

Motion by Mr. LaBelle, supported by Mr. Miller to table Site Plan #2012-06 because the owner and engineers have not submitted any new information. This would be tabled until January 15, 2013.

All Ayes

Motion Carried

C. MCDONALD'S PROPOSED PYLON – SIGN #2012-94: Allied Signs, 33650 Giftos, Clinton Twp., MI., 48035 – Proposed replacement of foundation and pole for existing sign located at 28320 23 Mile Road. Tabled 11-13-12.

Motion by Mr. DeMuynck, supported by Mr. Leonard to table Sign #2012-94 to allow the commission to seek a legal opinion and to allow the applicant to explore their options. This would be tabled until the January 15, 2013 meeting.

All Ayes

Motion Carried

Patrick Steiber of Allied Signs and the applicants/owners, Kathy and Kevin Setter, addressed the board.

Mr. Steiber explained that the applicants are proposing to update the existing high-rise sign on the property. He said they would like to replace the steel pole, make some modifications to the foundation, and clean up the sign faces.

Ms. Setter presented the commission with a picture board depicting where one can see the sign from the overpass. The new sign out front meets the codes and is aesthetically better, but cannot be seen from Waterside Drive at night, she said, and is not visible until one reaches Midas, located next door. The first week the new sign was up, the restaurant lost 34% of nighttime sales, and without the high-rise they anticipate losing an estimated 15-20% of their existing business.

The building is almost 40 years old and the high-rise sign, which has been there from the beginning, is virtually historic, according to Ms. Setter. She also said when the new sign was installed, they took eight calls in the first week asking if they were still there.

Ms. Setter provided commissioners with a study regarding high-rise pole signs and how people make their buying decisions based on outdoor advertising. She also attached a list of how her business has supported the community over the years.

Mr. Saelens asked if a brand-new sign will be installed since the pole is being replaced.

Mr. Stieber said they will be using the existing sign frame, but they want to replace the 40-year-old steel pole. Being that the high-rise sign has been there, the applicants do not feel there would be any detrimental effects to the area by keeping it.

Commissioners noted that McDonald's is listed on exit ramp business signs located on both sides of I-94, notifying motorists of the restaurant's location.

Ms. Setter said that women drivers look for the high-rises because they want something that is close by and do not want to drive miles to their destination.

Mr. Leonard said motorists are notified of the distance on the expressway.

Ms. Setter said such signs are not visible until a driver is on the exit ramp.

Mr. Stabile said the new sign ordinance takes effect in a couple of years and the high-rise signs will have to be lowered. He asked if the applicants plan to have the existing sign resurfaced now and taken down once the ordinance comes into effect, or whether they want it accepted beyond the moratorium.

Ms. Setter said they would like the high rise sign to be accepted beyond the moratorium, because studies have shown they could lose 15-20% of their business. Eight years ago nobody anticipated the current economic climate, added the applicant, who said she hoped the commission would look at the devastation that could happen to their business if the high-rise sign is removed.

Mr. Stieber confirmed for commissioners that the high-rise sign is currently illuminated and the initial loss of business has come from the new smaller sign located in the front. He said, they used to have a large road sign at the front of the property and removed it, not anticipating the negative effect it would have on sales.

Mr. Leonard suggested the economy may be impacting the restaurant's reduction in sales.

Commissioners agreed that it would be difficult to approve this request beyond the moratorium.

Commissioners asked the applicant if the existing sign is safe enough to last until 2016.

Mr. Steiber said from an engineering standpoint the most logical and safest way to update the sign is to replace the pole, as recommended by an engineer hired to examine it.

Because of the new pole, commissioners agreed that if the existing sign comes down, it would be considered a new sign. They said, it could go up now, but would need to come down in 2016.

Mr. Meagher said the commission could grant a variance, but in doing so it would take away the amortization period of the sign, essentially increasing the life of the sign. If the applicant chose to challenge the decision, it would be hard to enforce due to the lack of amortization, he said. Mr. Meagher further suggested that the commission may want to seek a legal opinion in regards to this issue.

Commissioners asked the applicants if they would agree to take the high-rise down in 2016.

The applicants would not agree to take the high-rise sign down in 2016.

Mr. Stabile suggested that the sign company try out different heights and perhaps see what kind of visibility would exist with the new legal height, in the same position. It seems there would be a clear view from the expressway, he said.

Ms. Setter said the sign would not be visible from Cotton Road or Carriage Way. The new front sign is 12 feet in front and not visible at night until a driver reaches the Midas store, she said.

Mr. Stabile said he thought the loss of business would be temporary until people get used to the new sign.

Mr. Saelens said that requiring compliance across the board will ensure that all businesses are

8. **COMMUNICATIONS:** None

9. **NEW BUSINESS:**

- A. **JAWAD PROPOSED REZONING- PETITION #325:** Eddie Jawad, 46820 North Road, Macomb, MI., 48042 – Requesting to rezone property located on the west side of Gratiot, south of 21 Mile Road at 46895 Gratiot from C-1 (Local Commercial) to C-3 (General Commercial).
Set Public Hearing for 1-15-13.

Motion by Mr. Miller, supported by Mr. Moran to set a Public Hearing for Jawad Proposed Rezoning – Petition #325. The Public Hearing will be set for January 15, 2013.

All Ayes

Motion Carried

10. **OLD BUSINESS:** None

11. **PLANNER'S COMMENTS:**

- A. **ROSSEELS FARMS L.L.C. PROPOSED TREE REMOVAL:** Rosseel Farms, 25765 26 Mile Rd., New Haven, MI., 48048 – Proposed tree removal permit application for property located at 29579 23 Mile Road. Tabled 10-23-12.

Mr. Meagher stated that this item was on the agenda a couple months ago and it was tabled because the applicant had not submitted anything in writing. Mr. Meagher has talked with their attorney and he will be part of a walk through at the site with their tree expert and one of the owners in January. Mr. Meagher said he would report back to the commission once the walk through is complete.

Motion by Mr. Miller, supported by Mr. Stabile to table Rosseels Farm L.L.C. Proposed Tree Removal. This would be tabled until the January 15, 2013 meeting.

All Ayes

Motion Carried

Mr. Meagher provided commissioners with language in regards to a Sign Amendment for Additional Wall Signs for Out-lot Buildings. He asked commissioners to review it by looking at the back of some of the buildings while thinking about driving patterns, speed, where a vehicle is positioned in relationship to the building, and how difficult it is to identify the use of a building. He asked that commissioners compare their findings with the language provided today. He suggested discussing it during the next meeting.

12. **COMMENTS FROM THE FLOOR:**

Mr. LaBelle asked about pre-planning volunteers for the next meeting.
Both Mr. Alexie & Mr. DeMuyck agreed to participate.

Mr. Eckenrode noticed a sign sitting out front of an industrial building, on the south side of 21 Mile Rd.

Mr. Miller said that he also noticed the sign within the last week.

Mr. DeMuyck said the Township Board just approved that business for a tax abatement and it is

a temporary sign.

Mr. Meagher said he did not believe it was something the commission approved, but they may have been granted a temporary banner from the building dept.

Commissioners welcomed Mr. DeMuyneck back to the board.

Mr. DeMuyneck said that the commission needs to redo the language of the ordinance to regulate tent sales within the Township. He explained, tent sales could be granted to a business that already has an existing brick and mortar building, but tent sales by outside vendors should be limited.

13. PROPOSALS FOR NEXT AGENDA: None

14. ADJOURNMENT:

Motion by Mr. Miller, supported by Mr. Saelens to adjourn the meeting at 7:57 p.m.

Rick LaBelle, Secretary

Amanda Willard, Recording Secretary