

Present: Chairperson Ostrowski; Members: Borowski, Chegash, Drummond, Ruprich, and Stempien

Absent: Vice-Chairperson Westerlund; Members: Grinnan and Jensen

Also Present: Planning & Zoning Administrator, Wilks
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 Borowski, second by Ruprich, to approve the agenda as published.

Motion passed.

REVIEW AND CONSIDER APPROVAL OF PLANNING COMMISSION MINUTES OF MEETINGS HELD FEBRUARY 10, 2016 AND FEBRUARY 24, 2016.

Motion by Chegash, second by Stempien, that the minutes of the joint Council/Planning Commission meeting held February 10, 2016 be approved with noted change on Page 3, under Commissioners Comments, change “West” to “Westerlund”.

Motion passed.

Motion by Borowski, second by Ruprich, that the minutes of the regular Planning Commission meeting held February 24, 2016, be approved as submitted.

Motion passed.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None

REVIEW AND CONSIDER CLUB PILATES SIGN PERMIT FOR WALL SIGN AT CLUB PILATES

Wilks explained that the sign was reviewed by LSL Planning. There is a 20 foot requirement between neighboring signs that can be waived by the Commission. LSL requested clarity from the applicant regarding compliance with the Village sign illumination ordinance.

Patrick Stieber, Allied Signs, explained that the client wants the sign centered on the building over its 18 foot leased space, but this would encroach into the 20 foot spacing approximately 7 or 8 feet. This spacing would be consistent with the other signs on the building, which are all centered.

Ostrowski explained the Commission has previously approved this type of deviation to allow for the signs to appear proportionate.

Stieber requested clarification on the lighting requirements of the Village. Stempien explained that the Village ordinance requires that 30% or less internal illumination be used. The rest of the lighting must be derived from external sources. Stieber agreed to work with the 30% illumination and also use halo lighting or back lighting.

Ostrowski stated that the Commission can conditionally approve the sign with a requirement that a compliant lighting plan be submitted.

Motion by Chegash, second by Ruprich, to grant conditional approval waiving the 20 foot sign separation, conditional on submission of new plans compliant with 30% internal illumination lighting ordinance.

Roll Call Vote:

Motion passed (6 - 0)

REVIEW AND CONSIDER APPROVAL OF A SIGN PERMIT FOR A GROUND SIGN AT ALLURE MEDICAL SPA, 32804 PIERCE STREET

Wilks explained that the current sign was an existing non conforming sign. It is unknown if this is a new owner or a new tenant. There have been no plans submitted by the applicant for changes to the building, the Commission does have the option to table this review until more information regarding the building changes have been received.

Natalie Mok, Allure Medical Spa, explained that they are a surgical and non-surgical cosmetic treatment center. This is their sixth location in the Metro Detroit area, and they are staffed by medical professionals.

Borowski reviewed with Mok that the current sign is non conforming on several points. Mok stated that the proposed sign is solid, all white, aluminum construction, and only the letters would light up.

Borowski questioned why specific specifications were not provided by the sign company.

Ostrowski expressed that the Commission would like to see the sign brought into compliance. This would include a ground mount, external lighting, meeting the 30% internal lighting ordinance, and the size of the address numbers.

Ruprich also stated that bringing the current sign into compliance would involve changing the square footage to the sign from 50 feet to 30 feet, as well as its distance from the right of way. Mok explained that this would be more expense than the company is willing to take on.

Ostrowski explained that sign approval would be conditional on the sign company submitting new drawings with compliant measurements.

Borowski agreed that the submitted plan does not have enough details to evoke confidence and would like to see photos and detail specs on the sign design.

Motion by Borowski, second by Stempien, to table decision until more detailed plans are submitted.

Motion passed unanimously

DISCUSSION ON ESTABLISHMENT OF A TREE PROTECTION ORDINANCE

Ostrowski stated that the discussion should result in a clearer idea of the direction LSL should take in drafting this ordinance. This is not about protecting every tree; it is about the idea of “landmark” trees being protected. Trees that are removed must be replaced, or developers must pay into a “Tree Bank” that is managed by the Village and the funds are used to replace trees in other places in the Village.

Stempien said that he likes the idea of a tree bank and would be interested to know the amount that would be charged per tree. Ostrowski explained that this varies by city, and it is an amount set by the Council and it would be required of developers to pay it.

Ruprich asked who would be responsible for enforcing a tree ordinance. Ostrowski explained that the Planning Commission and Village officials would require developers to have tree surveys as part of their land assessment.

Ostrowski explained that homeowners would not be limited by this ordinance; they can remove up to two trees per year from their own property. Ruprich verified that homeowners cannot remove trees in the right-of-way, as those are considered Village property.

Ostrowski clarified that the point of this ordinance is to control developers, keeping them from buying a parcel of land and clearing all the trees on that property with no recourse. The risk is that without an ordinance there is nothing to regulate the removal and replacement of trees, and the preservation of green space. Without an ordinance developers are not required to identify trees on their lots. Having an ordinance like this is a reasonable expectation.

Chegash said he would like to see the following items included in the ordinance: limits on removal in residential lots, fees for trees and landscaping, fines for illegal tree removal, controlled removal in the right of way, and controlled removal by developers.

The Commission agreed that Ostrowski and LSL Planning will draft an ordinance to be presented to the Commission.

PUBLIC COMMENTS

None

LIAISON COMMENTS

Abboud reported that the subcommittee is moving forward with the Village office renovations, and are preparing to solicit bids for this project.

Abboud stated that he is meeting with the Birmingham mayor regarding the changes and development in the Pierce and Greenfield area.

Abboud suggested the Village consider holding a farmers market. He feels this would be a great addition to the Village community. Although there are ordinances against selling food in the park, there is a Community Garden at 13 Mile and Evergreen that has a large parking lot and may be worth looking into as a potential space.

Abboud shared that he would like to see the Planning Commission reconsider the fence ordinance. He also shared that the Zoning Board is seeing several cases regarding the front yard set back ordinance.

ADMINISTRATION COMMENTS

Wilks suggested that the Commission consider a lot coverage maximum ordinance.

Wilks met with the County Planning Team March 21, 2016. In this meeting they discussed the Main Street Oakland program, which helps to develop downtown areas. They also discussed the One Stop Ready Program which will be a great tool for Village administration.

COMMISSIONERS COMMENTS

Chegash asked about the Commission’s approach on noncompliant buildings and signs. He asked if the Commission is obligated to review the ordinances that were in place at the time of construction, or encourage compliance with the current ordinance. Ostrowski stated that nonconforming uses can continue, but changes cannot increase noncompliance.

Drummond suggested that the administration enforce submission requirements and send back incomplete applications.

Ostrowski thanked the Council for their approval of the Master Plan, and noted the Corridor Marketing subcommittee report will be expected in April.

Motion by Ostrowski, second by Borowski, to adjourn the meeting at 8:45 pm.

Motion passed.

George Ostrowski
Planning Commission Chairperson

Ellen Marshall
Village Clerk

Elizabeth Lyons
Recording Secretary