

Present: Chairperson Borowski; Vice-Chairperson Belaustegui; Members: Bliven, Domzal, Fox, Robiner, Smith and Tillman

Absent: Jensen

Also Present: Building Official, Byrwa
Planning Consultants, Birchler and Wyrosdick

Chairperson Borowski called the meeting to order at 7:33 p.m. in the Village municipal building at 18500 W. Thirteen Mile Road.

APPROVAL OF AGENDA

Byrwa asked that the agenda be modified to add item #4A, "Consider approval of ground sign for Berkshire Middle School". Board members are in receipt of a sign permit and drawing. Byrwa has reviewed the sign and finds that it meets ordinance requirements for height, location, square footage, and placement.

APPROVAL OF MINUTES

MOTION by Bliven, supported by Tillman, that the minutes of a regular Planning Board meeting held on Wednesday, September 8, 1999 be approved as submitted.

Motion passes unanimously.

REQUEST FOR GROUND SIGN AT BERKSHIRE MIDDLE SCHOOL

Byrwa stated that the proposed ground sign for Berkshire Middle School is 4' x 8' or 32 square feet and 6' high which complies with the Ordinance. The color and letter style conform with the code. The location is proposed on the school property outside of the right-of-way. Byrwa recommends approval of the sign as submitted.

Harold Chapman from Chapman Sign Inc. answered questions from Board members on the sign.

MOTION by Tillman, supported by Domzal, to approve the ground sign for Berkshire Middle School as submitted.

Roll Call Vote:

Motion passes unanimously.

PRELIMINARY SITE PLAN REVIEW FOR A PROPOSED BED BATH & BEYOND AT 31535 SOUTHFIELD ROAD

Paul Weisenbach from Frank Rewold and Son was present on behalf of Bed Bath & Beyond requesting site plan approval of a proposed Bed Bath & Beyond to move into the former Halo Creative Concepts in Marketing building located at 31535 Southfield Road. The architect and representatives from the Bed Bath & Beyond organization are present. Weisenbach stated that there have been changes in the site plan for this property since the initial proposal was presented to the Planning Board in July.

Stephen Auger with Stephen Auger and Associates Architects outlined the project and presented an update on what has occurred since the Board last reviewed the plans. It is proposed to remove the two-story office area in the front of the building that is fire damaged and create additional parking spaces. The warehouse area will be converted into a Bed Bath & Beyond store.

The revised site plan relocates all customer entry to the store at the southwest corner of the building. There will be an entrance door facing the rear parking area and another facing the south side parking area. The original front entry has been redesigned as a product display window facing Southfield Road. This change will result in the majority of the customers parking in the back of the site which will resolve concerns about traffic backing up onto Southfield Road. A landscape area has been added separating Bed Bath & Beyond property from the Beverly Hills Club parking lot. Auger pointed out additional fencing that will be provided at the north and west property line.

Parking issues were discussed thoroughly at Zoning Board of Appeals meetings. Auger indicated an area on the plan where parking spaces were added in lieu of landscaping that was originally shown. He displayed a color-coded drawing of the building interior. As part of the deliberation with the ZBA relative to a parking variance, the applicant removed 3,000 square feet of the original floor plan of the building which reduces the overall usable square footage and lessens the requirements for parking spaces. Auger pointed out the location of the 3,000 SF of unleased space on the drawing. He indicated the store, sales, service, and support areas. The mezzanine is indicated on the drawing to include a couple of offices and a lunch area.

Auger pointed out the arborvitae hedge along the property line with the Beverly Hills Club which will prevent the flow of vehicular or pedestrian traffic between the sites. The plan indicates that the plantings will be 3'-4' tall at the time of planting. Bed Bath & Beyond has agreed to provide additional lighting along the common property line with the Beverly Hills Club to illuminate the alley between the tennis facility and the Bed Bath & Beyond facility.

David Birchler summarized a review letter from Birchler Arroyo Associates on the revised site plan dated September 15, 1999. The Zoning Board of Appeals granted a parking variance from the required 210 spaces to 173 spaces based on a site plan with 3,000 SF of unleased floor area. The total usable retail floor area is 31,424 SF. The revised plan relocates all customer entry to the southwest corner of the building. There is now a direct relationship between the two entry doors at the southwest corner and the majority of the parking at the rear and side parking areas. The original front entry has been redesigned as a display window.

Birchler stated that some of the issues raised by neighboring businesses regarding the relationship of the parking lots to one another have been addressed by eliminating the connections that were originally proposed to the Beverly Hills Grill and Beverly Hills Club. The landscape plan shows a dense landscape barrier as well as a raised curb between the Club and the Bed Bath & Beyond store.

The landscape plan and pedestrian walkways have been redesigned to provide an attractive appearance from Southfield Road. Birchler believes that the applicant has addressed the issue of quality versus quantity landscaping and has provided a direct pedestrian connection to the public sidewalk on Southfield Road.

As a result of the review by the ZBA, there is 3360 SF that will be unleased and not used by the store. The site plan does not adequately describe how the unleased area will function and how this area will be prevented from becoming additional product display or warehouse space in the future.

Birchler stated that there has been clarification presented tonight on the layout and size of the mezzanine. The planners recommend that the applicant provide an additional emergency exit corridor at the building's northeast corner in the area of unleased space where there is an existing door. The corridor would guide people to the exit door in the event of a fire. Birchler would defer to the Building Official's interpretation of the Building Code with regard to this item.

Auger suggested moving the door around the corner from the west to the north side of the building. He stated that they will do whatever is required by the Village.

Birchler Arroyo is prepared to recommend approval of the site plan to the Planning Board and Village Council subject to the following items being addressed on a revised site plan: 1) How the unleased area will be prevented from becoming additional product display or warehouse space; 2) A floor plan drawing clearly illustrating the extent of the mezzanine level office; 3) An additional emergency exit corridor at the northeast corner of the building; 4) The exterior site lighting detail should correct the pole height which is labeled 16 feet.

Birchler was asked by the Board to comment on the need for a traffic study relative to concerns about the Southfield Road business district. This issue has been discussed extensively at Zoning Board of Appeals hearings.

Birchler stated that Southfield Road is a five-lane road with a full right turn lane the length of the commercial district in Beverly Hills. It is the appropriate location in the Village for commercial

development. Unless a proposed development was of a magnitude that was expected to generate more traffic than the existing roadway could handle, Birchler does not see a need for a traffic study. Birchler Arroyo has looked at the trip generation characteristics of this type of use and does not think it meets the threshold requirements for a full traffic impact study. Birchler distributed a traffic assessment which is a comparison of similar uses for Bed Bath & Beyond.

Birchler commented on how the traffic and commuting patterns on Southfield Road are being affected this summer by ongoing construction in the area. Birchler Arroyo is encouraging clients to defer major traffic studies until this construction season is over. He thinks there will be improvements in the traffic flow next year when major projects are completed.

Stanley Satovsky, president and owner of Beverly Hills Club, stated that the review by the Village planning consultant makes no recognition of the need for a traffic study. Satovsky estimated the number of cars that would frequent the Bed Bath & Beyond parking lot during the 13 hours the store is open each day as 1,000 vehicles coming in and leaving per day. There is currently difficulty experienced by motorists turning north onto Southfield Road. Satovsky commented on the liability that might be incurred by the Village. Consideration is not being given to the pedestrian traffic along Southfield Road.

Satovsky stated that he does not know the answer to these traffic concerns. He requests that an unbiased traffic study be conducted addressing the proposed use and its effect on ingress and egress. He suggests that the Traffic Improvement Association, a review board within Oakland County, examine the results of an independent study.

In response to inquiries from the Board, Satovsky estimates that there are approximately 117 parking spaces at the Beverly Hills Club. There are about 800 people coming in and out during the day from 5:30 a.m. to 11:30 p.m. Programs are spaced so there is not a backup. Satovsky maintains that the Club does not have a parking problem. Arrangements were made with the adjacent McDonald's property for employee parking at the front of their site if needed.

Satovsky does not believe that the intensity of use will be less with Bed Bath & Beyond than it was with the previous tenant. There were 40-50 cars parked in the Club's parking lot every day when the Halo building was used as a show room, offices, and warehouse. The Beverly Hills Club allowed their overflow parking because there was a surplus of parking space on their site. The Beverly Hills Club used valet parking at peak times when the previous tenant occupied the Halo building. People are able to park easily in the Club's lot once that tenant moved.

Thomas McCarthy representing Beverly Hills Club stated that there were attempts to make arrangements with Linden Nelson, owner of the building. The revised plan eliminates connections between the proposed Bed Bath & Beyond and adjoining businesses. There is one access point on these properties where before there were three. McCarthy commented that he does not know whether that is the best alternative. A traffic impact study would provide an answer within a short period of time so that the Board and Council could make a reasonable decision.

Fox commented that the traffic along that whole commercial strip from 13 Mile Road to Medical Village is problematic. It is her sense that the problem is not so much the traffic as the ingress and egress and design along that route being individual rather than cohesive. Fox was surprised that the Beverly Hills Club requested that the connection between the adjoining properties be blocked. She has frequently observed Club patrons parking at the Halo building. She was hoping that the merchants and property owners along Southfield Road could get together and arrive at a better plan for ingress and egress along that strip.

Fox questioned whether the Beverly Hills Club would abide by the results of a traffic study that involved several properties along Southfield Road.

McCarthy stated that he could not answer the question without seeing the results of a study. He commented that a traffic study would provide a plan and a goal for the Village to work towards. The proposed Bed Bath & Beyond is not opening until spring which would allow time for a traffic study and a reasonable decision.

Domzal questioned whether a traffic study will address issues that have been raised during consideration of the Bed Bath & Beyond proposal.

Birchler responded that the results of a traffic study depend on the scope of the study. A traffic study can be done of a proposed business and its impact on the adjoining street or nearest intersections. A study can address conflicts between the proposed driveway locations and neighboring businesses. A study of the entire business district could be designed to find ways for the district to better function as a unit. Birchler commented on the qualifications and resources available if the Village directed Birchler Arroyo to conduct a study.

Birchler Arroyo's early recommendation to the Planning Board was that the three properties that are most immediately affected with this proposal should have their parking facilities interconnected, particularly since the entrance of this store is being moved to the rear. It is Birchler's view that there will be a significant amount of spaces available in the Bed Bath & Beyond parking lot for use by other tenants in the area.

Sheldon Cantor from Bed Bath & Beyond, capital project coordinator, responded to an earlier comment made about the trips in and out of the site. Bed Bath & Beyond prepared a brief analysis to determine how many transactions were done on a daily basis at the Troy location during a typical week. Drawer openings reported: Sunday 412, Monday 324, Tuesday 322, Wednesday 412, Thursday 390, Friday 537, Saturday 837. Cantor added that a drawer opens and closes between 50-60 times on a normal day to make change, etc. which would result in a reduction in these totals. Totals are based on 10 registers; eight registers are proposed at this site.

Belaustegui understands that the Beverly Hills Club requested that the Bed Bath & Beyond parking lot be closed off from the Club's property. McCarthy affirmed that the Club requested to be walled off to protect their interests due to the lack of information on the traffic impact of the new use. A traffic study may suggest that leaving the connection open is a better solution.

Bliven referred to the Village's Site Development Handbook which addresses redevelopment standards for Southfield Road. Bliven would expect to see brick masonry rather than block construction on the front elevation facing Southfield Road in areas where the wall is not covered with DryVit. This treatment would be compatible with the rest of the business district.

Weisenbach stated that the existing fence between the subject property and the Beverly Hills Grill will be removed. A new chain link fence will be installed at the west and south property lines. There will be foliage in front of the fence. A landscaped area will be created dividing the Bed Bath & Beyond and restaurant properties. At the request of the Beverly Hills Grill owner, the applicant is closing off that area only up to the curbed area which will remain.

Bliven thinks that the applicant could come up with a more decorative approach than a chain link fence along the rear of the restaurant property.

Bliven stated that the Zoning Ordinance requires a masonry wall separating the Bed Bath & Beyond site from public property and from multiple family use. The Village Council has the option of requiring a masonry wall and/or an alternative screening wall.

Weisenbach stated that it was thought that foliage and a landscaping berm was more appealing than a masonry wall. The proposal is to install a chain link fence and tree berm.

Bliven stated that there is no foliage along the west and south property lines six months out of the year. He favors the required masonry wall separating the property from the school and from the apartments as required by the Code.

Bliven asked that the applicant give some thought to retaining the mature trees that exist in the rear of the property where they do not interfere with parking or circulation.

Bliven stated that moving the additional emergency exit door to the north wall would not be acceptable. People would exit onto Beverly Hills Club property where there could be a car blocking

the door. He suggests keeping exit doors on Bed Bath & Beyond property where they have control over the exits. Weisenbach responded that they will use the existing door and create a corridor as suggested by the planning consultant.

At Bliven's inquiry, it was indicated that Bed Bath & Beyond is in charge of the landscape maintenance.

Bliven referred to the grass strip between the parking lot and the sidewalk on Southfield Road. The Village allowed the Beverly Hills Club to use two feet of the required 20 foot long parking space for additional grass area. He hopes that Bed Bath & Beyond would do the same to provide a minimum four or five feet of grass area in that location. Weisenbach agreed to this.

Smith asked if Bed Bath & Beyond representatives accept the four conditions for site plan approval as outlined by Birchler Arroyo.

Weisenbach responded that two items have been addressed. Information on the mezzanine level has been provided, and Bed Bath & Beyond has agreed to an additional emergency exit corridor at the northeast corner of the building. Weisenbach assured the Board that the lighting poles will be 14 feet in height in accordance with the Ordinance. Bed Bath & Beyond will do whatever the building official requires to prevent the unleased area from being utilized for product display or warehouse space.

Smith asked for the planning consultant's best advise on how to handle circulation issues without a formal traffic study of ingress and egress along this portion of Southfield Road.

Birchler responded that it almost always makes sense for adjoining businesses to be interconnected so that people do not have to go back out onto the highway in order to go from one neighboring business to the next. He maintains that there are ways to address circulation on the adjoining properties that would benefit all of the businesses. Birchler thinks the current design of the primary customer entrance into this store makes it even more beneficial now to interconnect those adjoining businesses.

Birchler remarked that the owner of the Beverly Hills Club stated this evening that he has asked his employees to park in the McDonald's restaurant lot. Birchler questions whether those were required parking spaces for the McDonald's building. It appears that there is some dual use of required parking spaces which is acceptable with McDonald's but not with Bed Bath & Beyond.

Robiner expressed a concern about the width of the driveway. It was indicated that Bed Bath & Beyond is not proposing any change to that driveway.

Board members questioned what impact a traffic study on Southfield Road would have considering that it is a County road. It was noted that the recommendations resulting from a traffic study could not be imposed on a business or property owner. The Village cannot compel the businesses to allow connections or do what is best unless that business comes to the Village for a site plan revision.

Fox commented that she is convinced from what she has heard tonight and by comments from the planner that the type of traffic study that some people have been requesting would not be warranted.

It is her opinion that trips per day are not the problem along Southfield Road. The problem is design and planning for all of the merchants and users. It would be her wish that the Village would consider funding a thorough study of the traffic patterns on Southfield Road from 13 Mile Road to Medical Village with possible participation by the Road Commission for Oakland County.

Fox would like to see the Beverly Hills Grill and Bed Bath & Beyond work together to have one source of ingress and egress.

Board members discussed various elements of the site plan including front elevation, landscaping, and a masonry wall on the west and south property lines.

MOTION by Bliven, supported by Smith, that the Planning Board recommend to Council approval of the site plan dated September 15, 1999 as submitted with the following conditions:

1. To require brick facing on the east wall where it is not covered with DryVit.
2. To require a masonry wall along the entire west and south property line.
3. Provide a minimum of four foot of sod area between the Southfield Road right-of-way and the parking area.
4. Save the mature trees in the west parking area where practical.

Weisenbach asked questions about the masonry wall requirement. He was referred to the municipal code and the building official for clarification and interpretation of the Zoning Ordinance. He asked whether the requirement for a wall means that the applicant does not have to provide landscaping. Weisenbach was informed that the site plan as approved requires landscaping. The Planning Board approval indicates a wall replacing the proposed fence.

Fox commented that she does not think it is necessary to require brick facing on the entire east wall facing Southfield Road. She feels it would be more attractive to have a line of masonry brick on the bottom and split block on top.

Bliven remarked that the code does not require a specific material. His motion is a recommendation to Council based on the Site Design Handbook guidelines for Southfield Road.

Domzal noted that there is no requirement for a traffic study in the motion. Bliven responded that this property does not warrant a traffic study in his opinion. If a traffic study is undertaken by the Village, it should encompass the entire Southfield Road commercial strip.

Tillman proposes that the Planning Board recommend to Council that there be a traffic study conducted of the three adjacent businesses at minimum. The effect of the proposed use and other businesses on Southfield Road will impact the future. Tillman thinks that the Planning Board should look forward rather than react to what is in front of them. The Village needs the necessary information to make determinations on this plan and future plans for redevelopment along Southfield Road.

Belaustegui restated the advice of the planning consultant which is that he has never come across a situation where walling off one business from another is a good thing to do. Belaustegui is satisfied that a traffic study is not needed to make a determination on this site plan.

Roll Call Vote:

Bliven	- yes
Borowski	- yes
Domzal	- yes
Fox	- yes
Robiner	- yes
Smith	- yes
Tillman	- no
Belaustegui	- yes

Motion passes (7 - 1).

A recess was called at 9:20 p.m. The meeting reconvened at 9:37 p.m. Tillman left the meeting.

MOTION by Fox to table agenda items six through nine to the next Planning Board meeting.

Roll Call Vote:

Borowski	- yes
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Domzal	- yes
Fox	- yes
Robiner	- yes
Smith	- no
Belaustegui	- no
Bliven	- no

Motion passes (4 - 3).

PLANNING BOARD COMMENTS

Smith stated that the Village agreed to replace plantings that were destroyed over the bridge on Riverside Drive in Sturbridge Subdivision. He related that the new plantings are unacceptable and a formal complaint will be made to the Village Manager.

Smith informed the Board that he will be going on a tour of the SEMCOG facility with Bob Walsh tomorrow. Smith asked Birchler Arroyo representatives if they have had an opportunity to use SEMCOG resources in doing research for these meetings. Birchler and Wyrosdick both indicated that they use SEMCOG frequently for reference material and visit their web site for statistical information.

Smith stated that the Zoning Board of Appeals heard a second request for variance to allow a gate to be erected on Mr. Palmer's property. The appeal was denied. Byrwa explained that it is his interpretation that the proposed pillars and gate requested for the front yard is an accessory structure and cannot be placed in the front setback without receiving a variance from the Zoning Board of Appeals.

Smith stated that SEMCOG conducted a walkable community audit in the Village last Thursday. Members of the Planning Board joined the group.

Birchler stated that it was a very worthwhile program. The SEMCOG representatives gave many good examples from all over the country on how people are dealing with issues of connecting the community and making it walkable. There were examples of difficult situations that communities have faced.

Birchler Arroyo selected the study area of Evergreen Road from 13 Mile to Beverly Road. Birchler and Wyrosdick considered different areas in the Village and selected an area where it would be difficult to get a sidewalk installed. It has Riverside Park at one end, the Douglas-Evans nature preserve in the center, and the high school at the south end with no way for pedestrians to make the trip between those three community facilities. It seemed like a logical, difficult test to give to these consultants. The walk brought people together to physically look at the particular problem area which generated a lot of good discussion and potential solutions.

The group branched off of the walkway issue into problems at the intersection of 13 Mile Road and Evergreen Road. Director Woodard provided information on the frequency of the accidents and the typical accident. A typical accident involves somebody making a left turn before the traffic clears and getting broadsided. The two consultants had experience with that kind of situation and were able to show how the standard Michigan diagonally hung traffic signals contribute to that situation. They make it difficult for the person in the left lane to see the traffic light while they are waiting to turn left. Solutions to that problem were discussed.

The SEMCOG people talked about the importance of physical entryways into the community as a tool to get people to slow down as they are entering. They suggested various ideas for physical reminders to slow down.

The traffic safety situation at the intersection at Ronsdale and Wilshire was explored. The two stop signs on Evergreen are so far apart that people stopping on Evergreen do not realize when there is someone coming out of the subdivision and that they should yield. The consultants felt that there may be enough right-of-way to create a traffic circle there of some type.

There was discussion about the Douglas-Evans nature center and the difficulty of creating a walkway because of the natural beauty road status of Evergreen Road in that area. The group talked about some of the connectivity that does exist through some of the neighborhoods.

Bliven commented that it was an enjoyable walk and an informative program. He noticed that there were 20 MPH speed limit signs in the neighborhood. Bliven mentioned that time ran out before there was an opportunity to determine how to provide pedestrian access to the nature preserve.

Bliven stated that the Beverly Hills Club has removed two of the required parking spots from the McDonald's lot which the Council approved. He thinks that McDonald's may be required to come before the Village for approval to relinquish that use. A stop sign was placed in the middle of one space and the other space is striped. He asked that administration research this.

Belaustegui stated that tonight's discussion of the Bed Bath & Beyond proposal emphasized the increasing need to deal with Southfield Road issues.

MOTION by Smith, supported by Robiner, to adjourn the meeting at 9:47 p.m.

Motion passes unanimously.

Carry over items:

- 1 - Continue review of ordinance amendments to sign ordinance, political sign section (9-8-99).
- 2 - Continue review of ordinance amendment for off-street parking requirements (9-8-99).
- 3 - First draft of definition of "family" (9-22-99).
- 4 - First draft of "Exception to Height Limits" (9-22-99)

Motions made by Planning Board to be acted upon by Council:

- 9-22-99: Motion to recommend Council approval of Bed Bath & Beyond site plan with conditions.

**Vincent Borowski, Chairperson
Planning Board**

**Ellen E. Marshall
Village Clerk**