

**CITY OF BIRMINGHAM
PLANNING BOARD ACTION ITEMS
OF WEDNESDAY, MARCH 8, 2017**

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<p>Motion by Mr. Share Seconded by Ms. Prasad that the Planning Board recommend approval of the applicant's request for Final Site Plan and a SLUP to permit a Bistro License for Lincoln Yard at 2159 E. Lincoln with the following conditions:</p> <ol style="list-style-type: none"> 1. The applicant will be required to submit specification sheets on the proposed rooftop mechanical equipment and mechanical screening for administrative approval; 2. The City Commission approves the use of at least seven on-street parking spaces or a shared parking agreement is approved with 2125 E. Lincoln; 3. The applicant enter into and record a shared vehicular access agreement with the owners of 2125 E. Lincoln in the form approved by the City Attorney; 4. The applicant amend the photometric plan to meet all required parking lot lighting standards or obtain a variance from the Board of Zoning Appeals; 5. The applicant obtain administrative approval for all signage; and 6. The applicant comply with the requests of all City departments. 	4
<p>Motion carried, 7-0.</p>	4
<p>Motion by Mr. Share Seconded by Ms. Prasad to report to the City Commission that the Planning Board recommends Lincoln Yard Bistro as the number one priority because it best fits the goal to activate an area within the Rail District that merits activation. The board members are not decided as to what the second and third rank would be.</p>	5
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<p>Motion by Ms. Whipple-Boyce Seconded by Mr. Jeffares to recommend approval of the SLUP Amendment, Revised Final Site Plan and Design Review for the monument sign at 280 E. Lincoln, Grace Baptist Church, with the following conditions:</p> <ol style="list-style-type: none"> 1. The overall size of the sign is 4 ft. x 5 ft., creating 20 sq. ft.; 2. The faux brick base of the sign at 1 ft. 6 in. above grade will be changed to true brick with the material to be administratively approved. 	<p>6</p>
<p>Motion carried, 7-0.</p>	<p>6</p>
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<p>Motion carried, 7-0.</p>	<p>8</p>
<p>3. 576 Bloomfield Ct. (existing multi-family building) Request for Final Site Plan Review to allow construction of a new single-family home in a previously approved cluster development</p>	<p>8</p>
<p>Motion by Ms. Whipple-Boyce Seconded by Mr. Jeffares to approve the Final Site Plan for 576 Bloomfield Ct. with the following conditions:</p> <ol style="list-style-type: none"> 1. The applicant lower the eave height of the building or obtain a variance from the BZA; 2. The applicant use brick on all elevations of the proposed garage; 3. The applicant addresses the concerns of all City Departments; and 4. Since planting arborvitae in the car turning area is acceptable to both the applicant and the neighbors, that is a condition. 	<p>10</p>

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Motion carried, 7-0.	10

APPROVED

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, MARCH 8, 2017
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on March 8, 2017. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares Vice Chairperson Gillian Lazar; Janelle Whipple-Boyce, Alternate Board Members Lisa Prasad, Daniel Share; Student Representative Ariana Afrakhteh

Absent: Bert Koseck, Bryan Williams

Administration: Matt Baka, Sr. Planner
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

03-43-17

APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING OF FEBRUARY 22, 2017

Mr. Share:

Page 4 - **Ms. Lazar and Mr. Share** voted in favor of the last motion on the page.

**Motion by Mr. Share
Seconded by Ms. Lazar to approve the Planning Board Minutes of February 8, 2017 with the change.**

Motion carried, 7-0.

VOICE VOTE

Yeas: Share, Lazar, Boyle, Jeffares, Prasad, Whipple-Boyce

Nays: None

Abstain: Clein

Absent: Koseck, Williams

03-44-17

CHAIRPERSON'S COMMENTS

Chairman Clein welcomed the new student representative, Ariana Afrakhteh.

03-45-17

APPROVAL OF THE AGENDA (no change)

03-46-17

UNFINISHED BUSINESS

1. 2159 E. Lincoln

Lincoln Yard (Vacant, former BPS bus garage)

Request for a SLUP and Final Site Plan Review to allow the operation of a new American Style bistro serving alcoholic liquors.

Chairman Clein recused himself from this hearing because his firm will be working with Union Joints in Downtown Detroit. Vice-Chairperson Lazar took over the chair for this hearing,

Ms. Ecker advised the subject site is located at 2159 E. Lincoln St., between S. Eton and Commerce. The parcel is the former Birmingham Public Schools bus garage repair center and is zoned MX. The applicant is seeking approval to add a small addition to the existing one-story building to house a new restaurant named Lincoln Yard. A small area of the building will be used for a future independent restaurant, which is not the subject of this application.

On February 22, 2017, the Planning Board reviewed the site plan and SLUP application for Lincoln Yard. After much discussion, the Planning Board postponed the request to March 8, 2017 to allow the applicant time to address several matters. The applicant has now provided revised plans to address the issues raised by the Planning Board on February 22. Specifically, the applicant has removed some of the parking in front of the building and extended the outdoor dining patio towards the street, has added landscaping into the parking lot areas and has improved the pedestrian connection from the public sidewalk to the front entrance. In addition, the applicant has provided a written access easement agreement to allow vehicular access and shared parking between 2125 and 2159 E. Lincoln.

Ms. Ecker advised that the applicant's revised plans now show 32 outdoor dining seats in front of the building, 32 at the rear of the building, and 68 on the rooftop, for a total of 132 outdoor dining seats. They have taken some seats from the back area and shifted them up to the front to get more activity up at the street. Lincoln Yard is proposing to have 55 seats in the restaurant, including a total of 14 seats lining the storefront space along E. Lincoln. Lincoln Yard is proposing 10 seats at a bar located on the first floor at the west side of the dining room. No direct connect additional bar permit will be permitted from this license if approved. Alcohol may only be served to seated patrons and those standing in the bar area. The applicant has provided a 257.5 sq. ft. designated bar area.

Based on the elimination of seven parking spaces from along the front of the proposed bistro, the parking lot area has now been reduced from 20,860 sq. ft. to 18,861 sq. ft. In addition, the landscaped area of the parking lot has been increased and 10.37% of the parking lot area is now landscaped.

A total of 56 parking spaces are required for the proposed bistro. The applicant is now providing 49 parking spaces on-site and is seeking approval of the City Commission to count nine parking spaces in the right-of-way along E. Lincoln in their total parking. If these nine parking spaces are approved by the City Commission a total of 58 spaces will be provided, and the parking

requirement will be met. If the City Commission does not approve of the use of the on-street parking spaces, then the applicant will be short three parking spaces. However, the applicant has advised that they have entered into a shared parking agreement with the owners of 2125 E. Lincoln, and thus will have access to their 59 parking spaces as well.

The applicant has now stated that the entire chain link fence separating the properties will be removed, and they have provided an access easement to allow vehicular travel and parking between 2125 E. Lincoln and 2159 E. Lincoln as requested by the Planning Board.

The revised plans now show an exposed aggregate pedestrian path through the drive aisle to connect the sidewalk to the entrance of the proposed bistro.

The revised photometric plan provided does not specify illumination levels for the entire parking lot. In addition, the levels that are shown do not meet the 20:1 max min ratio, nor does the parking lot meet the minimum light level requirement of 0.2 fc. ***Thus, the applicant will be required to meet all lighting requirements, or obtain a variance from the BZA.***

Design Review

The applicant is proposing to update the entire property, completely renovate the existing building by adding a small addition of 292 sq. ft. on the west side of the building, and opening up the building to light by adding new openings and windows throughout. The entire building is proposed to be painted ivory with pre-finished coping in bronze added along the roofline, and extensive pedestrian scale architectural details are proposed. In addition, a new rooftop dining area is proposed to be anchored on three sides by corrugated steel shipping containers. A steel guard rail is proposed around the rooftop dining area where no shipping containers are present. A 4 ft. diameter gas fire pit is also proposed in the center of the rooftop outdoor dining area. Further, a total of nine table umbrellas are shown on the rooftop dining area.

Signage

The applicant is permitted to have a total of 102 sq. ft. of signage for the entire building. At this time, a rendering of proposed signage above the front entrance to Lincoln Yard is shown, but no dimensions or material specifications have been proposed and the applicant will be required to obtain administrative approval for all signage prior to fabrication and installation.

Ms. Whipple-Boyce received clarification that the width of the new exposed aggregate walkway is 7 ft. wide and flush.

Mr. Kurt Catello was present with his wife, Ms. Ann Stevenson, on behalf of Union Joints. Also in attendance were Mr. Jeffrey Klatt, Architect for the project; Mr. Chuck White and Ms. Katherine Abboud, the owners of Armstrong White, adjacent, and owners of the former BPS bus garage. Mr. Catello thought that extending the visible portion of the patio out front and extending the green belt around it creates a little bustle and energy at the front of the building. Another change is there are now four trees in the front by the patio. Also, they added planter boxes along the side of the building to provide a barrier from cars and a pleasant view from inside. He felt the changes have made the bistro more inviting.

Mr. Jeffares suggested raising the aggregate walkway as a calming device for traffic. Mr. Klatt agreed to explore that. Mr. Catello liked that idea of further delineating the walkway so that people would know it is a crossing.

Mr. Share suggested adding a condition that the applicant enter into a recorded access agreement that has been approved by the City Attorney.

Ms. Whipple-Boyce said she is excited about this proposal, but had concerns that the bistro may struggle going forward with so many outdoor seats. The idea of the bistro was a smaller scale establishment and this is very different than the board has approved in the past. Ms. Prasad thought they might want to take a look at adding outdoor heaters into the Fall and early in the Spring.

Motion by Mr. Share

Seconded by Ms. Prasad that the Planning Board recommend approval of the applicant's request for Final Site Plan and a SLUP to permit a Bistro License for Lincoln Yard at 2159 E. Lincoln with the following conditions:

- 1. The applicant will be required to submit specification sheets on the proposed rooftop mechanical equipment and mechanical screening for administrative approval;**
- 2. The City Commission approves the use of at least seven on-street parking spaces or a shared parking agreement is approved with 2125 E. Lincoln;**
- 3. The applicant enter into and record a shared vehicular access agreement with the owners of 2125 E. Lincoln in the form approved by the City Attorney;**
- 4. The applicant amend the photometric plan to meet all required parking lot lighting standards or obtain a variance from the Board of Zoning Appeals;**
- 5. The applicant obtain administrative approval for all signage; and**
- 6. The applicant comply with the requests of all City departments.**

Motion carried, 7-0.

ROLLCALL VOTE

Yeas: Share, Prasad, Boyle, Jeffares, Lazar, Whipple-Boyce

Nays: None

Recused: Clein

Absent: Koseck, Williams

It was discussed that only two bistro applications can be approved this year. Mr. Boyle said the City Commission needs to see the applications in the broad context of whether they implement a plan that the board has been working with for years, rather than comparing one with the other.

Mr. Share thought Lincoln Yard is a fabulous start for getting things moving in that particular part of the Rail District. He further thought the bistro in Whole Foods has less marginal impact on its surroundings than Adachi at Brown and S. Old Woodward Ave.

Ms. Whipple-Boyce thought Lincoln Yard would have the most positive impact on its district. Her choice for second is Adachi because it would be great to activate that corner. The bistro in Whole Foods will not make a difference in the way she thinks bistros should work for the City. It will have the least amount of impact on its environment. Mr. Jeffares agreed with those choices in the same order.

Mr. Boyle noted that he thinks Lincoln Yards is a game changer for the Rail District environment. Whole Foods is interesting because it changes the nature of the big box. He put his full weight on Lincoln Yards, and he is less concerned for the other two.

Vice-Chairperson Lazar said she would like to see Whole Foods as second because it is an important concept. Ms. Prasad loved the idea of having a wine bar or a restaurant within Whole Foods. It will bring in a different clientele to Whole Foods and will activate the store at a different time of day.

Motion by Mr. Share

Seconded by Ms. Prasad to report to the City Commission that the Planning Board recommends Lincoln Yard Bistro as the number one priority because it best fits the goal to activate an area within the Rail District that merits activation. The board members are not decided as to what the second and third rank would be.

There were no comments from the public on the motion at 8:28 p.m.

Motion carried, 7-0.

VOICE VOTE

Yeas: Share, Prasad, Boyle, Jeffares, Lazar, Whipple-Boyce

Nays: None

Abstain: Clein

Absent: Koseck, Williams

03-47-17

**SPECIAL LAND USE PERMIT ("SLUP")
FINAL SITE PLAN REVIEW**

1. 280 E. Lincoln

Grace Baptist Church

Request for Final Site Plan Review and SLUP Amendment for the construction of a new monument sign

Mr. Baka advised that Grace Baptist Church is coming to the Planning Board to request an amendment to the SLUP approved by the City Commission on May 18, 2009. The applicant is requesting to add an illuminated ground sign.

The Grace Baptist Church was granted a SLUP on June 15, 1987. The SLUP was amended in 2009 to include a surface parking lot. All changes to the existing SLUP require review by the Planning Board with a recommendation to the City Commission. The City Commission has final approval authority.

Design Review

The proposed illuminated ground sign conforms to the standards set forth in Article 01 Table D of the City's Sign Ordinance. Signs for churches can have a maximum area of 20 sq. ft. if located less than 500 ft. from occupied residential dwellings and cannot be more than 8 ft. above grade. The sign is 20 sq. ft. mounted on a faux brick wall. The total height of the sign, including mounting, is 6 ft. The sign is proposed to have push-through routed letters lit from behind.

Mr. Baka reminded the board that in the past it has required real brick for monument signs.

Mr. Scott Gardner with Gardner Sign Co. described that the sign is double faced at night. The sign base is aluminum with faux brick applied.

Consensus of the board was they are fine with the sign but not okay with the PVC brick. Accordingly, Mr. Gardner agreed to change to real brick.

Motion by Ms. Whipple-Boyce

Seconded by Mr. Jeffares to recommend approval of the SLUP amendment, Revised Final Site Plan and Design Review for the monument sign at 280 E. Lincoln, Grace Baptist Church, with the following conditions:

- 3. The overall size of the sign is 4 ft. x 5 ft., creating 20 sq. ft.;**
- 4. The faux brick base of the sign at 1 ft. 6 in. above grade will be changed to true brick with the material to be administratively approved.**

There were no comments from members of the audience at 8:43 p.m. Board members expressed their appreciation for the improved sign.

Motion carried, 7-0.

VOICE VOTE

Yeas: Lazar, Whipple-Boyce, Jeffares, Boyle, Clein, Prasad, Share

Nays: None

Absent: Koseck, Williams

03-48-17

FINAL SITE PLAN REVIEW

2. 602 Riverside Drive

Unit 6 (vacant lot)

Request for Final Site Plan Review to allow construction of a new single-family home in a previously approved cluster development

Motion by Ms. Whipple-Boyce

Seconded by Ms. Lazar to receive and file correspondence from Ian and Connie McEwan and Cynthia Wayne.

Motion carried, 7-0.

VOICE VOTE

Yeas: Whipple-Boyce, Lazar, Boyle, Clein, Jeffares, Prasad, Share

Nays: None

Absent: Koseck, Williams

Mr. Baka advised the subject site is a 2.4 acre parcel located on the west side of Southfield Rd. between W. Maple Rd. and Lincoln in the R-1 Zoning District. The property was approved to be developed as a single-family cluster by the Planning Board on September 9, 1998 with seven new homes and one existing home that was to be renovated. Since that time five of the new homes have been constructed and the existing home was renovated. The current applicant is now proposing to construct a new single-family home on one of the remaining two locations that were previously approved as part of the original single-family cluster. However, as the

Preliminary Site Plan Approval had expired, the applicant was required to obtain both Preliminary and Final Site Plan Approval. On August 24, 2016, the Planning Board granted Preliminary Site Plan Approval with several conditions.

Accordingly, the applicant has submitted an application for Final Site Plan and Design Review approval. The plans have been revised to include the proposed height of the home as well as the calculations requested regarding the basement/lower level. Both of these calculations comply with the Zoning Ordinance requirement in the R-1 Zone.

Design Review

The applicant has provided color renderings and is currently proposing the following materials:

- Shake siding – rear and north body of the house;
- Stone – body of all elevations;
- Cedar Shake Roof Shingles – roof of building.

Mr. Jeffrey Klatt, Architect, was present with his clients, Bob and Christine Arechia. He passed around material samples. No one had questions.

Motion by Ms. Whipple-Boyce

Seconded by Mr. Jeffares to approve the Final Site Plan and Design Review for 602 Riverside Dr. with the following condition:

- 2. Applicant address the concerns of all City Departments.**

There were no comments from members of the audience at 8:50 p.m.

Motion carried, 7-0.

VOICE VOTE

Yeas: Whipple-Boyce, Jeffares, Boyle, Clein, Lazar, Prasad, Share

Nays: None

Absent: Koseck, Williams

03-49-17

- 3. 576 Bloomfield Ct.** (existing multi-family building)

Request for Final Site Plan Review to allow construction of a new single-family home in a previously approved cluster development

Motion by Mr. Boyle

Seconded by Ms. Whipple-Boyce to receive and file the following correspondence:

Edward Lippincott, Owner, 1017 N. Old Woodward Ave.

Cynthia Wayne, 620 Bloomfield Ct., Apt. 102

Motion carried, 7-0.

VOICE VOTE

Yeas: Boyle, Whipple-Boyce, Clein, Jeffares, Lazar, Prasad, Share

Nays: None

Absent: Koseck, Williams

Ms. Ecker explained the subject site is located on the north side of Bloomfield Ct. in the R-6 Zoning District and currently houses a multiple-family building. The applicant is proposing to construct a new one-story detached four-car garage.

Article 04 section 4.03 AS-02 G requires that the maximum eave height shall not exceed 12 ft. The building height is proposed to be 12 ft. 2 in. ***The applicant must lower the eave height of the building or obtain a variance from the Board of Zoning Appeals ("BZA").***

Design Review

The applicant is currently proposing the following materials:

- Red Clay Bricks– Body of the building;
- Cinder blocks (painted to match brick color)- Rear of the building;
- Almond and Gray Aluminum- Trim;
- White PVC Single Ply Roof Membrane – main roof section; and
- Steel Sectional "Elegant Long" 9 ft. x 7 ft. with an almond finish – garage doors.

Mr. Mark Post, Architect, said they are duplicating the garage that exists on the adjacent parcel which is owned by the same applicant. The only lighting is the coach lamps that match the existing. They propose block painted to match the brick on the rear elevation.

Mr. Dick Christie, the builder, said that Edison will determine what trees need to be removed. The majority of them are underneath the power line.

Chairman Clein invited comments from the public at 9 p.m.

Mr. Kerry Spencer and Mr. Mike Mason, President and Vice-President of Bloomfield Ct. Condominiums, and Mr. Jeff Hall, a resident there, came forward. The issue is they don't have room on the side of their condos to plant anything to shield from headlights shining in as cars approach the new garage.

Mr. Edward Lippincott, 1017 N. Old Woodward Ave., voiced concerns about the loss of natural screening. For that reason he would really like to see brick used all the way around the new garage because the rear will face his residence. Additionally he asked for screening between him and the proposed building. Mr. Christie indicated his willingness to work with the neighbors to provide some natural screening, such as Arborvitae at the end of the drive.

Ms. Christine Ulrich, owner of 576, 620, and 622 Bloomfield Ct., said currently they only have off-street parking in front of the building and want to construct a garage. She clarified there is a portion of her property where there is no room to plant Arborvitae because of a sidewalk.

Ms. Whipple-Boyce stated that the applicant has the right to erect a garage on their property. The Engineering Dept. has concluded they will not be contributing to a groundwater problem. She thought the 6 ft. high privacy fence should block headlights turning in. Further, it is generous of the applicant to agree to plant Arborvitae. However, she agrees that all four sides of the garage should be brick. The applicant has the right to remove trees on their own property and they will not remove trees on someone else's property.

Motion by Ms. Whipple-Boyce

Seconded by Mr. Jeffares to approve the Final Site Plan for 576 Bloomfield Ct. with the following conditions:

- 5. The applicant lower the eave height of the building or obtain a variance from the BZA;**
- 6. The applicant use brick on all elevations of the proposed garage;**
- 7. The applicant addresses the concerns of all City Departments; and**
- 8. Since planting arborvitae in the car turning area is acceptable to both the applicant and the neighbors, that is a condition.**

There was no discussion on the motion from the public at 9:15 p.m.

Motion carried, 7-0.

VOICE VOTE

Yeas: Whipple-Boyce, Jeffares, Boyle, Clein, Lazar, Prasad, Share

Nays: None

Absent: Koseck, Williams

03-50-17

REVIEW OF HISTORIC DESIGNATION REPORT

1. 927 Purdy

Potential Historical House

Review of historical significance report completed by the Historic District Study Committee ("HDSC") recommending historic designation of the property by the City Commission

Mr. Baka provided background. The City of Birmingham recently received a request from a homeowner to consider Historic Designation of their home at 927 Purdy, Birmingham MI. It is believed the home was built in the 1880s. Over the years the house was moved from its original location and changes have been made to the actual architecture of the house. The current owner has replicated some of the features of other houses built in the same time period. Because of the changes, the Birmingham HDSC decided the merits of designating the house were more in its history than its architecture, considering the people that built it and lived in it. Accordingly, the HDSC met several times to compile and review relevant information and research. Upon review of the information, the HDSC voted to recommend approval of the request to the City Commission.

The Birmingham City Code requires that the Planning Board, the State Historic Preservation Office and the Michigan Historical Society all review the HDSC report and recommendations. In accordance with the Birmingham City Code, Chapter 127 section 127-4 (c) 5, the City is now transmitting the preliminary report that has been compiled to the Planning Board in a request for review and comments on the appropriateness of this designation request.

Discussion concluded that the owners want their house designated so that it won't be demolished in the future in order to make room for new construction. Board members thought the HDSC report was interesting and fascinating. The HDSC will hold a public hearing and following that the City Commission will hold a public hearing to decide whether or not to designate the house.

MEETING OPEN TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA (none)

03-51-17

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

a. Communications

- The April 12 Planning Board meeting occurs during Passover. Therefore, board members scheduled a replacement meeting for March 29, 2017 for study session items.

b. Administrative Approval Correspondence

c. Draft Agenda for the Regular Planning Board Meeting on March 22, 2017

- 35975 Woodward Ave. at Woodward Ave. and Oak;
- 412-420 E. Frank, Preliminary Site Plan;
- Social Kitchen, SLUP Amendment and Final Site Plan to enclose outdoor dining with glass;
- 250 N. Old Woodard Ave., SLUP Amendment and Final Site Plan to change Palladium/Ironwood Grill to Four Story Burger.

Draft Agenda for the Regular Planning Board Meeting on April 26, 2017

- 298 S. Old Woodward Ave., Hotel, CIS and Preliminary Site Plan;
- 2010 Cole, CIS and Preliminary Site Plan;
- Varsity Shop, CIS and Preliminary Site Plan.

d. Other Business

- With respect to the property on Holland, a Mercedes Benz sign was shown on the plans that would be seen from the Transit Center. However the owner, Mr. Ghesquire, has indicated that Mercedes Benz will not allow the sign. He submitted a letter from Mercedes Benz stating that the sign violates Mercedes Benz USA corporate identity practices by installing Mercedes Benz branding on a non-customer contact facility. Board members decided that Staff should ask Mr. Ghesquire what he proposes to put in place of the sign, instead of just removing it. Other options may be administratively approved.
- Chairman Clein noted the inadequacy of the computers used by board members and that they need to be looked at.

03-52-17

PLANNING DIVISION ACTION ITEMS

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

03-53-17

ADJOURNMENT

No further business being evident, the Chairperson adjourned the meeting at 9:44 p.m.

Jana Ecker
Planning Director

APPROVED