

**MINUTES OF THE CITY OF SOUTHFIELD PLANNING COMMISSION
REGULAR MEETING OF DECEMBER 14, 2022
6:30PM**

Planning Commission Members Present: Bernoudy, Goodwin-Dye, Griffis, Huntington, Martin, Stephens-Gunn, and Willis

Planning Commission Members Excused:

Staff Present: City Planner Croad and Planner Spence

Chair Dr. Stephens-Gunn called for a roll call. Planner Spence called the roll and determined there was quorum present to conduct business.

Chair Dr. Stephens-Gunn called for Approval of the Agenda. Motion by Commissioner Bernoudy to Approve the Agenda. Seconded by Commissioner Martin. Chair Dr. Stephens-Gunn called for a Vote. 7-0 in favor.

Motion Carries.

Chair Dr. Stephens-Gunn asked if there were any Announcements or Communications. Planner Spence noted he had none at this time.

Chair Dr. Stephens-Gunn called for the first item under Public Hearings.

PZTA22-0004 is a Council-initiated Zoning Ordinance Text Amendment to amend Title V, Zoning and Planning, Chapter 45, Zoning, of the Code of the City of Southfield by adding to Article 4 General Requirements, Section 5.22-8 Adult Use Recreational Marihuana Facilities to allow for recreational use of marihuana in the City as a Special Land Use, and any other amendments that may become necessary as needed for the above and the City of Southfield.

Planner Spence introduced the item and Mr. Mario Ortega from McKenna Associates who will be leading the presentation and discussion. Mr. Ortega provided a definition of Adult Use Marihuana and outlined the sections of the Zoning ordinance that already cover Medical Marihuana. He discussed key differences between Medical and Adult Use along with eh differences in the types of facilities each allowed. He next discussed the key differences between licensing and zoning and the proposed amendments to be made to the Zoning Ordinance. He noted that Southfield City Attorney was working on the Licensing portion. He also noted that requirement of Social Equity Programs.

Chair Dr. Stephens-Gunn opened the floor to the public for comments. Seeing no one wishing to make a comment, she opened the floor to the Commissioners.

Commissioner Huntington thought it was a thorough presentation. He asked if it would be difficult for the current Provisioning Center to become Adult Use Retailers. Mr. Ortega noted that can be handled through the licensing ordinance.

Commissioner Griffis noted the current Medical Marihuana Provisioning Center want to become Adult Use Retailers. He thought increasing the cap on these slowly was the way to go. City Planner Croad noted that existing Medical Marihuana Provisioning Center could get a higher priority. Grow and Processors could be upped to 5-6. Mr. Ortega noted that scoring of applications has been subject to litigation.

Commissioner Willis asked if Consumption Centers were like Hookah Lounges where people can smoke marihuana. Mr. Ortega noted that those types of uses could be prohibited by the City if we do not want to start out allowing them. He noted further that even if the City did allow Consumption Centers, landlords can prohibit in their buildings. Commissioner Willis inquired about events. City Planner Croad noted staff is not recommending Events, Consumption Centers or Excessive Growers at this time but is leaving the option open to revisit later.

Commissioner Martin asked about the cultivation limits for Medical versus Adult Use. Mr. Ortega noted for Medical Marihuana growers were allowed three different classes: Class A – 500 plants, Class B – 1,000 plants, or Class C – 1,500 plants. For Adult Use, it is Class A – 100 plants, Class B – 500 plants and Class C – 2,000 plants.

Commissioner Goodwin-Dye asked about stacking of licensing and if there was a limit on the number. Mr. Ortega noted the City can limit the number through the Licensing Ordinance. Commissioner Goodwin-Dye was concerned about a monopoly forming. She asked if Medical and Adult Use can take place under the same roof. Mr. Ortega noted that we can if we want to allow that.

Commissioner Bernoudy asked if there was still a limit on the amount of Adult Use marihuana a person can carry on them. Mr. Ortega noted it is the same as Medical; 2.5 ounces.

Commissioner Willis inquired about infused products. Mr. Ortega noted that are allowed to be sold through Adult Use Retailers. Commissioner Willis noted he was concerned with someone coming into a neighborhood making donations to something as part of an effort for preferential treatment. Mr. Ortega noted he would not recommend that. The State of Michigan has a Social Equity Program with various tiers in which include spending and reinvestment plans.

There were no other comments, so Chair Dr. Steven-Gunn called for the Planner's Recommendation.

Recommend **FAVORABLE RECOMMENDATION** of the draft dated December 14, 2022, for the following reasons:

1. The proposed text amendment will amend Title V, Zoning and Planning, Chapter 45, Zoning, of the Code of the City of Southfield by Adding to Article 2 Definitions Section 5.3, a definition of Adult Use Marihuana; Amending Article 4 General Requirements Section 5.22-7 Medical Marihuana Facilities to remove the Northland ODD as a location for all Medical Marihuana Facility types; adding to Article 4 General Requirements, a new Section 5.22-8 Adult Use Recreational Marihuana Facilities to allow for adult-use of marihuana in the City subject to

certain conditions and requirements; Amending Article 9 Office Service Section 5.103 and Article 10 Education Research-Office (Limited) and Education Research-Office Section 5.112 to allow Medical Marihuana and Adult-Use Marihuana Safety Compliance Facilities as Permitted Uses; Amending Article 18 General Business Section 5.169 to allow Adult-use Marihuana Retailers as Special Land Uses; Amending Article 19 Light Industrial Section 5.179 to remove previous language regarding Medical Marihuana, adding new standards for marihuana uses, updating Medical Marihuana uses and allowing Adult-Use Marihuana as a Special Use; and Amending Article 20 Industrial Section 5.185 to add Adult-use Marihuana as a Special Use; and any other amendments that may become necessary as needed for the above and the City of Southfield.

Chair Dr. Stephens-Gunn called for a motion.

Motion by Commissioner Martin for Favorable Recommendation of PZTA22-0004. Seconded by Commissioner Huntington. Chair Dr. Stephens-Gunn stated that all those in favor say "Aye". There were 7 Ayes. Those against say "Nay". There were No Nays. Motion carries.

Chair Dr. Stephens-Gunn called for the next item.

PSLU22-0004 is a Special Use Request of Ashaka Investment Properties, LLC to allow for the conversion of a previous dry cleaner to general office for tax preparation on property located at 24040 W Ten Mile Road, Sidwell Parcel 2420-477-017, Section 20, City of Southfield, Oakland County, State of Michigan.

Planner Spence noted that the Petitioner was not present at the meeting. He asked if the Commission was willing to move forward without the petitioner here. The Commission decided that since this was not a controversial item that has been before the Commission on several occasions already, they were ok moving forward.

Planner Spence gave a brief overview of the proposal noting this was a repurposing of a dry cleaners building for a tax office. New landscaping is proposed as well as pedestrian connections, bike rack, parking layout, etc. We are also requiring a cross access and parking agreement with the property to the east for access across the north side of the restaurant parking lot to Berg Road and four (4) parking spaces on the restaurant property.

Chair Dr. Stephens-Gunn noted this was a public hearing for the Special Use Request and asked any public who wished to speak to come forward. Seeing no one, she closed the public hearing and opened the floor to the Commissioners.

Commissioner Bernoudy asked if the existing sign was to be removed. City Planner Croad noted it can stay.

Commissioner Martin was happy to see the property would be reused.

Commissioner Griffis thought this petitioner was going through a lot to get approved.

There were no other comments on the Special Use so Chair Dr. Stephens-Gunn called for the Planners Recommendation.

Recommendation: The Planning Department recommends **FAVORABLE RECOMMENDATION** of PSLU22-0004, the Special Use Request of Ashaka Investment Properties, LLC to allow for a general office use on the property located at 24040 W Ten Mile Road, Sidwell Parcel 2420-477-017 on the north side of W Ten Mile Road between Telegraph Road and Berg Road, Section 20, City of Southfield, Oakland County, State of Michigan, for the following reasons:

1. The proposed use is of such size and character that it will be in harmony with the appropriate and orderly development of the General Business District.
2. The location, size, intensity, and periods of operation of the proposed use is designed to eliminate any possible nuisance likely to emanate therefrom which might be adverse to occupants of any other nearby permitted uses.
3. The proposed use is 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.
4. 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.
5. 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.
6. The proposed use, or change in use, will not be adverse to the promotion of the health, safety, and welfare of the community.
7. The proposed use, or change in use, is designed, and operated so as to provide security and safety to the employees and the general public. (Amended - Ordinance 1501 - 5/30/04)

Chair Dr. Stephens-Gunn called for a motion.

Motion by Commissioner Huntington for Favorable Recommendation of PSLU22-0004. Seconded by Commissioner Willis. Chair Dr. Stephens-Gunn stated that all those in favor say "Aye". There were 7 Ayes. Those against say "Nay". There were No Nays. Motion carries.

Chair Dr. Stephens-Gunn asked if there were any questions on the PSP22-0008. Seeing none, she called for the Recommendation.

Recommendation: The Planning Department recommends **FAVORABLE RECOMMENDATION** of the Site Plan Review Request of Ashaka Investment Properties, LLC to convert the vacant dry cleaner to a tax preparation office on property located at 24040 W Ten Mile Road, on the north side of W Ten Mile Road between Telegraph and Berg Road, Section 20, City of Southfield, Oakland County, State of Michigan, for the following reasons and conditions:

1. Subject to the conditions of PSLU22-0004.

2. The site shall be developed in accordance with Sheet SP-1 by Bearing Construction and Consulting dated 11/21/22.
3. Landscaping and irrigation shall be installed in accordance with Sheet LS-1 by Felino A. Pascual and Associates dated 11/30/22.
4. 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.
5. The petitioner is to provide a sprinkler system for all landscape areas to encourage preservation of plant materials.
6. 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.
7. The petitioner is to implement the recommendations made by the Southfield Police Department's Crime Prevention Bureau regarding site security.
8. Exterior lighting will be shielded to prevent spillage of glare onto adjacent properties.
9. Bike racks shall be installed in accordance with Article 4, Section 5.29(12).

Chair Dr. Stephens-Gunn called for a motion.

Motion by Commissioner Martin for Favorable Recommendation of PSP22-0008. Seconded by Commissioner Huntington. Chair Dr. Stephens-Gunn stated that all those in favor say "Aye". There were 7 Ayes. Those against say "Nay". There were No Nays. Motion carries.

Chair Dr. Stephens- Gunn called for the next item.

PSLU22-0005 is a Special Use Request of Nicholas Shango to allow for the conversion of an existing shopping center to a restaurant with drive-thru and other retail spaces on property located at 28799 Northwestern Hwy, Sidwell Parcel 2418-276-043, Section 18, City of Southfield, Oakland County, State of Michigan.

Planner Spence provided an overview of the proposal for the Special Use and the Site Plan noting the petitioner had done a similar thing with the building next door for a new Dunkin' Donuts. He is providing all the required amenities as well and cleaning up a site that need a lot of work. He noted further he had noted to the petitioner the concerns with the grease dumpster on the property. He introduced Mr. Nicholas Shango.

Mr. Shango did not have anything more to add to the presentation but did note that he had not been on the site in a while but would take care of the grease dumpster issue.

There were no other comments, so Chair Dr. Stevens-Gunn opened the Public Hearing for PSLU22-0005. Seeing no one willing to speak, she closed the Public Hearing and opened the floor to the Commission.

Commissioner Huntington felt this was a good Special Use request to reuse and outdated building.

Commissioner Griffis noted Mr. Shango had already done something similar to the building next door which was smart and interesting. He reminded Mr. Shango that he needed to do something with the rear of the building.

Commissioner Martin asked about the transformer that was in the way of the proposed drive-thru and what would happen to that. Mr. Shango noted it was to be moved to another part of the site.

Commissioner Goodwin-Dye noted she was looking forward to the mural Mr. Shango was considering for the rear wall.

Commissioner Bernoudy was excited about the prospect of this proposal being built and asked about online orders. Mr. Shango noted you can pay ahead through an app and pick up at the drive-thru window.

There were no other comments, so Chair Dr. Stephens Gunn called for the Planner's Recommendation.

Recommendation: The Planning Department recommends **FAVORABLE RECOMMENDATION** of PSLU22-0005, the Special Use Request of Nicholas Shango to allow for a restaurant with drive-thru on the property located at 28799 Northwestern Hwy, Sidwell Parcel 2418-276-043 on the south side of Northwestern Hwy between Franklin Road and W Twelve Mile Road, Section 18, City of Southfield, Oakland County, State of Michigan, for the following reasons:

1. Hours of operation shall be limited to 6am-11pm Monday through Sunday.
2. The existing grease dumpster shall be cleaned or removed from the site immediately.
3. The proposed use is of such size and character that it will be in harmony with the appropriate and orderly development of the General Business District.
4. The location, size, intensity, and periods of operation of the proposed use is designed to eliminate any possible nuisance likely to emanate therefrom which might be adverse to occupants of any other nearby permitted uses.
5. The proposed use is 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.
6. 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.
7. 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.
8. The proposed use, or change in use, will not be adverse to the promotion of the health, safety, and welfare of the community.
9. The proposed use, or change in use, is designed and operated so as to provide security and safety to the employees and the general public. (Amended - Ordinance 1501 - 5/30/04)

Chair Dr. Stephens-Gunn called for a motion.

Motion by Commissioner Bernoudy for Favorable Recommendation of PSLU22-0005. Seconded by Commissioner Griffis. Chair Dr. Stephens-Gunn stated that all those in favor say "Aye". There were 7 Ayes. Those against say "Nay". There were No Nays. Motion carries.

Chair Dr. Stephens-Gunn asked the Commissioners if they were ready for the Planner's Recommendation for PSP22-0009. There were no comments, so Chair Dr. Stephens-Gunn asked Planner Spence for the Planner's Recommendation.

Recommendation: The Planning Department recommends **FAVORABLE RECOMMENDATION** of the Site Plan Review Request of Nicholas Shango to convert the vacant retail center to a restaurant with drive-thru and two additional tenant spaces on property located at 28799 Northwestern Hwy, on the south side of Northwestern Hwy between Franklin Road and W Twelve Mile Road, Section 18, City of Southfield, Oakland County, State of Michigan, for the following reasons and conditions:

1. Subject to the conditions of PSLU22-0005.
2. The site shall be developed in accordance with Sheet T-1 dated September 30, 2022 and Sheet SP-5 dated June 18, 2022 by Ziad El-Baba Engineering.
3. The elevations of the building shall be constructed in accordance with Sheet A-2 dated October 13, 2022 by Ziad El-Baba Engineering.
4. Landscaping and irrigation shall be installed in accordance with Sheet L-1 dated March 2, 2022 by Ziad El-Baba Engineering.
5. The petitioner is to provide a sprinkler system for all landscape areas to encourage preservation of plant materials.
6. 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.
7. The petitioner is to implement the recommendations made by the Southfield Police Department's Crime Prevention Bureau regarding site security.
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.
9. Exterior lighting will be shielded to prevent spillage of glare onto adjacent properties.
10. Bike racks shall be installed in accordance with Article 4, Section 5.29(12).
11. The site shall be designed and developed to contain Public "Works of Art" in accordance with Section 5.22-5 Public Art, Article 4 General Requirements of the Zoning Ordinance.

Chair Dr. Stephens-Gunn called for a Motion.

Motion by Commissioner Willis for Favorable Recommendation of PSLU22-0005. Seconded by Commissioner Huntington. Chair Dr. Stephens-Gunn stated that all those in favor say "Aye". There were 7 Ayes. Those against say "Nay". There were No Nays. Motion carries.

Chair Dr. Stephens-Gunn called for the next item.

PZR22-0002 is a Rezoning Request of Savvy Sliders, on behalf of the owner, Nader Property Investment, to rezone 1.07 acres of land from I-1 Industrial to B-3 General Business, property located at 22650 W Eight Mile Road, Sidwell Parcel 2433-452-028, on the North side of W Eight Mile Road between Berg Road and Lahser Road, Section 33, City of Southfield, Oakland County, State of Michigan.

PSLU22-0006 is a Special Use Request of Savvy Sliders, on behalf of the owner, Nader Property Investment, to allow for a stand-alone restaurant with drive-thru on property located at 22650 W Eight Mile Road, Sidwell Parcel 2433-452-028, on the North side of W Eight Mile Road between Berg Road and Lahser Road, Section 33, City of Southfield, Oakland County, State of Michigan.

PSP22-0010 is a Site Plan Review Request of Savvy Sliders, on behalf of the owner, Nader Property Investment, to convert the vacant restaurant with drive-thru to a Savvy Sliders restaurant with drive-thru on property located at 22650 W Eight Mile Road, Sidwell Parcel 2433-452-028, on the North side of W Eight Mile Road between Berg Road and Lahser Road, Section 33, City of Southfield, Oakland County, State of Michigan.

Planner Spence provided an overview of the proposal noting there was a Rezoning, Special Land Use, and a Site Plan to cover. He stated that the previous file on the Taco Bell proposal contained a Cross Access Agreement document with the Sam's Club so the driveway between the two project is legitimate. The petitioner has also provided both interior and exterior images of what the building may look like. He introduced Mr. Kirma.

Mr. Kirma provided additional information on the proposal then noted he would answer any questions the Commission may have.

Chair Dr. Stephens-Gunn noted this was a public hearing for the Rezoning Request PZR22-0002 and opened the floor to the public. Seeing no one who wished to speak she closed the public hearing and opened the floor to the Commissioners.

Commissioner Huntington noted the proposal meets the rezoning standards.

Commissioner Griffis noted the property is over one acre and meets the Rezoning Standards.

The rest of the Commission agreed the standards for rezoning were met.

There were no other comments, so Chair Dr. Stephens-Gunn called for the Planner's Recommendation.

Recommendation: The Planning Department recommends **FAVORABLE RECOMMENDATION** of PZR22-0002 to rezone 1.07 acres of land from I-L Light Industrial to B-3 General Business, for the following reasons:

1. The Southfield Comprehensive Master Plan indicates Regional Mixed Use for this property.

2. The change in zoning would be compatible with and similar to the existing adjacent zonings and land uses.
3. The proposal is in accordance with the standards for rezoning of property.

Chair Dr. Stephens-Gunn called for a Motion on PZR22-0002.

Motion by Commissioner Huntington for Favorable Recommendation of PZR22-0002. Seconded by Commissioner Willis. Chair Dr. Stephens-Gunn stated that all those in favor say "Aye". There were 7 Ayes. Those against say "Nay". There were No Nays. Motion carries.

Chair Dr. Stephens-Gunn asked if there were any questions on the Special Land Use. Seeing none, she opened the Public Hearing for PSLU22-0006. Seeing no one wishing to speak on the case, she closed the Public Hearing and opened the floor to the Commissioners.

No one had a comment, so she called for the Planner's Recommendation.

Recommendation: The Planning Department recommends **FAVORABLE RECOMMENDATION** of PSLU22-0006, the Special Use Request of Savvy Sliders to allow for a restaurant with drive-thru on the property located at 22650 W Eight Mile Road, Sidwell Parcel 2433-452-028 on the north side of W Eight Mile Road between Lahser Road and Berg Road, Section 33, City of Southfield, Oakland County, State of Michigan, for the following reasons:

1. Hours of operation shall be limited to 7am-11pm Monday through Thursday, 7am-Midnight Friday and Saturday, and 11am-10pm on Sunday.
2. The proposed use is of such size and character that it will be in harmony with the appropriate and orderly development of the B-3 General Business District.
3. The location, size, intensity and periods of operation of the proposed use is designed to eliminate any possible nuisance likely to emanate therefrom which might be adverse to occupants of any other nearby permitted uses.
4. The proposed use is 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.
5. 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.
6. 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.
7. The proposed use, or change in use, will not be adverse to the promotion of the health, safety and welfare of the community.
8. The proposed use, or change in use, is designed and operated so as to provide security and safety to the employees and the general public. (Amended - Ordinance 1501 - 5/30/04)

Chair Dr. Stephens-Gunn called for a Motion.

Motion by Commissioner Willis for Favorable Recommendation of PSLU22-0006. Seconded by Commissioner Huntington. Chair Dr. Stephens-Gunn stated that all those in favor say "Aye". There were 7 Ayes. Those against say "Nay". There were No Nays. Motion carries.

Chair Dr. Stephens-Gunn called for the Site Plan for Savvy Sliders. There were no comments, so she called for the Planner's Recommendation.

Recommendation: The Planning Department recommends **FAVORABLE RECOMMENDATION** of the Site Plan Review Request of Savvy Sliders to convert the vacant restaurant with drive-thru to a new Savvy Sliders restaurant with drive-thru on property located at 22650 W Eight Mile Road, on the north side of W Eight Mile Road between Lahser Road and Berg Road, Section 33, City of Southfield, Oakland County, State of Michigan, for the following reasons and conditions:

1. Subject to the conditions of PSLU22-0006.
2. The site shall be developed in accordance with Sheet SP-1 dated 12/1/22 by Bearing Construction and Consulting LLC.
3. The elevations of proposed Southfield location shall match existing Savvy Slider buildings as depicted in the examples provide with the color scheme shown and in materials acceptable tot eh City. Drawings shall be provided to the Planning Department prior to this item proceeding to City Council.
4. Landscaping and irrigation shall be installed in accordance with Sheets L-1 thru L-3 dated November 2, 2022 by Allen Design.
5. The petitioner is to provide a sprinkler system for all landscape areas to encourage preservation of plant materials.
6. 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.
7. The petitioner is to implement the recommendations made by the Southfield Police Department's Crime Prevention Bureau regarding site security.
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.
9. Exterior lighting will be shielded to prevent spillage of glare onto adjacent properties.
10. Bike racks shall be installed in accordance with Article 4, Section 5.29(12).

Chair Dr. Stephens-Gunn called for a Motion on PSP22-0010.

Motion by Commissioner Bernoudy for Favorable Recommendation of PSP22-0010. Seconded by Commissioner Huntington. Chair Dr. Stephens-Gunn stated that all those in favor say "Aye". There were 7 Ayes. Those against say "Nay". There were No Nays. Motion carries.

Chair Dr. Stephens-Gunn called for the next item.

PCZR22-0001 is a Conditional Rezoning Request of Go One LLC, to rezone 1.41 acres of land from OS Office Service to B-3 General Business, property located at 30233 Southfield Road,

Sidwell Parcel 2411-226-016, on the West side of Southfield Road between Webster and W Thirteen Mile Road, Section 11, City of Southfield, Oakland County, State of Michigan.

PSLU22-0007 is a Special Use Request of Go One LLC, to allow for a Clean Express Auto Wash on property located at 30233 Southfield Road, Sidwell Parcel 2411-226-016, on the West side of Southfield Road between Webster and W Thirteen Mile Road, Section 11, City of Southfield, Oakland County, State of Michigan.

PSP22-0011 is a Site Plan Review Request of Go One LLC, for the construction of a 3,677gsf conveyor-type motor vehicle wash with other amenities on property located at 30233 Southfield Road, Sidwell Parcel 2411-226-016, on the West side of Southfield Road between Webster and W Thirteen Mile Road, Section 11, City of Southfield, Oakland County, State of Michigan.

Planner Spence gave an overview of the proposal noting the petitioner was seeking a Conditional Rezoning to B-3 General Business for an auto wash only on the site, thus not allowing any other uses allowed in B-3, a Special Use for the auto wash, and a site plan for a new building. The site meets the requirements for setbacks, parking, stacking in the wash lanes, pedestrian connections, landscaping, etc. He introduced Mr. Eric Williams to explain the project further.

Mr. Williams and Mr. Dennis Miller representing Clean Express noted they have 72 locations in Ohio, Indiana, Virginia, and North Carolina, washing 8 million cars in 2021. They explained that each wash uses 120 gallons of water with 100 gallons of that being recycled, meaning only 20 gallons goes into the sewer system as waste. The next part of the presentation was turned over to Attorney Patrick Howe.

Mr. Patrick Howe gave a presentation on the proposal. He provided information on the proposed Conditional Rezoning and standards to follow, the Special Use and those standards and finally, the site plan noting no waivers are required for the use.

There were no other comments, so Chair Dr. Stephens-Gunn opened the floor for the Public Hearing on the Rezoning Request.

Resident at 18415 North Drive Apt.#32 noted that the driveway at McDonalds is typically blocked. There is already a Jax car wash up the street. Why do we need another car wash? Lots of traffic already with Home Depot and Target.

Resident at 18468 South Drive Apt# 66 noted there is already a Jax car wash up the street, traffic is already an issue at the corner and wet cars exiting the site will create an ice problem on the road in Winter.

Resident at 18187 South Drive noted the traffic congestion with Target and other stores on Southfield Road.

Resident at 18187 Southfield Drive noted traffic and accidents in the area.

Resident at 19684 Winterset noted the new car wash provides for more choices and more service in the area.

Resident at 18222 South Drive Art# 101 noted they lived in the area for 20 years and noted terrible traffic and accidents. There should be a light at North Drive and Southfield Road.

Manager of the Cranbrooke Apartments noted they were not comfortable with the extra traffic this use would generate.

There were no other comments, so Chair Dr. Stephens-Gunn closed the Public Hearing and opened the floor to the Commissioners.

Commissioner Huntington noted he felt this project was a good update to the area.

Commissioner Griffis noted Southfield Road is a big retail corridor and this proposal is not out of line.

Commissioner Martin asked why the petitioner was not considering other uses for the site. Mr. Williams noted they wanted to keep impact to a minimum with this one use.

Commissioner Goodwin-Dye asked about the results of the Traffic Study. Mr. Williams noted the study showed there would be no impact on traffic with this proposed use. This use would generate 56 vehicles per hour.

Commissioner Bernoudy asked the petitioner to give the City notice in advance of the start of construction.

There were no other comments, so Chair Dr. Stephens-Gunn asked for the Planner's Recommendation on CZR22-0001.

Recommendation: The Planning Department recommends **FAVORABLE RECOMMENDATION** of PCZR22-0001, to Conditionally Rezone 1.54 acres of land from OS, Office Service to B-3, General Business with a Conditional Rezoning Agreement for the following reasons:

1. The Southfield Comprehensive Master Plan indicates North Southfield Subarea for this property. The request to Conditionally Rezone from OS, Office Service to B-3, General Business with a Conditional Rezoning Agreement to allow for a single use of the site for a conveyor-type auto wash would meet the Master Plan's goals, policies and future land use map by allowing limited commercial use that will not diminish the property available for North Southfield Subarea uses and would include a use that would serve nearby residents, employees, and visitors to nearby North Southfield Subarea uses.
2. The proposed Conditional Rezoning to B-3, General Business would allow for the development of the property with a new land use that would be compatible with the abutting existing developments while prohibiting other uses that could be detrimental to the area or cause an increase in traffic congestion.

3. The proposed Conditional Rezoning would not have adverse effects upon the adjoining zonings or land uses.
4. The Conditional Rezoning Agreement is subject to review and approval by the City Attorney.

Chair Dr. Stephens-Gunn called for a motion.

Motion by Commissioner Griffis for Favorable Recommendation of PCZR22-0001. Seconded by Commissioner Huntington. Chair Dr. Stephens-Gunn stated that all those in favor say "Aye". There were 5 Ayes. Those against say "Nay". There were 2 Nays. Motion carries 5-2.

Chair Dr. Stephens Gunn opened the Public Hearing for PSLU22-0007. There were no comments from the public, so Chair Dr. Stephens-Gunn closed the Public Hearing. She called for the Planner's Recommendation.

City Planner Croad noted that it appeared there might still be issues with the Special Use and Site Plan to resolve and suggested a meeting between the petitioner and the Apartment management and residents prior to the Commission acting on the Special Use and Site Plan. He suggested PSLU22-0007 and PSP22-0011 be postponed to the January Planning Commission Meeting to allow the parties to meet and come to a resolve.

Chair Dr. Stephens-Gunn called for a motion on Postponement.

Motion by Commissioner Willis for Postponement of PSLU22-0007 to a date certain of January 25, 2023. Seconded by Commissioner Goodwin-Dye. Chair Dr. Stephens-Gunn stated that all those in favor say "Aye". There were 4 Ayes. Those against say "Nay". There were 3 Nays. Motion for postponement carries 4-3.

Planner Spence noted the Commission would need to do the same for PSP22-0011.

Motion by Commissioner Willis for Postponement of PSP22-0011 to a date certain of January 25, 2023. Seconded by Commissioner Bernoudy. Chair Dr. Stephens-Gunn stated that all those in favor say "Aye". There were 4 Ayes. Those against say "Nay". There were 3 Nays. Motion for postponement carries 4-3.

Chair Dr. Stephens-Gunn called for the next item.

PASP22-0051 - Improvements to Carpenter Lake Nature Preserve – 27225 W Ten Mile Road

This item specifically concerns construction of a picnic pavilion and restrooms, existing parking lot work including paver replacement, storm water management, new parking lot and driveway work for bus parking, bike racks, Barrier-free Compliance, landscaping, and pedestrian connections.

Per **Michigan Planning Enabling Act, Act 203 of 2008, Section 125.3861** Construction of certain projects in area covered by municipal master plan; approval; initiation of work on project; requirements; report and advice.

Sec. 61.

(1) A street; square, park, playground, public way, ground, or other open space; or public building or other structure shall not be constructed or authorized for construction in an area covered by a municipal master plan unless the location, character, and extent of the street, public way, open space, structure, or utility have been submitted to the planning commission by the legislative body or other body [City Planner] having jurisdiction over the authorization or financing of the project and has been approved by the planning commission. The planning commission shall submit its reasons for approval or disapproval to the body [City Planner] having jurisdiction. If the planning commission disapproves, the body [City Planner] having jurisdiction may overrule the planning commission by a vote of not less than 2/3 of its entire membership ... for a city If the planning commission fails to act within 35 days after submission of the proposal to the planning commission, the project shall be considered to be approved by the planning commission.

Planner Spence gave a brief overview of the proposal for the modifications to the park and introduced Parks & Recreation Director Terry Fields and Engineer Chris Riggert for OHM to discuss the project further.

Director Fields and Mr. Riggert explained the various aspects of the plan including removal of the exiting pavers and adding asphalt paving, adding bus parking and a new driveway, a restroom and pavilion building, pedestrian connections, and expansion of the storm water bio-swale. They will also indicate locations of future sidewalks to W Ten Mile Road and along the W Ten Mile Frontage.

There were no other comments, so Chair Dr. Stephens-Gunn opened the floor to the Commissioners.

Commissioner Bernoudy noted this is a wonderful project.

Commissioner Martin asked that two barrier-free spaces be placed by the restroom and pavilion instead of the rock garden. Director Fields noted that would make that change.

Commissioner Willis asked if the park would remain open. Director Fields stated that it would remain open as weather permits but during construction it would be closed.

Commissioner Huntington noted he liked the plan. Carpenter Lake is a special place.

Chair Dr. Stephens-Gunn thought this was a wonderful plan.

There were no other comments, so Chair Dr. Stephens-Gunn called for the Planner's Recommendation.

Recommendation: The Planning Department recommends the Planning Commission make a **Favorable Approval** to the City Planner for the Administrative Site Plan PASP22-0051 of the request of Southfield Parks and Recreation for the construction of a picnic pavilion and restrooms, existing parking lot work including paver replacement, storm water management, new parking lot and driveway work for bus parking, bike racks, Barrier-free Compliance, landscaping and pedestrian connections on property located at 27225 W Ten Mile Road, on the south side of W Ten Mile Road between Inkster Road and Gleneyrie, Section 30, City of Southfield, Oakland County, State of Michigan, to the City Planner for the following reasons and conditions:

1. Subject to the Michigan Planning Enabling Act, Act 203 of 2008 as amended, Section 125.3861.
2. The site shall be developed in accordance with PASP22-0051 Sheets C-001, C-110, C-120, C-130, C-150, C-501, C-502, A-101, dated December 13, 2022.
3. Subject to the placement of two Barrier-free parking spaces adjacent to the new picnic pavilion and restrooms, and one Barrier-free space by the stone garden area.

Chair Dr. Stephens-Gunn called for a Motion.

Motion by Commissioner Bernoudy for Favorable Recommendation of PASP22-0051. Seconded by Commissioner Martin. Chair Dr. Stephens-Gunn stated that all those in favor say "Aye". There were 7 Ayes. Those against say "Nay". There were No Nays. Motion carries.

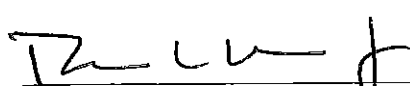
Chair Dr. Stephens-Gunn called for the approval of the Minutes.

Motion by Commissioner Martin for Favorable Recommendation of the Minutes of November 2, 2022 Study Meeting, November 9, 2022 Study Meeting, and November 176, 2022 Regular Meeting. Seconded by Commissioner Huntington. Chair Dr. Stephens-Gunn stated that all those in favor say Aye. There were 7 Ayes. Those against say Nay. There were no Nays. Motion passed.

Chair Dr. Stephens-Gunn opened the floor to the Public for Public Comment. No one stepped forward so Chair Dr. Stephens-Gunn closed the Public Comment portion of the meeting.

Chair Dr. Stephens-Gunn asked if there were any Miscellaneous Items. Planner Spence noted the next meeting of the Commission would be on January 11, 2023.

There were no other items for discussion. The meeting was adjourned at 10:15 pm.

 02.08.2023
Rob Willis (date)

Secretary/js