

**MINUTES OF THE CITY OF SOUTHFIELD PLANNING COMMISSION
REGULAR MEETING OF MARCH 15, 2023
6:30PM**

Planning Commission Members Present: Bernoudy, Goodwin-Dye, Griffis, Gruber, 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 Martin to Approve the Agenda. Seconded by Commissioner Willis. Chair Dr. Stephens-Gunn called for a Vote. 7-0 in favor.

Motion Carries.

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

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

PSLU23-0003 is a Special Use Request of Rosetta Building Company, on behalf of the owner Blue Branch Holdings LLC, 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.

PSP23-0005 is a Site Plan Review Request of Rosetta Building Company, on behalf of the owner Blue Branch Holding LLC, to allow for the construction of a 3,873 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 noted he would present both the Special Use and Site Plan Review together, but the Special Use would need to have a Public Hearing prior to any recommendation while the Site Plan does not require a Public Hearing. He noted the proposal was for a Culvers Restaurant with drive thru. The petitioner has reduced the interior seating by 25% and has added a right turn only exit onto Southfield Road from the site. They have tried to mitigate the concerns of the residents with the new exit, landscaping to screen light and noise and painting traffic lane lines on Windflower. He noted staff had reached out to the Police Department on accident statistics in the area and it was noted that there were only 6 in the last five years in the area and nothing specific on Windflower. He introduced Mr. Andrew Zielke from Rosetta Building.

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Mr. Zielke concurred with what Planner Spence had noted and would be here to answer any questions.

Chair Dr. Stephens-Gunn noted she was opening the Public Hearing for the Special Use PSLU23-0003 and invited any public who wished to speak to come forward.

Resident at 17741 Windflower noted he understands the plan meets the requirements of Planning but wondered what they could do if Culvers becomes an effective nuisance in the evenings and with Classic Car shows like other locations have done. This can become a hang-out spot. Mr. Zielke noted that other Culvers stores may have a lot more room for other activities on site, but this location does not have that kind of room nor is it the operators desire to have car shows and the like.

Resident at 17791 Windflower noted they are a 17-year resident on Windflower and a 30-year resident of Southfield. They wished Culvers would go somewhere else as they do not want to get caught up in the traffic.

Resident at 17666 Windflower noted it is already difficult enough to get in and out of the sub. This will just increase traffic and the reduction in the interior seating will force more into the drive thru.

Resident at 17805 Windflower noted exiting onto Windflower will just add to delays on Windflower for overall traffic.

Seeing no other Public to speak, Chair Dr. Stephens-Gunn closed the Public Hearing and opened the floor to the Commissioners for PSLU23-0003.

Commissioner Bernoudy thanked staff for providing the statistics on traffic. She asked Mr. Zielke if he had had any additional discussions with the residents. Mr. Zielke noted he has not because their concerns have not changed.

Commissioner Goodwin-Dye noted traffic is going to be an issue. She asked if events would take place on the property. Mr. Zielke reiterated there is not the room for such events. It would take away from business of operating the restaurant. She asked if Starbucks had been contacted about the traffic. Mr. Zielke noted they have main hours in the morning while Culvers main hours are in the afternoon and evening.

Commissioner Griffis noted he was surprised the Road Commission allowed another curb cut onto Southfield Road. He noted Southfield Road is a main artery through the City and there is a lot of commercial development. The outlots for the existing development across Windflower and the subject property were part of a plan for the area for commercial development.

Commissioner Willis noted another entry/exit on Southfield Road just creates a new area where accidents can occur. Windflower has a traffic light to regulate traffic.

Commissioner Martin noted it might be to the advantage of all if the Starbucks was approached about changing their traffic pattern. Mr. Zielke noted he had conversations with the business there

and none of them mentioned traffic issues. He reiterated that the Traffic Study that was done also did not note any traffic issues that would result from Culvers being developed.

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

Recommendation: The Planning Department recommends **FAVORABLE RECOMMENDATION** of PSLU23-0003, the Special Use Request of Rosetta Building Company to allow for the use of the property for a stand-alone restaurant with drive-thru on property Sidwell Parcel 2412-153-019 on the east side of Southfield Road between Edwards and Windflower, Section 12, City of Southfield, Oakland County, State of Michigan, for the following reasons and conditions:

1. Subject to the Site Plan conditions of PSP23-0005.
2. Restaurant operations shall be limited to 10:30am to 10:00pm seven (7) days a week.
3. The submitted special use, with any conditions recommended by the Planning Department and the Planning Commission, will be of such size and character that it will be in harmony with the appropriate and orderly development of the B-3 General Business District.
4. The location, size, intensity, and periods of operation of the proposed use is designed to eliminate any possible nuisance likely to emanate there from which might be adverse to occupants of any nearby permitted uses.
5. The proposed use is in accord with the spirit and purpose of this Chapter and is not inconsistent with, or contrary to, the objectives sought to be accomplished by this Chapter and principles of sound planning.
6. The proposed use is of such character and vehicular traffic generated will not have an adverse effect, or be detrimental, to the surrounding land uses or adjacent thoroughfares.
7. The proposed use is of such character and intensity and arranged on the site so as to eliminate any adverse effects resulting from noise, dust, dirt, glare, odor, or fumes.
8. The proposed use will not be adverse to the promotion of the health, safety, and welfare of the community.
9. The proposed use is designed and operated so as to provide security and safety to employees and the general public.

Chair Dr. Stephens-Gunn called for a Motion on PSLU23-0003.

Motion by Commissioner Goodwin-Dye for Favorable Recommendation of PSLU23-0003. Seconded by Commissioner Willis. Chair Dr. Stephens-Gunn stated that all those in favor say "Aye". There were 7 Ayes. Those against say "Nay". There were No Nays. Motion carries.

Planner Spence noted that unless there any addition questions, he would read the Planner's Recommendation for PSP23-0005. City Planner Croad asked that an additional condition be added That the Egress onto Southfield Road from the site is subject to final review and approval by the Road Commission for Oakland County and the City of Southfield.

Recommendation: The Planning Department recommends **FAVORABLE RECOMMENDATION** of the Site Plan Review Request of Rosetta Building Company to construct a 3,873 gsf Culver's restaurant with drive thru on property located at Sidwell Parcel 2412-

153-019, on the east side of Southfield Road between Edwards and Windflower, Section 12, City of Southfield, Oakland County, State of Michigan for the following reasons and conditions:

1. Subject to the Special Use conditions of PSLU23-0003.
2. The petitioner is to receive waivers from the Zoning Board of Appeals for the following:
 - a. Waiver of 2,971sf of front yard landscaping along Southfield Road (4,817.5sf required, 1,846.5sf provided).
 - b. Waiver of 11.8' of side yard landscaping along Windflower (15' required, 3.2' provided).
3. Petitioner is to install a 5' wide sidewalk along Windflower in accordance with Article 4 Section 5.31(18).
4. Petitioner is to install a decorative fence along Windflower in accordance with Article 18 Section 5.169(f)(3).
5. The site shall be developed in accordance with Sheets C-3.0, C-5.0 and C-6.0 dated 1-12-23 by Triumph Engineering and Design, Inc.
6. The building shall be constructed in accordance with the elevations shown on Sheet A-3 dated 1-1-20 by Culvers Franchising System, LLC.
7. 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.
8. The landscape plan and details shown on Sheet LP-1 dated 1-11-23 by Nagy Devlin Land design are part of the approval of this site plan. Petitioner will coordinate the planting of trees on the Spring Haven property east of the screen wall with the Spring Haven HOA.
9. The petitioner is to provide a sprinkler system for all landscape areas to encourage preservation of plant materials.
10. The petitioner is to execute a perpetual maintenance agreement for the landscaped and parking areas both on the site and in the right-of-way, which includes maintenance of the storm water detention system.
11. The petitioner is to implement the recommendations made by the Southfield Police Department's Crime Prevention Bureau regarding site security.
12. Approval of this site plan and/or building elevations represented herein does not constitute nor guarantee approval for signage. Separate approval and sign permits must be obtained from the Building Department for any proposed signs.
13. Exterior lighting will be shielded to prevent spillage of glare onto adjacent properties.
14. Bike racks shall be installed in accordance with Article 4, Section 5.29(12).
15. 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.
16. Egress onto Southfield Road from the site is subject to final review and approval by the Road Commission for Oakland County and the City of Southfield.

Chair Dr. Stephens-Gunn asked for a Motion.

Motion by Commissioner Willis for Favorable Recommendation of PSP23-0005. Seconded by Commissioner Griffiths. Chair Dr. Stephens-Gunn stated that all those in favor say "Aye". There were 7 Ayes. Those against say "Nay". There were No Nays. Motion carries.

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Chair Dr. Stephens-Gunn inquired about Minutes. Planner Spence noted they would be brought to the Commission at the next meeting.

Chair Dr. Stephens-Gunn announced the Public Comment portion of the meeting and asked that anyone who had comments could come forward, give their name and address for the record. They had 3 minutes to make their comments.

Resident at 17791 Windflower noted a park on the Culver's property would be nice. They asked who they needed to contact about the left turn light as it is only 30 seconds long for Windflower. Starbucks traffic as well as others in the shopping center on the other side of Windflower should be told to use Southfield Road to enter and exit. It was noted that the Road Commission for Oakland County had jurisdiction for timing of traffic signals and to contact them.

Resident at 17666 Windflower wondered if it was possible to get an ingress/egress on Southfield Road. There was a concern about increase in problems and the nuisance this will cause. The business will bring in more transient people. City Planner Croad noted the driveway design would need to change from what was presented tonight.

Resident at 17685 Windflower noted there is already a traffic issue here and now there will be even more.

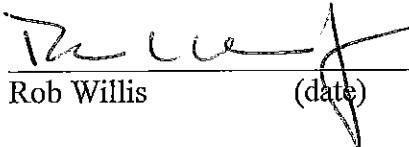
There were no other public comments, so Chair Dr. Stephens-Gunn closed the Public Comment portion of the meeting.

Chair Dr. Stephens-Gunn asked for the Council Item update. Staff explained what Council had taken action on recently.

City Planner Croad updated the Commissioners on the Joint Meeting with City Council and that it had been scheduled for Monday, April 17, 2023.

Planner Spence reminded the Commission of the next Regular Meeting on March 22, 2023.

There were no other comments. The meeting was adjourned at 7:22p.m.

 04.19.2023
Rob Willis (date)

Secretary/js