

**MINUTES OF THE CITY OF SOUTHFIELD PLANNING COMMISSION
REGULAR MEETING OF MAY 25, 2022
6:30PM**

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

Staff Present: City Planner Croad and Planner Spence

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

Vice-Chair Martin called for Approval of the Agenda. Motion by Commissioner Willis to Approve the Agenda. Seconded by Commissioner Bernoudy. Vic-Chair Martin called for a Vote.

Motion Carries.

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

Vice-Chair Martin called for the first item.

PZRODD22-0001 is a Rezoning Request to Amend the existing Overlay Development District Development Agreement of Mr. Hassan Jawad, representing Middlepointe Investment Group, LLC, for 8.18 acres of land for the construction of a mixed use development with retail, office and multiple family units in multiple phases on property located at 26111 Evergreen Road, Sidwell Parcels 2422-277-003, -004 & -005, on the northwest corner of Civic Center Drive and Evergreen Road, Section 22, City of Southfield, Oakland County, State of Michigan.

Planner Spence gave a brief overview of the proposal Noting this is an amendment to the MiddlePointe ODD from 2021. Amendments include increasing the Maximum spaces in the parking structure to 1,500 spaces instead of 800, square footage for permitted uses will be 1,000sf to 500,000sf instead of 1,000sf to 150,000sf, minimum apartments size of 325sf which was reduce from 500sf, building height of 6-8 stories (100' to 150' max) instead of 6 story max, revisions to architectural design and building elements. He introduced Mr. Hassan Jawad to explain the project further.

Mr. Jawad noted that due to market changes, the project was expanded to include more residential density and wanted to provide a more resort-style living.

Vice-Chair Martin noted this was a Public Hearing. No one chose to speak on this issue, so he closed the Public Hearing and opened the floor to the Commissioners.

Commissioner Bernoudy thanked Mr. Jawad for the changes to the plan to include more density. She inquired about the pocket park. Mr. Jawad noted the park was for public use and would have seating and programmed events.

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Commissioner Huntington asked if any Green Initiatives were proposed. Mr. Jawad noted they were working on it.

Commissioner Martin inquired about a start date for construction. Mr. Jawad noted they hoped to start moving dirt this year with a 2025 target date for opening. Commissioner Martin asked if pets would be allowed. Mr. Jawad noted that they would.

Commissioner Griffis felt this was an exciting plan that was scaled properly. He was happy to see the increase in density.

Commissioner Willis inquired if there were opportunities for gatherings on the rooftop. Mr. Jawad noted that each building had an open roof area in the center for gathering. They may expand to other roof areas if there was the demand.

Commissioner Huntington asked if there would be Electric Vehicle charging stations. Mr. Jawad noted that each parking deck would be equipped.

Commissioner Willis asked about green initiatives as well. Mr. Jawad stated there have been conversations but it has to make economic sense.

There were no other comments so Vice-Chair Martin called for the Planner's Recommendation. Planner Spence obliged.

Recommendation: The Planning Department recommends **FAVORABLE CONSIDERATION** of PZRODD22-0001, to amend the current MiddlePointe ODD Master Development Plan and Agreement for the 8.18-acre parcel with underlying RC Regional Center and to allow for the development of a mixed-use development for retail, office and multiple-family units and other on-site amenities, for the following reasons:

1. Amendments include:
 - a. Maximum spaces if parking structure constructed: 1,500 spaces. Was 800.
 - b. All constructed buildings within the permitted uses will have a minimum of 1,000 sq ft to a maximum of 500,000 gross sq ft per building. Was 150,000 sf.
 - c. Minimum apartment size of 325 sf micro-units. Was 500 sf.
 - d. Building height of 6-8 stories (100'-150' total height). Was 6 story maximum.
 - e. Architectural Design & Building Elements: Single and multiple story flat roofed buildings clad in brick, stone, and metal panels, featuring large expanses of glass details, including towers, protected canopies and accent columns as referenced in the MDP. Option to use fiber cement panels and lightweight rainscreens.
2. The proposal will be consistent with the surrounding zoning classifications and is in accordance with the Southfield Comprehensive Master Plan that indicates City Centre Subarea for this parcel.
3. The proposal utilizing the ODD, Overlay Development District provisions, with underlying RC, Regional Center zoning will allow the petitioner to market the properties for redevelopment with mixed use land uses compatible with the abutting existing developments and will allow for development flexibility in accordance with the attached amended ODD Development Agreement.

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4. The proposed rezoning will not have adverse effects upon any of the adjoining zonings or land uses.
5. The petitioner is to work with the Planning Department and City Attorney to finalize the Overlay Development District Development Agreement including streetscape and furnishing details that will be subject to approval by the City Planner.

Vice-Chair Martin called for a Motion.

Motion by Commissioner Willis for Favorable Recommendation for PZRODD22-0001. Seconded by Commissioner Bernoudy. Vice-Chair Martin stated all in favor say Aye. 6 Ayes were heard. Not in favor say Nay. There were no Nays. Motion passes 6-0.

Vice-Chair Martin 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 gave a brief overview of the proposal noting this was a site plan for the conversion of the existing Star Theater to a religious institution. The use is a permitted Secondary use in the RC zoning district and based on how the petitioner is using the building, it meets parking requirements. He introduced Mr. Stan Robertson from Halo Architects.

Mr. Robertson noted that he has been before the Commission numerous times on this project, and he believes they have shown they meet the parking requirements for their use not only on the weekends but also during the week. He would be happy to answer any questions the Commission might have.

Vice-Chair Martin noted that while this was not a Public Hearing, he was willing to open the floor to anyone who had a comment.

Mr. Scott Shefman representing Friedman Group and owner of Galleria Officenter adjacent to the Star Theater site noted that there are parking easements and agreements in place between the star and Galleria and this proposal is not in compliance with those or the zoning ordinance. Galleria owns 500 spaces on the Star Theater site. He noted further that they have reached out to the petitioner and never heard from them until an email that was sent prior to the meeting tonight.

Mr. Tim Stoecker, Dickinson-Wright, on behalf of the owner of the Star property noted Galleria doesn't own any spaces on the Star property though there is an agreement related to 177 spaces. The church proposal has far less seats than the theater, and all the existing ingress and egress locations are still in place. He noted that the potential for the theater becoming something else was anticipated when the agreements were drawn up in the 90's. They meet the parking requirements 24/7.

There being no other public to speak, Vice-chair Martin opened the floor to the Commissioners.

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Commissioner Bernoudy noted she is in full support with this vision. It will improve the whole community.

Commissioner Goodwin-Dye felt this use fits in.

Commissioner Willis noted he is comfortable with this proposal.

Commissioner Huntington inquired if there was crowd control for large special events. Mr. Robertson noted the church had mechanisms in place to control crowds.

Commissioner Willis wondered how two different parties reviewing the same easement and agreement documents would interpret them differently.

Commissioner Griffis felt this was the perfect site for this type of use. There are no competing uses. All can exist at the same time.

Commissioner Huntington felt this was a good site for a church. He inquired about a weekday funeral. Mr. Robertson noted he didn't feel the site would be over-parked as a result.

Voce-chair Martin asked Mr. Shefman about the current parking for Galleria and whether they use the spaces on the Star site now. Mr. Shefman noted they don't right now but if they filled up the off-center they would need those spaces.

There were no other comments so Vice-chair Martin asked for the Planner's recommendation. Planner Spence obliged.

Recommendation: The Planning Department recommends **FAVORABLE CONSIDERATION** of PSP21-0013, the Site Plan Review Request of Halo Architects, to allow for the conversion of 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 Lockdale and Case Road, Section 17, City of Southfield, Oakland County, State of Michigan., for the following reasons and conditions:

1. A religious institution is permitted as a Primary Secondary use in the Zoning Ordinance per Article 15 Section 5.139(2)(b).
2. Landscaping must be installed in accordance with the Approved Landscape Plan Sheets LS-1 through LS-6 dated 3-25-22 by FPA & Associates.
3. Any exterior lighting will be shielded to prevent spillage of glare onto adjacent properties.
4. Tree protection fencing is to be installed per the approved landscape plan Sheets LS-1 through LS-6 dated 3-25-22 by FPA & Associates. Fencing is to be inspected by the Planning Department prior to the release of Building Permits for the work proposed.
5. All elements of the site plan are to be installed in accordance with the approved site plan.
6. 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.
7. The petitioner is to provide a sprinkler system for all landscape areas to encourage preservation of plant materials.

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8. 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.
9. The petitioner is to implement the recommendations made by the Southfield Police Department's Crime Prevention Bureau regarding site security.
10. 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.
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, unless exempted based on the written stipulations.
12. The building is to be constructed in accordance with the submitted elevations shown on sheet A-200 dated 3-23-22 by Halo Architects.

Vice-chair Martin called for a motion.

Motion by Commissioner Willis for Favorable Recommendation of PSP21-0013. Seconded by Commissioner Huntington. Vice-Chair Martin stated all in favor say Aye. 6 Ayes were heard. Not in favor say Nay. There were no Nays. Motion passes 6-0.

Vice-Chair Martin called for the next item.

PSP22-0003 is the Site Plan Review Request of Mapletree Apartments LLC, on behalf of the owner Sherr Development Corp, for the construction of a four-unit townhome building, property located at 28545 Franklin Road (2418-277-059) on the west side of Franklin Road between I-696 and Maitrott, Easterly 250 ft of Lot 11, and part of Lots 12 through 14, inclusive, of Supervisor's Plat No. 4, and part of Lot 13, of Supervisor's Plat No. 14, and part of Lot 37, of Supervisor's Plat No. 2, more particularly described as, commencing at the North ¼ Corner of said section 18; thence along the North line of Section 18, N89°56'00"E, 327.05 ft (recorded as 3234.90 ft) to the centerline of Franklin Road (variable width); thence along said centerline S40°56'10"E, 1300.61 ft; thence S49°03'50"W, 60.00 ft to the Westerly line of said Franklin Road and the Point of Beginning; thence along said Westerly line, S40°56'10"E, 600.93 ft; thence S48°45'06"W, 280.44 ft; thence S00°09'00"E, 25.76 ft; thence N89°53'38"W, 82.02 ft; thence N41°59'07"W, 161.75 ft; thence N48°50'10"E, 86.67 ft; thence N41°03'41"W, 186.67 ft; thence S48°56'19"W, 72.10 ft; thence N41°04'41"W, 54.00 ft; thence N48°22'11"E, 92.56 ft; thence N40°57'51"W, 19.14 ft; thence N49°03'59"E, 32.50 ft; thence N40°56'10"W, 145.00 ft to the Southeastern line of Maitrott Avenue (50 ft wide); thence along said Southeasterly line, N49°03'50"E, 223.00 ft to the aforementioned Westerly line of Franklin Road and the Point of Beginning, containing +/- 16.91 acres of land, City of Southfield, Oakland County, State of Michigan.

Planner Spence gave a brief overview of the proposal noting the petitioner wishes to construct a single building with 4 units in a stacked format. Parking and setback meet requirements. He introduced Mr. Roger Sherr to explain the project further.

Mr. Sherr noted the building being proposed would be similar in style to what is being constructed along Franklin Road in vinyl siding and brick. The existing structure is an old house that was converted to apartments.

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City Planner Croad inquired about the sidewalk connection and a walk along Maitrott. Mr. Sherr noted this is a gated community and put a sidewalk along Maitrott wouldn't serve a purpose. He believed his residents would feel less secure if there was a sidewalk from Maitrott into the Mapletree site. City Planner Croad suggested a postponement of this item until the owner could show how he could comply. Mr. Sherr asked the Planning Commission to forward without the sidewalk requirement.

Vice-chair Martin opened the discussion to the Commissioners.

Commissioner Griffis noted that it isn't often he disagrees with the City Planner, but he didn't feel a sidewalk was needed on Maitrott especially since this is a gated community.

Commissioner Huntington noted he understands what is being asked for but agrees with Commissioner Griffis. He didn't wish to see an opening in the fence along Maitrott and didn't think the sidewalk was required.

Commissioner Bernoudy felt this should be postponed allowing for more discussion.

Commissioner Goodwin-Dye felt the sidewalk wasn't needed. The site is secured on three sides with fencing and the residents have a sense of security.

Commissioner Willis agreed the Petitioner should seek a waiver from the Zoning Board of Appeals for the sidewalk.

Commissioner Martin felt a temporary waiver was in order.

Planner Spence noted that it seemed most of the Commission felt the sidewalk wasn't necessary and the petitioner should seek a waiver. He introduced some language that could be added as a recommendation with the approval of the City Planner Croad. That condition would read, "The petitioner is to seek a waiver from the Zoning Board of Appeals for the 5' wide sidewalk along Maitrott."

There were no other comments so Vice-chair Martin called for a motion with the added condition. Planner Spence obliged.

Recommendation: The Planning Department recommends **FAVORABLE RECOMMENDATION** of the Site Plan Review Request of Mapletree Apartments LLC to construct four (4) two-story residential townhome units in one (1) building with associated parking and other site amenities, property located at 28545 Franklin Road (2418-277-044) on the west side of Franklin Road between I-696 and Maitrott, for the following reasons and conditions:

1. The landscaping shall be installed in accordance with Sheets L-1.0 and L-1.1, and Tree Preservation in accordance with Sheet T-1.0, plans dated 5-3-22 by PEA Group.
2. Exterior lighting will be shielded to prevent spillage of glare onto adjacent properties.
3. The petitioner is to provide a sprinkler system for all landscape areas to encourage preservation of plant materials.
4. The petitioner is to implement the recommendations made by the Southfield Police Department's Crime Prevention Bureau regarding site security.

5. The building will be constructed in accordance with the elevations shown on sheets 004, 005, 006 and 009 dated March 8, 2022, by Alexander V. Bogaerts + Associates.
6. 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.
7. *Added by the Planning Commission:* The petitioner is to seek a waiver from the Zoning Board of Appeals for the 5' wide sidewalk along Maitrott.

Vice-chair Martin called for a motion.

Motion by Commissioner Willis for Favorable Recommendation of PSP22-0003. Seconded by Commissioner Huntington. Vice-Chair Martin stated all in favor say Aye. 6 Ayes were heard. Not in favor say Nay. There were no Nays. Motion passes 6-0.

Vice-chair Martin called for the next item.

PSP22-0004 is the Site Plan Review Request of John Abbo to amend a previously approved site plan, PSP20-0005, to change the building elevations and site plan amenities on property located at 26760 Lahser Road, Sidwell Parcel 2422-102-012 on the east side of Lahser Road between M-10 Lodge Freeway and the I-696 Freeway, Section 22, City of Southfield, Oakland County, State of Michigan.

Planner Spence gave a brief overview of the proposal noting the petitioner was seeking approval for site plan and elevation changes already made on the site. He noted further that the petitioner had decided to add the brick along the bottom of the building in accordance with ordinance requirements. He introduced Mr. Chris Enrich.

Mr. Enrich gave a brief history of the building noting the issues they had once demo of the existing building began. He admitted they were wrong to not approach the City about the changes before making them. He listed the amendments to the plan they were seeking to get approval for including, a new sidewalk along the east side of the building, relocations of doors, the removal of the front window for security purposes and the large car canopy on the north side.

City Planner Croad noted that we were hoping to go through this one time and encouraged Mr. Enrich to follow up with the Police Department on the Security Plan to make sure it met their standards.

Vice-Chair Martin opened the discussion with the Commissioners.

Commissioner Willis asked if there were any issues with robberies of these facilities and what is done to electronically to deter them. City Planner Croad noted that it would be best the petitioner wasn't specific about measures they take to protect their property and product. That's why he asked the petitioner to follow up with the Police Department.

Commissioner Griffis noted this was a big improvement to the original design.

Commissioner Huntington agreed with the changes made.

Commissioner Bernoudy noted this is cash operation. Does someone come by to handle that. Mr. Enrich noted there are secure transporters that handle those matters.

Vice-chair Martin asked if there were any issues with the overall height of the canopy. Planner Spence noted the height requirement in B-3 is unlimited if you meet setbacks. The drawings note the canopy is 17' high at its tallest point and the setback from the north property line is more than sufficient.

Vice-Chair Martin noted that the petitioner knew changes were made against the zoning ordinance. Is this something that normally happens? Mr. Enrich acknowledged that missteps were made here. Changes are often made when dealing with older buildings, but what happened here isn't normal.

There were no other comments so Vice-Chair Martin called for the Planners Recommendation. Planner Spence obliged.

Recommendation: The Planning Department recommends **FAVORABLE RECOMMENDATION** of the Site Plan Review Request of Lume Cannabis Co. to amend the elevations and site plan. The property located at 26760 Lahser Road, Sidwell Parcel 2422-102-012, on the east side of Lahser Road between M-10 Lodge Freeway and the I-696 Freeway, Section 22, City of Southfield, Oakland County, State of Michigan for the following reasons and conditions:

1. The site shall be developed in accordance with Sheet C-3.0 dated 5-19-22 by PEA, Inc.
2. The elevations of the building shall be constructed in accordance with Sheet A-301 dated 5-19-22 by Serenity Architecture Company.
3. 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.
4. All other conditions of Site Plan Approval of PSP20-0005 shall remain in place.
5. The petitioner to seek a re-review of the Security Plan by the Police Department due to the changes made.

Vice-chair Martin called for a motion.

Motion by Commissioner Willis for Favorable Recommendation of PSP22-0004. Seconded by Commissioner Huntington. Vice-Chair Martin stated all in favor say Aye. 5 Ayes were heard. Not in favor say Nay. There was 1 Nay. Motion passes 5-1.

Vice-chair Martin called for the next item which was Minutes.

Motion by Commissioner Huntington for Approval of the Minutes for March 2, 2022, Study Meeting, March 9, 2022, Study Meeting, March 16, 2022, Long Range and Regular Meeting, March 23, 2022, Regular Meeting, March 30, 2022, Regular Meeting, April 13, 2022, Study Meeting, April 20, 2022, Long Range and Regular Meeting, and the April 27, 2022, Regular Meeting of the Planning Commission. Seconded by Commissioner Bernoudy. Vice-Chair Martin stated all in favor say Aye. 6 Ayes were heard. Not in favor say Nay. There were no Nays. Motion passes 6-0.

Vice-Chair Martin 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.

Vice-Chair Martin asked if there were any Miscellaneous Items. Planner Spence noted that he was hoping to cancel the June 1, 2022, Study Meeting. Motion by Commissioner Willis and supported

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by Commissioner Huntington to cancel the June 1, 2022, Planning Commission Study Meeting. Vice-Chair Martin stated all in favor say Aye. 6 Ayes were heard. Not in favor say Nay. There were no Nays. Motion passes 6-0.

Planner Spence noted that the next meeting of the Planning Commission was set for June 8, 2022.

There were no other items for discussion. The meeting was adjourned at 8:30pm.

Rob Willis (date) *06.22.2022*
Rob Willis
Secretary/js