

**CITY OF BIRMINGHAM
PLANNING BOARD ACTION ITEMS
OF WEDNESDAY, JANUARY 14, 2015**

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**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, JANUARY 14, 2015
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on January 14, 2015. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Carroll DeWeese, Bert Koseck, Gillian Lazar, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Member Daniel Share; Student Representative Shelby Wilson (left at 9:15 p.m.)

Absent: Board Member Robin Boyle; Alternate Board Member Stuart Jeffares; Student Representative Jack Moore

Administration: Matthew Baka, Senior Planner
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

Chairman Clein introduced and welcomed the new alternate member, Daniel Share.

01-01-15

**APPROVAL OF THE MINUTES OF THE SPECIAL PLANNING BOARD MEETING
HELD DECEMBER 10, 2014**

Chairman Clein:
Correct spelling of his name on the last page.

Motion by Mr. Williams

Seconded by Mr. DeWeese to approve the Minutes of the regular Planning Board meeting on December 10, 2014 as corrected.

Motion carried, 7-0.

VOICE VOTE

Yeas: Williams, DeWeese, Clein, Koseck, Lazar, Share, Whipple-Boyce

Nays: None

Absent: Boyle

01-02-15

CHAIRPERSON'S COMMENTS

The study session for Garage Front Houses has been removed from this evening's agenda.

Mr. DeWeese recommended that in a combined meeting, study sessions should always be toward the end of the agenda.

01-03-15

APPROVAL OF THE AGENDA (no changes other than above)

01-04-15

STUDY SESSION

Garage Front Houses (postponed to February 11)

01-05-15

SPECIAL LAND USE PERMIT ("SLUP")

PRELIMINARY AND FINAL SITE PLAN REVIEW

1755 and 1775 E. Melton (postponed from November 19, 2014)

Eton Academy

Construction of a one-story addition to connect the school and former church building

Mr. Baka advised that the former St. Columban Church is located immediately south of the Eton Academy at 1775 Melton. Both properties are currently zoned R-2 (Single Family Residential). Eton Academy operates under a SLUP at their location, as did the former St. Columban Church.

On November 11, 2013, Eton Academy was approved for a SLUP Amendment to purchase the existing St. Columban Church building, parking lot and property at 1775 Melton. At this time, the applicant is seeking approval to convert the existing church for office and tutoring space.

On November 19, 2014, the Planning Board postponed the application to January 14, 2015 to allow the applicant time to provide additional information. The board agreed to review the Preliminary and Final Site Plans at that time.

As this is a SLUP, the Planning Board will review the plans and make a recommendation to the City Commission. The City Commission's approval of the SLUP application or amendment shall constitute approval of the site plan and design.

Design Review

The plans show the proposal to establish connections between the existing school building and church through a concrete walkway and decorative wood screenwall at the

front of the buildings and a newly constructed learning center, lobby and hallway system connecting the rear of the church building and the existing Eton Academy. Also, the existing gymnasium is proposed to be newly clad in cedar siding.

Chairman Clein received confirmation that the addition is 2,090 sq. ft.

Mr. Robert Huer with Lord-Aeck-Sargent Architecture explained the link between the two buildings is not a covered walkway because they would have to move a transformer to a different location. The fence protects the interior area that they envision as a play area for the lower school. Also, it masks what is currently the main entry. Holes in the fence allow people to peak through. They have taken the paving away from the front of the building and it will all be landscaped. Mr. Huer went on to describe the circulation plan. They have significantly increased the queuing available in the parking lot as opposed to out on Melton.

Motion by Mr. DeWeese

Seconded by Mr. Williams to recommend approval of the Preliminary and Final Site Plan Review and SLUP Amendment for 1755 and 1775 Melton, Eton Academy, to the City Commission.

Mr. Koseck commented the applicant has done a lot to improve the site and he thinks they have done it beautifully. Chairman Clein appreciates their efforts in highlighting the transportation and circulation.

There were no final public comments on the motion at 7:48 p.m.

Motion carried, 7-0.

VOICE VOTE

Yeas: DeWeese, Williams, Clein, Koseck, Lazar, Share, Whipple-Boyce

Nays: None

Absent: Boyle

01-06-15

SPECIAL LAND USE PERMIT ("SLUP")

FINAL SITE PLAN REVIEW

563 and 575 S. Eton

Griffin Claw Brewery

Request for approval of new construction of a whiskey distillery building and a new entrance to the existing restaurant

Mr. Baka recalled the subject property is located at 563 & 575 S. Eton. The applicant was approved for a SLUP on December 12, 2011 for the operation of a permitted commercial use over 6,000 sq. ft. The current use consists of a 6,344 sq. ft. brewery, 3,494 sq. ft. restaurant, 2,170 sq. ft. walk in cooler, outdoor seating, and associated parking lot. The total area of the lot is 1.52 acres. At this time, the applicant is proposing to construct a new 4,525 sq. ft. accessory structure at the rear of the property for barrel aging and additional storage, to expand the existing beer garden, to add a new shipping

container entrance, and add a new structural canopy at the service doors. The proposal will require the alteration of the existing parking layout to accommodate the changes, and that will involve the elimination of 18 parking spaces. With that, the site will still have six spaces over the requirement.

As this is a SLUP, the Planning Board will review the plans and make a recommendation to the City Commission. The City Commission's approval of the Special Land Use Permit application or amendment shall constitute approval of the site plan and design.

Design Review

The building is designed with an industrial look to fit in with the numerous industrial buildings in the MX District. The pedestrian connections proposed will link this site with neighborhoods to the east and west of the site.

The applicant is proposing to expand the existing outdoor/biergarten area by 519 sq. ft. The additional space will be used to provide four wooden beer hall style tables and two new bistro tables with two chairs made of painted wood and metal.

Based on the amount of street frontage the brewery has facing S. Eton the site is permitted 175 sq. ft. of signage. The applicant was previously approved to have 119.4 sq. of signage. With the addition of the new sign the total proposed signage for the site is 131.3 sq. ft. Accordingly, the signage for Griffin Claw meets the Ordinance requirements.

Mr. Roman Bonislowski, Ron and Roman Architects, said part of the experience of visiting Griffin Claw is truly being part of the entire brewing and distillation process. Mr. Dan Rogers, the brewmaster, is bringing his expertise now to the distillation of different spirits. The proposal is an important component of the project because it only makes sense to have this simplistic building to house approximately three hundred barrels to be aged.

The only controversial issue is their proposed use of seven very simple black aluminum and clear glass up/down lights along the north and west facade of the accessory building that are in the same style as the cylinder up and down lights that are on the front of the building. The fixtures do not meet the Zoning Ordinance requirement for cut-off lights.

He described the intensity of usage at the barrel house as very minimal. The barrels go in and they age for years.

Mr. Williams commented that at 7 p.m. this evening every parking space was full and it is winter. Eighteen spaces will now be moved into the neighborhood.

Chairman Clein said that considering the number of vehicles in the parking lot he is bothered by the 16 ft. 7 in. wide drive aisle. He received confirmation that the height of the canopy works at 17 ft.

The chairman called for comments from the public at 8:45 p.m.

Mr. Brian Renner, 1971 Bowers, expressed his concern about the removal of 18 parking spaces and the effect it will have on his street and on Eton. He encouraged the board to think about opportunities to improve parking availability for the patrons and not to affect the side streets.

Mr. Ron Glazer who lives on Webster said he too has a huge problem with losing 18 parking spots. The proposal is a large addition to an already large built-out area of property and he doesn't like it. The cement block building material doesn't seem to him to be very high quality. If this is allowed, the parking really needs to be adjusted.

Mr. Brian Renner spoke again to ask what if there is an emergency situation and fire trucks cannot get through because there are cars parked on both sides of Eton. He requested the board to think about that.

Ms. Ecker advised when residential streets get overrun with parking from other uses there is a Residential Parking Permit Program that allows neighbors to approach the Multi-Modal Transportation Board to consider making a street Residential Permit parking only.

Ms. Whipple-Boyce sympathized with the neighborhood concerns. She thought parking on Eton should be encouraged. If snow is blocking the painted curbs, perhaps some "No Parking Here to Corner" signs need to be installed. Also, there may be some opportunities for shared parking with Lego Garage. Lastly, perhaps a valet arrangement could be explored for parking in the garage or on Palmer.

Mr. Scott LePage, the business owner, said they currently have shared parking with Lego Garage. He could have the brewery staff park at Big Rock in the summer months. He offered to pay for striping parallel spots along Palmer.

Mr. Williams observed that crossing Eton to get to the brewery is a problem because people can't see around the cars on both sides and drivers can't see the people coming across. He thinks the City should put stop signs along Eton to enable pedestrians and bicyclists to cross the street safely.

Mr. Koseck said he has been there a number of times and always found a parking space. This proposal shows him that an ordinary, utilitarian type building can be done and be beautifully understated. He thinks the concrete block is totally complimentary and appropriate and he likes the collection of all the accessory buildings - like going to a winery.

Chairman Clein said the more that people park on Eton, the slower traffic will go. His advice to the neighbors was to definitely look into permit parking. Personally, he was supportive of the project.

Motion by Mr. DeWeese

Seconded by Mr. Koseck to recommend approval to the City Commission of the Final Site Plan and SLUP Amendment for 563 and 575 S. Eton, subject to the following condition:

1) The applicant complies with the comments/suggestions made by the various departments and addresses the width of the parking lot access in front of the brew house, subject to administrative approval.

There were no final comments from the public at 9:35 p.m.

Motion carried, 6-1.

VOICE VOTE

Yeas: DeWeese, Koseck, Clein, Lazar, Share, Whipple-Boyce

Nays: Williams

Absent: Boyle

01-07-15

FINAL SITE PLAN REVIEW

245, 325 and 375 S. Eton

District Lofts, Building B

Construction of a new four-story, mixed-use building to include commercial space and residential loft units

Ms. Ecker explained the subject site, 375 S. Eton, is part of a larger site including the existing Big Rock Chop House, Big Rock Chop House parking deck, the Reserve banquet facility, and the District Lofts - Villa Street Building (Building A), and has a total land area of 3.54 acres. It is located on the southeast corner of S. Eton and Maple Rd., and extends down to Villa St. to the south. A Special Land Use Permit ("SLUP") was granted for the Reserve on September 22, 2003 as it exceeds 6,000 sq. ft. in size, and has hours of operation past 11 p.m. The applicant was also required to prepare a Community Impact Study ("CIS") in accordance with section 7.27(E) of the Zoning Ordinance at the time that the entire site was originally approved (when Building A was to be constructed), and the CIS was accepted by the Planning Board on January 25, 2006. As the Big Rock Chop House is also listed in the City's inventory of historic properties, the entire site was also previously reviewed and approved by the Historic District and Design Review Committee ("HDDRC").

The applicant is proposing to construct the final phase of the entire development which was originally approved on August 6, 2006. This final phase includes the proposed construction of a four-story, mixed-use building containing 18 residential loft units, two live/work ground floor units and two commercial spaces on the first floor (Building B). Building B is not located in a Historic District. All of the underground parking will be under the footprint of the new loft building and accessed from the existing loft building. The units range in size from 924 sq. ft. to 2,800 sq. ft.

The applicant meets the majority of the bulk, height, area and placement requirements for the MX Zoning District. **However, the applicant will be required to reduce the height of the building or obtain a variance from the Board of Zoning Appeals to allow the mechanical tower and other equipment to exceed 50 ft. in height.** The applicant is proposing 58 ft. including the mechanical and four stories. They have advised that they wish to seek a variance from the BZA to allow the stair and elevator

tower to provide access to the rooftop, **and to seek a variance to allow a rooftop deck with a pergola and an enclosed exercise room and a restroom if the Planning Board is supportive of this use.**

Design Review

The proposed building design matches the contemporary style of the existing District Lofts building next door, while using some traditional style materials to blend in with the historic Big Rock Restaurant and The Reserve to create a building design that is harmonious with both the Mixed-Use District on the east side of Eton and the Single-Family Residential District on the west side of Eton. Overall, the proposed design of Building A is compatible with the vision for the MX District contained in the Eton Road Corridor Plan. All of the materials match what is on the existing loft building.

Mr. Victor Saroki, the architect for this development, was present along with Mr. Scott LePage, the developer; and Mr. John Kelly, the general contractor. The new building is exactly the same as originally proposed, except for the roof terrace. The original building has been very successful and there is a waiting list to get in. This building has some nice retail spaces that front right on Eton. The materials and aesthetic details are meant to resemble updated warehouses. The project meets all parking requirements and an additional 34 underground spaces are proposed for the new building. They are happy to work with staff to identify street furniture along Eton and the appropriate spaces for lighting along both Eton and Villa.

They see the roof terrace as a nice element to introduce into this project. Serviceability for the mechanical equipment is a practical consideration for allowing the stairs and elevator to go to the roof. In the MX District the allowable building height is 45 ft. and only 5 ft. more is permitted for mechanical. All the other zoning districts in town permit 10 ft. for mechanical. So with only 5 ft. permitted, the only way to get to the roof is to climb up a ladder and through a hatch. In summary, the rooftop terrace is a small element that is practical for service and it is good for the residents. Mr. Saroki thinks that use of the roofs should be encouraged, but it cannot be done with only 5 ft. allowed above the building height.

Ms. Whipple-Boyce thought the rooftop area is somewhat like a fifth story. She suggested they could achieve what they want by taking half of an end unit and turning it into a terrace. Mr. Saroki replied if they are not successful at the BZA, the terrace won't happen.

Mr. Koseck likes the aesthetic of the building. He was surprised at the 5 ft. limit on rooftop screening, the same with stairs and an elevator. Mr. Saroki showed the circulation through the site and explained how people can go in and out comfortably.

Mr. DeWeese said he finds it very hard to support the uses, given the way the ordinance is written; but again, it is not clear why it is that way because the 5 ft. height allowance for screening is not practical.

In response to Chairman Clein, Mr. Saroki stated there is no intention to add an enclosure to allow for all season use. This is truly a sun deck.

The Chairman called for comments from members of the public at 9:55 p.m.

Mr. J. Colman, 521 Lewis, asked where all the cars will park. Ms. Ecker verified that the applicant complies with the parking requirement. Mr. Saroki said they have 397 spaces on-site, which is an excess of 60 spaces, not including street parking. Mr. Williams noted that people always want to park on the streets.

Motion by Ms. Whipple-Boyce

Seconded by Mr. Share to approve the Final Site Plan and Design Review for 375 S. Eton subject to the following conditions:

- 1) Reduce the height of the building or obtain a variance from the BZA to allow the mechanical tower and other equipment to exceed 50 ft. in height;**
- 2) Remove all uses above 40 ft. in height (deck, exercise room and restroom) or obtain a variance from the BZA;**
- 3) Provide specification sheets for the proposed rooftop mechanical equipment and identify the proposed roofing material;**
- 4) Add one street tree along Villa and provide street lights every 40 ft. on S. Eton and every 80 ft. on Villa all along the north side, adjacent to Buildings A and B, with all locations to be administratively approved; and**
- 6) Add benches, trash receptacles and bike racks, with locations to be administratively approved.**

There were no comments from the audience on the motion at 10:03 p.m.

Motion carried, 7-0.

VOICE VOTE

Yeas: Whipple-Boyce, Share, Clein, DeWeese, Koseck, Lazar, Williams

Nays: None

Absent: Boyle

01-08-15

MEETING OPEN TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA (no discussion)

01-09-15

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

a. Communications

- 2200 Holland, Mercedes-Benz was approved for their variance at the Board of Zoning Appeals;
- As yet no bistros have made their submittal for 2015. Applications will open up again in April.

- b. Administrative Approvals (none)
- c. Draft Agenda for the Regular Planning Board Meeting on January 28, 2015
 - 2483 W. Maple Rd., Cranbrook Car Care - Preliminary Site Plan Review and Special Land Use Permit for a drive-through;
 - One of the two E. Lincoln properties for Final Site Plan Review;
 - Board members decided to move up the proposed February 11, 2015 study session on garage front houses to the January 28, 2015 meeting.
- d. Other Business
 - Long-Range Planning Session is scheduled for January 31 and options for providing some additional parking around town will be discussed;
 - The Corridor Improvement Authority ("CIA") meets January 22. They are looking at approving the Development Plan and TIF Plan and starting the process of setting the base which will allow them to capture money to be used to fund public parking in the Triangle District. From the CIA it will go to the City Commission.
 - The Multi-Modal Transportation Board met and they are starting a study of the W. Maple Rd. Corridor. They have decided to set up an informal Multi-Modal Steering Committee that will meet monthly through April or May.

01-10-15

PLANNING DIVISION ACTION ITEMS

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

01-11-15

ADJOURNMENT

No further business being evident, board members motioned to adjourn at 10:10 p.m.

Jana Ecker
Planning Director