

# 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  
August 1, 2013

## APPROVED

### **I. Opening**

#### Call to order

The meeting was called to order by Chairperson Carr, in the Committee of the Whole Room, 13<sup>th</sup> Floor of the Coleman A. Young Municipal Center at 5:07 P.M.

#### Roll Call

Present : Commissioners Lesley Carr, Lisa Whitmore Davis, Thomas Christensen, Karen Gage, Frederick E. Russell, Jr., Roy Levy Williams and Arthur Simons were present; Commissioner Brenda Goss Andrews was absent (excused). Commissioner Angela Allen resigned.

#### Amendments to and Approval of Agenda

ACTION: Commissioner Lesley C. Carr moved APPROVAL of the agenda. Commissioner Russell seconded the motion. Motion carried.

### **II. Minutes**

The minutes for the Regular Meetings of June 20, 2013 and July 18, 2013 will be brought back at a subsequent meeting

### **III. Public Hearings & Presentations**

- A. 4:45 PM PUBLIC HEARING - to consider the request of Third New Hope Baptist Church to show a PI (Open Parking) zoning district where R I (Single-Family Residential) and B4 (General Commercial) zoning district classifications are currently shown on Map No. 70 of Chapter 61, Article XVII of the 1984 Detroit City Code, Zoning, for the land bounded on the east by Steel Ave., Plymouth Ave., to the south, Sorrento to the west and on the north by a line approximately 400' north of the Plymouth. These properties are more commonly known as 11631 through 11675 Steel, 12900 through 12920 Plymouth and 11630 through 11674 Sorrento. (MT)

Present: Marcell Todd, Jr., Legislative Policy Division (LPD) staff  
Percy Cash, Cash & Associates  
Orza Robinson, Third New Hope Baptist Church  
Yvonne Burke, Third New Hope Baptist Church

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Lee Hollingquest, Trustee, Third New Hope Baptist Church

Marcell Todd, Legislative Policy Division (LPD) staff member, referred Commissioners to the report dated July 30, 2013, included with the meeting materials; he detailed the proposed development and particulars of the proposed use and related development. The proposed rezoning from R1 to P1 is requested to facilitate additional parking lot with a total of 176 parking spaces to serve existing church and future development. Two single family homes and the existing church still remain, but the majority of the land surrounding the site is vacant.

Questions were answered to the Commissioner's satisfaction. Petitioner indicated the desire to vary from some of the provisions of the P1. Staff will meet with petitioner

**PUBLIC COMMENT:** (none)

The public hearing was adjourned at 5:26 p.m. and the matter was taken under advisement.

- B. 5:30 P.M. PRESENTATION - The United States Green Building Council (USGBC) 2030 Districts.

Present: Peggy Mann, United States Green Building 2030 Districts  
Bonny Bono, Team Energy Coalition Non-Profit

Peggy Mann of USGBC gave a power point presentation describing the purpose of The United States Green Building Council (USGBC) 2030 Districts. Buildings use half of the energy in use in the US and 75% of the electricity. Buildings produce more CO<sub>2</sub> than our transportation system does; 47% of the CO<sub>2</sub> is generated by buildings, only 33% is generated by automobiles, trains and cars. In 2035, 75% of all buildings you'll see, according to their [architects] calculations, will either be new or renovated. This was the time to get the architects started to do something better for new buildings to reduce water consumption, CO<sub>2</sub> from transportation and energy use down to zero by 2030 and for existing buildings to reduce what the outputs are right now, and the energy, water, transportation and greenhouse gases of the people who work in those buildings by 50%.

There are three types of partners in this private-public partnership: 1) property owners/managers; 2) services stakeholders (architects, engineers); and, 3) community stakeholders (city/state/county government). Property owners will share information on water, energy and greenhouse gas, best practices and challenges that they've come across. It is done voluntarily, anonymously and is not mandated. They get assessments for their buildings, guidance moving forward, training and ongoing support from the other stakeholders, innovative software platforms and professional services. Services stakeholders need to share their professional experience and supply the support to the property owners and to the 2030 District Committee and what they get out of it is jobs, access to the most updated information and they have some sort of influence on the local policy revisions that might be necessary to encourage these districts. Community stakeholders share their organizational experience, have a part in the district decision-making and they are crucial in implementing district wide solutions involving infrastructure and municipally-owned utilities. If they expand their reach they are better able to fulfill their mission, get recognition for their leadership. The idea is to augment (not supplant) programs that are in place.

There are four current districts, Seattle, Cleveland, Pittsburg and Los Angeles. Up and coming districts include

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Denver, San Francisco, Ann Arbor and San Diego. They've formed a 2030 Districts Network that supports all the districts currently formed and districts that will be formed. In two weeks we will be attending a summit in Pittsburg, PA to get more information. At the end of September we will be bringing one of those people to Detroit to meet with the stakeholders here that may be interested. Council Member Kenneth Cockrel has talked to some of the private building owners who are very interested. The thought being to have a downtown district or a mid-town district; if both, they could be sister districts. Ann Arbor has already done training for their architects and could be a sister district also.

Commissioner Russell asked if this could apply to a single-family residence if a community group wanted to renovate the home.

Peggy Mann said the 2030 Districts tend to focus on urban core areas where there is a greater density (more square footage, fewer owners). If this is something that is done in the center city it could be spread to the neighborhoods.

Commissioner Carr asked would they come back after their summit and indicated she would be interested in knowing if the private sector is willing.

Commissioner Russell asked if Ms. Mann could name the stakeholders that have already been approached.

Peggy Mann said Council Member Cockrel spoke to the Illich people and they were interested. Midtown is already organized. We have included Detroit Future City and the Detroit Economic Growth Corporation as possible partners.

## IV. Unfinished Business

- A. REZONING - 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 show on Map #3 and # 11 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, and the intersection of Wight Street and Mt. Elliott Street. The locations are more commonly known as 2200 E. Atwater (Map 3), 3414 Wight Street, 301 Mt. Elliott Street and 110 Mt. Elliott Street (Map 11).

Present: Gregory Moots, Legislative Policy Division Staff  
Will Taminga, Detroit Economic Growth Corporation  
Andrea Haas, Detroit Economic Growth Corporation

LPD staff member Gregory Moots referred the Commissioners to the report of July 26, 2013, included with the meeting materials. He reviewed the request stating that these properties (one at eastern edge of Chene Park and four parcels at the intersection of Mt. Elliott and Wight) have been declared surplus by the Recreation Department, although that surplus declaration has not been approved by the City Council yet. A couple of the parcels are requested to be transferred as a land swap between the Coast Guard and the city to facilitate the continuation/expansion of the Riverwalk; and, a couple of the parcels are for private development.

The appraised value of the property that could be conveyed to the Coast Guard is \$645,000; the value of the Coast Guard parcel coming to the city if \$660,000. Both of those do assume that the properties would be

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remediated and remediation is required on both of those properties. A lot of the east riverfront was constructed on fill which was contaminated. The berms in most of the Riverfront parks are contaminated soil. It should be noted that the Economic Development Corporation (EDC) has money in their budget to pay for the remediation of the city-owned land prior to its conveyance to the Coast Guard. So there would not be an out of pocket expense from the city to make that property clean, which is a condition of transference to the Coast Guard.

The requested zoning from PR to SD4 does appear to be appropriate. The Master Plan for the Area is a mixed-residential/commercial designation. The park area is only being minimally reduced. Chene Park (9.26 acres) is reduced by .84 acres; Mt. Elliot (8.15 acres) is being reduced by .5 acres. The parcels proposed to be transferred to the Coast Guard is part of a land swap that will allow the Riverwalk to be continued further east, which is certainly in the city's best interest.

Commissioner Williams asked if the EDC knows what's on the land and if they have the money clean it up.

Will Taminga answered they had a comprehensive site assessment performed. Their engineer consultant provided an estimate, which is usually pretty conservative. It hasn't been tested yet in the marketplace, but needs to be pretty soon. The EDC is making the commitment to provide the funds and perform the remediation. They have extensive site assessment core testing done and know it is impacted, which means it has to be remediated.

Commissioner Russell asked if the new path of the Riverwalk is going to be an easement on all the private properties so citizens can get back to the river as we proceed east on the Riverwalk.

Will Taminga indicated it allows the conservancy to build a Riverwalk along the waterfront and the Coast Guard to expand their facility. It permits the Riverwalk to be completed.

Greg Moots: There is land that remains PR, to allow the Riverwalk to continue east along the water instead of just Atwater St.

Commissioner Carr asked if they've developed a timeline for these projects and how long it will take to construct all of it.

Will Taminga stated that the Riverwalk is preparing their drawings this year. At this point we have no plans for redevelopment yet, it depends on the outcomes of these meetings. The Riverwalk's rough schedule is to complete their design this year and complete their construction next year. The actual construction will take 6-12 months. The Coast Guard hasn't given us their schedule for expansion.

Commissioner Williams asked what money EDC would be using that the City doesn't have?

Will Taminga responded they have EDC bond accounts that are used for development in the east riverfront.

Greg Moots added that a portion of the site was in the Mt. Elliott- Wight Project Plan which was approved 4-5 years ago, allocated for the Mt. Elliott-Wight portion of this development which contemplated both this rezoning and the land swaps formerly discussed here. That's the funds from the EDC Project Plan. Staff does recommend approval of the requested rezoning. Thy SD4 zoning seems to be appropriate for the site. The Recreation Department has declared the city-owned parcels to be surplus so their redevelopment seems

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appropriate. Further continuation of the Riverwalk seems to be in the city's interest.

ACTION: Commissioner Roy Levy Williams moved APPROVAL of the staff recommendation to approve the request for rezoning from PR2 to SD4. Commissioner Frederick Russell, Jr. seconded the motion. Motion carried.

- B. PLAN AMENDMENT - The Downtown Development Authority is pursuing a 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.

Present: Greg Moots, Legislative Policy Division (LPD)  
Mike Mcl.aughlan , Olympia Entertainment  
Art Papapanos, Detroit Economic Growth Corporation (DEGC)  
Rebecca Navin, General Council, DEGC  
Jennifer Kanallos, DEGC

Commissioner Christensen asked to be excused from the hearing being an employee of Olympia Entertainment and left the hearing.

LPD Staff Member Greg Moots referred Commissioners to the report of July 26, 2013, included with the meeting materials. The Commission received a summary of the proposed amendments with the previous report and there are certain changes in it. (There was a recent change in state law which allows DDA to use specified TIF revenues to fund a catalyst development project, those of \$300 million or more, approved by the Michigan Strategic Fund.) This project is a \$450 million, 18,000 seat event center for the Red Wings, plus there would be attached retail and parking. It is proposed to be owned by the DDA, operated by Olympia Development. Proposed funding would come from DDA, existing catalyst project revenues, private contributions, and land acquisition and revenue bonds issued by the strategic fund. Also in the plan other catalyst development projects estimated at \$200 million in value may include retail, office, business, business innovation, housing, education, entertainment and recreation; a variety of uses in are possible. Also, the MOU you received at the previous meeting includes a list of several locations identified as possible redevelopment sites.

At the July 18, 2013 meeting, the matter was presented to the Commission. M1Rail, Olympia Development and the DDA had representatives at that meeting. The Commissioners had questions about the large number of surface parking lots currently in the area of the event center and in the catalyst area and concerns about the creation of new lots. To discourage new parking lots in the Zoning Ordinance in 1999 was amended to say "no commercial parking lot shall be located within 1,000 radial feet of a stadium or sports arena except on land that on August 13, 1999 was vacant or for which most recently recorded permitted use was for parking purposes".

The list of projects found in Exhibit A of the Memorandum of Understanding (MOU) was discussed, but little detail was available at that time. It was clarified that the rehabilitation of those existing buildings was anticipated but not required. Staff noted the plan was missing four (4) local historic districts and passed those on to the DDA for correction in the plan. Staff is checking whether the list of state and federal districts is 100% up- to-date or not. Furthermore, the project boundaries contain two (2) locally designated structures.

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Historic Designation Advisory Board staff is visiting the complete catalyst area over the next couple of days to determine if there are any other buildings which would be eligible for designation. That does not affect the Commission's actions tonight, but is something that will be noted to Council and the developer.

Internally staff discussed some of the ways which site plan review can be required by City Council resulting in the review and approval of the appearance of the stadium and the Woodward frontage. Of the \$200 million in private dollars committed to the catalyst development, \$22 million in present value; the present value would be contributed by the DDA over time.

There were also discussions at the Monday meeting about the proper vehicle to transfer land to the DDA. The plan which you reviewed discusses the transfer of all public land to the DDA. According to the Law Department there was some question whether all the land could be contributed to the DDA that way. It's possible that the Land Bank may have to be used as an intermediary, especially for that land not within the footprint of the arena.

Marcell Todd stated that it's a possibility that City Council might be able to pass a conditional approval with the understanding that, as public purpose is identified, some of these other properties before them could be pulled down. Another mechanism could be devised through DEGC staff, utilization of the land bank or maybe even a Brownfield Project. There are various ways to be explored whereby the land, outside of the event center footprint, could be transferred.

Mr. McLaughlan indicated to Commissioner Carr that they would be open to allowing the City Council to review the site plan and that being a condition.

Commissioner Carr expressed concern about how the students who walk in that area will be redirected.

Commissioner Williams had a question about rulings that you can't assemble land for economic purposes.

Marcel Todd responded that during the meeting on Tuesday, Law Department pointed out a distinction that needed to be made between the authority that is available for projects that are conducted under the Economic Development Corporation Act vs. something that would be done with the DDA. We were told that the land could not be transferred to the DDA for a project such as this unless a public purpose were established; having to go through the proper findings to do so. It was generally agreed upon that the properties within the footprint that would contain the stadium proper; could be transferred, recognizing the event center as the public purpose.

The other properties that are in the catalyst area, not having a public purpose attached to them, would have to be conveyed through a different mechanism, i.e., land bank, an EDC project being established, a public purpose being established for one or more groupings of properties, or possibility something with a Brownfield designation and tax increment financing.

Greg Moots said that this addresses the conveyance of property that the city already owns. The city is not acquiring or assembling properties by eminent domain. That's what the courts prohibited us from doing.

Mr. Papapanos wanted to make a clarification about the property transfer. What you have before you is the approval of amendments of an existing DDA plan. The plan does not go into details how the transfer of property is going to take place. It just enables that when we reach the agreement between the City, ODM and

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the DDA, that these agreements are going to come to City Council under a separate cover that is going to terminate existing EDC plans that these properties were allocated for and never took place and will request the City, based on a legal basis how these properties are going to be transfer to DDA in order to accommodate this development. So, the transfer of properties is a separate issue that we're addressing.

Commissioner Russell asked if street frontage is included along the eastern edge, Clifford and Cass.

Mr. Papapanos said that it's not included in the events center area, it's included in the catalyst development area.

Commissioner Russell asked if the requirements for the Main Street Overlay are going to be adhered to by the new project along Woodward? If that's the case, it would be alright for this body to review its compliance? Is that something you said you would be amenable to?

Mr. Papapanos responded that the site plan review is going to be undertaken by the Planning Commission.

Commissioner Gage asked if the Tax Increment Finance Plan and the funds that are captured through the district, would those funds be eligible to be used to renovate existing commercial parking lots. Does the plan specifically call for that use as an eligible use?

Mr. Papapanos said the TIF plan addresses the event center and the additional catalyst development projects. All the TIF plans are going to go for the event center, the arena and ancillary facilities. The additional TIF monies allocated for the catalyst development projects, that are supposed to be implemented within the first five years, have to be established at this point to use of these funds. We cannot say at this point how they're going to be used because of the fact that we do not have the specific development. But if a development surfaces and it has a requirement for parking facilities or parking space, then it's going to be addressed at that point.

Commissioner Gage asked if it's possible that the funds could be restricted for commercial parking lots, meaning that the only use of that land would be for events parking. The concern that I raised last meeting was that there's a lot of existing surface parking lots in the area. As of today, there are a number of commercial parking lots dedicated just for sporting events. I am curious to see if we can prevent any of the captured money to being invested in those lots; but rather, that the money be used to develop these sites as mixed-use development with ancillary parking.

Mr. Papapanos hypothesized, suppose we have the development of the office facility with retail? It might require some parking: We cannot exclude at this point that some parking requirements are met for the new developments.

Commissioner Gage responded that would be a different parking classification it wouldn't be a commercial parking lot. It would be required accessory parking.

Mr. Papapanos said that there is no intent, at least at this point, to allocate monies stand-alone parking lots in the area.

Greg Moots reported that attached to the arena is a contemplated 500 space parking structure and elsewhere in

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the district a 700 space parking structure is also mentioned. Staff would hope that the existing parking downtown would be used for the new arena as opposed to the construction of new stand-alone parking. There is a lot of parking already and we hoped there won't be much new parking.

Staff recommends approval of the TIF Plan with the expanded TIF district, with the condition that the site plan and approval by the CPC and Council be done with regard to the location of the arena, its appearance and the buildings along the Woodward frontage. This could be required as a condition of plan approval or as a rezoning of the site to PD or PC. Staff has not yet had the chance to fully explore the options and implications with Olympia Development. So, we request that flexibility be allowed in the requirement of that site plan.

ACTION: Commissioner Frederick E. Russell, Jr., motioned to ACCEPT staffs recommendation with the mentioned conditions that site plan being review being incorporated. Commissioner Arthur Simons seconded the motion. Motion carried.

Commissioner Gage requested they incorporate into the motion whether they could restrict the use of TIF funds for surface commercial parking lots. Captured TIF funds would still be eligible for parking structures just not improvements to parking lots dedicated for commercial use. The concern that TIF A funds would be used to improve existing surface lots to make them permanent, rather than the transition lots that they are today. The ultimate goal is to involve those lots into mixed-use development.

Commissioner Frederick E. Russell, Jr., ACCEPTED Commissioner Gage's amendment to the motion that incorporates the restriction of the use of TIF funds for existing surface commercial parking lots. Commissioner Arthur Simons seconded the motion. Motion carried.

- C. PD MODIFICATION - Consideration of the proposal of Midtown Project, LLC to modify the plans for the existing PD (Planned Development District) zoning classification on District Map No.4, Article XVII of the 1984 Detroit City Code, Zoning, for the properties located at 3750, 3780 and 3800 Woodward Avenue presently sown on the southeast comer of Woodward and Alexandrine Avenue.

Present: Christopher Gulock, Legislative Policy Division (LPD)  
Mike Kirk, Representative of the Architect

Legislative Policy Division (LPD) staff member, Christopher Gulock, referred Commissioners to the report dated July 30, 2013. On May 16, 2013 the Commissioner's held a hearing. Only two people spoke. One person who spoke stated the Commission needed to do a better job notifying the neighborhood of the project, because she hadn't heard anything about it. The other person who spoke was a manager of the Bicentennial Tower to the north and he was supportive of the project. There were questions on the public walkway on the north end of the site and why this proposal needed so much parking.

There were numerous discussions with the developer, PDD staff, and different city agencies. The parties have agreed to five changes: 1) to move the building 5' further east to give more pedestrian space along Woodward; 2) to remove the conceptual plan for Phase II; 3) to eliminate their plans to encroach on the walkway; 4) to redesign one of the Woodward driveways at the south end of the site on; and, 5) have four way finding signs inside the site to help direct pedestrians and vehicles through the site. The developer did submit revised plans,



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which we provided to the Commissioners.

The walkway is owned by the city. It is not part of the plan now. If they do buy that walkway it would need to be supported by the Urban Renewal Plan. The Master Plan calls for mixed residential-commercial. We've not received an official letter from P&DD that this complies with the Master Plan, but we understand verbally from them that it does. This is Urban Renewal land. The project does comply with the land use requirements of the plan. Signage of the building is currently conceptual; they would need to work additionally with P&DD and CPC staff regarding the final signage at a later date. They have submitted a landscaping plan. Staff feels the four way finding signs will help with circulation of the site. Staff is generally supportive of the design of the site. It is adjacent to two historic districts; so the petitioner would need to ask the Historic District Commission to review the project and they are going to submit that application. The revised parking plan shows 616 spaces in the deck and 24 surface spaces for a total of 640; there are 90 less than when they came to you in May. It appears the urban renewal plan requires about 434 spaces, the zoning requirements appear to require about 616 spaces; but, this is a PD so neither is binding, so it's up to the Commission if you feel it is an appropriate amount of parking. At this point CPC staff is generally in support of the parking plan and there does appear to be a need in the area. The proposal does meet the PD design criteria.

A community meeting was held on April 10, 2013 and they did attempt to meet with the Medical Center CDC on March 31, 2013 but the CDC failed to make a quorum.

Planning Commission staff recommends APPROVAL with the one condition that the site plans, landscaping, lighting and signage plans be submitted to the CPC staff to review the consistency with the approved plans prior to making the application prior to making building permits.

Mike Kirk indicated that the developer is open to taking the fence down between the parking lot and the walkway so that it would be more accessible by the public, if the Commission wishes. Right now, we would leave the pathway as it currently is on vacant parcel site that part would remain on Woodward until such time as the site is developed. Someone could walk around that part to get to the site. Both buildings will be gone prior to any of the construction. You just can't get through the park. The park has a fence around it.

Commissioner Russell: The city owns the park so the city could actually open it up.

Mike Kirk: The residents that came to the meeting we had at the Bicentennial Towers liked the idea of being able to walk from their parking lot into this development without fences on either side of the parking lot.

Commissioner Gage: Originally the piece of property was going to be purchased and included in the entire development site, now that's been broken off and the land will remain city-owned. It would be good to get the city's involvement in what improvements should be made at that site in conjunction with the development that's happening adjacent to it.

Christopher Gulock: You can make a second recommendation if you wanted the city to do something, directing the city to explore something.

**ACTION:** Commissioner Karen Gage moved to APPROVE the staff's recommendation regarding the site plan with staff's conditions as outlined. Commissioner Russell, Jr., seconded the motion.  
Motion carried

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Commissioner Russell moved to APPROVE staff recommendation that City Council explore the proper use of the walkway adjacent to the property and park located on Woodward near Alexanderine. Chairperson Gage seconded the motion. Motion carried.

## V. New Business

- A. PD MODIFICATION - Consideration of a PD modification for property located at 1500 Gratiot Ave. (Stonecrest Medical Center). The permit applicant requests the addition of a ten feet tall metal picket (wrought iron look) fence along portions of the site perimeter.

Present: Greg Moots, Legislative Policy Division (LPD)

Gregory Moots, LPD Staff Member, referred Commissioners to the report dated July 29, 2013, included with the meeting materials; he detailed the proposed development and reviewed and referenced site plans and renderings. LPD Staff previously signed off on a temporary parking lot to accommodate the demolition of the deck in September. The demolition will come back to the Planning Commission as a major modification. Also requested is the construction of a wrought iron fence at the southern portion of the site. Cars have been broken into at the site. The petitioners are requesting a 10' fence. Staff felt it was too tall and wanted to bring it to the Commission for review and advice. They would have gates for the fence in four (4) locations; two at the western part, one off State Fair and off the north-south alley, east of Gratiot. Presently there is a 3-4 foot brick wall around the site. The brick wall could very easily be climbed. They are looking for something with more security. Another option would be to install masonry brick peers.

Commissioner Lesley Carr spoke of the tall fence around Meijer's that the City approved. Seems like we should be consistent with what we think is aesthetically pleasing. If there is an area that isn't along the main thoroughfares the eyes aren't on, to give them some security, but allow a shorter fence on the other areas.

Greg Moots responded the Meijer's fence doesn't face the public, but facing a loading area. Most of the other tall fences (10' chain link) were around industrial, some commercial properties. The only small portion (100-200 ft. max) is along the southeastern portion of the site would be much less visible area of the site.

Commissioner Simons asked if there was an ordinance that states no wrought iron fence should be more than 8 feet.

Greg Moots stated the ordinance does allow a fence up to 10' in commercial and industrial areas. They are within their rights, of course, except that the property is on PO and therefore the property is set for aesthetic review. The 10' could be allowed elsewhere, we don't feel it's appropriate here. This action, normally staff would review only as a minor modification, except for the fact that staff and the petitioner didn't agree. We wanted, therefore, to bring it to the Commission for your official determination. If they don't agree with your review, they could then request the review of City Council. We felt 8' was the maximum height but we prefer 6'.

Greg Moots said they're shooting for September 19<sup>th</sup> hearing on the major modification to the site. They, however, wanted to construct the temporary parking lot and get the fence up now while they're working on the rest of the site. They either have a chance to come back to you on Sept. 19<sup>th</sup> if they haven't yet begun construction on the fence to try to get you to reconsider the fence as a part of the overall site, or they can bring

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it to Council and Council can take it up at their September Planning & Economic Development Standing Committee meeting on the 12th.

ACTION: Commissioner Roy Levy Williams moved DENY proposed modification which includes a 10' metal picket fence but APPROVE the recommendations of the LPD staff for addition of a fence up to 6' tall. Commissioner Arthur Simons seconded the motion. Motion carried.

**VI. Committee Reports - (none)**

**VII. Director's Report - (none)**

**VIII. Communications - (none)**

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

**X. Adjournment - The meeting adjourned at 7:35 P.M.**

