

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

Absent: None

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

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

### **PUBLIC COMMENTS**

None

### **REVIEW AND CONSIDER APPROVAL OF MINUTES OF A PLANNING COMMISSION MEETING HELD FEBRUARY 26, 2014**

Motion by Borowski, second by Jensen, that the minutes of a regular Planning Commission meeting held February 26, 2014 be approved as submitted.

Motion passed.

### **SIGN(S) REQUEST FROM BIGGBY COFFEE, 31201 SOUTHFIELD ROAD**

Planning consultant Brian Borden reviewed that this sign request came before the Planning Commission last month. The proposal is for three new signs for Biggby Coffee at 31201 Southfield Road, formerly the Starbucks location in the Market Fresh building. The submittal proposed a new wall sign as well as sign faces on two existing ground signs – a pole sign along Southfield Road and a monument style sign along 13 Mile Road. The Planning Commission tabled the request at its February meeting in order to receive additional information regarding: illumination of the wall sign in conformance with the ordinance; confirmation that the businesses are physically separated in a manner that complies with the building code for fire separation between business uses, and; details for one ground sign.

A revised submittal included three options for Planning Commission consideration:

- a. A wall sign and new sign face on the existing monument sign (13 Mile Road).
- b. A wall sign and new sign face on the existing pole sign (Southfield Road); or
- c. A wall sign, new sign face on the existing monument sign and new sign face on the existing pole sign.

There was discussion at last month's meeting regarding whether Biggby Coffee met the definition of a "business" per Section 22.32.020. It was Borden's understanding that a wall has been constructed between the Market Fresh space and the Biggby space. Biggby appears to meet that definition and is eligible for signage.

The proposed wall sign was found to be in compliance with the ordinance. It is an external uplit wall sign. The question before the Planning Commission will be how to address the proposed sign face changes to either the monument sign or the pole sign. It is Borden's opinion that, based on the ordinance, this business is not entitled to a third sign. He indicated a preference for considering a new sign face for the 13 Mile Road sign, which is more in keeping with the current

ordinance than the pole sign structure. Pole signs are no longer an allowable use; the existing pole sign overhangs the road right-of-way; it includes a message center that has not been used for some time. Borden does not support approving replacement signage on that structure.

Business owner Jim Stewart displayed drawings of the proposed signs. The proposed pole signage is requested at 16 sq. ft.; the monument sign is 5 sq. ft. Both are black, white and orange.

There was Planning Commission discussion regarding sign ordinance language relative to a sign face change on a nonconforming sign structure and how the members would apply that section of the ordinance. Stempien recalled that the Planning Commission allowed Tubbys to replace the signage on their existing pole sign. The pole sign on Southfield Road says Market Fresh; Biggby is not replacing an existing Biggby coffee sign. There were members who thought that the Commission would be furthering the nonconformity by adding signage to the pole sign.

Borden related that businesses are allowed up to two signs types, which conventionally would include a wall sign and a ground sign. Multi-tenant properties are treated differently. The ordinance allows a wall sign for each business and a center identification ground sign.

Motion by Jensen, second by Freedman, that the Planning Commission approve the request for a wall sign for Biggby Coffee at 31201 Southfield Road.

Motion passed.

Motion by Abboud, second by Ruprich, to approve the request of Biggby Coffee to replace the panel on the 5 sq. ft. ground sign located on 13 Mile Road.

Roll Call Vote:

Jensen	- no
Ostrowski	- yes
Peddie	- no
Ruprich	- yes
Stempien	- no
Westerlund	- no
Abboud	- yes
Borowski	- no
Freedman	- no

Motion failed (6 – 3).

There were members who indicated that they would approve a ground sign at the 13 Mile Road location if the sign were in conformance with the ordinance. The sign is nonconforming in terms of illumination. A new sign would allow for an increase in the square footage of the sign.

**REVIEW AND CONSIDER REVISED PLANS FOR SITE PLAN APPROVAL FOR RECOMMENDATION TO VILLAGE COUNCIL REGARDING DETROIT COUNTRY DAY'S REQUEST FOR A BUILDING ADDITION TO ACCOMMODATE EXISTING MECHANICAL EQUIPMENT AND FACILITIES AT THE UPPER SCHOOL**

At its February meeting, the Planning Commission recommended Council approval of the special use application from Detroit Country Day School for a building addition to accommodate upgrades to existing mechanical equipment and facilities operations at the Upper School. The site plan was not recommended to Council for consideration on the basis that it was incomplete and not ready for approval. Direction was provided to the petitioner in terms of adding notes to the site plan to indicate previously approved but unconstructed elements on the plan, new building elevation, details on new exterior site lighting, and assurance that trees will be replaced if they cannot be transplanted.

Sam Ashley with Cunningham-Limp Construction Company provided a cover letter and revised plan from the petitioner. Borden stated that his concerns have been addressed in this revised submittal. Board members had indicated at the last meeting that there was some confusion with respect to the plan submitted relative to the layering of existing construction, structures that were approved but not yet built, and the proposed new construction. There was agreement that the revised plans now accurately show the distinction between those items. Ashley outlined the items discussed at the last meeting and shown on the revised site plan.

Borden stated that he will provide an updated review letter for submittal to Council with the revised site plan from Cunningham-Limp.

Motion by Westerlund, second by Stempien, that the Planning Commission recommend Council approval of the Detroit Country Day School request for Site Plan Approval for a building addition to accommodate existing mechanical equipment and facilities at the Upper School subject to review and approval by the Village engineer, Department of Public Services, and Public Safety Department. The revised site plan will be forwarded to Council with an updated review letter from LSL Planning.

Roll Call Vote:  
Motion passed (9 – 0).

**DISCUSS SITE PLAN SUBMITTAL PROCESS**

Commission members discussed the need to establish a documented submittal process that identifies required information, department review letters, and timelines for site plan and other projects and submittals to the Village. These guidelines would ensure that the required information would come before the Planning Commission, Zoning Board, or Council as a complete package.

Following discussion by members, Wilson recommended that Administration work with LSL on drafting a check list for sign applications, site plans, special land use, lot splits, rezoning applications, etc. for Planning Commission review and consideration.

Ostrowski recognized and welcomed Boy Scouts from Pack 1049, who were present working on their Citizen in the Community badges.

### **DISCUSS SIGN ORDINANCE AMENDMENTS**

Ostrowski said that this discussion resulted from a request by Northbrook Church to replace an existing manual changeable message sign on their property with an electronic message sign. At its last meeting, the Planning Commission denied the request from Northbrook Church to erect a changeable electronic message sign on the basis that this type of sign is prohibited by the Village Zoning Ordinance. There were some members who suggested that the Planning Commission revisit regulations relative to changeable electronic signs to provide easier use of message signs.

Planning consultant Brian Borden distributed examples of draft language used in other communities to regulate changeable message signs. Communities that allow these types of signs generally establish parameters and regulations relative to their operation. There are prohibitions on items like blinking, flashing, scrolling, and moving. The area of the electronic screen can be limited to a percentage of the sign. Most communities limit the time frame for a changing message to once an hour or once a day. Borden proposed a formal restriction that would allow one change per day after the sign is turned off at the close of business.

Commission members discussed whether to revise language prohibiting changeable electronic message signs. It was indicated that this prohibition was one portion of the sign ordinance that has been consistently enforced. The suggestion was made that allowing changeable message signs would add to visual pollution of signs in the Village. Members noted that these types of signs are not in keeping with what the community is trying to achieve with the updated sign ordinance and the vision for a village town center. Electronic changeable signs would be offensive to neighbors in residential areas.

There were a couple of Commission members who thought that Beverly Hills should keep up with technology and consider alternatives to manual changeable message signs. Ostrowski summarized that the Planning Commission will take the sample sign ordinance language submitted by the planning consultant under advisement.

### **DISCUSSION OF VILLAGE CENTER SITE DETAILS**

This item was postponed due to technical problems related to the Smart Board presentation.

### **MASTER PLAN UPDATE DISCUSSION WITH SUBCOMMITTEE FORMATION**

Planning consultant Borden reviewed that the task of updating the Village's Master Plan was discussed at the joint meeting with Council in February. Borden has prepared a proposed project scope and budget. He suggested conducting the process via subcommittee meetings similar to the way in which the village center study was accomplished. The subcommittee and Borden would report back to the full Planning Commission at regular meetings to present status reports and distribute written information.

Borden related that the older master planning procedures were more intensive with respect to existing conditions. Current master plans are more recommendation and implementation driven. They are designed as usable documents that indicate what actions are recommended and who is responsible for them.

Members discussed using the subcommittee process for the master plan update. The work will begin once the Village Council authorizes the project scope and budget. Wilson suggested that it would be preferable to begin this project in the next fiscal year beginning July 1, 2014. He has

included funding in the draft budget for planning and consulting fees based upon discussion on the master plan update.

In answer to an inquiry, Borden said that he proposed having some work done in advance of holding a community meeting for public input. He talked about the process. The Village would send out a notice to surrounding communities and agencies stating that it intends to update its master plan. The Village would go through the process and draft a plan, which would include public input. The draft plan would be distributed to the surrounding communities, which have more than a month to review and comment on the plan. A public hearing is conducted after that review period with adoption of the plan to follow. Board members suggested that the draft Master Plan be prepared and ready for review by the time the Planning Commission meets jointly with the Council next February.

Commission members Borowski, Freedman and Peddie volunteered to serve on the master plan update subcommittee. It was suggested that the subcommittee membership could vary depending on the topics being addressed in the master plan.

### **PLANNING COMMISSIONERS' COMMENTS**

Stempien has done research relative to sign violations in the Village and expressed concern that Beverly Hills has a meager \$200 fine for violation of the sign ordinance. He noted a few violations that have been cited but have not been corrected by the business owners. Stempien suggested that the Village consider increasing its fines for sign violations in order to encourage compliance by businesses.

Jensen expressed the view that Commission members have upheld the hard work they have done to establish an updated sign ordinance. He thought that denying the request this evening to continue use of a nonconforming sign was the right thing to do. Jensen supported the sign ordinance prepared by the Planning Commission and adopted by the Council.

Westerlund related that there were technical difficulties with his presentation of Village Center site details. He had intended to show illustrations of benches, trash cans, and bicycle racks with associated costs in an attempt to narrow down the selection. Westerlund will present these items and the remaining features at next month's meeting. These site details will become standardized and required as part of future developments.

Abboud stated that he signed up to attend the Planning Essentials Workshop offered to Oakland County communities and scheduled for Saturday, April 12 from 8:30 am to 12:30 pm. The registration deadline is March 31. The workshop is for Planning Commissioners, ZBA members, elected officials and municipality staff. Borden added that the workshop is free and will be conducted by himself and Brad Strader.

Freedman reluctantly withdrew her offer to serve on the master plan subcommittee due to scheduling conflicts. Freedman related that she is the president of a condominium association in Colorado. She stated that permit fees for renovation of the condo are between 5%-6% of the total cost of the project. This information relates to the suggestion made earlier in the meeting to consider increasing the Village's permit fees.

Borowski referred to the minutes of the March 10, 2014 Zoning Board of Appeals meeting. He attended the meeting and noted that the Zoning Board did not grant a variance with respect to interpretations of ordinance sections related to site plan review procedures. Borowski commended the work of the Zoning Board members and the Village Manager, who represented all parties fairly.

Borowski mentioned that the Birmingham Bloomfield Eagle printed an article about the sale and renovation of Beau Jack's restaurant at Telegraph and Maple. The article talked about the transformation of that intersection after a push from the Township to revamp the outdated corner. Businesses are working together under a Planned Unit Development (PUD) to reconfigure parking entrances, landscaping, and more. Borowski commented that this is the type of project and collaboration that Beverly Hills is talking about for the Village Town Center development.

Ostrowski reported that he attended a presentation held by the office of Urban Planner Robert Gibbs. David Jensen was there as a presenter who talked about his developments in Beverly Hills. The focus of this informative conference was the economics of urbanism.

#### **ADMINISTRATION COMMENTS**

Chris Wilson stated that two land division requests were reviewed by the Planning Commission last month and will come before Council at its April 1, 2014 meeting. The land division proposal on Warwick is straightforward. The Evergreen land division application may be more involved. Hubbell, Roth & Clark has reviewed the plans and raised site distance issues relative to the location of Evergreen Road.

Wilson brought up the issue of drafting a cottage housing ordinance. He suggested that the Village's existing multi-family regulations are set up to allow for that type of development with the only change being to allow single family home sites within a multi-family zone. Wilson proposed that the cottage housing concept could possibly be accomplished with an amendment to the current multiple family designation. Commission members discussed this concept and raised issues including the density allowed under a cottage housing ordinance.

Wilson informed the Commission that the Village issued a citation this week to the 31333 building for their nonconforming sign. The business owners have indicated to the code enforcement officer that they will be submitting a proposal for a change to the pylon sign on their property.

#### **PUBLIC COMMENTS**

None

Motion by Borowski, second by Ruprich, to adjourn the meeting at 9:20 p.m.  
Motion passed.

**George Ostrowski**  
**Planning Commission Chairman**

**Ellen E. Marshall**  
**Village Clerk**

**Susan Bernard**  
**Recording Secretary**