

DESIGN REVIEW BOARD
MINUTES OF FEBRUARY 20, 2019
Municipal Building Commission Room
151 Martin, Birmingham, Michigan

Minutes of the regular meeting of the Design Review Board ("DRB") held Wednesday, February 20, 2019. Chairman John Henke called the meeting to order at 7:32 p.m.

1) ROLL CALL

Present: Chairman John Henke, Vice-Chairman Keith Deyer; Board Members Gigi Debbrecht, Patricia Lang, Michael Willoughby; Alternate Board Members Dulce Fuller, Alexander Jerome

Absent: Board Members Natalia Dukas, Joseph Mercurio; Student Representatives Grace Donati, Ava Wells

Administration: Jana Ecker, Planning Director
Nicholas Dupuis, City Planner
Laura Eichenhorn, Transcriptionist

01-06-19

2) APPROVAL OF MINUTES
DRB Minutes of January 2, 2019

Motion by Vice-Chairman Deyer
Seconded by Mr. Willoughby to approve the DRB Minutes of January 2, 2019 as presented.

Motion carried, 7-0.

VOICE VOTE

Yeas: Deyer, Willoughby, Fuller, Jerome, Henke, Debbrecht, Lang

Nays: None

Absent: Dukas, Mercurio

01-07-19

3) PUBLIC HEARING

None.

01-08-19

4) DESIGN REVIEW

None.

01-09-19

5) SIGN REVIEW

None.

01-10-19

6) STUDY SESSION

A. Proposed Amendment to Article 1, Sections 1.03, 1.05 and Table B, and Article 3, Section 3.02, to eliminate “Open” signs

Chairman Henke stated the DRB would need further direction from the City Commission to adequately review the issue of “Open” signs. He explained that “Open” signs tend to be most useful for businesses on Woodward Avenue since vehicles pass by businesses at higher speeds than in other parts of town, that if lit “Open” signs are being left on after businesses are closed that is an enforcement issue, and that when the DRB reviewed the issue of “Open” signs a number of years back the topic was under review by the Board for a year.

Planning Director Ecker relayed what she understood to be the position of some Commissioners, which is that a person should be able to tell whether a business is open or closed according to the level of light within the business and the visible activity.

Mr. Willoughby pointed out that some restaurants and businesses are so lowly-lit that it would be nearly impossible to tell whether they were open without an “Open” sign. He said the solution to this issue would have to be more nuanced than a strict ‘yes’ or ‘no’ from the City on “Open” signs. Further, he suggested that perhaps the DRB could discuss whether “Open” signs should count towards the overall signage formula allowed for a business.

Ms. Fuller noted that the size of signs are already restricted, and expressed concern that any change made would not be sufficiently enforced. Chairman Henke explained for Ms. Debbrecht that “Open” signs could not be limited to just Woodward Avenue because the City eliminated the difference between the downtown overlay and the rest of Birmingham in the sign ordinance. He did note, however, that the Board had considered limiting “Open” signs to Woodward Avenue during the discussion of those issues.

Motion by Vice-Chairman Deyer

Seconded by Mr. Willoughby to respectfully ask the City Commission to clarify the issues surrounding “Open” signs, i.e. all “Open” signs, lit or unlit signs and signs in the downtown overlay, and/or central business district, or all of Birmingham.

Motion carried, 7-0.

VOICE VOTE

Yeas: Deyer, Willoughby, Fuller, Jerome, Henke, Debbrecht, Lang

Nays: None

Absent: Dukas, Mercurio

B. Design Review Board Action List - 2019

Chairman Henke said he would consider moving “Sign Band Designation on New buildings” to #2, “Sign Ordinance Enforcement” to #3, and “Develop Informational Sign Guidelines” to #4 because he could think of at least four buildings, including the Hilton Hotel, one of the buildings on Bates, the building where Mountain King is currently located and the building next to Peabody’s, that may be coming under review in the near future and will need guidance on sign bands.

Planning Director Ecker stated sign bands are clearly defined in the sign ordinance, and asked what the Board’s focus would be regarding the topic.

Chairman Henke said it strikes him as a pragmatic issue, not a definitional issue, since the Board will be dealing with a number of sign band discussions in the near future.

Vice-Chairman Deyer said the Board had devised some illustrations to clarify the sign guidelines about ten years back, and that those could be updated and provided to people to help explain the guidelines. He said that in the update the Board would need to emphasize that these are not mandatory rules or ordinances, merely suggested guidelines.

Ms. Fuller explained that on occasion a landlord will use all available exterior signage space for their initial tenants, and then encounter a problem when they need to provide additional signage space on the exterior of their building for new, additional tenants.

City Planner Dupuis stated that is largely an issue between landlords and tenants.

Planning Director Ecker explained to Ms. Fuller that the rule allowing only one exterior sign per building entrance has been discontinued.

Vice-Chairman Deyer said he still sees an issue with code enforcement regarding signs around the City.

Planning Director Ecker clarified for the Board:

- That the main item that has not been implemented from the 2016 Plan is the Bates Street Extension, which is in discussion now.
- The Planning Board just set a public hearing to solicit feedback on potential ordinance language clarifying which City board reviews which aspects of a project. The language would maintain all Boards as they currently exist, and would clarify what the practice has always been. The only proposed change dictates that if a property owner doing renovations takes down more than 33% of a building's exterior wall, the property owner must return for review with the property now considered a new building.
- The public hearing is scheduled for March 13, 2019.

Vice-Chairman Deyer and Chairman Henke requested the proposed ordinance language before the March 13, 2019 Planning Board public hearing so the HDC/DRB could provide feedback. Planning Director Ecker confirmed she would circulate the language via email.

No changes were made to the Design Review portion of the action list.

01-09-19

7) MISCELLANEOUS BUSINESS AND COMMUNICATIONS

A. Staff Reports

1. Administrative Approvals
2. Administrative Approval Summary Chart – 2018

B. Communications

01-10-18

ADJOURNMENT

No further business being evident, the board motioned to adjourn the meeting at 7:57 p.m.

Nicholas Dupuis
City Planner