

**REGULAR MEETING OF THE PLANNING COMMISSION  
CITY OF SOUTHFIELD  
WEDNESDAY, FEBRUARY 23, 2011**

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**REGULAR MEETING OF THE PLANNING COMMISSION  
CITY OF SOUTHFIELD  
FEBRUARY 23, 2011**

The Regular Meeting of the Planning Commission was called to order by Chairman Haisha, at 6:30 p.m., in the Council Chambers, 26000 Evergreen Road.

The meeting was opened with the Pledge of Allegiance. Roll call was taken by the Recording Secretary and a quorum for the meeting was established.

**PRESENT:** Commissioners: Bell, Haisha, Huntington, Leitner, Mandell, Peoples  
Jeffrey Spence, Planner  
Connie Mays, Recording Secretary

Chairman Haisha asked for motion to approve the agenda.

**PC-10-11 MOTION by Mandell, supported by Peoples to approve the agenda.**

**AYES: 6**

**NAYS: 0**

**Motion carries.**

Planner Spence made the announcement that for GP:1223/SP:1280 the Petitioner would be showing a Power Point presentation, therefore the screen on the dias would come down, therefore the Commissioners may want to take a seat in the audience.

Planner Spence explained that ZR:1306 and GP:1222/SP:1281 are related, but they need to be addressed and voted on separately.

**ZR:1306** is a rezoning request of Agree Development, LLC to rezone from O-S, Office Service and R-2, Single Family Residential to B-3, General Business, part of Lots 17 and 18 of Fruit Ridge Farms Subdivision, located at 30203 and 30161 Southfield Road on the west side of Southfield Road between Webster and Thirteen Mile Road in Section 11 of the City.

The Legal notice advertising this matter for public hearing on February 23, 2011 was advertised in the South Oakland Eccentric Newspaper on February 6, 2011. Legal notice was also sent by First Class mail to all property owners within 350 feet of the subject property, including the manager of Cranbrook Centre Apartments, manager of Country Corner Apartments, Cranbrook Village Homeowners Association 1, 3, 4 and 5, Cranbrook Village Number 6 Association, Cranbrook Village Number 10 Association, Belmoral Plaza Condo Association and all public utilities.

Planner Spence showed a short video on ZR:1306.

**ZR:1306** is a rezoning request of Agree Development LLC to rezone two properties from (R-2) Single Family Residential and (O-S) Office Service to (B-3) General Business. The properties are located at 30203 and 30161 Southfield Road on the west side of Southfield Road between Webster and Thirteen Mile Roads in Section 11 of the city.

The properties are currently zoned (R-2) Single Family Residential and (O-S) Office Service.

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Property to the north is zoned OS, Office Service. The property to the west is zoned OS, Office Service and RM, Multiple Family (Low Rise). The property to the south is zoned OS, Office Service and R-2, Single Family residential. The property to the east across Southfield Road is zoned B-3, General Business and RM, Multiple Family (Low Rise).

With regard to the existing land use, the northernmost property is non-conforming and developed with the Cracker Barrel Party Store. The southernmost property is developed with the Cranbrook Officenter. The property to the north of the Cracker Barrel Party store is developed with an office building. The property to the west is developed with the Cranbrooke Centre Apartments. The property to the south of the Cranbrook Officenter is developed with a Comfort Dental office and single family homes fronting on Webster. The properties to the east across Southfield Road are developed with a commercial retail center and the Balmoral Club Condominiums.

The total acreage of the two properties proposed for rezoning to B-3, General Business is 2.19 acres of land. The rezoning will allow for the construction of a 4,362 gross square foot McDonald's restaurant with double drive-thru and associated parking. There is 330.13' of frontage along Southfield Road with a depth of 361'.

Issues considered by the Planning Department during the review of the rezoning were:

1. The proposed rezoning will be in accordance with the Southfield Comprehensive Master Plan that indicates North Southfield Road Subarea for a mixture of retail and services for these parcels.
2. The proposed rezoning to B-3, General Business will allow the petitioner and the adjacent property owner to redevelop their properties with a new land uses compatible with the abutting existing developments and in accordance with the Comprehensive Master Plan.
3. The proposed rezoning will not have adverse effects upon any of the adjoining zonings or land uses.

**Recommendation:** The Planning Department recommends **FAVORABLE Consideration** of ZR:1306, the rezoning request of Agree Development LLC, Sidwell Parcels 242411-226-019 and 2411-226-028, property located at 30203 and 30161 Southfield Road on the west side of Southfield Road between Webster and Thirteen Mile Road in Section 11 of the city, for the following reasons:

1. The proposed rezoning will be in accordance with the Southfield Comprehensive Master Plan that indicates North Southfield Road Subarea for a mixture of retail and services for these parcels.
2. The proposed rezoning to B-3, General Business will allow the petitioner and the adjacent property owner to redevelop their properties with a new land uses compatible with the abutting existing developments and in accordance with the Comprehensive Master Plan.

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3. The proposed rezoning will not have adverse effects upon any of the adjoining zonings or land uses.

The Petitioner for the project stepped forward. Leith Hermiz, Agree Development, LLC stepped forward. He explained that they have had a very interactive dialogue with the Planning Department and the staff. He pointed out that the owner of the Cracker Barrel party store was present, which is also a part of the application for the rezoning. They also have representatives of McDonalds and Frank Martin.

Planner Spence read the following two letters that he received:

February 16, 2011

Attention: City of Southfield Planning Commission

I am a very happy seventy-eight year old resident of the Country Corner Apartment complex. I must say this is the reason that I chose this apartment because of all of the shopping malls, eateries, grocery stores, etc. This area is especially convenient for me and other seniors like me, none drivers.

If there is one thing that is not needed in this area of Southfield Rd. is another McDonalds. Please! Please! Place my name emphatically NO!

Doris Benjamin

30524 Southfield Rd., Apt. 118

Southfield, MI 48076-1233

Letter two:

February 9, 2011

City of Southfield Planning Department

Gentlemen:

I am 80 years old, recovering from open-heart surgery, and am not steady on my feet, so will be unable to attend the hearing on February 23<sup>rd</sup> regarding zoning changes and construction of a McDonald's restaurant where the Cranbrook Centre Office Bldg. presently stands on Southfield Rd. north of Webster.

I have been a co-owner at Balmoral Condos directly across from this proposed McDonald's for over 18 years. At rush hours, particularly after 3:00 p.m. on week-days, it already is difficult to exit Balmoral and go south on Southfield Rd., since heavy northbound traffic impedes access to the turning and through lanes before the light at Webster. This means that Balmoral residents often must resort to turning north and then making a turnaround at the Target store, if we're lucky. I fear McDonald's traffic will be the straw that breaks the camel's back, causing gridlock, due to increased 2-way competition for the turning lane in the short space available, particularly from 3-7 p.m. How can this situation be avoided? Please consider the needs of our 172 unit condo

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complex and the great likelihood that gridlock will lead to accidents. Thank you for your attention to this matter.

Sincerely,  
Suzanne Vanden Berg  
30256 Southfield Rd., #180  
Southfield, MI 48076-1305  
(248) 594-0690

Chairman Haisha explained that this is a public hearing and members of the public that wished to speak could come forward and speak, having five minutes. Seeing none, he closed the public portion of the meeting and opened it up to the Commissioner for comment.

**PC-11-11 MOTION by Peoples, supported by Mandell to make a favorable recommendation of ZR:1306 rezoning request of Agree Development, LLC to rezone from O-S Office Service and R-2 Single Family Residential to B-3, General Business.**

**AYES: 6**

**NAYS: 0**

**Motion carries.**

Commissioner Bell said this was discussed at length at the study sessions, but asked if someone from the City had contacted the people that sent in the letters to respond to their questions.

Planner Spence said that generally this is not done. The letters are submitted to the Planning Commission.

Commissioner Bell said that one had made a statement to the affect of needing another McDonalds. He wanted to point out to her that another McDonalds is not being added, but being replaced. He said that he lives in the vicinity himself and the traffic is heavy. He also feels that someone should make contact with those residents that write and send in letters. He intends to call the person that left a phone number. He will be supporting this, however he has a concern by rezoning this to B-3, it leaves it open to lot of uses that are allowable in a B-3 that he would not be in support of. This could be taken up on a case by case basis.

Commissioner Huntington stated that McDonalds is one of the largest franchises in the world and knows how to run a business, have good business practices in place, they have rules and regulations in place and follow them strictly so he has no problem at all supporting this and feels that it will be a good addition to the City of Southfield.

Chairman Haisha stated that he is customer of the Beverly Hills store and feels that the re-location is a great idea. The traffic area is currently very congested. He welcomed them to Southfield.

**GP:1222/SP:1281** is a special use and site plan review request of Agree Development, LLC to demolish the existing Cranbrook Centre Office Building and construct a new 4,362 gross square

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foot McDonalds restaurant with a double drive-thru and associated parking on part of Lots 17 and 18, of Fruit Ridge Farms Subdivision, Sidwell Parcel 2411-226-028, property located at 30161 Southfield Road on the west side of Southfield Road between Webster and Thirteen Mile Road in Section 11 of the City.

The Legal Notice advertising this matter for public hearing on February 23, 2011 was advertised in the South Oakland Eccentric Newspaper on February 6, 2011. Legal notice was also sent by First Class mail to all property owners within 350 feet of the subject property, including the manager of Cranbrook Centre Apartments, manager of Country Corner Apartments, Cranbrook Village Homeowners Association 1, 3, 4 and 5, Cranbrook Village Number 6 Association, Cranbrook Village Number 10 Association, Belmoral Plaza Condo Association and all public utilities.

Planner Spence showed a short video:

**GP:1222/SP:1281** is a Special Use and Site Plan Review Request of Agree Development, LLC to demolish the existing Cranbrook Centre Office Building and construct a new 4,362 gross square foot McDonald's restaurant. The property is located at 30161 Southfield Road between Webster and Thirteen Mile Road in Section 11 of the City.

The subject property is currently zoned OS, Office Service pending approval of ZR:1306 with the property to the north to rezone both properties to B-3, General Business. The property to west is zoned RM, Multiple Family. The properties to the south are zoned OS, Office Service and R-2, Single Family Residential. The properties to the east across Southfield Road are zoned B-3, General Business and RM, Multiple Family (Low Rise).

With regard to the existing land uses, the subject property is developed with the Cranbrook Officecenter. The properties to the north are developed with Cracker Barrel Party Store and an office building. The property to the west is developed with the Cranbrooke Centre Apartments. The property to the south is developed with the Comfort Dental office and houses fronting on Webster Street. The properties to the east across Southfield Road are developed with commercial retail center and the Balmoral Club Condominiums.

The site contains 1.66 acres of land. There is 247.63' of frontage on Southfield Road with a depth of 361'.

The special use request is to allow freestanding restaurant within the (B-3) General Business district.

The submitted site plan proposes the demolition of the existing Cranbrook Centre Office Building and the construction of a new 4,362 gross square foot McDonald's restaurant with a double drive-thru and associated parking. The parking required for the development is 54 spaces with 57 provided on site including 12 land banked spaces. The landscape provided exceeds the requirements of the zoning ordinance. The elevations show a mix of brick, stone veneer and glass.

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Issues considered by the Planning Department during the review of the special use and site plan were:

1. The special use general standards and conditions for restaurants in the B-3 General Business district.
2. Waiver from the Zoning Board of Appeals for 2 stacking spaces (10 stacking spaces required, 8 stacking spaces provided).
3. The petitioner is to implement the recommendations made by the Southfield Police Department's Crime Prevention Bureau regarding site security.

**Recommendation:** The Planning Department recommends FAVORABLE consideration of the Special Use and Site Plan Review Request of Agree Development LLC for the demolition of the existing Cranbrook Centre Office Building and construction of a new 4,362 gross square foot McDonald's restaurant with a double drive-thru and associated parking, site plan dated February 14, 2011 and received by the Planning Department on February 15, 2011, with the following conditions:

1. The petitioner is to seek a waiver from the Zoning Board of Appeals for 2 stacking spaces (10 stacking spaces required, 8 stacking spaces provided).

Planner Spence added that there was a question at a Study meeting in regards to the wall along the west property line and the possibility of a waiver. He noted that the waiver is being added as a condition.

2. The petitioner is to seek a waiver from the Zoning Board of Appeals for 32' of required screen wall at the northwest corner of the site.
3. Exterior lighting will be shielded to prevent spillage of glare onto adjacent properties.
4. The owner will conform to the Zoning Ordinance requirement not to exceed the volume of sound of 50 decibels at the property line and that the volume of sound shall not be audible for a distance in excess of one hundred (100') feet from the sound amplifying equipment.
5. The owner shall adhere to the 7:00am to 6:00pm window for trash pick-up and product delivery.
6. This approval is subject to the approval of ZR:1306 by the City Council to rezone the subject property from OS, Office Service to B-3, General Business.
7. This site plan approval, including any attached landscape plan, does not constitute landscape plan approval. A final detailed landscape plan must be submitted to the Planning Department and be approved prior to issuance of any building permits.

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8. The petitioner is to provide a sprinkler system for all landscape areas to encourage preservation of plant materials.
9. The petitioner is to execute a perpetual maintenance agreement for the landscaped and parking areas both on the site and in the right-of-way, which includes maintenance of the storm water detention system.
10. The petitioner is to implement the recommendations made by the Southfield Police Department's Crime Prevention Bureau regarding site security.
11. The building is to be constructed in accordance with the submitted elevations shown on Sheet A2.0 and A2.1.
12. Approval of this site plan and/or building elevations represented herein does not constitute nor guarantee approval for signage. Separate approval and sign permits must be obtained from the Building Department for any proposed signs.

Chairman Haisha asked the Petitioner to step forward. Frank Martin, Dorchen Martin Associates stepped forward. He met with the Commissioners at the Study session. He added that in the letters that had been received, the one letter had stated that specifically that traffic between 3:00-7:00 the traffic is jammed. He said about 80% of McDonalds is breakfast and lunch. The dinner hour is not a major part of their business. The bulk of activity is morning and lunch. At the study session, Commissioner Bell had brought up the idea of the wall in the rear blend in with the existing wall. He went over to the apartments and took some photos. He showed a photo of the existing wall and a photo of the brick sample adjacent to it. He said that it is about as good a match as they can do. He also brought the lighting plan and said that they would be using LED lights.

Chairman Haisha asked if anyone from the public wished to speak. Seeing none, he closed the public portion of the meeting.

Commissioner Huntington added that the busiest hours are with breakfast and lunch. It makes a big difference.

Commissioner Bell also commented on the hours. He said that the morning rush hour from about 6:00 or 7:00 in the morning until around 10:00 is almost as bad as the afternoon or evening rush hour. The traffic situation is going to be a problem, but this shouldn't make a difference.

**PC-12-11 MOTION by Bell, supported by Huntington to make favorable recommendation for GP:1222/SP:1281, special use and site plan review request of Agree Development, LLC to demolish the existing Cranbrook Centre Office Building and construct a new 4,362 gross square foot McDonalds restaurant with a double drive-thru and associated parking.**

**AYES: 6**

**NAYS: 0**

**Motion carries.**

Commissioner Bell asked Planner Spence to go through the conditions for special use for this type of facility.

Planner Spence reported the following uses permitted subject to special approval (5.169):

The following uses may be permitted upon the review and approval of the City Council after a recommendation from the Planning Commission. The use or uses shall only be approved when the following general standards have been satisfied and subject to the conditions hereinafter imposed.

(1) Standards

- (a) The proposed use or uses must be of such size and character that it will be in harmony with the appropriate and orderly development of the General Business District.
- (b) The location, size, intensity and periods of operation of any such proposed use may be designated to eliminate any possible nuisance likely to emanate therefrom which might be adverse to occupants of any other nearby permitted uses.
- (c) The proposed use must be in accord with the spirit and purpose of this Chapter and not be inconsistent with, or contrary to, the objectives sought to be accomplished by this Chapter and principles of sound planning.
- (d) The proposed use is of such character and the vehicular traffic generated will not have an adverse effect, or be detrimental, to the surrounding land uses or the adjacent thoroughfares.
- (e) The proposed use is of such character and intensity and arranged on the site so as to eliminate any adverse effects resulting from noise, dust, dirt, glare, odor or fumes.
- (f) The proposed use, or change in use, will not be adverse to the promotion of the health, safety and welfare of the community.
- (g) The proposed use, or change in use, must be designed and operated so as to provide security and safety to the employees and the general public. (amended – Ordinance 1501 – 5/3/04)

Commissioner Bell said that since this site plan is very similar to the layout on Northwestern Highway, specifically referring to the loading zone area, he asked if we have had any problems with the loading zone area?

Planner Spence responded that there is nothing that has come to the office stating that there is a problem with this area at the Northwestern Highway site. He said that the loading zone shares the same space with the existing driveway. He provided that they are still able to get drive thru traffic through by using the northern most drive. In the case of the new McDonald's, there is actually a separation between the drive thru and the loading zone which provides for a much clearer way to drive through.

Commissioner Bell said that he wanted to have it on the record that he did have a concern, although he would be supporting the motion. He is anxious to see if it works.

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**GP:1223/SP:1280** is a special use and site plan review request of Synergy Group, LLC for the construction of a single story, 9,002 gross square foot office and automotive component product showroom for I.A.C. The property is located on the west side of Telegraph Road between the M-10 Lodge Freeway and Twelve Mile Road, part of Lots 3 and 4, of Supervisors Plat No. 3, Sidwell Parcel #2417-201-073, Section 17, City of Southfield, Oakland County, State of Michigan.

The legal notice advertising this matter for public hearing on February 23, 2011 was advertised in the South Oakland Eccentric Newspaper on February 6, 2011. Legal notice was also sent by First Class mail to all property owners within 350 feet of subject property, including the manager of Tel-Twelve Place Apartments and all public utilities.

Planner Spence showed a short video.

**GP:1223/SP:1280** is a Special Use and Site Plan Review Request of Synergy Group LLC, for the construction of a single story, 9,002 gross square foot office and automotive component product showroom for I.A.C. The property is located on the west side of Telegraph Road between the M-10 Lodge Freeway and Twelve Mile Road in Section 17 of the City.

The subject property, as well as the properties to the north, west, and south are zoned B-3, General Business. The property to east across Telegraph Road is RS, Regional Shopping.

With regard to the existing land uses, the subject property is developed with a parking lot. The property to the north is developed with the I.A.C. office building. The property to the west is developed with the Storage Pros Storage facility. The property to the south is developed with the Verizon Wireless building. The property to the east across Southfield Road is developed with commercial uses in the Tel-Twelve Mall.

The site contains 1.42 acres of land. There is 282.1' of frontage on Telegraph Road with a depth of 375.85'.

The special use request is to allow executive, administrative or professional office use within the (B-3) General Business district.

The submitted site plan proposes the construction of a single story, 9,002 gross square foot office and automotive component product showroom for I.A.C and associated parking. The parking required for the development is 27 spaces with 101 provided on site including 74 spaces for the office building to the north through a cross access and parking agreement. The landscape provided exceeds the requirements of the zoning ordinance. The elevations show a mix of brick and glass.

Issues considered by the Planning Department during the review of the special use and site plan were:

1. The special use general standards and conditions of the B-3 General Business district.

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2. Cross access and parking agreement for 74 parking spaces for the I.A.C. office building to the north and a cross access agreement with the owner of property to the south.
3. The petitioner is to implement the recommendations made by the Southfield Police Department's Crime Prevention Bureau regarding site security.

**Recommendation:** The Planning Department recommends **FAVORABLE** consideration of the Special Use and Site Plan Review Request of Synergy Group, LLC for the construction of a single story, 9,002 gross square foot office and automotive component product showroom for I.A.C and associated parking, site plan dated January 31, 2011 and received by the Planning Department on February 1, 2011, with the following conditions:

1. Cross access and parking agreement for 74 parking spaces for the I.A.C. office building to the north.
2. Easement agreement for vehicular traffic on and over existing driveways under the ownership of Storage Pros, their respective successors or assigns.
3. This site plan approval, including any attached landscape plan, does not constitute landscape plan approval. A final detailed landscape plan must be submitted to the Planning Department and be approved prior to issuance of any building permits.
4. The petitioner is to provide a sprinkler system for all landscape areas to encourage preservation of plant materials.
5. The petitioner is to execute a perpetual maintenance agreement for the landscaped and parking areas both on the site and in the right-of-way, which includes maintenance of the storm water detention system.
6. The petitioner is to implement the recommendations made by the Southfield Police Department's Crime Prevention Bureau regarding site security.
7. The building is to be constructed in accordance with the submitted elevations shown on Sheet A500 and shall include additional treatments as agreed upon on the north and south elevations.
8. Approval of this site plan and/or building elevations represented herein does not constitute nor guarantee approval for signage. Separate approval and sign permits must be obtained from the Building Department for any proposed signs.

Planner Spence said that the Owners of I.A.C. would be giving a Power Point presentation on I.A.C.

Dave Hunt from I.A.C. gave a presentation explaining what their company does and what their future plans are. Their move in time frame is March-April. They are a global company with

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about four billion in sales. They are a tier one supplier of automotive components. Their largest marketplace is North America, followed by Europe and Asia, with Asia being the fastest growing. There are five plants in Michigan.

Jim Butler, Professional Engineering Associates, 2430 Rochester Court, Suite 100, Troy, Michigan. He said Tony Antone was with him, Synergy Group and Jim Epping, JEpping Associates. He said that there was an item still outstanding from the last study session. There have been some modifications that he shared.

A representative of Design Group stated they had added some enhancements to the appearance of the building. They added a stone base around the entire building in order to break up the mass of brick. They also changed the brick soldier course detail above the windows to a cap stone detail which is carried over all the windows and openings. They also added some detail columns. They are trying to be respectful to the City's requests. He showed the drawings to the Commissioners.

Chairman Haisha said he appreciated all the enhancements that had been made. He asked the public if anyone wished to speak on this matter. Seeing none, he opened it up to the Commissioners for comment.

Commissioner Peoples said that she is impressed with what they are doing.

**PC-13-11      MOTION by Peoples, supported by Bell to make favorable recommendation for GP:1223/SP:1280, special use and site plan review request of Synergy Group LLC, for the construction of a single story, 9,002 gross square foot office and automotive component product showroom for I.A.C.**

**AYES:            6**

**NAYS:            0**

**Motion carries.**

Commissioner Bell said that in regard to the access agreements, and easements, he noticed that in one of the conditions the access agreement shows the ownership of Storage Pros. It appears that this access is the same access as the Verizon property. He was curious.

Planner Spence answered that this is correct. The Verizon building itself has its own separate piece of property. The one way drive that comes off the service drive off Telegraph Road is actually the one for Storage Pros. We have the executed access agreement for the I.A.C. employees to use that drive.

He asked Planner Spence if he had seen them and read them. Planner Spence responded that he had.

Commissioner Mandell advised the Petitioner, if they have not already done so, to check out the public library that has facilities for having international activities. They have special conferencing, integrating methodology there that is the latest and greatest state of the art equipment.

Commissioner Huntington said that he appreciated the Power Point presentation of their company. It gave a more accurate description of what the company does.

Planner Spence reported that there is no old business or new business to report.

**PC-14-11 MOTION by Leitner, supported by Bell to approve the December 22, 2010 Regular Meeting Minutes, January 5, 2011 Study Meeting Minutes, January 19, 2011 Study Meeting Minutes and January 26, 2011 Regular Meeting Minutes.**

**AYES: 6**

**NAYS: 0**

**Motion carries.**

Commissioner Bell commented about the January 26, 2011 meeting minutes – the paragraph that was added that he referred to that Commissioner Mandell spoke about, he found it an interesting interpretation. He felt it was a different interpretation.

Planner Spence reported that there was nothing in the Planners corner. Under Miscellaneous, there is a Study meeting this week. There are three items that will be addressed. The Recreational uses in Light Industrial zoning will be covered at the long range study meeting.

Commissioner Bell asked if any of the future rezoning being done without a site plan?

Planner Spence replied that the only rezoning without a site plan is at the corner of Beech Road and Eight Mile Road.

Commissioner Mandell reported that he may be gone a few weeks in the middle of March.

Commissioner Huntington said that he also might be out of town in the beginning of March.

Planner Spence added that since they are down a member of the Commission due to Mr. Kirby resigning, it is important to have a quorum.

Chairman Haisha asked that the Commissioners please let the Planner know of any schedule changes.

Commissioner Peoples commented that with things being changed around, it may affect them adversely when the Petitioner did not come to the first meeting. She wanted to have the material before the meeting so that they could look it over. If they are comfortable, then they can excuse the Petitioner from the next meeting. The concern is that if a meeting is cancelled, they end up seeing them only one time.

Planner Spence added that the Planning Department will accommodate the Planning Commission, but it is up to the Planning Commission to decide how they want to handle it.

