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Marcell R. Todd, Jr.  
Director

# City of Detroit

**CITY PLANNING COMMISSION**  
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August 28, 2019

## HONORABLE CITY COUNCIL

**RE:** Request of Tower Construction on behalf of A.F. Jonna Development and Management Company to modify and amend map No. 11 of Chapter 61, Article XVII of the 1984 Detroit City Code, Zoning, and the provisions of an existing Planned Development (PD) District established by Ordinance 512-H for the area generally bounded by Wight Street (extended), the Coast Guard facility, the Detroit River, and East Harbortown Drive, also known as 3500 E. Jefferson Avenue. **(RECOMMEND APPROVAL)**

The Detroit City Planning Commission has concluded its review and deliberations and recommends approval in regards to the above captioned request of Tower Construction on behalf of A.F. Jonna Development and Management Company. The requested modification would allow for the construction of a five-story apartment building and 11 townhomes and requisite off-street parking in the Harbortown complex. Below please find the Commission's report and recommendation.

### PROJECT PROPOSAL

The subject property, located in District 5, sits within a site measuring just over five (5) acres (6.88 acres). The parcel is largely undeveloped with the exception of two tennis courts located on the northwest corner of the subject parcel which are slated to be removed. The proposed building height for the multi-family residential structure is five stories and would contain approximately 202 one, two and three-bedroom rental units. Additionally, the proposed development includes 11 two-story townhomes with attached garages which would be situated along the southern shoreline of the manmade lagoon located in the Harbortown complex. The building exterior is to be clad primarily of brick, with balconies for each unit, much like what was constructed in phase one of the Water's Edge development (134 one, two, and three-bedroom rental units). It is anticipated that construction will take approximately twelve to sixteen months to complete.

As indicated in the attached site plans, the proposed use is a 202-unit, five-story apartment building, as well as an associated parking lot, in addition to 11 two-story townhomes with attached garages, parking pads and guest parking. The units will include one, two, and three bedroom configurations, the majority of which consist of two-bedroom units. The breakdown of the proposed unit count is as follows: 85 one-bedroom units, 102 two-bedroom units, and 15 three-bedroom units.

On the first floor of the apartment structure the proposed unit configuration is as follows: 17 one-bedroom units, 18 two-bedroom units, and 3 three-bedroom units. On the residential levels of two through five, the configuration is as follows: 17 one-bedroom units, 21 two-bedroom units, and 3 three-bedroom units.

The proposed multi-family residential structure would consist of four sections: A, B, C, and D. Section A is proposed to be 73,630 square feet; Section B, 62,355 square feet; Section C, 58,620 square feet; and Section D, 82,980 square feet. The foot notes on sheet CS100 state that the apartment structure is divided into 4 buildings separated by two-hour rated firewalls.

The proposed parking lot consists of 312 parking spaces which would be located to the west, north and east of the proposed apartment building. Fifteen of which are proposed guest parking for the 11 townhomes in the north-east section of the development. The off-street parking standards in Sec. 61-14-24 only require 252.5 off-street parking spaces, nearly 60 parking spaces fewer than what is being proposed. The developer is proposing to place 19 off-street parking spaces in reserve for future use in the southeast corner of the parking lot in order to provide an additional 3,468 square feet of landscaped area, as was done in 2013 with phase one of the Water's Edge development. The parking areas to the west, north and east of the proposed apartment building would be screened from the existing residential units to the north by Patmore Green Ash trees. As the site plans show, the River Walk follows the southern boundary of the subject area. The parking areas would be screened from the River Walk by new landscaping consisting of Shadblow, Patmore Green Ash, and Kousa Dogwood trees.

Building materials are proposed to be predominantly red masonry to match the architectural style and materials of Water Edge phase one. There has been additional conversation with the developer regarding the proposed height and massing of the proposed multi-family residential structure. Several concerns have been raised by the Planning and Development Department related to materiality, massing of the buildings, surface parking and loss of green space. CPC staff is of the opinion that if a greater building height were utilized as well as some form of structured parking, the issues around massing and loss of green space would be minimized. The developer has indicated that they have forgone greater density which would be permitted, in lieu of preserving visibility to the Detroit River for as many residents of Spinnaker Tower as possible.

## **BACKGROUND**

When Waters Edge Phase I was presented in 2015 a number of concerns which closely resemble those expressed by residents regarding Phase II were communicated to the Commission, i.e., stormwater management, ingress and egress, snow removal, etc.

The public hearing for this requested PD modification was held on October 19, 2017, at which time many of these concerns were revisited along with a great number more of recent issues, particularly, basement flooding during storm events, the proposed height and elevations of the building, the loss of outdoor recreational space and the like.

Members of various Harbortown condominium associations provided copies of lease agreements and promotional materials believed to guarantee a resort like lifestyle within the Harbortown community

At the public hearing of Thursday, October 19, 2017, the Commission requested that staff work with the petitioner to among other things hold a community meeting to further discuss the issues and concerns raised by members of the Harbortown community, as well as allow the Law Department, Detroit Water and Sewerage Department and the Buildings, Safety Engineering and Environmental Department to review and comment on documents submitted by the members of the Harbortown community believed to be relevant to your review. The culmination of these ongoing discussions concluded on Tuesday, June 18, 2019. It is for this reason that this request is just now being forwarded to Your Honorable Body for your consideration.

Attached is a copy of staff's August 30, 2017 report to the Commission which details all concerns raised by the residents of Harbortown and the developer's responses to those concerns.

As previously stated in this report a number of community meetings were held between the developer and the residents of the Harbortown Community over the course of two years.

The most recent of which was held on Tuesday, June 18, 2019, at which the developers plans for sanitation and storm water management were shared with the various condominium associations in the Harbortown community. Prior this the June 18<sup>th</sup> meeting a meeting was held on May 14, 2018 at 6 p.m. at the Water's Edge Club House. There were approximately 100 residents in attendance. An overview of the proposed development, i.e. Water's Edge Phase II was given by the developer, Arkan Jonna, who also solicited recommendations from members of the community in an effort to improve the site plans now before Your Honorable Body for your consideration. While many of the comments received at the May 14<sup>th</sup> community meeting centered on operational concerns, a summary of the comments received have been included in this report for your information.

## **PLANNING CONSIDERATIONS**

### ***Surrounding Zoning and Land Use***

The zoning classifications and land uses surrounding the subject area are as follows:

North: PD; residential, Spinnaker Tower  
East: PD; residential, Water's Edge Phase I.  
South: PD; River Walk and Detroit River.  
West: PD; UAW Training facility.

### ***Master Plan Consistency***

The subject site is located within the Near East Riverfront area of Neighborhood Cluster 4 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows "Mixed-Residential/Commercial" for the subject property. While the proposed use appears to be consistent with this designation the Planning and Development Department (P&DD) has been requested to submit its comments regarding this proposal.

## **COMMUNITY CONCERNS**

### ***Site plans***

The recommendation was made that the developer provide additional site plans and seek community input rather than simply presenting their vision for the development as a foregone conclusion. It was explained by the developer and by City Planning Commission staff that the

property in question is not a part of the condominium association and that the has an opportunity to express concerns just as when any rezoning or PD modification is being proposed. It was further explained that the subject property is not a part of the community commons and that the Harbortown community has no vested interest in the subject property. The developer stated that he has solicited comments from the community in order to improve the sight plans and once again offered that opportunity at the community meeting of May 14, 2008.

It was recommended by one member of the Harbortown community that the developer consider stackable townhomes, rather than a highrise apartment building that is slated to be converted into condominiums that would be in direct competition with the Great Lakes and Spinnaker Towers, Presently, both towers have a high rate of vacancy.

### ***Ingress and Egress***

Concerns over traffic congestion have been at the forefront in regards to the Harbortown Development since its inception. There is currently a proposal being considered to address the ingress and egress issues. The opening of Adair and Wright streets to emergency vehicles has been recommended by the residents, developer and City Planning Commission, dating back to 1986. It has been demonstrated that the access points to the development, from E. Jefferson Avenue are not sufficient to accommodate the Detroit Fire Departments equipment, as evidenced by a failed emergency preparedness operation which took place last fall. Since that time, lock boxes on Adair and Wight have been added which emergency personal have access to.

Additionally, the developer has assessed what would be required to provide regular access from Adair and Wight, including the construction of an attendant's booth.

A traffic study was conducted in February of 2018, which is attached. Many residents of the Harbortown community believe that a traffic light at the E. Jefferson point of ingress and egress would be beneficial considering the City's recent street improvements with parking and bike lanes. It has been requested by the Commission that a new traffic study be conducted which takes into account the parking and bike lanes on East Jefferson and the impacts they have on traffic patterns.

### ***Green spaces and obstruction of views***

Given the utilization of existing green space, which is not a part of the community commons, the developer has opted to move forward with the development and implementation of the recreational area to the south-east of Water's Edge Phase I to ensure that a recreational area would be made available to the community sooner rather than later.

There were concerns expressed over the location of condominiums on Jib Lane and the loss of views of the Detroit River. Additional concerns were expressed over the loss of trees throughout the Harbortown development that have never been replaced.

The question was also raised if the language in resident's lease agreements remains relevant once the units have been converted into condominiums regarding the obstruction of views. In several conversations with attorneys well versed in real estate law they have issued to the opinion that the language remains relevant.

### ***Snow removal***

Concerns arose regarding snow removal and on-site storage space, given that the vacant subject property proposed or development is currently being used for storing plowed snow. The developer indicated that snow would be stored in the landscaped areas throughout the development.

### ***Preservation of property values***

The concern regarding the preservation of property values is a question which often comes before the Commission and was raised again by residents of the Harbortown Community. Residents inquired why the developer is considering rental units rather than condominiums, citing their belief that rental units decrease property values. The developer stated that the idea is to covert the rental units to condominium units over time.

## **DEPARTMENTAL ANALYSIS**

In light the various questions raised by the community, particularly those with legal ramification, the commission requested review by the Law Department. A report was submitted addressing the questions of community commons, obstruction of views, and outdoor recreational spaces. The Law Department's response to the questions and concerns raised by members of the Harbortown Community were addressed in a memorandum dated July 17, 2018 which is attached for your review. The memo states in part, "Your letter, dated May22, asked about whether a certain structure(s) at Harbortown had been built to specifications and about the prospective construction of a second residential tower at 3500 E. Jefferson. Both issues are private in nature. I do not see how any government agency should – or could - weigh in on these matters."

At the July 21, 2018 continued public hearing, the Commission once again took testimony regarding the resident's concerns of the proposed development. The comments received were not in regards to the design or scale of the proposed development, nor the content of the site plans being considered. The majority of the public testimony was in regards to the on-going flooding issues of previously built residential units within the Harbortown community. Given that the issues at hand pertained largely to stormwater and sanitation concerns, the Commission voted to recommend approval of the proposed PD modifications and instructed staff to delay the advancement this matter to City Council until such a time that the developer and the Detroit Water and Sewerage Department jointly reviewed the developers plans for stormwater and sanitation and presented their findings to the residents of the Harbortown community.

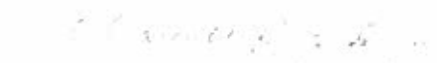
## **RECOMMENDATION**

On July 21, 2018 the City Planning Commission voted to recommend approval of the requested PD modification. This recommendation comes with the following conditions:

- 1) That the conversion of the "landbanked" areas to parking, if required in the future, is approved, and
- 2) That final site plans, elevations, landscaping lighting and signage plans shall be submitted to the staff of the City Planning Commission for review and approval for consistency with the approved plans prior to application being made for applicable permits.

Respectfully submitted,

ALTON JAMES, CHAIRPERSON



Marcell R. Todd, Jr, Director

George A. Etheridge, Staff

Attachments: Departmental Reports

cc: Maurice Cox, Director, PDD  
Karen Gage, PDD  
Ester Yang, PDD  
Lawrence Garcia, Corporation Counsel  
David Bell, Director, BSEED  
Gary Brown, Director, DWSD

## SUMMARY

An ordinance to amend Chapter 61 of the 1984 Detroit City Code, 'Zoning,' commonly known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No. 11 to modify the existing PD (Planned Development District) zoning classification, established by Ordinance No. 512-H, shown on property located at 3500 East Jefferson Avenue, generally bounded by Wight Street (extended) to the north, the U.S. Coast Guard facility located at 110 Mt. Elliott Street to the east, the Detroit River to the south, and East Harbortown Drive to the west.

1 **BY COUNCIL MEMBER \_\_\_\_\_** :

2 **AN ORDINANCE** to amend Chapter 61 of the 1984 Detroit City Code, 'Zoning,'  
3 commonly known as the Detroit Zoning Ordinance, by amending Article XVII, District Map No.  
4 11 to modify the existing PD (Planned Development District) zoning classification, established  
5 by Ordinance No. 512-II, shown on property located at 3500 East Jefferson Avenue, generally  
6 bounded by Wight Street (extended) to the north, the U.S. Coast Guard facility located at 110  
7 Mt. Elliott Street to the east, the Detroit River to the south, and East Harbortown Drive to the  
8 west.

9 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:**

10 **Section 1.** Article XVII, Chapter 61 of the 1984 Detroit City Code, Zoning, is amended  
11 as follows:

12 Article XVII, District Map No. 11 of the 1984 Detroit City Code, Zoning, is amended to  
13 modify the existing PD (Planned Development District) zoning classification, established by  
14 Ordinance No. 512-II, shown on property located at 3500 East Jefferson Avenue, generally  
15 bounded by Wight Street (extended), the U.S. Coast Guard facility located at 110 Mt. Elliott  
16 Street to the east, the Detroit River to the south, and East Harbortown Drive to the west, and  
17 more specifically described as:

18 LAND IN THE CITY OF DETROIT, COUNTY OF WAYNE, STATE OF MICHIGAN  
19 BEING DESCRIBED AS: BEGINNING AT A POINT S 29°58'20"E, 872.00 FEET  
20 ALONG THE EASTERLY RIGHT-OF-WAY LINE OF ADAIR STREET (60 FEET  
21 WIDE) FROM THE INTERSECTION OF THE SOUTHERLY LINE OF JEFFERSON  
22 AVENUE (120 FEET WIDE) AND THE EASTERLY LINE OF SAID ADAIR  
23 STREET; THENCE N 59°52'00" E, 308.57 FEET; THENCE N 89°57'37" E, 155.89



1 FEET: THENCE S 46°47'23" E. 219.00 FEET; THENCE S 29°58'20" E. 74.48 FEET;  
2 THENCE S 60°01'40" W. 177.48 FEET; THENCE S 29°58'20" E. 224.69 FEET;  
3 THENCE S 49°55'28" W. 211.69 FEET; THENCE S 40°04'32" E. 161.03 FEET TO A  
4 POINT ON THE UNITED STATES HARBOR LINE AS ESTABLISHED THE U.S  
5 CORPS OF ENGINEERS IN 1933; THENCE S 49°55'28" W ALONG SAID UNITED  
6 STATES HARBOR LINE A DISTANCE OF 153.54 FEET TO A POINT ON THE  
7 EASTERLY RIGHT-OF-WAY LINE OF SAID VACATED ADAIR STEET; THENCE  
8 N 29°58'20" W ALONG SAID VACATED ADAIR STREET A DISTANCE OF 805.11  
9 FEET TO THE POINT OF BEGINNING. CONTAINING 272,527.27 SQ. FT. ORR  
10 6.25 ACRES AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

11 to approve the site plans, elevations, and other components of the development proposal for the  
12 Harbortown residential development, as depicted in the drawings prepared by Stonefield  
13 Engineering, dated August 30, 2017, subject to the following conditions:

- 14 1. That the final site plans, elevations, lighting, signage, and landscaping plans are subject  
15 to review and approval by City Planning Commission staff for consistency with the  
16 approved plans prior to application being made for applicable permits, and
- 17 2. That any conversion of the "landbanked" areas to parking, if required in the future, is  
18 subject to review and approval by City Planning Commission staff for consistency with  
19 the approved plans

20 **Section 2.** All ordinances or parts of ordinances in conflict with this ordinance are repealed.

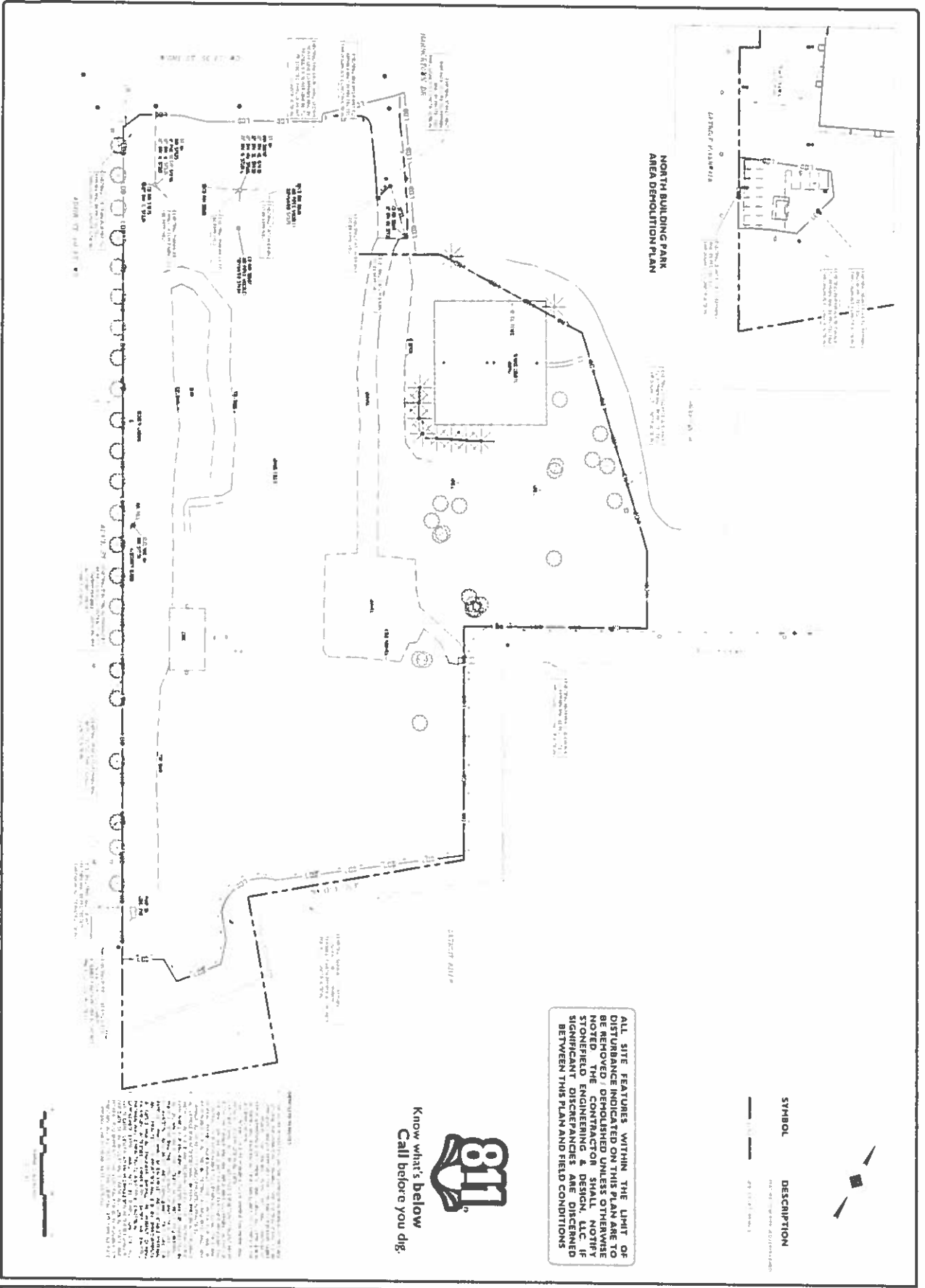
21 **Section 3.** This ordinance is declared necessary for the preservation of the public peace,  
22 health, safety and welfare of the people of the City of Detroit.

1           **Section 4.**   This ordinance shall become effective on the eighth (8<sup>th</sup>) day after  
2 publication in accordance with MCL 125.3401(6) and Section 4-118, paragraph 3, of the 2012  
3 Detroit City Charter.

4  
5 Approved as to Form:

6  
7   
8 \_\_\_\_\_  
9 Lawrence T. Garcia  
10 Corporation Counsel





ALL SITE FEATURES WITHIN THE LIMIT OR DISTURBANCE INDICATED ON THIS PLAN ARE TO BE REMOVED / DEMOLISHED UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL NOTIFY STONEFIELD ENGINEERING & DESIGN, LLC, IF SIGNIFICANT DISCREPANCIES ARE DISCOVERED BETWEEN THIS PLAN AND FIELD CONDITIONS.

Know what's below  
Call before you dig.

<p><b>STONEFIELD</b> engineering &amp; design</p> <p>1000 W. 10th St., Suite 100 Portland, OR 97204 Phone: 503.242.1111</p>	<p><b>SITE DEVELOPMENT PLANS</b></p> <p><b>WATERSEDGE II</b> PROPOSED RESIDENTIAL BUILDING COMPLEX WITH ASSOCIATED IMPROVEMENTS</p> <p>PARCEL NO 198411800 3186 S JEFFERSON AVENUE CITY OF PORTLAND WASHINGTON COUNTY METROPOLIS</p>	<p><b>NOT APPROVED FOR CONSTRUCTION</b></p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>06/10/2011</td> <td>SPW</td> <td>SUBMISSION TO CITY PLANNING DEPT.</td> </tr> <tr> <td>2</td> <td>06/11/2011</td> <td>SPW</td> <td>RE-DESIGN FOR CLIENT COMMENTS</td> </tr> <tr> <td>3</td> <td>06/25/2011</td> <td>SPW</td> <td>CITY PLANNING COMMISSION APPROVAL</td> </tr> <tr> <td>4</td> <td>06/25/2011</td> <td>SPW</td> <td>CITY PLANNING COMMISSION APPROVAL</td> </tr> <tr> <td>5</td> <td>06/25/2011</td> <td>SPW</td> <td>SUBMISSION FOR UTILITY PLAN REVIEW</td> </tr> <tr> <td>6</td> <td>07/10/2011</td> <td>SPW</td> <td>SUBMISSION FOR UTILITY PLAN REVIEW</td> </tr> </tbody> </table>	NO.	DATE	BY	DESCRIPTION	1	06/10/2011	SPW	SUBMISSION TO CITY PLANNING DEPT.	2	06/11/2011	SPW	RE-DESIGN FOR CLIENT COMMENTS	3	06/25/2011	SPW	CITY PLANNING COMMISSION APPROVAL	4	06/25/2011	SPW	CITY PLANNING COMMISSION APPROVAL	5	06/25/2011	SPW	SUBMISSION FOR UTILITY PLAN REVIEW	6	07/10/2011	SPW	SUBMISSION FOR UTILITY PLAN REVIEW
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<p><b>DEMOLITION PLAN</b></p> <p>C-2</p>		<p>DATE: 07/10/2011</p> <p>BY: SPW</p>																												

**TABLE OF LAND USE AND ZONING**

Parcel ID: 00100001000

Map Name: 11/2015 Planning - City of Dearborn, Michigan

Parcel ID	Current Zoning	Proposed Zoning
00100001000	R-1 (Single-Family Residential)	R-1 (Single-Family Residential)
Zoning Map Description: R-1 Single-Family Residential. The minimum lot size is 12,000 square feet. The maximum height is 25 feet. The maximum coverage is 35%. The minimum setbacks are 10 feet front, 5 feet side, and 5 feet rear.		

**OFF-STREET PARKING REQUIREMENTS**

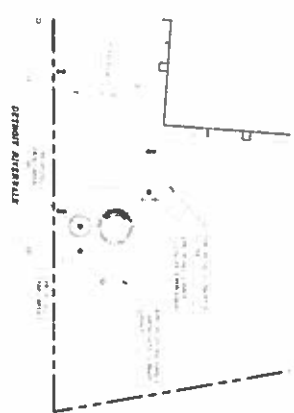
Code	Requirement
1 (Garage)	1.5 spaces per unit
2 (Visitor)	1.0 space per unit
3 (Total)	2.5 spaces per unit
TOTAL 12-113-113 12 units x 2.5 spaces per unit = 30 spaces required.	

**LEGAL DESCRIPTION**

LAND PARCEL: 00100001000. CONTAINS: 0.1465 ACRES. TRACT: 12-113-113. LOT: 113.

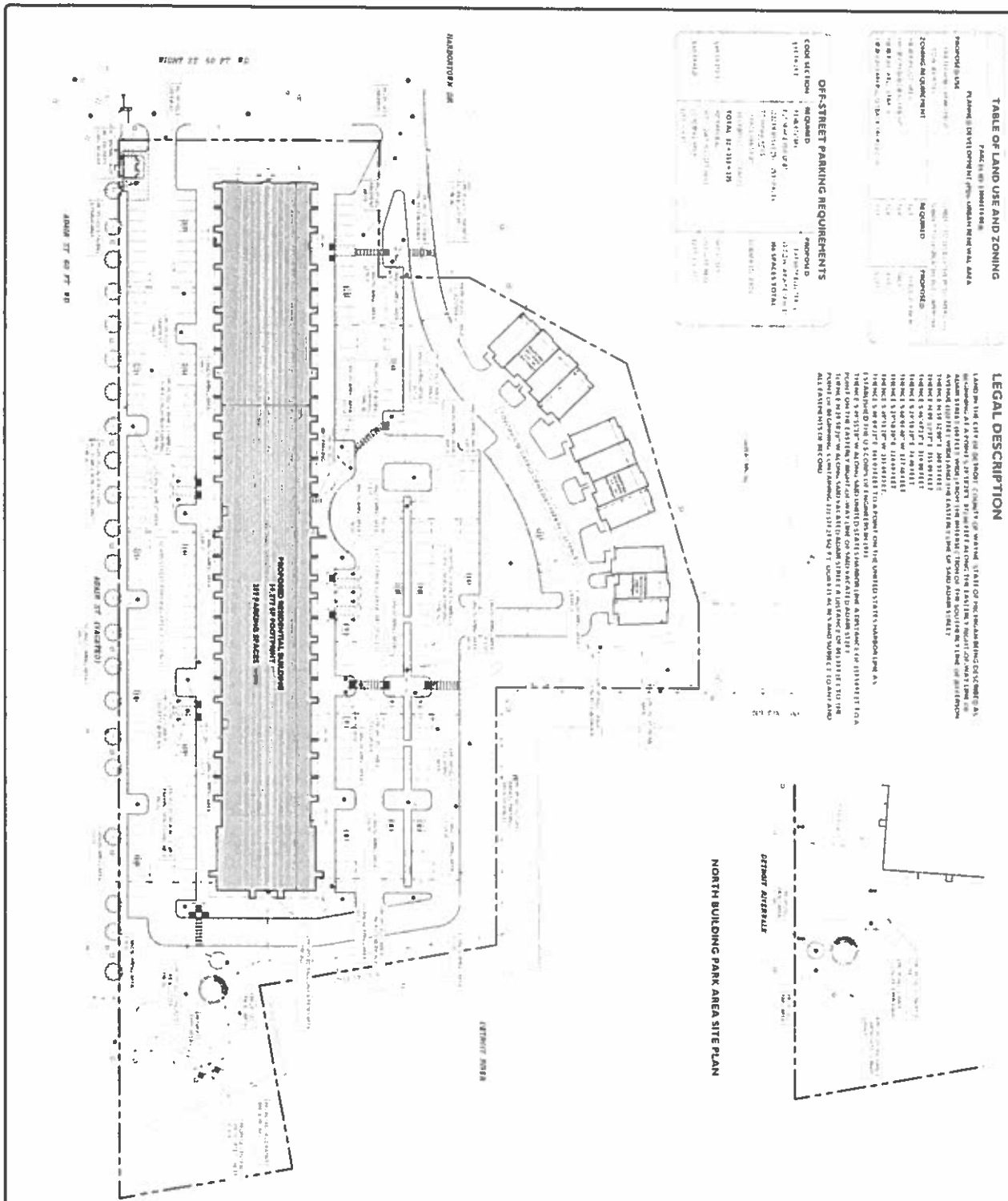
LEGAL DESCRIPTION: TRACT 12-113-113, LOT 113, W/1/4 SEC 27, T42N, R10W, E23.4th E/4.

PLANNING DEPARTMENT, CITY OF DEARBORN, MICHIGAN.

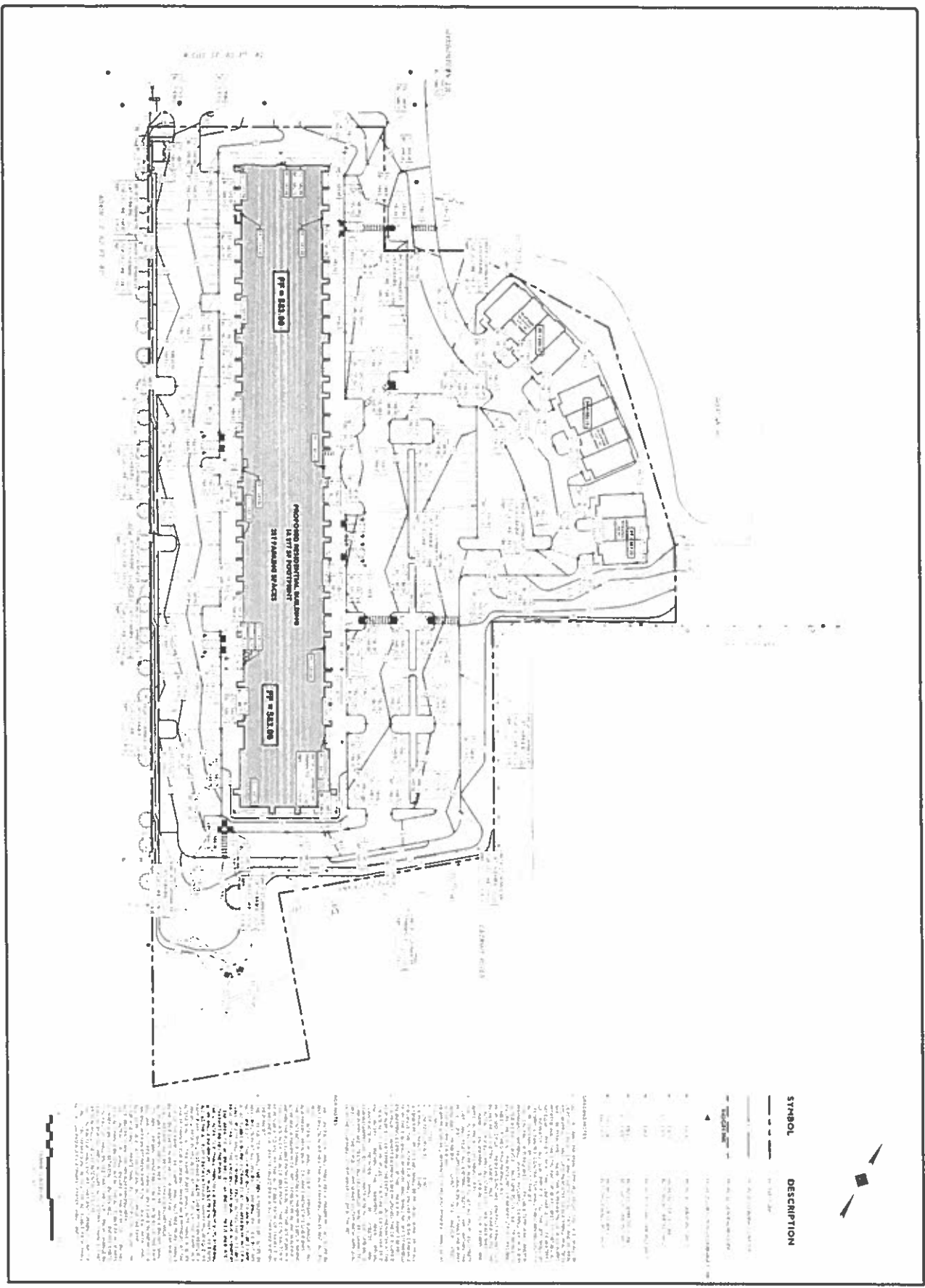


**NORTH BUILDING PARK AREA SITE PLAN**

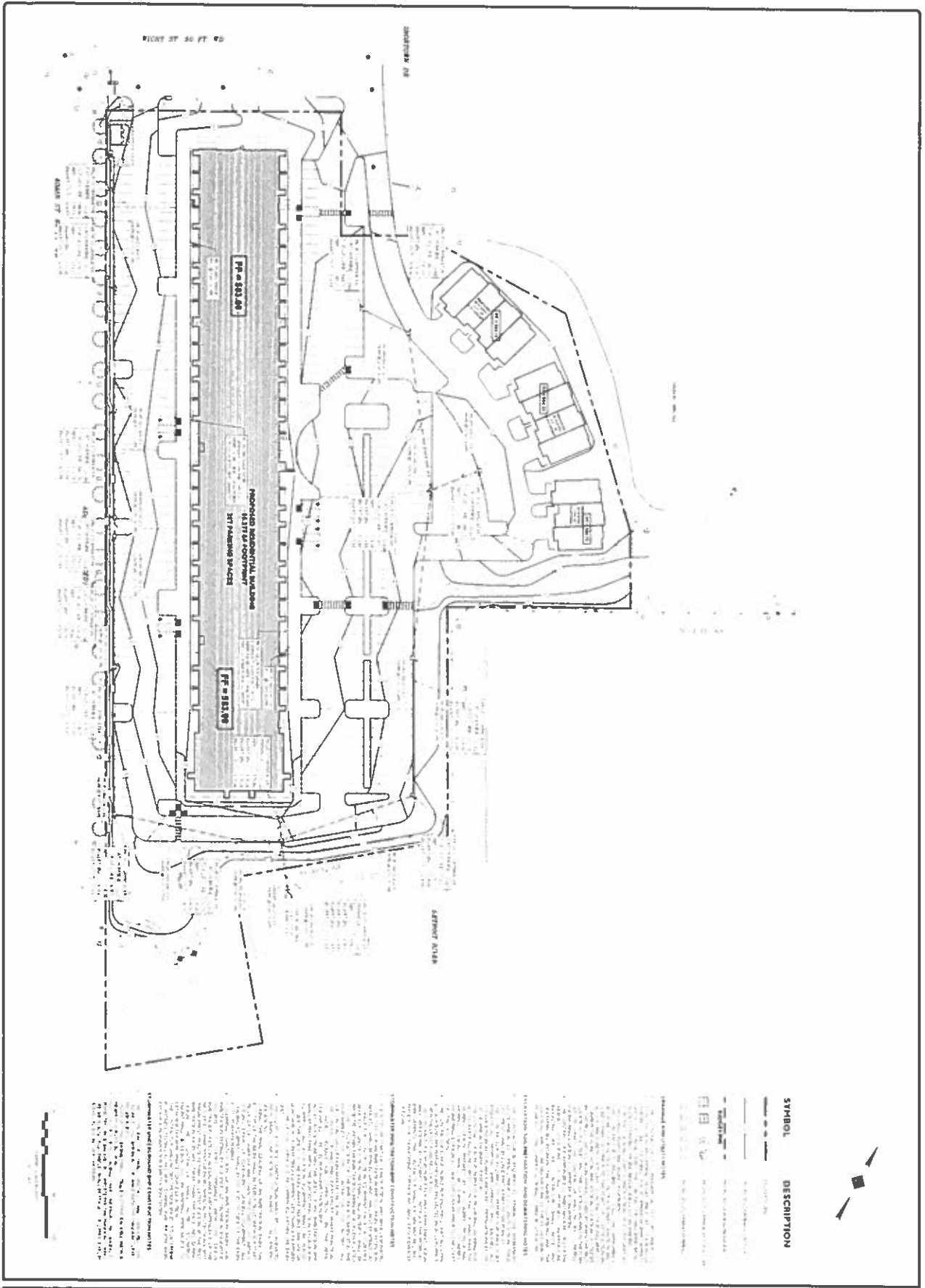
SYMBOL	DESCRIPTION
[Solid Line]	Property Boundary
[Dashed Line]	Setback Line
[Thin Solid Line]	Driveway
[Thick Solid Line]	Proposed Building Footprint
[Dotted Line]	Proposed Parking Spaces
[Circle]	Proposed Light Pole
[Square]	Proposed Street Light
[Triangle]	Proposed Storm Drain



<p><b>STONEFIELD</b> engineering &amp; design Royal Oak, MI Long Beach, CA Fort Lauderdale, FL www.stonefield.com</p> <p>2655 Woodward Avenue Royal Oak, MI 48067 Phone: 248.267.8855</p>	<p><b>SITE DEVELOPMENT PLANS</b></p> <p><b>WATERSEDGE II</b> PROPOSED RESIDENTIAL BUILDING COMPLEX WITH ASSOCIATED IMPROVEMENTS</p> <p>PARCEL ID: 00100001000 TRACT 12-113-113 LOT 113 CITY OF DEARBORN DEARBORN COUNTY MICHIGAN</p>	<p><b>NOT APPROVED FOR CONSTRUCTION</b></p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>11/12/15</td> <td>JW</td> <td>Submission for City Planning Review</td> </tr> <tr> <td>2</td> <td>11/27/15</td> <td>JW</td> <td>Submission for City Planning Review</td> </tr> <tr> <td>3</td> <td>12/02/15</td> <td>JW</td> <td>Submission for City Planning Review</td> </tr> </tbody> </table>	NO.	DATE	BY	DESCRIPTION	1	11/12/15	JW	Submission for City Planning Review	2	11/27/15	JW	Submission for City Planning Review	3	12/02/15	JW	Submission for City Planning Review
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3	12/02/15	JW	Submission for City Planning Review															
<p><b>C-3</b></p> <p><b>SITE PLAN</b></p>	<p>SCALE: 1" = 100'-0"</p> <p>DATE: 11/2015</p>																	



 <b>STONEFIELD</b> engineering & design	<b>SITE DEVELOPMENT PLANS</b> <b>WATERSEDGE II</b> <b>PROPOSED RESIDENTIAL BUILDING</b> <b>COMPLEX WITH ASSOCIATED</b> <b>IMPROVEMENTS</b> <small>PARCEL ID: 180818A001          1150 E HERRICK AVENUE          CITY OF DETROIT          WAYNE COUNTY MICHIGAN</small>	<b>STONEFIELD</b> engineering & design <small>Royal Oak MI Long Island City NY Piquette Hill MI          www.stonefieldeng.com</small> <small>2014 Woodward Road, Royal Oak MI 48067          Phone: (484) 471-1115</small>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">ISSUE</th> <th style="width: 10%;">DATE</th> <th style="width: 10%;">BY</th> <th style="width: 75%;">DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>08/02/2011</td> <td>SMW</td> <td>PERMISSION FOR (27) PLANNING MEETING</td> </tr> <tr> <td>2</td> <td>08/16/2011</td> <td>SMW</td> <td>PERMITS FOR (27) MEETING</td> </tr> <tr> <td>3</td> <td>08/17/2011</td> <td>SMW</td> <td>GETTING PLANNING (27) PERMISSION APPROVAL</td> </tr> <tr> <td>4</td> <td>08/17/2011</td> <td>SMW</td> <td>GETTING PLANNING (27) PERMISSION APPROVAL</td> </tr> <tr> <td>5</td> <td>08/17/2011</td> <td>SMW</td> <td>SUBMITTION FOR SITE PLAN REVIEW</td> </tr> <tr> <td>6</td> <td>08/26/2011</td> <td>SMW</td> <td>PERMISSION FOR SITE PLAN REVIEW</td> </tr> </tbody> </table>	ISSUE	DATE	BY	DESCRIPTION	1	08/02/2011	SMW	PERMISSION FOR (27) PLANNING MEETING	2	08/16/2011	SMW	PERMITS FOR (27) MEETING	3	08/17/2011	SMW	GETTING PLANNING (27) PERMISSION APPROVAL	4	08/17/2011	SMW	GETTING PLANNING (27) PERMISSION APPROVAL	5	08/17/2011	SMW	SUBMITTION FOR SITE PLAN REVIEW	6	08/26/2011	SMW	PERMISSION FOR SITE PLAN REVIEW
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6	08/26/2011	SMW	PERMISSION FOR SITE PLAN REVIEW																												



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3100 WEST 12TH AVENUE  
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**STONEFIELD**  
MANAGEMENT PLAN

C-5

**SITE DEVELOPMENT PLANS**

**WATERSEDGE II**  
**PROPOSED RESIDENTIAL BUILDING**  
**COMPLEX WITH ASSOCIATED**  
**IMPROVEMENTS**

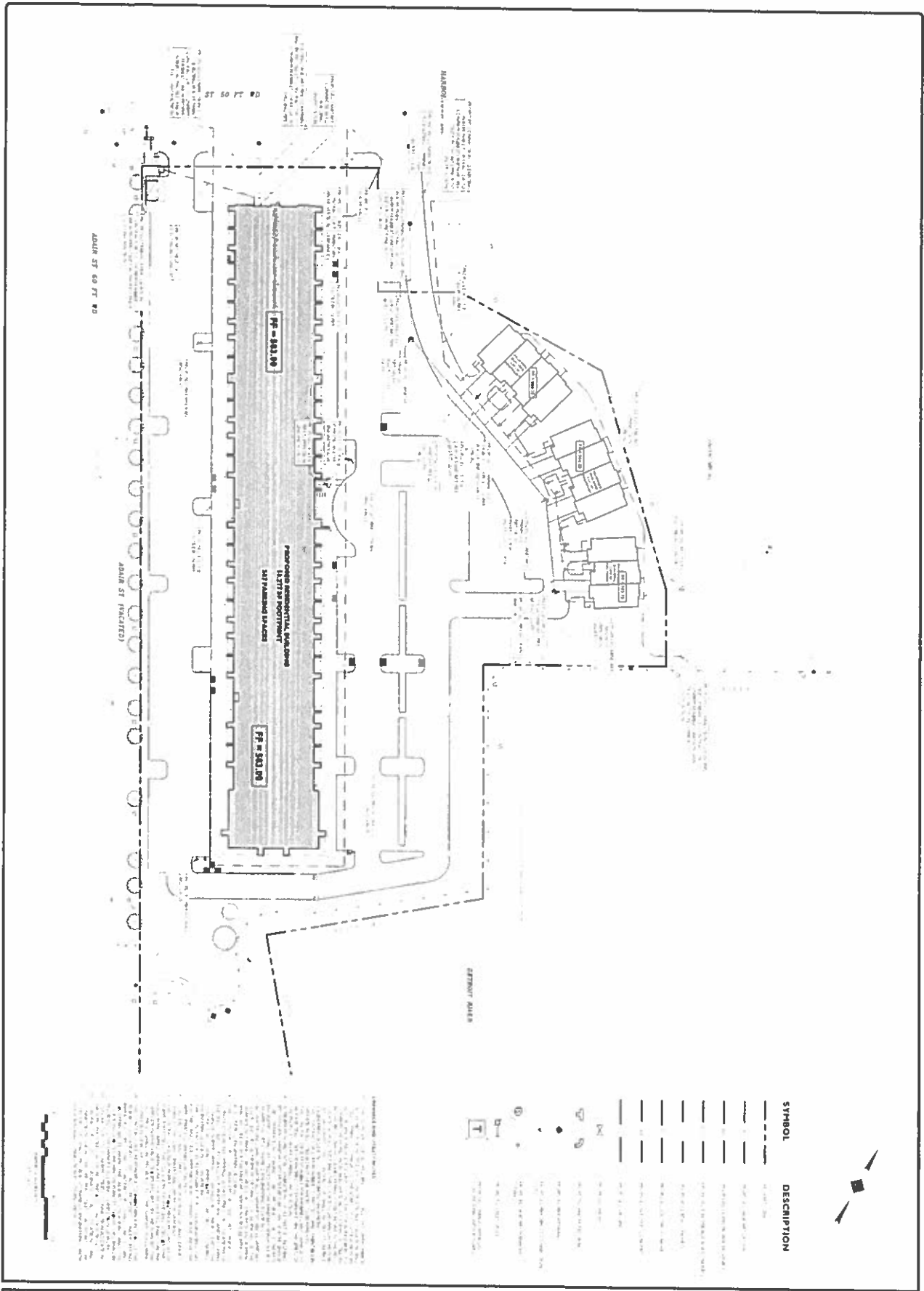
PREPARED FOR THE CITY OF DENVER  
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DENVER, CO 80202  
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3100 WEST 12TH AVENUE, DENVER, CO 80202  
TEL: 303.733.1234  
WWW.STONEFIELD-ED.COM

**NOTATIONS FOR CONSTRUCTION**

NO.	DATE	BY	DESCRIPTION
1	08/11/2011	JHM	Submission for City of Denver
2	08/27/2011	JHM	Submission for City of Denver
3	09/13/2011	JHM	City Planning Commission Approval
4	09/13/2011	JHM	City Planning Commission Approval
5	09/13/2011	JHM	Revised for City Comments
6	09/14/2011	JHM	Submission for City of Denver



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3844 Woodside Avenue, Port Coquitlam BC V4C 1A1  
Phone 248-4711

**SITE DEVELOPMENT PLANS**

**WATERSEDGE II**  
PROPOSED RESIDENTIAL BUILDING COMPLEX WITH ASSOCIATED IMPROVEMENTS

PARCEL ID: 1000158-001  
3100 E JEFFERSON AVENUE  
CITY OF DELICHO  
WATKINS COUNTY, NEBRASKA

**STONFIELD**  
engineering & design

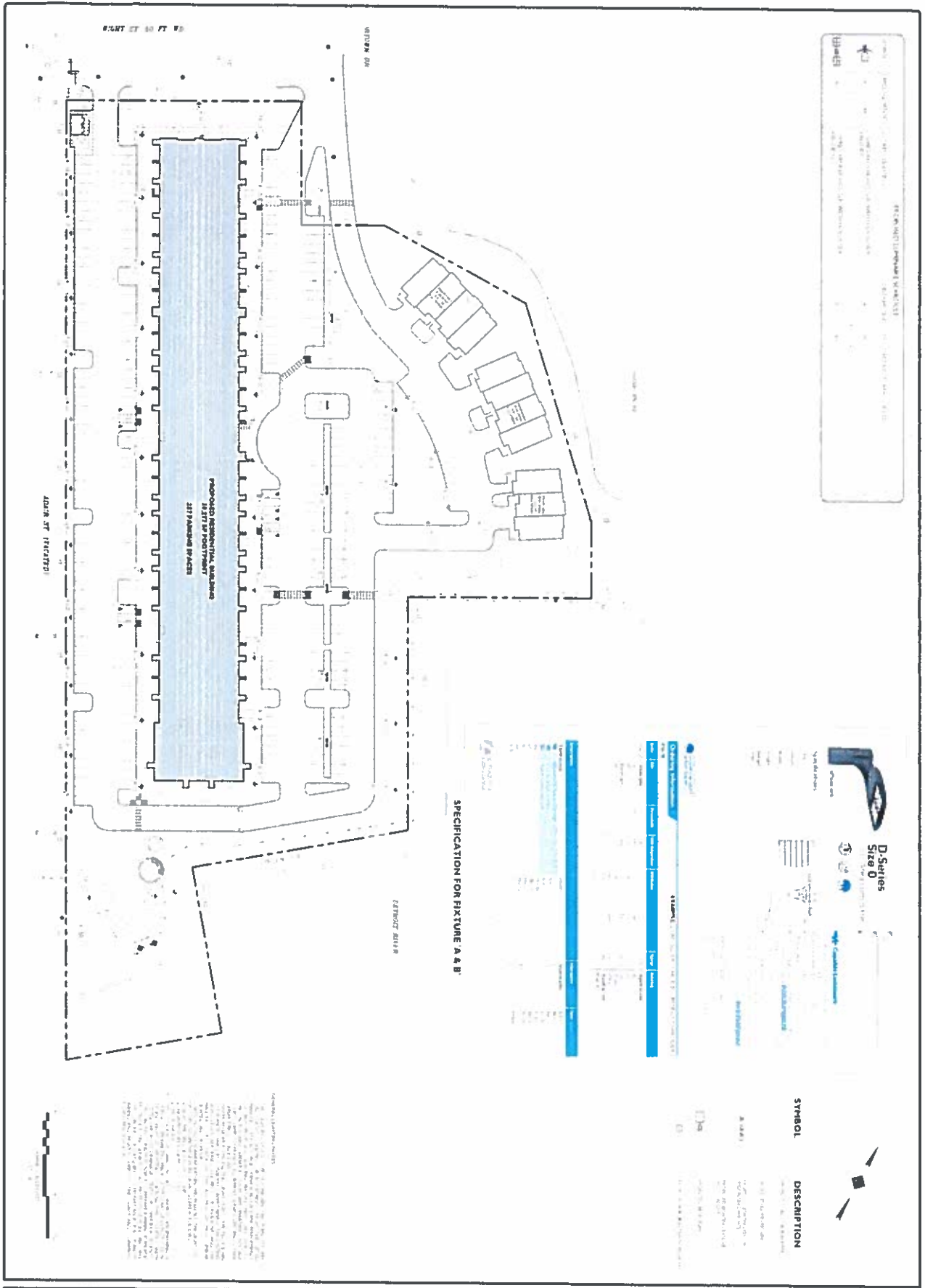
3844 Woodside Avenue, Port Coquitlam BC V4C 1A1  
Phone 248-4711

NO.	DATE	DESCRIPTION
1	08/24/2011	PRELIMINARY PLANNING
2	09/14/2011	CONCEPTUAL DESIGN
3	10/14/2011	FINAL PLANNING DESIGN
4	11/14/2011	FINAL PLANNING DESIGN
5	12/14/2011	FINAL PLANNING DESIGN
6	01/14/2012	FINAL PLANNING DESIGN
7	02/14/2012	FINAL PLANNING DESIGN
8	03/14/2012	FINAL PLANNING DESIGN
9	04/14/2012	FINAL PLANNING DESIGN
10	05/14/2012	FINAL PLANNING DESIGN

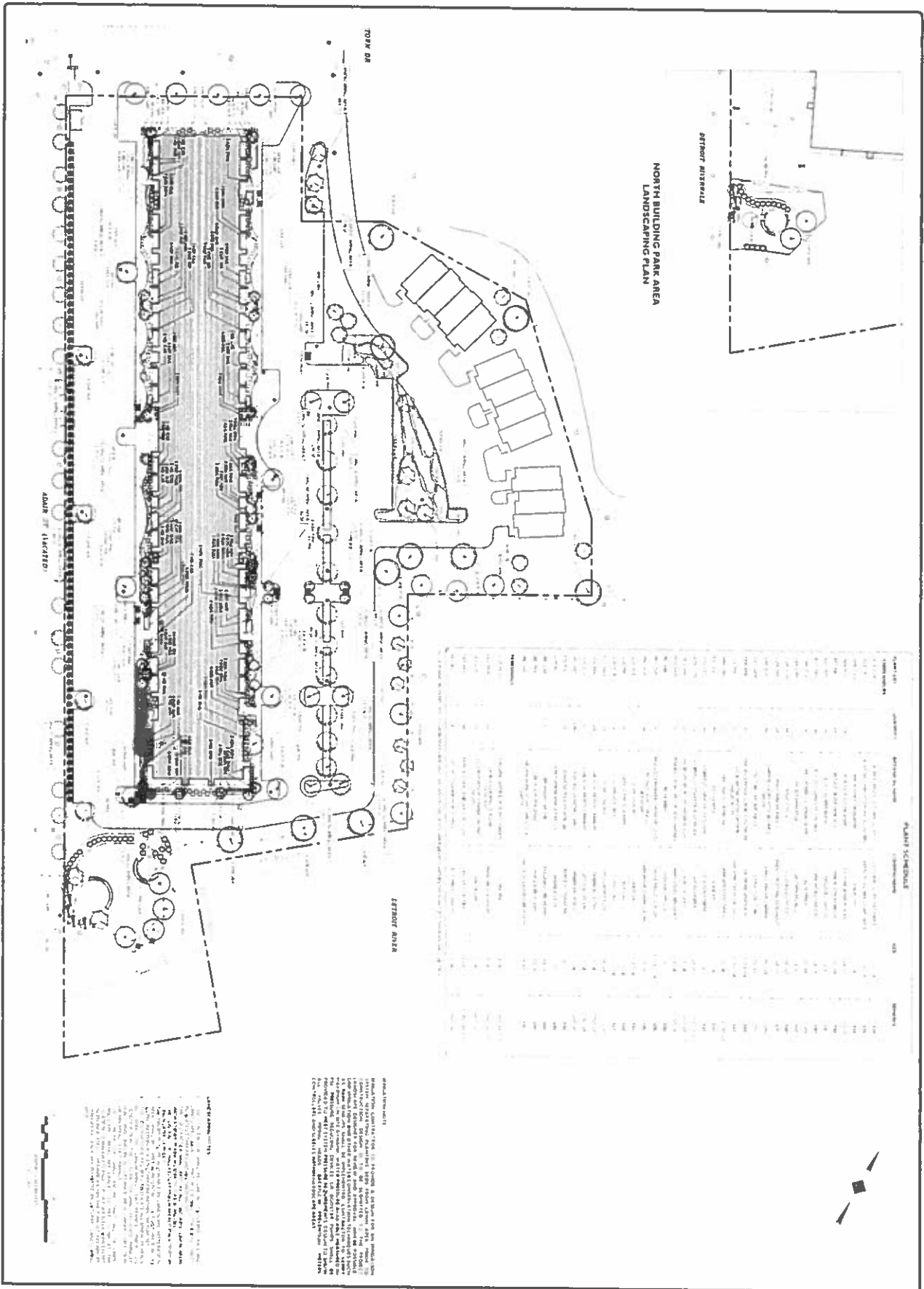
C-6

UTILITY PLAN





 <p><b>STONEFIELD</b> engineering &amp; design</p>	<p><b>SITE DEVELOPMENT PLANS</b></p> <p><b>WATERSEDGE II</b>  <b>PROPOSED RESIDENTIAL BUILDING</b>  <b>COMPLEX WITH ASSOCIATED</b>  <b>IMPROVEMENTS</b></p> <p>PARCELS 10, 11, 12 &amp; 13          3100 E JEFFERSON AVENUE          CITY OF DETROIT          WAYNE COUNTY, MICHIGAN</p>		<p><b>STONEFIELD</b> engineering &amp; design</p> <p>10000 Woodward Ave., Suite 200          Detroit, MI 48202          Phone: 313.247.1033</p>
<p><b>C-7</b></p> <p><b>LIGHTING PLAN</b></p>			



	<b>STONEFIELD</b> engineering & design	<b>WATERSEDGE II</b> PROPOSED RESIDENTIAL BUILDING COMPLEX WITH ASSOCIATED IMPROVEMENTS	<b>STONEFIELD</b> engineering & design 2815 Woodward Avenue, Suite 400 Detroit, MI 48202 Phone: 313.224.3333	<b>NOT APPROVED FOR CONSTRUCTION</b>	
	PARCELS: 158814 & 1511 3100 E. 777 FRENCH AVENUE CITY OF DETROIT WAYNE COUNTY, MICHIGAN			01/14/2011 01/14/2011 01/14/2011 01/14/2011 01/14/2011	01/14/2011 01/14/2011 01/14/2011 01/14/2011 01/14/2011

**LOCATION MAP**  
SCALE 1" = 2000'

SITE

NOT TO SCALE

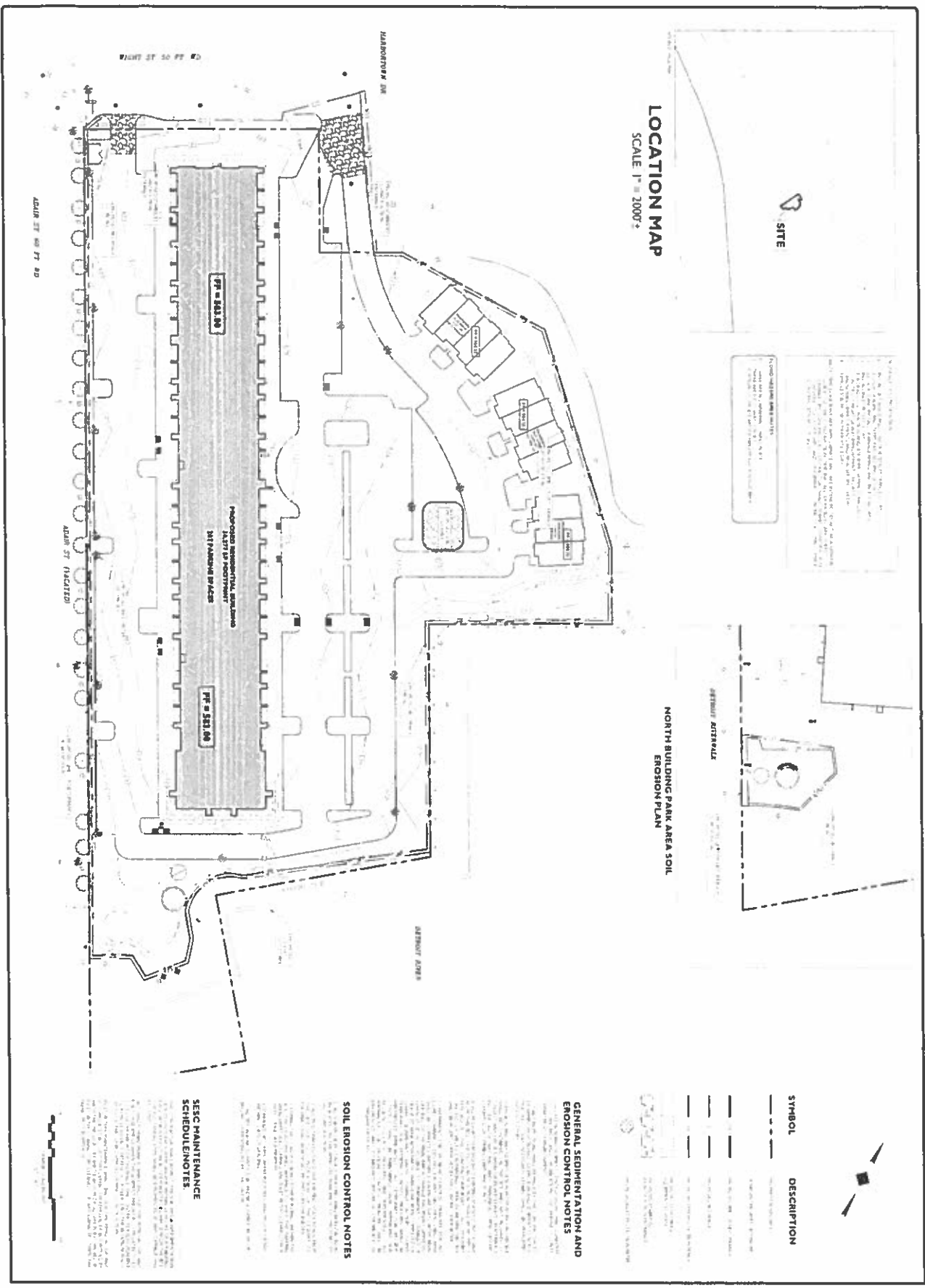
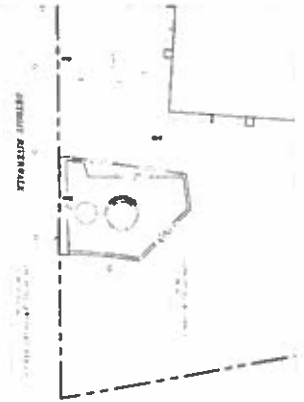
PROPERTY LINE

ADAM ST (EXISTING)

ADAM ST (PROPOSED)

WATERSEDGE II

**NORTH BUILDING PARK AREA SOIL  
EROSION PLAN**



SYMBOL	DESCRIPTION
---	PROPOSED EROSION CONTROL MEASURES
---	EXISTING EROSION CONTROL MEASURES
---	PROPOSED PAVING
---	EXISTING PAVING
---	PROPOSED CURBS
---	EXISTING CURBS

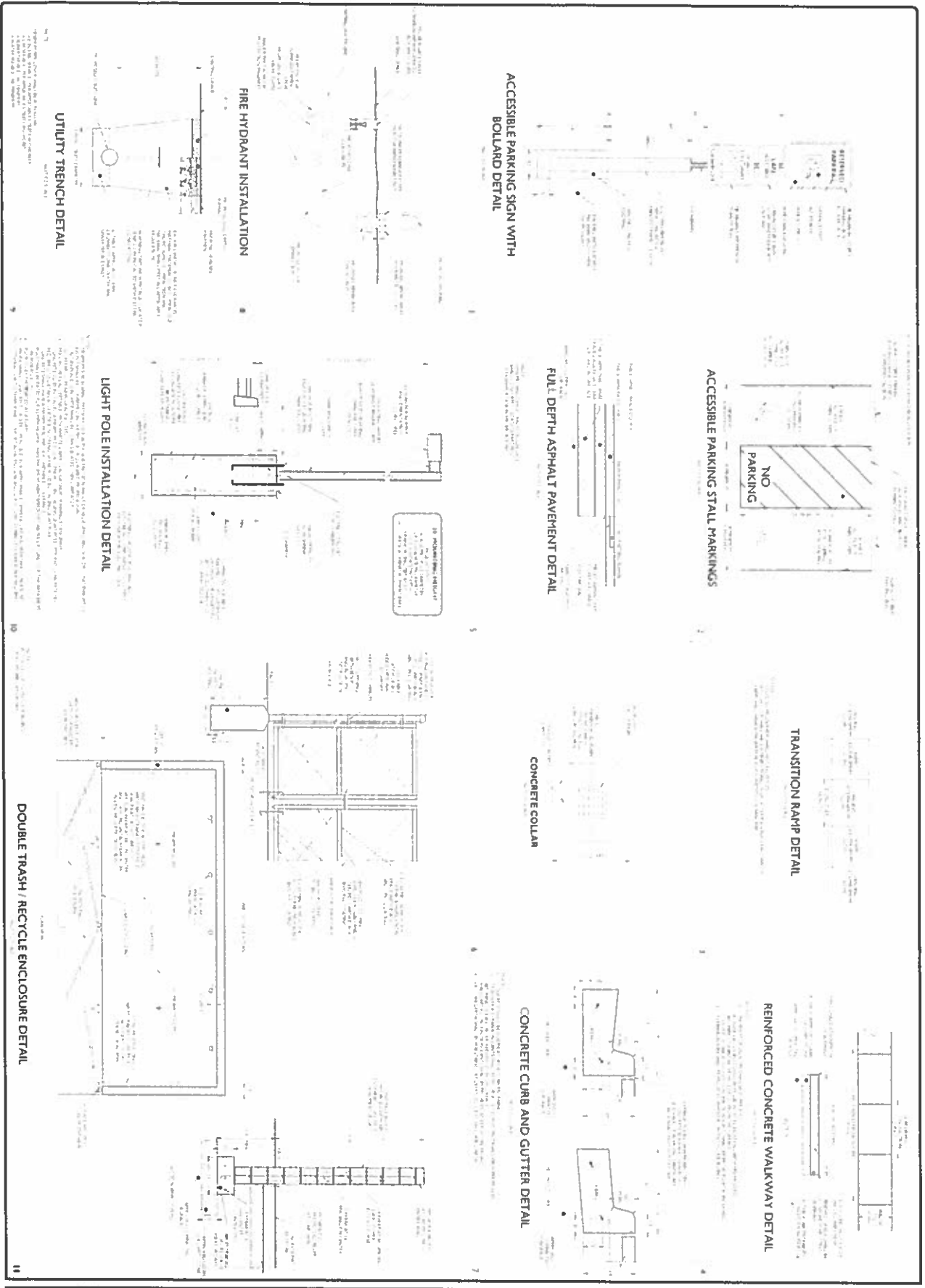
**GENERAL SEDIMENTATION AND  
EROSION CONTROL NOTES**

**SOIL EROSION CONTROL NOTES**

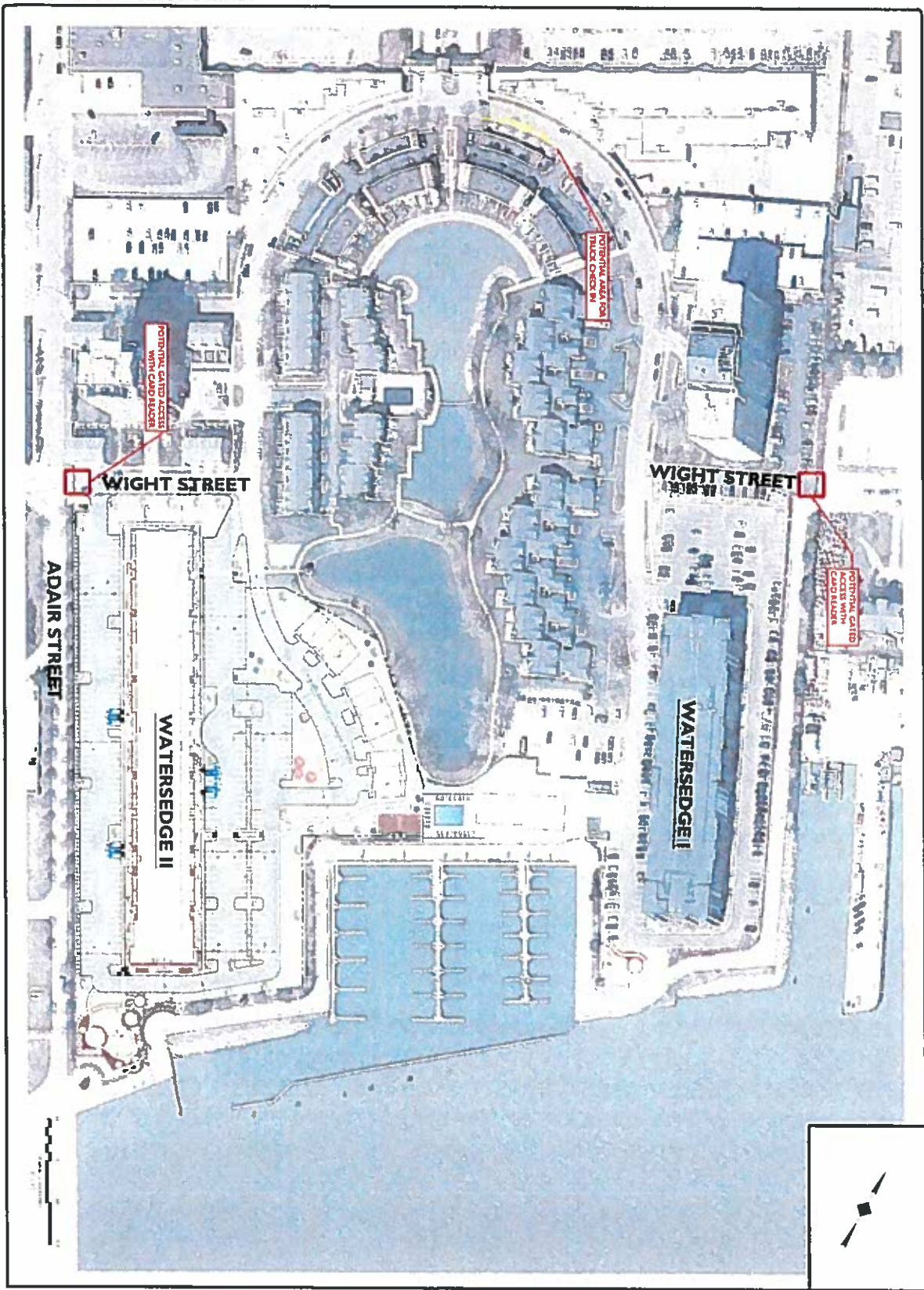
**SESC MAINTENANCE  
SCHEDULE/NOTES**



<p><b>STONEFIELD</b> engineering &amp; design</p> <p>2814 Whittier Avenue, Royal Oak, MI 48067 Phone: (482) 711-1111</p>	<p><b>SITE DEVELOPMENT PLANS</b></p> <p><b>WATERSEDGE II</b></p> <p><b>PROPOSED RESIDENTIAL BUILDING COMPLEX WITH ASSOCIATED IMPROVEMENTS</b></p> <p>PARCEL ID: 1896114 000L 1336 E. FIFTH AVENUE CITY OF DETROIT WAYNE COUNTY MICHIGAN</p>	<table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>03/20/2014</td> <td>SKT</td> <td>SUBMISSION FOR SITE PLAN REVIEW</td> </tr> <tr> <td>2</td> <td>03/20/2014</td> <td>SKT</td> <td>SUBMISSION FOR SITE PLAN REVIEW</td> </tr> <tr> <td>3</td> <td>03/20/2014</td> <td>SKT</td> <td>SUBMISSION FOR SITE PLAN REVIEW</td> </tr> <tr> <td>4</td> <td>03/20/2014</td> <td>SKT</td> <td>SUBMISSION FOR SITE PLAN REVIEW</td> </tr> <tr> <td>5</td> <td>03/20/2014</td> <td>SKT</td> <td>SUBMISSION FOR SITE PLAN REVIEW</td> </tr> </table>	NO.	DATE	BY	DESCRIPTION	1	03/20/2014	SKT	SUBMISSION FOR SITE PLAN REVIEW	2	03/20/2014	SKT	SUBMISSION FOR SITE PLAN REVIEW	3	03/20/2014	SKT	SUBMISSION FOR SITE PLAN REVIEW	4	03/20/2014	SKT	SUBMISSION FOR SITE PLAN REVIEW	5	03/20/2014	SKT	SUBMISSION FOR SITE PLAN REVIEW
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5	03/20/2014	SKT	SUBMISSION FOR SITE PLAN REVIEW																							
<p><b>SOIL EROSION &amp; SEDIMENT CONTROL PLAN</b></p> <p><b>C-9</b></p>	<p><b>NOT APPROVED FOR CONSTRUCTION</b></p>																									



<p><b>STONEFIELD</b> engineering &amp; design</p>	<p><b>SITE DEVELOPMENT PLANS</b></p> <p><b>WATERSEDGE II</b> PROPOSED RESIDENTIAL BUILDING COMPLEX WITH ASSOCIATED IMPROVEMENTS</p> <p>PARCEL ID: 1389514 00A 3186 E JEFFERSON AVENUE CITY OF DENVER WAYNE COUNTY PROGRAM</p>	<p><b>NOT FOR CONSTRUCTION</b></p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>08/16/2011</td> <td>Submittal for C-10 Planning Meeting</td> </tr> <tr> <td>2</td> <td>08/16/2011</td> <td>Submittal for C-10 Comments</td> </tr> <tr> <td>3</td> <td>08/17/2011</td> <td>C-10 Planning Meeting Approval</td> </tr> <tr> <td>4</td> <td>08/17/2011</td> <td>Submittal for C-10 Planning Meeting</td> </tr> <tr> <td>5</td> <td>08/17/2011</td> <td>Submittal for C-10 Planning Meeting</td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION	1	08/16/2011	Submittal for C-10 Planning Meeting	2	08/16/2011	Submittal for C-10 Comments	3	08/17/2011	C-10 Planning Meeting Approval	4	08/17/2011	Submittal for C-10 Planning Meeting	5	08/17/2011	Submittal for C-10 Planning Meeting
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4	08/17/2011	Submittal for C-10 Planning Meeting																		
5	08/17/2011	Submittal for C-10 Planning Meeting																		
<p><b>C-10</b> CONSTRUCTION DETAILS</p>	<p>3186 E JEFFERSON AVENUE, SUITE 100 DENVER, CO 80202 PH: 303.733.8888</p>	<p>DESCRIPTION</p>																		



**EX-1**

PROPOSED GATED ACCESS EXHIBIT

**SITE EXHIBITS**

**WATERSEGE II**  
**PROPOSED RESIDENTIAL BUILDING COMPLEX WITH ASSOCIATED IMPROVEMENTS**

PROJECT NO: 1200116-001  
 3500 N COPPERHILL AVENUE  
 CITY OF WESTFORD  
 WAYNE COUNTY, MICHIGAN

**STONEFIELD**  
 engineering & design

PO BOX 100 Long Island City NY 11101-0100  
 www.stonefieldeng.com

12454 Woodford Avenue Royal Oak MI 48067  
 Phone: 248.478.1111

**SWA** **TOWER** **AE JONNA**

1982	<ul style="list-style-type: none"> <li>• Ordinance 512-H is adopted authorizing the American Natural Resources Company and Michigan Consolidated Gas Company requested zoning change from M4 to PD to allow for the construction of the Harbortown Development.</li> </ul>
1984	<ul style="list-style-type: none"> <li>• City Council passes a resolution authorizing the general design for the Harbortown Development, and issues approval for demolition, clearing and grading, the installation of water and sewerage infrastructure and the paving of the main roadways in the project area.</li> </ul>
1985	<ul style="list-style-type: none"> <li>• Initial authorization for phase I of the Harbortown Development is granted by City Council.</li> </ul>
1987	<ul style="list-style-type: none"> <li>• City Council authorizes the site plans for phase I of the Harbortown Development ensuring that access to the pedestrian bike path and walk way remains in place during construction of two high-rise residential towers and townhouses.</li> </ul>
1990	<ul style="list-style-type: none"> <li>• Authorization is given for the construction 22 additional townhouses for the Pond East Condominiums within the Harbortown Development project.</li> </ul>
1990	<ul style="list-style-type: none"> <li>• Authorization is given for the construction of the marina with a maximum of 134 slips at the site expanded to the west.</li> </ul>
1997	<ul style="list-style-type: none"> <li>• Ordinance 31-97 is adopted authorizing the PD modification which allowed for the construction of the UAW – GM training facility.</li> </ul>
2003	<ul style="list-style-type: none"> <li>• The Harbortown Development goes into bankruptcy and the property is managed by the Robertson Brother's firm.</li> </ul>
2004	<ul style="list-style-type: none"> <li>• The Harbortown Development is purchased by the Slavic Murray Investment group of which Mr. Jonna was a principal member.</li> </ul>
2010	<ul style="list-style-type: none"> <li>• A.F. Jonna Development &amp; Management Company became the principal owner of Slavic Murray Investment groups holding in the Harbortown Development.</li> </ul>
2013	<ul style="list-style-type: none"> <li>• Ordinance 03-13 is adopted authorizing the construction of Water's Edge phase I.</li> </ul>
2016	<ul style="list-style-type: none"> <li>• PD modification authorizing increased heights for the Water's Edge Community facility.</li> </ul>
2017	<ul style="list-style-type: none"> <li>• PD modification request for Water's Edge phase II.</li> </ul>

Lesley Carr Fairrow, 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: [cpc@detroitmi.gov](mailto:cpc@detroitmi.gov)

Brenda Goss Andrews  
David Esparza, AIA, LEED  
Lauren Hood, MCD  
Alton James  
Gregory Pawlowski  
Frederick E. Russell, Jr.  
Angy Webb

## **CORRECTED**

**TO:** City Planning Commission

**FROM:** George A. Etheridge, Staff

**RE:** Request of Tower Construction to modify and amend map No. 11 of Chapter 61, Article XVII of the 1984 Detroit City Code, Zoning, and the provisions of an existing Planned Development (PD) District establish by Ordinance 512-H for the area generally bounded by Wight Street (extended), the Coast Guard facility, the Detroit River, and East Harbortown Drive, also known as 3500 E. Jefferson Avenue.

**DATE:** August 30, 2017

On September 7, 2017, the City Planning Commission (CPC) will hold a 5:45 P.M. public hearing on the subject rezoning request. Please see the attached copy of the public hearing notice with a map showing the location of the subject property (attached).

## **BACKGROUND AND PROPOSAL**

The City Planning Commission (CPC) has received a request from Tower Construction on behalf of A.F. Jonna Development and Management Company, requesting the approval of a proposed modification to the existing PD (Planned Development) District shown on Map No. 11 of Chapter 61 of the 1984 Detroit City Code, 'Zoning,' for the area generally bounded by Wight Street (extended), the Coast Guard facility, the Detroit River, and East Harbortown Drive, known as 3500 E. Jefferson Avenue, to reflect changes to the PD zoning district classification previously authorized by Ordinance 512-H of 1982 in order construct a five-story apartment building and 11 townhomes in the Harbortown complex.

The authorizing language of Ordinance 512-H states that subsequent phases of the Harbortown Development may be separately approved by the City Council as those plans become available. This intent for future site plan approval is further codified by City Council's resolution published in the Detroit Legal News, Monday, August 6, 1984 authorizing the site plans submitted for Phase I of the Harbortown Development (attached).

### ***Proposed Development***

The subject property located in District 5 sits within a site measure just over five (5) acres (6.88 acres). The parcel is largely undeveloped with the exception of two tennis courts located on the northwest corner of the subject parcel which are slated to be removed. The proposed building

height for the multi-family residential structure is 5 stories and would contain approximately 202 one, two and three bedroom rental units. Additionally, the proposed development includes 11 two-story townhomes with attached garages which would be situated along the southern shoreline of the manmade lagoon located in the Harbortown complex. The building exterior is to be clad primarily of brick, with balconies for each unit, much like what has been constructed in phase one of the Water's Edge development (134 one, two, and three bedroom rental units). It is anticipated that construction will take approximately twelve (12) – sixteen (16) months to complete.

As indicated in the attached site plans the proposed use is a 202-unit, five (5)-story apartment building, as well as an associated parking lot, in addition to 11 two-story townhomes with attached garages, parking pads and guest parking. The units will include one, two, and three bedroom configurations, the majority of which consist of two (2) bedroom units. The breakdown of the proposed unit count is as follows: eighty-five (85) one (1) bedroom units, one hundred and two (102) two (2) bedroom units, and fifteen (15) three (3) bedroom units.

On the first floor of the apartment structure the proposed unit configuration is as follows: 17 one-bedroom units, 18 two-bedroom units, and 3 three-bedroom units. On the residential levels of two through five, the configuration is as follows: 17 one-bedroom units, 21 two-bedroom units, and 3 three-bedroom units.

The proposed multi-family residential structure would consist of four sections, A, B, C, and D. Section A is proposed to consist of 73,630 square feet; Section B, 62,355 square feet; Section C, 58,620 square feet; and Section D, 82,980 square feet. The foot notes on sheet CS100 state that the apartment structure is divided into 4 buildings separated by two-hour rated firewalls.

The proposed parking lot consists of 312 parking spaces which would be located to the west, north and east of the proposed apartment building, fifteen (15) of which are proposed guest parking for the 11 townhomes in the north-east section of the development. The off-street parking standards in Sec. 61-14-24 only require only 252.5 off-street parking spaces, nearly 60 parking spaces fewer than what is being proposed. The developer is proposing placing nineteen (19) of off-street parking spaces in reserve for future use in the southeast corner of the parking lot to provide an additional 3,468 square feet of landscaped area, as was done in 2013 with phase one of the Water's Edge development. The parking areas to the west, north and east of the proposed apartment building would be screened from the existing residential units to the north by some vegetation, primarily Patmore Green Ash trees. As the site plans show, the River Walk follows the eastern and southern sides of the subject area. The parking areas would be screened from the River Walk by new landscaping consisting of Shadblow, Patmore Green Ash, and Kousa Dogwood.

Building materials are proposed to be predominantly red masonry to match the architectural style and materials of Water Edge phase one. There has been additional conversation with the developer regarding the proposed site plans, height and massing of the proposed multi-family residential structure. Several concerns have been raised by the Planning and Development Department related to materiality, massing of the buildings, surface parking and loss of green space. CPC staff is of the opinion that if a greater building height were utilized as well as some form of either structured parking, the issues around massing and loss of green space would be minimized. The developer has indicated that they have forgone greater density which would be permitted, in lieu of preserving visibility to the Detroit River for as many residents of Spinnaker Tower as possible.



Your Honorable Body received a presentation of the subject PD modification on Thursday, July 20, 2017, at which a number of residents of the Harbortown complex were in attendance and expressed many of their concerns, which were also stated at a community meeting held by the developer on Wednesday, July 12, 2017. The concerns and sentiments expressed by members of the community from both the July 12<sup>th</sup> and July 20<sup>th</sup> community meeting and public discussion, respectively, are as follows, along with responses from the developer.

### **JULY 12<sup>TH</sup> & 20<sup>TH</sup> 2017 COMMUNITY MEETING SUMMARIES**

On Wednesday, July 12, 2017 a community meeting was held at 6:30 p.m. at the newly constructed community center, originally designed to service the residents of Water's Edge phases I and II. Notice was given to each of the condominium associations, to be given to each resident in the Harbortown complex regarding the aforementioned Water's Edge phase II development. Over fifty people were in attendance, inclusive of the developer, his development team, Council Member Mary Sheffield, members of her staff, and residents of Harbortown.

A brief history leading to the implementation of phase I of Water's Edge in the Harbortown complex was given by Mr. Arkan Jonna, who was a part of the original group of investors who purchased Harbortown out of bankruptcy. Mr. Jonna stated that Water's Edge phase II has taken into account the lessons learned from Water's Edge phase I, and the process undertaken in 2012 and 2013.

**Concerns were raised over the lack of proposed recreational areas and the removal of the tennis courts at the northwest corner of the development area. It was stated that no new recreational opportunities were provided after phase I of Water's Edge was completed.**

Mr. Jonna indicated that two new recreational areas will be implemented for both phase I and phase II adjacent to the River Walk. The proposed recreational and community spaces can be seen on sheets C-1 of the site plans provided, inclusive of 17,000 square feet of green space, along with barbeque pits, picnic tables, etc. Additionally, as a result of concerns expressed over open spaces for dogs, a centrally located dog run has been incorporated into the plans.

**A number of residents expressed concerns over having to potentially cross the large contiguous surface parking lot to access the newly proposed outdoor recreation areas.**

Mr. Jonna indicated that there are walking paths all throughout the Harbortown development which will be connected to the new recreational areas, therefore, there would be no need to cross the parking area. It was stated that the proposed density is about half of what was anticipated for the site and that the parking spaces are far fewer than what was initially conceptualized.

**A number of residents made the argument that if taller towers with higher density were built as originally envisioned that would allow for more green space.**

Mr. Jonna stated that the site plans originally approved in the 1980's were conceptual and that as the developer he has the opportunity to submit site plans to develop the property he owns in a manner which works best from a development standpoint.

**Several residents expressed concerns over the backups of traffic along E. Jefferson, citing that E. Jefferson is the sole point of ingress and egress for the development.**

Mr. Jonna stated that a traffic study is currently underway which will evaluate the ingress and egress for the Harbortown property.

Staff notes that the concerns over ingress and egress go back to the Commission's initial approval of the Harbortown development dating back to 1982. In the authorizing ordinance it is stated that American Natural Resources Company and Michigan Consolidated Gas Company were to undertake traffic studies to determine if other streets such as east or west bound Wight Street could be used for additional points of ingress and egress for residents. The aforementioned traffic study which expands upon the 2013 traffic study completed for phase I is complete and explores several options for elevating traffic concerns.

**Longtime residents of Harbortown are concerned with renters from Water's Edge phase I who do not realize what is not public or community property, i.e. the private back porches of Townhome owners.**

Mr. Jonna stated that he would work with the property manager of Water's Edge phase I, to better educate residents on where the common areas are in order to avoid future incidents of trespass.

**Residents have expressed concerns over where residents currently park. One residential tower along Harbortown Drive has no dedicated surface street parking area, so residents do park on the street rather than in the existing tower.**

Mr. Jonna indicated that there is presently a surplus of off-street parking spaces available, noting that the available parking lots for Water's Edge phase I are never full. Mr. Jonna is of the opinion that residents of Water's Edge phase I are not the residents parking along Harbortown Drive in the designated no parking areas and that greater traffic enforcement should be implemented in order to alleviate parking and traffic congestion along this thoroughfare.

Staff notes that previous concessions were made regarding resident parking for the Harbortown development dating back to the original development in 1982. The Commission had previously expressed concerns that there may be a parking deficiency for the residential portion of the project. As a result, the developer had agreed to provide additional parking if needed by 1) utilizing spaces in the commercial area when stores are closed or at off-peak times; 2) by expanding surface lots; or 3) by converting surface lot space into multi-level space. Also, the developer agreed to provide no-parking signs for the streets in the project so as to allow on-street parking only in designated parking bays.

**Longtime residents want to know how they can have access to the new community center. What are the barriers? While the various properties have their own amenities, which others may access, the concern is that the community center is not accessible to the residents in the Harbortown development.**

Mr. Jonna indicated that it needs to be determined who would manage the property and cover the cost of operations if it were open for all of the residents of Harbortown. The original concept was for the community building to be only for Water's Edge phases I and II. There was a meeting with the various association presidents on Wednesday, August 23, 2017 regarding the operational scheme for the community center. Staff was not able to attend this meeting. Mr. Jonna may be able to provide clarity as to what was discussed. The aim of the meeting was to

develop a strategic plan to allow the whole Harbortown community to have access and cover the cost of operations for the community center.

**Residents indicated that they would like to see a plan for snow removal, given that the future location for Water's Edge Phase II is the current storage location for snow removal within the Harbortown Community.**

Mr. Jonna indicated that a new snow removal plan would be developed which might include the storage of the snow in and around the lagoon.

**Several longtime residents expressed their concerns over the shared cost of maintenance and security for the Harbortown development.**

Mr. Jonna stated that currently Water's Edge phase I residents collectively contribute \$17,000.00 per month through their \$150.00 per month association fees towards security, roads, snow removal, etc.

**A number of residents expressed a desire to see a parking structure erected rather than surface parking. Several residents indicated that they would like as much green space as possible to be preserved.**

Based upon community discussions and concerns, additional green space has been added to the site plans reflecting approximately 17,000 square feet of green space, inclusive of a dog run/park, cook-out and picnic areas adjacent to the proposed residential apartment structure to the west as well as the existing residential apartment structure (Water's Edge phase I) to the east. Additionally, as previously stated approximately 3,500 square feet of green space is being added due to the proposed reservation of nineteen (19) parking spaces.

**Residents indicated that they would like to see what authority the developer has to remove the tennis courts.**

Given that Mr. Jonna owns the 6.88 acres which are slated to be developed as Water's Edge phase II (in addition to the 5 acres which house Water's Edge phase I, the "federation" or common areas as well as the shopping component for the Harbortown development) and that the property containing the tennis courts is not a part of the "federation" or common area, it has been determined that Mr. Jonna is well within his legal rights to develop the site and remove the tennis courts. While the tennis courts are included in the promotional and marketing materials for Harbortown under its previous ownership, they were never included in any rendition of any of the approved site plans considered by the City Planning Commission or the City Council over these past thirty-five (35) years. Copies of the promotional site plans and the actual approved site plans for the Harbortown development are attached for your review (attached). Additionally, page 5 of the lease agreements for both Grate Lakes Tower and Spinnaker Tower under the heading "Harbortown Community" states in part "The Developer intends to undertake some form of residential construction upon the vacant land at some point in the future, which development when complete will also become a part of the Harbortown Community. Therefore, Purchasers should be aware that construction upon the vacant land is likely to take place at the Harbortown Community, which could possibly impact their panoramic view as it exists today."

There were a number of concerns that were further communicated that would require additional reporting by various parties that are not germane to this development, i.e., the additional cost of

footings for the UAW General Motors training facility located west of the Harbortown development, etc. The question was also raised if what the developer presented in 2012 and 2016 pertaining to the Water's Edge phase I development is consistent with what is now being presented for Water's Edge phase II in terms of scale, density, and design.

The Commission requested that CPC staff review the meetings of July 12, 2012 and November 17, 2016 in order to determine if any inconsistencies exist. Unfortunately, as it relates to the meeting of July 12, 2012 when Water's Edge phase I was presented to the Commission, the City of Detroit was in the midst of its budget crisis and funding for media services had been cut, resulting in the City Planning Commission meetings no longer being recorded until the early part of 2017 when funding was reinstated.

The minutes of the meetings of for both July 12, 2012 and November 17, 2016 reference the developments of Water's Edge phase I, and the modifications in height to the Community Center, respectively. Site plans of what was initially proposed for Water's Edge phase I are included as an attachment to this report, however, prior to July of 2017 no renderings or site plans of Water's Edge phase II have been publicly shared, therefore, staff cannot comment on the referenced contradictions.

### **QUESTIONS AND CONCERNS BY THE COMMISSION**

As it relates to Commission's concerns, the question was raised by the Commission does a letter of support need to be given from the other associations given that the site is privately held? The answer to this question is no, letters of support are not required, however, they could prove helpful should the PD modification request become contentious.

Also among Commission's concerns and inquiries was the desire to see a comparison between what was originally conceptualized for the Harbortown Development and what is now being proposed.

Commissioner Russell inquired as to the Master Plan designations and the zoning classifications between the Harbortown development and the Downtown area. The Master Plan of Policies shows 90% of the riverfront south of Jefferson Avenue being designated at "Mixed – Residential/Commercial." (attached) The subject property is located within zoning district map No. 11, while the downtown area is primarily comprised of zoning district maps 1 and 2. The zoning classifications south of Jefferson Avenue heading west towards downtown are primarily PD (Planned Development District), SD4 (Special Development District, Riverfront Mixed Use), PC (Public Center), and PCA (Public Center Adjacent). Zoning maps, 1, 2, and 11 are attached for reference.

The Commission also, requested a complete copy of the storm water management plan, and traffic study plan. Those plans have been attached for your review and consideration via the revised site plans dated August 30, 2017. The storm water management plans have been submitted to the Michigan Department of Environmental Quality (MEDQ) and the U.S. Army Corps of Engineers (USACE). MDEQ and USACE are currently reviewing the submitted plans and approval is pending. The plans indicate that storm water management will be completely independent from the remainder of the Harbortown community. The petitioner did have several initial meetings and discussions with MDEQ in which it was conveyed that the plans seemed reasonable and would have a negligible impact on the Detroit River.

The Drainage and Stormwater Notes can also be referenced on page C-5 of the Stonefield Engineering site plans dated May, 23, 2017. In essence that note states the new storm lines will be constructed for this phase of the development in order to mitigate any impacts on the current drainage and sewer system.

Other changes to the site plans include the access driveway to the north of the proposed building, between the proposed development (Water's Edge phase II) and Spinnaker Tower which has been removed to provide an additional 3,550 square feet of landscaping area. Additionally, another patio area has been added in the southwest corner of the site along with a gated access point to the River Walk.

Commissioner Pawlowski inquired as to the manner in which the Detroit Police Department and other emergency personnel gain access to the property in case of emergencies, given that the development is a gated community with limited access.

Staff notes that the initial concept for the emergency vehicle access was for the vehicles to have additional points of access to the site from Wight on both the west and east, per CPC staff's June 24, 1985 report. The Commission at that time had a concern about the capacity of the single main entranceway on E. Jefferson Ave. to handle all of the residential and most of the commercial traffic. The original petitioner (American Natural Resources Company and Michigan Consolidated Gas) agreed that when the entire development is completed, there could be a traffic problem if this were the only point of access. Therefore, they agreed at the time to hold open the option of making use of existing north-south streets (Walker, Adair and/or Mt. Elliott) as additional means of access to the west and east points of access, if needed in the future. At present, all emergency personnel are permitted to enter the property as needed to address any public health or safety concerns which may arise.

Finally, the Commission requested that staff prepare a timeline of the Harbortown Development which chronicles the various phases of development and ownership (attached).

## **PLANNING CONSIDERATIONS**

### ***Surrounding Zoning and Land Use***

The zoning classifications and land uses surrounding the subject area are as follows:

North: PD; residential, Spinnaker Tower  
East: PD; residential, Water's Edge phase I.  
South: PD; River Walk and Detroit River.  
West: PD; UAW Training facility.

### ***Master Plan Consistency***

The subject site is located within the Near East Riverfront area of Neighborhood Cluster 4 of the Detroit Master Plan of Policies. The Future Land Use map for this area shows "Mixed-Residential/Commercial" for the subject property. While the proposed use appears to be consistent with this designation the Planning and Development Department (P&DD) has been requested to submit its comments regarding this proposal.

### ***Community Input***

To date, staff has received several phone calls in opposition to the proposed PD modification for reasons cited. No calls or letters of support have been submitted at this time.

This matter was before your Honorable Body on July 20, 2017 for an informational presentation with the expressed intent of pursuing same day action on September 7, 2017, however, staff is not prepared at this time to offer a recommendation.

cc: Maurice Cox, Director PDD  
R. Steven Lewis, PDD  
John Baran, PDD

Attachments: Public Hearing Notice  
1984 authorizing resolution  
Site Plans dated 8- 31-17  
Promotional Site Plans dated 1984  
1984 approved site plans  
Harbortown site plans  
Master Plan of Policies Near East Riverfront Future Land Use Map  
Zoning Map 1  
Zoning Map 2  
Zoning Map 11  
Storm Water Management Plan  
Traffic Study  
Timeline