

Present: Chairperson Ostrowski; Vice-Chairperson Westerlund; Members: Borowski, Chegash, Drummond, Grinnan, and Stempien

Absent: Jensen, Ruprich

Also Present: Village Manager, Wilson  
Planning & Zoning Admin, Wilks  
Planning Consultant, Borden

Chairperson Ostrowski called the regular Planning Commission meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

#### **AMENDMENTS TO AGENDA/APPROVE AGENDA**

Ostrowski requested the agenda be amended to remove item 8, Review and consider application for sign permits for one wall and two ground signs at Market Fresh, 31201 Southfield Road. He noted the applicant requested the item be removed to make modifications to his proposal.

Motion by Westerlund, second by Stempien, to approve the agenda as amended.

Motion passed.

#### **REVIEW AND CONSIDER APPROVAL OF PLANNING COMMISSION MINUTES OF MEETING HELD AUGUST 26, 2015.**

Westerlund requested the following amendment to the August 26, 2015 minutes: on page 3, item Review and consider recommendation to Council on proposal from Gibbs Planning Group, Inc. for consulting services for the Southfield Road corridor, third paragraph, fourth sentence add phrase "and noted the Village of Beverly Hills will still need to hire a public relations consultant;"

Motion by Westerlund, second by Borowski to approve the minutes as amended.

Motion passed.

#### **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

None.

#### **PUBLIC HEARING FOR PROPOSED ORDINANCE AMENDING CHAPTER 22.30.040 NONCONFORMING STRUCTURES OF THE MUNICIPAL CODE OF THE VILLAGE OF BEVERLY HILLS**

Brian Borden, LSL Planning, gave an overview of the proposed changes to Chapter 22.30.040 Nonconforming Structures and the rationale for the changes.

Village Manager Chris Wilson indicated that the Zoning Board of Appeals had no objections to the proposed changes. He clarified the intent of the rewording of item a. was to aide in administrative review of site plans.

Chairperson Ostrowski opened the public hearing at 7:37 p.m.

No one wished to be heard; therefore the public hearing was closed at 7:37 p.m.

**REVIEW AND CONSIDER RECOMMENDATION TO COUNCIL ON PROPOSED ORDINANCE AMENDING CHAPTER 22.30.040 NONCONFORMING STRUCTURES OF THE MUNICIPAL CODE OF THE VILLAGE OF BEVERLY HILLS**

Westerlund remarked the word “whatever” in item c was confusing and grammatically incorrect, therefore he suggested it be removed. Commissioners concurred.

Motion by Westerlund, second by Stempien, to recommend the Village Council approve the proposed ordinance, as modified, amending Chapter 22.30.040 Nonconforming Structures of the Municipal Code of the Village of Beverly Hills.

Roll Call Vote:

Motion passed (7 - 0)

**REVIEW AND CONSIDER RECOMMENDATION TO COUNCIL ON MULTIPURPOSE FIELD IMPROVEMENTS AT DETROIT COUNTRY DAY SCHOOL, 22305 W. 13 MILE ROAD**

Borden, LSL Planning, provided an overview of the submittal from Detroit Country Day School. They are proposing to improve an existing practice field to allow it be used as a field for various games. The field will be converted to artificial turf, and fencing, netting and a permanent wall around a portion of the field will be added. Exterior lights originally proposed have been removed from the plan. Engineering review for the proposed changes has been completed by Village administration and Hubbell, Roth & Clark.

Wilson noted that the State of Michigan requires a maintenance agreement for the underground water retention, which includes an annual inspection to ensure proper functioning.

Sam Ashley, Cunningham-Limp, summarized the school's rationale for improving the field. He noted the field is internally located on the campus. The school installed netting similar to that used for the baseball back stop to protect a portion of the school facade which could be damaged due to the field's orientation.

Ashley mentioned the dugouts, artificial turf, underground storm water retention system, foul poles, scoreboard posts, fence around the field perimeter, and retaining walls are all in place at the field. The school believed it already had received administrative site plan approval based on previous discussions with the Village.

Chairperson Ostrowski reminded Ashley that administration does not have the authority to grant special land use approval, and that such approval comes from the Planning Commission. Any accessory structure on school property must first receive special land use approval from the Village Planning Commission due to its location in a single family district.

Borden expressed concern regarding the height of the fencing surrounding the field. Village ordinance sets a four-foot height limit on fencing, and the field's fence is listed at 20 feet above grade in some locations.

Commissioners expressed disappointment that Detroit Country Day made improvements to the field without first getting proper approval from the Planning Commission. Chegash inquired whether the school should get a variance for the fence from the Zoning Board of Appeals. Borden noted that the Village has a provision in its ordinance for playgrounds that allows fencing up to a seven-foot height. While that provision would cover the non-permanent portion of fence, the 20-foot portion is still outside of ordinance limits.

Wilson noted that DCD did contact the City of Royal Oak for permits to improve the property but the City declined to issue permits for a school property. The State of Michigan also declined to issue building permits. He explained that the Village does review site plans, but by State law, is not involved in the permitting or inspection process. He requested that Detroit Country Day, for any future developments on its property, put all vertical improvements in the site plan for Village review. Ashley agreed that the school would follow the Village's request for review procedures on future projects.

Motion by Westerlund, second by Grinnan, to recommend the Village Council approve the multipurpose field improvements at Detroit Country Day with the provision that a storm water maintenance agreement is signed with the Village and that the 20-foot chain link fence is acceptable as it is ancillary to the athletic field.

Roll Call Vote:  
Motion passed (7 - 0)

### **RECEIVE DRAFT MASTER PLAN AND CONSIDER PRESENTING DRAFT TO COUNCIL FOR MANDATORY REVIEW PERIOD**

Kathleen Duffy, LSL Planning, gave an overview of the update to the Master Plan. The update reorganizes and pares down information in the prior Master Plan to make it easier to read and more aesthetically pleasing. For the first time, the update will include an action plan to help make the Master Plan more forward-thinking. The goal is to include short-term, mid-term and long-term actionable items. The Master Plan is a policy document and sets the stage for future ordinance improvements.

Borden explained that Council has the authority to distribute the Plan to initiate the public review process. He noted that the draft is subject to a 42-day review period. In addition to being available for public comment, the plan will be sent to neighboring communities, Oakland County, and the Southeastern Michigan Council of Governments (SEMCOG). Those agencies will be able to review the draft and send comments back to the Village. Commissioners will conduct a prioritization exercise at their October meeting.

Ostrowski asked whether Village Council will review the Master Plan draft at this time. Borden clarified that Council comments are not required at this point and that the Master Plan is editable throughout the 42-day review period after which the Planning Commission will conduct a public

hearing and may adopt the Plan with any proposed changes. The Master Plan will then go before Village Council for final approval. Borden mentioned the Master Plan could be adopted and approved as early as the end of 2015.

Motion by Drummond, second by Borowski, to forward the draft Master Plan to Council and recommend that Council authorizes distribution of the draft for the 42-day review period.

Motion passed.

**REVIEW AND CONSIDER RECOMMENDATION TO COUNCIL ON PROPOSAL FROM GIBBS PLANNING GROUP, INC. FOR CONSULTING SERVICES FOR THE SOUTHFIELD ROAD CORRIDOR**

Borden, LSL Planning, provided an overview of the revised proposal from August 2015. He stated that Robert Gibbs, Gibbs Planning Group, provided clarification of his proposal. The original proposal included a phrase referring to a Master Plan update in task two, but Borden noted it was not clear if the proposal was referencing the Village Master Plan, the Village Center Plan, or the Village Center Overlay District. Gibbs explained the task refers to updating Gibbs' initial draft concept plan which he developed six years ago and eventually became the Village Center Overlay District. If the Council approves the proposal, it may necessitate changes to the Village Center Overlay District.

Westerlund said updating Gibbs' study and draft concept would not be helpful at this time. A review of the current Village Center Plan and Village Center Overlay District would be more beneficial. Ostrowski concurred and suggested the Village request Gibbs revise his proposal to review and propose updates to the Village Center Plan and the Village Center Overlay District.

Abboud shared information about city shaping and place-making he learned during his recent trip to the Michigan Municipal League conference in Traverse City. He noted two consultants who could help the Village attract developers to the Southfield Road Corridor. He suggested the Planning Commission consider meeting with them for a free consultation. He believes they can help make the Village's vision for the corridor a reality and attract development to the corridor. Ostrowski noted he would welcome additional ideas to help market the Southfield Road Corridor.

Westerlund asked if there would be benefit from getting input from different consultants. Wilson noted the proposal from Gibbs was for a different scope of work, and advised the Planning Commission to continue exploring Gibbs' proposal. Westerlund agreed and requested administration work with Gibbs on a revised proposal.

Motion by Westerlund, second by Drummond, to table the recommendation to Council on the proposal from Gibbs Planning Group, Inc. for consulting services for the Southfield Road Corridor.

Motion passed.

**PUBLIC COMMENTS**

None.

**LIAISON COMMENTS**

Abboud agreed with earlier comments that Detroit Country Day needs to be a good neighbor in the community.

Abboud asked that clean energy be considered as part of the Master Plan update.

**ADMINISTRATION COMMENTS**

Wilson indicated that he is working on revised procedures for which plans are received and reviewed. He explained that firmer deadlines for submittals need to be established to improve administrative efficiency in preparing for Planning Commission meetings. Wilson said the procedures would be similar to surrounding communities' requirements. Ostrowski agreed that proper time needs to be allotted for administrative review. He added that the procedure of applicants going to Village Council first for referral to the Planning Commission should be eliminated.

Wilson asked that commissioners consider moving November and December meeting dates due to the Thanksgiving and Christmas holidays.

Wilson stated the developers of Tremont Lane have begun the process with the City of Royal Oak for demolition permits.

Wilson noted that cut-through traffic has been a problem on Carriage Lane, Old Post, and Old Coach. He met with residents in the area and advised them that they would continue to see cut-through traffic due to access to 14 Mile and Evergreen Roads. One remedy is to remove access to one of those roads. Ostrowski asked if closing off one of the access points would create a public safety concern. Wilson acknowledged the public safety concern, and he noted that traffic control orders and signage might be a better solution.

**COMMISSIONER'S COMMENTS**

Westerlund inquired about a commercial sign on 14 Mile and Pierce. Wilson said administration had received an application to bring the sign under compliance with the Village ordinance.

Grinnan stated she would not be at the October meeting.

Motion by Westerlund, second by Grinnan, to adjourn the meeting at 9:37 pm.

Motion passed.

**George Ostrowski**  
**Planning Commission Chairperson**

**Ellen Marshall**  
**Village Clerk**

**Scott Daniel**  
**Recording Secretary**