

Present: Chairperson Jensen; Members: Borowski, Liberty, Tillman, Walter and Wayne

Absent: Freedman, Landsman and Ostrowski

Also Present: Building Official, Byrwa
Planning Consultant, Borden
Council member, 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

Jensen asked that item 5A be added to the agenda, “Discuss New Planning Board Projects”.

Motion by Borowski, second by Walter, to approve the agenda as amended.

Motion passed (6 – 0).

PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA

None

APPROVE MINUTES

Motion by Borowski, second by Wayne, that the minutes of a joint meeting of the Planning Board and Council held on Wednesday, April 26, 2006 be approved as submitted.

Motion passed (6 – 0).

REVIEW DRAFT #5 OF MASTER PLAN

Jensen reviewed that a joint meeting of the Planning Board and Village Council was held in April to review Draft #4 of the Master Plan and receive input and direction from Council members. Suggestions were discussed and resulting modifications were incorporated into Draft #5.

Borden stated that the document was cleaned up in terms of typos, grammar, and formatting issues that were identified. Traffic related issues were brought up at the joint meeting with respect to traffic counts as well as financing and cost of infrastructure and roadway improvements. Building official Byrwa consulted with the Village Manager, who did not identify the need for additional changes to the paragraphs in question. Spallasso anticipated that the Village will run updated traffic counts along major roadways some time this summer. Ideally, this information will be available to incorporate into the public hearing draft or final draft of the plan.

There was discussion on the map work at the last meeting. Not all private roads in the Village were shown on the maps, and there was no designation for private roads on the map legend. The Master Plan maps have been updated by Village staff to incorporate private roads and identify

the private road standard in the legend. It was noted that River Bank Drive is not named on the map.

Borden went through the document noting the rewrites and the rationale for each change suggested at the joint meeting with Council. There was agreement on the revised text.

Board members discussed language on page 23, Findings and Implications, under the bullet, “Plan municipal facilities and services to retain and attract families”, which relates to sidewalks and pathways. The new wording indicates that the Village wants to promote sidewalks where they are appropriate considering factors such as the character of the area, right-of-way availability, demonstrated need, safety and funding.

Tillman suggested referencing the existing Pathway Plan in the paragraph. Liberty questioned whether there should be language added to indicate that sidewalks will be constructed by the Village provided that the electorate approves funding of sidewalks. Tillman countered that pathways can be constructed at the decision of Council without a vote of the public. However, the Village is run in such a way as to request approval of the electorate for sidewalk funding. A show of hands indicated that a majority of Board members agreed to retain the paragraph as presented without referencing the Pathway Plan.

The suggestion was made to obtain prices to produce a bound copy of the final draft of the Master Plan for distribution to Council and adjoining communities. It was thought that a spiral bound document would be more professional looking than a copy reproduced by the Village. There was agreement that the Village would copy and forward Draft #5 to Council. Borden was asked to provide the Village with the cost of providing a bound copy of the draft Master Plan for mailing as part of the agency review.

Motion by Tillman, second by Walter, that the Village Planning Board forward a revised draft of the Master Plan to Council for review and recommend that Council authorize distribution of the Master Plan draft to adjoining communities and Oakland County for public agency review in accordance with the Municipal Planning Act.

Roll Call Vote:

Borowski	- yes
Jensen	- yes
Liberty	- no
Tillman	- yes
Walter	- yes
Wayne	- yes

Motion passed (5 – 1).

DISCUSS NEW PLANNING BOARD PROJECTS

Jensen stated that the Planning Board has been given direction by Council to look into two projects. Council directed the Planning Board to review current ordinance regulations with respect to garage sizes in Beverly Hills in response to concern expressed by residents regarding

the size of garages as they relate to the size of the house and property. There are building permits being issued in the Village for garages on large lots. The ordinance allows a garage to be no more than 60% of the first floor of the house.

Byrwa informed the Board that he has discussed preliminary plans to construct a house and gymnasium on a lot. He suggested that the Board's study should probably include outbuildings or non-living space in a residential area.

Jensen proposed that the Board discuss this topic at its next meeting. The Planning Board needs to define what it is attempting to do so that it can conduct the proper study and come up with appropriate recommendations. It has a lot to do with what we want our community to look like and what we want to prohibit and encourage.

Wayne asked the planning consultant how other communities address oversized garage issues. Borden responded that there are a number of ways that communities have addressed the problem of excessive garage size. He proposed exploring various opportunities and their potential to determine the best fit for Beverly Hills. A ratio basis may still be appropriate with modifications. There are communities that have flat size limitations.

Jensen mentioned that Southfield Township Clerk and resident Sharon Tischler brought this issue to the Village's attention by citing an example of an outsized accessory structure in her neighborhood and asking Council to address the issue of garage size in the community. Jensen asked Byrwa to coordinate with planning consultant Borden to identify as case studies four or five examples at issue currently and provide a recommendation on what can be done in the short term and whether there is an accelerated way to modify the ordinance. He anticipates providing information to Council before proceeding.

Borden stated that he will be in contact with Byrwa to identify case studies, analyze the Village ordinance, and review ordinances from other communities in an attempt to arrive at a simple fix. Proposed solutions will be applied to the case studies to determine their effectiveness. The Planning Board will have a discussion next month in an attempt to arrive at a answer.

The Planning Board has been approved to conduct a Housing and Neighborhood Plan that provides an analysis of the Village's housing stock, existing lot sizes, building setbacks, and presence of non-conformities throughout the Village. Based on the results of the analysis, new strategies may be offered to improve housing conditions, eliminate non-conforming situations, and ensure continued desirability of Village neighborhoods. Jensen remarked that there are 70-80% non-conforming lots on the east side of the Village. There are a number of opportunities and possibilities to do something about this.

Jensen asked if the planning consultant could begin to look at the conditions that exist on the east side of the Village and work on the garage study at the same time. Borden indicated that he had a conversation with former consultant Caryn Wenzara on the Neighborhood Study. He will need to look at the file and determine where we are at in the process.

Zoning Board of Appeals member Ron Berndt will provide Borden with a CD-ROM that contains data on lot sizes, existing non-conformities, variance request history, and documentation of existing conditions on the east side of the Village.

Jensen clarified that the Planning Board is in a due diligence mode of looking at the facts as they are presented and considering the problems facing the Village. It needs to thoroughly understand the problem before deciding what can be done about it. There is the issue that the ordinance does not recognize what exists. The Village wants to encourage proper redevelopment while maintaining the character of the community.

The Planning Board has been authorized to conduct a Neighborhood Study that will have an impact on the size of accessory structures. Jensen noted that LSL Planning has agreed to incorporate a study of accessory structures and garage size into the Neighborhood Study on the basis that it is a neighborhood housing issue. The Neighborhood Study has two components: 1) The area east of Southfield (non-conforming lot issue) as it relates to variances and the Zoning Board of Appeals and to promoting redevelopment of homes; and 2) overbuilding of attached/detached garages and accessory buildings.

Jensen proposed spending the first hour of the June meeting discussing the question of how to limit the size of attached/detached garages and accessory structures on a lot. He would like the Planning Board to spend the second hour talking about where it needs to go in terms of the Neighborhood Plan as it applies east of Southfield Road and to define the goals of the study.

PLANNING BOARD COMMENTS

Walter questioned what the Planning Board is trying to regulate in terms of garages and accessory buildings. If we are looking at an ordinance amendment, lot coverage seems to be the most significant issue.

Liberty commented that the ordinance does not include architectural standards, which makes it difficult to control the characteristics of structures.

Tillman suggested that, as the Board considers the issue of garages and auxiliary structures, it should think about property values, the character of the Village, and the definition of residential use.

PLANNING CONSULTANT COMMENTS

Borden brought it to the Board's attention that new Michigan Zoning Enabling Legislation takes effect on July 1, 2006. There may be some items that will have to be tweaked in the Village zoning ordinance as a result of the new Act. He does not know at this point whether it will have a significant impact on the Village's zoning ordinance; the larger impact seems to be on Township zoning ordinances. This will be a topic of discussion with the Planning Board at a later date.

BUILDING OFFICIAL COMMENTS

None

PUBLIC COMMENTS

Bob Walsh of 20655 Smallwood Court had questions about a proposal from an individual to construct a gymnasium on his lot. Byrwa addressed his questions noting that this proposal is in the preliminary stages.

Motion by Borowski, second by Walter, to adjourn the meeting at 9:07 p.m.

Motion passed.

David Jensen, Chair
Planning Board

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary