

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

Absent: Member: Ruprich

Also Present: Planning and Zoning Administrator, Saur  
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 Grinnan, to approve the agenda as published.

Motion passed.

**REVIEW AND CONSIDER APPROVAL OF REGULAR PLANNING COMMISSION MINUTES OF MEETING HELD AUGUST 22, 2018**

Motion by Grinnan, second by Westerlund, to approve minutes of a regular Planning Commission meeting held August 22, 2018.

Motion passed.

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

Cynthia Nagel, Kirkshire and Lisa Napolitan, Kirkshire spoke about their concerns related to the construction of new homes in their neighborhood.

Wilensky arrived at 7:34 pm.

Borowski arrived at 7:37 pm.

**REVIEW AND CONSIDER REQUEST FROM DARLENE BUGAJ, 16255 MADOLINE FOR A 6FT, SOLID PRIVACY FENCE**

The Village of Beverly Hills has received an application for a six (6) foot high, solid style wooden fence to be installed along the rear property line at 16255 Madoline. Per Section 22.08.150, the applicant is seeking approval from the Planning Commission to mitigate an essential safety or privacy concern. The abutting property owners were notified of the request and meeting date per requirements of Village Ordinance.

The proposal, attached, is to install 100 feet of treated red pine, solid, dog-ear fencing that will be six feet above grade with the finished side facing outwards. There is existing four (4) foot high, chain link style fencing enclosing the rear yard. The plans detail the existing fence will remain in place. Per ordinance, the applicant will need to detail why the existing fencing will remain, and provide a four (4) inch gap at the bottom of the new fencing to permit maintenance between the fences if the existing chain link cannot be removed.

The applicant must provide to the Commission the essential safety or privacy concern that will be mitigated by the proposed fencing and demonstrate that the size, location, height, design, and materials of the fence are aesthetically in harmony with the property on which it is located. And that any proposed removal of vegetation and trees and disturbance to natural terrain has been minimized.

Bugaj explained that she has been a homeowner for 24 years, there is limited sunlight and she has had difficulty growing any vegetation along her fence line. The fence would also help provided security and reduce the noise pollution from 13 Mile Road. She submitted letters of support from two of the three neighbors; the third house is currently unoccupied.

Drummond inquired about the current chain link fence. Bugaj explained that the fence would stay up, but the wooden fence would be raised high enough to maintain the grass underneath.

The Commission suggested the applicant explore options for green screening.

Motion by Drummond, second by Grinnan, that the Planning Commission denies a permit to install 100 feet of six (6) foot high, red pine, dog-ear, solid style fencing to be installed at 16255 Madoline due to the insufficient safety concerns provided by the applicant.

Roll Call Vote:

Stempien      yes

Westerlund    yes

Wilensky      yes

Borowski      yes

Copeland      no

Drummond     yes

Grinnan       yes

Ostrowski     yes

Motion passed (7-1)

**PUBLIC HEARING FOR SPECIAL LAND USE APPROVAL FOR MODIFICATIONS AT WOODSIDE ATHLETIC CLUB, 22440 W. 13 MILE ROAD**

Borden reviewed the request for special land use and site plan review (plans dated 8/31/18) for improvements to the Woodside Athletic Club, which is located at 22440 W. 13 Mile Road. The subject site and surrounding properties are within the R-1 zoning district, which permits private and social clubs with special land use approval.

The proposed project entails removal of the existing “kiddie” pool and construction of a new one, new outdoor seating/eating spaces, improved pedestrian connections, a new playground area, a new sport court (in place of an existing paddle ball court) with fencing and new landscaping. The project also appears to necessitate site grading, which will be subject to review/approval of a detailed grading plan by the Director of Public Services and Village Engineer.

Eric Phillips and Dave Lutz, Board Members at Woodside, explained that all proposed changes would be within the Club property lines and increase accessibility, safety, and usability.

Ostrowski opened the public hearing at 8:12 pm.

The following residents spoke in favor of the Woodside renovations, citing need for increased accessibility, usage, and safety at the club.

Bill Harvey, Old Stage Road  
Philip Troutman, Bradford  
Forest Wall, Metamora  
Jason Kollman, Wilshire  
Sara Locricckio, Georgetown  
Katie Bates, Shagbark  
Brian Petersen, Sleepy Hollow Ln  
Brad Mann

Residents Amy Kleinlein, Riverbank, and Holly Hudson Hatt, Riverbank, supported the project because it would require sidewalk installation along 13 Mile Road.

The following residents spoke in opposition, expressing concerns about safety for their homes, encroachment onto their private property, and noise.

Darcy Salman, Old Stage Road  
Steve Paul, Old Stage Road  
Carol Paul, Old Stage Road

Ostrowski closed the public hearing at 8:35 pm.

**REVIEW AND CONSIDER RECOMMENDATIONS FOR SPECIAL LAND USE AND SITE PLAN APPROVAL FOR WOODSIDE ATHLETIC CLUB, 22440 W 13 MILE ROAD**

Boden reviewed that Woodside is a well-established club in the Village and is one of the long-standing non-residential uses providing valuable services to the residents. The principal use of the property as an athletic club is generally compatible with the primarily residential nature of the Village, surrounding properties, especially given the wooded area between the site and surrounding residences.

The proposed project entails removal of the existing “kiddie” pool and construction of a new one, new outdoor seating/eating spaces, improved pedestrian connections, a new playground area, a new sport court (in place of an existing paddle ball court) with fencing and new landscaping. The project also appears to necessitate site grading, which will be subject to review/approval of a detailed grading plan by the Director of Public Services and Village Engineer.

Aside from the playground area, the proposed project includes improvements to the already developed portions of the site and is expected to remain compatible with adjacent uses and zoning.

The club has a lengthy history, dating back to 1965 (per Village records). Over time approvals and variances were granted allowing the development essentially as it exists today. Past approvals included conditions to protect surrounding residential uses, including a 100-foot buffer from the westerly lot line preventing structures, preservation of a 16-foot landscape buffer along the west side lot line and hours of operation (a 10PM close time).

Given the nature of the project and retention of existing landscaping screening, the proposal is not expected to hinder development or impair the value of surrounding properties. The height of proposed sport court fencing (10') requires Planning Commission approval under Section 22.08.150(E).

The proposed sport court has the potential to generate additional noise and light. While the existing landscape buffer will help to mitigate these impacts, the applicant must provide the hours of operation, as well as an indication of whether the court will be lit. The plans note that it will not be lit.

As previously noted, past approvals restrict development within the westerly 100 feet of the site. The nearest improvements/structures proposed are the playground area and reconfigured kiddie pool, both of which meet or exceed this condition.

The proposed sport court is approximately 20 feet from 13 Mile right-of-way line and, by definition is located in the front open space. Although Section 22.08.100 prohibits accessory structures within the front open space, the location was granted by the ZBA in 1975. The proposed sport court provides the same location and dimensions as a previously approved and constructed paddle ball court. Since the project entails improvements to an existing approved structure, a variance is not needed.

No changes are proposed to the existing parking lot design. A note on Sheet C-102 states that 77 spaces are provided, including 3 barrier free spaces. Given the total number of spaces provided, current standards require 1 additional barrier free space. Additionally, the parking requirement for athletic clubs is based on occupancy/patrons and employee count. It is requested the applicant provide a more detailed calculation to ensure current parking requirements are met. Furthermore, a condition of the ZBA approval from 1975 required the club to provide 91 paved parking spaces. The applicant must explain the current parking deficiency from this conditional approval.

There is a public sidewalk along 13 Mile west of the site, but not along the site's frontage; although there is a crosswalk across 13 Mile connecting the site to the Detroit Country Day property (despite the lack of sidewalks on either side of the road). Section 22.08.410 requires the installation a public sidewalk for all projects requiring site plan review. As such, the applicant must revise the plan to incorporate the required sidewalk. The applicant must confer with the Director of Public Services to determine the appropriate location and design. The site

also provides several internal walkways, including new connections between the building, tennis courts and proposed sport court.

The landscaping plan proposes to preserve the vast majority of the existing landscaping on-site; three Arborvitae are to be removed just east of the building. Additionally, a number of new plantings (trees and decorative grasses/groundcover) will be provided between the parking lot and pool complex, as well as between the building and tennis courts. The plan and table of plantings do not entirely match with respect to quantities for Arborvitae, Endless Summer Hydrangea, Ornamental Maiden Grass and Vinca Groundcover. These discrepancies must be corrected.

The submittal does not identify any existing or proposed lighting. If exterior lighting is proposed, details must be provided in accordance with Section 22.09.050. Furthermore, the Commission may wish to request details of any existing site lighting to ensure compliance with current standards.

The site currently provides a waste receptacle in the southwest corner of the site. The receptacle does not comply with current Ordinance standards for location (in a front yard where rear or side is allowed), enclosure (none provided where a 3-sided enclosure with a gate is required) or base pad (none provided where reinforced concrete is required). It would be preferred the applicant bring the waste receptacle into compliance with Section 22.09.040(h) as part of this project. However, this may prove difficult due to the prohibition on structures within 100 feet of the west side lot line.

The submittal does not identify any proposed signage associated with this project. If new or modified signage is proposed, a separate application must be submitted for the Commission's consideration.

The project includes several portions of new fencing, most notably around the sport court. The proposed sport court fencing is 10 feet in height to match the existing fencing around the tennis courts. Section 22.08.150(E) requires Planning Commission authorization for fencing taller than 7 feet that encloses an institutional playground, athletic field or similar use.

Per memo from Tom Meszler, Director of Public Services., after a review of the proposed plans he reported none of the proposed improvements fall within the 100 year flood plain. Silt fence installation is required along the north side of the property through the area to be disturbed. Sidewalk installation is required along the frontage of the property. Catch basins are shown but there is no indication of where they outlet and the proposed storm pipe outfall needs to be reduced to 6" at outlet.

Dave Lutz, NTH Consultants spoke, explaining that the construction of sidewalk creates an undue financial hardship, based on their estimations it would increase the cost of the project at least an additional \$50,000 to \$75,000.

Westerlund inquired about the asphalt on the existing basketball site, and the materials being used under the playground equipment. The landscape designer explained that the leftover curb

and asphalt would be left outside of the fence to help avoid total overgrowth. The playground would have artificial turf only underneath it, set within the existing lawn.

Grinnan suggested the dumpster be relocated to the east side of the property. However, due to accessibility needs by the collection trucks, the current location is the only feasible option.

When discussing parking, Phillips explained that membership is limited to 410 families in their bylaws. On average there are 50-150 families using the facility at any given time, and the Club has an overflow parking agreement with Detroit Country Day for use of their lot.

All of the Commission members agreed that sidewalk installation was imperative for the safety of the families who walk to the club from surrounding neighborhoods or offsite parking. Better foot traffic accessibility creates less need for on-site or off-site parking.

It was also recommended the Club contact Public Safety for increased checks and patrols of the parking lot after hours to deter trespassing.

Motion by Westerlund, second by Stempien, that the Village of Beverly Hills Planning Commission recommends Council approve the Woodside Athletic Club request for special land use and is subject to site plan approval.

Roll Call Vote:

Motion passed (7-0)

Motion by Drummond, second by Westerlund, that the Village of Beverly Hills Planning Commission recommends Council approve the Woodside Athletic Club site plan, with the conditions of the seasonal dumpster not being emptied before 8:00 am, sidewalks added along the 13 Mile Road frontage of property, 10 foot high tennis court fencing is approved and the 6 foot fencing on sheet C-105 be compliant with the fence ordinance, subject to Village engineering approval and special land use approval.

Roll Call Vote:

Motion passed (7-0)

**REVIEW AND CONSIDER APPROVAL OF MODIFICATIONS TO THE EXISTING GROUND SIGN AT THE SHOPPING CENTER AT 31215 THROUGH 31255 SOUTHFIELD ROAD**

The applicant is seeking approval of the modifications to the existing ground sign as submitted at the August 22, 2018 meeting. Six large portable all-season planters were presented, which would be maintained by the plaza.

Borden reiterated that the sign meets all the requirements for allowable maintenance on a non-conforming sign. He also reviewed the lack of options for placement of the sign elsewhere on the property. He explained that per the ordinance, the work being done on the sign is within the parameters of “normal maintenance”, and the only part that needs approval is the sign face change.

Drummond expressed his disappointment that the sign was considered a face replacement when the scope of the changes should be considered a new sign.

Motion by Westerlund, second by Wilensky, that the Planning Commission approve the ground sign at the Southfield Road shopping center as submitted, with the addition of six planters to be used as landscaping and henceforth be considered part of the sign.

Roll Call Vote:

Borowski     yes  
Copeland     yes  
Drummond     no  
Grinnan       yes  
Ostrowski    yes  
Stempien     no  
Westerlund   yes  
Wilensky     yes  
Motion passed (6-2)

**REVIEW AND CONSIDER APPROVAL OF NEW SIGNAGE AT 15616 THIRTEEN MILE ROAD, KFC**

Borden submitted his review of the revised application requesting a new wall sign for the KFC restaurant at 15616 W. 13 Mile Road. The proposal follows all the requirements of the Village Zoning Ordinance.

Motion by Borowski, second by Drummond, that Planning Commission approve the new wall sign as submitted for KFC, located at 15616 W 13 Mile Road.

Roll call vote:

Motion passed (8-0).

**REVIEW AND CONSIDER APPROVAL OF A TEMPORARY BANNER SIGN AT DETROIT COUNTRY DAY SCHOOL, 22305 WEST THIRTEEN MILE**

Borden reviewed the application from Detroit Country Day requesting the use of temporary signage during multiple events occurring during October 2018 (open house), January 2019 (open house) and April 2019 (celebrate the arts). The proposal has been reviewed for compliance with the requirements of the Village Zoning Ordinance. If the sign is approved by the Commission, the applicant must obtain a permit prior to installation. The proposed temporary signage complies with the applicable provisions of the Village Zoning Ordinance.

Motion by Westerlund, second by Stempien, to approve temporary banner sign request for Detroit Country Day School, 22305 West Thirteen Mile, as submitted.

Roll Call vote:

Motion passed (8-0).

**REVIEW AND CONSIDER APPROVAL OF NEW WALL SIGNS AND GROUND SIGN AT VALVOLINE, 31005 GREENFIELD**

Borden has reviewed the submittal from Valvoline Instant Oil Change requesting two new wall signs and a new ground sign for the facility at 31005 Greenfield Road. The proposal has been reviewed for compliance with the requirements of the Village Zoning Ordinance. If the application is approved by the Commission, the applicant must obtain a permit prior to installation. Sections 22.32.095 and 22.32.110 provide regulations for wall and ground signs.

The proposed signs generally comply with current standards or are allowed via the ZBA approvals granted July 9, 2018 for wall signs of 89.5 SF and 30.5 SF, and for two non-identical wall signs; however, the wall projection of the larger sign is not met, and the applicant must identify the sign and base materials.

Alicia Deneau, Fairmont Sign Company, was present to represent the applicant. She explained the sign would be mounted to the wing walls so that it protrudes just over 3 feet off of the building front, and this is keeping in standard with the Valvoline sign redesign.

The Commission agreed that the projections were not considered part of the building wall and that there was no tangible benefit in mounting the sign 3 feet off the building.

Motion by Westerlund, second by Borowski, that the Planning Commission approve the sign request from Valvoline, at 31005 Greenfield Road, contingent on the east side sign being mounted to the wall, not to exceed a 12 inch projection.

Roll call vote:  
Motion passed (8-0)

**DISCUSSION ON A CONCEPT PLAN FOR VACANT PROPERTY AT 31655 SOUTHFIELD ROAD**

Paul Robinson, Jr., and Jim Clark, Robertson Brothers Homes, were in attendance for a preliminary review of their conceptual plan for the 1.51 acre parcel of land located at the southwest corner of Southfield Road and Gould Court, adjacent to the Beverly Hills Club. The *Townes at Beverly Hills* development is proposed to be constructed on vacant land formerly used as a McDonald's restaurant. The proposal would complement the surrounding community with a housing product that is not currently available in the Village. The proposed for-sale community of approximately twenty-four (24) attached single family townhomes will be set in a mixed-use environment. Each unit includes an attached two-car garage and either two or three bedrooms as determined by the home purchasers. The community will have a homeowner's association established to maintain site improvements and building maintenance.

It is believed the proposed development can be viewed as a byproduct of the Village's vision and goals as set forth in its Village Center Plan. This development concept has been extremely well received in several Southeastern Michigan communities. Robertson Brothers Homes would be the sole builder in the project.

A rendered conceptual plan and examples of townhome product the Robertson Brothers is either currently building or has recently finished were included for the Commission to review.

It is Robertson Brothers hope to gain an initial reaction to the site plan and building design related themes prior to our formal site plan submission. The market indicates that the proposed introduction of this “missing middle” townhome product would be well-received in this location, and will complement the existing retail and commercial businesses at the corner to provide for a mix of land uses.

The Commission expressed interest in the Roberts Brothers development and see it as a catalyst for change that incorporates the master plan.

**PUBLIC COMMENTS**

None.

**LIAISON COMMENTS**

Abboud announced the Zoning Board of Appeals granted variances for new builds on Glenhill and Eastlady. Council has also advised the Marijuana Subcommittee to prepare a presentation on the potential outcome if the November ballot proposal is passed.

**ADMINISTRATION COMMENTS**

Saur reported there were five cases before the Zoning Board in September and three of them involved front yard averaging.

**COMMISSIONERS COMMENTS**

Borowski commended the ZBA on their fair and well-measured rulings.

Westerlund presented on creative and successful ways that other communities were designing their downtown areas.

Motion by Borowski, second by Ruprich, to adjourn the meeting at 10:40 p.m.

Motion passed.

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

**Chris Wilson**  
**Village Clerk**

**Elizabeth M. Lyons**  
**Recording Secretary**