

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

Absent: None

Also Present: Manager, Wilson  
Planning Consultant, Borden  
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 Ruprich, to approve the agenda as published.

Motion passed.

**REVIEW AND CONSIDER APPROVAL OF PLANNING COMMISSION MINUTES OF MEETING HELD JANUARY 27, 2016.**

Borowski requested the minutes from the Planning Commission meeting on January 27, 2016, be modified on page 4, paragraph 3, line 3, to end the sentence with "shop" and strike the words, "which he does not favor due to potential traffic implications".

Motion by Ruprich, second by Jensen, that the minutes of the Planning Commission meeting, held on January 27, 2016, be approved as amended.

Motion passed.

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

None.

**PUBLIC HEARING ON PROPOSED REDEVELOPMENT AT 31015 SOUTHFIELD ROAD, BP GAS STATION**

Borden gave an overview of the proposed redevelopment of the BP Gas Station at 31015 Southfield Road. This is a complete redevelopment of the site, and involves tearing down the existing building. It would be a 4 pump, 8 space gas station. There are also plans for a convenience store, as well as a drive thru of a yet unnamed fast food/coffee shop. Both the gas station and drive thru are special land uses and require a full site plan.

Chairperson Ostrowski opened the public hearing at 8:24 p.m.

No one wished to be heard; therefore the public hearing was closed at 8:24 p.m.

**REVIEW OF SITE PLAN AND SPECIAL LAND USE REQUEST FOR PROPOSED REDEVELOPMENT AT 31015 SOUTHFIELD ROAD, BP GAS STATION**

Borden opened with a discussion on the special land use portion of the proposal. The use issues are the impact and implications of the uses of the space. This is an existing gas station that has been operating for many years. There is part of the structure that is dedicated to a car wash; however it is not currently in use. The redevelopment of the gas station to a gas station is consistent with special land use theories. The concern becomes the use of the space as a drive thru. The main concerns are "use intensity"; how many activities can the site adequately accommodate. Gas station and drive thru coffee shop is an intense use of space. Concern over traffic flow is high. The ITE (Institute of Transportation and Engineers) numbers for trip generation state that a.m. peak hours for a coffee/doughnut shop with a drive thru window generates over 100 cars per 1,000 sq ft of the building. This creates a significant concern for back up onto Southfield Road. This intersection is already the busiest intersection in the Village, and has high crash activity. It was suggested that the applicant commission a traffic study.

In their letter HRC touched upon their concern with confusion over the gas tanks themselves. They question if they will be removed and replaced or if they will be moved and relocated.

Project Engineer for the applicant, Ziad El-Baba, PE, spoke regarding the current plans. The current building is very old and the proposed building is new and modern. The existing canopy over the gas pumps encroaches into the setback for Southfield Road. The proposed site plan corrects this problem.

In order to fulfill the requirements of the contract with any fast food/coffee company, a drive thru is required. Bringing a known franchise in is how gas station owners make their profits. The stacking requirement is 10 cars, and the plans meet those requirements. The engineer believes that the cars would not be sitting on Southfield Road because the road has too much traffic. El-Baba also stated that the owner is willing to close one or two approaches to help streamline the traffic flow.

Ostrowski opened the floor to the members of the Commission regarding the special land use portion of the proposal.

Westerlund asked Borden to clarify, special land use vs. site plan. One cannot be approved without the other. Borden stated they are separate recommendations conditioned on each other.

Chegash is not convinced that these two uses can exist on this specific site together. He would like to see a traffic study.

Borowski expressed several concerns including the expansion of the building from 2,100 sq. ft. to 2,700 sq ft., the quantity of pumps on site, and the tightness of the turn from Southfield Road into site. These are things the applicant needs to answer.

Jensen feels that the missing aspect of this plan is the expert on traffic circulation who can provide a study and opinion about this use as proposed.

Ostrowski asked if the owner has approached Market Fresh regarding access or an easement between the two properties in the parking lot. There are no clear plans for delivery truck circulation. The Commission has many concerns.

El-Baba responded that they were willing to close an approach on Southfield and one on 13 Mile nearest to the intersection. He also suggested that they could make the driveways one way, with entrance only from Southfield Road. He stated that the owner does want to be sure the business is visible from the corner. The original building was 2,100 sq. ft. within the walls, plus an added overhang totaling 2,800 sq. ft., therefore they are not going over the original space. He also suggested they could flip the drive thru to the north side.

Wilson stated the petitioner should be advised that there are plans for a redesign of Southfield Road that would result in it being a boulevard that would prohibit left turns. He feels this should be incorporated into the plan. Wilson also recommends that they reconsider the pump arrangements and how many parking spaces they have on site.

El-Baba stated that they will work with the Road Commission and are willing to make any revisions necessary to comply with the changes.

Ostrowski requested that the applicant provide specifications on what the use will be. Without the specifics it seems a challenge to run a traffic study. Jensen, Chegash, and Westerlund voiced the opinion that they do not believe the site can support both the gas station and the franchise.

Ostrowski opened the floor to the members of the Commission regarding the site plan portion of the proposal.

Borden wanted the Commission to know that they can have canopies over setbacks. The pumps are considered structures also.

Chegash inquired about variances on the previous site plan. Ostrowski stated that the planning administrator would find that information.

Westerlund stated that the pump island distance to the east parking line is only 23 feet, which is not wide enough to meet the requirement for two way traffic, which is 24 feet. He also stated concern about the lack of protection between the driveway and the sidewalk on the Southfield Road side.

El-Baba stated that they could create a 3 foot brick wall, or depending on which driveways are closed, that area could become a wall.

Ostrowski questioned why they canopies aren't attached to the building. El-Baba stated that it is not something they do in gas station designs anymore. It hides the building façade and it is expensive. They also are trying to maximize the space between the parking and the pump islands.

Ostrowski asked about storm water structure. Wilson stated that HRC will clarify that in their upcoming meeting. Ostrowski requested clarification on what is concrete or asphalt, and details on the landscaping.

Ostrowski inquired about indoor seating for the franchise. El-Babba said there is only a counter and no plan for indoor seating.

Ostrowski asked about removal of the clothing donation boxes located in the corner of the lot. Borden said that there was currently nothing in the plans regarding them.

Wilson stated that Village Administration would like to work with the owner to see a new plan for this site that meets the needs of everyone. He suggested a meeting between Village Administration, the owner, and Borden.

Motion by Westerlund, second by Jensen, to table this item to a future meeting.

Motion passed.

### **DISCUSSION OF THE ADDITION OF ORDINANCE LANGUAGE REGULATING RESIDENTIAL SOLAR PANNELS**

Wilson shared that an application came to them from a homeowner looking to add solar panels onto their home. There is currently no ordinance on this issue. This is something that is regulated in other communities.

Borden believes it is important to have a policy once the issue is raised and therefore should be considered as being added to the ordinances. The main concerns would be aesthetics and glare.

Ostrowski questioned how well the Village could regulate this when “green energy” advances change so quickly.

Jensen stated that since we do not have aesthetic zoning in the Village and all the restrictions on this are aesthetic, it is unnecessary to have an ordinance. Ostrowski suggested that this may be regulated within each subdivision by various HOA/Subdivision rules.

Ostrowski suggested that they table it and if it becomes a regular request then they consider creating regulation.

### **PUBLIC COMMENTS**

None

### **LIAISON COMMENTS**

Abboud is attending SEMCOG (Southeastern Michigan Council of Governments) meeting on February 25, 2016. SEMCOG is looking for projects to fund in relationship to TAP (Transportation Alternatives Program) for the 2017 fiscal year. This program funds projects like pedestrian and bicycle infrastructure and safety programs, historic preservation and rehabilitation of transportation facilities, environmental mitigation activities, and safe routes to school programs. The intent is to gather information about these programs for which the Village could potentially apply.

Abboud also attended the Chaldean Chamber of Commerce. The speaker was the Deputy County Executive of Oakland County, who spoke on the “One Stop Ready” program. This program encourages communities to capitalize on their strengths and refine their economic development processes for the purpose of implementing their community vision. It encourages communities to think of themselves in the context of a developer, a business or a resident making a decision to locate, or invest, in their community. The program starts in June 2016.

Abboud expressed his condolences to the family on the loss of Bob Wiszowaty.

**ADMINISTRATION COMMENTS**

Wilson shared that Bob Wiszowaty passed away Monday, February 22, 2016. Wiszowaty spent 25 years working for the Village.

Wilson issued a reminder that there is a snow emergency in effect and the teams would be plowing all night to get the Village cleared.

**COMMISSIONERS COMMENTS**

Ruprich reminded the Commission of the subcommittee that was assembled at the joint Planning Commission and Council meeting to re-evaluate Gibbs proposal.

Westerlund directed a question to Borden regarding the regulations regarding sidewalks near parking spaces. Borden agreed that the walk space does need to be protected.

Grinnan asked if the applicant was required to make the proposed gas station changes consistent with the Village’s overlay district. Ostrowski stated that they could if they chose to, but it cannot be a requirement. Jensen questioned if there was any worth for the applicant to work with the overlay district. It was suggested that Village Administration advise the applicant of their options via the overlay district.

Stempien asked that the Commission consider regulation of LED lights around store windows.

Ostrowski suggested that the Commission needs to explore a pattern book for the Village Center and other businesses.

Motion by Westerlund, second by Borowski, to adjourn the meeting at 9:11 pm.

Motion passed.

**George Ostrowski**  
**Chairperson**

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

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