

**Approved  
June 9, 2008**

REGULAR MEETING  
(CONDUCTED AS A COMMITTEE-OF-THE-WHOLE)  
OF THE COUNCIL  
CITY OF SOUTHFIELD  
**April 21, 2008**

INDEX

<u>RESOLUTION</u>	<u>TOPIC</u>	<u>PAGE(S)</u>
*****	REQUEST for recognition from Joanne Graves.....	1
*****	LIQUOR License request from Renaissance Club, Inc.....	1
*****	LIQUOR License request from Franklin Center Associates, LLC.....	2
*****	PROPOSAL to purchase City owned property at Eleven Mile & Greenfield Roads.....	2-3
*****	SIGN Ordinance discussion.....	3-4
*****	DISCUSSION regarding traffic light at Telegraph and Garner.....	4
C-017-2008	ADJOURN into Closed Session.....	4
C-018-2008	RECONVENE into Open Session.....	5

**Approved  
June 9, 2008**

REGULAR MEETING  
CONDUCTED AS A COMMITTEE-OF-THE-WHOLE  
OF THE COUNCIL  
CITY OF SOUTHFIELD  
**April 21, 2008**

The Council of the City of Southfield convened at 7:00 p.m. in the Council Conference Room of the Municipal Building, 26000 Evergreen Road, Southfield, Michigan with Council President Joan Seymour in the Chair. PRESENT: Council Members Donald F. Fracassi, Myron A. Frasier Sylvia Jordan, Sidney Lantz, William D. Lattimore, Joan Seymour and Kenson J. Siver. ALSO PRESENT: City Clerk Nancy L. M. Banks, City Administrator James G. Scharret and City Attorney John E. Beras. As there was a quorum, Council was in session.

Councilman Frasier requested the addition of a discussion of a light on Telegraph and Garner to the agenda. Council President Seymour agreed to put the item at the end of the meeting.

\*\*\*\* The first item on the agenda was a Request for Recognition by Joanne Graves.

Ms. Graves was not in attendance.

\*\*\*\* The next item on the agenda was a Liquor License Request from Renaissance Club Inc. doing business as Skyline Club.

Ms. Banks stated this was an application from the Renaissance Club, Inc. doing business as the Skyline Club, to transfer all stock in a Class C licensed business with Dance Permit, to a new stockholder, CCA Mezzanine Holdco, LLC, located at 2000 Town Center, 28<sup>th</sup> Floor, in the City of Southfield. The operation and management of the Skyline Club will not be changed. All necessary documents and approvals have been received from the required City departments.

J. Patrick Howe, 2855 Coolidge Highway, Suite 203, Troy, Michigan was present at the meeting representing the petitioner. He explained that Club Corporation was bought out by CCA Mezzanine Holdco, LLC. This request was to transfer the Class C licensed business with Dance Permit to the new corporation. The Skyline Club will retain its name.

Councilman Fracassi had concern with the Skyline Club having a Class C license instead of a Club license. Mr. Beras stated a Club license is only for non-profit facilities. The Skyline Club is a private club using a Class C license as a club license and limiting entry. Councilman Fracassi stated anyone who walked into the Skyline Club should have the right to order from the bar. Mr. Howe was asked to inform Council of the policy of the Skyline Club as to serving drinks to non club members at the formal approval meeting.

The consensus of Council was to place this matter on the May 5, 2008 agenda for formal approval.

\*\*\*\* The next item on the agenda was a Liquor License Request from Franklin Center Associates, LLC

Ms. Banks stated this was an application from Franklin Center Associates, LLC regarding the transfer of a Class C license located in escrow at 29106 Franklin, the site of the former Tom's Oyster Bar, in the City of Southfield. Tom's Oyster Bar terminated its business at this location and agreed to transfer the liquor license to the landlord to make it available for a future tenant at this restaurant. At the present time there is no tenant that will own and operate the restaurant. Therefore, the request is to transfer the license to the landlord, Franklin Center Associates, LLC, to be held in escrow by the Michigan Liquor Control Commission. All necessary documents and approvals have been received from the required City departments.

J. Patrick Howe, 2855 Coolidge Highway, Suite 203, Troy, Michigan represented the petitioner. He explained that Franklin Center Associates surrendered its Class C liquor license back to the landlord through their lease agreement. The site is being demolished and the Class C license will eventually go to the hotel and be held by the Michigan Liquor Control Commission.

Councilman Frasier had concern that the license did not come back to the City rather than get sold because smaller establishments cannot afford to purchase a license.

The consensus of Council was to place this matter on the May 5, 2008 agenda for formal approval.

\*\*\*\* Proposal to Purchase City Owned Property at 11 Mile and Greenfield Roads.

Mr. Banda introduced Mr. Frank Torre of Torre/Bruglio who requested consideration from the Council to sell him the City owned property at the northwest corner of Eleven Mile and Greenfield Roads and discuss his proposal.

Frank Torre, 850 Featherstone, Pontiac, Michigan explained the City of Southfield owns the property that was formally a gas station on the northwest corner of Eleven Mile and Greenfield Roads. The property is approximately one acre in size and virtually unbuildable due to its size and set back requirements necessary. His company owns the property on the north and west property lines adjacent to this parcel where he plans to build a 12,500 square foot retail and service building. They plan on using attractive architecture and enhanced landscaping as well as pedestrian friendly outdoor seating and walkways. He was interested in acquiring the one acre parcel for \$1.00 to incorporate it into their development to enhance the property and make an outstanding gateway into the City. It is estimated that their development will generate \$36,000 to \$45,000 per year for the City.

Councilman Lantz stated he was willing to compromise but not for free.

Councilman Siver stated they were in the fifth year of deficit and he would be willing to sell the property but would have to come to terms on a price. He also had concern that the sign that was there now would not be used. Mr. Banda stated there were other locations the existing sign could be placed.

Councilman Fracassi stated this corner has been an eyesore for years. If it was brought back with design and character as well as the taxes generated, it would be positive for the City. There may never be another opportunity to do anything like this.

Councilman Frasier concurred with Councilman Fracassi but he wanted to ensure there would be high end stores in the strip.

Councilwoman Jordan proposed instead of more money for the property, Mr. Torre could pay \$1.00 for the Eleven Mile and Greenfield property and then put another entryway on Eleven Mile and Evergreen Roads.

Applauding Councilwoman Jordan for thinking out of the box, Council was in favor of her suggestion.

Mr. Torre stated he could do that and will keep perpetual maintenance on the properties, keep the sign and upgrade it and would agree to the rental restrictions.

President Seymour stated this may raise the bar in the area. She requested that staff work out the arrangements.

The consensus of Council was to sell the property for \$1.00 to Mr. Torre.

\*\*\*\* Sign Ordinance Discussion.

Nicholas Banda, Director of Planning and Economic Development; and Wayne Jewell, Building Official lead a discussion together with a presentation on the existing Sign Ordinance. The City of Southfield Sign Ordinance was an outstanding model and differed from other communities of which twenty-nine were reviewed. Specifically, electronic signage, restrictions on multi-tenant ground signage and temporary sign allowances.

*Electronic Signage:*

Federal courts upheld sign ordinances which prohibit all electronic signs but under the First Amendment, if electronic signs are allowed, they cannot be limited to just certain types of uses or businesses. Current law can restrict size, movement, animation and it is not permitted to impact residential zoning. Within this group are gasoline price signs, electronic reader boards, and tri-vision signs.

*Multi-Tenant Ground Signage:*

The Southfield Sign Ordinance limits the following zoning districts to a maximum of three tenants listed on ground signage: (B-2) Planned Business, (NS) Neighborhood Shopping, (B-3) General Business and (RS) Regional Shopping. It also allows a listing of six tenants total if there are two ground signs each on a different major thoroughfare adjoining the site.

*Temporary Signage:*

The Southfield Sign Ordinance allows a banner of 36 square feet to be attached to a building for 14 days in a six month period. It also allows one temporary sign per major thoroughfare on a

Conducted as a Committee-of-the-Whole

rigid material on either building or ground up to 200 square feet for a period of up to two years. The ordinance prohibits streamers, spinners, ribbons, pennants, pinwheels or other types strung from buildings or other structures. It also prohibits balloon structures.

*Comparison of Business Zoning Districts:*

B-1 Site Conditions – Smaller parcel sizes, average lot size less than one acre, limited or no landscaped areas to locate ground signage on site, directly abutting residential districts, less intense uses permitted, developed to be a transitional zoning district from higher intensity commercial to residential. There are twenty-two parcels in the City.

B-2,N/S and B-3 Site Conditions – Larger parcel sizes, average lot size three acres (B-2, NS) and 1.5 acres (B-3), not directly abutting residential districts, typically at the corner of two major thoroughfares, more intense uses permitted, landscaped areas for location of ground signage. There are thirty-three B-2 and N/S parcels in the City and 398 B-3 parcels.

A discussion ensued with some members feeling electronic signage was a sign of the times and others feeling if allowed, it would be like opening Pandora's Box.

President Seymour suggested Mr. Jewell present this to the ZBA at a study session. The Council also agreed to meet with the ZBA to discuss how to better regulate signage.

\*\*\*\* Traffic Light at Telegraph/Garner Discussion

Councilman Frasier stated there was an article in the paper reading the State could not pay for the traffic light needed at the Telegraph/Garner intersection. He suggested that this be referred to the Legislative Committee to assist in finding funding for the light as the daycare center being built in the area will not open until the light is installed.

Council agreed and Council President Seymour referred this item to the Legislative Committee.

\*\*\*\* Discussion of Legal Opinion

Mr. Beras requested the meeting adjourn to Closed Session to discuss a legal opinion.

**C-017-2008** Motion by Fracassi, supported by Frasier.

**BE IT RESOLVED THAT:** Pursuant to Section 8(h) of the Open Meetings Act the Committee-of-the-Whole Meeting of April 21, 2008 adjourn to a Closed Session for the purpose of discussing a legal opinion.

A roll call vote was taken.

YEA: Siver, Lattimore, Lantz, Fracassi, Jordan, Frasier, Seymour.

NAY: None.

ABSTAIN: None.

ABSENT: None.

The resolution was unanimously approved.

**C-018-2008** Motion by Siver, supported by Frasier.

**BE IT RESOLVED THAT:** The Closed Session of the Regular Council Meeting conducted as a Committee-of-the-Whole of April 21, 2008 reconvene to Open Session.  
The resolution was unanimously approved.

There being no further business, the Regular Meeting of Council conducted as a Committee of the Whole of April 21, 2008, adjourned at 9:55 p.m. until the next Regular Meeting of Council scheduled for May 5, 2008, at 7:00 p.m. in the Council Chambers of the Municipal Building, 26000 Evergreen Road, Southfield, Michigan.

---

Joan Seymour, Council President

---

Nancy L. M. Banks, City Clerk

\ps