

MINUTES OF THE CITY OF SOUTHFIELD PLANNING COMMISSION
REGULAR MEETING OF MAY 27, 2020
6:30PM
VIA TELECONFERENCE

Planning Commission Members Present: Culpepper, Griffis, Huntington, Martin and Willis
Planning Commission Members Excused: Denson & Miah

Staff Present: City Planner Croad and Planner Spence

- A. Call to Order** -- Chairman Griffis called the meeting to order at 6:30pm noting it was being conducted via teleconference.

Pledge of Allegiance -- Chairman Griffis recited the Pledge on behalf of the Commission.

Roll Call -- Chairman Griffis asked for Roll Call. Planner Spence called the roll and determined there was a quorum to conduct business.

- B. Approval of the Agenda** -- Motion by Commissioner Culpepper to Approve the Agenda as presented. Seconded by Commissioner Huntington. Roll call vote was called by Chairman Griffis. Planner Spence called the Roll:

Commissioner Culpepper: Aye
Commissioner Griffis: Aye
Commissioner Huntington: Aye
Commissioner Martin: Aye
Commissioner Willis: Aye

Motion passed.

- C. Announcements and Communications** -- Planner Spence noted there were five (5) items on the Agenda to postpone at tonight's meeting. He asked that prior to the start of the Public Hearings that he be allowed to take care of those items in the event there were public listening and watching on cable specifically for those.

- D. Postponements:**

Planner Spence noted that regarding PZR20-0001/PSLU20-0005/PSP20-0004, the petitioner, Mr. Keros, was requesting a postponement to the June Agenda of the Planning Commission so he can continue to amend his drawings. Planner Spence noted there would need to be a Motion and a Second and a vote.

Chairman Griffis noted there was a request for postponement of PZR20-0001/PSLU20-0005/PSP20-0004. Motion by Culpepper to Postpone to the June Agenda, Seconded by Commissioner Huntington. Planner Spence called the Roll:

Culpepper -- Yea
Griffis -- Yea
Commissioner Huntington: Aye
Commissioner Martin: Aye
Commissioner Willis: Aye

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Motion Passes.

Planner Spence noted that regarding PSLU20-0007/PSP20-0005, the petitioner, Mr. Abbo, was requesting a postponement to the June Agenda of the Planning Commission so he can continue to amend his drawings. Planner Spence noted there would need to be a Motion and a Second and a vote.

Chairman Griffis noted there was a request for postponement of PSLU20-0007/PSP20-0005. Motion by Culpepper to Postpone to the June Agenda, Seconded by Commission Huntington. Planner Spence called the Roll:

Culpepper – Yea

Griffis – Yea

Commissioner Huntington: Aye

Commissioner Martin: Aye

Commissioner Willis: Aye

Motion Passes

D. **Public Hearings** – Chairman Griffis called for the first item on the Agenda.

1. PSLU20-0003 is a Special Use Request of NTK Investments LLC, on behalf of the Owner, Stanley Targosz, to convert an existing industrial building to a Medical Marihuana Grower and Processor in accordance with Southfield Ordinance and the Michigan Medical Marihuana Facilities Licensing Act (MMFLA) on property located at 21680 W Eight Mile and Sidwell Parcel 2434-354-007, on the north side of W Eight Mile Road between Evergreen and Lahser Roads, Section 34, City of Southfield, Oakland County, State of Michigan.

Planner Spence gave a brief overview of the proposed Special Use noting that this item had come to the Commission earlier in the month and a question that came up had to do with a fence on the property. Mr. Stanley Targosz, petitioner, noted that they had made a revision to the fence location and it is indicated on the Plan.

Chairman Griffis opened up the Public Hearing. The owner of the building to the east called in noting he shared a fence with the petitioner and was concerned he would be affected by this new use. Mr. Targosz noted there was no intention to move the fence as it divides his property from his neighbor and this new operation should have no impact on the neighbor. There were no other public wishing to speak so Chairman Griffis closed the Public Hearing and opened up the discussion to the Commissioners.

The Commission thought this was good use on the property. It's not opened to the public. It is in the right district and meets the intent of the Special Use requirements. Chairman Griffis noted it checked all the boxes for this type of use in Industrial Zoning. Chairman Griffis called for the Planner's Recommendation. Planner Spence complied. Chairman Griffis called for a Motion.

Motion by Commissioner Culpepper for Favorable Consideration of PSLU20-0003. Seconded by Commissioner Huntington. Chairman Griffis called for a Roll Call Vote:
Culpepper – Yea

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Griffis – Yea
Commissioner Huntington: Aye
Commissioner Martin: Aye
Commissioner Willis: Aye

Motion Passes

Chairman Griffis called for the next item.

2. PSLU20-0004 is a Special Use Request of Refresh & Go, LLC, to convert existing gas station vehicle service bays to a convenience store with carry out restaurant, property located at 20050 W Twelve Mile Road, Sidwell Parcel 2410-479-027, on the northwest corner of W Twelve Mile Road and Evergreen, Section 10, City of Southfield, Oakland County, State of Michigan.

Planner Spence gave a brief overview of the project for the Special Use as well as the Site Plan. He noted that there were questions that arose from the Study Meeting that he would like the Owner to address as part of his presentation. He introduced Mr. Tarek Gayar.

Mr. Gayar noted that currently there is a guard rail that exists between his property and the dentist office to the west to stop cars from going onto the adjacent property. There is no driveway from his property onto the adjacent property. The average stay for a customer is 10 minutes. He agreed to do what the code requires but he was concerned any fence required wouldn't match.

Chairman Griffis opened up the Public Hearing.

Mr. Nathan Resnick representing 20100 W Twelve Mile Road, Southfield, Michigan, noted there was already a problem with patrons of the gas station using the dentist office property and they were concerned it would get worse with the expanded convenience store and carry out. They were asking for a 6' high vinyl fence grey in color on the gas station property on the opposite side of the guard rail at the gas station owners expense. In addition, they were asking for a "No Loitering" sign be placed on the dentist office property at the gas station owners expense as well.

Mr. George Acho, 29085 Evergreen Road, Southfield, Michigan, asked what the gas station owners policy on bottle returns was. He noted he got bombarded by bottle returns. It's a State Law that the gas station has to take them. He also mentioned an easement agreement to allow him to use the north side of the gas station lot to access the dumpster area that is part of his property.

There were no other public comments so Chairman Griffis closed the Public Hearing and turned the meeting over to the Commissioners for comments.

Commissioner Willis inquired about the easement Mr. Acho noted. Planner Spence noted that there is an easement agreement that runs with the gas station land allowing Mr. Acho access to the walled dumpster area.

Commissioner Culpepper inquired about the bottle returns. Mr. Gayar noted that it was

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dependent on the size of the store. He noted he would abide by the easement agreement for access. Commissioner Culpepper agreed a fence was needed to stop patrons from using the dentist property. It is already a problem and the store hasn't even expanded yet.

Commissioner Martin asked that the bottle return be checked into. He was in agreement with the fence but not the sign.

Commissioner Culpepper stated he was not in agreement with the sign.

Chairman Griffis noted he felt the sign was the responsibility of the dentist office.

There were no other comments so Chairman Griffis called for a motion on the Special Use. Commissioner Willis made a Favorable motion on PSLU20-0004 with the conditions of the fencing. Motion Seconded by Commissioner Huntington. A Roll Call Vote was taken.

Culpepper – Yea

Griffis – Yea

Commissioner Huntington: Aye

Commissioner Martin: Aye

Commissioner Willis: Aye

Motion Passes

PSP20-0003 is a Site Plan Review Request of Refresh & Go, LLC, to convert existing gas station vehicle service bays to a convenience store with carry out restaurant, property located at 20050 W Twelve Mile Road, Sidwell Parcel 2410-479-027, on the northwest corner of W Twelve Mile Road and Evergreen, Section 10, City of Southfield, Oakland County, State of Michigan.

Chairman Griffis called for a motion on PSP20-0003. Commissioner Culpepper made a Favorable Motion for PSP20-0003. Seconded by Commissioner Huntington. A Roll Call Vote was taken.

Culpepper – Yea

Griffis – Yea

Commissioner Huntington: Aye

Commissioner Martin: Aye

Commissioner Willis: Aye

Motion Passes

Chairman Griffis called for the next item.

3. PSLU20-0006 is a Special Use Request of SOVA Group Properties 1, LLC to convert an existing industrial building to a Medical Marijuana Grower and Processor in accordance with Southfield Ordinance and the Michigan Medical Marijuana Facilities Licensing Act (MMFLA) on property located at 21260 W Eight Mile, Sidwell Parcel 2434-376-017, on the north side of W Eight Mile Road between Evergreen and Lahser Roads, Section 34, City of Southfield, Oakland County, State of Michigan.

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Planner Spence gave a brief overview of the project noting this is just down the street from the first Grow Facility the Commission acted on tonight. The petitioner, Matt Novello, noted they comply with all the requirements of the ordinance for a Grow and Processor and welcomed any questions the Commission might have.

Chairman Griffis opened the public hearing. Planner Spence noted, after a few minutes, that no one had called in regarding the item. Chairman Griffis closed the Public Hearing and opened up the meeting to the Commissioners.

The Commissioners thought this was a project that met all the requirements for the Special Use and was in the right zoning district. Chairman Griffis noted that like the previous Grow facility this one checks all the boxes as well. There were no other comments so Chairman Griffis asked for the Planner's Recommendation. Planner Spence complied noting Staff has a Favorable Recommendation for PSLU20-0006. Chairman Griffis noted that Planning made a Favorable Recommendation and called for a Motion.

Motion by Commissioner Martin for a Favorable Recommendation of PSLU20-0006.

Seconded by Commissioner Willis. Chairman Griffis called for a Roll Call Vote:

Culpepper – Yea

Griffis -- Yea

Commissioner Huntington: Aye

Commissioner Martin: Aye

Commissioner Willis: Aye

Motion Passes

Chairman Griffis called for the next item.

4. PZR20-0003 is a Rezoning Request of Southfield Non-Profit Housing on behalf of the Owner, City of Southfield and Southfield Neighborhood revitalization, to rezoning a total of 1.836 acres of land spread over four properties from R-1 Single Family Residential to RT Attached Single Family, located at 20433 Westland – Sidwell Parcel 2434-476-002, 20435 Westland – 2434-476-001, 20436 Westland -- 2434-428-012 and Sidwell Parcel 2434-476-003, on the north and south sides of Westland between Evergreen and Prescott, Section 34, City of Southfield, Oakland County, State of Michigan.

Planner Spence noted that this item was a rezoning request for four parcels to be rezoned to RT Attached Single Family. He noted the City was looking for new types of housing to meet our residents needs and this was an opportunity to do that. Mr. Mitchell Simon with the Southfield Non-profit Housing Association noted he had nothing to add at this time and was available to answer questions.

Chairman Griffis noted this is a Public Hearing and invited the public to call in. Planner Spence noted after two minutes that no public had called. Chairman Griffis closed the Public Hearing and opened up the meeting to the Commissioners.

The Commission felt this was a good test case for rezoning in a mid-block. There is already a developer waiting in the wings to get started. The area needs new housing and the scale of the proposed development would fit, and this project may just spur more neighbors to increase

the upkeep of their own properties. They believed the new units would blend well with the existing community and not be too big. There were no other comments so Chairman Griffis asked for the Planner's Recommendation. Planner Spence complied noting the Planning Department had a Favorable Recommendation for PZR20-0003.

Chairman Griffis noted there was a favorable recommendation from Planning and asked for a Motion. Motion by Commissioner Willis for Favorable Consideration of PZR20-0003. Seconded by Commissioner Culpepper. Chairman Griffis called for a Roll Call Vote:

Culpepper – Yea

Griffis – Yea

Commissioner Huntington: Aye

Commissioner Martin: Aye

Commissioner Willis: Aye

Motion Passes

Chairman Griffis called for the next item.

5. PZTA20-0001 is a Council-initiated Zoning Ordinance Text Amendment to amend Title V, Zoning and Planning, Chapter 45, Zoning, of the Code of the City of Southfield by amending Section 5.179 of Article 19 Light Industrial Districts to allow any Medical Marihuana Facility previously approved by City Council prior to October 13, 2019 be allowed to apply for a Special Land Use and Site Plan under Article 19, the Medical Marihuana Facilities and Licensing Act (MMFLA), Article 4 Section 5.22-7 Medical Marihuana Facilities, and other amendments that may become necessary as needed for the City of Southfield.

This text amendment specifically addresses adding paragraph (2) that shall read as follows:

“(2) Any Medical Marihuana Facility that received previous approval by the City Council under this Section prior to October 13, 2019 will be able to apply for Special Use Review and Site Plan Review under this Section, the Medical Marihuana Facilities and Licensing Act (MMFLA), and Article 4 Section 5.22-7 Medical Marihuana Facilities.”

Planner Spence gave a brief overview of the item noting this is an amendment to the Zoning Ordinance to allow any Medical Marihuana Facility approved under the Michigan Medical Marihuana Act of 2008, of which there was only one, could apply for Special Use and site plan under the Medical Marihuana Facility Licensing Act of 2016.

Chairman Griffis noted this was a public hearing and invited the public to call in. After a few minutes Planner Spence noted he had no phone calls. Chairman Griffis closed the Public Hearing and opened the floor to the Commissioners.

The Commission thought this was a proper move and only effected one facility. There being no other comments, Chairman Griffis asked for the Planner's Recommendation. Planner Spence noted the Planning Department was making a Favorable Recommendation for PZTA20-0001. Chairman Griffis called for a Motion. Motion by Commissioner Martin for Favorable Consideration of PZTA20-0001. Seconded by Commissioner Culpepper.

Chairman Griffis called for a Roll Call Vote:

Culpepper – Yea

Griffis – Yea

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Commissioner Huntington: Aye
Commissioner Martin: Aye
Commissioner Willis: Aye

Motion Passes

6. PSP20-0002 is a Site Plan Review Request of New Central Carpet Supply, to demolish existing structures on the site and construct a new 5,400gsf pre-engineered building for carpet storage, property located at 20810 & 20854 W Eight Mile Road, Sidwell Parcels 2434-456-014 & -015, on the north side of W Eight Mile Road between Evergreen and Lahser Roads, Section 34, City of Southfield, Oakland County, State of Michigan.

Planner Spence gave a brief overview noting the petitioner has continued to work with the City on a potential purchase of the City parking lot to meet the parking requirements.

Ziad El-baba, Engineer, noted that there were indeed discussion with the City for a purchase though they have not yet come to terms. Planner Spence noted this would be made a condition of the Plan approval.

Commissioner Martin asked that directional arrows be placed on the floor plan showing how a vehicle would enter and exit the new building. He also asked that the load/unloading area be labeled and that how the double doors from the existing building into the new storage building be shown.

There were no other comments from the Commission. Chairman Griffis called for a motion. A Favorable Motion was made by Commissioner Culpepper for PSP20-0002. Seconded by Commissioner Huntington. Chairman Griffis called for a Roll Call vote.

Culpepper – Yea
Griffis – Yea
Commissioner Huntington: Aye
Commissioner Martin: Aye
Commissioner Willis: Aye

Motion Passes

Approval of Minutes: April 15, 2020 Study Meeting
April 22, 2020 Regular Meeting

Chairman Griffis called for Approval of the Minutes:
Favorable Motion made by Commissioner Willis to approve the Minutes of April 15 and April 22. Chairman Griffis called for a Roll Call vote:

Culpepper – Yea
Griffis – Yea
Commissioner Huntington: Aye
Commissioner Martin: Aye
Commissioner Willis: Aye

Motion Passes

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Chairman Griffis opened up the meeting to Public Comments:

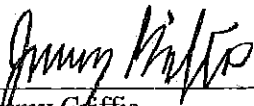
Planner Spence noted after the allotted time that there were no public comments this evening. Chairman Griffis closed the Public Comment period.

Chairman Griffis asked if there were any Miscellaneous Items.

City Planner Croad noted that there were discussions with Council about allowing restaurants and salons/barbers to open up outside of the buildings they have tenant space in subject to certain conditions. The Commission felt this was a proactive move to help businesses get going.

There were no other comments.

The meeting was adjourned at 9:00p.m.

 8/19/20
Jeremy Griffis (date)
Chairman/js