

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

Absent: None

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. Ostrowski stated that there are two vacant seats on the Planning Commission due to the election of Rock Abboud and Lee Peddie to the Village Council.

APPROVE/AMEND AGENDA

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

Motion passed.

PUBLIC COMMENTS

None

REVIEW AND CONSIDER APPROVAL OF MINUTES OF A PLANNING COMMISSION MEETING HELD OCTOBER 22, 2014

A correction was made on page 6, second paragraph, line 8, to change ‘plan’ to read ‘Master Plan’.

Motion by Westerlund, second by Grinnan, that the minutes of a regular Planning Commission meeting held on October 22, 2014 be approved as amended.

Motion passed.

SIGN REQUEST FROM METRO DETROIT SIGN ON BEHALF OF NORTHBROOK PRESBYTERIAN CHURCH, 22055 W. 14 MILE ROAD

Before the Planning Commission for consideration is an application for a replacement ground sign for Northbrook Presbyterian Church at 22055 W. 14 Mile Road. The existing ground sign will be modified to accommodate the proposed sign. The Board is in receipt of a review letter regarding this sign application from Brian Borden of LSL Planning, Inc. It was noted that the request complies with Village sign regulations, but information is requested with respect to landscaping and setbacks. The proposal entails removal of a nonconforming sign and replacement with a compliant sign that is consistent with the purpose and intent of the zoning regulations.

Paul Deters from Metro Detroit Signs stated that the church is proposing to use the existing brick structure to replace a nonconforming sign with a conforming sign. The proposed sign will stay within the same footprint of the existing sign. Wilson affirmed that the sign would meet the 4 ft. minimum setback requirements.

Motion by Westerlund, second by Stempien, that the Planning Commission approve the sign application from Metro Detroit Signs on behalf of Northbrook Presbyterian Church at 22055 W. 14 Mile Road. As indicated in the LSL Planning review letter of November 11, 2014, the proposal involves removal of a nonconforming sign and replacement with a compliant sign that is consistent with the sign ordinance.

Roll Call Vote:
Motion passed (7 – 0).

DISCUSS SIGN ORDINANCE AMENDMENT

Stempien provided Commission members with marked-up portions of the sign ordinance and graphics in order to clarify some of the issues and ambiguities relative to the intent of the ordinance in terms of nonconforming signs. The graphics will illustrate certain conditions seen with these signs; the intent is to insert the graphics into a revised ordinance.

Stempien asked for discussion to determine if Commission members were of the same mind when it comes to nonconforming multi-tenant signage. He referred to the graphics and proposed that an existing nonconforming sign structure with existing tenants may remain. An existing tenant may replace and update their sign without exceeding the current size. If there is an existing nonconforming sign structure with a blank sign, the Village would not allow a business to replace that sign blank with a new sign. If a nonconforming sign structure has no tenants on the structure, it is considered nonconforming and cannot be modified. Therefore, the owner of the property would have to remove that structure.

Board members discussed the issue of multi-tenant signs and situations under which a replacement panel would be permitted. Wilson suggested tying legislation on replacing a nonconforming sign with a specific date. After that date, blank signs or signs that should have been removed per the ordinance will not be allowed to be replaced. In response to an inquiry, Wilson clarified that it was the position of the Village Attorney that the current sign ordinance language does not prohibit a tenant to replace a sign panel.

Westerlund referred to discussion at a previous meeting about eliminating nonconforming multi-tenant signs without creating unintended consequences that are undesirable. There was concern about how partially blank tenant signs would look over a period of time. It was questioned whether a potential new business that was not allowed to have signage on an existing multi-tenant structure would move into that new space. Westerlund asked whether a multi-tenant sign could eventually lose most of its used panels, or whether there was a means for the sign to be replaced with a conforming sign. Stempien recalled that the Commission talked about a trigger whereby, if more than 50% of a sign is vacant, it would trigger replacement of the nonconforming sign.

Paul Deters from Metro Detroit Signs said that other communities have instituted a sunset clause establishing that all signs have to be conforming by a specific date.

Ostrowski responded that the possibility of a sunset clause on nonconforming signs has been a topic of discussion by the Planning Commission. The current ordinance would have to be taken out of the Zoning Ordinance and moved to the Municipal Code in order to adopt a sunset clause. The Village would be responsible for some sort of remuneration. Members gave serious consideration to this idea even if it meant subsidizing a portion of the cost of sign removal or replacement. It was noted that the time frame for sunset clauses usually extends 5-10 years. This will be a topic of discussion at the joint meeting with Council in February.

Jensen mentioned that many of the commercial buildings in the business district are dated, and there may be little incentive to update nonconforming signs. The Southfield Road Corridor plan addressed a vision for the future redevelopment of a Village Center.

Wilson added that the business district is not made up of highly functional properties with poor signage. Signage issues are symptomatic of a dysfunctional commercial corridor. The sunset clause may be helpful, but the larger problem is that the corridor is not living up to its potential commercial value. The Village has a dated commercial strip that needs to be turned over. If there is a mechanism in place when that occurs, the signage will be brought up to a better standard. Wilson suggested that the Village needs to aggressively market the overlay district.

Ostrowski concurred that it is paramount that the Village market the Southfield corridor plan to developers in an attempt to stimulate interest. Enacting a sunset clause can be considered, but the Planning Commission still needs to address multi-tenant sign issues so it has a clear direction when another applicant comes before the Village with a sign request.

Stempien continued his review of the sign ordinance language. He questioned whether an existing tenant with nonconforming signage should be allowed to increase their signage by using a panel on a multi-tenant sign structure. He suggested placing limitations on those who are violating the sign ordinance and not allowing them to increase their nonconformity.

Commission members reviewed the graphics and addressed regulations for development identification signage, ground signs, window signage, special event signs, and real estate signs. Sign color and illumination requirements were discussed.

Wilson will follow up with planning consultant Brian Borden on the proposed sign ordinance revisions.

DISCUSS MASTER PLAN

Ostrowski reported that he attended the Master Plan public workshop along with Westerlund, Borowski and Manager Wilson on Monday, October 27. Representatives from LSL Planning delivered presentations to those in attendance. Ostrowski mentioned that the public turnout was low. He expressed concern with misinformation circulating in the community with respect to the goal of the master plan.

It was noted that membership on the Master Plan subcommittee has decreased for the reason that two members have been elected to serve on the Village Council. Subcommittee membership and a date for the next subcommittee meeting will be an agenda item for the December 10, 2014 Planning Commission meeting.

COMMISSIONERS' COMMENTS

An inquiry from Ruprich on how Planning Commission appointments are made was addressed by Wilson. Council will make the required public announcements and will appoint individuals to fill both vacant seats at its December 16 meeting.

Jensen suggested that the Planning Commission begin compiling topics for discussion at the joint meeting with Council scheduled for February 11, 2015.

ADMINISTRATION COMMENTS

Wilson stated that Council will hold a public hearing on December 2, 2014 on the conditional rezoning request for property located at 19600 W. 13 Mile Road. Attorney Ryan is preparing the Zoning Agreement for that meeting. Council will review and consider approval of the conditional rezoning application.

Wilson related that Ted Willet of 31805 Evergreen Road was present in the audience. The proposal from Mentag Development for a private road at 31805 Evergreen Road was tabled by the Planning Commission at its October 22, 2014 meeting. It was the consensus of the members that the private road application not be recommended for approval until there was an agreement between the two property owners with respect to access from 31825 Evergreen to the private road.

Wilson reported that he met with Mr. Mentag and Mr. Willet following the October Planning Commission meeting regarding resolution of the driveway issue with the property to the north. Their attorney was going to meet with Mr. Berg's attorney to work out the outstanding issues. That meeting did not occur. Wilson does not have a resolution to bring to the Planning Commission for today's meeting. He was told by the property owner at 31805 Evergreen that the Bergs are not making themselves available for a meeting.

Wilson proposed placing this matter on the December 10 Planning Commission meeting agenda to either receive information on a resolution or hear input on why the parties cannot come to a mutually agreeable resolution. He would be concerned if the matter was not resolved for the reason that the non-developer parties will not agree to meet because they are satisfied with the status quo. Wilson noted that the next Planning Commission meeting after the December 10 meeting will be January 28, 2015.

Wilson will discuss the agenda for the December 10 Commission meeting with Chairman Ostrowski.

PUBLIC COMMENTS

Mr. Ted Willet of 31805 Evergreen stated that Chris Wilson has documentation regarding meetings that have been scheduled and canceled by the Bergs at 31825 Evergreen. They have been unavailable and appear to be delaying any action on this project. Willet related that he was willing to pay for approximately 50' of pavement from the Bergs parking area to the new private road. There was further discussion and direction from Commission members on how to resolve the access issues with the neighbor to the north.

Motion by Westerlund, second by Borowski, to adjourn the meeting at 8:51 p.m.

Motion passed.

George Ostrowski
Planning Commission Chairman

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary