

**CITY OF BIRMINGHAM  
PLANNING BOARD ACTION ITEMS  
OF WEDNESDAY, JANUARY 28, 2015**

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<b>SPECIAL LAND USE PERMIT ("SLUP") PRELIMINARY SITE PLAN REVIEW 2483 W. Maple Rd. Dearborn Financial Credit Union</b>	4
<p style="margin-left: 40px;"><b>Motion by Mr. DeWeese</b></p> <p><b>Seconded by Mr. Jeffares to approve the Preliminary Site Plan Review and SLUP for 2483 W. Maple Rd. with the following conditions:</b></p> <ol style="list-style-type: none"> <li><b>1) The applicant will be required to provide the required screen walls or obtain a variance from the BZA;</b></li> <li><b>2) The applicant will be required to increase the height of the screen wall by 6 in. or obtain a variance from the BZA;</b></li> <li><b>3) The size of all parking spaces must be increased to 180 sq. ft. or the applicant must obtain a variance from the BZA;</b></li> <li><b>4) The applicant will be required to provide an accurate photometric plan that is compliant with the Zoning Ordinance for review at Final Site Plan Review;</b></li> <li><b>5) The applicant modify the sign plan so that the total amount of signage proposed does not exceed 73 sq. ft.;</b></li> </ol> <p><b>The applicant will be required to provide 70 percent glazing on all sides of the building or obtain a variance from the BZA;</b></p> <ol style="list-style-type: none"> <li><b>7) Compliance with the requirements of the City Departments subject to administrative approval.</b></li> </ol>	6
<p><b>Motion failed, 1-6.</b></p>	7
<p style="margin-left: 40px;"><b>Motion by Mr. DeWeese</b></p> <p><b>Seconded by Mr. Williams to postpone the Preliminary Site Plan Review and SLUP for 2483 W. Maple Rd., DFCU Financial, to February 11, 2015.</b></p>	7
<p><b>Motion carried, 7-0.</b></p>	7
<b>FINAL SITE PLAN REVIEW 2159 and 2295 E. Lincoln The West District Live/Work Apartments</b>	7

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<b>Motion by Mr. DeWeese</b> <b>Seconded by Mr. Koseck to postpone the Final Site Plan Review for 2159 and 2295 E. Lincoln, The West District Live/Work Apartments to February 11 subject to the applicant coming back with revisions consistent with comments tonight.</b>	9
<b>Motion carried, 4-3.</b>	9
<b>Motion by Mr. DeWeese</b> <b>Seconded by Mr. Jeffares to change the date and postpone the Final Site Plan Review for 2159 and 2295 E. Lincoln, The West District Live/Work Apartments, to February 25.</b>	10
<b>Motion carried, 6-1.</b>	10

APPROVED

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**CITY OF BIRMINGHAM  
REGULAR MEETING OF THE PLANNING BOARD  
WEDNESDAY, JANUARY 28, 2015  
City Commission Room  
151 Martin Street, Birmingham, Michigan**

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Minutes of the regular meeting of the City of Birmingham Planning Board held on January 28, 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 Stuart Jeffares

**Absent:** Board Member Robin Boyle; Alternate Board Member Daniel Share; Student Representatives Jack Moore, Shelby Wilson

**Administration:** Matthew Baka, Senior Planner  
Ken Cooper, Asst. Building Official  
Jana Ecker, Planning Director  
Bruce Johnson, Building Official  
Scott Lenhart, Building Dept.  
Carole Salutes, Recording Secretary

**01-12-15**

**APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING  
HELD JANUARY 14, 2015**

**Motion by Mr. DeWeese**

**Seconded by Mr. Koseck to approve the Minutes of the regular Planning Board meeting on January 14, 2015 as presented.**

**Motion carried, 7-0.**

VOICE VOTE

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

Nays: None

Absent: Boyle

**01-13-15**

**CHAIRPERSON'S COMMENTS (none)**

01-14-15

## APPROVAL OF THE AGENDA

**Motion by Mr. DeWeese**

**Seconded by Mr. Williams to move Garage Front Houses to the top of the agenda.**

**Motion carried, 7-0.**

VOICE VOTE

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

Nays: None

Absent: Boyle

01-15-15

## STUDY SESSION

**Garage Front Houses** (postponed from January 14, 2015)

Ms. Ecker provided an overview. Back in 1998, the Planning Board drafted the provisions in section 4.70 and the definitions in section 9.02 of the Zoning Ordinance to ensure that attached private garages did not dominate the front of single-family homes.

However, over the years creative design plans have been submitted to the City and approved for single-family homes with attached, private garages that protrude in front of the principal residential building on the site. By extending the living area over an attached garage and then down in front of the garage by at least 5 ft., designers have found a way to technically comply with the ordinance by removing the garage from the linear building frontage and setting it back 5 ft. from the front facade. Complaints have been received that these designs are a violation of the Zoning Ordinance structure standards. There is no interaction between people within the house and people on the street.

On November 19, 2014, staff conducted a PowerPoint presentation that offered a history of home design in the City that illustrated why a provision to control the placement of garages was originally desired, and how home designs have been altered over the years as a result of the existing attached garage regulations. The presentation also offered two suggestions for the Planning Board to consider to provide appropriate controls.

It was clearly noted that both options place additional restrictions on attached garages located on front facades ONLY, and neither of these options change the existing controls on detached garages and accessory structures.

On November 19, 2014, the Planning Board also discussed the maximum width of front-facing garage doors to allow easier maneuvering of vehicles into the garage. The Planning Board indicated their support to increase the maximum width for front-facing garage doors to 9 ft. in width, while maintaining the requirement for such doors to be separated by a jamb at least 8 in. in width.

After much discussion, board members stated that they were in favor of allowing living space above attached garages. The board thus directed staff to eliminate the second option, and to refine option 1 keeping in the provision that the front façade of attached garages cannot exceed 50% of the width of the front of the house and must be set back a minimum of 5 ft. from the front of the house, but refining clearly what portion of the front façade the garage must be set back from.

Accordingly, Ms. Ecker presented ordinance language that incorporates each of the refinements previously discussed for the former option 1. Each option states the residential garage shall not occupy more than 50% of the linear building frontage. Also, each option discusses the 9 ft. garage door width and each talks about a 5 ft. setback from a particular portion of the facade:

- \* Original Option 1 - The setback must be 5 ft. back from the portion of the front facade on the first floor that is furthest set back from the front property line excluding allowable projections into the required open space as listed in Article 4. *This is easy to understand and design and easy to review for compliance and enforcement.*
- \* Option 1A - The garage must be setback 5 ft. back from the longest portion of the front facade on the first floor excluding allowable projections into the required open space. *This is also easy to understand and design and easy to review for compliance and enforcement.*
- \* Option 1B - The setback must be 5 ft. back from the average setback of all portions of the front facade on the first floor excluding allowable projections into the required open space. *This is most difficult to calculate and design and most difficult to review for compliance and enforcement.*
- \* Option 1C - The setback must be a minimum of 5 ft. from the main entry door on the front facade on the first floor. In order to be considered a main entry door, it must be located on a portion of the front facade at least 8 ft. in width. *This is harder to understand and design and easy to review for compliance and enforcement.*

Mr. Cooper explained the front facade is the address where the Certificate of Occupancy was issued. If the house is turned slightly so it is not exactly parallel to the street, Mr. Johnson said to look at the front facade as it is shown on the elevation of the drawings and that is the front facade.

Mr. Koseck expressed his preference for Option 1 because it keeps things simple. Mr. Jeffares noted the board is trying to downplay garage dominance, but play up front door prominence. If the board ignores the front door and just works on the garage they might not get what they want. The board has to balance their intent with staff's ability to enforce.

Mr. DeWeese declared they could specify that the main entry door cannot be behind the garage door and that there must be a main entry door on the front facade. Chairman

Clein summarized that the board is leaning toward a version of the Original Option 1 with some emphasis on front entries.

There was board consensus that staff would come back with Option 1, adding language that puts emphasis on the real front door. Mr. Koseck added that garage doors facing any street must be 9 ft. in width. Ms. Whipple-Boyce wanted to be careful that the board doesn't tell people too much what to do with their designs.

01-15-16

**SPECIAL LAND USE PERMIT ("SLUP")  
PRELIMINARY SITE PLAN REVIEW  
2483 W. Maple Rd.  
DFCU Financial  
New construction of one-story drive-through bank building**

Mr. Baka explained the site at 2483 Woodward Avenue is the current location of Cranbrook Auto Care. The petitioner intends to demolish the current building and construct a one-story bank with a drive-through.

The existing site is zoned B-1. The bank use is permitted; however the drive-in facility requires a SLUP. Should Preliminary and Final Site Plan approval be granted by the Planning Board, a public hearing will be held by the City Commission to consider granting the proposed SLUP. The applicant must meet the requirements outlined in Article 07, section 7.36 in order to receive SLUP approval from the City Commission to operate the proposed drive-in teller.

Article 4, section 4.53 of the Zoning Ordinance requires all parking facilities that abut a street, alley, passage or mixed passage to provide a screenwall. ***The applicant will be required to provide the required screenwalls or obtain a variance from the Board of Zoning Appeals ("BZA").***

In accordance with section 4.49 (B7), a 6 ft. high masonry wall is required along the rear property line of any parking facility which immediately adjoins the rear property line of any parking facility which immediately adjoins the rear lot line of property located in a residentially zoned district. ***The applicant will be required to increase the height of the proposed screenwall by 6 in. or obtain a variance from the BZA.***

In accordance with Article 04, section 4.41 of the Zoning Ordinance, the petitioner is required to provide off-street parking for the proposed building and use. ***The size of all parking spaces must be increased to 180 sq. ft. or the applicant will be required to obtain a variance from the BZA.***

*Design Review*

The design review for the site and building will be covered in greater detail during Final Site Plan review. The applicant has submitted preliminary design plans and material usage for each façade. The building as proposed will be primarily constructed of red face brick with limestone head caps above the windows and almond color porcelain tile on the soffit. The roof is proposed to be black asphalt

shingles. In addition, the applicant will be required to comply with the window standards of Article 04 section 4.83 WN-01, which requires that 70% glazing be provided on any ground floor facade that faces a street, plaza, park or parking area. **Accordingly, the applicant will be required to provide 70% glazing on all sides of the building or obtain a variance from the BZA.**

Mr. Williams noticed that people using the branch will have to walk through the drive-through area to get in and out. He was concerned with the safety aspect of getting the pedestrians safely to the building.

Ms. Ecker read a communication into the record that specified details of specific operations relative to the facility.

Mr. Vince Pangle, Strategic Property Services, was present on behalf of DFC Financial, the tenant that will land lease the property on a long-term basis from Sam and Mary Karana, the property owners. DFCU Financial will be cleaning up the site, removing the underground tanks, and eliminating two curb cuts closest to the intersection of Maple Rd. and Cranbrook. They plan to bring the screenwalls up to code. With regard to the glazing, they may have to seek a variance from the BZA. This is a rather unique site because the 70% glazing standards apply to all sides of the building.

Mr. DeWeese asked about the options for moving the drive-through away from the building in order to minimize pedestrian conflict with cars. Mr. Pangle replied that if the drive-through is detached from the facility pneumatic tubes are a constant headache because they break down. He said correct marking on the pavement would make drivers aware that pedestrians come across from the parking lot.

Mr. Rich Fosgood, Civil Engineer for the project, said they had considered a number of layouts for the site. He thought they could install an elevated 5 ft. wide walkway for the pedestrians. Mr. Mark Winnik with DFCU Financial explained their nine employees will park the furthest point away from the building. In response to Mr. Koseck, he explained their plan for disposal of trash. Mr. Koseck wondered if they could get the dumpster up against the building. Mr. Winnik replied the drivers do not want to get out of their truck to pick up the trash. Chairman Clein had serious doubts that trash pick-up during normal business hours would work. Mr. Koseck thought some improvements could be made to the plan.

Ms. Whipple-Boyce said she is excited about the project. She thought the distance to the front door from the parking lot is pretty far and a lobby in the rear might be something to consider. There may be a few things to work out as far as the circulation at the back.

Mr. Pangle pointed out there is a lot of room to view the building and surrounds so people can be seen as they exit the drive-through.

Mr. Williams did not like the congestion in the area of the southwest corner: the five cars entering and exiting, the cars coming through the drive-through, the cars coming in off of Cranbrook, and pedestrians trying to get to the front door. He suggested there

has to be a better way to get pedestrians into the building and away from that particular location.

Chairman Clein said after studying the configuration he doesn't see any better options than what has been put forth. He stated his concerns with the dumpster, the first parallel parking spaces, and with the large expanse of pavement as Mr. Williams had mentioned. He suggested that the driveway to Cranbrook could be one-way out and the entrance would be from Maple Rd.

Mr. Koseck recommended rotating the building 90 degrees. It pushes the teller function closer to the residential. There are some simple enhancements that could improve the plan. The large ground sign seems totally out of proportion with the building. Mr. Jeffares thought the raised walkways and striping are perfectly adequate to handle pedestrian circulation.

Chairman Clein took comments from the members of the public at 8:20 p.m.

Mr. Ron Noid, 2496 Devon Ln., said they are in support of the property owner. His concern is for the green space buffer.

Mr. John Murray, 2497 Devon Ln., also spoke in support of the property owner's proposal. Maybe the traffic light at Cranbrook and Maple Rd. could be changed. He wanted the green belt to remain. Also, truckers park in the No Standing spots along Devon Ln. to eat their pizza lunch. Ms. Ecker agreed to pass that along to the Police Dept.

**Motion by Mr. DeWeese**

**Seconded by Mr. Jeffares to approve the Preliminary Site Plan Review and SLUP for 2483 W. Maple Rd. with the following conditions:**

- 1) The applicant will be required to provide the required screenwalls or obtain a variance from the BZA;**
- 2) The applicant will be required to increase the height of the screenwall by 6 in. or obtain a variance from the BZA;**
- 3) The size of all parking spaces must be increased to 180 sq. ft. or the applicant must obtain a variance from the BZA;**
- 4) The applicant will be required to provide an accurate photometric plan that is compliant with the Zoning Ordinance for review at Final Site Plan Review;**
- 5) The applicant modify the sign plan so that the total amount of signage proposed does not exceed 73 sq. ft.;**

**The applicant will be required to provide 70 percent glazing on all sides of the building or obtain a variance from the BZA;**

- 7) Compliance with the requirements of the City Departments subject to administrative approval.**

Mr. Koseck specified he is in favor of the project but there are some details and safety considerations and thus he would like to see this project back before the board one more time. Ms. Lazar added there is not enough emphasis on pedestrian safety.

**Motion failed, 1-6.**



ROLLCALL VOTE

Yeas: Jeffares

Nays: Clein, DeWeese, Koseck, Lazar, Whipple-Boyce, Williams

Absent: Boyle

**Motion by Mr. DeWeese**

**Seconded by Mr. Williams to postpone the Preliminary Site Plan Review and SLUP for 2483 W. Maple Rd., DFCU Financial, to February 11, 2015.**

**Motion carried, 7-0.**

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

VOICE VOTE

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

Nays: None

Absent: Boyle

01-17-15

**FINAL SITE PLAN REVIEW**

**2159 and 2295 E. Lincoln**

**The West District Live/Work Apartments**

**Construction of a new four-story, mixed-use building with live/work units and residential loft units**

Ms. Ecker advised that the subject sites, 2159 & 2295 E. Lincoln are currently two parcels. The parcel at 2295 E. Lincoln contains an existing two-story commercial/industrial building and associated parking. No changes are proposed to this building or parking area. The parcel at 2159 E. Lincoln contains a vacant building and parking area that was once occupied by a Birmingham Public School bus station, garage and repair shop. The applicant has advised that they intend to combine both parcels into one parcel. The combined site has a total land area of 2.07 acres and is located on the north side of Lincoln east of Eton Rd.

At this time, the applicant is proposing to demolish the existing former bus repair structure and surrounding pavement and fencing to construct a four-story live/work, mixed-use building. A majority of the enclosed first floor is proposed to contain on-site parking while the second, third and fourth floors will contain 36 live/work units. Additional parking is also provided in a surface lot to the north of the building and on-street. The applicant was required to prepare a Community Impact Study ("CIS") in accordance with Article 7, section 7.27(E) of the Zoning Ordinance as they are proposing one new building containing more than 20,000 sq. ft. of gross floor area.

On September 24, 2014, the applicant returned with revised plans to address some of the concerns raised by the Planning Board at the previous meeting on August 27, 2014. After discussion, the Planning Board voted to approve the Preliminary Site Plan Review with various conditions.

On November 11, 2014, the applicant appealed to the Board of Zoning Appeals ("BZA") to overturn the interpretation of the building official that ruled no parking was permitted within 10 ft. of the front façade of a building, regardless of whether it was on the frontage line or not. In the alternative, the applicant requested a variance to allow parking within 10 ft. of the front façade. After considerable dialogue, the BZA denied both requests.

Therefore, the applicant has made changes to the proposed building to shift the proposed parking within the building back 10 ft. from the front setback line.

The parking spaces located in the outdoor surface lot behind the building are only 162 sq. ft. in size. **Thus, the applicant will be required to increase the size of the parking spaces to 180 sq. ft. or obtain a variance from the BZA.**

#### *Design Review*

The applicant has added new storefront display windows with artwork, etc. posted on the walls, a wider lobby with windows, and a glass door for the front entrance to the interior parking area at the west end of the building. The elevation drawings state that 70% glazing is proposed for the first floor along E. Lincoln, with 27% glazing on the upper floors, thus meeting the window standards contained in Article 4, Section 4.83 WN-01. The proposed contemporary building design matches the industrial style of existing industrial and mixed-use buildings within the Rail District.

Mr. Sean Havera, with the developer, was present with Mr. Ron Hughes and Mr. Don Bailey, the co-owners of the property; and Mr. Thom Phillips, Hobbs & Black Architects. Mr. Havera announced they plan to comply with all department concerns.

Mr. Phillips said he will take care of refining the photometrics and their intention is to comply with ordinance requirements.

Mr. Havera explained they have reconfigured the parking and created a corridor for storage along with a fitness area for the tenants. There is no ability to provide underground parking on this site. Chairman Clein requested the placement of a bike rack up front in the pedestrian plaza. Also, he asked the applicant to consider if there is an opportunity to improve the pedestrian flow at the rear of the parking lot to enable people to get to the lobby.

Ms. Whipple-Boyce was **pleased** ~~disappointed~~ they have taken away parking and **disappointed that** the board has received storage in return. Close to 200 ft. of hallway and storage doesn't activate the street and cause people to want to walk there. This is a missed opportunity because there could be two retail stores instead. Mr. Jeffares echoed those thoughts. Mr. Koseck was also bothered by the lack of retail along E. Lincoln. The storage area could be turned into commercial space and that would accomplish bringing a little energy into the area. Perhaps incorporate true live/work spaces that relate by a circular stair to the unit above.

Mr. Don Bailey insisted they cannot create a downtown atmosphere with 300 ft. of retail. However, he thought there is a likelihood within several years that frontage will

transform itself into something a little different. Ms. Whipple-Boyce observed the retail has to start somewhere. They have to encourage retail development going forward so the next developer that comes along wants to continue the trend. Mr. Koseck thought it would be nice if the exterior pallet could be more diverse from their other project on E. Lincoln. Mr. DeWeese agreed. He noted this is a very convenient location for people because there is all kinds of parking right across the street.

Chairman Clein shared the concerns. However he believes in reading the ordinance that what they have done is in compliance. He wished that instead of storage the developers would figure out some other use for their residents such as an expanded lobby, a slightly larger fitness area, a room with a pool table. These uses could potentially turn into something else in the future.

**Motion by Mr. DeWeese**

**Seconded by Mr. Koseck to postpone the Final Site Plan Review for 2159 and 2295 E. Lincoln, The West District Live/Work Apartments to February 11 subject to the applicant coming back with revisions consistent with comments tonight.**

Mr. DeWeese declared this is a policy issue for the board and not an administrative issue. That is why he wants to see it come back to the board.

There was no public available to make final comments at 10:55 p.m.

**Motion carried, 4-3.**

ROLLCALL VOTE

Yeas: DeWeese, Koseck, Jeffares, Whipple-Boyce

Nays: Clein, Lazar, Williams

Absent: Boyle

**Motion by Ms. Whipple-Boyce**

**Seconded by Mr. DeWeese to extend the meeting 10 minutes to 11:10 p.m.**

**Motion carried, 7-0.**

Mr. Havera indicated they will not be available on February 11.

**Motion by Mr. DeWeese**

**Seconded by Mr. Jeffares to change the date and postpone the Final Site Plan Review for 2159 and 2295 E. Lincoln, The West District Live/Work Apartments, to February 25.**

**Motion carried, 6-1.**

VOICE VOTE

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

Nays: Williams

Absent: Boyle

**01-18-15**

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

**01-19-15**

**MISCELLANEOUS BUSINESS AND COMMUNICATIONS**

- a. Communications
  - The Long-Range Planning Session will be held this coming Saturday, January 31st.
  - The Corridor Improvement Authority met last week and voted to recommend approval of the Development Plan and TIF Plan to the City Commission.
  - The first Multi-Modal Steering Committee meeting regarding the work along W. Maple Rd. was held and people came to voice their concerns.
- b. Administrative Approvals (none)
- c. Draft Agenda for the Regular Planning Board Meeting on February 11, 2015
  - 2200 Holland, Mercedes-Benz Dealership
  - 2483 W. Maple Rd., DFC Financial
  - 260 N. Old Woodward Ave., Chen Chow space
  - Garage Front Houses
- d. Other Business (none)

**01-20-15**

**PLANNING DIVISION ACTION ITEMS**

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

**01-21-15**

**ADJOURNMENT**

No further business being evident, board members motioned to adjourn at 11:08 p.m.

Jana Ecker  
Planning Director