

**CITY OF BIRMINGHAM
PLANNING BOARD ACTION ITEMS
OF WEDNESDAY, JANUARY 8, 2014**

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<p>FINAL DESIGN REVIEW 34901 - 34953 Woodward Ave. The Balmoral Request for design changes to the previously approved five-story mixed-use building</p>	2
<p style="padding-left: 40px;">Motion by Mr. DeWeese Seconded by Mr. Koseck to approve the Revised Final Site Plan and Design for 34901 - 34953 Woodward Ave., The Balmoral, as it meets all the requirements established in Article 7, section 7.27 of the Zoning Ordinance, with the following conditions:</p> <ol style="list-style-type: none"> 1) No valet parking is permitted to serve this site; 2) Applicant provide drive-thru hours before implementation subject to the approval of the Planning Division; 3) Planning Board approves the use of the wall mounted fixtures which are not cut-off fixtures; 4) Applicant execute a streetscape agreement with the City, including the removal of the cobra fixture on the corner of Brown and Peabody, provision of City standard flower pots, street lights, hanging basket systems, benches, and trash receptacles; 5) Applicant provide four street trees on Brown in the layout prepared by the Engineering Dept.; 6) Administrative approval of an amended photometric plan; 7) Parking changes along Woodward Ave. are permitted but not required, subject to administrative approval. 8) Applicant provide 14 ft. clear height for the loading area; 9) Applicant add one stop sign at the location of Brown and Peabody along with sidewalks and ramps; 10) Applicant ensure ADA compliance with barrier-free ramps at Woodward Ave. and Brown; 11) Applicant meet Engineering Dept. requirements not otherwise specified by Planning Board; 12) Applicant meet all Fire Dept. requirements. 	3
<p>Motion carried, 7-0.</p>	4

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Motion by Mr. DeWeese Seconded by Ms. Lazar to set a public hearing on this matter for Wednesday, February 26.	6
Motion carried, 7-0.	7

APPROVED

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, JANUARY 8, 2014
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held January 8, 2014. Chairman Robin Boyle convened the meeting at 7:30 p.m.

Present: Chairman Robin Boyle; Board Members Carroll DeWeese, Scott Clein, Bert Koseck, Gillian Lazar, Janelle Whipple-Boyce, Bryan Williams

Absent: Student Representative Arshon Afrakhteh

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

01-01-14

**APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING
HELD DECEMBER 11, 2013**

Mr. Williams:

Page 1 - Voice vote Yeas, delete "Clein" and insert "Williams."

Page 3 - Voice vote Yeas, add "DeWeese, Boyle, Lazar."

Motion by Mr. DeWeese

Seconded by Mr. Williams to accept the Minutes of the Regular Planning Board Meeting of December 11, 2013 as revised.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

01-02-14

CHAIRPERSON'S COMMENTS

The chairman announced that tonight will be a blended meeting where the board reviews a Final Design Plan and then holds a study session to consider administrative policies.

01-03-14

APPROVAL OF THE AGENDA (no change)

01-04-14

FINAL DESIGN REVIEW

34901 - 34953 Woodward Ave.

The Balmoral

Request for design changes to the previously approved five-story mixed-use building

Ms. Ecker explained the current applicant has only owned the property since 2010. A previous owner had demolished the existing buildings and surface parking lot and received approval to construct a five-story building. The new owner proposes to maintain the site plan and footprint as previously approved. At this time, they are requesting approval of design and material changes for the proposed building. Ms. Ecker went on to highlight the requested changes before and after:

- Revising the 2nd floor building line from 118 ft. 7 in. to 116 ft. 2 in.;
- Moving the loading space from the bank drive-thru area to the Woodward Ave. parking area (for use in off hours only as discussed at the Planning Board in 2011);
- Extending the elevator to the 5th floor to provide access for the residential unit;
- Replacing pre-finished metal storefront canopies with pre-finished metal sun screens;
- Replacing main entry revolving doors with glass storefront doors;
- Removal of fire rated glass windows on the north elevation in the stair tower, cover openings with recessed cast stone and decorative metal grille panels;
- Replacing granite pavers at first floor entries with masonry pavers;
- Reducing number of lower level parking spaces from 29 to 23 (only 2 parking spaces are required on site for residential unit);
- Replacing pre-cast concrete building facades with unit cast stone masonry (12 in. by 24 in. units, mounted in high running bond) in similar limestone color;
- Reconfiguring rooftop mechanical and screening; and
- Relocating residential unit on 4th and 5th floors from the NE corner of the building to the SE corner of the building.

Both the Building Dept. and the Fire Dept. have indicated there needs to be an additional exit from the residential unit. The Engineering Dept. had some concerns with the streetscape and the layout of the trees because they will block off light from the street fixtures. Further, M-DOT has indicated they do not want striping included on the plan where the drive-thru comes out onto the Woodward Ave. service drive. Normally, the concrete of the sidewalk continues along so that there is a clear demarcation

between the drive and the sidewalk for pedestrians. Also, it is M-DOT's decision as to whether loading and unloading can occur within the Woodward Ave. service drive.

Mr. Tom Phillips, Hobbs & Black Architects, was present with Mr. James Sharba, their director of design; and the owner, Mr. Ed Janisette.

Mr. Sharba spoke about the changes, before and after, from a design standpoint. The cast stone product allows more control on the color of the panels and it can be hand laid to provide detail. They have added interest by creating shadow play along the facade of the building. Moving the residential unit from the NE corner to the SE corner increases its value because that location is near the elevator and provides a better view with more sunlight.

Mr. Phillips noted the building now has a more contemporary elevation which puts it in better context with the surrounding area. Mr. Sharba explained the base will be limestone which will not be damaged by salt. The change in the awnings to metal and glass adds a nice geometric element above the windows.

Mr. Phillips responded to inquiries from board members:

- There will be two exits for the residential unit which will be worked out with the building official;
- The elevator will have a prox reader system that will take the resident only to the fourth and fifth floors;
- The pavers will be granite chips on a concrete base;
- Screenwalls will be tall enough to hide rooftop mechanical;
- They have no objections to the Engineering Dept.'s design for placement of the street trees;
- Trash is wheeled on the public sidewalk over to the rubbish area. Mr. Koseck was surprised it is not collected inside the building. Ms. Lazar said that is a busy street and the plan for trash collection should be revised. Mr. Williams noted this development adds huge volume to that area.
- There is a tenant commitment for a bank with a drive-thru on the first floor. A restaurant and another small tenant will complete that level. The uses being pursued for the other floors are within the context of zoning requirements.
- They will revise the photometric plan to show the cut-off lighting.

There were no comments from members of the public at 8:20 p.m.

Motion by Mr. DeWeese

Seconded by Mr. Koseck to approve the Revised Final Site Plan and Design for 34901 - 34953 Woodward Ave., The Balmoral, as it meets all the requirements established in Article 7, section 7.27 of the Zoning Ordinance, with the following conditions:

- 1) No valet parking is permitted to serve this site;**
- 2) Applicant provide drive-thru hours before implementation subject to the approval of the Planning Division;**

- 3) Planning Board approves the use of the wall mounted fixtures which are not cut-off fixtures;
- 4) Applicant execute a streetscape agreement with the City, including the removal of the cobra fixture on the corner of Brown and Peabody, provision of City standard flower pots, street lights, hanging basket systems, benches, and trash receptacles;
- 5) Applicant provide four street trees on Brown in the layout prepared by the Engineering Dept.;
- 6) Administrative approval of an amended photometric plan;
- 7) Parking changes along Woodward Ave. are permitted but not required, subject to administrative approval.
- 8) Applicant provide 14 ft. clear height for the loading area;
- 9) Applicant add one stop sign at the location of Brown and Peabody along with sidewalks and ramps;
- 10) Applicant ensure ADA compliance with barrier-free ramps at Woodward Ave. and Brown;
- 11) Applicant meet Engineering Dept. requirements not otherwise specified by Planning Board;
- 12) Applicant meet all Fire Dept. requirements.

Mr. Koseck thought this is as good, if not better, than the earlier project.

There were no final comments from members of the public.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

01-05-14

STUDY SESSION Transitional Zoning

The chairman announced this is a continuing study session and the next stage will be a public hearing.

Mr. Baka drew attention to the key changes that were discussed at the November 11 public hearing. Two parcels were identified as being unique from the other transition parcels due to their location and/or existing zoning and uses. The board was not sure whether they fit within the zones that have been developed:

- Adams Square, 555-775 S. Adams;
- Parcels at the corner of Woodward Ave. and Quarton.

It was felt these could handle a little more density than the rest of the transitional sites.

The other sites are currently zoned for residential uses:

- The multi-family parcel next to the Post Office;
- The single-family parcels on Fourteen Mile Rd. west of Woodward Ave.;
- Multi-family parcels just north of W. Maple Rd. on N. Eton.

The board discussed the parcels along the east side of Adams between Adams Square and Lincoln. A 20 ft. rear setback on a 40 ft. wide lot would render the third parcel which is currently zoned O-2 unbuildable. The 20 ft. setback can only work if the three lots are developed as one and they front Adams. If the Transition Overlay is not made mandatory, the lots are not penalized if they can do in the future what they can do now. *It was concluded that in all areas a rear yard setback adjacent to single-family residential should be 20 ft. If it is a side yard adjacent to single-family, developed individually, the setback is 10 ft.*

Board members agreed that rebuild of single-family should follow the underlying zoning. If anything else is built, follow the overlay. This is confirmed in the draft ordinance, Section 3.19, Permitted Uses and Use Regulations (D) which should be moved to Section 3.8, Applicability (5) for additional clarity.

The board considered a sliver of land at Woodward Ave. and Quarton. The sliver is cut out of the R-1 Residential parcel, zoned Parking and owned by The Sign of the Beefcarver. The Parking Zone allows residential. *It was concluded that the existing house should be left as-is and removed from the Overlay.*

The group looked at Adams Square and decided it should be left out of Transitional Zoning and dealt with separately because it is the largest underdeveloped parcel left in the City.

Mr. Clein was bothered that the board has looked at certain Multi-Family Residential properties and not others. Either include them all or don't. *The board decided that to maintain consistency, to take out those properties currently zoned Multi-Family Residential from Transitional Zoning. Therefore, the Post Office can stay in, but the Multi-Family next to it is left as-is.*

It was further agreed to take out the R-8 parcels on Southfield Rd. north of Fourteen Mile Rd.; Multi-Family at Pierce and Fourteen Mile Rd. next to the gas station; Parcel at Fourteen Mile Rd. and Woodward Ave. next to the FedEx building; R-7 parcel next to Eton St. Plaza.

Board Members favored taking Adams Square out as part of the transition zoning for now, but it could be added in the future.

With respect to naming the zones the board's consensus was to call them TZ 1 through 4. Further, the requirements of the Transition Overlay don't address the desire to provide a transition rather than being compatible in scale and massing to adjacent uses.

The group decided to look carefully at the definitions of TZ 1, 2, 3, and 4 in line with the discussion.

Under Section 3.20, Height and Placement Requirements (K, Buffer Requirements) remove "The Planning Board may waive the two (2) feet of landscaping if it can be demonstrated that the additional space gained from the landscaping will allow for the fulfillment of the on-site parking requirement."

Section 3.21, Commercial/Mixed-Use Architectural Requirements (4) should read "Doors for vehicular access shall not be permitted in a front facade."

The board discussed Section 3.19, Permitted Uses and Use Regulations - Land Use Matrix. The idea is to get compatible neighborhood uses. It was recommended that institutional uses be SLUPs. Recreational uses except parks can be SLUPs. Also, food and drink establishments as well as drycleaners are SLUPs. Change "Child Care Center" to "Family Day Care Home."

The chairman called for comments from the public at 10 p.m.

Mr. Vince Pangel, Strategic Property Services, Troy, said that his clients have engaged his firm to redevelop their property known as the Cranbrook Auto Care Center at Maple Rd. and Cranbrook for a new financial institution. They like the concept of Transitional Zoning; however it doesn't allow them to have a drive-thru. The existing B-1 Zoning doesn't work for them either. Mr. Pangel would like to see bank drive-thrus included in the Transitional Zone. Ms. Ecker explained the zoning requirement will depend on the date plans are submitted. The board's suggestion was to permit Bank without drive-thru in MU-2 and MU-3. Banks with drive-thrus should only be permitted with SLUP in MU-2 and MU-3.

The board recommended the following notification process for the public hearing:

Properties within 300 ft. will be sent a post card to the effect that the City is considering changing the zoning on selected sites located within 300 ft. of their property. The intent is to create buffers in transition zones. This may have an impact on their neighborhood. For further details the recipients are directed to a web site that contains a map with further information. The owners of record of properties under consideration should be given a different notice informing them that their property is being considered for rezoning.

It was noted that correspondence received from Chuck DiMaggio, Brad Host, and Alice Thimm was considered in tonight's discussion.

Motion by Mr. DeWeese

Seconded by Ms. Lazar to set a public hearing on this matter for Wednesday, February 26.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

01-06-14

MEETING OPEN TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA (none)

01-07-14

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

a. Communications (none)

b. Administrative Approvals

- 34745 Woodward Ave., Jax Car Wash - Damaged east wall of car wash. In lieu of repairing, enlarge existing overhead 10 ft. door to a 16 ft. door and move the east main door to the north side of the building. All would be done within the current footprint of the building.
- 210 S. Old Woodward Ave. - Installation of exhaust fan for new kitchen hood at new roof location.

Ms. Ecker noted a request for administrative approval for Bella Piati. They want to place a trellis type system over their deck with a canopy and have the ability to hang sides down on it. The consensus was this is a SLUP amendment and the applicant should come before the Planning Board.

c. Draft Agenda for the Regular Planning Board Meeting on January 22, 2014

- Study session items to be determined.

d. Other Business

- It was discussed that consideration should be given to amending the Bistro Ordinance in order to stop plastic enclosures.
- The Long-Range Planning Meeting will be held on February 1.
- Ms. Lazar noticed there are three "No Left Turn" signs at Pierce and Maple Rd. Something should be done about removal.

01-08-14

PLANNING DIVISION ACTION ITEMS

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

01-09-14

ADJOURNMENT

No further business being evident, board members motioned to adjourn at 10:30 p.m.

Jana Ecker
Planning Director

APPROVED