

Alton James
Chairperson
Lauren Hood, MCD
Vice Chair/Secretary

Marcell R. Todd, Jr.
Director

City of Detroit
CITY PLANNING COMMISSION
208 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Phone: (313) 224-6225 Fax: (313) 224-4336
e-mail: cpc@detroitmi.gov

Brenda Goss Andrews
Damion W. Ellis
David Esparza, AIA, LEED
Gregory Pawlowski
Frederick E. Russell, Jr.
Angy Webb
Henry Williams

July 1, 2020

HONORABLE CITY COUNCIL

RE: Petition No. 1414, U-Wash Development Company, LLC Request for encroachment of billboard into Prest Avenue right-of-way at 15325 West Eight Mile Road.
(RECOMMEND DENIAL)

The City Planning Commission (CPC) staff submits this report in response to the above referenced petition.

Based on information provided by the applicant to the City, the existing billboard, for which encroachment into Prest Avenue is requested, measures 25 feet wide by 36 feet in height (Cardex Temporary Permit #12706). Those dimensions would produce a sign area of 900 square feet, although Permit #12706 indicates 459 sq. ft.

When originally granted in 1961, the City had no size limitations on billboards. City Council authorized the encroachment as a “directional sign” to the parking lot of the bowling alley that had been located on Greenfield Road, south of West Eight Mile where a pawnshop is currently located. Because of the configuration of Eight Mile, Greenfield, and James Couzens, access to the bowling alley from Eight Mile was complicated. The billboard guided traffic from Eight Mile on to Prest Avenue which led to the bowling alley’s parking lot. Today, directional signs are limited to 6 square feet in area and 5 feet in height (Sec. 50-6-49(b)).

The display on the existing billboard is to advertise the car wash located at 15421 West Eight Mile, just to the west and, unlike the now-replaced bowling alley, is highly visible to passing traffic on Eight Mile.

Because the existing billboard is not on the premises of the car wash that it advertises, it is an off-premises advertising sign. Off-premises advertising signs located on state routes, such as M-102 Eight Mile, require a permit from the Michigan Department of Transportation. The applicant has not provided proof that such an MDOT permit has been requested or issued.

Current zoning regulations limit the size of advertising signs on wide streets, such as Eight Mile, to 378 square feet and to 35 feet in height where they are nearby to land zoned residential (Sec. 50-6-94). The existing billboard is less than 150 feet from the residential property on Audrey Avenue; Zoning allows greater sign area and height where more remote from residential.

Current zoning requires an advertising sign to be located at least 1,000 feet from the nearest advertising sign oriented to the same flow of traffic (Sec. 50-6-72). Outfront Advertising has an existing and permitted billboard at 15323 West Eight Mile, approximately 110 feet to the east.

If the existing billboard were, instead, to be located on the same premises as the car wash, its existing dimensions would exceed the permissible maximum total sign area for the premises (Chapter 4). Staff notes a robust amount of business signage on the car wash, making the car wash's presence hard to miss.

Unlike land use rights that accrue through zoning, encroachment authorizations do not run with the land, rather they belong only to the party named in the Council resolution granting the encroachment. Such encroachments are revocable at the "will, whim, and caprice" of Council. The facts that may have guided Common Council's decision in 1961 are no longer applicable. Regulations regarding signage have been dramatically fine-tuned and updated in the intervening 59 years, making it clear that the spirit of the City Code is to limit directional signage, on-premises business signs, and off-premises advertising signs to more modest dimensions and lesser heights.

Given the recent approval of new sign ordinances and the Mayor's moratorium on the construction/alteration of advertising signs, authorizing the requested encroachment for purposes of off-premises advertising would run counter to the spirit (and letter) of the new ordinances and the Mayor's executive order.

City Planning Commission staff respectfully recommends that the request for billboard encroachment into Prest Avenue at West Eight Mile be denied.

Respectfully submitted,

A handwritten signature in cursive script that reads "Marcell R. Todd, Jr.".

Marcell R. Todd, Jr. Director

M. Rory Bolger, Staff