

Present: Chairperson Jensen, Vice Chair Ostrowski, Members: Abboud, Borowski, Freedman, Ruprich, Stempien and Westerlund

Absent: Peddie

Also Present: Village Manager, Chris Wilson
Planning consultant, Brian Borden

Chairperson Jensen called the meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

APPROVE/AMEND AGENDA

It was proposed to amend the wording of the heading for item #5 to read: “Public hearing regarding ordinance amending Chapter 21 of the Municipal Code changing the Planning Board to a Planning Commission. Review and consider recommending approval of ordinance to Village Council”. The following addition to the agenda was suggested: 6a) Discussion of moratorium on new site plan applications for the Southfield Road Corridor district.

Motion by Ostrowski, second by Borowski, to amend the agenda as proposed.

Motion passed (8 – 0).

PUBLIC COMMENTS

None

CONSIDER APPROVAL OF MINUTES OF A PLANNING BOARD MEETING HELD APRIL 25, 2012

Motion by Borowski, second by Westerlund, that the minutes of a Planning Board meeting held April 25, 2012 be approved as published.

Motion passed (8 – 0).

PUBLIC HEARING REGARDING ORDINANCE AMENDING CHAPTER 21 OF THE MUNICIPAL CODE CHANGING THE PLANNING BOARD TO A PLANNING COMMISSION. REVIEW AND CONSIDER RECOMMENDING APPROVAL OF ORDINANCE TO VILLAGE COUNCIL

Chairman Jensen opened the public hearing at 7:34 pm on an ordinance amending Chapter 21 of the Municipal Code changing the Planning Board to a Planning Commission. No one wished to be heard; therefore, the public hearing was closed at 7:34 pm.

Motion by Westerlund, second by Abboud, that the Planning Board recommend that the Village Council approve An Ordinance to Amend the Village Code, Chapter 21, to create a Village Planning Commission.

Motion passed (8 – 0).

PROGRESS REPORT FROM SOUTHFIELD ROAD OVERLAY DISTRICT SUBCOMMITTEE

Borden reported that the first workshop for Southfield Road corridor property owners was held on Friday, May 18 at the former Borders book store location. The meeting was attended by a few prime property owners as well as elected officials from the Village and the Township. There were no Road Commission members present. There were a number of comments focused on making this area an attraction to bring people into Beverly Hills.

Subcommittee members recapped input received at the workshop. There was interest in creating a destination that would draw people into the Village and generate business for area merchants. Property owners were receptive to modifications that would slow traffic down between 13 Mile and Beverly Road. There was concern about signs that detract from the character of Beverly Hills. Property owners thought that attention to the streetscape and lighting would enhance and unify the area. The group felt that there might be some opportunities with the cemetery side of the road in terms of frontage.

DISCUSS THE POSSIBILITY OF A MORATORIUM ON NEW SITE PLAN APPLICATIONS FOR THE SOUTHFIELD ROAD BUSINESS DISTRICT

Board members were aware that the McDonalds restaurant on Southfield Road has been vacated and boarded up. Westerlund remarked that a plan for redevelopment of the site could be presented to the Village for site plan review prior to adoption of an overlay zoning code for the business corridor. He suggested the possibility of placing a moratorium on new site plan applications while the Board is completing the overlay district plan.

Board members discussed the idea of a moratorium for a reasonable period of time. It was noted that the overlay district and associated incentives are optional. The point was made that potential developers may not be aware of what the Village is attempting to do in terms of redeveloping the corridor with an overlay zoning district and building incentives.

Borden commented that a moratorium should have a set purpose and directive as well as a definite time frame. He encouraged the Village to include an appeal provision to allow a developer to do something the Planning Board might want to see on Southfield Road.

A moratorium on site plan applications on Southfield Road would extend for a relatively short period of time and would affect a small number of property owners. At a minimum, a moratorium could be set on signs in the Village until sign regulation revisions are completed. Board members discussed recent sign applications that have come before the Planning Board and were approved based on compliance with zoning requirements. It was the consensus of the Board to request Attorney Ryan's opinion on the legal basis for establishing a moratorium.

The Planning Board was in agreement to recommend that Council move forward with establishing a 180-day moratorium on site plan applications on Southfield Road and signs in the Village if Attorney Ryan deems this action to be legal. This would allow the Planning Board and Council time to adopt a revised sign ordinance and complete work on an overlay zoning district. The Planning Board has made reference to problems with three recent sign applications that were approved because they met current ordinance requirements. This recommendation is also based on comments received at the workshop for Southfield Road property owners, who were interested in identifying the area through improved signage.

Wilson will bring the Planning Board's recommendation for a moratorium on signs and site plan applications to Attorney Tom Ryan for his opinion. If there are no legal objections, Council will be requested to establish a 180-day moratorium on signage village-wide and site plan approval for the Southfield Road corridor. The moratorium is based on the Planning Board's intent to revise the Village Sign Ordinance. All signs must be approved by the Planning Board, and signage is a critical component within a commercial development. The Planning Board is continuing its work on an overlay zoning district code for the Southfield Road corridor. The moratorium would include an appeal process if someone can show that the overlay district in consideration would have no impact on their development.

An ad-hoc sign ordinance review subcommittee was established consisting of Robert Stempien, Vince Borowski, and Rock Abboud. The group will work on preparing a draft document and coordinate with planning consultant Borden on an ordinance that will come before the entire Board for review.

REVIEW DRAFT TO MODIFY OUTDOOR SALES ORDINANCE

At a previous meeting, Board members suggested additional language to be included in a draft ordinance to regulate and clarify what would be permitted in terms of outdoor sales and café seating. Based on those recommendations, LSL Planning worked new language into the draft ordinance. Board members are in receipt of ordinance sections for an outdoor sales ordinance marked up by LSL Planning.

The Planning Board reviewed and discussed the marked-up version. The suggestion was made to draft appropriate catch-all language whereby the administrative office has some discretion in permit approval and the authority to send a proposal to the Planning Commission. Borden will also address the issue of outdoor sale items that are more permanent versus temporary items. Wilson will send this draft to Attorney Ryan to codify into Village ordinance form.

The Planning Board set a public hearing date of Wednesday, June 27 at 7:30 pm to hear public comments on the outdoor sales ordinance.

CONTINUED DISCUSSION ON SIGN ORDINANCE

An ad-hoc sign ordinance review subcommittee was established earlier in the meeting to coordinate with Brian Borden and prepare a draft sign ordinance amendment.

ADMINISTRATIVE COMMENTS

Wilson commented that McDonald's vacated and boarded up its site. The Village code enforcement officer sent McDonald's a blight notice giving them 30 days to rectify the situation before receiving one ticket per day. McDonald's people have inquired at the Village office about a demolition permit and are working with Public Services Director Meszler on utility issues. The Village is maintaining the grass and will send the franchisee a bill.

The Village is working on a couple of other code enforcement issues. Wilson asked the Planning Board for clarification on what the Village can and cannot regulate in terms of window signage and coverage. The code enforcement officer contacted the nail salon owner regarding their flashing sign but had questions on the restrictions that can be placed on window signage. Wilson remarked that the Planning Board may want to review the regulations for window signage in the sign ordinance update.

A Jimmy John's store was opened in the strip mall at Southfield and 13 Mile Roads. The owner placed a couple of tables and chairs outside and was advised by the code enforcement officer that this is not allowed until further notice.

PLANNING BOARD COMMENTS

Ruprich reminded everyone about the Beverly Hills Memorial Day Parade and Carnival coming up on Monday, May 28.

Westerlund observed that Premier Pet Supplies painted their sign, which had the effect of making it appear smaller.

Abboud mentioned that Jimmy John's has a neon sign in the window. He made reference to the maintenance of weeds along the fence between McDonalds and Gould Court.

Borowski referred to a public comment made at a Council meeting regarding the April Planning Board meeting minutes. He did not think there should have been any confusion relative to the Board's concern about maintaining a legal public meeting. Borowski commented on the size of the McDonald's monument sign; he thought that signs in the Village should be smaller.

PUBLIC COMMENTS

None

Motion by Freedman, second by Ostrowski, to adjourn the meeting at 8:47 pm

Motion passed (8 – 0).

David Jensen
Planning Board Chair

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary