

**CITY OF BIRMINGHAM
PLANNING BOARD ACTION ITEMS
OF WEDNESDAY, AUGUST 12, 2015**

Item	Page
<p>UNFINISHED BUSINESS</p> <p>1098 S. Adams (postponed from the meeting of July 8, 2015) Platinum Motor Cars Special Land Use Permit (“SLUP”) Final Site Plan and Design Review Request for approval of a SLUP to allow the use and renovation of an existing building for an auto sales agency and showroom</p>	2
<p style="padding-left: 40px;">Motion by Mr. Williams Seconded by Ms. Whipple-Boyce to postpone 1098 S. Adams, Platinum Motor Cars Special Land Use Permit (“SLUP”) and Final Site Plan and Design Review to August 26, 2015.</p>	2
<p>Motion carried, 6-0.</p>	2
<p>PRELIMINARY SITE PLAN REVIEW</p> <p>2100 E. Maple Rd. (postponed from the meeting of July 22, 2015) Whole Foods Market Request for approval of Preliminary Site Plan to allow the construction of a new one-story, 46,500 sq. ft. retail building for Whole Foods Market</p>	2
<p style="padding-left: 40px;">Motion by Mr. Williams Seconded by Mr. Boyle to approve the Preliminary Site Plan for 2100 E. Maple Rd. with the following conditions:</p> <ol style="list-style-type: none"> 1) The Preliminary Site Plan is approved with the exception of the floor plan; the applicant will be required to amend the floor plan as recommended tonight, with the floor plan to be approved at Final Site Plan Review; 2) The applicant provide the required screening and details regarding the dimensions, materials and colors of the proposed screenwall/evergreen screening or obtain a variance from the Board of Zoning Appeals; 3) The applicant provide documentation that the Viburnum shrubs are evergreen and capable of providing screening year round; 4) Applicant correct all plan sheets to ensure all landscape details are consistent and not shown as optional; 5) The applicant obtain a waiver from the arborist, or a variance from the Board of Zoning Appeals or provide the required total of 14 street trees; 	7

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<p>6) The applicant provide details on the size and species of the existing tree in order to determine if an existing vegetation credit applies; 7) The applicant add bicycle parking at the front of the proposed store along E. Maple Rd. near the entry at the northeast corner; 8) The applicant provide lighting specifications and building material samples at the time of Final Site Plan review; and 9) Comply with the 70% clear or lightly tinted glazing requirement or obtain a variance from the Board of Zoning Appeals.</p>	
<p>Motion carried, 6-0.</p>	7
<p>PRELIMINARY SITE PLAN REVIEW COMMUNITY IMPACT STUDY (“CIS”) 369 N. Old Woodward Ave. Brookside Development Application for a Preliminary Site Plan Review and CIS to allow the development of a new five-story mixed-use building with retail on the first floor and residential on the upper floors</p>	7
<p>Motion by Mr. Williams Seconded by Ms. Whipple-Boyce to postpone 369 N Old Woodward Ave., Brookside Development, Preliminary Site Plan and CIS to September 9, 2015.</p>	8
<p>Motion carried, 6-0.</p>	8
<p>REZONING REQUEST 369 N. Old Woodward Ave. Brookside Development Application for rezoning of property from R-6 Multiple Family Residential to R-6 and D-4 in the Downtown Birmingham Overlay District</p>	8
<p>Motion by Mr. Williams Seconded by Mr. Koseck to postpone 369 N. Old Woodward Ave., Brookside Development application for rezoning, to the meeting of August 26, 2015.</p>	8
<p>Motion carried, 6-0.</p> <p>Motion by Mr. Williams Seconded by Mr. Koseck to suspend the rules and allow the additional item for the meeting of August 26, 2015.</p>	9

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Motion carried, 6-0.	

APPROVED

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, AUGUST 12, 2015
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on August 12, 2015. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle (arrived at 7:32 p.m.), Bert Koseck, Gillian Lazar, Janelle Whipple-Boyce, Bryan Williams.

Absent: Board Member Carroll DeWeese; Alternate Board Members Stuart Jeffares, Daniel Share; Student Representatives Scott Casperson, Andrea Laverty

Administration: Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

Also Present: Michael Labadie, Fleis & Vanderbrink, Birmingham Traffic Consultant

08-149-15

**APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING
OF JULY 22, 2015**

Motion by Mr. Koseck

Seconded by Ms. Lazar to approve the Minutes of the Planning Board meeting of July 22, 2015 as presented.

Motion carried, 5-0.

VOICE VOTE

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

Nays: None

Abstain: Williams

Absent: DeWeese

08-150-15

CHAIRPERSON'S COMMENTS (none)

08-151-15

APPROVAL OF THE AGENDA (approved).

08-152-15

UNFINISHED BUSINESS

1098 S. Adams (postponed from the meeting of July 8, 2015)

Platinum Motor Cars

Special Land Use Permit ("SLUP")

Final Site Plan and Design Review

Request for approval of a SLUP to allow the use and renovation of an existing building for an auto sales agency and showroom

Applicant has requested to be postponed to August 26.

Motion by Mr. Williams

Seconded by Ms. Whipple-Boyce to postpone 1098 S. Adams, Platinum Motor Cars Special Land Use Permit ("SLUP") and Final Site Plan and Design Review to August 26, 2015.

Motion carried, 6-0.

VOICE VOTE

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

Nays: None

Absent: DeWeese

08-153-15

PRELIMINARY SITE PLAN REVIEW

2100 E. Maple Rd. (postponed from the meeting of July 22, 2015)

Whole Foods Market

Request for approval of Preliminary Site Plan to allow the construction of a new one-story, 46,500 sq. ft. retail building for Whole Foods Market

Ms. Ecker advised that the subject site has been before the board on several occasions. The site currently contains a vacant building that was previously an office building, and then an urgent care medical clinic. At this time, the applicant is proposing a new single-story 46,500 sq. ft. retail building. The subject site is located on the south side of E. Maple Rd., west of the existing LA Fitness facility and east of the railroad tracks. The proposed new building will house a Whole Foods grocery store, selling natural and organic foods. The site occupies a total of 4.62 acres. The applicant proposes to relocate Whole Foods Market from E. Maple Rd. in Troy to this site.

On May 27, 2015, the Planning Board reviewed a detailed proposal from the applicant for the development of the site, including a review of a Community Impact Study and Preliminary Site Plan for the proposed retail facility. In addition, the Planning Board

voted to recommend to the City Commission that the property at 2100 E. Maple Rd. be rezoned from O-1 Office to B-2 General Business.

On June 10, 2015, the Planning Board voted to accept the CIS for the proposed Whole Foods development with several conditions.

On June 29, 2015, the City Commission approved the rezoning of the parcel from O-1 to B-2, with the condition that the rezoning be approved, but the use be limited to grocery store uses only.

On July 22, 2015, the Planning Board continued to discuss the Preliminary Site Plan for the proposed Whole Foods store. Much of the discussion again focused on the traffic and circulation changes proposed as a result of the development, as well as the placement of the building on the site and the entrance locations. Board members voted to postpone the decision on the Preliminary Site Plan Review to August 12, 2015 to allow the applicant to produce additional information on the traffic options that were considered, as well as time to investigate ideas raised to eliminate northbound traffic at the intersection of N. Eton and Maple Rd. and the possible elimination of one of the access drives into the proposed Whole Foods site. There was concern that too many cars would be queuing up in the intersection of N. Eton and Maple Rd. and there wouldn't be sufficient queuing for vehicles turning westbound. Further, a request was expressed to increase activity level at the front of the building.

Design Review

The materials proposed are the same as those previously presented to the Planning Board. Material samples and colors will be required at the time of Final Site Plan Review. The applicant has added significantly more glazing to the north elevation along E. Maple Rd. as requested by the Planning Board. In addition, numerous windows have been added to the east elevation as well, given the visibility of this elevation from E. Maple Rd.

The plans do not indicate the percentage of glazing provided; however it does not appear that the building as proposed meets the 70% glazing requirement as listed in section 4.83 of the Zoning Ordinance. The applicant has submitted a variance request to the Board of Zoning Appeals in that regard and the matter will be heard at their September 8, 2015 meeting.

The applicant must provide the required screening and details regarding the dimensions, materials and colors of the proposed screenwall/evergreen screening or obtain a variance from the Board of Zoning Appeals.

The applicant will be required to obtain a waiver from the arborist, or obtain a variance from the Board of Zoning Appeals or provide the required total of 14 street trees, and to revise the landscape plan to ensure that all notes and drawings are consistent on all of the plan sheets.

Mr. Rick Rattner, Attorney for Whole Foods, said they have had much community involvement. The Pembroke Neighborhood Association encouraged them to go forward with their proposal. Based on input from the Planning Board, Whole Foods consultants

have worked with City planners and staff on the site design pursuant to City ordinances. Most of the discussions have revolved around traffic issues at the site. However, on July 22, additional issues arose:

- Closing northbound traffic from the site to N. Eton – They have found it creates more problems than it solves. People living in the Pembroke Subdivision must take a circuitous route to get home, which will increase cut-through traffic.
- Potential stacking under the bridge – Add a second signal controller that will allow westbound traffic to clear more efficiently. Also allows significantly more traffic from N. Eton to turn right.
- Consideration of a single Whole Foods entrance – Requires adding a second traffic signal. Such a traffic signal will increase backups. Also, access to and from Whole Foods would be restricted and hinder left turns out of the site, causing cars to turn right and use residential roads for U-turns or cut-through.
- Remove the deceleration lane – They believe this is a mistake because the deceleration lane really increases the safe flow of traffic.
- Concerns regarding delivery truck traffic to and from the site. Their traffic models considered the anticipated truck traffic.

In summary, the original plan presented works well and improves the operation of the intersection. The further modification of the S. Eton signal under the bridge can provide additional benefit if the City desires.

Mr. Labadie said he reviewed the second signalization issue and explained why he feels it is a good idea. It is designed to clear out traffic sitting underneath the bridge.

Mr. Joe Marson with Parsons, Traffic Consultant for Whole Foods, talked about how their Phasing Plan for signals would operate to decrease backups. He noted that pushbuttons give pedestrians plenty of time to cross E. Maple Rd. Mr. Koseck hoped they would address the pedestrian safety issue. He asked Mr. Marson if they could do without the deceleration lane. Mr. Marson answered it is a benefit from the standpoint of making traffic flow on E. Maple Rd. and reducing rear-end crashes.

Mr. Williams did not know how pedestrians will cross Maple Rd. from the Pembroke Subdivision. Mr. Marson answered the crosswalk locations will be boldly striped and will not change. They are simply adding pedestrian pushbuttons that will increase the crossing time. Chairman Clein added all of the crosswalks should be restriped.

In response to Ms. Whipple-Boyce, Mr. Marson explained without the deceleration lane, traffic in the right lane would only slow down in the immediate vicinity of the driveway. Traffic in the left lane would continue to operate as it does now.

Mr. Andy Coughlin, President of OKW Architects, indicated the most important change they have made to the current plan is opening up the E. Maple Rd. elevation with clear glass above and below the fritted glass. Secondary changes were to shift the glazing closer to E. Maple Rd. on the east elevation and on the west elevation to slide it closer to the south side. Chairman Clein noted the board members may see a missed opportunity to engage the street level by placing the outdoor seating patio at the back of the store adjacent to the parking lot. Mr. Coughlin said that is an issue of store planning for Whole Foods.

Mr. Michael Bashere, Regional President for the NW region of Whole Foods, indicated they would have no problem with putting seating at the front on E. Maple Rd. Mr. Boyle thought that would need a setback of the building in order to make it a comfortable space. Mr. Koseck said he could give up on the 70% glazing but he could not give up on having back of the house uses at the front of the store. Therefore, he suggested they rotate the interior floor plan 90 degrees counter clockwise, but leave the loading dock where it is. This will achieve a dominant welcoming elevation that is a better fit for pedestrian connectivity.

Mr. Bashere indicated Whole Foods hopes to bring a store to Birmingham that is state of the art and offers the best they can give to a community. To achieve what is a Whole Foods they need to have certain functions in certain places. Chairman Clein asked the applicants if they are willing to take a hard look at the board's recommendations, knowing it will really be a contingency of any approvals. Mr. Bashere replied they will consider the recommendations.

Ms. Whipple-Boyce expressed her opinion that the seating along E. Maple Rd. needs to be interactive with the function of the store.

Mr. Jim Butler with PEA, Civil Engineer for the project, explained the circulation through the site.

Chairman Clein opened discussion to the public at 8:50 p.m.

Ms. Georgia Vittic, 667 N. Eton, received confirmation that just the N/S pedestrian crosswalks across E. Maple Rd. will be pushbuttons. She stated that during rush hour vehicles will not be able to turn left from Whole Foods. Mr. Marson disagreed with that statement. Further, she was afraid people will cut through the neighborhood from Coolidge. Finally, she was afraid that N. Eton will become a parking lot exit for Whole Foods.

Ms. Lucy Frankel, 1970 Graefield expressed her excitement about Whole Foods coming to Birmingham.

Rhonda, who manages the apartment community at S. Eton and E. Maple Rd., was concerned about additional cut-through traffic because it is bad now.

Mr. Mike Steinberger, 2849 Buckingham, thought Whole Foods has done a good job addressing neighborhood concerns. Personally he likes the deceleration lane and has no problem with the E. Maple Rd. façade as it is proposed.

Mr. Fred Downing who lives on Yosemite thought that people crossing at the E. Maple Rd./Eton intersection are in peril. He questioned if Whole Foods has looked at alternative sites.

Mr. Chris Cueter, 2474 Yorkshire, said 74% of the letters that were sent in are opposed to the site. If Parsons is basing this project on whether it will work, their traffic numbers

are off by 20% on the low side. Pedestrians crossing E. Maple Rd. will freeze traffic. Thirty deliveries a day occur with large trucks. He suggested having the trucks enter the site around LA Fitness. He thinks the traffic issue needs to be addressed further.

Mr. Harvey Rosenberg who lives on E. Maple Rd. said he is in favor of the project as long as the traffic does not increase and cause more congestion. He thought the board should not keep prolonging their vote on the project.

Mr. Mike Umbarger who lives on Pembroke moved through a power point presentation that 1) requested information that was brought up at the last meeting; 2) addressed concern with traffic heading north out of the site; and 3) discussed potential pedestrian conflicts with bikes and heavy vehicles. He hopes to see better detail on these matters.

Mr. Labadie stated he feels that Parsons has done a great job preparing their report, using accepted practice by looking at the worst case. They have added some creative approaches that he thinks are good. He likes that they are enhancing the pedestrian experience by adding pushbuttons and improved crosswalks. In response to Mr. Williams, he indicated he is satisfied that at peak hours the NW exit across from N. Eton will work with the reconfiguration of the light signals.

Mr. Koseck said he will not support the Preliminary Site Plan this evening because it is so tied to the floor plan. He feels that Whole Foods is obligated to tweak their plan to make it a better fit for the community. Mr. Williams spoke on the traffic issue. He thinks the board is required to listen to the traffic expert for Birmingham. Further, he shared Mr. Koseck's concern with the building. Ms. Lazar said she also trusts Mr. Labadie and she agreed with Mr. Koseck. There has to be some reorientation of the interior of the building to bring a little more life and color to the E. Maple Rd. elevation.

Mr. Boyle said he too is satisfied with tonight's presentations regarding traffic movements but his concerns are more about the building and the site plan itself. Chairman Clein indicated he is satisfied that traffic will work, given the existing conditions and what is being proposed along with the modifications. Board members contemplated whether a motion could be passed tonight contingent upon a revision of the entire floor plan at Final Site Plan Review along with what other modifications are required as a result.

Motion by Mr. Williams

Seconded by Mr. Boyle to approve the Preliminary Site Plan for 2100 E. Maple Rd. with the following conditions:

- 1) The Preliminary Site Plan is approved with the exception of the floor plan; the applicant will be required to amend the floor plan as recommended tonight, with the floor plan to be approved at Final Site Plan Review;**
- 2) The applicant provide the required screening and details regarding the dimensions, materials and colors of the proposed screenwall/evergreen screening or obtain a variance from the Board of Zoning Appeals;**
- 3) The applicant provide documentation that the Viburnum shrubs are evergreen and capable of providing screening year round;**
- 4) Applicant correct all plan sheets to ensure all landscape details are consistent and not shown as optional;**

- 5) The applicant obtain a waiver from the arborist, or a variance from the Board of Zoning Appeals or provide the required total of 14 street trees;
- 6) The applicant provide details on the size and species of the existing tree in order to determine if an existing vegetation credit applies;
- 7) The applicant add bicycle parking at the front of the proposed store along E. Maple Rd. near the entry at the northeast corner;
- 8) The applicant provide lighting specifications and building material samples at the time of Final Site Plan review; and
- 9) Comply with the 70% clear or lightly tinted glazing requirement or obtain a variance from the Board of Zoning Appeals.

Motion carried, 6-0.

ROLLCALL VOTE

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

Nays: None

Absent: DeWeese

Chairman Clein called for discussion from the public on the motion at 9:36 p.m.

Mr. Frank Stanzak, 1796 E. Maple Rd., received information from the chairman about the process going forward.

08-154-15

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

369 N. Old Woodward Ave.

Brookside Development

Application for a Preliminary Site Plan Review and CIS to allow the development of a new five-story mixed-use building with retail on the first floor and residential on the upper floors

It was Mr. Williams' opinion that this structure should be allowed to go higher because of the magnificent views. Ms. Ecker explained the applicant is requesting to leave the R-6 zoning but to come into the Overlay as D-4 which would allow five stories.

Motion by Mr. Williams

Seconded by Ms. Whipple-Boyce to postpone 369 N Old Woodward Ave., Brookside Development, Preliminary Site Plan and CIS to September 9, 2015.

Motion carried, 6-0.

VOICE VOTE

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

Nays: None

Absent: DeWeese

08-155-15

REZONING REQUEST

369 N. Old Woodward Ave.

Brookside Development

Application for rezoning of property from R-6 Multiple Family Residential to R-6 and D-4 in the Downtown Birmingham Overlay District

It was considered that the rezoning request should be done prior to the Preliminary Site Plan Review.

Motion by Mr. Williams

Seconded by Mr. Koseck to postpone 369 N. Old Woodward Ave., Brookside Development application for rezoning, to the meeting of August 26, 2015.

Motion carried, 6-0.

VOICE VOTE

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

Nays: None

Absent: DeWeese

Motion by Mr. Williams

Seconded by Mr. Koseck to suspend the rules and allow the additional item for the meeting of August 26, 2015.

VOICE VOTE

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

Nays: None

Absent: DeWeese

Motion carried, 6-0.

08-156-15

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

08-157-15

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

a. Communications (none)

b. Administrative Approval Correspondence

- 575 S. Eton, Griffin Claw Brewing Co. – New rear entry addition at the restaurant.

- 2200 Holland, Mercedes Benz – Moving translucent panels, adding exhaust vents.
- 820 E. Maple Rd., All Seasons of Birmingham – In order to make screenwall and dumpster enclosure 6 ft. high: remove existing concrete surface; install new dumpster enclosure; remove concrete at lower elevation; relocate fuel tank; plus screening of meters.
- Parking lot S. of Daines between Old Woodward Ave. and Purdy – Demolish existing wall to provide temporary vehicle access from lot onto Daines.

b. Draft Agenda for the Regular Planning Board Meeting on August 26, 2015

- 555 S. Old Woodward rezoning application;
- Public hearing on the Zoning Map as amended language;
- Courtesy review of the Baldwin Public Library book drop;
- 369 N. Old Woodward Ave., Brookside Terrace rezoning application;
- 1098 S. Adams Final Site Plan and SLUP.

c. Other Business

The board was comfortable about going ahead with discussions on establishing a potential D-5 District. Ms. Ecker thought that because of the board's very busy schedule, establishing a sub-committee might be a way of working through some of the issues. Mr. Williams said the 555 Building needs improvement and this board has to figure out how to do it. He felt that D-5 zoning is a separate issue.

08-158-15

PLANNING DIVISION ACTION ITEMS

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

08-159-15

ADJOURNMENT

No further business being evident, board members motioned to adjourn at 10:15 p.m.

Jana Ecker
Planning Director

APPROVED