

DESIGN REVIEW BOARD
MINUTES OF DECEMBER 5, 2018
Municipal Building Commission Room
151 Martin, Birmingham, Michigan

Minutes of the regular meeting of the Design Review Board (“DRB”) held Wednesday, December 5, 2018. Vice-Chairman Keith Deyer called the meeting to order at 7:16 p.m.

1) ROLL CALL

Present: Vice-Chairman Keith Deyer, Board Members Joseph Mercurio, Michael Willoughby, Alternate Board Member Dulce Fuller

Also

Present: Gigi Debrecht, Patricia Lang

Absent: Chairman John Henke; Board Member Natalia Dukas, Student Representatives Grace Donati, Ava Wells

Administration: Matthew Baka, Sr. Planner
Carole Salutes, Recording Secretary

12-46-18

2) APPROVAL OF MINUTES
DRB Minutes of October 3, 2018

Motion by Mr. Willoughby

Seconded by Mr. Mercurio to approve the DRB Minutes of October 3, as presented.

Motion carried, 4-0.

VOICE VOTE

Yeas: Willoughby, Mercurio, Deyer, Fuller

Nays: None

Absent: Henke

12-47-18

3) PUBLIC HEARING

Sign Ordinance Amendment - elimination of Overlay Sign Standards and addition of window signage standards

The Vice-Chairman opened the public hearing at 7:18 p.m.

Overlay Sign Standards

The City of Birmingham has two sets of standards that are used to regulate signage throughout the City. There is the Standard Sign Ordinance which governs most of the City, and there is the Overlay Sign Ordinance which regulates signage on buildings that were constructed under the Downtown Overlay development standards. The amount of signage permitted by the Standard Sign Ordinance provisions is based on the amount of building frontage. The width of the building determines the amount of square footage that can be used for signage. The allowable signage can be divided among any of the building tenants regardless of which floor they are located on provided that they meet all other provisions of the Sign Ordinance. In contrast to the Standard Sign Ordinance, the Overlay sign regulations do not limit the amount of signage or number of signs. Instead the number of signs permitted is dictated by the number of entrances and only tenants whose primary square footage is located on the first floor may have a sign. In addition to the differing restrictions listed above, there are also subtle differences between the two ordinances which make interpretation confusing for business owners and sign companies. In an attempt to illustrate the differences, the planning staff has created a chart that outlines the main differences between the ordinance sections and how they affect the use of signage in the City.

Issue:

Overlay

Over the past year the Board of Zoning Appeals has heard several variance requests for exceptions from the Overlay signage standards. The primary cause of these requests has resulted from the difference between what is permitted by the Standard Sign Ordinance and the Overlay Sign Ordinance. The two provisions of the Overlay Sign Ordinance that have initiated the majority of the variance requests are the following:

- The number of signs permitted determined by the number of entrances;
- Signage for upper floor commercial tenants is prohibited.

The commercial tenants on the upper floors of buildings developed under the Overlay are not currently permitted signage as they otherwise would be if they were located in a building governed by the standard ordinance. In addition, the limitation of one sign per entry does not take into consideration businesses that occupy a corner space.

Discussion:

Overlay

The Standard Sign Ordinance regulates signage by the size and location of the building and allows tenants/property owners to divide the allowable signage between tenants as they see fit. The successful variance requests that have

been heard recently have argued that it is a hardship for the signage options to be limited in ways that are afforded to the majority of properties in the City. On June 18, 2018 the City Commission and Planning Board discussed this issue at their joint meeting. There was consensus at that time that the Sign Ordinance should be studied and amended as deemed appropriate.

Window Signage

Window signage in the City of Birmingham is currently limited to 12 sq. ft. per frontage (façade facing a street) or 18 sq. ft. per frontage on Woodward Ave. The window signage throughout town is inconsistent and often exceeds the allowable amounts permitted by Ordinance. While code enforcement is sent out periodically to cite specific complaints and the Planning Division sends out literature to all businesses in town on a regular basis, the problem persists.

On June 18, 2018 at the joint meeting the City Commission and Planning Board discussed this issue. There was consensus at that time that the Sign Ordinance should be studied and amended as deemed appropriate.

Vice-Chairman Deyer recalled the Sign Ordinance Amendment was approved at the last meeting of the HDC but it couldn't be passed at the DRB because they didn't have a quorum.

There were no public comments relative to changes to the Overlay Sign Standards at 7:19 p.m.

Motion by Mr. Willoughby

Seconded by Ms. Fuller to recommend APPROVAL to the City Commission of the proposed amendments to the Birmingham Sign Ordinance eliminating the Overlay Signage Standards and adding regulations regarding the application and maintenance of Window Signage.

Motion carried, 4-0.

VOICE VOTE

Yeas: Willoughby, Fuller, Deyer, Mercurio

Nays: None

Absent: Dukas

The public hearing closed at 7:20 p.m.

12-48-18

4) DESIGN REVIEW

555 S. Old Woodward Ave.

Building ID signs and lighting (request to be postponed)

5) SIGN REVIEW (not discussed)

6) STUDY SESSION (not discussed)

12-49-18

7) MISCELLANEOUS BUSINESS AND COMMUNICATIONS

A. Staff Reports

-- Administrative Approvals

- 2055 Fourteen Mile Rd. - New wall signage, east and west of building, 1.5 in. acrylic letters.
- 1105 S. Adams, Simply Good Take Out Food - Remove existing three signs on north, south, and west walls (all non-illuminated); replace north and south with illuminated signs with slightly different design; replace west sign with non-illuminated sign with slightly different design.

B. Communications

-- Commissioners' Comments

- Mr. Baka informed that the City Commission approved an Action List for the Historic District Study Commission ("HDSC"). At the top of the list was:
 - Evaluating all of the historic plaques in the Downtown Birmingham Historic District to see if they need to be replaced;
 - Auditing all of the historic structures to see if they have been modified without approval and should be delisted, or if they still have historic merit.

Mr. Mercurio thought that practice might encourage people to break the rules in order to get their house delisted. Ms. Fuller pointed out there are a lot of historic designations on buildings that don't have any aesthetic value whatsoever. These are a wart on the face of the community and it is a difficult situation.

Vice-Chairman Deyer observed there is also the issue that when people start de-designating there will be more people wanting to do the same. He didn't think there is any room in the Standards for delisting by saying well, you made a mistake 50 years ago.

Mr. Willoughby agreed with Ms. Fuller in that just because a building is old doesn't make it historically significant. It will just have to be a case-by-case decision. Vice-Chairman Deyer thought it may be valuable to re-photograph some of the historic buildings as they are now.

Vice Chairman Deyer said that with Commission approval of those items it is not important which board covers them. It is more important that staff initiates them. He added that also on the list was the Echo City study. It is on a CD and hopefully Ms. Pielack still has it. The intent was to publish it and offer it for sale at the Museum.

12-50-18

ADJOURNMENT

No further business being evident, the board motioned to adjourn the meeting at 7:25 p.m.

Matthew Baka
Sr. Planner