

**CITY OF BIRMINGHAM
PLANNING BOARD ACTION ITEMS
OF WEDNESDAY, JANUARY 25, 2017**

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<p>1. 35975 Woodward Ave. (currently vacant, former gas station) Preliminary Site Plan Review for new two-story office/retail building (postponed from January 11, 2017)</p> <p style="padding-left: 40px;">Motion by Ms. Whipple-Boyce Seconded by Mr. Boyle based on a review of the site plans submitted the Planning Board recommends approval of the Preliminary Site Plan Review for 35975 Woodward Ave. with the following conditions:</p> <ol style="list-style-type: none"> 1. Verify the rear setback of the adjacent property and match that with the subject development or obtain a variance. The Planning Board supports 	7

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<p>the variance;</p> <ol style="list-style-type: none">2. Submit specification sheets for all mechanical equipment and a roof plan;3. Obtain a waiver from the Staff Arborist of two street trees;4. Planning Board approves the use of in-grade upward illuminating fixtures;5. Applicant comply with improvements to the sidewalk and ramp when the light controlled pedestrian crossing is added to the intersection of Oak and Woodward Ave.; and6. Comply with the requirements of all City departments. <p>Motion carried, 7-0.</p>	<p>8</p>

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, JANUARY 25, 2017
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on January 25, 2017. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Member Daniel Share

Absent: Board Member Gillian Lazar; Alternate Board Member Lisa Prasad

Administration: Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

01-12-17

**APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING
OF JANUARY 11, 2017**

**Motion by Mr. Boyle
Seconded by Mr. Williams to approve the Planning Board Minutes of January 11,
2017 as presented.**

Motion carried, 6-0.

VOICE VOTE

Yeas: Boyle, Williams, Clein, Jeffares, Koseck, Whipple-Boyce

Nays: None

Abstain: Share

Absent: Lazar

01-13-17

CHAIRPERSON'S COMMENTS (none)

01-14-17

APPROVAL OF THE AGENDA

Ms. Ecker reported that Woodland Villa has requested to withdraw their application for Final Site Plan Review.

01-15-17

FINAL SITE PLAN REVIEWS

1. 33353 Woodward Ave. (Tuffy site) Request for Final Site Plan Review for new one-story retail building

Ms. Ecker advised that the subject site is located at 33353 Woodward Ave., on the west side of Woodward Ave. between Davis and Smith and is the current location of Tuffy Automotive Repair. The applicant proposes to demolish the existing structure and parking lot to construct a new one-story multi-tenant building with on-site parking. The property is zoned B2-B General Business. The new tenants of the building have not been determined but the potential mix of uses will be restricted by the available parking. The applicant was granted Preliminary Site Plan Approval on November 9, 2016 with several conditions. The biggest condition required them to shift the building north to the corner of Davis and Woodward Ave.

The applicant has now submitted revised plans to be considered for final approval. The applicant will still be required to obtain City Commission approval in order to count the six new right-of-way parking spaces towards their on-site parking. Prior to appearing before the City Commission the applicant will be required to provide written approval from M-DOT for the construction of six (6) new right-of-way spaces in front of the building. The applicant has been advised that the proposed six (6) new angle-in parking spaces are not consistent with the Woodward Ave. Action Association's Woodward Complete Streets Plan and may be subject to change at some point in the future. The Plan calls for on-street parallel parking and allows the sidewalk to widen and the median to widen to accommodate street trees. The Plan has been accepted in concept by the City Commission. From the City's point of view, Ms. Ecker thought the Planning Board would want to make a recommendation as to what it would like to see there. That will be conveyed to M-DOT.

The plans submitted do not indicate the required parking lot screenwalls along the Woodward Ave. frontage line. **Accordingly, the applicant must provide the required screenwalls or obtain a variance from the Board of Zoning Appeals ("BZA").**

Design Review

The applicant has provided color elevations depicting all elevations of the new building as well as detailed scaled elevations of all sides of the building with proposed materials called out. The proposed building is a one-story multi-tenant building constructed primarily of brick and glass with metal and wood accents.

Sign Review

The applicant has not submitted detailed signage specifications at this time. This can be done through administrative approval once the tenants have been identified.

Mr. John Abro with Abro Design Group Architecture was present along with Mr. Michael Penow from Stonefield Engineering and Mr. Duane Barbat, the owner and developer of the property. Mr. Abro said he had submitted drawings demonstrating that each storefront has transparent areas equal to over 70% of its facade between 1 and 8 ft. above grade. He indicated the screenwall will be constructed of the same brick as the building. The materials for the project were presented.

Mr. Duane Barbat said he would like to incorporate a bike rack in the front island where cars pull in. He believed they could increase the one undersized parking space by 1 ft. and meet the ordinance.

In discussing the materials it was noted that jumbo C brick, a concrete product, would be used on the building. Mr. Koseck encouraged the use of real brick as opposed to concrete because it is more pedestrian friendly for this scale of a project. The front facade is mostly glass, but a lot of people will be approaching the building from the rear and that is where most of the brick will occur.

Chairman Clein invited members of the public to come forward and comment at 8:07 p.m.

Ms. Mary McRay, 1332 Davis, was advised that the on-site parking satisfies the parking requirement. Any parking out front is above and beyond what is required by the Zoning Ordinance for this type of retail. Ms. McRay then asked if it would be possible to have a 'No Left Turn' sign at Davis and the alley so that traffic would not feed out into her neighborhood. She was told that would be fine if the Police Dept. deems it acceptable.

It was discussed that the brick proposal meets the ordinance under the criteria for site plan approval. Mr. Share was not sure the Planning Board has the authority to turn a site plan down that is otherwise compliant just on the basis that the board would rather have a different kind of brick. Mr. Williams thought this question about the Planning Board's jurisdiction on this type of an issue is important and should go to the City Attorney in terms of deciding what the board can do in the future. Certainly more development along Woodward Ave. will occur.

Mr. Koseck thought this will be a great project. He is a big advocate of scale and softness, especially where pedestrians will pass by. Therefore, he encouraged the applicant to seek other alternatives for brick.

Mr. Barbat mentioned several high end materials they will be using on the building.

Motion by Ms. Whipple-Boyce

Seconded by Mr. Williams to approve the Final Site Plan and Design Review for 33353 Woodward Ave. pending receipt of the following;

- 1. Applicant must revise the plans to indicate wooden gates on the dumpster enclosure;**
- 2. Applicant must provide the required parking lot screenwalls;**

3. Verify that the northwest most space in the angled parking area is 180 sq. ft. in order to be counted as an off-street parking space.
4. Install trees along the frontage of the subject parcel or obtain a waiver from the Staff Arborist;
5. Obtain a permit from M-DOT for changes in the right-of-way along Woodward Avenue;
6. Screen all roof-top units;
7. Add a bike rack with administrative approval;
8. Review with the Police Dept. or appropriate body the possibility of a no left turn from the alley onto Davis; and
9. This board is supportive of the Woodward Ave. Action Plan for future implementation that the applicant is aware of.

There were no public comments at 8:26 p.m.

Mr. Koseck announced he would not support the motion because of the choice of brick.

Motion carried, 6-1.

VOICE VOTE

Yeas: Whipple-Boyce, Williams, Boyle, Clein, Jeffares, Share

Nays: Koseck

Absent: Lazar

01-16-17

**2. 100 - 450 Woodland Villa Ct. (existing Woodland Villa Condos)
Request for Final Site Plan Review for addition of gate across Woodland Villa Ct.
(postponed from November 9, 2016)**

Motion by Mr. Williams

Seconded by Ms. Whipple-Boyce to receive and file the e-mail from Richard Rattner dated Tuesday, January 24, 2017 requesting withdrawal.

Motion carried, 7-0.

VOICE VOTE

Yeas: Williams, Whipple-Boyce, Boyle, Clein, Jeffares, Koseck, Share

Nays: None

Absent: Lazar

01-17-17

PRELIMINARY SITE PLAN REVIEW

**1. 35975 Woodward Ave. (currently vacant, former gas station)
Preliminary Site Plan Review for new two-story office/retail building (postponed
from January 11, 2017)**

Ms. Ecker advised that the parcel located at 35975 Woodward Ave., the former site of a gasoline service station, is currently vacant. In 2005, the gas station closed its operations and the remaining structure was later demolished in 2013. Construction of the existing parking lot was completed without site plan approval roughly one year ago. The applicant is proposing to demolish a portion of the surface lot to construct a new two-story building with on-site parking and various other site improvements.

The site has a total land area of .538 acres and is located at the southwest corner of Woodward Ave. and Oak. The parcel is zoned B-2B General Commercial and also D-2 in the Downtown Overlay District. It is proposed that the first floor of the building will contain a lobby, commercial space, and a two-car private parking garage. The second floor will be primarily office space. Since the site is located outside of the Downtown Parking Assessment District, on-site parking has been proposed in the rear for the ground floor and the second floor. The applicant is now proposing a 5,500 sq. ft. floor plate for each of the two stories above grade, plus the basement, for a total of 16,500 sq. ft. of gross space.

In accordance with Article 3, section 3.04 (B) (4) of the Zoning Ordinance, in the absence of an alley, the rear setback shall be equal to that of the adjacent, pre-existing building. The adjacent building, Douglas Cleaners, appears to have a 14 ft. rear setback. ***The applicant must verify the rear setback on the Douglas Cleaners building and match that, or obtain a variance through the BZA.***

In accordance with Article 04, section 4.20 LA-01 (G), the applicant is required to provide 11 street trees or obtain a variance from the BZA. The Staff Arborist may waive the full street tree requirement upon a determination that there is inadequate green space to support such trees. The applicant has had discussions with the Staff Arborist.

Design Review

At this time the applicant has provided elevation drawings, but specific details or specification sheets on the materials have not yet been provided. The plans submitted indicate that the applicant is proposing to utilize the following materials:

- Slate roof;
- Cut stone cornice;
- Aluminum clad windows;
- Stone (panels below windows);
- Brick soldier course above first floor windows;
- Brick (exterior walls); and
- Steel and glass (entrance canopy).

In response to Mr. Share, Ms. Ecker affirmed that the cobra light fixture near the driveway could be removed if it is on the applicant's property. Ms. Whipple-Boyce hoped to have a crosswalk at Woodward Ave. and Oak. Mr. Williams thought a speed limit of 35 mph should be in force along Woodward Ave. Mr. Boyle said that as a City, Birmingham is beholden to improving pedestrian safety on that junction. Mr. Koseck pointed out two parking spaces that could be rotated clockwise 90 degrees in order to simplify backing out.

Mr. Victor Saroki, Architect for the proposed development, was present along with Ms. Yvonne Yaldao, Project Architect, Mr. Michael Dul, Landscape Architect, and Ms. Jamie Rae Turnbull, Owner's Representative. Civil Engineer for the project is PEA and SME is their Environmental and Technical Consultant.

Mr. Saroki advised that the building is two stories in the D-2 Zoning District. The basement will be primarily for mechanicals and storage. The finished ceiling there is below 7 ft. 6 in., so it is not habitable and will not count toward their parking requirement. There are serious environmental issues on the site, and it has had a tremendous amount of fill added over the years. The third challenge is the cross-access easements with Douglas Cleaners that are recorded and in place.

Mr. Saroki pointed out they have reduced the width of all vehicular and pedestrian access openings in the screenwall to no more than 25 ft. in width. They are eliminating two curb cuts and adhering to all of the streetscape requirements. The parking requirement for the 9,800 sq. ft. usable area of the building excluding the basement and garage space is 33 spaces and they have 34 on-site.

The idea of a uniform rear yard line is quite difficult on this site. They would not be able to meet the parking requirement if they moved their building back to match the rear yard setback at Douglas Cleaners; therefore they plan to seek a variance. Mr. Saroki went on to highlight the high quality materials and where they will be used on the building.

He advised the Staff Arborist has agreed to waive the full street tree requirement because it may obstruct some of the views. They are more than happy to extend their sidewalk over to the potential crosswalk at Woodward Ave. and Oak when the location is determined. If they had to remove all of the contaminated soils on-site for underground parking, just the removal of the soils would be over \$3 million. Therefore, it became cost prohibitive. Soils for the basement will be removed and liners installed.

Mr. Saroki was good with turning the two parking spaces as Mr. Koseck suggested. If the cobra light is on their property they will remove it.

Chairman Clein asked him to coordinate with the owner of Douglas Cleaners to reshape the geometry of the approach coming around the corner.

Mr. Boyle asked about the use of the building. Mr. Saroki answered the second floor will be office and house a private foundation for the owner, Mr. Art Van Elslander, who recently sold his business. He explained how the curb cut on Woodward Ave. functions very well for the site (right in and right out only). If they were to do an L-shaped building in order to hide the parking, he is sure the parking requirements could not be met. Also, it would mean that the building would have to be very narrow and long, which is not very functional.

Chairman Clein thought this is a beautiful building and a beautiful design. Further discussion concluded if the zoning were changed and they could go up another story and fill up the site more, parking would have to go underground and there could be other issues.

Ms. Jamie Rae Turnbull explained that currently Douglas Cleaners does not have the ability to exit onto Woodward Ave. The previous owner of the subject site padlocked it.

Mr. Boyle observed the presence of a garage on the west elevation makes for a somewhat unusual condition. Mr. Saroki explained their owner requested the garage as a function for the building. They worked it into the elevation and it seems to work with the window fenestration and pattern.

The chairman called for comments from members of the public at 9:43 p.m.

Mr. Dave Underdown, the owner of the Douglas Cleaners property, described the history of his building and expressed his support of the proposed site plan.

Motion by Ms. Whipple-Boyce

Seconded by Mr. Boyle based on a review of the site plans submitted the Planning Board recommends approval of the Preliminary Site Plan Review for 35975 Woodward Ave. with the following conditions:

- 1. Verify the rear setback of the adjacent property and match that with the subject development or obtain a variance. The Planning Board supports the variance;**
- 2. Submit specification sheets for all mechanical equipment and a roof plan;**
- 3. Obtain a waiver from the Staff Arborist of two street trees;**
- 4. Planning Board approves the use of in-grade upward illuminating fixtures;**
- 5. Applicant comply with improvements to the sidewalk and ramp when the light controlled pedestrian crossing is added to the intersection of Oak and Woodward Ave.; and**
- 6. Comply with the requirements of all City departments.**

No one in the audience wished to comment at 9:50 p.m.

Motion carried, 7-0.

VOICE VOTE

Yeas: Whipple-Boyce, Boyle, Clein, Jeffares, Koseck, Share, Williams

Nays: None

Absent: Lazar

01-18-17

MEETING OPEN TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA (no public was left)

01-19-17

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

a. Communications

- The Long-Range Planning Session will be held on Saturday, January 28th.

- Mr. Boyle suggested asking the City to take a serious look at the Rail District Plan and the proposals that were in that plan to complete the N/S link from Lincoln to Cole. Bring forward under a capital improvement program that the City commits to carry that missing element in the Rail District Plan to fruition. Secondly, install the pedestrian crossing at Woodward Ave. and Oak.
- Mr. Williams thought the City should request M-DOT to slow the traffic down on Woodward Ave. between Quarton and Fourteen Mile Rd. Also, the City must get at the Master Plan, which will take a substantial amount of time. Further, redo all of the errors in the Zoning Ordinances.
- Ms. Whipple-Boyce suggested that board members review the Rail District Corridor Improvement study prior to attending the Long Range Planning Session.
- Mr. Jeffares expressed his frustration with lack of parking and Code enforcement.
- Mr. Koseck encouraged using different ways to approach the Master Plan so that the big ticket items are dealt with quickly in order to keep moving forward. For him the biggest disappointment in this town is the Triangle District. Nothing of any scale is happening there because there is no public parking structure.

b. Administrative Approval Correspondence

- 2254 Cole St., Ste. E, Cole IV - Approval for 6,400 sq. ft. fitness studio with massage therapy; renovate parking lot. - DENIED.
- Ms. Ecker advised that 856 N. Old Woodward Ave. has requested to switch Indiana limestone for cast stone. Mr. Koseck noted that cast stone wicks, cracks, and has issues. The Planning Board approved limestone and there is no consensus to reduce the quality of the material to cast stone.

c. Draft Agenda for the Regular Planning Board Meeting on February 8, 2017

- Dormers - public hearing;
- Glazing - study session;
- Ad Hoc Rail District Report; and
- Action List.

d. Other Business (none)

01-20-17

PLANNING DIVISION ACTION ITEMS

- a. Staff report on previous requests (none)
- b. Additional items from tonight's meeting (none)

01-21-17

ADJOURNMENT

No further business being evident, the chairman adjourned the meeting at 10:05 p.m.

Jana Ecker
Planning Director

ADJOURNMENT