

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

Absent: None

Also Present: Building Official, Byrwa
Planning Consultant, Birchler
Alternate Council Liaison, Mooney

Chairperson Jensen called the meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road. Jensen welcomed newly appointed Planning Board member Bruce Wayne.

APPROVE AGENDA

MOTION by Bliven, seconded by Tillman, to approve the agenda as prepared.

Motion passed unanimously.

PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA

There were no comments from the public.

APPROVE MINUTES

MOTION by Bliven, seconded by Smith, that the minutes of a regular Planning Board meeting held on Wednesday, April 10, 2002 be approved as submitted.

Motion passed unanimously.

PRESENTATION BY JOHN SMITH ON INFORMATION REQUESTED FROM ADMINISTRATION

- Copy of documents that provide a history of the former Beverly Hills Downtown Development Authority
- Long range plans of the Road Commission for Oakland County for reconstruction of Southfield Road
- Township of Southfield Master Plan
- Traffic study data from TIA following expressway construction

Smith related that in 1984/85 Beverly Hills created an ad hoc committee appointed to look into an urban design strategy for the Southfield Road corridor. Village staff has provided him with background material related to this topic.

Eighteen years ago, a group from the Village Woman's Club of Beverly Hills created a Beautification Committee. The committee arrived at a number of suggestions including a gateway installation and streetscape plan for the Southfield Road business district.

A decision was made in 1984 that Planning Board member Paul McGovern would chair an ad hoc committee on urban standards. Many of the committee members were from the business district including Stanley Satovsky, owner of Beverly Hills Racquet Club, who served as vice-chair. Former planning consultant Phil McKenna took charge of most of the planning for the urban design committee and originated the idea of a Tax Increment Financing (TIF) plan related to a Downtown Development Authority (DDA). McKenna wanted to have the TIF plan adopted by Beverly Hills by the end of 1985 so the Village could capture the increase in taxes primarily from The Corners shopping center in Southfield Township.

Attorney John Donohue was hired in November of 1984 to represent most of the business people on the Beverly Hills side of the Southfield Road corridor. He announced to Southfield Township and the Beverly Hills Council that the businesses were opposed to a tax increment financing plan even though it would capture any increase in taxes in the future. The business community realized that it would cost them an additional couple of mills. The business owners wanted to see a plan before committing any money to it.

There was a long discussion in October of 1985 as to what would be included in the Southfield Road corridor planning. It was concluded that Huntley Square and the convalescent home should

not be included in the corridor plan. The Southfield Road business district became predominantly the businesses on Southfield Road. Smith distributed a map from 1985 showing the boundaries of the Downtown Development Authority.

The Planning Board was asked to support the DDA and TIF plan and did so by a 6-1 vote. Smith noted that the Planning Board was not involved with the DDA; everything was done by an ad hoc committee and by the Village Council. None of the documents came to the Planning Board.

The Township of Southfield became involved in the DDA discussions, and there were joint meetings with the Beverly Hills Council and Township Board. Planning consultant Brandon Rogers represented Southfield Township with Phil McKenna representing Beverly Hills. Smith noted that Southfield Township completed and accepted its master plan in 1985. He has a copy of the Township's master plan. At that time, The Corners shopping center was going in as a new project.

The Urban Design Plan committee was dissolved in November of 1985 after it had submitted its findings. Village Administration decided that there should be an administrative liaison to the DDA and chose Ernie Fisher as project coordinator, followed by Evelyn Hall, assistant to the Village manager.

Smith related that the Birmingham School District was opposed to the Tax Increment Financing plan proposed by the Downtown Development Authority because it wanted that tax money for its own long term plans. This opposition resulted in a lawsuit with the case heard by Judge Lippitt who decided that Beverly Hills did not meet the criterion for creating a DDA. The result was an out of court settlement whereby Beverly Hills agreed that it did not have the criterion for creating a DDA with a TIF plan because the Village did not have a decreasing property base.

A DDA went into effect on December 31, 1985. It was in August of 1986 that the lawsuit was filed and settled. There was no money from tax increment financing for the six projects identified in the urban plan.

The Beverly Hills Urban Design Committee chaired by Paul McGovern suggested six projects:

- Streetscape improvements
- Building façade improvements
- Gateways installation
- Utility line burials or pole relocations
- Enclosure and rehabilitation of open storm sewers
- Signs

Smith stated that the Southfield Township master plan of 1985 has never been updated. The Corners shopping center is substantially developed. The obvious suggestion is that the other side of Southfield Road should also be considered in our corridor planning. Smith asked planning consultant Dave Birchler if the Village has the right to plan for Southfield Road on the Township side.

Birchler stated that the Municipal Planning Act allows a municipality to plan within unincorporated areas outside of its boundaries. Southfield Township is unincorporated. A city or village that anticipates needing additional land area for its growth in the future may need to plan beyond its boundaries for areas that it might intend to annex within its limits or work with in a type of interlocal agreement where the responsibility of the land area is transferred to the incorporated municipality and certain of the tax revenues are rebated back to the unincorporated municipality so that it does not lose tax revenue from the transfer. It is a voluntary land transfer.

Smith related that the Oakland County Clerk sent a letter to the Village in 2001 saying that, if Beverly Hills wanted to create a Downtown Development Authority, it may do so for a variety of reasons, one of which is creating jobs. There are criteria available now that were not in 1985.

Smith stated that in 2002 there was a major traffic study done by the Traffic Improvement Association (TIA) of Oakland County on Southfield Road following the expressway opening. It shows a reduction in the number of cars traveling on Southfield Road over a 24 hour period from 30,000 to a little over 18,000.

The Road Commission for Oakland County (RCOC) has decided to reconstruct Southfield Road into a six lane boulevard from 9½ Mile to 11 Mile Road in 2002. The Road Commission has budgeted for a four lane boulevard from 12 Mile to 14 Mile Road in 2004.

Smith has asked the Village Clerk if the DDA still exists on paper. Village staff has not yet been able to locate documents that indicate whether the DDA was dissolved. It appears that the DDA is inactive and has not been abrogated.

Birchler surmised that the DDA probably does exist on paper from the standpoint that a start and ending date must be provided when a DDA is created. Since the statute allows a 25 year period, most communities establish a DDA that length of time.

Smith stated that the Village has all Phil McKenna's work on the DDA and the tax increment financing and development plan. His work demonstrates that the plan included the Southfield Road corridor on both sides of the street and encompassed a section of 13 Mile Road from Southfield past Chelton. Smith observed that the Village's corridor plan cannot include ~~public~~ **private** space unless there is cooperation with a DDA in a public/private partnership. He suggests that the Planning Board learn all the details of the former Downtown Development Authority before it proceeds with its study.

Smith related that McKenna thought that there should be a systematic analysis of all the parking along Southfield Road. Bliven believes that the Village has received parking layouts over the last five years for all property on Southfield Road. That data could be collected.

Birchler was asked to attempt to obtain a copy of the four lane Southfield Road boulevard plan from the Road Commission. Birchler did not know whether it has been designed yet or just proposed for funding in 2004. He mentioned that the County has a standard four-lane boulevard design that can be viewed in other locations in the County. An example would be Long Lake in Troy between Coolidge and Rochester Road. Birchler will also talk to the City of Southfield planning director about boulevard plans for Southfield Road.

Smith referred to a two-page handout on Road Commission for Oakland County fiscal year 2004 federal aid, which indicates a contribution and matching grants for a four-lane boulevard reconstruct of Southfield Road from 12-14 Mile Road.

Jensen commented on all the effort that went into addressing the Southfield Road corridor in 1985 with nothing done. Bliven responded that the main reason for dropping the DDA and TIF plan was due to the School District's challenge for the tax money. Birchler added that it is difficult to do this type of plan without funding.

DISCUSS AND DEVELOP A CONSENSUS ON THE APPROACH TO SOUTHFIELD ROAD NEEDS AND REQUIREMENTS OF THE MASTER PLAN

Jensen distributed copies of a letter from a planner to the city administrator of the City of Mason congratulating city staff and elected leaders on their downtown improvements. The writer says that, "Downtowns are meant to be places for associations, festivals, and the trade of goods, services, ideas, knowledge, friendship and culture. Fast and free moving cars take from the ability to have workable public space." Jensen quoted from the last paragraph of the letter as follows: "All change must go through three stages. The first stage is ridicule. The second stage is violent opposition. The third stage is acceptance as self-evident. No change of any importance in the world has skipped any of these stages."

Jensen referred to material prepared by planning consultant Birchler outlining three basic approaches to consider for the Southfield Road corridor study. He asked for Planning Board discussion of the three scenarios. The purpose of this exercise is to define what the Planning Board would like to do and develop a consensus as to what the board wants to see happen.

The first scenario is "Improve and Enhance". There are existing conditions that could be improved and elements that can be analyzed:

- An analysis of the business mix, necessarily including adjoining parts of Southfield and Southfield Township;
- An evaluation of current vacancies and the nature of vacant spaces;

- An evaluation of vehicular, pedestrian and parking facilities associated with the corridor businesses and development of plans for traffic and access management, pedestrian facility enhancements, and interconnections between adjoining businesses;
- An evaluation of the condition of building façades and recommendations for façade enhancements with particular attention to developing a “Village standard” for the corridor;
- Recommendation for possible recruitment activities designed to improve the business mix within the district.

Jensen remarked that it appears that the Village got this far in 1985. These items are probably achievable in a short period of time.

Smith stated that it has been determined that the Village has plans for the parking layouts of all the businesses on Southfield Road. He suggests that the parking on the Township side should also be reviewed. Village staff and/or Bliven will collect these parking plans for the next meeting.

Tillman suggested that short term improvements can have an impact. The Board can develop a long term plan to place in action when there is an opportunity to reassemble property.

There was some discussion about the reconstruction of Southfield Road to a four lane boulevard and what the Planning Board can do to make a strong statement in support of this design. Birchler believes that there is a commitment to do the boulevard design. County timing for the project is questionable in terms of budget shortfalls and delayed work programs. He will provide as much information as he can for the Board on Road Commission plans for this project.

It was mentioned that one of the Planning Board’s priority projects is to incorporate appropriate sections of the Site Development Handbook into the Zoning Ordinance. This will be done in conjunction with the Southfield Road Corridor Study.

Smith suggested that other data the Board could collect is long term plans of businesses on the corridor with regard to expansion or change.

Byrwa related that McDonald’s corporation withdrew its site plan review of parking lot improvements at the McDonald’s restaurant on Southfield Road due to the possibility that the building will be replaced in the next year or two.

Birchler suggested that the planner could prepare information on the goals of businesses for the next five years and whether there any changes planned. He proposed that this could be done efficiently as part of the study through an interview process.

Birchler stated that the Board may find that businesses are constrained without opportunity for expansion. Jensen remarked that this happens when ordinances are limiting. Birchler commented that a business district can be viewed as a whole in terms of where parking spaces are needed based on shopping patterns within the district. The idea of looking at the district as a whole is to make it function better as a unit without duplicating facilities.

Jensen thinks that the goal is to enhance the business district to make it a better place and to determine the flexibility the community might have to help the business owners to be more successful.

The second scenario is “Refocus and Refine”.

- This approach will involve analyzing the business mix and evaluate vacancies;
- In this scenario, the planners suggest developing an aggressive proposal for relocating incompatible uses out of the district;
- Active recruitment of businesses that would improve the retail and service mix with possible redevelopment of sites made available by relocation activities;
- Plans for traffic and access management; pedestrian facility enhancements, and interconnection between adjoining businesses;
- An evaluation of building façades and recommendations for major façade renovations with particular attention to developing a “Village standard” for the corridor.

Smith commented that the brick Village entry sign near Southfield Road is difficult to see. He would like to refocus on signs and signage on the corridor. He would like to have someone review

and refine the streetscape improvements suggested in the 1985 study and determine how it might fit in with the boulevard approach. Byrwa will copy and distribute the 1985 Urban Design Committee planning projects for the next meeting.

In preparation for presenting a budget proposal, Jensen asked that Bircher present a fee for a study based on the “improve and enhance” scenario discussed tonight. The scope of work would include the Southfield Township area, parking issues and developing flexible solutions, existing building conditions, and inventory of businesses to determine their long term business plans. Jensen would like to know how we could use the Village’s Site Development Handbook. These are the things the Planning Board would like to begin working on with the help of the consultant.

Birchler will research information on a Southfield Road boulevard and collect other requested information for the next meeting, including the urban design committee recommendations. Jensen asked Birchler to compile a checklist for reference. Birchler was asked to distribute the aerial map of the Southfield Road corridor to members in a 11” x 14” size and to prepare a larger aerial to be used during Board discussions of the Southfield Road corridor.

Smith asked what information is provided to new Planning Board members. At the chair’s suggestion, he will prepare a list of materials that are necessary for new Planning Board members.

PLANNING BOARD COMMENTS

Bliven recalled that the Planning Board asked administration to obtain an opinion from Village legal counsel as to whether the ordinance definition of family is appropriate or needs amending. This will continue to be a carry-over item.

Wayne stated that he is excited about joining the Planning Board and looking forward to doing things that will help the community.

Tillman welcomed new member Bruce Wayne and Council liaison Janet Mooney.

Jensen commented on the productive discussion at the last Planning Board meeting relative to long term planning and budgeting for work programs. He asked Birchler how the Planning Board can become a planning commission. Birchler responded that Council can create a planning commission by resolution. The board was in agreement that it should look at becoming a commission.

At Jensen’s request, Birchler will develop a brief description of the powers and duties of the Beverly Hills Planning Board versus the powers and duties of a typical planning commission. He will provide the Board with a copy of the Municipal Planning Act in its current form.

PLANNING CONSULTANT’S COMMENTS

Birchler introduced Marlin Rubin, new planner on staff at Birchler Arroyo, who will assist him with the Village’s planning consultant needs. Rubin is formerly with the Oakland County Planning Division and has had a number of assignments since then. He was recently the planner for an Indian reservation in Arizona.

BUILDING OFFICIAL COMMENTS

Byrwa informed the Board that he has been working with the purchaser of the Standard Federal bank building at Lahser and 13 Mile Road. A medical group moved into the building, and the current sign is not in compliance with the office zoning use. The owner will probably remove the sign and retain the base for a redesigned sign that will comply with the ordinance.

Byrwa reported on new house construction in the Village. Houses on Smallwood and Kirkshire are being torn down and rebuilt. Plans have been submitted for a new house on an empty lot on Beverly Road.

MOTION by Borowski, seconded by Bliven, to adjourn the meeting at 9:15 p.m.

Motion passed unanimously.

Carry over items:

- 1 – Opinion from legal counsel on current ordinance definition of family (01-24-01)
- 2 – Review information on Southfield Road corridor and develop scope of work (4/24/02).

**David Jensen, Chairperson
Planning Board**

**Ellen E. Marshall
Village Clerk**

**Susan Bernard
Recording Secretary**