

MINUTES OF THE CITY OF SOUTHFIELD PLANNING COMMISSION
REGULAR MEETING OF APRIL 27, 2022
6:30PM

Planning Commission Members Present: Bernoudy, Griffis, Huntington, Martin, Stephens-Gunn, and Willis
Planning Commission Members Excused: Culpepper

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 Stephens-Gunn called for Approval of the Agenda. Motion by Commissioner Martin to Approve the Agenda with the caveat that the Minutes be moved to the May 25, 2022, meeting as he had not received them. Seconded by Commissioner Willis with the caveat of moving Minutes to May 25. Chair Dr. Stephens-Gunn called for a Vote.

There was an affirmative vote for the Commissioners. 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.

PSLU21-0011 is the Special Use Request of Designhaus, on behalf of the Owner Finatech LLC, to allow for a 2,846gsf gasoline filling station with convenience store, property located at 28681 Northwestern Highway, Sidwell Parcel 2418-276-054 on the southeast corner of Northwestern Highway and Franklin Road, Section 18, City of Southfield, Oakland County, State of Michigan.

Planner Spence gave an overview of the proposal noting the petitioner had already received a Rezoning Approval and was now seeking the Special Use and Site Plan approvals. They have submitted a Traffic Impact Study that indicates no major increase in traffic impacts in the area. He asked Mr. Mike Pizzola from Designhaus to add anything more. He noted there wasn't much more to add and was there to answer any questions.

Chair Dr. Stephens-Gunn noted that this is a Public Hearing for the Special Use and invited anyone who had a comment to step forward and they had 3 minutes.

Ms. Rita Soka, representing Franklin Liquor and the Marathon Gas Station noted that they are in opposition of the proposal due to environmental concerns with the gas station and effect on neighbors and the amount of traffic this new use would generate in the area.

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

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Commissioner Huntington noted he is in favor of the Special Land Use, and it meets the requirements. A lot of gas stations aren't updated in the area and here is an opportunity for a new one. He didn't see any traffic issues based on the study that was done.

Commissioner Griffis inquired about the Art proposed. His concern was about maintenance of the Art over time. City Planner Croad noted that a Site Maintenance Agreement will be in place to handle maintenance and replacement as needed. Commissioner Griffis noted that City doesn't have a set maximum number of gas stations for the City so whether we need another one or not is not up for debate.

Commissioner Willis had a concern with the mural on the ground. He also inquired as to when construction would begin. Mr. Pizzola noted construction would begin soon after Council approval. He also noted that there is an asphalt sealant that would be placed over the art to maintain it. It would be good for 3-5 years.

Commissioner Martin noted that he liked the project.

Chair Dr. Stephens-Gunn noted it satisfied all our requirements.

Chair Dr. Stephens-Gunn called for the Planner's Recommendation. Planner Spence obliged.

Recommendation: The Planning Department recommends **FAVORABLE RECOMMENDATION** of the Special Use of Designhaus, to allow for a 2,846gsf gasoline filling station with convenience store, property located at 28681 Northwestern Highway, Sidwell Parcel 2418-276-054 on the southeast corner of Northwestern Highway and Franklin Road, Section 18, City of Southfield, Oakland County, State of Michigan, for the following reasons and conditions:

1. Hours of operation shall be 24 hours a day, 7 days a week.
2. The submitted special use, with any conditions recommended by the Planning Department and the Planning Commission, will be 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 there from which might be adverse to occupants of any nearby permitted uses.
4. The proposed use is in accord with the spirit and purpose of this Chapter and is not 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 vehicular traffic generated will not have an adverse effect, or be detrimental, to the surrounding land uses or 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 will not be adverse to the promotion of the health, safety, and welfare of the community.
8. The proposed use is designed and operated so as to provide security and safety to employees and the general public.

Chair Dr. Stephens-Gunn called for a Motion.

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Motion by Commissioner Huntington for Favorable Recommendation for PSLU21-0011. Seconded by Commissioner Willis. Chair Dr. Stephens-Gunn stated all in favor say Aye. 6 Ayes were heard. Not in favor say Nay. There were no Nays. Motion passes 6-0.

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

Planner Spence noted that since PSP21-0012 was related to the Special Use Request the Commission might want to take that item up now.

Chair Dr. Stephens-Gunn asked if the Commissioners had any comments on the site plan for the gas station.

Commissioner Griffis inquired about the Electric Vehicle Charging Station and when it would be installed. Mr. Pizzola noted they didn't currently show one on the plan, but they could install right now.

Commissioner Martin asked about conduit for the EV Station. Mr. Pizzola noted that as was discussed in a previous meeting, the EV Charger would be on a separate circuit with a transformer as it needs to draw its own power. Conduit could be laid ahead of time to the charging station location to accommodate wiring in the future. Since it seems the Commission is asking for a station now it could be easily added to the plan where the bike racks are located. City Planner Croad asked that a condition be added to the Site Plan recommendation that one (1) EV Charging Station be installed on site.

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

Recommendation: The Planning Department recommends **FAVORABLE CONSIDERATION** of PSP21-0012, the Site Plan Review Request of Designhaus, to allow for the construction of a 2,474gsf gasoline filling station with convenience store along with other site amenities, property located at 28681 Northwestern Highway, Sidwell Parcel 2418- 276-054 on the southeast corner of Northwestern Highway and Franklin Road, Section 18, City of Southfield, Oakland County, State of Michigan, City of Southfield, Oakland County, State of Michigan, for the following reasons and conditions:

1. Landscaping must be installed in accordance with the Approved Landscape Plan.
2. Any exterior lighting will be shielded to prevent spillage of glare onto adjacent properties.
3. All elements of the site plan are to be installed in accordance with the approved site plan.
4. Proposed Bike Racks shall be securely anchored to the supporting surface and shall be at least 3' in height and able to support a locked bike in an upright position.
5. Prohibited activities include, but are not limited to, the following: the sale of medical marijuana or medical marijuana-infused products, trailer renting and leasing, motor vehicle body repair, undercoating, painting, tire recapping, engine rebuilding, motor vehicle dismantling, upholstery work, and other such activities whose adverse external physical effects would extend beyond the property line.
6. No storage nor display of any kind shall be allowed within the street right-of-way. All display shall be so located as not to obstruct view of vehicles (Amended - Ordinance 1345 - 6/8/92)

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7. There shall be no outside storage or display of any kind except for the display of new merchandise related to the primary use of a gasoline station (i.e., automotive accessories such as windshield washer fluid, motor oil, wipers, scrapers, or similar as determined by the planning director) which may only remain outside for display and retail sales during the hours of operation of the gasoline station. Exterior convenience items (such as ice chests, newspaper boxes, vending machines, propane tanks/cages, or similar, as determined by the planning director) are strictly prohibited.
8. Ancillary retail sales of automotive and nonautomotive products related to the primary use of a gas station shall be acceptable under the following guidelines: automotive accessories such as windshield washer fluid, motor oil, wipers, scrapers, or similar, as determined by the Planning Director; non-automotive related products of single containers of various beverages excluding alcoholic liquor, beer and wine and individual packages of sundries such as gum, candy, cigarettes, newspapers, excluding medical marihuana and medical marihuana-infused products, etc. Along with milk, eggs, bread and/or other general grocery items, pre-prepared food items that are not subject to licensing by the Michigan Department of Agriculture or the Oakland County Health Department. Non-perishable items such as clothing, footwear, hats, music, and other general retail items not associated with the dispensing of motor fuel are prohibited. (Amended – Ordinance 1699 – 12/27/18) (Amended – Ordinance 1709 – 10/3/19)
9. The petitioner is to provide a sprinkler system for all landscape areas to encourage preservation of plant materials.
10. 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.
11. The petitioner is to implement the recommendations made by the Southfield Police Department’s Crime Prevention Bureau regarding site security.
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.
13. 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, unless exempted based on the written stipulations.
14. The building is to be constructed in accordance with the submitted elevations shown on sheet A200.
15. One (1) Electric Vehicle Charing Station shall be installed on site.

Chair Dr. Stephens-Gunn called for a Motion.

Motion by Commissioner Martin for Favorable Recommendation of PSP21-0012. Seconded by Commissioner Huntington. Chair Dr. Stephens-Gunn called for a vote. All in favor say Aye. 6 ayes were heard. Not in favor say Nay. No Nays were heard. Motion passes 6-0.

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

PZTA22-0001 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 amending Section 5.22-3 Overlay Development District (ODD) of the Zoning Ordinance to **Expand the**

Northwestern Highway Corridor District consistent with the Future Land Use Map in the City of Southfield for properties eligible for ODD, and any other amendments that may become necessary as needed for the above and the City of Southfield.

Planner Spence gave a brief overview of the proposal noting the request was to expand the Northwestern Highway Corridor to include the property located at 24700 Northwestern Highway.

Chair Dr. Stephens-Gunn noted that this is a Public Hearing and asked if anyone wanted to speak on this item. Seeing no one, she closed the Public Hearing for PZTA21-0001 and opened the floor to the Commissioners.

The Commissioners had no comments related to the proposal. Chair Dr. Stephens-Gun called for a Planner's Recommendation. Planner Spence obliged.

Recommend **FAVORABLE RECOMMENDATION** of the draft dated April 27, 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 amending Article 4, Section 5.22-3, Overlay Development District (ODD) of the Zoning Ordinance to **Expand the Northwestern Highway Corridor District** consistent with the Future Land Use Map in the City of Southfield for properties eligible for ODD, and any other amendments that may become necessary as needed for the above and the City of Southfield

This text amendment specifically addresses expanding the Northwestern Highway Corridor District to include property located at 27400 Northwestern Highway, Sidwell Parcel 2416-302-031, and other amendments that may become necessary as needed for the City of Southfield.

Chair Dr. Stephens-Gunn called for a Motion.

Motion by Commissioner Griffis for Favorable Recommendation for PZTA22-0001. Seconded by Commissioner Martin. Chair Dr. Stephens-Gunn called for a vote. All in favor say Aye. There were 6 Ayes. Not in favor say Nay. There were no Nays. Motion passed 6-0.

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

PSP21-0013 is the Site Plan Review Request of Halo Architects, Inc, for interior and exterior modifications to convert the existing Star Theater to a religious institution for Triumph Church, property located at 25333 W Twelve Mile Road, Sidwell Parcel 2417-126-050, on the south side of W Twelve Mile Road between Case and Lockdale, Supervisor's Plat No 5 Part Of Lots 20 To 25 Incl, Also Of Supervisor's Plat No 6 Part Of Lots 31 To 34 Incl, Section 17, City of Southfield, Oakland County, State of Michigan.

Planner Spence noted that Staff was recommending Postponement of this item to the May 25, 2022, Planning Commission Regular Meeting to resolve some items remaining on this project.

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Chair Dr. Stephens-Gunn called for a Motion.

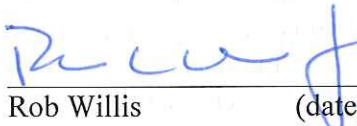
Motion by Commissioner Huntington to Postpone PSP21-0013 to a Date Certain being the May 25, 2022, Planning Commission Regular Meeting. Seconded by Commissioner Willis. Chair Dr. Stephens-Gunn called for vote. All in favor say Aye. There were 6 Ayes. Not in favor say Nay. There were no Hays. Motion passes 6-0.

Planner Spence noted that Approval of the Minutes was moved to the Regular Meeting of the Planning Commission on May 25, 2022.

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 that the next meeting of the Planning Commission was set for May 11, 2022.

There were no other items for discussion. The meeting was adjourned at 7:40PM.

 05.25.2022
Rob Willis (date)
Secretary/js