

**REGULAR MEETING OF THE PLANNING COMMISSION  
CITY OF SOUTHFIELD  
MARCH 27, 2013**

The Regular Meeting of the Planning Commission was called to order by Vice Chairman Culpepper at 6:47 p.m., in the Council Chambers, 26000 Evergreen Road, Southfield, MI.

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: Culpepper, Dillard, Peoples, Taylor  
Commissioners Excused: Griffis, Huntington, Leitner  
Terry Croad, Planning Director  
Jeffrey Spence, Planner  
Connie Mays, Recording Secretary

**APPROVAL OF THE AGENDA**

**PC-17-13 MOTION by Commissioner Taylor, supported by Commissioner Peoples to approve the agenda.**  
**AYES: 4**  
**NAYS: 0**  
**Motion carries.**

**ANNOUNCEMENTS AND COMMUNICATIONS**

**Planner Spence** said there were no announcements or communications.

**PUBLIC HEARINGS**

**Planner Spence** – **GP:1252** is a Special Use request of Nick Samara to locate a recreation center in the existing Northland Mall Shopping Center located at 21500 Northwestern Highway on the northeast side of Northwestern Highway between Northland and J.L. Hudson Drives in Section 36 of the City.

The Legal Notice advertising this matter for public hearing was originally published in the February 10, 2013 edition of the South Oakland Eccentric for the February 27, 2013 Regular Meeting. Notices were sent to all property owners within 350 feet of subject property, as well as all public utilities. At the February 27<sup>th</sup> meeting staff had requested that this be postponed to a date certain, that being March 27, 2013 to allow staff the opportunity to send notices to property owners in the City of Oak Park. Those notices were sent on March 8, 2013.

**Planner Spence** showed a short video.

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The subject property as well as the properties to the south are zoned RS, Regional Shopping. The property to the north is zoned RS, Regional Shopping and ERO, Education Research-Office. The properties to the west across Northwestern Highway are zoned R-4, Single Family Residential and ERO, Education Research-Office. The properties to the east across Greenfield Road are zoned for commercial uses within the City of Oak Park.

With regard to the existing land uses, the subject property is developed with the Northland Mall. The properties to the north are developed with Providence Hospital, Tiny Town University Daycare, the Millennium Center, and a vacant hotel. The properties to the west across Northwestern Highway are developed with single family homes, the Abundant Faith Baptist Church, and the vacant LA Fitness building. The properties to the south are developed with Telcom Credit Union, a dialysis center and the Northland Towers office buildings. The properties to the east across Greenfield Road are developed with various commercial uses.

The site contains 120 acres of land with 1,774.38' of frontage on Northwestern Highway and property depths which vary.

The special use request reflects the conversion of the former TJ Maxx space on the northwest side of the existing Northland Mall Shopping Center to a 30,000 gross square foot recreation center. The special use request is required to allow a recreation center in the (RS) Regional Shopping district.

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

1. The proposal is in accordance with the Southfield Comprehensive Master Plan noting Cornerstone Development Authority Subarea for this parcel.
2. The petitioner is to implement the recommendations made by the Southfield Police Department's Crime Prevention Bureau regarding site security.
3. Petitioner is to receive an arcade license from the Southfield Building Department.
4. The petitioner is to meet the requirements of the zoning ordinance for an arcade.

**Recommendation:** The Planning Department recommends **Favorable** consideration of the Special Use request of Nick Samara for a 30,000 gsf recreation center in the former TJ Maxx store on the northwest side of the Northland Mall on property located at 21500 Northwestern Highway, plan dated February 14, 2013 and received by the Planning Department on February 19, 2013, with the following conditions:

1. A minimum of 100 gross square feet of floor area per arcade machine shall be provided and the arcade area shall be separated and segregated from other uses by means of a fence as shown on the plan.
2. Any future outside wall sign is to comply with the master sign plan for Northland Mall and meet sign requirements of the RS, Regional Shopping District.
3. The petitioner is to comply with the recommendations of the Southfield Police Department Crime Prevention Bureau regarding site security.
4. The rides and games must be licensed in accordance with Southfield City Code and must comply with all state requirements for inspections and maintenance.

This recommendation is made for the reasons as noted in this report.

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**Vice Chairman Culpepper** asked the Petitioner to approach the podium.

**Cameron Sanchas**, 21500 Northwester Highway, Southfield. He explained that he is the Operating Manager.

**Vice Chairman Culpepper** opened up the meeting to the public. Seeing no response, he closed the public portion and opened it up to the Commissioners for comment.

**PC-18-13**     **MOTION by Commissioner Peoples, supported by Commissioner Taylor to make favorable recommendation for GP:1252 Special Use Request of Nick Samara, Extreme Fun LLC on behalf of the owner Northland Center Michigan to locate a recreation center in the Northland Mall.**

**AYES:           4**

**NAYS:           0**

**Motion carries.**

**Vice Chairman Culpepper** commented that this had been gone over in depth. They are glad that they are coming to Southfield to start this business in an area that has been vacant. This will be a place where parents can bring their kids in a safe environment to enjoy themselves. This will go to the City Council for their recommendation.

**Vice Chairman Culpepper** called for the next item.

**GP:1244-P** is a request to amend the General Provisions of the Zoning Ordinance by deleting Section 5.58 Wireless Communication Facilities and adding new Section 5.58 Wireless Communication Facilities. This amendment specifically concerns revising the Southfield Wireless Communication Facilities Ordinance to meet State of Michigan requirements. This particular amendment was signed into law by Governor Snyder on May 24, 2012. The bill amends the Michigan Zoning Enabling Act to require wireless communication equipment as a permitted use for property not subject to special use permit, if the equipment is co-located on a legal existing support structure or an existing equipment compound. The amendment further noted that if a wireless communication equipment increases the height of the tower level to 20 ft. or 10% of the original height, whatever is greater, increases the width of the support structure by more than the minimum necessary to make alternations or increases the area of the existing compound by greater than 2,500 ft., then the zoning approval would need a special use permit and would not be considered a permit use. In addition there would be limits placed on how long the approval process would take and basically its 60 – 90 days from the time the application is found to be acceptable. This item was advertised. Legal Notice did go out to the South Oakland Newspaper on March 10, 2013 advertising this matter for public hearing on March 27, 2013.

The Planning Department recommends **favorable** consideration of the draft dated March 27, 2013 for the following reasons:

1. This proposed text amendment will amend Article 4, General Provisions in Chapter 45, Zoning of the Code of the City of Southfield to revise Southfield's Wireless Communication Facilities ordinance to meet State of Michigan requirements.

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2. The proposed amendment will promote enforcement and is necessary to ensure the health, safety and welfare of the community.

**Vice Chairman Culpepper** opened up the public hearing. Seeing no response, he closed the public hearing and opened it up to the Commissioner for comment.

**Commissioner Dillard** asked Mr. Spence about when this first was discussed about who would be doing the approving and how it would work.

**Planner Spence** responded that the document given to the Commissioners is based on the State law. It notes that the approving body or representative of the approving body would be the City Council.

**Commissioner Dillard** asked if this is a separate procedure that needs to be done first or something that needs to be brought to the Council.

**Planner Spence** answered that the approving body, as far as he knows is the Council. They would have to make the determination to give the authority to give the City Planner to review the applications.

**Commissioner Dillard** questioned this because of the time requirements; it would be feasible and smart to allow the City Planner to do that.

**Planner Croad** said that this may also include the City Planner, City Attorney and the Building Official.

**Vice Chairman Culpepper** agreed with Commissioner Dillard. If the timeframe lapses over the 14-15 days, this automatically takes place.

**Planner Croad** suggested making a recommendation on the ordinance itself and then they will discuss the process and a representative as they take it forward to City Council.

**PC-19-13**     **MOTION by Commissioner Taylor, supported by Commissioner Dillard to make a favorable recommendation for GP:1244-P Amend Article 4, General Provisions of the Zoning Ordinance by deleting Section 5.58, Wireless Communication Facilities and adding new Section 5.58.**

**AYES:        4**

**NAYS:        0**

**Motion carries.**

**Vice Chairman Culpepper** asked if they needed to add something to the recommendation that it goes through for Council approval.

**Planner Croad** responded that it be recommended using the language itself and let the Council decide on who they want to designate as a representative.

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**GP:1254-P** is a request to Amend Article 2 Definitions of the Zoning Ordinance by deleting Section 5.4 and inserting a new Section 5.4 and amends Article 22 Schedule of Regulations. These amendments specifically concern adding the definition of a carport to Article 2 and providing for exceptions to height standards in Article 22 of the Zoning Ordinance respectively.

Legal Notice advertising this matter for public hearing on March 27, 2013 was published in the South Oakland Eccentric on March 10, 2013.

Planning Department recommends favorable consideration of the draft dated March 27, 2013 for the following reasons:

1. This proposed text amendments will amend Article 2, Definitions and Article 22, Schedule of Regulations within Chapter 45, Zoning, of the Code of the City of Southfield to provide a definition of a carport and provide for exceptions to the height standards of the Zoning Ordinance.
2. The proposed amendment will promote enforcement and is necessary to ensure the health, safety and welfare of the community.

**Planner Croad** added that the definition of carport is a companion to the definition of a garage which was recently amended. Since there are a significant number of mid century modern style homes that include carports that had been previously defined in our ordinance, we felt that it was important to do that.

With regard to the exceptions to height standards, this seemed to be an omission from our ordinance; recently they have had to make a decision about smoke stacks and other architectural features that extend above and beyond. That is the reason that these two are presented tonight.

**Vice Chairman Culpepper** opened up the meeting to the public. Seeing none, he closed the public portion and opened it up to the Commissioners for comment.

**PC-20-13 MOTION by Commissioner Peoples, supported by Commissioner Taylor to make a favorable recommendation for GP:1254-P Amend Article 2, Definitions of the Zoning Ordinance by deleting Section 5.4 and inserting a new Section 5.4 and amend Article 22, Schedule of Regulations.**

**AYES: 4**

**NAYS: 0**

**Motion carries.**

**Commissioner Taylor** asked about the definition of the garage and carport and wanted to make sure that this would be covered.

**Planner Croad** answered that this would be continued with the City Attorney as it goes forward.

**Vice Chairman Culpepper** also has some concerns about this.

**Planner Croad** added that the two and three shown on there is because he was hoping they could make a recommendation tonight and define only two sides being closed as opposed to

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three. Three is closer to the definition of a garage.

**Commissioner Dillard** added that she felt that the definition of a carport is two sides.

**Planner Croad** felt that it would be pertinent to regulate the definition of a carport as being open on at least two sides.

**APPROVAL OF THE MINUTES**

**Commissioner Peoples** asked that a correction be made to the February 27, 2013 minutes where it says Chairman Huntington. He should read Chairman Leitner. This correction has been made.

**PC-21-13 MOTION by Commissioner Taylor, supported by Commissioner Peoples to approve the January 30, 2013 Regular Meeting Minutes, February 13, 2013 Study Meeting Minutes, February 20, 2013 Study Meeting Minutes and the February 27, 2013 Regular Meeting Minutes.**

**AYES: 4**

**NAYS: 0**

**Motion carries.**

**MISCELLANEOUS**

**Planner Croad** recommended cancelling the meeting scheduled for April 3, 2013 to give staff time to prepare for the April agendas.

**PC-22-13 MOTION by Commissioner Taylor, supported by Commissioner Dillard to cancel the April 3, 2013 meeting.**

**AYES: 4**


**NAYS: 0**

**Motion carries.**

**Planner Croad** announced that Cranbrook Institute is holding a 3-4 day symposium on modernist architecture. Reynolds Aluminum is one of the featured buildings on their architectural tour. He has also been working with Councilman Siver on doing a local tour on Saturday, June 29, 2013. This will be a bus tour of twelve to twenty sites. They expect a good turnout. There is a registration fee. He will provide more information at a future date.

The meeting was adjourned at 7:12.

  
Secretary, Robin Dillard

  
Date