

1 CITY OF SOUTHFIELD
2 REGULAR MEETING OF THE PLANNING COMMISSION
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5 The PLANNING COMMISSION MEETING,
6 Taken at 26000 Evergreen Road,
7 Southfield, Michigan,
8 Commencing at 6:32 p.m.,
9 Wednesday, June 26, 2019,
10 Before Earlene Poole-Frazier, CSR-2893.

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1 COMMISSIONERS:

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3 DONALD CULPEPPER, Commissioner

4 JEREMY GRIFFIS, Secretary

5 STEVEN HUNTINGTON, Chair

6 JACQUETTA MIAH, Vice Chair

7 ROBERT WILLIS, Commissioner

8 ANTHONY MARTIN, Commissioner

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10 Jeff Spence, Planning Department

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1 Southfield, Michigan

2 Wednesday, June 26, 2019

3 6:32 p.m.

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5 MR. HUNTINGTON: I'd like to call this
6 meeting to order. Would you please stand for the
7 Pledge of Allegiance?

8 (Pledge of Allegiance recited at 6:32 p.m.)

9 MR. HUNTINGTON: Roll call, please.

10 MR. SPENCE: Mr. Culpepper?

11 MR. CULPEPPER: Present.

12 MR. SPENCE: Dr. Denson is excused this
13 evening. Mr. Griffis?

14 MR. GRIFFIS: Here.

15 MR. SPENCE: Mr. Huntington?

16 MR. HUNTINGTON: Present.

17 MR. SPENCE: Mr. Martin?

18 MR. MARTIN: Present.

19 MR. SPENCE: Ms. Miah?

20 MS. MIAH: Present.

21 MR. SPENCE: And Mr. Willis?

22 MR. WILLIS: Here.

23 MR. SPENCE: Mr. Chairman, you have a quorum
24 to conduct business this evening.

25 MR. HUNTINGTON: Okay. Thank you. Can I

1 have a motion for approval of the agenda, please?

2 MR. WILLIS: I would move for a motion of
3 approval of minutes dated this day, June 26, 2019.

4 MS. MIAH: Second.

5 MR. HUNTINGTON: Okay. Moved by
6 Commissioner Willis, seconded by Commissioner Miah.
7 All in favor?

8 (All stated aye.)

9 MR. HUNTINGTON: Are there any announcements
10 or communications, Mr. Spence?

11 MR. SPENCE: There aren't any at the moment.
12 What I would like to do, if I may, before we move on,
13 is get the clipboard from the back of the room,
14 please.

15 MR. HUNTINGTON: Okay. I'd like to make a
16 statement here. The Southfield Planning Commission is
17 a seven member Board appointed by the Mayor with
18 approval by the City Council that acts in an advisory
19 capacity to Council to make recommendations on Text
20 Amendments to the Southfield Zoning Ordinance,
21 Rezoning Requests, Special Land Uses, Site Plan
22 reviews, the Southfield Master Plan, and Capital
23 Improvement Plan.

24 All study meetings and regular meetings are
25 open to the public in accordance with the Open Meeting

1 Act, PA 267 of 1976, and are held on Wednesday
2 evenings at 6:30.

3 The meeting agendas are posted Friday
4 evening before the next Wednesday meeting, and are
5 available for viewing at cityofsouthfield.com.

6 Copies of Plans, Text Amendments, the Master
7 Plan and the Capital Improvement Plan are available
8 for viewing at the Planning Department offices, and
9 current projects can be viewed using our online
10 interactive tool on the Planning Department's
11 homepage, Planning Department's Projects online.
12 Contact the Planning Department at 248-796-4150.
13 Again, 248-796-4150, with questions Monday through
14 Friday from 8:00 a.m. to five p.m.

15 First on the agenda we have Public Comment.
16 If there's anyone here who would like to a make a
17 comment of anything relevant to this Planning
18 Commission here, you would have three minutes to
19 speak.

20 MR. SPENCE: Yeah, Mr. Chairman, no one has
21 signed up for public comment on the sheet in the back,
22 so we can move on to the next item.

23 MR. HUNTINGTON: Okay. I'd like to take
24 this time to open up the public hearing. First on the
25 agenda is PSLU18-0007.

1 MR. SPENCE: Yeah, Mr. Chairman, we do have
2 a number of items here that are on the agenda that
3 actually staff is going to be seeking postponement on.

4 MR. HUNTINGTON: Okay.

5 MR. SPENCE: A number of these items weren't
6 ready to come before you for the month of June, so
7 we'd like to go through the process of postponing
8 these to next month. If I may, if I can go through
9 these one at a time, that way if there's anyone in the
10 public here for these items, then they will know to
11 come back in July.

12 The first one is the item that you just
13 noted, PSLU18-0007. This is the Special Use Request
14 for the property on the corner of Eight Mile and
15 Lahser Road, the northwest corner. I did finally
16 receive some plans from them. I did send them back
17 for some revisions, so they are not ready. Based
18 on -- I could request postponement to a date certain
19 in July, but I don't know if they'll be ready. It
20 took almost a month for me to get the plans back. So
21 I kind of leave it up to the Commission as to whether
22 you want to postpone it to a date certain, instead of
23 kind of leaving it hanging out there and having to
24 come back to you asking for a postponement.

25 MR. HUNTINGTON: Okay.

1 MR. SPENCE: So that would be the first
2 item.

3 MR. CULPEPPER: To the Chair?

4 MR. HUNTINGTON: Commissioner Culpepper?

5 MR. CULPEPPER: I so move that the
6 PSLU18-0007 be postponed to a date certain.

7 MS. MIAH: Second.

8 MR. SPENCE: If I may, through the Chair, to
9 a date certain or to a date not certain?

10 MR. CULPEPPER: I'm sorry. To a date not
11 certain, since we don't know if that information will
12 be in to you by July. To a date not certain, and
13 we'll establish that once the Planning Department lets
14 us know. Thank you.

15 MS. MIAH: Second.

16 MR. HUNTINGTON: Okay. It was moved by
17 Commissioner Culpepper, seconded by Commissioner Miah.
18 All in favor?

19 (All stated aye.)

20 MR. HUNTINGTON: Okay. So that will be
21 postponed to a date uncertain.

22 MR. SPENCE: Okay. Thank you. Next item,
23 PZR19-0004, this is the Rezoning Request of Andrew
24 Moiseev for a rezoning request on the corner of
25 Northwestern Highway and Ten Mile Road. Staff would

1 like to request a postponement to your next meeting,
2 which would be July 31st.

3 MS. MIAH: To the Chair?

4 MR. HUNTINGTON: Commissioner Miah?

5 MS. MIAH: Yes, I would like to make a
6 motion that we postpone to a date certain PZR19-0004,
7 date certain of July 31st.

8 MR. HUNTINGTON: Okay.

9 MR. CULPEPPER: Second.

10 MR. HUNTINGTON: Okay. So it's been moved
11 by Commissioner Miah, seconded by Commissioner
12 Culpepper to the date of July 21st. All in favor --

13 MR. SPENCE: If I may, through the Chair,
14 July 31st.

15 MR. HUNTINGTON: To July 31st. All in
16 favor?

17 (All stated aye.)

18 MR. HUNTINGTON: Okay. So that moves on to
19 the postponement of July 31st.

20 MR. SPENCE: Next item, PSLU19-0006, this is
21 a Special Use Request for residential structures to be
22 used for non-residential purposes on Twelve Mile Road
23 and Glasgow. Staff, again, is requesting a
24 postponement to a date certain, that being July 31st.

25 MS. MIAH: To the Chair?

1 MR. HUNTINGTON: Commissioner Miah?

2 MS. MIAH: Yes, I'd like to make a motion
3 that we postpone PSLU19-0006 to a date certain, which
4 is July 31st, 2019.

5 MR. HUNTINGTON: Okay.

6 MR. CULPEPPER: Second.

7 MR. HUNTINGTON: It's been moved by
8 Commissioner Miah, seconded by Commissioner Culpepper
9 to July 31st. All in favor?

10 (All stated aye.)

11 MR. HUNTINGTON: Okay. So that moves
12 forward to July 31st.

13 MR. SPENCE: Mr. Chairman, on your second
14 page, under Site Plans, PSP19-0009, again, this is
15 property at 28000 East Eight Mile Road. Again, staff
16 would recommend, since on the special use portion you
17 recommended postponement to no date certain, we would
18 recommend the same for PSP18-0009.

19 MR. MARTIN: Mr. Chairman?

20 MR. HUNTINGTON: Commissioner Martin?

21 MR. MARTIN: I'd like to make a motion that
22 we delay to a date not certain PSP18-0009.

23 MS. MIAH: Second.

24 MR. HUNTINGTON: It's been moved by
25 Commissioner Martin, seconded by Commissioner Miah to

1 postpone to a date uncertain. All in favor?

2 (All stated aye.)

3 MR. HUNTINGTON: Okay. So that moves
4 forward to a date uncertain.

5 MR. SPENCE: PSP19-0004. Again, this is the
6 site plan for the properties on Ten Mile and
7 Northwestern. Staff requests a postponement to a date
8 certain, that being your July 31st meeting.

9 MR. HUNTINGTON: Okay.

10 MS. MIAH: To the Chair?

11 MR. HUNTINGTON: Commissioner Miah?

12 MS. MIAH: I'd like to make a motion that we
13 postpone PSP19-0004 to a date certain, July 31st,
14 2019.

15 MR. CULPEPPER: Second.

16 MR. HUNTINGTON: Okay. It's been moved by
17 Commissioner Miah, seconded by Commissioner Culpepper
18 postponed to July 31st. All in favor?

19 (All stated aye.)

20 MR. HUNTINGTON: Okay. We move forward to
21 July 31st on that item.

22 MR. SPENCE: And finally, PSP19-0005, the
23 Site Plan Request for the properties on Twelve Mile
24 and Glasgow, the staff is recommending postponement to
25 a date certain, that being your July 31st meeting.

1 MR. HUNTINGTON: Can I have motion?

2 MR. WILLIS: I would move that we move
3 PSLU19-0005 to a date certain, that being July 31st.

4 MR. HUNTINGTON: Okay. Thank you.

5 MS. MIAH: Second.

6 MR. CULPEPPER: Okay. It's been moved by
7 Commissioner Willis, seconded by Commissioner Miah.
8 All in favor?

9 (All stated aye.)

10 MR. HUNTINGTON: Okay. So that will be
11 moved forward to July 31st.

12 MR. SPENCE: Okay. So, if I may, through
13 the Chair, to the public, if there was anyone here for
14 any of those particular items, they will be coming
15 back for study meeting on July 10th, and then to the
16 regular public meeting on July 31st.

17 MR. HUNTINGTON: Okay.

18 MR. SPENCE: So getting back to the public
19 hearings that we have before you.

20 MR. HUNTINGTON: Okay.

21 MR. SPENCE: So the first public hearing
22 this evening, PSLU-0003, this is the Special Use
23 Request of the Integrity Building Group to allow for
24 the construction of a 1,761 gross square foot addition
25 to the existing Mar Thoma Church, and expand the

1 existing parking lots, properties located at 24480 and
2 24518 Lahser Road.

3 The properties themselves, you can see on
4 the screens, on the east side of Lahser Road, just
5 south of Ten Mile Road, is basically directly across
6 the street from our fire station headquarters. This
7 is a blow-up view of the property. The church itself
8 is on the property to the north, and there is an
9 existing house vacant on the property. The church
10 does own both properties. And the proposal would be,
11 if I may, OS, Office Service, on the north;
12 residential on the south.

13 This is a copy of the proposed
14 administrative site plan. So they're looking to
15 expand the church. You can see that expansion under
16 phase one at the top of the slide on the right-hand
17 side. Because of the expansion of the church, it does
18 require more parking to be established on site. You
19 can see from, and I'll go back to the aerial, that
20 basically they're parked out for the existing site as
21 it stands today. So they were looking, because they
22 did own property to the south, of expanding the
23 parking lot to the south onto the residential
24 property. That's indicated, as you can see, on phase
25 one at the bottom of the slide.

1 That necessitated the need for a special
2 land use. In residential, we do allow religious uses;
3 however, it is a special land use within the Single
4 Family Residential Zoning District. So that is why
5 the petitioner is here before you this evening. It's
6 not for approval of the expansion of the building for
7 the square footage. It's not for the approval of the
8 parking, as it's shown on the site plan. Basically,
9 the Planning Commission is here this evening to say
10 yay or nay to allowing the special land use to
11 continue within the residential zoning portion.

12 Closeup of the proposal for the expansion.
13 You can see what the expansion is looking like. I'm
14 showing you this, just because it is part of an
15 administrative review, but we thought it would at
16 least be good for the Planning Commission to see what
17 the proposal was. So this is the proposed addition
18 looking north, proposed addition looking south, and
19 then straight on.

20 So that is the proposal that is before you
21 this evening, special land use to allow expansion of
22 the parking area into the residential zoning for
23 religious type use.

24 I do see the petitioner is here in force
25 this evening, so I'd at least give them the

1 opportunity to explain the project further.

2 MR. HUNTINGTON: Okay. Can you please come
3 forward to the microphone please and state your name
4 and address for the record?

5 MR. DAVID: Thompson David, I'm living in
6 Livonia, 31787 Clarita Street, Livonia, Michigan.
7 Just wanted to say I want to thank you for this
8 opportunity. We moved to Southfield in 2000, that's
9 the time we bought the property and we added the
10 church in the existing form. And then in 2010, when
11 the property next to our church came available, we
12 bought that property. So now, since the parish has
13 grown, we wanted to get additional parking. We had a
14 little more bigger plan, but right now our finance
15 don't allow us to do more additional buildings, but we
16 have a plan for that in the future. But right now
17 we're asking to expanding the sanctuary area to
18 accommodate a few more, about seven pews, about 130
19 folks to sit inside, and then we're going to add
20 additional parking that you see on the plan out there.

21 MR. HUNTINGTON: This is a public hearing.
22 If anyone from the public would like to speak on this
23 matter, you can step forward. You have three minutes
24 to speak.

25 MR. WALKER: Hello, thank you. My name is

1 Brian Walker. I'm a resident just to the east of the
2 church at 24565 Lois Lane, here in Southfield. And I
3 did send in a letter to the Planning Committee as
4 well. My only concern with the property is that I
5 have had a drainage issue in my backyard since the
6 construction of the original property, and we've -- I
7 spoke with Leigh Schultz in the engineering department
8 to try to resolve that. I think she's worked directly
9 with members of the church to come up with a solution,
10 but we've been unsuccessful in getting something
11 that's mutually agreeable. And so my request is
12 simply to have some part of the plan, as it goes
13 forward, account for allowing the water that, before
14 the construction of this property, was able to
15 naturally drain to the west to have some path.

16 Right now the rear of my property,
17 especially in the rainy season, as we had this spring,
18 with the snow melting and the water from the rain on
19 top of that, it was enough a rain for a family of
20 ducks that regularly live there, I put on my waders to
21 take my pump out back and to pump the water in some
22 direction. So I'm just looking for some solution to
23 this issue so that I can go back to having full use of
24 my backyard. Thank you.

25 MR. HUNTINGTON: Okay. Thank you. Your

1 concern will be noted. Anyone else?

2 MR. MARTIN: Mr. Chair, I have a question.

3 MR. HUNTINGTON: Yes. Can you step back
4 forward, please. We have a question for you.
5 Commissioner Martin?

6 MR. MARTIN: You said you are to the east of
7 the church grounds?

8 MR. WALKER: Correct.

9 MR. MARTIN: On north end, south end? What
10 I'm looking at is that, in the drawing top right,
11 where it says phase one, are you closer to that area?

12 MR. WALKER: Yes, I am close to phase one.

13 MR. MARTIN: Okay. The reason being, for
14 construction, I wondered if, you know, there's the
15 possibility of a drainage solution in that. But if
16 they're not really doing any construction, it makes it
17 kind of a moot point on that.

18 MR. WALKER: True. I think my point has
19 been that in the past, in trying to work through the
20 engineering department, there was a solution proposed
21 to hook up to their catch basin, I think is the right
22 term, and there was not leverage. There was not
23 willingness on the church to partake in that offer
24 from the City to do that free of charge to the church
25 or to myself to correct the issue. And there was no

1 ability to apply leverage, you know, to enforce it.
2 So from talking to Leigh Schultz continually over the
3 years, she mentioned that this was a -- that this was
4 coming up, and that this was a potential time to bring
5 a resolution to that and have a letter necessary in
6 the approval phase to include this in the plan. All
7 right.

8 MR. HUNTINGTON: Okay. Thank you. Anyone
9 else from the public, please?

10 Okay. I declare the public portion closed.

11 MR. SPENCE: If I may, to the Chair, I do
12 have a letter, and I was going to read it into the
13 record, but now that Mr. Walker is here, I will at
14 least make it part of the packet.

15 MR. HUNTINGTON: Okay. Thank you.
16 Commissioners, any questions, concerns about this
17 project, relating to special land use?

18 MR. CULPEPPER: To the Chair?

19 MR. HUNTINGTON: Commissioner Culpepper?

20 MR. CULPEPPER: When this first came before
21 us in our study session, I said that I was grateful
22 and thankful that the church had decided to do
23 something for their parishioners by allowing them to
24 have additional parking, which I think is admirable.
25 This issue that's come up tonight about water

1 draining, and I would assume he's directing this
2 drainage from your property onto his property is
3 something I don't -- I think this Commission wasn't
4 aware of, nor was the Planning Department, because we
5 would have brought this up at one of our meetings.

6 So I guess I have a few questions. But,
7 first of all, let me say that I approve of the special
8 land use, based on the seven factors that's listed in
9 our special land use. You do meet all of the
10 qualifications. The proper use of this property is in
11 size and character and the harmony with the proper
12 order, because you already have a church, you're just
13 doing space. The location, size and intensity won't
14 hurt. The proposed use is in accord with the spirit
15 and chapter of the church, and it does not do any harm
16 or detriment to the area. So you do meet the
17 standards of the special land use. So on that basis,
18 I am for it.

19 But I do have some questions, and, I guess,
20 to Jeff, about if you have gone to the department
21 about the possibility of water going into your area,
22 based on what we approved here, I would like some
23 clarification on what we plan on doing about that.
24 Thank you, Chair.

25 MR. SPENCE: If I may, through the Chair.

1 So the original plan, the site plan for the original
2 church was done as a straight permitted use in OS,
3 Office Service. So walls were required to be
4 installed in accordance with the zoning ordinance,
5 screened walls required along the property lines. As
6 part of that, the church themselves cannot drain water
7 onto adjacent properties, which meant that it had to
8 be sloped in a way in which there would be no drainage
9 onto the residential properties, north, south, east,
10 west, to any property.

11 It does sound like there has been some reach
12 out to the church, and it's maybe a question to the
13 church as to whether or not they might be willing to
14 continue to look at the possibility of working with
15 this property owner to try and resolve that issue.
16 But for this particular project that's before you this
17 evening, this area that they're seeking special use
18 for is considerably farther south and really had
19 nothing to do with the original project. But, again,
20 personally, I think it would be nice to work together
21 between the property owner and the church to see if
22 they can resolve it.

23 MR. CULPEPPER: Thank you, Jeff.

24 MR. HUNTINGTON: Thank you, Commissioner
25 Culpepper. Anyone else?

1 MS. MIAH: Yes.

2 MR. HUNTINGTON: Commissioner Miah?

3 MS. MIAH: Through the Chair, I think it
4 makes sense to allow the site plan to go through or
5 the special use, due that the property is there and
6 they need the extra space for parking. I think it
7 makes sense. But could you please work with -- before
8 we can approve it, I hope there's some type of
9 resolution as Mr. -- as Commissioner Culpepper says, I
10 hope there's some type of resolution where you can
11 work with the neighbor so that there's no water
12 drainage on his property before, you know, before this
13 goes through, please, if you could work together on
14 this, that would be great, because I think this makes
15 sense.

16 MR. HUNTINGTON: Okay. I just want to say,
17 too, I think I'm in agreement with Commissioner
18 Culpepper and Commissioner Miah. I think it does fit
19 in well with our special land use standards. It
20 doesn't create any problem because of location, size
21 and intensity or periods of operation. So I think
22 it's a good project for the location. The church is
23 doing well now. It's good to see you guys growing and
24 trying to do better and, you know, we're behind you.

25 Do I have a motion? Oh, let me take the

1 recommendation from the Planning Commission --
2 Planning Department.

3 MR. SPENCE: Yes. Thank you. With regard
4 to PSLU19-0003, the Planning Department does recommend
5 favorable recommendation of the Special Use Request of
6 Integrity Building Group to allow for the expansion of
7 parking related to religious use onto residentially
8 zoned property located 24480 and 24581 Lahser Road for
9 the following reasons and conditions:

10 Subject to approval of PSP19-0019 for the
11 new church and parking lot expansion. Submitted
12 special use with any conditions recommended by the
13 Planning Department and Planning Commission will be of
14 such size and character and will be in harmony with
15 the appropriate and orderly development in the R-2,
16 Family Residential Zoning District.

17 Location, size, intensity, and periods of
18 operation of the proposed use is designed to eliminate
19 any possible nuisance likely to emanate therefrom
20 which might be adverse to the occupants of nearby
21 permitted uses.

22 Permitted use is in accord with the spirit
23 and purpose of the chapter and is not inconsistent
24 with, or contrary to, the objective sought to be
25 accomplished by this chapter and principles of sound

1 planning.

2 The proposed use is of such character that
3 vehicular traffic generated will not have an adverse
4 effect, or be detrimental to the surrounding land uses
5 or adjacent thoroughfare.

6 The proposed use is of such character and
7 intensity and arranged on the site so as to eliminate
8 any adverse effects from noise, dirt, glare, odor, or
9 fumes.

10 The proposed use will not be adverse to the
11 promotion of the health, safety, and welfare of the
12 community. And the proposed use is designed and
13 operated so as to provide safety and security to
14 employees in the general public. Thank you.

15 MR. HUNTINGTON: Okay. Thank you. Can I
16 have a motion, please? Mr. Martin?

17 MR. MARTIN: Through the Chair, I'd like to
18 make a motion that PSLU19-0003 Special Use Request be
19 approved.

20 MS. MIAH: Second.

21 MR. HUNTINGTON: Okay. I have a motion for
22 favorable consideration from Commissioner Martin,
23 seconded by Commissioner Miah. All in favor?

24 (Five stated aye.)

25 MR. WILLIS: Through the Chair, there's

1 going to be one abstention. I was not at the study
2 session and do not have enough information. So I will
3 abstain from this vote.

4 (Mr. Willis abstained.)

5 MR. HUNTINGTON: Okay. Thank you.

6 Commissioner Willis will abstain from it.

7 MR. CULPEPPER: To the Chair?

8 MR. HUNTINGTON: Commissioner Culpepper?

9 MR. CULPEPPER: Jeff, this is just a
10 question. Again, as we said, we do approve of it. Is
11 it within our scope, don't want to make this a
12 condition, is it within our scope to ask that the
13 church do get in contact with the neighbor and try to
14 be as -- work as well as you can. You're not
15 obligated to do anything, based on what we see here,
16 but in the good spirit of being a good neighbor, it's
17 just a suggestion you would talk to your neighbor and
18 work out whatever you can, based on what we see.
19 That's just being a good neighbor, it's not a
20 condition of your approval or anything, but it's just
21 a suggestion. Thank you, Chair. Thank you, Jeff.

22 MR. HUNTINGTON: Okay. So this item moves
23 forward. It passes. Thank you, good luck to you.

24 Next on the agenda we have PSLU19-0005.

25 MR. SPENCE: Yes, thank you, Mr. Chairman.

1 This particular item I can go through those. So
2 PSLU19-0005 is a Special Use Request of Michael
3 Eisemann, for the property located at 21348 Telegraph
4 Road. The property is located on the east side of
5 Telegraph between Eight and Nine Mile Road. The
6 proposed special use is to allow the use of the
7 existing building for general or professional office
8 use, not related to an industrial or manufacturing
9 operation.

10 Generally, what that means, he wants to use
11 it for straight office use, not related to a stamping
12 plant or any other kind of use like that, just general
13 use on the property only.

14 This is a blowup of the property itself.
15 You see a relatively small property. It's a two-story
16 office building facing Telegraph Road, and then
17 there's a garage slash shed on the east side of the
18 property as well. Directly to the south of the
19 property, and you can see the blue represents the
20 property line, there is another driveway. Let me kind
21 of go out a little bit. You can see another driveway,
22 property directly to the south. That is a driveway
23 that does not serve the property in question. They do
24 have an easement on that property. I do have copies
25 of that as well. So there's no issue with cross

1 access across the properties there.

2 This particular property has been used as
3 straight office for a lot of years. It's been a
4 construction office. They haven't done any
5 manufacturing on the property, but they have had a
6 construction business on the property that did have
7 equipment and house other materials on the inside of
8 the garage directly to the east.

9 So, technically, it's been used for the use
10 in which they're going before the Planning Commission
11 this evening. Just for straight office, it just does
12 not have a special land use attached to it all these
13 years.

14 Existing conditions of the property. It is
15 industrially zoned technology corridor subarea for
16 Telegraph Road. This isn't the most recent site plan.
17 I got that today. But it's quite similar to what's on
18 the screen here. Again, what the Planning Commission
19 is looking to do this evening is just approve the
20 special land use portion. We will handle the site
21 plan administratively within the I-1, Industrial
22 District. The Council does not have site plan review
23 authority and approval, that is left with staff. So
24 staff is currently reviewing the administrative site
25 plan on this.

1 So this represents the plan that they have
2 submitted to us with the pedestrian connections, the
3 bike racks, the parking, the dumpster enclosures and
4 so on.

5 Elevation of the building. They would like
6 to, I know, get working on the building as soon as
7 possible. They've been trying to make amends to the
8 property and make it look nice already. There's some
9 things that they just can't do, however, until they
10 actually get all their approvals from the City
11 Council. But this is a rendering of what they hope
12 the building to look like once it's finished, and
13 these are all the side elevations on the north and on
14 the south.

15 So I do know petitioner is here, and I'd
16 like to give him an opportunity to at least explain
17 his project, and we can go from there.

18 MR. HUNTINGTON: Okay. Can I have the
19 petitioner step forward, please. State your name and
20 address for the record, give us a brief overview of
21 your project.

22 MR. EISEMANN: Good evening, Commissioners.
23 My name is Michael Eisemann. I live at 2602 Marlow
24 Place in Oak Park. My partner.

25 MR. PITTERS: Michael Pitters, I live in

1 Chesterfield, Hagen Road.

2 MR. EISEMANN: The building at 21348
3 Telegraph, as I mentioned last time I stood before
4 you, was originally built as offices by a construction
5 company called Fairway Construction. The last couple
6 of years it sat vacant because of the difficulties
7 related to its zoning and people's inability to move
8 in.

9 We operate and own, manage apartment
10 complexes in the City of Detroit. We specialize in
11 rehabbing and repositioning troubled properties. And
12 most of our properties are on the Telegraph corridor.
13 And we were looking for an office space just outside
14 the city which would allow us to have our staff come
15 in and work and to be able to access the properties,
16 for us to be able to have bankers and mortgage
17 companies come and visit us, and we were looking for a
18 property that we could be proud of and make
19 appropriate for our needs.

20 We only need about 1500 square feet. The
21 building's about 8,000 square feet. Our intention is
22 to immediately improve the exterior of the building.
23 The landscaping over the years has become jungle like.
24 The exterior of the building is suffering, and this
25 will be our world headquarters or our headquarters,

1 and we want to take pride in the building and bring it
2 back to what it looked like many years ago, and we're
3 asking for the special use in that regard.

4 MR. HUNTINGTON: Okay. Thank you. This is
5 a public hearing. If there's anyone from the public
6 that would like to speak, the public hearing is open.

7 Seeing none, I close the public hearing, and
8 I would like to speak to the Commissioners.

9 MS. MIAH: To the Chair?

10 MR. HUNTINGTON: Commissioner Miah?

11 MS. MIAH: Looking at your plans here, I
12 really -- I really like the renderings. The building
13 is esthetically pleasing. I think it will enhance the
14 area. Thank you for picking up the building and
15 helping to beautify the City of Southfield. Thank
16 you.

17 MR. HUNTINGTON: Commissioner Griffis?

18 MR. GRIFFIS: Yeah, I have no problem with
19 an office use in an industrial district. It's less
20 intense than anything, any industrial use. And all
21 the improvements you're doing make it look nice. It's
22 going to make a lot of sense. I almost wish this
23 process could be handled administratively. I say this
24 every time someone buys a building and realizes
25 there's more steps to go through for approval. So it

1 sounds like you're doing the right thing now, and I'm
2 in favor of approving this project and, hopefully,
3 streamlining this same event in the future for other
4 investors in this area.

5 MR. HUNTINGTON: Okay.

6 MR. CULPEPPER: To the Chair?

7 MR. HUNTINGTON: Commissioner Culpepper?

8 MR. CULPEPPER: Mike, as I said in the study
9 meeting, thank you for taking a building that has been
10 historically been vacant and deciding to do something
11 with it, I agree with what Commissioner Griffis said,
12 having that building in that area, I think that will
13 enhance it. Because what you've already began to do
14 is making it a better area. You do meet all the
15 special land use standards. And I think you can see,
16 and like Jeff said, the administrative stuff they can
17 handle, and I hope going forward that Griffis and I
18 keep pushing to get a lot of this stuff to come to us
19 to get rid of some of this red tape and have them do
20 it administratively. Because I understand you
21 definitely want to start doing something to that
22 building. And like Ms. Miah said, I like the
23 elevation, I like what you're doing to it. I think
24 you're going to be a showcase there. So you have my
25 blessing. Thank you, Chair.

1 MR. HUNTINGTON: Okay. Thank you. I'm also
2 in favor of the special use request, although it's not
3 related to industrial or manufacturing operations.
4 However, the proposed use of change is not adverse to
5 the promotion of health, safety or the welfare of the
6 community. So, you know, you meet all the special
7 land use standards, and I think it will be great for
8 the City what you're doing. So good luck to you.

9 Do we have a recommendation from the City
10 Planner?

11 MR. SPENCE: Yes, thank you. With regard to
12 PSLU19-0005, the Special Use Request of Michael
13 Eisemann, the Planning Department does recommend
14 favorable consideration of the proposal to use the
15 existing building for general professional office use
16 not related to an industrial manufacturing operation,
17 property located 21348 Telegraph Road for the reasons
18 and conditions as follows:

19 Subject to approval of PSAP19-0026 for
20 improvements to the site. Submitted special use with
21 any conditions recommended by the Planning Department
22 and Planning Commission will be of such size and
23 character and will be in harmony with the appropriate
24 and orderly development of the I-1, Industrial
25 District.

1 Location, size, intensity, and periods of
2 operation of the proposed use is designed to eliminate
3 any possible nuisance likely to emanate therefrom
4 which might be adverse to the occupants of any nearby
5 permitted uses.

6 The proposed use is in accord with the
7 spirit and purpose of the chapter and is not
8 inconsistent with, or contrary to, the objectives
9 sought to be accomplished by this chapter and the
10 principles of sound planning.

11 The proposed use is of such character that
12 the vehicular traffic generated will not have an
13 adverse effect, or be detrimental, to the surrounding
14 land uses or adjacent thoroughfares.

15 The proposed use is of such character and
16 intensity and arranged on the site so as to eliminate
17 any adverse effects resulting from noise, dust, dirt,
18 glare, odor, or fumes.

19 The proposed use will not be adverse to the
20 promotion of the health, safety, and welfare of the
21 community. And the proposed use is designed and
22 operated so as to provide security and safety to
23 employees and the general public.

24 MR. HUNTINGTON: Okay. Commissioners, can I
25 have a motion, please?

1 MR. GRIFFIS: To the Chair?

2 MR. HUNTINGTON: Commissioner Griffis?

3 MR. GRIFFIS: I'd like to move for a
4 favorable recommendation of PSLU19-0005.

5 MR. CULPEPPER: Second.

6 MS. MIAH: Second.

7 MR. HUNTINGTON: Okay. It's been moved by
8 Commissioner Griffis, seconded by Commissioner Miah.
9 All in favor?

10 (Five stated aye.)

11 MR. HUNTINGTON: Any opposed? So that
12 passes --

13 MR. WILLIS: Through the Chair, one
14 abstention for the same reason I stated before I was
15 not at the required meeting.

16 (Mr. Willis abstained.)

17 MR. HUNTINGTON: Okay. Again, Mr. Willis is
18 not voting on this issue. Okay. Thank you. Okay.
19 So it moves forward. Thank you. Good luck to you.

20 MR. CULPEPPER: Good luck, Mike. Good job.

21 MR. HUNTINGTON: Next on the agenda we have
22 PZTA19-0001.

23 MR. SPENCE: Yes, thank you, Mr. Chairman.
24 So this is a Zoning Ordinance Text Amendment related
25 to Sexually Oriented Businesses in the City. As you

1 recall, we've been kind of working on this for
2 sometime. It was generated as a result of a request
3 for a particular use in the City, and we felt it
4 necessary to move forward to put together guidelines
5 and regulations for these types of businesses within
6 the City.

7 I will say that we actually already, within
8 the Zoning Ordinance, Article 4, which is our General
9 Provisions in Section 5.50, we do already have some
10 regulations as they relate to adult retail stores,
11 adult motion picture theaters and cabaret controls.
12 So those were the only items that we allowed within
13 the Zoning Ordinance within the City. They were
14 subject to just B-3 and I-1, Industrial zones only.
15 So General Business in I-1 only. Because they were in
16 the general provision section, Article 4, most people
17 probably didn't even know it was even there. When you
18 look at the B-3, General Business, and the I-1,
19 Industrial, these particular uses aren't even
20 mentioned as permitted or special uses within the
21 district.

22 So what we are looking to do with these
23 particular regulations is to move the information from
24 Article 4 to the B-3, General Business, and the I-1,
25 Industrial, under each one of those, noting that these

1 particular uses are allowed as special uses within
2 those districts. That cleans it up. That way when
3 someone goes to the B-3 or the I-1, they can see that
4 those are special uses within that particular district
5 instead of looking within the general provisions.

6 We are also looking to amend the
7 definitions, based upon new licensing requirements
8 that the city attorney is working on. So there are
9 various definitions in Article 2, that is in your
10 packet as well this evening, that deal with the
11 various definitions of adult arcades, what an adult
12 booth is, adult cabaret, an adult motel. So these
13 various definitions are -- will be added to our
14 Article 2 throughout. The reason we're doing that is
15 to make it apportioned and link up with the licensing
16 requirements. There are some terms of what a person
17 is or what an establishment is or what an operator is
18 that we needed to define, because the licensing
19 ordinance would state those particular uses or those
20 particular people within the licensing ordinance
21 itself. So we wanted to make sure that we covered all
22 the bases with regard to the types of uses, sexually
23 oriented businesses, as well as employee
24 establishments and so on.

25 Under the Section S, we do deal with sexual

1 encounter centers. And the definition is there as to
2 what a sexual encounter center is. I won't go through
3 the entire definition, but basically what we are
4 looking to do is prohibit that particular use within
5 the City entirely. We will allow certain uses, but
6 this one in particular we felt that we would like to
7 prohibit from the City entirely. So that is noted
8 within the definition that that use is prohibited in
9 all zoning sections of the City.

10 Going back to that section of General
11 Provisions of 5.50, we are going to change the title
12 of that particular section from adult retail and so on
13 to sexually oriented businesses, and then add purpose
14 and intent, add sections on findings; in this case,
15 adverse secondary effects to those types of uses.

16 Area requirements: In this case, a thousand
17 foot minimum setback from residential districts,
18 regulated adult uses, schools, churches, child care
19 facilities, and parks. We would also look at
20 regulating distance from any pawn shop, alternative
21 financial institution, medical marijuana facility, or
22 other sexually oriented business to 1500 feet.

23 Parking requirements would be as set up by
24 Article 4, Section 5.30, which is our off-street
25 parking requirements. And we would also deal with

1 signage that would have to be posted that basically
2 states that persons under the age of 18 are not
3 permitted. And that no alcoholic beverages would be
4 permitted as well.

5 So, again, what we're looking to do is to,
6 again, regulate the particular businesses in B-3,
7 General Business, and I-1, Industrial, as I noted
8 earlier, and move that section from General Business
9 over to B-3 and I-1.

10 MR. HUNTINGTON: Okay. Thank you. This is
11 a public hearing. If there's anyone from the public
12 that would like to speak, please come forward.

13 Seeing none, I declare the public hearing
14 closed. And I would like to bring it to the
15 Commissioners, any questions, concerns?

16 MR. MARTIN: Question?

17 MR. HUNTINGTON: Commissioner Willis? I
18 mean, Martin.

19 MR. MARTIN: In the information we were
20 initially given, I'd like to go over to the classified
21 uses, Section C, where it breaks down the businesses,
22 subject, controls, classified use. At the end of the
23 list it has SDB. What is SDB? That's a section where
24 it has adult book store, adult booth, novelty store,
25 video, cabaret, motel, motion picture theater, that

1 information. That was in the document.

2 MR. SPENCE: In that case, that was the
3 sextal brothel.

4 MR. CULPEPPER: What?

5 MR. SPENCE: Sextal brothel. And that is,
6 basically, included under the section that I said
7 would be prohibited. We would not use those types of
8 uses in the City at all.

9 MR. HUNTINGTON: Okay. All set?

10 MR. MARTIN: No. I've got a ton of
11 questions.

12 MR. HUNTINGTON: Okay.

13 MR. MARTIN: I'm sorry. In the section,
14 prohibited against children and sexually oriented
15 businesses, mine is a little bit out of order from the
16 way it was presented, because I had to convert from
17 Adobe to Word. It's after establishment, the
18 prohibition against children and sexually oriented
19 business. It shall be unlawful for any person to
20 normally allow a person under the age of 18 on the
21 premise for any sexually oriented business.

22 I assume that that's considering the age of
23 majority for the State of Michigan, and that is set so
24 that it's in compliance with the State of Michigan?

25 MR. SPENCE: That is a question I would have

1 to ask the city attorney.

2 MR. MARTIN: Okay. And in the other area,
3 it talks about prohibition against alcohol and
4 sexually oriented businesses.

5 MR. SPENCE: Umm-hmm.

6 MR. MARTIN: Is that something that is
7 against the State of Michigan, because in a
8 gentleman's club you can have alcohol. So that's a
9 sexually -- so here again, we come up with are we
10 doing something that's contrary to what the State of
11 Michigan allows.

12 Going back to the licensing, licensing --
13 I'm sorry, not the licensing fee. Investigation.
14 After the City Clerk has received the completed
15 application, it should be forwarded to the following
16 City departments for review and investigation. It has
17 the police department, fire department, building and
18 planning.

19 In the, basically, what I would call the
20 preamble to the ordinance, it talks about public
21 health. But there's no public health inspection
22 included in any of the information. So they go
23 through so much detail talking about the health and
24 welfare of the citizens, but they don't have any
25 public health inspection included. So that seems to

1 be an omission that they need to include in there.
2 And during the -- they talk about inspection of the
3 premises, the business. It talks about being able to
4 inspect the facility during business hours, City
5 business hours. But I believe the police, fire, and
6 public health need to be able to inspect it at any
7 time unannounced, so that they know what's going on
8 not only during the business hours of the City, but
9 after hours. Because, you know, if you don't expect
10 anyone to come in from nine to five, it's easy to
11 change what you're doing at six. And that needs --
12 that gap needs to be filled. In the application --

13 MR. SPENCE: No, that's why we're doing
14 this, so.

15 MR. MARTIN: In the application, in the
16 individual applicant's -- it asks about concise
17 statement as the individual applicant's past
18 employment, whether the applicant is -- whether the
19 applicant's been convicted or is awaiting trial on
20 pending charges in violation of federal, state or
21 local law involving moral turpitude, dishonesty,
22 fraud, violence. Well, in another section it talks
23 about within the past five years, since the date of
24 conviction or from confinement, whichever is the
25 later, but it skips it in the investigation and in the

1 application requirements. I used to have to review
2 things in detail for a president, so I read between
3 the lines. And I think -- Commercial Establishment:
4 Any business location or place which conducts or
5 allows to be conducted on its premises any activity
6 for commercial gain. But in one area it talks about
7 broadcasting information on a cable system. Well, any
8 hotel or motel that has a cable hookup is going to be
9 able to stream information that would be considered
10 for sexually oriented business. So this isn't giving
11 any consideration to that, or it's not specifying
12 because, you know, if you have a cable-related system,
13 you can stream x-rated movies in it. Would that be
14 considered something that needs to be looked at or
15 clarified. And you thought I didn't talk, didn't you.

16 MR. HUNTINGTON: Take your time.

17 MR. MARTIN: Okay. I believe I covered all
18 my points with that. Yes. Thank you very much.

19 MR. HUNTINGTON: Okay. Thank you,
20 Commissioner Martin. Good information. Okay.

21 MR. MARTIN: I might not do it before the
22 meeting, but I do read what we get.

23 MR. HUNTINGTON: Okay. Commissioner Martin?
24 Commissioner Willis?

25 MR. WILLIS: Just one question. I'm kind of

1 picking this up today. It says it shall be unlawful.
2 Are we looking at punishing this under a criminal code
3 or a civil code? Unlawful, punishable by 90 days in
4 jail is way different than unlawful by subject to a
5 fine of \$5,000. Criminal could be both. So I was
6 just curious.

7 MR. SPENCE: If I may, through the Chair,
8 there has not been any discussion with the city
9 attorney as to which way we would go or which way they
10 would go on that.

11 MR. WILLIS: Okay.

12 MR. MARTIN: Excuse me, it does say \$500
13 fine and up to 90 days in jail.

14 MR. WILLIS: That would be criminal. Okay.
15 Any subject to jail would make it criminal. And just
16 to respond to one comment you made. All governments
17 are responsible for the public health, safety, and
18 welfare of its citizens. So whether it's implicit or
19 directly laid out in statute, it still becomes like
20 the generic responsibility. So the very first job of
21 government is health, safety and welfare of the
22 citizens.

23 MR. MARTIN: Okay. I understand.

24 MR. WILLIS: Okay.

25 MR. HUNTINGTON: All set?

1 MR. WILLIS: I'm all set.

2 MR. CULPEPPER: To the Chair?

3 MR. HUNTINGTON: Commissioner Culpepper?

4 MR. CULPEPPER: Thank you. Jeff, I'm a
5 hundred percent in accord with this Zoning Ordinance.
6 Again, some of us was here back when this originally
7 was spoken about some years ago. So I'll repeat
8 myself, I'm ecstatic how the Planning Department is
9 proactive in seeing stuff that may come to us and
10 putting things in place that we can regulate. So, to
11 my knowledge, there's nothing that said that these
12 brotherings or brothels or whatever would happen. But
13 in case it does, I like the idea we will have
14 something on the books and it will be regulated.

15 So, again, I can't say enough about the
16 vision that the Planning Department has and being so
17 proactive in making sure if something comes into the
18 City, however it is, we will designate where you go
19 and what you do. So, again, I'm a hundred percent in
20 favor of this. And thank you, Mr. Martin, for going
21 through reading some of the things that maybe need to
22 get cleared up. Like I said, I'm not sure about a lot
23 of stuff that I looked at and I think the attorney
24 needs to look at and clarify exactly what's going to
25 be done. So this is a rough draft. But I like being

1 proactive and letting people know once you come into
2 this City, you know, we're going to have rules and
3 regulations that you will follow. So, again, kudos to
4 the Planning Department. Thank you, Chair.

5 MR. HUNTINGTON: Okay. Thank you.
6 Commissioner Miah?

7 MS. MIAH: I concur with Commissioner
8 Culpepper. I'm very happy to see that the Planning
9 Commission is proactive instead of reactive and
10 waiting for something to occur before they decide to
11 even look at the situation and put things in place.
12 So I appreciate the proactive as opposed to being
13 reactive.

14 MR. HUNTINGTON: Commissioner Martin?

15 MR. MARTIN: I agree, I'm happy to see that
16 the City is taking the effort to finally put something
17 in order for this. I do have one concern in that,
18 basically, like in the purpose and findings for it,
19 they go through a lot of information, and they're
20 talking about information and studies that were done
21 in the '60s and the '70s and the '80s. Well, times
22 have changed, and they need to decide if some of the
23 information from those days, '60s, '70s, and '80s has
24 changed to the studies that they've done in the '90s
25 and the 2000s, and omit the old stuff and leave in the

1 new stuff, or specify what has changed in it. Because
2 they've got -- we don't know how -- we know times have
3 changed and morals have changed somewhat, but we don't
4 know if the information that they're presenting in
5 their purpose and findings is actually conforming or
6 contradicting what they're stating in all the other
7 things. Because, you know, you look at something they
8 have from 1968 versus something they have in the study
9 have from 2012, are they consistent or have there been
10 changes. And that was all. But here, again, I do
11 agree that it is nice to know that we are doing
12 proactive work, not reactive. Thank you very much.

13 MR. HUNTINGTON: Okay. Thank you,
14 Mr. Martin. You know, I think as morals continue to
15 decline, more people will take advantage of the profit
16 potential of these sexual oriented services. And it's
17 important that our Planning Department and the Zoning
18 Department regulate these type of businesses to
19 protect and to preserve the health, safety, and
20 welfare of the patrons of the business and also the
21 citizens in the community.

22 Commissioner Martin did bring up some very
23 valid points, and I think we need to really pay
24 attention to and, you know, really make some
25 corrections to. I consider this as a rough draft.

1 Changes will be necessary. I'm assuming we're ready
2 to move forward on it, but I think it's still work to
3 be done.

4 MR. SPENCE: If I may, through the Chair, I
5 appreciate that Mr. Martin did go through there with a
6 fine tooth comb and do appreciate the comments that he
7 made. I'd be happy to add a condition here to this
8 that, basically, this is subject to the clarification
9 of regulations, as noted by the Planning Commission,
10 by the city attorney, as we move forward, if that
11 satisfies the Commission.

12 MR. HUNTINGTON: That would definitely work.

13 MR. SPENCE: That we will seek answers to
14 the questions that have been asked and the items that
15 have been pointed out.

16 MR. MARTIN: Just as a point of information,
17 the document that I couldn't print today has all this
18 information in it, it's highlighted in red, so it's
19 easier to pick out in order of what we initially got.

20 MR. SPENCE: Yes.

21 MR. MARTIN: Thank you, again.

22 MR. HUNTINGTON: Okay. Can we have the
23 recommendation from the Planning Department?

24 MR. SPENCE: Thank you, Mr. Chairman. So
25 the Planning Department with regard to PZTA19-0001

1 does recommend favorable consideration of the draft
2 dated 6/26/19, for the following reasons: Proposed
3 Text Amendment will amend Title V, Zoning and
4 Planning, Chapter 45, Zoning, of the Code of the City
5 of Southfield by amending Article 4, General
6 Requirements, and add a new section entitled Sexually
7 Oriented Businesses, and other amendments as needed.

8 Text Amendments specifically address
9 definitions, prohibited conduct, prohibitions related
10 to children and alcohol, licensing requirements,
11 locations, hours of operation, area requirements and
12 other revisions that may be necessary for the City of
13 Southfield as they relate to sexually oriented
14 businesses. And adding a third, that these will be
15 subject to clarification of regulations, as noted by
16 the Planning Commission by the city attorney.

17 MR. HUNTINGTON: Okay. Thank you.

18 Mr. Martin, would you like to make a motion that's
19 subject to clarifications?

20 MR. MARTIN: I would like to make a motion
21 that PTZA19-0001 be approved after consideration of
22 the comments made to clarify -- after consideration
23 of the comments made.

24 MR. HUNTINGTON: Okay. And feedback from
25 the legal department.

1 MR. MARTIN: Yes, and feedback from the
2 legal department.

3 MR. HUNTINGTON: Okay. Can I have a motion?

4 MR. MARTIN: Any departments as appropriate.

5 MR. WILLIS: Question? Would that mean we
6 would bring this back to us after comments from legal,
7 or would that be legal would sign off on it and then
8 we would have its approval -- we would approve
9 automatically?

10 MR. SPENCE: Yeah, basically what the
11 Planning Department is asking is that you give
12 favorable consideration and allow us to have a
13 conversation with the city attorney, make amendments
14 as necessary to the document before it goes before
15 Council.

16 MR. WILLIS: Again, will we have an
17 opportunity to see it?

18 MR. SPENCE: You would not. You would
19 basically be giving us a favorable recommendation this
20 evening, subject to us getting with the city attorney,
21 discussing the items in question and moving forward to
22 City Council with whatever revisions that it has.

23 MR. MARTIN: Question? If the city attorney
24 accepts some of the clarifications, possibly, and
25 rejects others, do we know that it has not changed

1 substantially what it is? If we don't see it again,
2 we don't know that it's -- it's met the approval that
3 we were looking for, it doesn't have -- it doesn't
4 contain the language and stuff that we were looking
5 for. So I kind of see that as a broad-stroke approval
6 without final -- with knowledge of the final product.

7 MR. SPENCE: Understood. And if the
8 Planning Commission is not comfortable with that, then
9 you can make a recommendation that we postpone this to
10 a date certain, subject to response from the city
11 attorney, and we can bring it back to you in July.

12 MR. MARTIN: Mr. Chair?

13 MR. HUNTINGTON: Yes, Commissioner Martin?

14 MR. MARTIN: Was it -- was PZTA19-0001
15 approved?

16 MR. CULPEPPER: We didn't vote.

17 MR. HUNTINGTON: No, we haven't taken a vote
18 yet. We have a motion out, it has not been seconded.
19 So if you want to make a new motion, you can.

20 MR. WILLIS: Or you can ask for a second.

21 MR. SPENCE: And if I may, through the
22 Chair, so a motion was made and was not seconded?

23 MR. HUNTINGTON: No, not seconded.

24 MR. SPENCE: It was not, so technically
25 there's no motion on the table.

1 MR. CULPEPPER: Got you. Okay. Jeff, said
2 what I was going to say.

3 MR. SPENCE: I'm sorry?

4 MR. CULPEPPER: You said what I was going to
5 say. There's no motion on the table.

6 MR. HUNTINGTON: Okay. So do we have a new
7 motion? Commissioner Martin?

8 MR. MARTIN: I'd like to make a motion that
9 Zoning Ordinance Text Amendment to amend Title V,
10 Zoning and Planning, Chapter 45, Zoning, of the Code
11 of the City of Southfield, Sexually Oriented
12 Businesses, PZTA19-0001 be postponed to a date certain
13 or uncertain.

14 MR. HUNTINGTON: Certain.

15 MR. MARTIN: To a date certain.

16 MR. SPENCE: If I may, through the Chair, if
17 that would be the next meeting, then that would be
18 July 31st.

19 MR. MARTIN: Postponed to a date certain,
20 July 31st.

21 MR. SPENCE: And the reason being?

22 MR. MARTIN: Reason for review of the
23 corrections and modifications made, based on the
24 comments that were provided today.

25 MR. HUNTINGTON: Okay. We can take a roll

1 call vote, if you'd like.

2 MR. SPENCE: You'll need a second.

3 MR. WILLIS: I'll second that.

4 MR. HUNTINGTON: Okay. Seconded by
5 Commissioner Willis. It was moved for by Commissioner
6 Martin to a date certain, which was July 31st
7 postponement.

8 MR. SPENCE: You did mention a roll call
9 vote.

10 MR. HUNTINGTON: Would you like to have a
11 roll call? Let's do a roll call vote.

12 MR. SPENCE: Okay. Yay would mean that you
13 are for the postponement, nay would mean that you are
14 against.

15 MR. HUNTINGTON: Commissioner Martin?

16 MR. CULPEPPER: He's going to call the role.

17 MR. SPENCE: Mr. Culpepper?

18 MR. CULPEPPER: Nay.

19 MR. SPENCE: Mr. Griffis?

20 MR. GRIFFIS: Yay.

21 MR. SPENCE: Mr. Huntington?

22 MR. HUNTINGTON: Nay.

23 MR. SPENCE: Mr. Martin?

24 MR. MARTIN: Yay.

25 MR. SPENCE: Ms. Miah?

1 MS. MIAH: Yay.

2 MR. SPENCE: Mr. Willis?

3 MR. WILLIS: Yay. And the yays have it four
4 to two. So this item is postponed to the July agenda.
5 It will be subject to a response from our city
6 attorney on the various questions that were brought up
7 by the Commission.

8 MR. HUNTINGTON: Okay. Thank you. Next on
9 the agenda we have approval of the minutes.

10 MR. WILLIS: I would move for approval. I
11 would move for approval of the minutes dated April 3,
12 April 10, and April 24.

13 MR. SPENCE: If I may, through the Chair --

14 MR. WILLIS: You want them approved one at a
15 time --

16 MR. SPENCE: It's May 15 and May 22nd.

17 MR. WILLIS: Okay. I'm sorry. Please
18 forgive me. I move for approval of the minutes dated
19 May 15, 2019 and May 22nd, 2019.

20 MR. HUNTINGTON: Okay. We a have motion and
21 second by --

22 MR. MARTIN: To the Chair?

23 MR. HUNTINGTON: Mr. Martin?

24 MR. MARTIN: I would like to make an
25 amendment to his motion in that as approval of the

1 minutes with the corrections noted that I provided to
2 the Planning Department, previously provided to the
3 Planning Department.

4 MR. HUNTINGTON: Okay.

5 MR. CULPEPPER: To the Chair?

6 MR. HUNTINGTON: Commissioner Culpepper?

7 MR. CULPEPPER: As we said before, when a
8 motion is on the floor, we make the motion and you
9 vote on it, and then after the -- after the approval,
10 then that's when discussion come in. It shouldn't
11 come in before. We were told this before, and we had
12 the same issue with the City Council. You make a
13 motion, the motion gets seconded, and then gets
14 approved, and then the conversation starts. Correct
15 me if I'm wrong, Jeff?

16 MR. SPENCE: Yeah, if I may, once a
17 motion is made -- once it's seconded, you don't have
18 to have a vote right away, discussion can happen after
19 a second. You don't have to take a vote right away.
20 There can be discussion, and then after that
21 discussion, then a vote can happen. Once a vote has
22 happened, basically you're done, unless someone
23 decides to amend that or resend that motion.

24 MR. CULPEPPER: Okay. I'm getting mixed up
25 with Robert's Rules.

1 MR. HUNTINGTON: Okay. So are we ready to
2 vote?

3 MR. MARTIN: We need a second on the
4 amendment. You accepted the --

5 MR. CULPEPPER: You said it.

6 MS. MIAH: Martin said.

7 MR. CULPEPPER: Willis made the motion.
8 Martin seconded it with the corrections. So you
9 seconded it. Come on, stay focused.

10 MR. HUNTINGTON: It was moved by
11 Commissioner Willis, seconded by Commissioner Martin.
12 All in favor?

13 (All stated aye.)

14 MR. HUNTINGTON: Okay. So the minutes will
15 stand with the changes noted.

16 MR. WILLIS: Okay.

17 MR. SPENCE: Yes. Thank you. And I do have
18 those amendments, Mr. Martin did send them to me.

19 MR. HUNTINGTON: Okay.

20 MR. SPENCE: For miscellaneous, your next
21 meeting will be July 10th, so you do get a couple
22 weeks off. It's going to be a very heavy agenda. As
23 you noted earlier, there are a lot of things that got
24 postponed. Plus, we have at least four more items to
25 add to that list as well, and now with the Text

1 Amendment as well being added. So it will be a very
2 busy July for you, and probably busy a August as well.
3 so the summer is looking like there's a lot of things
4 going on. Again, next meeting is July 10.

5 MR. HUNTINGTON: Okay. Anything else?

6 Meeting is adjourned. Thank you.

7 (The meeting was adjourned at 7:40 p.m.)

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1 CERTIFICATE OF NOTARY

2 STATE OF MICHIGAN)

3) SS

4 COUNTY OF OAKLAND)

5

6 I, Earlene Poole-Frazier, certify that this
7 meeting was taken before me on the date hereinbefore
8 set forth; that the foregoing was recorded by me
9 stenographically and reduced to computer
10 transcription; that this is a true, full and correct
11 transcript of my stenographic notes so taken; and that
12 I am not related to, nor counsel to either party nor
13 interested in the event of this cause.

14

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16

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18

19

20 Earlene Poole-Frazier

21 EARLENE POOLE-FRAZIER, CSR-2893

22 Notary Public,

23 Oakland County, Michigan

24 My Commission expires: March 4, 2025

25

<hr/> <p style="text-align: center;">\$</p> <hr/> <p>\$5,000 41:5 \$500 41:12</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1,761 11:24 10 51:12 54:4 10th 11:15 53:21 130 14:18 15 51:16,19 1500 27:20 35:22 18 36:2 37:20 1968 44:8 1976 5:1</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2 34:9,14 2000 14:8 2000s 43:25 2010 14:10 2012 44:9 2019 3:2 4:3 9:4 10:14 51:19 21348 24:3 27:2 30:17 21st 8:12 22nd 51:16,19 24 51:12 24480 12:1 21:8 24518 12:2 24565 15:2 24581 21:8 248-796-4150 5:12,13</p>	<p>26 3:2 4:3 2602 26:23 267 5:1 28000 9:15</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>3 51:11 31787 14:6 31st 8:2,7,14,15, 19,24 9:4,9,12 10:8,13,18,21,25 11:3,11,16 49:18, 20 50:6</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>4 33:8,16,24 35:24 46:5 45 46:4 49:10</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>5.30 35:24 5.50 33:9 35:11</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6/26/19 46:2 60s 43:21,23 6:30 5:2 6:32 3:3,8</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>70s 43:21,23 7:40 54:7</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>8,000 27:21</p>	<p>80s 43:21,23 8:00 5:14</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>90 41:3,13 90s 43:24</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>a.m. 5:14 ability 17:1 abstain 23:3,6 abstained 23:4 32:16 abstention 23:1 32:14 accepted 53:4 accepts 47:24 access 25:1 27:15 accommodat e 14:18 accomplishe d 21:25 31:9 accord 18:14 21:22 31:6 42:5 accordance 4:25 19:4 account 15:13 Act 5:1 activity 40:5 acts 4:18 add 14:19 35:13, 14 45:7 46:6 53:25 added 14:9 34:13 54:1 adding 46:14 addition 11:24 13:17,18</p>	<p>additional 14:13,15,20 17:24 address 14:4 26:20 46:8 adjacent 19:7 22:5 31:14 adjourned 54:6,7 administrativ e 12:14 13:15 25:24 29:16 administrativ ely 25:21 28:23 29:20 admirable 17:24 Adobe 37:17 adult 33:10,11 34:11,12 35:12, 18 36:24 advantage 44:15 adverse 21:20 22:3,8,10 30:4 31:4,13,17,19 35:15 advisory 4:18 aerial 12:19 age 36:2 37:20, 22 agenda 4:1 5:15,25 6:2 23:24 32:21 51:4,9 53:22 agendas 5:3 agree 29:11 43:15 44:11 agreeable 15:11 agreement 20:17 alcohol 38:3,8 46:10</p>	<p>alcoholic 36:3 Allegiance 3:7,8 allowed 33:12 34:1 allowing 13:10 15:13 17:23 alternative 35:20 amend 34:6 46:3 49:9 52:23 amending 46:5 amendment 32:24 46:3 49:9 51:25 53:4 54:1 amendments 4:20 5:6 46:7,8 47:13 53:18 amends 26:7 Andrew 7:23 announceme nts 4:9 answers 45:13 apartment 27:9 applicant 39:18 applicant's 39:16,17,19 application 38:15 39:12,15 40:1 apply 17:1 appointed 4:17 apportioned 34:15 approval 4:1,3, 18 13:6,7 17:6 21:10 23:20 25:23 28:25 30:19 47:8 48:2,5 51:9,10,11,18,25 52:9</p>
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