

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

Absent: Prew

Also Present: Village Manager, Wilson  
Planning consultant, Borden  
Council member, Oen  
Village Attorney, Ryan

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 Wayne, to approve the agenda as submitted.

Motion passed.

### **PUBLIC COMMENTS**

None

### **APPROVE MINUTES OF A REGULAR PLANNING BOARD MEETING HELD ON JANUARY 27, 2010**

Motion by Borowski, second by Ostrowski, that the minutes of a regular Planning Board meeting held on January 27, 2010 be approved as submitted.

Motion passed.

### **APPROVE MINUTES OF A JOINT COUNCIL/PLANNING BOARD MEETING HELD ON FEBRUARY 10, 2010**

Motion by Borowski, second by Westerlund, that the minutes of a joint meeting of the Council and Planning Board held on February 10, 2010 be approved as submitted.

Motion passed.

### **PRESENTATION BY ROBERT GIBBS REGARDING THE SOUTHFIELD ROAD CORRIDOR**

Urban Planner Robert Gibbs was present to provide an overview of the master planning study he prepared for the Southfield Road corridor. A full presentation was made before the Planning Board one year ago. The scope of the study includes the half-mile corridor of Southfield Road between Thirteen Mile and Beverly Roads. The Gibbs Planning Group will establish how the private sector with its own resources could redevelop the area into a walkable village town center with mixed uses including some of the current businesses along with new businesses.

Gibbs reviewed a history of the area. He noted that, at the time a new master plan was implemented in Birmingham, the existing zoning code only allowed one-story buildings. This is an example of a zoning code that was holding back a strong market. The current master plan in

Birmingham allows a developer to build up to five stories if the first level is retail and the upper levels are residential. There have been 20 buildings constructed by developers in Birmingham using the optional zoning in order to receive extra density.

Gibbs used a PowerPoint presentation to illustrate what the private sector is building today throughout the United States. He displayed photographs of the original Lake Forest shopping center in Chicago and showed examples of Lake Forest models in other parts of the country. He suggested that the Lake Forest model, where there is a U-shape with a small town square in the center, is a form that could be applied along Southfield Road. Gibbs discussed the elements and dynamics of a town center and related planning and retail development principles.

Gibbs presented his analysis of information gathered in a market study of retail spending potential for this area and put forward a demographic and income profile for Beverly Hills. Even though there is a decline in population in this area, the census bureau indicates that there will be an increased demand in housing by 2013. There will be a need for more attached homes and small lot homes with an oversupply of big lot homes.

Examples were shown to illustrate how the Southfield Road corridor looks today and how it could look with a town center development. Gibbs displayed plans that demonstrate how existing parcels could be redeveloped separately or combined. An overlay zoning district would allow property to be redeveloped or assembled with other parcels to construct a mixed use building. By offering extra density and development rights, a municipality can require that developers build to a certain standard.

Gibbs stated that there are three primary ways of implementing this corridor redevelopment. It may no longer be financially viable for a community to buy or assemble all the parcels in a joint venture with a developer. He mentioned that there are federal grants available for this type of development. Another option is to adopt a new zoning code and develop a detailed master plan for building in the corridor. A third alternative is to adopt an optional form based code where existing zoning remains intact and developers are given an option to build to new standards when the market recovers.

Gibbs proposed that the Village consider adopting an optional zoning code called an overlay zoning code that would permit this type of development. It would allow the private sector to take underutilized property and invest its own money to develop segments of a walkable town center. What he is proposing does not have to be applied to the entire corridor. It could be executed with all the property owners working together or it could be applied to one or more properties. It would be preferable if Southfield Road were developed into a landscaped boulevard in order to calm traffic.

Gibbs concluded that, even in this market downturn, Beverly Hills has the market potential to build a very exciting town center that would serve the community well. It will not happen until financing becomes available, but this is a good time to plan. If the Village would like to proceed in this direction, Gibbs could work with the Planning Board and Council to modify its zoning to develop a town center that would meet Village values. Beverly Hills would then be ready when

the next wave of development occurs so that the Village could have the private sector redevelop the Southfield Road corridor to its standards.

Planning consultant Brian Borden stated that he has discussed the corridor plan with Bob Gibbs. The intent has been to potentially pursue the third option that would provide the most flexibility for the Village and the business owners.

There followed a question and answer session between Mr. Gibbs and Planning Board members, who voiced their comments and concerns.

Stempien asked how the Village could go about developing a plan to accommodate the future of Beverly Hills during this economic downturn. He would like to see sound planning in place that meets the Village's vision when the time is right to implement a plan. He asked how the Village would move towards making this work.

Gibbs concurred that the country and state are in a serious downturn right now. He would expect that these properties would not be developed under the current zoning. Gibbs believed that the market is here when the economy rebounds and that developers and retailers would come here if they could obtain financing.

There are three implementation steps: 1) Decide if you want to change the business district; 2) Determine how you would like it to look; and 3) Draft a code that provides enough incentive for property owners to take the risk of tearing down a viable building to build something new. The code should offer enough predictability that the business next to them will eventually build to their standard. Gibbs would recommend meeting with property owners to get a sense of what that threshold is in terms of incentives.

Gibbs addressed questions from Board members on the topics of how Birmingham approached its overlay zoning plan; reasons for redeveloping a downtown district; providing parking and the possibility of establishing a parking authority; timing issues; incentive based redevelopment and creating a town center on property where there are individually owned lots.

Gibbs commented that he prefers town centers that are developed over a couple of decades because buildings and architecture evolve and create a more town-like area. This business corridor should be designed so that it is worthwhile to take a cash flow property and redevelop it. Gibbs will be meeting with property owners to ask them about their tipping point. It is generally 3-5 story buildings with an acceptable parking ratio. Without a change in the zoning code, it is likely that the Village will not see redevelopment of the corridor.

Jensen asked how the Planning Board should proceed so that Gibbs can be productive. Gibbs responded that the first step is for the Planning Board to decide whether it likes the idea of changing this corridor. The Board should provide him with feedback on whether they prefer any of the images he has presented. Gibbs needs to know if members are comfortable with a three story building with residential on top of retail and if they are in agreement with lowering the parking ratio. He wants feedback on what the Board would like the corridor to look like. Once he works with the Planning Board, property owners, and citizens, the next step is to draft a code.

In answer to an inquiry from Manager Wilson, Gibbs responded that he did not think that the Village would need to bury or relocate the utilities along Southfield Road in this case. He thought that the impact would be minimal if there were more to look at. Other options are to try to get the private sector to bury the utilities or seek grant funding. It was Gibbs' opinion that the negative aspect goes away when you build around utilities in a mixed use.

Jensen thanked Robert Gibbs for his presentation. He called a five minute recess at 8:30 p.m. The meeting resumed at 8:35 p.m.

**PUBLIC HEARING – DETROIT COUNTRY DAY SCHOOL REQUEST FOR SITE PLAN APPROVAL AND SPECIAL LAND USE APPROVAL FOR CONSTRUCTION OF A FIELD HOUSE, CAMPUS GYM AND NORTH ENTRANCE CORRIDOR**

Headmaster Glen Shilling presented the Detroit Country Day School Athletic Master Plan Expansion to the Planning Board for Special Land Use and Site Plan approval. The project consists of three components including a Field House, Thirteen Mile Road Campus Gym, and North Entrance to the facility. The concept of this expansion project was originally discussed but not formally presented during the middle school gym and fitness center expansion phase. The expansion project is interior to the property. It is located on the east side of the existing building, which would provide a buffer for the residential area to the west. The ravine and wooded area serve as a buffer to the east.

The sidewalk issue from the previous site plan approval has been resolved in court. The Circuit Court of Oakland County has ruled on the Village's perimeter sidewalk ordinance granting a variance to Detroit Country Day School and thus reversing the prior decision of the Zoning Board of Appeals. Detroit Country Day School is not under obligation to fulfill the requirement of the Village ordinance for a perimeter sidewalk because of the variance requested, which runs with the property.

Shilling referred to a rendering of the school campus displayed in a PowerPoint presentation and pointed out the location of the current school facilities and proposed athletic facilities. The Field House will be an indoor practice facility to move activities (soccer, lacrosse, football and field hockey) indoors in a controlled environment and contain athletic and spectator noise. The Thirteen Mile Road gymnasium will increase the capacity for gym and other co-curricular activities. The School will gain the ability to have concurrent facilities for basketball currently sharing time and space due to a change of seasons dictated by the Michigan High School Athletic Association. The north entrance corridor is intended to create direct pedestrian access to the new gym and field house. It will allow for closing off sections of the school to improve safety and security.

Schilling asked the Planning Board for site plan and special use approval. He thought that this would be a great addition to the Village of Beverly Hills. There are 106 families living in Beverly Hills whose children attend Detroit Country Day School.

Sam Ashley of Cunningham-Limp Construction Company presented detailed information on the three components of the expansion project. Ashley discussed the objectives of the buildings and

displayed floor plans and renderings. Elevation drawings, environmental features and structural elements were reviewed.

Ashley said that the Board members did not receive revised drawings to reflect the changes that were made following the last Planning Board meeting. As directed by Manager Wilson, the contractor prepared a letter responding to comments identified by the planning consultant and Village staff with final plan revisions to be submitted following tonight's public hearing. With regard to the maximum height requirement, it was determined that the proposed height of the indoor practice facility exceeded the 30' height limit by approximately one foot. Cunningham-Limp reassessed the design to lower that midpoint to meet the ordinance requirement.

From a parking standpoint, the proposed facility use will coincide with current school activities or be conducted during off peak hours from the rest of the campus so as not to create additional traffic nor require additional parking. With respect to operations and land use, athletic and spectator noise from outdoor activities will be contained in the indoor field house. Ashley related that Cunningham-Limp will do its best to contain the construction in an isolated area to minimize the effect of construction traffic and noise.

Chairperson Jensen opened the public hearing at 8:58 p.m.

Dennis Page of 30470 Lincolnshire East pointed out the location of his home in relation to the proposed construction area on the school campus. He offered comments and suggestions related to the expansion project and outlined existing problems. Page asked that Detroit Country Day School be required to install shields on the security lights on the driveway running along the fence behind their house. The light illuminates their backyard and shines into their house.

Page proposed that the School provide a full traffic and parking study for overlapping sporting events. Other suggestions were as follows: remove dead trees that may fall on Lahser Road; remove buckthorn bushes along Lahser Road in support of the County's efforts to control invasive species; require a Village engineer or building official to verify engineering, grading and other compliance issues; and improve pedestrian traffic around the school perimeter. Page asked that Detroit Country Day School stage heavy construction equipment and materials away from adjacent residences and have its security staff monitor construction in terms of its impact on nearby homes.

No one else wished to be heard; the public hearing was closed at 9:13 p.m.

**CONSIDER RECOMMENDATION TO COUNCIL ON DETROIT COUNTRY DAY SCHOOL REQUEST FOR SITE PLAN REVIEW AND SPECIAL USE APPROVAL TO ERECT A FIELD HOUSE, CAMPUS GYM AND NORTH ENTRANCE CORRIDOR**

Borowski referred to the February 15, 2010 letter from Cunningham-Limp to the Planning Board providing information in response to the Planning Consultant's review letter and a memo from the Village Public Services Director. He expressed concern relative to some of the responses from the contractor and the fact that the Planning Board has not seen the revised building and elevation plans. Borowski said that he needed clarification on items including dimensional requirements and building elevations. He thought that a parking and traffic analysis should be

provided as part of this project. There is no commitment noted in applicant's response to the Board's suggestion to provide landscaping in areas where there are gaps in vegetation along 13 Mile Road. Borowski thought that the response of Detroit Country Day School representatives to the planning consultant and Village staff are integral to this site plan review. He did not think that the Planning Board had enough information to make a decision on site plan and special use approval.

Jensen stated that there were issues that Detroit Country Day School representatives, planning consultant and Village staff were asked to work out for tonight's meeting. The Board expected to review a revised site plan. Planning consultant Borden thought that the recommended changes were made. He met with the project team and saw the revised documents.

Wilson responded that it was deemed to be premature to provide revised plans for this meeting before the applicant had input from the Planning Board on how outstanding issues should be addressed. It was his thought that additional changes would be included in modified plans that would be forwarded to the Village Council for final approval. Wilson asked the applicant to submit their response to comments from the planning consultant and Planning Board in letter form. If it is the desire of the Planning Board to view a revised site plan prior to making a recommendation, he will work with Cunningham-Limp to see that it is done.

Freedman thought that some of Mr. Page's concerns merit consideration and should be reviewed by Detroit Country Day School. Jensen provided the headmaster with a list of comments submitted by Mr. Page and asked that the School address those suggestions at the next Planning Board meeting.

Westerlund listed items that he would like to see added to the drawings as part of Planning Board conditions to grant special land use approval. He referred to the west side of the campus that abuts the property of Dennis Page. He thought that shielding the lights was a good idea and would benefit the adjacent neighborhood.

The Detroit Country Day School campus provides buffering with natural landscaping along Lahser and to some extent along 13 Mile Road. However, landscaping on the site does not provide many trees other than on the drive approach along the main entrance. Westerlund suggested that there should be consideration given to providing trees in the north and south parking lot areas to offset the environmental impact of asphalt paved surfaces. He proposed the addition of canopy trees. Some attention could be given to the northwest corner entrance in terms of landscaping.

Westerlund had questions related to storm water and sewers. He was concerned about creating 120,000 square feet of impervious surface without any means of controlling the water before it gets to the creek.

The Planning Board will be provided with a north elevation. Westerlund would like to see how the long linear wall is addressed. He asked for clarification regarding the little room to the east of the field house. Westerlund questioned whether the site plan conforms with the ordinance requirement regarding the roof pitch. He thought that there was a need for a traffic and parking

study. Westerlund requested that Detroit Country Day School address these additional items if there is agreement from the Board.

Abboud asked for assurance that area residents are not adversely impacted by the construction. Wayne questioned the impact of the construction on the Westwood Commons development near Lahser in terms of lighting and tree removal.

Jensen concluded that Detroit Country Day School has the information it needs to prepare a final document for review at the March Planning Board meeting.

**DISCUSSION OF NON-CONFORMING STUDY WEST OF SOUTHFIELD ROAD**

This agenda item was postponed to the March 24, 2010 meeting.

**PLANNING BOARD COMMENTS**

None

**ADMINISTRATION COMMENTS**

None

**PUBLIC COMMENTS**

Hildreth Buterbaugh on Dunblaine commented on the presentation of the Southfield Road Corridor Study.

Motion by Freedman, second by Ostrowski, to adjourn the meeting at 9:44 p.m.

Motion passed.

**David Jensen, Chair**  
**Planning Board**

**Ellen E. Marshall**  
**Village Clerk**

**Susan Bernard**  
**Recording Secretary**