

**MINUTES OF THE CITY OF SOUTHFIELD PLANNING COMMISSION
REGULAR MEETING OF JUNE 22, 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 Willis to Approve the Agenda. Seconded by Commissioner Bernoudy. Chair Dr. Stephens-Gunn called for a Vote.

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.

PSLU22-0002 is a Special Use Request of Rosetta Building Company to allow for a stand-alone Culver's restaurant with drive-thru on property located at Sidwell Parcel 2412-153-019, on the southeast corner of Southfield Road and Windflower, Section 12, City of Southfield, Oakland County, State of Michigan.

PSP22-0005 is a Site Plan Review Request of Rosetta Building Company to allow for the construction of a 3,904 gsf stand-alone Culver's restaurant with drive-thru and other site amenities on property located at Sidwell Parcel 2412-153-019, on the southeast corner of Southfield Road and Windflower, Section 12, City of Southfield, Oakland County, State of Michigan.

Planner Spence gave a brief presentation on the proposed Special Use and Site Plan for Culver's noting the proposal meets all the requirements of the zoning ordinance. He introduced Mr. Andy Andre representing the owner to explain the project further.

Mr. Andre noted he was there with a representative of Culver's to answer any questions the Commission may have. He noted there are a number of easements on the property, that they were planting trees on both sides of the wall to help with screening. Hours of operation would be 10:30am to 10:00pm 7 days a week.

Chair Dr. Stephens-Gunn noted that this was a public hearing for the Special Use and opened the floor to the public.

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Resident of 17741 Windflower noted Windflower is a Private Drive and he wondered what ingress/egress rights the property owner had to access this site. He felt this proposal would become a nuisance. Starbucks traffic on the property to the north is already causing traffic issues as cars back up onto Windflower. There will be an increase in trash, noise from order speakers and smell off cooking food.

Resident of 17666 Windflower noted Starbucks traffic backs into Windflower. The light at Windflower and Southfield Road is 2 ½ - 3 minutes long causing further delays. Concern with safety, noise, smell, and trash. They get trapped in their sub if there is an accident at Southfield and Windflower.

Resident of 29999 Marigold noted their front door would face Culver's. Concerned with lighting, people going the wrong way on streets, people coming into the subdivision to try and get out, loitering and noise.

Resident of 29971 Marigold noted accidents happen with traffic flow. The restaurant would be open late. The Commission needed to consider the people already living there.

Resident of 30019 Marigold noted she is against this proposal. There are accidents already on Windflower.

Resident of 17791 Windflower noted traffic is an issue with accidents and numerous near misses.

Resident of 30031 Marigold noted inquired about entry off Southfield Road instead of Windflower. Possibly one way in and one way out.

Harmon Gunther – 19101 Green Spruce noted the bank across the street on the corner of Webster and Southfield is vacant and Culver's could consider moving the restaurant there where there is the potential for less impact on residents.

Seeing no other public wishing to comment, Chair Dr. Stephens-Gunn closed the public hearing.

Mr. Andre asked if he could comment on the concerns of the public. Chair Dr. Stephens-Gunn welcomed it.

Mr. Andre noted the residents have made valid points. He noted that they have an easement granted to enter off Windflower to access the site. Culver's has a high standard of cleanliness inside and out. They use low level lighting. They have provided more stacking than what is required in a way that won't extend into the street. Customers are in the drive-thru about 4 minutes and comparing that with the timing of the light at Southfield Road and Windflower, there would only be about 1 car from Culver's per light cycle. He also noted that wayfinding signage would be helpful in directing traffic.

City Planner Croad noted that based on the concerns the residents have brought forward – and this is why we have these meetings – he felt a postponement of this project to gather additional information was in order. He felt a traffic study should be done to look at traffic impact on the area, that a check on accidents with the Police Department should be done, and a list of easements for site access be provided.

Chair Dr. Stephens-Gunn opened the floor to the Commissioners for their comments.

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Commissioner Griffis asked if Culver's was to go away what happens if trash starts to accumulate on site. City Planner Croad noted we have a Special Land Use, Site Maintenance Agreement and Code Enforcement to make sure to site is maintained.

Commissioner Bernoudy asked for confirmation of 1 car every 4 minutes through the drive thru. Mr. Andre confirmed.

Commissioner Martin noted the Starbucks causes traffic issues. He asked if there were any code limits. Planner Spence noted he would check on it.

Commissioner Griffis noted that this is B-3 zoned property and there are large number of uses that could go on this property that could have more impact than the restaurant. This is a highly dense developed area.

Commissioner Huntington asked about a fence on the property. Mr. Andre confirmed one would be provided. He thought the traffic study should provide some interesting outcomes.

Commissioner Willis noted we have to keep the rights and privileges of the homeowners in mind.

Commissioner Martin asked about odors from cooking. Mr. Andre noted there are emulsifiers on the grills to limit this.

Commissioner Willis wanted conformation of the easements for access to this property.

City Planner Croad noted that he would recommend postponing to no date certain to give the petitioner the time to provide a traffic impact study. We would readvertise this item after we are satisfied, we have enough information to move forward.

Commissioner Bernoudy asked if there was a Culver's project that was as close to residential property as this one. Mr. Andre noted the Culver's in Oxford is similar.

Commissioner Goodwin-Dye asked about trash pick up on site. Mr. Andre noted staff do trash pick in the morning and throughout the day. The manager also walks the site prior to opening to make sure the property is in order.

Chair Dr. Stephens-Gunn noted that the City Planner has recommended postponement to no date certain. Do we have a motion?

Motion by Commissioner Martin to postpone PSLU22-0002 to no date certain. Seconded by Commissioner Willis. Chair Dr. Stephens-Gunn stated all in favor say Aye. 7 Ayes were heard. Not in favor say Nay. There were no Nays. Motion passes 7-0.

Planner Spence noted that since PSP22-0005 is related to the Special Use that a similar motion would be requested for PSP22-0005.

Motion by Commissioner Willis to postpone PSP22-0005 to no date certain. Seconded by Commissioner Bernoudy. Chair Dr. Stephens-Gunn state all in favor say Aye. There were 7 Ayes. Those against say Nay. There were no Nays. Motion passes 7-0.

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

PZR22-0001 is a Rezoning Request of Kiwi Hospitality, LLC, to rezone 1.41 acres of land from B-3 General Business to OS Office Service, property located at 26620 Franklin Road, Sidwell Parcels 2420-201-015, and Part of 2420-201-016 on the west side of Telegraph Road between the M-10 Lodge Freeway and Swanson, Section 20, City of Southfield, Oakland County, State of Michigan.

Planner Spence gave a brief overview of the proposal to rezone the property to OS Office Service and repurpose the existing 5-story hotel to an assisted living and memory care facility. He noted the project meets the requirements of the ordinance and the proposed rezoning meets the standards. He introduced Mr. David Dowling.

Mr. Dowling noted that the new facility would be open 24 hours a day and have 85 beds. There would be a new 5,000sf dining facility and 55 employees. He was happy to answer any questions the Commission might have.

Chair Dr. Stephens-Gunn noted that this was a public hearing for the rezoning of the property and opened the floor to the public. No public were present to speak on this issue so Chair Dr. Stephens-Gunn closed the public hearing and opened the floor to the commissioners.

Commissioner Martin noted that there have numerous proposals for this structure and was concerned the developer might not follow through. Mr. Dowling noted there is full intention to develop and operate this facility.

Commissioner Bernoudy inquired if patients would come and go or are they in the facility to live. Mr. Dowling noted they live in the facility. Commissioner Bernoudy then asked about amenities. Mr. Dowling noted there are open areas for sitting. Commissioner Bernoudy asked if there was a library or salon. Mr. Dowling couldn't answer that.

A question was raised about what happens if a person passes in the facility; were there back stairs to remove the body instead of going through the facility to the front door that could be upsetting? Mr. Dowling noted there is another elevator and stairway by the loading area.

City Planner Croad noted that market changes and COVID had an effect on development. We use zoning to encourage development.

Commissioner Griffis noted he was for adaptive reuse of this building for this proposal.

Chair Dr. Stephens-Gunn stated that if there are no more comments, she would entertain a motion.

Motion by Commissioner Bernoudy for Favorable Recommendation of PZR22-0001. Seconded by Commissioner Martin. Chair Dr. Stephens-Gunn stated that all in favor say Aye. There were 7 Ayes. All against say Nay. There were no nays. Motion passes.

Planner Spence noted that the next action was on the site plan PSP22-0006 for the Memory Care facility.

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Chair Dr. Stephens-Gunn opened the floor to the Commissioners.

Commissioner Huntington asked if there would air purifiers installed. Mr. Dowling noted the entire building would be gutted and new HVAC, plumbing, electrical, etc. would be installed.

Commissioner Griffis asked about the height of the canopy at the drop off area. He wanted to make sure an emergency vehicle could get underneath. City Planner Croad noted the minimum was 13'-6".

Commissioner Willis thought the site was sterile and needed more landscape.

Chair Dr. Stephens-Gunn thought this was a good use of the facility.

The Commission asked some questions on operation of the facility that Mr. Dowling couldn't answer so City Planner Croad recommended postponing the recommendation on the site plan to the next Regular Meeting on July 27, 2022. Mr./ Dowling was agreeable to that and would have the operator at the next meeting to answer questions.

Chair Dr. Stephens-Gunn called for a motion.

Motion to Postpone PSP22-0006 to a date certain of July 27, 2022, by Commissioner Martin. 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 passes.

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

PZRODD22-0002 is a Rezoning Request to establish an Overlay Development District with Development Agreement of Friedman Real Estate, for 11.175 acres of land for the construction of a mixed-use development on property located at 27400 Northwestern Highway, Sidwell Parcel 2416-302-031, on the north side of the Northwestern Hwy Service Drive between Bell Road and Telegraph Road, Section 16, City of Southfield, Oakland County, State of Michigan.

Planner Spence gave a brief overview of the proposal for Overlay Development District noting the use of the existing building for climate-controlled storage as well as out buildings for medical office and potential assisted living. He introduced Mr. Warren Hudson.

Mr. Hudson noted they were looking to reuse the existing building in lieu of tearing it down for storage and mixed use. He would answer any questions the Commission may have.

Chair Dr. Stephens-Gunn noted this was a public hearing and invited anyone wishing to speak to come forward and opened the public hearing. Seeing no one, she closed the public hearing and opened the floor to the Commissioners.

City Planner Croad noted he is in full support of this proposal subject to adding mixed use into the storage building as well.

Mr. Warren asked if retail and office would suffice and made a commitment to both. City Planner Croad noted he would be more comfortable if it was added.

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Commissioner Martin asked if there will be the sale of boxes and other moving items in the retail area.

City Planner Croad asked that the retail and office areas be shown on the plan on the first floor and show a schedule of phases of construction.

Commissioner Willis inquired about the grade changes on site.

Commissioner Griffis asked how many square feet per floor there was. Mr. Hudson noted 32,000sf. Commissioner Griffis noted he doesn't want to just see storage in this building and on site. This is meant for mixed use.

City Planner Croad asked if there was a study done to conform need of the assisted living facility.

City Planner Croad recommended postponement of this item to the July agenda to give the petitioner time to come back with plans showing mixed use in the existing building. Mr. Hudson was favorable to that.

There were no other comments, so Chair Dr. Stephens-Gunn called for a motion to postpone to a date certain of July 27. Motion to postpone PZRODD22-0002 to July 27, 2002, Regular Meeting by Commissioner Martin. 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 passed.

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

PZRODD22-0003 is a Rezoning Request to amend an existing Overlay Development District with Development Agreement of Southfield Road LLC, for 2.0 acres of land on property located at 30215 Southfield Road, Sidwell Parcel 2411-226-022, 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 a brief overview of the proposal noting this is an amendment to the existing EZ Mini ODD to allow for salon uses on site. He noted that in the original ODD salons were prohibited because of the amount of parking they need. The petitioner has shown they can meet the parking requirements with the proposal. He introduced Mr. Bill Bowman.

Mr. Bowman noted that he had found a quality tenant for the space left in his building, but the ODD Agreement doesn't allow it. The space is only about 900 square feet, and he can accommodate it with other uses without parking issues. He was happy to answer any questions the Commission may have.

Chair Dr. Stephens-Gunn noted this is a public hearing and opened to public hearing to anyone who wished to speak on the issue. Seeing none she closed the public hearing and opened the floor to the Commissioners.

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Commissioner Goodwin-Dye asked if this would allow other beauty shops in the space. City Planner Croad noted the agreement runs with the land, but we may want to limit the square footage to 1,000 and no more.

Commissioner Willis noted the space is 925sf. City Planner Croad noted we can cap at 1,000. Mr. Bowman noted that if wanted to increase the square footage he would have to come back to amend the ODD Agreement again.

Commissioner Griffis noted mixed use is good here.

City Planner Croad asked if there were any interior renderings of the space. He noted those may be beneficial for the Council.

Chair Dr. Stephens-Gunn though this was a good idea.

Seeing no other comments Chair Dr. Stephens-Gunn entertained a motion.

Motion for favorable recommendation of PZRODD22-0003 by Commissioner Bernoudy. Seconded by Commissioner Willis. Chair Dr. Stephens-Gunn stated all those in favor say Aye. There were 7 Ayes. Those against say Nay. There were no Nays. Motion passes.

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

PZTA22-0002 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 a new Section 5.22-3-2 Mixed Use Corridor District (MUCD) to the Zoning Ordinance to allow properties eligible for MUCD to be developed under more flexible standards, and any other amendments that may become necessary as needed for the above and the City of Southfield.

The intent of this District is to authorize the use of Mixed Use Corridor District (MUCD) regulations for the purposes of: encouraging the use of land in accordance with its character and adaptability; to act as a buffer between adjoining non-residential and residential areas, and to ensure that new development is compatible in use, scale, and design with the transitional function of the District; permit moderate-density, multiple-family (middle housing) residential uses, along with small-scale commercial uses and mixed-use developments that will primarily serve the day-to-day needs of residents in nearby neighborhoods and residential complexes; and encourages innovation in land use planning; providing enhanced housing, employment, walkability, traffic circulation and recreational opportunities for the residents of Southfield; ensuring compatibility of design and use between neighboring properties; and, encouraging development that is consistent with *Sustainable Southfield*.

Planner Spence gave a brief overview of the proposed text amendment noting this is similar to the ODD and RUDD ordinance that allow for more flexibility in development.

City Planner Croad noted he is excited about this opportunity for adaptive reuse of buildings along the Twelve Mile, Ten Mile and Nine Mile corridors.

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Chair Dr. Stephens-Gunn noted this was a public hearing and opened to the meeting to anyone who wished to comment on this proposal. Seeing no one, she closed the public hearing and opened the floor to the Commissioners.

Commissioner Huntington felt this proposal would put us on a level playing field with other communities.

Commissioner Willis asked if there could be deed restriction? It was noted that those could be placed by a management company or HOA.

Commissioner Griffis liked the flexibility this offered and allowed various uses under one roof.

Commissioner Bernoudy noted she is excited about this.

Commissioner Goodwin-Dye asked if there would be a limit on uses. City Planner Croad noted that each development will decide ultimate use of the property. He didn't want to place too many restrictions.

There were no other comments, so Chair Dr. Stephens-Gunn called for a motion.

Motion for Favorable Recommendation of PZTA22-0002 by Commissioner Griffis. Seconded by Commissioner Huntington. Chair Dr. Stephens-Gunn stated all those in favor say Aye. There were 7 Ayes. All those against say Nay. There were no Nays. Motion passes.

Chair Dr. Stephens-Gunn called for the next item which was Minutes.

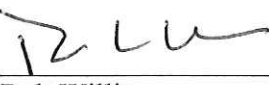
Motion by Commissioner Martin for Approval of the Minutes for May 11, 2022, Study Meeting and May 25, 2022, Regular Meeting. Seconded by Commissioner Bernoudy. Chair Dr. Stephens-Gunn stated all in favor say Aye. 7 Ayes were heard. Not in favor say Nay. There were no Nays. Motion passes 7-0.

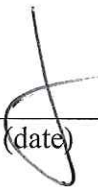
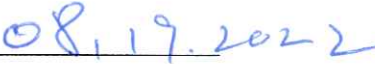
Chair Dr. Stephens-Gunn opened the floor to the Public for Public Comment. No one stepped forward so Chair Dr. Stephens-Gunn closed the Public Comment portion of the meeting.

Chair Dr. Stephens-Gunn asked if there were any Miscellaneous Items. Planner Spence noted that we do have some postponed items for the July agenda. He also provided a follow up on the Mapletree Apartments project regarding the sidewalk.

Planner Spence noted that the next meeting of the Planning Commission was set for July 13, 2022.

There were no other items for discussion. The meeting was adjourned at 9:08pm.


Rob Willis
Secretary/js

 (date) 

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