

**CITY OF BIRMINGHAM
PLANNING BOARD ACTION ITEMS
OF WEDNESDAY, NOVEMBER 19, 2014**

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Motion carried, 4-0.	7
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Motion carried, 4-0.	8

APPROVED

**CITY OF BIRMINGHAM
SPECIAL MEETING OF THE PLANNING BOARD
WEDNESDAY, NOVEMBER 19, 2014
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the special meeting of the City of Birmingham Planning Board held on November 19, 2014. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Bert Koseck, Gillian Lazar, Janelle Whipple-Boyce

Absent: Board Members Robin Boyle, Carroll DeWeese, Bryan Williams; Student Representatives Jack Moore, Shelby Wilson

Administration: Matthew Baka, Senior Planner
Ken Cooper, Asst. Building Official
Jana Ecker, Planning Director
Bruce Johnson, Building Official
Scott Lenhart, Building Dept.
Shalaka Puranik, Asst. Planner
Carole Salutes, Recording Secretary

Ms. Ecker introduced part-time planner Shalaka Puranik.

11-167-14

**APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING
HELD OCTOBER 22, 2014**

Motion by Ms. Whipple-Boyce

Seconded by Ms. Lazar to approve the Minutes of the regular Planning Board meeting on October 22, 2014 as presented.

Motion carried, 4-0.

VOICE VOTE

Yeas: Whipple-Boyce, Lazar, Clein, Koseck

Nays: None

Absent: Boyle, DeWeese, Williams

11-168-14

CHAIRPERSON'S COMMENTS

Chairman Clein observed there will be a hybrid mix of items on tonight's agenda.

11-169-14

APPROVAL OF THE AGENDA

Motion by Ms. Whipple-Boyce

Seconded by Ms. Lazar to move the discussion of garage front houses to the top of the agenda.

Motion carried, 4-0.

VOICE VOTE

Yeas: Whipple-Boyce, Lazar, Clein, Koseck

Nays: None

Absent: DeWeese, Williams

11-170-14

STUDY SESSION

Garage Front Houses

Ms. Ecker provided an overview. Back in 1998, the Planning Board drafted the provisions in section 4.70 and the definitions in section 9.02 of the Zoning Ordinance to ensure that attached private garages did not dominate the front of single-family homes after complaints arose when multiple "garage front houses" were constructed in the late 1990s.

However, over the years creative design plans have been submitted to the City and approved for single-family homes with attached, private garages that protrude in front of the principal residential building on the site. By extending the living area over an attached garage and then down in front of the garage by at least 5 ft., designers have found a way to technically comply with the ordinance by removing the garage from the linear building frontage and setting it back 5 ft. from the front facade. Complaints have been received that these designs are a violation of the structure standards contained in section 4.70 of the Zoning Ordinance, or at the very least, are a violation of the intent of the structure standards contained in section 4.70 of the Zoning Ordinance. There is no interaction between people within the house and people on the street.

Ms. Ecker conducted a PowerPoint presentation that illustrated why a provision was added in the first place, how people have gotten around it, and suggestions for appropriate controls.

At the January 26, 2014 meeting of the Planning Board, the majority consensus of the members was to request staff to come up with some options to amend the ordinance language to bring the front door of houses closer to the street, and to reduce the dominance of attached garages so they are not the primary feature visible from the street. The following options were offered for consideration by the Planning Board:

- Option 1 - Regulate the placement of attached garages on the front facade; and
- Option 2 - Regulate the maximum size of attached garages on the linear front facade.

Neither of the above options control the size or design of attached garages not located on the front facade or change the existing controls on detached garages and accessory structures. The rule remains that garages cannot be more than 50% of the width of the front of the house.

Additionally, the Planning Board may wish to increase the maximum width for front facing garage doors from 8 ft. to 9 ft. to provide for easier maneuvering of vehicles into the garage. It is recommended that if this is changed, the requirement for such doors to be separated by a jamb at least 8 in. in width continue.

Mr. Johnson announced the Building Dept. worked together with Planning to explore the garages.

Mr. Koseck was okay with living space being above the garage, but just not tacked out in front.

Chairman Clein's opinion was that Option 2 is far too complex and restrictive. Option 1 reflects more the intent. However, with Option 1 he feels that setting back 5 ft. from the furthest facade back from the front property line deters any articulation and keeps people from being creative with the frontages. He suggested allowing garages to be front facing only if they are less than 50% of the width of the front facade and only if they are 5 ft. back from the main entry.

Ms. Lazar leaned toward Option 1. Mr. Koseck thought Option 1 is clear and he doesn't find it restrictive. Ms. Whipple-Boyce suggested that the garage be pushed back from the largest front facade.

The chairman called for public comments at 8:16 p.m.

Mr. J.C. Cataldo, 271 Chesterfield, thought the garage could be set back 5 ft. from the average front footage of the remaining structure on the site.

Ms. Ecker summarized that staff will remove Option 2 from consideration and work on refining Option 1. Board members were fine with increasing the width of garage doors from 8 ft. to 9 ft. Mr. Koseck emphasized the necessity to act quickly on this matter.

11-171-14

REZONING APPLICATION

**2483 W. Maple Rd.
Cranbrook Car Care**

Ms. Ecker reported that in accordance with the requirements of the Zoning Ordinance the property owner of parcel #1935101001, being lots 170 thorough 176, The Meyering Land Company's Birmingham Highlands Subdivision No. 1 (Cranbrook Car Care on the southeast corner of Cranbrook and W. Maple Rd.), commonly known as 2483 W. Maple Rd., is requesting that the Planning Board hold a public hearing to consider the rezoning of said property from B-1 (Neighborhood Business) to B-2 (General Business). The applicant has indicated that the proposed site plan has been designed in accordance with the Transitional Zoning Ordinance that the Planning Board has been preparing for this site and many others across the City.

Ms. Ecker advised that the applicant is the current owner of the property and intends to lease the property to the Dearborn Financial Credit Union for the construction of a new one-story bank building, 3,531 sq. ft. in size with a drive-through. A bank is not a permitted use in the B-1 Zoning District. B-2 Zoning allows a bank but does not allow a drive-through without a Special Land Use Permit. The subject parcel has not been considered for rezoning before.

The subject property is currently an operating gasoline service station, with fuel pumps, auto repair service bays and a small convenience store.

The general area in question is currently fully developed and unlikely to be redeveloped in the near future. All other corners of the intersection of W. Maple Rd. and Cranbrook are more intensely developed with retail and office uses. The existing office buildings are well maintained and unlikely to be redeveloped in the immediate future. The single-family homes in the neighborhood to the south and east are stable and unlikely to change in the future.

Ms. Whipple-Boyce received clarification that if the property were to be re-zoned it could become a party store or some unsuitable use, and not a bank.

Mr. Vincent Pangle from Strategic Property Services spoke to represent Sam and Mary Carana. He stated they have executed a long-term lease contract with the user. Further, they have received consent of the neighbors as to their plans for the site.

There were no comments from the public at 8:30 p.m.

During discussion by board members, Ms. Ecker realized there is something in the Ordinance that might allow this bank to be permitted in the B-1 Zoning District. The definition of "Office" appears that it could include banks. However, she would want to check with the building official. If he rules in the applicant's favor the Rezoning Application will be withdrawn and the fee will be switched over to the Site Plan Review.

Motion by Ms. Whipple-Boyce

Seconded by Mr. Koseck to continue discussion of the Rezoning Application for 2483 W. Maple Rd., Cranbrook Car Care, to December 10.

Motion carried, 4-0.

VOICE VOTE

Yeas: Whipple-Boyce, Koseck, Clein, Lazar

Nays: None

Absent: Boyle, DeWeese, Williams

11-172-14

SPECIAL LAND USE PERMIT AMENDMENT ("SLUP")

PRELIMINARY SITE PLAN REVIEW

1755 and 1775 Melton

Eton Academy

SLUP Amendment and Revised Final Site Plan Review for the expansion of the existing school into the neighboring former St. Columban Church building, with new construction to connect buildings

Mr. Baka advised the former St. Columban Church is located immediately south of the Eton Academy at 1775 Melton. Both properties are currently zoned R-2 (Single Family Residential). Eton Academy operates under a SLUP at their location, as did the former St. Columban Church.

On November 11, 2013, Eton Academy was approved for a SLUP Amendment to purchase the existing St. Columban Church building, parking lot and property at 1775 Melton. At this time, the applicant is seeking approval to convert the existing church for office and tutoring space. Since the Eton Academy has acquired the St. Columban Church building their shared parking agreement is no longer valid. Therefore the applicant must provide the number of seats for each classroom and the auditorium in order to determine the exact number of parking spaces required.

As this is a SLUP, the Planning Board will review the plans and make a recommendation to the City Commission. The City Commission's approval of the SLUP application or amendment shall constitute approval of the site plan and design.

Design Review

Mr. Baka advised that the plans show the proposal to establish connections between the existing school building and church through a covered walkway at the front of the buildings and a newly constructed learning center, lobby and hallway system connecting the rear of the church building and the existing Eton Academy. These changes also include the creation of a new courtyard between the buildings and revised pedestrian circulation. A full design review of these changes will be done at Final Site Plan Review.

Mr. Robert Huer with Lord-Aeck-Sargent Architecture explained that in the design of the new facility they tried to better the condition for the neighborhood with their proposed daily pick-up and drop-off traffic pattern that will reduce congestion and safety concerns. In response to Ms. Lazar, he said the parking area and lighting will remain as existing.

Mr. Pete Pullen, Head of School, explained how arrivals and departures of students work now. At the end of the day there are three different times that students leave the school, just to relieve congestion. For whole school special events they share parking with the Lutheran Church. Ms. Whipple-Boyce asked to see those numbers at Final Site Plan Review. Mr. Pullen said they have 213 students in grades 1 through 12 that attend the school. When the addition is in place, they will have capacity for 300 students.

Chairman Clein stated he needs to understand the parking, flows, and circulation before he can approve the Preliminary Site Plan. He is concerned with the number of vehicles, along with the number of vehicles coming in and out of one driveway with headlights pointing at the residences. Also with how the changes to the site will impact the surrounding residences.

Mr. Pullen replied they will put together a more complete plan for the site. Their growth plan is based on a financial plan that will add five to ten students per year. They don't sense that will be a major problem for their neighbors. Their biggest challenge is the time between 3 and 3:30 p.m.

The board members concluded they want to analyze additional factual information.

Chairman Clein thought it would be good for the board to hold a study session to consider what details applicants should provide for Preliminary Site Plan Review in the future.

**Motion by Ms. Whipple-Boyce
Seconded by Mr. Koseck to continue the Special Land Use Permit Amendment ("SLUP") and Preliminary Site Plan Review for 1755 and 1775 Melton, Eton Academy to the meeting of January 14, 2015.**

Consensus was that the Final Site Plan could also be reviewed at that time.

There was no discussion from members of the public at 9:43 p.m.

Motion carried, 4-0.

VOICE VOTE

Yeas: Whipple-Boyce, Koseck, Clein, Lazar

Nays: None

Absent: Boyle, DeWeese, Williams

11-173-14

**FINAL SITE PLAN REVIEW
33495 Woodward Ave.
Former Edge Auto Building
Expansion of parking lot to rear property line, addition of landscaping and screenwall**

Mr. Baka reported the subject site is located on the west side of Woodward Ave. between Emmons and Davis. The proposal is to rehabilitate the parcel that serves as the parking lot for the existing two-story commercial structure on the corner of Emmons and Woodward Ave. The property is zoned P (Parking). The applicant proposes to demolish the existing parking lot and fence and reconstruct the lot by installing a new 6' screenwall, along with new asphalt, striping and landscaping. The newly configured lot will expand to the property lines to maximize the number of parking spaces provided in the lot.

Mr. Duane Barbat, B-6 Investments, explained the building contains office space upstairs and retail downstairs. They own the home directly behind the property (west) and are leasing it out. He provided color samples for the fence that the tenant is happy with. The purpose of the proposed lot is to prevent any encroachment on the neighborhood streets.

Ms. Whipple-Boyce commented they need a plan as to where the trash will go. Ms. Ecker noted that any outside trash receptacle will have to be screened. Mr. Barbat thought the trash could be moved in and out of a storage building at the back of the lot. Additionally, Ms. Whipple-Boyce said the board appreciates what the applicant is trying to do in this area. She suggested, and Mr. Barbat agreed, that it would be nice to have a couple of trees in the green belt area on Emmons.

Mr. Barbat then showed a picture of the split-face block wall with a cap they are proposing in the back. Mr. Koseck did not think the wall was pretty. Mr. Barbat agreed to construct the wall using half-high block that is meant to look like brick.

There was no discussion from the public at 10:08 p.m.

**Motion by Ms. Whipple-Boyce
Seconded by Mr. Koseck to approve the Final Site Plan for 33495 Woodward Ave.
with the following conditions:**

- 1. There is one van accessible parking space;**
- 2. The applicant add two trees to the Emmons grass belt;**
- 3. The applicant has approved with staff their trash disposal plan;**
- 4. The applicant change the wall to half-high block with a running bond that was discussed tonight.**

No one from the audience wished to comment on the motion at 10:11 p.m.

Motion carried, 4-0.

VOICE VOTE

Yeas: Whipple-Boyce, Koseck, Clein, Lazar

Nays: None

Absent: Boyle, DeWeese, Williams

11-174-14

MEETING OPEN TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA (no one spoke)

11-175-14

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

a. Communications (none)

b. Administrative Approvals

- 442 S. Old Woodward Ave, Hall & Hunter Realtors - One new mechanical unit and screening on roof at rear of building. Wood screenwall painted black to match building.
- 400 Woodward Ave. - Placement of generator.
- 2400 E. Lincoln - Pristine Properties Birmingham, LLC - Request for amendment to the Site Plan Approval dated 01-23-2013 concerning installed sun shades. Original site plan proposed 22 sun shades. Actual installed number is 6 sun shades.
- 1712 Graefield, Unit 49, Williamsburg Condominiums - Install exterior vent for exhaust fan.
- 1076 Wimbleton, 1078 Wimbleton - Installation of 6 ft. high cedar wood fence with rail on top inside property line.

c. Draft Agenda for the Regular Planning Board Meeting on December 10, 2014

- 2400 - 2430 E. Lincoln, revised Preliminary Site Plan;
- 2200 Holland, Mercedes-Benz Building;
- 820 E. Maple Rd., Economic Liquor License for All Seasons Senior Living;
- 2483 W. Maple Rd., Cranbrook Car Care
- 2020 - 2070 Villa for extension of Site Plan Approval that expired in July of this year (if there are no changes).

Motion by Ms. Lazar

Seconded by Mr. Koseck to put 2020 - 2070 Villa on the agenda for December 10, providing there are no changes.

Motion carried, 4-0.

VOICE VOTE

Yeas: Lazar, Koseck, Clein, Whipple-Boyce

Nays: None

Absent: Boyle, DeWeese, Williams

- d. Other Business (none)

11-176-14

PLANNING DIVISION ACTION ITEMS

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

11-177-14

ADJOURNMENT

No further business being evident, board members motioned to adjourn at 10:23 p.m.

Jana Ecker
Planning Director

APPROVED