Present: Chairperson Jensen; Vice-Chair Ostrowski; Members: Borowski, Freedman, Liberty, Stempien, Tillman, Wayne and Westerlund

Absent: None

Also Present: Planning consultant, Borden
Council liaison, Oen

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
The agenda was approved as published.

PUBLIC COMMENTS
None

APPROVAL OF MINUTES

Motion by Tillman, second by Stempien, that the minutes of a regular Planning Board meeting held on September 24, 2008 be approved as submitted.

Motion passed.

REVIEW REVISED SITE PLAN OF LOT #5 GOULD CT. FOR PROPOSED REZONING FROM R-3 SINGLE FAMILY RESIDENTIAL TO P-PARKING AND PROVIDE RECOMMENDATION TO COUNCIL
At its September meeting, the Planning Board conducted a public hearing on a request for rezoning submitted by the Beverly Hills Club. The proposal is to rezone Lot #5 of Gould Court for the development of a surface parking lot to be utilized by health club employees.

Stephen Satovsky, Beverly Hills Club owner, distributed a revised site plan for the proposed parking lot to the Board for reference purposes. It was understood that the applicant would be required to go through the site plan review process if the rezoning proposal was approved by Council. Satovsky restated the reason for this rezoning application. He reviewed that the Beverly Hills Club submitted a request to the Village in June for site plan review and approval to construct a 1200 sq. ft. interior addition to the health club facility. The Zoning Board of Appeals granted a variance from the Ordinance relative to parking requirements; the Village Council subsequently approved the site plan with the condition that the Beverly Hills Club maintain a lease, license or other parking arrangement with an adjacent property owner to provide at least 30 additional parking spaces.

Satovsky stated that the proposed rezoning and construction of a parking lot abutting the Club would insure that they could meet the parking requirements imposed by the Village. The parking lot would only be used for employee parking due to its location. Satovsky affirmed that the Club currently has a long-term arrangement with the adjacent McDonald's restaurant for the lease of 30 parking spaces. If McDonald's ceased to exist on that site, the Club would need to locate

additional parking spaces. Beverly Hills Club owners have been looking for options and are considering the use of vacant Lot #5 on Gould Court for employee parking.

Satovsky referred to a letter dated October 3, 2008 signed by Arthur Stoll, owner of Lot #5 of Gould Court. It affirms that the Beverly Hills Club has secured a purchase agreement for this property. Satovsky provided background on the ownership of the lot. Arthur Stoll has owned Lot #5 since 1980. Stoll stated that the rezoning approved by the Village in 1969 to allow development of a McDonald's restaurant made his adjoining residential lot worthless. The property remains vacant. Satovsky believed that the attorney for Mr. Stoll approached the Abboud family with the offer that the property was for sale.

At the suggestion of the Planning Board, the Beverly Hills Club redesigned the parking lot site plan to include a 15' landscaped buffer to diminish the impact on the adjacent house. The new plan would have 19 parking spaces in lieu of the original plan with 30 spaces. Satovsky thought that the parking lot with a landscaped buffer would enhance the property and surrounding area. The site plan was submitted to illustrate what is being proposed. Satovsky related that two options for ingress/egress are being considered, either through Gould Court or through the McDonald's property.

Board members had questions and comments regarding the proposal. In response to a question, Satovsky stated that the current lease agreement with McDonald's extends until 2013. There was an inquiry regarding the intent of Council's motion to approve the site plan for an interior addition to the health club. Council member Oen responded that the intent was to insure that the Beverly Hills Club had an agreement in place for additional parking into the future. The Board questioned the Club's time frame for development of the lot for parking use. Satovsky responded that the Club is prepared to purchase the lot to ensure that it meets Village parking requirements; it may never develop the property.

A Board member questioned whether this proposal should be deferred until such time as McDonald's vacates the premises and there is an actual need for additional parking. Jensen remarked that the petitioner is responding to Council action that requires the athletic club to retain a permanent option for 30 additional parking spaces. He added that a change to the Village parking requirements occurred subsequent to the development of the athletic club, which rendered the property nonconforming.

Planning Consultant Brian Borden emphasized that the request before the Planning Board is for rezoning of property and not for site plan approval. The submission of a site plan is helpful in terms of visualizing potential development.

Stempien commented on the site plan options noting that the addition of a landscaped barrier will be a transition zone between the parking and residential area. There are issues to consider in terms of accessing Gould Court, which is a narrow dirt road. Access through the McDonald's site may not be available in the future. Stempien thought that it was imperative that the Village review its parking requirements for an athletic facility.

Ostrowski said that it would be his hope that the parking issue could be resolved as an outcome of an overall Southfield Road corridor plan. He understood the economics of purchasing land before it is needed. However, he questioned the logic of rezoning a lot for parking use into the future if the health club parking issue could be resolved by an ordinance change. Ostrowski questioned whether the need for this additional parking was imminent.

Freedman applauded the Club's revised plan that mitigates negative aspects of the proposal by providing a landscape barrier for abutting residential property. Freedman also suggested that the property owner bought into this problem when he purchased the property in 1980; the abutting land was rezoned for commercial use in 1969.

Borowski affirmed that this is a difficult planning issue. This piece of property is accessed by an under developed private road and abuts a fast food restaurant. It is difficult to access and would be inconvenient for use as a parking lot. Having said that, Borowski thought that the applicant is proposing the best solution for a difficult piece of property. He did not think it would have an adverse affect on the residents and would help the applicant in a marginal way.

Jensen said that he was in favor of the rezoning request. The Beverly Hills Club is requesting this rezoning for the reason that they are required to provide a solution to their deficient parking situation. Gould Court would be paved and there would be a 15 foot landscaped buffer. Jensen did not think that the proposal would diminish the value of adjoining properties.

Freedman recognized that it is the view of the Planning Board that a health club use does not require the level of parking that is required under the current Zoning Ordinance. Planning Consultant Borden has provided the Board with a review letter that outlines suggestions relative to reduced parking requirements for this type of use. Consideration of a revised zoning ordinance requirement for health club parking could eliminate the need for the Beverly Hills Club to invest in unnecessary parking.

Jensen pointed out that the matter before the Planning Board at this time is a rezoning request.

Westerlund questioned the type of zoning that is suited for a transition between a commercial and residential use. Borden responded that, typically, it would be something that is in between intensities such as a multi-family residential or an office use. Parking could provide a transition between high and lower intensity uses if appropriate screening is in place.

Wayne questioned the legality of requiring that the Beverly Hills Club maintain a permanent parking arrangement with an adjacent property owner to provide at least 30 additional parking spaces.

Tillman asked if the Club has the option to wait a couple of months for a decision from the Village on revised parking requirements. Satovsky responded that the parking lease will cease if McDonald's closes the store on Southfield Road.

Jensen commented that there is a request before the Planning Board to review and consider the rezoning of a parcel. The Planning Board recommendation will be forwarded to Council. He suggested that the Board take action on this application.

Jensen informed a resident who wanted to speak on this issue that the public hearing on the rezoning request was held at the September Planning Board meeting. Rukni Abboud of 18207 Gould Court persevered with a request to make a presentation to the Board. Jensen provided him with the opportunity to present information that he did not communicate last month.

Nibras Abboud of 18189 Gould Court, the house abutting the proposed parking lot, expressed his opposition to the rezoning request. He would like to keep the lot residential because it is an open area for the residents to enjoy. More cars and pollution would adversely affect the residential area. N. Abboud stated that he would purchase the lot if he had the opportunity.

Rukni Abboud of 18207 Gould Court read a letter from Selim Abboud of 18199 Gould Court objecting to the rezoning of Lot #5. They want the lot to remain residential; a parking lot would add pollution, noise, and strangers into the neighborhood. Selim Abboud stated that no one has ever contacted them to purchase the property nor did they know it was available to purchase.

Rukni Abboud distributed a packet of information to Board members that outlined a presentation he wished to make at this meeting. The material included sections from the Ordinance regarding rezoning and parking; response to Arthur Stoll's letter; pictures of blight; reasons for opposing the request; parking lot problems; ZBA and Planning Board functions and members; information regarding access management; lot separation; residential zones; easements; site plan review; and proposed site plan and light specifications.

Chairman Jensen asked Mr. Abboud to present his remarks to the Board without proceeding with the full PowerPoint presentation. Abboud was advised that the Planning Board members did not require information on zoning ordinance sections and the function of Village boards. Jensen asked Mr. Abboud to state the reasons for his opposition to the rezoning proposal.

Abboud stated that Arthur Stoll never made the property available to purchase. Abboud asserted that this rezoning proposal affects him directly, and he would like to present the perspective of the residents of Gould Court. Abboud related that there is an issue with runoff from the impermeable paved surface of a parking lot. Water pollution is another matter he was concerned about. Ostrowski responded that runoff is one of the issues that would be addressed by the Village engineering department as part of the site plan review process. Abboud was asked to focus on the impact of rezoning the property.

In answer to an inquiry, Jensen stated that he read the information provided to the Board by Mr. Abboud at the September 24, 2008 Planning Board meeting. Jensen reiterated that the Board members did not need to receive information on ordinance provisions and site plan review issues.

Rukni Abboud summarized the compelling reasons for opposing the rezoning request. The Beverly Hills Club demonstrated that ample parking exists on their site and received a variance

from the Zoning Board of Appeals and site plan approval for an interior addition from the Village Council. The Club has a lease arrangement with McDonald's for 30 parking spaces that expires in 2013. No hardship has been imposed on the Beverly Hills Club.

Abboud stated that rezoning of Lot #5 to P-Parking would be a hardship to the residents. Reasons for opposition to the rezoning were stated at the September public hearing as follows: safety, air pollution, noise pollution, intrusive lighting, decrease in property value, loitering, and littering.

Nancy Abboud of 18207 Gould Court stated that Gould Court has always been residential. Residents have invested in the community by improving their homes over the years. Gould Court residents have the same rights as other residents in the Village and should not fear rezoning of an empty lot for parking lot use. She urged the Board members to vote against the rezoning of Lot #5 of Gould Court.

> Motion by Liberty, second by Borowski, that the Planning Board recommend to Council the rezoning of Lot #5 of Gould Court from R-3 single family residential to P-Parking district.
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> Roll Call Vote:
> Borowski - yes
> Freedman - no
> Jensen - yes
> Liberty - yes
> Ostrowski - yes
> Stempien - yes
> Tillman - yes
> Wayne - yes
> Westerlund - yes
>
> Motion passed (8 – 1).

PRESENTATION BY ROBERT GIBBS ON SOUTHFIELD ROAD CORRIDOR

Robert Gibbs of Gibbs Planning Group, Inc. has been retained by the Village to conduct planning studies for the Southfield Road corridor between Thirteen Mile and Beverly Roads. Gibbs stated that his task was to prepare two alternative plans for the Village. The idea was for the Planning Board to explore which reasonable town center principles could be applied to the Southfield Road corridor. Gibbs will discuss planning and retail development principles this evening using a PowerPoint presentation. He will present a short version of a class he teaches describing what is going on with town building and commercial building. The members will then be better prepared to evaluate the plans that Gibbs will present to the Board.

Gibbs conducted a market research study for the retail feasibility of this property. The findings are extremely positive. Research was done before the financial crisis; however, it was also done prior to Beaumont announcing that it would be constructing a medical school at Woodward and Thirteen Mile, which will close the 300,000 sq. ft. shopping center. Gibbs found a tremendous

demand for retail and very favorable demographics. The Village might be economically stronger than it thought.

Gibbs stated that it is extremely common for municipalities to look at town center development. Thriving mixed use town centers pivot on the success of retail shops that meet the needs of the community. People want to live and work abutting these centers. Studies prove that there are higher property values and quality of life when there is successful retail on ground level. In order for a town center to be sustainable, it has to be profitable. Gibbs displayed examples of town center designs and commented on why they do or do not work.

Gibbs talked about two schools of thought used by developers and planners who build town centers. One school is to build town centers in a traditional way with simple buildings and plain, tight streetscapes. New urbanists follow this practice. There is another school of thought where developers make everything festive. These are expensive to build and tend to have lower sales per square foot. The authentic urban model is simple and inexpensive to build.

Gibbs described and illustrated six types of shopping centers that can be considered when developing a town: 1) Corner Store; 2) Convenience Center; 3) Neighborhood Center; 4) Community Center; 5) Regional Center; and 6) Lifestyle Center or Town Center, such as the Village of Rochester. New town centers being built include housing and office above the retail. This is a category that is supportable at Thirteen and Southfield Road should Beverly Hills choose to have one. There are hundreds of these town centers being planned and built currently in the country. They have high sales. Shoppers like them because they can park close by; cities like them because it gives them a town square; residential and office developers like them.

Gibbs imparted information about the history of towns and how they were built from the 1920s forward. He described the master plan developed for the City of Birmingham that allowed five story buildings as an option. The existing code was kept in place while an optional or overlay code was available. It allowed a developer the option of building a structure with five stories if they used high quality materials such as stone and brick with retail on the first level and residential on the upper levels. Rather than changing the zoning, a municipality can use the power of optional zoning to allow the private sector to build according to city specifications. It is a great tool for implementing this kind of planning.

Gibbs instructed the Board on the basic economics and new concepts for shopping centers. He displayed different models of town centers that have been built throughout the country. Gibbs demonstrated how a town center model including a town square could be applicable to the Southfield Road corridor. What makes town squares work depends on what is facing the square and the buildings around the square. It is a prescriptive science. The town center generally includes street parking, which makes the retail viable.

Just because Beverly Hills does not have retail in its community does not mean it is not supportable. Very often it is in the wrong form. Beverly Hills has a very strong market that is dormant and underserved for retail. The Village can support some viable retail here if that is what it chooses to do.

Gibbs has been researching traffic counts in consideration of establishing on-street parking on Southfield Road. Town centers are walkable today. There are ways of calming traffic and reducing the traffic flow to allow on-street parking. Gibbs recommends that Beverly Hills build a square or a town center in its town center. It does not have to be large. The principle of having a square is important for your civic center.

There is a technical shortage of parking on the Southfield Road corridor. There are small and shallow pieces of property. But the Village has the right mixed uses of retail, office, civic building, and multiple family residential to make a town center. Gibbs thought there was the ability to plan some options that fit on the properties in the Village.

Gibbs related the findings of the market study done in the area. He pointed out the primary trade area and indicated where 60% of the shoppers will come from if there is retail building on the corridor. His findings show that Beverly Hills has a favorable location demographically. The study shows that the average household income around the Beverly Hills area is extremely high. Even though the population growth is going down, the demand for new homes is going up. There will be a demand for 150-250 new homes within that trade area by 2013 because people living there are having children and they are buying homes. The types of housing in demand will be attached and small lot homes. There will be a surplus of big lot homes in America. There are a lot more single parents and smaller families. In this market area, there is a big demand for every retail category except specialty foods. This community has an unmet demand for goods and services. It is important to realize this as policy makers.

Gibbs requested direction and feedback from the Planning Board members in preparation for presenting options when he comes back before the Board. The study area includes the commercial properties, not the swim club, multiple family residences, or the cemetery. It is a compact area. Gibbs will need direction as to whether the Planning Board wants to work around the existing buildings and parking areas or whether they would like a long-range plan based on an overlay code showing what could happen as an option if property owners choose to redevelop.

The Planning Board asked Gibbs to present an overlay district for their consideration. Members reviewed the illustrations and discussed various town center models and how they could apply to the Southfield Road corridor. The Board asked to see a plan showing how it could achieve on-street parking on Southfield Road. Gibbs will sketch some alternatives.

Stempien would like to see a future plan customized to this specific area to address the nuances associated with the corridor such as connection to the residential area. He would like to have an understanding of the problems and concerns of existing business owners.

Freedman suggested that limiting ourselves to the current business owners would limit what type of buildings the Village could attract for future development. Westerlund thought that an overlay district made sense in that it gives property owners the right to redevelop their property as they see fit.

Jensen wanted to see a plan that envisions what the corridor could be 20-50 years in the future. The market will dictate what will happen. Assembling properties will be required, and there will

have to be an incentive. The Southfield Road corridor is a very underperforming real estate space at a time when the Village is in need of a revenue stream.

Tillman would like to see a connection created to Beverly School and the swim club from the businesses on Southfield Road. She supports proceeding with a visionary plan. Ostrowski commented on the need for a less onerous site plan approval process.

Gibbs will contact chairman Jensen with tentative dates to come back before the Planning Board with two possibilities for a corridor plan. It was mentioned that the Planning Board does not meet on the Wednesday before Thanksgiving. The Board thanked Bob Gibbs for his informative presentation.

Jensen recommended postponing the remaining agenda items due to the late hour.

Motion by Freedman, second by Liberty, to adjourn the meeting at 10:08 p.m.

Motion passed.

David Jensen, Chair	**Ellen E. Marshall**	**Susan Bernard**
Planning Board	**Village Clerk**	**Recording Secretary**