

**CITY OF BIRMINGHAM  
PLANNING BOARD ACTION ITEMS  
OF WEDNESDAY, MAY 24, 2017**

Item	Page
<b>OLD BUSINESS</b>	
<b>1. Definition of Retail</b>	<b>2</b>
<b>Motion by Mr. Jeffares</b>	<b>4</b>
<b>Seconded by Mr. Williams to continue the discussion on the definition of retail to June 14, 2017.</b>	
<b>Motion carried, 7-0.</b>	<b>4</b>
<b>2. 298 S. Old Woodward Ave., New boutique hotel (currently vacant Drs. House Call Building</b>	<b>4</b>
<b>Request for Community Impact Study ("CIS") and Preliminary Site Plan Review to allow the construction of a new five-story boutique hotel with first-floor retail and fifth-floor residential uses (postponed from April 26, 2017).</b>	
<b>Motion by Ms. Whipple-Boyce</b>	<b>8</b>
<b>Seconded by Mr. Jeffares to approve the CIS as provided by the applicant for the proposed development at 298 S. Old Woodward Ave., allowing the applicant the opportunity to address the following conditions of approval prior to Final Site Plan Review:</b>	
<b>(1) Revise the traffic and parking study to address the comments provided by Fleis &amp; Vandenbrink regarding the trip generation and parking generation assumptions and traffic operations; and</b>	
<b>(2) Respond to the concerns and requests of all City departments and provide all necessary information.</b>	
<b>Motion carried, 5-2.</b>	<b>8</b>
<b>Motion by Ms Whipple Boyce</b>	<b>9</b>
<b>Seconded by Ms. Prasad to approve the Preliminary Site Plan for 298 S. Old Woodward Ave. with the following conditions:</b>	
<b>(1) Provide details regarding the type and placement of all mechanical equipment and associated screening at Final Site Plan review;</b>	
<b>(2) Add one street tree along S. Old Woodward Ave. or obtain a variance from the Board of Zoning Appeals or a waiver from the City Arborist;</b>	
<b>(3) Submit a photometric plan and specification sheets on all proposed lighting at Final Site Plan Review;</b>	
<b>(4) Comply with the requirements of all City departments;</b>	
<b>(5) Provide material samples and specification sheets at Final Site Plan</b>	

Item	Page
<p><b>Review;</b>  <b>(6) Removal of public parking on S. Old Woodward Ave. is subject to approval by the Advisory Parking Committee and the City Commission; and</b>  <b>(7) Subject to Police Dept. approval of the valet.</b></p> <p><b>Motion carried, 7-0.</b></p>	9
<p><b>COMMUNITY IMPACT STUDY ("CIS")                  PRELIMINARY SITE PLAN REVIEW</b></p>	
<p><b>1. 277 Pierce St. (former Varsity Shop)</b>  <b>Request for CIS and Preliminary Site Plan Review to allow the construction of a new five-story mixed-use building</b></p>	9
<p><b>Motion by Mr. Williams</b>  <b>Seconded by Mr. Koseck to accept the CIS as provided by the applicant for the proposed development at 277 Pierce St. with the following conditions:</b>  <b>(1) Applicant submit a haul route map for demolition and excavation;</b>  <b>(2) Provide mitigation strategies for control of noise vibration and dust;</b>  <b>(3) Applicant will be required to bury all utilities on the site;</b>  <b>(4) Applicant provide information on all life safety issues and Fire Dept. approval;</b>  <b>(5) Applicant provide information on the proposed security system for approval by the Police Department; and</b>  <b>(6) A comprehensive asbestos-containing material survey be conducted prior to demolition or renovation.</b></p>	10
<p><b>Motion carried, 6-0.</b></p>	11
<p><b>Motion by Mr. Williams</b>  <b>Seconded by Ms. Prasad to approve the Preliminary Site Plan as provided by the applicant for the proposed development at 277 Pierce St. with the following conditions:</b>  <b>(1) The applicant will be required to obtain a variance from the Board of Zoning Appeals or request a formal interpretation from the Building Official to allow commercial use above residential use;</b>  <b>(2) Applicant must provide a photometric plan and lighting specifications at the time of Final Site Plan Review;</b>  <b>(3) The applicant will be required to verify that the screenwall is tall enough to sufficiently screen the proposed rooftop mechanical units;</b>  <b>(4) Applicant comply with the requests of all City Departments;</b>  <b>(5) Applicant must obtain approval from the Historic District Commission;</b>  <b>(6) Applicant must provide material and color samples at Final Site Plan review; and</b>  <b>(7) Applicant provide contextual renderings to better understand how the</b></p>	12

Item	Page
<p><b>building will fit into the street.</b></p> <p><b>Motion carried, 6-0.</b></p>	<p><b>12</b></p>
<p><b>OLD BUSINESS</b></p>	
<p><b>3. 2010 Cole St.</b>  <b>New mixed-use building (partially demolished building)</b>  <b>Request for CIS and Preliminary Site Plan Review to allow the construction of a new three-story mixed-use building</b> (postponed from April 26, 2017; applicant requests additional postponement to June 28, 2017).</p>	<p><b>13</b></p>
<p><b>Motion by Mr. Williams</b>  <b>Seconded by Mr. Jeffares to postpone the hearing for 2010 Cole St. to June 28, 2017.</b></p>	<p><b>13</b></p>
<p><b>Motion carried, 6-0.</b></p>	<p><b>13</b></p>
<p><b>FINAL SITE PLAN AND DESIGN REVIEW</b></p>	
<p><b>1. 2254 Cole St. (Cole Business Center)</b>  <b>Request for Final Site Plan Review to allow Final Site Plan and Design Review to allow site plan changes to the parking lot, trash enclosure, and parking lot landscaping along with exterior design changes.</b></p>	<p><b>13</b></p>
<p><b>Motion by Ms. Prasad</b>  <b>Seconded by Mr. Williams to approve the Final Site Plan Review for 2254 Cole St. subject to the following conditions:</b>  <b>(1) The applicant must verify that screenwall materials will match or compliment those of the principal building;</b>  <b>(2) The applicant must submit plans with the correct number of street lights;</b>  <b>(3) The applicant must provide five trees along their frontage on Cole St., or obtain a waiver from the Staff Arborist for lack of adequate green space in the right-of-way;</b>  <b>(4) The applicant must submit plans with one clearly labeled off-street loading space or acquire a variance from the BZA; and</b>  <b>(5) The applicant must address the concerns of City Departments.</b></p>	<p><b>14</b></p>
<p><b>Motion carried, 6-0.</b></p>	<p><b>14</b></p>

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**CITY OF BIRMINGHAM  
REGULAR MEETING OF THE PLANNING BOARD  
WEDNESDAY, MAY 10, 2017  
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 May 10, 2017. Chairman Robin Boyle convened the meeting at 7:31 p.m.

**Present:** Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Vice Chairperson Gillian Lazar, Lisa Prasad, Janelle Whipple-Boyce (left at 10 p.m.), Bryan Williams, Dan Share; Student Representative Ariana Afrakhteh

**Also Present:** Mike Labadie from Fleis & Vandenbrink ("F&V"), Transportation Engineering Consultants

**Absent:** Chairman Scott Clein; Student Representative Isabella Niskar

**Administration:** Matthew Baka, Sr. Planner  
Nicholas Dupuis, Planning Intern  
Jana Ecker, Planning Director  
Carole Salutes, Recording Secretary

**05-97-17**

In the absence of Scott Clein, the board nominated Robin Boyle to take over as chairman.

**APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING OF MAY 10, 2017**

**Motion by Mr. Williams**

**Seconded by Ms. Lazar to approve the Planning Board Minutes of May 10, 2017**

**Motion carried, 6-0.**

VOICE VOTE

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

Nays: None

Abstain: Prasad

Absent: Clein

**05-98-17**

**CHAIRPERSON'S COMMENTS** (none)

**05-99-17**

**APPROVAL OF THE AGENDA**

2010 Cole has requested additional postponement to June 28, 2017.

**05-100-17**

**OLD BUSINESS**

**1. Definition of Retail**

Ms. Ecker advised that over the past decade, there has been an ongoing desire by some City Boards and Commissions to review the current definition of retail to ensure that we are encouraging true retail Downtown, and not allowing office and other service uses to dominate. The issue is specifically relevant in the Downtown Overlay, where retail use is required in the first 20 ft. of depth for all buildings in the Redline Retail District. The City Commission talked about that on May 8, 2017 and they directed the Planning Board to move forward with ordinance amendments to provide temporary relief to halt the addition of first-floor non-retail uses into storefronts in Downtown while the Planning Board continues to study the issue of retail uses Downtown.

On May 10, 2017, the Planning Board discussed the direction from the City Commission to consider an ordinance amendment that would temporarily stop some of the uses that fall under the current undefined category of personal services and to stop community uses from being permitted in first-floor retail space Downtown while the board studies the full issue. After extensive discussion, the board directed the matter back to staff to provide ordinance language that would define personal services to include beauty salons and clothing services and other similar uses, and to allow personal services as defined within the Redline Retail District, but to exclude office, medical and quasi-office uses, and amend the definition of retail to include retail bank branches along with personal services as newly defined.

In addition, the Planning Board requested that the Birmingham Shopping District ("BSD") Director attend the Planning Board meeting on May 24, 2017. Ms. Tighe was not available to attend the meeting, but forwarded a copy of the BSD's latest retail study for Downtown Birmingham to assist the Planning Board in their review of this issue. The BSD is also working on a comparison between the market analysis that was done several years ago and the most current analysis to see what the changes have been in the different categories.

In response to the Chairman, Ms. Ecker advised that as proposed there would not be a time limit on the ordinance change. Mr. Jeffares had a concern that this is the right mechanism because the study might go on for years while they would see plywood go up on windows.

**Motion by Mr. Williams**

**Seconded by Ms. Lazar to receive and file letters from Matthew Shiffman of Alden Development Group dated May 24, 2017 and from Faiz Simon of Simon Group Holdings dated May 19, 2017. Both letters oppose the proposed change.**

**Motion carried, 7-0.**

VOICE VOTE

Yeas: Williams, Lazar, Boyle, Jeffares, Koseck, Prasad, Whipple-Boyce

Nays: None

Absent: Clein

Mr. Williams said he is a free market person and he thinks the market should dictate what goes into the stores. Ms. Lazar stated she did a drive-by of the businesses that are no longer there. There are four on W. Maple Rd. and four on N. Old Woodward Ave. She questioned the rationale behind stymieing a landlord from filling his space. At least it would look like there is activity. Mr. Jeffares thought the City should do some things to encourage retail such as solving the parking problem. If people can't find a place to park they won't come to Birmingham to shop. It would be better to solve that issue than to declare a moratorium that might last for a long time.

Ms. Prasad said she has noticed that most retailers close pretty early in the evening when there is a fair number of people going in and out of the first-floor offices. The business she has seen so far haven't really taken away from activation of the streets. Chairman Boyle observed if the City wants to keep the streets activated perhaps the merchants should be asked to make some modest changes in terms of hours, lighting, shades, litter, door openings etc. adjacent to their properties.

The Chairman took discussion from the public at 7:47 p.m.

Mr. Brian Najor, owner of buildings at 100-167, 600-640, and 720-726 N. Old Woodward Ave., noted there is a significant amount of change going on in retail today. He thought it is probably a big mistake to impose the proposed changes at this time when there is so much unknown. He encouraged further discussion prior to making changes. This temporary change to the ordinance could go on for years. He feels owners could be facing some challenges in filling space here. The City should be expanding its uses and keeping things open to bring in new tenants. Also, other building owners, Ted Fuller and James Esshaki, have indicated they are strongly opposed to the ordinance change.

Ms. Lazar felt there should be further discussion and consideration at another meeting so that more property owners can weigh in.

Ms. Whipple-Boyce indicated she is concerned about prime retail spaces being consumed with office use. She would very much like to see the board come up with a plan for this. Small retail stores in downtowns like ours are thriving in other communities and thriving here. Mr. Koseck said it concerns him not to put an end date on the study. Mr. Williams noted there is no factual basis that retailers are waiting and unable to find space to lease. The City Commission hasn't given the Planning Board the facts to be able to develop a proposal.

Chairman Boyle said this discussion should be continued in order to ask for evidence from retailers, building owners, and others. Mr. Jeffaries thought Ms. Tighe should be asked about the state of retail in the City.

Ms. Ecker noted that the City Commission in their meeting on May 8, 2017 was adamant that they wanted this matter moved forward to a public hearing and then back to the Commission in with all due haste.

**Motion by Mr. Jeffares**

**Seconded by Mr. Williams to continue the discussion on the definition of retail to June 14, 2017.**

Mr. Brian Najor received clarification that the board is not moving forward to June 14 for a public hearing on the proposed ordinance amendments. This discussion will be continued on June 14 to get more information and to get more people to weigh in.

**Motion carried, 7-0.**

VOICE VOTE

Yeas: Jeffares, Williams, Boyle, Koseck. Lazar, Prasad, Whipple-Boyce

Nays: None

Absent: Clein

Consensus was to limit the June 14, 2017 agenda to two items, the public hearing on glazing, and the retail discussion.

**05-101-17**

**2. 298 S. Old Woodward Ave., New boutique hotel (currently vacant Drs. House Call Building Request for Community Impact Study ("CIS") and Preliminary Site Plan Review to allow the construction of a new five-story boutique hotel with first-floor retail and fifth-floor residential uses (postponed from April 26, 2017).**

Mr. Share joined the board, as Ms. Lazar was recused.

*CIS*

Ms. Ecker advised the subject site is currently the site of two vacant office buildings, and a surface parking lot, and has a total land area of .618 acres. It is located on the northwest corner of S. Old Woodward Ave. and Brown St. in the Downtown Overlay District.

The applicant is proposing to demolish the existing buildings and surface parking lot to construct a 25,182 sq. ft., five-story mixed-use building. The building will provide ground floor retail, three floors of hotel guest rooms, and 17 residential units on the fifth floor. Parking for the residential units will be provided in the lower level of the building. As the building is located within the Parking Assessment District, no on-site parking is required for commercial uses.

On April 26, 2017, the Planning Board reviewed the CIS, and postponed the hearing on the CIS to May 24, 2017 after requesting additional information from the applicant.

The applicant has now revised their site plan and elevations to address the requested issues. Outstanding requirements at this time include revision of the traffic and parking study to address the comments provided by F&V regarding the trip and parking generation assumptions; and response to the concerns of all City Departments. Mrs. Ecker noted the applicant meets the parking requirements. Since last time, based on the discussion they have added an additional level of underground parking. Now two levels of underground parking are proposed with a total of 56 parking spaces. The City's plans for S. Old Woodward Ave. show 12 angled parking spaces in front of the building where presently six parallel spaces exist. The proposal is not consistent with that because the applicant is proposing not to provide those and to use the space as a valet area.

Mr. Share asked what ability this board has to give away parking spaces that don't exist but are planned for.

Mr. Rick Rattner, Attorney, 380 N. Old Woodward Ave., noted their entire design team has been assembled for this meeting: Mr. Michael Kitchen, VP of Development and Acquisitions for Aperia Hotels; Mr. Charlie Stetson and Mr. Scott Seifers, Architects from Booth Hansen.

Mr. Kitchen said Aperia has ten upscale luxury hotels around the country. They aim to deliver the very top level of service. They are almost all in very dense urban environments with no on-site parking. Because parking is such a sensitive subject for Birmingham, the owner went ahead and added 56 spaces to the site. They do not rely purely on a third party valet operator. Everybody in the front of the house is called an ambassador and they are also trained to park cars if they are starting to stack. He explained the assumption made by the City's traffic consultant that the hotel needs 330 spaces is not valid.

Mr. Share was concerned about the traffic flow and the stacking and queuing and all of that on S. Old Woodward Ave. He was further concerned that the present operators may not be there a year or five or seven years from now. So there may not be all of those employees parking cars to ensure the traffic flow works on S. Old Woodward Ave. Mr. Kitchen responded they have a long-term contract to run this property for 20+ years. He explained their redesign allows short-term cars to be pulled down into the garage and then right back up and out. There are parking garages within two blocks.

In response to the Chairman, Mr. Kitchen replied their banquet facility holds 300 guests. They find the average is over two people / car. That leaves 150 people, but some are staying at the hotel for the event. Others are coming from the airport or with Uber, versus those that are local. They can staff appropriately when events are happening. There will be approximately 100 to 120 full time employees. The hotel does not provide parking for its employees. At any given time there will be about 40 employees on-site.

**Motion by Mr. Williams**

**Seconded by Ms. Prasad to receive and file 17 letters of support for the hotel from business people in Downtown Birmingham.**

**Motion carried, 7-0.**

**VOICE VOTE**

Yeas: Williams, Prasad, Lazar, **Share**, Boyle, Jeffares, Koseck, Whipple-Boyce

Nays: None

Absent: Clein

Mr. Labadie said if their use is not the same as described by the Institute of Transportation Engineers or the Urban Land Institute or anybody like that then compare their rates with accepted practice. He knows there is a lack of parking during peak times when they assume it will take 4.7 minutes for a valet to get to a parking space. But if there isn't one, where will they go? He had asked for the comparison several times but it wasn't given.

Mr. Williams confirmed the board is talking about issues related to valet and to congestion at the intersection at peak hours, and the ability of the operator to move cars in and out in the valet process; they are not talking about parking places.



Mr. Labadie thought that even 15 seems like a lot of valets to run back and forth to places where they don't even know if there is parking. His concern was if everyone shows up during peak hours there will be a couple of hundred cars sitting there trying to get parked. Mr. Jeffares noted the hotel could purchase parking spaces from the City for a certain period of time for an event.

Mr. Labadie demonstrated that during regular use of the hotel they will end up on a regular basis blocking their own driveway. Mr. Williams observed that one way to relieve congestion at peak times would be to get rid of the left turn lane by saying no left turns onto Brown from S. Old Woodward Ave.

Chairman Boyle invited comments from the public at 9:10 p.m.

Mr. Clint Mansour, Mansour Co., said he owns 330 Hamilton, the Jeff Glover Building; and the Peabody Mansion where Adachi will open. In his opinion what better way to activate this intersection than a five star luxury boutique hotel. He gave his full support to the ownership group.

Mr. David Foster, 512 Wallace, announced he is vehemently opposed to this project. He asked the board to contemplate

- how many cars are too many;
- how many employees need parking space--too many for the existing parking structures; and
- how much congestion do you want in this city?

The project will upset the balance in this community.

Mr. Steve Ferich, 282 Derby, runs the valet in Downtown Birmingham. In his opinion there is not enough parking. During a luncheon last week he had 180 cars coming at him all at once. Even though he had 20 parkers there was still a backup. The biggest issue he has is where to put the cars. He has 100 spaces in the Townsend Garage and he uses it for queuing but it's not enough. Overnights in the hotel will eat up the 53 spots in the proposed hotel, so where will they put people that come in.

Mr. Kitchen said they are here to do the right thing for the community and to help all of the businesses in town.

Mr. David Berman with the Ownership Group said their underground parking will be purely for residents, hotel guests and to accommodate whatever flow comes through. They have built a plan where they think they can manage the traffic efficiently. There will be occasions where traffic spills out of the valet stand onto N. Old Woodward Ave. That happens currently at several of the restaurants on Old Woodward Ave. But they think their project will be amazing and make a huge difference in the City.

Mr. Share indicated he would not be in favor of accepting the CIS conditionally. Mr. Koseck agreed because he thought there seems to be a gap in communications or assumptions. It would give him a level of comfort to have further discussion.

On the other hand, Ms. Whipple-Boyce said she was prepared to accept the CIS tonight with conditions. It doesn't seem like the parties are coming together. There are times when there will be overflow and that can be accepted because it happens all over the City. Parking is the

problem, and parking is not what the board is here to talk about tonight. This development is in the Parking Assessment District. The applicant has more than satisfied their parking requirements. Mr. Jeffares agreed. To him the queuing is the big issue but preparations for an event can be made ahead of time. Ms. Prasad also agreed. She did not understand why the particular data is not being provided to the City's consultant by the developer. As a courtesy to the City there is no reason for them to not do that. If the parking numbers grow it not their problem, it is the City's problem. The project seems compelling enough such that she is comfortable going forward with it.

Chairman Boyle asked if the developers are sent back to do their due diligence on this topic, what will the board hear differently in six weeks?

Mr. Williams indicated he is opposed. Mr. Labadie asked for information and it wasn't provided. So he thinks it is not appropriate to go forward at this time. There is a failure to communicate between the developer and the City's Traffic Consultant.

Ms. Afrakhteh did not think the applicant should be put on pause just because of a parking issue.

Chairman Boyle stated the challenge this board faces is the nature of the developer's way of dealing with their visitors. To what extent does their model have the potential of slowing/blocking traffic in this junction. We don't know if traffic flow will be impacted by the number of people who come to be valet parked.

Chairman Boyle asked the applicant if they feel they have provided the information that was requested by the City's Traffic Consultant. Mr. Rattner answered in the affirmative. There has been much information going back and forth between the traffic consultants. Their consultant gave information, believing that was what Mr. Labadie wanted. Since it was not satisfactory, they will get to the bottom of what is needed.

**Motion by Ms. Whipple-Boyce**

**Seconded by Mr. Jeffares to approve the CIS as provided by the applicant for the proposed development at 298 S. Old Woodward Ave., allowing the applicant the opportunity to address the following conditions of approval prior to Final Site Plan Review:**

- (1) Revise the traffic and parking study to address the comments provided by Fleis & Vandenbrink regarding the trip generation and parking generation assumptions and traffic operations; and**
- (2) Respond to the concerns and requests of all City departments and provide all necessary information.**

**Motion carried, 5-2.**

ROLLCALL VOTE

Yeas: Whipple-Boyce, Jeffares, Boyle, Koseck, Prasad

Nays: Williams, Share

Absent: Clein

*Site Plan Review*

Based on the linear frontage, five trees are required along S. Old Woodward Ave. (218 ft. frontage), and thus **the applicant is required to add one more street tree along S. Old Woodward Ave. or obtain a variance from the Board of Zoning Appeals.**

It was discussed there are presently six parallel parking spaces that are proposed to be removed to accommodate valet. This board does not have jurisdiction on that issue.

Mr. Share expressed his concern about the level of congestion in the intersection. Mr. Williams suggested adding a condition that the site plan approval is conditional on the Police Dept.'s approval of the valet parking to eliminate congestion as much as possible in the intersection.

There was no public discussion at 9:53 p.m.

**Motion by Ms Whipple Boyce**

**Seconded by Ms. Prasad to approve the Preliminary Site Plan for 298 S. Old Woodward Ave. with the following conditions:**

- (1) Provide details regarding the type and placement of all mechanical equipment and associated screening at Final Site Plan review;**
- (2) Add one street tree along S. Old Woodward Ave. or obtain a variance from the Board of Zoning Appeals or a waiver from the City Arborist;**
- (3) Submit a photometric plan and specification sheets on all proposed lighting at Final Site Plan Review;**
- (4) Comply with the requirements of all City departments;**
- (5) Provide material samples and specification sheets at Final Site Plan Review;**
- (6) Removal of public parking on S. Old Woodward Ave. is subject to approval by the Advisory Parking Committee and the City Commission; and**
- (7) Subject to Police Dept. approval of the valet.**

There was no one in the audience who wished to comment on the motion.

**Motion carried, 7-0.**

**ROLLCALL VOTE**

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

Nays: None

Absent: Clein

The Chairman asked people in the room to find a way to overcome any deep challenges. Everyone on the board wants to make this work but they don't want to create problems in doing so.

At 10 p.m. the board took a short recess.

**05-102-17**

**COMMUNITY IMPACT STUDY ("CIS")  
PRELIMINARY SITE PLAN REVIEW**

- 1. 277 Pierce St. (former Varsity Shop)  
Request for CIS and Preliminary Site Plan Review to allow the construction of a new five-story mixed-use building**

Ms. Whipple-Boyce left the meeting, Mr. Share recused himself, and Ms. Lazar rejoined the board.

Mr. Baka advised that the subject site is currently the site of the Varsity Shop, and has a total land area of .111 acres. It is located on the northeast corner of Pierce St. and E. Merrill St. The applicant is proposing to demolish the existing 8,387 sq. ft. two-story building to construct a 27,000 sq ft. five-story mixed-use building. The building will provide lower level recreation, first floor retail, second floor retail or commercial, third and fourth floor office, and fifth floor residential. Parking for the residential unit will be provided at grade in a two-car garage adjacent to the public alley on the east side of the building. As the building is located within the Parking Assessment District, no on-site parking is required for retail or office uses.

The property is currently zoned B-4 and D-4 in the Overlay District. The proposed retail, office and residential uses are permitted principal uses in the B-4 and D-4 Zone Districts.

The applicant was required to prepare a *CIS* in accordance with Article 7, section 7.27(E) of the Zoning Ordinance as they are proposing a new building containing more than 20,000 sq. ft. of gross floor area.

The property is located in the Central Business District Historic District. The building itself is not designated, but there are several designated properties in the area. Demolition of the building was reviewed and approved by the Historic District Commission ("HDC") earlier this year and the applicant is required to return to the HDC for Design Review prior to full approval.

#### *CIS*

The applicant has submitted a Phase 1 Environmental Site Assessment dated August 18, 2016, prepared by G2 Consulting Group, LLC. The report indicates there is some evidence of recognized environmental conditions ("RECS") that are assumed to be present but could not be confirmed, such as historic use of oil heating and mechanisms that required three 1,000 gallon underground oil tanks that were reportedly removed, but not confirmed. Other RECS also identified are located on the eastern adjoining property and on a northern property. The potential exists that a release has occurred from these properties and migrated onto the subject site.

The Environmental Site Assessment also notes that because of the existing building's age there may also be asbestos and lead-containing building materials present. At a minimum, G2 recommends a comprehensive asbestos-containing material survey be conducted prior to demolition or renovation activities at the subject property.

#### **Motion by Mr. Williams**

**Seconded by Mr. Koseck to accept the CIS as provided by the applicant for the proposed development at 277 Pierce St. with the following conditions:**

- (1) Applicant submit a haul route map for demolition and excavation;**
- (2) Provide mitigation strategies for control of noise vibration and dust;**
- (3) Applicant will be required to bury all utilities on the site;**
- (4) Applicant provide information on all life safety issues and Fire Dept. approval;**
- (5) Applicant provide information on the proposed security system for approval by the Police Department; and**
- (6) A comprehensive asbestos-containing material survey be conducted prior to demolition or renovation.**

**Motion carried, 6-0.**

VOICE VOTE

Yeas: Williams, Koseck, Boyle, Jeffares, Lazar, Prasad

Nays: None

Absent: ~~Share~~, Whipple-Boyce

**Recused: Share**

*Site Plan*

Mr. Baka advised the plans state that the lower level will be predominantly used as a residential recreation area. Article 03 section 3.04 (C) (5) states that no commercial use shall be located on a story above a residential use. **If the area is in fact dedicated to the sole use of the residential occupant and a part of the residence and not an amenity for the entire building, the applicant will be required to obtain a variance from the Board of Zoning Appeals ("BZA") or request a formal interpretation from the Building Official.**

*Design Review*

The applicant is proposing to utilize the following materials for the construction of the five-story, mixed-use building:

- Brick on all facades;
- Stone for the base of the building;
- Aluminum building panels for the third floor façade;
- Metal coping along the parapet;
- Aluminum windows and doors; and
- Extensive window glazing on all facades.

**The applicant will be required to appear before the Historic District Commission for a complete design review.**

Mr. Victor Saroki, Architect, was present along with Ms. Yvonne Yaldoo, Project Architect in his office and Mr. Tony Antone, Vice President of Kajoian Development and Management, representing the ownership. Mr. Saroki indicated they have no problem complying with all of the CIS and Preliminary Site Plan requirements. The building will fit handsomely on the corner. It has operable windows and will utilize premium quality materials. The residential unit at the top is set back 16 ft. off of Pierce St. and 10 ft. off of Merrill St. They have developed a very handsome entry that will be glass and stainless and metal for the office lobby and the residential elevator. A steel and glass canopy at the corner wraps around both Merrill St. and Pierce St. and gives nice identity to the retail tenant on the ground floor. There is access for the residential unit off of the alley as well. The basement contains almost 5,000 sq. ft. They hope to have a fitness room, some entertainment, and the possibility of a two-lane bowling alley for the residential use. However, there may be a conflict in the ordinance that states a residential use cannot be below a commercial use. Being in the basement that seems a little unusual, and probably was not the intent of the ordinance. They intend to either speak to the Building Official to see if there is an interpretation; and if not they will apply for a variance from the BZA by demonstrating that there is practical difficulty because this is in the basement.

Chairman Boyle wanted to see the building in its context. Mr. Saroki agreed to bring a 3-D model showing adjacent buildings to the Final Site Plan Review. Chairman Boyle additionally asked for something that takes a person up Pierce St. and looks back towards the parking structure. Ms. Ecker added that a glass railing is not permitted in the Overlay.

Mr. Koseck suggested having larger glass on the second floor. Mr. Jeffares noticed there is a lot of brick on the north elevation--130 x 96 ft. Mr. Saroki said it is a fire wall because they are built to the property line. Maybe some patterning could be developed in the brick to diminish the mass. In response to Ms. Lazar, Mr. Saroki said the condo on the fifth floor will be for sale.

There were no comments from members of the public at 10:54 p.m.

**Motion by Mr. Williams**

**Seconded by Ms. Prasad to approve the Preliminary Site Plan as provided by the applicant for the proposed development at 277 Pierce St. with the following conditions:**

- (1) The applicant will be required to obtain a variance from the Board of Zoning Appeals or request a formal interpretation from the Building Official to allow commercial use above residential use;**
- (2) Applicant must provide a photometric plan and lighting specifications at the time of Final Site Plan Review;**
- (3) The applicant will be required to verify that the screenwall is tall enough to sufficiently screen the proposed rooftop mechanical units;**
- (4) Applicant comply with the requests of all City Departments;**
- (5) Applicant must obtain approval from the Historic District Commission;**
- (6) Applicant must provide material and color samples at Final Site Plan review;**
- (7) Applicant provide contextual renderings to better understand how the building will fit into the street.**

At 10:55 p.m. there was no further discussion from members of the audience.

**Motion carried, 6-0.**

VOICE VOTE

Yeas: Williams, Prasad, Boyle, Jeffares, Koseck, Lazar

Nays: None

Absent: Clein

**05-103-17**

**OLD BUSINESS**

**3. 2010 Cole St.**

**New mixed use building (partially demolished building)**

**Request for CIS and Preliminary Site Plan Review to allow the construction of a new three-story mixed-use building** (postponed from April 26, 2017; applicant requests additional postponement to June 28, 2017).

**Motion by Mr. Williams**

**Seconded by Mr. Jeffares to postpone the hearing for 2010 Cole St. to June 28, 2017.**

**Motion carried, 6-0.**

VOICE VOTE

Yeas: Williams, Jeffares, Prasad, Lazar, Boyle, Koseck  
Nays: None  
Absent: Clein

**Motion by Ms. Lazar  
And seconded to extend the meeting to 11:10 p.m.**

**Motion carried, 6-0.**

VOICE VOTE

Yeas: Lazar, Boyle, Jeffares, Koseck, Prasad, Williams  
Nays: None  
Absent: Clein

**05-104-17**

## **FINAL SITE PLAN AND DESIGN REVIEW**

### **1. 2254 Cole St. (Cole Business Center)**

**Request for Final Site Plan Review to allow Final Site Plan and Design Review to allow site plan changes to the parking lot, trash enclosure, and parking lot landscaping along with exterior design changes.**

Mr. Baka advised that the subject site is currently occupied by a vacant one-story brick industrial building with a small two-story portion on the north end. The surface parking lot comprises the remainder of the parcel. At this time the applicant is applying for Final Site Plan and Design Review to improve the existing parking lot that is east of the building. The proposed parking would include 42 regular parking spaces and two ADA compliant spaces. A dumpster is proposed at the SE corner of the parking lot. They are also proposing to construct 3 ft. high screenwalls at the edge of the property as required. It is requested that the applicant verify that the screenwalls will match the building.

The applicant does not propose an off-street loading space in their plans for the improved parking lot. ***However, the applicant must submit plans with a clearly labeled off-street loading space or obtain a variance from the Board of Zoning Appeals ("BZA").***

The Engineering Dept. notes that the existing lot was constructed without a drainage outlet, resulting in large volumes of storm water runoff being discharged to the adjoining neighbor and across the City sidewalk onto the street. Improvement of the parking lot must include the installation of a private storm sewer system to handle this storm flow in accordance with current requirements. It was noted this is an expensive improvement but it has been discussed with the applicant.

#### *Design Review*

All changes proposed to the building to create new glazing window systems were approved by the Design Review Board on January 4, 2017. No new signage is proposed at this time.

**Motion by Ms. Prasad  
Seconded by Mr. Williams to approve the Final Site Plan Review for 2254 Cole St. subject to the following conditions:**

- (1) The applicant must verify that screenwall materials will match or compliment those of the principal building;**
- (2) The applicant must provide one loading space;**
- (3) The applicant must submit plans with the correct number of street lights;**
- (4) The applicant must provide five trees along their frontage on Cole St., or obtain a waiver from the Staff Arborist for lack of adequate green space in the right-of-way;**
- (5) The applicant must submit plans with one clearly labeled off-street loading space or acquire a variance from the BZA; and**
- (6) The applicant must address the concerns of City Departments.**

There were no public comments on the motion at 11:05 p.m.

**Motion carried, 6-0.**

VOICE VOTE

Yeas: Prasad, Williams, Lazar, Boyle, Jeffares, Koseck

Nays: None

Absent: Clein

#### **05-105-17**

#### **MISCELLANEOUS BUSINESS AND COMMUNICATIONS**

- a. Communications (none)
- b. Administrative Approval Correspondence
  - 735 Forest, mixed use building -
    - 1) Eliminate one of the 39 existing parking spaces. Proposed plans still meet the minimum parking requirements based on the shared parking agreement.
    - 2) Revise outdoor seating per original bistro application which includes 8 tables and 30 seats.
- c. Draft Agenda for the Regular Planning Board Meeting on June 14, 2017
  - Public Hearing on Glazing;
  - Discussion of the definition of retail and retail uses Downtown.
- d. Other Business (none)

#### **05-106-17**

#### **PLANNING DIVISION ACTION ITEMS**

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

#### **05-107-17**



**ADJOURNMENT**

No further business being evident, the Chairman adjourned the meeting at 11:08 p.m.

Jana Ecker  
Planning Director

APPROVED