

Present: Council: President Pro-Tem Peddie; Members: Nunez, Oen, and Mueller

Planning: Chairperson Ostrowski; Vice-Chairperson Westerlund; Members: Drummond, Grinnan, Ruprich, Stempien, Wilensky

Absent: Council: President Mooney; Members: Abboud, and Delaney  
Planning: Borowski, and Jensen

Also Present: Planning and Zoning Administrator, Wilks

Chairperson Ostrowski called the Joint Council and 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**

Motion by Oen, second by Westerlund, to amend the agenda, as requested by Peddie, to include “Item 5.f. Updates” and approve the agenda as amended.

Motion passed.

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

None.

### **RECAP OF 2016**

Ostrowski reviewed the accomplishments of the Commission in 2016, which included updating and passing the Master Plan, various site plan approvals, a review of the fence ordinance, and several sign applications to replace older, non-conforming signs that now comply with the Village sign ordinance.

### **CODE AND ORDINANCE UPDATES**

#### Zoning Ordinance Overhaul

The Master Plan contains a list of prioritized tasks, one of which is to overhaul the Zoning Ordinance. The Village could engage LSL to perform an audit, highlighting ordinances that conflict with state law or are no longer relevant. The Zoning Ordinance needs to be updated to be similar to the Master Plan and Southfield Corridor Overlay. In addition to updating the language, LSL could revise the formatting of the ordinance to be more user-friendly. The Commission suggested the creation of a subcommittee to work with LSL on the project. This subcommittee could work in conjunction with Nunez and Delaney who are reviewing the Village Charter and Ordinances.

The list of goals outlined in the Master Plan for the Planning Commission is ambitious, however many of the items would be resolved with the Zoning Ordinance overhaul.

Resident Tracey Breen, Riverside Drive, felt that land utilization and home footprints needed to be addressed. She expressed concern regarding old homes being demolished and new larger

homes being built and how that effects the neighborhood and surrounding homes. Mueller thanked her for sharing her concerns.

Resident Bill Wegert, Eastlady Drive, shared that a home on his street was recently demolished, leaving a large hole that filled with water and froze into ice. He stated that he thinks when the construction company bulldozed dirt to fill in the hole they caused flooding throughout the neighborhood. He believes setbacks are not being properly measured.

Mueller felt that with the frequency which grading, water, and setback issues arise, these parts of the ordinance should be given priority.

#### Fence, Walls, and Privacy Screens

The Commission looked to Council for their direction regarding the fence ordinance. Peddie explained there are a few zones in the Village where a revised fence ordinance would be beneficial. Many homes are located on smaller lots, and people have a reasonable expectation of privacy or to avoid looking at blight. It was suggested that a survey of homeowners be conducted. The Council and Commission discussed various fencing and privacy alternatives such as green screens. The suggestion was made to review the privacy screen set back portion of the ordinance.

Nunez expressed his frustration with being denied a fence while there are many illegal fences throughout the Village. The people who follow the law and put in a request are denied while others build a fence illegally. Concern was expressed that part of the character of the Village is that there are open lots and minimal fences, changes to the ordinance could impact that character. It was suggested that based on survey results different zones may have different fence needs, and the ordinance could regulate each zone accordingly.

The Village has contracted with SafeBuilt for building inspection services, and the intent is that the enforcement of building and trade codes will be more consistent. With respect to code enforcement by the Village code officer, the current policy is to attempt to resolve violations without taking legal action. Most residents comply once they receive a ticket for an infraction.

Westerlund left at 8:46 p.m.

Wegert distributed the Birmingham construction fence ordinance and suggested that the Village require six (6) foot fences in their construction fence ordinance. Ostrowski encouraged him to attend the public hearing scheduled for the Council meeting on March 7, 2017 to share his concerns.

#### Medical marijuana

The Village needs to decide whether to ban or regulate medical marijuana as it relates to commercial activities. It was suggested that hookah bars also be included in the ordinance.

#### Adult group homes/child care regulations

State laws have changed regarding group homes and in-home child cares; the ordinance should be reviewed and updated.

### Business licensing

The Village is considering whether to require licensing businesses. It has been suggested that any time a business changes ownership a zoning review should be performed. This would ensure the building is compliant and up to code, and allows the Village a way to keep track of businesses and regulate parking lot compliance. Suggestions included a rolling start without a fee the first year to allow the business to prepare, providing the information to building owners to include with their leases. It was stressed the licensing would not be used to force yearly compliance with ordinance and code changes, but track business ownership in the Village. This license would be a preemptive way to inform and enforce ordinances with new ownership or tenant.

### Updates

Nunez has been working with Gosselin to provide a list of the top ten ordinances that need updating to improve enforcement. Nunez provided photos of various ordinance violations throughout the Village. The challenge is that aesthetics cannot be regulated.

## **SOUTHFIELD CORRIDOR**

### Update on Gibbs Proposal

Administration received an updated draft, and Wilson is scheduled to meet with Gibbs.

### Corridor Marketing – Pattern Book

This book would set a standard of materials, benches, colors, lights, etc. that would be used as common unifying details through the overlay district. A pattern book creates a standard for builders to follow. There was discussion as to the merits of the proposal.

### Transition Zone

This pertains to zones where you enter the Village or transition from one land use to another. It was suggested that the entryways to the Village be clearly identified. Discussion also included beautification of public spaces and potential future land use.

## **COMMISSION/BOARD COMMUNICATION**

The Council agrees a liaison from Planning Commission to Parks & Recreation and Zoning Board of Appeals would assist with cross communication.

## **PUBLIC COMMENTS**

Wegert asked that the website be updated to reflect the contact information for the new building official.

## **ADMINISTRATION COMMENTS**

None.

## **COMMISSIONERS COMMENTS**

Stempien feels that the business licensing is a good idea.

Ostrowski thanked the Council for joining the Commission at tonight's planning session.

**COUNCIL COMMENTS**

Nunez is looking forward to working with the Commission on these projects.

Mueller thanked the Commission for their time, and the residents for attending and offering their input.

Motion by Oen, second by Wilensky, to adjourn the meeting at 9:22 p.m.

Motion passed.

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

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

**Elizabeth Lyons**  
**Recording Secretary**