

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

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Minutes of the regular meeting of the Design Review Board ("DRB") held Wednesday, March 20, 2019. Chairman John Henke called the meeting to order at 7:30 p.m.

**1) ROLLCALL**

**Present:** Chairman John Henke, Vice-Chairman Keith Deyer; Board Members Gigi Debbrecht, Patricia Lang; Student Representative Klea Ahmet

**Absent:** Board Members Natalia Dukas, Joseph Mercurio, Michael Willoughby; Alternate Board Members Dulce Fuller, Alexander Jerome

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

**03-11-19**

**2) APPROVAL OF MINUTES**  
**DRB Minutes of February 20, 2019**

**Motion by Vice-Chairman Deyer**  
**Seconded by Ms. Lang to approve the DRB Minutes of February 20, 2019 as presented.**

**Motion carried, 4-0.**

VOICE VOTE

Yeas: Deyer, Lang, Henke, Debbrecht

Nays: None

**03-12-19**

**3) PUBLIC HEARING**

None.

**03-13-19**

**4) DESIGN REVIEW**

None.

**03-14-19**

**5) SIGN REVIEW**

None.

**03-15-19**

**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 said that there seem to be two businesses that leave their "Open" signs on Woodward after they are closed, but beyond that there does not seem to be a proliferation of "Open" signs or violators of the ordinance. He continued that the DRB did not receive the further direction from the Commission requested by the DRB at the Board's last meeting, that the DRB spent a tremendous amount of effort researching and creating this ordinance in the first place, and that the brick-and-mortar retail environment needs a way to let their customers they are still there and open in order to remain in business due to the intense competition from online retailers.

Vice-Chairman Deyer offered a counter-perspective, saying he sees "Open" signage as superfluous. He said it is not a monumental problem, but the signs are likely not necessary in downtown Birmingham given the low speeds most vehicles are driving through the district.

Chairman Henke noted that the City eliminated the sign overlay, meaning the City cannot elect to eliminate signs in the downtown overlay district without also eliminating them on Woodward. Sign ordinances now apply to the whole City when implemented, although previously they could be applied to distinct areas. He asserted that there are not many signs in the downtown overlay, which Vice-Chairman Deyer agreed with.

Vice-Chairman Deyer said that the only option the City is left with is one of enforcement, then, for the few businesses leaving their "Open" signs illuminated after business hours. He said that if the DRB is to discuss this further, it would behoove the Board to wait until all members are in attendance.

Chairman Henke concurred.

Ms. Debbrecht suggested the Commission could direct Code Enforcement to address the few violators on Woodward, if that was the concern.

City Planner Dupuis noted there may not be any ordinance language requiring when businesses have to shut off their illuminated signs on Woodward.

Planning Director Ecker noted that there is language about turning "Open" signs off in the historic district.

Chairman Henke said that the sign ordinance now applies to the whole City uniformly, rules about when illuminated signs must be shut off in the historic district should be applicable to Woodward as well.

Planning Director Ecker said Staff would have to verify whether the rules about illuminated lights in the historic district could be generalized to the City as a whole.

Chairman Henke asked if the Planning Board had reviewed this issue of late, since the Commissioner concerned suggested it be directed to the Planning Board as well.

Planning Director Ecker told Chairman Henke that the Planning Board has not recently reviewed the issue.

Chairman Henke requested that information be part of the minutes, since he said the City Manager had told the concerned Commissioner during a Commission meeting that the Planning Board would be directed to look into the topic as well.

Planning Director Ecker noted that sign issues usually go to the DRB and not the Planning Board. Historically, signage standards in the zoning ordinance would have been the purview of the Planning Board, but the zoning ordinance no longer contains signage standards.

**Motion by Vice-Chairman Deyer**

**Seconded by Ms. Lang to postpone the discussion and study session on the issue of a Proposed Amendment to Article 1, Sections 1.03, 1.05 and Table B, and Article 3, Section 3.02, to eliminate "Open" signs to some date future after the Board receives further clarification from the City Commission on the particular concerns to be addressed.**

**Motion carried, 4-0.**

VOICE VOTE

Yeas: Deyer, Lang, Debbrecht, Henke

Nays: None

**03-16-19**

**7) MISCELLANEOUS BUSINESS AND COMMUNICATIONS**

**A. Staff Reports**

1. Administrative Approvals
2. Site Plan Review Changes

Planning Director Ecker explained the changes received a public hearing before the Planning Board and that the Planning Board voted to recommend approval with no changes to the draft. She confirmed that facades and signs would still be reviewed by the DRB, and footprint changes would go to the Planning Board. She also confirmed that Vice-Chairman Deyer's comments on the draft were forwarded to the Planning Board, and that the Commission's public hearing on the matter would likely be held May 26, 2019.

City Planner Dupuis said he would report back to the DRB once the changes are approved by the Commission.

3. Sign Design Guidelines

City Planner Dupuis noted this meeting's agenda packet included the Sign Design Guidelines Vice-Chairman Deyer had requested be located. Vice-Chairman Deyer said he believed there was more than one page, that he would look to see if he could locate his copy, and that it would be beneficial to have a study session to see if the DRB believes those are still reasonable guidelines.

B. **Communications** (none)

**03-17-18**

**ADJOURNMENT**

No further business being evident, the board motioned to adjourn the meeting at 7:52 p.m.

Nicholas Dupuis  
City Planner

APPROVED