

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

Absent: Jensen

Also Present: Village Manager, Chris Wilson

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.

APPROVE/AMEND AGENDA

Motion by Westerlund, second by Borowski, to approve the agenda as submitted.

Motion passed.

PUBLIC COMMENTS

None

REVIEW AND CONSIDER APPROVAL OF MINUTES OF A PLANNING COMMISSION MEETING HELD JANUARY 28, 2015

Motion by Borowski, second by Westerlund, that the minutes of a regular Planning Commission meeting held on January 28, 2015 approved as submitted.

Motion passed.

REVIEW AND CONSIDER APPROVAL OF JOINT COUNCIL AND PLANNING COMMISSION MEETING MINUTES OF FEBRUARY 11, 2015

The correction was made to include Ms. Grinnan in the list of those present and remove the second reference to Westerlund as present.

Motion by Westerlund, second by Grinnan, that the minutes of a joint Council and Planning Commission meeting held February 11, 2015 be approved as amended.

Motion passed.

REVIEW AND CONSIDER REQUEST FROM MARKET FRESH TO ALTER A PERMANENT SIGN 31201 SOUTHFIELD ROAD

Manager Wilson stated that he discussed the proposed Market Fresh sign with Brian Borden and will proceed with a review of the sign permit application. Market Fresh is asking for two separate sign approvals. Additional wall signage is requested. The proposal is to install the words 'Fine Foods' below existing lettering on the building that says 'Market Fresh'. The Village ordinance says that a business is allowed 30 sq. ft. of wall signage for an establishment; 60 sq. ft. is allowed if the establishment has over 15,000 sq. ft. of retail space. The existing wall sign was measured at 49.5 sq. ft.; the additional 15 sq. ft. requested would bring the total to 64.5 sq. ft., which is not allowable.

The existing pole sign is nonconforming for the reason that pole signs are not permitted under the current sign ordinance. The LED changeable electronic message feature is not in compliance with ordinance standards. The sign encroaches into the road right-of-way and over the sidewalk. The Southfield Road right-of-way is under the jurisdiction of the Road Commission for Oakland County. The owner of Market Fresh has been informed that any modification of the sign would have to address the encroachment into the road right-of-way. Further, there is an issue with the internal illumination of the proposed sign. The sign ordinance allows internal illumination up to 30%.

Wilson remarked that the dimensions of the proposed sign are somewhat irrelevant because the existing sign type is not allowable. The sign application does eliminate the changeable LED message component of the sign. Wilson referred to the Zoning Ordinance section that addresses nonconforming signs. Section 22.32.120 stated, in part: “2. Continuance: A nonconforming sign shall not: a. be expanded, change type, or change to another nonconforming sign; b. be relocated or structurally altered so as to prolong the life of the sign, or so as to change the shape, size, type, placement, or design of the sign's structural parts;”

Albert LaLonde from Creative Designs and Signs stated that the applicant is trying to solve a problem with a sign that is in dire need of repair. The sign does hang over the sidewalk by 4 feet. The proposal calls for illuminating the sign with LED lighting, which last longer than fluorescent bulbs. The sign company is attempting to use the existing pole structure and existing concrete in the ground. LaLonde proposed working with the Village for approval to build a portion of new cabinet that would sit on the existing pole and masonry structure.

Store owner Johnny Karmo stated that there is also an identification sign on 13 Mile Road that is in need of a new face. Karmo indicated that he was willing to comply with the ordinance but requires direction from the Village. He would like to put a new face on the Southfield Road sign and eliminate the changeable sign component.

Ostrowski commented that rebuilding the sign cabinet would constitute a structural change, which would trigger a requirement to bring the sign into compliance with the ordinance. He suggested that the applicant refer to the sign ordinance for direction on renovating the ground and wall signs. Ostrowski said that his direction would be to take the pole sign down and replace it with a monument sign.

Stempien stated that the pole sign is a nonconforming structure, and the application proposes to modify the sign to continue that nonconformity. The internal illumination requested does not conform to the ordinance. He believed that the proposed renovations would exacerbate the nonconformity of the existing sign.

Westerlund remarked that the applicant can modify the submittal and come back with minor revisions to the wall sign that would reduce the length or height of the ‘Fine Foods’ lettering. LaLonde responded that he would do that.

There followed discussion on illumination standards and the dimensions allowed for a monument sign. Ostrowski said that the Commission can provide advice in terms of replacing the pole sign with a monument sign, but that is not the request before this body. He suggested that the item be tabled this evening and come back to the Planning Commission with revisions. If the applicant is

not opposed to the concept of a monument sign, it is something that can be worked out with Manager Wilson and planning consultant Borden. Wilson added that the 13 Mile Road sign can be reviewed as part of this sign application.

Karmo said that he is willing to do what it takes to make the signs look good and reflect well on the image of the store. He asked that a meeting between the applicant and the Village Manager and planning consultant be scheduled soon. The intent would be to come to an agreement on signage that is compliant with the ordinance and bring a proposal back to the Planning Commission for approval.

Motion by Westerlund, second by Stempien, to table consideration of a request from Market Fresh to renovate the signage at their site.

Motion passed.

REVIEW AND CONSIDER REQUEST FROM NEXUS ACADEMY TO INSTALL A PERMANENT SIGN AT 31333 SOUTHFIELD ROAD

Before the Planning Commission for consideration is an application for a new ground sign for Nexus Academy located at 31333 Southfield Road. This building has been partially rehabilitated over the last couple of years. There is one wall sign on the structure for Nexus Academy, which is a Charter School. There has been a vacant pole sign on the property for an extended period of time. The applicant has offered to remove the pole sign and replace it with a ground sign.

Brian Borden from LSL Planning has reviewed the proposal for compliance with the requirements of the Village Zoning Ordinance. Members are in receipt of the review letter dated February 20, 2015. Wilson stated that the proposal does not comply with current standards for sign type or illumination. The development identification sign is compliant in terms of size. This is proposed as a multi-tenant sign with Nexus Academy taking the top half of the sign. There are no other tenants at this time. Wilson remarked that removal of the pole sign would be an improvement to the property and to the corridor. The internal illumination issue must be addressed. The planning consultant has indicated that the multi-tenant nature of this development identification sign is not compliant with the current ordinance.

The applicant Haitham Sitto, engineer for Sitto Industries, described the sign proposal. He suggested modifications to the submittal that would reduce the amount of internal illumination. The sign is internally illuminated with LED lighting. It was noted that the landlord is in favor of adding landscaping in the area of the sign.

The applicant was informed that a development identification sign is allowed to be erected for a multi tenant building. The multi tenant sign presented is not an allowable sign. Reference was made to the Medical Village Sign as an example of a monument sign. Nexus and other tenants could have their own wall signs on the building. Ordinance Section 22.32.095 contains information on development identification signs for multi tenant buildings.

Examples of signs in the Village with illumination that meets ordinance standards were Emile Salon, Beverly Hills Grill and Medical Village. Some portion of the sign is internally illuminated with partial external illumination. The applicant was commended on the materials submitted and the excellent presentation.

The applicant requested direction on how to proceed with a ground sign, noting that time was an issue. A woman affiliated with Nexus Academy stated that they want to emphasize that there is a charter high school located in the building. The school occupies half of the building.

Sitto was informed that he could submit a proposal for a monument sign of up to 50 sq. ft. for review by the Village planning consultant.

Motion by Westerlund, second by Ostrowski, to table the sign application from Nexus Academy at 31333 building until the applicant returns with additional information.

Motion passed.

DISCUSSION ON MASTER PLAN UPDATE

Ostrowski recognized Janice Hausman, liaison from the Parks and Recreation Board, who was present to provide input to the master plan process from a parks and recreation standpoint. Hausman related that the Park Board has been discussing park maintenance and capital improvement priorities for the upcoming year and into the future. The Board provided its liaison Phil Mueller with a list of park priorities for the next fiscal year to be included in Council budget deliberations.

Hausman commented on priority items for the next year including repairs and maintenance to the Beverly Park pavilion and ball fields; repair or replacement of picnic tables; replace sterilized woodchips in the playground area; landscape and fence maintenance; addition of recycling receptacles; repairs to tennis courts; and gazebo and pond bench repairs. The Parks and Recreation Board has requested that Council budget additional funds for park maintenance in order to keep Beverly Park looking its best. Future projects included increased handicapped accessibility; improve park drainage; new play equipment; adult fitness equipment; eradicate buckthorn; and repairs to the pavilion floor.

Planning Commission members talked about maintenance items and provided their input on the type of woodchips for the playground area and the need for drainage for the disc golf course. There was agreement that Beverly Park is a community asset that is well maintained and used extensively. Members asked if there were access issues in terms of other park lands in the Village that should be addressed in the master plan.

It was noted that access to the Hidden Rivers nature area has been a topic of discussion and is referenced in the Master Plan. The Douglas Evans nature preserve is another park space in the community that should have adequate access. Hausman mentioned a small public open space at Greenfield and Beverly that could benefit by some beautification in order to be a more attractive gateway into the Village. Borowski remarked that there are individuals and Village bodies that would support Parks and Recreation Board efforts to expand recreation. Commission members thanked Hausman for her time and interest.

PUBLIC COMMENTS

Council member Abboud expressed interest in whether the Village was abiding by the Planning Enabling Act in terms of the Master Plan update. He talked about components of the master plan, which should include a transportation plan, housing plan, land use plan, recreation plan, capital facilities plan, and special areas plan. Abboud inquired as to whether the Village contacted

surrounding municipalities to inform them that Beverly Hills is revisiting its master plan. Other cities may have bordering areas that would be impacted by the Village's Master Plan.

Ostrowski responded that a draft of the revised master plan will be forwarded to the County and surrounding communities prior to its approval.

Abboud talked about the planning process and items that should be considered in the work plan to update the Master Plan. He commented on ways to involve the public in the master planning process. Abboud said that, once written, the Master Plan should be used by Village bodies.

Borowski suggested that Council member Abboud consider mentioning the Village Master Plan update project at Council meetings occasionally as a way to reach out to the community for input.

ADMINISTRATION COMMENTS

Wilson referred to the sign permit applications before the Planning Commission this evening. He said that he will be taking a more direct role in the sign application process for the Village. The process should be streamlined so that applicants understand ordinance regulations. Wilson mentioned that he has been contacted by the owner of the BP service station regarding improving their sign. Wilson is confident that he can work with the two applicants present at today's meeting and arrive at improved proposals.

Wilson informed the Commission that, at its regular meeting of March 3, Council will hold a public hearing and consider the request from Timothy Patrick Homes for qualification and development plan for a cluster option development at 19600 W. 13 Mile Road. Council will also conduct a public hearing and consider the request from Mentag Development for a private road at 31805 Evergreen Road. Wilson will not recommend approval of this project unless the easement issue is memorialized.

COMMISSIONER'S COMMENTS

Chegash suggested to Wilson that an applicant be given the opportunity to pay an additional fee for a pre-meeting with the Village planning consultant on a sign or other proposal. Wilson responded that pre-meetings have occurred with the planner upon occasion as a regular course of business when deemed necessary. Wilson said that the Village does not charge for this, but it probably should be going forward.

Drummond proposed that the Village reach out to a number of the more popular sign companies in the area and conduct an open house with a representative from LSL Planning. The purpose would be to review ordinance regulations and the intent of the ordinance. Staff members could be asked to attend.

Westerlund noted that Ordinance Section 22.32.095 contains information on development identification signs for multi tenant buildings. Wilson said that he will discuss this topic further with Westerlund and Ostrowski in conjunction with review of the two pending sign application submittals.

Grinnan related that she was contacted by former Planning Board chair John Smith. He is writing a book and is attempting to collect back issues of Planning & Zoning News. Smith would like to borrow and return them if any members have copies of these publications.

Three Commission members indicated that they will not be available to attend the March Planning Commission meeting. If a quorum is not available for the regular meeting date, the March meeting will be rescheduled.

Ostrowski talked about the direction received from Council regarding the sign ordinance at the joint meeting in February. He understood Council to say that elimination of nonconforming signs through a sunset provision deserved study and consideration by Council. There was mention made of a cost/benefit analysis.

Wilson expressed the view that there was not a good deal of support from Council financially for setting up the funds that would be necessary for litigation or to reimburse business owners for their signs. Wilson believed that there was support from Council to spend funds to market the overlay district and spur redevelopment in the corridor. The hope was that some of the sign issues would be addressed through redevelopment as opposed to a sunset provision for nonconforming signs.

There was concern about how the Planning Commission would proceed with submittals for replacement of panels on nonconforming multi tenant signs. The suggestion was made that the Commission should clarify the ambiguity that exists in two sections of the sign ordinance. A decision will have to be made as to whether to allow panels to be changed or not.

Motion by Westerlund, second by Chegash, to adjourn the meeting at 9:18 pm.

Motion passed.

George Ostrowski
Planning Commission Chairman

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary