

# City Planning Commission Regular Meeting

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NOTE: The minutes do not represent a  
Verbatim transcription of the meeting

**APPROVED**

CITY PLANNING COMMISSION  
REGULAR MEETING  
October 24, 2013

## **I. Opening**

### Call to Order

The meeting was called to order by Commissioner Carr, in the Committee of the Whole Room, 13<sup>th</sup> Floor of the Coleman A. Young Municipal Center at 5:32 p.m.

### Roll Call

Present at the meeting were Commissioners Andrews, Carr, Christensen, Davis, Gage, Russell, and Simons. Commissioner Williams was absent (excused).

ACTION: Commissioner Davis moved approval the agenda with an amendment to remove Item III B. Commissioner Andrews seconded the motion. Motion carried.

## **II. Minutes**

ACTION: Commissioner Christensen moved approval minutes of August 1, 2013, as distributed. Commissioner Russell seconded the motion. Motion carried.

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

- A. SPECIAL DEVELOPMENT DISTRICT REVIEW** - Consideration of a PCA (Public Center Adjacent) zoning district review of proposed modifications to the First National Bank Building, 600 Woodward Ave., to facilitate the development of a Papa Joe's market on the ground floor of the historic building along the Cadillac Square frontage.

Present: John Olszewski, Bedrock Real Estate  
Greg Moots, Legislative Policy Division

LPD staff member Greg Moots gave a detailed presentation of the report dated October 21, 2013, distributed with the meeting materials. Staff would like the Commission's thoughts on the summer signage. Historic District Commission did take action last night to approve the proposed plans.

Commissioner Carr asked if Mr. Moots has any current pictures of the site.

Mr. Moots responded the pictures shown today are very similar to what it looks like now.

Commissioner Carr asked if there is retail on the other end.

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Staff replied that at the western end, the end closest to Woodward Ave., there is a Roasting Plant (coffee shop) and the Commission agreed to that signage in January. Staff would like the Commission's thoughts on Papa Joe's sign.

Commissioner Russell asked how you would gain access to the space (café). Do you have to go inside the building to get to the space?

John Olszewski, Bedrock Real Estate, replied there will be entrances from the inside of the building off the lobby. You can come in off the normal east entrance of the main building, from the central entrance; and, from the inside there are four bi-fold doors and one sliding door next to the east entrance for ADA compliance and getting carts in and out.

Commissioner Russell asked when that's up in the summer, you would actually go through the First National Building and then enter Papa Joe's and then out onto the deck.

John Olszewski replied there is one entry point on the outside; otherwise you would come through the facility.

Commissioner Russell said that, typically, you're coming through the building entering Papa Joe's at the one entry point at the hostess stand.

John Olszewski replied it has to be the two ends or through the inside of the building.

Commissioner Russell said, if that's the case and there is no traffic going in and out, it doesn't seem harmful to encroach on the six-foot space, because that is just going to be pedestrian circulation, not circulation for Papa Joe's.

Staff said that DPW indicated they prefer the clear six-foot for pedestrian circulation for people passing between the sidewalk and the proposed deck.

Commissioner Russell said there is no parking along the Cadillac strip. Is it possible that, during the warmer months, you can shut down one lane so that there is no parking adjacent to the sidewalk?

Staff said that final restrictions would be up to DPW. Cadillac Square has been closed at certain times for certain events. There has been some talk of increasing the amount of space available for activities for special events, and there has been precedent towards that. Bedrock has been in some discussion with the City on how to further use Cadillac Square. There has been a lot more activity this year than previous years.

Commissioner Andrews said it seems that Papa John's is more catered to the Monday through Friday workforce, more than anything else. Where is the other parking? Would customers just have to use paid parking lots in the area?

John Olszewski replied that they are working with the owner of the lot at the end of the building on the east side to secure spaces for people that shop. The lot would have at least a couple dozen spaces available. In addition, across the street is pretty clear, other than trucks pulling up.

Greg Moots said there are deliveries and standing areas, but there are no meters. There is parking on the other side of Cadillac Square. Next to Cadillac Tower there is a large surface parking lot. Papa Joe's will be open while there's still a large parking lot across the street. The small lot Mr. O'Chefski spoke of was the former Ham Heaven. There is a fair number of parking lots in the area. It will be up to Papa Joe's to

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determine if they are going to validate parking. Will there be a 15 minute pick up and drop off zone? How will they handle someone who has more than one grocery bag worth of items?

Commissioner Carr asked about the patron's Papa Joe's is marketing to. Are you looking for people that work within the building?

John Olszewski said that there is going to be a large catering operation in the basement. It is means to activate the street and take care of the office population downtown. Papa Joe's is hoping people will take advantage of the restaurant or the food market itself; whether it is lunch or after work.

Commissioner Andrews asked if they will be open on the weekend.

John O'Chefski replied he would imagine it would be a 7 day operation to some degree.

Commissioner Andrews asked if the M1 Rail will be in that portion of Woodward.

John Olszewski i said it will be at the end of it, right at the corner. There is a planned station somewhere close to the front of the First National Bldg.

Greg Moots said it would be within ½ block of the Papa Joe's.

Commissioner Carr asked if staff is looking for action today.

Greg Moots responded that, because this is just a PCA Review, action is appropriate. LPD staff and PDD staff have completed review of the proposed alternations. Staff recommends approval of the location and design of the proposed changes. Staff is seeking your guidance on the amount of signage. Historic District Commission has recommended approval of the elevations as shown with the signage.

**ACTION:** Commissioner Andrews moved to accept staff's recommendation including the signage as proposed. Commissioner Davis seconded the motion. Motion carried.

**B. DISCUSSION** – Olympia Development of Michigan requesting the Commission revisit its August 1, 2013 action relative to the Restated Tax Increment Financing Plan and Development Plan for Development Area No. 1. The adjustments include the alteration of the boundaries of the district and other modifications necessary to facilitate the Catalyst Development Project which calls for the development of a 650,000 sq. ft. 18,000 seat events center to house the Red Wings and host a number of sports and entertainment engagements.

Item B was removed from todays agenda.

#### **IV. Unfinished Business**

**C.** Consideration of the request of Henry Ford Health Systems, to amend Article XVII, District Map No. 7 of Chapter 61 of the 1984 Detroit City Code, Zoning, by rezoning properties located south of Marquette Avenue and north of the Grand Trunk Railroad on the east and west sides of Hecla Avenue and the west side of Avery Avenue from the current M3 (General Industrial District) zoning classification, and R2 (Two-Family Residential District) zoning classification to a M2 (Restricted Industrial District) zoning classification.

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Present: Marcell Todd, Legislative Policy Division staff

Staff member, Marcell Todd, said that he had not received notice that Mr. Habitz would be able to make the agenda today. Ms. Robbins provided Mr. Todd with an update, last week, which included a forward from their attorney in response to the three draft letters of agreement prepared. The forward indicated additional concerns. The letter was addressed to the attorney for the Community Collaborative Coalition, who is with the Sugar Law Center. Mr. Todd has not seen a formal response from the West Grand Boulevard Collaborative Coalition. Ms. Robbins provided a chronology of events going back to September of 2012 to the attorney and Mr. Todd will forward this information to the Commission via e-mail. There has been no progress.

**V. New Business** (None)

**VI. Committee Reports** (None)

**VII. Staff Report**

Staff member, Marcell Todd, reported that the City Council voted down the Belle Isle Lease as drafted and presented by the Emergency Manager (EM). The City Council proposed and approved an alternate lease. Provisions of the EM, Act 336, require that the document is then presented, along with the original lease offering, to the State Loan Board. The State Loan Board will take the matter up and consider which of the two is best for the City. The provision, Act 336, states that any asset, anything of estimated value of \$50,000 or more before being conveyed or disposed of in any way by the EM, must have the governor's signature and the City Council's approval. If City Council does not approve, they must also present an alternative.

The proposal from The Barclays to loan the City \$350 million to deal with the SWAP's, the City's accumulated debt and refinancing of debt was voted down by the City Council this week without presenting an alternative. An outside entity came up with an alternative financing plan which the City Council is still considering.

Staff is engaged with the provisions of Act 336 in a way none had anticipated, instead of looking at property issues and assets in a more traditional sense. LPD staff will provide the Commission information on Barclays and the City Council's Belle Isle alternative proposal.

Commissioner Gage asked if there is a timeframe the alternative plan goes to the State Review Board.

Marcell Todd said that City Council has 10 days in which to act once a proposal is presented by the EM. Once City Council has acted, Council has another 10 days to prepare and present their alternative. I am not sure of the timeframe the State Loan Board has to act. I will clarify that with the LPD staff. As it concerns Belle Isle, the lease as submitted by the EM and City Council's alternative were formally conveyed to the State Loan Board Tuesday of this week.

At City Council's formal session Tuesday, Council received the Intergovernmental Agreement for the Land Bank, which has been changed. The Board is now a five member Board. Appointees are all made by the EM and the Governor's Office. The first action item under this new Board is now before City Council. They are asking for the transfer of over 700 properties that would go to the Land Bank in order to come under the Hardest Hit Program. The Hardest Hit Program are dollars coming from the State Treasury Department being re-purposed under this fund in order to provide a means for demolition and addressing blight in selected areas of the community. The Hardest Hit Program will allow the City to

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address 4,000 properties across the City within six (6) designated areas that include Morningside, East English Village, the North end, a good portion of Southwest Detroit, and Grandmont-Rosedale.

Commissioner Andrews asked is this a part of the \$350 million pot.

Marcell Todd said this is \$52 million coming from the State of Michigan who received \$200 million for the Hardest Hit Fund. It is not part of that \$300 million pot, this is in addition to it.

Mr. Todd will e-mail to the Commissioners a spread sheet that shows the distribution of the funds. Some of the dollars are new, the majority is not. These include block grant dollars from last year that the City is only now receiving and the block grant dollars that are anticipated for this year and some of the NSP dollars and other funds.

LPD staff will be working with Planning & Development Department (PDD) and the Land Bank to fashion the proper means for the transfer of the 700 properties, recognizing some may fall in Urban Renewal areas, historic districts, etc. Fifty percent (50%) of the 700 properties are already on the City's demotion list. LPD staff wants to know what is going to be rehabilitated. Juanita Jones, the Deputy Director of the Land Bank, agrees with City Council that we must rehabilitate properties as well.

Commissioner Carr asked if the properties rehabilitated under NSP have been sold.

Marcell Todd responded that as of December we had not sold anything that had been rehabbed.

Commissioner Andrews asked who is dealing with the strategy and priority of the demolition.

Marcell Todd responded Council Member. Cockrel asked that question this morning. He also asked what role Roy Roberts, who was designated as Land Use Czar, is playing. Once these dollars are under the Land Bank there will be some direction coming from the State, as the City's Land Bank will be partnering and working closely with the State's Land Bank. The City will be using a lot of the State's resources for the demotion and other things. Council Member Jones said that this program will be administered by the Land Bank Board.

Commissioner Andrews said that she hoped homes around schools will be demolished.

Gregory Moots responded that many of the dangerous buildings around schools are the ones that have been put on the demolition list as a priority. What is currently on the demolition list is what is being targeted, at least in those six areas.

Marcell Todd stated the vast majority of inventory for the Land Bank, before any of these properties are transferred, have structures on them.

Commissioner Simon asked how a property gets on the Land Bank's list.

Marcell Todd said that through programs such as these where either the City or the State has gone to the Land Bank and asked the Land Bank to participate in a Neighborhood Stabilization Program (HUD) or this Hardest Hit Fund (State of Michigan with US Treasury program).

Commissioner Simon asked about the taxes owed on those properties.

Marcell Todd responded that the vast majority of what will be transferred are probably tax reverted properties. One of the benefits of the Land Bank is the desire to try to put people back into some of these

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homes. That is one of the tenants in the State Land Bank and it was adopted with the City's Land Bank. LPD staff will be reporting to the Commission on the Land Bank going forward.

LPD was denied by the Detroit Legal News in the attempt to publish the next public hearing for the Commission, therefore the meeting of November 7<sup>th</sup> we will give presentations and text amendment issues on items related to the Catalyst Project. If it looks as though it is not going to be a benefit, LPD staff will contact you as soon as possible to cancel the meeting of November 7<sup>th</sup> and move everything to November 21<sup>st</sup>. Hopefully, you will be comfortable and the items that warrant same day action can go forward. LPD is waiting for City Council to determine if and when they are going to go on recess and if they will agree to come back in December.

Greg Moots reported at the last meeting LPD staff recommend approval of the DDA Project Plan with the condition that no TIF funds be used to construct or approve commercial or surface parking lots. Olympia and some of the DDA had concerns about that recommendation and putting strings on public dollars. They have not fully determined if they will request the Commission to modify that recommendation or not. The DDA has indicated they are not interested in seeing long-term surface parking lots. They may come back to ask you to reconsider your action prior to Council action. If they come back to you, you're recommendation will go to Council prior to any action they may have. At the meeting there was also talk of the Commission recommending approval of the DDA plan with the condition that the area either go through second reprocess or that there be a rezoning. One of the possible text changes which may come before you will be either a text change to the definition of Central Business districts, expanding the definition currently in the Ordinance to include the arena area. Also there may be a text amendment to rezone to either a PD, PC or PCA, if it is determined that the arena footprint should be rezoned.

Marcell Todd added that in discussions LPD has had with the Law Department, we are leaning towards the PC/PCA, justifying it with what exists today with the Joe Lewis and Cobo arenas. PC districts surrounded with the PCA, for those things that would not be appropriate. We have even thought of rezoning the property now and coming back later to fix what needs to be fixed once we get the information. Whereas previously Olympia and the DDA was moving full speed ahead with the hope they will break ground this calendar year or at least the beginning 2014, they have now realized that was not realistic and are now saying March 2014 to break ground. We have more time, but we should be proactive, given the way communication has fared thus far.

Greg Moots added that we would have to have the zoning classification in place on the day that the building permits are applied for. If you want a new classification for that piece of property, that would have to be done in the near future.

Marcell Todd said that if there is any direction or clarification the Commission wants to offer LPD staff will move forward with it. If the Commission is satisfied, LPD staff will move forward with the direction we already have.

Commissioner Carr said it sounds good.

### **VIII. Communications (none)**

### **IX. Public Comment (none)**

**ACTION:** Commissioner Davis moved adjournment. Commissioner Simons seconded the motion. Motion carried (meeting adjourned at 6:40 pm)