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Melanie Markowicz
Frederick E. Russell, Jr.

May 19, 2022

MEETING MINUTES

I. Opening

- A. Call to Order – Vice-Chairperson Smith called the meeting to order at 5:19 p.m.
- B. Roll Call – Kimani Jeffrey called the roll; a quorum was present.

Attendees: Daniels, Esparza, Harrison, Lewis, Markowicz, Russell, and Smith
Excused: Hood, Andrews

- C. Amendments to and approval of agenda

Commissioner Daniels motioned to approve the agenda; seconded by Commissioner Russell, motion was approved.

II. Meeting minutes December 2, 2021, and February 24, 2022

Commissioner Daniels motioned to approve the minutes of the December 2, 2021 meeting; seconded by Commissioner Lewis, motion was approved.

Commissioner Markowicz motioned to approve the minutes of the February 24, 2022 meeting; seconded by Commissioner Daniels, motion was approved.

III. Public Hearings, Discussions and Presentations

- A. **PUBLIC HEARING** – Proposed text amendment to amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XIII, *Intensity and Dimensional Standards*, Division 1, *Tables of Intensity and Dimensional Standards*, Subdivision E, *Industrial Districts*, Sec. 50-13-83, *M2 District*, to increase Max. Height (Feet) for *All other uses* from 40 feet to 55 feet

Roland Amarteifio, CPC staff, provided an overview of report submitted May 18, 2022 regarding an inquiry by City Council Member Scott Benson to amend the M2 Restricted Industrial District maximum height dimensional standard from 40 feet to

55 feet. The proposed text amendment would allow warehousing and light manufacturing companies a height increase for more automated equipment, eliminating the need for the developer to seek a dimensional variance through the Board of Zoning Appeals. (BZA).

Public Comments - None

Staff will provide a final report addressing the proceedings of the public hearing with their findings and recommendations for the Commission’s consideration at a subsequent meeting.

- B. PUBLIC HEARING** – Proposed text amendment to amend Chapter 50 of the 2019 Detroit City Code, Zoning, to correct several miscellaneous sections with erroneous wording or reference.

Eric Fazzini, CPC staff, provided a review of report submitted May 17, 2022, regarding proposed text corrections to Chapter 50 of the 2019 Detroit City Code Zoning. Staff members from the City Planning Commission (CPC), Law Department, and the Buildings, Safety Engineering and Environmental Departments have identified errors within sections of the Zoning Ordinance. The proposed corrections would not create new zoning polices. The proposed amendments include:

Article III, Review and Approval Procedures (Part I) – Article III, Division 1, Section 50-3-10 which contains public hearing notice requirements for BSEED, BZA, CPC and the City Council.

Article VIII, Residential Zoning Districts (R5) – R5 District list of Conditional retail, service, and commercial uses.

Article XII, Use Regulations (Manufacturing and Industrial Uses) – District-based requirements for food catering establishments.

Article XIV, Development Standards (Off-Street Parking Exemptions) – Off street parking requirements.

Articles XVI, Rules of Construction and Definitions (Group Day Care Home) – Definition of Group Day Care Home.

Article XVI, Rules of Construction and Definitions (Industrial Laundry) – Definition of low/medium impact manufacturing or processing.

Article XIV, Development Standards (Off-Street Parking Required), Article XVI,

Rules of Construction and Definitions, and Appendix A, Assignments of Specific Use Types to General Use Categories (Kennels, commercial).

Public Comment – None

Commissioner Russell motioned to waive same day action requirements; seconded by Commissioner Daniels. Motion was approved.

Commissioner Markowicz motioned to approve proposed text amendments; seconded by Commissioner Russell. Motion was approved.

- C. **PRESENTATION** – Proposed Ordinance to amend various sections of the 2019 Detroit City Code, Chapter 50, Zoning to change the permissibility of motor vehicle sales and repair use including junkyards and towing service storage yards, to implement a spacing requirement between such uses, to re-define several motor vehicle repair uses, and to update the use regulations for such uses as requested by the Buildings, Safety Engineering, and Environmental Department.

In November of 2019, Mayor Duggan issued a moratorium on all applications for new or expanded auto related uses, to develop a compliance strategy and advance new regulations relative to motor vehicle sales and repair. This moratorium was prompted by the proliferation of junkyards, auto repair facilities, used auto sales lots, towing yards, and used tire sales that are blighting the city. Many of these uses are not compliant with zoning regulations, property maintenance standards and licensing requirements. The moratorium has been extended several times and will expire on August 1, 2022.

The Buildings, Safety Engineering and Environmental Department (BSEED), the Planning and Development Department (PDD), the Law Department and the City Planning Commission has been working collaboratively to develop proposed changes to the zoning ordinance to better regulate these uses. BSEED compiled a draft of recommendations since most of the regulations falls under their jurisdiction.

The provisions of the proposed text amendments are divided into five major categories: Restrict the Zoning Districts where Auto Uses are allowed; Add Spacing Requirements between each type of use and Re-classify Auto Uses to reduce confusion. The current ordinance classifies motor vehicle repair into two categories, minor and major. The proposed ordinance would divide motor vehicle repair into four categories: Motor Vehicle Service; Motor Vehicle Repair; Motor Vehicle Collision and major repair; and Motor Vehicle Repair over 10,000 pounds and heavy equipment repair.

As staff continues to discuss and edit the proposed text amendment, a more

detailed presentation and report will be forthcoming with further updates and analysis.

IV. Unfinished Business

- A.** Request of R. Philip Lockwood on behalf of XYZ 20-02 RPF LLC and the City Planning Commission to amend Article XVII, Section 50-17-6, District Map No. 5 of the 2019 Detroit City Code, Chapter 50, Zoning, to show an SD1 (Special Development, Small-Scale, Mixed-Use) zoning classification where R2 (Two-Family Residential), R3 (Low Density Residential), and B4 (General Business) zoning classifications are currently shown for twenty-two parcels generally bounded by West Hancock Street to the north, Avery Street to the east, Lysander Street to the south, and Rosa Parks Boulevard to the west.

The proposed map amendment request would permit a mixed-use development consisting of approximately 59 residential units and 7,500 square feet of commercial space on fourteen scattered parcels. The current zoning allows residential and commercial uses. The SD1 District allows narrower setbacks and walkable layouts. CPC staff is including additional parcels which provides for consistent zoning in this area.

The subject site is located within the Jeffries Area of Neighborhood Cluster 4 of the Detroit Master Plan of Polices. The Future Land Use map for this area is RL- Low Density Residential for the subject property. The Planning and Development Department (PDD) has reviewed this proposal and determined that it is generally consistent with the Master Plan. The applicant is buying parcels from the Detroit Land Bank, which requires a complete design review with PDD. PDD is supportive of the site plan and will continue to work with the developer on the design of the façade.

Staff Recommendation

Based on analysis and consistent with the approval criteria of Section 50-3-70 of the Zoning Ordinance, CPC staff recommends:

APPROVAL of the request to rezone the block bounded by Rosa Parks Boulevard to the west, Forest Avenue to the north, the north-south alley first west of Avery Street to the east, and Lysander Street to the south from R2, R3, and B4 zoning districts to the SD1 zoning district.

APPROVAL of the rezoning of three lots north of Forest Avenue commonly known as 1732, 1738, and 1746 West Forest from the R2 zoning district to the R5 zoning district.

Commissioner Russell motioned to accept staff recommendation for approval; seconded by Commissioner Markowicz. Motion was approved.

Commissioner Russell left the table prior to the 7:30 presentation.

V. New Business - None

VI. Committee Reports - None

VII. Staff Report - None

VIII. Member Report - None

IX. Communications - None

X. Public Comment - None

Adjournment - The meeting was adjourned at 7:43 p.m.