

**DESIGN REVIEW COMMISSION
MUNICIPAL CENTER COUNCIL CHAMBERS**

Tuesday, May 24, 2011

6:00 p.m.

The regular meeting of the Design Review Commission was scheduled and held in the Council Chambers of the Municipal Center on May 24, 2011. Chairman Saunders called the meeting to order at 6:03 p.m. requesting the roll call. Ms. Regina Gibson called the roll of the Board and established a quorum:

COMMISSIONERS PRESENT:

Mr. Keith Saunders, Chairman; Mr. Ralph Smith, Vice Chairman; Mr. Parker McCaleb, Secretary; Mr. Paul Bruns; Mr. Eric Alter; Mr. Neil Sherman; Ms. Robbie Ann Pahlow and Mr. Sidney Kuehn

DEVELOPMENT STAFF PRESENT:

Mr. Andy Pouncey, Economic & Development Services Director; Mr. Wade Morgan, Chief Planner; Ms. Regina Gibson, Administrative Secretary and Mr. Robert McLean, Attorney

1. Approval of Minutes for April 26, 2011

Mr. McCaleb moved to approve the Design Review Commission minutes of April 26, 2011, seconded by Mr. Bruns, with no further comments or discussions.

ROLL CALL: Mr. Kuehn – Yes; Mr. Alter – Yes; Mr. Bruns – Yes; Mr. Smith – Yes; Mr. Sherman – Yes; Ms. Pahlow – Yes; Mr. McCaleb – Yes; Chairman Saunders – Yes.

MOTION PASSED

2. Amendment to Section 14-62 of the Code of Ordinances: Temporary Leasing Signs.

BACKGROUND: Currently, the ordinance requires the following steps for an initial permit and renewal of a temporary leasing sign:

1. The applicant files a request with the Code Compliance Division requesting a 90-day permit for display of a temporary leasing sign. The permit is granted if the sign meets all the size, location and content requirements of the Code, as well as the following vacancy requirements:
 - a. Leasing space is vacant or about to become vacant;
 - b. The project is less than 85 percent occupied; and
 - c. The applicant has used other means of advertising (direct mail, web listing, etc.) that have been ineffective.
2. For a 90-day renewal of the permit, the applicant must apply to the Design Review Commission (DRC) 30 days in advance of the meeting to meet the agenda deadline, only 60 days into the permit period. As before, the applicant must meet all of the previous criteria.
3. The applicant is only eligible for two 90-day renewals in a two-year period, beginning from the date of the initial permit issued by Code Compliance. Therefore, the sign must either be removed intermittently throughout the two-year period, or be removed the remaining time period, assuming the renewal periods were concurrent with the initial permit.

DISCUSSION: As a result of the above criteria, the DRC agendas have been dominated by the sign renewal requests. Often times, the sign renewal request is coming several months after the sign permit has expired, yet the sign has remained erected. The DRC and commercial real estate market have expressed an interest in amending the current ordinance.

This ordinance amendment was presented to the DRC at its August 24, 2010 and September 28, 2010 meetings, where several options were discussed. Requests by the commission included input from property managers in the City, vacancy rate history and information from neighboring communities

regarding how they monitor their temporary leasing signs (if allowed). The Board of Mayor and Aldermen (BMA) has discussed the amendments during several meetings. At the third reading of the ordinance (2010-10) on March 28, 2011, the BMA discussed several proposed revisions to the ordinance. They concluded that the amendment should be referred back to the DRC for discussion of the revisions and their impact on the amendment.

Development staff has incorporated comments received from DRC members into the attached amendment and has reviewed the amendment to resolve conflicts and inconsistencies in the regulations of sizes, location and content of temporary signs in office, commercial and Old Germantown districts. The attachment presents the amendment as recommended by the DRC on 10/26/10, with the proposed revisions highlighted in red.

PROPOSED MOTION: To approve the amendment as presented to the temporary leasing sign ordinance.

After much discussion, the board agreed to make several changes to the present sign ordinance and have it presented to the Board of Mayor and Alderman for the third reading on June 13, 2011. Andy Pouncey told the Design Review Board that once he made the changes as discussed tonight, that he would email the updated sign ordinance to each of the commissioners by the end of this week.

Mr. Sydney Kuehn stated that he would not vote in favor of this motion. He objected to the changes the board was making because they would be approving the signs to be moved closer to the street by 33%.

Mr. McCaleb moved to approve this motion, subject to staff comments and seconded by Mr. Smith.

ROLL CALL: Mr. Kuehn – No; Mr. McCaleb - Yes; Mr. Bruns – Yes; Mr. Smith – Yes; Mr. Alter – Yes; Mr. Sherman – Yes; Ms. Pahlow – Yes; Chairman Saunders – Yes.

MOTION PASSED

ADJOURNMENT

There being no further business, comments, or questions by the Commission, the Chairman adjourned the meeting at 7:20 p.m.