you that about a year ago BSEED did begin its SWAT operations and it is what has actually boosted business to CPC and the BZA, because they are doing the work that they should be doing. Geni Giannotti, former Director of BSEED under the Archer Administration, has been brought back by Mayor Dugan and has relieved Mr. Bell who was Acting Director. Mr. Bell is going to be Executive Manager and continue to be the building official, as he is the person with the credentials to hold that title. Letting people know that the City is serious, turning a new leaf and trying to clean up the City to the benefit to those businesses that do operate properly and those residents and other citizens of this City can know they and others are being held to the same measure in order for us all to operate underneath the same set of applicable regulations.

**VIII. Communications – (none)**

**IX. Public Comment – (none)**

**VIII. Adjournment (meeting adjourned at 7:10 p.m.)**

**ACTION:** Commissioner Simons moved to adjourn the meeting. Commissioner Russell second the motion. Motion carried.

/ss

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Lesley C. Carr, Esq.  
Chairperson  
Lisa Whitmore Davis  
Vice Chair/Secretary

# City of Detroit

CITY PLANNING COMMISSION  
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Brenda Goss Andrews  
Thomas Christensen  
Karen M. Gage  
Frederick E. Russell, Jr.  
Arthur Simons  
Roy Levy Williams

**TO:** City Planning Commission

**FROM:** Gregory Moots, staff *GM*

**RE:** Modification of Planned Development (PD) zoning district in the Elmwood Park #3 Urban Renewal area at 1300 McDougall Drive to allow for the construction of VOA Bradby Place Apartments, consisting of 85 units of multi-family and single-family buildings (RECOMMENDING APPROVAL)

**DATE:** January 20, 2014

The City Planning Commission (CPC) staff has received a site plan review application from Fusco, Schaffer and Pappas Inc, on behalf of Volunteers of America, for the review of a project in a PD (Planned Development) zoning classification. The subject site is located south and west of Robert Bradby Drive, north of Lafayette Street. This review is different than that customarily followed in a PD district, because the property is in an Urban Renewal area (Elmwood Park #3) and the Project Plan supports the PD where you do not have a previously approved site plan - hence an ordinance is not required: action may be taken via resolution.

The CPC review of this development took place at your October 3, 2013 meeting. The design of the project has substantially changed since the October presentation, both aesthetically and to change it to what would only require a minor modification to the Elmwood Park Urban Renewal Plan, both of these areas in large part at the suggestion of Planning and Development Department (PDD) staff. To staff's understanding, there is no Citizen's District Council presently constituted; hence there has been no Citizen District Council (CDC) review. Upon the completion of the CPC review and the resolution of any outstanding issues, staff will forward the necessary resolution to City Council for consideration.

## PROPOSED DEVELOPMENT

In response to the various concerns raised when this matter was first presented to the CPC the request has changed from a 65 unit, three-story apartment building and 20 units in 4 "cottage"/single-family four and six-unit attached one (1) story buildings. The revise proposal is for a three (3) - story independent senior living apartment building with a mix of 55 one bedroom units and 27 two bedroom units for a total of 82 units, all for independent living for seniors.

The Elmwood Park 3 Urban Renewal Plan designates the site as medium density residential, where apartments and townhouses can be allowed. The plan provides 43 parking surface spaces (including 20 in carports) for the apartments, for a ratio of 0.5 spaces/unit, which is an average

between the requirements of the Development Plan (.33 cars/ unit) and the Zoning Ordinance (.75 cars/unit). As a result, the parking lot has been consolidated and condensed to a smaller area to serve fewer cars. The accessible parking is located adjacent to the drop off area, giving mobility to impaired residents and visitors easy and quick access to front door.

The entrance to the apartment building would be from the north-west. To the west of the site exists a public greenbelt with a walkway. Interior to the site and adjacent to the apartment building courtyard would be an open area of grass and trees with two (2) rain gardens. Substantial landscaping is shown on the southern edge of the site, screening the development from the existing residential to the south.

Access to the parking lot would be from Bradby Drive on the north. Access for services such as deliveries, emergency vehicles, rubbish removal and move-ing are provided via the service entrance on the south side of the building. The total paving area has been significantly reduced from the last submission. The site is proposed to be enclosed with a five-foot tall, wrought-iron style fence. The gate at the entrance to the parking lot would be controlled via access cards.

The proposed buildings in this phase of the development will occupy approximately 15% of the available land area, with a 42% Floor to Area Ratio (FAR). The building footprint area has been reduced substantially from the last submission, providing more open space on the site.

The proposed storm drainage system will be designed using "green infrastructure". Building roof and surrounding grade area storm water will be stored and treated at a series of rain gardens sized for the first - flush event, prior to being discharged to a conventional storm system. Entry-side parking and grade drainage will be served by catch basins furnished with traps. The storm water system will drain to the existing storm water outlet at the Northwest corner of the project site and be sized for the 10 - year storm event per DWSD requirements.

The building is primarily clad in a reddish brick with 8 inch horizontal hardi-siding. The upper story units have balconies and the ground-floor units would have a small patio area. The drop-off area for the main entrance is covered. The roof-line from the rear was previously unbroken, but this has fortunately been revised to a flat roof with elevation changes. While the style of design does not match some of the adjacent developments it does match the high-rise tower to the west and structure in the greater area.

## **SURROUNDING DEVELOPMENT**

To the north: multifamily residential, PD

To the south: multifamily residential, PD

To the east: multifamily residential, PD

To the west: multifamily residential high-rise, PD

## **APPROVAL CRITERIA**

The following are the relevant site plan approval criteria from Sections 61-3-151 through 61-3-167, with staff analysis following in italics.



Sec. 61-3-152. Compliance with master plan. *The Master Plan designation is Medium Residential, which appears appropriate.*

Sec. 61-3-157. Surroundings.

All elements of the site:

(1) Shall be harmoniously and efficiently designed in relation to the topography, size, and type of lot and in relation to the topography of the surrounding neighborhood; and

(2) Shall be consistent, to the extent practicable, with the character of the adjacent sites and buildings and of the surrounding neighborhood. *The PDD feels that the modified design is more consistent than the previous proposal.*

Sec. 61-3-158. Open spaces, landscaping, screening, and buffering. The type, dimensions, and character of open spaces, landscaping, screening, and buffering shall enhance the design, character, use, and value of the property and abutting lands. *There appears to be an appropriate amount of open space and landscaping. The screening of the parking from the adjacent road has been addressed in part by a 30 inch high evergreen hedge.*

Sec. 61-3-160. Aesthetics. To the extent practicable, the type, dimensions, and character of open spaces, landscaping, earth berms, fencing, screening, buffering, signs, walls, and other site features shall be designed and located on the site so that the proposed development is aesthetically pleasing and harmonious with nearby existing or future developments. *The site features appear to be appropriate.*

The following are the relevant PD District design criteria from sections 61-11-15, with staff analysis following in italics.

(b) Scale, form, massing, and density. Scale, form, massing and density should be appropriate to the nature of the project and relate well to surrounding development. *While the density is relatively unchanged from what was previously proposed, at the request of the PDD the form has been made more urban and that form is generally perceived as more dense.*

(c) Compatibility. The proposed development should be compatible with surrounding development in terms of land use, general appearance and function, and should not adversely affect the value of properties in the immediate vicinity. *The use and function seem compatible. The appearance is discussed above.*

(j) Screening. Appropriate buffering and screening of service, loading, refuse collection, mechanical and electrical equipment and of parking areas should be provided. *Parking along the street is buffered. The dumpsters are enclosed in a masonry enclosure. Interior landscaping of the parking lot has been added.*

(t) Urban renewal areas. In addition, in urban renewal areas, the preliminary site plan must conform to the design criteria as stated in the adopted Urban Renewal Development Plan and the Declaration of Restrictions, except as may have been authorized as a minor deviation by the Board of Zoning Appeals in accordance with Sec. 61-2-53 and Sec. 61-4-3. *The Planning and Development Department (PDD) has determined that the revised proposal while more compliant than the previous version will require review as a minor deviation.*

## ANALYSIS

At the October 3 discussion on this matter, several questions were raised. These included the walkability of the site, which has been improved with a path around the rain garden to the south. Also discussed was the inclusion of sustainable concepts, which has been substantially strengthened with the rain gardens. Other measures were presented by the petitioner at the discussion. The scale of the development is 17 units/acre, a relatively low density, and this triggers the minor modification process. The roofline of the building has been improved through elevation changes. The removal of the “cottages” creates the impression of a denser more urban development.

The Citizens’ District Council has not yet reviewed the project. Staff is unsure if the CDC is even constituted at this time. We are awaiting the determination of the PDD as to whether or not the CDC will have to be reconstituted.

### **RECOMMENDATION**

The developer has worked to address the concerns raised by PDD staff and by the CPC. The minor deviation from the development plan created by the lower-than-required density will necessitate the approval of the Board of Zoning Appeals. Staff recommends the approval of the proposed development, acknowledging that a parallel approval by the BZA will be required prior to City Council’s approval of the proposal and that CDC action is yet to be addressed.

### **Attachments**

# VOLUNTEERS OF AMERICA VOA BRADBRY VILLAGE SENIOR INDEPENDENT LIVING

## MICHIGAN

## DETROIT

### LIST OF DRAWINGS

**CIVIL ENGINEERING:**  
1.1 PRELIMINARY PLANS

**ARCHITECTURAL:**  
1.1 ARCHITECTURAL PRELIMINARY PLANS  
1.2 ARCHITECTURAL PRELIMINARY PLANS  
1.3 ARCHITECTURAL PRELIMINARY PLANS

### DEVELOPMENT TEAM

**SPONSOR**  
VOLUNTEERS OF AMERICA MICHIGAN  
SOUTHFIELD, MICHIGAN

**ARCHITECT**  
FUSCO, SHAEFFER & PAPPAS, INC.  
30800 NORTHWESTERN HWY., SUITE 100  
FARMINGTON HILLS, MICHIGAN 48334  
248.921.8300

**CIVIL ENGINEER**  
ZEMET WOZYAK AND ASSOCIATES, INC.  
5500 GRAND RIVER, SUITE 100  
NEW HUDSON, MICHIGAN 48165  
248.437.5099

### SUMMARY TABLE

#### SITE DATA

SPRETTI TITLE, INTEREST, AND DIMENSIONAL DATA, APPROVED AS REQUIRED BY OR "ALTERNATE" BASIS ON RECORDING SYSTEMS.

LOT SIZE: 28,013 SF  
TOTAL AREA: 174,478 SF

ZONING: P-1 (PLANNED/DEVELOPMENT DISTRICT)

DENSITY: 1.0 UNITS PER 1,000 SF

MAXIMUM HEIGHT: 35 FT

MINIMUM SETBACK: 5 FT

MINIMUM FRONT SETBACK: 5 FT

MINIMUM SIDE SETBACK: 5 FT

MINIMUM REAR SETBACK: 5 FT

MINIMUM CORNER SETBACK: 5 FT

MINIMUM OPEN SPACE: 10 FT

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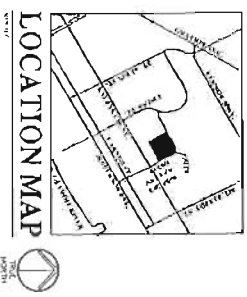
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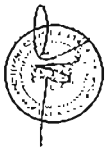
MINIMUM OPEN SPACE: 10 FT



DATE	ISSUE
02/20/10	NOTICE OF REVIEW
03/10/10	ISSUE FOR REVIEW
04/10/10	ISSUE FOR REVIEW
05/10/10	ISSUE FOR REVIEW

SIGNATURE BLOCK	
OWNER	DATE
_____	_____
ARCHITECT	DATE
_____	_____
GENERAL CONTRACTOR	DATE
_____	_____
UTILITY COMPANY	DATE
_____	_____

**FUSCO, SHAEFFER & PAPPAS, INC.**  
ARCHITECTS AND PLANNERS  
CORPORATE OFFICE: 30800 NORTHWESTERN HWY., SUITE 100, FARMINGTON HILLS, MI 48334  
TELEPHONE: 248.921.8300  
FAX: 248.921.8301  
WWW.FUSCOARCHITECTS.COM



#### BUILDING DATA

NUMBER OF UNITS: 28

TYPE OF UNITS: SENIOR INDEPENDENT LIVING

NUMBER OF STORIES: 2

TYPE OF FOUNDATION: CONCRETE

TYPE OF ROOF: FLAT

TYPE OF WALLS: CONCRETE

TYPE OF FLOORING: CARPET

TYPE OF FINISHES: PLASTER

TYPE OF PAINTS: PEARL

TYPE OF GLAZING: GLASS

TYPE OF MECHANICAL: HVAC

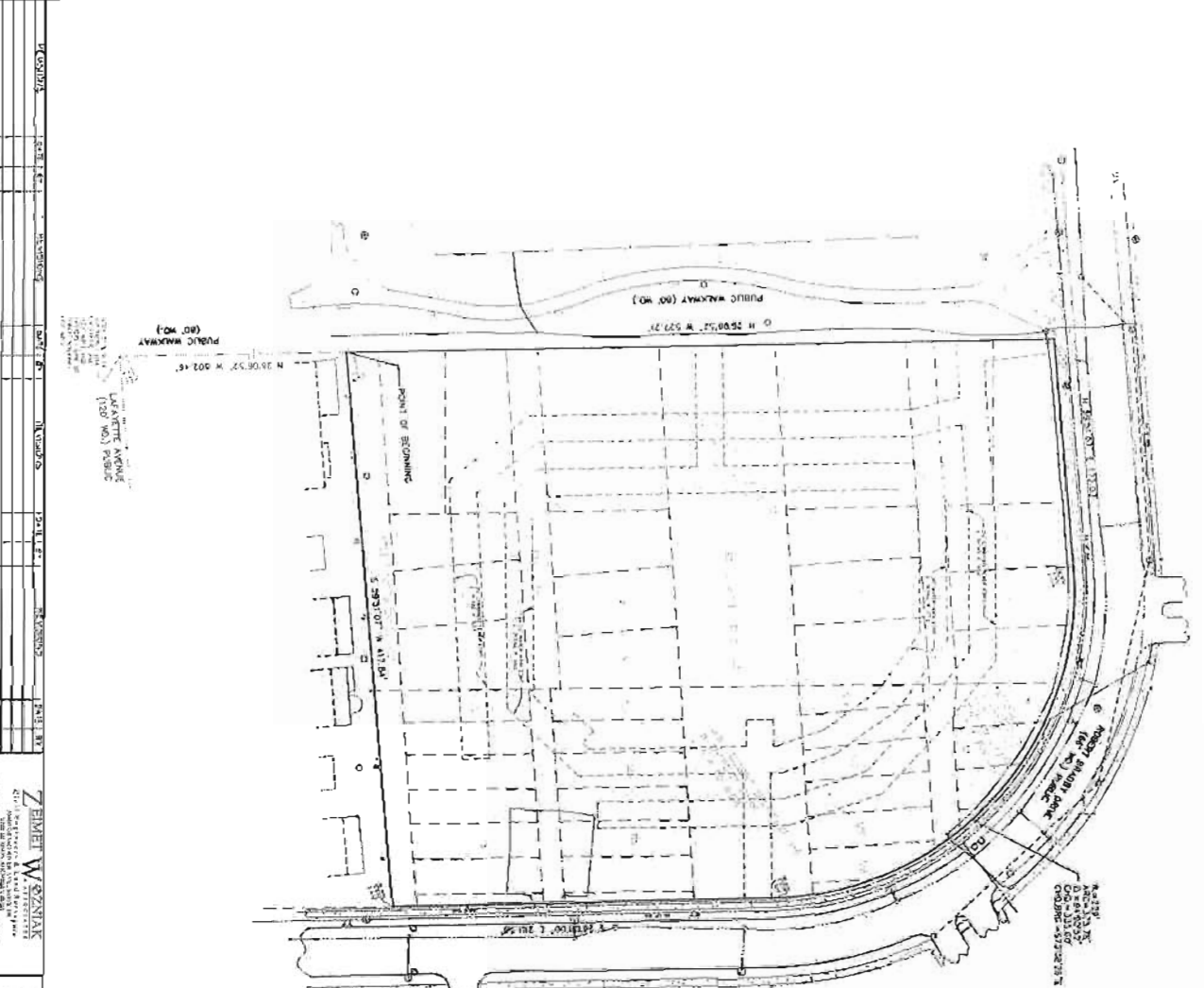
TYPE OF ELECTRICAL: 120V

TYPE OF PLUMBING: CUPRO-NICKEL

TYPE OF SANITARY: CERAMIC

TYPE OF EXTERIOR FINISHES: BRICK

TYPE OF INTERIOR FINISHES: CARPET



LEGEND	
—————	BOUNDARY LINE
—————	PAVED ALLEY
—————	FEED LINE
—————	CONCRETE DRIVE
—————	WATER MAIN
—————	UNDERGROUND WATER MAIN
—————	SEWER LINE
—————	UNDERGROUND SEWER
—————	RAVINE
—————	ROAD CENTER LINE
—————	RAILROAD TRACK
—————	PAVED DRIVE
—————	DIRT DRIVE
—————	WATER MAIN
—————	SEWER LINE
—————	RAVINE



**LEGAL DESCRIPTION:**

LAND IN NW 1/4 OF SECTION 36, T4N, R10E, S11W, SECTION 36, T4N, R10E, S11W, COUNTY OF ...

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**SHORT NOTES:**

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20. ...

**SCHEME B - SECTION EXCEPTIONS:**

1. ...

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7. ...

8. ...

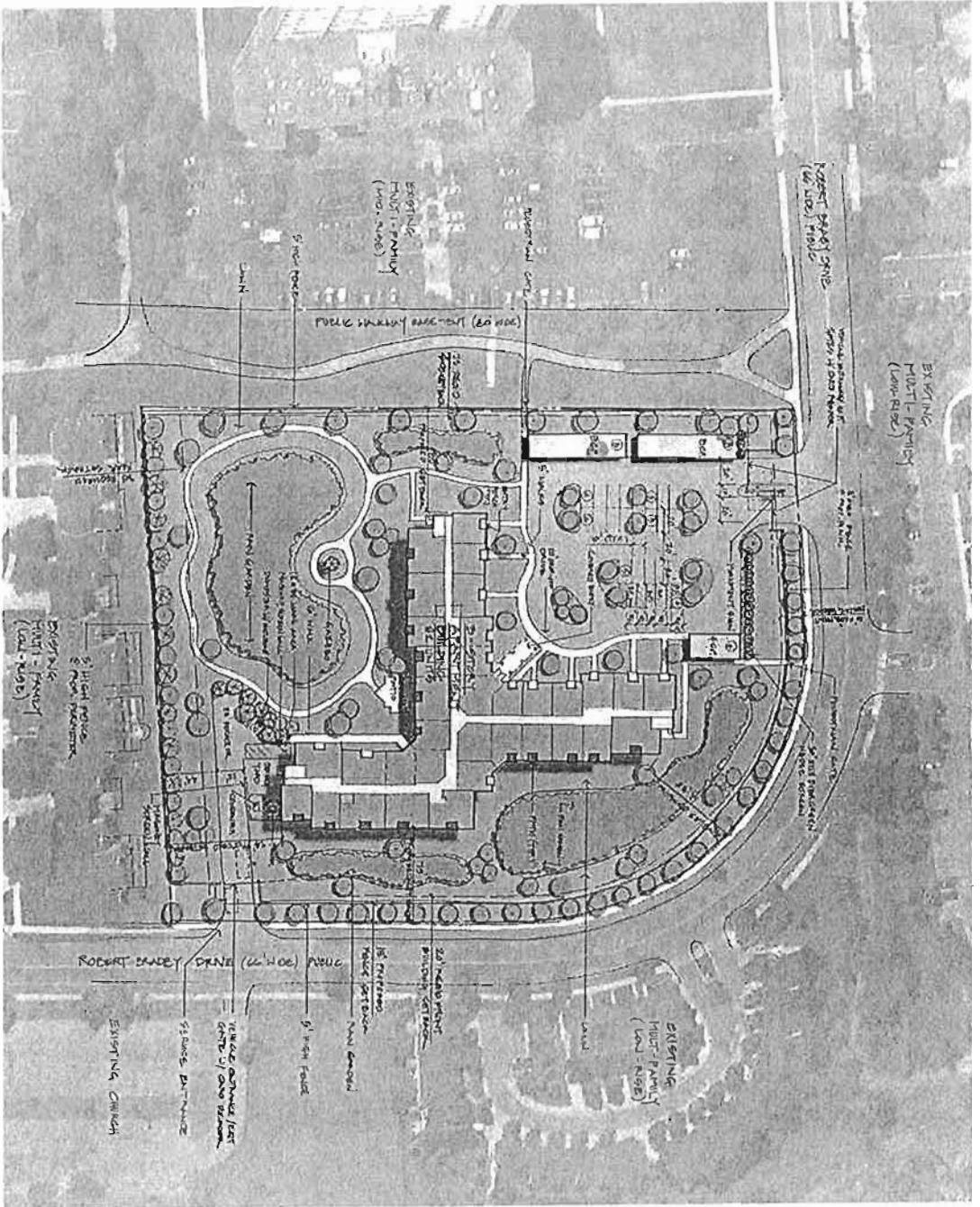
9. ...

10. ...

**CERTIFICATION:**

I, the undersigned, being a duly licensed and sworn Professional Engineer, do hereby certify that the foregoing is a true and correct copy of the original survey records as the same exist in my files, and that the same were prepared by me or under my direct supervision and control.

DATE	11/11/2010	BY	[Signature]
SCALE	AS SHOWN		
TITLE	ALTA/ACSM LAND TITLE SURVEY		
OWNER	VOA BRADBY		
PREPARED BY		DATE	
ZIMMET W. SZYMAK		11/11/2010	
CHECKED BY		DATE	
[Signature]		11/11/2010	
NO. OF SHEETS: 13			
SHEET NO.: 13			



PROPOSED  
**SITE PLAN**

**SITE DATA**

NOTE: THIS SITE INFORMATION AND PROFESSIONAL DATA WERE  
 AS-FOUNDED OR "AS-IMAGED" IS BASED ON R.S. SURVEY  
 25460-2011.

**LOT SIZE** 204,493 S.F.  
 4.63 ACRES

**ZONING** R3 TRIPLANED DEVELOPMENT DISTRICT

**PARKING REQUIRED** 26.31 ACRES  
 0.33 PARKING SPACE FOR EACH (1) UNIT  
 @ 300 PREFERRED SPACES

**PARKING PROVIDED** 43 SPACES  
 50% OF REQUIRED PARKING SPACE  
 INCLUDING 20 CARPools

**PAVING AREA** 30,345 S.F.

**GRASSY** 173,000 S.F.

**STACKS** REQUIRED 49,070 S.F.  
 (ASBESTOS)  
 30' 30' 30' 30'  
 30' 30' 30' 30'  
 30' 30' 30' 30'

**RECREATION AREA** 50,000 S.F.

**LOT COVERAGE** 14.5%  
 LOT COVERAGE (INCLUDING PARKING)  
 BUILDING FOOTPRINT - PAVING AREA / TOTAL LOT  
 29,841 S.F. + 20,504 S.F. / 204,493 S.F. = 14.5%  
 MINIMUM REQUIRED 5%

**FLOOR AREA RATIO** 11.25%  
 FLOOR AREA / GROSS FLOOR AREA OR  
 29,841 S.F. / 265,000 S.F. = 11.25%

**BUILDING DATA**  
 BUILDING FOOTPRINT AREA 29,841 S.F.  
 GROSS APARTMENT BUILDING AREA 27,841 S.F.  
 1ST FLOOR AREA 27,841 S.F.  
 2ND FLOOR AREA 0 S.F.  
 GROSS BUILDING FLOOR AREA TOTAL 27,841 S.F.

**GROSS AREA PER UNIT** 1,041 S.F.  
 27,841 S.F. / 26.7 UNITS

**BUILDING HEIGHT** 37'-0" (10 STORIES)  
 BUILDING HEIGHT (TO TOP OF 1ST OR  
 2ND FLOOR SURFACE)

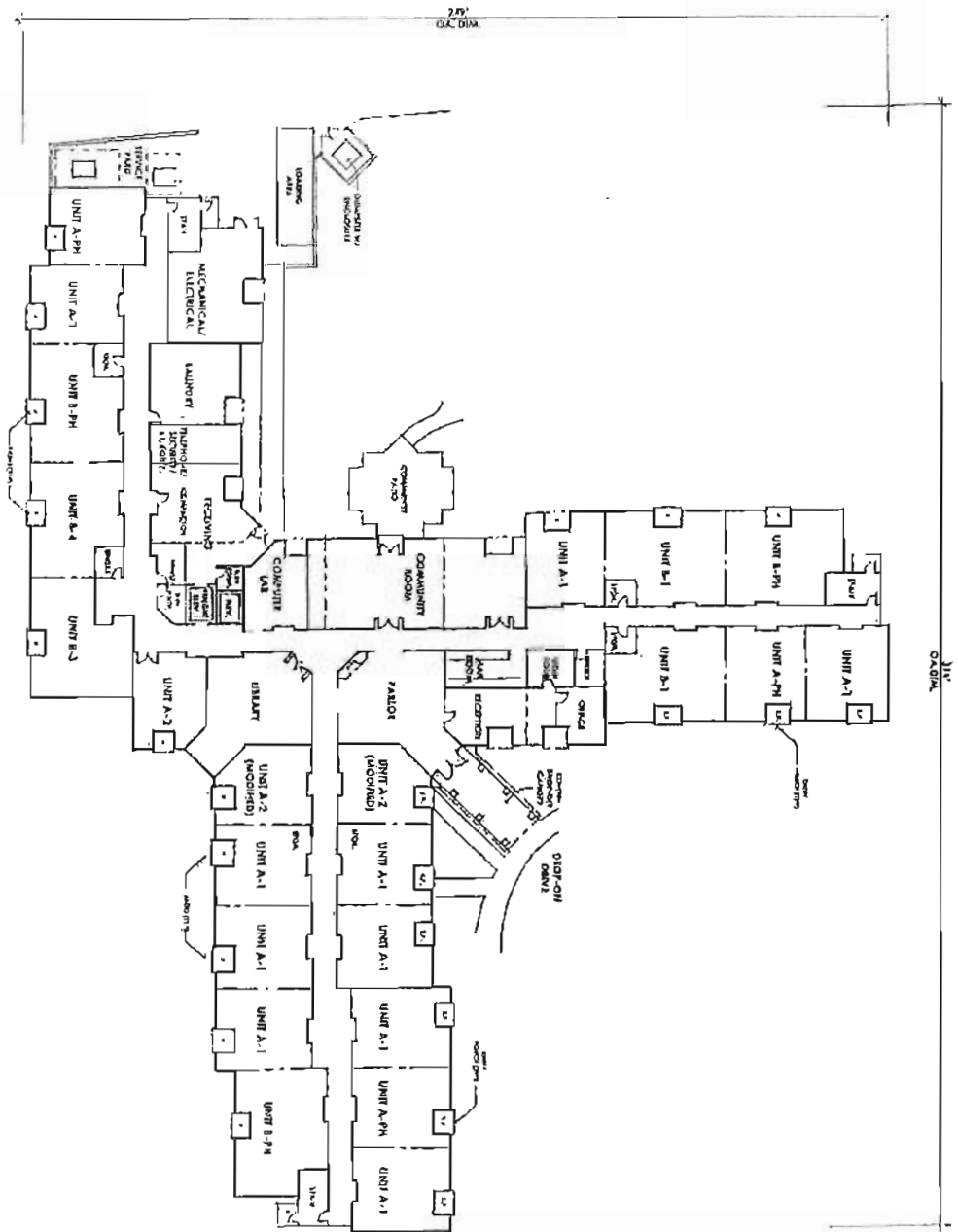
**COMMON SPACE** 5,435 S.F.  
 GROSS AREA COMMONS  
 % OF GROSS BUILDING AREA 8.9%

**UNIT COUNT DATA** 51 UNITS  
 1 BEDROOM 20 UNITS  
 2 BEDROOM 31 UNITS  
 TOTAL 51 UNITS

**VOLUNTEERS OF AMERICA MICHIGAN**  
**BRADBURY VILLAGE**  
 DETROIT, MICHIGAN

**WSP ARCHITECTS**  
 SHAPIRO &  
 PAPPAS, INC.  
 ARCHITECTS AND INTERIORS

JANUARY 13, 2015  
 AS 101

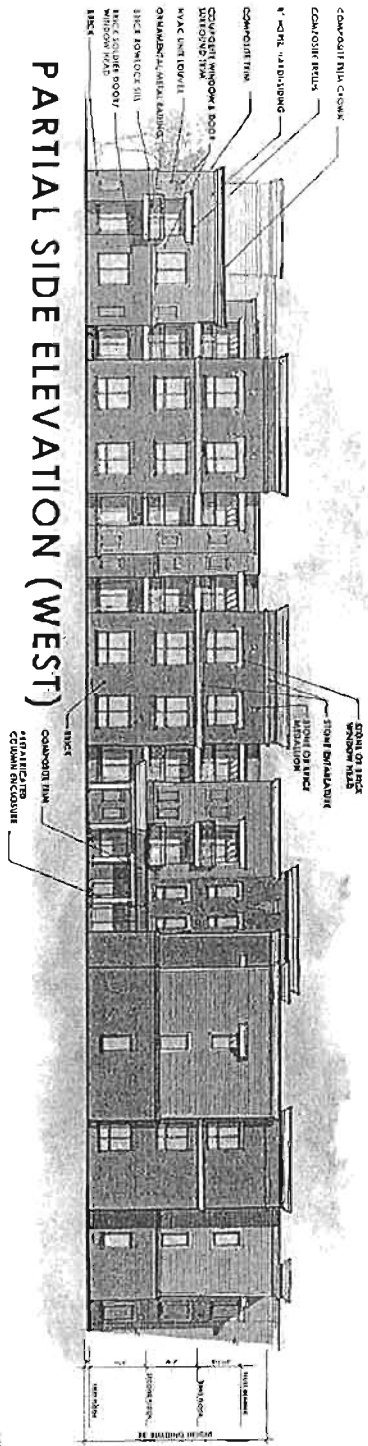


PROPOSED  
**FIRST FLOOR PLAN**

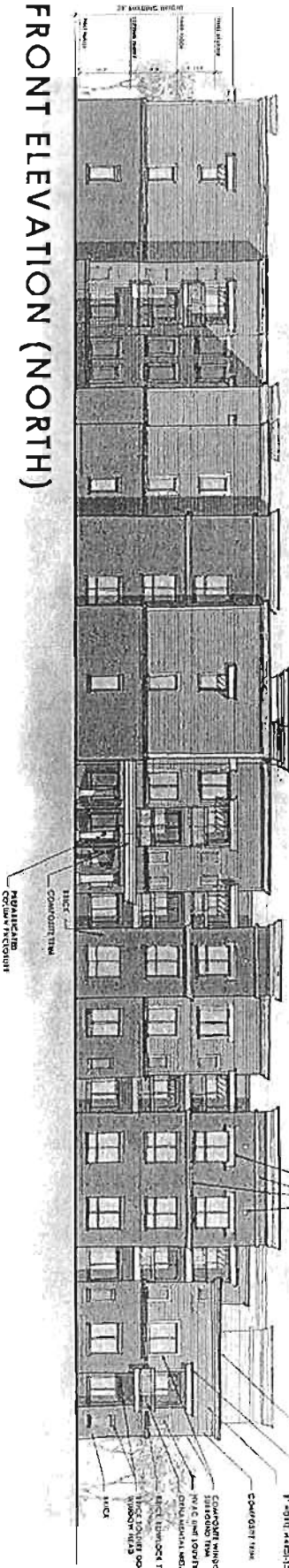
VOLUNTEERS OF AMERICA MICHIGAN  
**BRADBY VILLAGE**  
 MICHIGAN

PSD/FUSCO  
 SHAEFER &  
 PAPPAS, INC.  
 ARCHITECTS/INTERIORS

January 13, 2014  
 A-101



PARTIAL SIDE ELEVATION (WEST)



FRONT ELEVATION (NORTH)

PROPOSED  
ELEVATIONS

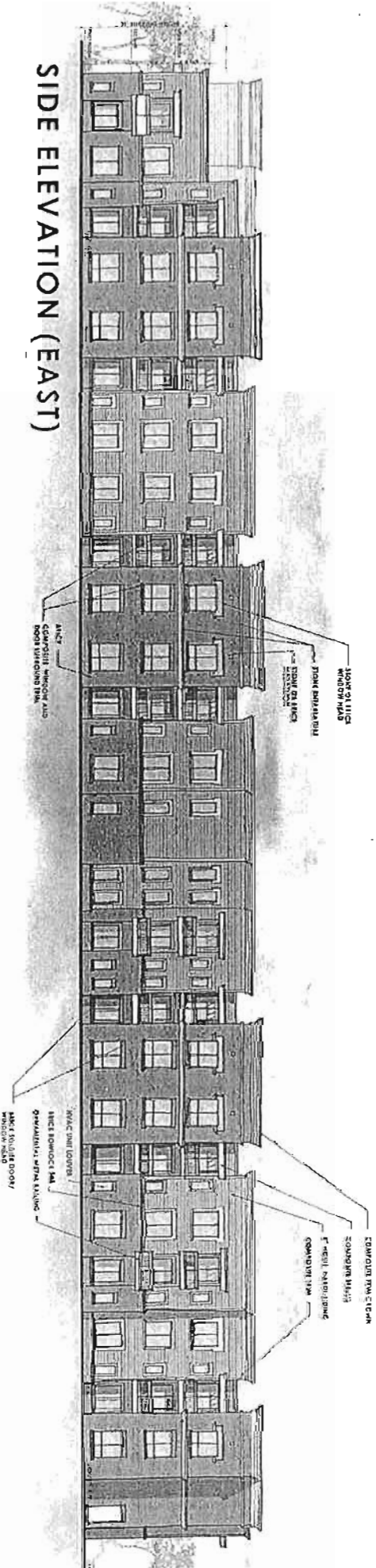


VOLUNTEERS OF AMERICA MICHIGAN  
BRADBAY VILLAGE  
MICHIGAN

RSPD PUSCO  
SHAFFER &  
PAPPAS, INC.  
ARCHITECTS AND INTERIORS  
1000 WESTLAND AVENUE, SUITE 100  
ANN ARBOR, MI 48106  
TEL: 734.769.4300 FAX: 734.769.4301

ANALYST © 2014  
A 201

**SIDE ELEVATION (EAST)**



**PROPOSED ELEVATIONS**



VOLUNTEERS OF AMERICA MICHIGAN  
BRADBRY VILLAGE  
MICHIGAN  
ARCHITECTS & INTERIORS INC.  
ARCHITECTS & INTERIORS INC.  
ARCHITECTS & INTERIORS INC.  
ARCHITECTS & INTERIORS INC.

JANUARY 2014  
A.702





FUSCO, SHAFER & PAPPAS, INC.  
ARCHITECTS AND PLANNERS

MEMORANDUM

DATE: January 21, 2014  
PROJECT: Gardenview Phase 4  
FROM: Joseph T. Loskill  
TO: Lori Harris

As requested, I've put together a list of the modifications that have been made to the plans and elevations for the Gardenview Phase 4 project since our initial meeting with the City Planning Commission for the City of Detroit. Let me know if you've got any questions or need additional information.

Site:

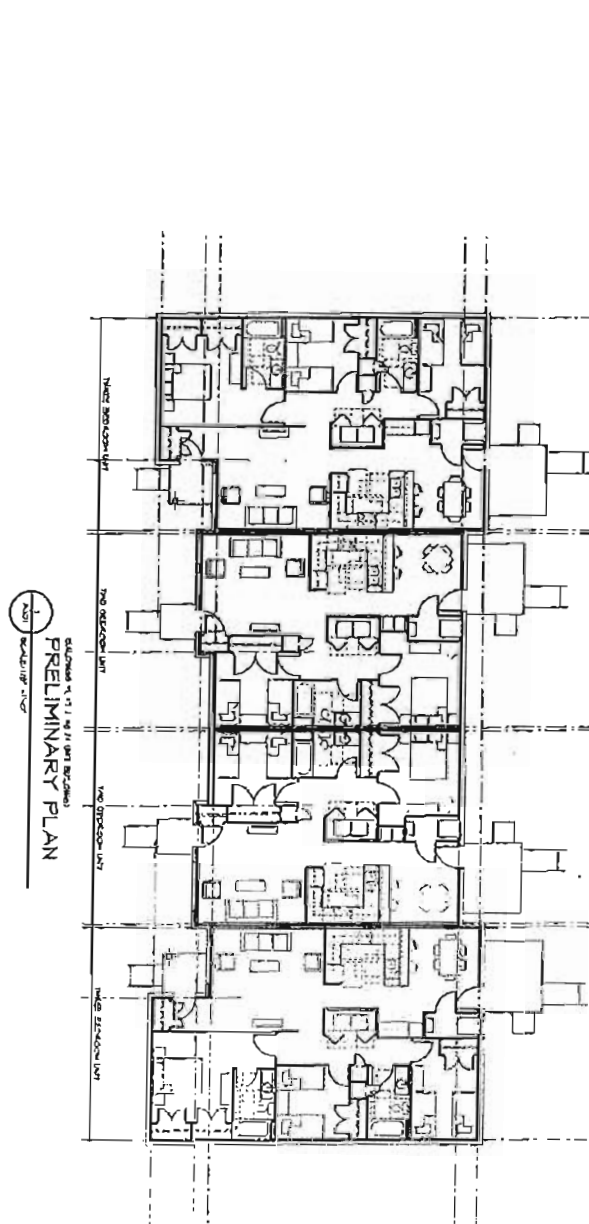
- Minor re-arranging of building configurations and unit locations has occurred in order to accommodate the existing site conditions and barrier free access requirements to all units.
- Privacy screens have been added between adjoining units

Exterior:

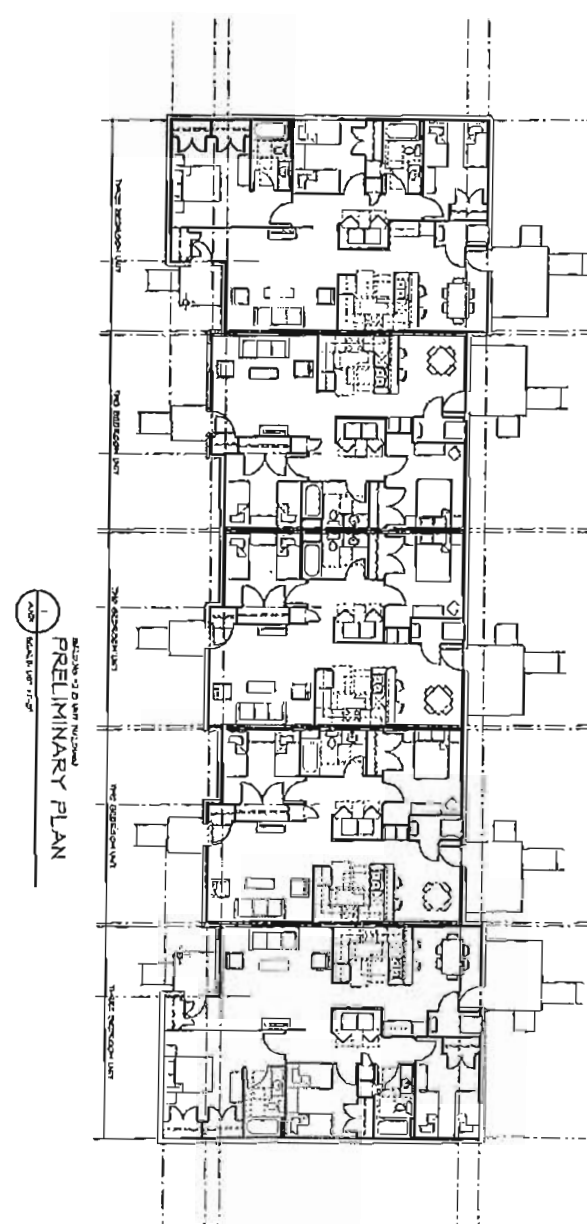
- The pitch on the main run of all roofs has been modified from 8:12 to 6:12, this has lowered the average roof height by 3'. Gables have been retained at 8:12 in order to help break up the roof.
- Porches or overhangs have been added at the entrances to all units, both front and rear.
- The rear elevations have been developed to provide additional articulation of the facades and roofs, especially on the longer buildings. Multiple siding colors have been used to break up the appearance of the buildings.
- Additional address signs have been added to the rear elevation.

Interior:

- A hard surface area has been shown at the front entry.
- A pantry cabinet has been provided in all units.
- A section of counter has been added adjacent to the sink in the Kitchens in the 2 and 3 bedroom units.



SECTION 1 OF UNIT 1000  
PRELIMINARY PLAN



SECTION 2 OF UNIT 1000  
PRELIMINARY PLAN

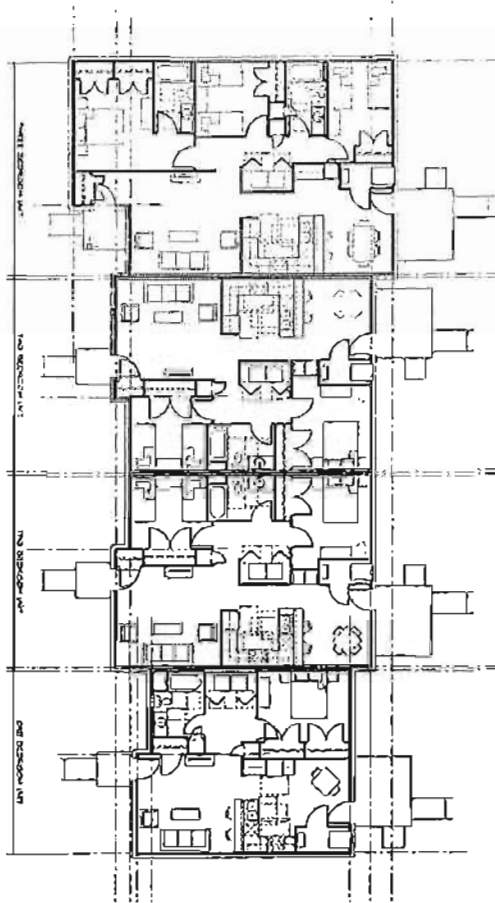
# GARDENVIEW ESTATES

## PHASE 4

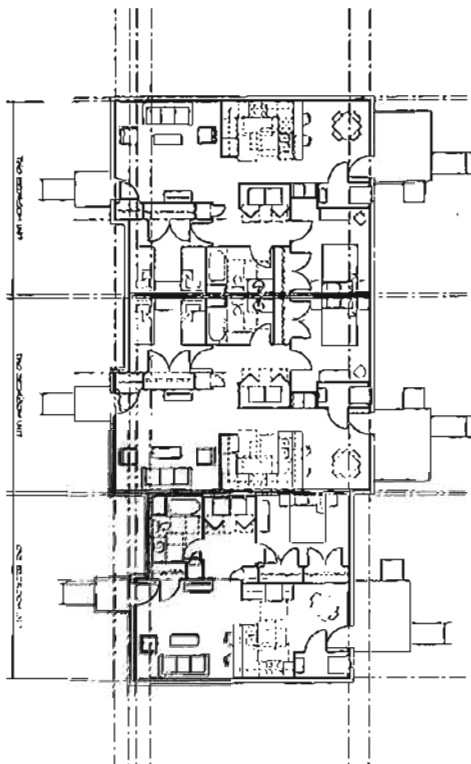

**SHAWEN & SHAFIK, INC.**  
 ARCHITECTS AND PLANNERS  
 1000 PLYMOUTH AVENUE, SUITE 1000  
 DETROIT, MICHIGAN 48226

DATE	DESCRIPTION

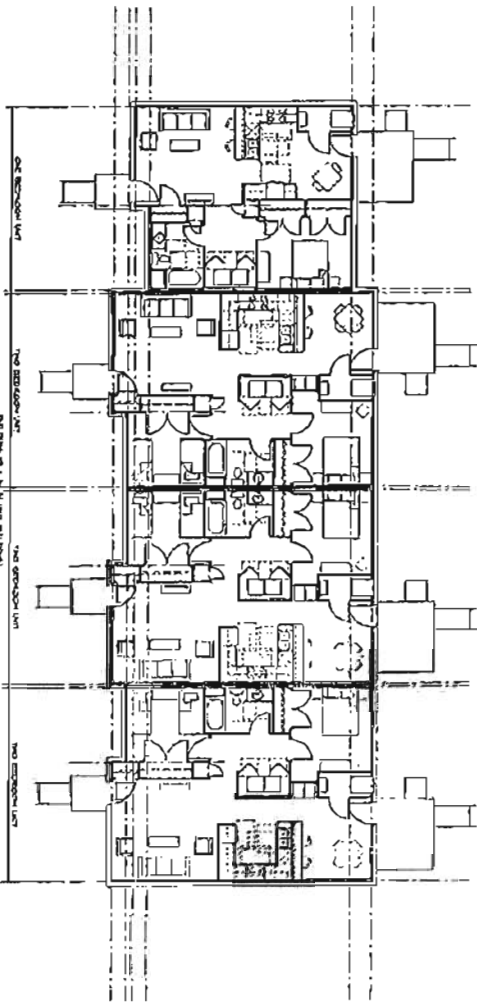
A.I.O.I.  
 ARCHITECTS



1  
 1/8" = 1'-0" SCALE  
 PRELIMINARY PLAN



2  
 1/8" = 1'-0" SCALE  
 PRELIMINARY PLAN



3  
 1/8" = 1'-0" SCALE  
 PRELIMINARY PLAN

# GARDENVIEW ESTATES

## PHASE 4

**TUSCO**  
 ARCHITECTS &  
 ENGINEERS, INC.  
 1000 WEST 10TH AVENUE, SUITE 100  
 DENVER, COLORADO 80202  
 PHONE: (303) 733-1100  
 FAX: (303) 733-1101  
 WWW.TUSCOARCHITECTS.COM

A.102

DATE: 10/15/13  
 PROJECT: GARDENVIEW ESTATES  
 SHEET: A.102

NO.	DESCRIPTION
1	REVISION
2	REVISION
3	REVISION
4	REVISION
5	REVISION
6	REVISION
7	REVISION
8	REVISION
9	REVISION
10	REVISION

11/10/13

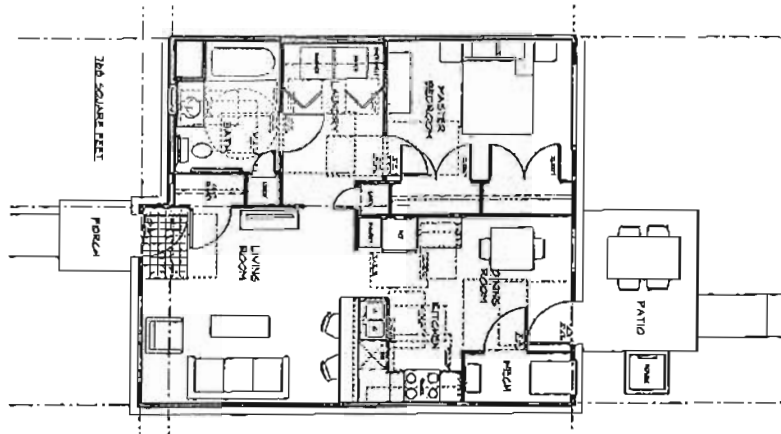
11/10/13

# GARDENVIEW ESTATES

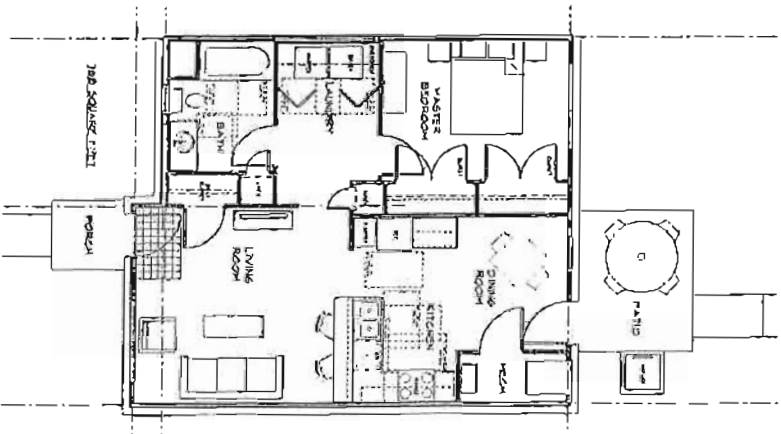
## PHASE 4

DETROIT

MICHIGAN



OF 202 - 2 BDRM UNIT  
 PRELIMINARY PLAN



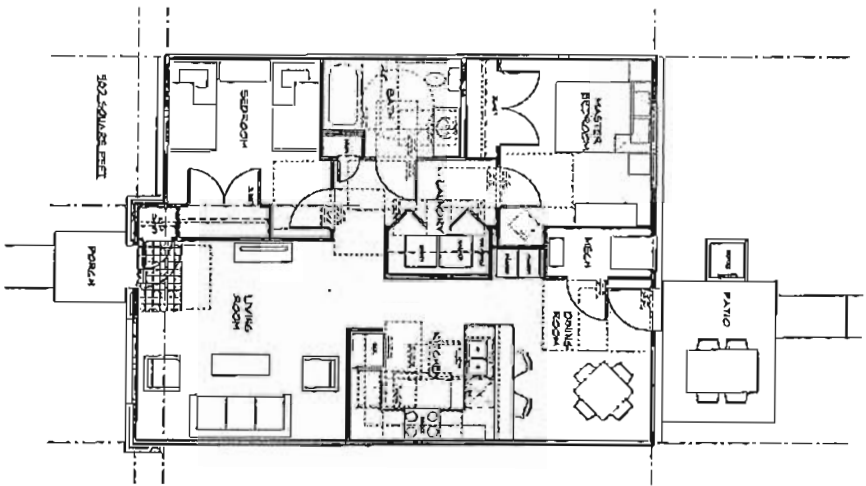
OF 201 - 2 BDRM UNIT  
 PRELIMINARY PLAN

# GARDENVIEW ESTATES

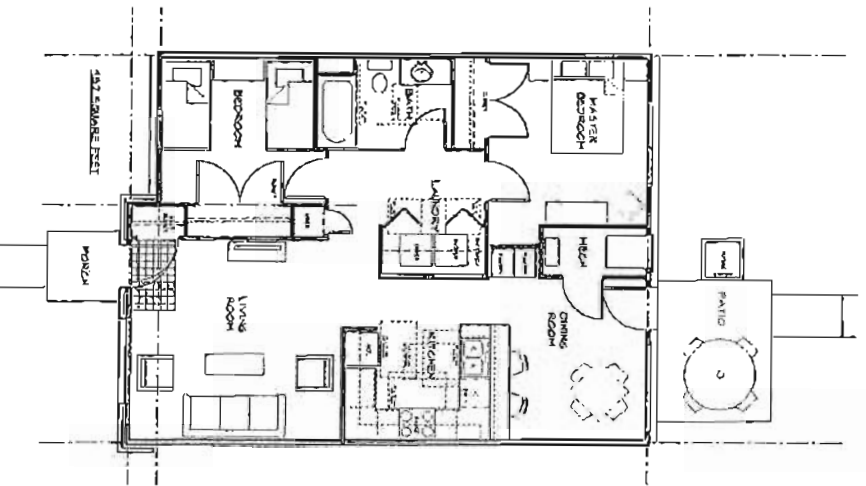
## PHASE 4

BEROIFF

MICUCAN



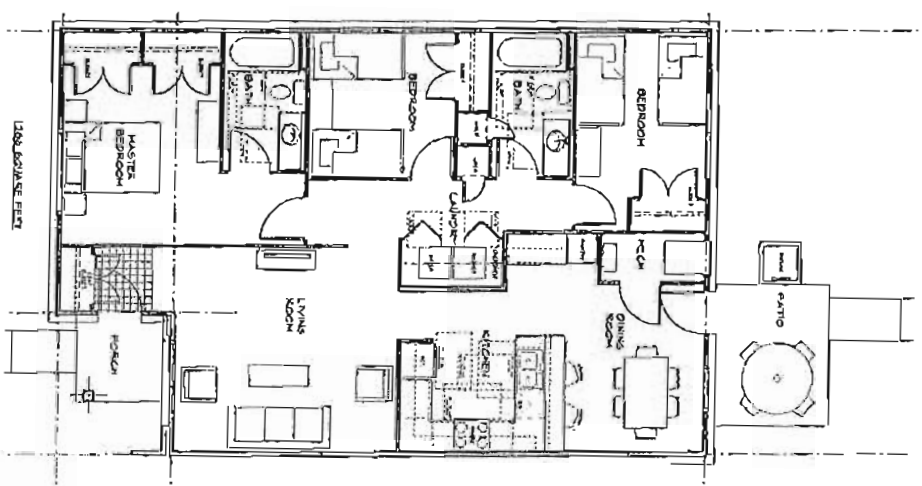
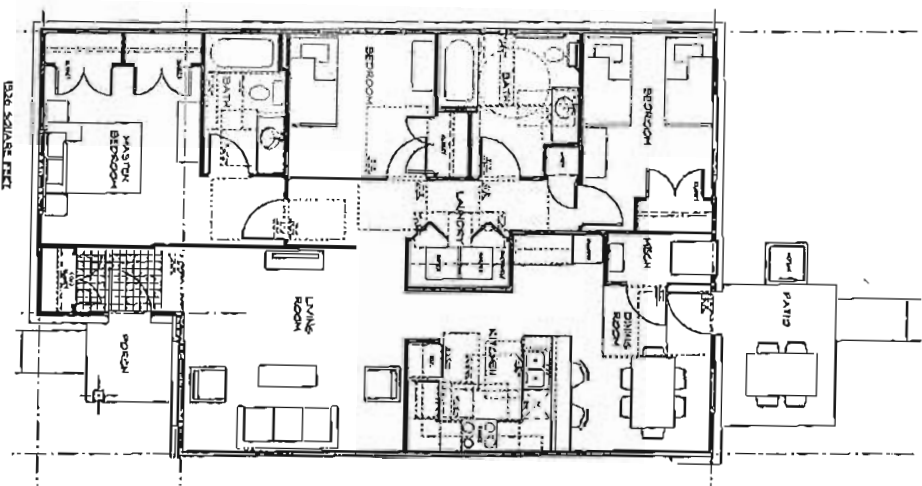
TWO BEDROOM / BATHS 783 SQ. FT.  
**PRELIMINARY PLAN**  
 2  
 500 SQUARE FEET



TWO BEDROOM / BATHS 487 SQ. FT.  
**PRELIMINARY PLAN**  
 1  
 487 SQUARE FEET

# GARDENVIEW ESTATES

## PHASE 4





Lesley C. Carr, Esq.  
Chairperson  
Lisa Whitmore Davis  
Vice Chair/Secretary

# City of Detroit

CITY PLANNING COMMISSION  
208 Coleman A. Young Municipal Center  
Detroit, Michigan 48226  
Phone: (313) 224-6225 Fax: (313) 224-4336  
e-mail: cc-cpc@detroitmi.gov

Brenda Goss Andrews  
Thomas Christensen  
Karen M. Gage  
Frederick E. Russell, Jr.  
Arthur Simons  
Roy Levy Williams

TO: City Planning Commission

FROM: Gregory Moots, staff 

RE: **Request of Jacob Isaac and Marcus LLC, on behalf of Detroit Ice Inc. to show a B4 (General Commercial District) where a B2 (Local Business and Residential District) zoning classification is shown on Map No. 61 of Chapter 61, Article XVII of the 1984 Detroit City Code, Zoning, for the properties on the south side of Eight Mile Road West between Manor and Pinchurst Streets (RECOMMENDING APPROVAL)**

DATE: January 20, 2014

The City Planning Commission (CPC) has received the request of Jacob Isaac and Marcus LLC, on behalf of Detroit Ice Inc. to show a B4 (General Commercial District) where a B2 (Local Business and Residential District) zoning classification is shown on Map No. 61 of Chapter 61, Article XVII of the 1984 Detroit City Code, Zoning, for the properties on the south side of Eight Mile Road West between Manor and Pinehurst Streets. The location of the requested rezoning is specifically indicated as the shaded area on the accompanying public hearing notice and includes 10625, 10635, 10703, 10707, and 10709 West Eight Mile Road. This request will be reviewed under the approval criteria specified in Division 3 of Article III of the Detroit Zoning Ordinance (Chapter 61 of the 1984 Detroit City Code).

## PROPOSED DEVELOPMENT

The rezoning would encompass the existing US Ice building at 10625 W. Eight Mile Road, the recently cleared lot adjacent to the west, where the applicant desires to expand its building onto, and the three vacant lots west of MonteVista Avenue which US Ice desires to use as parking. The applicant owns all of these parcels.

The current zoning of B2 does not allow ice manufacturing, whereas that use is allowed as a conditional use in the B4 zoning district. It seems most appropriate to rezone the existing building as well as the expansion site and the proposed adjacent parking, as opposed to the applicant seeking approval of the expansion of a non-conforming use from the Board of Zoning Appeals. The B4 district description provides for business and commercial uses of a thoroughfare-oriented nature.

## SURROUNDING LAND USE AND ZONING



To the north: commercial land use along the north side of West Eight Mile Rd. in Oak Pak, MI

To the south: single family residential, R1

To the east: commercial, B2

To the west: commercial, B2

## REVIEW

In accordance with the rezoning criteria of the Zoning Ordinance (Section 61-3-80), reviews of proposed map amendment should be conducted in light of the following relevant criteria, with staff's analysis following in italics:

(1) Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend or fact; *The business of US Ice proposes an expansion beyond the current building's capacity, and staff and patron parking on the current site is inadequate.*

(2) Whether the proposed amendment is consistent with the Master Plan and the stated purposes of this Zoning Ordinance; *The Future General Land Use of the Master Plan appears to be "General Commercial."*

(6) Whether the proposed amendment will have significant adverse impacts on other property that is in the vicinity of the subject tract; *The adjacent properties should not be negatively impacted, and a meeting was held with the adjacent property owners.*

(7) The suitability of the subject property for the existing zoning classification and proposed zoning classification; and *The Master Plan seems to indicate that it is suitable, and Eight Mile Road is obviously a major thoroughfare where*

(8) Whether the proposed rezoning will create an illegal "spot zone." *It does not appear that would be the case.*

## PUBLIC HEARING RESULTS

At the January 9, 2014 public hearing on this matter, six (6) persons spoke, none in opposition to the rezoning and one (1) in support. In addition, a letter of support was received from one of the organizations speaking. Several speakers raised concerns about the creation of a cul-de-sac of Monte Vista at Eight Mile Road, a proposal which was explored by the petitioner, but is no longer being pursued. Public concerns centered on noise, both from the condensers on the roof of the facility and noise from the outdoor speaker system. While the operation of the existing business as currently configured is not a specific criterion, when considering a rezoning, these concerns should be addressed where possible. One speaker, a near-by resident, stated that this operation had harmed her property values.

There are no violations against the current address that staff has found, and the noise would not change as a result of the rezoning, as the proposed expansion area would not house new noise-

generating manufacturing operations. The applicant has agreed to attempt to mitigate the noise from the roof-top condensers through sound baffles or other design measures and to add landscaping at the rear of the site to absorb some of the public-address system noise and to look at the operation of the system. A question was also raised about the status of the alley behind the applicant's current operation. Staff has determined that it was closed in 2001, with utility easements remaining,

#### **RECOMMENDATION**

The rezoning of the site seems appropriate in light of the Master Plan Future General Land Use designation and the character of Eight Mile Road. The proposed rezoning will not increase the noise of the current operation, and the petitioner has agreed to pursue measures in an attempt to mitigate the noise generation. The rezoning meets the criteria set forth in Sec. 61-3-80. Staff therefore recommends approval of the proposed rezoning.