

**Village of Beverly Hills  
Planning Commission Meeting  
Wednesday, January 27, 2021**

**Municipal Building  
18500 W. 13 Mile Rd.  
7:30 p.m.**

**Virtual Meeting Link: <https://us02web.zoom.us/j/88484433648>  
Meeting ID: 884 8443 3448  
Dial In: 1-646-876-9923**

### **AGENDA**

1. Roll Call.
2. Approve Agenda.
3. Review and consider approval of regular Planning Commission minutes of meeting held December 16, 2020.
4. Public comments on items not on the published agenda.
5. Discussion on Master Plan Action Items/2021 Priorities.
6. Discussion on five year Master Plan statutory review.
7. Public comments.
8. Liaison comments.
9. Administration comments.
10. Commissioners' comments.

Due to the COVID-19 pandemic, this meeting will be held virtually via Zoom. If you are unable to attend the meeting and would like to submit a written comment, please email [krutkowski@villagebeverlyhills.com](mailto:krutkowski@villagebeverlyhills.com) or mail to the Village Clerk (18500 W. 13 Mile Road, Beverly Hills, MI 48025) prior to the meeting.

The Village of Beverly Hills will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, to individuals with disabilities attending the meeting upon three working days' notice to the Village. Individuals with disabilities requiring auxiliary aids or services should contact the Village Clerk by writing 18500 W. Thirteen Mile, Beverly Hills, MI 48025 or calling (248) 646-6404.

Present: Chairperson Drummond; Vice-Chairperson; Members: Copeland, Grinnan, Ostrowski, Ruprich, Westerlund, Wilensky, and Wright  
All commissioners present participated remotely via Zoom from Beverly Hills, Michigan.

Absent: Stempien

Also Present: Planning and Zoning Administrator, LaPere  
Village Clerk/Assistant Manager, Rutkowski  
Planning Consultant, Borden  
Council Liaison, Peddie

Ruprich called the regular Planning Commission meeting to order at 7:39 p.m. virtually via Zoom due to the ongoing COVID-19 pandemic.

### **APPROVE AGENDA**

Motion by Westerlund, second by Wilensky, to approve the agenda as published.

Roll call vote:

Motion passed (7-0)

### **REVIEW AND CONSIDER APPROVAL OF REGULAR PLANNING COMMISSION MINUTES OF MEETING HELD NOVEMBER 18, 2020**

Motion by Grinnan, second by Westerlund, to approve the minutes of a regular Planning Commission meeting held November 18, 2020.

Roll call vote:

Motion passed (7-0)

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

None

### **PUBLIC HEARING ON PROPOSED AMENDMENTS TO CHAPTER 22, SECTION 22.28.020 OFF-STREET PARKING REQUIREMENTS AND CHAPTER 22, SECTION 22.26 SINGLE FAMILY RESIDENTIAL CLUSTER DEVELOPMENT**

Ruprich opened the public hearing at 7:42 p.m. No one from the public wished to be heard, so the public hearing was closed at 7:42 p.m.

### **REVIEW AND CONSIDER RECOMMENDATION TO VILLAGE COUNCIL ON PROPOSED AMENDMENTS TO CHAPTER 22, SECTION 22.28.020 OFF-STREET PARKING REQUIREMENTS**

Borden provided an overview of proposed changes to the off-street parking requirements section of the code. In 2019, the Village adopted revisions to the allowable uses in all the Zone Districts. Subsequently, the Planning Commission, administration, and planning consultant prepared updates to the parking regulations. The rationale for the updates was two-fold. First, the revised uses introduced previously unspecified uses in the various districts. This will bring the parking standards in alignment with the current use regulations to ensure there are clear, specific parking regulations for each use. Secondly, the parking regulations were last updated in 2010 and

recommendations for parking standards have changed in the past decade. These revised standards modernize Village ordinance standards with current recommendations and are consistent with similar communities. In the interim, the proposed changes were modified to reflect consistent numbering throughout the chart and a clean version is attached for the Planning Commission's review and consideration.

The Commission discussed outdoor recreation occupant loads. Borden suggested reaching out to the Building Official or Fire Marshal regarding outdoor capacity.

Westerlund discussed gross and usable floor space in retail establishments and suggested the term should be consistent throughout the code.

Drummond arrived at 7:53 p.m.

Motion by Westerlund, second by Ostrowski, the Village Planning Commission recommends Village Council review and consider approval of proposed amendments to the Village Municipal Code, Chapter 22, Section 22.28.020 Off-street Parking Regulations, to update parking requirements for consistency with allowable uses and modern parking regulations as submitted with the following conditions: a slight modification be made to the standard related to non-profit or public outdoor recreational areas, that if no fixed seating, one space for each 3 persons allowed within the maximum occupancy determined by the Building Official and under the standard for retail uses up to 25,000 square feet of gross floor area, that the standard be revised to indicate one space for each 25,000 square feet for usable retail floor area.

Roll call vote:

Motion passed (8-0)

### **REVIEW AND CONSIDER RECOMMENDATION TO VILLAGE COUNCIL ON PROPOSED AMENDMENTS TO CHAPTER 22, SECTION 22.26 SINGLE FAMILY RESIDENTIAL CLUSTER DEVELOPMENT**

Borden provided an overview on Planned Unit Development (PUD) language. Pursuant to Council direction in 2019, the Planning Commission subcommittee has been working with Administration and Village Planning Consultant to draft language to replace the existing cluster development language. Chapter 22, Section 22.26 was adopted in 1992 and, upon review, the suggestion is to replace the language with a Planned Unit Development (PUD) option. PUD is a development option that is permitted by the Michigan Zoning Enabling Act (MZEA) to the municipality with certain restrictions. A clean version of the PUD ordinance language, the current cluster development language, and the strike-through version of the proposed changes was provided to the Commission for review.

As an overview, there are a number of reasons to modify the language, not least of which is that the minimum open space requirement is currently 10% which is low and does not result in development that preserves significant open space as expected through a typical cluster/PUD ordinance. Below summarizes the major changes from the existing language:

<b>Current Cluster Development Language</b>	<b>Proposed PUD Language</b>
Single Family Residential only	Adds language to allow mixed-use development
Detached residences only	Adds language to permit attached single family housing with restrictions
Minimum 10% open space requirement	Minimum 40% open space requirement
Requires Village Attorney to draft deed covenant	Requires applicant to draft legal documents with Village approval of the language
ZBA has no authority over any cluster development decision by Council	Allows limited ZBA approval for future property owners within the PUD

The proposed PUD language also brings the review and approval procedures into alignment with the MZEA. Additionally, there are some prescriptive design requirements in the current cluster option that are not included in the PUD language. This flexibility is intentional to allow the Village and the potential developer to work together to create a project that is harmonious with the existing surrounding development. The current language also permits the imposition of performance guarantees per Section 22.08.310, which the Planning Commission and Council may want to add to the PUD language to maintain the option to require additional incentives to complete the development as approved.

The Commission discussed concerns over the density bonus and considered 10%, 15%, or 20% as options.

Motion by Ostrowski, second by Ruprich, the Village Planning Commission recommends Village Council review and consider approval of proposed amendments to the Village Municipal Code, Chapter 22, Section 22.26 Single Family Residential Cluster Option to replace existing language with Planned Unit Development (PUD) regulations.

Roll call vote:  
Motion passed (8-0)

**DISCUSSION ON MASTER PLAN ACTION ITEMS**

The Commission discussed goals and priorities regarding the Master Plan.

Grinnan discussed the Woodland Ordinance, evaluating corridors and transition areas, and permeable paving options.

Westerlund talked about standards for rights of way and flexible street design. He discussed filling in the gaps in the major corridors, connecting to public schools and public spaces.

Wright discussed the site plan review process and creating easy to use applications and forms.

Ruprich discussed sidewalks and filling in gaps throughout the village.

Ostrowski would like the priorities to align with the Redevelopment Ready Communities Program requirements. He also spoke about accessory dwelling units.

**PUBLIC COMMENTS**

None.

**LIAISON COMMENTS**

Peddie encouraged the Commission to reach out to her if there are any ideas they would like her to bring to the Council.

**ADMINISTRATION COMMENTS**

LaPere reminded the Commission that the joint Planning and Council meeting will be held on Wednesday, February 10, 2021. She stated that the petitioner on Lahser withdrew her request.

**COMMISSIONERS' COMMENTS**

The Commissioners wished one another Happy Holidays and asked that everyone stay safe.

**ADJOURNMENT**

The meeting was adjourned at 9:04 p.m.

**Andrew Drummond**  
**Chairperson**

**Kristin Rutkowski**  
**Village Clerk**



**Planning Commission  
Annual Report  
2020**

**Summary**

The Village of Beverly Hills Planning Commission is required to provide an annual written report of its activities for each calendar year. This report is to fulfill Article II, Section 19 of Public Act 33 of 2008 (Michigan Planning Enabling Act). The Michigan Planning Enabling Act states that "...planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body relating to planning and development."

The annual report details the activities over the past year, including reviews, recommendations, and ordinance updates. The Village Master Plan is used as the underlying guide for the land use decisions and updates to the Village's Zoning Ordinance. As part of the updates adopted in 2016, the Village incorporated an "Action Plan" to help guide staff, Council, and Planning Commission in their annual goal-setting activity. There were eighteen Zoning Ordinance items identified with short to mid-term prioritization. Since adoption, the Village has accomplished seven of the tasks outlined, including two in 2020 despite the challenges posed by the global COVID-19 pandemic. Additionally, the Village is engaged with the Michigan Economic Development Corporation to become a Redevelopment Ready Certified community. Many of the action items outlined in the Master Plan overlap with items necessary for the RRC program.

**Members and Meetings**

The Planning Commission is a nine-member body comprised of appointed residents of the community at-large. The current Commission membership is:

- Andrew Drummond, Chairperson
- Robert Stempien, Vice-Chairperson
- Robert Ruprich, Secretary
- Charles Copeland
- Antonia Grinnan
- George Ostrowski
- Patrick Westerlund
- Benjamin Wilensky
- Andrea Wright

The Commission meets on the fourth Wednesday of each month, except where the meeting dates conflict with a holiday. In 2020, the Commission met nine times including one joint meeting with Council to review prior year activity and establish annual goals.

### **Reviews and Recommendations**

Through the Zoning Ordinance, the Planning Commission has authority to review and approve a limited number of development matters. During 2020, the Planning Commission reviewed and decided upon seven sign applications.

As a primarily recommending body, the bulk of the Planning Commission's duties are to review and make recommendations to the Village Council on requests for site plan and special land use approval. The Planning Commission reviewed and made recommendations on the following projects in 2020:

#### *Site Plan Recommendations*

- Independent Bank, parking lot and exterior site improvements
- 16267 14 Mile Road office building, site renovations and expansion
- Market Fresh, site improvements and new vestibule enclosure

### **Ordinance Updates**

Pursuant to the authority by the Michigan Zoning Enabling Act and the Village Ordinance, the Planning Commission reviewed and made recommendations on two updates to the Village's Zoning Ordinance in 2020. The updates were, in part, to accomplish the Action Plan tasks outlined in the Master Plan, and to address known language that needed to be updated with other sections of the Zoning Ordinance or updates to statutory language.

- Draft proposed PUD language to replace the existing cluster development option (Action Plan Z2)
- Update the off-street parking regulations for consistency with the changes to the use tables and modern off-street parking recommendations (Action Plan Z11).

### **Future Goals and 2021 Action Plan**

The Planning Commission is recommending the continued work of implementing the various Action Plan items to realize the goals outlined in the Village Master Plan. Specifically the tasks outline as pursuing certification in the RRC program will be priority for 2021 activity. The Commission has noted attention to site plan review process, potential consideration for tree ordinance, language addressing complete streets and sidewalk improvements, and reviewing the transition areas noted in the Master Plan are all items that dovetail with RRC program goals.

Additionally, the Commission continues to recommend a complete Zoning Ordinance overhaul, which is Action Plan task Z1. While this project would require a significant investment of time and resources there are benefits to reviewing the chapter as a whole document, including

reducing potential for conflicting language, reduced cost in one adoption process versus piecemeal updates, and ability to focus resources on other tasks upon completion. Technical assistance through MEDC due to participation in the RRC program may be available to offset the costs of this work.

Respectfully Submitted,

Andrew Drummond  
Planning Commission Chairperson

Robert Stempien  
Planning Commission Vice-Chairperson

Robert Ruprich  
Planning Commission Secretary

Erin E. LaPere  
Planning & Zoning Administrator