

REGULAR PLANNING BOARD MEETING MINUTES – SEPTEMBER 28, 2005 – PAGE 1

Present: Chairperson Jensen; Vice-Chairperson Landsman; Members: Borowski, Liberty, Ostrowski, Walter and Wayne

Absent: Freedman and Tillman

Also Present: Building Official, Byrwa
Planning Consultant, Wenzara
Council members – Burry and Walsh

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.

APPROVE AGENDA

Motion by Ostrowski, second by Borowski, to approve the agenda as published.

Motion passed (7 – 0).

APPROVE MINUTES OF JULY 27, 2005 PLANNING BOARD MEETING

The minutes were corrected to indicate Landsman as Vice-Chairperson.

Motion by Landsman, second by Wayne, that the minutes of a Regular Planning Board meeting held on Wednesday, July 27, 2005 be approved as amended.

Motion passed (7 – 0).

REVIEW REQUEST FOR CHANGE OUT OF THREE EXISTING SIGNS AT THE FORMER VIC'S MARKET TO MARKET FRESH SIGNS

Before the Board for consideration is a request to replace existing signs at Vic's Market at 31201 Southfield Road to reflect new ownership, Market Fresh Fine Foods. Byrwa noted that the size and location of the signs will not change; the plastic sign faces will be replaced. It was noted that the ordinance does not have specific regulations that apply to an application to replace existing signage.

Owner Johnny Karmo was present requesting Planning Board approval of three signs. He displayed colored drawings of the signs featuring green, black and white. Karmo remarked that the interior of the store will undergo major improvements.

Motion by Ostrowski, second by Liberty, to approve the request from Market Fresh to change three existing signs at the former Vic's Fruit Market at 31201 Southfield Road.

Borowski recalled that there may have been restrictions placed on the electronic message sign used by Vic's Market. He questioned whether this sign approval should be contingent on the same conditions.

It was mentioned that the Zoning Ordinance has restrictions on the speed at which an electronic message can change so as not to distract motorists. Owner Karmo indicated that the timing will not be changed unless it is to make is slower.

Roll Call Vote:
Motion passed (7 – 0).

REVIEW MASTER PLAN

Confirm Upcoming Project Schedule

Planning consultant Caryn Wenzara reviewed a proposed schedule of Planning Board tasks for the next six months in order to ensure progress and the timely completion of the Master Plan update. There was a consensus on the schedule as follows:

- October:** Review Housing and Neighborhood issues including existing conditions research; compile inventory of non-conforming situations; indicate lot and setback requirements in various districts; talk about items that require review; discuss neighborhood meetings
- November:** Conduct neighborhood meetings (up to two); obtain suggestions on improving or maintaining neighborhoods
- December:** Review Draft #1 Housing and Neighborhood Plan Chapter and Future Land Use Plan Chapter
- January:** Review Draft #1 Circulation Plan Chapter and Community Facilities and Future Land Use
- February:** Review Draft #2 of complete Plan Document
- March:** Public Workshop #2 – presentation of draft plan and discussion

Once the Board has a draft Master Plan, the Village must go through the agency review period, which takes about three months and is followed by a public hearing.

Jensen reviewed that Council has heard comments from residents recently on the issue of garage sizes in the Village. At its July 19, 2005 meeting, Council directed the Planning Board to review ordinance sections relating to definition of a garage and accessory structures and to report back with recommendations. A proposal from LSL Planning to complete a review of the Zoning Ordinance as it relates to the size of accessory structures came before Council at its September 6 meeting for consideration. Council did not approve the expenditure for this study.

Jensen asked if garage size will be discussed during the neighborhood review. Wenzara responded that she expects that this topic will be discussed if it emerges as an important item from research or talking to residents at neighborhood meetings.

Wenzara stated that the accessory structure issue could have been a separate topic from the Master Plan in terms of the planning consultant providing research on how the situation is effectively handled in other communities and offering recommendations to amend the ordinance. Council did not choose to approve the proposal. The Planning Board can see what comes out of the results of the neighborhood and housing study before moving forward with text amendments.

Walter asked what the Planning Board hopes to learn from neighborhood meetings considering that it recently held a public workshop on the Master Plan update. Wenzara responded that the Board would talk more specifically with residents about their neighborhoods in terms of improvements or future concerns that they feel should be addressed by the Village. Two meetings are suggested covering separate geographic areas of the Village.

There was discussion on how the Board could generate objective comments from people residing in various neighborhoods. It was suggested that neighborhood association presidents could be contacted and asked to attend the session to represent their area. The Village can issue invitations and publicize the neighborhood meetings asking for participation. It will take some facilitation at the meeting to make sure that participants stay on track and work toward providing suggestions. Notice of the neighborhood meetings could be published in the Villager Newsletter. The article could include specific questions that the Planning Board wants residents to be thinking about in preparation for the meetings.

The Board talked about meeting dates for the next few months. A joint meeting with Council is scheduled for October 12 in addition to the regularly scheduled October 26 meeting. The November meeting was moved to Wednesday, November 9 and the December meeting was changed to Wednesday, December 14 due to the holidays.

Review Strategic Plan Analysis

Wenzara recapped that the Planning Board had asked that she look through the Strategic Plan and highlight elements where topics, phrasing and concepts are applicable to the Master Plan. Wenzara went through the Strategic Plan with the Board pointing out specific text that could be incorporated into the Master Plan as well as important concepts that could be included in the Plan in a less specific manner. Her review was aimed at building a consensus of the Board on how to proceed with blending ideas in the Strategic Plan into the updated Master Plan.

Wenzara reviewed that the Planning Board has expressed support of the vision statement drafted by the Strategic Planning Committee with minor refinements. There are six key strategic issues identified as focus areas of the Plan. She thinks that each of them will be important to the Master Plan in some capacity. There are strategic objectives and action plans for each key strategic issue, some of which are important but were too specific to be included in a Master Plan.

1. Maintain Current Level of Services – This will be an important goal of the Community Facilities Chapter of the Master Plan.
2. Improve/Update Infrastructure – Public utilities and infrastructure are included in the Community Facilities Chapter.

Objective A: Outline current infrastructure operational plan

Objective B: Outline current/future grant strategy for funding resources

Objective C: Continue to develop infrastructure enhancement and maintenance programs

It was suggested that interpretation of the term ‘infrastructure’ and the elements it includes may be a topic for further clarification.

3. Establish a Long-Term Financial Plan – While this issue will not be addressed specifically in the Master Plan, it will be supported in the Community Services and Facilities section because it is an important goal of the Village. The implementation of this strategy will be addressed by the Council and Village staff. Wenzara remarked that many of the strategic objectives and action plan items are too specific for inclusion in a master plan.

4. Develop an Ecologically Sound Environmental Plan – The Master Plan will include a section on natural features, which will support this goal.

Objective C: Educate and inform Village residents and leaders to increase awareness and participation.

Objective D: Identify funding sources

5. Increase Public Awareness/Participation and Interest in Beverly Hills issues – This KSI will be incorporated into the Master Plan without being specific as to strategies. Public awareness and communication will be an important objective of the Community Facilities section. There were good ideas addressed in action plans dealing with determining the best methods for communicating with residents.

6. Maintain and Increase Value of Property – This issue comes across in the Master Plan in a number of ways. It will be important to land use recommendations and the Housing and Neighborhood Chapter. This KSI and objectives are important in terms of making good decisions for the Village in the future.

Objective A: Evaluate current regulations to determine if they encourage or inhibit desired redevelopment and reinvestment. Revise as appropriate.

Objective B: Construct a model of maintenance and upgrade activity illustrating how they can increase values of property.

Objective C: Explore ways to create a safer and more pleasing Southfield Road thoroughfare to enhance our community image and to help unify the Village.

Objective D: Foster communication and cohesion among existing commercial property owners. Look for opportunities to increase commercial property value.

Objective E: Educate and inform current and prospective Village property owners of Village codes and how increasing value of property relates to funding for Village services.

Objective F: Actively inform prospective real estate buyers, investors and agents of our history of increasing property values in Beverly Hills and the Village's determination to continue this trend

Objective G: Identify new construction (infill) opportunities (commercial and residential infill sites).

Liberty commented on actual Village-wide survey results and mentioned that he forwarded a statistically weighted average of the three major concerns of residents to Wenzara. Liberty asked if she incorporated data from the survey results into her recommendations.

Wenzara responded that she reviewed the information provided by Liberty and found it helpful. However, the current exercise involves going through the Strategic Plan document prepared by the Strategic Planning Committee and highlighting certain subjects that may have a place in the Master Plan. She is assisting the Board with identifying topic areas that are appropriate for a master plan. The task is to determine whether the Board agrees with the strategies. The Planning Board will decide what to include in the Village Master Plan.

Jensen stated that Council asked the Planning Board to evaluate the Strategic Plan and establish what is relevant to the Master Plan, with particular emphasis on KSI #6, Maintain and Increase Value of Property. Jensen recognized Ann Bernardini and Greg Burry, members of the Strategic Planning Committee who were present in the audience. He thanked them for the good work they did on the Strategic Plan.

Discuss and Develop Plan Goals

Wenzara stated that the Planning Board has completed the data collection and an analysis of the existing conditions portion of the Master Plan and has conducted a community workshop. The next step is to begin formulating the overall goals for the Master Plan. The Planning Board had a joint discussion with Council about the current goals and objectives included in the Master Plan. There was a consensus that the goals should be refined and/or rephrased with a suggestion that goals and objectives be worded more positively.

Wenzara distributed a worksheet including examples of goals for consideration. She reviewed that goals are meant to be broad statements that do not address how the goal is to be achieved. Once goals are agreed upon, the Board can move forward with recommendations on how to accomplish them.

Wenzara reviewed that the community vision is derived from the Strategic Plan with some refinement as directed by the Planning Board:

The Village of Beverly Hills will be a safe, aesthetically appealing, fiscally viable, family-oriented community with excellent educational, social, recreational, and cultural opportunities fostering a successful and diverse residential and business community with concern for ecological stewardship and cooperation with other governmental bodies and agencies.

The Board discussed goals for the Village and agreed on the following draft goals. Goals that cannot be supported or applied specifically to Beverly Hills may be eliminated.

Land Use Goals

- Maintain and protect the character, quality and value of residential neighborhoods.
- Ensure public and institutional land uses meet the needs of residents and are compatible with the character of adjacent neighborhoods
- Support the success, value, and improvement of commercial and office areas that are compatible with the strong residential presence of the Village

Community Facilities and Service Goals

- Maintain quality, responsive community services in a fiscally responsible and efficient manner
- Maintain adequate park, open space, and recreational facilities for all Village residents
- Provide a reliable, well-maintained infrastructure system including water supply, sanitary sewer and storm water management

Circulation System Goals

- Ensure that the circulation system is well maintained, safe, and sufficient to meet the needs of residents and businesses

Environment and Natural Features Goals

- Increase awareness and participation in the diverse ways to protect the natural environment
- Engage in a proactive approach to protecting the quality of the natural environment in the Village

Discuss Housing and Neighborhood Chapter

At its August 16, 2005 meeting, the Village Council approved funding to include a chapter in the Village Master Plan on Housing and Neighborhoods. The Planning Board will be taking a closer look at the neighborhoods in the community to determine what strategies should be considered to improve them. Because it is an important chapter in the Plan, work will begin on this section as soon as the goals are finalized. Wenzara presented key components of the study that were approved as part of the scope of the project:

The Planning Board and consultant will collect and review data on lot sizes, existing setbacks, existing non-conformities, variance request history, and other relevant information on neighborhoods. LSL Planning will work with the Village to review what has been prepared and collected by individuals including Bob Bliven. Anything related to housing values or similar information can be extracted from the census.

Jensen asked Wenzara to provide a memo to Byrwa asking for the information needed for the October Planning Board meeting.

The Planning Board will conduct one or two public meetings with residents to discuss ideas and issues facing neighborhoods, which will be incorporated as part of this study. Wenzara would like to talk about the format for the public meetings in October as well as how to publicize the meetings.

It is proposed to sit down with area residents and discuss issues that are facing them in their neighborhoods. The plan is to conduct the meetings in November. Based on that input, the Board will talk about recommendations and putting a document together. This section will be incorporated as a chapter of the Master Plan and adopted as part of the document.

Wayne suggested that a letter be sent to presidents of the neighborhood associations so they could discuss this topic with area residents at their monthly meeting and bring that input back to the Board.

PLANNING BOARD COMMENTS

Walter reiterated his concern about the need for neighborhood meetings in November. He questioned whether some of the more generic Master Plan goals discussed this evening can be supported with specific application to Beverly Hills.

Liberty remarked that he would like the Planning Board to discuss a letter he distributed previously to Board members from Caryn Wenzara to Dave Byrwa outlining a comparison of 2003 and 2005 Master Plan Proposals from LSL Planning. He has concerns about ethics and conflicts of interest. Jensen responded that the issues Liberty is referring to are clear and that he

would be glad to meet with Liberty and Renzo Spallasso at the Village office to review this matter objectively.

Wayne recalled a comment made at a recent Council meeting questioning the role of the Planning Board and the need for a consultant. He maintains that Planning Board members are not experts who are knowledgeable enough to address all aspects of the issues that come before this body. The consultant performs many roles that are invaluable to the Planning Board.

Landsman commented that she is pleased that the Planning Board is reviewing housing and neighborhood conditions in the Village.

Borowski commented that this group should be able to talk about whatever is germane to the Planning Board and its function and its products in public.

Jensen commented that there have been people debating the difference in cost proposals from LSL for the Master Plan update. He commented on the level of finances in this community and questioned whether the controversy is about money or something else.

PLANNING CONSULTANT’S COMMENTS

None

BUILDING OFFICIAL COMMENTS

None

PUBLIC COMMENTS

Ron Berndt of 30384 E. Rutland, Zoning Board of Appeals member, was glad to hear the zoning issue mentioned. He made the point that, for almost half of a century, Beverly Hills has had zoning laws laid over the east side of the Village that make 95% of the houses incompatible with the image for that part of the community. He questioned when the Village could move from master planning to changing the zoning ordinance, which would affect the people living there.

Berndt contends that those who live on the east side of the Village are struggling with declining property values. In his neighborhood, the housing values are dropping partially because homes with three 10’ x 12’ bedrooms and one bathroom do not meet modern expectations. People who purchase these homes want to renovate and construct additions onto the homes but learn that Village zoning laws want them to cut 5’ off of either end of the house. A house in his neighborhood would not be able to be replaced if it burned to the ground. Not only is the lot size small, but five variances from the ordinance would be needed to rebuild. One of the challenges that the ZBA faces in granting a variance is that it has to be unique to the property. Every property in some of these neighborhoods has the same problems. Unless something changes, the Village may be looking at a situation of blight.

Berndt remarked that the law says that the purpose of the ordinance is to discourage the survival of non-conforming structures. There are people in the Village who are not taking care of their homes because of decreasing property value. He believes that the zoning ordinance should be changed and is concerned that the Village is focusing on the Master Plan and not on zoning.

Jensen responded that the Board is encouraged by Mr. Berndt's comments and asked him to continue stating his case before the Village.

Bunker Kelly commented that he hopes that an inventory of setbacks and non-conforming lots in neighborhoods will provide statistics on the non-conforming structure issue.

Kelly referenced a comment from the chair questioning the funding of a safety light on Southfield Road. He noted that Birmingham paid 30% of the cost, and there were more than 700 signatures requesting that signal. Kelly stated that a question arose about the large garage issue. Council voted down a proposal from LSL to conduct a study on accessory structures. Kelly believes that members of Council questioned why members of the Planning Board are not studying these issues directly.

Kelly commented that there was a parliamentary procedure workshop held in the Council chamber last Saturday. The instructor indicated that there should be an opportunity for public comment when issues are being considered for action by a government body. The Planning Board did not ask for public comments this evening on the Market Fresh sign request. With regard to the Master Plan update process, Kelly related that a number of people think that the Planning Board should not rely as heavily on the input of its consultant.

Bob Walsh of 20655 Smallwood Court commented on the problem that exists with the zoning ordinance in terms of calculating garage size. In addition to looking at garage size, the Planning Board should review ordinance language that permits a 720 sq. ft. accessory structure. He suggested that the total accessory building and attached garage area should be a percentage of the first floor area. Walsh has observed about seven or eight large garages that have been built in the Village within the last four or five years.

Frank Worrell asked for a copy of the Planning Board project schedule for the Master Plan update. He will be provided with a copy of the schedule.

Motion by Borowski, second by Ostrowski, to adjourn the meeting at 9:45 p.m.
Motion passed.

David Jensen, Chair
Planning Board

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary