

Alton James
Chairperson
Lauren Hood, MCD
Vice Chair/Secretary

Marcell R. Todd, Jr.
Director

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

Brenda Goss Andrews
Damion W. Ellis
David Esparza, AIA, LEED
Gregory Pawlowski
Frederick E. Russell, Jr.
Angy Webb
Henry Williams

City Planning Commission
Regular Meeting Minutes
October 1, 2020

I. Opening

A. Call to Order – Chairperson James called the meeting to order at 5:08 p.m.

B. Roll Call- Marcell Todd, Executive Director call the roll. A quorum was present.

Attendees: Goss Andrews, Ellis, Hood, Esparza, James, Russell, Williams and Pawlowski

C. Amendments to and approval of agenda

Commissioner Russell motioned to approve the agenda; seconded by Commissioner Esparza. Motion approved.

II. Minutes

A. Meeting minutes of June 4, 2020 and June 18, 2020.

Commissioner Williams motioned to approve the minutes of June 4, 2020 and June 18, 2020; seconded by Commissioner Esparza. Motion approved.

III. Public Hearings and Presentations

IV. Unfinished Business

A. Consideration of the request of Brian Hurtienne, to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XVII, *Zoning District Maps*, Section 50-17-31, *District Map No. 29*, of the Detroit Zoning Ordinance to show a R3 (Low Density Residential District) zoning classification where a R2 (Two-Family Residential District) zoning classification is currently shown for the properties commonly known as 7631 E. Lafayette Street and 1000 and 1008 Townsend Street. The petitioner is proposing to develop a multiple-family dwelling.

The City Planning Commission held a public hearing relative to the subject proposal on September 10, 2020 and put forward several questions that were answered by petitioner.

No members of the public spoke in opposition or in favor of the proposal. There was one letter of opposition submitted by a resident near the site; the letter referenced concerns regarding density, building typology, design, parking and other aspects of the project. There were fifty-four (54) letters of support.

Staff Recommendation

Based on Section 50-3-70 Approval Criteria, recommendations and decisions on an amendment of a zoning map in Article XVII of Chapter 50 of the Detroit City Code, CPC staff considers the proposed rezoning is appropriate and is not expected to have any adverse impacts on the surrounding area. CPC staff recommends approval of the proposed map amendment.

Commissioner Goss Andrews motioned to accept CPC staff's recommendation to approve; seconded by Commissioner Webb. Motion was approved.

- B.** Consideration of the request of the Planning and Development Department to amend the Detroit Master Plan of Policies in the Neighborhood Cluster 1, State Fair Neighborhood area. The proposed amendment involves the area of the former State Fairgrounds, generally bounded Woodward Avenue, West Eight Mile Road, the Grand Trunk Railroad right-of-way, and West State Fair Street. The current Future General Land Use designation for this area is PR (Regional Park). The proposed Future General Land Use designation for the site is IL (Light Industrial). The proposed map amendment is being requested to allow for the sale of the City-owned property and its redevelopment for commercial and/or industrial uses.

Commissioner Esparza - Based on past meetings and his disclosure of his work as a contractor with the City of Detroit – Department of Transportation, working directly on the programming and the concept for the transit center, Commissioner Esparza recused himself from participating in discussion and approval of this item.

Kathryn Underwood, CPC Staff, provided a summary review of report submitted September 30, 2020 relative to request of the Planning and Development Department to amend the Detroit Master Plan of Policies to accommodate the sale and reuse of the former State Fairgrounds. The Master Plan gives guidance for development. There is no zoning change being requested, nor is a zoning change required for the subject site.

On September 24, 2020, the Commission held a public hearing regarding the proposed PD amendment, during the hearing, staff provided a report and recommendations which have been revised to encompass all three historic structures on the site due to concerns expressed. There were 65 persons from the public that commented, 31 or 48% of those supported the amendment. Nineteen or 29% were against the proposed amendment and 15 people expressed general concerns about different aspects of the amendment, but didn't give support for or against. CPC staff received 56 letters with regards to this

proposal, 47 or 84% of those letters were in support. Four letters or 7% were in opposition, and five letters were general concerns about the proposed project.

Karen Gage, PDD -The Planning and Development Department submitted a request to the City Planning Commission in August to amend the future of general land use plan from Regional Park (PR) to Light Industrial (IL). The State Fair has not operated at the site since 2009 and the area does not currently operate as a park. PDD felt a Master Plan amendment from PR was an appropriate designation of the future general land use. PDD concluded that the light industrial designation would be best suited for the site because of the current uses. The current zoning allows some light industrial uses and the property is located along the railway and a major thoroughfare. There are other light industrial designations in this Master Plan for Cluster 1, south along the rail line, and this proposed amendment falls in line with the light industrial that is already existing.

At the last hearing there were recommendations and discussions about possibly designating the area as mixed residential industrial, similar to the designated East Riverfront. That designation is intended for areas that have old industrial stock and would be best suited for loft conversions and in industrial areas that were previously industrial and are transitioning into more residential. The Master Plan of Policies envisions an industrial area that is mixed residential industrial to be a live, work, artists community and have loft conversions. PDD considers that the light industrial Master Plan Designation is still the most appropriate designation as the city is not envisioning residential for this piece of the site.

Commissioner Webb - I know that public health and safety is a priority there would be some things put in place for the safety of the residents against air pollution; because the agreement is with the developer, the city cannot hold the purchaser, which is Amazon accountable.

Arthur Jemison, Mayor's Office - The purchasers are Hillwood Investment, LLC and Sterling Group, as opposed to Amazon. The administration made commitments in the resolution drafts that indicate that the city will do baseline air quality testing before and after the project is completed. It will be done as a future phase, that way people have actual measures and can make decisions about future phases and what other kinds of mitigation may be needed. The city has made a series of commitments through those resolutions and hope to address and provided the information needed to make good decisions about whether to enable future phases.

Commissioner Webb - Since Amazon is not a part of this agreement, if they decide not to do the protections indicated and the city takes on the responsibility of checking the air quality and the air quality has been damaged immensely, what actions can the city take action against Amazon?

Arthur Jemison, Mayor's Office - If a tenant is emitting or violating rules of the city, there can be sanctions and they can be ticketed and sued.

Commissioner Webb - A replacement center was mentioned in your agreement when you were talking about the new bus center. If the city is not replacing any of the bus stops, why was it worth it for a replacement center?

Mikel Oglesby-Executive Director of Transit - What we currently have is a transit hub, not a transit center and the city is creating a transit center; providing the same routes to the new transit center. It's not a replacement.

Commissioner Webb - People are concerned about the houses being demolished and that they have some historic factor; and that the park should not be taken away from a community. It could be restored by using some kind of grant resources.

Arthur Jemison, Mayor's Office - The designation of this site as a park was established a century ago when it became a fairground. It has not been a fairground for over 10 years; this park land is not being lost, given that it has not been used in that way for some time. The purchase agreement to include the land has been established.

Commissioner Webb - Is there any commitment to the jobs? How many Detroiters will get those jobs?

Arthur Jemison, Mayor's Office - The developers, as part of their commitment to the city, have agreed to voluntarily hire, using the executive order of the city, which requires that 51% of all working hours on the project be performed by Detroiters. They have committed to do that for construction; that means that 51% of all the construction hours will be performed by Detroiters or they will be fined.

Nicole Sherard-Freeman - There is no guarantee; has spoken with Amazon HR directly in the past week; nowhere else in the country have they seen an operation like ours in Detroit, meaning a way to get people in a given community connected to their jobs and the proof of that is the fact that they are paying signing bonuses.

Vice-Chair - Lauren Hood - How do we get it to a yes?

Nicole Sherard-Freeman - My way of getting Amazon to a yes is by selling them on the talent in Detroit.

Vice-Chairperson Hood - What are the retention rates, Amazon has a high turnover? What is the long term game for somebody from Detroit being employed at Amazon?

Nicole Sherard-Freeman - Asked specifically about what can people expect when they're working there. One of the things that makes Amazon so attractive is their career

coaching, career track, and career connections program. They've made some very clear commitments.

Vice-Chairperson Hood - What are the means for holding them accountable? How do we know after it's up and operating if they've hired Detroiters; if those Detroiters are staying; if the working conditions are good?

Nicole Sherard-Freeman - The way we hold them accountable is going to be to double back to what they said they were going to do; double back to the results of what they have done and lift that up for folks to see.

Vice-Chairperson Hood - Who's the we there?

Nicole Sheared-Freeman - We are still working that out. I don't have a clear answer for you.

Vice-Chairperson Hood - I'm struggling with feeling pressured, as all of our democratic process starts to fall by the wayside. I lose faith sometimes that any of this matters, and I feel this tremendous pressure to kind of go along and cast this vote. But then I have to ask myself, what am I doing here, can my presence even make a difference. I feel like I have to vote a certain way. I feel this pressure and I don't know if it's my own insecurity, or if there's some legit pressure here to do a certain thing but these are my reflections.

Commissioner Ellis - I brought up the appraisal last time, are there some formal responses from legal regarding the possibility of triggering the community benefits ordinance and the Commission being able to get a copy of the final appraisal; but more importantly is there a legal opinion on their proposal.

Arthur Jemison, Mayor's Office - Yes, we provided a couple of memoranda from the Law Department, with a specific opinion. I think it was submitted and posted. You've got that information. It supported the statements that we've been making to the Commission. Do you have questions that we should answer about it?

Commissioner Ellis - There are a lot of documents and this is very quick, usually there's a two-week process between our meetings. We're getting letters. We're going through a lot of things. It would be beneficial, given the interest in this vote, that there be some explanation, aside from me reading and interpreting it and I didn't even get a chance to do it. I haven't gone through everything.

Arthur Jemison, Mayor's Office - We are receiving \$16 million, the appraisal was for much less than that.

Luke Polcyn, Mayor's Office - The question of whether or not the appraisal raises any concerns to the applicability to community benefits was submitted to the Law

Department. The department delivered a memo to CPC staff on Tuesday concluding that there are no concerns that the community benefits ordinance is not triggered. There are no abatements.

Commissioner Ellis - I think the \$16 million emphasis is important because I know that is just in the messaging. There's always the separate messaging of the seven million; the money for the transit center and then the money for the acquisition. Then the other question is the light industrial category because this is a master plan amendment and light industrial is the suggestion of the type of development that should go in this area. No zoning is changing on the parcels that are not being developed. If there is the desire to develop something other than the current zoning, regardless of the master plan change, that developer would have to go before the Commission again. Correct?

Kathryn Underwood, CPC Staff - That is correct, the remaining parcels that are referred to as the *Magic Plus* parcels are still designated in the master plan as a regional park so they will have to come back.

Commissioner Ellis - I think that's another significant thing for the community because I think that's also being lost. I am overall in support of doing something on this parcel, this is 140 acres. We haven't done much with it for whatever reason, something has to happen to it, given the current state of Detroit. We do need jobs, it's hard to develop that large amount of land. I am disappointed that there has not been more effort by our developer and even city staff to emphasize the importance of prioritizing Detroit residents and prioritizing Detroit contractors and prioritizing black and minority contractors. I'm disappointed that the developer didn't include some type of set aside, this is a \$400 million development and it would be great to have a set aside, given the fact that it's private and you can do that.

I also want to comment about our developer, Sterling Group, who has mentioned their partnerships with or their commitment to hiring union members, but they do have a history. And we can dance around it all we want; we can look at the history of how they have awarded contracts in past developments, you can look at their inclusion numbers currently on TCF Bank. I don't see how we're expecting them to meet a 51% Detroit resident requirement when you have active projects where there's no way you're going to meet a 51% Detroit resident requirement; it doesn't mean I'm against this deal.

Commissioner Goss Andrew - There was something on the slide, when you were talking about the jobs, it said something, friendly applicant; what was before that friendly.

Nicole Sherard-Freeman - Background friendly. Background friendly means those with a felony in their background, misdemeanor or felony are invited to apply. That is one of the things that I confirmed today. People with a misdemeanor or felony in their

background are not only encouraged to apply but Amazon hires people with criminal backgrounds.

Commissioner Goss Andrew - To the developers, this idea was born before Covid. It looks like Covid is going to define us for years to come. I'm hoping that the design and whatever you're doing with the building will incorporate that in terms of the functionality; the HVAC, the ventilation systems, will those be incorporated into the building and into the design?

Elie Torgow, Sterling Group - Yes, that is something that is looked at and it's being incorporated as we speak. All the job sites, there's very specific protocols before you come in every single day.

Commissioner Williams - I think there's a broader discussion that needs to occur as it relates to the citizens of the city and the 51% that some developments are required to hire.

Vice-Chairperson Hood - If there is a development where you are currently required to have more than 50% Detroiters and you're having trouble in that area, how are you going to behave differently on this Amazon development project, what new tools, tricks do you have to meet that stated goal?

Elie Torgow, Sterling Group - It's something we have to work on as a community, we've agreed now to take on some interns as part of this project. We're at the table to try to do things that we can do to help increase that but I think a lot of developments in the trade are struggling to hit that 51% and it's not about the developers not necessarily making all the efforts. It's about working as a community to help increase the ability to hit that 51% and I think some things we're doing on this project are helping towards that. It's a conversation that needs to be continued.

Vice-Chairperson Hood - Whose responsibility is that when you use words like the community has to help? What does that mean, whose responsibility is it to get these folks ready; what can you do to help these people?

Elie Torgow, Sterling Group - We are continuing to train people and give them the opportunity to be involved in these projects. It's about giving Detroit residents the training and the opportunities.

Commissioner Webb - Are you targeting the high schools; talking to them about training that's available in your workforce programs?

Nicole Sherard-Freeman - All the time.

Staff Recommendation

Kathryn Underwood, CPC Staff - Staff is recommending that you take two votes, one specific to the request to amend the master plan and the second vote to put forward to City Council, the complimentary set of recommendations with regard to the master plan and the concerns that came out of the community that the administration intends to address through resolution.

Commissioner Webb motioned to accept recommendations of separating the vote; seconded by Commissioner Pawlowski. Motion approved.

Kathryn Underwood, CPC Staff - After review of the proposed master plan amendment for this redevelopment project CPC staff finds the amendment to be appropriate and recommends approval of the proposed master plan amendment from regional park to light industrial.

Commissioner Russell motioned to accept staff's recommendation of approval of the proposed Master Plan amendment from Regional Park to Light Industrial; seconded by Commissioner Pawlowski. Motion carried, 7-1 (Vice-Chairperson Hood – No)

Commissioner Webb - If this for some reason does not go through, will we be able to vote on a new project that may be introduced for this facility?

Marcell Todd, CPC Director - Anything that would be done on that land that's not consistent with current zoning would have to come back before this body and the City Council for a rezoning or if it is minor in nature and dimensional it could go before the Board of Zoning Appeals for a variance. But I think the type of thing that we're talking about here would likely require again a zoning amendment.

Commissioner Ellis - I just want to make sure all of the concerns of the Commissioners, whether it be specific questions or comments be detailed for public record.

Kathryn Underwood, CPC Staff - To better address the various concerns of both the Commission and the community which accrue more appropriately to the development, CPC staff recommends the following complimentary set of recommendations:

One. A subsequent master plan amendment to mix residential, commercial or mixed residential industrial after further analysis of future development be considered for the remaining property not included within the boundaries of the current proposed amendment.

Two. Establish a body and or mechanism to continue to share, engage with and respond to the community throughout the development of this project, construction phases and beyond.

Three. Perform a health impact analysis addressing concerns regarding environmental impacts during construction and ongoing with regards to any possible noise, light and or air quality impacts, measure the claimed efficacy of the mitigation actions, as has been suggested and demonstrate this project as a model for this type of redevelopment in an urban setting.

Four. Consider the feasibility of using some portion of the coliseum in the design of the new transit center; add architects with expertise in preservation to the team doing the assessment and design. Consider also the feasibility of adaptive reuse of dairy cattle building and agricultural building

Five. Consider memorializing additional commitments for the project in an MOU memo or other means.

These are recommendations directly to the administration.

Commissioner Russell - There was a letter in our packet from Detroit Greenway Coalition, could you expand on that and explain that letter to us.

Kimani Jeffrey, CPC Staff - That letter speaks to a several issues, including street design; transit center connections; a safe non-motorized crossing over Eight Mile Road; *Mogo* public biking share stations and making several other recommendations to the Commission.

Commissioner Russell - Do any of those suggestions merit being included in the recommendations?

Arthur Jemison, Mayor's Office - I've read that letter with interest and I believe that there are elements in there that are going to be part of the resolutions, if not already.

Chairperson James – To Director Todd and the staff, I would like that to happen tomorrow, to put it in the recommendation; include that letter to be considered as part of the recommendation.

Commissioner Russell - Could we add that to the recommendations? I think this would be something that would not be confined to the three months but for the life of the project in that area; promoting a non-vehicular traffic area, specifically as we develop the other parcels, that there is a green way that meanders through the site in hopes that it provides the community outdoor activity throughout the year.

Chairperson James - Commissioner Russell, in addition to the recommendations submitted by staff, we encourage the City Council to look at the recommendations put forth by Detroit Greenway Project?

Commissioner Russell - In addition to staff recommendations, include the recommendations in the letter from the Greenway Group to study, implement and provide a greenway throughout the old State Fairgrounds, with the funding to properly maintain it.

Marcell Todd, CPC Director - A motion to add a sixth recommendation to the list that staff has prepared would encourage the exploration and implementation of the suggestions made in the letter from the *Greenway Initiative* and, more specifically, the implementation of a meandering greenway through the site and funding to maintain such infrastructure. If Mr. Russell wants to put that in the form of motion by saying so moved in reference to my statement that will get that part of the conversation going and then you can have discussion further on that.

Commission Russell motioned to add a sixth recommendation to the list prepared by CPC staff that would encourage the exploration and implementation of the suggestions made in the letter from the *Greenway Initiative*, specifically the implementation of a meandering greenway through the site and funding to maintain the infrastructure; seconded by Vice-Chairperson Hood. Motion approved 7-0.

Commissioner Goss Andrew - Does that include the dairy cattle and agriculture buildings; does that study include those buildings if not noticed?

Kathryn Underwood, CPC Staff - We made sure in recommendation number three to consider not just the portion of the Coliseum, but consider also the feasibility of adaptive reuse of the dairy cattle building and agricultural building that being the *Joe Dumars Fieldhouse*.

Marcell Todd, CPC Director - What you originally agreed to do is then to have a second vote on all of the recommendations; which would be the subsequent recommendations with the additional sixth recommendation.

Commissioner Goss Andrews motioned to accept staff recommendation, with the addition of the sixth recommendation; seconded by Commissioner Pawlowski. The motion carries.

- C. Consideration of the request of the City Planning Commission to rezone several blocks on Zoning Map Nos. 41, 42, and 43 in the area bounded by the rail corridor on the north, I-75/Fisher Freeway Service Drive on the east, Toledo Avenue on the south, and Livernois Avenue on the west

Chris Gulock, CPC Staff member, provided an overview of report submitted on September 29, 2020 relative to the request of the City Planning Commission to rezone several blocks on Zoning Map Nos. 41, 41 and 43 in the area bounded by the rail corridor, I-75/Fisher Freeway Service Drive, Toledo Avenue and Livernois.

The changes in zoning are being requested to make the area's zoning more consistent with existing land uses; make the area's zoning more consistent with the City's Master Plan of Polices; limit the influence of intensive industrial uses on adjacent residential uses and; allow, in some area, mixed use residential/commercial development.

Proposed Amendments

- Rezone land adjacent to the rail corridor between the I-75 and Livernois Avenue from M4 to M1;
- Rezone several blocks between the rail corridor and Toledo Avenue from M4 to R2 (Two-Family Residential) district;
- Rezone land near the intersection of the rail corridor and West Grand Boulevard from M4 to SD2 (Special Development, Mixed-Use) district;
- Rezone land at the intersection of Toledo and Hubbard Avenues from M4 to SD1 (Special Development Small Scale – Mixed Use) district;
- Rezone land at the intersection of Livernois Avenue and the rail corridor and Junction and McGregor Avenues from a M4 to B4 (General Business) district; and
- Rezone Clark from R2 to PR (Parks and Recreation) district.

On July 23, 2020 the Commission held a public hearing on the subject rezoning request. At the hearing the Commission had several comments regarding the proposal. Council Member Castaneda-Lopez hosted a community zoom meeting on August 19, 2020 to discuss rezoning efforts in the community. The subject rezoning is located in Master Plan Neighborhood Cluster 5 within two areas: Vernor/Junction and Hubbard Richard. Most of the Master Plan calls for Light Industrial along the rail corridor, Low/Medium Density Residential in the residential area, Mixed Town Center along Livernois Avenue, Medium Density Residential along West Grand Boulevard, and recreation for Clark Park.

A meeting with Jake Howlett, legal staff representing UST Properties and the Detroit International Bridge Company, has not been held yet.

Nicholas Bachand, representing Boulevard and Trumbull Towing, stated that Boulevard and Trumbull Towing would like the M4 to remain. The company is exploring other

industrial uses, including outdoor storage of equipment; changing the zoning south of their property to residential would make it harder for them to redevelop their land.

Gina Marotta and Angelo Brown, residents of the townhouses at Hubbard and Toledo, stated they both prefer to rezone the townhouses to residential to help protect the character of the properties; and apply for historic designation for the building

Isabelle Bradbury, owner and landlord of several townhouses at Hubbard and Toledo, owns eight of the ten townhouse units. Initially was in favor of keeping M4.

Keith Rodgerson, of the 25th Street Block Club, is concerned about what uses the proposed SD2 at the northeast corner of West Grand Boulevard and Toledo might bring.

Chris Gulock - In conclusion staff's initial recommendation was the approval of the rezoning that we presented at the public hearing except for one change. We are recommending that the land be down zoned to M2 rather than M1 which would allow some more uses, particularly by right versus a conditional for the existing industrial land.

Commissioner Pawlowski - Regarding the two companies that had issue with going from M4 to M1, Boulevard Trumbull Towing and Crown Enterprises would they be grandfathered in because they currently own those parcels.? If they wanted to make those adjustments or increases, they would be able to do so without a problem or are we looking to not have them grandfathered in and they immediately have to go to the M1 status.

Chris Gulock - Boulevard Trumbull has a large towing operation and towing is allowed as conditional in M1, M2 and 3 and 4; they don't need to be grandfathered in per se because they are allowed in all 4 or 5 of the industrial categories. The Crown properties are primarily vacant. One of them has a permit maybe as a warehouse. They are allowed M1, M2, M3 and M4. If Boulevard Trumbull wanted to put in a steel mill that would be subject, if this is rezoned to M2 it would be subject to the new zoning in the future. But for now, they don't need to be grandfathered in because they're either vacant or they're currently allowed under both.

Commissioner Williams - I'm normally very, very apprehensive about changing owners zoning; are we moving on from M4 to M2. I'm very hesitant about doing those type of things. But I like that the staff was there for any discussions with these owners.

Chris Gulock - We did meet with Boulevard Trumbull several times and they are pretty adamant. They want to stay M4. They think in the future a M2 would limit their potential redevelopment of land. The Commission does have the choice of pulling that off of the table and proceeding with other parts of the rezoning but we have not met directly with Crown Properties yet. We hope to meet with them in the future. They are

against down zoning; even though it's primarily vacant, they want to keep it up to maximize the potential future use of the property.

Commissioner Goss Andrews left the meeting.

Commissioner Esparza - Regarding the townhomes that we are proposing, as a SD1, I've heard the background regarding the two owners that reside there. I personally would give them more weight in their request for a R3 designation. I am going to ask our Planner Gulock, how would you feel about a friendly adjustment or amendment to your recommendation there?

Chris Gulock - Staff has contemplated making that recommendation as well. We could not go to a stricter category, which would be R3 without having a new public hearing on that parcel because it was advertised as an SD1, to now recommend changing it to a R3 category, we would have to have a new public hearing.

Marcell Todd, CPC Director - When we are moving to the less restrictive or the more restrictive, in this case, the SD2 would have allowed more uses, the R3 would allow less, in that case it would be the less restrictive. It would allow less than what was previously proposed, it would be acceptable. The SD2 would have allowed what you could do in an R3. The R3 allows less, so therefore, the less restrictive in this case would be acceptable. We can check with the Law Department to make sure that there's no disagreement there, but I think in this case that would be the proper approach.

Council Member Raquel Castañeda-López - We took your feedback that there needed to be additional community engagement, so we did have a virtual zoom session and put out a letter to folks. We submitted to you a letter that had around 85 signatures, 86% of those people who signed live in the direct area that would be impacted. There was additional community engagement done. I was in all of those meetings with Mr. Gulock. The Bridge Company still has not confirmed a meeting. I would agree with the Commissioner; we would love to switch the SD1 to R2 or R3. It was my understanding was that we could not do that without having a public hearing, if that is permissible, we would go that route and support the owners of those homes there.

We actually heard a similar request from the residents on the east side of the Boulevard. As it relates to Crown, the property that Crown Enterprise acquired through the FCA deal, the residents would actually like to see that parcel become a R5 or R4 to make sure that there's not additional commercial development that goes in. In this case, we're just saying let's bring it into alignment with the Master Plan and if there were projects that were more in development versus speculative ideas that people have for years in the future I think we'd be even more open to compromising on some of the proposals, but given that the community has really been the one that's had to bear the burden of living next to these industrial properties and these vacant parcels, we think it's prudent of us and really our responsibility to rectify the zoning mistakes in bringing alignment with

the Master Plan to support the surrounding community. That is really the premise that we approach this from. And again, we sat down with all those folks that had concerns and wanted to see changes, and I think that's why you see the proposal. I do want to confirm that you all received the letter that had 85 signatures, because there was also comments that residents had submitted as part of that letter as well.

Commissioner Williams - The Trumbull Company agreed to a different modification. Is that correct?

Chris Gulock - Boulevard Trumbull's legal counsel is pretty adamant; they have not accepted any compromises. I believe Boulevard Trumbull said they purchased the land in 1999, I think it's about 16 acres. Crown Enterprise owned that land, except at the corner of West Grand Boulevard and Toledo, which was owned by the city and transferred to Crown Enterprises as part of the FCA development last year.

Commissioner Russell – In a R5, you can add commercial but the max size of it is 3000 square feet and then R3, you cannot add any commercial to it. Is that correct?

Chris Gulock - R5 is medium density residential, it mostly allows apartments and townhouses; it does have a permission to conditionally allow some limited commercial up to 3000 square feet.; galleries, banks, bake shops, business offices, a small restaurant, dance studio, tattoo parlor; it would not allow a general retail store. It would allow 12 uses that are small in nature, so if the developer, who owns the units, wanted to put in some small uses, they would have to bring it up to code and meet fire and handicap accessibility, which does cause some challenges. It would allow them to do some limited residential on a conditional basis that will require a hearing of all folks 300 feet away to comment on those uses but R5 does allow some limited commercial use.

Commissioner Russell - If the people in that district are looking to adjust something that we can accommodate, I think we ought to do that, especially if we've got the council person and Commissioner from that district that are looking to make a slight change that's in order, I'm inclined to follow suit.

Council Member Raquel Castañeda-López - The residents wanted the parcel west of West Grand Boulevard to be an R3 and then the residents east of West Grand Boulevard, the Crown site, they wanted that to be in R5. We just thought we had to start the process and go through a whole new procedure, but if it can happen today we would support those amendments happening today.

Chris Gulock - Staff recommended the rezoning as shown in the public hearing be approved subject to three changes:

The M4 be downzoned to M2 to instead of M1;

The northwest corner of Hubbard and Toledo be rezoned to R3 rather than SD1 as shown in the public hearing notice and;

The northeast corner of West Grand Boulevard to Toledo be rezoned to R5 rather than SD2 as shown in the public hearing notice.

Marcell Todd, CPC Director- Just to confirm, what we've done is still consistent with the Master Plan.

Staff Recommendation

The staff recommends the rezoning, as presented in the public hearing notice, subject to changes, that the northwest corner of Toledo and Hubbard be rezoned to R3 rather than SD1 and that the northeast corner of West Grand Boulevard and Toledo be rezoned to R5 rather than SD1 and that concludes our recommendation.

Commissioner Russell motioned to accept staff's recommendation; seconded by Commissioner Esparza. Motion approved.

Commissioner Williams – In the future, if we come to owners who are against reclassification or changing their zoning to their properties, staff will work towards a type of agreement with those owners before they come to the table and hopefully we can resolve some of this before it gets here.

Marcell Todd, CPC Director - Mr. Chair, Commissioners, we will look to do that.

Vice-Chairperson Hood - Is the Master Plan available to the public? Is it online somewhere where people can access it?

Marcell Todd, CPC Director - Yes, it is. I believe it's accessible in two locations, you can get it at the Planning and Development Department's website, but I believe it's also available at the Open Data Portal.

Vice-Chairperson Hood - When was the last one completed so everybody knows?

Marcell Todd, CPC Director - The current master plan is dated 2009 and we will, beginning at the close of the census and receipt of the census findings, the next process, under the leadership of the Planning and Development Department, to update the master plan.

Chairperson James - Is it possible that we have one meeting where we have the master plan on our agenda, just as a review? I think it would be very helpful.

Marcell Todd, CPC Director - Certainly, Mr. Chair. We may even be able to look to do that at your very next meeting as there's some available space on the agenda.

V. New Business - None

VI. Committee Reports – None

VII. Staff Report

Marcell Todd, CPC Director provided the following updates:

Space on your next agenda to address the Master Plan;
Commentary on the Commission Rules;
Goals and Objectives Committee Final Report;

Standing Committee of the Charter Revision Commission on October 2, 2020 at 4:00 will take up the issue of the Planning Commission, as it concerns the Charter. (They have asked that the Chair and Director be present; staff to email link to Commissioners). Kesha Barcliff and Liz Cabot, attorneys within the Legislative Policy Division have been our primary representatives for the division.

Notification from the City of Highland Park; information to be forwarded to Commission

Staff did receive two notifications from surrounding or abutting municipalities, who are seeking to make amendments to their master plans; staff will be looking and reviewing those items and can report as may be appropriate.

Vice-Chairperson Lauren Hood has been awarded the Charles Blessing Award.

VIII. Member Report - None

IX. Communications - None

X. Public Comment

Cindy Darrah, Nicholas Bachand, JW, Ruth Johnson, Frank Hammer, Cunningham,
Josh /Bacon, Jake Howlett, Jacqueline Austin, Gary, Rochella Stewart DPP TJT EJAM,
Tonya Phillips

Adjournment at 10:46 pm