

**CITY OF BIRMINGHAM
PLANNING BOARD ACTION ITEMS
OF WEDNESDAY, OCTOBER 10, 2012**

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<p>Motion by Mr. Williams Seconded by Ms. Whipple-Boyce to approve the Final Site Plan and Design for 820 E. Maple Rd., All Seasons of Birmingham, subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Applicant will be required to enter into a Streetscape Agreement with the City prior to construction; 2. The Planning Board specifically approves the use of non cut-off fixtures; 3. During demolition and earthwork construction the applicant provide that construction traffic enter and exit the site from Maple Rd. only; 4. During demolition and earthwork construction phase the applicant install a "No Construction Traffic" sign at the Elm St. and alley entrances to the site; 5. During construction of the building the applicant install a "No Construction Traffic" sign at the alley entrance on Elm St. to the site. 	5
<p>Amended by Mr. Williams and accepted by Ms. Whipple-Boyce that item 5 should read: During construction of the building the applicant endeavor to minimize construction traffic in the public alley to the maximum extent reasonably possible.</p>	6
<p>Motion carried, 4-0.</p>	6
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<p>Canine Inn (formerly BPS bus garage) Renovation of existing building and reconfiguration of site</p> <p>Motion by Mr. Williams Seconded by Ms. Lazar to approve the applicant's request for Final Site Plan Review at 2125 E. Lincoln, Canine Inn, with the following conditions:</p> <ol style="list-style-type: none"> 1. Submit a roof plan, specification sheets and material samples for all rooftop units to the Planning Division prior to installation for Administrative Approval; 2. Applicant obtain Design Review Board approval; 3. Address Engineering Dept. concerns. 	<p>7</p>
<p>Motion carried, 5-0.</p>	<p>7</p>
<p>FINAL SITE PLAN REVIEW 2125 & 2159 E. Lincoln Armstrong White (with addition of former BPS bus parking lot) Expansion of existing parking at 2125 E. Lincoln</p>	<p>7</p>
<p>Motion by Ms. Whipple-Boyce Seconded by Mr. Williams to approve the applicant's request for Revised Final Site Plan Review for 2125 E. Lincoln, Armstrong White to address the following outstanding issues:</p> <ol style="list-style-type: none"> 1. Provide one additional canopy tree on the E. side of the parking lot; 2. Provide a 10 ft. break in the screenwall as required; 3. Address Engineering Dept. concerns. 	<p>8</p>
<p>Motion carried, 5-0.</p>	<p>9</p>

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, SEPTEMBER 19, 2012
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held October 10, 2012. Chairman Robin Boyle convened the meeting at 7:30 p.m.

Present: Chairman Robin Boyle; Board Members Scott Clein, Gillian Lazar, Janelle Whipple-Boyce, Bryan Williams; Student Representative Kate Leary

Absent: Board Members Carroll DeWeese, Bert Koseck

Administration: Matthew Baka, Planning Specialist
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary
Susanna Weckerle, Asst. City Planner

10-163-12

**APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING
HELD SEPTEMBER 19, 2012**

Mr. Clein:
Page 8 - Third paragraph, his name is misspelled.

**Motion by Mr. Clein
Seconded by Mr. Williams to approve the Minutes of the Regular Planning Board
Meeting of September 19, 2012 as corrected.**

Motion carried, 5-0.

VOICE VOTE
Yeas: Clein, Williams, Boyle, Lazar, Whipple-Boyce
Nays: None
Absent: DeWeese, Koseck

10-164-12

CHAIRPERSON'S COMMENTS

Chairman Boyle summarized the agenda for the audience.

10-165-12

APPROVAL OF THE AGENDA

Ms. Ecker announced that 995 S. Eton will be postponed because of a parking issue and a design detail that need to be resolved.

Motion by Mr. Williams

Seconded by Mr. Clein that 995 S. Eton, Saretsky, Hart, Michaels & Gould Law Firm, be postponed to October 24, 2012.

Motion carried, 5-0.

VOICE VOTE

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

Nays: None

Absent: DeWeese, Koseck

10-166-12

FINAL SITE PLAN REVIEW

820 E. Maple Rd.

All Seasons of Birmingham (formerly Hamilton Funeral Home)

To allow construction of a five-story/three-story independent senior living residence, including 123 apartments and 8 live/work units

Mr. Clein announced he will recuse himself from this hearing as he has in the past because his firm, Giffels Webster, has a contractual obligation with the entities involved in this project.

Ms. Ecker advised the subject site, 820 E. Maple Rd., is currently the site of the former Hamilton Funeral Home, and has a total land area of 1.84 acres. It is located on the southeast corner of E. Maple Rd. and Elm St. in the Triangle District. The applicant is proposing to demolish the existing buildings and surface parking lot to construct a 150,449 sq. ft., five-story building along E. Maple Rd., with a three-story section on the southern portion of the property. The building will provide independent senior living units, including 123 multiple family dwelling units, and 8 live/work units along E. Maple Rd.. Parking will be provided at grade behind and/or under the building along the southern property line. The applicant was required to prepare a Community Impact Study in accordance with Article 7, section 7.27(E) of the Zoning Ordinance, as they are proposing a new building containing more than 20,000 sq. ft. of gross floor area.

The applicant appeared at the July 11, 2012 Planning Board meeting and was granted approval of the CIS, but the application for preliminary site plan review was postponed. The applicant revised the proposed plans based on the comments of board members and was granted Preliminary Site Plan Approval with conditions on August 11, 2012.

With respect to the design review, most of the proposed materials and the design have remained consistent since the last time this project was reviewed by the Planning Board. However, since Preliminary Site Plan Review, the awnings over live/work units were changed from fabric to metal to provide a more commercial appearance, and the NW corner entry was recessed 3 ft. In addition, some areas of stone and brick on the previous design have been changed to metal panels, particularly on the top level. Ms. Ecker passed around material samples and colors.

At the July 11, 2012 Planning Board meeting and again at the August 11, 2012 Planning Board meeting, several board members suggested that the applicant consider changing the interior layout of the building to move the common areas to the front of the building to enhance the interaction of residents with street life. However, the applicant has not proposed any significant changes to the interior layout of the building at this time.

The Engineering Dept. has raised the issue that it appears the trash dumpster is about 2 ft. higher with the finished grade than the properties to the south. Therefore, even though a 6 ft. wall is proposed there, from the residential side it will appear to be 8 ft. high because of the change in grade.

In response to a question from Mr. Williams, Ms. Ecker stated the position of the City with respect to a recorded easement between the former property owner of the site and the adjoining property owner, Mr. Howard Atesian. This is a private legal matter between the two parties and the City is not an involved party. Ms. Ecker went on to respond to another inquiry from Mr. Williams with respect to utilization of the alley. The City's position is that it is a public alley and all adjacent property owners are entitled to use the alley and it cannot be blocked because of the need for emergency access.

Ms. Lazar inquired about deliveries from Elm St. blocking the street, and Ms. Ecker answered that would not be permitted. Deliveries will be internal to the property.

Mr. Alex Bogaerts, architect for the petitioner, was present with Mr. Mark Abernatha from his office; along with Mr. Maurice Jerry Beznos and Mr. Douglas Etkin, developers of the facility. Mr. Bogaerts stated the barber shop and the bank within the building are intended to be only for the tenants.

Mr. Abernatha explained that the dumpster is screened on all sides and is in the best location possible. Pick-ups will be limited in terms of their frequency and time of day. They have tried to address the neighbors as much as possible. They feel that a pedestrian walkway running south through the parking lot under the building is not necessary because of the landscape and the way the parking has been assigned.

Mr. Bogaerts explained the intent is to give the building a light palette. They want the tenants to feel good and uplifted by their surroundings.

Chairman Boyle asked about proposed signage for the individual live/work units. Ms. Ecker advised that projecting signs will be mounted to the piers.

Mr. Beznos explained that live/work units will be occupied only by tenants of the building and not rented to other businesses. Leases will be for one year.

The chairman called for public comments at 8:25 p.m.

Mr. Howard Atesian, owner of the building to the east, said the easement area is 20 ft. and not 16 ft. as depicted on the plan, and it encompasses the area between his property line and where the subject building will be constructed. All of the proposed landscaping puts the taller landscaping up against his building. However, the court record shows a specific landscaping plan that has all of the large trees and shrubs against the applicant's building and the lower vegetation near his building. Chairman Boyle responded that he has been told by the city attorney that the matter of the easement will be dealt with outside of this Planning Board. Ms. Ecker added if the landscaping is altered, the applicants will have to come back to the Planning Board and/or the staff for administrative approval to amend the plan. Mr. Atesian said for the record that this plan is not according to the court order and he will pursue it beyond that.

Mr. Douglas Etkin, 327 N. Old Woodward Ave., went on the record to say they believe they are in compliance with the easement document and will deal with their neighbor in whatever format or forum that is necessary to work out any of their disagreements.

Mr. Rick Rattner, Attorney, 380 N. Old Woodward Ave., spoke to represent 219 Elm St. (Kelly Crossing, LLC), southwest of the subject parcel. He requested the board to consider certain issues that would make life easier for the people in that area and to put the issues on record as a condition of the site plan:

During demolition and earthwork construction phase

1. Construction traffic must enter and exit from Maple Rd. only;
2. Install a "No Construction Traffic" sign at the Elm St. and alley entrances to the site.

During construction of building

1. Eliminate construction traffic in the public alley;
2. Install "No Construction Traffic" at the alley entrance on Elm St. and to the site;
3. Comply with all construction related City ordinances and regulations;
4. Purchase 14 Arborvitae for installation on Kelly Crossing, LLC property along its easterly property line. Maintenance will be the sole responsibility of Kelly Crossing, LLC.

During the continuing operation of the site

1. Install permanent signs in the All Seasons parking lot giving notice that the alley exit is only for emergency use and directing vehicular traffic to exit via Elm St.;
2. Issue parking permits for staff and residents of the project;
3. Install signs in the All Seasons parking lot assigning parking areas;
4. Limit commercial truck deliveries to the site in the alley to food vendor delivery and garbage pickup only at the frequency of four trips/week each between 8 a.m. and 5 p.m.;
5. Require that residents of the live/work units shall be the only employees of such business and all live/work tenants must be residents of that live/work unit. Specify office uses only with limited hours of operation.

Other Conditions

1. Continue to allow parking in the alley;
2. Install a "No Stacking" sign at the Elm St. exit from the alley and in the alley.

Ms. Sharon Krindler, owner of the building at 200 Elm St., described the numerous parking problems in the area. She wishes the City would build a parking garage. People coming into the subject facility are going to require caregivers, therapists and all sorts of people that need to park. There just aren't enough parking spaces in the Triangle District.

It was concluded that the southern border of the alley is not marked. The City needs to designate the public space with striping, and also post signage that maintains an open alley at all times. Additionally, Chairman Boyle emphasized if the public has a concern about unloading on the street the City should erect a "No Unloading" sign.

Mr. Williams thought, and Chairman Boyle concurred, that more people in the neighborhood will try to park in the All Seasons lot than the reverse.

Mr. Douglas Etkin emphasized they are strongly opposed to anything past the construction period that the neighbors would like to impose on them. As relates to construction, they intend to be a good citizen. A good stepping off point for their responses will be to not regulate what happens on their property.

Chairman Boyle described how this development of housing for the elderly is very much in line with the goals of the community for the Triangle Area. The applicant has even gone so far as picking up the board's idea of incorporating mixed-use and he applauds them.

Motion by Mr. Williams

Seconded by Ms. Whipple-Boyce to approve the Final Site Plan and Design for 820 E. Maple Rd., All Seasons of Birmingham, subject to the following conditions:

1. **Applicant will be required to enter into a Streetscape Agreement with the City prior to construction;**

2. **The Planning Board specifically approves the use of non cut-off fixtures;**
3. **During demolition and earthwork construction the applicant provide that construction traffic enter and exit the site from Maple Rd. only;**
4. **During demolition and earthwork construction phase the applicant install a “No Construction Traffic” sign at the Elm St. and alley entrances to the site;**
5. **During construction of the building the applicant install a “No Construction Traffic” sign at the alley entrance on Elm St. to the site.**

Mr. Williams added for the record but not to be included in the motion that it is the understanding of the Planning Board that the applicant has agreed to purchase 14 Arborvitae trees for installation on Kelly Crossing, LLC’s property in the existing planting strip along Kelly Crossing’s easterly property line.

Chairman Boyle took discussion on the motion to the public at 9:03 p.m.

Mr. Mark Highlen with Maple-Elm Development Company, LLC brought up the point that during the post demolition and earthwork construction, restricting traffic from the alley would make the site virtually unbuildable. He asked that the motion be amended to minimize construction traffic through the alley.

Amended by Mr. Williams and accepted by Ms. Whipple-Boyce that item 5 should read:

During construction of the building the applicant endeavor to minimize construction traffic in the public alley to the maximum extent reasonably possible.

Motion carried, 4-0.

ROLLCALL VOTE

Yeas: Williams, Whipple-Boyce, Boyle, Lazar

Nays: None

Recused: Clein

Absent: DeWeese, Koseck

The board took a short recess at 9:12 p.m.

10-167-12

FINAL SITE PLAN REVIEW

2159 E. Lincoln

Canine Inn (formerly BPS bus garage)

Renovation of existing building and reconfiguration of site

Mr. Baka explained the subject site is located at 2159 E. Lincoln, east of S. Eton. The parcel is zoned MX, Mixed Use and is located in the Rail District. A lot split is pending regarding this parcel; the City Commission has set a public hearing to consider the split on October 15, 2012. If approved, the split would divide the parcel that was previously the Bus Depot owned by Birmingham Public Schools with a portion being purchased by the neighbor to the west (Armstrong White) for a proposed parking lot expansion and the remaining property and building being purchased by the applicant. The current applicant is proposing to renovate the existing vacant building and improve the site for use as the Canine Inn, which is currently located in the building on the abutting property to the east.

The applicant is required to appear before the Design Review Board (“DRB”) for approval of all exterior design and signage changes.

Mr. Frank Carnavale, Architect for the Canine Inn, was present with Ms. Carla Grave, the business owner. Mr. Carnavale explained the Canine Inn will be the tenant in the space for which Mr. Don Bailey has signed a Purchase Agreement with the Birmingham Public Schools. Capacity of the Canine Inn is approximately sixty dogs. This smaller space will be more accommodating for their use than their former location. Mechanical equipment for the building has not yet been designed and they intend to comply with screening for the rooftop units. There is adequate parking for what they are proposing. The light fixtures are backlit and will provide a glow around the building. They are reserving the empty sod area to accommodate some of the parking needs for the future use of the adjacent building. Mr. Carnavale went on to describe the dog run area which is behind the building and completely fenced.

Mr. Clein asked about providing a sidewalk on the northern portion of the parking lot. Mr. Carnavale said that will come in the future development of the parking lot when they pave the grassy area.

There were no comments from members of the public at 9:52 p.m.

Ms. Whipple-Boyce expressed her concern that every development seems to want more and more surface parking. Mr. Williams replied it seems like a lot of parking but there is not enough when events occur. Mr. Clein was troubled because it seems the Rail District is growing in a way that is contrary to what the Planning Board had envisioned. He wishes there was more pedestrian friendly connectivity from the street to the site.

Motion by Mr. Williams

Seconded by Ms. Lazar to approve the applicant’s request for Final Site Plan Review at 2125 E. Lincoln, Canine Inn, with the following conditions:

- 1. Submit a roof plan, specification sheets and material samples for all rooftop units to the Planning Division prior to installation for Administrative Approval;**
- 2. Applicant obtain Design Review Board approval;**

3. Address Engineering Dept. concerns.

There were no further comments from the public at 9:57 p.m.

Motion carried, 5-0.

VOICE VOTE

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

Nays: None

Absent: DeWeese, Koseck

10-168-12

FINAL SITE PLAN REVIEW

2125 & 2159 E. Lincoln

Armstrong White (with addition of former BPS bus parking lot)

Expansion of existing parking at 2125 E. Lincoln

Mr. Baka advised the subject site is located at 2125 E. Lincoln, east of S. Eton, immediately adjacent to the City's pocket park on the corner of Eton and Lincoln. The parcel is zoned MX, Mixed Use and is located in the Rail District. The current proposal would incorporate a portion of the former Birmingham Public Schools Bus Depot, which abuts the site to the east, in order to expand their parking lot. A lot split is pending regarding this parcel; the City Commission has set a public hearing to consider the lot split on October 15, 2012. If approved, the split would divide the parcel that was previously the Bus Depot owned by Birmingham Public Schools with a portion being purchased by the neighbor to the east (Canine Inn) for a proposed building and site renovation, with the remaining property being purchased by the applicant. Armstrong White purchased and renovated the existing vacant building at 2125 E. Lincoln and improved the site for their advertising office after receiving Final Site Plan review from the Planning board on April 27, 2011. Those changes have been completed. No changes to the building are proposed at his time.

Ms. Catherine Abhoud, one of the four owners of Armstrong White and the building, explained they are a 3-D animation studio that creates imagery for the advertising industry, specifically the automotive sector. Their business is growing and they have 40 employees along with visitors to their site. Therefore, they have proposed additional parking. There are times during the day when parking is stacked in the area and people are parking in their lot.

In response to a question by the Chairman, Mr. Baka indicated 31 parking spaces are required and 58 proposed. Ms. Whipple-Boyce announced she would like to return on a future date to the discussion of what is happening in this area with parking.

Chairman Boyle asked for comments from members of the public at 10:10 p.m.

Mr. Howard Atesian spoke to say there are “No Parking” signs along Lincoln on the south side. The street is wide enough to accommodate parking on both the north and the south because the busses are not there anymore. One quick easy fix would be to eliminate the “No Parking” signs on Lincoln on that side. Further, if the City wants to develop that area as a Rail District, that one acre Birmingham School property could be put to better use than just additional parking. He sees this as a lost opportunity for the City of Birmingham.

It was noted the property has been for sale for a couple of years.

Motion by Ms. Whipple-Boyce

Seconded by Mr. Williams to approve the applicant’s request for Revised Final Site Plan Review for 2125 E. Lincoln, Armstrong White, to address the following outstanding issues:

1. Provide one additional canopy tree on the E. side of the parking lot;
2. Provide a 10 ft. break in the screenwall as required;
3. Address Engineering Dept. concerns.

There were no comments on the motion from the public at 10:16 p.m.

Motion carried, 5-0.

VOICE VOTE

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

Nays: None

Absent: DeWeese, Koseck

10-169-12

FINAL SITE PLAN REVIEW

995 S. ETON

Saretsky, Hart, Michaels & Gould Law Firm

Two-story addition to building in existing outdoor courtyard

Postponed to the Planning Board meeting of October 24, 2012.

10-170-12

STUDY SESSION

Alley and Passage Wayfinding Signage

Selection of preferred design

Ms. Ecker displayed two examples of wayfinding signage that were submitted by Ron & Roman Architects for alleys and passages. One was white LED lights with a sculptural “V.” The second was aluminum painted letters in bright colors. She looked for consensus of the Planning Board as to which one they like best.

Discussion considered that signs atop a pole would not look good and the goal would be to affix them to a building wherever possible. Further, it is not known if the colors will fade, there is no prototype, and the cost is not known.

Ms. Lazar suggested subtle marking on the ground that would indicate the vias. The board was not particularly enthused with either of the two samples and wanted to get a few more ideas from local designers before making a decision.

10-171-12

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

10-172-12

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

- a. Communications (none)
- b. Administrative Approvals
 - 953 S. Eton – Install five ton condenser on roof/ “Lamse” painted to match building; height of unit: 33 in.; height of screening: 41 in.
 - 34300 S. Woodward Ave., Walgreen’s Retail/Office –
 - 1) Added egress door close to Woodward Ave. and Haynes;
 - 2) Shifted the drive-thru window south 3 ft.;
 - 3) Added second-floor windows on east elevation.
- c. Draft Agenda for the Regular Planning Board Meeting on October 24, 2012
 - Interview consultants for Woodward Ave. Corridor Plan;
 - 995 S. Eton postponed from this evening; and
 - Dunkin Donuts site which will now be a new retail building and remodel of Hi Way Collision building.
- d. Other Business
 - Ms. Lazar wanted a future discussion to consider parking quotas for furniture stores.

10-173-12

PLANNING DIVISION ACTION ITEMS

- a. Staff report on previous requests (none)

- b. Additional items from tonight's meeting (none)

10-174-12

ADJOURNMENT

No further matters being evident, the Planning Board motioned to adjourn at 10:32 p.m.

Jana Ecker
Planning Director

APPROVED