

DESIGN REVIEW BOARD
MINUTES OF DECEMBER 6, 2017
Municipal Building Commission Room
151 Martin, Birmingham, Michigan

Minutes of the regular meeting of the Design Review Board (“DRB”) held Wednesday, December 6, 2017. Vice-Chairman Keith Deyer called the meeting to order at 7:15 p.m.

Present: Vice-Chairman Keith Deyer; Commission Members Joseph Mercurio, Thomas Trapnell, Michael Willoughby

Absent: Chairman John Henke; Board Members Natalia Dukas, Lauren Tolles; Alternate Board Members Adam Charles, Dulce Fuller; Student Representatives Josh Chapnick, Griffin Pfaff

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

12-16-17

APPROVAL OF MINUTES
DRB Minutes of November 15, 2017

Motion by Mr. Willoughby
Seconded by Mr. Trapnell to approve the DRB Minutes of November 15, 2017 as presented.

Motion carried, 4-0.

VOICE VOTE

Yeas: Willoughby, Trapnell, Deyer, Mercurio

Nays: None

Absent: Henke, Dukas, Tolles

12-17-17

SIGN REVIEW
34901 Woodward Ave.
CIBC Bank

Zoning: B-4/D-4 Business-Residential

Proposal: The applicant is seeking approval for three name letter signs, one on each façade of the Balmoral Building that fronts on Peabody, E. Brown, and Woodward Ave. The building that they are located on was constructed under the

Downtown Overlay Standards. Accordingly, the entire building and all of its tenants are required to comply with the Overlay Sign District Standards contained in Article 01, section 1.10 of the Sign Ordinance.

There were previously three non-conforming signs at the same locations as currently proposed that were recently removed. Those signs were considered non-conforming as they did not meet the requirements of the Overlay Sign Standards. The Overlay Sign Standards allow one sign per entry for tenants whose principal square footage is on the first floor. The proposal does not meet these requirements. The applicant is located on the second floor of the building. In addition, the applicant has only one entrance which is accessible from Peabody where the lobby and elevators to the second floor are located. At this time, the applicant has stated their intention to apply for a variance from the Board of Zoning Appeals ("BZA") although a BZA application has yet to be received. Accordingly, as has been City policy, the applicant has submitted an application for Design Review of their signage prior to appearing before the BZA.

If the applicant goes before the BZA they will need a variance for not being on the first floor and also a variance for having more than one sign.

Signage: The applicant is seeking approval of three name letter signs reading "CIBC." One sign would be mounted on the Woodward Ave. elevation, one sign would be mounted on the E. Brown elevation, and one sign would be mounted on the Peabody (lobby) elevation. Article 01, section 1.10 B (4) (d) states the following: *Each business whose principal square footage is on the first story may have one sign per entry. **The proposal does not meet these requirements.*** The bank is not located on the first floor and does not have three entrances. All three signs are proposed to be 18 in. in height. Article 01 section 1.10 B (4) states the following: *A single external sign band or zone may be applied to the façade of a building between the first and second floors, provided that it shall be a maximum of 1.5 ft. in vertical dimension by any horizontal dimension. Woodward Ave. Address: The external sign band or zone shall be a maximum of 2 ft. in vertical dimension by any horizontal dimension. **The proposal meets this requirement.***

Illumination: The signs are illuminated channel letters lit with internal white LED lights.

Ms. Tracey Diehl, 6487 Hillier Dr., Winchester, OH, was present to represent CIBC Bank. She reviewed the placement of the three signs and maintained they are really necessary for motorists to find this destination. What happened was the bank by was required Federal regulations to change the name to clearly represent who they are. The business itself has not changed. The signs were in place under the old name and now they need to be changed to the new name. However, the Overlay Sign Standards are preventing them from being able to do that.

Vice-Chairman Deyer informed Ms. Diehl that this board cannot approve anything that violates the Ordinance. Mr. Willoughby added they cannot approve the signage, but on the other hand they could suggest that the BZA take into consideration signage that the bank has enjoyed over several years. This board's perspective is aesthetics, and the BZA considers legality. The DRB cannot approve for legal reasons, but from an aesthetic viewpoint he thinks the sign is quite elegant and simple. If the BZA approves the sign they would have the DRB blessing, given its design. Other board members agreed.

Vice-Chairman Deyer thought the board needs to revisit the Overlay requirement that nobody on the second floor gets any signage.

Mr. Kelly Stradinger, 120 S. LaSalle St., Chicago, IL with CIBC Bank, reviewed how they got to three signs, being a second-floor tenant. Before the bank signed the lease they required the landlord to show them the zoning approval for the building and the signs. That document is attached to their lease along with their sign criteria. During their site selection process they picked this building because of its presence on Woodward Ave.

Vice-Chairman Deyer was disappointed that the developer didn't explain to the bank what the implications were of building in the Overlay with the ability to add an extra floor, which obviously helps their finances.

Ms. Deborah Wellman, Branch Manager of the bank, commented that since their signs have been down, there have been many calls inquiring where the bank is located. It is difficult to offer directions without the signage.

Mr. Alan Greene, Attorney for the ownership of the Balmoral Building, said they support the signage request. All of their tenants were given the Master Sign Plan that indicated the locations and were told they must submit their own sign request. CIBC Bank submitted an application and it was accepted for all three signs in the exact locations of the Master Sign Plan that was approved by the City. Now all the bank is doing is changing their name and replacing the same signs. The ownership doesn't believe they did anything wrong. They complied with what the City wanted and believe they built a great building.

Mr. Greene went on to note this situation is unique because the Balmoral Building has three road frontages and a tenant that is taking up the whole second floor with a combination of office, retail, and customer use. People driving down Woodward Ave. would want to know the location of the bank.

Mr. Baka said, looking around town, almost every building built under the Overlay has signs that shouldn't be there because the differences between the Overlay Sign Standards and the Sign Ordinance were never picked up by the City. However, with the dichotomy between the Overlay and the Non-Overlay if the

Non-Overlay requirements are used, the proposed signage would be well within the limits.

Mr. Greene noted that with the Alden Building going up next door, the Balmoral Building will lose a sign on the north elevation.

Motion by Mr. Willoughby

Seconded by Mr. Mercurio regarding 34901 Woodward Ave., CIBC Bank, to approve the signage in regard to appearance and design with the understanding that the signs require variances from the BZA in order to be installed.

There was no discussion from the audience regarding the motion at 7:53 p.m.

Motion carried, 4-0.

VOICE VOTE

Yeas: Willoughby, Mercurio, Deyer, Trapnell

Nays: None

Absent: Henke, Dukas, Tolles

Vice-Chairman Deyer wanted to schedule a study session to try to look at what if anything needs to be changed in the Overlay Standards or in the regular Sign Ordinance. There is a certain sense of urgency in trying to get this issue resolved and getting it to the City Commission for approval. It would make a lot of buildings that were built under the Overlay legal conforming. It was generally felt that the Sign Ordinance does a really good job of regulating signage in the City.

12-18-17

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

A. Staff Reports

-- Administrative Approvals

- 159 N. Eton – HVAC rooftop unit and screen; exterior lighting being upgraded to LED; exterior storefront windows being replaced with new insulated sliding units.
- 444 Chester – Replacing one master bedroom window with double slider.
- 1875-1925 Southfield Rd., Birmingham Terrace – Add signage.
- 1875 – 1945 Southfield Rd., Birmingham Terrace – Install 12 vinyl replacement windows.

-- Violation Notices (none)

B. Communications

-- Commissioners' Comments (none)

12-19-17

ADJOURNMENT

No further business being evident, the board motioned to adjourn the meeting at 8:03 p.m.

Matthew Baka
Sr. Planner