

Present: Chairperson Ostrowski; Vice-Chairperson Westerlund; Members: Borowski, Drummond, Grinnan, Ruprich, Stempien, and Wilensky

Absent: Member: Copeland

Also Present: Planning and Zoning Administrator, Saur
Planning Consultant, Borden
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 Westerlund, second by Stempien, to amend the agenda removing item 10. Subcommittee updates ii. Recreational Marijuana and then approve the agenda as amended.

Motion passed.

REVIEW AND CONSIDER APPROVAL OF REGULAR PLANNING COMMISSION MINUTES OF MEETING HELD JULY 25, 2018

Motion by Westerlund, second by Drummond, to amend the minutes; Page 2, Paragraph 2; the first sentence of the paragraph should read "...cost and land PROPOSAL..." Also Page 4, First sentence should read "...and Mike DUL..." and then approve the minutes of the regular Planning Commission meeting held July 25, 2018 as amended.

Motion passed.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

ADOPT PLANNING COMMISSION BYLAWS

Motion by Browski, second by Westerlund to approve and file the Planning Commission bylaws as submitted.

Motion passed.

REVIEW AND CONSIDER APPROVAL OF MODIFICATIONS TO THE EXISTING GROUND SIGN AT THE SHOPPING CENTER AT 31215 THROUGH 31255 SOUTHFIELD ROAD

LSL Planning has reviewed the submittal requesting a refurbished collective ground sign for the shopping center at 31215-31255 Southfield Road. The existing sign is nonconforming for multiple reasons; sign area (80 square feet provided versus 30 square feet allowed), sign height (13'-3" provided versus 8' allowed), internal illumination (100% versus 30% allowed), excess colors and lettering types (3 colors and 2 lettering types allowed), and not within a landscaped area (within the parking lot versus a 200-square foot landscaped area). The total project includes: clean-up and painting of the sign cabinet and poles, replacement of old wiring and lamps inside

the cabinet, facing the sign base with a stone to match the building (sign base is currently wood), and new sign faces within the same total sign area.

Based upon Paragraph 5 of Section 22.32.120 Nonconforming Signs, the sign clean-up/painting and wiring replacement are allowed as “normal maintenance” and “changing of electrical wiring and electrical devices,” respectively. Additionally, the proposal to add stone around the base of the sign complies with Paragraph 5 of Section 22.32.095.

The total area (80 square feet) will remain the same though the actual number of tenants with advertising will increase from 5 to 7. The proposal essentially entails a division of the middle two sign faces, which currently run the full width of the sign and advertise 1 tenant each. These 2 sign faces are proposed to be split into 2 signs each, resulting in the net increase of 2 tenant sign spaces. Paragraph 3 of Section 22.32.120 allows the “changing of surface sign space to a lesser or equal area.” LSL is of the opinion that the proposal meets this standard as the total area remains the same and 2 of the larger sign faces will be changed to a lesser area. The proposal brings the number of colors into compliance with current standards and provides a unified look for the entire shopping center. The dark bronze background will also reduce the amount of internal illumination visible through the text. While this change does not fully conform, it does bring the sign closer to compliance with current standards.

Ruprich confirmed that the sign would be internally lit with white letters.

Julie Strong, Property Manager for the plaza, explained that the sign would be internally lit with an opaque background as external lighting would not be bright enough to illuminate it sufficiently. The background would be an opaque vinyl that allows for the light to shine through the white letters. She further explained that after reviewing a variety of options there was no option to place the sign elsewhere without creating greater complications. Landscaping also posed some complications; there is no available water, and the asphalt creates barriers for most vegetation.

Borden reiterated that the sign meets all the requirements for allowable maintenance on a non-conforming sign. He also reviewed the lack of options for placement of the sign elsewhere on the property. He explained that per the ordinance, the work being done on the sign is within the parameters of “normal maintenance”, and the only part that needs approval is the sign face change.

Strong agrees and reiterated the owner are not going to move the sign from its current location, but would like to improve the sign and area around it as much as is allowable within the ordinance.

The Commission agreed they would like to see a change in illumination and landscaping.

Motion by Wilensky, second by Westerlund, to postpone discussion, per applicant request, pending the submission of revised plans.

Motion passed.

REVIEW AND CONSIDER APPROVAL OF FAÇADE IMPROVEMENTS AT 15616 THIRTEEN MILE ROAD, KFC

Borden submitted his review of the revised building elevations as submitted by KFC for façade alterations and internal remodeling for the existing restaurant at 15616 W. 13 Mile Road.

The request entails removal of the striped awnings around the building, removal of the pyramid feature atop the building, the addition of new red awnings and red and white painting around the building. Drive-in/through restaurants are allowed in the B District with special land use approval. For the purposes of the Zoning Ordinance, the proposal entails only alterations to the building façade, so there is no change in use or operation of the site. Furthermore, since the request is only for exterior façade alterations, a full site plan review is not required and Planning Commission has the final review and approval authority.

Borden outlined his review as follows: The applicant must present color samples to the Commission for their consideration. In our opinion, the revised elevations are an improvement from the original submittal and more consistent with the intent and purpose of the Village’s design regulations. The proposed wall sign/panel should be reduced in size and the front-center window should remain uncovered. Any action on the proposed façade alterations should clearly indicate that the signage depicted is not included in the review/decision.

Derrick Haselhuhn, KFC, explained that the franchise is being rebranded for an updated look. The revised plans reduce the front stencil. The building footprint would remain as is, and the red and blue light bars along the top of the building would be removed. Ostrowski confirmed that as long as the external lighting is angled towards the building it will not cause any issues.

Extensive conversation was had regarding whether the proposed panel and covering of the front window was considered a façade or part of the sign application. The Commission agreed that the front of the building could be painted within the façade alterations, however the panel and any design on it would be considered under the sign application.

Motion by Drummond, second by Ruprich, that Planning Commission approve the façade of the KFC, with the exception of the panel which will be removed from the scope and the building will be painted red consistent with the red used through the plans. The panel will be discussed related to the sign application.

Roll Call Vote:

Drummond yes
Grinnan no
Ostrowski yes
Ruprich yes
Stempien no
Westerlund yes
Wilensky no
Borowski yes

Motion passed (5-3)

REVIEW AND CONSIDER APPROVAL OF NEW SIGNAGE AT 15616 THIRTEEN MILE ROAD, KENTUCKY FRIED CHICKEN (KFC)

Borden submitted his review of the application requesting new wall signs for the KFC restaurant at 15616 W. 13 Mile Road. The proposal has been reviewed for compliance with the requirements of the Village Zoning Ordinance. If the application is approved by the Commission, the applicant must obtain a permit prior to installation.

Borden outlined his review as related to compliance with Sections 22.32.095 and 22.32.110, which provide regulations for wall signs. Wall sign is permitted to be 30 SF maximum, they are requesting 156 SF. The permitted area (ground) coverage is 30 SF max, the applicant is requesting 89.12 SF. The height requirement is 8' above grade (min.) the applicant is proposing more than 11'. Related to illumination requirements, the wall sign is in compliance; the applicant must provide fixture details. The current ground sign is an existing non-conformity. The applicant must confirm that the reader board text will match one of the two fonts proposed.

Borowski contended that only the face of the Colonel should be considered the sign.

Consideration was given related to the classification of the large front panel as either a sign, or part of the building façade. It was determined that if the large front panel were painted in a solid red (as opposed to the red and white striped as proposed) it would be part of the façade and not the sign.

Motion by Stempien, second by Drummond, that discussion on the sign be postponed to give the applicant the opportunity to submit a request for a variance before the Zoning Board of Appeals.

Roll Call Vote:
Motion passed (8-0)

Motion by Stempien, second by Drummond, that the existing ground sign be approved as submitted, requiring the changeable letters to be black.

Roll Call Vote:
Motion passed (8-0)

REVIEW DRAFT LANGUAGE AMENDING SECTION 22.08.100 ACCESSORY BUILDINGS, STRUCTURES, AND USES

Saur reviewed the proposed changes, these included new specifications related to mechanical units, and regulations for detached accessory buildings.

Mechanical units (i.e. a/c condensers or generators) may be placed in the side open space provided they:

- i. shall be located at least five (5) feet from adjoining lot lines;
- ii. shall be located not more than five (5) feet from the principal building;
- iii. shall be screened with dense shrubs maintained at a height not less than one (1) foot

- above the height of the unit; and
- iv. shall limit noise in excess of sixty-five (65) decibels (dB(A)) at the nearest property line.
- j. Detached accessory buildings containing one hundred twenty (120) square feet of ground floor area or more shall be required to obtain a Zoning Compliance Permit prior to construction or installation. Such buildings shall provide a foundation or rat wall and must be compatible with the principal building in terms of style, design, material and/or color(s).

Saur clarified that a Zoning Compliance Permit is not considered a Building Permit, but ensures that the resident is aware of the Ordinances and are compliant.

The Commission agreed that a rat wall was not necessary in all instances and the guidelines should be broken down on the permit. They also requested that the language be reviewed by the Fire Marshall to ensure compliance with all state fire codes.

The complete draft is available in the Village office.

SUBCOMMITTEE UPDATES

At the Village of Beverly Hills Council meeting held February 20, 2018, the Council voted on directives for the Planning Commission to establish subcommittees on several topics and report back to the Council at designated future meeting dates on their findings.

A. Lot coverage

Stempien and Westerlund shared a presentation of photos of homes in various neighborhoods across the Village and surrounding cities with examples of side setback changes depending on the zone or build. The median lot coverage percentages in the Village range from 8.7% to 20% depending on the zone and density. In further research, all surrounding communities have lot coverage ordinances.

PUBLIC COMMENTS

Kay Michaels, Kirkshire; Cynthia Nagel, Kirkshire; and Racheal Hrydziusko, Evergreen; spoke in support of the progress on lot coverage review, but continue to have concerns about the impact current building projects will have on the Village.

LIAISON COMMENTS

Abboud announced the Zoning Board of Appeals will be training at the September meeting. Village Clerk Ellen Marshall is retiring at the end of August 2018.

ADMINISTRATION COMMENTS

Saur thanked Ellen Marshall for her 23 years of service to the Village.

COMMISSIONERS COMMENTS

Stempien would like to see sign regulations taken out of the Zoning Ordinance.

Westerlund expressed his sadness over the passing of Pat Greening and appreciation for all she

and her husband Don did for the community.

Motion by Borowski, second by Ruprich, to adjourn the meeting at 10:53 p.m.

Motion passed.

George Ostrowski
Planning Commission
Chairperson

Chris Wilson
Village Clerk

Elizabeth M. Lyons
Recording Secretary