

REGULAR PLANNING COMMISSION MEETING MINUTES – JANUARY 27, 2016 –  
PAGE 1

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

Absent: None

Also Present: Planning & Zoning Administrator, Wilks  
Planning Consultants, Borden and Duffy  
Council Liaison, Abboud

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**

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

**REVIEW AND CONSIDER APPROVAL OF PLANNING COMMISSION MINUTES OF MEETING HELD DECEMBER 16, 2015.**

Westerlund requested the minutes of the Planning Commission meeting held December 16, 2015 be modified on page 2, paragraph 4 to change the word “ensured” to “ensued”.

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

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

None

**PUBLIC HEARING ON UPDATE TO MASTER PLAN**

Brian Borden, LSL Planning, thanked Commissioners, Council members, Village staff and Kathleen Duffy on all of the hard work that went into creating the updated Master Plan. The new plan is far ahead in scope and detail than the previous plan and should be a guide for the Village the next 10 to 20 years. Borden added that the project will be completed under budget.

Kathleen Duffy, LSL Planning, reported that requested changes by the Planning Commission from its prior meeting have been incorporated into the plan. She presented a recap of the entire Master Plan update project. Duffy described the update as a multi-phase process that has lasted more than a year and involved the creation of a sub-committee.

Duffy explained that new census data and American Community Survey data was in place prior to starting the Master Plan update process to make sure there was a good baseline of information about the Village. A public workshop was held, a draft plan was created and a review period was held. Duffy explained that tonight's public hearing was the next step and that Commissioners will vote on the update and send it to Council.

In terms of key updates to the Master Plan, Duffy said a large focus was placed on design of the document so that it would be easier to use and comprehend. Recommendations for

connecting sidewalks were looked at as were greater accommodations for bicycle traffic in the Village. The future land use map was another focus. Duffy indicated the Village Center is now incorporated into the plan as an appendix. The zoning plan shows how future land use relates to zoning. The update also includes an action plan, which did not exist in the previous Master Plan. Duffy explained the action plan identifies strategies, priorities and responsibilities that will provide direction for the Village moving forward.

If the Planning Commission approves the updated Master Plan, Village Council must approve the plan without revisions. If Council members want changes to the plan, the plan must go back to the Planning Commission for its review and consideration.

Ostrowski opened the Public Hearing at 7:40 p.m.

Bob Walsh, Smallwood Court, questioned what the Master Plan update means by "diverse housing opportunities" since the Village has seven residential zoning districts with various lot sizes. He also inquired what a "Planning Unit Development (PUD)" is and how it will affect future development. He asked if there are any examples of PUD in the area.

Borden explained that a variety of single family detached housing types is not considered a variety of housing. He noted assisted living, attached housing, and senior housing are other housing types that would give the Village diversity in housing opportunities. Borden noted that PUDs have been commonly used by communities throughout Michigan for the past two decades, but not in Beverly Hills. A PUD regulation allows greater flexibility in development standards. Types and sizes of PUDs vary and can include housing and retail. Ostrowski explained that a PUD regulation would allow the Village to negotiate with greater flexibility. Borden added that a PUD must have a demonstrated public benefit that is above and beyond a normal development. He described a PUD regulation as a strong tool. Jensen believes the PUD regulation is a win-win for the Village and developers. Borden noted that the Village will have to draft a PUD ordinance before it could be used and that the updated Master Plan does not authorize its use.

Abboud asked if an additional public hearing would need to be held if the Council requests changes and sends the updated Master Plan back to the Planning Commission. Borden responded that any requested changes by Council must come back to the Commission in the form of questions or explanations as to what it wants and why. Borden stated both the Commission and Council must approve the same Master Plan under Michigan state law. A second public hearing, however, is not required but could be held by the Commission if it believes the requested changes are substantial.

Duffy noted that the updated Master Plan does not ask for any rezoning, but does anticipate possible future zoning changes. Several areas within the Village were identified as possible areas for redevelopment. Borden said the updated Master Plan sets the stage for Council and Planning Commission to add flexibility in ordinance regulations.

No one else wished to be heard; therefore, the public hearing was closed at 7:57 p.m.

Commissioners thanked Duffy and Borden and expressed satisfaction with the overall plan. Borden explained that the updated Master Plan will be available as an interactive-pdf, which will make the document much easier to navigate.

**REVIEW AND CONSIDER RECOMMENDATION TO COUNCIL TO APPROVE UPDATE TO MASTER PLAN**

Motion by Jensen, second by Westerlund, to adopt the updated Master Plan as presented to the Planning Commission on January 27, 2016 and recommend adoption by the Village Council.

Roll Call Vote:  
Motion passed (9-0)

**DISCUSSION OF AGENDA ITEMS OF JOINT COUNCIL/PLANNING COMMISSION MEETING TO BE HELD FEBRUARY 10, 2016**

Ostrowski prepared a summary of 2015 activities and accomplishments, Planning Commission goals for 2016, and points of discussion at the joint meeting.

Westerlund believes the Village should adopt a tree ordinance. He would like to see additional flexibility in road widths to accommodate future development, especially in the Village Center area, and the development of a PUD ordinance.

Ostrowski inquired whether not having Council input on the prioritization of action items in the updated Master Plan could be problematic. Borden stated the Commission is tasked with updating the plan and setting the priorities. Further, the priorities listed in the updated Master Plan are a guide and do not bind the Village to an exact timetable. Borden indicated the joint meeting would be an opportune time to discuss the updates with Council.

Jensen believes the zoning ordinance actions portion should be a topic for discussion with Council. He indicated each item in the section is worthy of discussion. Jensen added that it would be a good time to explain why an overhaul to the zoning ordinance is needed.

Stempien believes the updated Master Plan should serve as the Village's business plan. He added that it is a great guideline to help focus on next steps in 2016 and beyond.

**PUBLIC COMMENTS**

Maisa Mooney asked how often the Master Plan is updated. Borden explained the Master Plan must be reviewed every five years, but not necessarily changed. During the five year period, the Village will review the plan and determine if it is still current or if it needs to be updated. If the Village chooses to update, a similar process would be followed.

Mooney also asked whether setback regulations were discussed because she believes the current rules are too restrictive, especially in light of redevelopment that is occurring in the Village. Ostrowski stated that approximately 75 percent of the Village was rezoned recently to help eliminate the need for numerous variance requests regarding setbacks. Jensen noted it is a potential homeowners' responsibility to do due diligence before purchasing property including setback restrictions and other regulations.

Paul Mooney indicated that he is a homebuilder and has been approached by many people about building in the Village. He believes maintaining the average front yard setback makes redevelopment difficult. Mooney asked if the Commission intends to review the setback rule. Commissioners stated the front open space requirements are not under review at this time.

### **LIAISON COMMENTS**

Abboud thinks redevelopment of the eastern portion of the Village is coming soon. He thanked everyone for their hard work on updating the Master Plan. Abboud believes the Village's ordinance should be revised. He encouraged the Commission to examine the potential impact of semi-autonomous vehicles. Abboud attended the joint Parks and Recreation and Council meeting. He reported that the idea of branding the Village's premier events with flagpoles at Beverly Park was discussed. He encouraged Commissioners to look at the downtown development of Auburn Hills. He believes Auburn Hills has put together an excellent plan that is worth reviewing. Abboud expressed condolences for former Village employee, John Murphy.

### **ADMINISTRATION COMMENTS**

Wilks reported that the joint meeting with the Village Council will be held February 10<sup>th</sup>. She will not be able to attend the regular Planning Commission meeting on February 24<sup>th</sup> because she will be at a training conference.

Plans for a complete teardown and rebuild of the BP gas station at Thirteen Mile and Southfield Roads were submitted to administration and Council has referred the plans to the Commission for review and recommendation. Borden noted the plans include a drive-through coffee shop. The proposal requires a public hearing for special land use approval.

Borden informed Commissioners that he will be holding a class at Oakland County for planning and zoning member training on March 12<sup>th</sup>. He indicated the session will be free of charge and will be held in the morning, lasting approximately 3-4 hours.

### **COMMISSIONER'S COMMENTS**

Chegash asked Westerlund to elaborate on the benefits of modifying right-of-way requirements. Westerlund explained that reducing road right-of-way widths would help achieve the kind of downtown area desired for the Village Center area. Grinnan added flexibility with rights-of-way would potentially eliminate the need for private roads which result in maintenance costs borne by the residents of the street alone.

Drummond stated he would be out of town for the Planning Commission's next regular meeting on February 24<sup>th</sup>.

Motion by Westerlund, second by Borowski, to adjourn the meeting at 8:45 pm.  
Motion passed.

**George Ostrowski**  
Chairperson

**Ellen Marshall**  
Village Clerk

**Scott Daniel**  
Recording Secretary