

**CITY OF BIRMINGHAM
PLANNING BOARD ACTION ITEMS
OF WEDNESDAY, JULY 27 2016**

Item	Page
<p>PUBLIC HEARING</p> <p>1. To consider amendments to Chapter 126, Zoning, Article 04 Development Standards, section 4.19, HT-04 (Height Standards) to alter the maximum height of buildings in the MX District to allow for rooftop mechanical equipment.</p> <p style="padding-left: 40px;">Motion by Mr. Williams Seconded by Ms. Whipple-Boyce to recommend an amendment to Article 04, Section 4.19, Height Standards HT-04 of the Zoning Ordinance to the City Commission to alter the maximum height of buildings in the MX District as set forth in the proposed ordinance in the materials. Among other things, 4.19 HT-04 A would increase the maximum overall height, including mechanical and other equipment to be no more than 60 ft.</p> <p>Motion carried, 7-0.</p> <p>FINAL SITE PLAN REVIEW</p> <p>1. 100-450 Woodland Villa (existing duplexes) Request for Final Site Plan Approval to add a gate across Woodland Villa south of W. Maple Rd. (continued from June 22, 2016)</p> <p style="padding-left: 40px;">Motion by Mr. Williams Seconded by Ms. Whipple-Boyce to postpone the hearing for 100-450 Woodland Villa to August 10, 2016.</p> <p>Motion carried, 7-0.</p> <p>2. 400 W. Maple (office building) Request for Final Site Plan Review to allow an addition to enclose the outer atrium at the front entrance of the building</p> <p style="padding-left: 40px;">Motion by Mr. Jeffares Seconded by Mr. Boyle to approve the Final Site Plan and Design Review for 400 W. Maple Ave. with the following conditions, as the proposed site plan meets the approval criteria set out in Article 7, section 7.27 (B) of the Zoning Ordinance:</p>	

Item	Page
<p>1. Replace the cut-off wall pack on the rear elevation with a cut-off fixture and provide a photometric plan, both of which to be administratively approved; and</p> <p>2. Construct a dumpster enclosure to be administratively approved if it is deemed that it can be built without obstructing the existing easements to the two adjacent buildings.</p> <p>Motion carried, 7-0.</p> <p>3. 748-750 Forest Ave. (existing office buildings) Request for Final Site Plan Review to allow the new construction of a five-story/three-story building for office and residential uses.</p> <p>Motion by Mr. Boyle Seconded by Mr. Williams to approve the Final Site Plan Review for 748 and 750 Forest Ave. with the following conditions:</p> <ol style="list-style-type: none"> 1. The applicant must submit a completed USGBC certification checklist to indicate how they will achieve certification; 2. The applicant provide a revised photometric plan indicating compliance with the lighting standards in the Zoning Ordinance; 3. The applicant incorporate the requirements of the Via Activation Plan into their proposal as required by the Planning Board; 4. The applicant complies with requests from City Departments; and 5. Applicant submit the Shared Parking Agreement and record it against the title. <p>Motion carried, 7-0.</p>	

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, JULY 27, 2016
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on July 27, 2016. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Gillian Lazar, Janelle Whipple-Boyce, Bryan Williams; Student Representative Colin Cousimano (left at 9:10 p.m.)

Absent: Alternate Board Members Lisa Prasad, Daniel Share

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

07-126-16

**APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING
OF JULY 13, 2016**

Motion by Ms. Lazar

Seconded by Mr. Koseck to approve the Minutes of July 13, 2016 as presented.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

07-127-16

CHAIRPERSON'S COMMENTS (none)

07-128-16

APPROVAL OF THE AGENDA

The applicants for 100-450 Woodland Villa have requested postponement of their hearing.

PUBLIC HEARING

1. To consider amendments to Chapter 126, Zoning, Article 04 Development Standards, section 4.19, HT-04 (Height Standards) to alter the maximum height of buildings in the MX District to allow for rooftop mechanical equipment.

The chairman opened the public hearing at 7:34 p.m.

Ms. Ecker recalled at the January 14, 2015 Planning Board meeting, the board considered the Final Site Plan for 245, 325 and 375 S. Eton (District Lofts, Building B). The applicant originally proposed a four-story mixed-use building with a rooftop terrace, a mechanical tower extending above the roof, and rooftop mechanical equipment. While the site plan was approved, the Planning Board added a condition requiring the applicant to remove the rooftop terrace, and lower the height of the mechanical tower and other mechanical equipment to 55 ft. in height or less to comply with Article 4, section 4.19, Height Standards, or obtain a variance from the Board of Zoning Appeals ("BZA").

On July 14, 2015, the BZA heard the requests and denied each of them. They stated that the applicant's best path in this case would be to seek ordinance amendments through the City Commission. Thus, the applicant amended their plans to comply with the Zoning Ordinance.

At this time, the applicant has filed a petition to amend the Zoning Ordinance to request an amendment to Article 4, section 4.19, Height Standards to increase the maximum overall height in the MX District to allow for rooftop mechanical equipment and associated structures. The applicant also requested an amendment to the same section to allow rooftop terraces and accessory uses such as fitness areas and kitchen facilities, which the Planning Board did not wish to take action on at this time.

With regards to extra height, in every other zone district in the City an extra 10 ft in height is allowed for mechanical equipment, screening and other rooftop structures. The maximum allowable height in the MX District is currently no more than 50 ft. These amendments will bring the MX District in line with all other districts in the City with regard to allowable mechanical space above the maximum height. The roof height is the same, but an extra 10 ft. is allowed for mechanicals.

The chairman took comments from the public at 7:36 p.m.

Mr. Victor Saroki, Architect, said they are very pleased to see the text amendment and they support it as it is written for 60 ft. access for mechanical use, stairs, and elevators. He asked the board to please consider moving forward an allowance for use of the rooftop area. They become outdoor areas for people to enjoy, especially when they do not have a yard.

Motion by Mr. Williams

Seconded by Ms. Whipple-Boyce to recommend an amendment to Article 04, Section 4.19, Height Standards HT-04 of the Zoning Ordinance to the City Commission to alter the maximum height of buildings in the MX District as set forth in the proposed ordinance in the materials. Among other things, 4.19 HT-04

A would increase the maximum overall height, including mechanical and other equipment to be no more than 60 ft.

There were no comments from members of the public at 7:40 p.m.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

Chairman Clein closed the public hearing at 7:40 p.m.

07-130-16

FINAL SITE PLAN REVIEW

1. 100-450 Woodland Villa (existing duplexes)

Request for Final Site Plan Approval to add a gate across Woodland Villa south of W. Maple Rd. (continued from June 22, 2016)

Motion by Mr. Williams

Seconded by Ms. Whipple-Boyce to postpone the hearing for 100-450 Woodland Villa to August 10, 2016.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

07-131-16

2. 400 W. Maple (office building)

Request for Final Site Plan Review to allow an addition to enclose the outer atrium at the front entrance of the building

Ms. Ecker summarized the request. The subject location is a 14,505 sq. ft. parcel with an existing three-story office building. The property is located on the northwest corner of W. Maple Rd. and Willits/Chester in the Downtown Overlay District. At this time, the applicant is proposing to add a 290 sq. ft. lobby addition to provide vestibule space and access to an existing elevator. The proposed lobby addition would be located in the existing entry courtyard area at the corner, within the area already defined by existing building columns.

Ms. Ecker advised that this property has been recently zoned to TZ-3 Transitional Zone. The existing building is in conformance with TZ-3. The only non-conformity is the floor to ceiling height of the existing first floor. What is being added on does not increase the

non-conformity of the first floor, as it meets the required floor to ceiling height. There is a dumpster on-site that is currently unscreened.

Design Review

The applicant is proposing to add a lobby addition within the overhang area of the entrance courtyard. The existing brick piers and arches are proposed to remain, and a new curtain wall glass system is proposed to be inset 3.5 ft. behind the brick piers and arches to add a new lobby space 14.49 ft. in depth. A new entrance canopy is proposed to extend above the new double entry door to define the front entrance.

The following materials are proposed:

- Kawneer curtain wall system with some Solarban60 medium tinted panes, and some clear glass panes;
- Brick knee wall to match existing red brick;
- Clear, anodized ACM panel behind canopy and above door;
- Aluminum and glass double entry doors; and
- Bronze standing seam metal roof and aluminum fascia on canopy.

In accordance with the requirements of the Downtown Birmingham Overlay District, all glass must be clear or lightly tinted only. Thus, the applicant will be required to use clear or lightly tinted glazing.

The applicant is also proposing to add a new address sign to be constructed with a powder coated metal finish.

Mr. Frank Martin, Dorchen/Martin Associates Architects Inc., was present with Mr. Tom Giglioni, the building owner, and his son, Tom. Mr. Martin stated one of the reasons for the vestibule is to better achieve some barrier-free access to the building. They have made it a little special by adding a canopy. He passed around a sample of the light tint window glass they are now proposing. One of the possibilities for lighting is to have a chandelier along with recessed lights in the ceiling of the proposed vestibule.

Mr. Giglioni talked about the unscreened dumpster. They own that property and it is also a legal permitted easement for the adjacent building, whose trucks ingress and egress through there. If they enclose the dumpster it would limit truck maneuvering around that corner. Mr. Giglioni said they would be happy to consider a trash compactor for use by the properties concerned.

At 8 p.m. no one from the public wished to come forward to comment.

Mr. Jeffares thought this would be the time to get the dumpster enclosed. Mr. Williams disagreed because at this time the Board doesn't know what is happening with the adjoining property and how they will use the easement. Therefore he was in favor of approving the vestibule but reserving judgment on the dumpster screening. It was determined that the sample glass provided was lightly tinted.

Motion by Mr. Jeffares

Seconded by Mr. Boyle to approve the Final Site Plan and Design Review for 400 W. Maple Ave. with the following conditions, as the proposed site plan meets the approval criteria set out in Article 7, section 7.27 (B) of the Zoning Ordinance:

1. Replace the cut-off wall pack on the rear elevation with a cut-off fixture and provide a photometric plan, both of which to be administratively approved; and
2. Construct a dumpster enclosure to be administratively approved if it is deemed that it can be built without obstructing the existing easements to the two adjacent buildings.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

07-132-16

3. 748-750 Forest Ave. (existing office buildings)

Request for Final Site Plan Review to allow the new construction of a five-story/three-story building for office and residential uses.

Mr. Baka described the request. The subject site is composed of two parcels, 750 and 748 Forest Ave. 750 Forest is a fitness and health club, while 748 Forest is an interior design office. The combined parcels are 13,200 sq. ft. and are located on the southwest corner of Forest Ave. and Elm St. The applicant is proposing to demolish the existing buildings to construct a three story/five story mixed-use, office and residential development occupying both lots. The proposed building consists of 22 residential units and 850 sq. ft. of office space.

The site is currently zoned O-2 Office Commercial and falls within the MU-5 and MU-3 zones of the Triangle Overlay District. The proposed residential units, office space and parking facility are permitted principal and/or accessory uses in the Triangle Overlay District in accordance with Article 3, section 3.07 of the Zoning Ordinance.

The applicant was required to prepare a Community Impact Study 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.

On June 8, 2016 the Planning Board accepted the Community Impact Statement and approved the Preliminary Site Plan with several conditions.

In accordance with Article 4, section 4.45 (PK) of the Zoning Ordinance, 42 spaces are required for the mixed-use, office and residential building. The applicant is now proposing 37 spaces on site and is permitted to count the two on-street spaces along Elm towards their parking requirements as well. **Accordingly the applicant must provide three additional spaces, obtain approval for a shared parking agreement from the Planning Board, or obtain a variance from the Board of Zoning Appeals ("BZA").** The applicant has stated that they are requesting to be approved for a shared

parking agreement that would permit them to share the three spaces provided for the office space with the residential units.

The applicant is proposing to construct a portion of the MU-3 section of the building up to five stories. This is permitted by the Triangle Overlay if they are 100 ft. or more from residential and meet the requirements of Section 3.08 (E), which requires that they meet two or more of the conditions listed. As currently proposed, the plan meets provision three by providing over 50% of the floor area as residential. The applicant has stated that they intend to comply with provision four by achieving LEED certification for the building.

Design Review

The building consists of five stories on the western section, and three stories on the eastern section, both of which have flat rooftops. The flat roof of the eastern section will serve as an outdoor terrace. The windows are vertically proportioned and transparent. The residential units have balconies with concrete bases and metallic checkered fencing.

A ground level façade made predominantly of glass surrounds the office and lobby space on the Forest Ave. and Elm St. frontages. The glazing abuts a “Pacific” color masonry wall which encloses the parking lot on both the north and east facing sides of the building. The masonry walls have window openings and vehicle entryways to prevent a blank wall of more than 20 ft.

Openings above the first story are planned for the residential units. The upper stories consist of grey masonry, charcoal grey metal panels, red cedar wood siding, “Sailcloth” fiber cement panels and “zinc” metal window box panels, with vertically proportioned windows and balconies for the residential units.

Mr. Williams did not think shared parking arrangements would help much in this area. The whole district is in need of some municipal parking relief. If this project gets approved there will be more traffic, more parking, and things will get worse. This is not the developer's problem; it is the City's problem.

Ms. Lazar noticed that a Knox Box was not one of the Fire Dept.'s requirements.

Mr. Paul Robertson with Robertson Bros. was present with Mr. Eric Larson from Larson Realty Group, who is his partner; and Mr. Michael Poris and Mr. Ross Hoekstra from McIntosh/Poris Architects. Mr. Robertson supported the comment about the parking problem, which is the biggest problem he had. They have worked with this board and with staff to make sure they meet the ordinance in every way.

Mr. Hoekstra described the exterior color scheme. The materials board was passed around and Mr. Hoekstra noted they have taken their inspiration from masonry and brick as opposed to stone and limestone that is seen on the other side of Woodward Ave. Chairman Clein commented that it looks like a lot of grey. Mr. Poris said that reddish brick did not look good alongside the building next door and the AAA Building. Mr. Robertson explained they picked the color so the project would feel different than the rest of the street.

Mr. Koseck was surprised they don't have a corner bay window that looks down onto the rooftop. He thought if they did something up there it would be a great enhancement. Mr. Poris said that is possible.

Ms. Whipple-Boyce liked the building and thought the color scheme is pretty cool.

Mr. Boyle applauded the applicant for what they have done and he looks forward to seeing the project built.

Mr. Robertson confirmed the units will sell for approximately \$400 thousand and parking will be assigned. The units will vary in size from 800 sq. ft. to 2,200 sq. ft. He hopes to call the building 750 Forest even though the entrance is off of Elm St.

The chairman called for comments from the audience at 8:55 p.m.

Mr. Jim Rosenthal, the owner of 700 Forest, the building to the west, expressed his concern about the height and being directly next door to a five-story structure that will block sunlight and views. Chairman Clein was sure the developer would reach out to him as a good neighbor for the design as well as for the construction operations.

Mr. Williams encouraged Mr. Robertson to work closely with the neighboring property on his west side to make it more attractive. That will benefit everybody. He thinks the building is a plus for this area. The City should think about how to restrict cut-thru traffic along Elm St. from this site.

Motion by Mr. Boyle

Seconded by Mr. Williams to approve the Final Site Plan Review for 748 and 750 Forest Ave. with the following conditions:

- 1. The applicant must submit a completed USGBC certification checklist to indicate how they will achieve certification;**
- 2. The applicant provide a revised photometric plan indicating compliance with the lighting standards in the Zoning Ordinance;**
- 3. The applicant incorporate the requirements of the Via Activation Plan into their proposal as required by the Planning Board;**
- 4. The applicant complies with requests from City Departments; and**
- 5. Applicant submit the Shared Parking Agreement recorded against the Title.**

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

Mr. Koseck said he will support the project and hopes it will be a harbinger of future things to come.

There were no comments from members of the public on the motion at 9:07 p.m.

07-133-16

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

07-133-16

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

a. Communications

Ms. Ecker updated the board about City Commission proceedings. The top item that the Commission would like to see addressed is the dormer issue for single-family homes. Second is to keep TZ-2 moving. Third is to deal with non-conforming buildings and allowing maintenance, renovation, etc. Then, the parking requirements and the definition of retail. Lot consolidations will not come to the Planning Board and will require City Commission review.

Commissioners expressed the desire to review the parking requirements and to include parking in the Master Plan.

b. Administrative Approval Correspondence

- 630 Harmon St., Holy Name Church - Remove and replace existing sidewalk section (8 ft. x 9 ft.) with 4 in. thick concrete.
- 2225 E. Fourteen Mile Rd., Our Shepherd Lutheran Church, - Install 6 ft. picket fence.
- 245, 325, 375 Eton St., District Lofts - To provide and replace existing landscaping and tree grates.
- 746 E. Maple Rd., Love & Buttercream - A/C condenser to be located on roof with required screening.
- 555 S. Old Woodward Ave., Triple Nickel Restaurant - Illuminated sign at west elevation entrance canopy. Non-illuminated sign at east elevation overhang.
- 210 S. Old Woodward Ave, Suite 200 - Adding a balcony to make a usable outdoor area. The space already exists.
- 34222 Woodward Ave. - Change number of sign lights from three to two (due to location of I-beam).

c. Draft Agenda for the Regular Planning Board Meeting on August 10, 2016

- Dormers for single-family homes;
- Update of the Planning Board Action list;
- Woodland Villa, Final Site Plan Review;

- Glazing Ordinance;
 - Lightly tinted
 - Percentage for the back of buildings that front onto vias
- City Commission direction to the Planning Board on current planning issues.

d. Other Business (none)

07-124-16

PLANNING DIVISION ACTION ITEMS

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

07-125-16

ADJOURNMENT

No further business being evident, the chairman adjourned the meeting at 9:15 p.m.

Jana Ecker
Planning Director