

From: Green, Phyllis
Sent: Monday, June 25, 2001 4:46 PM
To: Bowen, Lynn
Subject: 6-12-2001 SBA Minutes

**MINUTES
OF
THE REGULAR MEETING OF
SIGN BOARD OF APPEALS
OF
CITY OF ANN ARBOR**

June 12, 2001

The regular meeting of the Sign Board of Appeals was held on Tuesday, June 12, 2001 at 3:00 p.m. in the Fourth Floor Conference Room of the Larcom Municipal Building, 100 N. Fifth Avenue, Ann Arbor, Michigan.

I. The meeting was called to order at 2:59 p.m. by Chairman Steve Schweer.

II. Roll Call:

Members Present: (5) S. Schweer, R. Lilienfeld, S. Knight, S. Olsen,
C. Brummer

(1) G. Barnett, Jr. arrived late at 3:07 p.m.

Members Absent: B. Brown

Staff Present: (2) P. Hastings, P. Green

III. Approval of minutes

S. Schweer moved, supported by S. Knight to approve the questionably existing minutes of whenever the last meeting was. The questionably existing minutes were approved unanimously.

IV. APPEALS & ACTION - UNFINISHED

None.

V. APPEALS & ACTION - NEW

1. 2001-S-1, 700 Briarwood Circle

An area variance of 413.5 sq. ft. over the maximum site signage allowance of 200 sq. ft. to erect three wall signs on the north, west and east sides of building for the current tenant, Hudson's Department Store. (Chapter 61, Section 5:502)(1) Zone C2B.

Steve Schweer asked if Hudson's was grand fathered on this or was there a pre- sign ordinance because they obviously must have had a variance if the sign ordinance was in effect at the time? When was the ordinance enacted?

Paul Hastings answered actually they have 200 sq. ft.

Bob Lilienfeld asked what's the difference versus what they are asking for versus current square footage for signage?

P. Hastings said he was not sure. He thinks it is just at 200.

Steve Schweer that he worked it out. The current one looks like each space (there are three of those) is 210 sq. ft. and the new one is 368 feet each space.

Jim Walsh was present to speak on behalf of this appeal in place of his partner Jerrold Lax. Target is changing the name of the store from Hudson's to Marshall Field's and the attempt has been made to essentially keep the same size signage. From what was distributed, Marshall Field's has a distinct script trade mark name and it has been used for over 100 years. The obvious desire is to keep that. Because of the way a sign is measured by using a rectangle and carving out certain sections, you do get a number that he thinks is slightly larger than the current rectangle. He made one correction, the East and West signs will be smaller. Originally they wanted to have all three the same size but they realized that the most significant signage is North based, that can be seen from Eisenhower Parkway. He thinks there is some dimensions in there, well over 1000 sq. ft. from the public R.O.W. to the wall of that store where the signage will be. Unfortunately they are caught by the 200 sq. ft. limit which he doesn't think was ever intended to apply to a situation such as Briarwood where two things are in operation. One is considerable distance from public thoroughfares. 200 sq. ft. cap may make a lot of sense on a strip mall or stores along State Street where 50 ft., maybe 100 ft. from the public thoroughfare to the store front, but here, well over a thousand. The second thing is he doesn't think it is contemplated that you would have frontage of a store this large. The ordinance allows 2 sq. ft. of sign per every linear feet of property. You could have a 200 sq. ft. sign on a wall of a store front that would be maybe 1/5 the size of what you are dealing with here at the Hudson's, now to be called Marshall Field's store. If you are familiar with Briarwood and the other major tenants, Hudson's and J C Penney all have signs much larger than the 200 sq. ft. and we don't know whether that was because they pre-dated the current ordinance or they got a variance. He would suspect that if they needed a variance they came before the Sign Board and got one because of the very reasons they think they need a variance, that if they were limited to 200 sq. ft. or even something slightly larger than that, you would need binoculars from Eisenhower to see what store you would be dealing with. That is the long and

the short of why they are here before the Sign Board of Appeals. Mr. Walsh introduced Kevin Short of the Huron Sign Company and said that Mr. Short would be much better able than Mr. Walsh to answer any particular questions about the difference of the signs from North space, East and West, what efforts would be made to get them as small as possible and how the signage area is calculated in light of the script.

S. Schweer, point of Sign Ordinance is to reduce visual clutter from excessive signage. In a case like this, this sign is not excessively cluttering. It would look kind of funny to not have a sign there if it can't be made 200 sq. ft.

S. Knight, the letters would run together.

C. Brummer, unlike the four other signs of the mall with what they are proposing and then have this one not conforming. That might even look funnier.

B. Lilienfeld, lack of consistency to the other buildings was actually the issue. He asked if they are not asking for signs on any more sides than there are?

Jim Walsh, No. There are only three sides. The South side is the mall itself.

B. Lilienfeld, Taking into account differences in fonts and all that other stuff, the impact is roughly equivalent to the impact of the existing signs.

Jim Walsh, for someone on Eisenhower looking, it's the identical impact. You have this big wall taken up by a small amount of space and if you got smaller and smaller someone with his eye sight would just see a blur there.

S. Schweer, Yeah, it would look certainly out of proportion.

Kevin Short, of Huron Sign Company, All of the new signs would be shorter than the Hudson's right now. They are a little taller but they are a lot shorter in length wise. He physically didn't measure J C Penney's or Sear's Signs. All of them are over 400 sq. ft. of signage.

S. Schweer asked if any one else on the Sign Board had any problems with this thing?

C. Brummer stated it looks like the ordinance came in in 1975 but she doesn't think it really matters whether they were grand fathered.

S. Schweer, it didn't say in the staff report. The history didn't say if any variances had been given out before so why not.

G. Barnett, Jr., did review the materials and he actually went out and took a look at the current size of the sign which he didn't find to be obtrusive and he was moved by the argument that since it sits so far back into the lot, someone driving around looking for it might have a bit of difficulty unless they had a co-pilot. His sense of it was that this would probably be a very brief meeting.

S. Schweer said he agreed with that and said that the Chair would entertain a vote on this issue. In fact he said they could dispense with their usual caveat that says it is a site plan change because a building size front this big would usually demand a sign that size.

C. Brummer, Already know that two of the signs will be smaller.

Kevin Short, the original application was for three sets of 9 ft. tall and they downsized the east and west to 7 ft. instead of 9.

S. Schweer, the issue is shall the proposed variance be granted.

Bob Lilienfeld moved, supported by Steve Olsen to grant the appeal for an area variance of 413.5 sq. ft. over the maximum site signage allowance of 200 sq. ft. to erect three wall signs on the north, west and east sides of building for the current tenant, Hudson's Department Store. So moved. Appeal Granted.

S. Schweer, will the store be changed at all or are they just going to put a new sign on it and leave it as Hudson's?

K. Short, it may be cited for remodeling in the near future.

VI. UNFINISHED BUSINESS

Steve Schweer asked if City Council had approved a) part; or b) all of the subcommittee's proposed variances. What officially really got approved? Is it just the real estate sign part. Steve's committee did a whole lot of stuff.

Steve Olsen, just the real estate sign and the real estate signs were not approved as they recommended them.

Steve Schweer, so they took a tiny sub stat?

Christine Brummer, there is provision for real estate signs.

Steve Olsen, but different sizes.

Steve Schweer, is it only real estate signs or do they allow painting signs, insulation signs, any workman signs. Did they deal with that at all?

Steve Olsen said it was not clear to him because he has not seen what was actually approved. All he has seen was snippets in the news.

Steve Schweer asked if they could get a copy of what was approved. He thinks that the Sign Board of Appeals should have that.

Steve Olsen asked if it had been finally approved and are there new copies.

Paul Hastings spoke about pamphlets of what was proposed and parts of the real estate signs.

Steve Schweer asked if Paul Hastings could look that up and get it mailed to them. He would like to see what actually is the amendment to the law. He would guess that the changes that accrued about real estate signs did not include having billboards at every corner saying that there is a house for sale a block away.

C. Brummer, that is covered already in the existing ordinance and they can do that. The only thing that the task force spoke to was how they have to get rid of them when they are done.

Steve Schweer asked how many signs can they have?

Christine Brummer, stated as many as they reasonably need to direct people to an open house or whatever when they have an open house.

S. Schweer asked how about a house for sale? That is what he is seeing is "House For Sale This Way" and stuck on just at the corner.

C. Brummer, not out by owner because by owners are different than real estate. _____

S. Schweer, most of them are by real estate agents.

S. Olsen stated the real estate agent must have the property owner's permission that you want to stick the sign into.

C. Brummer, the owner can do whatever he wants.

S. Olsen, and it also implies that the property owner can remove them.

C. Brummer, she thinks that the realtor ones, it depends on where they are and what they say. And that may have been addressed because certainly it is part of what the task force brought up but she doesn't think they changed it.

S. Schweer is afraid that now that we have opened Pandora's box here every work man and every real estate agent's got a trunk full of signs and he saw it on the corner of Fuller and Medical Center Drive, some guy doing insulation or something, had stuck one in the corner. It's a billboard. We got a bunch of here, let's stick them right around town.

C. Brummer, we used to worry about fewer signs before we brought up the topic.

Steve Schweer wants Paul to get what Council said about the amendments to the real estate signs.

S. Olsen read in the paper that Council basically subverted whatever the Sign Board of Appeals recommended and opened up the law a lot more than what had been previously and what their intent was.

C. Brummer, the realtors prevailed.

Sharon Knight asked about a little caveat that they put on about signs. A lady from the Church and Temple said, that they needed a sign out front, a second sign and they were going to have the name of the high school on it, the Rudolph Steiner High School. Most of the Sign Board said okay, as long as it is used for that. But that sign immediately when it went up had ½ high school, ½ English as 2nd language. Now she notices that the half that has English as a second language is Ann Arbor Soccer Club of something. Using sign for whatever on Packard and Eastover Place, Rudolph Steiner High School. They are using the second half as their situation changes.

B. Lilienfeld stated that wasn't supposed to be.

S. Knight said the lady asked her why did she vote against that. Their high school students need a sign to rally around.

S. Schweer asked Paul Hastings as the Sign Enforcement Officer to look into what they actually granted them and see if they are doing it.

S. Knight, they got their first sign out there which is half Episcopal church, half temple, but then they wanted a second same size sign they said for the high school. It went up as half high school, half English as a second language and then the half that was that now is Ann Arbor Soccer Club or something soccer.

Steve Schweer said that is not what they gave them a variance for.

VII. NEW BUSINESS

None.

VIII. REPORTS & COMMUNICATIONS

None.

IX. AUDIENCE PARTICIPATION - GENERAL

None.

X. ADJOURNMENT

There being no further business to come before the Board, Bob Lilienfeld moved, supported by Sharon Knight that the meeting be adjourned. The meeting was adjourned at 3:15 p.m. by Chairman Steve Schweer.

Respectfully submitted,

Lynn Bowen, Secretary

Sign Board of Appeals

Steve Schweer, Chairman

Dated

SBA Minutes