

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

Absent: Prew, Stempien

Also Present: Village Manager, Wilson
Assistant Manager, Marshall
Planning consultant, Borden

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

Bob Bliven of 31633 Nixon shared some Beverly Hills trivia from the 1960's.

APPROVE MINUTES OF A REGULAR PLANNING BOARD MEETING HELD ON MARCH 24, 2010

Borowski proposed a change to the fourth paragraph on page 3 as follows: “Prior to building the proposed expansion of the campus, there exists an excess of 226 more parking spaces on the site than required by ordinance. The applicant maintains that the proposed facility.....”.

Motion by Wayne, second by Ostrowski, that the minutes of a regular Planning Board meeting held on March 24, 2010 be approved as amended.

Motion passed (7 – 0).

CONTINUE DISCUSSIONS ON REVISING THE ZONING MAP TO REFLECT THE CORRECT ZONING FOR THE HUNTLEY SUBDIVISION

Last month, former Planning Board member Bob Bliven presented the Board with a couple of maps and a chronology of events dating back to 1960 to document an oversight that resulted in an error on the Village Zoning Map in the area of Huntley Subdivision. He proposed that the zoning map be revised to reflect the correct zoning. The question before the Planning Board is how it should proceed with rectifying this issue.

Borden recapped that, when the subdivision was platted in the 1960s, all lots were assigned a zoning designation. As the phased development proceeded, there was a change in the assignment of lot numbers, which altered the lot-by-lot zoning approved at the time. When the zoning was applied to an updated zoning map in 1991, a mistaken zoning designation was created for several properties in the neighborhood resulting in rendering about 20 properties nonconforming. They are predominantly contiguous properties. Borden suggested that a straightforward rezoning from R-1 back to R-1A (as originally intended) would remedy the oversight.

Jensen thought that the Planning Board had an obligation to correct this error now that it was brought to their attention. Even though this is essentially a correction, it was agreed that the Village should go through the typical rezoning process since it has been 19 years since the map error occurred.

Board members reviewed the Huntley Subdivision 1960 Zoning Map and the 1991 Zoning Map. It was clarified that the zoning was never changed; the mapping was done incorrectly. Lot numbers were changed; the zoning designations followed the lot numbers rather than the parcels. What is proposed is to correct a map issue. The Board will recommend that the Village rezone the lots in question to reflect the rezoning intended and shown on the 1960 Zoning Map. This will result in only five nonconforming lots.

Borden commented that the Village has an adopted zoning map that has shown R-1 for these properties for almost 20 years. He suggested that the Village rezone the properties to make the correction. Background will be provided at the public hearing that will include an explanation of how this zoning error occurred.

Motion by Westerlund, second by Freedman, to set a public hearing for the regular Planning Board meeting of Wednesday, May 26, 2010 for re-designation of zoning on parcels in Huntley Subdivision to reflect the 1960 Zoning Map.

Motion passed (7 – 0).

DISCUSSION OF THE GIBBS STUDY ON THE SOUTHFIELD ROAD CORRIDOR

Jensen reviewed that urban planner Robert Gibbs was present at the February Planning Board meeting to provide an overview of the master planning study he prepared for the Southfield Road corridor. At that time, he asked for input from Board members on their vision for the corridor so he could proceed with a plan. Gibbs outlined alternatives for implementing the corridor redevelopment. He proposed that the Village consider adopting an optional form based zoning code whereby existing zoning remains intact and developers are given an option to build to new standards when the market recovers. 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.

Jensen asked the Board if they would consider the possibility of changing the zoning. Board members were amenable to considering the adoption of an overlay zoning code. Only Abboud said that he had reservations based on the fact that his property and residence abuts the Southfield Road corridor and could be affected by an overlay zoning code. His agreement would be based on review of a specific plan for the corridor.

Borowski interjected that the question may arise as to whether a member is conflicted on the Southfield Road corridor plan because it affects his property. He suggested that the Board seek a legal opinion on this matter. Wilson will consult with Attorney Tom Ryan about addressing the conflict of interest issue formally in a letter to the Planning Board.

The Board discussed the characteristics of an optional overlay zoning district. It was mentioned that the study area could change until the Board reaches the point of adopting a central business district overlay. Ostrowski commented that it is possible to work jointly with neighboring communities and adopt the same overlay zoning district. It may be a future option to raise this issue with Southfield Township or the City of Southfield. It would be an opportunity for offering the same type of bonuses for construction that could result in redevelopment that was uniform in appearance.

Jensen asked for Board discussion of ideas in terms of what kind of changes should be made to improve the appearance of the business district with respect to incentives for redevelopment and building height requirements. Borden remarked that everything Gibbs has presented to the Board illustrated that a successful development required buildings that are taller than allowed by current Village height restrictions. Board members talked about the number of floors, mixed uses, elevator requirements, impact on abutting parcels, and alternatives that would be financially feasible. There was agreement that some flexibility will be needed to arrive at a good development. Instead of trying to define building height or number of stories, it was suggested that the Board ask Bob Gibbs to provide it with a variety of options.

Manager Wilson did not think that the Beverly Hills Public Safety Department had fire apparatus that would meet State standards for fighting a fire at a five-story building. A community is not allowed to build a structure without having fire suppression equipment to handle a fire in that building. Wilson will discuss this with Director Woodard and Captain Yanosy.

Communication with the business owners and the public was discussed. Jensen proposed that the public be brought in after further discussion of ideas with Mr. Gibbs in order to provide a structure that people can comment on.

Other topics of discussion included developing a vision for the business corridor, parking considerations, and future improvements on Southfield Road. Wilson was asked if Village administration has followed up with the Road Commission on City of Southfield plans to improve Southfield Road with a corridor development. Wilson responded that the Village has indicated its interest in participating in an improvement plan for Southfield Road in some way. He will contact the Road Commission and request an update on the status of the project.

Borden will contact Bob Gibbs and advise him of the Board's thinking. Elements that will have a role in refining an overlay district are site design, building height, parking placement, allowing mixed uses, and design standards. The Board is looking for a refined plan from Gibbs that will be codified into an ordinance at a later date.

CONSIDER UPDATING/CHANGING CURRENT VILLAGE PARKING ORDINANCE

Jensen recapped that the subject of the Village's outdated parking requirements has come up when dealing with site plan reviews. The question is what it would take to update the Village's parking ordinance.

Borden said that the scope of the ordinance revision would depend on whether the focus was on numerical requirements or whether the Board wanted to broaden the scale to review and update dimensional requirements, access management standards, and parking lot landscaping requirements.

He suggested that the numerical requirements of the current parking ordinance should be reviewed at a minimum. Borden mentioned the inconsistent use of usable floor area and gross floor area, noting that newer ordinances lean towards using only gross floor area. Further, it has been suggested that the Village's ordinance requires more parking than is needed or that would be dictated by national or other local parking standards.

Borden mentioned that he is concluding a thorough parking ordinance update for a nearby community. Much of the research that would apply to Beverly Hills has been done. He has analyzed national parking standards and trends and has looked at surrounding communities to determine their standards.

Jensen asked Borden to prepare a project plan including a budget for consideration in the 2010/11 Village budget. It was the sense of the Board that the greatest need is for updated numerical requirements, but the proposal should include an option for the expanded review.

Board members discussed the limited amount of funds for planning studies. There was concern that available funding should go toward addressing overlay zoning district standards rather than the current parking standards. It was mentioned that there may be less incentive to take advantage of reduced parking requirements for development in the overlay district if the current parking standards were updated.

Borden will put together work plan options and a budget for Board consideration at its next meeting. The project could be proposed for the next fiscal year if the Board thinks it is worth doing a parking ordinance revision at this time.

DISCUSS LSL ROLE IN ASSISTING THE BUILDING DEPARTMENT WITH PROCESSING APPLICATIONS

Jensen questioned the progress made towards utilizing LSL Planning services for building department applications. Borden responded that he has not yet submitted a formal proposal to the Village.

The Village's full time building official position has been eliminated due to budget restrictions. There was agreement that it was important that the building department use an independent contractor working on fee basis to review applications that come before the Village.

Borowski commented on the Manager's memo outlining the efforts that the Village has made towards consolidation of services and analyzing the potential for future consolidation of services. This summary will be distributed to the Board as part of next month's meeting packet.

Wilson said that the Village eliminated the building official position for financial reasons. Currently, the Village only retains one clerical employee in the Building Department on a full-time basis. The remaining services performed by the department are provided on a contractual basis. Wilson said that this arrangement is only working because there is so little going on in the building department right now. He suggested that the Village's current building operations would not function well if Beverly Hills were to return to a level of activity that was experienced 5-7 years ago. When activity picks up, the Village will probably have to look into another arrangement.

Wilson talked about how building applications are being processed currently. There should be more differentiation between review and inspection in terms of a building official contractor. It is appropriate to use part time people for inspection, but site plan reviews should be done by a consultant. Building plan review governed by the zoning ordinance could be handled by a planning consultant with the fee paid by the applicant.

Borden will submit a letter to Wilson with a proposal for LSL to conduct plan review relative to zoning issues. LSL would not do construction code review.

Westerlund will work with Chris Wilson on compiling a list of options for building permit applications including identification of the issues and who should respond to them. A report will be prepared and submitted for Planning Board consideration at its next meeting.

PLANNING BOARD MEMBER COMMENTS

Aboud questioned Board member participation in the annual event sponsored by the Michigan Association of Planning Appointed and Elected Officials Institute. Members are in receipt of a brochure listing the sessions designed to provide relevant training covering planning topics and pressing issues facing local government officials. Those interested in attending specific sessions were advised to contact Manager Wilson, who will process their registration.

ADMINISTRATION COMMENTS

Wilson proposed that the Planning Board take a look at the Village's building department permit fee schedule. The fee schedule is set by the Village Council, but it would be helpful if the Planning Board would review the fees to determine if they are applicable under current standards.

Marshall informed the Board that Council is holding a public hearing at its Tuesday, May 4 meeting for the rezoning of area west of Southfield Road and north of Beverly Road. There will be a first reading of an ordinance to rezone those parcels. Council also has an agenda item to set a public hearing date of June 1, 2010 on a request from Detroit Country Day School for site plan approval and special land use approval for construction of a field house, 13 Mile Road campus gym and north entrance corridor.

PUBLIC COMMENTS

Bob Bliven urged the Planning Board to take action on revising the zoning map to reflect the correct zoning for Huntley Subdivision.

Motion by Freedman, second by Westerlund, 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