

Present: Chairperson Jensen; Members: Abboud, Borowski, Freedman, Peddie, Stempien and Westerlund

Absent: Ostrowski and Ruprich

Also Present: Village Manager, Wilson

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**

Motion by Peddie, second by Westerlund, to approve the agenda as published.

Motion passed (7 – 0).

**PUBLIC COMMENTS**

None

**CONSIDER APPROVAL OF MINUTES OF A PLANNING BOARD MEETING HELD JUNE 27, 2012**

Motion by Westerlund, second by Peddie, that the minutes of a Planning Board meeting held June 27, 2012 be approved as submitted.

Motion passed (7 – 0).

**PROGRESS REPORT FROM SOUTHFIELD ROAD OVERLAY DISTRICT SUBCOMMITTEE**

Westerlund stated that the subcommittee has not met since last month due to scheduling conflicts. Wilson spoke with planning consultant Brian Borden today and was informed that staff from LSL Planning has been working for the last 4-5 weeks on 3-D model options. The subcommittee will review the 3-D model at an upcoming meeting and consider any refinements before it is presented to the Board as a whole for review.

**UPDATE FROM SIGN ORDINANCE SUBCOMMITTEE**

Stempien distributed a draft Village of Beverly Hills Sign Ordinance and highlighted the content of each section.

**Village of Beverly Hills Sign Ordinance draft dated 6-15-12 Synopsis**

The revised sign ordinance draft is organized into 5 sections:

1. Purpose and intent
2. Definitions
3. Prohibited signs
4. Sign Standards for all signs
5. Table A – Sign Standards

**Section 1 – Purpose and intent**

- This section was rewritten to simplify the intent of the sign ordinance and to encourage unique and creative signage

### Section 2 – Definitions

- This section was updated to reflect current signage and sign advertising
- Definitions were added such to reflect revised sign types that may be encountered by commercial and residential areas. Some examples are:
  - Back lighted signage
  - Airborne devices
  - Building frontage
  - Sign bands
  - Trailer signs

### Section 3 – Prohibited Signs

- Elimination of pole signs
- Internally illuminated signs
- Trailer signs
- Signs pertaining to vacated businesses
- Elimination of non conforming signs
- Vacated property signs
- Posting of for sale, for lease, for rent signs on ground signs, signage bands, projecting signs or canopies

### Section 4 – Sign Standards

- Number of signs for businesses
- Window signs
- Illumination
- Landscaping around ground signs
- Automobile service station signage
- Multi-tenant business center signs

### Section 5 – Table A

- Reduction of Ground sign s.f. (30 s.f. per side)
- Illumination of signs (primary indirect lighting)
- Reduction of multi tenant business sign area (50 s.f. max)
- Projecting wall mounted signs (10 s.f. per side)
- Projecting post mounted signs (15 s.f. per side)
- Wall signs (30 s.f. max) – lighting limitations – indirect or back lighted
- Window signs (10 total s.f., not to exceed 25% of total window area)
- Ground Signs – Subdivisions (65 s.f. max) – indirect lighting

To be provided by LSL:

- Garage sign requirements
- Political sign requirements

Stempien related that the proposed ordinance will include some graphics so that dimensions will be more clear and understandable. The document will require a lot of discussion to make sure that this is the direction in which the Board wants to proceed and that there are no ambiguities in the ordinance.

Stempien asked for Board input on the draft ordinance. A couple of areas were raised that will warrant further discussion. Board members will review the draft ordinance and offer their comments and suggestions at the August meeting. The Board may need to spend a couple of sessions refining the ordinance before proceeding with a public hearing and recommendation to Council.

### **REVIEW AND CONSIDER MORATORIUM RESOLUTION LANGUAGE**

At the June meeting, Planning Board members received a copy of a resolution drafted by Village Attorney Ryan declaring a moratorium pertaining to new site plan development on Southfield Road between Beverly Road and Thirteen Mile Road and a Village-wide moratorium on commercial signs within the Village of Beverly Hills. Board members discussed the language and suggested several modifications to the resolution. There was agreement that a portion of the ordinance heading should be changed to indicate a “Village Wide Moratorium on new signs that require permits within the Village of Beverly Hills”.

Manager Wilson will incorporate the recommended changes into a revised Resolution that will be passed on to Mr. Ryan for review before being forwarded to Council for consideration.

Motion by Westerlund, second by Borowski, that the Planning Board recommend that the revised version of the Resolution regarding a moratorium pertaining to new site plan development on Southfield Road and a Village-wide moratorium on new signs that require permits within the Village be recommended to Council for approval.

Motion passed.

### **ELECTION OF CHAIR, VICE CHAIR AND SECRETARY**

Jensen opened the floor to nominations for the office of chairperson.

Freedman nominated David Jensen to the position of chairperson of the Planning Board for the next year. There were no further nominations. David Jensen was elected chairman by acclamation.

Jensen opened the floor for nominations for the position of vice-chairperson. Westerlund nominated George Ostrowski as vice-chair of the Planning Board. There were no further nominations. Ostrowski was elected vice-chairperson by acclamation.

Jensen opened the floor to nominations for the office of secretary. Abboud nominated Nanci Freedman for the office of secretary of the Planning Board. There were no further nominations. Freedman was elected secretary by acclamation.

### **PLANNING BOARD COMMENTS**

Abboud observed that the McDonalds restaurant on Southfield Road has been demolished. He questioned whether the Village has an ordinance that requires fencing around a construction and/or demolition project area. He had concerns with children accessing the site.

Wilson will talk to people from the demolition company about fencing the area. In answer to an inquiry, Wilson stated that the basement area of the structure will be filled with sand.

Westerlund suggested that the Village's demolition permit include a requirement for securing the property or area. Wilson will pursue this.

Peddie distributed sample noise ordinances from the neighboring communities of Birmingham, Franklin, Lathrup Village and Berkley. There was concern expressed at the last Planning Board meeting about how to manage excessive noise in the Village.

Board members provided input on noise ordinance language. It was the sense of the Board that the Village consider adopting a basic noise ordinance that does not allude to measuring sound by decibels. Peddie will draft an ordinance based on comments from the Board.

Jensen thanked the Board for electing him as chair for another year. He expressed the highest regard and respect for the group and considered it a pleasure to be part of the Planning Board.

### **ADMINISTRATION COMMENTS**

Wilson talked about the issue of fireworks and new state legislation that allows the sale and purchase of fireworks that shoot into the air such as Roman candles and bottle rockets for 13 days out of the year. Wilson expressed the view that the state is overreaching with the new law. Because permitting is through the state, communities such as Royal Oak had container trucks move into the city at various locations with no regard for municipal standards for temporary portable sales or commercial structures.

The state made \$18 million this year from license of fireworks sales and passed none of it onto communities that must enforce the new law. The Village received a number of complaints about fireworks being used at all hours of the day. Wilson said that Council may or may not consider looking into the new law in terms of restrictions. It was thought that the Legislature may be considering some changes in the state law.

Planning Board members discussed the fireworks legislation. It was questioned whether state law supersedes local ordinances. The state attorney general has said that the new state law pertaining to fireworks does not supersede all local code enforcement. There is a need for clarification on this point. Wilson will be paying attention to what other communities are doing.

### **PUBLIC COMMENTS**

None

The meeting was adjourned at 8:37 pm.

**David Jensen**  
**Planning Board Chair**

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

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