

Donovan Smith
Chairperson
Melanie Markowicz
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

Kenneth R. Daniels
David Esparza, AIA, LEED
Ritchie Harrison
Gwen Lewis
Frederick E. Russell, Jr.
Rachel Udabe

City Planning Commission Meeting

MINUTES
May 2, 2024
5:00 P.M.

I. Opening

A. Call to Order – Chairperson Donovan Smith called the meeting to order at 5:26 p.m.

B. Roll Call

Attendees: Kenneth Daniels, David Esparza, Ritchie Harrison (arrive 5:44 p.m.), Gwen Lewis, Melanie Markowicz, Frederick Russell (leave 6:35 p.m.), and Donovan Smith

A quorum was present.

C. Amendments to and approval of agenda

Commissioner Markowicz moved to approve the agenda, seconded by Commissioner Esparza. Motion approved.

II. Meeting minutes of February 1, 2024

Commissioner Daniels moved to approve the minutes, seconded by Commissioner Markowicz. Motion approved.

III. Public Hearings, Discussions and Presentations

A. **5:15 PM PRESENTATION** – To consider Huntington Place Reestablishment of 2nd Ave. PC (Public Center) Special District Review (**MT, JM, Detroit Regional Convention Facility Authority representatives**) (**ACTION REQUESTED**) **45 mins**

Present: Jamie Murphy, CPC Staff

Petitioner: Jason Arlow, Architect
Paul McKeever, Architect
Eric Bennett, Architect
Angelina Sacco and Annie Fountain, Facilities Manager/Owner’s Rep.

Jamie Murphy provided a short synopsis stating this matter is returning from January 4, 2024 for an expanded presentation regarding a special district review and based on CPC Report dated May 1, 2024. The site project is an expansion of Second Avenue from Congress Street south to Steve Yzerman (Atwater). Currently, it is zoned PC (public center district) and PCA (public center adjacent district), and PCA zone classification requires review by CPC and City Council on all modifications.

Jason Arlow introduced the development team and provided an overview of the project for the Second Avenue expansion from Congress to Atwater. He mentioned that in March of 2023, Detroit Regional Convention Facility Authority (DRCFA) entered into a three-party agreement with the City and 19 Associates LLC., to construct and enhance the west side of Huntington Place and provide improvements to vehicle, pedestrian and bicycle circulation in the new Joe Louis Arena (JLA) area. He described, "It is approximately 1200 feet long running north to south along the west side of Huntington Place, and it is approximately 60 feet wide with three lanes of traffic. One [is] for truck traffic on the north end of the street and then reduced down two lanes of traffic on the south side of the street after the loading docks at Huntington Place." Mr. Arlow explained the expansion project estimated costs is \$60 million, and its plans meet Michigan Department of Transportation (MDOT) and City design standards for a public road (future public conversion). The project is divided into two phases. Mr. Arlow explained the Second Avenue expansion is a part of the second phase zoned as PC and PCA, and it is planned to be bid out this summer. The bid awards for construction will give priority to interested agencies that are Detroit businesses, tri-county area businesses, minority, and women-owned businesses. He mentioned they have been using Ms. Alexis Wiley for communications making potential bidders aware of the opportunity to bid per DRCFA rules. Further, Mr. Arlow mentioned that since the January 2024 presentation they have met with other City officials and major stakeholders, and they submitted letters of support for the project.

Paul McKeever presented and described via PowerPoint showing renderings of the Second Avenue expansion development with plans for newly constructed bridge, new pedestrian pathway to Detroit Riverwalk, and new Lodge Freeway (M-10) connections, landscape plans with new planters and trees, and signage plans. Additionally, he mentioned that there are future plans for a hotel and a helical ramp to get on the roof of the convention center (Huntington Place). Mr. McKeever stated that based on feedback from the January meeting, their development team incorporated CPC's suggestions and included more greenery and trees along the intersection. The installed signature light pylons will correspond with the signage around the convention center and bring a cohesive look. There will be pathway seating for visitors and emergency call stations every 500 feet available to the public. The intersection will be a well gathered space when conventions are being held. He described the convention center will be on the left side, and the hotel will be on the right side of Second Avenue. Mr. McKeever displayed slides with the results of the wind, shade and comfort analysis and average sunlight.

The expansion development enhancements may offer opportunities to have gateway entrance to the City when visitors arrive via Lodge Freeway. DRCFA prefers to present the proposed signage to CPC at a later time. Mr. McKeever discussed the renderings of the light pylons that banners can be hung from the pylons for City events and Huntington Place events.

Many Commissioners expressed their appreciation for the developers consideration of their implementing CPC's comments and suggestions to modifications to the proposed plan.

Commissioner Udabe suggested that the developers offer bike parking and availability of public parking. The developers were receptive of suggestions.

Mr. Jason Arlow stated that the development team gave a presentation before the Mayor's Office, Detroit River Conservancy, and DTE Greenway ensuring the design will be helping them fulfill their goals of the area. Mr. Arlow affirmed that these agencies were supportive of this development project. Also, Jamie Murphy mentioned that the Second Avenue expansion development has been discussed at the Hotel Water Square, Community Benefit Ordinance (CBO) meetings and presented at City Council meetings. These statements were in response to Commissioner Lewis' community engagement questions.

Mr. Arlow stated that DRCFA put on a vendor show and there was good attendance. DRCFA plans on hosting another vendor show, and it will be offered on bid net. DRFCA board meetings and sub-meetings are open to the public to attend for any that are interested in participating. This was in response to Commissioner Daniels' inquiries on procurement and availability of opportunities for local participation.

Mr. McKeever responded they are aware of migrating birds, buildings and bridge heights. This factor is incorporated in the design process in response to Commissioner Harrison's questions.

Jamie Murphy stated Staff is requesting action today. The submitted expansion plan meets PC and PCA criteria standards. Ms. Murphy read the following conditions on record:

- 1) CPC staff working in conjunction with PDD to be authorized to finalize the plans and remaining details with the petitioner.
- 2) That the petitioner submit final, site plans, elevations, landscape, lighting and signage plans to CPC staff for review for consistency with approved plans prior to the issuance of applicable permits and/or in accordance with the progression of construction.

Commissioner Daniels motioned to approve with the additional recommendations that Staff made, seconded by Commissioner Markowicz. Motion Approved.

IV. Public Comment –

Amy Karas, Program Director of Detroit Food Policy Council, commented her support for the animal husbandry ordinance amendment. She submitted a letter with 550 signatures of others in support.

Jack Van Dyke, home-based business owner/supplier to Eastern Market commented his support for the animal husbandry ordinance amendment. Also, he commented on City bike pathways and cyclists regarding the DRFCA Second Avenue expansion project.

Timothy Jackson, Founder of Detroit Hives commented his opposition to the animal husbandry ordinance amendment only on the beekeeper provision. He asked that beekeeping is removed. Urban beekeeping is not a public nuisance, and bees are not problematic in the community.

Timothy Guthrie commented his support for the animal husbandry ordinance amendment. He expressed his experience on influential bonds the community receives with animal keeping,

and he relayed his viewpoint on City street bike lanes and cyclists.

Karanja, a member of a beekeeping organization, commented his support for the animal husbandry ordinance amendment, its legality, and significance of beekeeping and benefits of bees.

April Worden commented her support for the animal husbandry ordinance amendment, and she expressed the beneficial impacts caring for farm animals has on the community and its youth.

Kathleen Devlin commented support for the animal husbandry ordinance amendment and the 48217 area's opposition. She mentioned the daily importance of animals and nature.

Winona Bynum, Executive Director of Detroit Food Policy Council and registered dietitian, commented support for the animal husbandry ordinance amendment. She expressed that it will be a step toward food sovereignty and food security, and the ordinance provides Detroiters an opportunity to keep animals safely and responsibly.

Karen Nogess and son, Daniel, urban farmers, each commented their support of the animal husbandry ordinance.

Patrice Brown, an employee of the Eastern Market Partnership and Chair of Detroit Food Policy Council, commented support for the animal husbandry ordinance amendment. She expressed positive health outcomes on the community and a desire for decriminalization.

Kristin, urban farmer and dietitian, commented support of the animal husbandry ordinance amendment. She mentioned taking care of animals and bees responsibly, productive use of vacant land, and access to farming for children.

V. Unfinished Business –

- A. The consideration of the request of Parkstone Development Partners on behalf of Corktown Historic Developments, LLC to show a PD (Planned Development) zoning district where an R2 (Two-Family Residential) zoning district is currently shown on four parcels commonly known as 2099, 2087, 2081 and 2075 Vermont Street. **(JM) (ACTION REQUESTED) 45 mins**

Present: Jamie Murphy, CPC Staff

Petitioners: Nicole Rittenour, Architect
Tonja Stapleton, Parkstone Development

Jamie Murphy via PowerPoint gave a presentation on a map amendment rezoning of R2 to PD for construction of a multi-residential complex on Vermont Street and based on CPC report of April 30, 2024. Ms. Murphy showed photos of the site located in District 6 in west Corktown and west of Rosa Parks Boulevard, vacant lots, and other spaces around the project's surrounding area. It is noted that this site contains a parcel with three historical houses, and the new multi-residential complex will be built behind these homes in the alleyway. She summarized that this matter is returning with a CPC Staff recommendation after public hearings on January 18, 2024 (original) and February 1, 2024 (continued). During these public hearings, seven individuals commented with three expressing support with one having parking concerns. On the other hand, there were three in opposition with

density and parking concerns. After feedback from the community, the developers modified their site plan to construct only six townhouse units. This proposed reduced number of units will provide a parking space for every unit and make it less dense. Ms. Murphy explained a comparison of the original site plan versus the modified site plan, floor plans, and elevations. Further, she displayed diagrams showing the new building's size will be comparable to the size of others in the area, and she explained that with new plans it lines up a little bit better with the house instead of sticking out as previously shown. The Historic District Commission (HDC) notes that this plan will not affect the three historical homes, and HDC approves noting consistency with the elements of design of the Corktown Historic District. Ms. Murphy stated that Planning and Development Department's (PDD) interpretation is that the proposed plans are generally consistent with the Master Plan and contains appropriate elements of design for the Corktown area, will not change the character of neighborhood. PDD noted that with six units overall density of the larger area would not significantly increase nor would traffic increase. Ms. Murphy mentioned that there is a demand for housing to live in the Corktown area, and this development would meet a small portion of the demand.

Ms. Murphy stated that CPC Staff recommends approval with conditions, and a requirement that the final plan is submitted to Staff prior to obtaining permits.

Tonja Stapleton commented a clarification that the site proposal presented is the original proposal of townhouses, and this change aligns with the density and parking concerns of CPC.

Commissioner Udabe expressed her concerns on the density and offering market rate rent.

Most Commissioners expressed their pleasure and satisfaction in the modified site plans relating to parking and density.

Commissioner Daniels motioned to approve this agenda item, seconded by Commissioner Lewis.

6 Yays (Daniels, Esparza, Harrison, Lewis, Markowicz, Russell & Smith) and 1 Nay (Udabe) Motion Approved.

B. The consideration of a text amendment that would amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, with respect to Animal Husbandry:

- To define animal husbandry and beekeeping as the keeping of certain urban farm animals and domestic honeybees for personal consumption or utilization of agricultural products such as eggs, meat or honey.
- To allow the Buildings, Safety Engineering and Environmental Department to waive dimensional standards and permitted numbers pursuant to a conditional land use hearing with the review and recommendation of Animal Control, Regulation and Care and the Planning and Development Department; also excluding standards from being appealable to the Board of Zoning Appeals.
- To allow for animal husbandry and beekeeping exceptions as a principal use by requiring a conditional land use hearing where operated by a municipal agency, 4-H program or by an educational non-profit in selected zoning districts;
- To allow animal husbandry and beekeeping as an accessory use in selected zoning districts
- To require licensing for animal husbandry and beekeeping pursuant to Chapter 6 of City Code.

- To fix current provisions related to farmers markets and specify zoning districts which they are permitted in.
- To specify principal uses that are eligible to permit animal husbandry and beekeeping as an accessory use as well as zoning districts that the activity is permitted in.
- To specify requirements for shelter and enclosure spaces for animal husbandry and beekeeping.
- To specify setback requirements for animal husbandry and beekeeping.
- To specify number limits for animal husbandry and beekeeping.
- To require notice to be sent to abutting property owners and occupants.

(KJ, DP)

60 mins

Present: Kimani Jeffrey, CPC Staff
Dolores Perales, CPC Staff

Kimani Jeffrey via PowerPoint gave a brief update on proposed zoning ordinance text amendments for animal husbandry and based on CPC Report dated April 30, 2024. Mr. Jeffrey explained, although this proposed ordinance only focuses on permitting the keeping of chickens, ducks and honeybees, it addresses, resolves, and regulates requests for legal urban agriculture. He mentioned that presently there are many Detroit citizens keeping animals and honeybees (photos shown). Mr. Jeffrey reviewed that the well-attended public hearing was held on February 22, 2024. There were 26 people who commented support and 21 commented opposition of the proposed ordinance. Additionally, there were outstanding or unaddressed questions from CPC. He mentioned that Council President Pro Tem Tate has sponsored meetings, and he is in support of this ordinance amendment.

Mr. Jeffrey provided a historical summary of urban agriculture which was publicly advertised including implemented programs and advocated by past federal government (ad photo shown) and previous Detroit mayors. He showed a historic 1919 photograph of urban farming. He identified economics, lower costs, affluence, modernization, industrialization and grocery store convenience as reasons urban agriculture participation dwindled. During CPC Staff's research, there was no evidence found that disease nor nuisance were reasons for elimination, ban or decline in participation of urban farming. Also, Staff's research of City Clerk's records revealed dates in 1959 for a ban for keeping of animals in Detroit. A 2004 amendment was the first time the ordinance expressed farm animals were banned (Chapter 6 of City Code). Later, urban livestock was proposed in the 2013 urban agriculture ordinance. He discussed that at the time animals were contemplated to be in that ordinance, but more discussion was needed. Therefore, the animal proposal was removed from the ordinance in 2016 for more engagement to occur.

Also, Mr. Jeffrey explained why the City is sponsoring an initiative for animal husbandry as follows:

- ❖ The COVID-19 pandemic's low supply of food at grocery stores exposed frailties of food system.
- ❖ Inflation and present high price of food
- ❖ Decriminalization of citizens charged with misdemeanors
- ❖ Keeping pace with other large metropolitan cities in the U.S.
- ❖ More than 20 Michigan cities permit animal husbandry

Additionally, he discussed that the City takes in consideration those who oppose animal husbandry. Many opposers are concerned with being notified of a neighbor practicing animal

keeping. These community members are also concerned with health and environmental impact with animal keeping odor and irritation of human allergies.

Ms. Perales presented via PowerPoint urban agriculture's impact and the importance of equity. She revealed that 69% of the City's community are food insecure. This is a 7% increase since pre-pandemic days. She stated CPC Staff wanted to specifically highlight that due to the one mile access buffer most Detroiters should have access, but that does not mean that residents actually have accessibility possibly due to financial or other hardships hindering their ability to patronage a full-line grocery store (66 in Detroit). Ms. Perales discussed the urban agriculture impact on property of approximately 9.4% increase in value. Also, the increased impact on neighborhoods advised by Detroit Food Policy Council it is anticipated that it will be a low percentage of residents participating in animal keeping once adopted.

Mr. Jeffrey discussed a multi-departmental special team created (CPC, BSEED, Office of Urban Agriculture, and PDD) that will help guide urban gardening and farming projects. Also, they are making efforts to create an animal husbandry guild which will be community based with training and resources from agriculture experts.

Mr. Jeffrey discussed community engagement wherein they received questions about enforcement, focus groups, large meetings and small meetings. Since February's public hearing, CPC Staff has attended meetings, including meeting with a beekeeper organization. Thereafter, this beekeeper organization provided written suggestions for the ordinance amendments they proposed (copies distributed). He stated CPC Staff met with the Eastside Community Network that submitted a letter in support of the ordinance amendments. CPC Staff found that generally residents are neutral or in support showing majority in support. Some in opposition mentioned issues not fully related to this particular ordinance. For example, in 48217 such as insurance rates, air quality and desire not to add to existing problems to their community. CPC Staff may be able to consult with lawyers of the Legislative Policy Division (LPD) for guidance and legal advice for 48217's concerns.

Kimani Jeffrey described recent engagement post CPC public hearing as follows:

- ❖ Keep Growing Detroit Beekeepers Meeting on February 27, 2024
- ❖ Eastside Community Network on March 13, 2024
- ❖ District 3 Department of Neighborhoods meeting on March 26, 2024
- ❖ D6 & D7 Department of Neighborhoods Community Meetings on March 27, 2024
- ❖ Kemeny Recreation Center Focus Group Meeting, 48217 Residents on April 29, 2024
- ❖ Community Development Advocates of Detroit on April 30, 2024
- ❖ D6 Office of Santiago Romero Community Meeting on May 1, 2024

Ms. Perales named the organizations that submitted support for the animal husbandry ordinance amendment. She described that there is one letter of opposition from a 48217 resident. Also, CPC Staff received over 72 letters of support, and a petition from Food Policy Council with 550 signatures.

Dolores Perales discussed screening and showed photos of suggested screening for animal keeping quarters. She described screening provisions as follows:

- ❖ Screening is being recommended post community feedback
- ❖ To ensure proper screening of backyard animals, several screening options should be adopted in the case that fencing is not opaque
- ❖ Screening may be required by the Buildings, Safety Engineering, and Environmental

Department to receive permit for animals

Mr. Jeffrey mentioned that CPC Staff is hopeful to receive action on this item.

Edwina King, Associate Director of Planning and Development Department, Legislative Affairs and Equitable Development stated that she is working with her colleagues on this ordinance and available for any questions in response to Commissioner Smith's verbal acknowledgment of her virtual attendance.

Timarie Szwed, CPC Staff, explained that essential property insurance for animal keepers insurance may increase, but not their neighbors. This was in response to Commissioner Daniels' insurance questions.

Mr. Jeffrey responded that BSEED will evaluate compliance of the set-up and setback of the animal keeping quarters and other criteria (Chapter 50). If issued a license and a complaint is made the neighbor risks losing their license. On the other hand, Animal Control will evaluate the animals and animal's well-being in the animal husbandry process (Chapter 6). This was in response to Commissioner Daniels' inquiries.

Mr. Jeffrey stated that the City does not encourage illegal activity, but it is willing to compromise and provide a pathway through legislation for those that may have viable reasons why they are participating in animal husbandry. This was in response to Commissioner Lewis' decriminalization questions.

Director Todd explained in depth about the questions of decriminalization by stating that CPC Staff bases its decision to make these amendments not on the class of people, but on the merits or appropriateness of the issue. He mentioned all matters are approached by Staff on a case-by-case basis. Director Todd elaborated with comparisons of the amendments made to marijuana ordinance and property rental regulations (Airbnb). He recognized former city planner Ms. Kathryn Underwood's desire to explore urban agriculture aspects, and therefore, CPC Staff has been informally conscientious about urban agriculture since 2003-2004. He stated that admittedly due to size of the City and its population, it may have some challenges with enforcement or challenges with capacity of an enforcing department, i.e., BSEED. On the other hand, it could be a change in law that CPC Staff needs to address. This statement was made in response to Commissioner Lewis' decriminalization inquiries.

Commissioner Markowicz requested the word "occupy" is deleted in the screening description.

There was discussion pertaining to separating provisions for honeybees. Some Commissioners requested that bees are removed or excluded. It was determined that, if necessary, provisions can be revised at a later appropriate time.

Kimani Jeffrey stated CPC Staff recommends approval, and Staff is hopeful to receive action on this agenda item.

Commissioner Markowicz motioned to amend Chapter 50 of the 2019 Detroit City Code Zoning, with respect to animal husbandry and beekeeping establishing it as new agricultural use, and to approve and adopt it as presented by Staff with the recommended amendments listed in the CPC meeting packet with the caveat that the word occupy is deleted under fencing section. Also, with recommendation for City Council to eliminate tagging, fees and licensing and completely across the board for the

**beekeeping elements. (This would add switching the word occupy for residential lots for consistency), seconded by Commissioner Udabe.
6 Yays (Daniels, Esparza, Harrison, Markowicz, Smith & Udabe) and 1 Nay (Lewis)
Motion Approved.**

VI. New Business – There was no New Business.

VII. Committee Reports – Commissioner Smith requested that this matter is tabled to next meeting.

VIII. Staff Report – Dr. Rory Bolger, CPC Staff, reported on the annual National Planning Conference of American Planning Association (APA) in Minneapolis, Minnesota, held on April 13-16, 2024. He attended along with Chairperson Smith and Former Chairperson Lauren Hood. Dr. Bolger expressed his pleasure in learning about new trends in planning for affordable housing, no longer permitting zoning districts of single family dwellings, accessory dwelling units (ADU), and vertical housing (6-20 stories in building height). He announced future APA's national conference be in Denver Colorado on March 29, 2025-April 1, 2025, and in May 2026 Detroit will host.

Additionally, Commissioner Smith expressed his enjoyable learning experience and admiration for the housing strategies addressing the nationwide housing crises, his anticipation of attending in 2025, and CPC's participation in Detroit hosting in 2026.

IX. Member Report – There were no Member Reports.

X. Communications – There were no Communications.

XI. Adjournment

The meeting adjourned at 9:44 p.m.