

Present: Chairperson Jensen; Vice-Chairperson Borowski; Members: Bliven, Hayes, Nedley, Smith, Tillman and Woodrow.

Absent: Schneiders

Also Present: Building Official, Byrwa
Planning Consultant, Wyrosdick
Council Liaison, Downey
Council member, Pfeifer

Chairperson Jensen called the meeting to order at 7:30 p.m. in the Village municipal building at 18500 W. Thirteen Mile Road.

APPROVAL OF AGENDA

It was noted that agenda item #5 should read, “Public *discussion* on 14 Mile Road Corridor study”.

Item #7A was added, “Discuss October 4, 2001 joint meeting with Council”. The agenda was approved as amended.

PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA

Carl Cutright of 19116 Hillcrest asked when the reconstruction of 14 Mile Road between Southfield and Greenfield Roads will begin.

Bliven stated that a mailing from the Road Commission for Oakland County indicates that its 2002 improvement program includes improvement of 14 Mile Road from Southfield to Greenfield Roads in Birmingham and Beverly Hills from two lanes to three lanes in the year 2002.

It was noted that Fourteen Mile Road is under the jurisdiction of Oakland County. Notice of tonight’s discussion on the 14 Mile Road Corridor study mailed to area residents includes the phone number of the Road Commission for Oakland County. Residents can contact that office for information on plans for widening 14 Mile Road.

APPROVAL OF MINUTES

MOTION by Bliven, supported by Borowski, that the minutes of a regular Planning Board meeting held on Wednesday, September 12, 2001 be approved as submitted.

Motion passes unanimously.

PUBLIC DISCUSSION ON 14 MILE ROAD CORRIDOR STUDY

Area residents have been invited to join in a public discussion of the 14 Mile Road corridor study prepared by the Planning Board and planning consultant. Katherine Wyrosdick from Birchler Arroyo will give a presentation of the 14 Mile Road Corridor study including the recommendations of the Planning Board. The public will then have an opportunity to comment and ask questions on the material.

Jensen stated that the Village Council has authorized the Planning Board to review the 14 Mile Road Corridor from a redevelopment standpoint. The board will not be addressing the upcoming 14 Mile Road reconstruction project or improvements to the sewer system.

Wyrosdick related that this study is a guide for future development in the corridor. The planning process begins with a study and a plan that will be forwarded to the Village Council for review and possible adoption. If Council adopts the study, there are a number of implementation steps that would follow in order for the recommendations from this plan to result in the end product.

The study area is 14 Mile Road between Southfield and Greenfield Roads. This plan does not change the land use or rezone property, but it does provide recommendations on how land use could be changed in the future. Once the plan is adopted, the next step would be to develop ordinance language and text to be adopted by the Village. A developer, property owner, or the Village could then initiate rezoning of the property. Only at that point would land use change.

Wyrosdick outlined the reasons for the Planning Board study of this area. One consideration was the Road Commission's plans to widen 14 Mile Road, which may impact the character of the corridor. There were observations made by Planning Board members and Village officials that the corridor appears to be in a state of transition. There are homes in disrepair with some homes converted to rental properties. A neighborhood transition is an indication that there is something occurring that should be examined. The Planning Board is concerned about this corridor because it is considered an entranceway to Beverly Hills.

The planning process was outlined by Wyrosdick. The Planning Board began by compiling existing data. They looked at existing land use, trends, opportunities, and challenges that the corridor presents. Wyrosdick remarked that it is better to plan for future development rather than delay and not have a good plan in place when the corridor begins to change. She noted that future development could be 5-10-15 years down the road.

The Planning Board held a public discussion early in the study for the purpose of involving the public in the planning process. Residents were asked what they like and dislike about the area.

The next step was to set goals and objectives to be achieved through this study. Two main goals were identified along with a number of specific and measurable objectives. One of the goals is to create a corridor that is an identifiable entranceway to the Village. The other goal is to strengthen and maintain the residential character of the corridor. The Planning Board is recommending changes to the density while retaining the residential nature of the area. The Planning Board also looked at the existing office and commercial property and recommends future redevelopment of the existing areas rather than expansion of those areas.

The Planning Board looked at a variety of land uses and discussed what did and did not make sense and why. Density considerations were discussed at length. The Planning Board narrowed its focus to 14 Mile Road frontage only. The board came to a consensus on the land use tool it felt would best achieve the vision outlined in this study.

There are a number of recommendations that the board set forth in the plan. This meeting is an opportunity for the Planning Board to present the ideas in the study and to receive feedback from area residents on their recommendations. Comments and suggestions from residents will be taken into consideration by the Planning Board.

The first recommendation is to develop an overlay district that would permit higher density residential land uses. The type of land use the Planning Board is considering is a town home type of residential development at a higher density than exists. The density discussed in the study is between 15-20 units per acre. The recommended land use would occur only with future redevelopment of property.

In return for higher density residential development, developers would have to provide site amenities such as small pocket parks, pedestrian benches, lighting fixtures, and quality landscaping in their plans. The community would benefit by a nice looking entranceway and other amenities. Architectural standards would be required for all development to insure that the look envisioned by the study is maintained. The plan incorporates pictures of architectural designs visualized by the Planning Board. If existing office buildings are improved or redeveloped, they will be required to meet architectural standards of a more residential style that would provide a consistent theme along the corridor.

An overlay district overlays the existing zoning and allows two modes to occur simultaneously. It allows residents to remain in their homes if they chose and to expand their houses in accordance with the current zoning. An overlay district does not necessarily change the zoning until someone comes to the Village with property they want to redevelop. Rezoning will not occur until there is a market for town homes and developers are able to purchase a piece of property that is large enough to redevelop. If this does not happen, the current residents are not affected by this overlay district. This is a unique feature of an overlay district when dealing with an already developed area.

Wyrosdick displayed a map of 14 Mile Road from Southfield to Greenfield Roads that is color coded to identify future land use recommendations. She designated the primary areas of the overlay district, which extends from the office area east of Pierce on property fronting 14 Mile Road to Greenfield Road. The primary overlay area indicates an area where the Village would like to see redevelopment as soon as the market deems it possible. The Village can direct developers to consider the primary area first. The secondary area identified from Southfield Road to Pierce is a more stable area with larger homes that are further from the smaller home sites to the north.

Wyrosdick restated that the type of use being recommended is a higher density residential use than what currently exists. The current zoning on property east of Madison allows for 7.5 dwelling units per acre. The residential density use that the Planning Board is considering would increase that density to 15-20 units per acre. The primary area contains small homes on small lots with multiple curb cuts. A benefit of redevelopment would be to reduce the amount of curb cuts and driveways and improve traffic flow.

Wyrosdick referred to a display with pictures that demonstrate the look that the Planning Board envisions for this area. It is a town home type of look with porches and entranceways. She commented on the examples of architecture that might work well in the corridor. The intent is to retain a residential nature with buildings that look like the homes that exist in the area. A development should have unique characteristics such as pitched roofs, brick, porches, and single entrance ways to the units. Also pictured are office buildings with a residential character. This concludes an overview of the plan.

Jensen opened the public discussion.

Frank Worrell of 32123 Bellvine Trail questioned the rationale for conducting a corridor study without specific information on plans to reconstruct 14 Mile Road. He also questioned the justification for the redevelopment study if the Village does not own the land.

Jensen stated that the Planning Board is aware of the improvements planned for 14 Mile Road. Wyrosdick added that the concept of what the Road Commission is planning is all the Planning Board needs to know when looking at land use. Engineering detail would not be a benefit for this study. The Planning Board is looking at the future redevelopment of property that abuts 14 Mile Road.

Jensen clarified that the Village has no intention of owning the property in question. The Planning Board is recommending an overlay zoning district to Council.

Worrell asked for a copy of the Council meeting minutes that authorize the Planning Board to undertake this study and that indicate Council direction with respect to the scope of work. Worrell was informed that Village staff will provide him with copies of the minutes he is requesting.

Dan McCleary of 17175 14 Mile Road questioned the financial feasibility of future redevelopment of this type considering the home values, lot sizes, and setback from 14 Mile Road.

Jensen stated that this is a conceptual plan showing ways in which this land could be used. If Council accepts the plan, implementation will follow. Developers will be invited to assemble property and submit proposals for redevelopment in accordance with the overlay plan. If the proposal meets ordinance requirements, developers will proceed through an approval process. Jensen commented that there will be public discussions along the way.

In answer to a question, Michael Steinhilber of 16268 Kirkshire was informed that Madison street east of the water tower is a public right-of-way owned by the Village. It is not contemplated to extend Madison to 14 Mile Road.

Steinhilber asked what is contemplated as far as height restrictions for commercial and office properties east of Pierce.

Wyrosdick responded that the next step, if the corridor plan is adopted, would be to write ordinance language that would dictate height limitations. What is anticipated is a building of two to three stories with a residential character.

Larry Needham of 15588 Kirkshire stated that he has been an advocate of this idea for some time. He expressed the view that this area is not up to the standards of the Village, and an overlay zoning district that allows rezoning for multiple residential dwellings may be the solution. He lives one block behind 14 Mile Road on Kirkshire and is concerned with commercial and office use spreading eastward from Southfield Road. This new residential zoning would forestall that type of development. Needham believes that high quality multiple housing will be sought after by people who no longer want to maintain their property but want to remain in Beverly Hills.

Needham listed items that he suggests be required of multiple dwelling: no balconies, three units in a cluster to hold down density, and a high wall behind the structure to screen it from the homes on Kirkshire. Needham thinks that the Village is on the right track, and he thanked the board for the effort they put into this study.

Carl Cutright of 19116 Hillcrest expressed concern with the unknowns of this project. He thinks that density and building height will be variables that cannot be controlled. Cutright maintains that an overlay zoning district will have an adverse affect on the neighborhood behind the new multiple dwelling district and on the Village's image. Cutright thinks that multiple residential housing is something that developers want and not the people in the Village.

Edward Toth of 17500 Kirkshire questioned the sequence of development of the primary and secondary areas along 14 Mile Road. Wyrosdick stated that the intent of the study is to encourage redevelopment to occur in the primary area first. Ordinance language could spell this out. The Planning Board is recommending that the Village Council accept the concept. The next step would be to develop strict standards to include in the Zoning Ordinance that will define density, building height, and when secondary areas can be developed.

Toth remarked that the Planning Board is asking people for comments before they know the outcome of the 14 Mile Road reconstruction with respect where the road will be and the affect it will have on the entire area. Jensen stated that the road widening does not involve taking of private property; the road will be constructed in the right-of-way. In answer to an inquiry about the location of residential and office property, Wyrosdick designated those uses on the future land use map.

Meggie Harlan spoke for her mother who lives at 15625 W. 14 Mile Road. She contends that the Road Commission has caused decreased property values by talking about widening the road to five lanes for many years. Harlan asked what will happen if the road is not improved next year.

Jensen stated that it is the Village's hope that the improvements will take place in 2002 as the County has indicated. This plan could be in process simultaneously. In response to a question, Jensen stated that the Planning Board will make a recommendation to the Village Council, and they will consider the plan, listen to the public, and decide how to proceed.

No one else wished to be heard. The public discussion was closed at 8:22 p.m.

Members of the Planning Board stated that they appreciate the comments of those present and the presence and interest of those who did not speak. The Planning Board will listen to the comments from residents and respond to them. The goal of the 14 Mile Road Corridor plan is to preserve the residential character of the community and insure that Beverly Hills remains a desirable place in which to live.

In answer to an inquiry about how the redevelopment will progress, Wyrosdick stated that the study envisions that some land assembly will be required before redevelopment can occur. There will be portions of the area redeveloped, and there will be some people who do not want to sell their homes.

There was a recess called at 8:30. the Planning Board reconvened at 8:35 p.m.

PUBLIC HEARING ON CHARRINGTON CROSSING REQUEST FOR A LOT SPLIT, REZONING, AND AMENDMENTS TO EXISTING CLUSTER SITE PLAN

Wyrosdick presented an overview of the proposed land division, rezoning, and revised site plan application involving the .54 acre parcel adjacent to the Charrington Crossing condominium development. The applicant is requesting rezoning of the R-2 parcel to R-3 in order to develop the land in conformance with the existing development. Birchler Arroyo recommends approval of the rezoning on the basis that it is a logical extension of the existing R-3 development that occurs in Charrington Crossing. The proposed development of the parcel would not increase the density from what exists in the surrounding area.

Birchler Arroyo has recommended approval of the land division with the consideration that it is being combined with Charrington Crossing. It is an existing lot of record that is going to be combined to the condominium property.

The planning consultants have also recommended approval of the cluster option site plan subject to some additional information being provided by the applicant relative to exhibits to the Master Deed prior to Council approval.

Wyrosdick outlined her September 19, 2001 letter reviewing the parallel plan submitted by the applicant at the last Planning Board meeting. A parallel plan is required as part of the Cluster Option ordinance to insure that the cluster plan does not achieve any more density than could be achieved if the property was developed under conventional subdivision development. The planning consultants suggest that the parallel plan is sufficient and provides adequate justification for the two homes that Mr. Merritt is proposing to be developed on the .54 acre parcel. Birchler Arroyo is recommending approval of all three issues under consideration.

The applicant James Merritt of 195 Charrington Court related the events that led to the current request for rezoning, lot split, and approval of a revised site plan. At the time the property was being assembled for the Charrington Crossing condominium development, there was an attempt to purchase the parcel in question in order to incorporate it into the original plan and complete the development. The property owner did not wish to sell that land, and Charrington Crossing was developed without that parcel. The property has now become available to be added to the condominium development.

Merritt outlined the request of Charrington Associates, Ltd. to develop the additional parcel to Charrington Crossing under the Cluster Option of the Zoning Ordinance. His letter of September 14, 2001 to the Village lists the reasons for approval of the cluster site plan.

Jensen declared the public hearing open on the land division at 8:46 p.m.

Paul Pietrzyk of 15741 Amherst questioned the setback from the proposed units to the rear lot line. Merritt displayed the plot plan, which indicated that the rear yard setback from unit #20 exceeds the required minimum setback of 30 feet.

Mary Pew of 32051 Auburn Drive had questions about the request to split a parcel from property that fronts on Amherst. She asked about ingress and egress of the parcel resulting from the land division. Pew had concerns about rezoning and increased density. She wants the character of the neighborhood maintained.

Wyrosdick displayed the site plan showing the lot on Amherst in relationship to Charrington Court. She explained that a parcel of land in the rear portion of the Amherst lot is being added to the Charrington development. Two homes will be built on this parcel with access from Charrington Court.

No one else wished to be heard; the public hearing was closed at 8:52 p.m. Jensen declared the public hearing on the rezoning request open.

Dorothy Pfeifer of 160 Charrington Court commented that it seems logical when incorporating the subject piece of property into the existing Cluster Option development to rezone it to R-3 to be consistent with the zoning of Charrington Crossing.

The public hearing was closed at 8:54 p.m. Jensen declared the public hearing open for the cluster option site plan.

Bliven clarified that the site plan shows that only two units will be built on that property. At the inquiry of Mary Pew of 32051 Auburn, Bliven stated that three units could not be built on this property unless the applicant requested and received approval of a revised site plan from the Planning Board and Council.

Mellissa Mullin on Amherst commented that there are skunks living in the property in question. She was informed that she could contact the Township of Southfield and request its animal control service if problems are experienced with skunks.

Planning Board members discussed the requests for rezoning, land division, and cluster site plan approval.

MOTION by Bliven, supported by Tillman, that the Planning Board after holding a public hearing on September 26, 2001 recommend that the Village Council approve the division of land as requested by Charrington Associates, Ltd. This division will combine landlocked parcel, Lot 19 except the west 192.84 feet, Greenfield Villas Subdivision, with the Charrington Crossing condominiums and allow a rational development of the parcel.

Roll Call Vote:
Motion passes unanimously.

MOTION by Smith, supported by Tillman, that the Planning Board after holding a public hearing on September 26, 2001 recommend that the Village Council approve the rezoning of Lot 19 except the west 192.84 feet, Greenfield Villas Subdivision, from R-2 to R-3 as requested by Charrington Associates, Ltd. This will allow development of the rezoned parcel to match the existing R-3 Charrington Crossing condominium parcel.

Roll Call Vote:
Motion passes unanimously.

MOTION by Bliven, supported by Smith, that the Planning Board after holding a public hearing on September 26, 2001 recommend that the Village Council approve the amended site plan as requested by Charrington Associates Ltd. subject to Village approval of utility design and installations and providing for Village approval of the Cluster Option Ordinance required documents. The qualification for this Cluster Option request is the same as existed for the original 1997 approval. The parallel site plan showing a typical subdivision complying with R-3 zoning was submitted and complies with the ordinance requirements. The site plan request complies with both the preliminary and the final Cluster Option requirements. Approval will allow the development of the newly acquired parcel to match the present Cluster Option development.

In response to an inquiry, Merritt stated that it is his intent that the elevations indicated on the site plan are the buildings he intends to build on the property. He consulted with the adjacent neighbors on the selection of elevations.

Roll Call Vote:
Motion passes unanimously.

REVIEW CHANGES TO 14 MILE ROAD CORRIDOR PLAN

There was discussion about the primary and secondary areas designated on the plan and how they would be reflected in the overlay district. Wyrosdick stated that, if the plan is adopted, standards will be written that apply to the entire corridor with mention made of the primary

and secondary areas referred to in the plan. Ordinance language could be written to require that activity occur in the primary area first.

Wyrosdick was asked to prepare a final copy of the 14 Mile Road Corridor plan and draft a cover letter to Council for review by the Planning Board at its next meeting.

Larry Needham of 15588 Kirkshire suggested changes to the example overlay district included in the plan. He was informed that the revisions he mentioned are reflected in the latest draft of the document.

Bliven suggested that administration be asked to obtain a copy of the 14 Mile Road reconstruction plan from the Road Commission and make them available for public review at the Village offices. Byrwa will look into this.

DISCUSS OCTOBER 4, 2001 JOINT MEETING WITH COUNCIL

A joint meeting between the Planning Board and Council is scheduled for Thursday, October 4, 2001. It was decided last year to hold the annual joint meeting with Council in October in order to discuss and receive input from Council on the Planning Board's work program for the next year.

Bliven listed the items discussed at the joint meeting with Council held on November 8, 2000. Council was in agreement that the Planning Board priority projects for the next year should include the 14 Mile Road Corridor plan, Village entrance signs, the Southfield Road Corridor study and incorporation of portions of the site development handbook guidelines into the Zoning Ordinance. Other items were discussed.

Board members discussed its priorities for 2002. The Southfield Road Corridor study will be a major project for the coming year. Council has funded a portion of that study. It was suggested that the Planning Board request funding to complete the study.

If the 14 Mile Road Corridor plan is adopted, Council may direct the Planning Board to work on drafting ordinance language for an overlay zoning district. In addition, the Pathway Plan may come back to the Planning Board in some form if Council is interested in pursuing it. The Planning Board and Council will discuss these and other ideas introduced at the joint meeting and reach a conclusion on the Planning Board priorities for 2002.

PLANNING BOARD COMMENTS

Smith questioned the status of the Chawney development. Byrwa responded that there are two lots that have not been sold.

Borowski reminded board members of the Council public hearing on the Pathway Plan on Monday, October 1, 2001 at 7:30 p.m. at Berkshire Middle School.

PUBLIC COMMENTS

Larry Needham of 15588 Kirkshire stated that it was mentioned this evening that Madison Street does not go through to 14 Mile Road. People have placed fences and driveways on that easement. He questioned if the law of adverse possession comes into play.

Woodrow, an attorney experienced in real estate law, stated that an individual would have to file a lawsuit for the title in order to achieve property through adverse possession. The owner of the property would be allowed to state why they should be able to keep the property from adverse possession. This would be unlikely to occur with government property.

Downey informed the board that he understands that the Southeastern Oakland County Water Authority is planning to fence the water tower property on 14 Mile Road with barbed wire fencing for security reasons.

MOTION by Borowski, supported by Smith, to adjourn the meeting at 9:40 p.m.

Motion passes unanimously.

Carry over items:

- 1 - Entranceway signs (10-27-99)
- 2 - Fourteen Mile Road Corridor Study (10-11-00).
- 3 - Opinion from legal counsel on current ordinance definition of family (01-24-01).

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

- 01/24/01: Recommendation that the Council approve the Pathways Plan.
- 09/26/01: Motions to recommend approval of land division, rezoning, and cluster site plan request from Charrington Associates, Ltd.

**David Jensen, Chairperson
Planning Board**

**Ellen E. Marshall
Village Clerk**