

**CITY OF BIRMINGHAM
PLANNING BOARD ACTION ITEMS
OF WEDNESDAY, OCTOBER 14, 2015**

Item	Page
<p>1. Preliminary Site Plan Review 559 W. Brown</p> <p>Application for Preliminary Site Plan Review to allow construction of two new attached single-family homes (postponed from September 9, 2015; request to postpone to October 28, 2015).</p> <p style="padding-left: 40px;">Motion by Mr. DeWeese</p> <p>Seconded by Mr. Koseck to postpone the Preliminary Site Plan Review for 559 W. Brown to October 28, 2015.</p> <p>Motion carried, 7-0.</p>	<p>2</p> <p>2</p> <p>2</p>
<p>2. Preliminary Site Plan Review 369 N. Old Woodward Ave. Brookside Terrace</p> <p>Application for Preliminary Site Plan Review to allow construction of a new five-story, mixed-use building (postponed from September 9, 2015)</p> <p style="padding-left: 40px;">Motion by Mr. DeWeese</p> <p>Seconded by Mr. Boyle to approve the Preliminary Site Plan for 369 N. Old Woodward subject to the following conditions:</p> <ol style="list-style-type: none"> 1) Planning Board approves the elimination of the 10 ft. rear yard setback requirements for D-4; 2) Applicant seek an interpretation as to the applicability of the lot area requirements for R-6 if the property is rezoned D-4; 3) Applicant submit specifications on all mechanical equipment, mechanical screening and all building and site lighting at the time of Final Site Plan and Design Review; 4) Applicant provide detailed and compliant streetscape, landscape and photometric plans at the time of Final Site Plan Review; 5) Applicant obtain approval to bring the property into the Parking Assessment District or obtain a variance from the Board of Zoning Appeals; 6) Compliance with the requests of City Departments; 7) Provision of material and color samples at Final Site Plan Review; and 8) Have a 5 ft. sidewalk on the entire south side of the building. <p>Motion carried, 7-0.</p>	<p>2</p> <p>5</p> <p>5</p>

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**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, OCTOBER 14, 2015
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on October 14, 2015. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle, Carroll DeWeese, Bert Koseck, Gillian Lazar, Janelle Whipple-Boyce; Alternate Board Member Stuart Jeffares

Absent: Board Member Bryan Williams; Alternate Board Member Daniel Share; Student Representatives Scott Casperson, Andrea Laverty

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

10-194-15

**APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING
OF SEPTEMBER 30, 2015**

Ms. Lazar:

Page 1 - VOICE VOTE, add a comma between Jeffares and Lazar.

Motion by Ms. Lazar

**Seconded by Ms. Whipple-Boyce to approve the Minutes of September 30, 2015
as amended.**

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: Williams

10-195-15

CHAIRPERSON'S COMMENTS (none)

10-196-15

APPROVAL OF THE AGENDA

- Chesterfield Fire Station has been postponed.
- 559 W. Brown has requested postponement to October 28.

10-197-15

COURTESY REVIEW OF PUBLIC PROPERTY

1. **Chesterfield Fire Station** (postponed)
Birmingham Fire Dept.

10-198-15

PRELIMINARY SITE PLAN AND COMMUNITY IMPACT STUDY ("CIS") REVIEWS

1. **Preliminary Site Plan Review**
559 W. Brown

Application for Preliminary Site Plan Review to allow construction of two new attached single-family homes (postponed from September 9, 2015; request to postpone to October 28, 2015).

Motion by Mr. DeWeese

Seconded by Mr. Koseck to postpone the Preliminary Site Plan Review for 559 W. Brown to October 28, 2015.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: Williams

10-199-15

2. **Preliminary Site Plan Review**
369 N. Old Woodward Ave.
Brookside Terrace

Application for Preliminary Site Plan Review to allow construction of a new five-story, mixed-use building (postponed from September 9, 2015)

Ms. Ecker advised the subject location is currently the site of an existing residential development of nine townhouses and has a total land area of .81 acres. It is located on the west side of N. Old Woodward Ave. between Harmon and Willits.

The applicant is proposing to demolish the existing buildings and surface parking lots to construct a five-story mixed-use building. The building will provide two levels

of underground parking along with storage, ground floor retail/commercial, and 26 residential units on the second through fifth floors.

On August 26, 2015, the Planning Board reviewed the applicant's request for rezoning from R-6 Multiple Family Residential to R-6 Multiple Family Residential and D-4 in the Downtown Overlay District. After much discussion, the Planning Board voted unanimously to recommend to the City Commission rezoning of the property as requested.

CIS

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.

On September 9, 2015, the Planning Board reviewed the CIS materials submitted, and voted to accept the CIS with conditions.

At this time, the applicant has submitted a revised CIS to address all of the issues raised by the Planning Board on September 9, 2015. New plans have been submitted as well for Preliminary Site Plan Review with changes proposed in the N. Old Woodward Ave. right-of-way based on comments of the Planning Board at the last meeting.

Preliminary Site Plan

The Planning Board recommended approval to the City Commission and the Commission approved the proposed rezoning on October 12, 2015. Therefore the site will stay R-6 in the underlying zone and D-4 in the Overlay.

The applicant is required to provide all parking on site as the property is not currently located within the Parking Assessment District. The applicant has now submitted an option for the second level of underground parking that shows a total of 96 parking spaces that could be constructed if the storage area for residents is removed. In addition, 12 parking spaces are adjacent to the property on N. Old Woodward Ave. Given the proposed streetscape improvements, the applicant could apply for City Commission approval to count these spaces towards their parking requirement, which would allow them to fully meet all parking requirements. The Planning Board has the discretion to decrease the number of spaces required based on shared parking standards upon review of supporting documentation. The applicant could also apply for approval to bring the property into the Parking Assessment District, and thus only the 39 parking spaces required for the residential units would be required. Otherwise, the applicant will be required to obtain a variance from the Board of Zoning Appeals. ***At this time, the applicant has commenced the process of applying to the City to bring the subject site into the Parking Assessment District to eliminate the need to provide on-site parking for the proposed commercial space on the first floor of the building.*** The applicant has also added bicycle parking on the proposed bump-out in the right-of-way.

Based on comments made by the Planning Board, the applicant has now added a bump-out to the curb immediately north of the entry/exit drive to the N. Old Woodward

Parking Structure. This bump-out proposes to remove two parking spaces, but greatly enhances both the streetscape for pedestrians and the vision clearance for drivers entering and exiting the adjacent drive.

The applicant has met with City officials to discuss obtaining an access easement from the City from the N. Old Woodward parking structure entry/exit drive to allow access to their underground parking level from this drive. In exchange for this access, the City may wish to acquire additional right-of-way on the north side of the access drive to allow for construction of a public street. Discussions are ongoing, and the final decision will rest with the City Commission.

Design Review

The proposed building appears to meet most of the architectural standards set out in Article 3, Downtown Birmingham Overlay District of the Zoning Ordinance, as the first-floor storefronts are directly accessible from the sidewalk, the storefront windows are vertically proportioned, and the main entries incorporate canopy features to add architectural interest on a pedestrian scale. However, the glazing calculations listed on the plans indicate that the required 70% minimum glazing may not be met on the east elevation, and the maximum 35% glazing may be exceeded on the north elevation of the proposed building.

Mr. Christopher Longe, Architect, 369 N. Old Woodward Ave. noted they are talking to the City about deeding a triangular shaped piece of their property to the City to accommodate the construction of a proper road for the Bates St. extension, should that happen. They plan to provide a 5 ft. sidewalk on the south side of the building. Their intent is that it would be square with N. Old Woodward Ave. and the bump-out which would provide for two benches and a bike rack. The removal of two spaces for the bump-out will provide space for a service truck to pull over and not obstruct traffic. He noted the site falls towards Booth Park by about 10 ft. It falls about 2 ft. heading west. and about 30 ft. to the flood plain and that provides a natural walk-out which they plan to use for parking. The entire building lies above the flood plain.

Mr. Longe produced a 3-D printed model of the building which depicted all four sides and how the grade meets the building. The building will contain 26 residential units ranging in size from 2,200 sq. ft. to 3,900 sq. ft. They meet the minimum of 70% glazing on all sides except the south service side where the glazing is 50%. It is in their best interest to make that facade as nice as possible for the occupants of the building.

In response to Mr. Koseck, Mr. Longe indicated the road being contemplated on the south side is 44 ft. in width. Mr. Boyle received confirmation from Mr. Longe about which property is public and which is private. The public will be able to wander through into the area to the north of the building adjacent to the river.

There was no one from the audience who wished to comment on the proposal at 8:20 p.m.

Motion by Mr. DeWeese

Seconded by Mr. Boyle to approve the Preliminary Site Plan for 369 N. Old Woodward subject to the following conditions:

- 1) **Planning Board approves the elimination of the 10 ft. rear yard setback requirements for D-4;**
- 2) **Applicant seek an interpretation as to the applicability of the lot area requirements for R-6 if the property is rezoned D-4;**
- 3) **Applicant submit specifications on all mechanical equipment, mechanical screening and all building and site lighting at the time of Final Site Plan and Design Review;**
- 4) **Applicant provide detailed and compliant streetscape, landscape and photometric plans at the time of Final Site Plan Review;**
- 5) **Applicant obtain approval to bring the property into the Parking Assessment District or obtain a variance from the Board of Zoning Appeals;**
- 6) **Compliance with the requests of City Departments;**
- 7) **Provision of material and color samples at Final Site Plan Review; and**
- 8) **Have a 5 ft. sidewalk on the entire south side of the building.**

No one from the public wished to discuss the motion at 8:23 p.m.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: Williams

10-200-15

**3. Preliminary Site Plan Review
2400 and 2430 E. Lincoln St.
Birmingham Senior Living**

Application for Preliminary Site Plan Review for new construction of a four-story assisted living building (postponed from September 30, 2015)

Mr. Baka advised that the subject site, 2400 E. Lincoln St., which is currently vacant, was most recently used for manufacturing (2005), and has a total land area of 3.78 acres. It is located on the south side of E. Lincoln St. between S. Eton St. and the Grand Trunk Railroad right-of-way.

The applicant is proposing to develop the vacant site with a four-story senior living center, two surface parking lots, a detention basin and nearly 84,000 sq. ft. of landscaped open space. The proposed development will consist of two connected buildings. The east portion is one story and the west portion is four stories. The development will provide 122 residential units (83 assisted living and 39 memory care units), as well as building amenities for residents such as a community room, beauty salon, and wellness suite.

The site is currently zoned MX and lies within the Eton Rd. Corridor Plan ("ERCP") area. Assisted living is a permitted use in the MX District with City Commission approval. 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. On September 30, 2015 the Planning Board voted to accept the CIS.

Mr. Baka moved through the Preliminary Site Plan review with regard to changes since the last meeting. Three parking spaces have been removed from E. Lincoln St. and relocated to the southern parking lot. Eight spaces have been added to the southern parking lot. All required parking is now located onsite. The front yard parking lot has been shifted south, so that it is behind the plane of the front facade and no longer between the facade and frontage line.

The assisted living courtyard walkway has been connected to the sidewalk along the southern linear parking area; this provides direct access through the courtyard to a secondary secured entrance for visitors and residents in the event they may need to park south of the building. Per the fire marshal's request, a paved access road has been added to the east side of the site, providing full vehicular access around the site.

Design Review

The new building facades are composed of brick, wood-look fiber cement siding, fiber cement panels, glass, and metal trim. The plans state that the north elevation of the first floor has 70% glazing to meet the requirements of section 4.83 of the Zoning Ordinance. However, it appears that the calculation was done based on the amount of linear glazing provided, not 70% of the area of the first floor. The applicant must supply a detailed analysis of the glazing provided based on area at Final Site Plan Review to verify that the glazing requirement has been met.

The proposed building appears to be compatible with the buildings in the immediate neighborhood. The first floor is directly accessible from the sidewalk, the upper story windows are vertically proportioned, and the main entry incorporates a canopy feature to add architectural interest.

Mr. Koseck noticed the proposed building is not shown in relationship to its neighbors. He suggested the road that loops around the site might be turned into a sidewalk that could be used by a fire truck. Further, he had concerns about the placement of the drop-off.

Mr. Sean Havera, Mr. Ron Hughes and Mr. Don Bailey were present with Hughes Properties; along with Mr. Matt Boons with CA Ventures, joint venture partner; and Ms. Chauncey Hoffman with Harley Ellis Devereaux, the architect. Mr. Havera discussed aspects of the site. As opposed to a road, he was amenable to installing a wide walkway with knock-down bollards for emergency vehicles. He explained how they have made connections to accommodate the City's intent to have a future linear park.

Ms. Chauncey Hoffman talked about the flow of the building and its architectural aspects. They have worked to allow as much natural light into the units as possible. Security and having a walkable site is very important to the residents. They have dropped the building back 14 ft. from Lincoln St. because a covered drop-off area is a necessity.

Mr. Koseck thought there are simple things the applicant can do to make the site fit more into his interpretation of the ordinance. An example is the addition of a wide sidewalk in place of the road. Further, he suggested that the drop-off area become a plaza that would anchor the building.

Ms. Whipple-Boyce did not see a good relationship between the building and the amenities of the park. Ms. Hoffman noted there is a gun range between the building and the park, resulting in a difficult connection. Mr. Havera thought they could have conversations with Engineering to help develop that area that doesn't exist right now. Mr. Boyle indicated that the City should think about what it is not doing in this area. The road is a disgrace, the gun range should be screened, and a crosswalk should be added for access to the ball park.

Chairman Clein called for public comments at 9:35 p.m.

Mr. Bryce Mulligan, Treasurer for the Forest Hills Swim Club which is along that road, had fears the project will create a lot of traffic congestion. The sidewalks are his foremost concern in and around that area. He indicated that the gun range needs to have sidewalks and the road should not be shut down during construction.

Chairman Clein stated he will not support any motion that includes the u-shaped drop-off in front of the building. His reasoning is that it is completely antithetical to the intent of the Eton Road Corridor Plan and is unlike anything else in the City. There are other opportunities that exist from a design perspective. For example, some of the parking spaces at the front could be lost and that area could serve as a covered drop-off. Mr. Koseck added the current design does nothing to tie into the design of the dental office to the north. Ms. Whipple-Boyce was uncomfortable with the parking that is in front of the building. The relationship of the site to the street is a challenge to her.

Mr. Boyle suggested simplifying the front by losing the curb and landscaping. Mr. Havera replied they are trying to meet the intent of what the Planning Board wants but Engineering will not allow it because of liability issues. Mr. Matt Boomer said putting the porte cochere at the front first considers safety of the residents who are frail and cannot walk far. That is why they cannot put it where the north parking lot is.

Motion by Ms. Whipple-Boyce

Seconded by Mr. DeWeese to postpone the Preliminary Site Plan Review for 2400 and 2430 E. Lincoln St., Birmingham Senior Living, to November 11, 2015.

Ms. Ecker indicated there has not been an internal meeting with all of the players involved. She thought there is some opportunity to look at other layout options.

No one from the public wished to comment on the motion at 10 p.m.

Motion carried, 6-1.

ROLLCALL VOTE

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

Nays: Lazar

Absent: Williams

10-201-15

STUDY SESSION

1. Window Glazing Standards

Mr. Baka recalled that on October 24, 2012 several members of the Planning Board discussed whether the ordinance could be amended to permit the reviewing City board the authority to give architects more creativity and flexibility when composing their designs by allowing variation from the window requirements. Since that time several study sessions and public hearings have been held to examine this topic.

At their meeting on January 27, 2014 the City Commission suggested that the ordinance amendment recommended by the Planning Board be modified to allow the proposed flexibility in the MX District but to have more restrictive requirements in the Downtown and Triangle District.

The first-floor glazing standards are inconsistent throughout the zones. The result of this difference is that outside of the Downtown Overlay a significantly larger amount of glazing is needed to satisfy the requirement. Therefore, the Planning Division recommends as a starting point amending the first-floor window standards in all districts in section 4.83, the General Standards, to require 70% glazing between 1 and 8 ft. above grade on any facade facing a street, plaza, park, or parking area. Blank walls of longer than 20 ft. shall not face a public street. It is believed that the addition of these provisions to these two areas of the City will significantly decrease the frequency of variance applications while still achieving the intent of the standards. Also, the Planning Division recommends amendments to Article 3, section 3.09(b)(1) to make the glazing standards consistent in the Triangle Overlay District.

The board discussed that unique circumstances might allow flexibility in design to modify the standards. They decided to come back to that later after a little more thought.

Board members concluded that consideration of the Downtown Overlay would be a separate issue.

The consensus was to amend Article 04, section 4.83 WN-01 A and B and strike C. Further, amend Article 03, Section 3.09 b (1) Commercial/Mixed Use Architectural Requirements in the MX District as presented.

Motion by Mr. Boyle

Seconded by Mr. DeWeese to send this matter to a public hearing on November 11, 2015.

Motion carried, 7-0.

VOICE VOTE

Yeas: Boyle, DeWeese, Clein, Jeffares, Koseck, Lazar, Whipple-Boyce
Nays: None
Absent: Williams

10-202-15

MEETING OPEN TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA

10-203-15

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

- a. Communications (none)
- b. Administrative Approval Correspondence (none)
- c. Draft Agenda for the Regular Planning Board Meeting on October 28, 2015
 - 559 W. Brown, Preliminary Site Plan Review;
 - Roeper School, Final Site Plan Review for infill addition in courtyard area;
 - Rojo, SLUP and Final Site Plan Review for expansion of storefront to the east into vacant space;
 - 856 N. Old Woodward Ave., CIS and Preliminary Site Plan Review.
- d. Other Business (none)

10-204-15

PLANNING DIVISION ACTION ITEMS

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

10-205-15

ADJOURNMENT

No further business being evident, board members motioned to adjourn at 10:43 p.m.

Jana Ecker
Planning Director

APPROVED