

**CITY OF BIRMINGHAM
PLANNING BOARD ACTION ITEMS
OF WEDNESDAY, JULY 9, 2014**

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| <p>Motion by Mr. Williams Seconded by Mr. DeWeese to approve the Preliminary Site Plan for 33588 Woodward Ave. with the following conditions: 1) The applicant provide all required details in regards to lighting, mechanical equipment and signage for consideration at Final Site Plan Review; 2) The applicant addresses all department concerns as outlined in the report.</p> | 3 |
| <p>Motion carried, 6-0.</p> | 4 |
| <p>SPECIAL LAND USE PERMIT AMENDMENT ("SLUP") REVISED FINAL SITE PLAN REVIEW 555 S. Old Woodward Ave. Former Crush Restaurant To allow the change of name to Triple Nickel and to amend the external design of the building</p> | 4 |
| <p>Motion by Mr. DeWeese Seconded by Mr. Williams that the Planning Board recommends approval to the City Commission of the applicant's request for Revised Final Site Plan and a SLUP Amendment to permit the use of an Economic Development License for Triple Nickel restaurant at 555 S. Old Woodward Ave. with the following conditions: 1) The Planning Board designates the Bowers elevation as the principal building frontage for signage purposes; 2) Applicant provide specification sheets for the external lighting fixtures and the illuminated mechanical screen on the roof as well as samples of all materials proposed; 3) Applicant replace EFIS with the materials presented tonight; 4) Applicant replace sliding windows on the building frontage consistent with the comments made tonight of their intent;</p> | 5 |

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| <p>5) Applicant execute a revised contract with the City of Birmingham outlining the nature of the proposed operation of Triple Nickel and approving the use of the existing Economic Development Liquor License under the new name Triple Nickel and extending the time frame to open the restaurant;</p> <p>6) Applicant meet Fire Dept. requirements.</p> | |
| <p>Motion carried, 7-0.</p> | 6 |
| <p>PRELIMINARY SITE PLAN REVIEW 1964 Southfield Rd. Market Square Proposed new addition to the north of the existing building and reconfiguration of the existing parking lot</p> | 6 |
| <p>Motion by Ms. Whipple-Boyce Seconded by Mr. Clein to approve the Preliminary Site Plan for 1964 Southfield Rd., with the following conditions:</p> <ol style="list-style-type: none"> 1) The applicant submit all mechanical equipment specifications and screening details at Final Site Plan and Design Review; 2) The applicant add street trees along Fourteen Mile Rd. and the Planning Board will see the revised landscape island at Final Site Plan and Design Review; 3) The applicant mount the proposed light fixtures down to meet the cut-off, and submit light level detail at Final Site Plan and Design Review; 4) The applicant comply with the requirements of the Fire Dept. and Building Division; and 5) The applicant propose sidewalk connections as stated. | 8 |
| <p>Motion carried, 7-0.</p> | 8 |
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**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, JULY 9, 2014
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held July 9, 2014. Vice-Chairperson Gillian Lazar convened the meeting at 7:30 p.m. and remained as chair for the entire meeting.

Present: Chairman Robin Boyle (arrived at 8 p.m.); Board Members Scott Clein; Carroll DeWeese, Bert Koseck, Gillian Lazar, Janelle Whipple-Boyce, Bryan Williams; Student Representative Shelby Wilson (left at 9:35 p.m.)

Absent: Student Representative Jack Moore

Administration: Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

07-101-14

**APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING
HELD JUNE 25, 2014**

Motion by Mr. Williams

Seconded by Mr. Clein to approve the Minutes of the regular Planning Board meeting on June 25, 2014 as presented.

Motion carried, 6-0.

VOICE VOTE

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

Nays: None

Absent: Boyle

07-102-14

CHAIRPERSON'S COMMENTS

The chairperson deferred to Ms. Ecker who announced that the following new planners have been hired:

- Lauren Chapman, Part-time planner
- Shalaka Puranik, Part-time planner
- Christopher Elliott, Planning intern

07-103-14

APPROVAL OF THE AGENDA (approved)

07-104-14

SPECIAL LAND USE PERMIT ("SLUP")

PRELIMINARY SITE PLAN

33588 Woodward Ave.

New construction of Shell Gas Station (formerly Citgo) with Dunkin Donuts

(continued from the meeting of June 25, 2014)

Ms. Ecker recalled the Planning Board conducted a review of the Preliminary Site Plan and SLUP Amendment on June 25, 2014. At that time, the Planning Board requested additional information from the applicant regarding the interior floor plan, hours of operation, and the nature of the Dunkin Donuts use. In addition, the Planning Board expressed concern about the choice of materials proposed for the building and the lack of design details on the new addition and the side and rear elevations. Board members indicated that they would not support encroachment into the rear setback, and did not approve of the proposed coolers being added to the rear of the building rather than being incorporated into the building. The Planning Board postponed the matter until the July 9, 2014 meeting.

Ms. Ecker advised that based on the comments of the Planning Board on June 25, 2014, the applicant has now submitted a survey of the existing property, a revised site plan, a floor plan, revised elevation drawings, an aerial photo of the area, and a conceptual rendering of the site as visible from Woodward Ave. The applicant has made numerous design changes to the building and the site elements proposed, and has provided color elevations and material samples. The applicant still intends to maintain the scored CMU on the lower portion of the side and rear of the building and to add splitface CMU to the lower portion of the front of the building. The applicant proposes to use Azak composite wood paneling on the upper portion of the entire building.

The Azak composite wood paneling is also proposed to be used on the underside of the gas canopy, and on the upper portion of the proposed screenwalls on the site. The applicant has added a new addition to the rear of the building to house the proposed coolers as requested by the Planning Board. The applicant has added three large storefront windows on the west elevation as requested by the Planning Board, but has not added any architectural details to the north, south or east elevations of the building; however is proposing to plant Boston Ivy to grow up the building and soften the blank walls. The proposal meets the parking requirement.

Design Review

Design review will be performed at the time of Final Site Plan Review. The applicant will be required to provide all material and color samples proposed for the building and site at that time.

Sign Review

The principal building frontage of the station on Woodward Ave. is 93 ft. 4 ½ in. in length, and thus the applicant is permitted to have 140 sq. ft. of total signage on the property. The signs as indicated on the plans as submitted include a ground mounted monument sign, two internally illuminated name letter signs mounted to the building and one illuminated Shell Pecten mounted to the canopy.

The applicant will be required to provide details on the proposed signs prior to Final Site Plan Review in order to determine compliance with the Sign Ordinance.

Upon receiving a recommendation on the site plan from the Planning Board, the City Commission will conduct another public hearing and make a final decision on the proposed SLUP amendment.

Mr. Roman Bonislowski and Mr. Ron Rea, Ron and Roman, LLC, were present with Mr. Duane Barbat, and Mr. Scott Barbat, Barbat Properties. Mr. Bonislowski specified that everything on the project will be brand new. They propose to replace the existing tanks and rooftop units, install completely new technology and fire protection and repave the entire lot. He described the parapet screenwall that will go all the way around the building. The rooftop screenwall will have gaps so that light will show behind it. In the evening the gaps will be backlit and will provide a pleasant, gentle lighting around the entire building. They propose to take down existing fencing and incorporate a fencing detail that utilizes the two primary materials on the building.

It was confirmed for Mr. Williams that no parking places are proposed at the front entrance. Further, with regard to the M-Dot area, they want to clean it up and make it easy to maintain. Irrigation is proposed. There will be no outside storage around the building.

Chairman Boyle arrived at this time; however, Vice-Chairperson Lazar remained as chair.

Mr. DeWeese specified that the location of the air pump needs to be addressed at Final Site Plan Review.

Motion by Mr. Williams

Seconded by Mr. DeWeese to approve the Preliminary Site Plan for 33588 Woodward Ave. with the following conditions:

- 1) The applicant provide all required details in regards to lighting, mechanical equipment and signage for consideration at Final Site Plan Review;**
- 2) The applicant addresses all department concerns as outlined in the report.**

There were no comments from the public at 8:07 p.m.

Mr. Koseck observed this is an incredible improvement to what has been an eyesore for a long time. However, he would prefer the outside of the building to be a singular material that is not painted. He thinks there are better products that achieve the same aesthetic they are looking for. If the ivy dies, the building has to stand on its own and look good. Therefore, he will not support the proposal at Final Site Plan Review unless it is a singular material.

Mr. Rea said it is not about the material; it is about the color and what is growing on it. They will replace the small amount of brick with CMU.

Motion carried, 6-0.

ROLLCALL VOTE

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

Nays: None

Pass: Boyle

Absent: None

07-105-14

SPECIAL LAND USE PERMIT AMENDMENT ("SLUP")

REVISED FINAL SITE PLAN REVIEW

555 S. Old Woodward Ave.

Former Crush Restaurant

To allow the change of name to Triple Nickel and to amend the external design of the building

Ms. Ecker advised that on May 10, 2010, the City Commission adopted ordinance amendments to Chapter 10, Alcoholic Liquors, and Chapter 126, Zoning, to permit the use of Economic Development Licenses in certain areas within the City.

The second application for an Economic Development License was approved for Crush restaurant, at the above-captioned address in 2013. Crush restaurant is now seeking to change the name of the business to Triple Nickel, and to amend the exterior design of the building. The applicant also requests approval to extend the opening date from October 31, 2014 to April 30, 2015. No changes are proposed to the interior layout of the restaurant, the interior ambiance, or the proposed food offerings.

Should the name change be approved the applicant will have to execute a revised contract with the City. If approved by the City Commission, the proposed expansion of the time frame to open must also be included in the revised contract.

Accordingly, the applicant will be required to obtain a recommendation from the Planning Board and the City Commission on the Revised Final Site Plan and SLUP Amendment.

Design Review

The applicant is proposing a number of changes to the external facade which include the use of EFIS and sliding windows along frontage lines. However, these materials are not permitted in the Downtown Overlay District. The applicant proposes to remove wall mounted up/down lights and add wall mounted flagpoles. Also they propose 16 sign lights. The applicant proposes champagne metal valances in niches with down lights. The changes planned for the building will continue to maintain a distinct and prominent facade for Triple Nickel restaurant as long as the noted issues are corrected.

Signage

The applicant is proposing new signage for Triple Nickel to be located on the Woodward Ave., Bowers and S. Old Woodward Ave. elevations in the location of the previously approved Crush signage.

The applicant exceeds the total allowable signage permitted on the building. However, the Birmingham Sign Ordinance allows the Planning Board to designate an alternative frontage as the principal building frontage ("PBF") for signage purposes. If the Planning Board were to designate the Bowers elevation as the PBF then the applicant would be permitted 110.25 sq. ft. of signage. If the Planning Board does not feel that it is appropriate to designate Bowers as the PBF then the applicant will be required to reduce the overall building signage by 15.183 sq. ft.

Ms. Ecker pointed out that the applicant is requesting valet parking. The Police Dept. will determine whether they meet the criteria of the Valet Parking Ordinance.

The board viewed a materials board.

Mr. Roman Bonislowski and Mr. Ron Rea, Ron and Roman, LLC, were present with Mr. Jack Reinhart, the building owner and Mr. Mark Blanke, restaurant manager. Mr. Bonislowski explained they were engaged to design the interior of the restaurant but that grew into re-doing the exterior also. With the roman brick there is a friendliness to the building now that wasn't being expressed previously in its limestone format. The intent is for the rooftop mechanical screen to project a gentle glow like a beacon at the south end of town. The sliding windows on the S. Old Woodward Ave. (west) elevation have been changed to operable doors. Also, they have replaced the EFIS with wood clapboard siding. Mr. Reinhart said they intend to apply to the Police Dept. for valet parking, and customers will be allowed to park in the 555 Parking Deck. He added they would have been in the ground in November, but couldn't get the building permits. Currently they hope to open by December 1st.

There were no comments from the public at 8:50 p.m.

Motion by Mr. DeWeese

Seconded by Mr. Williams that the Planning Board recommends approval to the City Commission of the applicant's request for Revised Final Site Plan and a SLUP Amendment to permit the use of an Economic Development License for Triple Nickel restaurant at 555 S. Old Woodward Ave. with the following conditions:

1) The Planning Board designates the Bowers elevation as the principal building frontage for signage purposes;

- 2) Applicant provide specification sheets for the external lighting fixtures and the illuminated mechanical screen on the roof as well as samples of all materials proposed;
- 3) Applicant replace EFIS with the materials presented tonight;
- 4) Applicant replace sliding windows on the building frontage consistent with the comments made tonight of their intent;
- 5) Applicant execute a revised contract with the City of Birmingham outlining the nature of the proposed operation of Triple Nickel and approving the use of the existing Economic Development Liquor License under the new name Triple Nickel and extending the time frame to open the restaurant;
- 6) Applicant meet Fire Dept. requirements.

There were no comments on the motion from the public at 8:50 p.m.

Mr. Koseck commented that he thought this was a great building before, and it is even better now.

Motion carried, 7-0.

ROLLCALL VOTE

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

Nays: None

Absent: None

The board took a short recess at 8:53 p.m.

07-106-14

PRELIMINARY SITE PLAN REVIEW

1964 Southfield Rd.

Market Square

Proposed new addition to the north of the existing building and reconfiguration of the existing parking lot

Ms. Ecker advised that the subject site is located at the northwest corner of Fourteen Mile and Southfield Rd., and is the existing Market Square grocery store. The existing Market Square grocery store is 10,280 sq. ft. in size. At this time the applicant is proposing to construct a 2,935 sq. ft. addition to the north of the existing building. The proposed addition will increase the size of the entire building to 13,215 sq. ft. Parking for the existing building is provided in the ROW along both Fourteen Mile Rd. and Southfield Rd., as well as across the alley to the west on adjacent property. Along with construction of the proposed addition, Market Square is also seeking to remodel the interior of the store. Signage changes are also proposed, and the applicant will be required to obtain approval for all new signage.

In order to allow construction of the proposed building addition, the applicant proposes to remove seven 12 ft. high cedar trees on the southern portion of the City property immediately adjacent to the subject site to the north. To compensate for the removal of

these cedars, they propose to plant new large trees along with plantings on the public property.

Design Review

The existing building is constructed of a multi-color brick with a cast stone cap on all elevations. The proposed addition to the north will be constructed of the same materials in the same colors as existing. A new hollow metal door and frame is proposed for the new exit door on the east elevation. A full design and sign review will be conducted at Final Site Plan Review.

Mr. Victor Saroki, Architect, was present along with Ms. Dianne Karmo, Mr. John Karmo, Jr., and Mr. Laith Karmo, the business owners. Mr. Saroki explained the proposed addition will provide more products and services to the community. The building is about 10,000 sq. ft. on the ground floor with a 10,000 sq. ft. basement that is used for storage. All deliveries come in off the alley. Because they are so close to the building, there is no way they can excavate for the new addition and still preserve the cedar trees. Mr. Saroki went on to describe the replacement trees that are proposed.

They are providing a new screenwall that helps to bring the parking lot into conformance. Additional landscape can be planted there. They propose to take up the existing pavers and re-set them in a nice pattern on each side of the entry to allow a place for seasonal display. The existing murals in the windows will be removed and there will be some lower product display just under the window sill. Non-illuminated pinned-off metal letters 10 in. high are proposed across the top of the building that speak to the products that the store carries.

Ms. Whipple-Boyce pointed out several things that are concerns for her:

- Add another cart ramp by eliminating a parking spot in front of the entrance to further enable maneuvering a cart through the lot with groceries;
- Incorporate a small cart corral into the landscape isle;
- Re-work the mechanical screening on the north side of the back of the building;
- Consider some high windows on the north elevation. Since they are on the property line, if a building went up there the windows could be blocked off;
- Perhaps there is a possibility to lease space in the City park to the north for dining and / or display purposes.

Mr. Boyle confirmed this would be an opportunity to really liven that green field. The market could offer play space for kids, a cafe area where people could sit after they have bought their lunch, along with displays.

Mr. Clein asked the applicant to look into adding connectivity to the neighborhood as opposed to people walking through the middle of the parking lot. Perhaps walkways could be painted. Mr. Saroki discussed the opportunity to add overhead doors so that customers can go in and out on the park side. Mr. Koseck liked the plan.

Chairperson Lazar asked if there was any consideration of burying the electric lines in the back in order to make the alley more appealing. Mr. Saroki replied that they could look at that. However, he presumed it is a very prohibitive cost.

Motion by Ms. Whipple-Boyce

Seconded by Mr. Clein to approve the Preliminary Site Plan for 1964 Southfield Rd., with the following conditions:

- 1) The applicant submit all mechanical equipment specifications and screening details at Final Site Plan and Design Review;**
- 2) The applicant add street trees along Fourteen Mile Rd. and the Planning Board will see the revised landscape island at Final Site Plan and Design Review;**
- 3) The applicant mount the proposed light fixtures down to meet the cut-off, and submit light level detail at Final Site Plan and Design Review;**
- 4) The applicant comply with the requirements of the Fire Dept. and Building Division; and**
- 5) The applicant propose sidewalk connections as stated.**

Mr. Saroki stated his intention to start discussions with the city manager about leasing the park property. Ms. Ecker suggested he could talk to the city manager right away and then bring it to the City Commission for their opinion

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

07-107-14

MEETING OPEN TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA (no discussion from the public)

07-108-14

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

- a. Communications (letter regarding allowing medical marijuana facilities in the Rail District went to the City Commission)
- b. Administrative Approvals
 - 210 S. Old Woodward Ave., The Bird and the Bread - Addition of a canvas banner near the front entry.
 - 116 S. Old Woodward Ave., Putting two 10 x 10 patio umbrellas on patio. They will not go beyond patio; just over tables.
 - 35001 Woodward Ave., Parking, temporary - Temporary construction parking for the Balmoral project. Site will have temporary stone lot with 4 ft. high cyclone fence. Fence to have fabric on it. Fenced in area to also have a construction office with power. Area will be maintained by Ronnisch Construction and will be restored to original condition prior to being used as a temporary lot.

- 555 S. Old Woodward Ave., Sprint 2.5 DE03XC104 - Adding antennas to roof of existing building.

c. Draft Agenda for the Regular Planning Board Meeting on July 23, 2014

- Final Site Plan Review - 2388 Cole/Parcel 1, parking lot expansion;
- Final Site Plan Review - 2300 Cole, SW corner of Cole and Commerce, improvements to parking lot.

Motion by Mr. DeWeese

Seconded by Mr. Boyle to place the review for 2300 Cole first on the agenda for July 23.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

- d. Other Business (none)

07-109-14

PLANNING DIVISION ACTION ITEMS

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

07-110-14

ADJOURNMENT

No further business being evident, board members motioned to adjourn at 9:55 p.m.

Jana Ecker
Planning Director