

**CITY OF BIRMINGHAM
PLANNING BOARD ACTION ITEMS
OF WEDNESDAY, NOVEMBER 29, 2017**

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Motion carried, 7-0.	8

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, NOVEMBER 29, 2017
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on November 29, 2017. Chairman Scott Clein convened the meeting at 7:31 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Vice-Chairperson Gillian Lazar, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Member Nasseen Ramin; Student Representative Isabella Niskar

Absent: Board Member Bert Koseck, Alternate Board Member Daniel Share; Student Representative Ariana Afrakhteh

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

11-211-17

APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING OF NOVEMBER 8, 2017

**Motion by Ms. Whipple-Boyce
Seconded by Mr. Williams to approve the minutes of the Regular Planning Board Meeting of November 8, 2017 as presented.**

Motion carried,

VOICE VOTE

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

Abstain: Clein, Ramin

Nays: None

Absent: Koseck

11-212-17

CHAIRPERSON'S COMMENTS

Chairman Clein welcomed the new alternate board member, Nasseen Ramin.

11-213-17

APPROVAL OF THE AGENDA (no change)

FINAL SITE PLAN AND DESIGN REVIEW

1. 271/273 Euclid (existing duplex)

Request for approval of the Final Site Plan and Design to allow for construction of a new single-family residential home

Ms. Ecker advised that the applicant appeared before the Planning Board on October 25, 2017 for Preliminary Site Plan Review. The site plan for this two-story house was approved with several conditions. The applicant has added two street trees and a sidewalk along Park St., and submitted mechanical specification sheets, a landscaping plan, a photometric plan, and has complied with departmental requests. However, the applicant has not submitted details on the height of the landscaping screenwall proposed to screen the mechanical units by the garage.

The applicant appeared before the Board of Zoning Appeals ("BZA") on November 14, 2017 seeking five variances. They revised the plans to comply with the Zoning Ordinance, and therefore revoked the variance requests for maximum lot coverage and combined front and rear setback. They were approved for the other three requests: the height of accessory structure, the principal structure, and the open space requirements.

The applicant has indicated that their mechanical units will be 39 in. tall. ***The applicant must submit specifications on the proposed landscaping screenwall to ensure the 39 in. high mechanical units will be screened from view, or obtain a variance from the BZA.***

The applicant is proposing to construct a 4 ft. wide concrete sidewalk along Park St. per the City Engineer's request where one does not currently exist. However, the City requires the sidewalk to be 5 ft. wide. ***The applicant will need to submit revised plans showing a sidewalk along Park St. that is 5 ft. wide, or obtain a variance from the BZA.***

Design Review

The applicant has indicated the use of many high quality building materials in the construction of the proposed single-family home:

- Stucco - walls
- Aluminum exterior clad wood - windows
- Smooth cedar - trim
- Copper - flashing, flat roof, gutters and downspouts
- Machine sawn Western Red Cedar shingle - roofing

Mr. Brian Neefer, Brian Neefer Architecture P.C., 630 N. Old Woodward Ave., presented the material samples board.

No members of the public wished to comment at 7:40 p.m.

Motion by Mr. Williams

Seconded by Ms. Whipple-Boyce that based on our review of the site plan revisions submitted, the Planning Board approves the Final Site Plan and Design Review for 271-273 Euclid with the following conditions:

- 1. The applicant submit specifications on the proposed landscaping screenwall to ensure the 39 in. mechanical units will be screened from view, or obtain a variance from the Board of Zoning Appeals; and**
- 2. Compliance with the requests of all City Departments, including but not limited to the required public sidewalk along Park St. frontage.**

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: Koseck

2. 2010 Cole (existing building)

Request for approval of the Final Site Plan and Design to allow for an additional two stories to be added to the building for office and residential use

Ms. Lazar recused herself due to a familial relationship with the developer. Chairman Cline also recused himself because of a business relationship with the developer on a different site.

Mr. Boyle took over the gavel.

Ms. Ecker advised that the applicant is proposing to add on to the building and go up three stories: retail and commercial on the first floor, office on the second, and two residential units on the third floor. On April 26th, 2017, the applicant appeared before the Planning Board for a CIS and Preliminary Site Plan review. A motion to accept the CIS for 2010 Cole St. was approved, conditioned on certain information being provided.

The Preliminary Site Plan Review was postponed three times based on concerns about vehicle circulation in the parking lots (dead-end lots causing cars to reverse back onto Cole) and a request from the Planning Board that the longer side of the building be rotated to run along Cole, instead of facing the parking lot on the east portion of the property.

On August 23, 2017 the Planning Board approved the Preliminary Site Plan including setting the front setback to match the front setback of the adjacent pre-existing building to the east and subject to several other conditions. The board did not require the building to be moved in an east-west direction despite much discussion on this topic.

The applicant has now provided updated plans, including floor plans of the proposed residential unit; a building section showing a 12 ft. first floor to ceiling height; a rooftop plan; and a landscape plan and photometric plan, including specification sheets on all proposed lighting and building materials. The applicant has also provided the required specification sheets for the rooftop mechanical units. The required street trees, street lighting and bike parking as requested by the Planning Board on August 23, 2017 have been added.

Should the applicant decide to combine the two office spaces on the second floor, then that one unit would be over 6,000 sq. ft. In the MX District a use over 6,000 sq. ft. requires a Special Land Use Permit and they would have to return to the Planning Board with that request.

The applicant will need to either submit dimensions of the existing Arborvitae evergreens to confirm they meet the 6 ft. minimum height requirements, plant one

6 ft. minimum evergreen tree (2 residential units * 1 evergreen per 2 units = 1 evergreen required), or obtain a waiver from the Staff Arborist.

The applicant must submit a revised photometric plan showing maintained foot candles of 1.5 or less along all property lines, as well as maximum to minimum ratios no greater than 20:1 from parking lot luminaries, or seek a variance from the Board of Zoning Appeals ("BZA").

Design Review

The proposed building consists of three stories arranged in a staggered formation. The flat rooftop above the first story will serve as a patio for the second story office space. The patio wraps around the north and western elevations, terminates at the exterior wall of the stairwell and lobby component, and resumes towards the right end of the west elevation. The third story will also include a patio formed by the flat rooftop of the second story, which also wraps around the north and west elevations of the building. At this time, the applicant has provided detailed elevation drawings.

The plans indicate that the applicant is proposing to utilize the following materials:

- Metal paneling -mechanical screening
- Brick - facade, screenwalls
- Glass - windows

Calculations for visual light transmittance ("VLT") have not been submitted by the applicant. **Calculations must be provided showing a VLT of 80% or greater, or a variance must be obtained from the BZA.**

Mr. Williams received clarification that the two residential units are 3,700 sq. ft. and 3,200 sq. ft. in size.

Mr. Jason Krieger, Krieger Klatt Architects, 1412 E. Eleven Mile Rd., Royal Oak, addressed the materials and where they will be used. It is hoped this building will start to anchor the west end of Cole. The residential units will be condos. They intend to comply with all of the requirements of City Departments and the Eton Corridor Plan.

Mr. Jeffares recommended that a bench would be nice and it would add continuity to the streetscape. Mr. Krieger agreed.

Mr. Williams commented that adding more residential units to the south end of the MX District will be a plus.

No members of the audience wished to comment at 8:08 p.m.

Ms. Whipple-Boyce thought this is a beautiful building that will be a true asset to the area.

Motion by Mr. Williams

Seconded by Mr. Jeffares that the Planning Board approve the Final Site Plan and Design Review for 2010 Cole with the following conditions:

- 1. The applicant submit plans showing the required screening for the transformer at the rear of the property for administrative approval, or obtain a variance from the BZA;**
- 2. The applicant provide the finish for all lighting fixtures;**

- 3. The applicant submit a revised photometric plan showing maintained foot candles of 1.5 or less along all property lines, as well as maximum to minimum ratios no greater than 20:1 for administrative approval, or seek variances from the BZA;**
- 4. The applicant provide the height of the existing Arborvitae trees to determine if additional evergreen trees are required on-site;**
- 5. The applicant provide calculations showing a VLT of 80% or greater, or obtain a variance from the BZA; and**
- 6. The applicant comply with the requirements of all City Departments.**
- 7. The applicant add both a bench and trash receptacles to the streetscape.**

Motion carried, 5-0.

Acting Chairman Boyle noted this is exactly what the Planning Board hoped for - mixed-use at the core of the Rail District. He applauded the architect and his partners for bringing this forward.

ROLLCALL VOTE

Yeas: Williams, Jeffares, Boyle, Ramin, Whipple-Boyce

Nays: None

Recused: Clein, Lazar

Absent: Koseck

Chairman Clein and Ms. Lazar rejoined the board.

**3. 1669 W. Maple Rd. (First Presbyterian Church of Birmingham)
Special Land Use Permit ("SLUP") and Final Site Plan Review
Request for approval of a SLUP Amendment to add a new illuminated ground
sign**

Mr. Baka advised that First Presbyterian Church is located on the south side of W. Maple Rd. between Pleasant and Larchlea Dr. They are proposing to install a replacement ground sign and two directional signs. As a result of this new signage, the petitioner will require an amendment to their existing SLUP. Prior to the consideration of a SLUP Amendment, the City Commission refers the Site Plan and Design Review to the Planning Board. Should Planning Board approval be granted, a public hearing will be held by the City Commission to consider whether or not to grant the proposed SLUP Amendment.

This parcel of land is zoned R-1A, Single Family Residential. Churches are a permitted use in the R-1A District, subject to Special Land Use regulations. The Church originally received a SLUP on May 13, 1991.

Sign Review

The Birmingham Sign Ordinance allows for one ground sign with 20 sq. ft. of signage per side and a maximum height of 8 ft. The applicant is proposing one 6 ft. tall sign, located in front of the church on W. Maple Rd. The total amount of signage proposed per side is 17.94 sq. ft.

The proposed sign along W. Maple Rd. is proposed to be located 7 ft. from the front property line. The sign will be composed of a brick monument base constructed of red brick that matches the church building and an internally illuminated aluminum sign cabinet with acrylic push-thru letters.

The sign will have three lines of text that read "First Presbyterian Church," "Sunday Services 8:30 a.m. & 10:00 a.m." and "www.everybodyschurch." The text of the monument sign will also include 6 in. high address numbers that are not counted toward the total amount of signage because they do not exceed 8 in. in height. The proposed ground sign meets the requirements of the Sign Ordinance.

In addition to the ground sign, the applicant is also proposing to replace a directional sign along Pleasant near the entrance to their parking lot, and to add a new directional sign along W. Maple Rd. The Sign Ordinance restricts directional signage of this type to 5 sq. ft. per side. The new directional signage is proposed to be 3.75 sq. ft. per side and therefore the proposed directional signs meet this requirement. However, it is unclear based on the photos submitted by the applicant if the directional sign on W. Maple Rd. would be on public or private property. Per the Birmingham Sign Ordinance, no sign shall be erected in the public right-of-way. Accordingly, the applicant must verify that the location of the directional sign along W. Maple Rd. is on private property or move the location to private property.

Ms. Mia Assen with Gardner Signs, 1087 Naughton Dr., Troy said the directional sign on W. Maple Rd. will be moved to the other side of the sidewalk which will put it on the applicant's property. She thinks the updated ground sign will be a very nice addition to that area.

There was no one from the public that wished to comment at 8:16 p.m.

Motion by Ms. Whipple-Boyce

Seconded by Mr. Boyle to recommend that the City Commission approve the SLUP Amendment for 1669 W. Maple Rd. to install a sign in front of the church building and a non-illuminated directional sign on Pleasant with the following condition:

- 1. The applicant must verify that the location of the directional sign along W. Maple Rd. is on private property or move the location to private property.**

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: Koseck

PRELIMINARY SITE PLAN REVIEW

1. 885 Redding Rd. (duplex)

Request for approval of the Preliminary Site Plan Review to allow for construction of a new two-family residence

Mr. Baka reported that the subject site is a 0.39 acre parcel located on the south side of Redding Rd. between Lakeside Dr. and N. Old Woodward Ave. in the R-4 Zoning District. The applicant was approved on January 13, 2016 to construct a two-family residential development at the above referenced address. However, the applicant decided not to build the project as approved and is now returning to the Planning Board to request approval of a new two-family residential development in a new configuration and design. As the location and footprint of the new plan are completely different from the previous approval, the applicant will now be required to complete the Preliminary and Final Site Plan approval process again.

Design Review

A complete design review will be conducted at Final Site Plan Review. However, the applicant is currently proposing that the two-family structure be constructed as a row house style building with side-by-side gabled ends facing the front property line. The siding on the house is proposed to be James Hardie lap siding with white pine board trim. The roof is proposed to be standing seam and all windows are proposed to be double hung.

In response to Mr. Williams, Mr. Baka explained that each unit will have their own driveway so the residents would have the option of allowing their visitors to park there. This is a significant improvement because it takes parking off of the street.

Ms. Whipple-Boyce received clarification from the architect that each unit will be 2,470 sq. ft.

Mr. Richard Wiand, Architect with Hunter Roberts Homes, said they changed the previous plan because it probably was not appropriate. It was way out in front of the other houses and did not have a traditional back yard. They wrestled a lot with the driveway issue and that has been resolved.

Mr. Jeffares commented this feels like a Birmingham house to him and he thinks it is a vast improvement from the previous design. Mr. Williams thought it is much better now that it is set back off the road.

Motion by Ms. Whipple-Boyce

Seconded by Mr. Jeffares to approve the Preliminary Site Plan Review for 885 Redding Rd. with the following conditions:

- 1. Applicant submit a landscaping plan and a photometric plan that complies with all ordinance requirements at Final Site Plan ("FSP");**
- 2. Applicant must indicate how the ground-mounted mechanical units will be screened at FSP;**
- 3. Applicant provide material samples at FSP; and**
- 4. Applicant addresses the concerns of all City Departments.**

There was no audience left to comment on the motion.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: Koseck

11-215-17

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

a. Communications

- Memo from City Manager Valentine - Downtown Retail Review

Ms. Lazar recused herself because of a familial relationship with a building owner.

Chairman Clein advised that the City Commission has directed the Planning Board to continue its efforts related to their review of Downtown retail.

Ms. Ecker announced the City Commission adopted the definition for Personal Service, 4-3. Also that night they passed the Economic Development Licenses ordinance amendments recommended by the Planning Board.

Mr. Williams noted Commissioner Hoff raised the issue that is brought out in the Valentine memo, which is that perhaps the geographic boundary of the Red Line Retail District is too big. Mr. Valentine has raised several issues about the now defined retail in this District. Looking at some of the areas here, he doesn't like piecemealing an approach to this without putting it in the context of the overall downtown area. Mr. Williams said his own view is that Commissioner Hoff is right and that tells him there has to be some **master** planning involved and this should not be approached as a separate item.

Mr. Boyle said it seems to him that this board is being dictated to again on this particular matter in a way that he doesn't think fits the way the board has worked appropriately over the years. The City of Birmingham is in the midst of undertaking an update to its Comprehensive Master Plan. He asked staff where they are in seeking a conclusion of the RFP for a Comprehensive Plan.

Ms. Ecker replied their plan is to issue the RFP at the start of next year. It requests a comprehensive plan that focuses on the City as a whole, but is not structured to provide an updated Downtown Master Plan segment. Further, the scope of work deals with parking standards city-wide as related to the comprehensive plan and the Zoning Ordinance.

Responding to the Chairman, Ms. Ecker indicated the Parking Assessment District boundaries are not specifically a part of the currently listed scope of parking review.

Chairman Clein agreed with the statements by Mr. Williams and Mr. Boyle. However, the Planning Board has been directed by the City Commission to review the geographic boundaries of the Retail District. That will provide an opportunity for this board to bring up a great deal of good information for any consultant next year.

Mr. Jeffares cautioned there are risks in reviewing this matter by itself.

Ms. Whipple-Boyce thought that by reviewing some other communities that are similar they can start to think about an approach. Additionally it may be a benefit as part of this discovery process to engage with some of the property owners that will be impacted by a change in the boundaries of the Retail District.

Chairman Clein added that perhaps Ms. Ecker could ask Mr. Valentine if the new PSD retail consultant could appear before this board to provide their philosophy and what they are looking to do.

Mr. Boyle thought it might be appropriate for the Planning Board to hold a final review of the wording of the RFP. It was concluded that Ms. Ecker would ask Mr. Valentine if the City Commission would be interested in allowing the Planning Board to pursue that.

Ms. Lazar returned to the board.

b. Administrative Approval Requests

➤ 33633 Woodward Ave., Wesch Cleaners - Requesting permission to place two temporary trailers positioned such that they are combined into one trailer for use as a temporary lobby while construction is undertaken to remodel the existing lobby. Trailers will be placed on an existing portion of the site that is currently an open landscape area. A temporary connection between the trailers and the existing building will be provided for use by staff personnel for access to the back of house area. A temporary sidewalk to be provided to extend access from the existing sidewalk along Woodward Ave. to the temporary trailer entrance. This sidewalk will be roughly 4 ft. 8 in. in width by 8 ft. in length. The public access will be ADA compliant. Once construction is finalized within the building the trailers will be removed and the landscape area will be re-landscaped.

c. Draft Agenda for the Regular Planning Board Meeting on January 10, 2018

- Bistro Regulation requirements
- Renovation versus reconstruction of existing building

d. Other Business

- Ms. Whipple-Boyce expressed a desire to re-do the ordinance that requires wood gates on dumpster enclosures.
- Mr. Boyle sent the board's best wishes to Mr. Koseck who has been ill.

11-216-17

PLANNING DIVISION ACTION ITEMS

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

11-217-17

ADJOURNMENT

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

Jana L. Ecker
Planning Director