

AGENDA
VIRTUAL BIRMINGHAM HISTORIC DISTRICT COMMISSION MEETING
WEDNESDAY – November 18th, 2020
******* 7:00 PM*******

Link to Access Virtual Meeting: <https://zoom.us/j/91282479817>
Telephone Meeting Access: 877 853 5247 US Toll-free
Meeting ID Code: 912 8247 9817

- 1) **Roll Call**
- 2) **Approval of the HDC Minutes of November 4th, 2020**
- 3) **Courtesy Review**
- 4) **Historic Design Review**
 - A. **361 E. Maple – Hawthorne Building**
 - B. **100 N. Old Woodward – Maplewood Building (Parks Building)**
 - C. **412 Willits – Stickney House**
- 5) **Sign Review**
- 6) **Study Session**
- 7) **Miscellaneous Business and Communication**
 - A. **Pre-Application Discussions**
 - B. **Draft Agenda**
 1. **December 2nd, 2020**
 - C. **Staff Reports**
 1. **Administrative Sign Approvals**
 2. **Administrative Approvals**
 3. **Demolitions**
 4. **Action List – 2020**
 5. **Historical Preservation Collaboration Matrix**
- 8) **Adjournment**

Notice: Individuals requiring accommodations, such as interpreter services for effective participation in this meeting should contact the City Clerk's Office at [\(248\) 530-1880](tel:2485301880) at least one day in advance of the public meeting.

Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al [\(248\) 530-1880](tel:2485301880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).

A PERSON DESIGNATED WITH THE AUTHORITY TO MAKE DECISIONS MUST BE PRESENT AT THE MEETING.

**HISTORIC DISTRICT COMMISSION
MINUTES OF NOVEMBER 4, 2020**
Held Remotely Via Zoom And Telephone Access

Minutes of the regular meeting of the Historic District Commission ("HDC") held Wednesday, November 4, 2020. Chairman John Henke called the meeting to order at 7:02 p.m.

1) ROLLCALL

Present: Chairman John Henke; Vice-Chairman Keith Deyer; Board Members Gigi Debbrecht, Natalia Dukas, Michael Willoughby (all Committee members located in Birmingham, MI)

Absent: Board Member Patricia Lang

Administration: Nicholas Dupuis, City Planner
Laura Eichenhorn, City Transcriptionist

Chairman Henke asked all meeting participants to be mindful of not speaking over each other.

11-85-20

2) Approval Of Minutes

**Motion by Ms. Debbrecht
Seconded by Ms. Dukas to approve the HDC Minutes of October 21, 2020 as submitted.**

Motion carried, 4-0.

ROLL CALL VOTE

Yeas: Debbrecht, Dukas, Deyer, Henke

Nays: None

Abstain: Willoughby

11-86-20

3) Courtesy Review

None.

11-87-20

4) Historic Design Review

None.

11-88-20

5) Sign Review

None.

11-89-20

6) Study Session

None.

11-90-20

7) Miscellaneous Business and Communication

A. Pre-Application Discussions

B. Draft Agenda: November 18, 2020

- 1. A. 361 E. Maple – Hawthorne Building**
- 2. B. 100 N. Old Woodward – Maplewood Building (Parks Building)**
- 3. C. 412 Willits – Stickney House**

C. Staff Reports

- 1. Administrative Sign Approvals**
- 2. Administrative Approvals**
- 3. Demolitions**
- 3. Action List - 2020**
- 4. Historical Preservation Collaboration Matrix**

11-91-20

Adjournment

Motion by Ms. Willoughby

Seconded by Ms. Debbrecht to adjourn the HDC meeting of November 4, 2020 at 7:09 p.m.

Motion carried, 5-0.

ROLL CALL VOTE

Yeas: Willoughby, Debbrecht, Deyer, Dukas, Henke

Nays: None

Nicholas Dupuis
City Planner



MEMORANDUM

Planning Division

DATE: November 18th, 2020
TO: Historic District Commission
FROM: Nicholas Dupuis, City Planner
SUBJECT: Preliminary Historic Design Review – 361 E. Maple – Hawthorne Building

Zoning: B-4 (Business-Residential) & D-4 (Downtown Overlay)

Existing Use: One-Story Commercial Building

History

The small one story storefront was built in 1927. During the 1940's it housed the Bell telephone company. It has been well kept and changed very little over the years. It is decorated with a sign band, small pediment, and limestone urns at the party walls. It is believed that the pressed metal storefront is original.

Historic District Commission Review History

The review process for the building at 361 E. Maple began with an application for Preliminary Site Plan review in 2017, which was ultimately never reviewed by the Planning Board. Shortly thereafter, the applicant submitted an unsuccessful request to de-designate the building to the City Commission. The applicant then moved to the Historic District Commission with an application for Design Review and was placed on several agendas and on each occasion requested postponement, the final request being made in January 2019 for an indefinite postponement.

Proposal

The applicant has re-submitted an application for Design Review for a four-story addition to the one-story commercial historic resource. The proposal is similar to the previous submittals, as the building storefront (first 3 ft.) is proposed to remain and be re-worked while (essentially) a new five-story building is proposed to be constructed behind. The applicant is proposing a first floor retail use with a rear garage, two floors of office/commercial, two floors of residential and a rooftop use. The materials proposed on the building façade are as follows:

Material	Location	Color
Brick	1 st Floor South Façade, North Facade	Red (Existing)
Metal and Glass	1 st Floor Storefront System	TBD
Limestone	2 nd -5 th Floor South Façade, North & West Façade Headers & Sills	Natural
Glass	2 nd -5 th Floor Windows (North, West & South Facades)	TBD

Aluminum Frame	2 nd -5 th Floor Windows (North, West & South Facades)	TBD
Steel Railing	4 th Floor & Rooftop	TBD
Metal	Roof	TBD
Mechanical Louver	Rooftop (North Façade)	TBD
Stucco	East & West Facades	TBD
Overhead Garage Door	1 st Floor (North Façade)	TBD

The applicant has not yet submitted material specifications or colors for most of the proposed addition. Although the applicant has indeed noted the majority of the materials proposed, the applicant is not customarily required to have detailed material specifications at this preliminary stage. At final Design Review, colors are required to be selected and specification sheets on all newly proposed materials including glass, metal, windows, doors, and all other materials will be required.

In addition to the overall design specifics, there will be considerable discussion of the planning and zoning issues present in the proposal at Final Design Review such as building height, rooftop uses, projections into the right-of-way, setbacks, parking and glazing. At this time, there appear to be no major planning and zoning related disqualifiers present in the current plans submitted. As this project (if approved by the HDC) would be required to go to the Planning Board for Preliminary and Final Site Plan review as well as a Final Design Review at the HDC, the planning and zoning issues will be fully vetted by the Planning Board and do not require an in-depth review at this time.

Recommendation

The proposed development appears to meet, although not entirely, the Secretary of the Interior Standards for Rehabilitation numbers 2, and 5. However, the proposal seems to contradict standards number 1, 4, 9 and 10. The following analysis provides some detail on this viewpoint:

1. Although the proposed development will retain a portion of the historical retail use of the building on the first floor, the proposed four-story addition introduces a new use to the site that will drastically change the defining characteristics of the existing one-story commercial building and its site and environment. These changes include the character and feel of the streetscape to pedestrians on the sidewalk of the Downtown Historic District.
2. The applicant is proposing to retain most of what they feel is the original building façade and its character. The historical description (quoted above) for the building asserts that the storefront is likely to be original. The applicant has provided a counter to that description in a more detailed inspection memo which asserts that the certain elements of the storefront such as the wall framing, limestone, windows and sign band are in fact not original to the building based on their findings. However...
4. As standard number 4 notes, buildings change over time and those changes that have acquired historic significance in their own right shall be retained and preserved. The HDC could reasonably argue that the current storefront (IF it is not original) has gained such significance.
5. The applicant is proposing to preserve the distinctive features of the building, such as the small pediment and limestone urns.

9. The addition and exterior alteration proposed contain plans to remove the entirety of the building beginning at 3 ft. behind the façade. Although it could be argued that the removal of the rear of the building is not removing any materials that *characterize* the property, the HDC must consider the historic building as a whole and not just a storefront façade. Additionally, although the applicant has clearly differentiated the new work from the old, the massing, size, scale, and architectural features of the additional four stories could serve as a detriment to the historic integrity of the property and its environment.
10. The proposed plan to completely remove the rear of the building in favor of (essentially) a new five-story building could be considered an addition that would NOT be easily removed in the future. If it were to be removed, the essential form and integrity of the historic property and its environment could be irreparably damaged.

Due to the arguments examined above, the Planning Division recommends that the Historic District Commission **DENY** the historic Design Review application for 361 E. Maple – Hawthorne Building. The proposed work does not meet the Secretary of the Interior Standards for Rehabilitation numbers 1, 4, 9 and 10.

Wording for Motions

I move that the Commission **DENY** the Historic Design Review application for 361 E. Maple – Hawthorne Building. Because of _____ the work does not meet The Secretary of the Interior's Standards for Rehabilitation number(s) _____.

OR

I move that the Commission **POSTPONE** the Historic Design Review application and the issuance of a Certificate of Appropriateness for 361 E. Maple – Hawthorne Building – until the following conditions are met: (List Conditions). The Secretary of the Interior's Standards for Rehabilitation number(s) _____ will be met upon fulfillment of condition(s).

OR

I move that the Commission **APPROVE** the Historic Design Review application and issue a Certificate of Appropriateness for 361 E. Maple – Hawthorne Building – provided the conditions below are met. The Secretary of the Interior's Standards for Rehabilitation number(s) _____ will be met upon fulfillment of the condition(s):

OR

I move that the Commission **APPROVE** the Historic Design Review application and issue a Certificate of Appropriateness for 361 E. Maple – Hawthorne Building. The work as proposed meets the Secretary of the Interior's Standards for Rehabilitation number(s) _____.

Notice to Proceed

I move the Commission issue a Notice to Proceed for number _____. The work is not appropriate, however the following condition prevails: _____ and the proposed application will materially correct the condition.

Choose from one of these conditions:

- a) The resource constitutes hazard to the safety of the public or the structure's occupants.
- b) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances.
- c) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district. have been attempted and exhausted by the owner.
- d) Retaining the resource is not in the best of the majority of the community.

THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION AND GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS

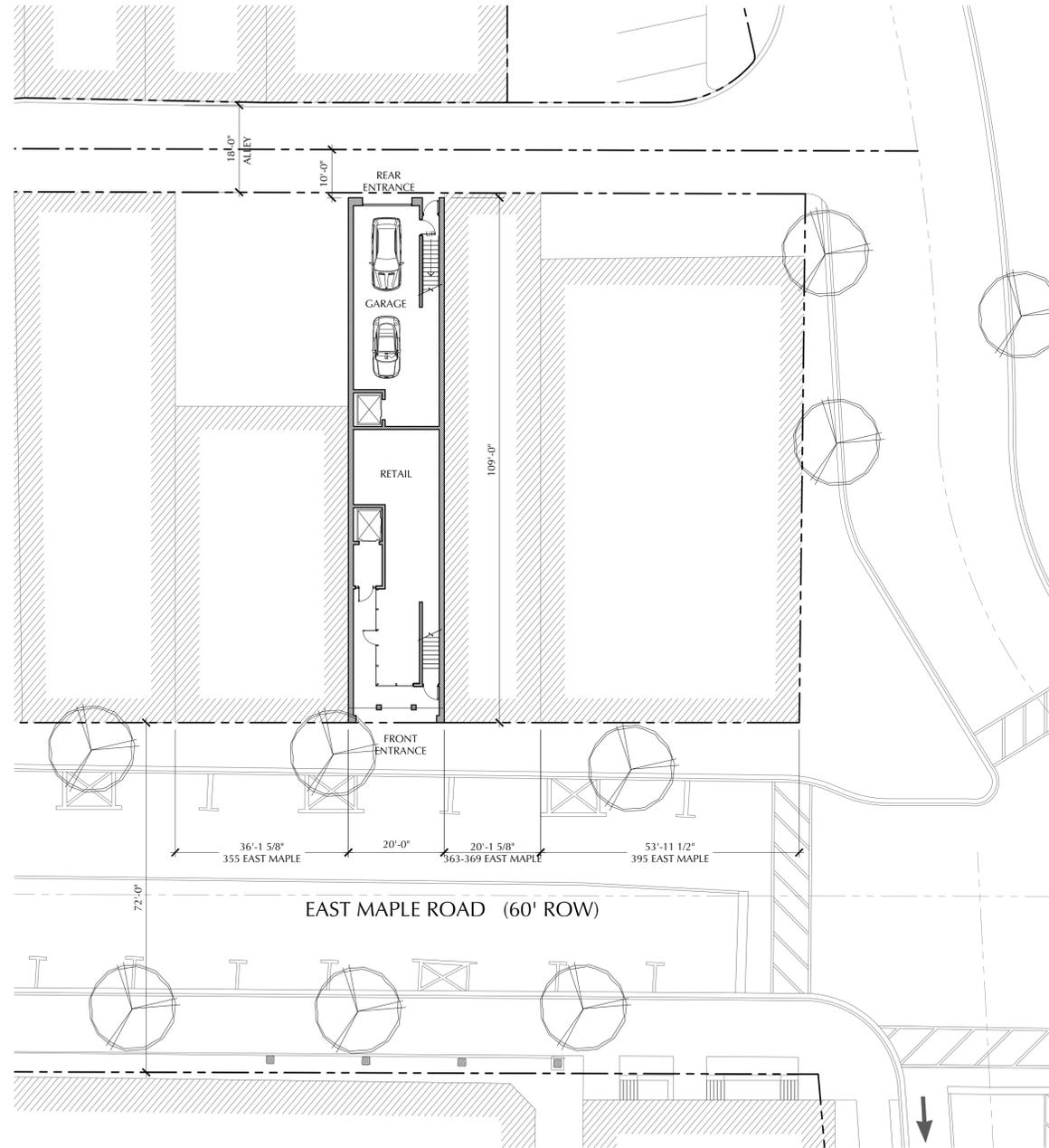
The U. S. secretary of the interior standards for rehabilitation are as follows:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



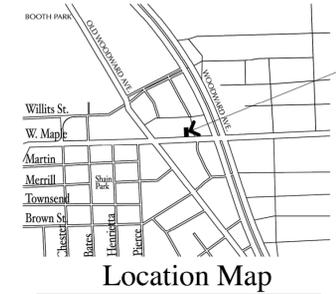
East Maple View (looking north)

361 EAST MAPLE
BIRMINGHAM, MICHIGAN 48009



Site Plan (Proposed)

1/16"=1'-0"



Location Map

Site
361 East Maple

Zoned:
B-4 (business - residence)
Overlay:
D-4



Alley (looking west)

Site



Alley View (looking south)



East Maple (looking west)

Occupancy Areas

Occupancy	Location in Building	Net Usable Area
Retail + Lobby + Garage	Level 1	1358 SF
Mercantile	Level 2 & 3	3237 SF
Residential	Levels 4 & 5	3300 SF

Parking Tabulation

Residential		Required	Provided
Apartments	1 Residence x 1.5	1.5 spaces	2.0 spaces
Retail	parking assement district	0 spaces	
Office			
Total		1.5 spaces	2.0 spaces
Total with 1 street parking spaces			3.0 spaces

Current Address

Street Address	Sidwell Number	Zoning
361 East Maple Road	19.25.456.027	B3/D4

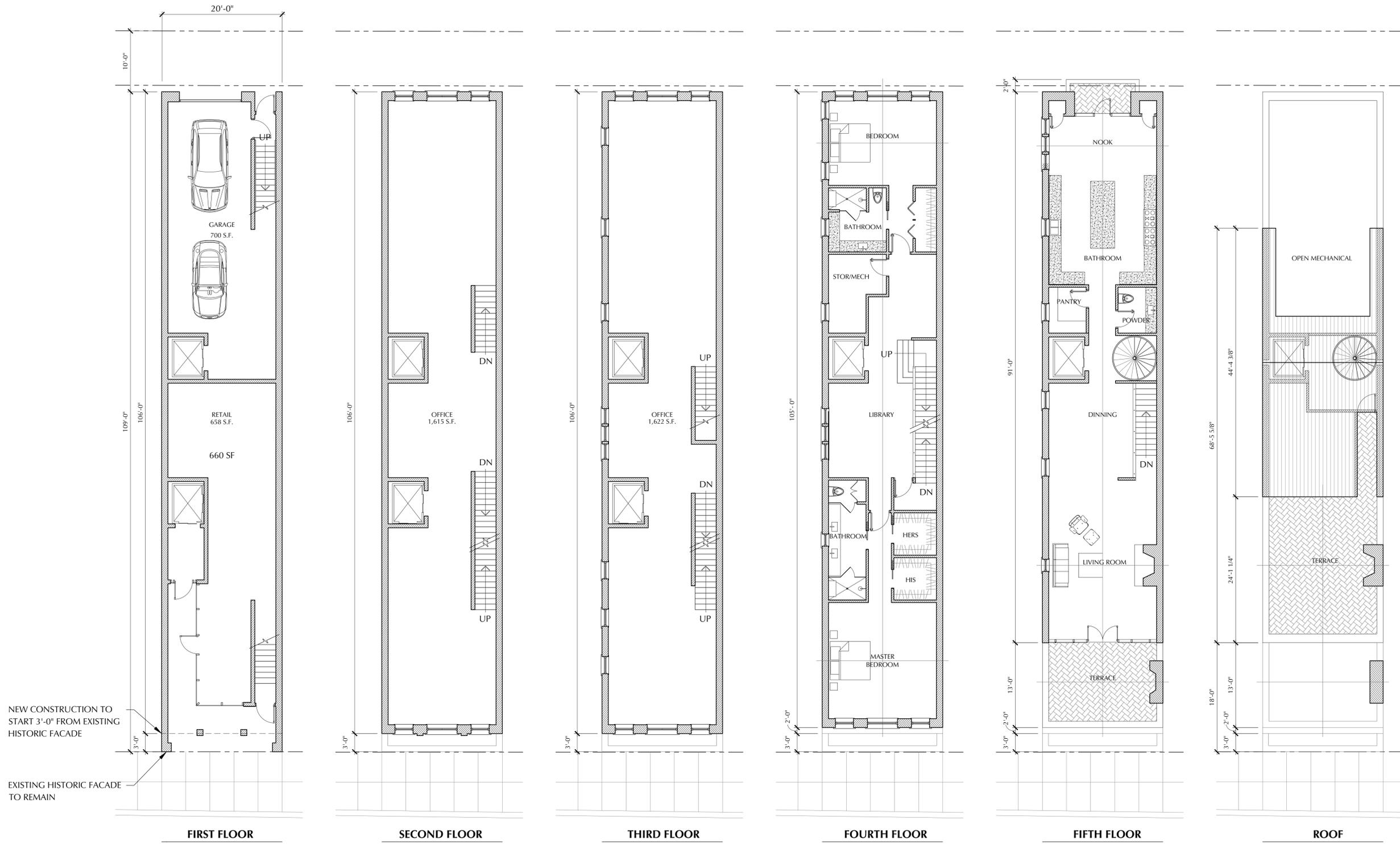
Building Calculations

Location	Spaces / Units	Net Usable Area	Gross Area
Level 1	2 Parking Spaces	1,358 SF	2,200 SF
Level 2	Office	1,615 SF	2,140 SF
Level 3	Office	1,622 SF	2,140 SF
Level 4	1 Residence	1,610 SF	2,140 SF
Level 5	1 Residence	1,420 SF	1,840 SF
Total		7,625 SF	10,460 SF



CHRISTOPHER J LONGE AIA
ARCHITECTURE
INTERIORS
124 Peabody, Birmingham, Michigan 48009 248.258.6940

361 EAST MAPLE
BIRMINGHAM, MICHIGAN 48009



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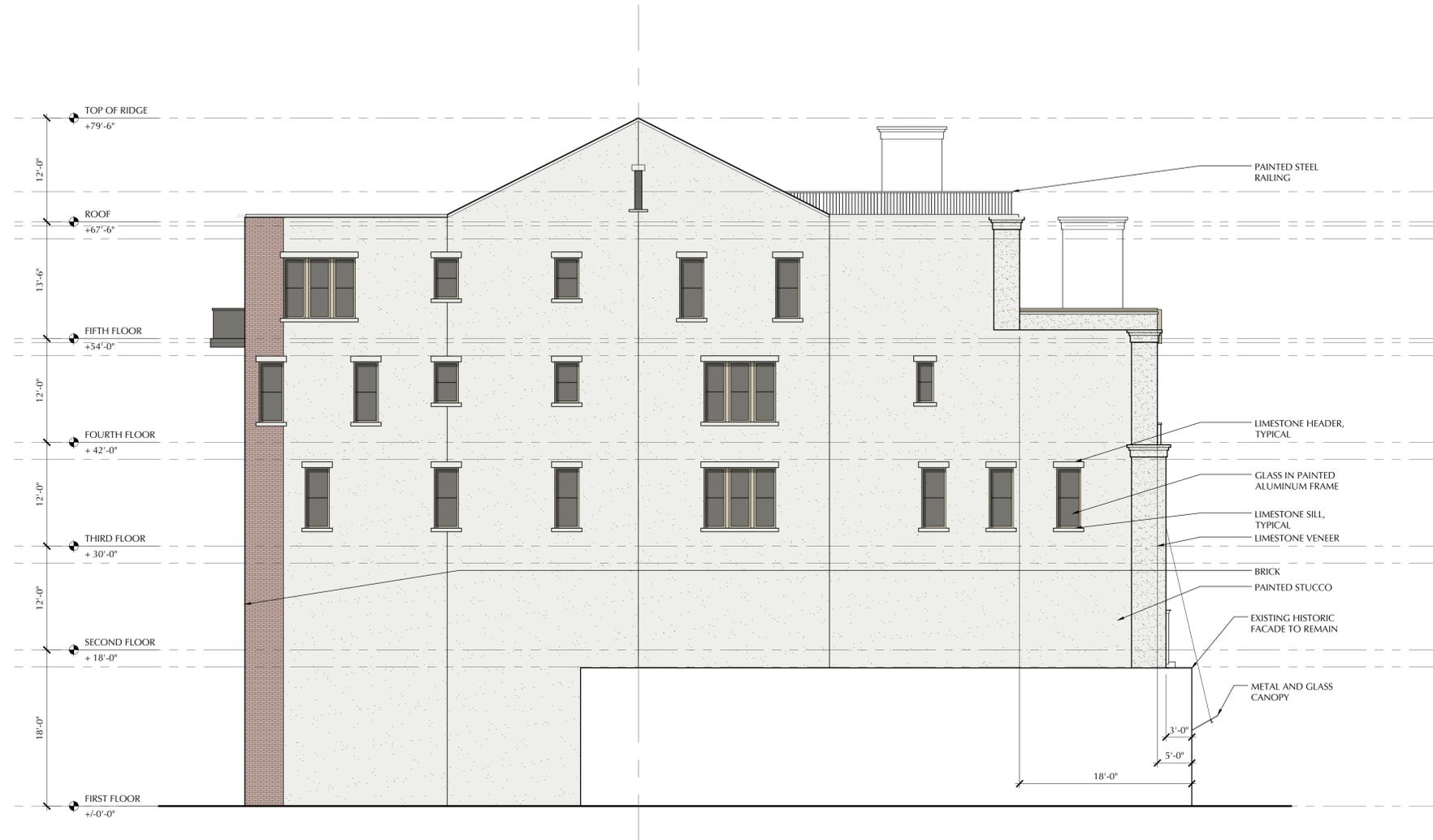


PROPOSED EAST MAPLE STREETScape

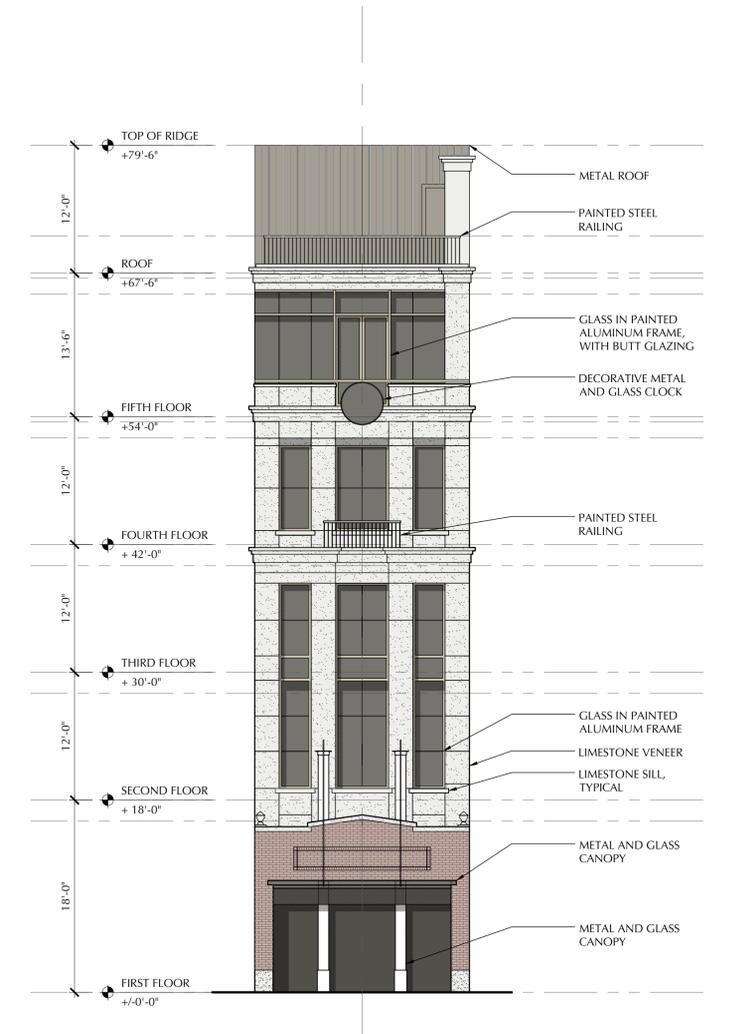


EXISTING EAST MAPLE STREETScape

361 EAST MAPLE
BIRMINGHAM, MICHIGAN 48009

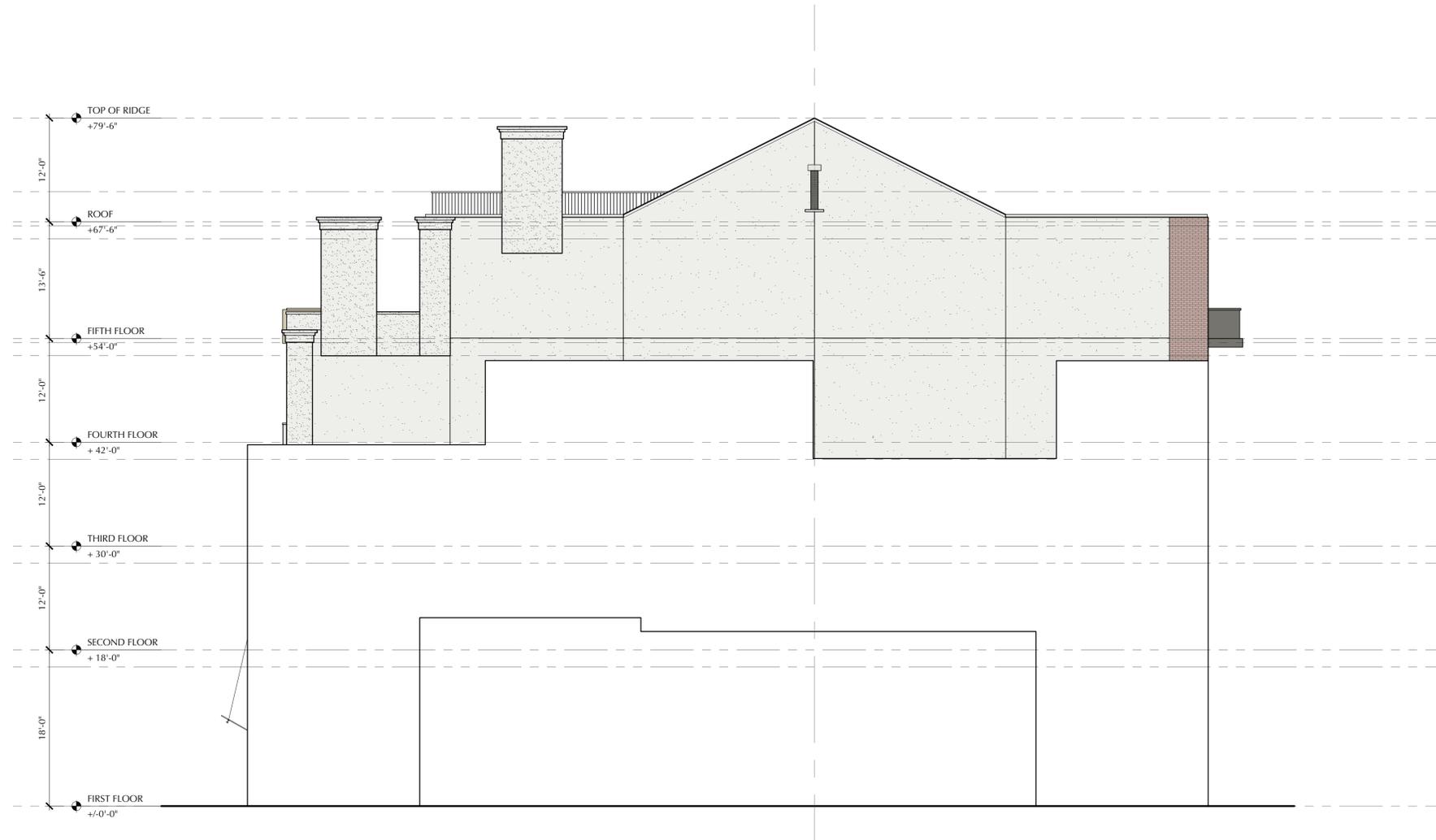


WEST ELEVATION

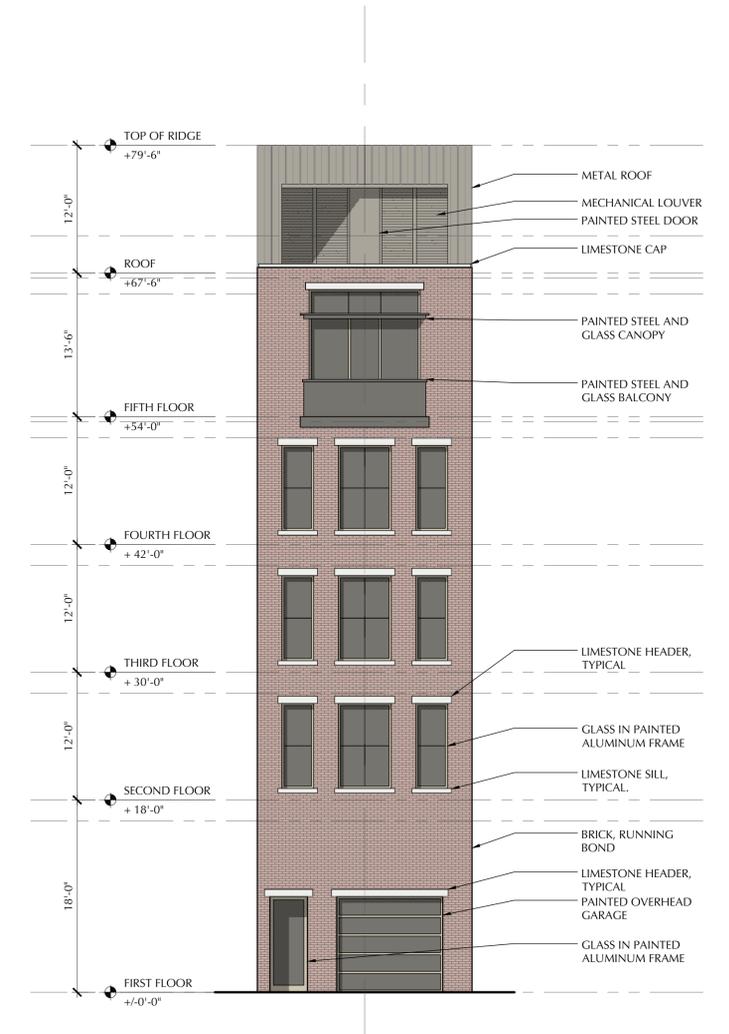


SOUTH ELEVATION

361 EAST MAPLE
BIRMINGHAM, MICHIGAN 48009



EAST ELEVATION



NORTH ELEVATION

361 EAST MAPLE
BIRMINGHAM, MICHIGAN 48009



STREET VIEWS

Memorandum re: 361 EAST MAPLE

Dear Nick,

I have examined and photographed the 361 East Maple building in an effort to explain and determine what architectural components are believed to not be original to the building construction (1927) and its Architectural design. Please see the list of Architectural & Construction elements and corresponding pictures below.

Display Window Knee Wall

Generally, the present entry system is not of the original design and had been altered sometime after the original building was constructed. The storefront window is constructed on top of limestone sill set on 7 courses of a brick knee wall. As the photo below indicates, the wall is stepped back from the adjacent limestone base of the building. The stepped back limestone stone sill and brick knee wall is constructed as a single width brick wall with a metal stud backer. The metal stud knee wall backer shown in the photo is in fact ‘new’ and significantly postdates the building age. There is no further use of metal studs in the building.

In support of the above explanation, the limestone sill on top of the brick knee wall is of a different limestone (*unselect variegated limestone*) than the adjacent building (*select*) limestone – clearly shown in the photo below indicating the construction of the knee wall came sometime after the original building was constructed.

While certainly the prerogative of the designer or mason, the brick portion of the knee wall - if it were original – would have more typically been constructed as a continuous limestone knee wall.



Display Window

The display window itself has been significantly altered over the course of time. The painted pressed metal frame (photo below) of the window glass has been haphazardly ‘pieced’ together to reflect the altered storefront- suggesting the glass size was originally different than the present configuration. This has probably been done over the course of time to reflect the needs of the building owner or tenant.



Sign Band (as part of the storefront)

The sign band is clearly not original to the building design. It is constructed of wood with faux dentils along with the louvered vent above the front door.

There are clear exterior indications (and interior) that this wooden sign band altered the original building façade. As mentioned above, the exterior stamped metal frame has been altered (to accommodate different glass sizes). The interior ceiling (above the lay-in ceiling) is much higher than the present display window head and in fact aligns with remnants of what would have trim work for an originally taller display window.



Sign Band (original)

The brick detail consisting of a rowlock (proud of the adjacent brick field) with limestone corner blocks was clearly to be the storefront signage band – as would be customary for a building of this vintage reinforcing the idea that the wood sign band was added sometime after the original building was constructed.



7. Details of the Nature of Work Proposed (attach separate sheet if necessary)
 (Please specifically list all materials and colors to be used)

Proposed 4 Story addition to 1 story existing building

8. Buildings and Structures

Number of Buildings on Site: 1
 Height of Buildings & # of Stories: +/- 12'-0"

Use of Buildings: N/A
 Height of Rooftop Mechanical Equipment:

9. Additions (in Square Feet)

Proposed Use: Mixed Use
 Number of Floors: 4 Floors
 Number of Sq. Ft. on Each Floor: See Plans
 Height: 58'-0" (Total)
 Total Floor Area: 7197 SF

Retail Space: 660 SF
 Assembly Space:
 Office Space: 1615 SF
 Industrial Space:
 Seating Capacity:

10. Required and Proposed Parking

Required number of parking spaces: 1.5
 Typical angle of parking spaces: 0
 Typical width of maneuvering lanes: N/A
 Location of parking on site: Rear @ Alley
 Location of parking off site: N/A
 Number of light standards in parking area: N/A
 Screenwall material: N/A

Proposed number of parking spaces: 2
 Typical size of parking spaces: 14.20
 Number of spaces <180 sq. ft.: N/A
 Number of handicap spaces: N/A
 Shared parking agreement? N/A
 Height of light standards in parking area: N/A
 Height of screenwall:

11. Landscaping

Location of landscape areas: N/A

Proposed landscape material: N/A

12. Building Lighting

Number of light standards on building: N/A
 Size of light fixtures (L•W•H):
 Maximum wattage per fixture:
 Light level at each property line:

Type of light standards on building: N/A
 Height from grade:
 Proposed wattage per fixture:

13. Maximum Signage Allowance Calculation

Building Frontage (in feet): 20 Feet
 Maximum Sign Area Allowed: 20 SF
 Sign Area Proposed: 20 SF Max

Maximum Sign Area = 1 square foot (1.5 for Woodward addresses) per each linear foot of principal building frontage.

14. Location of Proposed Signs

On existing sign band

15. Number of Sign(s)

Wall: 1
Ground: _____
Projecting (Blade): _____

Canopy: _____
Building Name: Hawthorn Building
Post-Mounted Projecting: N/A

16. Sign Size, Material & Content

Sign #1

Type of Sign: Unknown
Width: _____
Depth: _____
Height: _____
Total Square Feet: _____
Height of Lettering: _____
Height from Grade: _____

Projection from Wall: _____
Sign Reads: " _____ "

Sign Materials: _____

Sign Color(s) (including PMS color #): _____

Sign #2

Type of Sign: _____
Width: _____
Depth: _____
Height: _____
Total Square Feet: _____
Height of Lettering: _____
Height from Grade: _____

Projection from Wall: _____
Sign Reads: " _____ "

Sign Materials: _____

Sign Color(s) (including PMS color #): _____

Sign #3

Type of Sign: _____
Width: _____
Depth: _____
Height: _____
Total Square Feet: _____
Height of Lettering: _____
Height from Grade: _____

Projection from Wall: _____
Sign Reads: " _____ "

Sign Materials: _____

Sign Color(s) (including PMS color #): _____

17. Existing Signs Located on Property

Number of Signs: N/A
Sign Type(s): _____

Square Feet per Sign: _____
Total Square Feet of Existing Signage: _____

18. Sign Lighting

Type of Lighting Proposed: Unknown
Size of Light Fixtures (LxWxH): _____
Maximum Wattage per Fixture: _____
Location: _____

Number Proposed: _____
Lighting Height from Grade: _____
Proposed Wattage per Fixture: _____
Style (include specifications): _____

19. Landscaping (ground signs only)

Location of Landscape Areas: _____

Proposed Landscape Material: _____

The undersigned states the above information is true and correct, and understands that it is the responsibility of the applicant to advise the Planning Division and / or Building Division of any additional changes made to an approved site plan. The undersigned further states that they have reviewed the procedures and guidelines for site plan review in Birmingham, and have complied with same. The undersigned will be in attendance at the Planning Board meeting when this application will be discussed.

Signature of Owner:  Date: 8.18.20

Print Name: Faiz Simon

Signature of Applicant:  Date: 8.18.20

Print Name: Faiz Simon

Signature of Architect:  Date: 8.18.20

Print Name: Christopher J. Longe, AIA

<i>Office Use Only</i>		
Application #: _____	Date Received: _____	Fee: _____
Date of Approval: _____	Date of Denial: _____	Accepted by: _____



PRELIMINARY or FINAL HISTORIC SIGN/ DESIGN REVIEW APPLICATION CHECKLIST - PLANNING DIVISION

Applicant: Faiz Simon Case #: _____ Date: 8.18.20
Address: 335 East Maple Project: 361 East Maple

All site plans and elevation drawings prepared for approval shall be prepared in accordance with the following specifications and other applicable requirements of the City of Birmingham. If more than one page is used, each page shall be numbered sequentially. All plans must be legible and of sufficient quality to provide for quality reproduction or recording. Plans must be no larger than 24" x 36", and must be folded and stapled together. The address of the site must be clearly noted on all plans and supporting documentation.

Final Site Plan

A full site plan detailing the proposed changes for which approval is requested shall be drawn at a scale no smaller than 1" = 100' (unless the drawing will not fit on one 24" X 36" sheet) and shall include:

1. Name and address of applicant and proof of ownership;
2. Name of Development (if applicable);
3. Address of site and legal description of the real estate;
4. Name and address of the land surveyor;
5. Legend and notes, including a graphic scale, north point, and date;
6. A separate location map;
7. A map showing the boundary lines of adjacent land and the existing zoning of the area proposed to be developed as well as the adjacent land;
8. Ariel photographs of the subject site and surrounding properties;
9. A list of all requested elements/changes to the site plan;
10. Any changes requested marked in color on the site plans and on all elevations of any building(s)
11. A chart indicating the dates of any previous approvals by the Planning Board, Board of Zoning Appeals, Design Review Board, or the Historic District Commission ("HDC");
12. General description, location, and types of structures on site;
13. Details of existing or proposed lighting, signage and other pertinent development features;
14. Elevation drawings showing proposed design;
15. Screening to be utilized in concealing any exposed mechanical or electrical equipment and all trash receptacle areas;
16. Location of all exterior lighting fixtures;
17. A landscape plan showing all existing and proposed planting and screening materials, including the number, size, and type of plantings proposed and the method of irrigation; and
18. Any other information requested in writing by the Planning Division, the Planning Board, or the Building Official deemed important to the development.

Elevation Drawings

Complete elevation drawings detailing the proposed changes for which approval is requested shall be drawn at a scale no smaller than 1" = 100' (unless the drawing will not fit on one 24" X 36" sheet) and shall include:

- 19. Color elevation drawings showing the proposed design for each façade of the building;
- 20. List of all materials to be used for the building, marked on the elevation drawings;
- 21. Elevation drawings of all screenwalls to be utilized in concealing any exposed mechanical or electrical equipment, trash receptacle areas and parking areas;
- 22. Details of existing or proposed lighting, signage and other pertinent development features;
- 23. A list of any requested design changes;
- 24. Itemized list of all materials to be used, including exact size specifications, color, style, and the name of the manufacturer;
- 25. All items listed on the [Sign Review Presentation Requirements](#);
- 26. Location of all exterior lighting fixtures, exact size specifications, color, style and the name of the manufacturer of all fixtures, and a photometric analysis of all exterior lighting fixtures showing light levels to all property lines; and
- 27. Any other information requested in writing by the Planning Division, the Planning Board, or the Building Official deemed important to the development.

City Manager Valentine recommended withdrawing this item for the time being pending a full legal review. Subsequently the item would come back before the Commission.

Commission Hoff asked for the number of plots under payment plans and the total dollar amount of payments made on those lots to date.

City Clerk Mynsberge replied:

- She could have that information for when this item returns to the Commission.
- Thirty plots are currently under payment plan.

Mayor Harris:

- Asked how the purchaser is made aware of the policy;
- Stated he would like to see language about pre-payment and how those payments would be allocated to plots;
- Stated the accelerated payment or pre-payment options are inconsistent with a proportionate distribution if there are multiple plots, which should be clarified;
- Stated purchasers should not forfeit all previous payments if one payment is missed, as there should be a cure period; and,
- Stated the allocation of funds to the perpetual care account should be clarified.

Mayor Pro Tem Bordman said paragraph two has unnecessary repetition which should be revised.

The Commission took no action.

VI. NEW BUSINESS

09-259-18

REQUEST TO ELIMINATE THE HISTORIC DESIGNATION OF 361 E. MAPLE

Senior Planner Baka:

- Reviewed the materials in the agenda packet regarding this item, including his September 7, 2018 memo to City Manager Valentine.
- Clarified that a historic designation does not preclude changes to a building.
- Confirmed that the facade of a building is generally considered the most important part to preserve.
- Confirmed that no historically designated buildings in the historic district have been de-listed.
- Explained that the district establishes the purview of the Historic District Study Commission (HDSC), which means any changes to a building within the district must go before the HDSC. Only the landmark buildings, however, are subject to the Secretary of the Interior's Standards for Rehabilitation. These requirements are part of City ordinances.
- Said there is no restriction on height for historically designated buildings. Drastic changes would be more challenging, but there are ways to modify buildings while remaining sensitive to their historic nature.
- The only home that has been de-listed was 505 Townsend, because there were so many previous undocumented changes that the home was no longer considered historic. To Senior Planner Baka's knowledge there have also been no other requests to de-list beyond 505 Townsend and 361 E. Maple.

John Gabor, attorney representing property owner Victor Simon, explained:

- Mr. Simon requested the de-listing of 361 E. Maple to allow development of the building consistent with the City's 2016 Plan and the overlay district ordinance.
- It is not mandatory for the Commission to follow the recommendation of the HDSC to deny, as the Commission is free to consider other factors including plans, ordinances, patterns of development, and comments from other Board and Commissions.
- A report included in the agenda packet, as submitted by historic architect William L. Finnicum at the owner's request, found there is no historic significance to 361 E. Maple and supported de-listing the property. Mr. Gabor reported that in Mr. Finnicum's forty year career this is only the second time that Mr. Finnicum has supported de-listing a building.
- 361 E. Maple was of minimal historic significance when it was designated. It would not be designated as a landmark today because of the changing character of E. Maple.
- 361 E. Maple has lost that small shop context that enabled the building to be designated as a landmark.
- 361 E. Maple is a twenty-foot wide building with minimal architectural features. The original inventory form filled out at the time of designation showed very weak rationale for the designation. Question #18 on the inventory, which specifically asked about architectural significance, specified no significance. Question #19 on the inventory, asking about historical significance, also specifies no significance. It was a good example of buildings from the time, but bears no significance in and of itself. 361 E. Maple was somewhat arbitrarily chosen, as other buildings nearby have identical characteristics.
- Changes to the structures adjacent to the landmark buildings matter as much for changing or maintaining the character of the district as changes to the landmark buildings themselves.
- Due to surrounding development, the designation of 361 E. Maple has been rendered irrelevant, whereas other landmark buildings remain significant in their context.
- Robin Boyle and Daniel Share of the Planning Board supported the de-listing of 361 E. Maple, and Michael Willoughby, Thomas Trapnell, Doug Burley and Adam Charles of the Historic District Commission supported the de-listing as well.
- While this will be a precedent-setting decision, the rationale for de-listing 361 E. Maple does not apply to other landmarks, so this will not cause a landslide of other de-listing applications.
- Mr. Simon renovated 159 Pierce Street, which was also historically designated.

Property owner Victor Simon stated:

- 361 E. Maple was purchased in 2016.
- He was aware of the property's historic designation when he purchased it.
- An architect already determined that the the facade could not be maintained while achieving the development goals.

Blair Gould, attorney for the Kaftans who own the building immediately to the east of 361 E. Maple, laid out a number of reasons the Kaftans object to the proposed de-listing of 361 E. Maple including:

- Mr. Simon should have been aware of the designation at the time of purchase.
- The historic designation for these landmark properties were maintained after the 2016 Plan.
- The fact that this building is a one-story landmark building makes 361 E. Maple more significant, not less.
- The building has been zoned B-4 since 1984.

- The Kaftans have offered to acquire the property from Mr. Simon for the price that he paid in order to maintain the historic designation.

Melvin Kaftan said:

- The HDC heard the request to de-list 361 E. Maple twice and denied it.
- 261 E. Maple through 323 E. Maple are marked historic. An owner of some of those buildings said he was interested in de-listing his building as well if Mr. Simon's de-listing goes through.
- If 361 E. Maple is de-listed and is built bigger, it will require significantly more parking.

Gerri Kaftan said:

- She and her husband chose 369 E. Maple Road because the street is charming. They built their home with brick and lime in order to maintain the character of the street.
- 361 E. Maple just needs a bit of tender loving care.
- Like the man in the movie Up, Mr. Simon is trying to muscle all the charm out of Birmingham.

A member of the audience noted that 361 E. Maple is the smallest of the landmark buildings at twenty feet in width.

Patricia Lang stated three times that in the Bay Area historic buildings are not allowed to be demolished unless they are entirely beyond repair. She continued:

- That building owners in the Bay Area are not able to build a structure that would change the light neighbors receive unless all the neighbors sign off on it.
- She does not want to see Birmingham lose its character.
- She implored the Commission to maintain the historic designation for 361 E. Maple.

Mr. Gabor noted that 369 E. Maple was built to four stories, adhering more to the 2016 Plan and the overlay district than the previous character of the street.

Mr. Gould stated that there are alternatives to fully demolishing 361 E. Maple and clarified Mr. Kaftan's claim that another owner expressed his desire to de-list. The owner, rather, stated that he supported the de-listing of 361 E. Maple, describing the building as ugly.

Mayor Harris called a brief recess at 8:59 p.m. and reconvened the meeting at 9:02 p.m.

Mayor Pro Tem Bordman noted:

- Birmingham's historic buildings are important to many Birmingham residents.
- 361 E. Maple fulfills the definition of a landmark because it is "an example of its type".
- It was built in 1927, and maintaining the building is a way to see the past.

MOTION: Motion by Mayor Pro Tem Bordman, seconded by Commissioner Hoff:
To deny the request by the property owner to eliminate the historic designation on 361 E. Maple as recommended by the Historic District Study Committee.

Commissioner Sherman said a skilled architect could maintain the facade of 361 E. Maple without needing to de-list the property.

Commissioner Hoff noted that since the building is one of the last of its kind, she will be supporting the motion.

Mayor Harris stated:

- The first question for de-listing a building is whether the building has lost its historic significance.
- He is concerned that if this building is de-listed buildings around it will also be de-listed and the historical significance will be eliminated.

Commissioner DeWeese said the best approach will be to maintain the designation and preserve the building's best features.

VOTE: Yeas, 6
 Nays, 0
 Absent, 1

**09-260-18 PUBLIC HEARING – BISTRO ORDINANCE AMENDMENTS TO
 CHAPTER 126, ZONING OF THE BIRMINGHAM CITY CODE**

Mayor Harris opened the public hearing at 9:09 p.m.

Planning Director Ecker Reviewed her September 7, 2018 memo to City Manager Valentine and explained:

- Bar seating is included in the maximum number of indoor seats.
- Any bistros with enclosures to allow year-round outdoor dining are grandfathered in.
- A special land use permit (SLUP) would allow the Commission to address the possibility of high-top tables without seats should the situation arise.
- Class C restaurants generally have at least 125 seats.

Mayor Pro Tem Bordman² shared concern about the possibility of competition between bistros and Class C restaurants since these ordinance changes allow bistros with up to 170 seats. She continued that bistros were originally intended to be intimate.

Mayor Harris closed the Public Hearing at 9:22 p.m.

Planning Director Ecker clarified:

- Class C restaurants have no restrictions on their seating numbers beyond what is determined by their SLUP.
- Outdoor rooftop dining for bistros is permitted as long as surrounding properties are not impacted in a negative manner.

Commissioner Hoff echoed Mayor Pro Tem Bordman's concerns regarding the number of potential seats being proposed for bistros.

Commissioner DeWeese said he was also concerned with the numbers, and with the possibility of encouraging nightclub-like atmospheres with these changes.

Mayor Pro Tem Bordman stated:

- Having bistros in the Rail District and the Triangle District is a fabulous idea.
- She appreciates all the work the Planning Board has done with these amendments.
- Encouraging bistros too aggressively stands to undermine Class C restaurants.

² *As amended at the October 8, 2018 Commission meeting.*



MEMORANDUM

Planning Division

DATE: September 7, 2018

TO: Joseph A. Valentine, City Manager

FROM: Matthew Baka, Senior Planner

APPROVED: Jana Ecker, Planning Director

SUBJECT: 361 E. Maple, The Hawthorne Building – Historic Designation Elimination Request – Public Hearing

On July 24, 2017 the City Commission passed a resolution directing the Historic District Study Committee (HDSC) to consider a request by the owner of the property at 361 E. Maple to remove the historic designation from the building in order to allow the demolition and redevelopment of the site. As required by Section 127-5, **Establishing additional, modifying, or eliminating historic districts**, the HDSC prepared a study committee report for consideration by the City Commission. The City Code requires that one of three criteria be met in order to justify de-designation of a historic property. Those criteria are as follows:

1. The historic district has lost those physical characteristics that enabled the establishment of the district;
2. The historic district was not significant in the way previously defined; or
3. The historic district was established pursuant to defective procedures.

The HDSC's finding, based on the criteria established in the City Code, was to forward a recommendation to **deny** the request to eliminate the historic designation of 361 E. Maple (see attached report). The requirements of Section 127-5 state that the report must be sent to the State Historic Preservation Office, the Planning Board and the Historic District Commission for comment before being considered by the City Commission.

After a lengthy delay due to staffing and scheduling issues at the State office, SHPO sent the City their comments regarding the report (attached). The comments focus on the format and content of the report. In addition to the comments on the report the SHPO also sent a letter in which they concur with the findings of the HDSC at the time of designation (1983) and in the current report, which is that they found the building to be a good representative example of a small commercial building from the period.

The HDSC report was also forwarded to both the Planning Board and Historic District Commission for comment. While neither Board directly commented on the report, nor whether or not the application for de-designation met the required criteria as listed above, they both made comments that the new development would contribute to the continued redevelopment of the City with

newer buildings replacing the ones that historically have comprised the heart of the downtown area. The minutes from those meetings are attached.

In addition to the report produced by the HDSC, the applicant also commissioned a report by private architect William Finnicum to support their request (attached). This report contends that the adoption of the Overlay District, and subsequently the redevelopment of two parcels on the block of the subject parcel, has fundamentally altered the characteristics of the downtown by allowing taller buildings and therefore justify the elimination of the historic designation of this building. However, it should be noted that the zoning classification of B-4 was in effect in 1983 when the building was designated. The Overlay District allows for one additional floor. In addition, section 3.01 Purpose, subsection (D) states that one purpose of the Overlay District is to do the following:

"Ensure that new buildings are compatible with and enhance the historic districts which reflect the city's cultural, social, economic, political, and architectural heritage."

Based on the recommendations of the 2016 Plan, the City also adopted architectural design standards that control the void to solid ratio and permissible building materials which were inserted into the Zoning Ordinance as a method of controlling the character of the downtown.

In addition to the report submitted by the applicant to support their position, the neighbor directly to the east also submitted a report by architect John Dziurman arguing that the building should be preserved (attached). This report mirrors many of the findings of the HDSC.

The last step required before sending the request to the City Commission was to hold a public hearing after the comments from the State Historic Preservation Office were received regarding the report. This is to allow public comment and make a final determination as to what the recommendation to the City Commission should be regarding the requested elimination of the historic designation of 361 E. Maple, the Hawthorne Building. The public hearing was held on July 26, 2018 at an HDSC meeting. During the hearing, extensive comments were made by the applicant in support of the request and by the public against the request. The draft minutes from this meeting are attached. At the conclusion of the public hearing, the HDSC voted to maintain their recommendation to deny the request for de-designation.

On August 6, 2018 the City Commission set a public hearing date of September 17, 2018 to consider the request for de-designation. The report and supporting documentation is attached.

SUGGESTED ACTION:

To DENY the request by the property owner to eliminate the historic designation on 361 E. Maple as recommended by the Historic District Study Committee.

361 E. Maple
Birmingham Historic Resource
Report from the Historic District Study
Committee
November 28th, 2017



Committee Members

Gigi Debbrecht, Chair
Patricia Lang
Michael Xenos
Paul Beshouri
Jonathan Dewindt

Staff Liaison

Matthew Baka, Senior Planner



Charge of the Committee

In accordance with Chapter 127 of the Birmingham City Code, the Historic District Study Committee (HDSC) has been directed by the City Commission, per the resolution adopted at the meeting of July 24, 2017, to consider modifying an existing Historic District by evaluating the Hawthorne Building, which is a contributing resource within the Central Business District Historic District, located at 361 E. Maple for consideration for removal from the list of historically designated properties in the City of Birmingham.

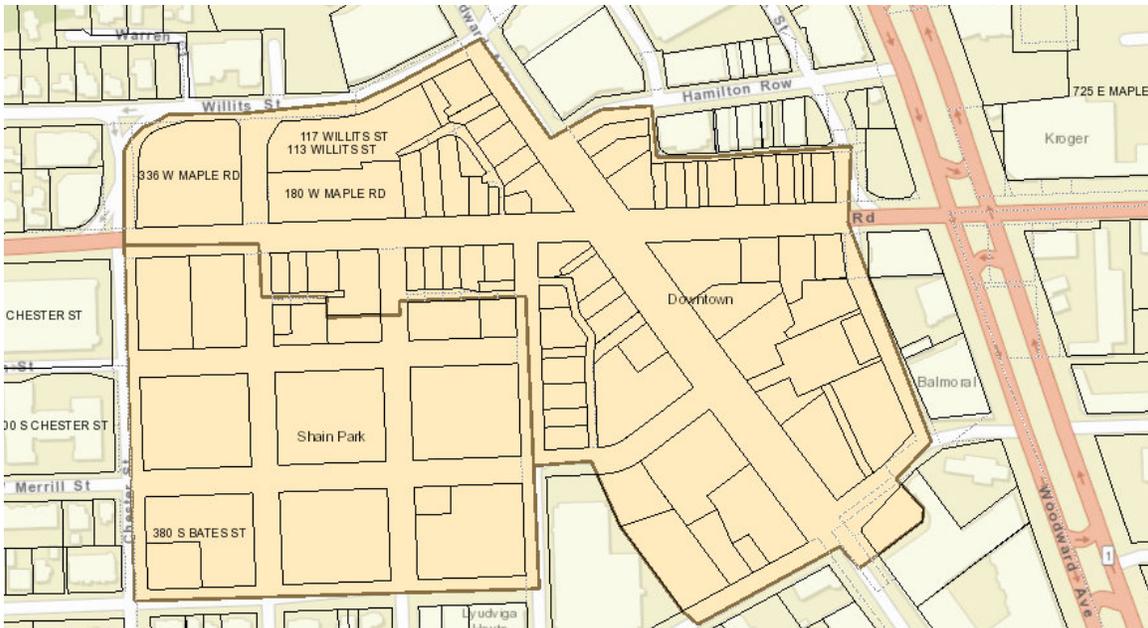
The request for removal of the designation came from the owner of the property in question. They are requesting that the City Commission remove the designation of the property in order to allow the demolition of the building and construction of a new five story building.

Description of the District

The legal description of the property at 361 E. Maple is T2N, R10E, SEC 25 ASSESSOR'S PLAT NO 21 W PART OF LOT 11 MEAS 20 FT ON S LOT LINE & 20.62 FT ON N LOT LINE. The Central Business District boundaries are indicated on the map below.

Count of Historic and Non-Historic Resources in the CBD Historic District

The Central Business District Historic District has 29 historic (contributing) and 44 non-historic resources.



*depiction of the Downtown Historic District and Shain Park Historic District

De-designation evaluation criteria

The HDSC is required to follow the procedures as set forth in Section 127-4, of the City of Birmingham Historic Districts Ordinance, as amended. The procedure requires the issuance of a preliminary report, holding a public hearing, and issuing a final report with the intent of showing one or more of the following in order to justify the de-listing of a designated property:

1. The historic district has lost those physical characteristics that enabled the establishment of the district.
2. The historic district was not significant in the way previously defined.
3. The historic district was established pursuant to defective procedures.

1. The historic district has lost those physical characteristics that enabled the establishment of the district.

The property at 361 E. Maple remains virtually unchanged from the condition it was in when designated in 1983. This is demonstrated by historic and contemporary photographs. It is decorated with a sign band that is defined by patterned brick and limestone. The parapet has a small pediment and limestone urns at the party walls. It is believed that the pressed metal store front is original.

In addition, since the creation of the CBD Historic District, all exterior changes to the contributing and non-contributing resources have been reviewed by the Historic District Commission. Any proposed change to a resource in the district has been measured against the Secretary of the Interior's standards for rehabilitation and guidelines for rehabilitating historic buildings (attached). The Standards for Rehabilitation address the most prevalent treatment. "Rehabilitation" is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property

which are significant to its historic, architectural, and cultural values." Accordingly, the historic character of the district at large has not been altered in such a way that would eliminate the physical characteristics that enable the establishment of the district.

2. The historic district was not significant in the way previously defined.

Several factors were used in determining whether a building has sufficient historic value to merit classification as a "landmark." First, the history of the building, its past occupants and its significance to the development of Birmingham were evaluated. The age, condition and potential for restoration were also considered. Finally, the architecture and uniqueness of each structure was evaluated. At the time, the Historic District Study Committee determined that 29 structures in central Birmingham were worthy of special treatment. Although not every structure met all of the above criteria, each structure given "landmark" designation was determined by the Commission to have one or more of the elements that made it worthy of designation. The property at 361 E. Maple was selected as a contributing resource as it was a good example of a small store design from the 1920's with patterned brick and limestone. The parapet has a slight pediment and limestone urns at the party walls. Although the structure is simple and conservative, it is in excellent condition. The fact that it also maintained its original condition made it a valuable visual anchor in the preservation of the north side of E. Maple. The architectural significance cited in 1983 is as evident today as it was at the time.

3. The historic district was established pursuant to defective procedures.

The procedures followed in the designation of the Central Business District Historic District were established in chapter 127 of the City Code pursuant to Public Act 169 of 1970. In 1980 the City Commission appointed the Historic District Commission to serve as a Historic District Study Committee to research and make a recommendation regarding the historic value of buildings in central Birmingham as required by chapter 127 of the City Code. As documented by the committee members at the time, the research was conducted by interviewing Birmingham "oldtimers" who had first-hand knowledge of the history of many buildings, reviewing materials at the Baldwin Library including reading issues of the Birmingham Eccentric, researching City assessing and building records, examining recorded data from Oakland County and reviewing published material from various other resources. The selection of 361 E. Maple for historical designation in 1983 as a part of the Central Business District Historic District was done after careful review and evaluation in compliance with the required procedures.

On October 22, 1983, the Birmingham City Commission adopted Ordinance No. 1276 amending the City Code adding Chapter 43 of the Birmingham City Code to establish the Central Business District Historic District and the Shain Park Historic District.

Recommendation

In 1970, the Michigan State Legislature declared historic preservation to be a public purpose. By enacting Public Act 169, the legislature officially recognized that historic preservation does all of the following:

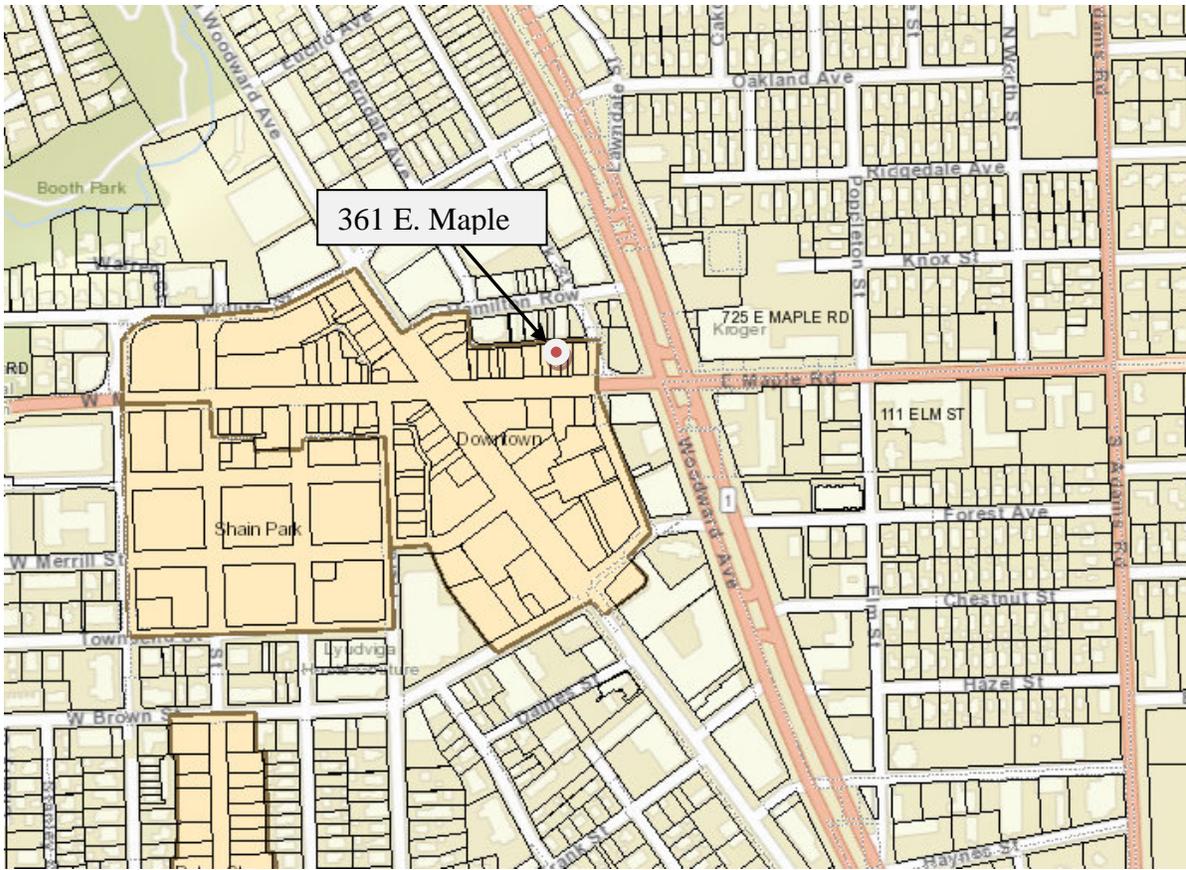
- A. Safeguards the heritage of the community by preserving a district which reflects elements of its cultural, social, economic, political or architectural history;
- B. Stabilizes and improves property values in such districts;
- C. Fosters civic beauty;
- D. Strengthens local economy; and
- E. Promotes the use of historic districts for the education, pleasure and welfare of the citizens of the community and of the State.

The Hawthorne building is a valuable example of a 1920's era commercial storefront that has seen little to no alteration within its lifetime. It provides historic context of the traditional downtown that has personified Birmingham over its history. De-designating this building, as indicated by the developer's plans, would put it at risk for demolition. This has the potential to encourage additional property owners to pursue de-designation and deterioration of the historic character that has defined Birmingham throughout the years. These historic structures have distinguished Birmingham from its surrounding neighbors as a traditional downtown which has undoubtedly contributed to its sustained success over the years. In addition, the methods and procedures followed during the designation process in the 1980's strictly adhered to the guidelines established at the local, state and federal levels. It was the intention of the City Commission of that time to take these steps to ensure that Birmingham would retain its character and history for future generations to appreciate and enjoy. The de-designation of this structure has the potential to set a precedent that would have long lasting effects on the City that cannot be reversed.

- De-listing the building puts it at risk i.e. changes to historic features, demolition, etc;
- The building was originally designated following all Federal, State and Local guidelines;
- There have been no changes to the building since its designation in 1984 and maintains its character as a pristine example of 1920's commercial architecture in downtown Birmingham;
- The building is located on a street with other historic properties and is within the Historic Central Business District and contributes to the history and character of the City;
- The Birmingham community needs to maintain its historic structures for future generations;
- De-listing an asset based on the potential for demolition and redevelopment, does not serve the greater good of the community.

The Historic District Study Committee recommends maintaining the historic designation of this property as it **does not** meet any of the following criteria for de-designation listed in Chapter 127 of the City Code:

1. The historic district has **not** lost those physical characteristics that enabled the establishment of the district.
2. The historic district **is** significant in the way previously defined.
3. The historic district was **not** established pursuant to defective procedures.







HAWTHORNE BUILDING

361 East Maple



This neat, and tidy, one story, one bay, reddish face brick store, with attractive limestone trim was built in 1927. In 1929, the shed at the rear of the property was removed. It was the home of the Bell Telephone Company offices for several years during the 1940's. The building has been well kept and is an example of good, small store design from the 1920's. The fascia has a typical signage band defined with patterned brick and limestone. (The existing signage does not conform to the signage band). The parapet has a slight pediment and limestone urns at the party walls. Part or all of the pressed metal storefront may be original. Although the structure is simple and conservative, its good condition and original condition make it a candidate for a valuable visual anchor in the preservation of the north side of East Maple.

6-1-83

JAN • 67









June 4,

RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
LANSING

EARL J. POLESKI
EXECUTIVE DIRECTOR

2018

Mr. Matthew Baka
Senior Planner
The City of Birmingham
151 Martin Street
Birmingham, MI 48009

Dear Mr. Baka:

Staff members of the State Historic Preservation Office (SHPO) have reviewed the preliminary historic district study committee report to de-list the resource at 361 E. Maple from Birmingham's Central Business Historic District. Our comments on the report are enclosed. We offer these comments in order to assist communities to prepare final study committee reports that meet the requirements of Michigan's Local Historic Districts Act and provide a strong legal basis for protecting historically significant resources. These comments and recommendations are based on our experiences working with local historic districts. The SHPO lacks authority to give legal advice to any person or agency, public or private.

The report was presented to the State Historic Preservation Review Board on May 11, 2018 and they concurred with the SHPO comments. They found the building to be a good representative example of a small commercial building from the period. The report was sent to the Michigan Historical Commission for their review and they provided us with no further comments.

We appreciate the city of Birmingham's efforts to protect its historic resources. If we can assist you further, please contact Amy Arnold at 517-335-2729 or ArnoldA@michigan.gov.

Sincerely,

Brian D. Conway
State Historic Preservation Officer

BDC: ALA

**Michigan State Housing Development Authority
State Historic Preservation Office**

**Staff Comments, April 9, 2018
Delist 361 E Maple, Birmingham**

The charge of the committee should include the date the city commission adopted the resolution to initiate a study to modify the district.

The report should include the historic photographs cited on page 3. Any changes to the building over time should be delineated, along with the approximate time period of their occurrence. It appears that a historic photograph was included on the title page but there is no date assigned to it.

The report should include the pages from the 1983 study report that give the reader a sense of the history and significance of the district, as well as the appropriate pages from that report that address this resource.

October 18, 1984

City Commission
Birmingham, Michigan

From: Max B. Horton, Chairman Historic District Study Committee
(Historic District Commission)

Subject: Central Business Historic District and Shain Park Historic
District

Dear Commissioners:

Approximately three years ago, the City Commission appointed the Historic District Commission to serve as an Historic District Study Committee to research and make a recommendation regarding the historic value of buildings in central Birmingham. The Study Committee spent many hours examining each building in the study area. The research was conducted by interviewing Birmingham "oldtimers" who have first-hand knowledge of the history of many buildings, reviewing material at the Baldwin Library including reading issues of the Birmingham Eccentric from the late 1800's and early 1900's, researching City assessing and building records, examining recorded data from Oakland County and reviewing published material from various other sources.

Several factors were used in determining whether a building has sufficient historic value to merit classification as a "landmark." First, the history of the building, its past occupants and its significance to the development of Birmingham were evaluated. The age, condition and potential for restoration were also considered. Finally, the architecture and uniqueness of each structure was evaluated. As you know, the Historic District Commission has decided that 29 structures in central Birmingham are worthy of special treatment. Although not every structure meets all of the above criteria, each structure suggested for "landmark" designation has been determined by the Commission to have one or more of the elements that make it worthy of designation.

In 1970, the Michigan State Legislature declared historic preservation to be a public purpose. By enacting Public Act 169, the legislature officially recognized that historic preservation does all of the following:

- A. Safeguards the heritage of the community by preserving a district which reflects elements of its cultural, social, economic, political or architectural history;

18A

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- B. Stabilizes and improves property values in such districts;
- C. Fosters civic beauty;
- D. Strengthens local economy; and
- E. Promotes the use of historic districts for the education, pleasure and welfare of the citizens of the community and of the State.

As a Commission, it is our hope that the Birmingham City Commission will recognize, as the legislature did back in 1970, that historic preservation can accomplish all of the above goals. Several other communities throughout the state have designated historic districts in their downtowns. They include small villages such as Linden, Chelsea and Milford; medium sized cities such as Ann Arbor, Traverse City and Ypsilanti, and large cities such as Jackson, Saginaw and Grand Rapids. Some historic districts have almost every single building designated as a "landmark" structure while other historic districts, such as Birmingham, have undergone many changes resulting in the "landmark" structures being in the minority. This is not unusual or undesirable. To the contrary, it is towns such as Birmingham that can most benefit from historic preservation legislation. The legislation provides protection of the character and design qualities that make Birmingham a viable downtown. The Historic District Commission is certain that the City Commission believes that Birmingham has commercial structures worth protecting. We all also know that no ordinance exists to prevent demolition of those structures in central Birmingham which have value to the whole community. It seems, therefore, that the question is not "should we?" but "how should we?"

Currently, we have 47 historic district properties in the City of Birmingham. They are primarily non-contiguous, residential structures on individual lots. Two commercial structures, the Peabody Mansion and the Grand Trunk Western Railroad Depot are exceptions.

Although individual, non-contiguous districts have worked well for the residential properties, we do not believe this is the proper approach for the commercial area. Commercial structures are erected side-by-side and bear a more direct relationship to one another than single family residential structures. To select the individual "landmark" buildings for designation without regard for the other structures in the downtown is contrary to the purposes in creating an historic district. Careful attention must be paid to the

-3-

structures which abut "landmark" properties and other buildings in the downtown which have an affect on the "landmarks." The suggestion that only "landmark" properties compose the historic district would be similar to saying that the Planning Board should have Design Review over just a portion of a particular block. This selectiveism in the review process will not work. Therefore, our recommendation is for contiguous historic districts with well defined standards for both "landmark" and "district resource" properties.

The Historic District Commission has already begun working on a set of standards which will establish a clear cut understanding of the goals of the City with respect to design. It is the intent of the Historic District Commission to set standards that are flexible enough to provide for individual creativity yet complete enough to ensure that the historic fabric of Birmingham is not destroyed.

Under the current regulations, any property owner in central Birmingham (public ownership excepted) must obtain Design Approval or Exterior Approval and possibly Site Plan Approval before any change to the exterior of a building can be made. Since central Birmingham is currently subject to a Design Review process, the question that we all face is: "What should the thrust of this Design Review be?" Architecture, no matter what the age or style, should have as a goal to reflect its time and its place. The question of how to achieve that goal, especially when adding a new wing to an old building or filling a gap in an urban streetscape, is a vexing one to architects and preservationists alike. There is no formula answer; each building or addition should be considered individually and in the context of its surroundings. Design relationships in architecture appear to have become a problem since the coming of age of the "modern movement" in the last 35 years or so. When "modern" architecture arrived, thumbing its nose at the past and the surroundings, its problems began. The public has become disaffected with modern design. Existing scale is not respected and there is little ornamentation; the result is monotony. With this sharp change in designs so profoundly affecting the existing streetscape, preservationists and others reacted and the concept of historic districts was born.

While there may not be a clear answer to what constitutes a good relationship between old and new buildings, that should not stop us from trying to find a solution. It is only in a quality built

-4-

environment that we can achieve a quality life. The 29 "landmark" structures represent what is left of quality development from a previous era. The City Commission is now confronted with a decision; to find that these buildings are worthy of preservation for present and future generations to enjoy or determine that these buildings do not have any public value and may be destroyed, altered or redesigned at the will of the owners. It is our sincerest hope that you will go forward in enacting the proposed ordinance to create two new historic districts which will protect the valuable historic resources in central Birmingham.

Very truly yours,

Max B. Horton

Max B. Horton, Chairman
William R. McGregor, Vice-Chairman
Carolyn Johnson
Kay Johnson
Michael Tomasik
Goeffrey Upward
Willem Tazelaar

MBH/jb
10/18/84

CITY OF BIRMINGHAM
MICHIGAN

CITY COMMISSION PROCEEDINGS

OCTOBER 22, 1984

Minutes of a Regular meeting of the Birmingham City Commission held Monday, October 22, 1984, at 8:05 P.M., in the Commission Room in the Municipal Building.

Present: Mayor Appleford, Commissioners Hockman, Jensen, Jeske, Kain, Miller and Sights

Absent: None

Administration:

City Manager - Robert S. Kenning
City Clerk - Phyllis Armour
City Attorney - Jon Kingsepp
City Planner - Bonnie Cook
City Engineer - William Killeen
Director of Public Services - Darrel Middlewood
Chief of Fire - Gary Whitener

8:05

10-1115-84: INTRODUCTION - BASCC COORDINATOR -
LOIS RYAN

Richard Sneed, President of the Birmingham Area Senior Coordinating Council (BASCC), introduced the new BASCC coordinator, Lois Ryan.

Ms. Ryan thanked the City for its support of the BASCC organization.

8:06

10-1116-84: APPROVAL OF MINUTES - CITY COMMISSION
MEETING - OCTOBER 15, 1984 - AS SUBMITTED

MOTION: Motion by Sights, supported by Kain:
To approve the Minutes of the City Commission meeting held October 15, 1984, as submitted.

VOTE: Yeas, 7 Nays, None

8:08

10-1117-84: PUBLIC HEARING RE: CREATION OF CENTRAL
BUSINESS HISTORIC DISTRICT - SHAIN PARK
HISTORIC DISTRICT - ADOPT ORDINANCE NO. 1276

Mayor Appleford announced that this was the date and time, as advertised, for a public hearing to consider the adoption of a new Chapter 43, which new chapter will create a Central Business Historic District and a Shain Park Historic District.

Max Horton, Chairman, reviewed the report of the Historic District Commission recommending creation of the historic districts.

Larry Sherman, Chairman of the Planning Board, reviewed the Board's report recommending against the creation of the historic districts.

The City Attorney reviewed his report regarding authority for design controls.

Commissioner Hockman commented that he is employed by a Birmingham developer and questions have been raised regarding the impropriety of his conduct as a commissioner and an individual pertaining to matters before this Commission regarding property in the community; that he believes there will be no impropriety on his part in discussing and making a judgment decision which he feels is in the best interest of the City on the matters under discussion in this hearing. He added that an impropriety does not exist and that he would like to introduce a Motion so that discussion can begin; that he does not want to give the appearance of encumbering the process or tainting the discussion since properties owned by his employer will be part of that discussion, therefore, questioning his propriety in the discussion.

MOTION: Motion by Hockman, supported by Jeske:
To adopt Ordinance No. 1276 to create a Central Business Historic District and Shain Park Historic District, not including the Wabeek Building, 256 West Maple; Detroit Edison Company Building, 220 East Merrill, and the Brown Street Centre Building.

Commissioner Jeske stated that she supported the Motion since her son is also employed by the same developer and that she also did not want to give the appearance of encumbering the hearing or tainting the discussion.

MOTION: Motion by Kain, supported by Sights:
To amend the previous Motion by including all properties recommended by the Historic District Commission for discussion purposes only.

Discussion was held on whether or not discussion by Commissioners Hockman and Jeske on the properties excluded in Commissioner Hockman's Motion would constitute a conflict of interest.

The City Attorney stated that there is no conflict of interest since there is no pecuniary interest.

VOTE ON AMENDMENT: Yeas, 3 Nays, 2 (Appleford, Jensen)
Abstain, Hockman, Jeske

Commissioners Hockman and Jeske abstained from voting due to a conflict of interest.

AMENDING MOTION FAILED

Discussion was held on the historical value of the buildings proposed for the district.

The following persons spoke in opposition to the creation of the Central Business Historic District: William Wetsman, owner of the Parks Building, 100-116 North Woodward; Bernard Levinson, owner of the Quarton Building, 142 West Maple; Edward Pugh, an attorney acting on behalf of a trust which owns the National Bank Building, 152-176 North Woodward; George Nahas, owner of the O'Neal Building, 106-110 South Woodward; Robert Gwynn, owner of the Johnston-Shaw Building, 112-114 South Woodward; Gay Yankee, owner of the St. Calir Edison Building, 135-159 Pierce; Paul Kurth, owner of Huston Hardware; Lloyd Smith, owner of the Blakeslee Building, 138 West Maple, and Irving Kay, owner of one of the Huston Buildings.

The following persons spoke in support of the creation of the Central Business Historic District: Karen Robinson, 679 Harmon; Christine Barnes, 216 Hawthorne, and Linda Teegarden, President of the Birmingham Historical Society.

Commissioner Kain asked if owners of designated buildings were contacted to assess their feelings regarding the designations.

The City Planner explained that the initial contact was through a report given to the Chamber of Commerce, and that notices of the Historic District Commission and City Commission hearings were sent to owners of buildings and to property owners within 300 feet of the properties.

Commissioner Miller stated that there has been an understanding in the community that this process was taking place, and that property owners should have asked questions when they learned of the proposed historic district.

VOTE: Yeas, 5 Nays, 2 (Kain, Sights)

11:10 P.M. - Meeting recessed

11:20 P.M. - Meeting reconvened

MOTION: Motion by Appleford, supported by Sights:
To add the Wabeek Building, the Detroit Edison Company and the Brown Street Centre Building properties to Ordinance No. 1276, said ordinance to read as follows:

CITY OF BIRMINGHAM

ORDINANCE NO. 1276

AN ORDINANCE TO AMEND TITLE V, CHAPTER 43, OF THE CODE OF THE CITY OF BIRMINGHAM.

THE CITY OF BIRMINGHAM ORDAINS:

Section 1. Title V, Chapter 43, Section 5.701, is hereby amended to read as follows:

5.701 Purposes and Definitions.

(1) Purposes. The purposes of this Chapter are:

- (a) to provide for the establishment of historic districts within the City of Birmingham,
- (b) to safeguard the heritage of the City of Birmingham by preserving districts in the City which reflect elements of its cultural, social, economic, political and architectural history,
- (c) to stabilize or improve property values in and adjacent to such districts,
- (d) to promote civic beautification of historic districts.
- (e) to promote the use of local history for the education, pleasure and welfare of the citizens of the City of Birmingham, State of Michigan, and the Nation.

(2) Definitions.

As used in this Chapter, the phrases set forth below shall have the meanings indicated:

- (a) "Historic District" - An area of land or group of areas of land not necessarily having contiguous boundaries designated as a "historic district" by means of an ordinance adopted by the City Commission and which contains one or more landmarks and which may have within its boundaries district resources that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the historic district.

- (b) "Landmark" - A site, structure or natural feature designated as a "landmark" by means of an ordinance adopted by the City Commission that is worthy of historic preservation because of its historic and/or architectural significance to the City of Birmingham.
- (c) "District Resource" - Any site, structure or natural feature located within an historic district that is not designated as a "landmark".
- (d) "Structure" - Anything constructed or erected which requires location on or in the ground or attachment to something having location on or in the ground including but not limited to buildings, walls, fences, signs and lighting.
- (e) "Historic Preservation" - The protection, rehabilitation, restoration or reconstruction of landmarks.

Section 2. Title V, Chapter 43, Section 5.702, is hereby amended to read as follows:

5.702 Historic Districts

- (1) Mill Pond District - The Mill Pond District shall consist of the following described lands and landmarks in the City of Birmingham.

- (a) Historical Park Landmark

"Willit's Northern", Lot 57

- (b) Baldwin Park Landmark

Part of N.W. 1/4 of Section 36, described as follows:
Bounded on north by Maple Avenue; on east by Southfield Avenue; on the south and west by "Bird's Addition" and "A. P. No. 12."

A parcel of land in the N.W. 1/4 Section 36, described as: Beginning at a point on the east line of Baldwin Avenue located N 87° 51' 25" E, 279.10 ft. along the north line of said Section 36, and S 3° 31' 35" W, 179.00 ft. along the east line of Baldwin Avenue from the northwest corner of said Section 36; thence southeasterly and upstream 50 ft. more or less along the centerline of a branch of the River Rouge to a point which is located south 3° 31' 35" W, 28.00 ft. along the east line of Baldwin Avenue, and S 61° 54' 35" E. 28.00 ft. from the point of beginning; thence S 61°

54' 35" E, 72.00 ft.; thence N 82° 44' 00"E, 120.00 ft.; thence N 3° 54' 15" E, 127.00 ft.; thence N 87° 50' 50" E, 5.33 ft.; thence N 01° 20' 40" E, 120 ft. more or less to a point on said north line of Section 35; thence N 87° 51' 25" E, 651.20 ft. along said north line of Section 36 to a point; thence S 2° 15' 41" E, 45.73 ft. to a point on the north line of West Maple Avenue; thence westerly along said northerly line of West Maple Avenue to the easterly line of Baldwin Avenue. Thence northerly along the easterly line of Baldwin Avenue to the point of beginning.

(c) John W. Hunter House Landmark - 500 West Maple
Allen House Landmark - 556 West Maple

Beginning at a point on the south line of Section 25 which is bearing N 87° 51' 25" E, along said south line a distance of 1116.90 ft. from the southwest corner of Section 25; from said point of beginning thence N 1° 54' 25" W, 267.22 ft.; thence N 87° 51' 25" E, 301.44 ft. plus; thence S 1° 35' 30" E, 234.23 ft. plus or minus to the northerly line of Maple Avenue; thence S 87° 44' 19" W, 20.35 ft.; thence on a curve to the left with a radius of 442.25 ft., a central angle of 31° 42' 37", a long chord of 241.70 ft., which bears S 71° 53' 01" W, and an arc of 244.76 ft. to a point; thence S 56° 01' 42" W, 26.96 ft.; thence N 2° 15' 41" W, 45.73 ft.; thence S 87° 51' 25" W, 24.90 ft. plus or minus to the point of beginning.

(d) Mill Pond Landmark

Land in N.W. 1/4 of Section 36, being covered by the following description except the N 160 ft. thereof as measured on E and W lines bounded on the E by Baldwin Avenue; on the S by Maple Avenue on the W by Replat of Lots 175 to 178 of Q. L. E.; on the N by Whitehead and Mitchell Add.

Lots 1, 2, 3, 4 and Overbrook Drive of Replat of Lots 175 to 178 inclusive and part of lots 179 to 186 inclusive of Quarton Lake Estates Replat of East Park; except lands now platted in "Millrace Park" subdivision. "Waterfall Lane" subdivision, and that portion of Lot 4 lying westerly of the easterly line, as extended of said "Waterfall Lane" subdivision, and lying southerly of Lot 5 of said "Waterfall Lane" subdivision; also excepting lands being used for Maple Avenue right-of-way.

"Quarton Lake Estates" Replat of East Part of "Q.L.E. subdivision". Outlot A, except that part in Millrace Park Subdivision; also "Quarton Lakeside Subdivision" Lots 1 to 6 incl., also lots 4, 5 and 6 of "Millrace Park."

(e) Village Water Works Landmark

"Assessor's Plat No. 12", Lot 7. Also "Birmingham Park Allotment Sub., "Lots 109 and 111.

(f) Chatfield-Hiram Campbell House Landmark - 460 W. Maple

"Willetts Addition", all of Lot 11, also the S 20 ft. of Lot 14, except part taken for street right-of-way.

(g) Edward Baldwin House Landmark - 484 W. Maple

Lot 12 and S 16.5 ft. Lot 13 "Willetts Addition" and part SW 1/4 Section 25 described as beginning at SW corner Lot 12 "Willetts Addition" W 20 ft., N 133 ft., E 20 ft., S 133 ft., on W line Lot 12 and 13 to P.O.B.

(h) Edgar Lamb House Landmark - 487 Willits

N 100 ft. Lot 13, "Willetts Addition" and pt. SW 1/4 Section 25 described as beginning at NW corner Lot 13 "Willetts Addition", W 20 ft. on straight line, S 100 ft., E 20 ft., N 100 ft. on W line Lot 13 to P.O.B.

(i) Stickney House Landmark - 412 Willits

"Willits Northern", Lot 48

(j) Ebenezer Raynale House Landmark - 300 Warren Court

"Warrens Replat of Lot 45 and part of Lots 46 and 54 Willits Northern Add.," Lot 5.

(k) Benjamin Daniels House Landmark - 372 Harmon

"Assessor's Plat No. 17, a Replat of part of Lot 61 of Willits Northern", Lot 10.

(l) Greenwood Cemetery Landmark

All that parcel of land in the N.W. 1/4 Section 25, described as follows: Beginning at W 1/4 corner Section 25; thence S 8° 14' E, 694.57 ft.; thence N 0° 31' E 498.45 ft.; thence N 83° 15' 30" W, 203.28 ft.; thence N 78° 34' W 487.74 ft.; thence S 1° 46' 30" W, 580.16 ft. to P.O.B.

- (2) Shain Park District - The Shain Park District shall consist of all of the land within the boundaries of said Shain Park District as hereby established on the Historic District Maps which are attached hereto. The Shain Park District shall consist of the following described landmarks in the City of Birmingham.

Municipal Building Landmark - 151 Martin Street

Shain Park Landmark

Baldwin Library Landmark - 300 Merrill Street

Birmingham Community House Landmark - 380 S. Bates

United States Post Office Landmark - 322 Martin

- (3) Merrill, Townsend, Brown District - The Merrill, Townsend, Brown District shall consist of the following described lands and landmarks in the City of Birmingham.

Abigail Carter House Landmark - 415 Merrill Street

"Castle Addition", Lot No.18, except that part taken for road right-of-way.

Irving House Landmark - 439 Merrill

"Castle Addition:", Lot 19

Daisy Benedict House Landmark - 535 Merrill

"Castle Addition", Lots 24 and 25

Hewitt House Landmark - 211 Townsend

"Merrill's Plat", all of Lot 115 and the easterly 35 ft. of Lot 116.

Langley House Landmark - 404 S. Bates (At Townsend)

"Merrill's Plat", Lots 121 and 122

Townsend House Landmark - 339 Townsend

"Merrill's Plat", Lot 123

Toms-Dickinson House Landmark - 464 Townsend

"Castle Addition", Lot 36

Houston-Logan House Landmark - 504-506 Townsend

"Castle Addition", Lot 34

Stewart House Landmark - 505 Townsend

"Castle Addition", Lot 43

Fall House Landmark - 523 Townsend

"Castle Addition", Lot 44 also E 1/2 vacated alley

Schuyler House Landmark - 544 Townsend

"Castle Addition", Lot 32 and W 1/2 vacated alley,
also E 10 ft. of Lot 31

Cinderella Patch House Landmark - 347 W. Brown

"Assessor's Replat Torrey's, Hood's and Smith Addn.",
W 60 ft. Lot 19 and 20 as measured on side lot lines.

William Bell House Landmark - 384 W. Brown

"Torrey's Addition", Lots 2, 3 and 4 exc. part taken for
street widening.

- (4) Bates Street District - The Bates Street District shall consist of the following described lands and landmarks in the City of Birmingham.

United Presbyterian Parsonage Landmark - 539 S. Bates

"Assessor's Replat Torrey's, Hood's and Smith Addn.",
Lot 49.

Koontz House Landmark - 544 S. Bates

"Assessor's Replat Torrey's, Hood's and Smith Addn."
E 120 ft. of the N 65 ft. of Lot 21.

Peck House Landmark - 571 S. Bates

"Assessor's Replat Torrey's, Hood's and Smith Addn."
N 1/2 of W 1/2 of Lot 52

John Hall House Landmark - 584-588 S. Bates

"Assessor's Replat Torrey's, Hood's and Smith Addn."
E 120 ft. of Lot 23

Major Jones House Landmark - 607 S. Bates

Part of Lot 53 of "Assessor's Replat of part of Torrey's Addition, Hood's Addition and Smith's Addition", commencing at the Southwest corner of said Lot 53, for a point of beginning; thence N 01° 09' 00" E, 86.68 ft. (previously recorded as 86.72 ft.), along the Westerly line of said Lot 53, to the Northwest corner of said Lot 53; thence S 88° 52' 03" E, 121.76 ft., along the Northerly line of said Lot 53; thence S 00° 59' 29" W, 86.70 ft. to the Southerly line of said Lot 53; thence N 88° 51' 30" W, 122.00 ft., along the Southerly line of said 53, to the point of beginning.

John W. Perry House Landmark - 651 S. Bates

"Assessor's Replat Torrey's, Hood's and Smith Add.", Lot 54.

McBride House Landmark - 668 S. Bates

"McBride Subdivision of the N 231.3 ft. of Lot 29 Wm. Torrey Addn.", Lot 8

- (5) Other Non-Contiguous Districts - These districts shall consist of the following described lands and landmarks in the City of Birmingham.

Hood House Landmark - 555 Stanley

"Assessor's Replat Torrey's, Hood's and Smith Add.", Lot 9

Grooms House Landmark - 587 Stanley

"Assessor's Replat Torrey's, Hood's and Smith Add.", Lot 10

Trollop House Landmark - 536 Southfield

"Stanley and Clizbe Sub." The N'ly 13 ft. of Lot 25, said N'ly 13 ft. being 13 ft. as measured on E'ly and W'ly lot lines. also all of Lot 25.

Randall-Latham House Landmark - 1128 Southfield Road

"McCormick Subdivision", Lot 4

Daniels House Landmark - 1128 Pierce

"Place De La Miche'le Subdivision", Lot 1

Eli Wooster House Landmark - 1876 Northlawn

"Assessor's Plat No. 9", S 1/2 of the W 20 ft. of Lot 26,
also S 1/2 of Lot 27

Schlaak House Landmark - 839 Knox

"H. A. Poppleton's Addition", Lot 5, Block 4

King-Argus House Landmark - 743 West Frank

"Argus Addition", Lot 19 and the easterly 25 feet of
Lot 18.

Stewart-Watkins House Landmark - 146 Puritan

"Quarton Lake Estates Sub." Lot 277 exc. S 40 ft. thereof,
all of Lot 278 also pt. of Lot 279 described as beginning
at SE corner, thence N'ly along E line 8.0 ft.; thence
W'ly parallel to S line of said Lot 52., thence SW'ly
8.50 ft. to a pt. on S line of said lot 55 ft. W of SE
corner said lot, thence E'ly along S line 55.0 ft. to
P.O.B.

Quarton Homestead Landmark - 1155 Quarton

A parcel of land in Section 26 described as follows:
beginning at pt. at N line Section 26, said pt. being
88° 43' W, 405.87 ft. from NE corner of said Section
26. thence S 1° 30' 45" W, 229.67 ft., thence S 89°
46' 30" W, 511.36 ft., thence N 1° 51' 30" E, 242.90 ft.
to N line Section 26, thence S 88° 43' E, along N line
Section 26, 509.67 ft. to P.O.B.

Birmingham Grand Trunk Western Railroad Depot Landmark - 245
S. Eton

"A parcel of land located in the N 1/2 Section 31,
Township of Troy (now City of Birmingham) more
particularly described as: Beginning at the point on
the east line of Eton Road (as relocated), said point
being N 88° 16' 37" W 117.95 ft. along the E-W Section
line in Maple Road (66 ft. wide) and S 34° 11' 27" E,
87.17 ft. along the easterly right-of-way line of Eton
Road (50 ft. wide) extended from the N 1/4 corner of
said Section 31: thence continuing S 34° 11' 27" E,
112.57 ft. along said right-of-way line: thence S 1°
59' 10" West 236.98 ft. along the east line of Eton
Road; thence S 88° 20' 47" E, 245.76 ft.; thence
N 33° 44' 54" W., 390.56 ft. parallel and 0.5 ft.
westerly of an existing concrete retaining wall,

thence S 56° 34' 45" W, 16.90 ft., thence N 33° 36' 11" W., 57.77 ft. to the south line of Maple Road as widened for R.R. bridge (43 ft. = 1/2 R.O.W.); thence N 88° 16' 37" W., 22.56 ft. along said right-of-way; thence S 29° 04' W., 31.10 ft. along the easterly right-of-way of Eton Road as relocated to the point of beginning and containing 1.056 AC. or 45,977 sq.ft. of land, together with the Grand Trunk Western Railroad's right-of-way located immediately adjacent to and north-east of said parcel.

- (6) Central Business District - The Central Business District shall consist of all of the lands within the boundaries of said Central Business District as hereby established on the Historic District maps which are attached hereto.

The Central Business District shall consist of landmarks in the City of Birmingham.

Wabeek Building Landmark - 256 W. Maple

Leonard Building Landmark - 166 W. Maple

Quarton Building Landmark - 142 W. Maple

Blakeslee Building Landmark - 138 W. Maple

Billy McBride Building Landmark - 122 W. Maple

Ford Building Landmark - 101 N. Woodward and
120 W. Maple

Ertz and Nixon Building Landmark - 163-167 N. Woodward

Bell Building Landmark - 191 N. Woodward

Schlaack Building and Huston Building 1916 Landmark -
205 - 219 N. Woodward

Huston Building 1923 Landmark - 237-243 N. Woodward

National Bank Building Landmark - 152-176 N. Woodward

Wooster Building Landmark - 132-136 N. Woodward

Parks Building Landmark - 100-116 N. Woodward

Madison Building Landmark - 297-323 E. Maple

Hawthorne Building Landmark - 361 E. Maple

Shain Townhouses Landmark - 378, 386, 390 E. Maple &
112, 120, 124 Brownell

Briggs Building Landmark - 111 S. Woodward

Birmingham Theater Building Landmark - 211 S. Woodward

Ford-Peabody Mansion Landmark - 325 S. Woodward

Detroit Edison Building Landmark - 220 E. Merrill

D.U.R. Waiting Room Landmark - 138 S. Woodward

McBride Building Landmark - 124 - 128 S. Woodward

Johnston-Shaw Building Landmark - 112-114 S. Woodward

O'Neal Building Landmark - 106-110 S. Woodward

St. Clair Edison Building Landmark - 135 - 159 Pierce

Telephone Exchange Building Landmark - 148 Pierce

Bigelow-Shain Building Landmark - 115 W. Maple

Field Building Landmark - 135-141 W. Maple

Section 3. Title V, Chapter 43, Section 5.703 is hereby amended to read as follows:

5.703 Boundaries

- (1) The boundaries of the Shain Park Historic District and the Central Business Historic District are hereby established as shown on the maps which are attached hereto. Said maps with all notations, references, and other information shown thereon shall hereby be incorporated herein and shall be a part of this Chapter. Unless otherwise shown, the boundaries of these Districts shall be lot lines, and centerlines of streets or alleys or such lines extended. The boundaries of all other Historic Districts shall be as legally described in Section 5.702.
- (2) The boundaries of the Historic District may be changed from time to time so as to add lands to the District or delete lands therefrom, such changes to be made by means of an Ordinance adopted by the City Commission after giving consideration to a report and recommendation of the Planning and Historic District Commission.

Section 4. Title V, Chapter 43, Section 5.704 is hereby amended to read as follows:

5.704 Landmarks

The City Commission shall from time to time designate by Ordinance landmarks which are within an Historic District and are determined to be landmarks within the definition thereof as set forth in this Chapter, such designation to be made by the City Commission after giving consideration to a report and recommendation of the Planning and Historic District Commission.

Section 5. Title V, Chapter 43, Section 5.705 is hereby amended to read as follows:

5.705 Public Hearings and Notice

- (1) No Ordinance shall be adopted establishing or altering the boundaries of an Historic District until the City Commission has held a public hearing at which the proposed Ordinance is considered, notice of which hearing shall be given to all persons owning land within the proposed District or proposed to be added to or deleted from the District in the manner hereinafter provided as the owners of such land appear upon the tax assessment rolls of the City.
- (2) No Ordinance shall be adopted designating a landmark until the City Commission has held a public hearing at which the proposed Ordinance is considered, notice of which hearing shall be given to the owner(s) of the landmark as the owner(s) of such landmark appear upon the tax assessment rolls of the City.
- (3) The notices required by Subsections (1) and (2) above shall be given by publication at least once in a newspaper having general circulation within the City at least 15 days prior to the date of the hearing and by regular mail addressed to each owner as such address appears on the City tax assessment rolls at least seven (7) days prior to the date of the hearing.

Section 6. Title V, Chapter 43, Section 5.706 is hereby amended to read as follows:

Historic District Review

- (1) Before any construction, alteration, repair, moving or demolition affecting the exterior appearance of a landmark or district resource is made within an Historic District, other than those changes authorized in Section 5.707 below, the person proposing to construct or make such changes shall secure a Certificate of Approval from the Planning and Historic District Commission. Application for such approval may be filed with the Birmingham Planning Department. The application, together with plans pertaining thereto, shall be referred to the Planning and Historic District Commission.

It shall be the duty of the Planning and Historic District Commission to review such plans and applications and no permit shall be granted until the Planning and Historic District Commission has acted thereon as hereinafter provided.

- (2) In reviewing plans for changes to a landmark, the Planning and Historic District Commission shall give consideration to:
 - (a) the historical or architectural value and significance of the landmark and its relationship to the historical value of the surrounding area,
 - (b) the relationship of the exterior architectural or historical features of such landmark to the rest of the subject site and to the surrounding area,
 - (c) the general compatibility of the exterior design, arrangement, texture and materials proposed to be used. and

- (d) any other factor, including aesthetic, which it deems to be pertinent including:
 - (i) the preservation standards which the Planning and Historic District Commission shall adopt and maintain for landmarks in each historic district in the City.
- (3) In reviewing plans for changes to a district resource, the Planning and Historic District Commission shall determine the following:
- (a) The site layout, orientation and location of all buildings, their relationship to one another and adjacent buildings and to open space is such as to not adversely affect the use, appearance or value of adjacent properties.
 - (b) The location and definition of pedestrian and vehicular areas are such as to not interfere with or be hazardous to pedestrian and vehicular traffic.
 - (c) The total design, including but not limited to colors and materials of all walls, screens, towers, openings, windows, signs, as well as treatment to be utilized in concealing any exposed mechanical or electrical equipment, is compatible with the intent of the Urban Design Plan or such future modifications of that Plan as may be approved by the Commission of the City, and
 - (d) The standards which the Planning and Historic District Commission shall adopt and maintain for district resources in each historic district in the City.
- (4) The review of plans for changes affecting the exterior appearance of a landmark shall be based upon the Secretary of the Interior's "Standards for Rehabilitation" as follows:

- (a) Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
- (b) The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (c) All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
- (d) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (e) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
- (f) Deteriorated architectural features shall be repaired rather than replaced. wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (g) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

- (h) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any project.
 - (i) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.
 - (j) Wherever possible, new additions or alterations to structures shall be done in such a manner that that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.
- (5) The Planning and Historic District Commission shall pass only on exterior features of a landmark or district resource and shall not consider interior arrangements, except for public resources specifically authorized to do so by the City Commission. The Planning and Historic District Commission shall disapprove applications only on the basis of the considerations set forth in subsections 5.706(2), (3) and (4) above.
- (6) In case of an application for repair or alteration affecting the exterior appearance of a landmark or district resource or for its moving or demolition which the Planning and Historic District Commission deems so valuable to the City, State or Nation that the loss thereof will adversely affect the public purpose of the City, State or Nation, the Planning and Historic District Commission shall endeavor to work out with the owner an economically feasible plan for preservation of the landmark or district resource.
- (7) An application for repair or alteration affecting the exterior appearance of a landmark or for its moving or demolition shall be approved by the Planning and Historic District Commission if any of the following conditions prevail and if the Planning and Historic District Commission determines that the proposed changes will materially improve or correct these conditions:
- (a) the landmark constitutes a hazard to the safety of the public or the occupants
 - (b) the landmark is a deterrent to a major improvement program which will be of substantial benefit to the community

- (c) retention of the landmark would cause undue financial hardship to the owner
 - (d) retention of the landmark would not be in the interest of the majority of the community.
- (8) The Planning and Historic District Commission shall file with the Building Department its Certificate of Approval or rejection of the application submitted to it for review. The Planning and Historic District Commission shall transmit a record of its action to the applicant and in the event of rejection, the Planning and Historic District Commission shall set forth the reasons for rejection. No work shall begin until the Certificate granting approval is filed with the Building Department. In the event the application is rejected, the Building Official shall not issue any required permits. The failure of the Planning and Historic District Commission to act within sixty (60) days after the date on which the application was filed with the Planning Department shall be deemed to constitute approval unless the applicant and the Planning and Historic District Commission mutually agree to an extension of such period.
- (9) In instances where a landmark or district resource is located in a zone district requiring site plan review, design review or exterior appearance review under Chapter 39 of the City Code, such review shall not be required or undertaken.

Section 7. Title V, Chapter 43, Section 5.707 is hereby amended to read as follows:

5.707 Planning Department Approval

Departmental approval of changes within a district is authorized in those instances where the proposed work will have a minimal impact on the historical significance of the landmarks and district resources therein. The Planning and Historic District Commission shall adopt and maintain a list of those changes which require only Planning Department approval and adopt standards for those changes. Examples of changes requiring only Department approval include painting a previously painted surface to a similar color, changing or adding mechanical equipment that is not readily visible to the public, changes in the public right-of-way, and maintenance or repair of buildings or structures.

Section 8. Title V, Chapter 43, Section 5.708 is hereby amended to read as follows:

5.708 Maintenance of Historic Landmarks and District Resources

- (1) Nothing in this Chapter shall be construed to prevent ordinary maintenance or repair of any landmark or district resource.
- (2) The exterior of every landmark or district resource shall be so maintained by the owner or person in control thereof so as to preserve the character of its District, promote the purposes of this Chapter and so as not to have a detrimental effect upon the District.
- (3) Neglect of a landmark resulting in serious health or safety hazards shall constitute demolition by neglect and shall be a violation of the Birmingham City Code.

Section 9. Title V, Chapter 43. Section 5.709 is hereby amended to read as follows:

5.709 Grants and Gifts.

The City Commission may accept grants from the State of Michigan or from the Federal Government for historical restoration purposes. It may accept public or private gifts for historical purposes. It may make the Planning and Historic District Commission its duly appointed agent to accept and administer grants and gifts for historical preservation purposes.

Section 10. Title V, Chapter 43, Section 5.710 is hereby added to read as follows:

5.710 Acquisition of Property.

If all efforts by the Planning and Historic District Commission to preserve an Historic landmark fail, or if it is determined by the Historic District Commission and the Historical Board that public ownership is most suitable, the City Commission, if deemed to be in the public interest, may acquire such property using public funds, gifts for historical purposes, grants from the State or Federal governments for acquisitions of historic properties or proceeds from revenue bonds issued for historical preservation purposes. Such acquisitions may be made after receiving and considering the recommendations of the Planning and Historic District Commission and the Historical Board. Commencing January 1, 1977, the Planning and Historic District Commission shall have responsibility for the maintenance of publicly owned historic structures using its own funds, if not specifically earmarked for other purposes, or those public funds committed

for this use by the City Commission, unless specifically directed to delegate maintenance of any such structure to the Historical Board by the City Commission. An account of all receipts and expenditures shall be maintained which shall be a public record and property of the City.

Section 11. Title V, Chapter 43, Section 5.711 is hereby added to read as follows:

5.711 Recording Notice of District Designations.

Within thirty (30) days after any land has been designated under this Chapter as part of an Historic District or has been removed from such a designation by the City Commission, the City Manager shall cause a document to be recorded with the Oakland County Register of Deeds describing such land and indicating that it has been included within or deleted from an Historic District pursuant to the provisions of the Birmingham City Code.

Section 12. Title V, Chapter 43, Section 5.712 is hereby added to read as follows:

5.712 Appeals

Any persons jointly or severally aggrieved by a decision of the Planning and Historic District Commission shall have the right of appeal to the Board of Zoning Appeals or to Circuit Court.

ORDAINED this 22nd day of October, 1984, by the Commission of the City of Birmingham.

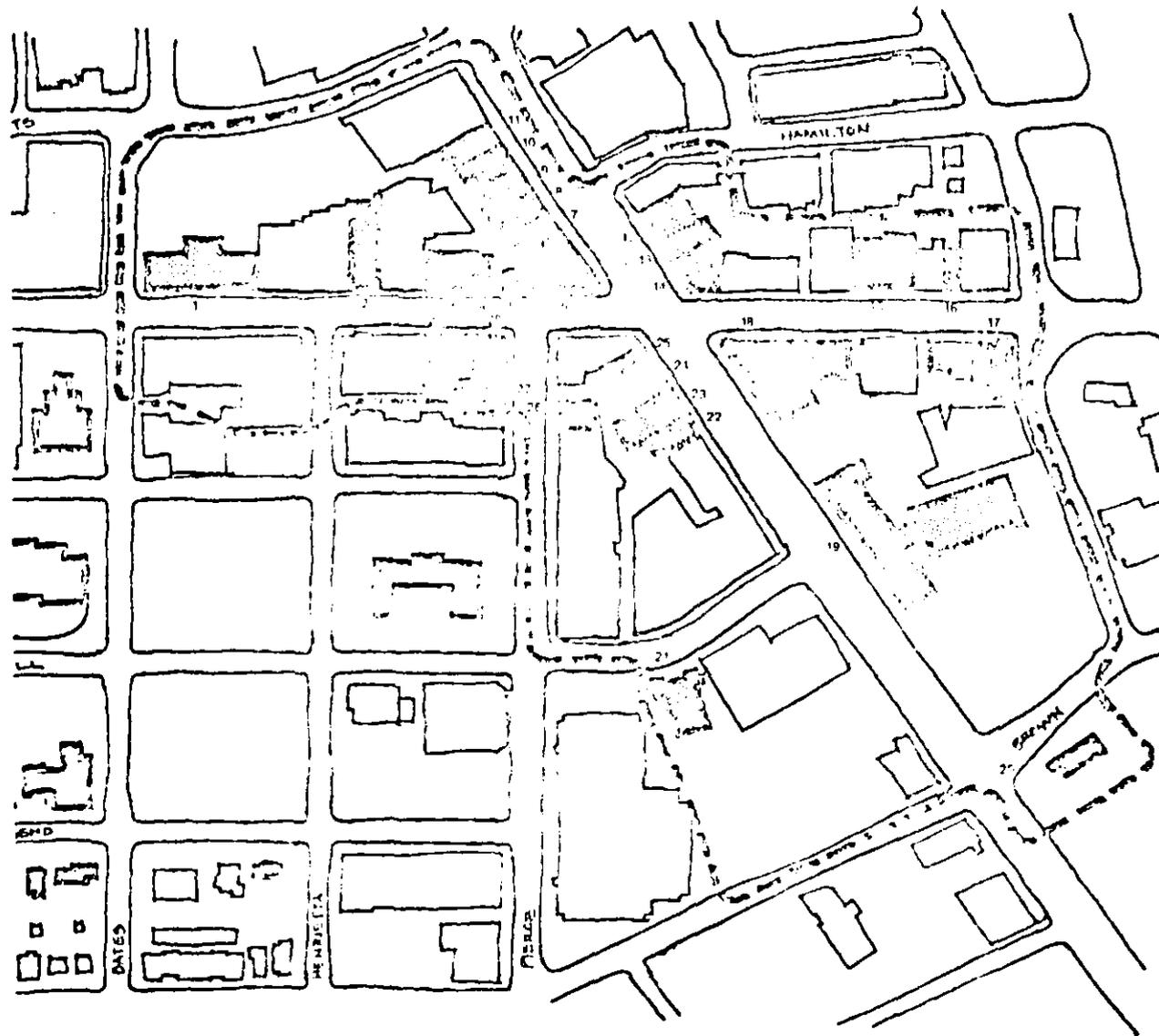
Mayor

Clerk

BBC/sf
Rev. 10/2/84

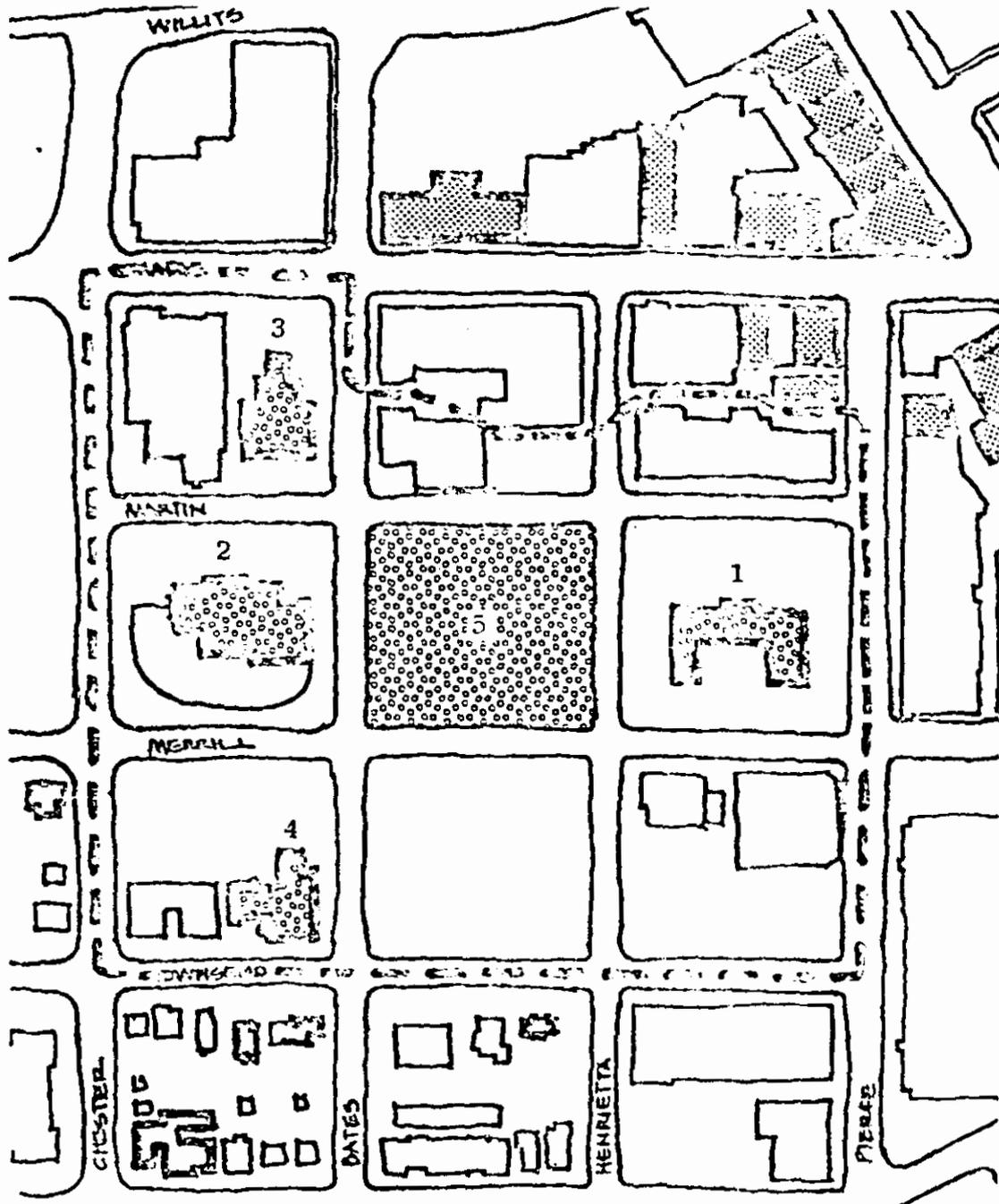
VOTE: Yeas, 4 Nays, 1 (Kain) Abstain, Hockman, Jeske
Commissioner Hockman and Jeske abstained from voting because of a conflict of interest.

Central Business Historic District



1. Wabeek Building - 255 W. Maple
2. Leonard Building - 166 W. Maple
3. Qarton Building - 142 W. Maple
4. Blakeslee Building - 138 W. Maple
5. Billy McBride Building - 122 W. Maple
6. Ford Building - 101 N. Woodward and 120 W. Maple
7. Erity and Nixon Building - 163-167 N. Woodward
8. Bell Building - 191 N. Woodward
9. Schlaack Building - 205-219 N. Woodward
10. Huston Building 1916 - 205-219 N. Woodward
11. Huston Building 1923 - 237-243 N. Woodward
12. National Bank Building - 152-176 N. Woodward
13. Wooster Building - 132-136 N. Woodward
14. Parks Building - 100-116 N. Woodward
15. Madison Building - 297-323 E. Maple
16. Hawthorne Building - 361 E. Maple
17. Shain Townhouses - 378, 386, 390 E. Maple & 112, 120, 124 Brownell
18. Briggs Building - 111 S. Woodward
19. Birmingham Theatre Building - 211 S. Woodward
20. Ford-Peabody Mansion - 325 S. Woodward
21. Detroit Edison Company - 220 E. Merrill
22. D.U.R. Waiting Room - 138 S. Woodward
23. McBride Building - 124-128 S. Woodward
24. Johnston-Shaw Building - 112-114 S. Woodward
25. O'Neal Building - 106-110 S. Woodward
26. St. Clair Edison Building - 135-159 Pierce
27. Old Telephone Exchange Building - 148 Pierce
28. Higelow-Shain Building - 115 W. Maple
29. Field Building - 135-141 W. Maple

Shain Park Historic District



1. Municipal Building - 151 Martin
2. Baldwin Public Library - 300 Merrill
3. United States Post Office - 322 Martin
4. Birmingham Community House - 380 South Bates
5. Shain Park - Bounded by Martin, Merrill, Bates and Henrietta

11:26

10-1118-84: PUBLIC HEARING - COMBINE PLANNING BOARD
AND HISTORIC DISTRICT COMMISSION INTO
PLANNING AND HISTORIC DISTRICT COMMISSION -
ADOPT ORDINANCE NUMBERS - 1277, 1278, 1279
AND 1280

Mayor Appleford announced that this was the date and time, as advertised, for a public hearing to consider amendments to the Code of the City of Birmingham to combine the existing Planning Board and Historic District Commission into one combination Planning and Historic District Commission which would have all of the duties and responsibilities of the existing two groups.

The City Planner reviewed her report re: Creation of a New Planning and Historic District Commission.

Larry Sherman, Chairman of the Planning Board, reviewed his report recommending that the Planning Board and Historic District Commission not be combined into one board.

Commissioner Jensen stated that he questioned the advisability of combining the two boards.

Referring to Item No. 3 in Mr. Sherman's report, Commissioner Jeske stated that she felt that the Special Land Use process should be retained by the City Commission. She added that she supported a two-step process for the Certificate of Approval, but that the first step should be informal.

Mr. Tomasik commented that flexibility should be granted to the board as to whether one or two reviews are required.

Commissioner Jeske suggested that the Historical Board might assume the research of historical residences.

Christine Bernhard, 1253 Yosemite, and Mildred Wesch, 1550 Lakeside, spoke in opposition to combining the two boards.

George Nahas, owner of the O'Neal Building and a Birmingham resident, spoke in support of combining the two boards.

MOTION: Motion by Hockman, supported by Jeske:
To adopt Ordinance No. 1277 as follows:

ORDINANCE NO. 1277

AN ORDINANCE TO AMEND TITLE I, CHAPTER 3,
OF THE CODE OF THE CITY OF BIRMINGHAM

THE CITY OF BIRMINGHAM ORDAINS:

Title I, Chapter 3, Section 1.114 is hereby amended to read as follows:

1.114. Planning Department. The Planning Department shall be headed by the Planning Director who shall make the necessary studies and surveys of matters relating to City growth and development, advise the Manager as to the implimentation of the City plan, furnish technical advice and assistance in planning and

zoning matters and furnish such information and data to the City Planning Board AND HISTORIC DISTRICT COMMISSION as it may require in the performance of its duties and functions.

ORDAINED this 22nd day of October, 1984, by the Commission of the City of Birmingham.

ROBERT W. APPLEFORD
MAYOR

PHYLLIS ARMOUR
CITY CLERK

VOTE: Yeas, 4 Nays, 3 (Jensen, Kain, Sights)

MOTION: Motion by Hockman, supported by Jeske:
To adopt Ordinance No. 1278 as follows:

ORDINANCE NO. 1278

AN ORDINANCE TO AMEND SECTIONS 5.32; 5.40; 5.48; 5.57; 5.66; 5.76; 5.81; 5.86; 5.96; 5.105; 5.114; 5.123; 5.132; 5.250 AND SUBSECTIONS 5.16(1); 5.24(1),(2),(3),(5),(9),(11); 5.58(3),(8); 5.67(1); 5.102(6); 5.124(2); 5.188(1); 5.190(6); 5.191(2),(3),(3a),(3b), (3c), (3d),(4b),(5),(6a),(6b); 5.192(2),(3ai),(3aiv),(3b),(3c),(3d),(4),(5); 5.193(2a),(4); 5.194(8b); 5.205(2ci); 5.215(2),(3f), OF TITLE V, CHAPTER 39, OF THE CODE OF THE CITY OF BIRMINGHAM.

THE CITY OF BIRMINGHAM ORDAINS:

Section 1. The names "City Planning Board" "Planning Board" or "the Board" are hereby amended to read "Planning and Historic District Commission" in the following:

Subsections 5.16(1); 5.24(1),(2),(3),(5),(9),(11)
Sections 5.32; 5.40; 5.48; 5.57
Subsections 5.58(3),(8)
Section 5.66
Subsection 5.67(1)
Sections 5.76; 5.81; 5.86; 5.96
Subsection 5.102(6)
Sections 5.105; 5.114; 5.123
Subsection 5.124(2)
Section 5.132
Subsections 5.188(1); 5.190(6); 5.191(3),(3a) (3b),(3c), (3d),(4b),(5),(6a),(6b); 5.192(2),(3ai),(3aiv),(3b),(3c), (3d),(4),(5); 5.193(4); 5.194(8b); 5.205(2ci); 5.215(2), (3f)
Section 5.250

Section 2. Subsection 5.191(2) is hereby amended to read as follows:

- (2) Developments requiring site plan review. EXCEPT FOR PROPERTIES LOCATED WITHIN HISTORIC DISTRICTS DESIGNATED UNDER CHAPTER 43 OF THE CITY CODE, the following PROPERTIES AND types of developments require site plan review:

- (a) Single family cluster developments
- (b) Accessory buildings in all zone districts except single family
- (c) Attached single family residential (R-8)
- (d) Two family residential (R-4)
- (e) Multiple family residential (R-5, R-6, R-7)
- (f) Neighborhood business (B-1)
- (g) General business (B-2)
- (h) Office-residential (B-3)
- (i) Business-residential (B-4)
- (j) Office (O-1)
- (k) Office commercial (O-2)
- (l) Parking (P) and all off-street parking facilities in any zone district except in a district zoned single family residential when the area thereof accomodates three (3) or less vehicles.

Section 3 Subsection 5.193(2)(a) is hereby amended to read as follows:

- (a) In instances where Design Review is required by the provisions of Section 5.192 OR A CERTIFICATE OF APPROVAL IS REQUIRED BY CHAPTER 43, a permit shall not be required, but the Planning Board AND HISTORIC DISTRICT COMMISSION, prior to authorizing the issuance of the building permit pursuant to Section 5.192(5), shall first determine that the information required to be submitted by this section has been received and that provisions of this section have been fulfilled.

ORDAINED this 22nd day of October, 1984, by the Commission of the City of Birmingham.

ROBERT W. APPLEFORD
MAYOR

PHYLLIS ARMOUR
CITY CLERK

VOTE: Yeas, 4 Nays, 3 (Jensen, Kain, Sights)

MOTION: Motion by Hockman, supported by Jeske:
To adopt Ordinance Number 1279 with revisions suggested by the Planning Board to Section 5.405 and Section 5.406.

MOTION AND SUPPORT WITHDRAWN

MOTION: Motion by Hockman, supported by Jeske:
To adopt Ordinance Number 1279 with revision suggested by the Planning Board to Section 5.406 as follows:

ORDINANCE NO. 1279

AN ORDINANCE TO AMEND TITLE V, CHAPTER 40,
OF THE CODE OF THE CITY OF BIRMINGHAM.

THE CITY OF BIRMINGHAM ORDAINS:

Section 1. The title of Chapter 40, is hereby amended to read as follows:

CHAPTER 40 PLANNING AND HISTORIC DISTRICT COMMISSION

Section 2. Section 5.401 is hereby amended to read as follows:

5.401. Planning and Historic District Commission

There is hereby created the Birmingham Planning and Historic District Commission which shall consist of seven (7) members whose residences are located in the City of Birmingham. Members shall be appointed by the City Commission for terms of office of three (3) years except that two (2) members of the first Commission shall be appointed to serve for the term of one (1) year, two (2) for the term of two (2) years and three (3) for a term of three (3) years. All members shall hold office until their successors are appointed. Members of the Planning and Historic District Commission shall be eligible for reappointment. A vacancy occurring in the membership of the Planning and Historic District Commission for any cause shall be filled by a person appointed by the City Commission for the duration of the unexpired term.

At least two (2) members of the Planning and Historic District Commission shall be appointed from a list of citizens submitted by a duly organized and existing preservation society or societies, at least one (1) member shall be an architect duly registered in this state, if such person is available for appointment (at least one (1) member shall be an owner of property in one of the Historic Districts, if such person is available for appointment) and the other members shall represent insofar as possible, (the legal profession, the financial or real estate professions, and planning or design professions).

All members of the Planning and Historic District Commission shall serve without compensation. The City Manager, City Engineer and City Planner or the authorized representatives of any of them, shall be members ex-officio of the Planning and Historic District Commission, and shall have all rights of membership thereon except the right to vote.

Section 3. Section 5.402 is hereby amended to read as follows:

5.402. Removal.

Members of the Planning and Historic District Commission may, after a public hearing, be removed for cause.

Section 4. Section 5.403 is hereby amended to read as follows:

5.403. Organization and Meetings.

The Planning and Historic District Commission shall, from its appointed members, elect a chairman and a vice-chairman whose terms of office shall be fixed by the Planning and Historic District Commission. The chairman shall preside over the Planning and Historic District Commission and shall have the right to vote. The vice-chairman shall, in the case of the absence or disability of the chairman, perform the duties of the chairman. The City Planner, or his or

her authorized representative shall act as secretary of the Planning and Historic District Commission and shall keep a record of all of its proceedings.

At least four (4) members of the Planning and Historic District Commission shall constitute a quorum for the transaction of its business. The Planning and Historic District Commission shall adopt rules for the transaction of its business, which shall provide for the time and place of holding regular meetings. The Planning and Historic District Commission shall provide for the calling of special meetings by the chairman or by at least two (2) members of the Planning and Historic District Commission. The Planning and Historic District Commission shall adopt rules for the transaction of its business, and shall keep a full and complete record of its resolutions, transactions, findings and determinations, which record shall be available to the City Commission and to the public upon request.

All meetings of the Planning and Historic District Commission shall be open to the public and any person or his duly constituted representative shall be entitled to appear and be heard on any matter applicable to the business at hand before the Planning and Historic District Commission makes its decision.

The concurring affirmative vote of four (4) members of the Planning and Historic District Commission shall be required for approval of plans before it for review or for the adoption of any resolution, motion or other action by the Planning and Historic District Commission.

Section 5. Section 5.404 is hereby amended to read as follow:

5.404. Assistance.

The Planning and Historic District Commission may call upon the City Manager for such services and data by the various departments as it may require. The Planning and Historic District Commission may recommend to the City Commission the securing of such professional and consulting services as it may require, provided, however, that no expenditures of funds shall be made, or contracts entered into for providing such professional or consulting services, unless the same shall first be approved and authorized by the City Commission.

Section 6. Section 5.405 is hereby amended to read as follows:

5.405. Duties.

It shall be the function and duty of the Planning and Historic District Commission to advise the City Commission in regard to the proper development of the City of Birmingham. The Planning and Historic District Commission is authorized to advise with and cooperate with the planning, historic district and legislative bodies of other governmental units in any area outside the boundaries of the City of Birmingham. The Planning and Historic District Commission is authorized to prepare a recommendation for the physical development of the municipality, either in its entirety, or in part. Such recommendation, together with accompanying maps, plats,

charts and descriptive matter, shall show the Planning and Historic District Commission suggestions for the development of such territory. Said Planning and Historic District Commission is also authorized to recommend for the guidance of the City Commission, amendments to the City Code relating to the control of the height, area, bulk, location and use of buildings and premises. Said commission is also authorized to recommend for the guidance of the City Commission, amendments to the City Code relating to the control and development of lands within Birmingham's historic districts. The Planning and Historic District Commission may from time to time, amend, extend or add to such recommendations, and the same shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality and its environs. The Planning and Historic District Commission may hold such public meetings and/or hearings from time to time, as it may deem advisable or necessary in connection with the proper performance of its functions hereunder.

Not later than the first day of April in each year, the Planning and Historic District Commission shall prepare and submit to the City Manager, a tentative outline of its program for the ensuing year. Joint meetings of the City Commission and of the Planning and Historic District Commission, shall be held at least quarterly at a time to be designated by the Mayor, and it shall be the duty of the Mayor to call such meeting in accordance with the provisions hereof.

Section 7. Section 5.406 is hereby amended to read as follows:

5.406. Reviews and Recommendations.

The Planning and Historic District Commission shall have the responsibility for Site Plan Review, Design Review and Exterior Appearance Review as outlined in Chapter 39 of the City Code. The Planning and Historic District Commission shall have the responsibility to review and issue Certificates of Approval or rejection for changes within Birmingham's historic districts. It shall be the function of the Planning and Historic District Commission to pass upon all matters referred to it by the City Commission and to give to the City Commission the benefit of its judgement with relation to such matters so referred. Matters so referred may include, but not be restricted to, requests for change of zoning, request for closing, opening or altering a street, or an alley, requests for issuing building permits, and any other matters which bear relation to the physical development or growth of the municipality. When any recommendation has been made by the Planning and Historic District Commission, the same shall be referred to the City Commission or other appropriate City boards.

Section 8. Section 5.407 is hereby deleted.

ORDAINED this 22nd day of October, 1984, by the Commission of the City of Birmingham.

VOTE: Yeas, 4 Nays, 3 (Jensen, Kain, Sights)

MOTION: Motion by Hockman, supported by Jeske:
To adopt Ordinance Number 1280 as follows:

ORDINANCE NO. 1280

AN ORDINANCE TO AMEND TITLE VIII, CHAPTER 79,
SECTION 8.4(113.10) OF THE CODE OF THE CITY
OF BIRMINGHAM.

THE CITY OF BIRMINGHAM ORDAINS:

Title VIII, Chapter 79, Section 8.4(113.10) is hereby
amended to read as follows:

113.10. Planning Board AND HISTORIC DISTRICT
COMMISSION APPROVAL.

Each application for a permit to erect or remodel
a building within the City of Birmingham may,
at the discretion of the Building Official,
be referred to the Planning AND
HISTORIC DISTRICT COMMISSION for review. All
plans for buildings, other than single family
residences shall be submitted to the
Planning AND HISTORIC DISTRICT COMMISSION
by the Building Official prior to issuance of
a permit.

ORDAINED this 22nd day of October, 1984, by the Commission
of the City of Birmingham.

ROBERT W. APPLEFORD
MAYOR

PHYLLIS ARMOUR
CITY CLERK

VOTE: Yeas, 4 Nays, 3 (Jensen, Kain, Sights)

MOTION: Motion by Hockman, supported by Jeske:
To designate December 1, 1984, as the effective date for the
foregoing ordinances.

VOTE: Yeas, 7 Nays, None

MOTION: Motion by Hockman, supported by Jeske:
To request the Birmingham Historical Society to provide a
list of nominees for the newly created Planning and Historic
District Commission, with resumes for each nominee, said
list to be submitted within two weeks, and to urge that the
list contain more than two names.

VOTE: Yeas, 7 Nays, None

11:35

10-1119-84: COMMUNICATIONS RE: PROPOSED
HISTORIC DISTRICTS

Communications regarding the proposed historic districts
were received from the following: Michigan History Division
of the Department of State in support of the historic
districts; Robert Gwynn, in opposition to the Central Business
Historic District; Charles Clippert, on behalf of Maplewood
Associates, in opposition to the Central Business Historic
District.

11:35

10-1120-84: LEONARD MAZOR - GRIEVANCE RE: SERGEANT PROMOTIONS - JOSEPH SEDANO/TRACY MAYES
Communication dated October 18, 1984, received from Leonard Mazor, Attorney, advising that Joseph Sedano and Tracy Mayes withdrew their grievance on sergeant promotions scheduled for hearing on October 22, 1984.

11:35

10-1121-84: MEETING OPEN TO THE PUBLIC
William Brownfield, Managing Director of the Chamber of Commerce, invited City Commissioners and City Department Administrators to a dedication of the Chamber Flag Pole on October 29, 1984, at 10:00 A.M.

11:37

10-1122-84: RESIDENTIAL LEAF COLLECTION
Report received from the Director of the Department of Public Services and the City Manager re: Residential Leaf Collection.

11:37

10-1123-84: BID AWARD - PURCHASE OF FERTILIZER
MOTION: Motion by Kain, supported by Sights:
To receive the report of the Director of the Department of Public Services and the City Manager recommending that the bid for purchase of fertilizer for application in City parks and Greenwood Cemetery be awarded to the low bidder, L and E Distributors, in the amount of \$2,461.20; to concur in the recommendation as submitted.

VOTE: Yeas, 7 Nays, None

11:37

10-1124-84: BID AWARD - LARGE TREE PURCHASES
MOTION: Motion by Jeske, supported by Hockman:
To receive the report of the Director of the Department of Public Services and the City Manager recommending that large street trees requested by residents for fall or spring planting be purchased from low bidders as follows:

Wade & Gatton Nurseries, Belleville, Ohio:

2 Tulippoplar 2 1/2-3" B & B @	@ \$100.	\$ 200.
2 Tulippoplar 4" B & B	@ \$250.	500.
6 Emerald Queen Norway Maple 4 1/2-5" B&B @	@ \$250.	1500.
3 Emerald Queen Norway Maple 3 1/2-4" B&B @	@ \$150.	450.
1 Marshall's Seedless Green Ash 5" B&B	@ \$300.	300.
4 Bowhall Red Maple 5" B&B	@ \$250.	1000.
1 Shademaster Honeylocust 4 1/2-5" B&B	@ \$250.	<u>250.</u>
	Total	\$4200.

George Yount Nursery, Oak Park, Michigan

1 Gerling Red Maple 3-3 1/2" B & B @ \$150. \$ 150.

VOTE: Yeas, 7 Nays, None

11:38

10-1125-84: ACLU VS CITY OF BIRMINGHAM
MOTION: Motion by Kain, supported by Jeske:
To receive the report of the City Attorney re: ACLU vs City of Birmingham; to grant permission to the American Jewish Congress to file an amicus curiae in support of the appellees in the aforementioned matter.

VOTE: Yeas, 7 Nays, None

11-38

10-1126-84: POLICIES RE: ISSUANCE OF MONTHLY
PARKING PERMITS

MOTION: Motion by Hockman, supported by Miller:

To receive the report of the Advisory Parking Committee recommending that a deposit of \$20.00 be required from persons wishing to be on a waiting list for City parking facilities, said deposit to be refunded upon cancellation of the permit or withdrawal from the waiting list, or to be forfeited upon non-payment of the monthly fee, and that the deposit be effective immediately for new permit holders and new waiting list applicants, and effective January 1, 1985, for all current permit holders and those now on waiting lists; that a \$5.00 replacement fee be charged for a lost or damaged magnetic parking card; to concur in the recommendation as submitted.

VOTE: Yeas, 6 Nays, None Abstain, Kain

Commissioner Kain abstained from voting because of a conflict of interest.

MOTION: Motion by Kain, supported by Sights:

To concur in the recommendation of the Advisory Parking Committee that the policy of issuing permits to individuals only be reaffirmed, and that existing permits be converted to an individual basis.

MOTION: Motion by Appleford, supported by Sights:

To table the previous Motion for one week.

VOTE: Yeas, 6 Nays, 1 (Jensen)

12:45

10-1127-84: APPROVAL OF WARRANTS

MOTION: Motion by Miller, supported by Sights:

That the Warrant List dated October 18, 1984, less payment of \$329.90 to Muellers, and less payment of \$625.00 to Thornton and Grooms, for an amended amount of \$358,413.31, having been audited and approved by the Director of Finance, be approved for payment.

VOTE: Yeas, 7 Nays, None

12:46

10-1128-84: GENERAL BUSINESS

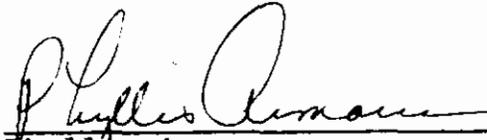
MOTION: Motion by Jeske, supported by Miller:

To schedule a Closed Meeting for November 12, 1984, at 7:00 P.M., in the Conference Room, to discuss labor negotiations.

VOTE: Yeas, 7 Nays, None

MOTION: Motion by Commissioner Jeske to adjourn

Meeting adjourned at 12:47 A.M., Tuesday, October 23, 1984.



Phyllis Armour
City Clerk

124 Peabody

Birmingham

Michigan

48009

CHRISTOPHER J LONGE AIA
ARCHITECTURE

Matthew Baka, Senior Planner
c/o City of Birmingham
151 Martin Street
Birmingham, Michigan 48009

July 5, 2017

Re: 361 East Maple Road
Historic designation

Matthew;

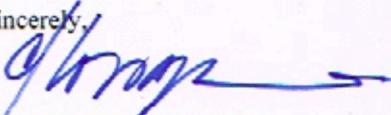
As you know we have submitted design drawings for Final Site Plan and Design Review.

At this time we are (will be) respectfully requesting that the Hawthorne Building @ 361 East Maple Road be 'un-designated' as Locally Designated Historic Building since the building itself is not significant in the way previously defined (see the attached documents) and should alternatively be considered a 'non-contributing resource'.

We are therefore requesting that the Planning board application be processed. We will make the proper application to the HDC at the appropriate time.

Should there be any questions regarding this request – please give me a call.

Sincerely,



Christopher J. Longe, AIA

T 248 258 6940

F 248 258 5568



MEMORANDUM

Planning Division

DATE: July 17, 2017
TO: Joseph A. Valentine, City Manager
FROM: Matthew Baka, Senior Planner
APPROVED: Jana Ecker, Planning Director
SUBJECT: 361 E. Maple – Historic Designation Removal Request

The owner of the property located at 361 E. Maple has requested that the City Commission consider removing the historic designation their building as a contributing historic resource within the City of Birmingham. The property owner has submitted an application to the Planning Board requesting to demolish the building as part of a redevelopment proposal.

The process for removing designation from a property or structure as a contributing historic resource is outlined in section 127 of the City Code. Section 127-5, **Establishing additional, modifying, or eliminating historic districts**, states the following:

- (a) *The city commission may at any time establish by ordinance additional historic districts, including proposed districts previously considered and rejected, may modify boundaries of an existing historic district, or may eliminate an existing historic district. Before establishing, modifying, or eliminating a historic district, the standing historic district study committee, as established in section 127-4, shall follow the procedures as stated in section 127-4. The committee shall consider any previously written committee reports pertinent to the proposed action.*
 - (b) *In considering elimination of a historic district, a committee shall follow the procedures set forth in section 127-4, as amended for the issuance of a preliminary report, holding a public hearing, and issuing a final report but with the intent of showing one or more of the following:*
 - (1) *The historic district has lost those physical characteristics that enabled the establishment of the district.*
 - (2) *The historic district was not significant in the way previously defined.*
 - (3) *The historic district was established pursuant to defective procedures.*
- (Ord. No. 1880, 7-24-06)

The first step in the process towards considering eliminating the historic designation of this property is for the City Commission to pass a resolution directing the Historic District Study Committee to commence with the creation of a study committee report as outlined in section 127-4 of the City Code.

In accordance with sec. 127-04 of the City Code, when directed by a resolution passed by the city commission, the standing historic district study committee shall meet and do all of the following:

(1) Conduct a photographic inventory of resources within each proposed historic district following procedures established by the state historic preservation office of the state historical center.

(2) Conduct basic research of each proposed historic district and historic resources located within that district.

(3) Determine the total number of historic and non-historic resources within a proposed historic district and the percentage of historic resources of that total. In evaluating the significance of historic resources, the committee shall be guided by the criteria for evaluation issued by the United States secretary of the interior for inclusion of resources in the National Register of Historic Places, as set forth in 36 CFR Part 60, and criteria established or approved by the state historic preservation office of the state historical center.

(4)

Prepare a preliminary historic district study committee report that addresses at a minimum all of the following:

a. The charge of the committee.

b. The composition of committee membership.

c. The historic district(s) studied.

d. The boundaries of each proposed historic district in writing and on maps.

e. The history of each proposed historic district.

f. The significance of each district as a whole, as well as the significance of sufficient number of its individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.

(5) Transmit copies of the preliminary report for review and recommendations to the city planning board, the state historic preservation office of the Michigan Historical Center, the Michigan Historical Commission, and the state historic preservation review board.

(6) Make copies of the preliminary report available to the public pursuant to Section 399.203(4) of Public Act 169 of 1970, as amended.

(7) Not less than 60 calendar days after the transmittal of the preliminary report, the historic district study committee shall hold a public hearing in compliance with Public Act 267 of 1976, as amended. Public notice of the time, date and place of the hearing shall be given in the manner required by Public Act 267. Written notice shall be mailed by first class mail not less than 14 calendar days prior to the hearing to the owners of properties within the proposed historic district, as listed on the most current tax rolls.

The report shall be made available to the public in compliance with Public Act 442 of 1976, as amended.

(8) After the date of the public hearing, the committee and the city commission have not more than one year, unless otherwise authorized by the city commission, to take the following actions:

a. The committee shall prepare and submit a final report with its recommendations and the recommendations, if any, of the city planning board and the historic district commission, to the city commission as to the establishment of a historic district(s). If the recommendation is to establish a historic district(s), the final report shall include a draft of the proposed ordinance(s).

b. After receiving a final report that recommends the establishment of a historic district(s), the city commission, at its discretion, may introduce and pass or reject an ordinance(s). If the city commission passes an ordinance(s) establishing one or more historic districts, the city shall file a copy of the ordinance(s), including a legal description of the property or properties located within the historic district(s) with the register of deeds. The city commission shall not pass an ordinance establishing a contiguous historic district less than 60 days after a majority of the property owners within the proposed historic district, as listed on the tax rolls of the local unit, have approved the establishment of the historic district pursuant to a written petition.

(9) A writing prepared, owned, used, in the possession of, or retained by a committee in the performance of an official function of the historic district commission should be made available to the public in compliance with Public Act 442 of 1976, as amended.

Thus, to consider the applicant's request for the removal of the historic designation on 361 E. Maple the City Commission may wish to direct the Historic District Study Committee to prepare a report as outlined in Sec. 127-4 of the City Code.

SUGGESTED ACTION:

The City Commission approves the attached resolution directing the Historic District Study Committee to prepare a study committee report for 361 E. Maple as outlined in section 127-4 of the City Code.

**361 E. MAPLE
HISTORIC DESIGNATION ELIMINATION REQUEST
JULY 24, 2017**

WHEREAS, the owner of the Property located at 361 E. Maple have requested that their property be removed as a contributing resource in the Central Business District Historic District within the City of Birmingham,

WHEREAS, The land for which the Historic designation is sought is located on the north side of Maple between Park and N. Old Woodward Ave.,

WHEREAS, Section 127-5 of the City Code, Historic Districts, requires that the City Commission pass a resolution directing the Historic District Study Committee to prepare a Study Committee Report;

WHEREAS, The Birmingham City Commission has reviewed the request of the property owner and has found that a Study Committee Report to determine the historic merit of the structure at 361 E. Maple is warranted;

NOW, THEREFORE, BE IT RESOLVED, The Birmingham City Commission directs the Historic District Study Committee to prepare a Study Committee Report as outlined in section 127-4 of the City Code for the property located at 361 E. Maple:

I, Cherilynn Brown, City Clerk of the City of Birmingham, Michigan, do hereby certify that the foregoing is a true and, correct copy of the resolution adopted by the Birmingham City Commission at its regular meeting held on July 24, 2017.

Cherilynn Brown, City Clerk

JOHN DZIURMAN ARCHITECTS Ltd.
CONSULTING HISTORIC ARCHITECT
REVIEW AND HISTORIC EVALUATION REPORT
APPLICATION TO DE-DESIGNATION AND DEMOLITION OF THE
HAWTHORNE BUILDING (HISTORIC NAME)
361 E. MAPLE BIRMINGHAM, MICHIGAN

INTRODUCTION

Dickinson Wright PLLC engaged John Dziurman Architects Ltd., to undertake a Review and Historic Evaluation Report relating to the Opposition to Application to De-Designate/Remove 361 E. Maple, Birmingham, Michigan, (“Hawthorne Building”) as a historic contributing Landmark building in the Central Business Historic District in downtown Birmingham.

Our Review and Historic Valuation Report was for the purpose evaluating the City’s initial inclusion of the Hawthorne Building under the City’s historic district ordinance and to evaluate the criteria governing the review of the pending application to eliminate the Hawthorne Building as a historic district under Section 127-5 of the City’s Code.

In conducting our review we examined records of the Birmingham Historic District Study Committee in 1981 and the records of the Birmingham City Commission between 1981-84 & 2017, conducted a site visit to ascertain the current condition of the Hawthorne Building and reviewed the records, documents and minutes with regard to current Birmingham Historic District Study Committee review of the pending application to eliminate the Hawthorne Building as designated historic district.

BACKGROUND

Mr. Mrs. Melvin Kaftan, are owners and residents of the property directly east of the Hawthorne Building and , oppose the de-designation of this historic property and have requested that the Birmingham Historic District Study Committee ("BHDSC") recommend to the City Commission that the de-designation application be denied.

Mr. and Mrs. Kaftan have asserted and I have confirmed in my review the following:

- The Hawthorne Building had historic value as required by City Code when it was originally designated as a historic district;
- That the historic value of the Hawthorne Building has not diminished since its historic designation and that such historic value and purpose merits retention as a historic district under the City Code.

When the Kaftan’s purchased the adjoining property they did so knowing that the Hawthorne Building was in a historic district and designed and constructed their building which includes their personal residence based upon such designation. Accordingly, elimination of the Hawthorne Building has a historic district will not only result in the loss of valuable historic resource, but will result in development of 361 E. Maple in a manner

inconsistent with the design and use of the Kaftan building which is their home.

At all times the Kaftans have been willing and able to purchase the Hawthorne Building for same price as the current owner and attempted to do so before it was purchased by the current owner.

As residents in this area of the City, the Kaftans have been advised that other owners of similarly historically designated buildings will seek elimination of their buildings from the historic district if the pending de-designation application is granted.

Along with the pending de-designation application, it is Kaftan's understanding that the current owner of the Hawthorne Building has submitted an application to the Planning Board requesting to demolish the Hawthorne Building as part of a redevelopment proposal.

REVIEW OF DE-DESIGNATION APPLICATION BY THE CITY OF BIRMINGHAM

The process for removing designation of a property and/ or structure as a contributing historic resource and from the historic district is outlined in section 127-5 of the City Code. The first step in the process which has occurred is for the City Commission to pass a resolution directing the BHDSC to commence with the creation of a study committee report as outlined in section 127-4 of the City Code. That process has occurred and the BHDSC has been meeting for a number of months reviewing the application and was considering a recommendation to deny the application.

Specifically, at the BHDSC November 16, 2017 meeting, the BHDSC presented their report – “361 E. Maple Birmingham Historic Resource Report from the Historic District Study Committee”, and recommended not to support the de-listing of the Hawthorne Building for the following reasons:

- De-listing the building puts it at risk i.e. changes to historic features, demolition, etc.;
- The building was originally designated following all Federal, State and Local guidelines;
- There have been no changes to the building since its designation in 1984 and maintains its character as a pristine example of 1920's commercial architecture in downtown Birmingham;
- The building is located on a street with other historic properties and is within the Historic Central Business District and contributes to the history and character of the City;
- The Birmingham community needs to maintain its historic structures for future generations; and
- De-listing an asset based on the potential for demolition and redevelopment, does not serve the greater good of the community.

Simply stated, it appears that to date, the BHDSC was of the opinion that the criteria for de-designation listed in Chapter 127 of the City Code was not satisfied since:

1. The Hawthorne Building as a historic district has not lost those physical characteristics that caused the establishment/creation of the district in 1984.
2. The Hawthorne Building as a historic district remains significant in the manner previously defined.
3. The designation of the Hawthorne Building as a historic district complied with proper procedure.

REVIEW OF CRITERIA

1. The historic district has not lost those physical characteristics that enabled the establishment of the district.

The property at 361 E. Maple remains virtually unchanged from the condition it was in when designated in 1983. This is demonstrated by historic and contemporary photographs. It is decorated with a sign band that is defined by patterned brick and limestone. The parapet has a small pediment and limestone urns at the party walls. It is believed that the pressed metal store front is original.

In addition, since the creation of the CBD Historic District, all exterior changes to the contributing and non-contributing resources have been reviewed by the Historic District Commission. Any proposed change to a resource in the district has been measured against the Secretary of the Interior's standards for rehabilitation and guidelines for rehabilitating historic buildings (attached). The Standards for Rehabilitation address the most prevalent treatment. "Rehabilitation" is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values". Accordingly, the historic character of the district at large has not been altered in such a way that would eliminate the physical characteristics that enable the establishment of the district.

2. The historic district remains significant in the manner as previously defined.

Several factors were used in determining whether a building has sufficient historic value to merit classification as a "landmark." First, the history of the building, its past occupants and its significance to the development of Birmingham were evaluated. The age, condition and potential for restoration were architecture and uniqueness of each structure was evaluated. At the time, the Historic District Study Committee determined that 29 structures in central Birmingham were worthy of special treatment. Although not every structure met all of the above criteria, each structure given "landmark" designation was determined by the Commission to have one or more of the elements that made it worthy of designation. The property at 361 E. Maple was selected as a contributing resource as it was a good example of a small store design from the 1920's with patterned brick and limestone. The parapet has a slight pediment and limestone urns at the party walls. Although the structure is simple and conservative, it is in excellent condition. The fact that it also maintained its original condition made it a valuable visual anchor in the preservation of the north side of E. Maple. The architectural significance cited in 1983 is as evident today as it was at the time.

3. The historic district was properly established.

The procedures followed in the designation of the Central Business District Historic District were established in chapter 127 of the City Code pursuant to Public Act 169 of 1970. In 1980 the City Commission appointed the Historic District Commission to serve as a Historic District Study Committee to research and make a recommendation regarding the historic value of buildings in central Birmingham as required by chapter 127 of the City Code. As documented by the committee members at the time, the research was conducted by interviewing Birmingham "old-timers" who had first-hand knowledge of the history of many buildings, reviewing materials at the Baldwin Library including reading issues of the Birmingham Eccentric, researching City assessing and building records, examining recorded data from Oakland County and reviewing published material from various other resources. The selection of 361 E. Maple for historical designation in 1983 as a part of the Central Business District Historic District was done after careful review and evaluation in compliance with the required procedures.

On October 22, 1983, the Birmingham City Commission adopted Ordinance No. 1276 amending the City Code adding Chapter 43 of the Birmingham City Code to establish the Central Business District Historic District and the Shain Park Historic District.

Recommendation Against De-Designation

In 1970, the Michigan State Legislature declared historic preservation to be a public purpose. By enacting Public Act 169, the legislature officially recognized that historic preservation does all of the following:

- A. Safeguards the heritage of the community by preserving a district which reflects elements of its cultural, social, economic, political or architectural history;
- B. Stabilizes and improves property values in such districts;
- C. Fosters civic beauty;
- D. Strengthens local economy; and
- E. Promotes the use of historic districts for the education, pleasure and welfare of the citizens of the community and of the State.

The Hawthorne Building is a valuable example of a 1920's era commercial storefront that has seen little to no alteration within its lifetime. It provides historic context of the traditional downtown that has personified Birmingham over its history. De-designating this building, as indicated by the developer's plans, would put it at risk for demolition. This has the potential to encourage additional property owners to pursue de-designation and deterioration of the historic character that has defined Birmingham throughout the years. These historic structures have distinguished Birmingham from its surrounding neighbors as a traditional downtown which has undoubtedly contributed to its sustained success over the years. In addition, the methods and procedures followed during the designation process in the 1980's strictly adhered to the guidelines established at the local, state and federal levels. It was the intention of the City Commission of that time to take these steps to ensure that Birmingham would retain its character and history for future generations to appreciate and enjoy. The de-designation of this structure has the potential to set a precedent that would

have long lasting effects on the City that cannot be reversed.

- De-listing the building puts it at risk i.e. changes to historic features, demolition, etc.
- The building was originally designated following all Federal, State and Local guidelines;
- There have been no changes to the building since its designation in 1984 and maintains its character as a pristine example of 1920's commercial architecture in downtown Birmingham;
- The building is located on a street with other historic properties and is within the Historic Central Business District and contributes to the history and character of the City;
- The Birmingham community needs to maintain its historic structures for future generations;
- De-listing an asset based on the potential for demolition and redevelopment, does not serve the greater good of the community.

Based upon the foregoing, it is clear that there is no basis for de-designation of this historic building and the same and historic district must be preserved.

THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

In my review of the Hawthorne Building, I also examined the Secretary of the Interior Standards for Rehabilitation and reached the following findings and conclusions.

- (1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

This property has been used for its historic purpose (commercial) since it was built in the 1920s, and has had little to no alteration within its lifetime.

- (2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

The historic character of this property has been retained and preserved as original, and due to no removal of materials or alterations of features, it has retained the original character of the property.

- (3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

In the 1920s, the City of Detroit and Michigan area were designing and building Art Deco skyscrapers, factories, schools, post offices, city halls and commercial buildings. Some other design category names used were Art Moderne, ZigZag Moderne and Streamline. This small commercial building in downtown Birmingham is a jewel for the historic

district, the city and the Detroit area.

- (4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
The historic significance of this building has never changed and has retained and preserved all of its original Art Deco features on the façade.
- (5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
This one story, one bay, reddish face brick store, with attractive trim was built in 1927. The building has been well kept and is an example of good, small store design and craftsmanship from the 1920s.
- (6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
Although the structure is simple and conservative, it is in good condition and original condition makes it a candidate for a valuable visual preservation anchor in the Birmingham Central Business District Historic District.
- (7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
The façade of this Art Deco style building never experienced any chemical or physical treatment, only the gentlest means of clean water.
- (8) Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
In 1929, the shed at the rear of the property was removed. Since the building was built in 1927, there was no information if there were any significant resource found.
- (9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
An exterior wood addition was built in the rear for storage and other rooms related to the businesses that were using the building. This addition is differentiated from the brick facade and is compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- (10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
The only addition to this brick building was the wood addition described with Standard

#9. If the rear addition was removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Based upon the foregoing, it is clear that the de-designation application should not be granted.

THE OCTOBER 18, 1984 MINUTES FROM THE FIRST HISTORIC DISTRICT STUDY COMMITTEE

The following is recitation of the above referenced minutes. We have included the same as the discussion contained in the minutes focuses on the importance of historic resources and districts and the relationship of the historic district to the character of central Birmingham and adjoining properties. It is believed that the conclusions reached by the first Historic District Study Committee confirm why the historic district designation of the Hawthorne Building should not be removed.

The Birmingham City Commission established the Central Business Historic District and Shain Park Historic District in 1981. At that time, the City Commission appointed the Historic District Commission to research and make a recommendation regarding the historic value of buildings in central Birmingham. The Study Committee examined each building in the study area. The research was conducted by interviewing Birmingham “old-timers” who have first-hand knowledge of the history of many buildings, reviewing material at the Baldwin Library including reading issues of the Birmingham Eccentric from the late 1800’s and early 1900’s, researching City assessment and building records, examining recorded data from Oakland County and reviewing published material from the various other sources.

Several factors were used in determining whether a building has sufficient historic value to merit classification as a landmark. First, the history of the building, its past occupants and its significance to the development of Birmingham were evaluated. The age, condition and potential for restoration were also considered. Finally, the architecture and uniqueness of each structure was evaluated. Based on this background, the Historic District Commission decided that 29 structures in central Birmingham were worthy of special treatment. In addition, the Commission determined to have one or more of the elements that make it worthy of designation.

LOCAL HISTORIC DISTRICTS ACT Act 169 of 1970

The Commission also reviewed that in 1970, the Michigan State Legislature declared historic preservation to be a public purpose and the legislative body of a local unit may by ordinance regulate the construction, addition, alteration, repair, moving, excavation, and demolition of resources in historic districts within the limits of the local unit. The purpose of the ordinance is to do one or more of the following:

- (a) Safeguard the heritage of the local unit by preserving 1 or more historic districts in the local unit that reflect elements of the unit's history, architecture, archaeology, engineering, or culture.
- (b) Stabilize and improve property values in each district and the surrounding areas.

- (c) Foster civic beauty.
- (d) Strengthen the local economy.
- (e) Promote the use of historic districts for the education, pleasure, and welfare of the citizens of the local unit and of the state.

The Birmingham Historic District Commission noted at that time the Birmingham City Commission will always recognize, as the legislature did back in 1970, that historic preservation can accomplish all of the above goals. Also, some communities throughout the state have almost every single building designated as a "landmark" structure, while other historic districts in their downtowns, such as Birmingham, have undergone many changes resulting in the "landmark" structures being in the minority. This is not unusual or desirable. To the contrary, it is towns such as Birmingham that can most benefit from historic preservation legislation. The legislation provides protection of the character and design qualities that make Birmingham a viable downtown.

The Historic District Commission is certain that the City Commission believes that Birmingham has commercial structures worth protecting. Both know that no ordinance exists to prevent demolition of those structures in central Birmingham, which have value to the whole community. It seems, therefore, that the question is not "should we?" but "how should we?"

At that time, there were 47 historic district properties in the City of Birmingham. They were primarily non-contiguous, residential structures on individual lots. Two commercial structures, the Peabody Mansion and the Grand Trunk Western Railroad Depot are exceptions.

Although individual, non-contiguous districts have worked well for the residential properties, they did not think that the proper approach for the commercial area was working as well. Since commercial structures are erected side-by-side and bear a more direct relationship to one another than single family residential structures. To select the individual one "landmark" buildings for designate without regard for the other structures in the downtown is contrary to the purposes for creating an historic district. Careful attention must be paid to the structure which abut "landmark" properties and other buildings in the downtown which have an effect on the "landmarks" The suggestion that only "landmark" properties compose the historic district would be similar to saying that Planning Board should have Design Review over just a portion of a particular block. This recommendation is for contiguous historic districts with well-defined standards for both "landmark" and "district resource properties.

The Historic District Commission already begun working on a set of standards which will establish a clear cut understanding of the goals of the City with respect to design. It is the intent of the Historic District Commission to set standards that are flexible enough to provide for individual creativity yet complete enough to ensure that the historic fabric of Birmingham is not destroyed.

Under the current regulations, any property owner in central Birmingham (public ownership excepted) must obtain Design approval or Exterior Approval and possibly Site Plan

Approval before any change to the exterior of a building can be made. Since central Birmingham is currently subject to a Design Review process, the question that we all face is: "What should the thrust of this Design Review be?" Architecture, no matter what the age or style, should have as a goal to reflect its time and its place. The question of how to achieve that goal, especially when adding a new wing to an old building or filling a gap in an urban streetscape, is a vexing one to architects and preservationists alike. There is no formula answer; each building or addition should be considered individually and in the context of its surroundings. Design relationships in architecture appear to have become a problem since the coming of age of the "modern movement" in the last 35 years or so. When "modern" architecture arrived, thumbing its nose at the past and the surroundings, its problems began. The public has become disaffected with modern design. Existing is not respected and there is little ornamentation; the result is monotony. With this sharp change in designs so profoundly affecting the existing streetscape, preservationists and others reacted and the concept of historic districts was born.

While there may not be a clear answer to what constitutes a good relationship between old and new buildings, which should not stop us from trying to find a solution, it is only in a quality built environment that we can achieve a quality life. The 29 "landmark" structures represent what is left of quality development from a previous era. The City Commission is now confronted with decision; to find that these buildings are worthy of preservation for present and future generations to enjoy or determine that these buildings do not have any public value and may be destroyed, altered or redesigned at the will of the owners. It is our sincerest hope that you will go forward in enacting the proposed ordinance to create two new historic districts which will protect the valuable historic resources in central Birmingham.

CONSULTING HISTORIC ARCHITECT OPINION

Application to De-Designation/Remove
Hawthorne Building (Historic Name)
361 E. Maple Birmingham, Michigan

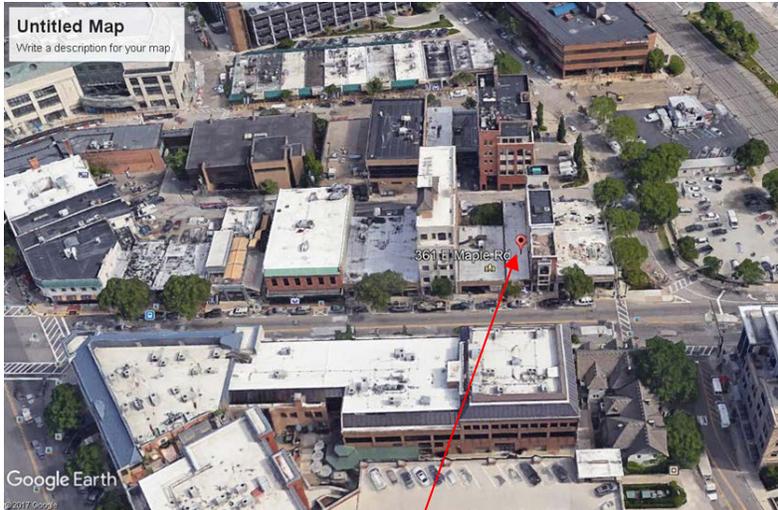
1. The Application for the De-Designation of the Hawthorne Building;
 - a. Is contrary to the 10 Standards of the Secretary of the Interior Standards for Rehabilitation,
 - b. Would result in the demolition of one of the 29 Landmarks in the Central Business Historic District
 - c. Would significantly compromise the use of an existing 3 stories residential property at 363 E. Maple
 - d. Does not meet the criteria for de-designation listed in Chapter 127 of the City Code.





Sec. 127-25. Central Business District.

The central business district shall consist of all of the lands and resources within the boundaries of the central business district as hereby established on the district maps. The central business historic district shall consist of the following historic resources in the city.



1. Wabeek Building, 256 W. Maple.
2. Leonard Building, 166 W. maple.
3. Quarton Building, 142 W. Maple.
4. Blakeslee Building, 138 W. Maple.
5. Billy McBride Building, 122 W. Maple.
6. Ford Building, 101 N. Woodward and 120 W. Maple.
7. Erity and Nixon Building, 163-167 N. Woodward.
8. Bell Building, 191 N. Woodward.
9. Schlaack Building and Huston Building 1916, 205-219 N. Woodward.
10. Huston Building 1923, 237-243 N. Woodward.
11. National Bank Building, 152-176 N Woodward.
12. Wooster Building, 132-136 N. Woodward.
13. Parks Building, 110-116 N. Woodward.
- 14. Madison Building, 297-323 E. Maple.**
15. Hawthorne Building, 361 E. Maple
16. Shain Townhouses, 378, 386, 390 E. Maple and 112,120, 124 Brownell.
17. Briggs Building, 111 S. Woodward.
18. Birmingham Theater Building, 211 S. Woodward.
19. Ford-Peabody Mansion, 325 S. Woodward.
20. Detroit Edison Building, 220 E. Merrill.
21. D.U.R. Waiting Room, 138 S. Woodward.
22. McBride Building, 124-128 S. Woodward.
23. Johnston-Shaw Building, 112-114 S. Woodward.
24. O-Neal Building, 106-110 S. Woodward.
25. St. Clair Edison Building, 135-159 Pierce.
26. Telephone Exchange Building, 148 Pierce.
27. Bigelow-Shain Building, 115 W. Maple.
28. Field Building, 135-141 W. Maple.

New Construction

Mixed – Used / Retail, Office and Luxury Condo
361 E Maple Rd #TBD
Birmingham, MI 48009
2 Bd 2.1 Ba 4,120 SF

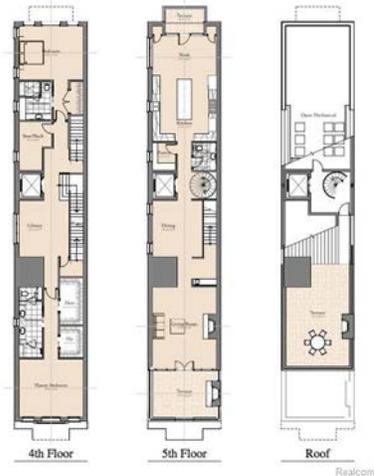
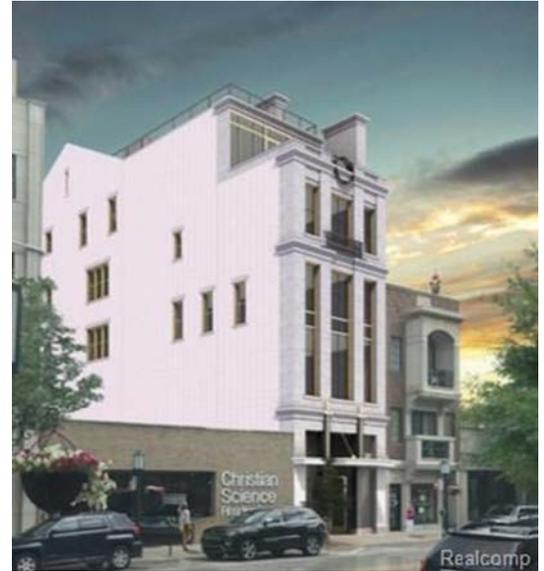
NEW- Luxury Penthouse offering dramatic skyline views in downtown Birmingham! Rise to the top in this 2-story home occupying the 4th & 5th floors of this new construction 5-story building. Park in your private 2 car garage & take your private elevator OR private stairs up to this amazing 4,120 SF home! The library greets you at the heart of the 4th floor. Large master bedroom on this level offers southern views, his & her closets, separate ensuite bathroom w/window. Large second bedroom on north end offers plentiful windows, large closet, ensuite bathroom w/window. Whether taking the elevator or main staircase, the 5th floor living area is an entertainer's delight! Living room w/fireplace opens to south terrace w/outdoor fireplace. Separate dining room, wet bar, kitchen w/eat-in & north terrace, separate pantry, powder room, and spiral staircase to fabulous rooftop terrace! On rooftop enjoy sun & stars or bask in glow of another outdoor fireplace!
Architects: Christopher Longe & Associates

Estimated Home Value
\$3,028,200
Downtown Birmingham
Built in 2018
Mortgage
\$11,855/month
Condominium
\$801/SF



South Elevation
Christopher Longe & Associates

Realcomp



John Dziurman Architects Ltd.
Consulting Historic Architect
361 E. Maple Report



361 EAST MAPLE THE HAWTHORNE BUILDING

CITY OF BIRMINGHAM • OAKLAND COUNTY • MICHIGAN

REPORT IN CONSIDERATION OF DE-DESIGNATION AS LANDMARK
FINNICUM BROWNLIE ARCHITECTS

JANUARY 8, 2017



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Michigan PA 169 of 1970 as amended and Birmingham City Code Chapter 127-5 (b)

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1. THE HISTORIC DISTRICT HAS LOST THOSE PHYSICAL CHARACTERISTICS THAT ENABLED THE ESTABLISHMENT OF THE DISTRICT.

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- A. *Safeguards the heritage of the community by preserving a district which reflects elements of its culture, social, economic, political or architectural history;*
- B. *Stabilizes and improves property values in such districts;*
- C. *Fosters civic beauty;*
- D. *Strengthens local economy; and*
- E. *Promotes the use of historic districts for the education, pleasure and welfare of the citizens of the community and of the State.”*

“Commercial structures are erected side-by-side and bear a more direct relationship to one another than single family residential structures. To select the individual structures for designation without regard for the other structures is contrary to the purpose of creating an historic district. Careful attention must be paid to the structures which about ‘landmark’ properties and other buildings in the downtown which have an effect on the ‘landmarks’.”

The message was clear and strong: The strength of historic downtown Birmingham is the entire cluster of Midwestern, low-rise Victorian and Art Deco storefronts. Each supportive of the next; the whole district is dependent upon each piece. The effect of changes made to a non-contributing district resource on an adjacent landmark structure is as important as changes made to the landmark structure itself. Neither exists in a vacuum, thus all are subject to review.

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“Strengthen the spatial and architectural character of the downtown area and ensure the buildings are compatible, in mass and scale, with their immediate surroundings and the downtown’s traditional two and four-story buildings.”

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The extent and success of the Plan’s implementation is “*remarkable, even stunning*”, commented its author, Andres Duany

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The Hawthorne Building, Landmark 15, is unique from virtually all the other landmark structures listed



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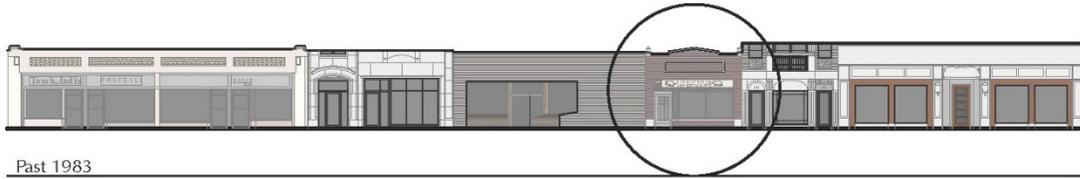


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Careful attention must be paid to the structures which abut 'landmark' properties and other buildings in the downtown which have an effect on the landmarks."



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Past 1983



Present 2017



Future

Appendix G: East Maple Streetscapes

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2. THE HISTORIC DISTRICT WAS NOT SIGNIFICANT IN THE WAY PREVIOUSLY DEFINED.

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2017 to NW



1975 to NE

3. THE HISTORIC DISTRICT WAS ESTABLISHED PURSUANT TO DEFECTIVE PROCEDURES.

“The quality of significance in American History, architecture, archeology, and culture is present in districts, site, buildings, structures, and objects that possess the integrity of location, design, setting, materials, workmanship, feeling, and association, and:

A. That are associated with events that have made a significant contribution to the broad patterns of our history; or

B. that are associated with the lives of persons significant in our past; or

C. that embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

D. that have yielded or may be likely to yield, information important in prehistory or history.”

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The context by which the Hawthorne Building was designated has been obliterated by the conscious, willful imposition of a new urban context in its place.

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he best action is de-designation of the Hawthorne Building to enable the transformation of Birmingham to continue as laid forth in the Downtown Birmingham 2016 Plan.

William J. Finnicum

Appendices:

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References:

State of Michigan enabling legislation PA 169 of 1970 as amended

National Register Bulletin 16, Guidelines for completing NRHP forms, US DOI

Downtown Birmingham 2016 Plan

City of Birmingham Zoning Ordinance 1983

City of Birmingham Overlay District Ordinance

Birmingham City Code Chapter 127: Historic Districts

Minutes and Correspondence of Birmingham Historic District Study Committee 1983

Birmingham Historic District Study Committee 361 E. Male Report, Nov. 16, 2017

Mapping: City of Birmingham GPS web site and field observation

*Photographs: City of Birmingham Historical Museum photo archive; Google Street view;
Finnicum Brownlie Architects*

Appendix A: October 18, 1984 Max Horton Letter:

October 18, 1984

City Commission
Birmingham, Michigan

From: Max B. Horton, Chairman Historic District Study Committee
(Historic District Commission)

Subject: Central Business Historic District and Shain Park Historic
District

Dear Commissioners:

Approximately three years ago, the City Commission appointed the Historic District Commission to serve as an Historic District Study Committee to research and make a recommendation regarding the historic value of buildings in central Birmingham. The Study Committee spent many hours examining each building in the study area. The research was conducted by interviewing Birmingham "oldtimers" who have first-hand knowledge of the history of many buildings, reviewing material at the Baldwin Library including reading issues of the Birmingham Eccentric from the late 1800's and early 1900's, researching City assessing and building records, examining recorded data from Oakland County and reviewing published material from various other sources.

Several factors were used in determining whether a building has sufficient historic value to merit classification as a "landmark." First, the history of the building, its past occupants and its significance to the development of Birmingham were evaluated. The age, condition and potential for restoration were also considered. Finally, the architecture and uniqueness of each structure was evaluated. As you know, the Historic District Commission has decided that 29 structures in central Birmingham are worthy of special treatment. Although not every structure meets all of the above criteria, each structure suggested for "landmark" designation has been determined by the Commission to have one or more of the elements that make it worthy of designation.

In 1970, the Michigan State Legislature declared historic preservation to be a public purpose. By enacting Public Act 169, the legislature officially recognized that historic preservation does all of the following:

- A. Safeguards the heritage of the community by preserving a district which reflects elements of its cultural, social, economic, political or architectural history;

18A

- B. Stabilizes and improves property values in such districts;
- C. Fosters civic beauty;
- D. Strengthens local economy, and
- E. Promotes the use of historic districts for the education, pleasure and welfare of the citizens of the community and of the State.

As a Commission, it is our hope that the Birmingham City Commission will recognize, as the legislature did back in 1970, that historic preservation can accomplish all of the above goals. Several other communities throughout the state have designated historic districts in their downtowns. They include small villages such as Linden, Chelsea and Wilford; medium sized cities such as Ann Arbor, Traverse City and Ypsilanti, and large cities such as Jackson, Saginaw and Grand Rapids. Some historic districts have almost every single building designated as a "landmark" structure while other historic districts, such as Birmingham, have undergone many changes resulting in the "landmark" structures being in the minority. This is not unusual or undesirable. To the contrary, it is towns such as Birmingham that can most benefit from historic preservation legislation. The legislation provides protection of the character and design qualities that make Birmingham a viable downtown. The Historic District Commission is certain that the City Commission believes that Birmingham has commercial structures worth protecting. We all also know that no ordinance exists to prevent demolition of those structures in central Birmingham which have value to the whole community. It seems, therefore, that the question is not "should we?" but "how should we?"

Currently, we have 47 historic district properties in the City of Birmingham. They are primarily non-contiguous, residential structures on individual lots. Two commercial structures, the Peabody Mansion and the Grand Trunk Western Railroad Depot are exceptions.

Although individual, non-contiguous districts have worked well for the residential properties, we do not believe this is the proper approach for the commercial area. Commercial structures are erected side-by-side and bear a more direct relationship to one another than single family residential structures. To select the individual "landmark" buildings for designation without regard for the other structures in the downtown is contrary to the purposes in creating an historic district. Careful attention must be paid to the

structures which abut "landmark" properties and other buildings in the downtown which have an affect on the "landmarks." The suggestion that only "landmark" properties compose the historic district would be similar to saying that the Planning Board should have Design Review over just a portion of a particular block. This selectiveism in the review process will not work. Therefore, our recommendation is for contiguous historic districts with well defined standards for both "landmark" and "district resource" properties.

The Historic District Commission has already begun working on a set of standards which will establish a clear cut understanding of the goals of the City with respect to design. It is the intent of the Historic District Commission to set standards that are flexible enough to provide for individual creativity yet complete enough to ensure that the historic fabric of Birmingham is not destroyed.

Under the current regulations, any property owner in central Birmingham (public ownership excepted) must obtain Design Approval or Exterior Approval and possibly Site Plan Approval before any change to the exterior of a building can be made. Since central Birmingham is currently subject to a Design Review process, the question that we all face is: "What should the thrust of this Design Review be?" Architecture, no matter what the age or style, should have as a goal to reflect its time and its place. The question of how to achieve that goal, especially when adding a new wing to an old building or filling a gap in an urban streetscape, is a vexing one to architects and preservationists alike. There is no formula answer; each building or addition should be considered individually and in the context of its surroundings. Design relationships in architecture appear to have become a problem since the coming of age of the "modern movement" in the last 35 years or so. When "modern" architecture arrived, thumbing its nose at the past and the surroundings, its problems began. The public has become disaffected with modern design. Existing scale is not respected and there is little ornamentation; the result is monotony. With this sharp change in designs so profoundly affecting the existing streetscape, preservationists and others reacted and the concept of historic districts was born.

While there may not be a clear answer to what constitutes a good relationship between old and new buildings, that should not stop us from trying to find a solution. It is only in a quality built

environment that we can achieve a quality life. The 29 "landmark" structures represent what is left of quality development from a previous era. The City Commission is now confronted with a decision; to find that these buildings are worthy of preservation for present and future generations to enjoy or determine that these buildings do not have any public value and may be destroyed, altered or redesigned at the will of the owners. It is our sincerest hope that you will go forward in enacting the proposed ordinance to create two new historic districts which will protect the valuable historic resources in central Birmingham.

Very truly yours,

Max B. Horton

Max B. Horton, Chairman
William R. McGregor, Vice-Chairman
Carolyn Johnson
Kay Johnson
Michael Tomasik
Goeffrey Upward
Willem Tazelaar

MBH/jb
10/18/84

Appendix B: 361 East Maple Historical Photographs:



1975, Looking North West

1975, Looking North East



1966, Aerial Looking East



Unknown date, Looking East

Appendix C: Pictorial Inventory of Landmark Buildings:

1. 256 W. Maple - Wabeek Building:



2. 166 W. Maple - Leonard Building:



3. 142 W. Maple - Quarton Building



4. 138 W. Maple - Blakeslee Building



5. 122 W. Maple - Billy McBride Building



6. 101 N. Woodward and 120 W. Maple - Ford Building



7. 163-167 N. Woodward - Ery and Nixon Building



8. 191 N. Woodward - Bell Building



9. 205 - N. Woodward - Schlaack Building



9. 215 - 219 N. Woodward - Huston Building – 1916



10. 237 - 243 N. Woodward - Huston Building – 1923



11. 152 - 176 N. Woodward - National Bank Building



12. 132 - 136 N. Woodward - Wooster Building



13. 100 - 116 N. Woodward - Parks Building



14. 297 - 323 E. Maple - Madison Building



15. 361 E. Maple - Hawthorne Building



16. 378, 386, 390 E. Maple & 112, 120, 124 Brownell - Shain Townhouses



17. 111 S. Woodward - Briggs Building



18. 211 S. Woodward - Birmingham Theater Building



19. 325 S. Woodward - Ford-Peabody Mansion



20. 220 E. Merrill - Detroit Edison Building



21. 138 S. Woodward - D.U.R. Waiting Room



22. 124 - 128 S. Woodward - McBride Building



23. 112-114 S. Woodward - Johnston-Shaw Building



24. 106-110 S. Woodward – O-Neal Building



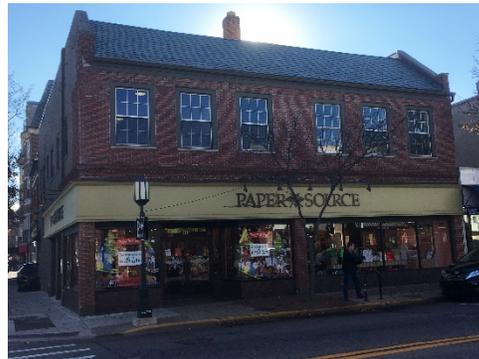
25. 135 - 159 Pierce - St. Clair Edison Building



26. 148 Pierce - Telephone Exchange Building



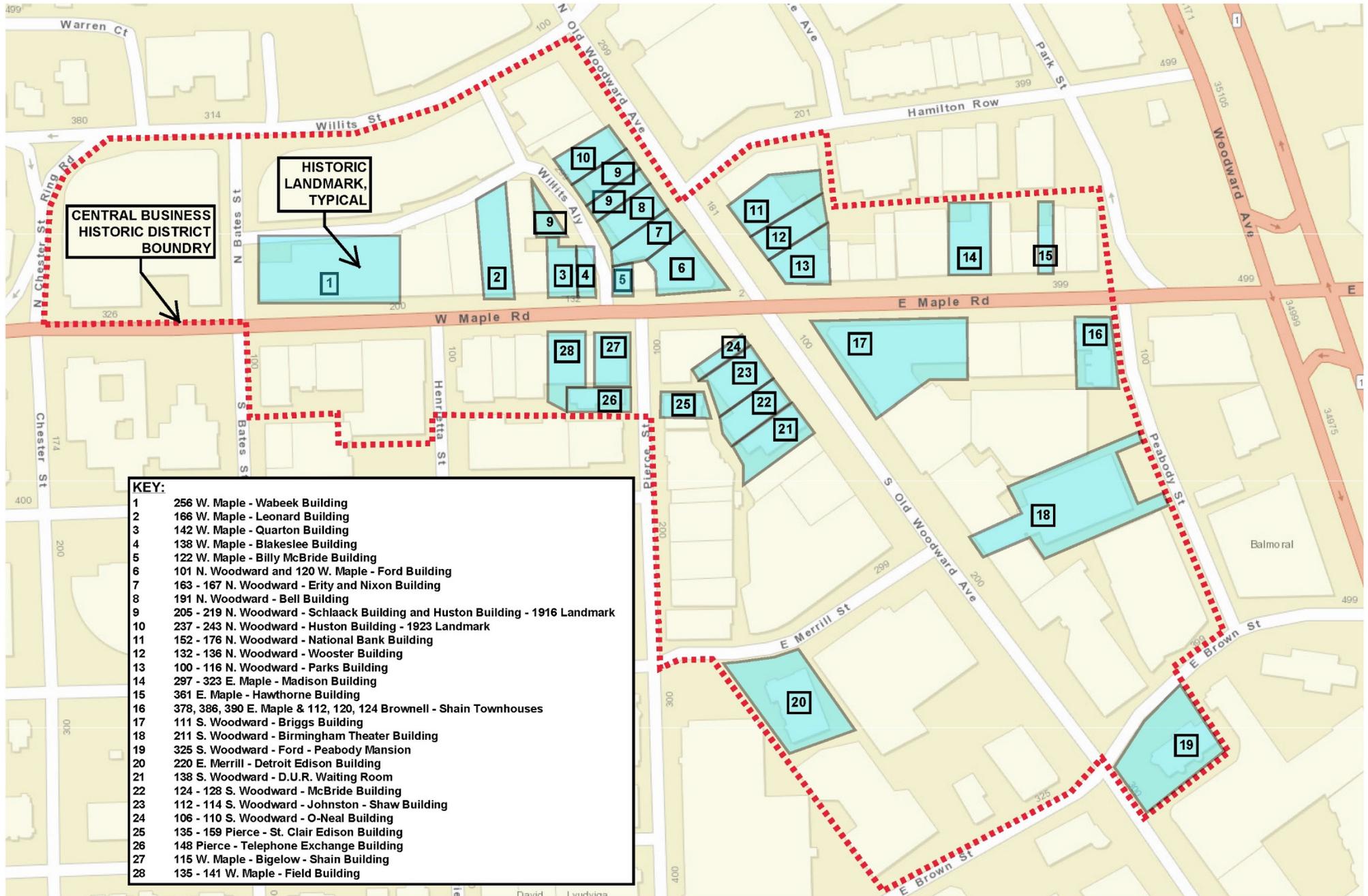
27. 115 W. Maple - Bigelow-Shain Building



28. 135 - 141 W. Maple - Field Building



Appendix D: Central Business Historic District Map:



Appendix F: 361 East Maple Current Photographs:



361 East Maple (Hawthorne Building)



View from South



East Maple looking North East



East Maple looking North West

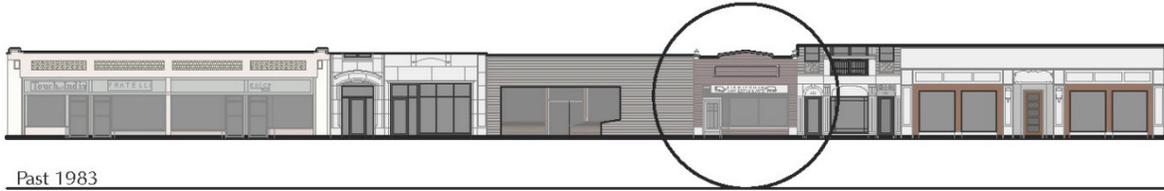


361 East Maple and surrounding buildings



361 East Maple rear door

Appendix G: East Maple Streetscapes:



Appendix H: Building-Site Inventory Form:

CITY OF BIRMINGHAM
BUILDING-SITE INVENTORY FORM

Fill in as applicable - Attach 5" x 7" or 8" x 10" black and white photo with negative.

Identification

- 1. Building or Site Name Hunter Birmingham Public Institution Bldg.
- 2. Street address 361 East Maple City Birmingham
- 3. Legal description 08-19-25-456-027
- 4. Ownership: Public _____ Private
- 5. Present Owner C. B. Barnes Address 835 Purdy Birmingham 48209
- 6. Zoning B-4
- 7. Use: Original Commercial Present Commercial

Description

- 8. Site: Open land _____ woodland _____ landscaped _____
Buildings if so, what? One story red brick
- 9. Building material: Clapboard _____ stone _____ brick shingles _____
board & batten _____ stucco _____ other horizontal trim
- 10. Structural material: Wood frame _____ masonry load bearing wall
other _____
- 11. Condition: Excellent _____ good fair _____ deteriorated _____
- 12. Integrity: Original site moved _____, if so, when? _____
from where? _____
- 13. Alteration: Unaltered altered _____, if so when? _____
How? _____
Architect _____
- 14. Related outbuildings and property: barn _____ garage _____ shed _____
shop _____ greenhouse _____ landscape features _____ other land

15. Surroundings of the building or site: Open land _____ woodland _____
 densely built up _____ Commercial residential _____ other _____
16. Notable features of building or site attractive example of
1950s small commercial building
17. Threats to building or site: None known zoning _____ roads _____
 developers _____ deterioration _____ other _____

Significance

18. Architectural significance

Date of construction: Actual 1957 estimated _____

Architect: _____

Builder: _____

Are original plans on file? _____ Notations on original plan and specifications _____

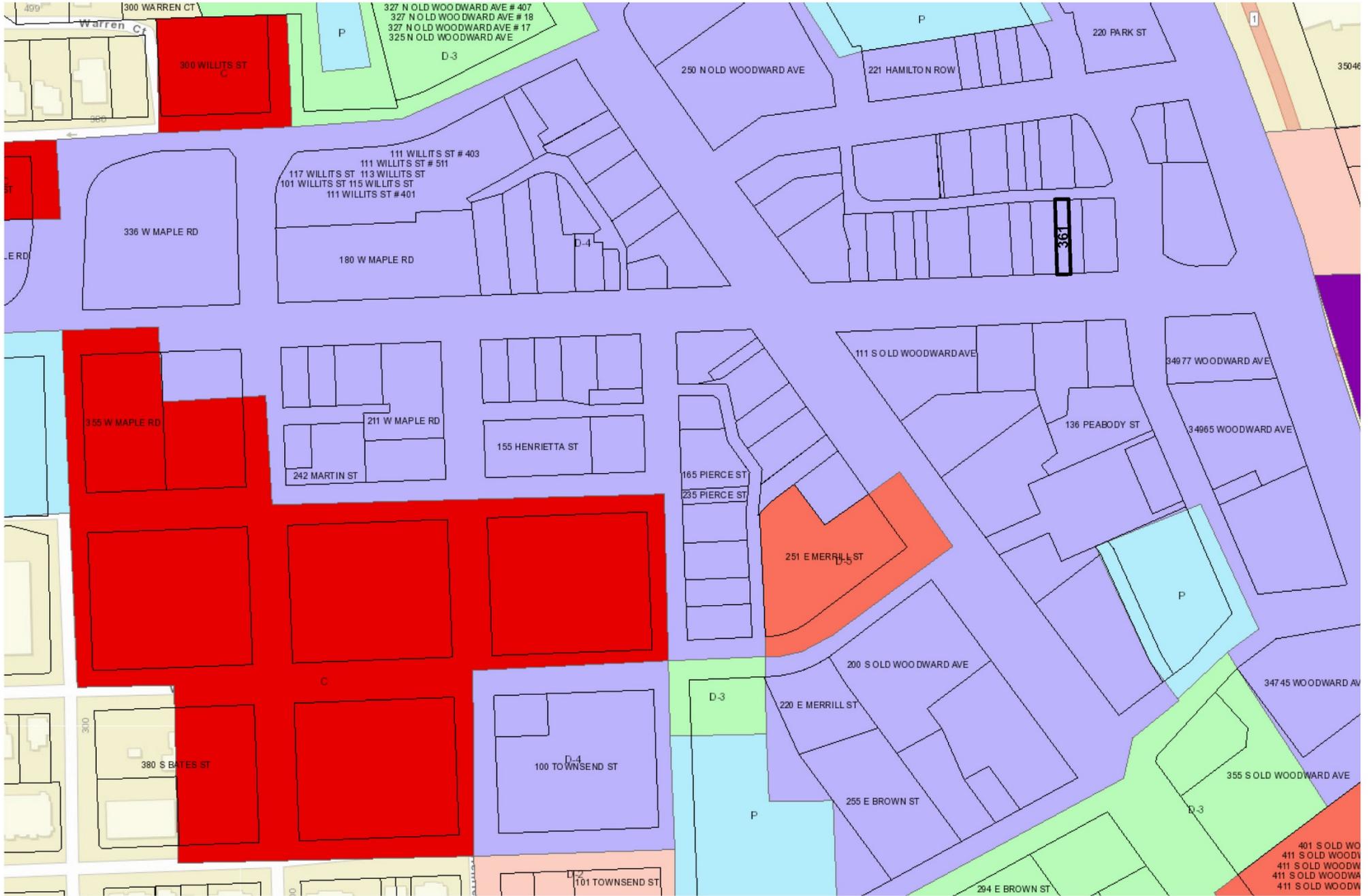
19. Historical significance: none.

20. Sources (for primary and secondary sources, give complete facts of publication: author, title, place of publication, date): _____

City assessment data.
Abundant.

Prepared by Max B. Horton Date May 3, 1983
 Address 9184 Greenwood Telephone No. 644-5389
 Organization Historic District Commission

Appendix I: Overlay District Map:





William L. Finnicum III AIA NCARB

Curriculum Vitae

Education:

969

Honors:

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Certification:

9 3

Licenses:

Practice:

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Service:

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2002 2005

2002 20 6

2009 20 5

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Published:

Awards:

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Representative Projects:

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**HISTORIC DISTRICT STUDY COMMITTEE
MINUTES OF DECEMBER 7, 2017**

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3. ROLL CALL

Present:

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Absent:

Administration:

4. APPROVAL OF THE NOVEMBER 16, 2017 HDSC MINUTES

Motion by Ms. Lang

Seconded by Mr. Xenos to approve the Minutes of November 16, 2017 as presented.

Motion carried, 4-0.

**3. 361 E. MAPLE RD.
De-Designation Request**

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To select individual landmark buildings for designation without regard to the other structures in the downtown is contrary to the purpose of creating an historic district. Careful attention must be paid to the structures which abut the landmark properties and other buildings in the downtown which have an effect on these landmarks. Therefore the recommendation is for a contiguous historic district with well defined standards for both landmark and non-landmark properties.

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While there may not be a clear answer to what constitutes good relationship between old and new buildings, which should not stop us from trying to find a solution, it is only in a quality built environment that we can achieve a quality life. The 29 landmark structures represent what is left of quality development from a previous era. . . It is our sincerest hope that they will go forward in enacting the proposed Ordinance to create two new historic districts which will protect the valuable historic resources in central Birmingham.

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**Motion by Ms. Lang
Seconded by Mr. Beshouri to accept the report as-is and to forward it to the
appropriate bodies.**

Motion carried, 5-0.

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, JANUARY 10, 2018
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on January 10, 2018. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Janelle Whipple-Boyce, Bryan Williams Alternate Board Members Nasseen Ramin, Daniel Share

Absent: Board Member Vice-Chairperson Gillian Lazar; Student Representatives Ariana Afrakhteh, Isabella Niskar

Administration: Matthew Baka, Sr. Planner

Jana Ecker, Planning Director

Carole Salutes, Recording Secretary

01-04-18

STUDY SESSION

1. Review of Historic District Study Commission Report on 361 E. Maple Rd.

Mr. Williams announced he would need to recuse himself from consideration of this item. His law firm represents an adjacent property owner. Ms. Ramin came forward to join the board for this matter.

Mr. Baka reported the owner of the property located at 361 E. Maple Rd. has requested that the City Commission consider removing the historic designation of their building as a Contributing Historic Resource within the City of Birmingham. The property owner has submitted an application to the City requesting to demolish the building as part of a redevelopment proposal.

The City Commission issued a resolution on July 24, 2017 directing the Historic District Study Committee ("HDSC") to prepare a preliminary study committee report on the subject property in accordance with the City Code and execute the additional steps required by the Code in order to make a recommendation to the City Commission.

The HDSC is required to follow the procedures as set forth in Section 127-4, Birmingham Historic Districts, of the City Code as amended. The procedure requires the issuance of a preliminary report, holding a public hearing, and issuing a final report with the intent of showing one or more of the following in order to justify the de-listing of a designated property:

1. The historic district has lost those physical characteristics that enabled the establishment of the district.
2. The historic district was not significant in the way previously defined.
3. The historic district was established pursuant to defective procedures.

The preliminary study committee report has now been completed by the HDSC and has been forwarded to the State Historic Preservation Office ("SHPO") for comment. The HDSC feels that the request does not meet any of the three established criteria in the City Code and they are recommending that the building not be de-designated. The City Code also requires the report be presented to the Planning Board for comment.

At 7:45 p.m. the Chairman asked for comments from members of the public.

Mr. John Gaber, Attorney with Williams, Williams, Rattner & Plunkett, spoke to represent Mr. Victor Simon who is the property owner of 361 E. Maple Rd. He passed out a report they prepared with the assistance of Mr. William Finnicum who is a historic architect. Mr. Gaber highlighted several conclusions from the report:

- They believe that 361 E. Maple Rd. really is insignificant.
- The inventory form that was done in 1983 by Max Horton of the Historic District Commission indicates the architectural significance is that the building was constructed in 1927.
- The form also lists the historical significance as none.
- Notable features of the building state that it is an example of a 1920's small commercial building.
- In 1983 the Historic District Commission thought that 361 E. Maple Rd. was a good example of the streetscape at that time and it was in good condition. Therefore they designated it as one of the 29 landmarks within the Central Business Historic District.

Mr. Gaber noted that only one of the criteria for de-listing that Mr. Baka mentioned needs to be satisfied. He went on to focus on the significance of the building's physical characteristics. They believe this property has lost the physical characteristics that enable its establishment as a landmark building. It is important to maintain the characteristics of not only the landmark building but the surrounding buildings as well.

Mr. Horton in his 1983 letter to the City Commission says *to select the individual structures for designation without regard to the other structures is contrary to the purpose of creating an historic district.*

What has happened since 1983 is that the City adopted the Birmingham 2016 Plan and subsequently adopted the Downtown Overlay District. That allowed for change in the character of a lot of the Central Business Historic District, particularly the E. Maple Rd. corridor. Most of the other 28 landmarks have something that sets them apart, such as their mass and scale. So, there is not going to be anything adjacent to them that will really detract from their significance. Then there are other buildings that are maybe smaller but have strong architectural features. What happened on E. Maple Rd. is that 361 is really overwhelmed by the adjacent development.

So you can't look at the building in isolation, you have to look at the character of the district as well. Their building doesn't have the mass of some of the other buildings; it doesn't have architectural prominence of any significance; and it is not a stand-alone structure. So it doesn't have the ability to protect itself from the influence of surrounding buildings. Therefore, they believe the physical characteristics that led to the designation of this building as a landmark are no longer present. That is why they are requesting the de-listing of the building. They don't believe it sets a precedent because of the building's uniqueness.

Mr. Justin Zakoff, Attorney at Dickinson Wright, came forward to represent Mr. Mel Kaftan, an adjacent property owner at 369 E. Maple Rd. They concur with the HDSC recommendation not to de-designate 361 E. Maple Rd. as historic. The building has not changed since it was designated historic. This is a stand-alone historically designated structure and its Art Deco style is significant. If it is de-designated it will certainly change the character of the neighborhood and open the door to further de-designation requests.

Although not necessarily a consideration of the HDSC, Mr. Zakoff pointed out that Mr. Kaftan relied on the historic designation when he constructed his building.

Mr. Zakoff said his understanding of the Inventory Form is that where it says the building has no historical significance, it doesn't refer to the architecture or the neighborhood; but rather it refers to whether a historical event occurred there.

Mr. Koseck pointed out there are examples all over the country where historic buildings have been added on to. There are other things that could be explored that would add more density.

Mr. Jeffares observed if you look at how structures could get built up around this building, it will look pretty weird.

Motion by Mr. Share

Seconded by Mr. Jeffares to accept the report that was submitted on January 8, 2018 by Mr. William Finnicum.

Motion carried, 7-0.

VOICE VOTE

Yeas: Share, Jeffares, Boyle, Clein, Koseck, Ramin, Whipple-Boyce

Nays: None

Recused: Williams

Absent: Lazar

Mr. Boyle commented that he thinks historic designation is a valuable and important tool that cities can bring to bear on their properties. However, it needs to be aware of change that occurs. Perhaps the current designation may be standing in the way of progress. So in terms of keeping this designation living and relevant, he personally would go against the recommendation of the HDSC and suggest that this building be de-designated without fundamentally affecting the overall concept of the historic district.

Mr. Share said from a planning perspective it strikes him that the building is not imposing enough to hold interest on its own if it is surrounded by three to five story buildings. He likes Mr. Koseck's idea where the historic building is preserved but the building is expanded around the existing front historic elevation.

**BIRMINGHAM HISTORIC DISTRICT COMMISSION
MINUTES OF JANUARY 17, 2018**

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Present:

Absent:

Administration:

01-02-18

**HISTORIC DESIGNATION ELIMINATION REVIEW
361 E. Maple Rd.
Hawthorne Building
CBD Historic District**

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Findings of the HDSC

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**HISTORIC DISTRICT STUDY COMMITTEE
MINUTES OF JULY 26, 2018**

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1. ROLL CALL

Present:

Absent:

Administration:

2. APPROVAL OF THE DECEMBER 7, 2017 HDSC MINUTES

Motion by Mr. Xenos

Seconded by Ms. Lang to approve the Minutes of December 7, 2017 as presented.

Motion carried, 4-0.

3. PUBLIC HEARING

361 E. Maple Rd.

De-Designation Request

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Motion by Ms. Lang

Seconded by Chairperson Debbrecht to forward the study committee report for 361 E. Maple Rd. to the City Commission as presented, recommending denial of the request to eliminate the historic designation of 361 E. Maple Rd.

Motion carried, 4-0.

MELVIN M. KAFTAN
29100 NORTHWESTERN HWY. • SUITE 260
SOUTHFIELD, MI 48034

November 13, 2020

City of Birmingham
Historical District Commission
Attention: Nick Dupuis
151 Martin Street
P.O. Box 3001
Birmingham, MI 48009

Dear Mr. Dupuis:

I am writing this letter because I will be out of town and I know you're on Zoom, but I don't feel comfortable using that media.

We all know the petitioner did know that this property was historical before he bought it and once again, he is trying to pressure the board with a pretty picture.

Three items to consider:

1. The owner of the 1-story building (297-323 Maple, 4 stores) immediately west of Simons Bldg., said at an HDC meeting, that he expects to get the same treatment as the Simons'. So that means goodbye HDC.
2. Removing the historic designation on 361 Maple means the city must provide for office parking, a commodity that the city lacks. So, remove a historical building and add another office building?
3. I need clarification on 3-story zoning in the downtown district. 1-story commercial and 2-story office and 2-story apartment. Because Simon's current DC building has a 1-story commercial, 3-story office, and 1-story residential, what was the HDC final approval for their building?

Please turn down this request for it doesn't meet the HDC requirement.

Mel & Geri Kaftan

MK/pm

Cc Tim Stoepker, Dickinson Wright PLLC



MEMORANDUM

Planning Division

DATE: November 18th, 2020
TO: Historic District Commission
FROM: Nicholas Dupuis, City Planner
SUBJECT: Historic Design Review – 100 N. Old Woodward – Parks Building

Zoning: B-4 (Business-Residential) & D-4 (Downtown Overlay)

Existing Use: Two-Story Commercial Building

History

The first building on this site was a building which had originally been a Presbyterian Church located at the southeast corner of Maple and Woodward. Surrounding much controversy, it was moved to the northeast corner in the mid-1800's to become a meat market occupied by a succession of successful men. Among the list of proprietors were Alex Parks and John Hanna. Their partnership dissolved in 1889. Parks moved the building to the rear and constructed a new 2-story brick and limestone building which is the present building on the site. In 1967, the two original apartments on the second floor were remodeled into offices. In 1969, the brick façade was covered over with a new marble type façade. The City Commission granted a license agreement for the new façade to encroach into the public right-of-way. The change in the façade was concurrent with occupancy by a new tenant, Rose Jewelers which replaced Birmingham Fruit Company, Estelle's Fine Foods, and AAA Drugs. This building if restored to its original brick façade, which stands behind the marble, would be a major contributor to the Maple/Woodward intersection.

Historic District Commission Review History

The subject site has not been before the HDC for any substantial historic review for decades. In October 2019, the applicant came before the HDC for a pre-application discussion with plans for a three-story addition to the existing two-story commercial building that involved the restoration of the historic façade while the entire rear of the building was proposed to be removed and built up. The other important review is from 1969 when the City Commission granted the license agreement to the building owner at the time for the encroachment into 2 in. of right-of-way. The minutes are attached for your review.

Proposal

The applicant has submitted a Design Review application to rehabilitate the original façade of the two-story commercial building known as the Parks building. The proposal includes the removal of

the travertine stone panels and mansard roof, brick and limestone rehabilitation, storefront glazing, and new black painted metal canopies. This work is referred to as "Phase 1" of a larger project which will eventually include the Wooster building (Bakehouse 46 & Office) to the north, as well as the Tiger Shoe Repair and Boyd buildings to the east. The following table summarizes the materials that will comprise the façade post-renovation:

Material	Location	Color
Limestone	Parapet Cap & Pilaster, 2 nd Floor Window Head, Façade Detailing	Natural
Cast Stone	Building Base	Natural
Brick	East/West Facades, Parapet	Red (Existing)
Aluminum Clad Wood Double Hung Windows	2 nd Floor (13 Windows)	Ebony
Transom Windows	1 st Floor	Black
Glass Storefront	1 st Floor Storefront	Black
Structural Steel	Storefront Canopy	Black

The applicant has advised that the intent of this rehabilitation is to bring the building back to its original 1889 design. The applicant has based their rehabilitation proposal on the robust photographic documentation that the Birmingham Museum has maintained and provided to the applicant for reference. As the existing travertine panels were affixed to a frame that was fastened to the building, the applicant is expecting several punctures in the brick and/or limestone façade elements that will require repair. All repaired or replaced brick/limestone is proposed to match the color and design of the original building. Due to the uncertainty of the condition or existence of the original façade elements beneath the travertine, the only brand-new materials that are *certain* to be added are the new windows/doors, canopies and limestone pilaster tops.

There are a few important ordinance regulations that are triggered by the introduction of these new materials. Specifically, the addition of new/modified glazing will require an analysis of the glazing percentage and clarity requirements, while the new canopies are subject to dimensional requirements. Article 4, Section 4.90 of the Zoning Ordinance requires no less than 70% of the storefront/ground floor façade between 1 and 8 feet above grade to be *clear* glazing. To qualify as clear glazing, the glass must contain a Visual Light Transmittance (VLT) of 80% or greater. Openings above the first story shall be a maximum of 50% of the total façade area with windows that are vertical in proportion. The applicant has provided glazing calculations that show 70% glazing on the storefront and 25% on the second floor, meeting the requirements. The applicant has not submitted specification sheets on the newly proposed storefront glass. Thus, **the applicant must submit specification sheets for all new storefront glass.**

Additionally, Article 4, Section 4.74 (D)(4)(c)(i) allows the Historic District Commission to permit removable architectural elements located at or above 8 ft. to encroach into the right-of-way, provided the encroachments shall not extend into or occupy more than two-thirds of the width of

the sidewalk or 5 feet, whichever is less, and must not interfere with any existing or planned streetscape elements or infrastructure. As the dimension of the property line to the curb is roughly 15 ft., the proposed canopies are permitted to project no more than 5 ft. into the right-of-way. The canopies as designed are proposed to project 5 ft. The proposed canopies do not interfere with the newly constructed S. Old Woodward or E. Maple streetscapes.

Finally, it is worth noting that there will be specific use requirements associated with the subject site. The applicant has noted in the first floor plan that there will be a retail use within the first floor, and has advised that an office use will occupy the second floor. Because the building is located along the Redline Retail frontage line, a retail use is required to be maintained within the first 20 ft. of frontage line within the first story. The proposed retail use will maintain the buildings historical purpose on the first floor. The proposed office use on the second floor is also permitted. Furthermore, the building is located within the Parking Assessment District. Thus, no off-street parking is required to be provided for the commercial uses proposed.

Recommendation

The proposed exterior renovation of the historic Parks building, as proposed by the applicant, meets the Secretary of the Interior Standards 1, 2, 3, 5, 6 and 9. However, standard number 4 potentially plays a larger role in the conversation based on the renovations performed in 1989. The following analysis breaks down the proposal through the lens of each standard above:

1. The buildings original use, according to the City's historical files, was a first-floor retail use with two residential apartments on the second floor. The building has maintained a retail use on the first floor for many years, and the applicant's proposal to retain and enhance the historical use through a storefront window system that more closely resembles the original building adds to the benefit.
2. The historic character of the building (shape, materials, massing, architecture) is proposed to be improved upon by removing the inappropriate façade treatment placed upon the building in 1969. The applicant has stated that it is their intent to restore the building down to the minute details, including the "tombstone" pilasters and pigeonhole detailing on the parapet to the transom windows with a 7/8 in. muntin system.
3. The applicant is not actively proposing to add any false or conjectural historical features to the building that were not already present. Because the building has been well documented, the applicant has a strong reference to work from. However, the Historic District Commission should discuss the addition of the storefront canopies as unintentionally creating a false sense of historical development. The canopy system is arguably the only new feature that does not closely resemble the original building. As this project is being proposed and marketed as a full restoration project, a layperson might assume that the canopies were a part of the original building. Although structural steel would not have likely been used in canopies, structural steel *was* available during the period in which this building was constructed.

4. A unique quandary exists with this building and its history. Although the original façade is expected to be present and relatively intact, the addition of the travertine panels in 1969 and the designation of the building as a contributing local historic resource shortly thereafter creates a contrast between what is actually regarded as historic. This reality forces the City to consider the 1969 renovation as historically significant in its own right, which the standards state should be retained and preserved as any other historical resource. Furthermore, as a *general* historic preservation rule, anything older than 50 years is automatically considered as a potential historic resource. That being said, it is up to the Historic District Commission to determine what they consider to be significant. Does the 1969 renovation match the period of significance in the immediate area? Was the renovation important to the story of the Downtown Historic District? Was the intent of the façade treatment to be removed at a future time? At the time, the applicant stated that the travertine was “compatible with the material vocabulary of the façade and surrounding architecture” and that the remodeling would “transform the existing structure into a successful architectural statement compatible with the establisher character of Birmingham.”
5. For this building, the distinct features (if intact) would seem to be the arched brick and limestone window headers and brick pigeonhole detailing on the parapet. Again, the applicant is proposing to uncover and restore these distinct features that were covered over 50 years ago. Another distinct feature that should be considered is the slanted corner of the storefront, which has been maintained throughout the years. The applicant is proposing to continue this distinct shape.
6. As mentioned several times above, the applicant is expecting some damage to the façade due to the fasteners used when the travertine and mansard roof were installed. The issue would be considered severe, as the punctures in the brick and/or limestone (wherever they may be) have likely caused the masonry to deteriorate more rapidly around the punctures due to excess moisture and thermal cycles. Although the replacement of some brick is all but assured, the applicant has advised that replacement brick will be the same color and design. The applicant is expected to utilize extreme care when repointing any mortar joints where there is evidence of deterioration such as disintegrating mortar, cracks in mortar joints, or loose/damaged bricks. Additionally, as noted above, the applicant has stated that the “tombstone” pilasters on the parapet are confirmed to have been removed at some point. Several historic photos were referenced by the applicant that substantiate their proposal to re-introduce them to the building.
9. The exterior alterations proposed are expected to *restore* the historic materials on the building as opposed to destroy. As this is a restoration project, there are no new designs that must be differentiated from the historic structure.

Aside from the Secretary of the Interior Standards for Rehabilitation, the City of Birmingham has declared historic preservation a public purpose, and states that the charge of the Historic District Commission is to:

1. Safeguard the heritage of the city by preserving districts that reflect elements of its history, architecture, archaeology, engineering, or culture.
2. Stabilize and improve property values in each district and surrounding areas.
3. Foster civic beauty.
4. Strengthen the local economy.
5. Promote the use of historic districts for the education, pleasure, and welfare of the citizens of the city and of the state.

As this building is located in the heart of the Downtown Historic District, and is an important locally designated historic resource, the Historic District Commission has expressed interest in requiring additional safeguards to ensure that the appropriate measures are taken to inflict as little damage as possible to the original façade while the restoration activities are taking place. The Planning Division has been advised by the City Attorney that the Historic District Commission may require the applicant to retain and compensate a City Building Inspector to be present on-site while the major restoration activities are taking place (i.e. the removal of the travertine and mansard roof at the least). This will ensure both parties with a stake in the restoration will have ample opportunity to review the work that is taking place and assess the building as the project progresses.

At this time, the Planning Division recommends that the Historic District Commission **APPROVE** the historic Design Review application and issue a certificate of appropriateness for 100 N. Old Woodward – Parks/Maplewood Building – provided the following conditions are met:

1. The applicant must submit specification sheets for all new storefront glass;
2. The Historic District Commission approves the canopy projections into the right-of-way; and
3. The applicant is required to retain and compensate an on-site City Building Inspector during major restoration activities.

Wording for Motions

I move that the Commission **APPROVE** the Historic Design Review application and issue a Certificate of Appropriateness for 100 N. Old Woodward – Parks/Maplewood Building – provided the conditions below are met. The Secretary of the Interior's Standards for Rehabilitation standard number(s) _____ will be met upon fulfillment of the condition(s):

1. The applicant must submit specification sheets for all new storefront glass;
2. The Historic District Commission approves the canopy projections into the right-of-way; and
3. The applicant is required to retain and compensate an on-site City Building Inspector during major restoration activities.

OR

I move that the Commission **APPROVE** the Historic Design Review application and issue a Certificate of Appropriateness for 100 N. Old Woodward – Parks/Maplewood Building. The work as proposed meets the Secretary of the Interior's Standards for Rehabilitation standard numbers _____.

OR

I move that the Commission **POSTPONE** the Historic Design Review application and the issuance of a Certificate of Appropriateness for 100 N. Old Woodward – Parks/Maplewood Building – until the following conditions are met: (*List Conditions*). The Secretary of the Interior's Standards for Rehabilitation standard number(s) _____ will be met upon fulfillment of condition(s).

OR

I move that the Commission **DENY** the Historic Design Review application for 100 N. Old Woodward – Parks/Maplewood Building. Because of _____ the work does not meet The Secretary of the Interior's Standards for Rehabilitation standard number(s) _____.

Notice to Proceed

I move the Commission issue a Notice to Proceed for number _____. The work is not appropriate, however the following condition prevails: _____ and the proposed application will materially correct the condition.

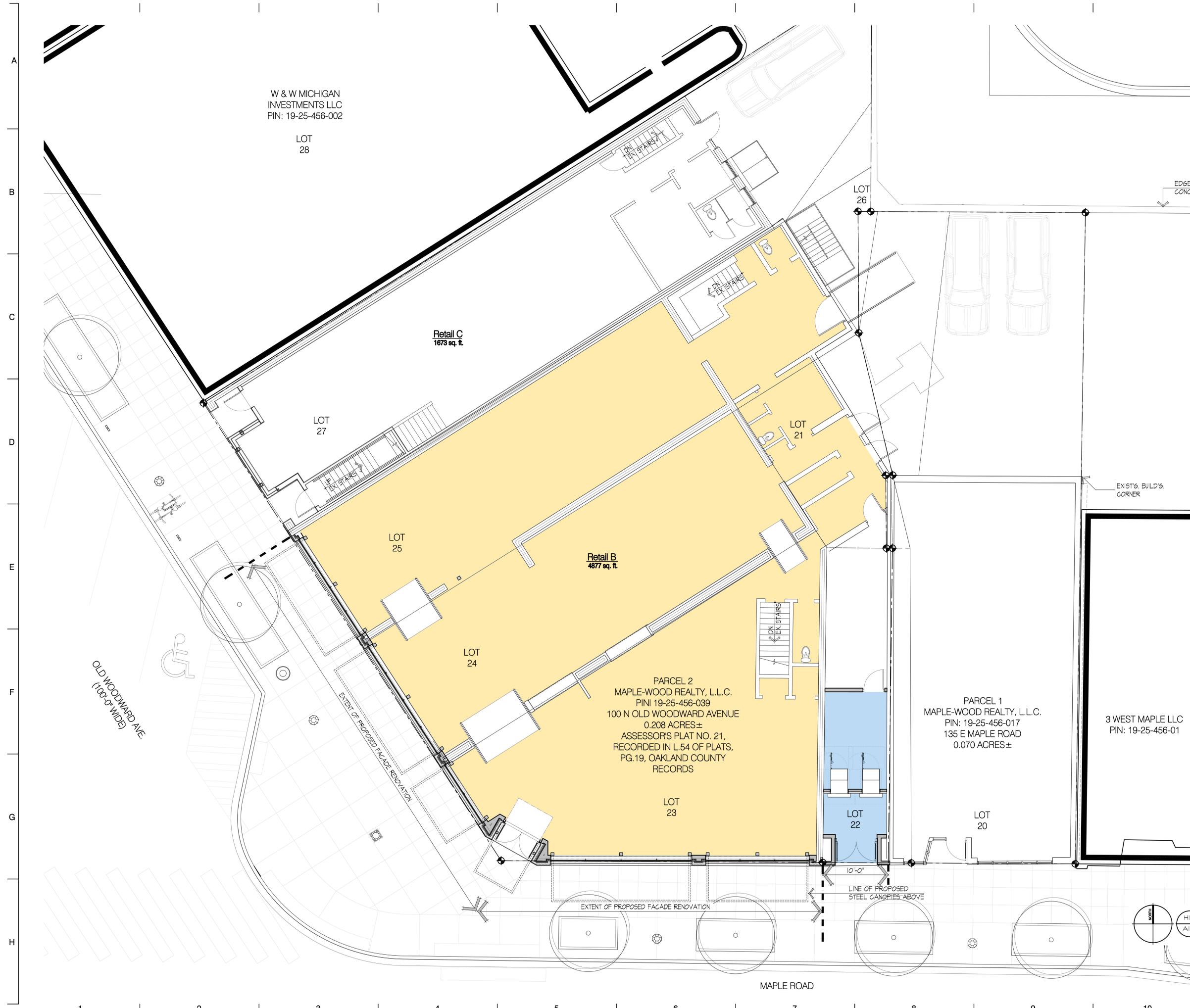
Choose from one of these conditions:

- a) The resource constitutes hazard to the safety of the public or the structure's occupants.
- b) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances.
- c) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district. have been attempted and exhausted by the owner.
- d) Retaining the resource is not in the best of the majority of the community.

THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION AND GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS

The U. S. secretary of the interior standards for rehabilitation are as follows:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



W & W MICHIGAN
INVESTMENTS LLC
PIN: 19-25-456-002

LOT
28

Retail C
1673 sq. ft.

LOT
27

LOT
25

Retail B
4877 sq. ft.

LOT
24

PARCEL 2
MAPLE-WOOD REALTY, L.L.C.
PIN: 19-25-456-039
0.208 ACRES±
100 N OLD WOODWARD AVENUE
ASSESSOR'S PLAT NO. 21,
RECORDED IN L.54 OF PLATS,
PG.19, OAKLAND COUNTY
RECORDS

LOT
23

PARCEL 1
MAPLE-WOOD REALTY, L.L.C.
PIN: 19-25-456-017
135 E MAPLE ROAD
0.070 ACRES±

LOT
22

LOT
20

3 WEST MAPLE LLC
PIN: 19-25-456-01

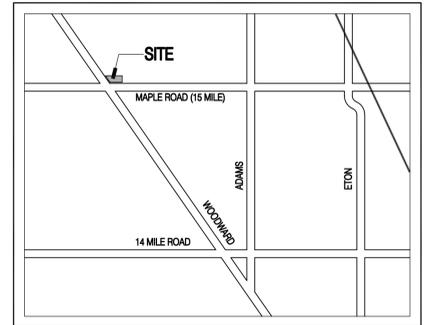
OLD WOODWARD AVE.
(100'-0" WIDE)

EXTENT OF PROPOSED FACADE RENOVATION

EXTENT OF PROPOSED FACADE RENOVATION

LINE OF PROPOSED
STEEL CANOPIES ABOVE

MAPLE ROAD



Site Location Map:
Not To Scale

SAROKI
ARCHITECTURE

430 N. OLD WOODWARD
BIRMINGHAM, MI 48009
P. 248.258.5707
F. 248.258.5515
SarokiArchitecture.com

Project:
Boji Group
N. Old Woodward Ave & W. Maple Rd.
Birmingham, MI 48009

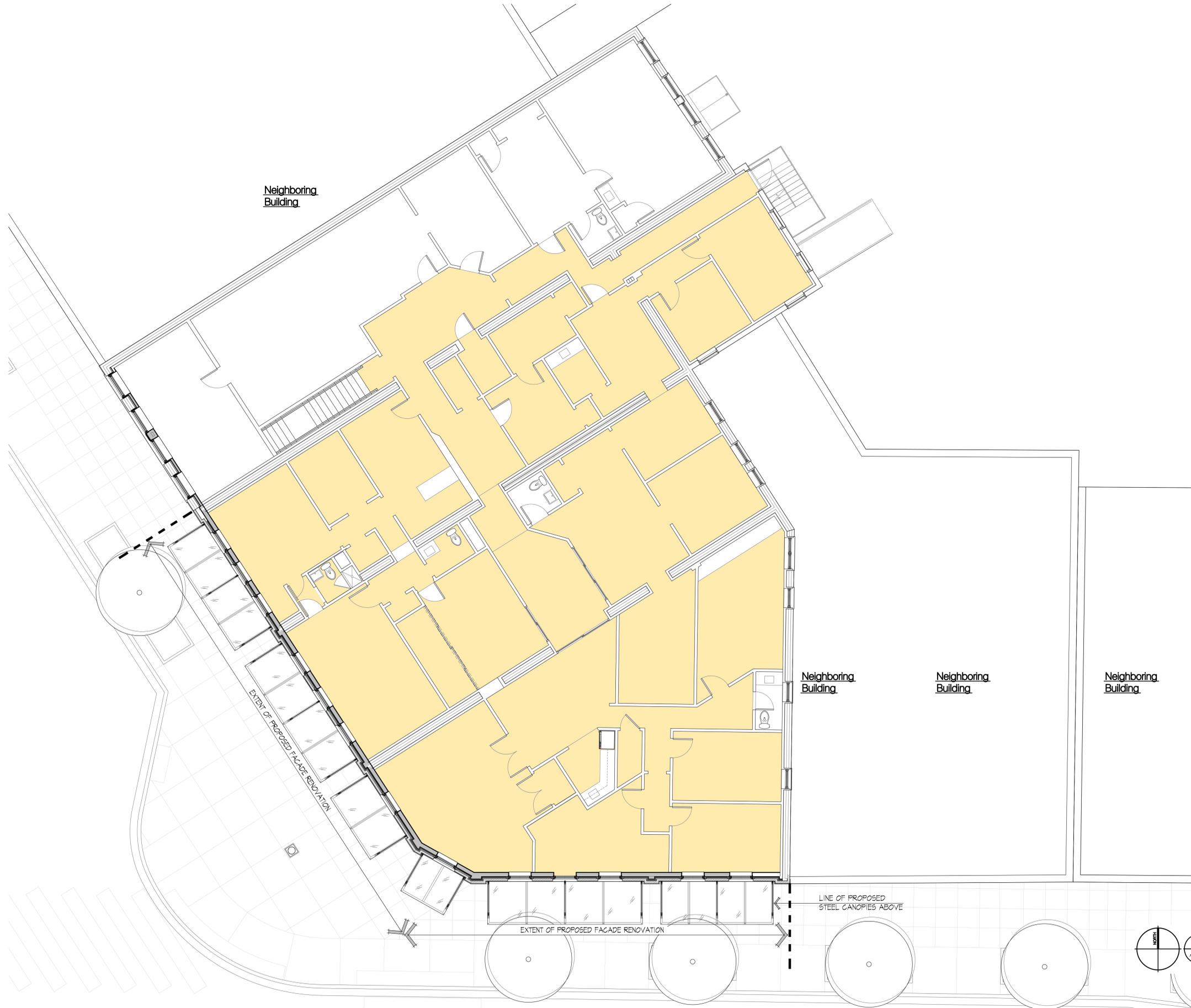
Date: Issued For:
10-15-2020 Historic District Commission App.

Sheet No.:
A101
FIRST FLOOR LEVEL

First Floor Level
SCALE: 3/16" = 1'-0"

A
B
C
D
E
F
G
H

1 2 3 4 5 6 7 8 9 10



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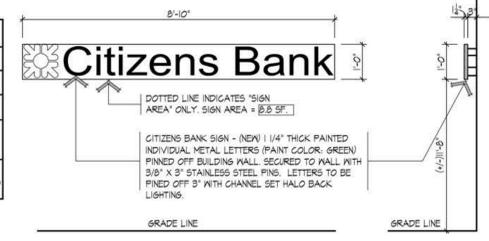
Project:
Boji Group
N. Old Woodward Ave & W. Maple Rd.
Birmingham, MI 48009

Date: 10-15-2020
Issued For: Historic District Commission App.

Sheet No.:
A102
SECOND FLOOR PLAN

H10
A102
Second Floor Plan
SCALE: 3/16" = 1'-0"

SIGNAGE STANDARDS	
Linear Frontage	10'-0" = OVERALL LENGTH OF SOUTHERN EXTERIOR (FRONTAGE) ELEVATION
Existing Signage	NO EXISTING SIGNAGE
Signage Lighting	CHANNEL BACK "HALO" LIGHTING "HALO" AT SIGNAGE
Proposed Signage	1) NAME LETTER SIGN - CITIZENS BANK - WALL MOUNTED (SOUTH SIDE) ± 8.8 SQ. FT. TOTAL SQUARE FEET OF PROPOSED SIGNAGE ± 8.8 SQ. FT.
	1 SQUARE FOOT FOR EACH LINEAR FOOT OF PRINCIPAL BUILDING FRONTAGE PERMITTED SIGNAGE SQUARE FOOTAGE 1 S.F. X 10.0 FT (FRONTAGE) = 10.00 S.F. PERMITTED



B10
A200 Proposed South / Maple Elevation
SCALE: 1/2" = 1'-0"



D10
A200 Existing South / Maple Elevation
SCALE: 1/4" = 1'-0"



- PROPOSED LIMESTONE PLASTER TOP
DETAIL TO MATCH 1894 DETAILING
- PROPOSED LIMESTONE PARAPET WALL
CAP DETAIL TO MATCH 1894 DETAILING
- PROPOSED PIGNON HOLE DETAILING
WITH BRICK COURSES TO MATCH
ORIGINAL 1894 DETAILING
- PROPOSED CORBELLED BRICK COURSE
DETAIL TO MATCH 1894 DETAILING
- LIMESTONE AND BRICK WINDOW HEAD
DETAILING TO MATCH 1894 DETAILING
- NEW ALUMINUM GLAZ DOUBLE HUNG
WOOD WINDOWS - BLACK IN COLOR
- PROPOSED BRICK FACADE TO
MATCH ORIGINAL 1894 EXTERIOR
BRICK IN DETAIL AND COLOR
- PROPOSED CORBELLED BRICK COURSE
DETAIL TO MATCH 1894 DETAILING
- PROPOSED STORE FRONT TRANSOM WINDOW
SYSTEM WITH APPLIED BLACK MANTIN SYSTEM
- LIMESTONE DETAILING TO MATCH 1894
DETAILING



B10
A200 Proposed South / Maple Elevation
SCALE: 1/4" = 1'-0"

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N. Old Woodward Ave & W. Maple Rd.
Birmingham, MI 48009
Date: Issued For:
10-15-2020 Historic District Commission App.

Sheet No.:
A200
SOUTH / MAPLE ELEVATION

A

B

C

D

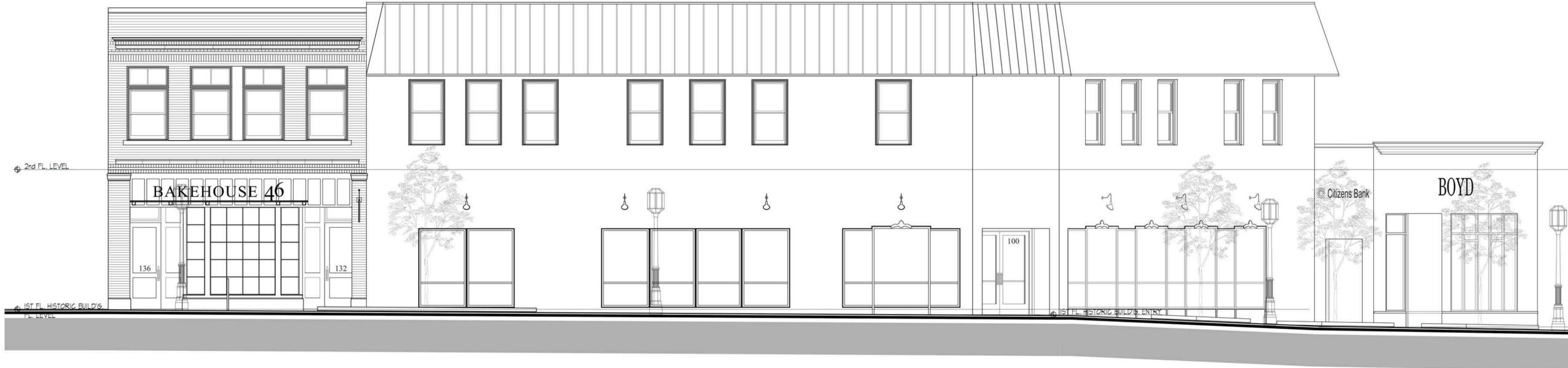
E

F

G

H

EXTENT OF PROPOSED FACADE RENOVATION
132 N. WOODWARD PARKS BUILDING



D9 Existing West / Old Woodward Elevation
SCALE: 1/4" = 1'-0"

EXTENT OF PROPOSED FACADE RENOVATION
132 N. WOODWARD PARKS BUILDING

- PROPOSED LIMESTONE PILASTER TOP DETAIL TO MATCH 1894 DETAILING
- PROPOSED LIMESTONE PARAPET WALL GAP DETAIL TO MATCH 1894 DETAILING
- PROPOSED PIDSIN HOLE DETAILING WITHIN BRICK COURSING TO MATCH ORIGINAL 1894 DETAILING
- PROPOSED CORBELLED BRICK COURSE DETAIL TO MATCH 1894 DETAILING
- LIMESTONE AND BRICK WINDOW HEAD DETAILING TO MATCH 1894 DETAILING
- NEW ALUMINUM CLAD DOUBLE HANG WOOD WINDOWS - BLACK IN COLOR
- PROPOSED BRICK FACADE TO MATCH ORIGINAL 1894 EXTERIOR BRICK IN DETAIL AND COLOR
- PROPOSED CORBELLED BRICK COURSE DETAIL TO MATCH 1894 DETAILING
- 2nd FL. LEVEL
- LIMESTONE DETAILING TO MATCH 1894 DETAILING
- PROPOSED STORE FRONT TRANSOM WINDOW SYSTEM WITH APPLIED BLACK MANTIN SYSTEM
- PROPOSED STRUCTURAL STEEL 'C'-CHANNEL CANOPY IN GLASS TOP AND STEEL ROD TIE-BACK SYSTEM - STEEL TO BE BLACK IN COLOR
- LIMESTONE DETAILING TO MATCH 1894 DETAILING
- PROPOSED STORE FRONT WINDOW SYSTEM - BLACK IN COLOR
- PROPOSED 'CAST STONE' AT BUILDING BASE TO MATCH LIMESTONE DETAILING FROM 1894 DETAILING
- 1ST FL. HISTORIC BUILDG. ENTRY
- 1ST FL. LEVEL



E9 Proposed West / Old Woodward Elevation
SCALE: 1/4" = 1'-0"

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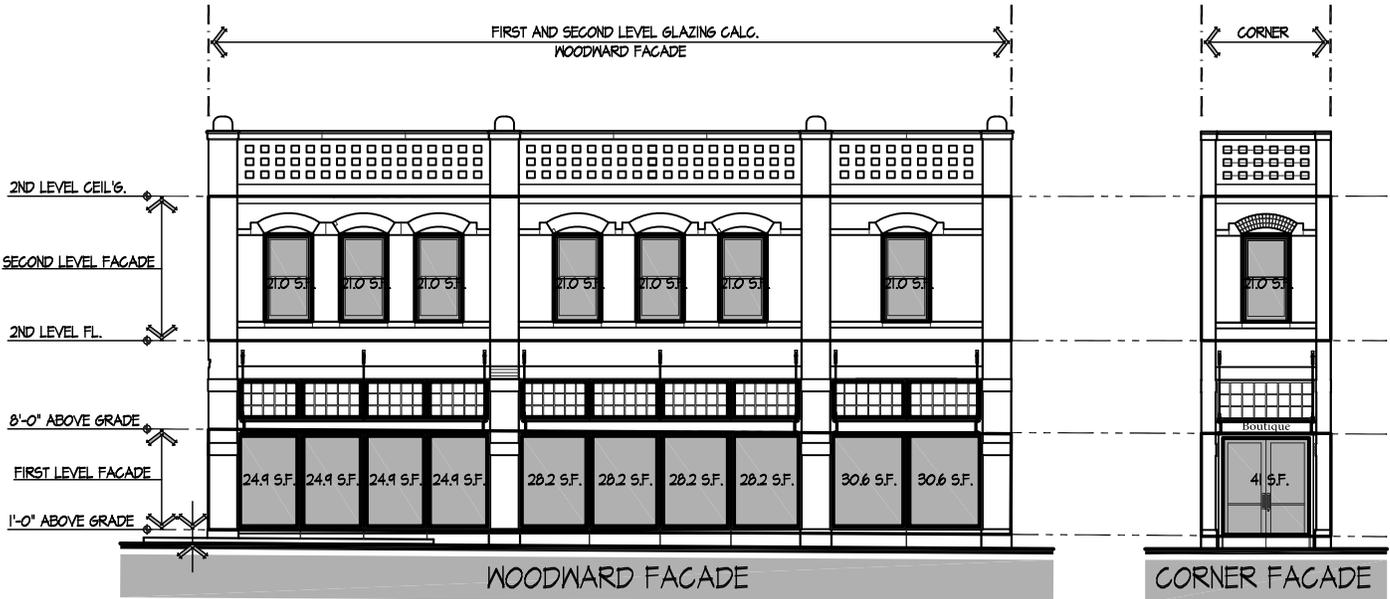
Date: 10-15-2020
Issued For: Historic District Commission App.

Sheet No.:
A201
WEST/ OLD WOODWARD ELEVATION

1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10

SECOND LEVEL FACADE AREA: 560 S.F. (WOODWARD)
 SECOND LEVEL GLAZING AREA: 147 S.F.
 147 S.F. (GLAZING) / 560 S.F. (WALL FACADE) = 26.0 %

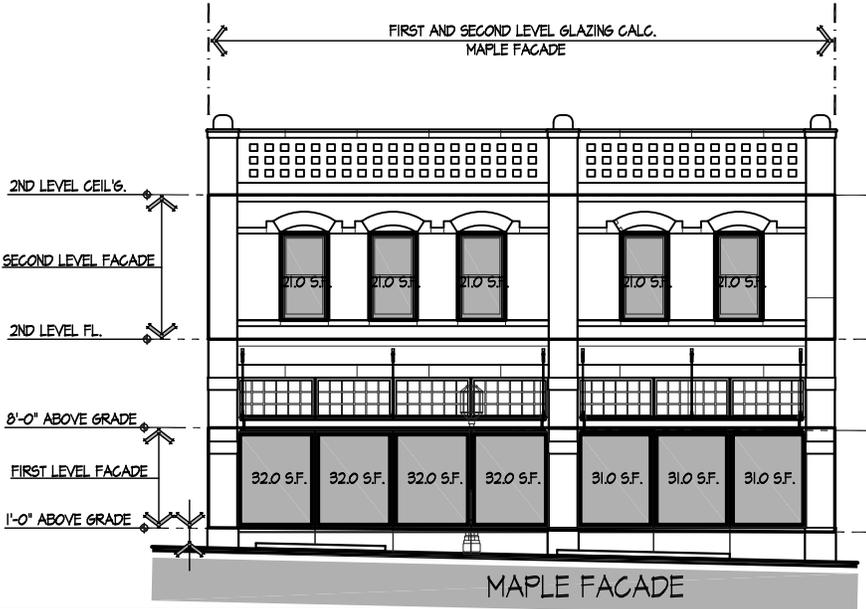
SECOND LEVEL FACADE AREA: 90 S.F. (CORNER)
 SECOND LEVEL GLAZING AREA: 21 S.F.
 21 S.F. (GLAZING) / 90 S.F. (WALL FACADE) = 24.0 %



FIRST LEVEL FACADE AREA: 391 S.F. (WOODWARD)
 FIRST LEVEL GLAZING AREA: 274 S.F.
 274 S.F. (GLAZING) / 391 S.F. (WALL FACADE) = 70.0 %

FIRST LEVEL FACADE AREA: 65 S.F. (CORNER)
 FIRST LEVEL GLAZING AREA: 41 S.F.
 41 S.F. (GLAZING) / 65 S.F. (WALL FACADE) = 63.0 %

SECOND LEVEL FACADE AREA: 437 S.F. (MAPLE)
 SECOND LEVEL GLAZING AREA: 105 S.F.
 105 S.F. (GLAZING) / 437 S.F. (WALL FACADE) = 24.0 %



FIRST LEVEL FACADE AREA: 309 S.F. (MAPLE)
 FIRST LEVEL GLAZING AREA: 221 S.F.
 221 S.F. (GLAZING) / 309 S.F. (WALL FACADE) = 72.0 %

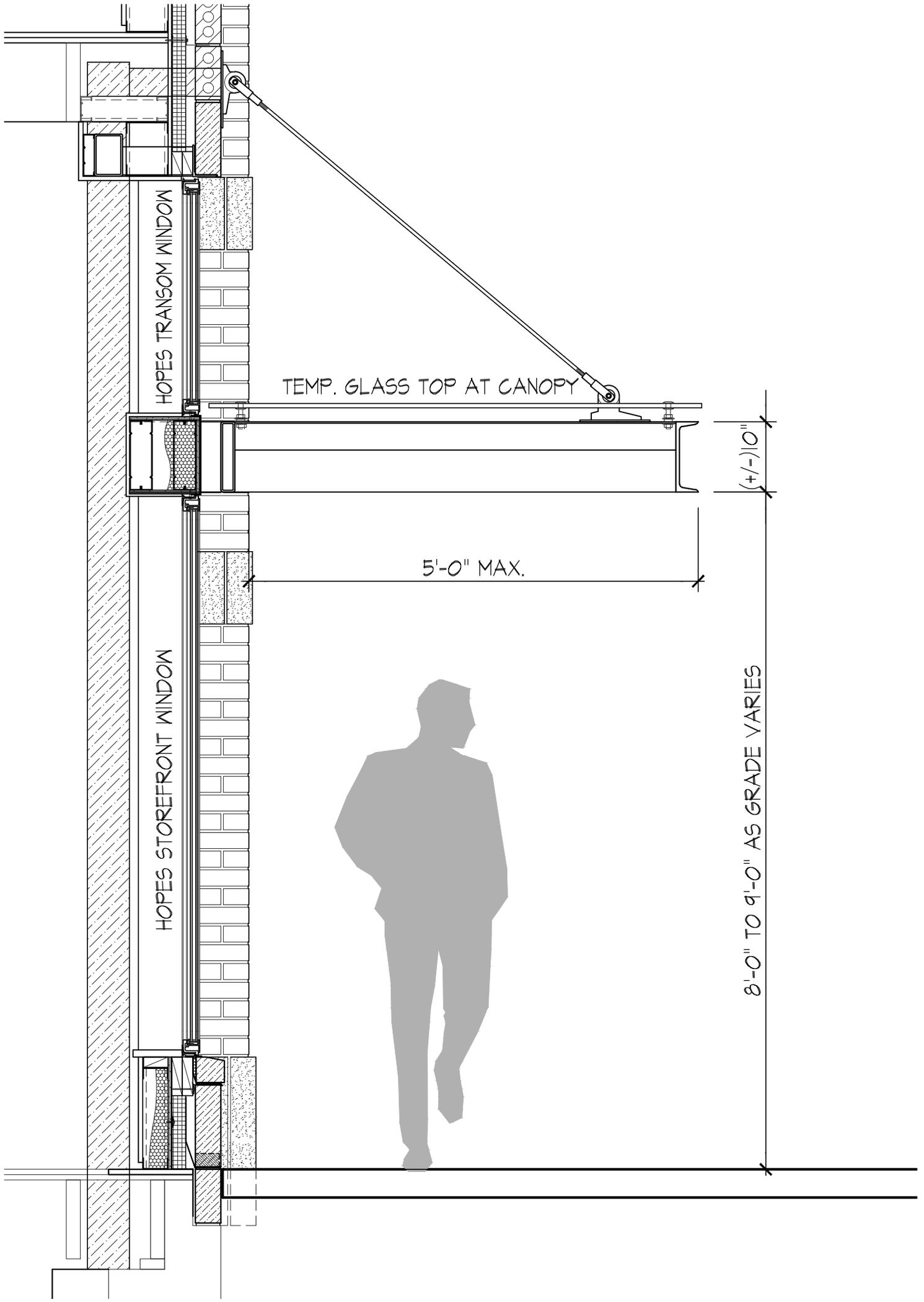
TOTAL FIRST LEVEL GLAZING CALCULATION:
 TOTAL FIRST LEVEL FACADE AREA: 765 S.F.
 TOTAL FIRST LEVEL GLAZING AREA: 536 S.F.
 536 S.F. (GLAZING) / 765 S.F. (WALL FACADE) = 70.0 %

TOTAL SECOND LEVEL GLAZING CALCULATION:
 TOTAL SECOND LEVEL FACADE AREA: 1087 S.F.
 TOTAL SECOND LEVEL GLAZING AREA: 273 S.F.
 273 S.F. (GLAZING) / 1087 S.F. (WALL FACADE) = 25.0 %



Custom Steel 10 inch tall "C-Chanel" Canopy w/ Steel Tie Backs Painted Black - Example from similar project.







Stucco

Limestone



Citizens Bank - Sign
Green PMS 340C



Frosted Glass
Canopy Glazing



Black Metal
Canopies/Windows



IMAGE 1



IMAGE 2



IMAGE 3



IMAGE 4



IMAGE 5



Preliminary or Final Historic Sign / Design Review Application Historic District Commission

Planning Division

1. Applicant

Name: Ron Boji
Address: 255 South Old Woodward Ave. Ste. 310
Birmingham MI 48009
Phone Number: 248-646-3151
Fax Number: 517-485-8604
Email Address: RBoji@bojigroup.com

Property Owner

Name: Maplewood Equities, LLC
Address: 255 South Old Woodward Ave. Ste. 310
Birmingham MI 48009
Phone Number: 248-646-3151
Fax Number: 517-485-8604
Email Address: RBoji@bojigroup.com

2. Applicant's Attorney/Contact Person

Name: John Hindo
Address: 255 South Old Woodward Ave Ste. 310
Birmingham MI 48009
Phone Number: 248-646-3151
Fax Number: 517-485-8604
Email Address: JHindo@bojigroup.com

Project Designer/Developer

Name: Victor Saroki , Saroki Architecture
Address: 430 N. Old Woodward
Birmingham, MI 48009
Phone Number: 248-258-5707
Fax Number: 248-258-5515
Email Address: VSaroki@sarokiarchitecture.com

3. Required Attachments

- Warranty Deed with legal description of property
- Photographs of existing site and buildings
- Completed Checklist
- Certified Land Survey
- Landscape Plan showing all existing and proposed elements
- Required fee (see Fee Schedule for applicable amount)
- Samples of all materials to be used
- Two (2) folded copies of plans including color elevations showing all materials and an itemized list of all changes for which approval is requested with the changes marked in color
- Catalog sheets for all proposed lighting & outdoor furniture
- One (1) digital copy of all plans and specifications

4. Project Information

Address/Location of Property: 132-136 North Old Woodward
Birmingham MI 48009
Name of Development: Maplewood Equities, LLC
Sidwell #: Parcel 1 : 19-25-456-017 Parcel 2 : 19-25-456-039
Current Use: Office / Retail
Proposed Use: Office / Retail
Area in Acres: .556 Acres
Current Zoning: B-4 (Business-Residential)
Zoning of Adjacent Properties: B-4 (Business-Residential)

132 North Old Woodward
Name of Historic District site is in, if any: Parks Building
Date of Planning Board Approval, if any: NA
Date of Application for Preliminary Historic Design Review: NA
Date of Preliminary Historic Design Review Approval: NA
Date of Application for Preliminary Site Plan: NA
Date of Preliminary Site Plan Approval: NA
Date of Final Site Plan Approval: NA
Will proposed project require the division of platted lots? No

5. Details of the Nature of Work Proposed (Attach separate sheet if necessary)

(Please specifically list all materials and colors to be used)
The intent of our proposed approach if approved would be to bring the exterior facades along Woodward and Maple back in keeping with the original brick facades. Marble Stone Panels and a applied metal mansard roof were applied to these facades in 1969 completely covering and removing the original brick and lime stone detailing. We are proposing to remove the existing marble stone panels and mansard roof and restore the two facades back relatively to their original appearance. This appearance will be of a brick facade with lime stone water table banding, brick corbeling, pigeon hole brick recesses at the top portions of the building, soldier course jack arches at 2nd floor window head conditions, as well as the reintroduction of substantial store front glazing at the 1st floor sidewalk level topped with new black painted steel canopies with painted black metal tie backs and glass covering the sidewalk for a pleasant pedestrian covered walk way. Any required materials at the facade will match existing materials. The adjacent non-historic building Tiger Shoe Repair Building will be renovated as well and receive a new stucco facade and new wall sign.

6. Buildings and Structures

Number of Buildings on site: 6 Buildings (Lot 21, 22, 23, 24, 25, and 27) Use of Buildings: Office / Retail
Height of Building & # of stories: (+/-) 30'-0" and 2 stories Height of rooftop mechanical equipment: (+/-) 8'-0" to be verified

7. Addition

Proposed use:	<u>NA</u>	Height:	<u>NA</u>
Number of floors:	<u>NA</u>	Total Floor area in sq. ft. (all floors):	<u>NA</u>
Number of sq. ft. on each floor:	<u>NA</u>	Office space in sq. ft.:	<u>NA</u>
Retail space in sq. ft.:	<u>NA</u>	Industrial space in sq. ft.:	<u>NA</u>
Assembly space in sq. ft.:	<u>NA</u>	Seating Capacity:	<u>NA</u>

8. Required and Proposed Parking

Required number of parking spaces:	<u>Existing</u>	Proposed number of parking spaces:	<u>Existing</u>
Typical angle of parking spaces:	<u>Existing</u>	Typical size of parking spaces:	<u>Existing</u>
Typical width of maneuvering lanes:	<u>Existing</u>	Number of spaces < 180 sq. ft.:	<u>Existing</u>
Location of parking on the site:	<u>Existing</u>	Number of handicap spaces:	<u>Existing</u>
Location of off site parking:	<u>Existing</u>	Shared Parking Agreement?:	<u>Existing</u>
Number of light standards in parking area:	<u>Existing</u>	Height of light standards in parking area:	<u>Existing</u>
Screenwall material:	<u>NA</u>	Height of screenwall:	<u>NA</u>

9. Landscaping

Location of landscape areas:	<u>NA - Street Scape Landscaping developed by City</u>	Proposed landscape material:	<u>NA - Street Scape Landscaping developed by City</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

10. Building Lighting

Number of light standards on building:	<u>NA - No lights intended</u>	Type of light standards on building:	<u>NA - No lights intended</u>
Size of light fixtures (LxWxH):	_____	Height from grade:	_____
_____	_____	_____	_____
Maximum wattage per fixture:	<u>NA - No lights intended</u>	Proposed wattage per fixture:	<u>NA - No lights intended</u>
Light level at each property line:	_____	Number & location of holiday tree lighting receptacles:	_____
_____	_____	_____	_____
_____	_____	_____	_____

Street Frontage:

Width: NA - No lights intended

Length: NA - No lights intended

Height: NA - No lights intended

11. Location of Proposed Signs

New Signage proposed at Existing Tiger Shoe Repair Building. Wall sign located at front of building as illustrated on proposed building elevations

12. Type of Sign(s)

Wall: X

Canopy: _____

Ground: _____

Building Name: _____

Projecting: _____

Post-mounted Projecting: _____

13. If a wall sign, indicate wall to be used:

Front: South Elevation or Front Entrance

Rear: _____

Left side: _____

Right side: _____

14. Size of Sign

Width: 8'-10"

Height: (+/-) 11'-8" to base of sign and (+/-) 12'-8" to top of sign

Depth: 1-1/4" thick pinned off metal wall sign

Total square feet: 8.8 S.F.

Height of lettering: 1'-0"

15. Existing signs currently located on property

Number: NA

Type(s): NA

Square feet per sign: NA

Total square feet: NA

16. Materials/Style

Metal: Painted individual metal letters pinned off the wall

Wood: NA

Plastic: NA

Glass: NA

Color 1 (including PMS color #): GREEN #340C

Color 2 (including PMS color #): NA

Additional colors (including PMS color #): NA

17. Sign(s) Read(s): Citizens Bank

18. Sign Lighting

Type of lighting proposed: Channel located Halo Lite

Number proposed: (+/-) 11'-8" A.F.G.

Size of light fixtures (LxWxH): _____

Height from grade: _____

Maximum wattage per fixture: NA

Proposed wattage per fixture: NA

Location: _____

Style (include specifications): _____

19. Landscaping (Ground signs only)

Location of landscape areas: NA

Proposed landscape material: NA



CONSENT OF PROPERTY OWNER

I, Ron Boji, OF THE STATE OF Michigan AND COUNTY OF
(Name of property owner)

Oakland STATE THE FOLLOWING:

1. That I am the owner of real estate located at 132-136 North Old Woodward Birmingham MI 48009;
(Address of affected property)
2. That I have read and examined the Application for Administrative Approval made to the City of Birmingham by:
Ron Boji;
(Name of applicant)
3. That I have no objections to, and consent to the request(s) described in the Application made to the City of Birmingham.

Dated: 10-20-2020

Ron Boji
Owner's Name (Please Print)

Ron Boji
Owner's Signature



PRELIMINARY or FINAL HISTORIC SIGN / DESIGN REVIEW APPLICATION CHECKLIST – PLANNING DIVISION

Applicant: Ron Boji Case #: _____ Date: 10-20-2020

Address: 132-136 North Old Woodward Birmingham MI 48009 Project: _____

All site plans and elevation drawings prepared for approval shall be prepared in accordance with the following specifications and other applicable requirements of the City of Birmingham. If more than one page is used, each page shall be numbered sequentially. All plans must be legible and of sufficient quality to provide for quality reproduction or recording. Plans must be no larger than 24" x 36", and must be folded and stapled together. The address of the site must be clearly noted on all plans and supporting documentation.

Final Site Plan

A full site plan detailing the proposed changes for which approval is requested shall be drawn at a scale no smaller than 1" = 100' (unless the drawing will not fit on one 24" X 36" sheet) and shall include:

- 1. Name and address of applicant and proof of ownership;
- 2. Name of Development (if applicable);
- 3. Legend and notes, including a graphic scale^X, north point, and date;
- 4. A separate location map;
- 5. A list of all requested elements / changes to the site plan;
- 6. Any changes requested marked in color on the site plan and on all elevations of any building(s);
- 7. General description, location, and types of structures on the site;
- 8. Details of existing or proposed lighting, signage and other pertinent development features;
- 9. A landscape plan showing all existing and proposed planting and screening materials, including the number, size, and type of plantings proposed and the method of irrigation; and
- 10. Any other information requested in writing by the Planning Division, the HDC, or the Building Official deemed important to the development.

Elevation Drawings

Complete elevation drawings detailing the proposed changes for which approval is requested shall be drawn at a scale no smaller than 1" = 100' (unless the drawing will not fit on one 24" X 36" sheet) and shall include:

- 11. Color elevation drawings showing the proposed design for each façade of the building;
- 12. List of all materials to be used for the building, marked on the elevation drawings;
- 13. Details of existing or proposed lighting, signage and other pertinent development features;
- 14. A list of any requested design changes;
- 15. Itemized list of all materials to be used, including exact size specifications, color, style, and the name of the manufacturer;
- 16. All items listed on the **Sign Review Presentation Requirements**
- 17. Any other information requested in writing by the Planning Division, the HDC, or the Building Official deemed important to the development.

Sign Review Presentation Requirements

12 sets of photos and plans (stapled together and folded) must be submitted for the Board members.

- 1. Color minimum 8 1/2" x 11" Photo of Existing Building Without Signage**
- 2. Scaled color rendering or minimum 8 1/2" x 11" photo of building with signage showing:**
 - a. Length of building
 - b. Height above grade of sign
 - c. Sign height and width (Letters, Logo, and/or Background)
 - d. Dimensions from sign to each end of the building or tenant space
 - e. Dimensions from sign to the top and bottom of the sign band
 - f. Location of all existing and proposed lighting fixtures
 - g. A landscape plan showing all existing and proposed planting and screening materials (for ground signs only)
 - h. Site plan showing location of sign (ground signs only)
 - i. Any existing signage with dimensions
- 3. Color measured drawing of sign:**
 - a. Height and width of background, letters and logo.
 - b. PMS Color numbers
 - c. Sign Materials
 - d. Cut view of sign showing:
 - I. Thickness of sign background and / or letters.(Letters must be a minimum 1/4" thick)
 - II. Electrical details
 - III. Mounting details
- 4. Lighting Information:**
 - a. Cut sheet of proposed lighting including:
 - I. Exact fixture size specifications
 - II. Fixture color
 - III. Fixture Style
 - IV. Bulb type and wattage
 - V. Manufacturer
- 5. Color minimum 8 1/2" x 11" photos of adjacent buildings**
- 6. Foam Core presentation Board:**
 - a. Approximately 24" x 36"
 - b. Attach all above pictures and plans
 - c. Attach material samples

****No painted signs allowed.**

COVENANT DEED

MAPLE-WOOD REALTY, L.L.C., a Michigan limited liability company, whose address is 132 N. Old Woodward Avenue, Birmingham, Michigan 48009 ("**Grantor**"), hereby sells, conveys, grants and bargains to **MAPLEWOOD EQUITIES, LLC**, a Michigan limited liability company, whose address is 255 S. Old Woodward, Suite 310, Birmingham, Michigan 48009 ("**Grantee**"), the premises situated in City of Birmingham, Oakland County, Michigan, more specifically described as:

See **Exhibit A** attached hereto, and made a part hereof by this reference ("**Property**");

for the sum set forth on the Real Estate Transfer Tax Valuation Affidavit filed herewith.

Grantor, for itself, its successors and assigns, covenants, grants, bargains and agrees to and with Grantee, its successors and assigns, that, subject to the exceptions set forth on **Exhibit B** hereto, Grantor has not done, committed or knowingly suffered to be done or committed any act, matter or thing whatsoever, whereby the premises hereby granted, or any part thereof, is, or shall or may be, charged or encumbered in title, estate or otherwise.

If the land being conveyed is unplatted, the following is deemed to be included:

Grantor grants to Grantee the right to make all available divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

[Signature page follows]

[SIGNATURE PAGE TO COVENANT DEED]

Dated as of JUNE 30th, 2020.

GRANTOR:

MAPLE-WOOD REALTY, L.L.C.,
Michigan limited liability company

By: [Signature]
Name: David Wetsman
Its: Authorized Representative

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me in Hartford County,
CT, on JUNE 23, 2020, by David Wetsman the Authorized Representative of
MAPLE-WOOD REALTY, L.L.C., a Michigan limited liability company

[Signature]
Print Name of Notary Public: Steven M Lewis
Notary Public, State of CT, County of Hartford
My commission expires: 11/30/23
Acting in the County of Hartford CT

Drafted by:
Daniel P. Mooney, Esq.
Honigman LLP
660 Woodward Avenue
2290 First National Building
Detroit, Michigan 48226

When recorded return to: Grantee

Send subsequent tax bills to: Grantee

Recording Fee: \$ _____

Transfer Tax: Real Estate Transfer Tax Valuation Affidavit filed.

EXHIBIT A

LEGAL DESCRIPTION

Real property located in the City of Birmingham, County of Oakland, State of Michigan, and further described as follows:

PARCEL 1:

Lot 20, except the East 41.50 feet, ALSO part of Lot 21, described as: Beginning at the Southeast lot corner; thence West 3.62 feet along the South lot line; thence North 11.20 feet; thence East 1.06 feet to the East lot line; thence Southerly 11.58 feet along the East lot line to the point of beginning; also Lot 22 except the West 10 feet of ASSESSOR'S PLAT NO. 21, A REPLAT OF HAMILTON'S EASTERN ADDITION, VAN EVERY-LAWSON SUBDIVISION. RUNDEL ADDITION, according to the recorded plat thereof, as recorded in Liber 54 of Plats, page 19, Oakland County Records.

PARCEL 2:

The West 10 feet of Lot 22 and all of Lots 23, 24, 25, 26 and 27 and part of Lot 21 described as: Beginning at the Northeast corner or most Northerly corner of said Lot 21; thence Southeasterly along lot line 23.16 feet to North wall of Clement Building; thence West along face of said North wall 1.06 feet to corner of said building; thence Southerly along face of West wall of said building 11.2 feet to South line of said Lot 21, thence West along said South line 9.08 feet to the Southwest corner of said Lot 21; thence North along West line of said Lot 21, a distance of 25.30 feet to the Northwest corner of said lot; thence Easterly along lot line 21.99 feet to beginning, all in ASSESSOR'S PLAT NO. 21, A REPLAT OF HAMILTON'S EASTERN ADDITION, VAN EVERY-LAWSON SUBDIVISION. RUNDEL ADDITION, according to the recorded plat thereof, as recorded in Liber 54 of Plats, page 19, Oakland County Records.

Commonly known as: 100, 132-136 North Old Woodward and 135 E. Maple Road, Birmingham, Michigan 48009

Tax Parcel No.: 19-25-456-017 (Parcel 1) & 19-25-456-039 (Parcel 2)

Landmark175™ Series
Thermal Steel Windows and Doors
featuring Thermal Evolution™ Technology



HOPE'S®

CUSTOM CRAFTED WINDOWS & DOORS

U-Value

tests to as low as

0.170

The Strength. The Versatility. The *Artistry* of Steel and Bronze.

Hope's hot-rolled steel windows and doors are synonymous with elegance, precision manufacturing and impeccable performance. With Hope's latest product development, **Thermal Evolution™ Technology**, we continue to maintain all the proven characteristics of traditional fully welded solid hot-rolled steel windows and doors and that of old-world craftsmanship, while offering a greater degree of thermal efficiency.

Hope's Landmark175™ Series thermal steel window design, U.S. Patent No. 8484902 for operable windows and a patent pending for fixed windows, tests to as low as 0.170 U-value.

For more information regarding this new product offering, please contact us or your nearest Hope's Representative. We look forward to working with you.



www.hopeswindows.com

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PO Box 580
Jamestown, NY 14702-0580





Hope's Landmark175™ Series

Thermal Steel Windows and Doors



Operable Landmark175™ Series solid steel window with Thermal Evolution™ technology
U.S. Patent No. 8484902

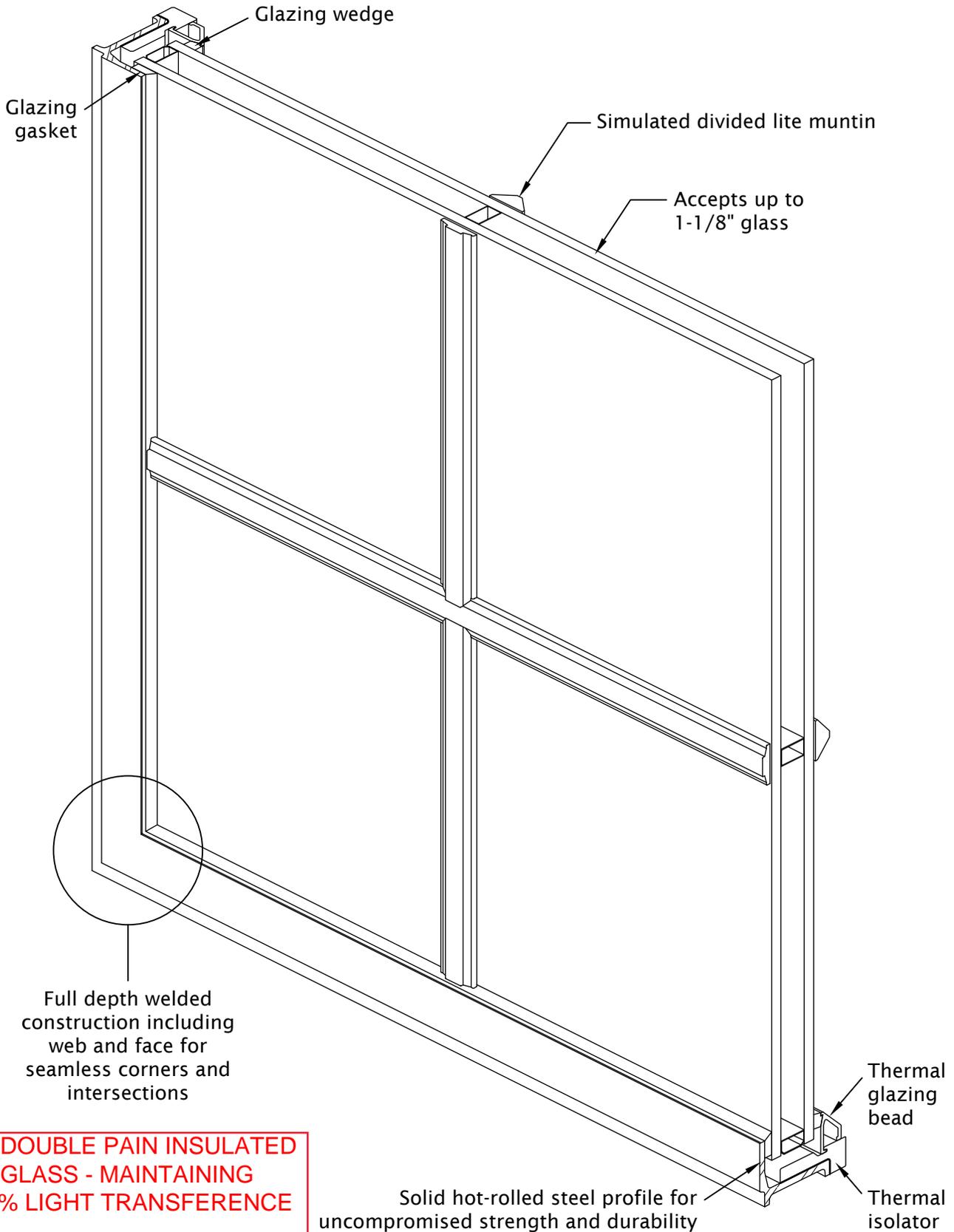
Fixed Landmark175™ Series solid steel window with Thermal Evolution™ technology
Patent pending

Photo: IMG_INK

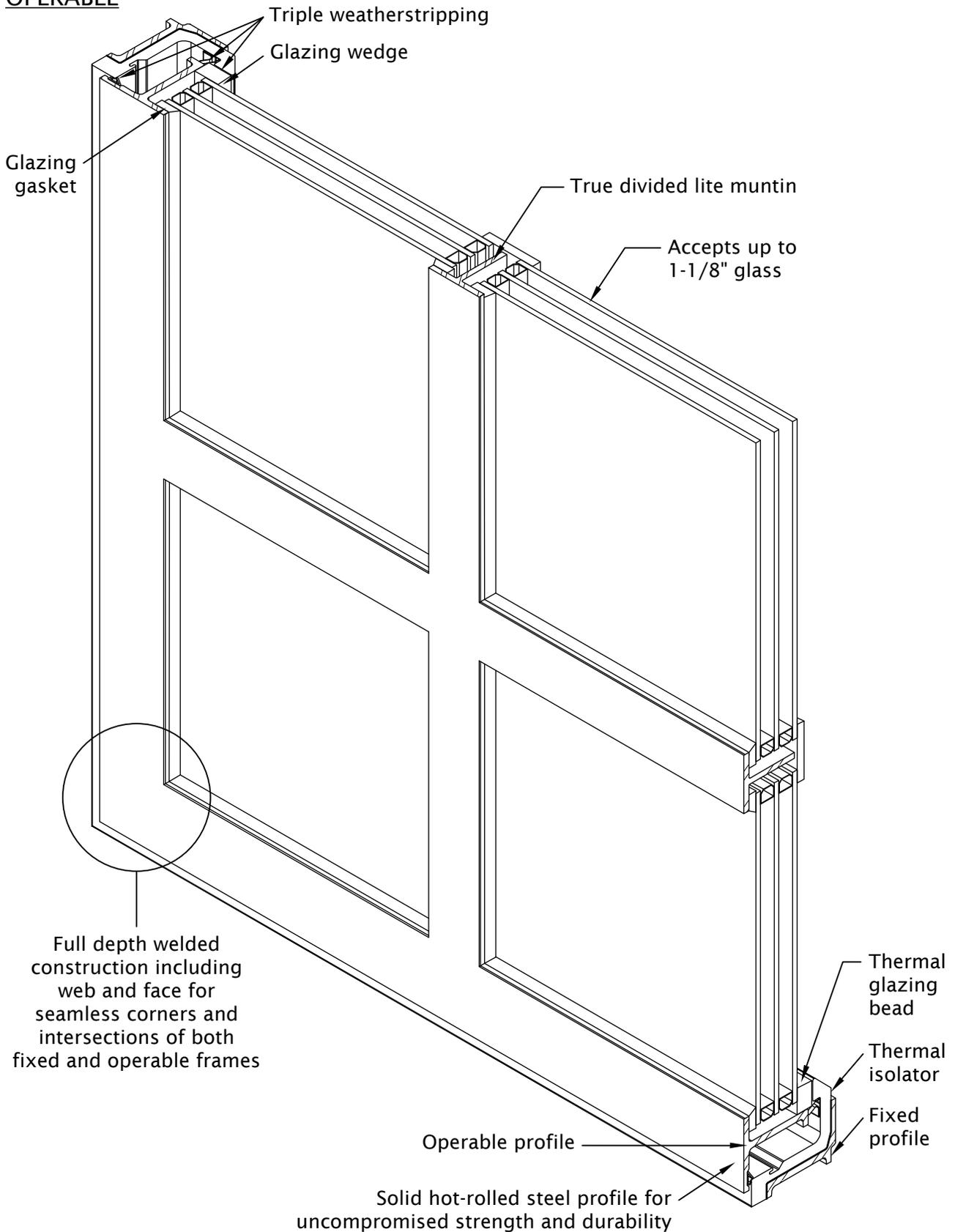
BREAK WITH TRADITION. Traditionally, adding thermal breaks to solid steel windows meant dramatically weakening the steel materials that made them superior in the first place. Now, with Thermal Evolution™ technology, solid steel remains solid. And solid steel windows – fixed or operable – remain just as narrow and graceful as ever. Achieve a NFRC certified U-factor as low as 0.170 with enhanced condensation resistance. Ideal for new construction, retrofit, or historic preservation applications. Learn more today at www.hopeswindows.com/evolution

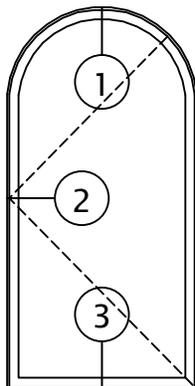
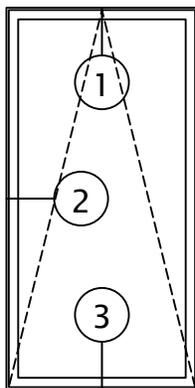
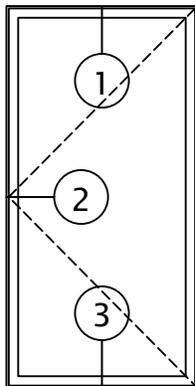
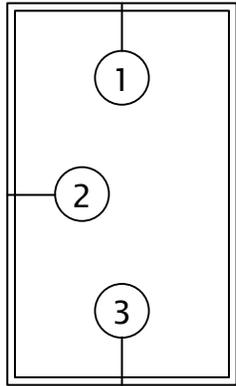


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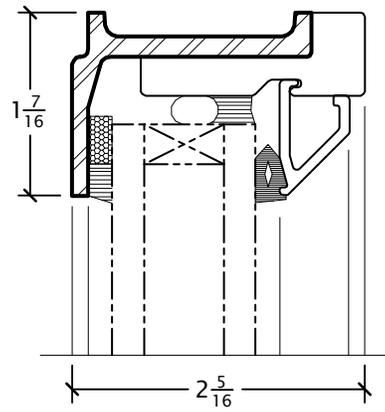
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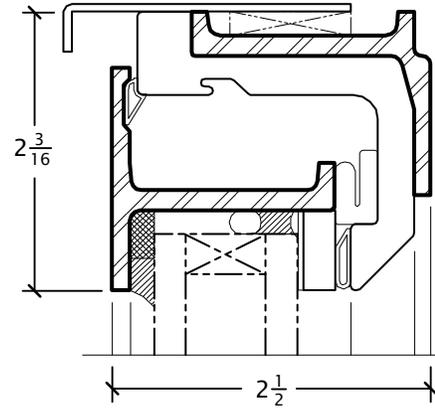


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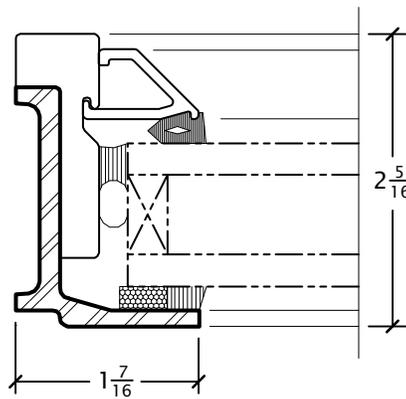


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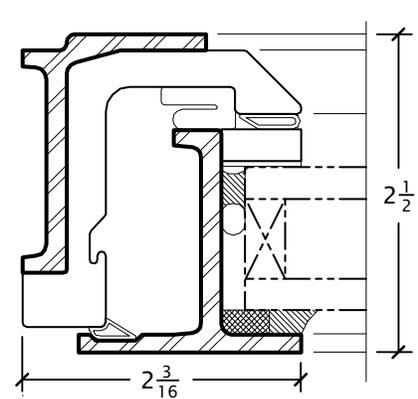


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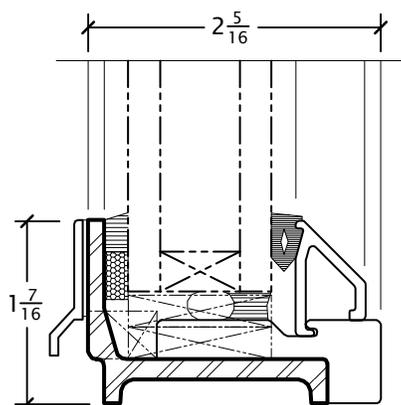


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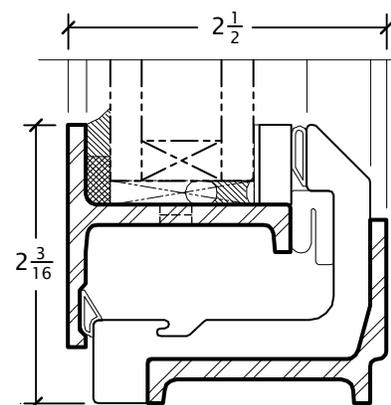


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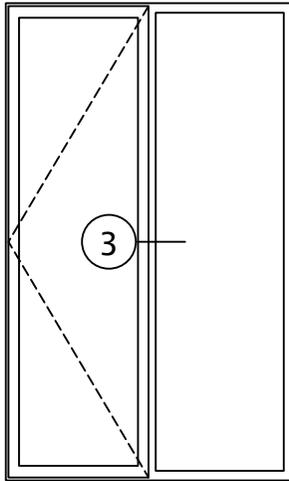
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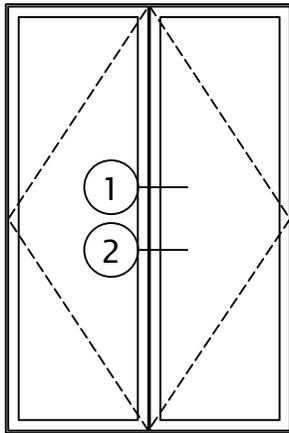
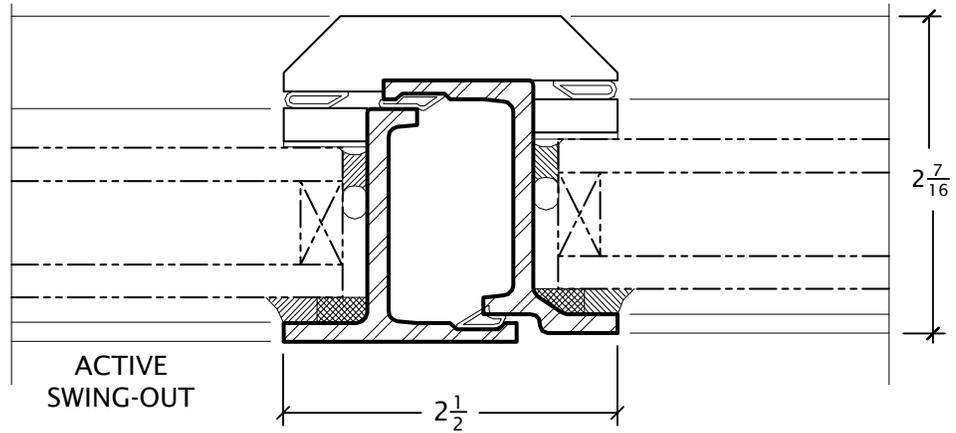
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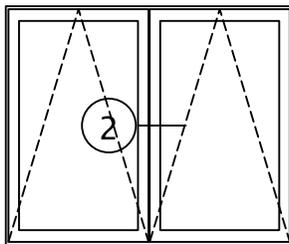
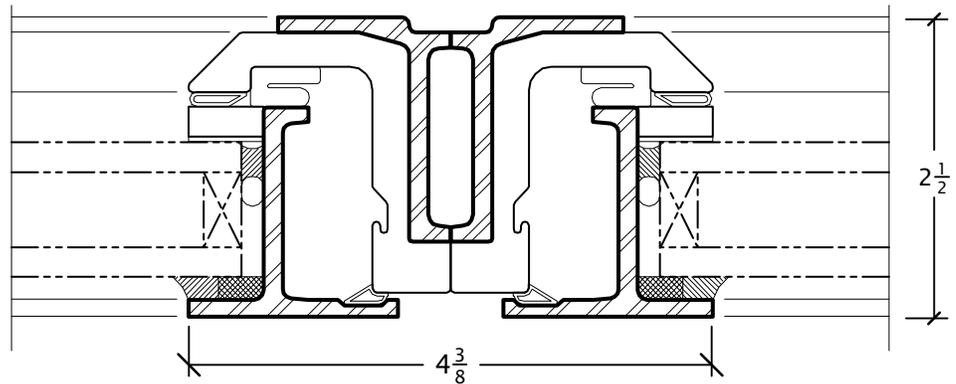
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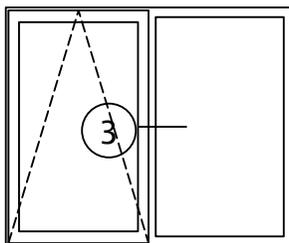
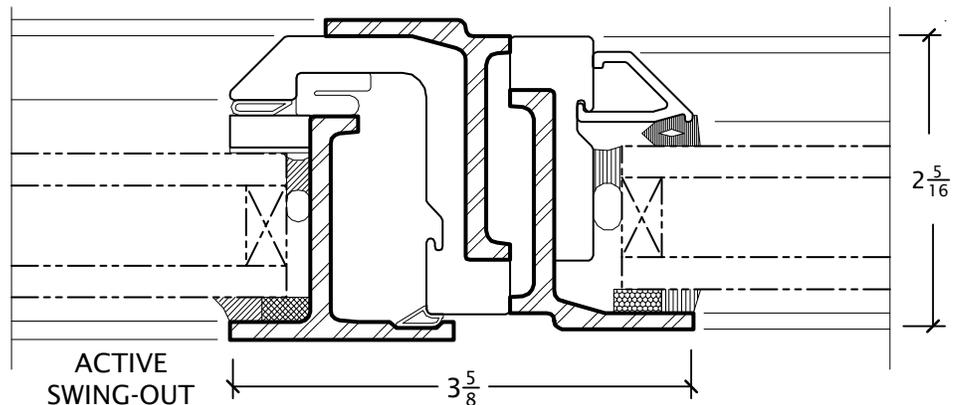
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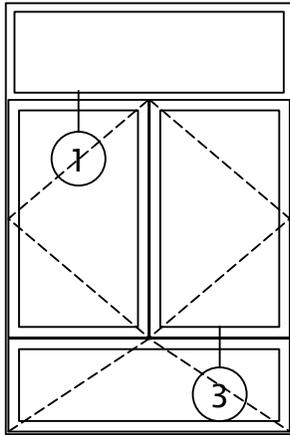
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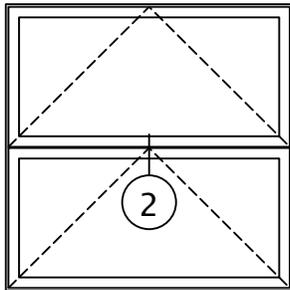
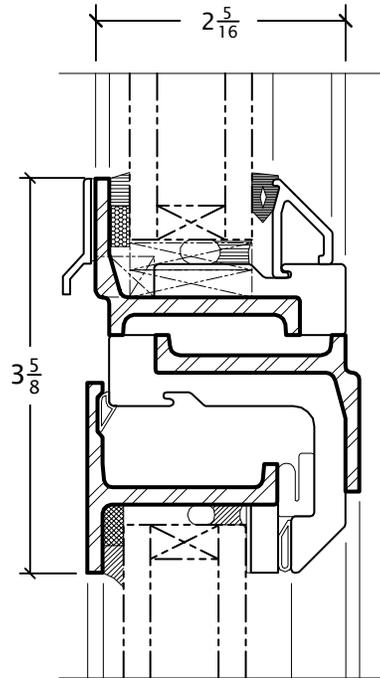
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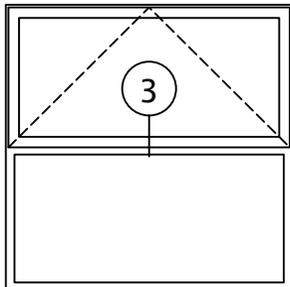
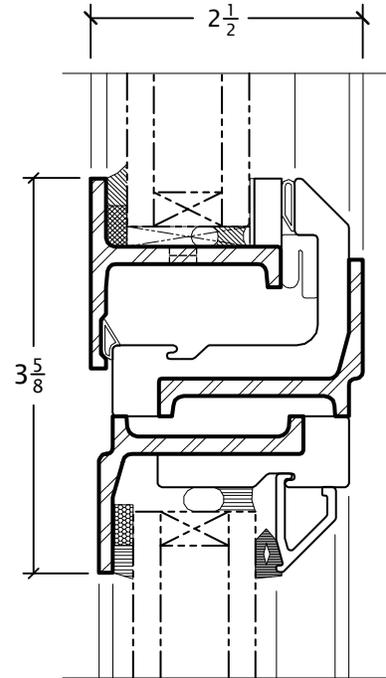
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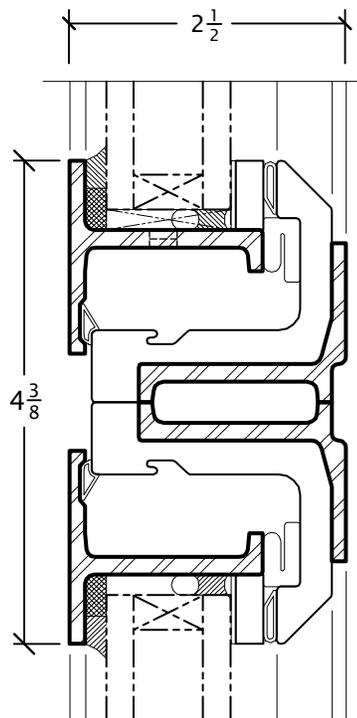
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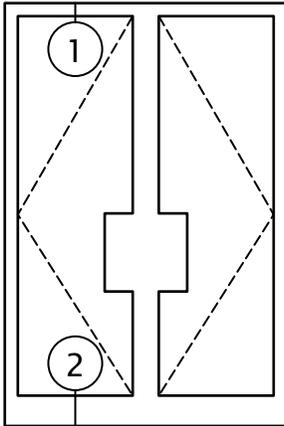
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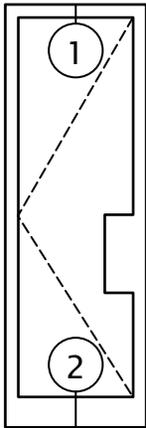
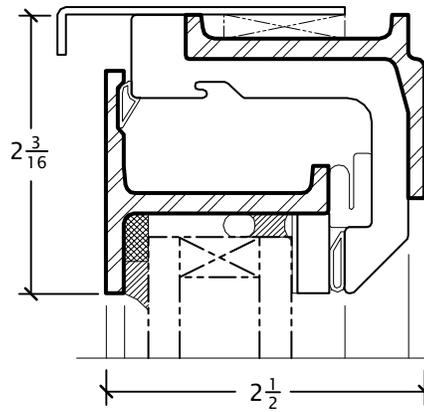
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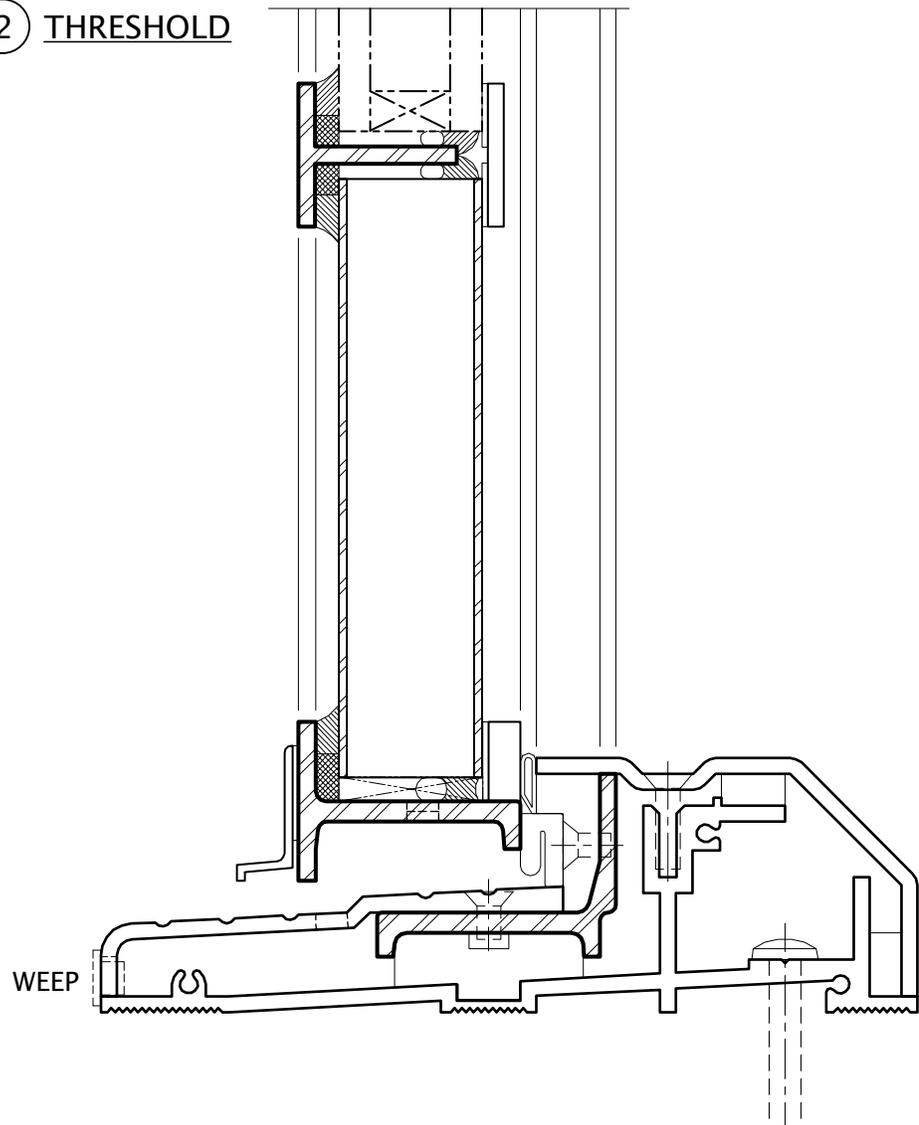
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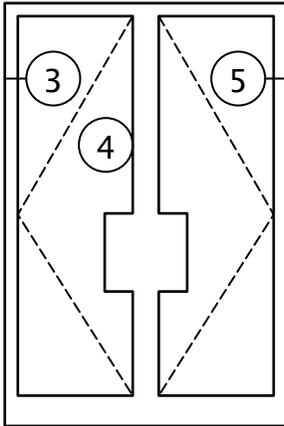
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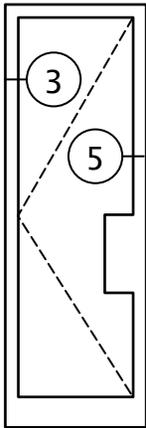
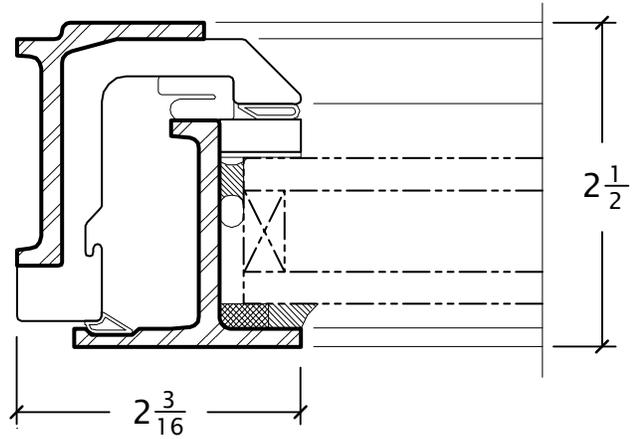
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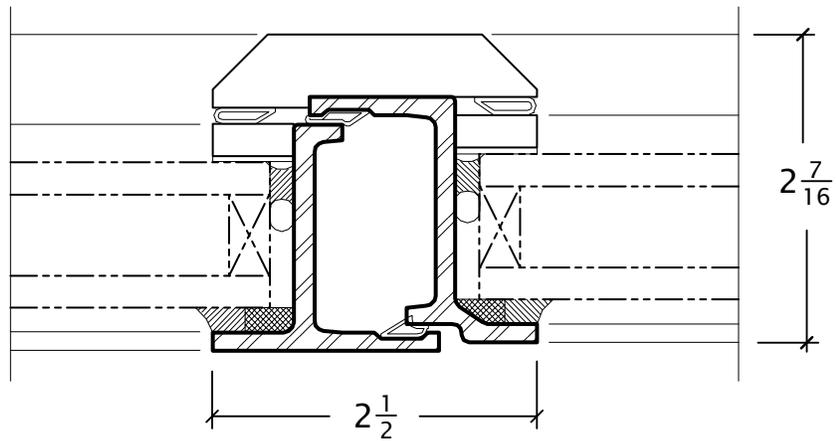
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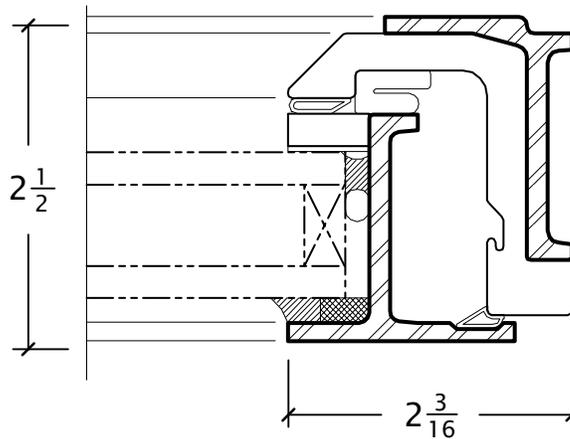
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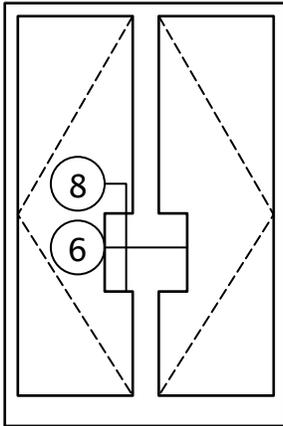
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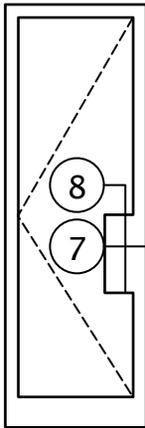
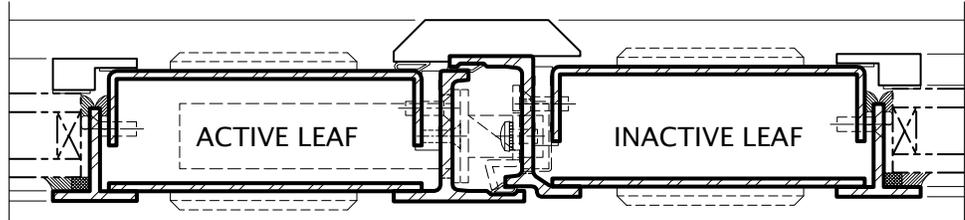
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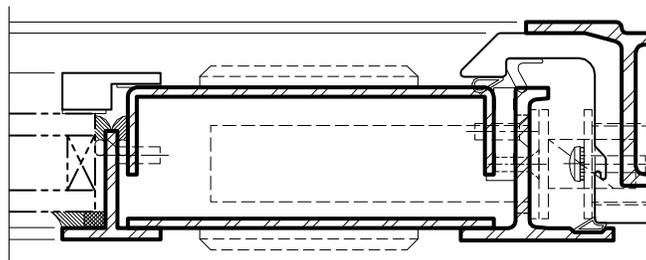
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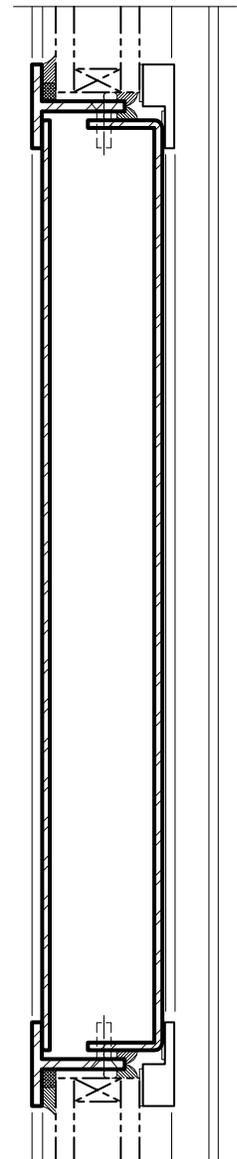
6 LOCKBOX AT DOUBLE FOLDING MEETING RAIL



7 LOCKBOX AT JAMB

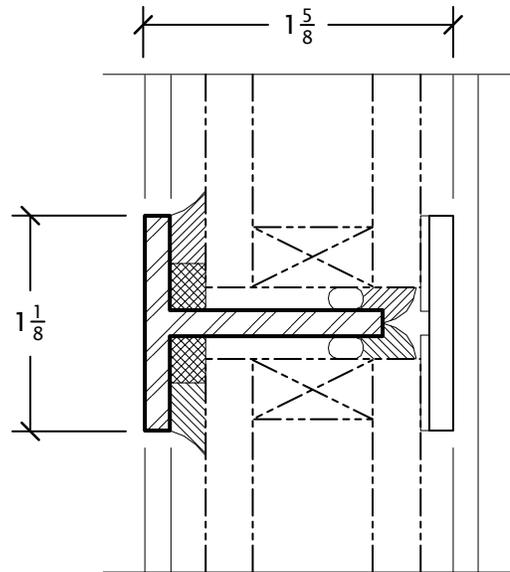


8 LOCKBOX

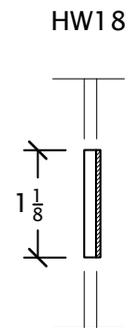
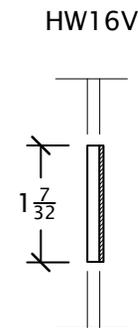
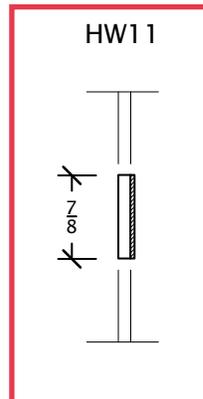
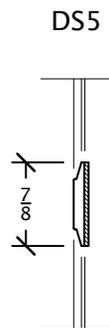
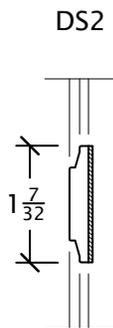
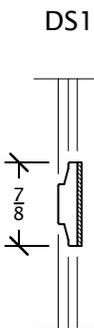
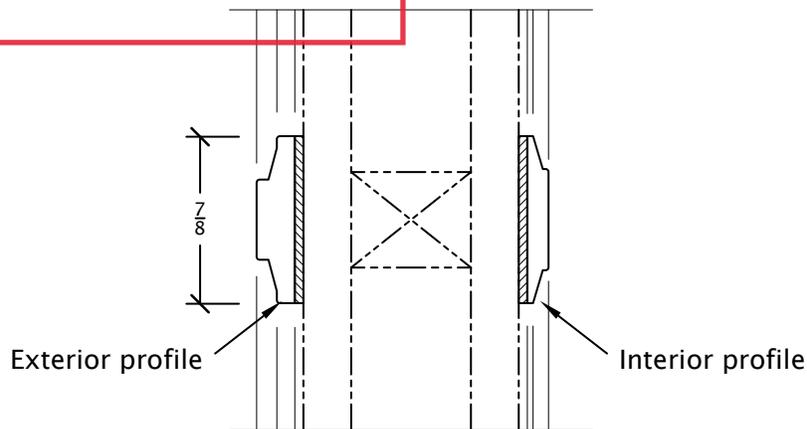


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TRUE DIVIDED LITE MUNTIN

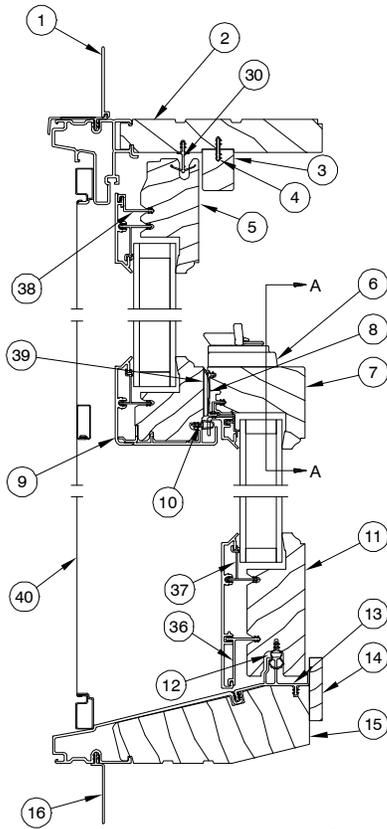


SIMULATED DIVIDED LITE MUNTINS



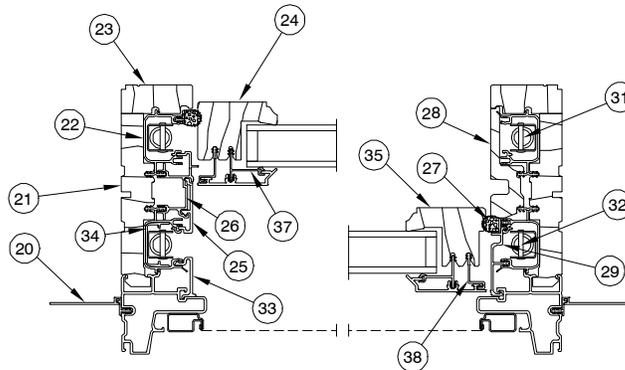
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**Ultimate Double Hung G2
Operator**

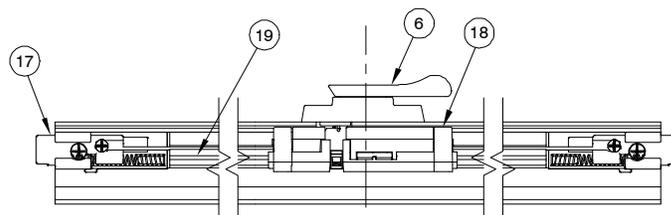


**Head Jamb and Sill
Vertical Detail**

1. Head Jamb Nailing Fin/Drip Cap, V119
2. Head Jamb
3. Parting Stop, W11578
4. Connecting Barb, V803
5. Top Rail
6. Sash Lock
7. Bottom Check Rail
8. Bottom Check Rail Hardware Cover, V2478
9. Top Check Rail
10. Top Check Rail Weather Strip, V2803
11. Bottom Rail
12. Weather Strip, V2779
13. Sill Thermal Break, V2191
14. Sill Liner, W11576
15. Sill
16. Sill Nailing Fin, V084
17. Bottom Sash Latch Assembly
18. Cord Guide Assembly
19. Operation Cord
20. Jamb Nailing Fin, V104
21. Jamb
22. Vinyl Jamb Liner, V2655
23. Jamb Liner, W12679
24. Stile Bottom Sash
25. Clad Mid Exterior Cover, A2460
26. Mid Cover Base, V2432
27. Frame Weather Strip, V2682
28. Interior Jamb Cover, W11581
29. Exterior Hardware Cover, V2338
30. Head Jamb Weather Strip, V2783
31. Bottom Sash Balance Tube
32. Top Sash Balance Tube
33. Exterior Clad Cover, A2615
34. Exterior Sash Stop, V2257
35. Stile Top Sash
36. Bottom Rail Filler V2301
37. Glazing Bead V2300
38. Sash Filler V2430
39. Strike assembly
40. Full Screen Assembly



**Jamb
Horizontal Detail**

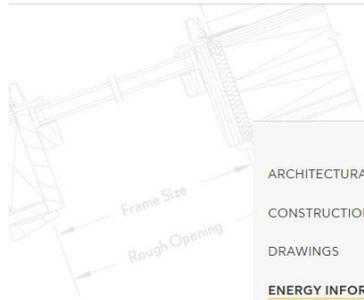


Check Rail

TOOLS AND DOCUMENTS

Signature Ultimate Double Hung G2

Ultimate Double Hung / Single Hung G2



- ARCHITECTURAL DETAIL MANUALS
- CONSTRUCTION SPECIFICATIONS
- DRAWINGS
- ENERGY INFORMATION**
- HOW-TO VIDEOS
- INSTALLATION INSTRUCTIONS
- OWNER'S MANUALS
- PARTS MANUALS
- SIZES & ELEVATIONS

Clear Glass - Maintaining Min. 80% Light Transference

ENERGY DATA	U-FACTOR	SHGC	VT	ENERGY STAR
Insulated Glass - Low E2 - Argon - SDLN < 1" - with Combination	0.23	0.26	0.41	N, NC
Insulated Glass - Low E2 - Argon - with Combination	0.23	0.29	0.47	N, NC
Insulated Glass - Low E2 - Argon - SDLS < 1" - with Combination	0.23	0.26	0.41	N, NC
Insulated Glass - Low E1 - Argon - SDLN < 1"	0.30	0.44	0.50	N
Insulated Glass - Low E1 - Argon - SDLS < 1"	0.30	0.44	0.50	N
Insulated Glass - Low E1 - Argon	0.30	0.50	0.57	N
Tri-Pane Glass - Low E2 / Low E1 - Argon	0.25	0.27	0.45	N, NC
Tri-Pane Glass - Low E2 / Low E1 - Argon - SDLN < 1"	0.25	0.25	0.40	N, NC, SC, S
Tri-Pane Glass - Low E2 / Low E1 - Air	0.29	0.28	0.45	NC
Tri-Pane Glass - Low E2 / Low E1 - Air - SDLN < 1"	0.29	0.25	0.40	NC, SC, S
Insulated Glass - Low E2 - Argon - SDLN < 1"	0.30	0.27	0.46	NC
Insulated Glass - Low E2 - Argon - SDLS < 1"	0.30	0.27	0.46	NC
Insulated Glass - Low E2 - Air - SDLN < 1"	0.33	0.27	0.46	
Insulated Glass - Low E2 - Air - SDLS < 1"	0.33	0.27	0.46	
Insulated Glass - Low E2 - Air	0.33	0.30	0.52	
Insulated Glass - Low E3 - Argon - SDLS < 1"	0.29	0.18	0.41	NC, SC, S
Insulated Glass - Low E3 - Argon	0.29	0.20	0.46	NC, SC, S
Insulated Glass - Low E2 - Argon	0.30	0.30	0.52	NC
Insulated Glass - Low E3 - Argon - SDLN < 1"	0.29	0.18	0.41	NC, SC, S

MARVIN SIGNATURE™ ULTIMATE

Clad Color Options

Our low maintenance clad-wood products feature an extruded aluminum exterior finished in commercial-grade high performance PVDF fluoropolymer paint. Because our finish meets the toughest American Architectural Manufacturers Association (AAMA) 2605 standard, you can expect even our richest and boldest hues to resist fading and chalking even in harsh sun or extreme weather conditions. A palette of nineteen color options spans from muted, earthy tones to bold, rich colors and three pearlescent finishes. Custom color matching is also available to meet any design vision.

The American Architectural Manufacturers Association (AAMA) awards certifications to materials that pass numerous, rigorous tests. These tests simulate the harsh conditions that a finish will encounter throughout the life of the window or door. Passing these specification tests and achieving AAMA verification provides independent verification that our finishes are best-in-class.



Selected: Ebony

**Finish samples are approximate and colors on screen can vary. Visit your local dealer to see actual color samples.*





Boji Group

GALLERY



BAKEHOUSE 46



hello
COFFEE
LOCAL FOOD
ARTISAN

of other outdoor burning from the standpoint of enforcement in an ordinance that would prohibit the burning of leaves.

Yeas: - Dorsey, McNamee, Page, Saunders and Schmidt
Nays: - Clippert

- 1633-69 -

Communication received from Charles N. Agree, Inc. on behalf of owners of a building at the northeast corner of Maple and Woodward - Maplewood (a Michigan Co-Partnership) and the proposed tenant, Rose Jewelry Company; requesting authorization to remodel and upgrade the building by installing a marble veneer facing that will encroach 2 inches into the public right-of-way for a distance of 21 ft. above the sidewalk.

Working from a sketch on the demonstration board, Mr. Kenning, City Manager, described the proposed remodeling.

Mr. Chamberlain was present, representing the petitioner, and he answered questions from the Commission. It was noted the cornice projection and trim around show windows is permitted under Sections 312.1 and 312.2 of the B.O.C.A. Code and that the proposed encroachment will continue along the building up to the Warfield Paint Store.

Mr. Chamberlain submitted a sample of the material to be applied to the building exterior.

- 1634-69 -

Moved by Commissioner Page,

Seconded by Commissioner Saunders, that the administration be directed to have prepared for return to the Commission, a license agreement that will permit the encroachment into the public right-of-way requested by the owner of the building at the northeast corner of Woodward and Maple.

Yeas: - 6
Nays: - 0

- 1635-69 -

Communication received from William P. Hampton, State Representative, acknowledging receipt of a resolution from the City Commission supporting the position of the City of Ferndale with respect to a revision of tax exemption for senior citizens; and noting that he had co-sponsored the bill and would work for passage of similar legislation.

- 1636-69 -

Communication received from the City of Berkley giving notice of its request to the Legislature to amend the existing law to enable Berkley and other taxing units to file direct appeals of equalization from the action of the Board of Supervisors, and that there be further legislation requesting taxing units to collect a greater rate of interest on delinquent taxes than $\frac{1}{2}$ of 1%.

Mrs. Bawden, Supervisor present in the audience, noted that municipalities presently do have the right of appeal and she

- V -

10-27-69

parking lot that will greatly relieve the hazardous situation. He requested a delay in a decision until this construction can be completed.

- 1672-69 -

Moved by Commissioner Page,
Seconded by Commissioner Breck, that action on the recommendation from the Traffic and Safety Board that left turns from Maple into the National Bank of Detroit parking lot be deferred for 28 days or until the bank reports completion of a new entrance to the lot.

Yeas: Breck, Dorsey, McNamee, Page, Saunders and Schmidt
Nays: - None
Not Voting: - Clippert (having abstained from the discussion)
Mayor Clippert assumed the chair.

- 1673-69 -

Moved by Commissioner Page,
Seconded by Commissioner Breck, that in view of the great importance of President Nixon's scheduled television message at 9:30 p.m., that adjournment of this meeting be in hour (9:20 p.m.).

Yeas: - 7
Nays: - 0

- 1673-69 -

Report received from the City Manager submitting a proposed license agreement with Maplewood, a Michigan Co-Partnership, for renovation of a building at the northeast corner of Maple and Woodward, to be occupied by Rose Jewelers. Mr. Kenning reported, however, that after submitting the plan to the Urban Designer for review, the designer had contacted the architect for Rose Jewelers and that they would meet later in the week. He recommended deferment of action on the agreement as submitted.

- 1674-69 -

Moved by Commissioner Page,
Seconded by Commissioner Breck, that consideration of the license agreement for application of facing material on the exterior of the building at the northeast corner of Maple and Woodward be deferred for one week.

Yeas: - 7
Nays: - 0

- 1675-69 -

Report received from the City Manager concerning leaf burning and leaf burning as related to three primary questions asked of the administration by the Commission during a recent discussion; being (1) Feasibility of city leaf collection from unpaved, uncurbed streets, (2) an ordinance prohibiting the burning of leaves, and (3) the feasibility of a general ban on all outdoor refuse burning.

The report included a summarization of the advantages of city pick up of leaves from all streets, curbed and uncurbed,

- III -

11-03-69

on the planning responsibility for road improvements in the State and the TALUS program. He suggested there are a number of items of interest to the Commission and he recommended review prior to the January meeting. He reported the schedule of dues had been approved and that out of the Two Hundred Twenty Five Thousand Dollars revenue from membership fees, Birmingham's share for 1970 is \$1,080.00.

- 1698-69 -

Report received from the City Manager resubmitting the license agreement that was returned to the Commission November 3, 1969 whereby a renovation of the building at the northeast corner of Maple and Woodward could include application of a facing that will extend not to exceed 2 inches into the public right-of-way on Woodward and Maple. Mr. Kenning reported that the Urban Design Consultant and the architect for the owner of the building had met and had agreed upon a change in the initially proposed roof material, and elimination of shutters on the second floor windows; and that in view of the revisions Johnson, Johnson & Roy/inc. had concluded the use of travertine wall paneling as selected by the architect "is the best solution and will be compatible with the material vocabulary" of the facade as well as with the surround architecture and had stated that "with the *ing incorporation of the above revision, we feel that the proposed remodeling will transform the existing structure into a successful architectural statement compatible with the established character of Birmingham".

- 1699-69 -

Moved by Commissioner Schmidt,
 Seconded by Commissioner Saunders, that the Mayor and Clerk be and hereby are authorized and directed to execute a license agreement with Maplewood, a Michigan Co-Partnership, of 132 North Woodward, Birmingham, Michigan, whereby the building at the northeast corner of Woodward and Maple can be renovated by application of travertine wall paneling that will encroach into the right-of-way of Maple and Woodward up to 2 inches; the renovation to include other revisions described in a letter from Johnson, Johnson & Roy/inc. to the City Manager dated November 5, 1969 and captioned "Remodeling Proposed Review Rose Jewelers - Northeast Corner of Maple and Woodward".

Yeas: - 7
 Nays: - 0

- 1700-69 -

Report received from the City Manager submitting a program that would provide for collection of leaves from all city streets by city equipment on a weekly basis and reporting the need for purchase of additional equipment and employment of additional temporary employees during the eight week leaf collection period. It was noted the enlarged collection program would require an equipment appropriation for purchase of three additional trucks and three high vacuum leaf loaders and that the increased annual cost for refuse collection would be in accordance with the following table:

- III -

11-10-69



MEMORANDUM

Planning Division

DATE: November 18th, 2020
TO: Historic District Commission
FROM: Nicholas Dupuis, City Planner
SUBJECT: Historic Design Review – 412 Willits – Stickney House

Zoning: R-2 Single-Family Residential

Existing Use: Single-family Residential

History

This home was built on a portion of land purchased by Elijah Willits between 1821 and 1827. He paid \$320 for 160 acres. The house is believed to have been built in 1860, although this is not reflected in the abstract. This date is also disputed by an Eccentric article from 1967 that states the house was built at the time the land was purchased (c. 1821). After the death of Elijah Willits in 1868 the house was purchased by Mrs. Ann Stickney, after whom the house is now named. Mrs. Stickney died in 1888 with no living heirs. The house was sold to the highest bidder at that time. The house changed hands a number of times after that, and in 1979 was designated historic. At that time the newest owners, Mr. and Mrs. Lark, made major interior alterations and added “a few feet” to the back of the house. The exterior of the house has retained its historic character throughout the years.

Historic District Commission Review History

The applicant has been before the Historic District Commission on two occasions. In September 2018, the applicant proposed a modest addition to the rear of the house with a new basement and deck. The applicant returned in February of 2020 with a modified proposal for an addition to the side/rear of the home with no basement. The Historic District Commission approved both the original and modified versions of the proposal. However, the 2020 approval required the applicant to seek variances for side yard setback and distance between buildings regulations in the R2 zoning District. The Board of Zoning Appeals denied the variance request in May of 2020. Thus, the applicant has reverted back to their original plan and have submitted a Design Review application for an addition identical to the addition proposed in 2018.

Proposal

As noted above, the applicant is proposing to add a modest 513 sq. ft. addition to the rear of the house. The project consists of a new master suite, a new deck, and a new basement. As was the case in the prior proposals, the historic resource (front portion of the house) will remain

untouched and unaltered as a part of this project. The applicant has also noted that the existing koi pond ("pool" as noted on the plans) will also be replaced with landscaping/garden space. The following table summarizes the dimensional requirements in the R2 zoning district affected by this proposal:

R2 District Development Standards	Required	Proposed
Minimum Open Space	40%	52.8%
Maximum Lot Coverage	30%	26.2%
Minimum Front Yard Setback	200 ft. Avg. or 25 ft.	10.87 ft. (Existing)
Minimum Rear Yard Setback	30 ft.	45.75 ft.
Minimum Combined Setback	55 ft.	56.62 ft.
Minimum Side Yard Setback (One)	9 ft. or 10%	10.75 ft.
Minimum Side Yard Setback (Both)	14 ft. or 25%	15.75 ft.

The applicant has also submitted material details for the proposed addition that match both of the previous approvals. The material details are as follows:

Material	Location	Color
Cement Plaster	Foundation	Raw (Grey)
Shake Siding (Cedar or Composite)	Addition Façade	Pale Celery
Smooth Pine	Trim	Chantilly Lace
Asphalt Shingles	Roof	Moire Black (Matching)
Aluminum Gutters	Front/Side/Rear of Addition	White
Wood Deck	Rear of House	Natural
Aluminum Exterior Clad Wood Window (Marvin or Equal)	5 Openings between Front/Side/Rear of Addition	White

In summary, the site plans submitted appear to meet the development standards of the Zoning Ordinance and will require no variances. Additionally, the materials and design used in the proposed addition do well to complement the design of the historic resource while also making sure to provide a clear separation between the historic portion of the site and the new addition.

Recommendation

The proposed changes to the approved site plans appear to meet Secretary of the Interiors guideline numbers 1, 2, and 9. The property will remain a single-family residence (#1), and the historical character of the property is preserved through the location of the addition and the modesty of such (#2). Similarly, the exterior alterations do not destroy the historic materials that characterize the property and remains compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment (#9).

The Planning Division recommends APPROVAL of the Historic Design Review application and the issuance of a Certificate of Appropriateness for the work completed at 412 Willits.

Wording for Motions

I move that the Commission **APPROVE** the Historic Design Review application and issue a Certificate of Appropriateness for 412 Willits. The work as proposed meets The Secretary of the Interior's Standards for Rehabilitation standard numbers _____.

OR

I move that the Commission **APPROVE** the Historic Design Review application and issue a Certificate of Appropriateness for 412 Willits, provided the following conditions are met: (*List Conditions*). The Secretary of the Interior's Standards for Rehabilitation standard number(s) _____ will be met upon fulfillment of condition(s).

OR

I move that the Commission **POSTPONE** the Historic Design Review application and the issuance of a Certificate of Appropriateness for 412 Willits, until the following conditions are met: (*List Conditions*). The Secretary of the Interior's Standards for Rehabilitation standard number(s) _____ will be met upon fulfillment of condition(s).

OR

I move that the Commission **DENY** the Historic Design Review application for 412 Willits. Because of _____ the work does not meet The Secretary of the Interior's Standards for Rehabilitation standard number(s) _____.

Notice to Proceed

I move the Commission issue a Notice to Proceed for number _____. The work is not appropriate, however the following condition prevails: _____ and the proposed application will materially correct the condition.

Choose from one of these conditions:

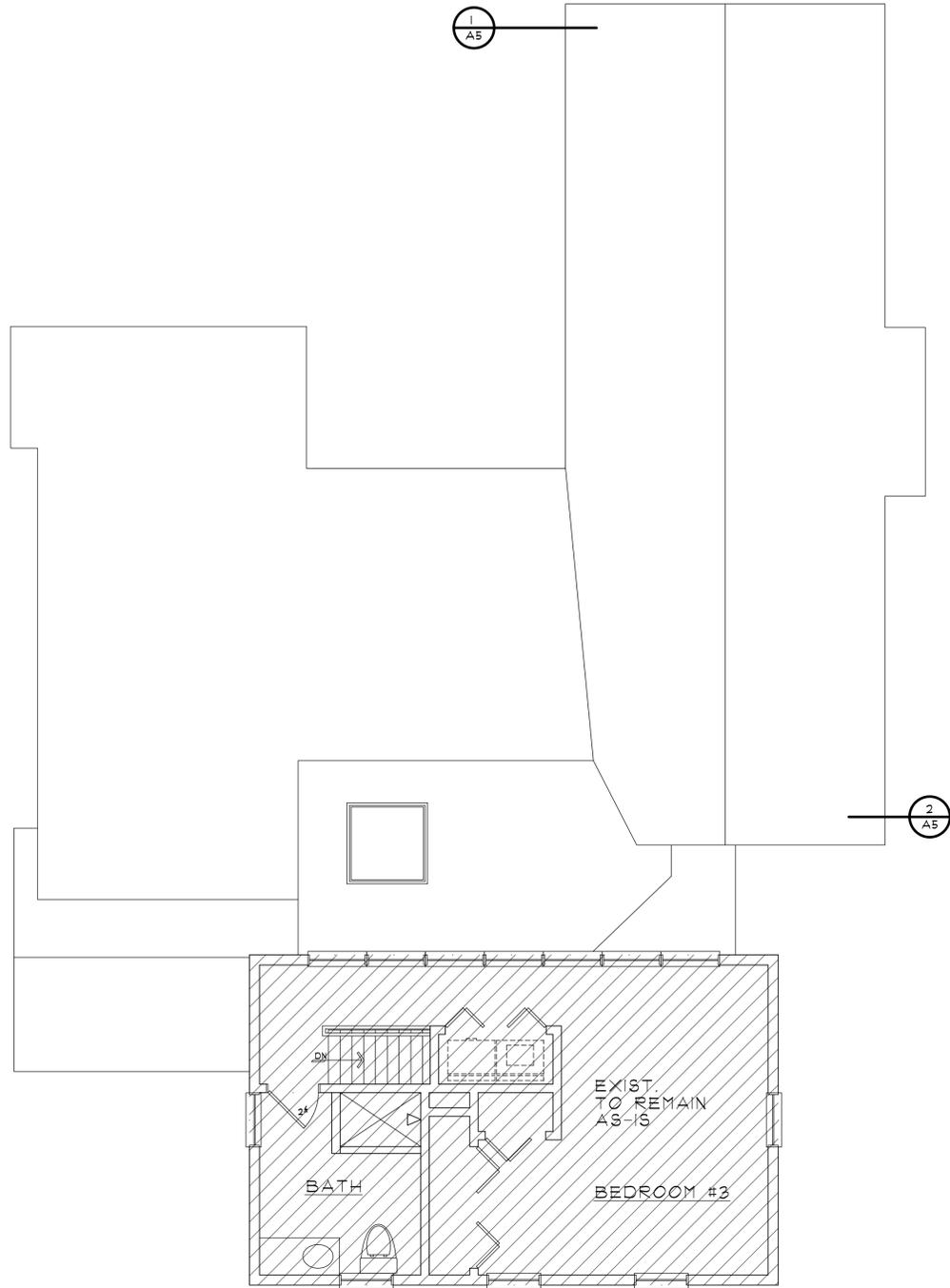
- a) The resource constitutes hazard to the safety of the public or the structure's occupants.
- b) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances.
- c) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district. have been attempted and exhausted by the owner.

d) Retaining the resource is not in the best of the majority of the community.

THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION AND GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS

The U. S. secretary of the interior standards for rehabilitation are as follows:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

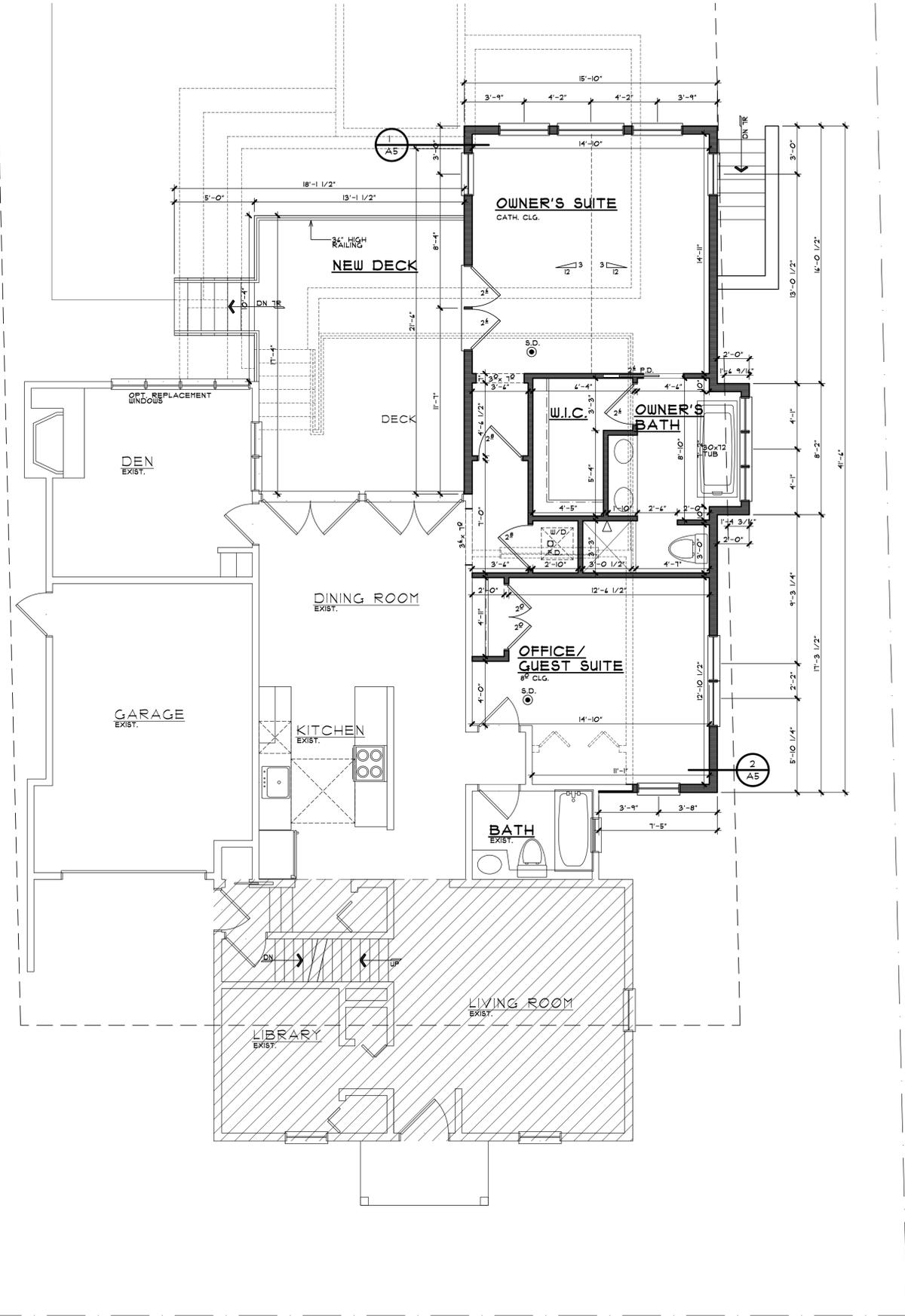


SECOND FLOOR PLAN

TO REMAIN AS-IS

SCALE: 1/4" = 1'-0"

//// HISTORIC STICKNEY RES. (HATCHED)



FIRST FLOOR PLAN

EXISTING LOT SIZE = 7,405 SF EXISTING BUILDING COVERAGE = 1,429 SF
NEW TOTAL BUILDING COVERAGE = 1942 SF OR 26.2% COVERAGE

SCALE: 1/4" = 1'-0"

SQUARE FOOTAGE			
	ORIGINAL	ADDITION	NEW
1ST FLOOR	1429 SQ FT	513 SQ FT	1942 SQ FT
2ND FLOOR	421 SQ FT	N/A	421 SQ FT
TOTAL	1856 SQ FT	513 SQ FT	2369 SQ FT

- WALL LEGEND**
- EXISTING CONSTRUCTION TO REMAIN
 - - - EXISTING CONSTRUCTION TO BE REMOVED
 - ▬ NEW WALL CONSTRUCTION (FRAME WALLS HATCHED)
 - //// HISTORIC STICKNEY RES. (HATCHED)



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BIRMINGHAM, MICHIGAN
BRIANNEEP.COM
248.259.1784

SHEET TITLE
FIRST FLOOR PLAN
SECOND FLOOR PLAN
PRELIMINARY

CLIENT / PROJECT
STEIN RESIDENCE
412 WILLITS
BIRMINGHAM, MICHIGAN

PRELIMINARY	8-6-18
BIDS	
PERMITS	
FINAL	
REVISIONS	

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JOB NUMBER
18039

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BN / RR
CHECKED BY

SHEET NUMBER
A-2

WINDOW SILLS

IN DWELLING UNITS, WHERE THE OPENING OF AN OPERABLE WINDOW IS LOCATED MORE THAN 12" ABOVE FINISHED GRADE OR SURFACE BELOW, THE LOWEST PART OF THE CLEAR OPENING OF THE WINDOW SHALL BE A MINIMUM OF 24 INCHES ABOVE THE FINISHED FLOOR OR THE ROOM IN WHICH THE WINDOW IS LOCATED. GLAZING BETWEEN THE FLOOR AND 24" SHALL BE FIXED OR HAVE OPENINGS THROUGH WHICH A 4 INCH DIAMETER SPHERE CANNOT PASS.

EXCEPTIONS:
 1. WINDOWS WHOSE OPENINGS WILL NOT ALLOW A 4" DIA. SPHERE TO PASS THROUGH THE OPENING WHERE THE OPENING IS IN ITS LARGEST OPENED POSITION.
 2. OPENINGS THAT ARE PROVIDED WITH WINDOW GUARDS THAT COMPLY WITH ASTM F 2004 OR F 2090.

OVERHANGS & DRAINAGE

PROVIDE GUTTERS & DOWNSPOUTS FOR DRAINAGE OF ROOF WATER. DOWNSPOUTS ARE TO BE LOCATED SO THAT THE DISCHARGE WILL NOT SPILL ON OR FLOW ACROSS ANY PORCHES, WALKS OR DRIVES.

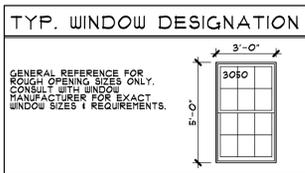
UNLESS NOTED OTHERWISE OVERHANG DIMENSIONS ARE 12" FROM FRAME, RAKE DIMENSIONS ARE 4" AT BRICK AND 2" AT SIDING.

STEEL LINTEL SCHEDULE

LOOSE STEEL LINTELS FOR MASONRY - EXTERIOR ANGLES FOR BRICK OR STONE (NO FLOOR LOAD)

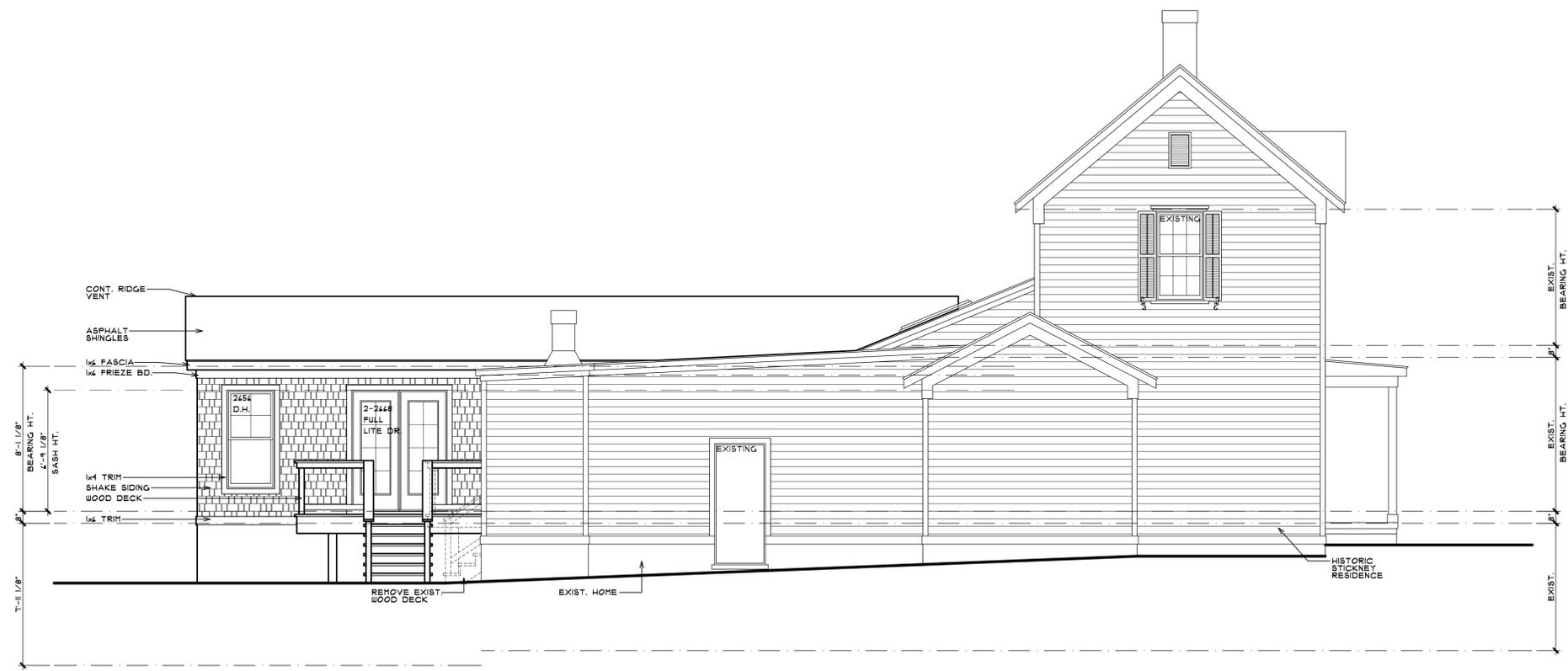
MAX. SPAN OR LESS	LINTEL SIZE
5'-0" OR LESS	3 1/2" x 3 1/2" x 5/16"
7'-0" OR LESS	4" x 3 1/2" x 5/16"
8'-0" OR LESS	5" x 3 1/2" x 5/16"
9'-0" OR LESS	5" x 3 1/2" x 3/8"
10'-0" OR LESS	4" x 3 1/2" x 3/8"

NOTE: THIS SCHEDULE APPLIES UNLESS NOTED OTHERWISE ON THE PLANS AND/OR ELEVATIONS.
 NOTE: STEEL ANGLE LINTELS REQUIRE A SHOP COAT OF RUST-INHIBITIVE PAINT EXCEPT FOR LINTELS MADE OF CORROSION-RESISTANT STEEL.



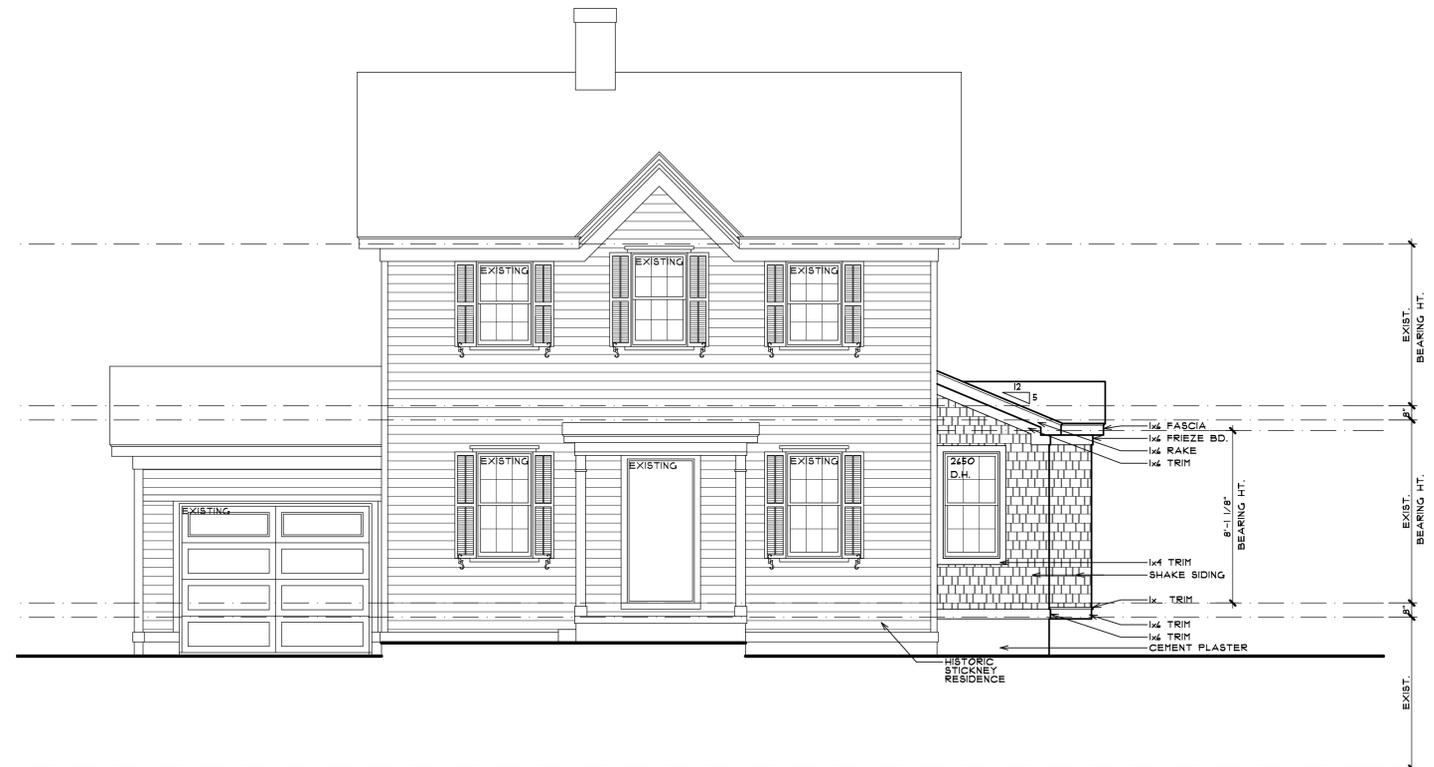
EGRESS WINDOW

EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPERABLE WINDOW OR EXTERIOR DOOR APPROVED FOR EMERGENCY EGRESS OR RESCUE. THE UNITS MUST BE OPERABLE FROM THE INSIDE TO A FULL CLEAR OPENING WITHOUT THE USE OF SEPARATE TOOLS. WHERE WINDOWS ARE PROVIDED AS A MEANS OF EGRESS OR RESCUE, THEY SHALL HAVE SILL HEIGHT OF NOT MORE THAN 44 INCHES ABOVE THE FLOOR. ALL EGRESS OR RESCUE WINDOWS FROM SLEEPING ROOMS MUST HAVE A MINIMUM NET CLEAR OPENING HEIGHT DIMENSION SHALL BE 24 INCHES AND WIDTH OF 20 INCHES.



LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

PRELIMINARY	8-6-18
BIDS	
PERMITS	
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WINDOW SILLS

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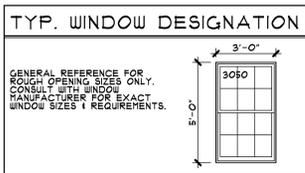
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LOOSE STEEL LINTELS FOR MASONRY - EXTERIOR ANGLES FOR BRICK OR STONE (NO FLOOR LOAD)

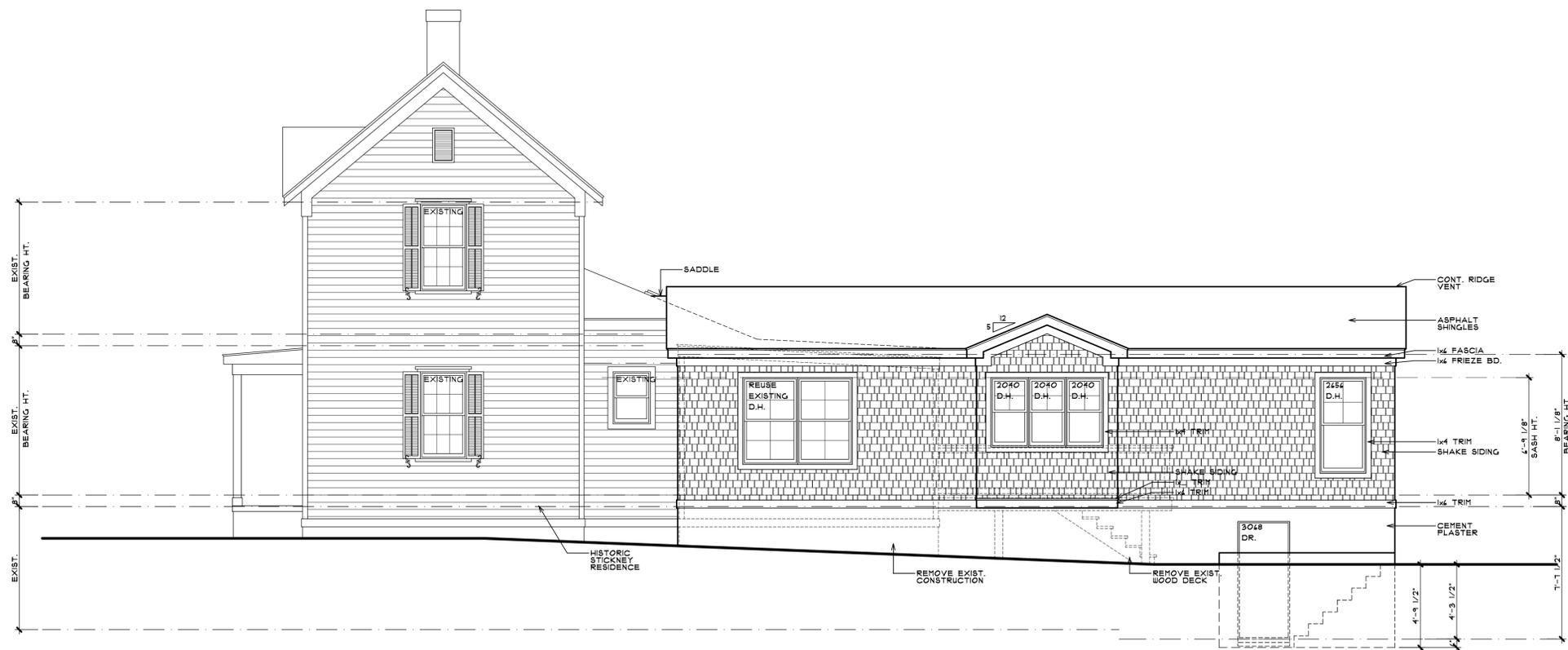
MAX. LIR SPAN	LINTEL SIZE
5'-0" OR LESS	3 1/2" x 3 1/2" x 5/16"
7'-0" OR LESS	4" x 3 1/2" x 5/16"
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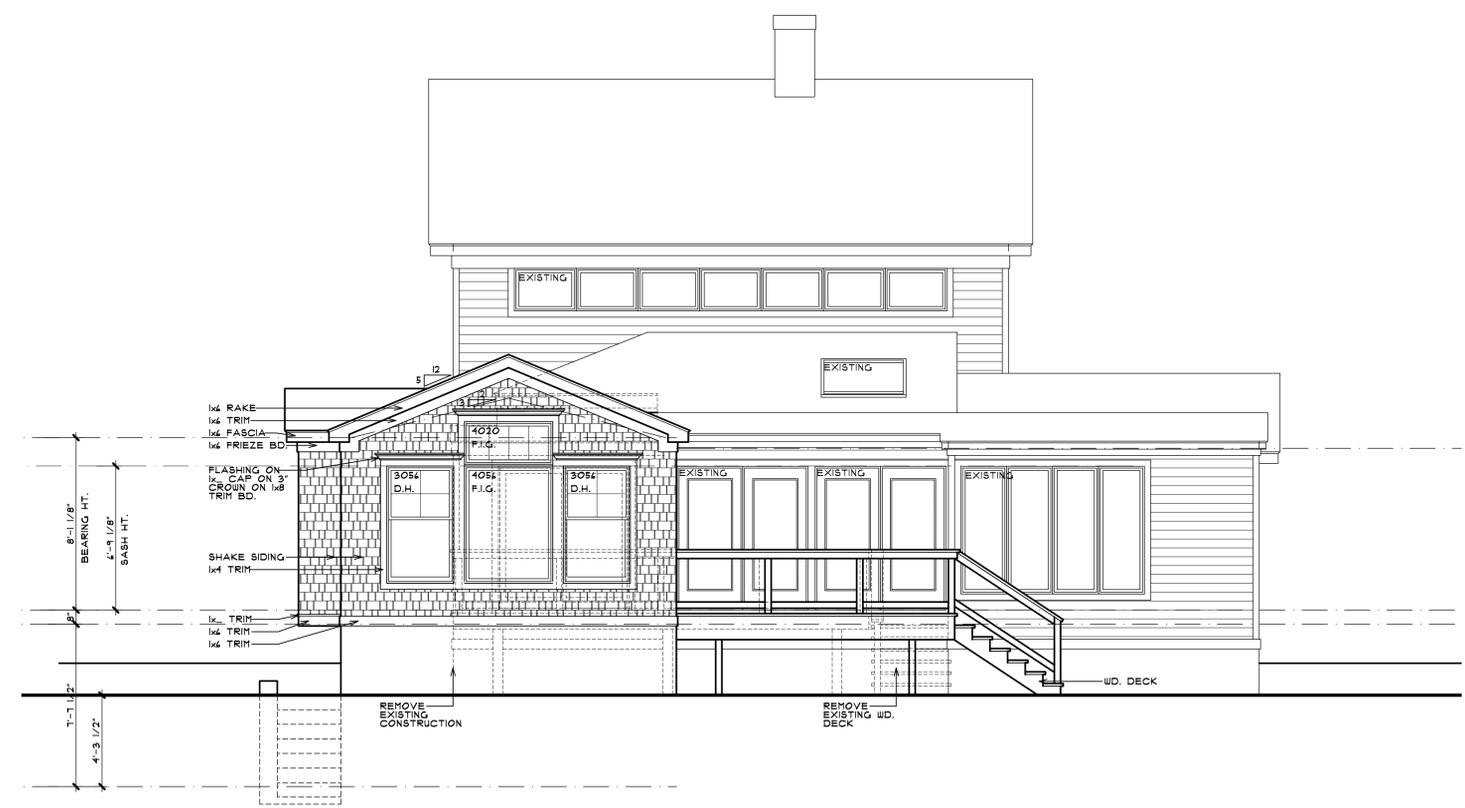
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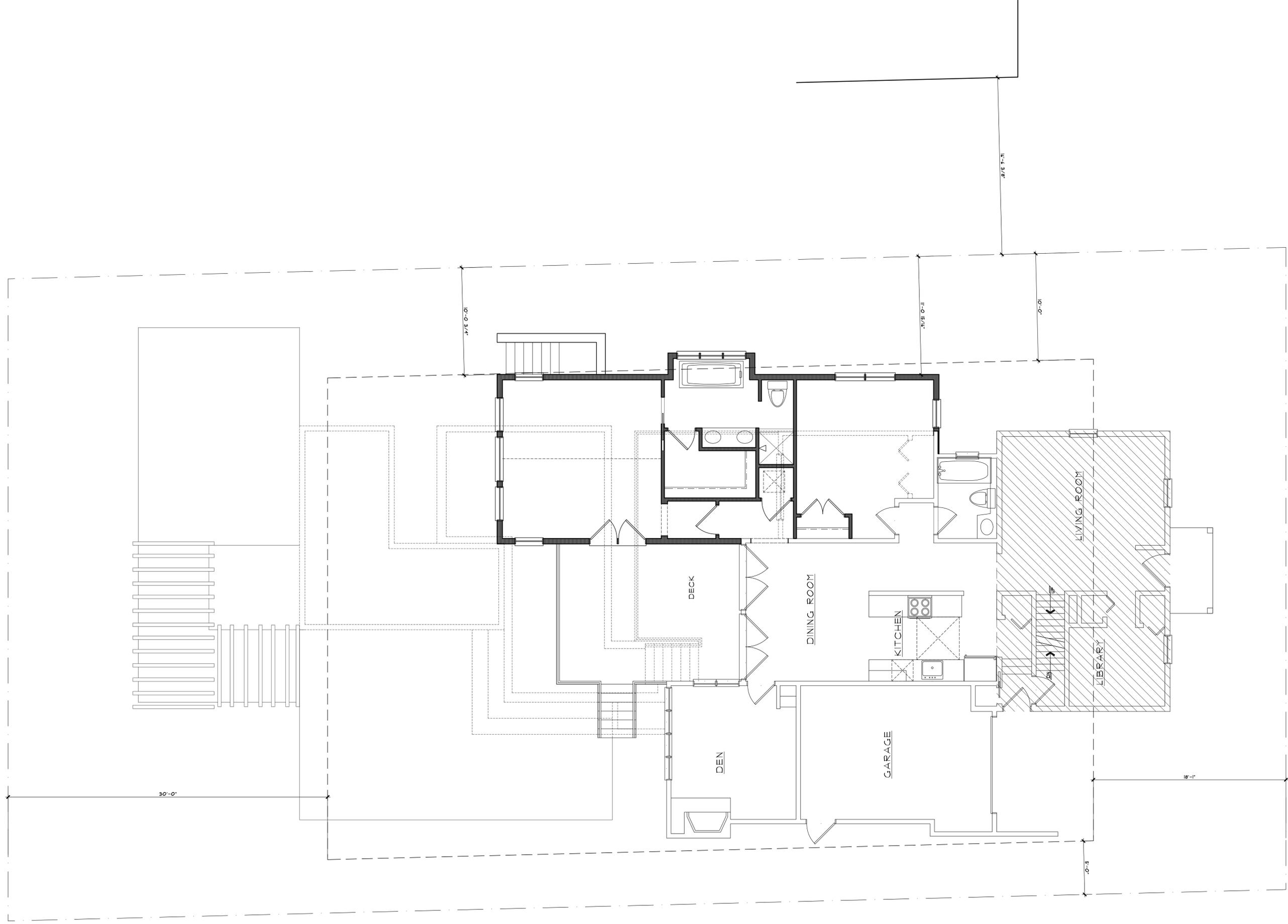
RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"



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SHEET TITLE
SITE PLAN
 PRELIMINARY

CLIENT / PROJECT
STEIN RESIDENCE
 412 WILLITS
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 BN / RR
 CHECKED BY

SHEET NUMBER
S-1

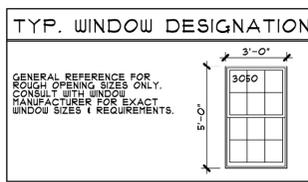
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 1. WINDOWS WHOSE OPENINGS WILL NOT ALLOW A 4" DIA. SPHERE TO PASS THROUGH THE OPENING WHERE THE OPENING IS IN ITS LARGEST OPENED POSITION.
 2. OPENINGS THAT ARE PROVIDED WITH WINDOW GUARDS THAT COMPLY WITH ASTM F 2004 OR F 2010.

OVERHANGS & DRAINAGE
 PROVIDE GUTTERS & DOWNSPOUTS FOR DRAINAGE OF ROOF WATER. DOWNSPOUTS ARE TO BE LOCATED SO THAT THE DISCHARGE WILL NOT SPILL ON OR FLOW ACROSS ANY PORCHES, WALKS OR DRIVES.
 UNLESS NOTED OTHERWISE OVERHANG DIMENSIONS ARE 12" FROM FRAME. RAKE DIMENSIONS ARE 4" AT BRICK AND 2" AT SIDING.

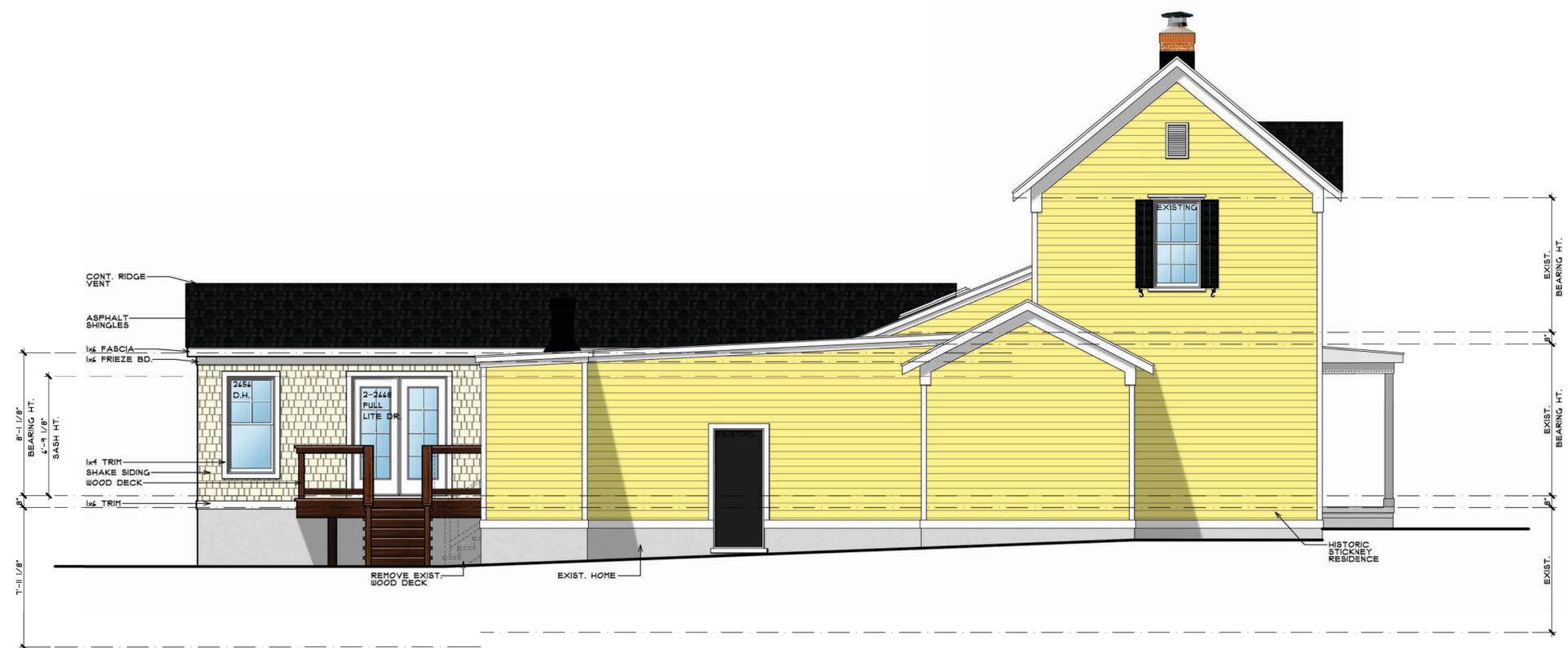
STEEL LINTEL SCHEDULE
 LOOSE STEEL LINTELS FOR MASONRY - EXTERIOR ANGLES FOR BRICK OR STONE (NO FLOOR LOAD)

MAX. SPAN OR LESS	LINTEL SIZE
5'-0" OR LESS	3 1/2" x 3 1/2" x 5/16"
7'-0" OR LESS	4" x 3 1/2" x 5/16"
8'-0" OR LESS	5" x 3 1/2" x 5/16"
9'-0" OR LESS	5" x 3 1/2" x 3/8"
10'-0" OR LESS	4" x 3 1/2" x 3/8"

NOTE: THIS SCHEDULE APPLIES UNLESS NOTED OTHERWISE ON THE PLANS AND/OR ELEVATIONS.
 NOTE: STEEL ANGLE LINTELS REQUIRE A SHOP COAT OF RUST-INHIBITIVE PAINT EXCEPT FOR LINTELS MADE OF CORROSION-RESISTANT STEEL.



EGRESS WINDOW
 EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPERABLE WINDOW OR EXTERIOR DOOR APPROVED FOR EMERGENCY EGRESS OR RESCUE. THE UNIT(S) MUST BE OPERABLE FROM THE INSIDE TO A FULL CLEAR OPENING WITHOUT THE USE OF SEPARATE TOOLS. WHERE WINDOWS ARE PROVIDED AS A MEANS OF EGRESS OR RESCUE, THEY SHALL HAVE SILL HEIGHT OF NOT MORE THAN 44 INCHES ABOVE THE FLOOR. ALL EGRESS OR RESCUE WINDOWS FROM SLEEPING ROOMS MUST HAVE A MINIMUM NET CLEAR OPENING HEIGHT DIMENSION SHALL BE 24 INCHES AND WIDTH OF 20 INCHES.



LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

WINDOW SILLS

IN DWELLING UNITS, WHERE THE OPENING OF AN OPERABLE WINDOW IS LOCATED MORE THAN 12" ABOVE FINISHED GRADE OR SURFACE BELOW, THE LOWEST PART OF THE CLEAR OPENING OF THE WINDOW SHALL BE A MINIMUM OF 24 INCHES ABOVE THE FINISHED FLOOR OF THE ROOM IN WHICH THE WINDOW IS LOCATED. GLAZING BETWEEN THE FLOOR AND 24" SHALL BE FIXED OR HAVE OPENINGS THROUGH WHICH A 4" DIA. SPHERE CANNOT PASS. EXCEPTIONS:
 1. WINDOWS WHOSE OPENINGS WILL NOT ALLOW A 4" DIA. SPHERE TO PASS THROUGH THE OPENING WHERE THE OPENING IS IN ITS LARGEST OPENED POSITION.
 2. OPENINGS THAT ARE PROVIDED WITH WINDOW GUARDS THAT COMPLY WITH ASTM F 2004 OR F 2040.

OVERHANGS & DRAINAGE

PROVIDE GUTTERS & DOWNSPOUTS FOR DRAINAGE OF ROOF WATER. DOWNSPOUTS ARE TO BE LOCATED SO THAT THE DISCHARGE WILL NOT SPILL ON OR FLOW ACROSS ANY PORCHES, WALKS OR DRIVES.
 UNLESS NOTED OTHERWISE OVERHANG DIMENSIONS ARE 12" FROM FRAME. RAKE DIMENSIONS ARE 4" AT BRICK AND 2" AT SIDING.

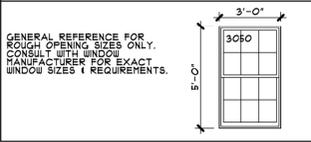
STEEL LINTEL SCHEDULE

LOOSE STEEL LINTELS FOR MASONRY - EXTERIOR ANGLES FOR BRICK OR STONE (NO FLOOR LOAD)

MAX. SPAN	LINTEL SIZE
5'-0" OR LESS	3 1/2" x 3 1/2" x 5/16"
7'-0" OR LESS	4" x 3 1/2" x 5/16"
8'-0" OR LESS	5" x 3 1/2" x 5/16"
9'-0" OR LESS	5" x 3 1/2" x 3/8"
10'-0" OR LESS	4" x 3 1/2" x 3/8"

NOTE: THIS SCHEDULE APPLIES UNLESS NOTED OTHERWISE ON THE PLANS AND/OR ELEVATIONS.
 NOTE: STEEL ANGLE LINTELS REQUIRE A SHOP COAT OF RUST-INHIBITIVE PAINT EXCEPT FOR LINTELS MADE OF CORROSION-RESISTANT STEEL.

TYP. WINDOW DESIGNATION



EGRESS WINDOW

EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPERABLE WINDOW OR EXTERIOR DOOR APPROVED FOR EMERGENCY EGRESS OR RESCUE. THE UNIT(S) MUST BE OPERABLE FROM THE INSIDE TO A FULL CLEAR OPENING WITHOUT THE USE OF SEPARATE TOOLS. WHERE WINDOWS ARE PROVIDED AS A MEANS OF EGRESS OR RESCUE, THEY SHALL HAVE SILL HEIGHT OF NOT MORE THAN 44 INCHES ABOVE THE FLOOR. ALL EGRESS OR RESCUE WINDOWS FROM SLEEPING ROOMS MUST HAVE A MINIMUM NET CLEAR OPENING HEIGHT DIMENSION SHALL BE 24 INCHES AND WIDTH OF 20 INCHES.



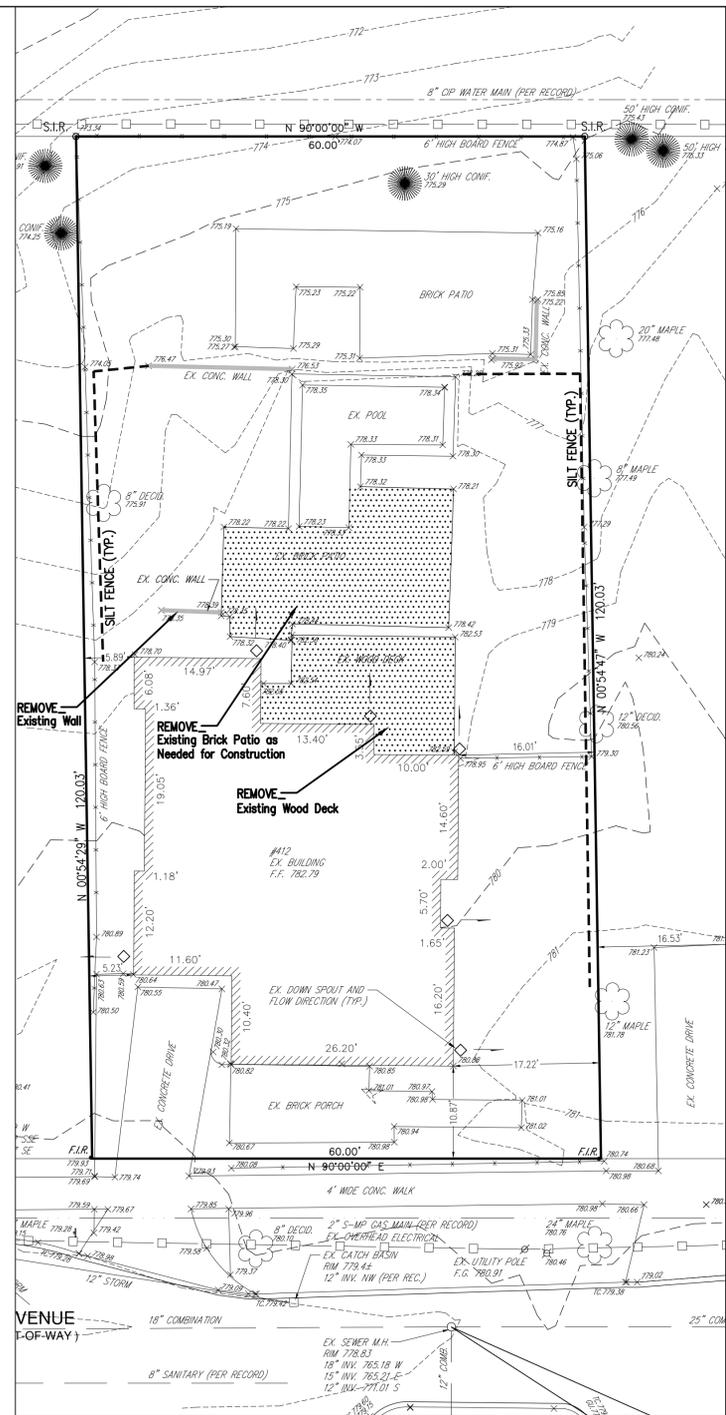
RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

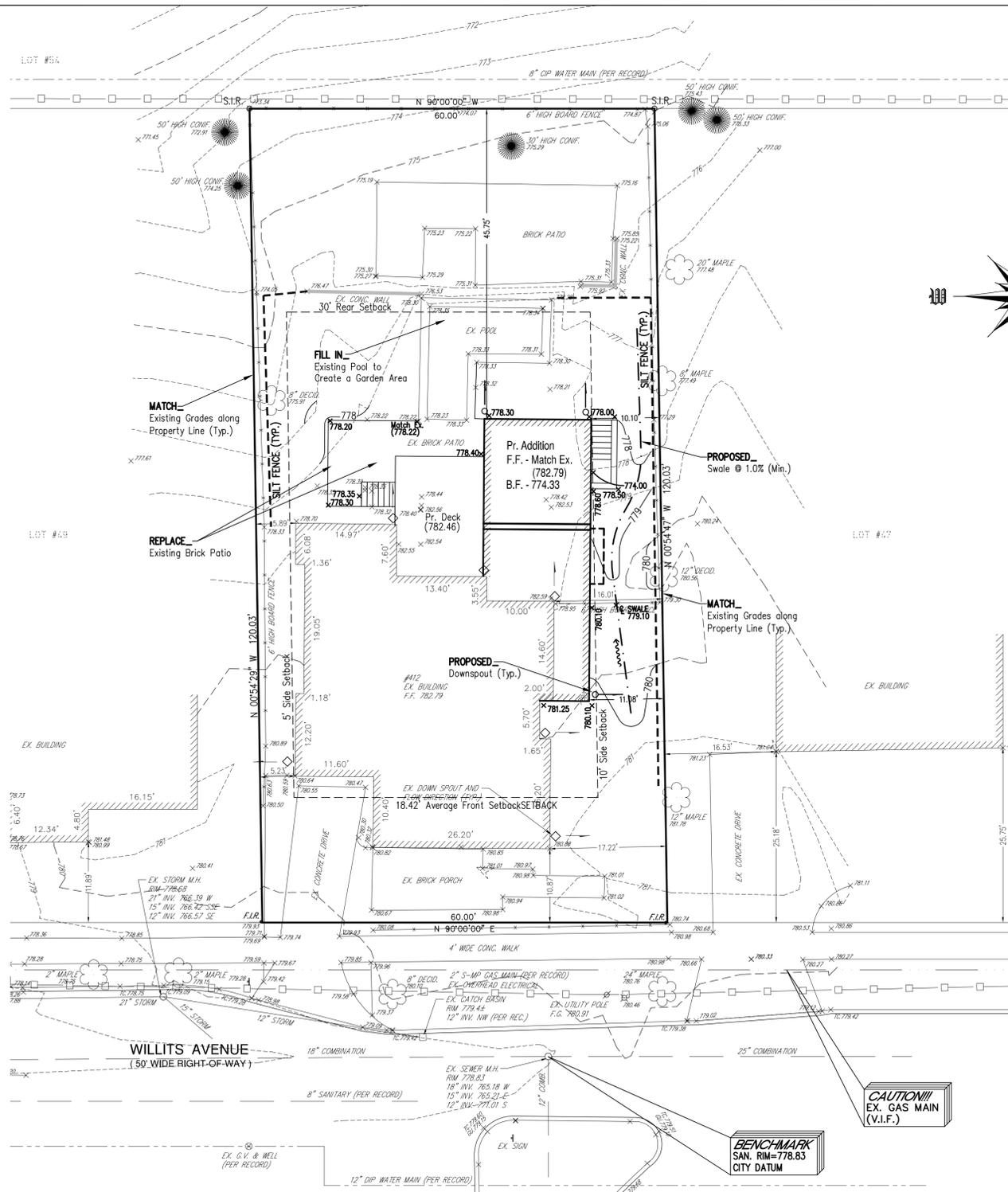


REAR ELEVATION

SCALE: 1/4" = 1'-0"

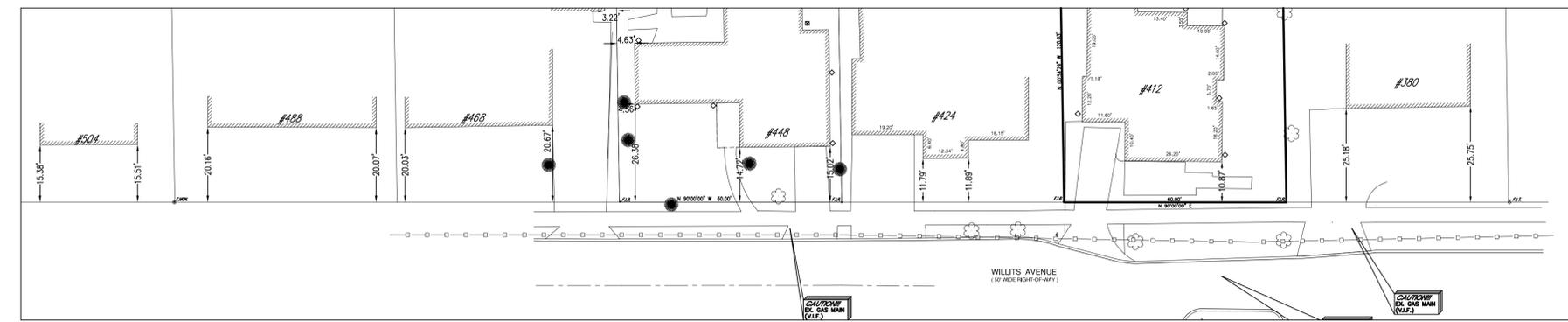


Demolition Detail



CAUTION!!!
EX. GAS MAIN (V.I.F.)

BENCHMARK
SAN. RIM=778.83
CITY DATUM



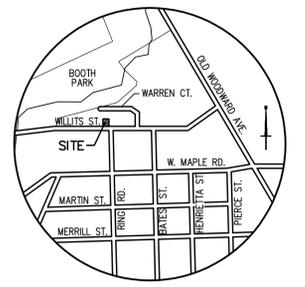
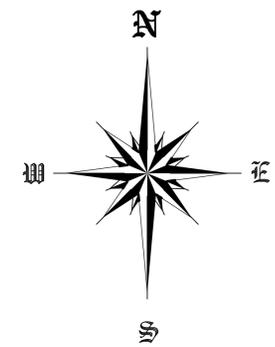
Offsite-Setback Detail

Scale: 1" = 20'

Zoning - R2

Item	Area Square Feet
Pr. House & Garage	2,002
Ex. Driveway	221
Front Porch	220
Garden Patio & Pr. Deck	507
Rear Patios	446
Total Impervious Area	3,396
Area of Lot	7,200
% of Impervious Area	=100x(3,396/7,200) 47.2%
% Max. Lot Coverage Allowed	30.0%
% of Lot Coverage	=100x(2,002/7,200) 27.8%
% Min. Required Open Space	40.0%
% Open Space	=100x((7,200-3,396)/7,200) 52.8%

NOTES:
EXISTING PATIOS AND WALKS ARE TO BE DEMOLISHED & REPLACED AS NEEDED FOR THE INSTALLATION OF THE PROPOSED ADDITION.
ANY DAMAGE TO EITHER NEIGHBORING PROPERTY SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
PROPOSED HOUSE SHALL BE STAKED FROM THE APPROVED ARCHITECTS FOUNDATION PLANS (ONLY). SEE ARCHITECT'S PLANS FOR HOUSE DEMOLITION
ALL UTILITY SERVICES ARE TO BE CONNECTED THROUGH THE EXISTING HOUSE. NO NEW SERVICE CONNECTIONS (WATER, SANITARY) ARE PROPOSED.
BASE SURVEY PERFORMED BY MICKALICH & ASSOCIATES INC. PROJECT #05-250.



NO SCALE
SCALE: 1" = 10'



SURVEYORS CERTIFICATE:
I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED HEREON THAT THE PROPERTY LINES ARE AS SHOWN.

THOMAS M. SMITH
R.L.S. No. 31606

LEGEND

EX. GRADE	---x---x---
EX. CONTOUR	---x---
EX. WATER MAIN	---x---
EX. STORM SEWER	---x---
EX. SANITARY SEWER	---x---
EX. OVERHEAD	---x---
EX. FENCE	---x---
EX. GAS	---x---
EX. UNDERGROUND UTILITY	---x---
EX. HYDRANT	---x---
EX. CATCH BASIN	---x---
EX. MANHOLE	---x---
EX. SIGN	---x---
EX. GATE VALVE	---x---
EX. LIGHT POLE	---x---
EX. UTILITY POLE	---x---
PR. GRADE	---x---
PR. CONTOUR	---x---
PR. WATER MAIN	---x---
PR. STORM SWR.	---x---
PR. SANITARY SWR.	---x---
PR. COMPACTED SAND BACKFILL	---x---
PR. HYDRANT	---x---
PR. GATE VALVE	---x---
PR. CATCH BASIN	---x---
PR. MANHOLE	---x---
PR. R.Y.C.B.	---x---
PR. REVERSE CURB	---x---
PR. SILT FENCE	---x---
PR. ASPHALT	---x---
PR. DEEP STRENGTH ASPHALT	---x---
PR. CONCRETE	---x---
PR. SILT SACK/INLET FILTER	---x---
DRAINAGE ARROW	---x---
VERIFY IN FIELD	---x---
TOP OF CURB ELEV.	---x---
GUTTER PAN ELEV.	---x---
TOP OF WALK ELEV.	---x---
GROUND ELEVATION AT WALL	---x---
EDGE OF SHOULDER ELEV.	---x---
EDGE OF ROAD ELEV.	---x---
V.I.F.	---x---
TC.000.00	---x---
GU.000.00	---x---
TW.000.00	---x---
BW.000.00	---x---
ES.000.00	---x---
EM.000.00	---x---

LEGAL DESCRIPTION:
LOT 48, NORTHERN ADDITION, BIRMINGHAM, OAKLAND COUNTY, MICHIGAN.

TOPO. NOTES:
- THIS SURVEY WILL NOT SHOW ALL EASEMENTS OF RECORD UNTIL AN UPDATED TITLE POLICY HAS BEEN FURNISHED TO THE SURVEYOR BY THE OWNER.
- ALL ELEVATIONS ARE EXISTING ELEVATIONS
- SUBJECT PROPERTY LOCATED IN ZONE C. AREA OF MINIMAL FLOODING.
PER FEMA FLOOD INSURANCE RATE MAP COMMUNITY - PANEL NO. 260168 0005 B EFFECTIVE DATE: MAY 15, 1980
- THE LOCATION OF THE EXISTING UTILITIES AS SHOWN WERE OBTAINED FROM MUNICIPAL AND UTILITY COMPANIES RECORDS. NO GUARANTEE CAN BE MADE REGARDING THE COMPLETENESS OR EXACTNESS OF THE UTILITIES LOCATION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY IN THE FIELD THE LOCATION OF ALL UTILITIES. ANY POTENTIAL CONFLICT SHALL BE REPORTED TO THE ENGINEER PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL CONTACT MISS DIG 3 WORKING DAYS PRIOR TO CONSTRUCTION.

REV.	DESCRIPTION	BY	DATE

SE Sujak Engineering PLC
CIVIL ENGINEERING \$ PLANNING \$ DESIGN \$
4091 Coolidge Highway
Troy, MI 48068
Email: SujakEngineering@Comcast.net
Phone: (248) 885-8431
Fax: (248) 885-8432

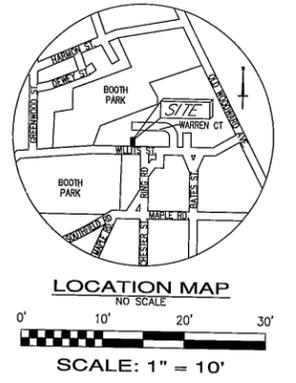
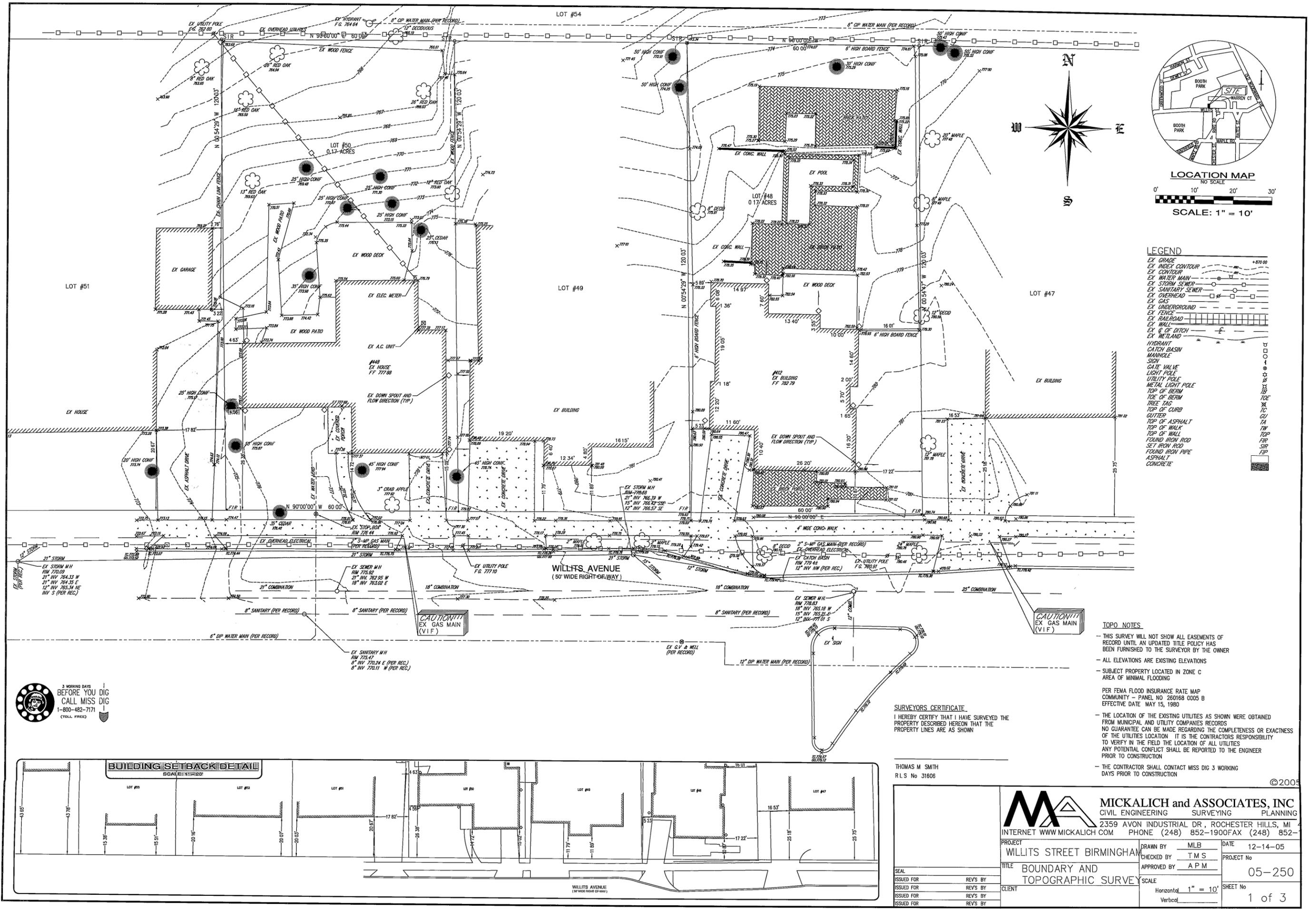


Teon C. Sujak, P.E. No. 046896

The Stein Residence
412 Willits
Birmingham, MI
SITE PLAN

Scale: 1" = 10'

Drawn:	TCS
Checked:	TCS
Approved:	TCS
Date:	9/17/2018
Job no.	18-058
Sheet No.	C1.0



- LEGEND**
- EX GRADE
 - EX INDEX CONTOUR
 - EX CONTOUR
 - EX WATER MAIN
 - EX STORM SEWER
 - EX SANITARY SEWER
 - EX OVERHEAD
 - EX GAS
 - EX UNDERGROUND
 - EX FENCE
 - EX RAILROAD
 - EX WALL
 - EX @ OF DITCH
 - EX WETLAND
 - HYDRANT
 - CATCH BASIN
 - MANHOLE
 - SIGN
 - GATE VALVE
 - LIGHT POLE
 - UTILITY POLE
 - METAL LIGHT POLE
 - TOP OF BERM
 - TOP OF CURB
 - TOP OF ASPHALT
 - TOP OF WALK
 - TOP OF WALL
 - FOUND IRON ROD
 - SET IRON ROD
 - FOUND IRON PIPE
 - ASPHALT
 - CONCRETE

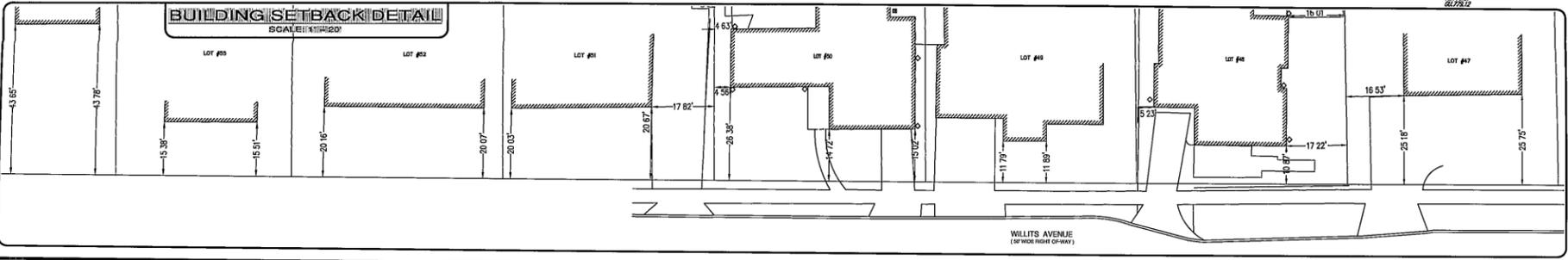
TOPO NOTES

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- THE CONTRACTOR SHALL CONTACT MISS DIG 3 WORKING DAYS PRIOR TO CONSTRUCTION

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED HEREON THAT THE PROPERTY LINES ARE AS SHOWN

THOMAS M. SMITH
R.L.S. No 31606



<p>MICKALICH and ASSOCIATES, INC. CIVIL ENGINEERING SURVEYING PLANNING 2359 AVON INDUSTRIAL DR., ROCHESTER HILLS, MI INTERNET WWW.MICKALICH.COM PHONE (248) 852-1900 FAX (248) 852-</p>		<p>PROJECT: WILLITS STREET BIRMINGHAM</p> <p>TITLE: BOUNDARY AND TOPOGRAPHIC SURVEY</p> <p>CLIENT:</p>	<p>DATE: 12-14-05</p> <p>PROJECT No:</p> <p>05-250</p> <p>SHEET No: 1 of 3</p>
<p>DRAWN BY: MLB</p> <p>CHECKED BY: T.M.S.</p> <p>APPROVED BY: A.P.M.</p>	<p>SCALE: Horizontal 1" = 10'</p> <p>Vertical:</p>	<p>ISSUED FOR: REVS BY:</p> <p>ISSUED FOR: REVS BY:</p> <p>ISSUED FOR: REVS BY:</p> <p>ISSUED FOR: REVS BY:</p>	



Design Review Application Planning Division

Form will not be processed until it is completely filled out

1. Applicant

Name: Jonathan and Lauren Stein
 Address: 412 Willits Street
Birmingham, MI 48009
 Phone Number: _____
 Email address: _____

2. Property Owner

Name: Jonathan and Lauren Stein
 Address: 412 Willits Street
Birmingham, MI 48009
 Phone Number: _____
 Email address: _____

3. Project Contact Person

Name: Jonathan Stein
 Address: 412 Willits Street
Birmingham, MI 48009
 Phone Number: 248-647-4947
 Email address: _____

4. Project Designer/Developer

Name: Brian Neeper Architecture P.C.
 Address: 630 North Old Woodward, Suite 203
Birmingham, MI 480094
 Phone Number: 248-259-1784
 Email address: _____

5. Required Attachments

- | | |
|---|---|
| <p>I. Two (2) paper copies and one (1) digital copy of all project plans including:</p> <ul style="list-style-type: none"> i. A detailed and scaled Site Plan depicting accurately and in detail the proposed construction, alteration or repair; ii. Colored elevation drawings for each building elevation; iii. A Landscape Plan (if applicable); iv. A Photometric Plan (if applicable); <p>II. Specification sheets for all proposed materials, light fixtures and mechanical equipment;</p> | <p>III. Samples of all proposed materials;</p> <p>IV. Photographs of existing conditions on the site including all structures, parking areas, landscaping and adjacent structures;</p> <p>V. Current aerial photographs of the site and surrounding properties;</p> <p>VI. Warranty Deed, or Consent of Property Owner if applicant is not the owner;</p> <p>VII. Any other data requested by the Planning Board, Planning Department, or other City Departments.</p> |
|---|---|

6. Project Information

Address/Location of the property: 412 Willits Street
Birmingham, MI 48009
 Name of development: Lot 48 Willits Northern Addition
 Sidwell #: 08-19-25-376-044
 Current Use: Residence
 Proposed Use: Residence
 Area of Site in Acres: 0.16
 Current zoning: Single Family Residential R-2

	Yes	No
Is the property located in a floodplain? -----	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the property within a Historic District? ----- → If so, which? <u>Anne Stickney House</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will the project require a variance? ----- → If so, how many? <u>N/A</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has the project been reviewed by another board? → If so, which? <u>Previously Approved,</u> <u>Historic District Commission, September 2018</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7. Details of the Proposed Development (attach separate sheet if necessary)

The proposed development is a one-story addition on the north and east sides of the existing home, along with a new basement and deck. The exterior of the addition would be clad in cedar shake or similar synthetic shake siding on all sides, with a black asphalt shingled roof. The majority of windows would be double-hung with white trim. The addition is intended to be tasteful and distinct from the original historic portion of the home as recommended by Interior Department standards. The existing koi pond in the backyard of the home has exceeded its service life and would be replaced with permeable landscaping and garden space.

8. Required and Proposed Parking

Required number of parking spaces: _____
Proposed number of parking spaces: _____
Location of parking on site: _____
Location of parking off site: _____
Shared parking agreement? _____
Size of surface parking lot: _____

Number of underground parking levels: _____
Typical size of parking spaces: _____
Typical width of maneuvering lanes: _____
Number of handicap spaces: _____
Screenwall material: _____
Height of screenwall: _____

9. Landscaping

Location of landscape areas: _____

Proposed landscape material: _____

10. Streetscape

Sidewalk width: _____
Number of benches: _____
Number of planters: _____

Number of existing street trees: _____
Number of proposed street trees: _____
Number of waste receptacles: _____

11. Loading

Required number of loading spaces: _____
Proposed number of loading spaces: _____
Location of loading spaces on site: _____

Typical size of loading spaces: _____
Screenwall material: _____
Height of screenwall: _____

12. Exterior Waste Receptacles

Required number of waste receptacles: N/A
Proposed number of waste receptacles: _____
Location of waste receptacles: _____

Size of waste receptacles: _____
Screenwall material: _____
Height of screenwall: _____

13. Mechanical Equipment

Utilities and Transformers:

Number of ground mounted transformers: _____
Location of all utilities & easements: _____

Size of transformers (L•W•H): _____
Screenwall material: _____
Height of screenwall: _____

Ground Mounted Mechanical Equipment:

Number of ground mounted units: _____
Location of all ground mounted units: _____

Size of ground mounted units (L•W•H): _____
Screenwall material: _____
Height of screenwall: _____

Rooftop Mechanical Equipment:

Number of rooftop units: _____
Type of rooftop units: _____
Location of all rooftop units: _____
Size of rooftop units (L•W•H): _____

Location of screenwall: _____
Screenwall material: _____
Height of screenwall: _____
Distance from rooftop units to all screenwalls: _____

14. Building & Site Lighting

Number of light fixtures on building: _____
Light level at each property line: _____
Type of light fixtures on building: _____
Location of light fixtures on building: _____

Number of light fixtures on site: _____
Type of light fixtures on site: _____
Height from grade: _____
Location of light fixtures on site: _____

The undersigned states the above information is true and correct, and understands that it is the responsibility of the applicant to advise the Planning Division and / or Building Division of any additional changes made to an approved site plan. The undersigned further states that they have reviewed the procedures and guidelines for Site Plan Review in Birmingham, and have complied with the same. The undersigned will be in attendance at the Planning Board meeting when this application will be discussed.

By providing your e-mail to the City, you agree to receive news notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.

Signature of Owner:  Date: 11-02-2020

Print name: Jonathan Stein

Signature of Applicant:  Date: 11-02-2020

Print Name: Jonathan Stein

Signature of Architect: _____ Date: _____

Print Name: _____

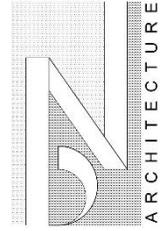
<i>Office Use Only</i>		
Application #: _____	Date Received: _____	Fee: _____
Date of Approval: _____	Date of Denial: _____	Accepted By: _____

630
2 259

Brian Neeper Architecture P.C.

203

009

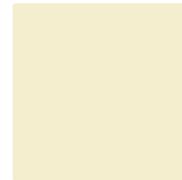


—
2

Exterior Material Selections

Walls

Material Shake Siding, Composite/ Fiber Cement.
"James Hardie" or equal Opt. Cedar
Finish Smooth, square cut
Color Benjamin Moore "Pale Celery" OC-116



Windows

Material Aluminum exterior clad wood window
Color "White"
Manufacturer Marvin or equal

Trim (rakes, fascia and soffits)

Material Smooth pine (alternate composite)
Color Benjamin Moore "Chantilly Lace" OC-65

Roofing

Material Asphalt Shingles
Color Moire Black – Match existing

Flashing, Gutters and Downspouts

Material Aluminum K style gutters
Color White

Administrative Approval Application

Planning Division

Form will not be processed until it is completely filled out

1. Applicant

Name: PAZZI INC.
 Address: 395 EAST MAPLE ROAD
BIRMINGHAM, AL 38009
 Phone Number: 248-642-6535
 Fax Number: 248-642-3915
 Email: PAZZI@PAZZI.COM

Property Owner

Name: DENNIS & DONOTHY PAZZI
 Address: 580 SUFFIELD
BIRMINGHAM AL 38009
 Phone Number: 248-642-6535
 Fax Number: 248-642-3915
 Email: PAZZI@PAZZI.COM

2. Applicant's Attorney/Contact Person

Name: "NOT APPLICABLE"
 Address: _____
 Phone Number: _____
 Fax Number: _____
 Email: _____

Project Designer

Name: SAME AS #1
 Address: _____
 Phone Number: _____
 Fax Number: _____
 Email: _____

3. Project Information

Address/Location of Property: 395 E. MAPLE
BIRMINGHAM, AL 38009
 Name of Development: N/A
 Parcel ID #: 4850 SE OFFICE LOT #10 A.P. #25
 Current Use: OFFICE
 Area in Acres: _____
 Current Zoning: COMMERCIAL/RETAIL

Name of Historic District site in, if any: N/A
 Date of HDC Approval, if any: 2005
 Date of Application for Preliminary Site Plan: _____
 Date of Preliminary Site Plan Approval: _____
 Date of Application for Final Site Plan: _____
 Date of Final Site Plan Approval: _____
 Date of Revised Final Site Plan Approval: _____

4. Attachments

- Warranty Deed with legal description of property
- Authorization from Owner(s) (if applicant is not owner)
- Completed Checklist

Six (6) folded copies of plans including an itemized list of all changes for which administrative approval is requested, with the changes marked in color on all elevations

5. Details of the Request for Administrative Approval

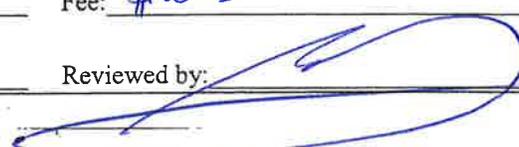
- 1) EXISTING EXTERIOR WORK PREVIOUSLY APPROVED (1997) AND COMPLETED.
- 2) PROVIDE NEW BUILDING SIGNAGE ON SOUTH (FRONT) ELEVATION / BRONZE / NON LIGHTED
- 3) PROVIDE NEW BUILDING SIGNAGE ON EAST (SIDE) ELEVATION / PIN MOUNTED BRONZE LETTERS "PAZZI" & BELOW "INTERIOR DESIGN & CONTRACT FURNITURE, REFER TO PREVIOUSLY SUBMITTED DRAWINGS & SIGNAGE ELEVATIONS.

The undersigned states the above information is true and correct, and understands that it is the responsibility of the applicant to advise the Planning Division and / or Building Division of any additional changes to the approved site plan.

Signature of Applicant: _____

Dennis A. Pazzi

Date: 10-5-20

Application #: <u>PAAD0-0110</u>	Office Use Only Date Received: <u>10/18/2020</u>	Fee: <u>\$100.00</u>
Date of Approval: <u>11/4/2020</u>	Date of Denial: <u>N/A</u>	Reviewed by: 

pazzi inc.

395 e.maple

birmingham, michigan 48009 • (248) 642-6535 • fax (248) 642-3915

transmittal

PROJECT: **PAZZI**
TO: **CITY OF BIRMINGHAM**

PROJECT NO: **PAZZI**
DATE: **10-6-20**

ATTN: **MS. JANA ECKER, DIR. OF PLAN.**

If enclosures are not as noted, please inform us immediately
If checked below, please:
 Acknowledge receipt of enclosures
 Return enclosures to us.

WE TRANSMIT:

- attached under separate cover via _____
- in accordance with your request _____

FOR YOUR:

- approval distribution to parties information
- review & comment record for bids due: _____ 19 _____
- use _____

THE FOLLOWING:

- Drawings Shop Drawing Prints Samples
- Specifications Shop Drawing Reproducibles Product Literature
- Change Order **APPLICATION / CHECK (FEE)**

COPIES	DATE	REV. NO.	DESCRIPTION	ACTION CODE
2	7-31-05		EXTERIOR SIGNAGE PACKAGE 1/ORIGINAL 1/COPY	
1	10-1-20		LETTER	
1	10-5-20		APPLICATION FOR ADMINISTRATIVE APPROVAL	
1	10-5-20		CHECK / ADMIN. APPROVAL FEE	

ACTION CODE A. Action indicated on item transmitted B. No action required C. For signature & return to this office D. For signature and forwarding as noted below under REMARKS E. See REMARKS Below

REMARKS
JANA, IF YOU HAVE ANY QUESTIONS OR CONCERNS - PLEASE CONTACT ME BY EMAIL (PAZZI@PAZZI.COM) OR BY PHONE (248-425-6540).

COPIES TO:	(with enclosures)	THANK YOU, 
	<input type="checkbox"/>	
		BY



PAZZI

INTERIOR DESIGN & CONTRACT FURNITURE

October 1, 2020

Ms. Jana L. Ecker, Director of Planning
City of Birmingham
Planning Department
151 Martin Street
Birmingham, MI 48012-3001
e-mail: jecker@bhamgov.org

Dear Jana,

As per our conversation several weeks ago, I am submitting to you the exterior signage package for the Pazzi Building at 395 E. Maple Road for your consideration and approval by the planning board.

As I mentioned, this package has been submitted and approved several times before and it is my hope that I will be able to gain Administrative Approval for this work. In anticipation of this I have enclosed the Administrative Approval Application along with a check of \$100.00 for the required administration fee.

This package also includes all the necessary information including drawings with exact scale, locations, elevations, square footage tabulations, letter type, size, texture and color finish.

Thanking you in advance.

Sincerely,



Dennis A. Pazzi
President
PAZZI

e-mail: pazzi@pazzi.com

Historic District Commission Action List – 2020

Historic District Commission	Quarter	Rank	Status
Complete CLG Community Partnership Program Applications	1 st (January-March)	1	<input checked="" type="checkbox"/>
Schedule Training Sessions for HDC and Community	1 st (January-March)	2	<input type="checkbox"/>
Redesign HDC Board Applications	2 nd (April-June)	3	<input checked="" type="checkbox"/>
Draft Letter to Historic Property Owners	2 nd (April-June)	4	<input type="checkbox"/>
Revamp Heritage Home Program	3 rd (July-September)	5	<input type="checkbox"/>
Historic District Ordinance Enforcement	3 rd (July-September)	6	<input type="checkbox"/>
Develop Interactive Map of Historic Properties in Birmingham	4 th (October-December)	7	<input type="checkbox"/>

Updates:

1. CLG Community Partnership Applications submitted February 3rd, 2019
 - Survey – Little San Francisco (The “Ravines”)
 - Design Guidelines – New and Emerging Materials
 - **Projects were not selected**
 - Projects submitted for CLG Grant Program opportunity
2. Three trainings selected (**need to be scheduled**):
 - Historic District Commissioner Training
 - Building Assessment 101
 - Understanding Historic Designation
3. Updated Design Review application for HDC as of June 2020
 - Simplified, reformatted, and trimmed unnecessary sections
 - Updated PDF to be a fillable form

COLLABORATIVE PRESERVATION PROJECT MATRIX – *PLANNING DIVISION*

	GREENWOOD CEMETARY	HISTORIC DISTRICT COMMISSION	HISTORIC DISTRICT STUDY COMMITTEE	MUSEUM	PARKS	BALDWIN LIBRARY	FRIENDS OF THE MUSEUM	BIRMINGHAM PUBLIC SCHOOLS
<p>Reinitiate the Heritage Home Program</p> <ul style="list-style-type: none"> <i>HDSC is working on reviving the HH program, which includes re-evaluating guidelines, purchasing new plaques, creating an application, and updating city records on condition/stock. A map has been created by the Planning Division highlighting current and future eligible homes)</i> 			X	X				
<p>Audit designated historical homes and buildings</p> <ul style="list-style-type: none"> <i>HDSC is evaluating current plaque conditions with plans to update any information, and create a detailed electronic database</i> 			X	X				
<p>Promote the history and designation of historic properties</p> <ul style="list-style-type: none"> <i>The HDSC is getting creative in promotion through designs for an ArcGIS Story Map, themed walking tours, social media presence, and regular newsletter articles</i> 			X	X				
<p>Publish Eco City Survey</p> <ul style="list-style-type: none"> <i>Update photograph database and conditions</i> 			X	X				

<ul style="list-style-type: none"> • <i>Publish Eco City Survey</i> 								
<p>Obtain a historical plaque for the Community House</p> <ul style="list-style-type: none"> • <i>Create detailed information database and content for sign</i> 			X	X				
<p>Update/expand/digitize Greenwood Cemetery records</p> <ul style="list-style-type: none"> • <i>GCAB is reviewing RFP for ground penetrating radar on 8/16. Part of project will be to obtain digital map that allows us the ability to add data and integrate with search software.</i> • <i>City Clerk's Office continues, when time permits, to update BS&A cemetery module with historical cemetery records. Current sales/burials are being updated quarterly when Elmwood supplies the office with the records for the quarter.</i> 	X		X	X			X	
<p>Historic headstone inventory and condition assessment/repairs</p>	X		X	X			X	
<p>Update Greenwood biographical information for existing tour program, interactive map and online access</p> <ul style="list-style-type: none"> • <i>One of outcomes sought from GPR project is interactive map that can be made accessible online.</i> 	X		X	X			X	

<ul style="list-style-type: none"> <i>Museum: Working with Friends, some Greenwood bios are complete and being updated on an ongoing basis.</i> 							
<p>Locate Potter's Field at Greenwood</p> <ul style="list-style-type: none"> <i>GCAB and Friends of Museum member, Linda Buchanan, has extensive research on history of Potter's Field, including where/when some of original burials were moved. Am requesting that the information be assembled into written document.</i> 	X		X	X		X	
<p>Preservation project Certified Local Government (SHPO) grant funding at Allen/Hunter Houses</p> <ul style="list-style-type: none"> <i>Museum: assessment underway to determine appropriateness of Hunter House exterior restoration project for fall CLG funding cycle (Oct 1, 2019).</i> 		X		X			
<p>Preserve and improve Museum site and adjacent trails for enhanced public access/ explore relevant grants</p> <ul style="list-style-type: none"> <i>Museum: working with Parks/DPS, trail maintenance and treatment of invasives underway. Heritage Zone plan being finalized for improvements in vicinity of Allen/Hunter Houses.</i> 				X	X		

<p>Grants to be explored early 2020.</p> <ul style="list-style-type: none"> DPS: Ongoing site improvements to landscape, invasive species and water issues. Collaboration ongoing with Museum. 								
<p>Integrated/continuity of park signage and wayfinding</p> <ul style="list-style-type: none"> DPS: Standing by for logo update and coordination efforts with Planning/Admin with any signage installations. 				X	X			
<p>Enhance/expand adult and child history-related enrichment programs</p> <ul style="list-style-type: none"> Museum: programs for adults and children have been expanded and enhanced and will be ongoing. 				X		X	X	X