I. ELECTION OF PRESIDING OFFICER, CALL TO ORDER AND PLEDGE OF ALLEGIANCE
   A. Election of Presiding Officer
   B. Call to Order and Pledge of Allegiance

II. ROLL CALL
   J. Cherilynn Mynsberge, City Clerk

III. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS, INTRODUCTION OF GUESTS AND ANNOUNCEMENTS.

   Announcements:
   • To foster the love of reading in young children, the Baldwin Public Library has launched a program called “1,000 Books before Kindergarten.” Studies show that families who start reading aloud to their children at birth and continue to do so over the years will strengthen their children's language skills and build their vocabulary. The more that children are read to, the better prepared they are for kindergarten and beyond. To sign up for the program, visit the Youth Room reference desk. The “1,000 Books before Kindergarten” program is sponsored by the Bob and Jean Kelly Endowment fund.

IV. CONSENT AGENDA
   All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of the items unless a commissioner or citizen so requests, in which event the item will be removed from the general order of business and considered under the last item of new business.

   A. Approval of City Commission meeting minutes of March 12, 2018.
   B. Approval of warrant list, including Automated Clearing House payments, dated March 14, 2018 in the amount of $1,561,970.91.
   C. Approval of warrant list, including Automated Clearing House payments, dated March 21, 2018 in the amount of $1,078,394.02.
   D. Resolution authorizing the IT department to renew the existing Granicus Subscription for the yearly cost of $7295.40. Funds available in the IT Connectivity account 636-228.000-933.0700.
   E. Resolution approving the proposal from Johnson-Hill Land Ethics Studio in the amount not to exceed $24,700.00 for landscape architectural consultant services for design development, construction documentation, bid period services and construction period services to construct two Little League fields along the eastern edge of Kenning Park. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City of Birmingham upon receipt of proper insurance. Further, waiving the formal bidding requirements. Funds for this purchase are available from General Fund – Parks – Other Contractual Services account #101-751.000-811.0000.
F. Resolution setting Monday, April 23, 2018 at 7:30 PM for a public hearing to consider the ordinance amendments to amend the submittal requirements for site plan and Special Land Use Permit review.

G. Resolution setting Monday, April 23, 2018 at 7:30 PM for a public hearing to consider an application for a Special Land Use Permit Amendment and Final Site Plan for First Presbyterian Church at 1669 W. Maple.

H. Resolution setting Monday, April 23, 2018 at 7:30 PM for a Public Hearing to consider the proposed lot combination of 325 W. Brown & 298 S. Old Woodward.

I. Resolution setting Monday, April 23, 2018 at 7:30 PM for a Public Hearing to consider the proposed lot combination of 215 Peabody & 34965 Woodward.

V. UNFINISHED BUSINESS

A. Public Hearing to consider adoption of the City of Birmingham 2018 Parks and Recreation Master Plan
   1. Resolution adopting the City of Birmingham 2018 Parks and Recreation Master Plan. (complete resolution in agenda packet)

VI. NEW BUSINESS

A. Public Hearing to consider the reprogramming of program year 2017 CDBG funds
   1. Resolution authorizing the Finance Director to submit a request along with the public hearing advertisement and City Commission resolution to Oakland County to reprogram the Community Development Block Grant (CDBG) program year 2017 funds in the amount of $17,834 from Minor Home Repair (Account 731227) to the Remove Architectural Barriers project (Account 731619) – Police Department Main Entrance ADA Retrofit; and further approving the appropriation and amendment to the General and Community Development Block Grant Funds as follows:

   **General Fund:**
   - Revenues
     - Draw from Fund Balance 101-000.000-401.0000 $(17,834)
   - Expenditures
     - City Hall and Grounds Buildings 101-265.001-977.0000 $(17,834)

   **Community Block Grant Fund:**
   - Revenues
     - Federal Grants 248-000.000-503.0000 $17,834
   - Expenditures
     - Barrier Free Improvements 248-690.000-836.0100 $17,834

B. Resolution approving the ordinance amendment to amend the City Code, Part II, Chapter 1- General Provisions, Sec. 1-2 Definitions.
VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

IX. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA

X. REPORTS

A. Commissioner Reports
B. Commissioner Comments
C. Advisory Boards, Committees, Commissions’ Reports and Agendas
D. Legislation
E. City Staff
   1. Annual Planning Division Report, submitted by City Planner Ecker
   2. Southfield and Maple Grant Funding, submitted by City Engineer O'Meara

XI. ADJOURN

INFORMATION ONLY

NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk's Office at (248) 530-1880 (voice), or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

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 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).
DATE: March 8, 2018

TO: Joseph A. Valentine, City Manager

FROM: J. Cherilynn Mynsberge, City Clerk

SUBJECT: Election of Presiding Officer

Both Mayor Harris and Mayor Pro Tem Bordman are unable to attend the City Commission meeting of March 26, 2018. The Rules of Procedure for the City Commission, as adopted in June, 1991, and revised on August 26, 2013 states:

PRESIDING OFFICER

The Mayor shall preside at all meetings of the City Commission. In the absence or disability of the Mayor, the Mayor Pro-Tem shall preside. In the absence or disability of both the Mayor and the Mayor Pro-Tem, the Commission shall elect one of its members to act as presiding officer.

It would be appropriate for the City Manager, as the chief administrative officer of the city, to call for nominations for a temporary presiding officer and to then call for a vote on the nominated Commissioner(s).
Yeas,    7  
Nays,    0  
Absent,  0  

BIRMINGHAM CITY COMMISSION MINUTES  
MARCH 12, 2018  
MUNICIPAL BUILDING, 151 MARTIN  
7:30 P.M.  

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE  
Mayor Harris called the meeting to order at 7:30 p.m.  

II. ROLL CALL  
ROLL CALL: Present, Mayor Harris  
            Mayor Pro Tem Bordman  
            Commissioner Boutros  
            Commissioner DeWeese  
            Commissioner Hoff  
            Commissioner Nickita  
            Commissioner Sherman  

Administration: City Manager Valentine, Assistant City Manager Gunter, City Attorney Currier, Senior Planner Baka, Chief of Police Clemence, Planning Director Ecker, City Clerk Mynsberge, Birmingham Museum Director Pielack, City Engineer O’Meara, Director of Public Services Wood  

III. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS, INTRODUCTION OF GUESTS AND ANNOUNCEMENTS.  

03-061-18  ANNOUNCEMENTS  
Mayor Harris announced:  
• Books, Bags & Bagels is a fundraiser being hosted by the Friends of the Baldwin Public Library on Sunday, March 18th, 1:00 – 4:00 p.m. Shop for gently used handbags, totes and wallets. Enjoy bagels and coffee while browsing a collection of books on women’s topics and by female authors. Donations of bags are being accepted at the Circulation Desk.  

03-062-18  APPOINTMENT OF REGULAR MEMBER TO CABLECASTING BOARD  
The Commission interviewed R. David Eick, who is currently a member of the Cablecasting Board whose term expires on March 30, 2018.  

MOTION: Motion by Commissioner DeWeese:  
To appoint R. David Eick, to the Cablecasting Board as a regular member to serve a three-year term to expire March 30, 2021.  

VOTE:  
Yeas, 7  
Nays, 0  
Absent, 0  

03-063-18  APPOINTMENT OF REGULAR MEMBER TO MULTI-MODAL TRANSPORTATION BOARD
The Commission interviewed Dr. Katie Schafer, who currently serves as an alternate member on the Multi-Modal Board (MMTB).

**MOTION:** Motion by Mayor Pro Tem Bordman:
To appoint Dr. Katie Schafer as a regular member who is a pedestrian advocate to the MMTB Board to serve a three-year term to expire March 24, 2021.

**VOTE:**
- Yeas, 7
- Nays, 0
- Absent, 0

**03-064-18 APPOINTMENT OF REGULAR MEMBERS TO PARKS AND RECREATION BOARD**

The Commission interviewed William Wiebrecht and Ryan Ross, both current members of the Parks and Recreation Board whose terms expire on March 13, 2018, and Heather Carmona and Dominick Pulis.

**MOTION:** Motion by Mayor Pro Tem Bordman:
To appoint Dominick Pulis to the Parks and Recreation Board as a regular member to serve a three-year term to expire March 13, 2021.

**MOTION:** Motion by Commissioner Sherman:
To appoint William Wiebrecht to the Parks and Recreation Board as a regular member to serve a three-year term to expire March 13, 2021.

**MOTION:** Motion by Commissioner Boutros:
To appoint Ryan Ross to the Parks and Recreation Board as a regular member to serve a three-year term to expire March 13, 2021.

**MOTION:** Motion by Commissioner Hoff:
To appoint Heather Carmona to the Parks and Recreation Board as a regular member to serve a three-year term to expire March 13, 2021.

**Vote on Dominick Pulis:**

| VOTE: | Yeas, 3 | Nays, 0 | Absent, 0 |

**Vote on William Wiebrecht:**

| VOTE: | Yeas, 7 | Nays, 0 | Absent, 0 |

**Vote on Ryan Ross:**

| VOTE: | Yeas, 7 | Nays, 0 | Absent, 0 |

**Vote on Heather Carmona:**

| VOTE: | Yeas, 4 | Nays, 0 |
Mayor Harris announced the appointment of William Wiebrecht, Ryan Ross, and Heather Carmona to the Parks and Recreation Board.

03-065-18 APPOINTMENT OF REGULAR MEMBERS TO PLANNING BOARD
The Commission interviewed Stuart Jeffares, J. Bryan Williams, who currently serve on the Board with terms that expire on March 28, 2018.

The Commission also interviewed Daniel Share, currently an alternate member on the Board. Mr. Share presented a letter from Paul Share, Manager, of FAS Associates, LLC, stating, “FAS Associates, LLC, a Michigan limited liability company, the owner of 442 South Old Woodward, Birmingham, Michigan, has appointed Daniel Share its agent and attorney, among other things for purposes of appointment to any City Board of (sic) Commission where building ownership is a qualification for appointment.” City Attorney Currier confirmed Mr. Share is eligible for the required position on the Board for a building owner in the central business or Shain Park Historic District.

Nasseem Ramin, currently an alternate member on the Board, submitted an application but was unable to attend the meeting.

MOTION: Motion by Mayor Pro Tem Bordman:
To appoint Daniel Share to the Planning Board as a regular member who is a building owner in the central business or Shain Park Historic District to serve a three-year term to expire March 28, 2021.

MOTION: Motion by Commissioner Boutros:
To appoint Stuart Jeffares to the Planning Board as a regular member to serve a three-year term to expire March 28, 2021.

MOTION: Motion by Commissioner DeWeese:
To appoint J. Bryan Williams to the Planning Board as a regular member to serve a three-year term to expire March 28, 2021.

Mayor Harris left the nominations open and deviated from the agenda to allow Planning Director Ecker time to determine if 442 S. Old Woodward is located within either the central business district or in Shain Park Historic District.

03-066-18 APPOINTMENT OF MEMBER WITH A BACKGROUND IN ROAD DESIGN AND MAINTENANCE TO THE AD HOC UNIMPROVED STREET STUDY COMMITTEE
Mayor Pro Tem Bordman stated:
- The Commission should consider Mr. Emerine’s application despite its arrival after the submission deadline.
- She was concerned about establishing a precedent of accepting late applications.

City Manager Valentine explained that he and City Clerk Mynsberge had discussed the issue and concurred that since the Unimproved Street Study Committee is Ad Hoc with a
definite end-date, accepting a late application sets no precedent for regular Boards or Committees.

The Commission agreed.

The Commission interviewed Scott Assenmacher, P.E. and Jason Emerine, P.E.

**MOTION:** Motion by Commissioner Boutros:
To appoint Jason M. Emerine, P.E. to the Ad Hoc Unimproved Street Study Committee as the member with a background in road design and maintenance to serve a term expiring December 31, 2018.

**VOTE:**
- Yeas, 7
- Nays, 0
- Absent, 0

Mayor Harris returned to Agenda Item 3H.

**03-067-18 APPOINTMENT OF REGULAR MEMBERS TO PLANNING BOARD (continued)**
Planning Director Ecker reported that 442 S. Old Woodward is not within the central business historic district. It is in the overlay, which is generally thought of as the central business district (CBD), but the historic district is the only one actually called the central business historic district (CBHD).

Commissioner Nickita stated that there are numerous examples of considering the CBD as extending to the boundaries of the overlay.

Planning Director Ecker agreed that conceptually the CBD usually at least extends to the boundaries of the overlay, if not further on to the boundaries of the Birmingham Shopping District. Planning Director Ecker continued that the Shain Park Historic District is capitalized in the ordinance, whereas the CBD is lowercase, which may indicate that the CBD refers to the colloquial understanding of the business district which extends to the overlay, as opposed to the strict definition of the CBHD which is much smaller.

Mayor Pro Tem Bordman said there seemed to be a conflict between the Notice of Intent to Appoint and the definition of the ordinance, and that the ordinance definition would take precedence. City Attorney Currier agreed.

Commissioner Sherman stated that an ordinance regarding skateboarding defines the central business district boundaries as follows: the east sidewalk of Woodward, to the north sidewalk of Oakland, to the north sidewalk of Willits, to the west sidewalk of Chester, to the north sidewalk of Maple, to the west sidewalk of Southfield, to the south sidewalk of Merrill, to the west sidewalk of Bates, to the south sidewalk of Townsend, to the west sidewalk to Henrietta, to the south sidewalk of Brown, back to the east sidewalk of Woodward.

Commissioner Sherman confirmed for Mayor Harris that the aforementioned boundaries would not encompass 442 S. Old Woodward.
The Commission requested that City Attorney Currier look into the technical definition of the CBD further.

There was a majority consensus (4-3) among the Commissioners to leave all nominations for the Planning Board open, to direct staff to determine the intended definition of “central business district” in Chapter 82, Section 82-27 of the Birmingham Code of Ordinances, to determine if 442 S. Old Woodward is located within the defined “central business district”, and to adjourn further consideration of the nomination and appointment of members to the Planning Board until April 9, 2018.

The City Clerk administered the Oath of Office to the appointees.

IV. CONSENT AGENDA

All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of the items unless a commissioner or citizen so requests, in which event the item will be removed from the general order of business and considered under the last item of new business.

03-068-18 APPROVAL OF CONSENT AGENDA

The following items were removed from the Consent Agenda:

- Commissioner Hoff: Item E, Bicycle and Pedestrian Counts-2018
  Item F, Parks and City Property Lawn Maintenance Services Contract

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Boutros:
To approve the Consent Agenda, consisting of Items A, B, C, D, and L.

ROLL CALL VOTE: Yeas, Mayor Pro Tem Bordman
Commissioner Boutros
Commissioner DeWeese
Mayor Harris
Commissioner Hoff
Commissioner Nickita
Commissioner Sherman
Nays, None

A. Approval of City Commission meeting minutes of February 26, 2018.

B. Approval of warrant list, including Automated Clearing House payments, dated February 28, 2018 in the amount of $755,720.63.

C. Approval of warrant list, including Automated Clearing House payments, dated March 7, 2018 in the amount of $3,323,122.40.

D. Resolution approving a request from the City of Birmingham Department of Public Services to hold the 2018 In the Park Concert series in Shain Park, contingent upon compliance with all permit and insurance requirements and payment of all fees, and, further, pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.

L. Resolution confirming the City Manager’s authorization for the emergency expenditure regarding the repair of the Bates Street elevator in the N. Old
Woodward parking garage to Kone Inc. in the amount of $11,970.00 to be paid from the Parking Fund account #585-538.005-930.0200, pursuant to Sec. 2-286 of the City Code.

03-069-18  BICYCLE AND PEDESTRIAN COUNTS-2018
Commissioner Hoff said:
• She is in favor of conducting analysis at each of the intersections within the Central Business District.
• Due to the upcoming construction project planned on S. Old Woodward, however, the counts would likely be skewed if the analysis is performed concurrently with the construction.
• The count should be done when the roads are open and unimpeded.

Planning Director Ecker said:
• Two counts are planned for this calendar year, and the second count would be after the construction is concluded.
• The MMTB recommends repeating the count every couple of years, so aberrations in a single count would simply be part of charting the City’s long-term pedestrian and bicycle trends.

Commissioner Nickita echoed Commissioner Hoff’s concerns that the proposed May 2018 pedestrian and bicycle count will not be representative due to the construction on S. Old Woodward.

Planning Director Ecker told Commissioner Nickita that the May 2018 count could be removed completely from the plan, which would decrease the cost of the count by $900.

Commissioner Sherman suggested performing the initial counts in September 2018 and May 2019.

MOTION:  Motion by Commissioner Hoff, seconded by Commissioner Boutros:
To authorize the expenditure of up to $8,100.00 from account #101-721.000-811.00 for the purpose of conducting bicycle and pedestrian counts utilizing our current multimodal transportation consultant, Fleis and Vandenbrink/MKSK, who are under contract with the City, at 9 intersections during the months of September 2018 and May 2019.

VOTE:  Yeas, 7
Nays, 0
Absent, 0

03-070-18  PARKS AND CITY PROPERTY LAWN MAINTENANCE SERVICES CONTRACT
Department of Public Services (DPS) Director Wood told Commissioner Hoff that:
• The City had previously employed Birmingham Lawn Maintenance and Snow Removal, Inc. for City lawn maintenance;
• In 2017, the City hired another contractor who submitted a lower bid, but the work has been unsatisfactory; and
• The City now has three bidders for the 2018 contact, and would like to re-hire to Birmingham Lawn Maintenance and Snow Removal, Inc.

MOTION:  Motion by Commissioner Hoff, seconded by Mayor Pro Tem Bordman:
To award the Parks and City Property Lawn Maintenance Services Contract to Birmingham Lawn Maintenance and Snow Removal, Inc. for a four (4) year Agreement commencing April 15, 2018 and ending November 15, 2021 in the amount not to exceed $675,124.00 and an amount not to exceed $60,000.00 for fertilization and weed control services. Funds are available in each of the following accounts:

- Local Streets, Contract Maintenance: 203-449.003-937.0400
- Major Streets, Contract Maintenance: 202-449.003-937.0400;
- Parks, Other Contractual Services: 101-751.000-811.0000;
- Property Maintenance, Other Contractual Services: 101-441.003-811.0000;
- Weed/Snow Enforcement, Other Contractual Services: 101-441.007-811.0000;
- Wells and Controls, Other Contractual Services: 591-537.002-811.0000.

Further, authorizing the Mayor and City Clerk to sign the Lawn Maintenance Agreement upon receipt of the required insurances.

VOTE: Yeas, 7
Nays, 0
Absent, 0

03-071-18 ITEMS 4G, 4H, 4I, 4J, AND 4K
Commissioner Sherman took the opportunity to thank Jeffrey Bozell and Matt McAlear for their service on the Cablecasting Board, Art Stevens for his service on the Parks and Recreation Board, Andrew Lawson for his service on the Multi-Modal Transportation Board, and Gillian Lazar for her service on the Planning Board.

Commissioners Sherman and Nickita emphatically stated notice from a member of a board or committee that he or she does not wish to submit an application for reappointment does not constitute a resignation, clearly stated “resignation” is the incorrect term, and unequivocally declared Items 4G, 4H, 4I, 4J, and 4K do not belong on the agenda.

V. UNFINISHED BUSINESS
None.

VI. NEW BUSINESS
03-072-18 PUBLIC HEARING TO CONSIDER RENEWAL OF LIQUOR LICENSE FOR MAD HATTER BISTRO (TEA PARLOR, INC.);
185 N. OLD WOODWARD

Mayor Harris opened the public hearing at 8:51 p.m.

No comments were offered.

Mayor Harris closed the public hearing at 8:51 p.m.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Nickita:
To renew, for the 2018 licensing period, the liquor license held by Mad Hatter Bistro (Tea Parlor, Inc.), 185 N. Old Woodward.

VOTE: Yeas, 7
03-073-18  PUBLIC HEARING TO CONSIDER A FINAL SITE PLAN AND SPECIAL LAND USE PERMIT FOR 191 CHESTER - FOR OFFICE USE

Planning Director Ecker reported the applicant, on March 8, 2018, submitted a letter requesting cancellation of the public hearing to allow pursuit of additional design changes to the building which will require them to go back to the Planning Board for Revised Final Site Plan & Design Review.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Boutros:
To cancel the public hearing for 191 N. Chester, at the request of the applicant, to allow time for additional building changes to be reviewed by the Planning Board.

VOTE: Yeas, 7
Nays, 0
Absent, 0

03-074-18  PUBLIC HEARING TO CONSIDER THE FINAL SITE PLAN & DESIGN AND A SPECIAL LAND USE PERMIT AMENDMENT-33588 WOODWARD - SHELL GAS STATION

Mayor Harris opened the public hearing at 8:53 p.m.

Senior Planner Baka reported the applicant:
- Received a Special Land Use Permit (SLUP) from the City Commission on September 22, 2014.
- Seeks an amendment to the existing SLUP to allow them to construct a small addition to the building to allow for a new accessible 79 sq. ft. bathroom.
- Will bring all outdoor storage into compliance with the outdoor storage regulation ordinance passed since the granting of the original SLUP.
- Was approved for a SLUP amendment by the Planning Board on January 28, 2018 providing:
  - The ice and propane storage units do not exceed 4'; and
  - Compliance with the requests of City Departments.
- Plans to match the brick and exterior appearance to the current building. Propane and ice storage will go around the side of the building, and would be stored on black, metal racks that would be no taller than 4'.

Senior Planner Baka told Commissioner Sherman that:
- Window signage for businesses on Woodward is permitted at the rate of 18 sq. ft. per frontage.
- Some proposed window signage changes did not go before the Planning Board because the information was not yet available. Changes in window signage, however, does not require permit or approval from the City.

Commissioner Sherman asked to see the proposed window signage. Senior Planner Baka provided it, and stated he did not originally include it in the Commission Packet since the plans had not been seen by the Planning Board first.

Applicant Chris Barbat:
Appeared before the Commission and explained that the proposed sign changes had not been provided to the Planning Board because they had not been ready.

Told Commissioner Hoff that the south side of the building is recessed, which means the bathroom will not extend much farther beyond the rest of the building. Currently the space is empty storage, and access to the restroom will be interior to the building. The purpose of the addition is to alleviate congestion between the Dunkin’ Donuts line and the line for the restroom. The restroom does not remain locked.

Commissioner Sherman reiterated that all the proposed changes should have been submitted to the Planning Board at once for consideration as part of the SLUP amendment.

Planning Director Ecker confirmed for Commissioner Nickita that:

- The sidewalk at 33588 Woodward would need to be expanded in order to meet the ADA requirements of a 5’ width.
- The expansion would fall under the SLUP amendment requirement that there be “compliance with the requests of City Departments”.
- The plans would not be approved without the sidewalk expansion.

Commissioner Nickita replied that the plans need to specifically reflect how the applicant will build an ADA-compliant sidewalk.

Planning Director Ecker stated that any method of bringing the sidewalk into ADA-compliance would be sufficient for the Planning Board.

Mr. Barbat confirmed for Commissioner DeWeese that the two large vinyl signs in the window reading ‘Liquor’ will be replaced by smaller signs within the gas station.

The Public Hearing was closed at 9:07 p.m.

**MOTION:** Motion by Commissioner Hoff, seconded by Commissioner Boutros:
To approve the Final Site Plan & Design and a Special Land Use Permit Amendment at 33588 Woodward to allow the addition of a new accessible bathroom to the existing Shell gasoline service station as recommended by the Planning Board on January 24, 2018.

Commissioner DeWeese specified that the applicant would be approved pursuant to all the discussion that occurred before the Commission this evening.

Commissioner Nickita reiterated concern at the lack of clarity regarding how the sidewalk would become ADA-compliant, since different strategies of rebuilding the sidewalk would have very different outcomes for the layout of the parcel.

Commissioner Nickita agreed with Commissioner Sherman that all of this information should have been included as part of the SLUP amendment.

Commissioner Hoff asked whether City staff would track ADA-compliance on this issue.

Mayor Harris asked whether City staff would only track ADA-compliance, or whether City staff would track some of Commissioner Nickita’s concerns as well.
Senior Planner Baka told Mayor Harris that City staff would track, in addition to ADA-compliance, pedestrian flow, accessibility from all the parking spots, and car safety and maneuverability that result from the parcel changes.

Commissioner Sherman stated that this SLUP amendment should go back before the Planning Board for further review since the plans, as submitted, are incomplete.

Commissioner Nickita agreed with Commission Sherman. Commissioner Nickita continued that incomplete SLUP amendment requests should not appear before the Commission; all relevant information should be submitted and reviewed by the Planning Board first.

VOTE: Yeas, 0  Nays, 7  Absent, 0

City Manager Valentine stated he would get this issue back before the Planning Board as quickly as possible.

03-075-18  RESOLUTION  ACCEPTING  THE PROPOSED  2018  BIRMINGHAM MUSEUM MASTER LANDSCAPE PLAN

Birmingham Museum (Museum) Director Pielack reported:

The Friends of the Birmingham Museum and the Rosso Family Foundation provided funding for the Proposed Museum Master Landscape Plan, covering approximately four acres of site, and Brian Devlin, historic landscape architect of Nagy Devlin Land Designs was selected to study the landscape and make recommendations to the Museum Board.

In order to approach the museum landscape planning comprehensively, input was gathered from a wide range of sources. These included:

- Planning/Historic Preservation Departments regarding infrastructure, planning, alignment with local historic district ordinance and State Historic Preservation Office guidelines, ADA access and parking issues, and integration/coordination with policies and materials used by other city parks.
- A joint workshop between the Museum Board, the Parks and Recreation Board, and the Historic District Commission was held on January 17, 2018 to discuss the plan and gather input from board members as well as the public.

The Plan protects and preserves the natural aspects of the landscape, while restoring its unique historic character that has been lost or obscured by time and invasive plants. Furthermore, the plan integrates a variety of public access options, enhancing the museum's community engagement and educational opportunities.

The Plan is conceptual, and it is comprehensive and consistent with the city's other planning initiatives and parks, allowing for coordination of projects. This is intended to communicate with potential sponsors and granting organizations to leverage funding commitments and assist with continued planning. As needs or conditions change, the suggested timelines can be revised.

Mr. Devlin presented maps of the Allen House, Public Plaza, and the Hunter House with discussion of trails, surrounding topography, and four landscape zones: The Heritage Zone, which includes the two houses and the plaza; The Transition Zone, with steeper slopes down to the pond area; The Pond Zone; and The Riverine Woodland Zone.
Mr. Devlin continued that the **Heritage Zone** plan includes planting:
- More elm trees in front of the Allen House due to the large number of elms already on-site;
- Birmingham heritage plants in the garden beds; and,
- A children’s garden near the u-hedge and picket fence by the Heritage House.

There will also be a removal of undesirable species of trees.

Mr. Devlin noted that there has already been a tremendous amount of work around the Heritage House, including handicapped-accessible parking.

The **Transition Zone** is the steeply-sloped area behind the houses that extends to the pond. Mr. Devlin continued that:
- There is an existing 2½ - 3’ tall wall;
- There are elm stumps and evergreen trees;
- There is a wood stairway down to the pond that may be covering up cement steps with fieldstone edge;
- Any new wall installed will look different from the existent wall in order to belie the idea that the wall is historic;
- The green area will remain open with a few elm trees;
- The steps will be updated; and
- The goal is minimizing the change done to the area.

The **Riverine Woodland Zone** has an old fieldstone wall, a trail, the river, many dead branches, some undesirable trees, and some invasive species that are of concern.
- The trail has wood timbers for steps.
- This area is laid out in Birmingham’s Rouge River Trail Corridor Master Plan, and includes:
  - An overlook near the existing trail entry;
  - Maintaining existing trails and upgrade with stone steps and handrail;
  - Extending the trail at the intersection with a boardwalk to a deck at the bank of the river according to the Rouge River Trail Corridor Master Plan;
  - Connecting the overlook with a trail along the top of the ridge to the entry of the existing trail at Maple Road;
  - Establishing a plan for eradicating the invasive species;
  - Developing a planting program to restore the sloped area to a Beech-Maple ecosystem; and,
  - Installing large boulders as sculptural elements.

The **Pond Zone** has more moderate slopes than the Transition Zone and:
- Pedestrian access from Willits;
- A light pole that provides internet access;
- A pool within the pond; and,
- Overhead lines.

Mr. Devlin continued that the plan for this zone also includes creating a handicap accessible path from Willits, two handicap designated spots along Willits, a boardwalk adjacent to the eastern edge of the pool, a number of elms, retaining walls, a water garden, relocation of overhead wires, and a seating area near the light pole.
Mr. Devlin showed Mayor Pro Tem Bordman that the proposed ADA-compliant crushed limestone trail, that would allow an individual in a wheelchair to navigate from Willits to Maple, would cut across the slope on the west side rather than down the slope in order to allow a wheelchair user to navigate it.

Mr. Devlin clarified for Mayor Pro Tem Bordman that he was envisioning people sitting on the steps for presentations if desired. The expanse to the east of the steps would remain as open space.

Museum Director Pielack told Commissioner DeWeese that providing accessible, barrier-free paths around the pond is a high priority.

City Manager Valentine told Commissioner Hoff while this is one of Birmingham's parks, it is largely overseen by the Museum. There has been a collaborative effort between the Museum, City staff, and other City boards to construct this Plan.

Commissioner Hoff voiced concern that:
- The proposed budget for the Museum Plan is $500,000, and that the areas around the Museum are not often used. Commissioner Hoff conceded that these changes could promote more use of the Museum grounds, but that it is a very large budget request.
- Birmingham citizens did not have sufficient opportunity to give input on the plan.

Museum Director Pielack told:
- Commissioner Boutros that people often access the Museum grounds from Willits, and that this conceptual Plan is non-binding, but allows the Museum and Park to solicit donations, grants, and other funds.
- Commissioner Hoff that many aspects of the Museum grounds are underutilized, especially the lower portion of the Park, and this Plan is an attempt to remedy that.
- Mayor Pro Tem Bordman that creating a Birmingham Museum Master Landscape Plan was discussed at the Long-Range Planning meeting on January 27, 2018, and also in the Museum's presentation of its strategic plan in 2017.

City Manager Valentine told Mayor Pro Tem Bordman that the Commission did not need to specifically approve the Birmingham Museum Master Landscape Plan because the Commission's approval of the Museum's strategic plan included approval of the Birmingham Museum Master Landscape Plan.

Mayor Pro Tem Bordman echoed Commissioner Hoff's concern regarding potentially insufficient solicitation of feedback from Birmingham citizens regarding the Birmingham Museum Master Landscape Plan.

Museum Director Pielack told Mayor Pro Tem Bordman that:
- There were public notices issued every time the topic was before the Museum Board over the last few years, that neighbors of the Museum were specifically notified in
January 2018, that there has been phone contact with a number of citizens, and that citizens have also stopped in the Museum lobby to look at the plan.

- The lack of public engagement may be the result of the Museum grounds being underutilized, and therefore there is currently a lack of public investment in the outcome.
- About 4% of the Parks Master Plan survey respondents addressed the Birmingham Museum Master Landscape Plan.

Commissioner Hoff shared further concern about the safety of the pool.

Mr. Devlin replied to Commissioner Hoff that:
- There is fencing along the east and south sides of the pond, but that the pond has been otherwise unfenced up to this point.
- The pool is in the pond.

Commissioner Sherman stated that he would move the motion with the understanding that:
- This is only a conceptual plan;
- It will allow the Museum to solicit grants for the Plan; and
- Before anything is done to the Museum grounds, further public review will occur.

Commissioner Nickita said he sees this as similar to the processes other Park plans undergo.

Mayor Pro Tem Bordman said this Plan has had insufficient public feedback, and she will therefore vote against its passage.

City Manager Valentine told Commissioner Hoff that the Commission would have an opportunity to review and approve next steps once funding sources for parts of the Plan are acquired.

Commissioner Boutros opined that Museum Director Pielack took every appropriate opportunity to solicit feedback from the public, and that the lack of response is an indication of the public’s current lack of investment in the project at this juncture. Commissioner Boutros continued that the public may be more invested when aspects of the plan and potential funding come under future review.

**MOTION:** Motion by Commissioner Sherman, seconded by Commissioner DeWeese:

To accept the proposed 2018 Birmingham Museum Master Landscape Plan.

**VOTE:**
- Yeas, 5
- Nays, 2 (Bordman, Hoff)
- Absent, 0

**03-076-18** LEADING PEDESTRIAN INTERVALS AT INTERSECTIONS WITHIN THE CENTRAL BUSINESS DISTRICT

Planning Director Ecker reported:
A Leading Pedestrian Interval (LPI) within the timing plan of a traffic signal is defined as a period where vehicles in all directions are given a red (stop) phase, while the pedestrian signals change to the WALK mode for several seconds at the beginning of the phase.

The highest points of conflict in an intersection are where vehicles try and turn right or left while a pedestrian is crossing. The lead time, of at least three seconds, would have the pedestrian out of a turning vehicle’s blind spot, making crossing much safer.

Staff asked traffic consultant Fleis and Vandenbrink (F&V) to study 11 signalized intersections within the Central Business District. Staff has also asked the Michigan Dept. of Transportation (MDOT) to consider the installation of LPIs on Woodward Ave. within the influence of downtown. MDOT has indicated that they would consider the feasibility of this, but have not taken a position as of yet. We are currently attempting to get an update from them on this issue.

F&V found that installing LPIs are feasible at all 11 intersections under City jurisdiction, and can be done so at nominal cost. The issue was reviewed by the Multi-Modal Transportation Board, who supported the idea.

The cost of implementation is anticipated to be about $1,000 per signal.

Mayor Pro Tem Bordman expressed enthusiasm for this proposal, and asked how right-turns on red would be handled.

Planning Director Ecker stated that cars are required by law to come to a three-second, full-and-complete stop at a red light before turning right, and that three seconds should afford a pedestrian the necessary amount of time to be out of a turning vehicle’s way.

Commissioner DeWeese voiced his approval of the proposal.

Planning Director Ecker told Commissioner Hoff that:

- The City currently has an LPI at Maple and Chester, going north-south.
- Some of the intersections are being delayed to the second phase because of the traffic diversion plan for the S. Old Woodward construction.

Commissioner Nickita said there are two intersections that need a complete overhaul: the intersection at Oakland, Willits, and Old Woodward, and the one at Chester and Maple. Commissioner Nickita continued that they are both very vehicle-oriented intersections relative to their low traffic conditions, and would be safer if they were upgraded to better accommodate pedestrians.

City Manager Valentine replied to Commissioner Nickita that the intersections at Oakland, Willits, and Old Woodward, and at Chester and Maple will be added to the next MMTB agenda so that they can get a start on the issue.
MOTION: Motion by Commissioner Boutros, seconded by Commissioner Sherman:
To accept the recommendation of the Multi-Modal Transportation Board, and to direct staff to implement Leading Pedestrian Intervals at each of the intersections within the Central Business District as listed in the Letter and analysis prepared by F&V dated February 5, 2018. (Appended to these minutes as Attachment A)

VOTE:
Yeas, 7
Nays, 0
Absent, 0

03-077-18 ORDINANCE AMENDMENTS REGARDING ELECTRONIC WEAPONS
Chief of Police Clemence reported that the proposed amendment would include electronic or electrical current weapons in Birmingham’s current weapons ordinance.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner DeWeese:
To amend Part II of the City Code, Chapter 74 Offenses, Article VI - Offenses Against Public Safety, Division 2 Weapons, sections 74-206 to 74-218 to include “portable device or weapon directing electrical current” as suggested and to authorize the Mayor and City Clerk to sign the ordinance on behalf of the city.

VOTE:
Yeas, 7
Nays, 0
Absent, 0

03-078-18 PERMIT RULE CHANGE: VALET ASSIST AND TRANSIENT PARKING 3 HOUR MAXIMUMS
Assistant City Manager Gunter reported:
In the third week of March 2018, the City will undergo a major reconstruction of Old Woodward Avenue and will temporarily remove 130 on street parking spaces. Staff requested that SP+ monitor the structures over the course of two weeks to determine the average utilization for each section. Our goal is to maximize availability of the first level parking spaces within the decks. We learned that the percentage of transient parking spaces that were utilized by 10 am ranged from 70-100%. Many of these vehicles remained parked throughout the day leaving the perception that there is no available parking in the structures throughout the day. Further, we know from our monthly garage calendars that our Valet Assist services are not being utilized as expected. In January of 2018, the roof top valet parked a total of eight cars in the two decks where this service is currently available. Staff asked SP+ to calculate the additional capacity that would be created in the structures if the roof top valet assist were being fully utilized. Table 2 below tells us that we could increase capacity by 250 spaces.

Based on the observations gathered, the APC is asking the City Commission to consider a two part recommendation that will 1) open the most desired parking
spaces for our transient parkers seeking to eat, dine, or recreate in the CBD while 2) simultaneously moving our monthly permit holders to higher levels within the parking structure and creating additional capacity during the reconstruction of Old Woodward.

Assistant City Manager Gunter told:
- Commissioner DeWeese that short-term parking tends to turn over every three hours, so a three-hour time limit should be sufficient for Birmingham shoppers.
- Mayor Pro Tem Bordman that adding ‘before 6 p.m.’ to the signs may create the necessary flexibility for patrons who would like to park longer in the evening.
- Commissioner Boutros that some daily parkers do not have monthly permits, and so the three-hour time limit is necessary to specify.
- Commissioner Hoff that these restrictions will create the need for heavy enforcement of each restricted area for a time to ensure the spaces are being used properly during the initial roll-out. A team of 3 attendants is proposed to monitor the structures for a period of 3 months with the hours of enforcement being 8:00 AM to 4:00 PM Monday-Friday. Violations will be noticed progressively, moving from warnings to possible revocation of permits if violations continue. While this is a temporary fix, if it works well it may be used long-term to increase parking capacity in the structures.

City Engineer O’Meara told Commissioner Hoff that there would be plenty space in the lower levels of the Chester Street Parking garage for the Baldwin House residents to park.

Assistant City Manager Gunter confirmed she would further look into the parking situation of Baldwin House residents to make sure they would not be negatively impacted by the policy change.

It was confirmed for Mayor Harris that the striping on the lower levels of the Chester Street lot would remain as-is, and that signage would be the major way of noting the changes in parking policy.

**MOTION:** Motion by Mayor Pro Tem Bordman, seconded by Commissioner DeWeese:
To approve the recommendation made by the Advisory Parking Committee (APC) for an expenditure of $33,768 to be allocated equally between all garages from accounts #585-538.002-828.0100, #585-538.003-828.0100, #585-538.004-828.0100, #585-538.005-828.0100, and #585-538.008-828.0100 to support the implementation of the restricted 3-hour parking/no monthly parking signage at all of the existing parking structures.

-AND-
To modify the existing permit rules to require monthly permit holders to utilize the roof-top valet assist option through the completion of the Old Woodward reconstruction at which time the APC will evaluate the success of the initiative.

**VOTE:**
- Yeas, 7
- Nays, 0
- Absent, 0
VII. REMOVED FROM THE CONSENT AGENDA
The items removed were discussed earlier in the meeting.

VIII. COMMUNICATIONS
None.

IX. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA
None.

X. REPORTS

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<td>03-079-18</td>
<td><strong>COMMISSIONER REPORTS</strong></td>
<td>The City Commission will appoint two regular members to the Architectural Review Committee on April 9, 2018.</td>
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<td>The City Commission will appoint three regular members to the Housing Board of Appeals on April 9, 2018.</td>
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<td><strong>COMMISSIONER COMMENTS</strong></td>
<td>Mayor Pro Tem Bordman noted:</td>
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<td>1. The average seniority of the Birmingham Police Department is approximately 11 years.</td>
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<td>2. That the rates of certain crimes within City limits are down approximately 16% from last year.</td>
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<td>3. The Birmingham Police Department deserves commendation.</td>
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<td><strong>CITY STAFF</strong></td>
<td>The Commission received the parking utilization report submitted by Assistant City Manager Gunter.</td>
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XI. ADJOURN
Mayor Harris adjourned the meeting at 10:43 p.m.

J. Cherilynn Mynsberge, City Clerk
February 5, 2018

VIA EMAIL

Mr. Paul O’Meara
City Engineer
City of Birmingham
151 Martin Street
Birmingham, MI 48012

RE: Leading Pedestrian Interval Program

Dear Mr. O’Meara,

The purpose of this letter is to provide an overview and recommendations for a leading pedestrian interval (LPI) program in response to a request from the City of Birmingham to evaluate the downtown Birmingham traffic signals.

The guidance regarding LPIs is provided in the Michigan Manual of Uniform Traffic Control Devices (MMUTCD) Section 4E.06. Additional information is provided in the National Association of City Transportation Officials Urban Street Design Guide and Federal Highway Administration Proven Safety Countermeasures. A case study published in the December 2017 issue of the Institute of Transportation Engineers (ITE) Journal was also referenced for this study and is attached.

LPI Overview

A LPI provides pedestrians with an opportunity to enter an intersection and establish their place in the crosswalk before the vehicles in the same direction of travel are given the green indication. In the appropriate locations benefits of an LPI include:

- Increase pedestrian safety at signalized intersections due to increased visibility of pedestrians in the crosswalk,
- Additional time for pedestrians who may be slower to start crossing, and
- Decreased potential for conflicts between vehicles and pedestrians.

The implementation LPIs has a low cost benefit ratio, since the cost of signal timings is low, but can reduce pedestrian-vehicle crashes by 60 percent at intersections with pedestrian-vehicle conflicts. LPIs can have the greatest impact to those intersections and roadways with the following conditions:

- A history of pedestrian-vehicle conflicts,
- Prohibited right turn on red,
- High pedestrian volumes,
- Low vehicular demand, and
- Permissive left turns,
- Long crossing lengths.

The MMUTCD guidance recommends an LPI of at least 3 seconds or long enough for a pedestrian to cross one lane of traffic and the Urban Street Design Guide recommends 3-7 seconds and up to 10 seconds where there are high pedestrian volumes or long crossing distances. The MMUTCD also recommends the installation of accessible pedestrian signals (i.e. audible tones) so that the visually impaired can be informed of the LPI. If accessible pedestrian crossings are not used, the visually impaired will begin crossing when the vehicular movement begins, which is not desirable.
Pedestrians within a crosswalk conflict with permissive left turning and right turning vehicles. These potential conflicts are shown in Figure 1. The desirable LPI duration would give enough time for a pedestrian to clear all four conflict points.

While LPIS are beneficial to pedestrian safety, they also reduce green time for vehicles and can cause additional delay at an intersection. However, if the time it takes a pedestrian to cross a street is greater than the vehicular movement demands the difference in times can be utilized as an LPI while minimizing the impact on vehicle delay and overall signal operations. This time would be considered the potential LPI duration.

Figure 1: Conflicts in Crosswalk (ITE)

LPI Program Recommendation

The following criteria determine the best locations for implementing LPIS within the City were adapted from Guidance for Installation of Pedestrian Crosswalks on Michigan State Trunkline Highways, MDOT 2014

1. Pedestrian volumes greater that 20 pedestrians per one hour period (young, elderly, and disabled pedestrians count two times towards volume thresholds)
2. Conflicting turning movement volumes greater that 10% of total peak hour volume for approach
3. Vehicular demand is less than the time it takes for pedestrian crossing
4. Average Daily Traffic less than 5,000 vehicles per day parallel to crosswalk

Fleis and Vandenbrink studied the signal timings and geometric configurations of the signalized intersections located in the downtown area. Based on the criteria, LPIS are recommended at the following downtown intersections.
Pedestrian volumes are high throughout the downtown area and most intersections operate with permissive left turn. Therefore, LPI determination was primarily based on the vehicular demand for each direction. Generally, the potential LPI duration for the recommended intersections fell into the 3-10 second range that meets the guidance provided by the MMUTCD and Urban Street Design Guide, between 3 and 10 seconds.

**LPI Operational Analysis**

The majority of the intersections that were considered for implementing in the downtown core area were had relatively low vehicular volumes, and therefore implementing the LPI would have minimal impact on the overall operations of the intersections.

The larger impact of implementing the LPIs would be potentially noticeable at the higher volume signalized intersections on the Maple Road corridor. Therefore, an operational analysis was performed at these intersections to evaluate the impact of a 3 second LPI at the Henrietta, Bates and Old Woodward intersections with Maple Road (Note: the Chester intersections currently has an LPI). The results of the operational analysis are summarized in the table below.
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Please note that Level of service for signalized intersections is defined in terms of delay, which is a measure of driver discomfort and frustration, fuel consumption, and lost travel time. Specifically, level-of-service (LOS) criteria are stated in terms of the average stopped delay per vehicle for a 15-min analysis period. Delay was estimated for this project in accordance with the Highway Capacity Manual, 6th Edition. Delay is a complex measure and is dependent on a number of variables, including the quality of progression, the cycle length, the green ratio, and the volume/capacity ratio for the lane group in question. Therefore, we know from field observations that these LOS aren’t necessarily experienced, and upstream vehicle queues, on-street parking maneuvers and mid-block pedestrian crossings are not included as factors in a LOS analysis.

Therefore, as a baseline conditions evaluation, the results show that the operations of the intersections will be similar to existing. Therefore, the implementation of a 3 second LPI on Maple Road will have some impact on the delay; however, the impact to the LOS will be minimal.

If you have any questions or concerns, please contact our office.

Sincerely,

FLEIS & VANDENBRINK

Julie M. Kroll, PE, PTOE  
Sr. Project Manager

LMS:jmk

Attachment: How Long is Your LPI? Balancing Pedestrian Comfort and Traffic Impacts with an Elongated Leading Pedestrian Interval (ITE)
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City of Birmingham  
Warrant List Dated 03/14/2018

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All bills, invoices and other evidences of claim have been audited and approved for payment.

Mark Gerber  
Finance Director/ Treasurer

*Indicates checks released in advance and prior to commission approval in order to avoid penalty or to meet contractual agreement/obligation.
**City of Birmingham**  
3/14/2018

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City of Birmingham
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Sub Total Checks: $477,342.56
Sub Total ACH: $601,051.46
Grand Total: $1,078,394.02

All bills, invoices and other evidences of claim have been audited and approved for payment.

Mark Gerber
Finance Director/ Treasurer

*-Indicates checks released in advance and prior to commission approval in order to avoid penalty or to meet contractual agreement/obligation.
### City of Birmingham

#### 3/21/2018

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<th>Vendor Name</th>
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DATE: 3/16/2018

TO: Joseph A. Valentine, City Manager

FROM: Eric Brunk, IT Manager

SUBJECT: Granicus Subscription Renewal

Granicus is the system the City uses for online broadcast and archival of City Council and other Board meetings. The current Granicus subscription was initially setup to auto renew and bills quarterly. Granicus has changed their renewal process from auto renewal to a yearly manual renewal. Our current subscription for the Granicus Transparency Suite and Open Platform suite is up for renewal as of March 30th. The total yearly cost for the renewal is $7295.40 billed quarterly. This cost also covers support for our Live meeting software, Streaming of meetings, the Granicus Hardware and web access to the archived meetings.

SUGGESTED RESOLUTION:
Authorize the IT department to renew the existing Granicus Subscription for the yearly cost of $7295.40. Funds available in the IT Connectivity account 636-228.000-933.0700
ANNUAL SUBSCRIPTION FEE

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<td>Government Transparency are the live in-meeting functions. Streaming of an event, pushing of documents, indexing of event, creation of minutes.</td>
<td>Quarterly</td>
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FUTURE YEAR PRICING

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<tr>
<td>TOTAL:</td>
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TERMS AND CONDITIONS

- Link to State & Local Terms: [https://granicus.com/pdfs/Master_Subscription_Agreement.pdf](https://granicus.com/pdfs/Master_Subscription_Agreement.pdf)
- Payment terms: net 30
- Any lapse in payment may result in suspension of service and will require the payment of a setup fee to reinstate the subscription.
- This quote is exclusive of applicable state, local, and federal taxes, which, if any, will be included in the invoice. It is the responsibility of Birmingham, MI to provide applicable exemption certificate(s).
- If submitting a Purchase Order instead of signing the quote, please include the following language: All pricing, terms and conditions of quote Q-22702 are incorporated into this Purchase Order by reference.
### AGREEMENT AND ACCEPTANCE

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Q-22702 : 3/13/2018
MEMORANDUM

Department of Public Services

DATE: March 16, 2018

TO: Joseph A. Valentine, City Manager

FROM: Lauren A. Wood, Director of Public Services

SUBJECT: Consulting Services for Kenning Park Field Improvements

The City of Birmingham and the Birmingham Little League (BLL) entered into a Donation Agreement on December 11, 2017 in the amount of $303,000 for improvements as it relates to Fields #2 and #3 at Kenning Park. The Donation Agreement has been signed by both parties and the amount of $303,000 has been received by the City from BLL.

A Kenning Park Master Plan was prepared by The Johnson Hill Land Ethics Studio (JHLE) during 2013 and received by the City Commission at their March 24, 2014 meeting. A copy of the Kenning Park Master Plan is attached. Plus, in advance of the parking lot project the City hired The Johnson Hill Land Ethics Studio (JHLE) for landscape architectural services as it relates to Kenning Park Parking Lot improvements.

The request by the Birmingham Little League was to contribute to the improvements of the two existing fields on the easterly edge of the park property. This renovation to the two fields referred to fields 2 and 3 will include some of the following field improvements; they will be in their current location, they will be rotated to achieve optimal positioning and layout, infield grass construction, irrigation, new fencing, grading/shaping and other site enhancements for the reconfiguration of the existing two 200 foot fields.

The City hired Nowak & Fraus Engineers to perform a boundary, topographic and tree survey for Kenning Park, which is close to being finalized. The new survey will be incorporated into the existing property survey. This survey will then allow JHLE to prepare a final design, construction drawings and bid documents for the two field enhancements.

Based on the extensive knowledge and work experience JHLE has with Kenning Park over the years and in order to provide for a seamless transition for the necessary scope of services to perform Phase II of the Donation Agreement, we solicited a proposal from JHLE for this project. Phase II provides for the City, after receipt of the funds, shall undertake construction drawing and bid specifications for the bidding of the project. JHLE provided a proposal dated February 26, 2018 (see the enclosed) for design development, construction documentation, bidding period services and construction project management services for an amount not to exceed $24,700. We would proceed one step at a time with them and can stop work at any given time, to pay for only work performed, based on the conditions of the Donation Agreement. Also, find attached is a copy of the signed Donation Agreement.
Phase I of the Donation Agreement was prepared by JHLE which provided for a draft redesign of fields 2 and 3 and preliminary cost estimates of about $152,000 per field. After such time the City met with BLL to prepare and finalize the Donation Agreement for presentation to the City Commission.

If the project is awarded, after bids are received, we anticipate construction to begin after the 2018 baseball season ends and all uses of the City fields at Kenning Park conclude. Based on the proposed schedule, it is the plan to have the two renovated fields ready for play for the start of the 2019 season.

The term for the consulting Agreement between JHLE and the City of Birmingham for these services will have an end date of May 31, 2019. This will afford ample time for all final punch list items to be completed and any final project payments for the work performed by the selected Contractor.

It is determined no advantage will be gained by the City bidding out this professional services work; especially since JHLE has performed the original Kenning Park concept plan, Kenning Parking Lot Plan, the Phase I portion of this project and is familiar with the community and project scope. Therefore, no competitive bids were obtained for these services. Funds are available for this work in the Parks – Other Contractual Services account #101-751.000-811.0000.

SUGGESTED RESOLUTION:
To approve the proposal from Johnson-Hill Land Ethics Studio in the amount not to exceed $24,700.00 for landscape architectural consultant services for design development, construction documentation, bid period services and construction period services to construct two Little League fields along the eastern edge of Kenning Park. Further, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City of Birmingham upon receipt of proper insurance. Further, to waive the formal bidding requirements. Funds for this purchase are available from General Fund – Parks – Other Contractual Services account #101-751.000-811.0000.
This proposal addresses the preparation of plans to construct two 200-foot Little League fields along the eastern edge of Kenning Park. The anticipated construction start date is August 1, 2018. The basic scopes of work and associated fees are as follows:

**Design Development and Construction Documentation** $16,480.00
1. Translate Survey Into Base Mapping
2. Prepare Existing Conditions Plan
3. Prepare Clearing and Demolition Plan
4. Prepare Site Plan
5. Prepare Grading Plan
6. Prepare SESC Plan
7. Prepare Soil Preparation Plan
8. Prepare Seeding Plan
9. Prepare Planting Plan (nominal, if needed)
10. Prepare Staking (Layout) Plan
11. Prepare Construction Details
   A. Infield Surfacing
   B. Fencing
   C. Site Furnishings
   D. Concrete Paving for Walks, Pads, Etc.
12. Specifications and Bid Documents
13. Coordinate with City Bid/Contract Documents
14. Reviews and Administration
15. Cost Estimates

**Irrigation Design Option** $2,000.00

**Bid Period Services** $1,700.00
1. Pre-Bid Meeting
2. Addenda
3. Bid Review
**Construction Period Services**  
$4,520.00

1. Pre-Construction Meeting  
2. Progress Meetings and Inspections (2)  
3. Substantial Completion Inspection  
4. Final Inspection and Closeout  
5. Processing of Submittals  
6. Processing of Pay Applications

Given the tentative nature of this project, we can agree to stop work at any given point. We will charge only for the percentage of work completed should the City decided, at any given point, to not move forward.

If this proposal is acceptable, please sign and date below and return a copy for our record. If a more formal agreement is required, we will work with you to provide the appropriate documents.

Thank you.

Johnson Hill Land Ethics Studio

[Signature]

Mark Robinson, Principal

Accepted By:

___________________________________________________________

Print Name: ____________________________________________________

Date: __________________________________________________________
DONATION AGREEMENT

THIS DONATION AGREEMENT made on this 6TH day of DECEMBER, 2017, by and between THE CITY OF BIRMINGHAM, 151 Martin Street, Birmingham, MI, 48009 (hereinafter "Birmingham") and BIRMINGHAM LITTLE LEAGUE, P.O. Box 2536, Birmingham, Michigan 48012 (hereinafter "BLL").

WHEREAS, a 21.71 acre community park, Kenning Park is located in the southeast portion of the City adjacent to Lincoln Road. The site is the primary recreation sports complex in the community and includes both indoor and outdoor recreational facilities; and,

WHEREAS, the indoor facilities include a regulation sized ice rink with bleacher seating for 920 spectators and a smaller, studio arena used for skating lessons and skate parties within the complex; and,

WHEREAS, the outdoor facilities at Kenning Park include three Little League baseball diamonds and one softball diamond, four tennis courts, open space and playground equipment with an ADA accessible path leading from the 251 parking spaces area to the playground. Also included is a skate park facility on the northeast edge of the park property and a private tennis club at the northwest edge of the park property; and,

WHEREAS, the City of Birmingham has the authority, pursuant to Birmingham City Charter, Chapter II, Section 2(1) to receive donations; and,

WHEREAS, BLL has typically utilized the one (1) softball and three (3) Little League baseball fields in Kenning Park during the months of April through July each year; and,

WHEREAS, BLL wishes to make a donation to Birmingham for the renovation and/or redesign of the two easterly Little League baseball fields (Fields 2 and 3) as outlined in Phase II of the Kenning Park Master Plan; and,

WHEREAS, Birmingham wishes to accept this donation for the renovation and/or redesign of the two easterly Little League baseball fields (Fields 2 and 3) in accordance with the terms specified herein.

NOW, THEREFORE, Birmingham and BLL hereby agree as follows:

1. BLL will donate to Birmingham up to $303,000 and will be exclusively used for the renovation and design of Fields 2 & 3 including, but not limited to, all construction drawings, surveys and engineering. Furthermore, these funds are specifically to be used for the construction and re-design of these fields with the following terms and conditions:

2. Phases. This project will be undertaken in two phases, as follows:

   a) Phase 1. The City shall have Fields 2 and 3 redesigned in preparation for construction drawing, bid specifications and cost estimates. This work shall be undertaken and paid for by the City. The services performed shall be
directed at the sole discretion of the City. After this initial work is complete, and cost estimates secured, the City will share this information with BLL and either party shall have the right to terminate this Agreement without any further obligation to the other. Should either party wish to terminate, written notice shall be given to the other within thirty (30) days of the delivery of the written cost estimates. All notices shall be delivered by U.S. First Class Mail, as follows:

**Notice to City:**
Mr. Joseph A. Valentine  
City Manager  
*City of Birmingham*  
151 Martin Street  
Birmingham, MI 48009

**Notice to BLL:**
Mr. Pat O’Neill  
President  
*Birmingham Little League*  
P.O. Box 2536  
Birmingham, MI 48012

b) **Phase II.** If neither party terminates the Agreement in the manner described herein, then the BLL shall make its donation of Three Hundred Three Thousand and 00/100 Dollars ($303,000) within 30 days to the City. The City, after the receipt of the funds, shall undertake construction drawing and bid specifications for the bidding of the project. Should the bids be substantially over the cost estimates, in the City’s sole discretion, the City may terminate the Agreement. In such event, the donated funds shall be returned to the BLL.

If the bids are reasonable, in the City’s judgment and sole discretion, the project shall proceed as described on Exhibit A, and the construction drawings and bid specification shall then be added to this Agreement as Exhibit B.

3. **Exhibit A.** The parties agree that Exhibit A contains the description of the donation and specific terms and conditions thereto.

4. **Maintenance.** The City shall be responsible for the maintenance of the fields.

5. **City’s Responsibility.** The City shall be responsible for any claims arising out of or in connection with the City’s access to and use of the Property and from any act or negligence of the City or the City’s Authorized Personnel.

6. **Governing Law.** This Agreement shall be governed by the laws of the State of Michigan. The parties acknowledge that this Agreement pertains to property located in the State of Michigan, and the parties submit to the jurisdiction of the courts of Oakland County, Michigan.

7. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties. No change, addition or modification to this Agreement shall be effective unless signed in writing by both parties.
8. **Waiver.** Any waiver by either party of any provision or condition of this Agreement shall not be construed or deemed to be a waiver of any other provision or condition of this Agreement, nor a waiver of a subsequent breach of the same provision or condition, unless such waiver is expressed in a writing signed by the party to be bound.

9. **Severability.** If any provision of this Agreement shall be finally adjudged illegal, invalid or unenforceable, such illegality, invalidity or unenforceability shall not affect the legality, validity or enforceability of the remaining provisions of this Agreement.

10. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties, their successors and the assigns.

11. **Counterparts.** This Agreement may be signed in one or more counterparts, each of which shall be deemed an original.

12. **Effective Date.** The Effective Date of this Agreement shall be the date the last party executes this Agreement.

**WHEREFORE,** the parties have executed this Agreement as of the date first written above.

**CITY OF BIRMINGHAM, a Michigan Municipal Corporation**  
By: **Joseph A. Valentine, City Manager**

**BIRMINGHAM LITTLE LEAGUE**  
By: **Pat O’Neill, President**
EXHIBIT A

General Terms

1) The donation of up to Three Hundred Three Thousand Dollars ($303,000) shall be used for the renovation of the two easterly Little League baseball fields comprised of Fields 2 and 3 in Kenning Park. Said renovations shall be in accordance with the City’s specifications, processes and its sole approval. Should the total project cost come in less than the donation amount, any excess funds shall be returned to BLL.

2) Kenning Park shall be renovated and/or designed for the intended use of the public.

3) Maintenance of the fields and parks will be performed by the City in accordance with its standards and practices.

4) The donation from BLL to renovate two Little League baseball fields comprised of Fields 2 and 3 in Kenning Park shall not limit or restrict the City in any planned future uses of Kenning Park.

5) All construction activities with respect to Phase II of this Agreement shall be at the sole discretion of the Birmingham City Commission.

Field Usage

1) In consideration of their donation to renovate two Little League baseball fields (Fields 2 and 3) at Kenning Park, BLL shall have the first right of refusal for use of these fields for the next 20 years (thru 2038), subject to BLL continuing to be the most frequent user of these fields based on permits issued. This usage is typically during the months of April through July.

2) In consideration of their donation to renovate two Little League baseball fields (Fields 2 and 3) at Kenning Park, the City agrees to make available 4 baseball fields in Kenning Park for the use of BLL, notwithstanding the fields will also be available for public use and subject to BLL continuing to be the most frequent user of these fields based on permits issued. The City reserves the right to change the utilization of the unimproved ballfields in Kenning Park after a 10 year period (2028), should the City revise its plans for Kenning Park. If the City revises its Kenning Park Master Plan during this period and this affects the number of baseball fields, the City agrees to make fields available at other parks in the City for use by BLL.

Timeframe

1) Should Phase II of this Agreement be effectuated by June 30, 2018, the City shall plan to implement the renovations to Fields 2 and 3 of Kenning Park in 2018.
Field Naming Rights

1) In consideration of their donation to renovate Fields 2 and 3 of Kenning Park, BLL shall be entitled to name both Fields 2 and 3 at Kenning Park with a plaque mounted to the backstop at each field. The design and content of the plaques are subject to approval by the City. The cost of the plaque shall be paid by BLL in addition to its donation. Additional opportunities for naming rights at Kenning Park shall be at the discretion of the City and subject to the City’s Parks Donation Policy.
EXHIBIT B

Construction Drawings and Bid Specifications
CONSULTING AGREEMENT BETWEEN THE CITY OF BIRMINGHAM
AND THE JOHNSON HILL LAND ETHICS STUDIO

THIS AGREEMENT made this ___ day of _____________, 2018, by and between
the CITY OF BIRMINGHAM, whose address is 151 Martin Street, Birmingham, Michigan
(hereinafter referred to as the “City”) and THE JOHNSON HILL LAND ETHICS STUDIO
whose address is 412 Longshore Drive, Ann Arbor, MI, 48105 (hereinafter referred to as the
“Contractor”), to-wit:

1. Contractor shall provide landscape architectural consultant services under this
Agreement as requested from time to time by the City of Birmingham through its City Manager
and/or his designee as described in Exhibit A.

2. Payment for professional services rendered under this Agreement shall be made
in accordance with the fee schedule mutually agreed upon prior to the time the work is
performed as set forth in Exhibit A. The City promises and agrees to pay said Contractor for
all labor supplied and work performed under this Agreement. Invoices shall be submitted to
the City on a monthly basis and shall be paid upon acceptance by the City of the work produced
by the Contractor.

3. Written notices regarding this Agreement shall be addressed to the following:

City: City of Birmingham
P.O. Box 3001
Birmingham, Michigan 48012
Attn: City Manager and City Clerk
(one written copy to each)

Contractor: The Johnson Hill Land Ethics Studio
Attn.: Mr. Mark Robinson
412 Longshore Drive
Ann Arbor, MI 48105

4. This Agreement shall have a term of 5-31-19 (6) years from the date
stated above. The City and the Contractor shall each have the right to unilaterally terminate
this Agreement on thirty (30) days written notice. In the event of termination, the Contractor
shall receive compensation for services to the date the termination takes effect and the City
shall be entitled to retain and use the results to the date the termination takes effect and the
City shall be entitled to retain and use the results of all information, maps, and
recommendations prepared by the Contractor through such date.

5. The Contractor and the City agree that the Contractor is acting as an independent
contractor with respect to the Contractor’s role in providing services to the City pursuant to
this Agreement, and as such, shall be liable for its own actions and neither the Contractor nor
its employees shall be construed as employees of the City. Nothing contained in this Agreement shall be construed to imply a joint venture or partnership and neither party, by virtue of this Agreement, shall have any right, power or authority to act or create any obligation, express or implied, on behalf of the other party, except as specifically outlined herein. Neither the City nor the Contractor shall be considered or construed to be the agent of the other, nor shall either have the right to bind the other in any manner whatsoever, except as specifically provided in this Agreement, and this Agreement shall not be construed as a contract of agency. The Contractor shall not be considered entitled or eligible to participate in any benefits or privileges given or extended by the City, or be deemed an employee of the City for purposes of federal or state withholding taxes, FICA taxes, unemployment, workers' compensation or any other employer contributions on behalf of the City.

6. The Contractor acknowledges that in performing services pursuant to this Agreement, certain confidential and/or proprietary information (including, but not limited to, internal organization, methodology, personnel and financial information, etc.) may become involved. The Contractor recognizes that unauthorized exposure of such confidential or proprietary information could irreparably damage the City. Therefore, the Contractor agrees to use reasonable care to safeguard the confidential and proprietary information and to prevent the unauthorized use or disclosure thereof. The Contractor shall inform its employees of the confidential or proprietary nature of such information and shall limit access thereto to employees rendering services pursuant to this Agreement. The Contractor further agrees to use such confidential or proprietary information only for the purpose of performing services pursuant to this Agreement.

7. This Agreement shall be governed by and performed, interpreted and enforced in accordance with the laws of the State of Michigan. The Contractor agrees to perform all services provided for in this Agreement in accordance with and in full compliance with all local, state and federal laws and regulations.

8. If any provision of this Agreement is declared invalid, illegal or unenforceable, such provision shall be severed from this Agreement and all other provisions shall remain in full force and effect.

9. This Agreement shall be binding upon the successors and assigns of the parties hereto, but no such assignment shall be made by the Contractor without the prior written consent of the City. Any attempt at assignment without prior written consent shall be void and of no effect.

10. The Contractor agrees that neither it nor its subcontractors will discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight or marital status. The Contractor shall inform the City of all claims or suits asserted against it by the Contractor's employees who work pursuant to this Agreement. The Contractor shall provide
the City with periodic status reports concerning all such claims or suits, at intervals established by the City.

11. To the fullest extent permitted by law, the Contractor and any entity or person for whom the Contractor is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City of Birmingham, its elected and appointed officials, employees and volunteers and others working on their behalf against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City, its elected and appointed officials, employees, volunteers or others working on their behalf, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with any act or omission of the Contractor to the extent permitted by law. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of its elected or appointed officials, employees, volunteers or others working on behalf of the City.

12. The Contractor shall not commence work under this Agreement until it has, at its sole expense, obtained the insurance required by this paragraph. All certificates of insurance shall be with insurance carriers licensed and admitted to do business in the State of Michigan. All coverages shall be with insurance carriers acceptable to the City of Birmingham. The Contractor shall maintain during the life of this Agreement the types of insurance coverage and minimum limits as set forth below:

A. **Workers' Compensation Insurance:** Contractor shall procure and maintain during the life of this Agreement, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.

B. **Commercial General Liability Insurance:** Contractor shall procure and maintain during the life of this Agreement, Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than $1,000,000 per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.

C. **Motor Vehicle Liability Insurance:** Contractor shall procure and maintain during the life of this Agreement Motor Vehicle Liability Insurance, including all applicable no-fault coverages, with limits of liability of not less than $1,000,000 per occurrence combined single
limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.

D. **Additional Insured:** The Commercial General Liability and Motor Vehicle Liability, as described above, shall include an endorsement stating the following shall be *Additional Insureds:* The City of Birmingham including all elected and appointed officials, all employees, all boards, commissions and/or authorities and board members. This coverage shall be primary and any other insurance maintained by the additional insureds shall be considered to be excess and non-contributing with this insurance required from Contractor under this Section.

E. **Professional Liability Insurance:** If Professional Liability Insurance is available, Professional Liability Insurance with limits of not less than $1,000,000 per claim if Consultant will provide service that are customarily subject to this type of coverage.

F. **Cancellation Notice:** Workers' Compensation Insurance, Commercial General Liability Insurance, Professional Liability Insurance and Motor Vehicle Liability Insurance as described above, shall include an endorsement stating the following: "Thirty (30) days Advance Written Notice of Cancellation or Non-Renewal shall be sent to: Director of Finance, City of Birmingham, P.O. Box 3001, 151 Martin Street, Birmingham, Michigan 48012.

G. **Proof of Insurance Coverage:** Contractor shall provide the City at the time the Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the City, as listed below.

1) Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance;

2) Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;

3) Two (2) copies of Certificate of Insurance for Vehicle Liability Insurance;

4) Two (2) copies of Certificate of Insurance for Professional Liability Insurance;

H. **Coverage Expiration:** If any of the above coverages expire during the term of this Agreement, Contractor shall deliver renewal certificates and/or policies to the City at least (10) days prior to the expiration date.
13. If, after the effective date of this Agreement, any official of the City, or spouse, child, parent or in-law of such official or employee shall become directly or indirectly interested in this Agreement or the affairs of the Contractor, the City shall have the right to terminate this Agreement without further liability to the Contractor if the disqualification has not been removed within thirty (30) days after the City has given the Contractor notice of the disqualifying interest. Ownership of less than one percent (1%) of the stock or other equity interest in a corporation or partnership shall not be a disqualifying interest. Employment shall be a disqualifying interest.

14. If Contractor fails to perform its obligations hereunder, the City may take any and all remedial actions provided by the general specifications or otherwise permitted by law.

15. Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled either by commencement of a suit in Oakland County Circuit Court, the 48th District Court or by arbitration. If both parties elect to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party’s claim exceeds $1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator’s and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL §600.5001 et seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. In the event that the parties elect not to have the matter in dispute arbitrated, any dispute between the parties may be resolved by the filing of a suit in the Oakland County Circuit Court or the 48th District Court.

16. The City shall be the owner of all drawings, reports, specifications and other documents prepared by the Contractor. Any modifications made to these documents by the City shall be clearly marked as such on the modified document. Any modifications made by the City without the prior written consent of the Contractor shall be at the City’s sole risk and responsibility.

FAIR PROCUREMENT OPPORTUNITY: Procurement for the City of Birmingham will be handled in a manner providing fair opportunity for all businesses. This will be accomplished without abrogation or sacrifice of quality and as determined to be in the best interest of the City of Birmingham.

IN WITNESS WHEREOF, the said parties have caused this Agreement to be executed as of the date and year above written.

CITY OF BIRMINGHAM

By: ____________________________
    Andrew Harris, Mayor
By: 
J. Cherilynn Mynsberge, City Clerk

THE JOHNSON HILL LAND ETHICS STUDIO

By: 

Its: VICE PRESIDENT

Approved:

Joseph A. Valentine, City Manager
(Approved as to substance)

Lauren Wood, Director of Public Services
(Approved as to substance)

Timothy J. Currier, City Attorney
(Approved as to form)

Mark Gerber, Director of Finance
(Approved as to financial obligation)
EXHIBIT A - ATTACHED
MEMO

Date: February 26, 2018
To: Lauren Wood
From: Mark Robinson
Re: Kenning Park: Proposal for Design Development, Construction Documentation, Bid Period Services, and Construction Period Services

This proposal addresses the preparation of plans to construct two - 200 foot Little League fields along the eastern edge of Kenning Park. The anticipated construction start date is August 1, 2018. The basic scopes of work and associated fees are as follows:

Design Development and Construction Documentation $16,480.00
1. Translate Survey into Base Mapping
2. Prepare Existing Conditions Plan
3. Prepare Clearing and Demolition Plan
4. Prepare Site Plan
5. Prepare Grading Plan
6. Prepare SESC Plan
7. Prepare Soil Preparation Plan
8. Prepare Seeding Plan
9. Prepare Planting Plan (nominal, if needed)
10. Prepare Staking (Layout) Plan
11. Prepare Construction Details
   A. Infield Surfacing
   B. Fencing
   C. Site Furnishings
   D. Concrete Paving for Walks, Pads, Etc.
12. Specifications and Bid Documents
13. Coordinate with City Bid/Contract Documents
14. Reviews and Administration
15. Cost Estimates

Irrigation Design Option $2,000.00

Bid Period Services $1,700.00
1. Pre-Bid Meeting
2. Addenda
3. Bid Review
Construction Period Services $4,520.00
1. Pre-Construction Meeting
2. Progress Meetings and Inspections (2)
3. Substantial Completion Inspection
4. Final Inspection and Closeout
5. Processing of Submittals
6. Processing of Pay Applications

Given the tentative nature of this project, we can agree to stop work at any given point. We will charge only for the percentage of work completed should the City decide, at any given point, to not move forward.

If this proposal is acceptable, please sign and date below and return a copy for our record. If a more formal agreement is required, we will work with you to provide the appropriate documents.

Thank you.

Johnson Hill Land Ethics Studio

Mark Robinson, Principal

Accepted By:

________________________________________________________________________

Print Name: ________________________________________________________________

Date: _____________________________________________________________________
DONATION AGREEMENT

THIS DONATION AGREEMENT made on this 6TH day of December, 2017, by and between THE CITY OF BIRMINGHAM, 151 Martin Street, Birmingham, MI, 48009 (hereinafter “Birmingham”) and BIRMINGHAM LITTLE LEAGUE, P.O. Box 2536, Birmingham, Michigan 48012 (hereinafter “BLL”).

WHEREAS, a 21.71 acre community park, Kenning Park is located in the southeast portion of the City adjacent to Lincoln Road. The site is the primary recreation sports complex in the community and includes both indoor and outdoor recreational facilities; and,

WHEREAS, the indoor facilities include a regulation sized ice rink with bleacher seating for 920 spectators and a smaller, studio arena used for skating lessons and skate parties within the complex; and,

WHEREAS, the outdoor facilities at Kenning Park include three Little League baseball diamonds and one softball diamond, four tennis courts, open space and playground equipment with an ADA accessible path leading from the 251 parking spaces area to the playground. Also included is a skate park facility on the northeast edge of the park property and a private tennis club at the northwest edge of the park property; and,

WHEREAS, the City of Birmingham has the authority, pursuant to Birmingham City Charter, Chapter II, Section 2(1) to receive donations; and,

WHEREAS, BLL has typically utilized the one (1) softball and three (3) Little League baseball fields in Kenning Park during the months of April through July each year; and,

WHEREAS, BLL wishes to make a donation to Birmingham for the renovation and/or redesign of the two easterly Little League baseball fields (Fields 2 and 3) as outlined in Phase II of the Kenning Park Master Plan; and,

WHEREAS, Birmingham wishes to accept this donation for the renovation and/or redesign of the two easterly Little League baseball fields (Fields 2 and 3) in accordance with the terms specified herein.

NOW, THEREFORE, Birmingham and BLL hereby agree as follows:

1. BLL will donate to Birmingham up to $303,000 and will be exclusively used for the renovation and design of Fields 2 & 3 including, but not limited to, all construction drawings, surveys and engineering. Furthermore, these funds are specifically to be used for the construction and re-design of these fields with the following terms and conditions:

2. Phases. This project will be undertaken in two phases, as follows:

   a) Phase I. The City shall have Fields 2 and 3 redesigned in preparation for construction drawing, bid specifications and cost estimates. This work shall be undertaken and paid for by the City. The services performed shall be
directed at the sole discretion of the City. After this initial work is complete, and cost estimates secured, the City will share this information with BLL and either party shall have the right to terminate this Agreement without any further obligation to the other. Should either party wish to terminate, written notice shall be given to the other within thirty (30) days of the delivery of the written cost estimates. All notices shall be delivered by U.S. First Class Mail, as follows:

Notice to City:
Mr. Joseph A. Valentine
City Manager
City of Birmingham
151 Martin Street
Birmingham, MI 48009

Notice to BLL:
Mr. Pat O'Neill
President
Birmingham Little League
P.O. Box 2536
Birmingham, MI 48012

b) Phase II. If neither party terminates the Agreement in the manner described herein, then the BLL shall make its donation of Three Hundred Three Thousand and 00/100 Dollars ($303,000) within 30 days to the City. The City, after the receipt of the funds, shall undertake construction drawing and bid specifications for the bidding of the project. Should the bids be substantially over the cost estimates, in the City’s sole discretion, the City may terminate the Agreement. In such event, the donated funds shall be returned to the BLL.

If the bids are reasonable, in the City’s judgment and sole discretion, the project shall proceed as described on Exhibit A, and the construction drawings and bid specification shall then be added to this Agreement as Exhibit B.

3. Exhibit A. The parties agree that Exhibit A contains the description of the donation and specific terms and conditions thereto.

4. Maintenance. The City shall be responsible for the maintenance of the fields.

5. City’s Responsibility. The City shall be responsible for any claims arising out of or in connection with the City’s access to and use of the Property and from any act or negligence of the City or the City’s Authorized Personnel.

6. Governing Law. This Agreement shall be governed by the laws of the State of Michigan. The parties acknowledge that this Agreement pertains to property located in the State of Michigan, and the parties submit to the jurisdiction of the courts of Oakland County, Michigan.

7. Entire Agreement. This Agreement constitutes the entire agreement between the parties. No change, addition or modification to this Agreement shall be effective unless signed in writing by both parties.
8. **Waiver.** Any waiver by either party of any provision or condition of this Agreement shall not be construed or deemed to be a waiver of any other provision or condition of this Agreement, nor a waiver of a subsequent breach of the same provision or condition, unless such waiver is expressed in a writing signed by the party to be bound.

9. **Severability.** If any provision of this Agreement shall be finally adjudged illegal, invalid or unenforceable, such illegality, invalidity or unenforceability shall not affect the legality, validity or enforceability of the remaining provisions of this Agreement.

10. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties, their successors and the assigns.

11. **Counterparts.** This Agreement may be signed in one or more counterparts, each of which shall be deemed an original.

12. **Effective Date.** The Effective Date of this Agreement shall be the date the last party executes this Agreement.

WHEREFORE, the parties have executed this Agreement as of the date first written above.

CITY OF BIRMINGHAM, a Michigan Municipal Corporation

By: [Signature] 12-12-17
Joseph A. Valentine, City Manager

BIRMINGHAM LITTLE LEAGUE

By: [Signature] 12-12-17
Pat O'Neill, President
EXHIBIT A

General Terms

1) The donation of up to Three Hundred Thirty Thousand Dollars ($303,000) shall be used for the renovation of the two easterly Little League baseball fields comprised of Fields 2 and 3 in Kenning Park. Said renovations shall be in accordance with the City's specifications, processes and its sole approval. Should the total project cost come in less than the donation amount, any excess funds shall be returned to BLL.

2) Kenning Park shall be renovated and/or designed for the intended use of the public.

3) Maintenance of the fields and parks will be performed by the City in accordance with its standards and practices.

4) The donation from BLL to renovate two Little League baseball fields comprised of Fields 2 and 3 in Kenning Park shall not limit or restrict the City in any planned future uses of Kenning Park.

5) All construction activities with respect to Phase II of this Agreement shall be at the sole discretion of the Birmingham City Commission.

Field Usage

1) In consideration of their donation to renovate two Little League baseball fields (Fields 2 and 3) at Kenning Park, BLL shall have the first right of refusal for use of these fields for the next 20 years (thru 2038), subject to BLL continuing to be the most frequent user of these fields based on permits issued. This usage is typically during the months of April through July.

2) In consideration of their donation to renovate two Little League baseball fields (Fields 2 and 3) at Kenning Park, the City agrees to make available 4 baseball fields in Kenning Park for the use of BLL, notwithstanding the fields will also be available for public use and subject to BLL continuing to be the most frequent user of these fields based on permits issued. The City reserves the right to change the utilization of the unimproved ballfields in Kenning Park after a 10 year period (2028), should the City revise its plans for Kenning Park. If the City revises its Kenning Park Master Plan during this period and this affects the number of baseball fields, the City agrees to make fields available at other parks in the City for use by BLL.

Timeframe

1) Should Phase II of this Agreement be effectuated by June 30, 2018, the City shall plan to implement the renovations to Fields 2 and 3 of Kenning Park in 2018.
Field Naming Rights

1) In consideration of their donation to renovate Fields 2 and 3 of Kenning Park, BLL shall be entitled to name both Fields 2 and 3 at Kenning Park with a plaque mounted to the backstop at each field. The design and content of the plaques are subject to approval by the City. The cost of the plaque shall be paid by BLL in addition to its donation. Additional opportunities for naming rights at Kenning Park shall be at the discretion of the City and subject to the City’s Parks Donation Policy.
EXHIBIT E

Construction Drawings and Bid Specifications
**CERTIFICATE OF LIABILITY INSURANCE**

**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERRS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.**

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

**PRODUCER**
Hyland - Southeast Michigan
24 Frank Lloyd Wright Dr, Ste J4100
Ann Arbor, MI 48105

**INSURED**
Johnson Hill - Land Ethics Studio, Inc.
516 E. Washington
Ann Arbor, MI 48105

**INSURER(S) AFFORDING COVERAGE**

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<th>INSURER</th>
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<td>C: Travelers Cas &amp; Surty of Amer</td>
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**COVERAGES**

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<td>COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR</td>
<td>6806H128609</td>
<td>01/03/2018 01/03/2019</td>
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| A | AUTOMOBILE LIABILITY ANY AUTO OWNED | 6806H128609 | 01/03/2018 01/03/2019 | COMBINED SINGLE LIMIT EA accident $1,000,000 |

| A X | UMBRELLA LIABILITY EXCESS LIAB CLAIMS-MADE | CUP6F144946 | 01/03/2018 01/03/2019 | EACH OCCURRENCE $1,000,000 |

| B | WORKERS COMPENSATION AND EMPLOYER'S LIABILITY PER STATUTE OFFICE | UBJ121855 | 01/03/2018 01/03/2019 | E.L. EACH Incident $600,000 |

| C | Errors and Omissions | 105388590 | 01/03/2017 01/03/2019 | EACH CLAIM $1,000,000 |

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES (ACORD 151), Additional Remarks Schedule, may be attached if more space is required.**

The City of Birmingham including all elected and appointed officials, all employees, all boards, commissions and or authorities and board members.

**CERTIFICATE HOLDER**
City of Birmingham
Department of Public Service
851 S. Eton
Birmingham, MI 48009

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Signed by [Signature]

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MEMORANDUM
Planning Division

DATE: March 19, 2018
TO: Joseph A. Valentine, City Manager
FROM: Jana L. Ecker, Planning Director
SUBJECT: Set Public Hearing for Site Plan Review Submittal Requirements

On December 4, 2017, the City Commission reviewed and approved the Special Land Use Permit ("SLUP") and Final Site Plan & Design Review for 33353 Woodward to allow Tide Dry Cleaners to open a storefront. During this review, several questions were raised by Commissioners and neighbors regarding the layout and proximity of adjacent properties, and the potential impact of the drive in dry cleaning facility on the surrounding property owners. At the end of the meeting, the City Commission discussed requesting that the Planning Board review the existing submittal requirements for site plan reviews and SLUP reviews, and to determine if amendments should be made to add additional details of the subject site and/or adjacent sites to provide context for discussion. This direction to the Planning Board was provided by the City Manager. In the past, Planning Board members have also raised the issue about applicant’s providing details on the surrounding properties to allow for a complete evaluation of the impact of a proposed development on one site to the surrounding properties and neighborhood as a whole.

Accordingly, on January 10, 2018, the Planning Board discussed the attached draft ordinance language to consider amending the submittal requirements for site plan review and SLUP review to require all applicants to include details of adjacent properties on their site plans. Board members agreed that such details were helpful and should be required. There was some discussion as to whether an ordinance amendment was needed, but the board eventually approved a motion to set a public hearing date for amendments to Article 7, section 7.26 and section 7.34 to require all property lines, buildings and structures within 200’ of a subject site to be marked on the site plan drawings submitted. A comment was made that an aerial photo should suffice in providing these details.

On January 27, 2018 at the Long Range Planning meeting this issue was also discussed. The consensus of the City Commission was that an aerial photo would not be sufficient to meet the provision of adjacent property details.

On February 28, 2018, the Planning Board conducted a public hearing on the proposed ordinance amendments to Article 7, section 7.26 and section 7.34 to require all property lines, buildings and structures on adjacent properties within 200’ of a subject site to be marked on the site plan drawings submitted. After discussion of the comments made at the Long Range Planning meeting, the Planning Board continued the public hearing to March 14, 2018 and
directed staff to add an aerial photo as a site plan submittal requirement in addition to a plan providing details on adjacent properties.

On March 14, 2018, the Planning Board continued the public hearing and passed a motion recommending approval of the ordinance amendments for site plan submittal requirements to the City Commission. Please find attached the draft ordinance language and meeting minutes for your consideration. The Planning Board minutes from March 14, 2018 are not yet available.

The Planning Division requests that the City Commission set a public hearing date of April 23, 2018 to consider ordinance amendments to the Zoning Ordinance as follows:

(a) To amend Article 7, Section 7.26, Application, to amend the site plan review submittal requirements to include adjacent property details; and
(b) To amend Article 7, Section 7.34, Special Land Use Permit Review, to amend the Special Land Use Permit review process to include adjacent property details.

SUGGESTED ACTION:

To set a public hearing date of April 23, 2018 to consider the following ordinance amendments to amend the submittal requirements for site plan and Special Land Use Permit review:

(a) To amend Article 7, Section 7.26, Application, to amend the site plan review submittal requirements to include adjacent property details; and
(b) To amend Article 7, Section 7.34, Special Land Use Permit Review, to amend the Special Land Use Permit review process to include adjacent property details.
CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS: AN ORDINANCE TO AMEND CHAPTER 126, ZONING, OF THE CODE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 7, SECTION 7.26, APPLICATION, TO AMEND THE SITE PLAN REVIEW SUBMITTAL REQUIREMENTS TO INCLUDE ADJACENT PROPERTY DETAILS

7.26 Application

Each Site Plan submitted to the Planning Board in accordance with the requirements of the Zoning Ordinance shall be on such forms and contain such information as the Planning Board shall determine necessary, including but not limited to a site plan, photometric plan, landscape plan, elevation drawings, interior floor plans, current aerial photos of the subject site and surrounding properties, specification sheets for all lighting and exterior mechanical equipment, and samples of all exterior building materials. All site plans submitted for review and approval must show the subject site in its entirety, must include all property lines, buildings and structures, and must show the same details for all adjacent properties within 200 feet of the subject site’s property lines.

ORDAINED this _____ day of __________, 2018 to become effective 7 days after publication.

____________________________
Andrew Harris, Mayor

____________________________
Cherilynn Mynsberge, City Clerk
THE CITY OF BIRMINGHAM ORDAINS:  AN ORDINANCE TO AMEND CHAPTER 126, ZONING, OF THE CODE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 7, SECTION 7.34, SPECIAL LAND USE PERMIT REVIEW, TO AMEND THE SPECIAL LAND USER PERMIT REVIEW PROCESS TO INCLUDE SITE PLAN REVIEW SUBMITTAL REQUIREMENTS TO INCLUDE ADJACENT PROPERTY DETAILS

7.34 Review

Site Plan and Design Review for special land uses shall be considered and acted upon by the City Commission. Prior to its consideration of a special land use application for an initial permit or an amendment to a permit, the City Commission shall refer the Site Plan and the design to the Planning Board for its review and recommendation. Each Site Plan submitted in accordance with the requirements of the Zoning Ordinance shall be on such forms and contain such information as the Planning Board shall determine necessary, including but not limited to a site plan, photometric plan, landscape plan, elevation drawings, interior floor plans, current aerial photos of the subject site and surrounding properties, specification sheets for all lighting and exterior mechanical equipment, and samples of all exterior building materials. All site plans submitted for review and approval must show the subject site in its entirety, must include all property lines, buildings and structures, and must show the same details for all adjacent properties within 200 feet of the subject site's property lines. After receiving the recommendation of the Planning Board, the City Commission shall review the Site Plan and design of the buildings and uses proposed for the site described in the application of amendment. The City Commission's approval of any special land use application or amendment pursuant to this section shall constitute approval of the Site Plan and Design. Site Plan Review and Design Review in this article shall not be required.

ORDAINED this ______ day of __________, 2018 to become effective 7 days after publication.

________________________________________
Andrew Harris, Mayor

________________________________________
Cherilyn Mynsberge, City Clerk
City Commission Minutes
December 4, 2017

12-317-17 PUBLIC HEARING TO CONSIDER THE FINAL SITE PLAN AND SPECIAL LAND USE PERMIT FOR 33353 WOODWARD AVENUE - TIDE DRY CLEANERS

Mayor Harris opened the public hearing at 8:44 p.m.

From Senior Planner Baka’s report to City Manager Valentine dated November 27, 2017:

The subject business is proposed to be located at 33353 Woodward Avenue in a new one-story 7,227 sq. ft. commercial/retail building and parking lot that is replacing the former Tuffy Automotive building on the west side of Woodward between Davis and Smith. The applicant is a drive-in service for customers to pick up and/or drop off their garments while remaining in their vehicle. The service of patrons while in their vehicles is considered a drive-in facility and requires a Special Land Use Permit (SLUP) under Article 2, Section 2.31 (B2B – General Business). Article 9, Section 9.02 (Definitions) defines a drive-in as a commercial establishment developed to serve patrons while in the motor vehicle in addition to within a building or structure. The parking area for service to patrons in vehicles will be located on the west elevation along the alley under a metal canopy attached to the back of the building outside of the west entrance. The Planning Board recommended the SLUP for approval with the following conditions: 1. The total square footage of signage must be reduced to 108 sq. ft. or less; 2. The canopy must be attached to the building.

Planning Director Ecker explained to:
• Commissioner Boutros that the SLUP is required because of the drive-in service, and that the parking spaces are required because of the size of the building.
• Commissioner Hoff that the building is intended for multi-tenant use.

Shannon Marklin, a real estate manager for corporate Tide, stated that the canopy is an added convenience as protection from weather. Ms. Marklin confirmed for Mayor Pro Tem Bordman:
• The company has 60 of these drive-ins across the United States;
• This drive-in would be the first Tide location in Michigan; and, • Tide has also signed a lease for a drive-in in Shelby Township. 6 December 4, 2017
• The parking lot would allow customers to enter from both Woodward and Davis whether Tide occupies the end cap of the building or another business does.
• Transaction times average between thirty seconds and 2 minutes, and two cars could be helped at any given time.
• On-site dry-cleaning would only be for the Birmingham location. The Shelby Township location does its own dry-cleaning.
• A delivery van will be available to provide delivery service and will be parked at the operator’s house every evening.
• According to a traffic study in Chicago, peak times yielded twelve cars per hour.

Planning Director Ecker confirmed for Commissioner Nickita that the canopy must be fully attached to the building, but the method of attachment will be approved administratively during the permitting process.
Commissioner Nickita expressed concern:
- That the Commission was not provided with information on the method of affixing the canopy since it is a required part of the proposal; and
- That there is not sufficient information in the site plan regarding proximity to residences, sidewalk connections, adjacent buildings, and the general neighborhood layout.

Duane Barbat, property owner, explained to Commissioner Nickita that:
- There is a parking lot barrier between the building and the closest residents; and
- The lot is not owned by Mr. Barbat; and,
- If the canopy is approved, drawings by a State of Michigan engineer will be submitted to the building department.

Commissioner Nickita expressed:
- Confidence in Mr. Barbat’s plan based on his previous work in Birmingham; but
- That he still views this plan submission as incomplete. Mr. Barbat replied that his company has not been asked to submit structural plans to the Commission before.

Mr. Barbat told Commissioner Hoff:
- There is no plan to prevent left-turn exits onto Davis.
- The proposal is for two covered spaces to be serviced by employees, the total lease to Tide is 3,000 sq. ft. contingent on the drive-in approval, and 2,000 sq. ft. will be dedicated to the cleaning plant, which may service other small operations in the future.

Planning Director Ecker noted that preventing left turns onto Davis was not a requirement put forth by the Planning Board for approval of the plan.

Ms. Marklin explained to:
- Commissioner Hoff that environmentally-friendly Green Earth solvent and Tide detergent would be used to process the dry-cleaning. 7 December 4, 2017
- Mayor Pro Tem Bordman that the only 24/7 parts of the business are a drop-box in the back and a kiosk in the front where a customer can pick up their dry-cleaning before or after hours with a code.

Mr. Ken Platt, a resident on Davis, submitted a communication to the Commission expressing opposition to the project.

Brian Fitzerman expressed his general approval of the plan, but added that he would like to see
- No left turn onto Davis;
- A STOP sign added to the exit onto Davis; and,
- The drop-box moved to the Woodward side, so as to not disturb the Davis-side residents late at night.

Ms. Marklin addressed Mr. Fitzerman's concerns by stating:
- There would be an additional drop-box on the Woodward side; and,
- Based on experience in other locations, if the drive-in spaces are occupied, customers will park and enter the store, so queuing cars should not be an issue.
Ms. Marklin told Commissioner Hoff there are usually two to three employees at a time, with five to seven employees working over the course of a day.

Mr. Barbat added there is a side lot for employee parking, leaving sufficient parking for customers.

There being no further comment, Mayor Harris closed the public hearing at 9:20 p.m.

Commissioner DeWeese noted the no left turn sign could be placed in future if necessary.

Commissioner Hoff expressed concern for the residents, and stated that it is important in Birmingham to get the residents’ buy-in and respect. Mr. Barbat stated that he has attended two meetings only seen two residents and one letter.

Mary McCray (1332 Davis) stated that she is concerned with left turns onto Davis, and the potential need for overflow parking which might end up on Davis.

Commissioner Hoff expressed support for a no left turn sign in the parking lot.

Commissioner Nickita stated that he lives very close to this area, and that almost no other businesses have parking lot signage preventing certain exits. He continued that businesses busier than the proposed Tide dry-cleaner have not caused complaints of cut-through traffic, and that adding the parking lot signage lacks both precedent and necessity based on other examples.

**MOTION:**
Motion by Commissioner DeWeese, seconded by Mayor Harris:
To approve the Final Site Plan and Special Land Use Permit to allow service to patrons in their vehicles at 33353 Woodward Avenue - Tide Dry Cleaners as recommended by the Planning Board on October 25, 2017. (Resolution appended to these minutes as Attachment A.)

**VOTE:**
Yeas, 7
Nays, 0
Absent, 0

12-235-17 COMMISSIONER COMMENTS

Commissioner Nickita reiterated the need for a more detailed site plan for the proposed Tide dry-cleaners, and stated he would like a mandate that site plans are sufficiently detailed in the future.

Planning Director Ecker stated the ordinance can be changed to require more details.

Commissioner Nickita requested that the Planning Board examine what details should be required in a site plan, and those findings should be added to the ordinance.
The Commission and City Manager Valentine concurred, and City Manager Valentine stated he would pass the direction onto the Planning Board.
Planning Board Minutes  
January 10, 2018

5. Site Plan Submittal Requirements for Adjacent Properties

Ms. Ecker explained that on December 4, 2017, the City Commission reviewed and approved the Special Land Use Permit ("SLUP") and Final Site Plan & Design Review for 33353 Woodward Ave. to allow Tide Dry Cleaners to open a storefront with service to patrons that remain in their vehicles. During this review, several questions were raised by Commissioners and neighbors regarding the layout and proximity of adjacent properties, and the potential impact of the drive-in dry cleaning facility on the surrounding property owners. At the end of the meeting, Commissioner Nickita specifically requested that the Planning Board review the existing submittal requirements for site plan reviews and SLUP reviews, and determine if amendments should be made to add additional details regarding the subject site and/or adjacent sites to provide context for discussion. This direction to the Planning Board was provided by the City Manager.

In the past, Planning Board members have also raised the issue about applicants providing details on the surrounding properties to allow for a complete evaluation of the impact of a proposed development on one site to the surrounding properties and the neighborhood as a whole.

Accordingly, the Planning Board may wish to consider proposed draft ordinance language that amends the submittal requirements for Site Plan Review and SLUP Review by adding that all site plans submitted for review and approval must show the subject site in its entirety, must include all property lines, buildings and structures, and must show the same details for all adjacent properties within 200 ft. of the subject site's property lines.

Mr. Boyle remarked that the website is pretty clear that if someone wants to build in Birmingham, adjacencies must be shown in the application. Mr. Williams believed that language is needed in the ordinance, not just on the website. It was concluded that the requirement could be satisfied by a current aerial photo of all properties within 200 ft.

Motion by Mr. Williams  
Seconded by Mr. Boyle to set a public hearing on February 28, 2017 to amend Article 7, sections 7.26 and 7.34.

There was no further discussion from the public at 9:58.

Motion carried, 7-0.

VOICE VOTE  
Yeas: Williams, Boyle, Clein, Koseck, Ramin, Share, Whipple-Boyce  
Nays: None  
Absent: Lazar
5. Site Plan submittal requirements

Planning Director Ecker explained that Site Plan and Design Reviews may benefit from providing details on all the surrounding properties. The Planning Board has set a public hearing on February 28, 2018 for an ordinance amendment to update these requirements.

Commissioner Nickita cautioned that a satellite photo would provide insufficient information. He continued that a drawn Site Plan, with all adjacencies, would be sufficient.

Commissioner DeWeese stated that having the adjacencies included in Site Plans is very helpful.
PUBLIC HEARING

AN ORDINANCE TO AMEND CHAPTER 126, ZONING, OF THE CODE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 7, SECTION 7.26, APPLICATION, TO AMEND THE SITE PLAN REVIEW SUBMITTAL REQUIREMENTS TO INCLUDE ADJACENT PROPERTY DETAILS

TO AMEND ARTICLE 7, SECTION 7.34, SPECIAL LAND USE PERMIT REVIEW, TO AMEND THE SPECIAL LAND USE PERMIT REVIEW PROCESS TO INCLUDE SITE PLAN REVIEW SUBMITTAL REQUIREMENTS TO INCLUDE ADJACENT PROPERTY DETAIL

The public hearing opened at 7:34 p.m.

Ms. Ecker recalled that on December 4, 2017, the City Commission reviewed and approved the Special Land Use Permit (“SLUP”) and Final Site Plan & Design Review for 33353 Woodward Ave. to allow Tide Dry Cleaners to open a storefront. During this review, several questions were raised by Commissioners and neighbors regarding the layout and proximity of adjacent properties, and the potential impact of the drive-in dry cleaning facility on the surrounding property owners.

At the end of the meeting, Commissioner Nickita specifically requested that the Planning Board review the existing submittal requirements for site plan reviews and SLUP reviews, to determine if amendments should be made to add additional details of the subject site and/or adjacent sites to provide context for discussion. This direction to the Planning Board was provided by the City Manager.

Accordingly, on January 10, 2018, the Planning Board discussed the proposed draft ordinance language to consider amending the submittal requirements for site plan review and SLUP review to require all applicants to include details of adjacent properties on their site plans. The board approved a motion to set a public hearing date for the amendments that would require all property lines, buildings and structures within 200 ft. of a subject site to be marked on the site plan drawings submitted. A comment was made that an aerial photo should suffice in providing these details. On January 27, 2018 at the Long Range Planning meeting this issue was also discussed. A comment was made by Commissioner Nickita that he did not believe that an aerial photo would be sufficient to meet the provision of adjacent property details.

Mr. Jeffares stated he would still prefer to have the aerial photo, at least in addition. Ms. Ecker said they could add and then bring back to the board language that would also require applicants to provide an aerial photo.

At 7:40 p.m. no one from the public had comments.

Motion by Mr. Williams
Seconded by Mr. Koseck to continue the public hearing to March 14, 2018 at 7:30 p.m.
Motion carried, 7-0.

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

The public hearing closed at 7:42 p.m.
MEMORANDUM
Planning Division

DATE: March 19, 2018
TO: Joseph A. Valentine, City Manager
FROM: Jana L. Ecker, Planning Director
Re: Set Public Hearing for a Special Land Use Permit Amendment and Final Site Plan for 1669 W. Maple, First Presbyterian Church

First Presbyterian Church is located on the south side of W. Maple between Pleasant and Larchlea Dr. They are requesting approval to lease the existing kitchen in the Church basement to Canape Cart to cook and prepare foods for catering. Thus, the applicant requires an amendment to their existing Special Land Use Permit (SLUP), which was originally approved on May 13, 1991. Prior to the consideration of a SLUP Amendment, the City Commission refers the Site Plan and Design Review to the Planning Board.

On March 14, 2018, the Planning Board reviewed the proposed SLUP Amendment for the lease of the existing kitchen to Canape Cart, and voted to recommend denial of the Final Site Plan and Special Land Use Permit to the City Commission based on concerns about a commercial catering use in a single family residential zone district. Please find attached a letter from the City Attorney stating the rental of the kitchen is a permissible use in the R1-A zone district as it is a “use customarily incidental to the permitted principal use” (Church) on this site.

Thus, the Planning Division requests that the City Commission set a public hearing date for April 23, 2018 to consider an application for a Special Land Use Permit (“SLUP”) Amendment and Final Site Plan for 1669 W. Maple.

SUGGESTED ACTION:

To set a public hearing date for April 23, 2018 to consider an application for a Special Land Use Permit Amendment and Final Site Plan for First Presbyterian Church at 1669 W. Maple.
WHEREAS, The First Presbyterian Church originally applied for and received a Special Land Use Permit on September 8, 1987 to allow for the resurfacing, lighting and landscaping of the parking lot at 1669 West Maple Road, such application having been filed pursuant to the former Section 126-477 of the City Code;

WHEREAS, The land for which the Special Land Use Permit Amendment is sought is located on the south side of West Maple Road between Larchlea and Pleasant Streets;

WHEREAS, THE LAND IS ZONED R-1A, Single Family Residential, which permits a church with a Special Land Use Permit;

WHEREAS, Article 7, section 7.34 of Chapter 126, Zoning requires a Special Land Use Permit to be reviewed by the Birmingham City Commission at such time that any addition to or change in the building or improvements on the parcel of land is proposed or the use of the property is altered;

WHEREAS, The applicant submitted an application for a Special Land Use Permit Amendment and Final Site Plan Review to gain approval to lease out the existing Church kitchen to Canape Cart;


WHEREAS, The Planning Board on March 14, 2018 reviewed the application for a Special Land Use Permit Amendment and Final Site Plan and recommended denial of the application based on concerns about a commercial use leasing space;

WHEREAS, The Birmingham City Commission has reviewed the First Presbyterian Church’s Special Land Use Permit Amendment application as well as the standards for such review, as set forth in Article 7, section 7.36 of Chapter 126, Zoning, of the City Code and has reviewed the letter written by the City Attorney dated March 13, 2018 stating that this is permitted as a use customarily incidental to the permitted principal use of a Church on the site;

NOW, THEREFORE, BE IT RESOLVED, The Birmingham City Commission finds the standards imposed under the City Code have been met and the First Presbyterian Church’s application for a Special Land Use Permit Amendment and Final Site Plan Review allowing the installation of new signage is hereby approved;

BE IT FURTHER RESOLVED, That the City Commission determines that to assure continued compliance with Code standards and to protect the public health, safety and
welfare, this Special Land Use Permit Amendment is granted subject to the following conditions:

1. First Presbyterian Church shall abide by all provisions of the Birmingham City Code; and
2. The Special Land Use Permit may be canceled by the City Commission upon finding that the continued use is not in the public interest.

BE IT FURTHER RESOLVED, That failure to comply with any of the above conditions shall result in termination of the Special Land Use Permit.

MAY IT BE FURTHER RESOLVED that the First Presbyterian Church and its heirs, successors and assigns shall be bound by all ordinances of the City of Birmingham in effect at the time of the issuance of this permit, and as they may subsequently be amended. Failure of the First Presbyterian Church to comply with all the ordinances of the city may result in the Commission revoking this Special Land Use Permit.

I, Cherilynn Mysnberge, City Clerk of the City of Birmingham, Michigan do hereby certify that the foregoing is a true and correct copy of the resolution by the Birmingham City Commission at its regular meeting held on April 23, 2018.

Cherilynn Mysnberge, City Clerk
Special Land Use Permit Application
Planning Division
Form will not be processed until it is completely filled out.

1. Applicant
Name: FIRST PRESBYTERIAN CHURCH
Address: 1669 W. MAPLE ROAD
BIRMINGHAM, MI 48009
Phone Number: 248-644-2040 EXT 125
Fax Number: 248-644-8047
Email Address: carl.fischer@fpch.org

2. Applicant's Attorney/Contact Person
Name: CARL FISCHER / JIM GOMM
Address: 1669 W. MAPLE ROAD
BIRMINGHAM, MI 48009
Phone Number: 248-644-2040 EXT 125
Fax Number: 248-644-8047
Email Address: jungoss@everybodyschurch.org

3. Required Attachments
- Warranty Deed with legal description of property
- Required fee (see Fee Schedule for applicable amount)
- Fifteen (15) folded copies of plans including a certified land survey, color elevations showing all materials, site plan, landscape plan, photometric plan, and interior plan
- Photographs of existing site and buildings
- Samples of all materials to be used
- Catalog sheets for all proposed lighting, mechanical equipment & outdoor furniture
- An itemized list of all changes for which approval is requested
- Completed Checklist
- Digital copy of plans
- One (1) additional set of plans mounted on a foam board, including a color rendering of each elevation

4. Project Information
Address/Location of Property: 1669 W. MAPLE ROAD
Name of Development: FIRST PRESBYTERIAN CHURCH
Sidwell #: 08-17-35-301-073
Current Use: CHURCH KITCHEN
Proposed Use: CHURCH AND COMMERCIAL KITCHEN
Area in Acres: __________
Current Zoning: __________
Zoning of Adjacent Properties: __________
Is there a current SLUP in effect for this site?: __________
Is property located in the floodplain?: __________

5. Details of the Nature of Work Proposed (Site plan & design elements)
GRANT CANAPE CART USE OF KNOX KITCHEN
FOR THE PURPOSE OF PRODUCING MEALS
TO BE SERVED OFF SITE.
6. Buildings and Structures

| Number of Buildings on site: | 1 |
| Height of Building & # of stories: | |

Use of Buildings: CHURCH
Height of rooftop mechanical equipment: |

7. Floor Use and Area (in square feet)

| Commercial Structures: | |
| Total basement floor area: | N/A |
| Number of square feet per upper floor: | |
| Total floor area: | |
| Floor area ratio (total floor area divided by total land area): | |
| Open space: | |
| Percent of open space: | |

| Residential Structures: | |
| Total number of units: | N/A |
| Number of one bedroom units: | |
| Number of two bedroom units: | |
| Number of three bedroom units: | |
| Open space: | |
| Percent of open space: | |

| Office space: | N/A |
| Retail space: | |
| Industrial space: | |
| Assembly space: | |
| Seating Capacity: | |
| Maximum Occupancy Load: | |

Rental units or condominiums?: N/A
Size of one bedroom units: |
Size of two bedroom units: |
Size of three bedroom units: |
Seating Capacity: |
Maximum Occupancy Load: |

8. Required and Proposed Setbacks

| Required front setback: | N/A |
| Required rear setback: | |
| Required total side setback: | |
| Side setback: | |

| Proposed front setback: | N/A |
| Proposed rear setback: | |
| Proposed total side setback: | |
| Second side setback: | |

9. Required and Proposed Parking

| Required number of parking spaces: | N/A |
| Typical angle of parking spaces: | |
| Typical width of maneuvering lanes: | |
| Location of parking on the site: | |
| Location of off site parking: | |
| Number of light standards in parking area: | |
| Screenwall material: | |

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

10. Landscaping

| Location of landscape areas: | N/A |
| Proposed landscape material: | N/A |
11. Streetscape

Sidewalk width: N/A
Number of benches: N/A
Number of planters: N/A
Number of existing street trees: N/A
Number of proposed street trees: N/A
Streetscape Plan submitted?: N/A

Description of benches or planters: N/A
Species of existing street trees: N/A
Species of proposed street trees: N/A

12. Loading

Required number of loading spaces: N/A
Typical angle of loading spaces: N/A
Screenwall material: N/A
Location of loading spaces on the site: N/A

Proposed number of loading spaces: N/A
Typical size of loading spaces: N/A
Height of screenwall: N/A

13. Exterior Trash Receptacles

Required number of trash receptacles: N/A
Location of trash receptacles: N/A
Screenwall material: N/A

Proposed number of trash receptacles: N/A
Size of trash receptacles: N/A
Height of screenwall: N/A

14. Mechanical Equipment

Utilities & Transformers:
Number of ground mounted transformers: N/A
Size of transformers (LxWxH): N/A

Number of utility easements: N/A
Screenwall material: N/A

Ground Mounted Mechanical Equipment:
Number of ground mounted units: N/A
Size of ground mounted units (LxWxH): N/A
Screenwall material: N/A

Location of all utilities & easements: N/A
Location of all ground mounted units: N/A
Height of screenwall: N/A

Rooftop Mechanical Equipment:
Number of rooftop units: N/A
Type of rooftop units: N/A

Location of all ground mounted units: N/A
Size of rooftop units (LxWxH): N/A
Screenwall material: N/A
Location of screenwalls: N/A

Height of screenwall: N/A
Percentage of rooftop covered by mechanical units: N/A
Distance from units to rooftop units to screenwall: N/A
15. Accessory Buildings

Number of accessory buildings: N/A
Location of accessory buildings: ____________________________
Size of accessory buildings: N/A
Height of accessory buildings: ____________________________

16. Building Lighting

Number of light standards on building: N/A
Size of light fixtures (LxWxH): ____________________________
Type of light standards on building: N/A
Height from grade: ____________________________
Maximum wattage per fixture: ____________________________
Proposed wattage per fixture: ____________________________
Light level at each property line: ____________________________
Number & location of holiday tree lighting receptacles:

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 or Special Land Use Permit. The undersigned further states that they have reviewed the procedures and guidelines for site plan review and Special Land Use Permits 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: 1/30/18
Print Name: JOHN E JODSON

Signature of Applicant: ____________________________ Date: 1/30/2018
Print Name: CARL H FISCHER

Signature of Architect: ____________________________ Date: ____________________________
Print Name: ____________________________

Office Use Only

Application #: ____________________________ Date Received: ____________________________ Fee: ____________________________
Date of Approval: ____________________________ Date of Denial: ____________________________ Accepted by: ____________________________
LEASE AGREEMENT

Kathleen O’Neill and Mary Rembelski (dba Canape’ Cart) and First Presbyterian Church of Birmingham (FPC) agree to be bound by the following for the period through.

- FPC will grant Canape’ use of Knox Kitchen between the hours of 8:00 a.m. and 7:00 p.m. daily for the purpose of producing meals to be served off site. Although FPC will make every effort to accommodate Canape’s needs, FPC shall have priority in scheduling the kitchen. Regularly scheduled use by church committees, receptions, family movie night, and specially scheduled events shall be accommodated. FPC will provide reasonable advance notice to Canape’ when an event is scheduled.

- The lock on the door (which is now a common lock with other offices) will be changed. Canape’ will have access to substantial refrigerator, freezer, and dry storage space and use of all facilities, equipment, and furnishings. Key access to the kitchen will be limited to Canape’, the sexton, and certain church committee personnel.

- FPC will pay for an initial cleaning, and clean after every church event. Canape’ will maintain the facility in a clean and orderly fashion, i.e., clean and useable after each use. Canape’ is responsible to obtain any required licenses and food handler permits, and comply with all city ordinances.

- By entering into this agreement, FPC does not participate in any commercial business. The parties are not partners or joint venturers. Canape’ is solely responsible for its products and services.

- Canape’ will carry and provide evidence of $1 million of liability insurance coverage during the term of this agreement. Said insurance will show FPC as an additional insured. Canape’ will also carry and provide evidence of workers compensation coverage for all of its employees.

- During this period, the cost of any equipment repairs or replacements will be divided by the reasonable and good faith agreement of the parties.

- For the use of Knox Kitchen pursuant to the terms of this agreement, Canape’ will pay to FPC monthly rent in the amount of dollars payable in advance. Included in the rent is the cost of utilities and daily trash removal.

- If either party shall be in breach of this agreement, the other party shall give written notice of such breach, and if the breach be not cured within fifteen (15) days of the giving of such notice, the complaining party shall be entitled to an early termination of this Lease on a date which shall be thirty (30) days from said giving of notice.

- By , both parties will review their experience with this arrangement and seek to develop an annual lease.
<table>
<thead>
<tr>
<th>Kathleen O'Neill</th>
<th>Date</th>
<th>Mary Rembleski</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carl H. Fischer</td>
<td>Date</td>
<td>Treasurer, FPC</td>
<td></td>
</tr>
</tbody>
</table>
March 13, 2018

Ms. Jana Ecker, Planning Director  
City of Birmingham  
151 Martin Street, P.O. Box 3001  
Birmingham, MI 48012-3001

Re: Commercial Catering Use of Church Kitchens

Dear Ms. Ecker:

This letter is in response to your request that I opine on the permissibility of a church renting out its kitchen to be used for commercial catering purposes.

The churches in question reside in the R1 or R1A District. In this regard, the permitted uses are as follows:

"Permitted Uses  
Residential Permitted Uses  
• adult foster care group home  
• dwelling – one-family  
• single family cluster*  

Institutional Permitted Uses  
• government office  
• school – public  

Recreational Permitted Uses  
• park  

Other Use Regulations are as follows:  
Accessory Permitted Uses  
• family day care home*  
• garage – private  
• greenhouse – private  
• home occupation*  
• parking facility – private off-street  

*Use Specific Stands in Section 5.02 Apply
parking – public, off-street
renting of rooms
sign
swimming pool-private
any use customarily incidental to the permitted principal use

Uses Requiring a Special Land Use Permit
assisted living
curch
continued care retirement community
independent hospice facility
independent senior living
medical rehabilitation facility
parking (accessor) – public; off-street
philanthropic use
public utility building
publicly owned building
school – private
skilled nursing facility” (Emphasis Added)

Many of the churches in the City of Birmingham perform multiple functions, which have been considered in the past as uses customarily incidental to the permitted principle use. These have included using their facilities for philanthropic purposes; for schools (Permitted Uses and Accessory Permitted Uses); and the renting of rooms (all under Accessory Permitted Uses).

Several churches have customarily maintained daycare centers as well as preschools, and have conducted various fundraising activities including auctions, craft shows, bazaars, parties and the like. In regard to the kitchen being used, churches have traditionally conducted church oriented meals such as fish fries and pancake breakfasts for their congregations. Renting out rooms has been customory for various other activities in the city and other communities as well.

With respect to using the kitchen facilities as commercial facilities for catering, it appears to be no different than any other fundraising activity that is conducted by the church in using the facilities to raise money for the support of its institution. It could also be looked upon as being less impactful upon a neighborhood because it is all contained indoors and doesn't utilize the exterior portions of the church as do other activities. There is no specific case that I can find on record with respect to this, however, it does not appear to us that the use of the kitchen for
commercial catering purposes is any different than any other fundraising activities, which are permissible under the City of Birmingham Zoning Ordinance.

Should you have any questions please do not hesitate to contact me.

Very truly yours,

BEIER HOWLETT, P.C.

Timothy J. Currier
Birmingham City Attorney

TJC/jc
Enclosure
cc: Mr. Joseph A. Valentine, City Manager
Executive Summary

First Presbyterian Church is located on the south side of W. Maple between Pleasant and Larchlea Dr. The church is proposing to lease Knox Kitchen in the lower level of the church to Canape Cart for the purpose of producing meals to be served off site. As a result of this change, the petitioner will require an amendment to their existing Special Land Use Permit (SLUP). Prior to the consideration of a SLUP Amendment, the City Commission referred the Site Plan and Design Review to the Planning Board. Should Planning Board approval be granted, a public hearing will be held by the City Commission to consider whether or not to grant the proposed Special Land Use permit (SLUP) Amendment.

This parcel of land is zoned R1, Single Family Residential District. Churches are a permitted use in the R1 District, subject to Special Land Use regulations. The Church originally received a Special Land Use Permit on May 13, 1991.

On February 28, 2018, the Planning Board discussed the proposed SLUP Amendment to allow Canape Cart catering to lease the Church kitchen in the basement for the preparation of food to cater events. After much discussion, the Planning Board expressed support for the proposed kitchen use, but voted to postpone the review until March 14, 2018, pending a formal interpretation by the Building Official and City Attorney that the proposed use of the kitchen by a catering team was an accessory use customarily incidental to the Church.

Accordingly, the Building Official, City Attorney and Planning Director met to discuss the proposed use of the Church kitchen. A letter from the City Attorney stating that the proposed rental of the Church kitchen to an outside group is an accessory use customarily incidental to the Church will be forthcoming prior to the meeting.

Chairman Clein noted the church is allowed in an R-1 Zone. However, the use they are trying to add is commercial. The ordinance only allows an accessory use that is customarily incidental to the Church. It was discussed that there are commercial enterprises in various churches around town. Consensus of the board members was that
they are in generally in favor of the proposal, but they don't have the power to approve the SLUP Amendment. It was determined that a formal interpretation from the Building Official and a recommendation from the City Attorney would be needed to clear up the matter.

1.0 Land Use and Zoning

1.1 Existing Land Use - The existing site is currently used as a private school and Church. The land uses surrounding the site are single family residential, Neighborhood Business, and Office.

1.2 Existing Zoning - The Church is currently zoned R1, Single Family Residential, and has a valid Special Land Use Permit which was originally granted on May 13, 1991.

1.3 Summary of Land Use and Zoning - The following chart summarizes existing land use and zoning adjacent to and/or in the vicinity of the subject site.

<table>
<thead>
<tr>
<th></th>
<th>North</th>
<th>South</th>
<th>East</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Existing Land Use</strong></td>
<td>Commercial, Fire Station</td>
<td>Single-Family Residential</td>
<td>Single-Family Residential</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td><strong>2016 Regulating Plan</strong></td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

Canape Cart is a catering service run by two individuals whose operation formerly resided in the Drayton Avenue Presbyterian Church in Ferndale, Michigan. The closing of that church has forced Canape Cart to seek a new kitchen to lease to prepare their food offerings. The First Presbyterian Church has an existing kitchen located in the basement level of the Church. No changes are proposed to either the kitchen layout, the interior or the exterior of the Church. No signage is proposed for Canape Cart.

The lease with the Church states that Canape Cart may use the kitchen daily anytime between the hours of 8:00a.m. to 7:00p.m., however, the Church has first right to use the kitchen for Church events. Canape Cart proposes to prepare food in the Church kitchen to be delivered and served at other venues in Metro Detroit. No details have been provided at this time as to the number or size of vehicles to be used to transport food to offsite locations.
2.0 Setback and Height Requirements

The project as proposed meets all setback requirements. No changes are proposed to existing building or site.

3.0 Screening and Landscaping

3.1 Screening - No changes are proposed.

3.2 Landscaping - No changes are proposed.

4.0 Parking, Loading and Circulation

4.1 Parking - No changes are proposed.

4.2 Loading - No changes are proposed.

4.3 Circulation - N/A.

5.0 Lighting

No changes are proposed to the lighting on the property.

6.0 Departmental Reports

6.1 Engineering Division - The Engineering Division has no concerns at this time.

6.2 Department of Public Services - No comments have been received from the Department of Public Services but will be provided prior to the meeting on February 28, 2018.

6.3 Fire Department - The Fire Department has no concerns at this time.

6.4 Police Department - The Police Department has no concerns at this time.

6.5 Building Division - No comments have been received from the Building Division but will be provided prior to the meeting on February 28, 2018.

7.0 Design Review

Knox Kitchen is located in the lower level of the church on the southeast side of the building, facing the rear parking lot. The existing building will not be altered in any way, nor any new signage placed upon the building or the grounds. The amendment to the SLUP is consistent with the Zoning Ordinance, compatible with adjacent uses of land, the natural environment, and the capabilities of public services and facilities affected by the land use, consistent with the public health, safety and welfare of the city, and will not be injurious to the surrounding neighborhood.
9.0 Approval Criteria for Special Land Use Permits

Article 07, section 7.34 of the Zoning Ordinance specifies the procedures and approval criteria for Special Land Use Permits. Use approval, site plan approval, and design review are the responsibilities of the City Commission. This section reads, in part:

- Prior to its consideration of a special land use application (SLUP) for an initial permit or an amendment to a permit, the City Commission shall refer the site plan and the design to the Planning Board for its review and recommendation. After receiving the recommendation, the City Commission shall review the site plan and design of the buildings and uses proposed for the site described in the application of amendment.

The City Commission’s approval of any special land use application or amendment pursuant to this section shall constitute approval of the site plan and design.

10.0 Recommendation

Based on a review of the site plan submitted, the Planning Division recommends the Planning Board forward a recommendation to the City Commission to APPROVE the SLUP Amendment for 1699 W. Maple – First Presbyterian Church – to lease Knox Kitchen to Canape Cart for the purpose of producing meals to be served off site.

11.0 Sample Motion Language

Motion to recommend that the City Commission APPROVE the Special Land Use Permit Amendment for 1669 W. Maple – First Presbyterian Church – to lease out Knox Kitchen to Canape Cart for the purpose of producing meals to be served off site.

OR

Motion to recommend that the City Commission DENY the Special Land Use Permit Amendment for 1669 W. Maple for the following reasons:

1. __________________________________________________________________________
2. __________________________________________________________________________

OR

Motion to recommend that the City Commission POSTPONE the Special Land Use Permit Amendment for 1669 W. Maple for the following reasons:

1. __________________________________________________________________________
2. __________________________________________________________________________
FINAL SITE PLAN REVIEW
SPECIAL LAND USE PERMIT ("SLUP")

1. 1669 W. Maple Rd. (First Presbyterian Church)
Request for approval of a Revised Final Site Plan and Design to permit a commercial catering business to operate in the existing church kitchen

Ms. Ecker explained that First Presbyterian Church is located on the south side of W. Maple Rd. between Pleasant and Larchlea Dr. The church is proposing to lease the kitchen in the lower level of the church to Canape Cart for the purpose of producing meals to be served off site. As a result of this change, the petitioner will require an amendment to their existing SLUP. Prior to the consideration of a SLUP Amendment, the City Commission refers the Site Plan and Design Review to the Planning Board. Should Planning Board approval be granted, a public hearing will be held by the City Commission to consider whether or not to grant the proposed SLUP Amendment.

This parcel of land is zoned R-1, Single Family Residential District. Churches are a permitted use in the R-1 District, subject to Special Land Use regulations. The church originally received a SLUP on May 13, 1991.

Canape Cart is a catering service run by two individuals whose operation formerly resided in the Drayton Avenue Presbyterian Church in Ferndale, Michigan. The closing of that church has forced Canape Cart to seek a new kitchen to lease to prepare their food offerings. The First Presbyterian Church has an existing kitchen located in the basement level of the Church. No changes are proposed to either the kitchen layout, the interior or the exterior of the Church. No signage is proposed for Canape Cart.

The lease with the church states that Canape Cart may use the kitchen daily anytime between the hours of 8 a.m. to 7 p.m.; however, the church has first right to use the kitchen for church events. Canape Cart proposes to prepare food in the church kitchen to be delivered and served at other venues in Metro Detroit. No details have been provided at this time as to the number or size of vehicles to be used to transport food to offsite locations.

*Design Review*

The kitchen is located in the lower level of the church on the southeast side of the building, facing the rear parking lot. The existing building will not be altered in any way, nor any new signage placed upon the building or the grounds. The amendment to the SLUP is consistent with the Zoning Ordinance; compatible with adjacent uses of land; the natural environment; the capabilities of public services and facilities affected by the land use; consistent with the public health, safety and welfare of the City; and will not be injurious to the surrounding neighborhood.

*Motion by Mr. Williams*

Seconded by Ms. Whipple-Boyce that an e-mail from James Goss, Business Manager, First Presbyterian Church-Birmingham. dated February 26, 2018, be formally made a part of the record.
Motion carried, 7-0.

Yeas: Williams, Whipple-Boyce, Boyle, Clein, Jeffares, Koseck, Lazar
Nays: None
Absent: None

Chairman Clein noted the church is allowed in an R-1 Zone. However, the use they are trying to add is commercial. The ordinance only allows an accessory use that is customarily incidental to the Church. It was discussed that there are commercial enterprises in various churches around town. Consensus of the board members was that they are in generally in favor of the proposal, but they don't have the power to approve the SLUP Amendment. It was determined that a formal interpretation from the Building Official and a recommendation from the City Attorney would be needed to clear up the matter.

Ms. Kathleen O'Neal, co-owner of Canape Cart Catering and Mr. James Goss, Business Manager of First Presbyterian Church, came forward to speak.

Mr. Jeffares wanted assurance there would never be refrigerated trucks running outside. He had the same concern about holding cooking classes. Also, Mr. Goss assured him there would never be alcohol on the site.

Ms. O'Neal explained they have rented the Presbyterian Church in Ferndale for 25 years but now the building is being sold. She went on to say that they would be responsible for catering events within the church. Mr. Williams replied that would be incidental if the kitchen were to be used for church purposes.

Motion by Mr. Boyle
Seconded by Mr. Williams to postpone 1669 W. Maple Rd. to March 14, 2018.

Motion carried, 7-0.

VOICE VOTE
Yeas: Boyle, Williams, Clein, Jeffares, Koseck, Lazar, Whipple-Boyce
Nays: None
Absent: None
Canape' Cart is an established business, having spent thirty years operating out of the kitchen at Drayton Avenue Presbyterian Church in Ferndale. The closing of that church has resulted in them seeking a new venue at First Presbyterian Church of Birmingham.
Canapé Cart Cooking Classes. Our kitchen or yours. Join us in our kitchen for a customized class.

We take great pride in creating unique menus & beautiful presentations for each client according to their tastes.

We have designed events at some of the area's most distinctive venues from museums, to gardens, theaters and architectural gems- even a zoo. We can find the right spot for you.

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CANAPÉ CART, established in 1997, is one of Metropolitan Detroit's premier catering companies.

Founded by KATHLEEN O'NEILL and MARY REMBELSKI, young professionals who simply wanted to fuel their passions for good food, great wine, and world travel. Twenty years later, the Canapé Cart team has orchestrated hundreds of events, from five people to 5,000, celebrating life's milestones as well as corporate agendas.

THE PARTNERS' ATTENTION TO DETAIL AND DESIGN ENSURE A SPECIAL AND UNIQUE OCCASION
Mary was raised in a family of Polish grocers, and has literally been knee-high to food and all it's wonderful mystery. With her solid Eastern European work ethic, attention to detail and love of food and people, Mary is considered the conscience of the Canapé Cart.

Mary has studied and traveled widely in France and California. She is a member of the International Association of Culinary Professionals, and follows the tenants of the Slow Food Movement and Oldways Preservation Trust, which promulgates the principles of nutrition, tradition, and sustainability.

Email Mary

Kathleen, also a native of Detroit, was educated in elementary education, and has taught largely in the United States and Europe. She has worked, studied and/or traveled extensively in Italy, Spain, France, India, South America and Mexico. Those experiences, coupled with Kathleen's wide ranging curiosity and trend-spotting, are reflected in Canapé Cart's inventive and authentic cooking, as well as its signature menus. Kathleen is a member of the International Association of Culinary Professionals.

Email Kathleen

They are both passionate about catering and bringing to their customers the highest caliber of professionalism.
VENUES

We have designed events at some of the areas most distinctive venues from museums, to gardens, theaters and architectural gems— even a zoo. We can find the right spot for you—your backyard perhaps— or create an event for your locale that is spot on.

• Michigan Opera Theater
  Detroit

• The Guardian Building
  Detroit

• Cranbrook Educational Community
  Bloomfield Hills

• Detroit Public Library

• Museum of Contemporary Art and Design
  Detroit

• Suzanne Hilberry Gallery
  Ferndale

• DSO Max Fisher
  Detroit

• Goldner Walsh
  Pontiac

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1669 W Maple Rd

Birmingham, MI 48009

12:01 Start
Presbyterian Church · 1669 W Maple Rd

https://www.google.com/maps/place/1669+W+Maple+Rd,+Birmingham,+MI+48009/@42.545334,-83.2358488,424m/data=!3m1!1s1!4m5!3m4!1s0x0:0x0!8m2!3d42.545334!4d-83.2358488
Jana Ecker <jecker@bhamgov.org>

Presbyterian Church Special Land Use
1 message

David Lattie <dlattie@lattielaw.com>  Thu, Feb 22, 2018 at 4:29 PM
To: jecker@bhamgov.org

Ms. Ecker,

Thank you for taking the time to speak with me about the above entitled issue. As I mentioned I reside at 230 Pleasant Street, directly adjacent to the church property, and I received a notice of a Special Land Use public hearing for February 28, 2018. I have a conflict on the 28th and cannot attend the public hearing, and respectfully request the Planning Board consider my written objections in my absence.

First, I understand churches present zoning challenges because state and federal regulations and case law compel municipalities to accommodate them in residential zoning districts. While courts have acknowledged the expanding community services modern churches provide (with the Presbyterian Church adjacent to the west, and the Methodist Church just across Pleasant I can attest that both are busy with religious/educational and other civic activities) the primary purpose is to accommodate public places of worship. This concept is reflected in your zoning ordinance that identifies a church as a special land use in the R1-R8 zoning districts, and doesn’t consider churches permitted uses until the B1 district. The fact that a church itself is a special land use in the residential districts indicates that the impacts on surrounding properties should be considered in detail. Adding a commercial activity to a church use that already impacts the surrounding residential properties is not consistent with your zoning ordinance. More importantly, catering is not one of the identified twelve special or nine accessory permitted uses in the R-2 district, and is not allowed as a permitted use until the B-1 district. Frankly, it doesn’t appear their request can be granted without a use variance (if allowed by your ordinance) or a text/map amendment.

Second, your applicants seem to be very likable people with an admirable goal of operating a small catering business. I wholeheartedly support their efforts located in an appropriate commercial district (B1). While not necessarily a planning concern, churches are exempt from property taxes. Allowing them to enter into commercial leases for the use of their property and/or structures should jeopardize that tax exempt status, but also would undercut existing or future catering business required to locate in your B-1 district pursuant to your ordinance. Clearly a tax exempt landlord would enjoy a significant economic advantage.

Finally, I moved into my home in 2004. As I mentioned before, both churches are busy providing religious related services and activities. By and large they have been good neighbors and I’m sure they would not propose something that would be disruptive to the neighborhood. From a planning and zoning standpoint it is obvious the way churches are regulated in your ordinance that commercial uses, even ancillary ones, are not appropriate. Although each property is unique, and each zoning case is considered on it’s own merits, as the pressure to add commercial uses to church property increases, I would hate to see Birmingham begin to allow commercial services encroach into neighborhoods through it’s church properties.

Thank you for your consideration,

David Lattie
DATE: March 19, 2018
TO: Joseph A. Valentine, City Manager
FROM: Matthew Baka, Senior Planner
APPROVED: Jana Ecker, Planning Director


The owner of the properties known as 325 W. Brown and 298 S. Old Woodward is seeking approval to combine the two parcels into one lot. The two subject lots were recently granted site plan approval for a 5 story hotel. The applicant is currently moving towards beginning the construction phase of the project. In order to be issued a building permit the applicant must combine the lots.

At this time the Planning Division recommends that the City Commission set a public hearing date of **April 23, 2018** to consider the proposed lot combination, pursuant to the procedures set forth in Section 102-52 of the Subdivision Ordinance. The application and land survey have been included for your review.

**SUGGESTED ACTION:**
To set a public hearing for April 23, 2018 to consider the proposed lot combination of 325 W. Brown & 298 S. Old Woodward.
Combination of Platted Lots Application

1. Applicant
   Name: Woodward Brown Ventures, LLC
   Address: 55 West Maple Road
   Birmingham, MI 48009
   Phone Number: (248) 247-3813
   Fax Number: __________________________
   Email Address: mark@lorientcap.com

2. Applicant’s Attorney/Contact Person
   Name: Richard D. Rattner, Esq.
   Address: 380 N. Old Woodward Ave., Ste. 300
   Birmingham, MI 48009
   Phone Number: (248) 642-0333
   Fax Number: (248) 642-0856
   Email Address: rdrattnerr@lawplaw.com

3. Project Information
   Address/Location of Property:
   298 S. Old Woodward Avenue
   325 E. Brown Street
   Sidwell #: 19-36-202-016; 19-36-202-009
   Current Zoning: B-4 Business-Residential
   D-4 Downtown Overlay District
   Legal Description: See attached survey drawings

4. Attachments
   - Proof of ownership
   - Written statement of reasons for request
   - A letter of authority or power of attorney in the event the application is made by a person other than the property owner
   - Other data having a direct bearing on the request
   - Sketches of proposed development (optional)
   - One digital copy of plans
   - Two (2) copies of a registered land survey showing:
     - All Existing and proposed platted lot lines
     - Legal descriptions of proposed lots
     - Locations of existing/surrounding structures for at least 500 feet in all directions
     - Footprints of proposed development including proposed building envelope with front, side and rear setbacks clearly marked.

I, (We), the undersigned, do hereby request to combine lots of record in the City of Birmingham, Oakland County, Michigan. (I, (We), do hereby swear that all of the statements, signatures, and descriptions appearing on and with this request are in all respects true and accurate to the best of (my), (our), knowledge.

Signature of Property Owner: ____________________________
Print Name: ____________________________
Date: ____________________________

Signature of Applicant: ____________________________
Print Name: ____________________________
Date: ____________________________

Fee: $200.00 per lot affected, minimum fee $400
COVENANT DEED

THIS INDENTURE is made this 8th day of January, 2016, between WMSR COMPANY, L.L.C., a Michigan limited liability company, whose address is 30150 Telegraph Road, Suite 373, Bingham Farms, Michigan 48025 ("Grantor") and WOODWARD BROWN VENTURES, LLC, a Michigan limited liability company, whose address is 102 Pierce Street, Birmingham, Michigan 48009 ("Grantee").

WITNESSETH:

That the Grantor, for and in consideration of the sum disclosed on the Real Estate Transfer Tax Valuation Affidavit filed herewith to it paid by the Grantee, the receipt of which is hereby confessed and acknowledged, has transferred, granted, sold, and conveyed, and by these presents does transfer, grant, sell and convey, unto the Grantee, and to its successors and assigns, forever, all that certain real estate located in the City of Birmingham, County of Oakland, State of Michigan, described on Exhibit A attached hereto and incorporated herein, to have and to hold the premises as before described unto the Grantee, its successors and assigns, forever.

And the Grantor, for itself, and its successors, does hereby covenant, promise and agree to and with the Grantee, its successors and assigns, that Grantor will warrant and defend the said premises with the hereditaments and appurtenances unto the Grantee, its successors and assigns, forever against the lawful claims of all persons claiming by, from or under Grantor, but against no other claims or persons.

Subject, however, to easements, zoning ordinances, and restrictions of record, if any and to the exceptions set forth on the attached Exhibit B.

The Grantor grants to the Grantee the right to make all divisions legally available to the Property 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 farm land 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.
IN WITNESS WHEREOF, the Grantor has executed this instrument on the date first written above and has declared this conveyance to be binding upon it and its personal representatives, heirs, successors and assigns.

WMSR COMPANY, L.L.C., a Michigan limited liability company

By: [Signature]
Mark A. Thomas, Member

By: [Signature]
William P. Jamnich, Member

STATE OF MICHIGAN  )
COUNTY OF Oakland ) SS.

The foregoing instrument was acknowledged before me this 8th day of January, 2016, by Mark A. Thomas and William P. Jamnich, the Members of WMSR Company, L.L.C., a Michigan limited liability company, on behalf of said Company.

[Stamp]
Tina M. Easley
Notary Public of Michigan
Oakland County
Expires 04/15/2021
Acting in the County of Oakland, County, Michigan
My Commission Expires: ______________

Drafted By (And When Recorded, Return To):
Mary P. Nelson, Esq.
Abbott Nicholson, P.C.
300 River Place, Suite 3000
Detroit, Michigan 48207-4225

Send Subsequent Tax Bills To:
Grantee

4843-7274-0652, v. 1

2
EXHIBIT A

LEGAL DESCRIPTION

Property located in the City of Birmingham, Oakland County, Michigan more particularly described as:

Part of Lot 21 of Assessor’s Plat No. 25, being a Replat of Taber Addition and Lots 1, 2 and 3, Brown’s Addition and Plat of the Northeast 1/4 of Sec. 36, Town 2 North, Range 10 East, according to the Plat thereof as Recorded in Liber 54A, Page 73 of Plats, Oakland County Records, described as beginning at the Southeast corner of said Lot 21, thence North 35 degrees 59 minutes 36 seconds West along the east line of said Lot 21 a distance of 80.47 feet, thence South 61 degrees 39 minutes 51 seconds West 34.25 feet, thence South 30 degrees 13 minutes 39 seconds East 79.76 feet to the South line of said Lot 21, thence North 61 degrees 42 minutes 50 seconds East along said South line 42.34 feet to the point of beginning.

RE: 325 E. Brown Street, Birmingham, Michigan 48009

Tax Item No. 19-36-202(09)000

LEGAL DESCRIPTION

Property located in the City of Birmingham, Oakland County, Michigan more particularly described as:

Easterly part of Lot 3 lying adjacent to Lot 24, described as: Beginning at Northwest corner of Lot 24; thence South 35 degrees 30 minutes 00 seconds East 40.51 feet; thence South 61 degrees 32 minutes 15 seconds West 23.77 feet; thence North 36 degrees 25 minutes 04 seconds West 37.09 feet; thence North 53 degrees 16 minutes 30 seconds East 24.19 feet to beginning. Also part of Lot 21, beginning at Southwest corner of Lot 23; thence North 35 degrees 49 minutes 05 seconds West 52.93 feet; thence South 31 degrees 27 minutes 05 seconds East 52.56 feet; thence North 61 degrees 41 minutes 10 seconds East 4.04 feet to beginning. Also all of Lot 22, also Lot 23, except beginning at Northwest lot corner; thence North 61 degrees 32 minutes 15 seconds East 2.35 feet; thence South 31 degrees 27 minutes 05 seconds East 30.56 feet; thence North 35 degrees 49 minutes 05 seconds West 30.78 feet to beginning, also all of Lot 24, “Assessor’s Plat No. 25”, as recorded in Liber 54A, Page 73 of Plats, Oakland County Records.

RE: 298 South Old Woodward, Birmingham, Michigan 48009

Tax Item No. 19-36-202-016
EXHIBIT B – EXCEPTIONS TO TITLE

1. Any facts, rights, interests, or claims that are not shown by the public records but that could be ascertained by an inspection of the property or by making inquiry of persons in possession of the property.

2. Easements, liens, encumbrances, existing water, mineral, oil and exploration rights, or claims thereof, not shown by the public records.

3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the Land, and that are not shown in the public records.

4. Taxes and assessments not assessed, due or payable as of the date hereof.

5. Subject to the rights of the public and of any governmental agency in any part of the land thereof taken, used or deeded for street, road or highway purposes.
March 6, 2018

By Email

Jana Ecker
Matthew Baka
City of Birmingham
Planning Department
151 Martin Street
Birmingham, MI 48009

Re: 298 S. Old Woodward Lot Combination Application

Dear Jana and Matt:

Please let this letter suffice as the required statement with the reason that Woodward Brown Ventures, LLC (“Applicant”), owner of 298 S. Old Woodward, is seeking a lot combination of the two lots that make up 298 S. Old Woodward and 325 E. Brown Street.

As you know, the City has granted site plan approval to the Applicant for the redevelopment of these two lots into a boutique hotel, with construction to commence this spring. See site plan submission presented to the Planning Board on August 9, 2017. It came to our attention that the City’s new ordinance, Article V, sec. 102-80 et seq., requires the lot combination to occur prior to the issuance of building permits. It is for this reason that the Applicant has submitted a Combination of Platted Lots Application.

Please let us know if there is anything else the City needs to move forward with the Application.

Very truly yours,
WILLIAMS WILLIAMS RATTNER & PLUNKETT, P.C.

Gayle S. McGregor
RECORD LEGAL DESCRIPTIONS:

(PER OWNER POLICY OF TITLE INSURANCE NO. 0X-09981439, FILE NO. 63-15431453-SCM PREPARED BY SEAGER TITLE AGENCY COUNTERSIGNED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, DATE OF POLICY JANUARY 13, 2016)

THE LAND REFERRED TO IN THIS POLICY IS DESCRIBED AS FOLLOWS: CITY OF BIRMINGHAM, COUNTY OF OAKLAND, STATE OF MICHIGAN

PARCEL 1:

PART OF LOT 21 OF ASSESSOR'S PLAT NO. 25, BEING A REPLAT OF TABER ADDITION AND LOTS 1, 2 AND 3, BROWN'S ADDITION AND PLAT OF THE NORTHEAST 1/4 OF SECTION 36, TOWN 2 NORTH, RANGE 10 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 54A, PAGE 73 OF PLATS, OAKLAND COUNTY RECORDS, DESCRIBED AS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 21, THENCE NORTH 35 DEGREES 59 MINUTES 36 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 21 A DISTANCE OF 80.47 FEET, THENCE SOUTH 81 DEGREES 39 MINUTES 51 SECONDS WEST 34.25 FEET, THENCE SOUTH 30 DEGREES 13 MINUTES 39 SECONDS EAST 79.76 FEET TO THE SOUTH LINE OF SAID LOT 21, THENCE NORTH 61 DEGREES 42 MINUTES 50 SECONDS EAST ALONG SAID SOUTH LINE 42.34 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

EASTERLY PART OF LOT 3 LYING ADJACENT TO LOT 24, DESCRIBED AS: BEGINNING AT NORTHWEST CORNER OF LOT 24; THENCE SOUTH 35 DEGREES 30 MINUTES 00 SECONDS EAST 40.51 FEET; THENCE SOUTH 61 DEGREES 32 MINUTES 15 SECONDS WEST 23.77 FEET; THENCE NORTH 36 DEGREES 25 MINUTES 04 SECONDS WEST 37.09 FEET; THENCE NORTH 53 DEGREES 16 MINUTES 30 SECONDS EAST 24.19 FEET TO BEGINNING. ALSO PART OF LOT 21, BEGINNING AT SOUTHWEST CORNER OF LOT 23; THENCE NORTH 35 DEGREES 49 MINUTES 05 SECONDS WEST 52.93 FEET; THENCE SOUTH 31 DEGREES 27 MINUTES 05 SECONDS EAST 52.56 FEET; THENCE NORTH 61 DEGREES 41 MINUTES 10 SECONDS EAST 4.04 FEET TO BEGINNING. ALSO ALL OF LOT 22, ALSO LOT 23, EXCEPT BEGINNING AT NORTHWEST LOT CORNER; THENCE NORTH 61 DEGREES 32 MINUTES 15 SECONDS EAST 2.35 FEET; THENCE SOUTH 31 DEGREES 27 MINUTES 05 SECONDS EAST 30.56 FEET; THENCE NORTH 35 DEGREES 49 MINUTES 05 SECONDS WEST 30.78 FEET TO BEGINNING, ALSO ALL OF LOT 24, "ASSESSOR'S PLAT NO. 25", AS RECORDED IN LIBER 54A, PAGE 73 OF PLATS, OAKLAND COUNTY RECORDS.

AS FIELD SURVEYED COMBINED PROPERTY DESCRIPTION:

PARCEL A:
A PARCEL OF LAND IN THE CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN, BEING PART OF LOTS 3, 21 & 23 AND ALL OF LOTS 22 AND 24 OF ASSESSOR'S PLAT NO. 25, BEING A REPLAT OF TABER ADD. & LOTS 1, 2 & 3, BROWN'S ADD. & PLAT OF PART OF NE 1/4, OF SEC. 36, T. 2 N., R. 10 E., ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 54A, PAGE 73 OF PLATS, OAKLAND COUNTY RECORDS, ALL BEING MORE PARTICULARLY DESCRIBED AS:
BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF BROWN ST. (60 FT. WIDE) AND WEST LINE OF S. OLD WOODWARD AVENUE (100 FT WIDE), SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID LOT 22; THENCE ALONG SAID NORTH LINE, SOUTH 61 DEGREES 04 MINUTES 04 SECONDS WEST 140.39 FEET; THENCE NORTH 30 DEGREES 47 MINUTES 35 SECONDS WEST 79.39 FEET, THENCE NORTH 32 DEGREES 01 MINUTES 01 SECONDS WEST 83.12 FEET, THENCE NORTH 60 DEGREES 58 MINUTES 19 SECONDS EAST 3.84; THENCE NORTH 36 DEGREES 59 MINUTES 00 SECONDS WEST 36.82 FEET; THENCE NORTH 52 DEGREES 34 MINUTES 43 SECONDS EAST 119.84 FEET TO THE WEST LINE OF SAID S. OLD WOODWARD AVENUE; THENCE ALONG SAID SOUTH LINE, SOUTH 36 DEGREES 52 MINUTES 46 SECONDS EAST 218.60 FEET TO THE POINT OF BEGINNING, CONTAINING 0.618 ACRES OF LAND.

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND HEREON PLOTTED AND DESCRIBED DURING FEBRUARY OF 2018, AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS BETTER THAN 1 IN 5,000; THAT THE BEARINGS FOR THIS SURVEY ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, AND THAT ALL OF THE REQUIREMENTS OF P.A. 132, 1970, AS AMENDED, HAVE BEEN COMPLIED WITH.

DATE: MARCH 02, 2018

JOHN N. REDASH
MICHIGAN P.S. NO. 37281

28 West Adams Road
Suite 1201
Detroit, MI 48226
p (313) 982-4442
t (313) 982-5508
www.giffelswebster.com

AS REALIZED: 03/02/18

Executive: M.J.M.
Manager: M.D.
Designer: M.P.M.
Quality Control: A.L.G.
Section: 36
T-02N R-10E

State of Michigan
Professional Surveyor No. 37281

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without the prior written consent of Giffels Webster.
The owner of the properties known as 215 Peabody and 34965 Woodward is seeking approval to combine the two parcels into one lot. The two subject lots were recently granted site plan approval for a 5 story mixed use building. In order to be issued a building permit the applicant must combine the lots.

At this time the Planning Division recommends that the City Commission set a public hearing date of April 23, 2018 to consider the proposed lot combination, pursuant to the procedures set forth in Section 102-52 of the Subdivision Ordinance. The application and land survey have been included for your review.

**SUGGESTED ACTION:**
To set a Public Hearing for April 23, 2018 to consider the proposed lot combination of 215 Peabody & 34965 Woodward.
Combination of Platted Lots Application

1. Applicant
Name: Alden Development Group, LLC
Address: 189 W. Merrill Street
Birmingham, MI 48009
Phone Number: (248) 839-5787
Fax Number:
Email Address:

2. Applicant’s Attorney/Contact Person
Name: Richard D. Rattner Esq.
Address: 380 N. Old Woodward Ave., Ste. 300
Birmingham, MI 48009
Phone Number: (248) 642-0333
Fax Number:
Email Address:

3. Project Information
Address/Location of Property: 34965 Woodward Ave.
Birmingham, MI 48009 (Peabody’s site)
Sidwell #: 19-36-207-008; 19-36-207-004
Current Zoning: B-3
Legal Description: See attached

4. Attachments
- Proof of ownership
- Written statement of reasons for request
- A letter of authority or power of attorney in the event the application is made by a person other than the property owner
- Other data having a direct bearing on the request
- Sketches of proposed development (optional)
- One digital copy of plans
- Two (2) copies of a registered land survey showing:
  - All Existing and proposed platted lot lines
  - Legal descriptions of proposed lots
  - Locations of existing/surrounding structures for at least 500 feet in all directions
  - Footprints of proposed development including proposed building envelope with front, side and rear setbacks clearly marked.

(I), (We), the undersigned, do hereby request to combine lots of record in the City of Birmingham, Oakland County, Michigan. (I), (We), do hereby swear that all of the statements, signatures, and descriptions appearing on and with this request are in all respects true and accurate to the best of (my), (our), knowledge.

Signature of Property Owner: ____________________________
Print Name: Richard D. Rattner, Attorney
Signature of Applicant: ____________________________
Print Name: Richard D. Rattner, Attorney
Date: 3/1/18

Fee: $200.00 per lot affected, minimum fee $400
WARRANTY DEED

The Grantor
ENCORE DEVELOPMENT, LLC, a Michigan limited liability company ("Grantor"),

whose address is
132 North Old Woodward, Birmingham, Michigan 48009,

Conveys and Warrants to
PEABODY OWNER LLC, a Michigan limited liability company ("Grantee"),

whose address is
27777 Franklin Road, Suite 200, Southfield, Michigan 48034,

the premises situated in the City of Birmingham, Oakland County, Michigan, as more particularly described on Exhibit A, attached hereto and incorporated herein by reference, together with all and singular tenements, hereditaments, improvements and appurtenances, if any, belonging or in anywise appertaining thereto, for the full consideration of (REAL ESTATE TRANSFER TAX VALUATION AFFIDAVIT FILED), the receipt and sufficiency of which are hereby acknowledged, subject to only those matters of record described on Exhibit B, attached hereto and incorporated herein by reference.

Grantor grants the Grantee the right to make all permitted divisions under Section 108 of the Land Divisions Act, Act No. 288 of the Public Acts of 1967.

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 and Notary Pages Follow]
Dated this 30th day of December, 2016.

GRANTOR:

ENCORE DEVELOPMENT, LLC, a Michigan limited liability company

By:

Name: Jason Hamama
Its: Member

STATE OF MICHIGAN
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 30th day of December, 2016, by Jason Hamama, the Member of Encore Development, LLC, a Michigan limited liability company, who executed the foregoing on behalf of such limited liability company.

Name: Jeffrey S. Gunsberg
Notary Public-Oakland County
My Commission Expires On July 4, 2018

Jeffrey S. Gunsberg
Notary Public-Oakland County
My Commission Expires On July 4, 2018

Drafted by:

Samuel A. Schiffer, Esq.
Jaffe, Raitt, Heuer & Weiss, P.C.
27777 Franklin Road, Suite 2500
Southfield, Michigan 48034

When recorded return to:

Grantee

Send Subsequent Tax Bills To:
Grantee
Exhibit A

Legal Description

Land situated in the City of Birmingham, County of Oakland, State of Michigan more fully described as:

Part of North 1/2 of Lot 13, BROWNELL'S SUBDIVISION, according to the plat thereof recorded in Liber 4 of Plats, page 35, Oakland County Records; described as beginning at the Northwest corner of said Lot 13, thence North 69°45'10" East 69.99 feet; thence South 20°05'0" seconds, East 25 feet; thence South 69°45'15" West 69.99 feet to the East line of Brownell Street being the front lot line of said lot; thence North 20°5'0" seconds West 25 feet to the point of beginning; Brownell Subdivision being a part of the West 1/2 of the Northeast 1/4 of Section 36, in the Village of Birmingham, Town 2 North, Range 10 East, Oakland County, Michigan.

Commonly known as: 215 Peabody Street, Birmingham, Michigan 48009

Tax Parcel ID No.: 19-36-207-004
Exhibit B
Permitted Exceptions

1. Real property taxes and assessments for the year 2017 and subsequent years, which are not yet due and payable.

2. Rights of Haury, Inc., a Michigan corporation, as tenant in possession, as tenant only, pursuant to that certain lease dated August 25, 1994, as amended by that certain First Lease Extension Agreement dated July 15, 2006, as further amended by that certain Second Lease Extension Agreement dated December 14, 2007, as further amended by that certain Third Lease Extension Agreement dated January 18, 2009, as further amended by that certain Fourth Lease Extension Agreement dated September, 2011, and as further amended by that certain Fifth Lease Extension Agreement dated October 15, 2015, without rights or options to purchase.

3. Subject to the easements, restrictions and reservations contained in the Brownell Subdivision Plat recorded at Liber 4, Page(s) 33, Oakland County Records.
OAKLAND COUNTY TREASURER'S CERTIFICATE
This is to certify that there are no delinquent property taxes as of this date owed to our office on this property.
No representation is made as to the status of any taxes, tax liens or titles owed to any other entities.

JUN 29 2016
ANDREW E. MEISNER, County Treasurer
Sec. 135, Act 206, 1893 as amended

003743

WARRANTY DEED

The Grantor PEABODY FAMILY, LLC, a Michigan limited liability company ("Grantor"),
whose address is 34965 Woodward Avenue, Birmingham, Michigan 48009,
Conveys and Warrants to PEABODY OWNER LLC, a Michigan limited liability company ("Grantee"),
whose address is 27777 Franklin Road, Suite 200, Southfield, Michigan 48034,

the premises situated in the City of Birmingham, Oakland County, Michigan, as more particularly described on Exhibit A, attached hereto and incorporated herein by reference, together with all and singular tenements, hereditaments, improvements and appurtenances, if any, belonging or in anywise appertaining thereto, for the full consideration of (REAL ESTATE TRANSFER TAX VALUATION AFFIDAVIT FILED), the receipt and sufficiency of which are hereby acknowledged, subject to only those matters of record described on Exhibit B, attached hereto and incorporated herein by reference.

Grantor grants the Grantee the right to make all permitted divisions under Section 108 of the Land Divisions Act, Act No. 288 of the Public Acts of 1967.

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 and Notary Pages Follow]

REVENUE TO BE AFFIXED AFTER RECORDING
[Signature Page to Warranty Deed]

Dated this 23rd day of June, 2016.

GRANTOR:

PEABODY FAMILY, LLC, a Michigan limited liability company

By: Barbara Peabody Jerome, Manager

By: Susan Peabody Wortman, Manager

By: Nancy Peabody Long, Manager

[Notary Page Follows]
[Notary Page to Warranty Deed]

STATE OF MICHIGAN)  
COUNTY OF oakland )

The foregoing instrument was acknowledged before me this 23rd day of June, 2016, by Barbara Peabody Jerome, the Manager of Peabody Family, LLC, a Michigan limited liability company, who executed the foregoing on behalf of such limited liability company.

Name: Alissa H. Barnard  
Notary Public, oakland County, MI  
My Commission Expires: 5-23-2020  
Acting in oakland County, MI

STATE OF MICHIGAN)  
COUNTY OF oakland )

The foregoing instrument was acknowledged before me this 23rd day of June, 2016, by Susan Peabody Wortman, the Manager of Peabody Family, LLC, a Michigan limited liability company, who executed the foregoing on behalf of such limited liability company.

Name: Alissa H. Barnard  
Notary Public, oakland County, MI  
My Commission Expires: 5-23-2020  
Acting in oakland County, MI

STATE OF MICHIGAN)  
COUNTY OF oakland )

The foregoing instrument was acknowledged before me this 23rd day of June, 2016, by Nancy Peabody Long, the Manager of Peabody Family, LLC, a Michigan limited liability company, who executed the foregoing on behalf of such limited liability company.

Name: Alissa H. Barnard  
Notary Public, oakland County, MI  
My Commission Expires: 5-23-2020  
Acting in oakland County, MI

Drafted by: Samuel A. Schiffer, Esq.  
Jaffe, Raitt, Heuer & Weiss, P.C.  
27777 Franklin Road, Suite 2500

When recorded return to:  
Grantee  
Title Source, Inc. - Commercial Team  
682 Woodward Avenue  
Detroit, MI 48226  
TSID: 601485427

Send Subsequent Tax Bills To:  
Grantee
Exhibit A

Legal Description

Land situated in the City of Birmingham, County of Oakland, State of Michigan more fully described as:

Lots numbered Ten (10), Eleven (11), and Twelve (12), and North 25 feet of Lot numbered Thirteen (13), except the Westerly 69.99 feet thereof, BROWNELL SUBDIVISION in the Village of Birmingham, Oakland County, Michigan, being a part of the West half of Northeast quarter of Section 36, Town 2 North, Range 10 East, as recorded in Liber 4, Page 35 of Plats, Oakland County Records.

Commonly known as: 34965 Woodward Avenue, Birmingham, Michigan 48009

Tax Parcel ID No.: 4035-19-36-207-008
Exhibit D

Permitted Exceptions

1. 2016 Taxes and assessments, a lien against the property not yet due and payable. 2016 Special Assessment: Principal Shopping District - not yet due and payable.


4. Terms and conditions contained in Memorandum of Agreement, recorded January 27, 2009 in Liber 40847, Page 546; Terms and conditions contained in First Amendment to Memorandum of Agreement, recorded May 28, 2015 in Liber 48221, Page 656.

5. Rights of Peabody's of Birmingham, Inc., a Michigan corporation, as Tenant only, with no right of first refusal or option to purchase, under that certain unrecorded Lease Agreement.
March 15, 2018

By Email

Jana Ecker
Matthew Baka
City of Birmingham
Planning Department
151 Martin Street
Birmingham, MI 48009

Re: 34965 Woodward Avenue and 215 Peabody Street (Peabody’s Site)
Lot Combination Application

Dear Jana and Matt:

Please let this letter suffice as the required statement with the reason that Peabody Owner, LLC ("Applicant"), owner of the Peabody Site, is seeking a lot combination of the two lots that make up 34965 Woodward Avenue and 215 Peabody Street.

As you know, the City has granted site plan approval to the Applicant for the redevelopment of these two lots into a mixed use retail, office and residential building. See site plan submission presented to the Planning Board on February 28, 2018. It came to our attention that the City’s new ordinance, Article V, sec. 102-80 et seq., requires the lot combination to occur prior to the issuance of building permits. It is for this reason that the Applicant has submitted a Combination of Platted Lots Application.

Please let us know if there is anything else the City needs to move forward with the Application.

Very truly yours,

WILLIAMS WILLIAMS RATNNER & PLUNKETT, P.C.

[Signature]

Gayle S. McGregor

cc: Peabody Owner, LLC
DESCRIPTION OF TAX PARCEL 19–36–207–008 (PER OWNER'S POLICY OF TITLE INSURANCE ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, POLICY NUMBER: 27306–45824532, DATE OF POLICY: JULY 6, 2016)

Land Situated in the City of Birmingham in the County of Oakland in the State of Michigan.

Lots numbered Ten (10), Eleven (11), and Twelve (12), and North 25 feet of Lot numbered Thirteen (13), except the Westerly 69.99 feet thereof, BROWNELL SUBDIVISION in the Village of Birmingham, Oakland County, Michigan, being a part of the West half of Northeast quarter of Section 36, Town 2 North, Range 10 East, as recorded in Liber 4, Page 35 of Plats, Oakland County Records.

SCHEDULE B EXCEPTIONS FROM COVERAGE (PER OWNER'S POLICY OF TITLE INSURANCE ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, POLICY NUMBER: 27306–45824532, DATE OF POLICY: JULY 6, 2016)

2. Easement granted to Consumers Power Company, recorded November 18, 1974 in Liber 6395, Page 248. RESPONSE: AS SHOWN


4. Terms and conditions contained in Memorandum of Agreement, recorded January 27, 2009 in Liber 40847, Page 548; Terms and conditions contained in First Amendment to Memorandum of Agreement, recorded May 28, 2015 in Liber 48221, Page 656. RESPONSE: AS SHOWN


Land situated in the City of Birmingham, County of Oakland, State of Michigan Described as follows:

Part of North 1/2 of Lot 13, BROWNELL'S SUBDIVISION, according to the plat thereof recorded in Liber 4 of Plans, page 35, Oakland County Records; described as beginning at the Northwest corner of said Lot 13, thence North 69°45'10" East 69.99 feet; thence South 20°03'0" seconds, East 25 feet; thence South 69°45'57" West 69.99 feet to the East line of Brownell Street being the front lot line of said lot; thence North 20°55'0" seconds West 25 feet to the point of beginning. Brownell Subdivision being a part of the West 1/2 of the Northeast 1/4 of Section 36, in the Village of Birmingham, Town 2 North, Range 10 East, Oakland County, Michigan.

SCHEDULE B—SECTION II EXCEPTIONS—DESCRIPTION (PER TITLE COMMITMENT ISSUED BY TITLE CONNECT, LLC, COMMITMENT NO.: TC13–69097, EFFECTIVE DATE: DECEMBER 2, 2016)

3. Subject to the easements, restrictions and reservations contained in the Brownell Subdivision Plan, recorded at Liber 4, Page(s) 35, Oakland County Records.


BEARINGS ARE BASED ON NAD83 MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, INTERNATIONAL FEET, GROUND DISTANCES.


CUENT ALDEN DEVELOPMENT, LLC
PEABODY OWNER LLC

SKETCH AND DESCRIPTION OF A PARCEL COMBINED LOCATED IN

SECTION 36 TOWN 2 NORTH, RANGE 10 EAST
CITY OF BIRMINGHAM, OAKLAND COUNTY
STATE OF MICHIGAN

SCALE NONE

MICHAEL D. EMBREE
PROFESSIONAL SURVEYOR
N.R.C. No. 668370

ATWELL
DESCRIPTION OF A 0.577 ACRE PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 36, T2N, R10E, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN

CONTAINING LOTS 10 THRU 12, INCLUSIVE, AND THE NORTH 25 FEET OF LOT 13 OF BROWNELL SUBDIVISION, RECORDED IN LIBER 4 OF PLATS, PAGE 35, OAKLAND COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 10 OF SAID BROWNELL SUBDIVISION; THENCE S19°32'55"E (PLATTED AS S17°00'00"W) 139.30 FEET ALONG THE EASTERN LINE OF SAID LOTS 10 THRU 13 OF SAID BROWNELL SUBDIVISION AND THE WESTERN LINE OF WOODWARD AVENUE (VARIABLE WIDTH); THENCE S69°45'30"W (RECORDED AS S69°45'15"W AND PLATTED AS S68°24'00"W) 142.69 FEET ALONG THE SOUTH LINE OF THE NORTH 25 FEET OF SAID LOT 13 OF SAID BROWNELL SUBDIVISION; THENCE N24°08'58"W (RECORDED AS N20°08'00"W AND PLATTED AS N21°36'00"W) 198.35 FEET ALONG THE WESTERN LINE OF SAID LOTS 10 THRU 13 OF SAID BROWNELL SUBDIVISION AND THE EASTERN LINE OF PEABODY STREET (50 FEET WIDE); THENCE N86°55'22"E 164.89 FEET (PLATTED AS N89°30'00"E 165.66 FEET) ALONG THE NORTH LINE OF SAID BROWNELL SUBDIVISION AND THE SOUTH LINE OF HUNTER'S EASTERN ADDITION, RECORDED IN LIBER 3 OF PLATS, PAGE 66, OAKLAND COUNTY RECORDS, TO THE PLACE OF BEGINNING, CONTAINING 0.577 ACRES OF LAND, MORE OR LESS, AND BEING SUBJECT TO EASEMENTS, CONDITIONS, RESTRICTIONS AND EXCEPTIONS OF RECORD, IF ANY.
## Occupancy Areas

<table>
<thead>
<tr>
<th>Occupancy</th>
<th>Location in Building</th>
<th>Net Usable Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>Levels 2, 3</td>
<td>44,255 SF</td>
</tr>
<tr>
<td>Commercial</td>
<td>Level 4</td>
<td>18,425 SF</td>
</tr>
<tr>
<td>Retail / Office</td>
<td>Level 1</td>
<td>14,475 SF</td>
</tr>
<tr>
<td>Residential</td>
<td>Levels 4 + 5</td>
<td>17,170 SF</td>
</tr>
</tbody>
</table>

## Parking Tabulation

<table>
<thead>
<tr>
<th>Residential</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apartments</td>
<td>15 spaces</td>
<td>15 spaces</td>
</tr>
<tr>
<td>10 Apartments x 1.5</td>
<td>15 spaces x 1.5</td>
<td>15 spaces x 1.5</td>
</tr>
</tbody>
</table>

Total
- 15 spaces
- 88 spaces
- 99 spaces

## Building Calculations

<table>
<thead>
<tr>
<th>Location</th>
<th>Spaces / Units</th>
<th>Net Usable Area</th>
<th>Gross Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Level P2</td>
<td>47 Parking spaces</td>
<td>22,425 SF</td>
<td>23,700 SF</td>
</tr>
<tr>
<td>Parking Level P1</td>
<td>41 Parking spaces</td>
<td>22,405 SF</td>
<td>23,700 SF</td>
</tr>
<tr>
<td>Level 1</td>
<td>11 Street Parking</td>
<td>20,830 SF</td>
<td>22,340 SF</td>
</tr>
<tr>
<td>Level 2</td>
<td>-</td>
<td>23,185 SF</td>
<td>24,155 SF</td>
</tr>
<tr>
<td>Level 3</td>
<td>-</td>
<td>23,680 SF</td>
<td>24,630 SF</td>
</tr>
<tr>
<td>Level 4</td>
<td>1 Apartments</td>
<td>23,070 SF</td>
<td>24,300 SF</td>
</tr>
<tr>
<td>Level 5</td>
<td>9 Apartments</td>
<td>18,945 SF</td>
<td>20,590 SF</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>-</td>
<td>154,540 SF</td>
<td>163,415 SF</td>
</tr>
</tbody>
</table>

Total Site Area: 25,215 SF
DATE: March 19, 2018

TO: Joseph A. Valentine, City Manager

FROM: Lauren A. Wood, Director of Public Services

SUBJECT: 2018 Parks and Recreation Master Plan Adoption

The City Commission held a Public Hearing on February 12, 2018 pertaining to the 2018 draft Parks and Recreation Master Plan and the continuation of this Public Hearing will be at the March 26, 2018 City Commission meeting. In addition to some minor changes to some pages in the draft plan, the City Commission requested a review and update to the Accessibility Ratings starting on page 31 to page 40 of the plan document dated February 1, 2018.

Sarah Traxler with McKenna has provided the details of such proposed revisions and the revised accessibility ratings in the attached letter dated March 16, 2018. McKenna performed additional site visits to re-examine and update such ratings, accordingly. The Parks and Recreation Board at their March 6, 2018 meeting approved a Resolution of Recommendation of the City of Birmingham 2018 Parks and Recreation Master Plan.

Enclosed herewith are a copy of the Resolution of Adoption for the City Commission to consider after the Public Hearing on March 26, 2018 and a copy of the proposed 2018 Parks and Recreation Master Plan. A copy of the adopted plan will be submitted to the Michigan Department of Natural Resources (MDNR), Oakland County and SEMCOG.

The MDNR requires the City Commission to approve the Resolution of Adoption rather than accept the plan for purposes of being eligible for grant funding once the Parks and Recreation Master Plan is on file with the State. The last five year Parks and Recreation Master Plan went before the City Commission on November 28, 2011 and the suggested resolution was the same as noted below, to approve the adoption of the Parks and Recreation Master Plan 2012-2016.

Once the City Commission adopts the 2018 Parks and Recreation Master Plan, final plan documents will be distributed to the City Commission, Parks and Recreation Board members and placed on the City’s website.

SUGGESTED RESOLUTION:
To approve the Resolution of Adoption of the City of Birmingham 2018 Parks and Recreation Master Plan.
March 16, 2018

Hons. Mayor and City Commissioners  
City of Birmingham  
151 Martin Street  
Birmingham, Michigan 48009

Subject: Proposed Revisions to the Draft 2018 Parks and Recreation Master Plan

As you recall, during the February 12, 2018 meeting, the City Commission held its required Public Hearing on the draft plan and considered the document for adoption. A handful of “housekeeping” items were discussed (presented below), but – more significantly – the Commission discussed the Accessibility Ratings contained on pages 31 to 40 of the previous draft plan document dated February 1, 2018. Because of the substantive discussion, outstanding questions, and follow-up information requested, your Commission adjourned the Public Hearing to March 26, 2018.

ACCESSIBILITY RATINGS
The February 1, 2018 draft of the Parks and Recreation Master Plan contained accessibility ratings that were based on the following information and observation:

- Review of current Parks and Recreation Master Plan accessibility ratings;
- Review of improvements to parks since 2012, when the current Parks and Recreation Master Plan was adopted;
- Field observation of Birmingham parks during late summer, 2017 (portion windshield / driving survey work, portion walking observation).

As a reminder, the Commission questioned the accessibility ratings, noting that many of the ratings seemed too high (i.e. were ranked to be more accessible than they actually are) based on the ratings descriptions contained on page 51 of the plan.

Thus, on February 23rd, 25th, and 28th, 2018, I performed additional detailed site observation following an inventory and inspection checklist for each of the 26 parks contained within the Birmingham parks system. Based on my findings from my additional detailed observations and fieldwork, I recommend revising the accessibility ratings as described below.

Additionally, the topic of future grant applications to the Michigan Department of Natural Resources (MDNR) was raised; I was questioned whether additional points would be granted from bringing a low-scoring park up to a higher score. Per our discussions with the MDNR representative that covers SE Michigan, we found that a community won’t score higher just by nature of improving its accessibility rating. However, if a community’s park improvement that is the subject of the application is explicitly designed to increase accessibility (especially to the standards of universal design), there are points that may be given for that purposeful and deliberate accessibility improvement.

Birmingham’s accessibility ratings (as proposed below) are on-par with similarly situated communities; remember that for a community of Birmingham’s size (4.8 square miles), 26 parks is a significant number, and that the City’s capital improvements surpass many communities with less robust park improvement programs.
Finally, it’s important to note that in providing and developing public space, a community must balance many considerations (often competing valuable interests), such as those contained in the Goals and Objectives section of your draft Parks and Recreation Master Plan. For example, Birmingham residents value undisturbed open space, natural environments, and responsible environmental stewardship, which leads to some stakeholders not prioritizing the installation of concrete accessible pathways throughout parks (which, for example, would increase accessibility ratings). Additionally, at least a handful of the properties included in your parks system (well sites, especially) are not proposed to be improved at any time in the near future; thus, they are planned to have low accessibility ratings, and limited access by all.

It is the responsibility of the Parks and Recreation Board, and ultimately the City Commission when allocating funding, to weigh sometimes-competing priorities and determine the most appropriate course of action for individual parks AND the entire park system.

PROPOSED REVISIONS
As described above, the following proposed revisions to the draft 2018 Parks and Recreation Master Plan have been informed by the input of the City Commission; three days of fieldwork to reexamine the accessibility scores for each facility; and final housekeeping items, such as a typo and clarification on your parks and recreation inventory map.

*The new draft Parks and Recreation Master Plan, dated March 6, 2018, incorporates these proposed changes:*

1. **Mapping** – Throughout the document’s maps, correct the misspelled “Springdale Golf Course” and add the Ice Sports Arena to Kenning Park on all relevant maps.
2. **Page 21** – Remove the sentence “Park bond funds in the amount of $3 million were used for these improvements”, per the Parks and Recreation Board’s recommendation during their February meeting.
3. **Page 23** – Remove the word “historical” from the references to the Birmingham Museum Master Landscape Plan.
4. **Page 31** – Crop the photograph in the upper left-hand corner.
5. **Accessibility Ratings** – We have performed additional site observation and analysis relative to the site accessibility ratings contained within the current draft plan, and propose the following revisions:

<table>
<thead>
<tr>
<th>Park</th>
<th>Current Ranking</th>
<th>Proposed Ranking</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mini Parks:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Baldwin Well Site</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>2. Derby Well Site</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>3. Pump House Park</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>4. Redding Well Site</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>5. South Well Site</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td><strong>Neighborhood Parks:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Adams Park</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>2. Crestview Park</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>3. Howarth Park</td>
<td>4</td>
<td>3</td>
</tr>
</tbody>
</table>
4. Linden Park | 4 | 2
5. Linn Smith Park | 3 | 1
6. Manor Park | 3 | 1
7. Martha Baldwin Park | 4 | 2
8. Pembroke Park | 4 | 3
9. Quarton Tennis Court | 4 | 3
10. St. James Park | 4 | 2
11. W. Lincoln Well Site | 3 | 2

**Community Parks:**

1. Birmingham Museum
   a. Site surrounding structure | 3 | 4
   b. Park and open space | 3 | 1
2. Barnum Park | 4 | 1
3. Booth Park | 4 | 4
4. Kenning Park | 4 | 3
5. Ice Sports Arena | 4 | 4
6. Lincoln Hills Golf Course | 3 | 4
7. Poppleton Park | 4 | 3
8. Quarton Lake | 4 | 3
9. Shain Park | 4 | 4
10. Springdale Park and Golf Course | 4 | 3

6. **Page 38** – Lincoln Hills Golf Course has two paragraphs repeated; the last one will be deleted. With the deletion of the final paragraph, the section will be as intended.
7. **Page 51** – The levels in the table have a handful of typos, to be corrected thusly:
   a. **Level 1** – (no proposed change): “The park is not accessible to people with a broad range of physical disabilities. The site includes little paved areas and the facilities such as play equipment or picnic areas are not easily accessible.”
   b. **Level 2** – (no proposed change) “The park is somewhat accessible to people with a broad range of physical disabilities. Either the parking area or pathways are paved, but not both. Many of the facilities such as play equipment or picnic areas are not easily accessible.”
   c. **Level 3** – “The park is mostly accessible to people with a broad range of physical disabilities. Most of the parking areas and pathways are paved, and some of the facilities such as play equipment or picnic areas are accessible, but may not be completely barrier-free.
   d. **Level 4** – “The park is completely accessible to people with a broad range of physical disabilities. Parking areas and pathways area paved, and most of the facilities such as play equipment or picnic areas area easily accessible.”
   e. **Level 5** – “The entire park was developed or renovated using the principles of universal design, a design approach which enables all environments to be usable by everyone, to the greatest extent possible, regardless of age, ability, or situation.”
9. **Page 87** – Add #1 and #2 footnotes from prior pages.
10. **Accepted Concept Plans, Etc.** – To create a comprehensive document and record related to parks and recreation in Birmingham, we propose to include all accepted or approved concept plans and master plans related to parks and recreation, not just those that were prepared since the 2012 plan was adopted.

**PARKS AND RECREATION BOARD RECOMMENDATION**

The Parks and Recreation Board received the proposed revisions to the draft plan, and discussed the same during their March 6, 2018. On that evening, the Parks and Recreation Board again recommended adoption of the draft Parks and Recreation Master Plan by the City Commission.

As described above, the following proposed revisions to the draft 2018 Parks and Recreation Master Plan have been informed by the input of the City Commission; three days of fieldwork to reexamine the accessibility scores for each facility; a Parks and Recreation Master Plan Sub-Committee meeting and Parks and Recreation Board meeting; and final housekeeping items, such as a typo and clarification on your parks and recreation inventory map.

I look forward to discussing these proposed changes with your group during your March 26, 2018 meeting; please let me know if you need additional information or have questions. Thank you.

Respectfully,

**McKENNA**

Sarah Traxler, AICP
Vice President
RESOLUTION OF ADOPTION
2018 Parks and Recreation Master Plan
For the City of Birmingham
Oakland County, Michigan

CITY COMMISSION

WHEREAS, the City of Birmingham has undertaken a planning process to determine the recreation needs and desires of its residents during a five-year period covering the years 2018 through 2022; and

WHEREAS, the City of Birmingham began the process of developing a parks and recreation master plan in accordance with the most recent guidelines developed by the Michigan Department of Natural Resources and made available to local communities; and

WHEREAS, residents of the City of Birmingham were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the parks and recreation plan; and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least 30 days; and

WHEREAS, a public hearing was held on February 12, 2018, and readjourned on March 26, 2018 in the City Commission Chambers of City Hall to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the 2018 Parks and Recreation Master Plan; and

WHEREAS, the City of Birmingham has developed the plan as a guideline for improving parks and recreation within the City of Birmingham.

NOW, THEREFORE BE IT RESOLVED the Birmingham City Commission hereby adopts the 2018 Parks and Recreation Master Plan.

Yeas:   Nays:   Absent:

I, Cherilynn Mynsberge, City Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the Birmingham City Commission at a Regular Meeting thereof held on the 26th day of March, 2018.

__________________________________
2018 Parks & Recreation Master Plan

City of Birmingham, Michigan

DRAFT · March 6, 2018

Adopted by the City of Birmingham City Commission on

Prepared by:

MCKENNA

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Acknowledgements

Thank you.
The participation and cooperation of community leaders, residents and members of civic organizations in the preparation of the 2018 Parks and Recreation Master Plan is greatly appreciated and we thank everyone who participated in its development. The content in this Plan reflects the on-going collaboration between City residents, stakeholders, the Parks and Recreation Board, and the City Commission.

In particular, we acknowledge the efforts of:

**CITY COMMISSION**
Andrew Harris, Mayor
Patty Bordman, Mayor Pro Tem
Pierre Boutros, Commissioner
Carroll DeWeese, Commissioner
Rackeline Hoff, Commissioner
Mark Nickita, Commissioner
Stuart Sherman, Commissioner

**CITY ADMINISTRATION**
Joseph A. Valentine, City Manager
Lauren Wood, Director of Public Services
Carrie Laird, Parks and Recreation Manager

**PARKS AND RECREATION BOARD**
Therese Longe, Chair
John Meehan, Vice Chair
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Raymond Stevens
Lilly Stotland
Bill Wiebrecht
Eleanor Noble, Alternate
John Rusche, Alternate
Ben Gould, Student Representative
Joseph Kummer, Student Representative

**RECREATION MASTER PLAN SUB-COMMITTEE**
Therese Longe, Parks and Recreation Board
Ryan Ross, Parks and Recreation Board
Raymond Stevens, Parks and Recreation Board
Lauren Wood, Director of Public Services
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Introduction

Welcome
Welcome to the City of Birmingham’s 2018 - 2022 Parks and Recreation Master Plan. This Plan reflects a vision for the City of Birmingham’s parks and recreation facilities: their operations, maintenance, and enhancements for the next several years. It serves as a roadmap for future recreation facilities and programs by considering existing parks and programs in and around the City and the anticipated demand for additional or improved recreation facilities.

This Plan also forms the basis for potential recreation grant funding from the Michigan Department of Natural Resources (MDNR) and other agencies and foundations. The City of Birmingham’s Plan was prepared in accordance with MDNR’s Guidelines for the Development of Community Park, Recreation, Open Space, and Greenway Plans.

Most importantly, this Plan will act as City of Birmingham’s playbook for community building as it relates to parks and recreation over the next five or more years.
Tradition of Excellence

During the last five-year planning process, the City of Birmingham continued its tradition of parks and recreation excellence. Specifically, the City made considerable strides in institutionalizing outstanding design and recreation provision; as well as achieving the goals and objectives identified in the previous plan.

The City continually strives to provide parks and recreation facilities that are of the highest quality, preserve open space, and are accessible to all residents. The Department of Public Services installed electrical outlets and water fountains at numerous parks. In addition, the department completed open space maintenance at three of the City’s parks. As stewards of open space, the department completed on-going reforestation in all its parks which included significant reforestation efforts at Manor Park and Quartzon Lake with funds awarded to the City through Releaf Michigan and DTE Grants in 2015 and 2016.

Furthermore, the City is committed to providing opportunities that promote and encourage active lifestyles. The City prioritized the maintenance of tennis courts and softball/baseball fields, two of the City’s most popular recreation activities, at five of its parks. In addition, the City is currently in the process of extending the Booth Park trail system to connect runners and walkers to Maple Avenue. Accessible walking paths and running trails were also incorporated into the specific park master plans developed during the past five years.

The City further solidified its commitment to world-class design by completing its renovations to Shain Park in 2010. The park, which was identified during this planning process as the most visited park facility, is located in the heart of Birmingham’s downtown and features a plaza fountain with granite décor, a band shell, modern children’s play area, granite paved streets, lawn space, and performance stage. The City also completed the implementation of Phase 2 of the Barnum Park master plan which included improvements to the play area, landscaping, installation of pergolas, and seating.

Another significant effort the City completed in the past five years was the development of three park master plans. Between 2014 and 2016 the City, through a process of resident engagement and collaborative design, completed master/concept plans for Adams Park, Kenning Park, and Poppleton Park.
Planning Process
The Parks and Recreation Master Plan was prepared with technical assistance from McKenna, a planning and design consulting firm, and with the active involvement of the City’s administration and the City of Birmingham’s Parks and Recreation Board Master Plan Sub-Committee.

Citizen input and action, through an online survey, public meetings, and a public hearing, played a critical role in the development of the plan. As a result, recommendations described within the action plan reflect the needs and ideas of those who use Birmingham’s Parks and Recreation facilities.

Following several discussions held by the Parks and Recreation Board Master Plan Sub-Committee and a draft review by the Parks and Recreation Board and City Commission, the Parks and Recreation Master Plan was submitted to Birmingham City Commission for adoption. Throughout the process, all meetings were open to the public. Notices were posted beforehand, and where required, advertised in the newspaper, as provided by the Open Meetings Act. The planning process kicked off in July of 2017 and concluded with the adoption of the Plan in February of 2018.

Task 1: Community Profile
Task 2: Recreation Inventory
Task 3: Public Participation

Task 4: Analysis
Task 5: Action Program
Task 6: Plan Completion and Adoption
Community Setting

**Community Description**

A welcoming community, Birmingham maintains its small town feel while offering the recreational and cultural advantages of an urban area. Birmingham's thriving pedestrian-friendly downtown includes restaurants, movie theaters, art and antique galleries, retailers, and serves as a center for real estate, accounting, finance, insurance, legal, and other services.

The Community Setting is a picture of the various physical and socioeconomic characteristics of the City of Birmingham. This information provides valuable insight into determining future parks and recreation facility development, maintenance, and programming needs for the community.
Regional Setting

The City of Birmingham is located in southeast Oakland County, Michigan and is bordered by five communities, Bloomfield Hills, Bloomfield Township, Beverly Hills, Royal Oak, and Troy. Birmingham incorporated as a city in 1933 and its history dates before 1819. Throughout its past, Birmingham has enjoyed a substantial level of citizen involvement which has contributed to the high quality of life in the community.

Birmingham covers 4.8 square miles and is centrally located between the Cities of Detroit and Pontiac. Woodward Avenue serves as a major artery through two miles of the city, running in a southeast to northwest direction from 14 Mile Road to Big Beaver Road (16 Mile). The city is accessible within Metropolitan Detroit via three major routes: US-24 located approximately 1-3/4 miles to the west, I-696 four miles to the south, and I-75 approximately four miles east.
Map 1
Regional Location
City of Birmingham, Michigan
October 30, 2017
Demographic Characteristics

The City of Birmingham’s current demographic situation and trends provide understanding to the types of recreation facilities and amenities that are needed. The figures used in this Plan come from the US Census Bureau’s 2011/15 ACS 5-year data, which uses statistical sampling over a 5-year period to describe the average characteristics over the period of collection. Information for smaller geographic regions generally have a higher margin of error in statistical sampling, yet the ACS is considered very reliable and is a dataset that we believe can provide the most accurate portrayal of the changing population in the City and surrounding communities. Comparison data also comes from the US Decennial Census.

DEMOGRAPHIC TAKEAWAYS

The City of Birmingham’s population will shape the park and recreation needs for the next five years. The City’s driving demographic trends include:

• **There was an increase in the population that is under the age of five and aged 5-9 from 2010 to 2015.** Youth are the largest users of parks facilities and are likely to participate in organized sports and recreation programming.

• **The City of Birmingham’s average household size continues to increase.** This shows that the City remains a popular community for families with children. The parks facilities are likely one of the reasons people choose to raise their families in the City.

• **Nearly 6% of the City’s population has a disability.** Trails, playscapes, and other amenities must be accessible to this population.

• **The City’s median income and percent of the population with a bachelor’s degree or higher is larger than the surrounding area.** Residents will expect high quality parks and recreation service and programs that provide an educational benefit.

POPULATION

Trends in the number of people residing in a community are an important indicator for parks and recreation planning. Growing communities have different parks and recreational needs than communities with stable or declining populations.

According to the 2011-2015 ACS estimates, the City of Birmingham’s population is 20,489 which is a slight increase in population, approximately 1.9 percent between the 2010 and 2015 period. The City of Birmingham’s population growth in the past five years indicates that Birmingham continues to be a desired community and that its residents are aging in place.

HOUSEHOLDS

This section analyzes the composition and characteristics of households in the City of Birmingham. Household growth has a different impact on demand for recreational services than population growth. If the population is growing faster than the number of households, this would suggest that more children are being born to existing households. If households are growing faster than population, this typically suggests that more singles or couples are moving into the community.

The number of households in the City has decreased by 2.3 percent since 2010. However, the number of married-couple family households with and without children under 18 increased by 5.9 percent and 4.7 percent respectively. The increase in married-couple family households and the increase in total population indicates that existing residents are choosing to start their families, either by marriage or with children, in the community. The age data below further indicates that the slight population increase is due to the rise of children under 18 years.

Source: 2010 Census and the 2011-2015 American Community Survey 5-Year Estimates
Average household size is another indicator of community composition. Larger average household sizes generally mean more children and fewer single-parent families. Nationally, household sizes have been shrinking as young singles wait longer to get married and life expectancy increases for the senior population.

Contrary to national trends, Birmingham’s household size increased from 2.2 to 2.3. The 3.5 percent increase in household size for Birmingham shows that the City is a popular community for families with children and two-person households. This reaffirms the trends seen in the previous section where there was an increase in number of married-family households with children under 18 and an overall increase in population.

**DISABILITY**
The type of disability and number of residents impacted will shape the design and accommodations made for them on the City Parks and Recreation Plan. The US Census Bureau reports that approximately 5.9 percent of the City of Birmingham residents have a disability of some sort, with the most impacted populations being the 65 and over subgroups. The most prevalent disabilities within the population are ambulatory and hearing difficulties, followed by independent living difficulties. Ambulatory difficulties encompass serious difficulties with walking or stairs, issues that limit physical activity, leading to steeper decline in health. Giving consideration to these difficulties in planning for parks and recreation activities could result in positive health outcomes for a population that already experiences great difficulty on a day-to-day basis. Accommodations could include ramps or pavement improvements in order to ease accessibility concerns for those who suffer from ambulatory difficulties, or by installing audible and visually assisted cross walks that are conscious of those who may be visually or hearing impaired.
Economic Characteristics

Birmingham residents are highly educated with 77.2 percent of the community holding a bachelor’s degree or higher. The City of Birmingham is also an affluent community with a median household income of $108,137, which is 38 percent higher than Oakland County’s median household income of $67,465.

Birmingham’s highly educated population will impact the City’s parks and recreation needs. This population may have high expectations for involvement in programming and quality of recreation facilities. Birmingham’s educated population may also be interested in interpretative nature and cultural programming.

Furthermore, as incomes rise within a community, individuals and families may begin to take a market approach to recreation, meaning that affluent residents may be willing to pay for private or nonprofit recreation options if the provider offers a service that addresses their unique recreation needs. This trend indicates that as a City’s median household income rises, public recreation facilities will face more competition from private and non-profit providers. For example, residents may choose to belong to a private golf club because of differences in operation and access to other recreation amenities. As the City of Birmingham plans future facility and programming investments, there should be an emphasis on value, the provision of multiple recreation options, and public/private partnerships.

Birmingham has a wide variety of housing styles and sizes with consistently rising property values. There are few remaining sites on which to build new homes, so developers and homeowners renovate, enlarge, raze and/or rebuild on existing property. The 2011-2015 ACS estimates the median house value of a Birmingham resident’s home as $410,700. Many Birmingham neighborhoods have active neighborhood associations which work to boost the sense of pride neighbors take in owning and caring for their homes as well as preserving the character of neighborhood parks.

There are a large number of historic homes and buildings which are reviewed by the city’s Historic District Commission (HDC). The HDC and the Birmingham City Commission give yearly Historic Preservation Awards to residential and commercial property owners and merchants recognizing their efforts in preservation and maintenance of historic properties. Many Birmingham Parks, such as Booth, Shain Park, and the Birmingham Museum reflect the historic character of the City.
Physical Characteristics

The City of Birmingham is a historic and developed community with very little vacant land. The existing land use patterns within the City show residential and transitional uses radiating from the downtown core. The City’s downtown which is anchored at the intersection of Old Woodward Avenue and Maple Avenue, is a lively and walkable district. Woodward Avenue and Maple Avenue split the City into neighborhood quadrants. Each neighborhood consists largely of single family homes with a small variety of parks, institutional uses, and multifamily residences. Homes in northeast, northwest, and southwest quadrants are typically located on larger lots. Homes in southeast quadrant including the emerging Rail District are generally are on smaller lots and are sited closer to new mixed use residential, creative industry, and commercial.
Administrative Structure and Funding

Management and planning for the City of Birmingham’s parks, recreation facilities and limited programming is primarily completed by two groups: The City of Birmingham Department of Public Services and the Parks and Recreation Board.

Administration

The City Charter of the City of Birmingham was first adopted in 1933, providing for a City Manager, Commission form and division of legislative and administrative functions. The Charter provides that all powers are vested in the Commission, consisting of seven members, all elected at large on a non-partisan basis. Commissioners serve staggered terms of four years and elect from their own members each year a Mayor who is a voting member of Commission. A Mayor Pro-Tem is also elected to serve in the absence of the Mayor.

The City Manager oversees the administrative functions of the City, including the operations of all City Departments and Department Directors are all appointed by the City Manager, while the City Clerk is appointed by the Commissioners and then reports to the City Manager.

The City Commission is responsible for establishing policies to guide the overall operation and development of Birmingham and making all decisions concerning land acquisition and purchase of major recreation facilities based on recommendations received from staff. The budget for recreation facilities and programs is adopted annually by the City Commission, as part of the total annual budget after appropriate public hearings. The City Commission is advised by a number of public Board and Commissions, whose members are appointed by the City Commission.

As part of each budgeting process, the City Commission holds a goal-setting session with administrative staff and a facilitator. During the 2016 process, the following five primary goals were deemed essential to implementing the Commission’s vision for the community:

1. Provide sound leadership and responsible governance to maintain financial stability.
2. Be innovative and responsive in how services are provided to the community.
3. Support the vitality of both the residential and business communities that depend upon each other for success.
4. Cultivate a safe, healthy, and dynamic City.
5. Continue to be proactive with infrastructure maintenance programs and reinvestment in cost-effective improvements to roads, sewers, water mains, parking, parks and public facilities.
PARKS AND RECREATION BOARD AND SUBCOMMITTEES

The Parks and Recreation Board was established in 1963 by ordinance. It is charged with the duties detailed in Chapter 78 of the City Code entitled Parks and Recreation. The ordinance states that the Parks and Recreation Board shall consist of seven members, who are electors in the city and appointed by City Commission with each member serving a three-year term. The Board serves solely in an advisory capacity and may not assume any legislative or administrative authority.

The Parks and Recreation Board objectives and duties include:

- Serve as a forum for the consideration of policy matters related to the operation of a park and recreation program.
- Advise the public with regard to the policies established by the City Commission relating to the park and recreation program.
- Serve in an advisory capacity to the City Commission in regard to all matters affecting parks and recreation which are referred to it by the City Commission.
- Recommend to the City Commission a recreation program, fee schedules, and the adoption of long range program for the development of park areas and facilities.
- Recommend to the City Commission hours of operation and allocation of facility use.

In addition to the seven-member Parks and Recreation Board, there are several Department of Public Services (DPS)/City of Birmingham administered committees and Parks and Recreation Board sub-committees. The Parks and Recreation Board appoints Board liaisons to specific DPS/City committees and assemble Board sub-committees as necessary. The DPS/City committees and Board sub-committees give citizens the opportunity provide information about the operations, maintenance, and improvement of parks and recreation facilities.

The City also has a four-member Martha Baldwin Park Board to provide input on the design and maintenance of Martha Baldwin Park. In addition, there is a Birmingham Museum Board, which is an advisory board that participates in strategic planning and policy recommendations for the museum and grounds. The site consists of two historic buildings on nearly four acres and is adjacent to the Rouge River.

DPS / CITY COMMITTEES

- In the Park (Admin. Staff, Birmingham School District, etc.)
- Ice Arena (1 Parks and Recreation Board Liaison)

PARKS AND RECREATION BOARD SUB-COMMITTEES

- NEXT
- Crowdfunding Sub-Committee
- Golf Sub-Committee
- Ice Arena Committee
- Master Plan Committee
- Trail Sub-Committee
- Kenning Park Field Sub-Committee
- Poppleton Park Sub-Committee
THE DEPARTMENT OF PUBLIC SERVICES (DPS)
The DPS oversees the operation of the Birmingham Ice Sports Arena, two popular nine-hole golf courses, maintenance of more than 230 acres of park land and two miles of trails along the Rouge River. DPS is also responsible for forestry items such as the removal, transplanting and/or maintenance of 25,000 street and park trees. Other responsibilities include: Placement of holiday decorations, maintenance of public horticulture gardens, and providing logistic support for the summer “In the Park” concert program. In addition, this department is responsible for park improvements, park signage, support for special events, maintenance of the Greenwood Cemetery, various contractual services such as forestry services, park mowing, invasive vegetation removal, commercial/residential sidewalk snow removal and residential noxious weed enforcement. Figure 1 shows the administrative organization of the Department of Public Works.
Parks and Recreation Funding and Grant History

The estimated Department of Public Services operating budget for the 2017-2018 fiscal year is $3,200,160. The various funds below describe the actual, adopted, and planned budget information for revenues and expenditures during the fiscal years between 2015/16 to 2018/19 (Table 2 and Table 3). Community Activities, Parks and Recreation Property/Programs, and the Ice Arena are funded by the general fund account. The two golf courses listed below are enterprise funds.

Primary funding for the maintenance and programming of Birmingham’s recreation facilities comes almost entirely from sub-accounts of the City's general fund. Alternative funding sources and revenues include bonds, passes and registration fees, and donations from individuals / private organizations. Businesses, corporations, private clubs, community organizations, and individuals will at times, contribute to recreation and other improvement programs to benefit the City.

Table 2: Recreation Revenue (Fiscal Year 2015-2019)

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<tbody>
<tr>
<td>Parks and Recreation</td>
<td>114,046</td>
<td>113,500</td>
<td>117,000</td>
<td>117,000</td>
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<tr>
<td>Community Activities</td>
<td>18,097</td>
<td>18,800</td>
<td>19,790</td>
<td>20,880</td>
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<tr>
<td>Ice Sports arena</td>
<td>512,045</td>
<td>518,400</td>
<td>499,900</td>
<td>500,900</td>
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<tr>
<td>*Lincoln Hills Golf Course</td>
<td>737,604</td>
<td>666,230</td>
<td>694,790</td>
<td>706,330</td>
</tr>
<tr>
<td>*Springdale Golf Course</td>
<td>446,731</td>
<td>504,770</td>
<td>522,020</td>
<td>503,050</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>1,828,523</strong></td>
<td><strong>1,821,700</strong></td>
<td><strong>1,853,500</strong></td>
<td><strong>1,848,160</strong></td>
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</table>

* Enterprise Fund
Source: City of Birmingham Adopted 2017-2018 Budget, 2017

Table 3: Recreation Expenditures (Fiscal Year 2015-2019)

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<tbody>
<tr>
<td>Parks and Recreation</td>
<td>863,326</td>
<td>1,054,358</td>
<td>1,047,630</td>
<td>1,002,650</td>
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<tr>
<td>Community Activities</td>
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<td>299,544</td>
<td>271,220</td>
<td>278,860</td>
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<tr>
<td>Ice Sports arena</td>
<td>592,835</td>
<td>681,184</td>
<td>672,110</td>
<td>667,750</td>
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<tr>
<td>*Lincoln Hills Golf Course</td>
<td>538,086</td>
<td>566,750</td>
<td>687,180</td>
<td>686,350</td>
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<tr>
<td>*Springdale Golf Course</td>
<td>439,680</td>
<td>504,770</td>
<td>522,020</td>
<td>500,120</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>2,707,363</strong></td>
<td><strong>3,106,606</strong></td>
<td><strong>3,200,160</strong></td>
<td><strong>3,135,730</strong></td>
</tr>
</tbody>
</table>

* Enterprise Fund
Source: City of Birmingham Adopted 2017-2018 Budget, 2017
Parks and Recreation
This activity provides for park maintenance and recreation programming of park facilities, excluding the golf courses. Maintenance is provided for over 230 acres of parks and public properties, including passive-recreation areas along the Rouge Trail, in Manor Park and at similar locations.

Recreation facilities maintained under this activity include: 16 asphalt-surfaced tennis courts; five Little League baseball diamonds; one baseball diamond and three softball diamonds; a developed picnic area and shelter at Springdale Park; 22 park areas of various sizes and stages of development; a six-acre nature preserve at Manor Park; several miles of river trails; the 14-acre Quarton Lake; the winter-sports area at Lincoln Hills; a skate park located at Kenning Park; and a .85-acre dog park located at the Lincoln Hills Golf Course, which opened in November of 2010.

This activity provides funds for the maintenance of approximately 13,000 trees in City parks and on other City properties (excluding trees within the street rights-of-way, which are maintained under another fund). Tree and stump removal, tree trimming and tree planting in City parks are also included in this activity. The department utilizes both staff and outside contractors for services such as forestry, lawn care and property maintenance.

Community Activities
This line item includes expenditures incurred by the Department of Public Services in connection with the Village Fair; art shows in Shain Park and in the Central Business District (CBD) sponsored by the Birmingham-Bloomfield Art Center and Common Ground; placement of United States flags in the CBD on seven occasions during the year; the winter holiday-decoration program; and preparatory and clean-up work involved in other civic and Chamber of Commerce and Principal Shopping District activities, including: the "Cruise Event", "Winter Market" and "Day on the Town." Of particular note and pride is that the department decorates over 340 trees with LED lights as part of the Holiday Lighting program. Approximately 220 United States flags are placed on the streets in the CBD on the occasions listed below. Flags may be placed on the streets during other commemorations as directed by the City.

- Commission Government Day (Monday of Celebration Birmingham Week)
- Memorial Day
- Flag Day
- Fourth of July
- Citizenship Day of Constitution Week
- Veterans Day
- 9/11 Day
ICE SPORTS ARENA
The City of Birmingham operates and maintains this facility, open from mid-August until late-May. The schedule includes a variety of activities that include: instructional skating program to teach both figure skating and hockey elements; youth and adult hockey; home ice to the Birmingham United High School hockey teams for all home games and open skating and club activities such as the Birmingham Figure Skating Club and Birmingham Hockey Association. In addition, the Birmingham Ice Sports Arena provides skate rentals, skate sharpening and a full-service concession stand.

The budget assumes a continuation of ice use of the arena for a 35-week period, which includes an annual ice show. In addition, Parks and Recreation operation is housed year-round in the facility office. During the summer of 2016, the Birmingham Ice Sports Arena hosted three Mom to Mom Sales and will again host Mom to Mom Sales during the 2016/2017 and 2017/2018 fiscal years. In the past, off-season summer activities have included dog shows, garage sales, pickle ball and roller blading. The City continues to explore opportunities to offer rentals during the summer months (June 1st – July 31st) including ways of partnering with other community groups to best utilize the Arena facility. In addition, the Arena hosts various events and hockey tournaments.

LINCOLN HILLS GOLF COURSE
Lincoln Hills, located at 2666 West Fourteen Mile Road, is one of two municipal golf courses owned by the City of Birmingham. With its unique elevation changes, tree-lined fairways and alternative tee boxes, it makes for a very challenging round of golf. The golf course total yardage is just over 3,000 yards and plays to a par 35.

Lincoln Hills, a Jerry Matthews design, opened in 1964 and offers a clubhouse overlooking the course that was recently renovated in 2010. City staff operates the clubhouse and maintains the golf course and grounds. The operation is overseen by the Golf Operations Manager. The clubhouse staff is comprised of seasonal staff that provide a variety of services, including tee-time reservations, collecting green fees, renting golf cars, selling food and beverage items, and running club and outside golf tournaments. The maintenance staff, which includes full-time and seasonal employees, maintains the golf courses.
SPRINGDALE GOLF COURSE

Springdale, a Jerry Matthews design, dates back to the 1920’s and it is the older of the two nine-hole golf courses. The golf course and Springdale Park encompass approximately 55 acres.

Since 2001, Springdale has gone through many changes, including the remodeling of the golf course (2001) which included: adding or rebuilding 26 sand bunkers; different teeing locations on each hole; three new putting greens; a pond; and additional mounding around the golf course. A stream bank restoration project was also completed in 2001. This helped to prevent erosion along the banks of the Rouge River. In the fall of 2006, a new pump house and pump station were installed to improve the irrigation system.

City staff operates the clubhouse and maintains the golf course. The operation is overseen by the Golf Operations Manager. The clubhouse staff is comprised of seasonal staff that provide a variety of services, including tee-time reservations, collecting green fees, renting golf cars, selling food and beverage items, and running club and outside tournaments. The maintenance staff, which includes full-time and seasonal employees, maintains the golf courses.

In 2016, the golf course added new sand to all bunkers with an addition of a new forward tee on #3. The parking lot is scheduled to be resurfaced in 2017 along with new tee signs and irrigation upgrades.
Parks and Recreation Bonds

In November 2001, City voters authorized the City of Birmingham to issue general-obligation unlimited tax bonds in an amount not to exceed $25 million. The bonds could be sold in one or more issues. The proceeds from the bond sales were used to implement the Recreation 2000-2005 Master Plan. The Master Plan outlined the City’s long-range goals for the acquisition and/or enhancement of parkland and recreational facilities. The first bond issue in the amount of $15.7 million was sold in December 2002. A second bond issue in the amount of $4 million was sold in June 2008.

Completed park improvement projects using the bond funding include the purchase of the Barnum building and land; the dredging and recreational improvements at Quarton Lake; Quarton Dam and Spillway improvements; construction of a skate park; purchase of the Dewey and Roeper properties; various site improvements at the Birmingham Museum; and improvements at Booth Park and Barnum Park. Improvements at Shain Park are also complete.

In 2006, the City issued refunding bonds totaling $7,940,000 to refinance $8.3M of the 2002 recreation bond series. In 2016, the City issued refunding bonds totaling $14,375,000 to refinance the remaining 2006 refunding bonds, most of the remaining 2008 recreation bond series, and the remaining 2004 sewer improvement refunding bonds. Out of the $14,375,000 in refunding bonds, $10,360,000 was related to refinancing the 2006 and 2008 recreation bond series. The 2016 refunding bonds are serial bonds due in varying annual installments through October 2028. The bonds bear interest rates ranging from 2%-5%. The remaining 2008 recreation bonds mature on October 2018 with an interest rate of 3.6%. Property taxes generated from a debt levy are used to pay the annual debt service costs of these bonds.

Grant History

When preparing a Recreation Plan, the Michigan Department of Natural Resources requires that information be provided concerning grants that have been received in the past for acquisition or development of recreation facilities. As of December 2017, the City of Birmingham has not received any grant funding from the Michigan Natural Resources Trust Fund (MNRTF) nor the Land and Water Conservation Fund (LWCF). The City of Birmingham has received grants from other sources not associated with the Michigan Department of Natural Resources.
Related Initiatives

There are several related planning initiatives that are significant in terms of their relevance to the provision of recreation within the City of Birmingham. Each initiative is described in further detail in Table 4:

Table 4: City of Birmingham Planning Initiatives

<table>
<thead>
<tr>
<th>INITIATIVE</th>
<th>SUMMARY</th>
<th>PARKS AND RECREATION IMPLICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Poppleton Park Concept Plan (2016)</td>
<td>In 2016, the City prepared a concept plan which was endorsed by the Parks and Recreation Board and received by the City Commission.</td>
<td>The Department of Public Services is in the process of requesting funding, applying for grants, and soliciting donations for the implementation of the Concept Plan.</td>
</tr>
<tr>
<td>Adams Park Concept Plan (2016)</td>
<td>The Adams Park Concept Plan presents proposed phasing and development plans for renovations to the park. The Adams Park Concept Plan was endorsed by the Parks and Recreation Board in August 2016 and received by the City Commission in October 2016.</td>
<td>The Department of Public Services is in the process of requesting funding, applying for grants, and soliciting donations for the implementation of the Concept Plan.</td>
</tr>
<tr>
<td>Kenning Park Concept Plan (2014)</td>
<td>In 2014, the City prepared a concept plan which included ball field expansion and improvements. The Plan was endorsed by the Parks and Recreation Board and approved by the City Commission.</td>
<td>The Department of Public Services is currently in the process of seeking partnerships to assist in the implementation of selected elements of the concept plan.</td>
</tr>
<tr>
<td>Booth Park Phase III Concept Plan (2007)</td>
<td>In 2007, residents and business owners throughout the community participated in the development of a Booth Park Concept Plan which identified three improvement phases.</td>
<td>DPS has already implemented Phase I and Phase II of the Booth Park Concept Plan. In the next five years, the City anticipates implementing Phase III of the plan which includes the development of the entrance plaza.</td>
</tr>
<tr>
<td>Barnum Park Phase II Concept Plan (2012)</td>
<td>The Barnum Park Phase II Concept Plan was developed in 2012. The Concept Plan calls for the construction of four shade structures and various landscape improvements.</td>
<td>Landscape improvements and the installation of two of the proposed four shade structures were completed in 2013. In the next five years, the City anticipates the installation of the final elements of the Barnum Park Phase II Concept Plan.</td>
</tr>
<tr>
<td>The Rouge River Trail Corridor Master Plan (2006)</td>
<td>The Rouge River Trail Corridor Master Plan identifies specific goals, trail improvements, concerns and desires for the River Rouge Trail Corridor as expressed by residents, City Commission, and Parks and Recreation Board.</td>
<td>The Rouge River Trail Corridor Master Plan has served as a guide map for the development of the trail system in Birmingham. The DPS is actively implementing trail connections and improvements identified in this plan.</td>
</tr>
</tbody>
</table>

*The City and Parks and Recreation Board are exploring partnership opportunities with Birmingham Little League to assist in the implementation of the Kenning Park Concept Plan. Birmingham Little League has proposed modifying the Kenning Park Concept Plan by removing one of the three proposed ball fields.*
### Other City of Birmingham Initiatives

<table>
<thead>
<tr>
<th>Initiative</th>
<th>Summary</th>
<th>Parks and Recreation Implication</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Birmingham Museum Landscape Master Plan (expected 2018)</strong></td>
<td>The Birmingham Museum Landscape Master Plan will build off the museum’s overall 2017-2020 Strategic Plan to integrate the museum’s mission and priorities, with particular emphasis on the preservation and interpretation of historic elements in the landscape.</td>
<td>The Birmingham Museum is an important element in the Parks system. Recommendations developed in the Master Plan can present opportunities for partnership between Museum Leadership and the Department of Public Services.</td>
</tr>
<tr>
<td><strong>Multi-Modal Transportation Plan (2017-2018)</strong></td>
<td>The City of Birmingham is in the process of developing a citywide multi-modal transportation plan. The plan will be used by the City to improve and expand opportunities for pedestrians, bicycles and transit users to respond to the growing demand for alternative forms of travel and to promote safe and comfortable transportation options.</td>
<td>The Multi-Modal Transportation Plan will plan for safe walking, biking, and transit connections to City of Birmingham Parks. The desire for better multi-modal connections was one of the most frequently heard needs from the public engagement process of the Parks and Recreation Plan.</td>
</tr>
<tr>
<td><strong>Eton Road Corridor Plan (2013)</strong></td>
<td>This plan addresses development along the Eton Road Corridor. It specifically encourages a mixed use corridor with a mix of commercial, service, light industrial, and residential uses.</td>
<td>The Eton Road Corridor Plan calls for the development of a linear park along the CN Railroad corridor. The linear park could significantly improve park access in the rail district.</td>
</tr>
<tr>
<td><strong>Activating Urban Space: A Strategy for Alleys and Passages (2012)</strong></td>
<td>This study identifies alleys and passages in and around Downtown Birmingham and seeks to provide a framework to classify alleys and passages into different categories based on their existing uses and to outline options to capitalize on opportunities for aesthetic improvement and activation of these spaces.</td>
<td>The recommendations in this plan encourage the enhancement of the urban realm by improving pedestrian and bicycle connectivity and better engagement opportunities within alleys. Improved multi-modal access is important to park system and the space created in alleys offer the opportunity for innovative recreation partnerships between DPS, the Planning Department, and the Birmingham Shopping District.</td>
</tr>
<tr>
<td><strong>Triangle District Urban Design Plan (2007)</strong></td>
<td>This plan sets forth a new vision for the Triangle District as a vibrant, mixed-use neighborhood of homes, shops, restaurants, offices and public plazas and identifies guidelines, and recommendations to achieve this vision.</td>
<td>The plan identifies opportunities for integrating public plazas and opens space as part of any redevelopment within the district. These public plazas and open spaces will complement the parks system.</td>
</tr>
<tr>
<td><strong>Wayfinding &amp; Signage Design Program (2004)</strong></td>
<td>This plan is designed to establish a vision and long-range set of general guidelines for the community’s current and future signage needs. The document serves as a blueprint for addressing the signage system as it relates to way-finding around the City and identification of points of interest.</td>
<td>Wayfinding and signage are important elements of the park system. Wayfinding to parks increase residents’ knowledge of the system and signage within the parks improves the enjoyment of amenities provided.</td>
</tr>
<tr>
<td><strong>Downtown Birmingham 2016: Master Plan (1996)</strong></td>
<td>The Downtown Birmingham 2016 master plan a strategic document for the development of Birmingham for over 20 years. The plan made recommendations establishing the development of a City with a downtown instead of the conventional suburban design. Some topics discussed include: streetscaping, traffic circulation, and overlay zones.</td>
<td>The plan included ten park improvements; a civic square expansion; a traffic-calming boulevard; and specified an entirely new streetscape plan including lighting, benches, and paving. The recommendations in the plan has helped Birmingham develop as economically successful community and as one of the most walkable cities in Southeast Michigan.</td>
</tr>
</tbody>
</table>
### Regional Initiatives

<table>
<thead>
<tr>
<th>INITIATIVE</th>
<th>SUMMARY</th>
<th>PARKS AND RECREATION IMPLICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Oakland County Trails Master Plan</strong></td>
<td>The Oakland County Trails Master Plan has been developed to provide a framework for creating a connected system of greenways and trails throughout Oakland County.</td>
<td>The non-motorized system serves a diverse range of users within the City, providing safe and well-maintained linkages to important natural, cultural and civic destinations and other points of interest.</td>
</tr>
<tr>
<td>(2003)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>The Rouge Green Corridor</strong></td>
<td>The effort is a partnership between Oakland County, Southfield, Beverly Hills, Birmingham, the Southeast Oakland County Water Authority (SOCWA), Oakland County Office of the Drain Commissioner, Friends of the Rouge, the Oakland Land Conservancy, and concerned citizens. The partnership has worked on several projects including the Rouge Green Corridor Identity Project, the Urban Habitat Conservation and Stewardship Project, a Self-Guided Tour, Management Plans, Branding Package, etc.</td>
<td>The Rouge is a critical part of the Parks system in Birmingham. Improvements to The Rouge Green Corridor improves City of Birmingham residents’ enjoyment and access to one of the region’s significant natural features.</td>
</tr>
<tr>
<td>(2007)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Parks, Recreation, and Trails Inventory

Opportunities for recreation are available year-round in Birmingham. Twenty-six parks with over 230 acres cover more than 10% of the city's total acreage, and the school district also provides recreational facilities. Residents can play baseball, softball, and tennis, and enjoy playgrounds and picnic facilities. Two nine-hole municipal golf courses offer golf and golf lessons. The Birmingham Racquet Club features indoor courts and a waiting area. Those who enjoy winter sports can sled and cross-country ski at Birmingham’s Lincoln Hills golf course. Indoor ice skating is available at the Ice Sports Arena which provides for open skating, lessons and ice hockey group and an outside temporary ice arena at Barnum Park is available to use based on the climate.

Birmingham’s parks and recreational services extend beyond its residents. The City's exceptional facilities are host to a variety of private organizations and residents of neighboring communities who rely on the recreational facilities for their programming needs. Similarly, Birmingham’s parks and programmed events, such as In- The-Park concert series, have become regional destinations.
City Parks and Facilities

Developing a complete inventory of recreation facilities, programs, and events is an essential component of a five-year Parks and Recreation Master Plan as it provides a base of information to use in developing the Action Plan. Understanding what facilities, programs, and events are available to the City of Birmingham residents will assist decision-making in the future.

The following inventory and the adjoining Parks and Recreation Inventory Map details the amenities currently available at each of the 26 public facilities and the facility's respective location.

The National Recreation and Park Association (NRPA) is a national, non-profit service organization dedicated to advancing parks, recreation and environmental efforts that enhance the quality of life for all people. NRPA works closely with national, state and local recreation and park agencies, corporations and citizens' groups in carrying out its objectives. As part of its activities, NRPA has created a hierarchy of park types which recognizes open space services at differing levels based on a number of characteristics including community need, park function, park location, and community size. NPRA provides a number of criteria that help communities establish a similar hierarchy for their communities, all of which are suggested but not required to be followed without modification by each community.

The City of Birmingham is 4.8 square miles large, about 3,072 acres. Of the total acreage within the City, parks, recreation, and school facilities make up 315
acres (10.3%), with the City owning and managing only 231 (7.5%) of those acres. While the parks and recreation system in the City of Birmingham is comprehensive, the percentage of acreage owned and maintained as a park by the City is less than half of the amount that many larger cities or more suburban communities have. Therefore, the application of the categories established by NRPA (Mini, Neighborhood, Community, and Regional) have been modified to best reflect the character and use of parks and recreation facilities in the City of Birmingham.

Specifically, the City of Birmingham Department of Public Services considers the following when inventorying and classifying the parks within the its system:

- **The range of park sizes within the City.** Birmingham has parks and recreation facilities that range from 0.2 acres to 57.13 acres. However, 11 of the City’s 26 parks are less than 4 acres large and, with the exception of the golf courses, only three of the remaining parks are larger than ten acres: Quarton Lake, Kenning Park, and Poppleton Park. Due to the lack of variety in park size, specifically the City’s dearth of parks larger than ten acres, the City considers park size in conjunction with a variety of factors when establishing its hierarchy of park types.

- **The relationship of the parks to one another and their location within the City.** While there may not be many large parks, the City considers the park system and each parks’ location when establishing park type. For example, Booth Park and Shain Park are not large in acreage but are located near each other and in the City’s downtown. Due to the parks’ proximity to each other and downtown, as well as their accessibility from other neighborhoods, the spaces are able to serve a larger area.

- **Site Characteristics.** Often the City considers the specific a property’s characteristics when determining the park type, including if the site has areas for passive and/or active recreation, if the site is accessible from nearby neighborhoods, and/or if the site provides a specialized activity or experience.

- **The surrounding communities.** The City of Birmingham also considers residents’ access to parks and recreation facilities in nearby communities. This includes activities that augment the existing system, such as swimming, camping, hiking, dog play etc.

- **Other available spaces.** The City of Birmingham has one of the best downtown’s in southeast Michigan and serves as a gathering space with plazas and areas for walking. While the downtown may not be a park, it often functions as a third place for community members.
**Mini Parks**

Mini parks are categorized as small, specialized parks that usually serve the needs of residents in the immediate neighborhood. These parks usually serve a limited population or specific demographic group. For detailed information about accessibility rankings, see page 51.

<table>
<thead>
<tr>
<th><strong>Baldwin Well Site</strong></th>
<th><strong>ACCESSIBILITY RANKING</strong></th>
<th><strong>ACREAGE</strong></th>
<th><strong>CLASSIFICATION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>0.55</td>
<td>Mini Park</td>
</tr>
</tbody>
</table>

Baldwin Well Site is located at the corner of Baldwin and West Maple. No amenities are located at this site.

<table>
<thead>
<tr>
<th><strong>Derby Well Site</strong></th>
<th><strong>ACCESSIBILITY RANKING</strong></th>
<th><strong>ACREAGE</strong></th>
<th><strong>CLASSIFICATION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2</td>
<td>3.57</td>
<td>Mini Park</td>
</tr>
</tbody>
</table>

The Derby Well Site, located on the northeast side of the city adjacent to the railroad along Derby Road, contains no recreational amenities.

<table>
<thead>
<tr>
<th><strong>Pump House Park</strong></th>
<th><strong>ACCESSIBILITY RANKING</strong></th>
<th><strong>ACREAGE</strong></th>
<th><strong>CLASSIFICATION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>0.2</td>
<td>Mini Park</td>
</tr>
</tbody>
</table>

The Pump House Park is located in the southwest portion of the city at Wakefield and Norfolk. There is some small play equipment located at this site.

<table>
<thead>
<tr>
<th><strong>Redding Well Site</strong></th>
<th><strong>ACCESSIBILITY RANKING</strong></th>
<th><strong>ACREAGE</strong></th>
<th><strong>CLASSIFICATION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>0.38</td>
<td>Mini Park</td>
</tr>
</tbody>
</table>

Redding Well Site is located at the corner of Lakeside Drive and Redding in the northwest portion of the city. No amenities are located at this site.

<table>
<thead>
<tr>
<th><strong>South Well Site</strong></th>
<th><strong>ACCESSIBILITY RANKING</strong></th>
<th><strong>ACREAGE</strong></th>
<th><strong>CLASSIFICATION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>0.64</td>
<td>Mini Park</td>
</tr>
</tbody>
</table>

The South Well Site, which is broken into two small vacant parcels, is located at Southfield and Southlawn in the southwestern portion of the city.
Neighborhood Parks

Neighborhood parks are typically multi-purpose facilities that serve as the recreational and social focus of a neighborhood. They provide areas for both passive and active recreation activities such as field games, court games, playgrounds, picnicking, etc. Neighborhood parks are generally serve residents within one-half mile.

<table>
<thead>
<tr>
<th>Adams Park</th>
<th>ACCESSIBILITY RANKING</th>
<th>ACREAGE</th>
<th>CLASSIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2</td>
<td>1.45</td>
<td>Neighborhood Park</td>
</tr>
</tbody>
</table>

Adams Park is located directly adjacent to Roeper School. In 2006, the City of Birmingham acquired the park property adjacent to the Roeper School. As part of the purchase agreement, the city is responsible for the maintenance, lawn care and snow removal; and the property must be used as a public park so long as the school is operated adjacent to the park. In addition, Roeper will utilize the park during the school year for activities currently undertaken by the school on the grounds. Amenities include a soccer field, open space, and a play area.

In 2016, the Adams Parks Concept Plan was endorsed by the Parks and Recreation Board and received by the City Commission.

<table>
<thead>
<tr>
<th>Crestview Park</th>
<th>ACCESSIBILITY RANKING</th>
<th>ACREAGE</th>
<th>CLASSIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3</td>
<td>3.58</td>
<td>Neighborhood Park</td>
</tr>
</tbody>
</table>

Crestview Park is located near the southern border of Birmingham, north of Southlawn between Southfield and Shipman Roads. Crestview Park contains open space for soccer, two tennis courts, and playground equipment including swings, climbers and a play structure. There are also benches, waste receptacles, and a drinking fountain within the park.

<table>
<thead>
<tr>
<th>Howarth Park</th>
<th>ACCESSIBILITY RANKING</th>
<th>ACREAGE</th>
<th>CLASSIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3</td>
<td>1.98</td>
<td>Neighborhood Park</td>
</tr>
</tbody>
</table>

Howarth Park is located at the intersection of Cummings and Emmons Roads in the southern portion of the city. The park consists of open space, a baseball field, drinking fountain, benches, signage, ADA accessible path to access the park, and play equipment with a woodchip surfacing. The play equipment includes swings, a climber and a play structure. In 2005, the Birmingham Rotary Club was recognized by the Michigan Recreation and Parks Association with a community service award for their donation and improvements to Howarth Park. Improvements included a park bench, drinking fountain, and planting of new trees.

<table>
<thead>
<tr>
<th>Linden Park</th>
<th>ACCESSIBILITY RANKING</th>
<th>ACREAGE</th>
<th>CLASSIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2</td>
<td>7.37</td>
<td>Neighborhood Park</td>
</tr>
</tbody>
</table>

Linden Park is accessed at the intersection of Linden and Brandon, north of Lincoln Road. The park is nestled between residential properties and the Rouge River. The park is predominately open space with a play structure and woodchip surfacing near Brandon Street. A storm-water treatment control station with a gravel access road is also located on the east side of the park, adjacent to the Rouge River. There is access to a Rouge River woodchip trail along the Rouge River via Hawthorne Road. Future expansion of the Rouge trail will connect the play structure and provide trail access from Brandon and Shirley.
<table>
<thead>
<tr>
<th><strong>Linn Smith Park</strong></th>
<th><strong>ACCESSIBILITY RANKING</strong></th>
<th><strong>ACREAGE</strong></th>
<th><strong>CLASSIFICATION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2.04</td>
<td>Neighborhood Park</td>
</tr>
</tbody>
</table>

Linn-Smith Park is a small, linear shaped park on the east side of the Rouge River. The park consists entirely of open space and is located between the Rouge River and Southfield Road. An entry plaza along Southfield Road and a boardwalk located near the proposed bridge will connect Linn-Smith Park with Linden Park with the trail system.

<table>
<thead>
<tr>
<th><strong>Manor Park</strong></th>
<th><strong>ACCESSIBILITY RANKING</strong></th>
<th><strong>ACREAGE</strong></th>
<th><strong>CLASSIFICATION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>8.47</td>
<td>Neighborhood Park</td>
</tr>
</tbody>
</table>

Manor Park is an undeveloped nature preserve used for passive recreation. The parkland is located off Adams Road in the northern portion of the city, south of Big Beaver Road and adjacent to the Canadian National Railroad. The park is open during daylight hours and contains a variety of hardwood, ornamental and coniferous trees. The park is bordered by a split rail fence along Shepardbush with a gravel off-street parking area. Manor Park has a short chipped trail.

<table>
<thead>
<tr>
<th><strong>Martha Baldwin Park</strong></th>
<th><strong>ACCESSIBILITY RANKING</strong></th>
<th><strong>ACREAGE</strong></th>
<th><strong>CLASSIFICATION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2</td>
<td>0.99</td>
<td>Neighborhood Park</td>
</tr>
</tbody>
</table>

The Martha Baldwin Park is located on the west side of Southfield Road at the intersection of Southfield and Maple Roads. The park consists of open space, mature trees, and a water garden. There is a bench and steps leading into the park from Maple.

The park is named after Martha Baldwin who donated the land to the City in 1913. Martha Baldwin, a native of Birmingham, teacher, and elected official significantly contributed to the development of the City. A four-member board ensures that the wishes and memory Martha Baldwin are preserved at her namesake park.

<table>
<thead>
<tr>
<th><strong>Pembroke Park</strong></th>
<th><strong>ACCESSIBILITY RANKING</strong></th>
<th><strong>ACREAGE</strong></th>
<th><strong>CLASSIFICATION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3</td>
<td>5.3</td>
<td>Neighborhood Park</td>
</tr>
</tbody>
</table>

Pembroke Park comprises one block on the east side of Birmingham between Eton, Edenborough, Windemere and Buckingham. The park includes open space and several pieces of playground equipment including swings, slides, climbers, sandboxes, play-structures and rockers installed over a woodchip base. The park also contains a Little League baseball field, picnic tables, two tennis courts, a soccer area, a hard surface basketball area, drinking fountain, and signage.
<table>
<thead>
<tr>
<th>Quarton Tennis Court</th>
<th>ACCESSIBILITY RANKING</th>
<th>ACREAGE</th>
<th>CLASSIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3</td>
<td>0.43</td>
<td>Neighborhood Park</td>
</tr>
</tbody>
</table>

Quarton Tennis Courts are located at the corner of Oak at Glenhurst. The site includes two tennis courts, one trash receptacle and one drinking fountain.

<table>
<thead>
<tr>
<th>St. James Park</th>
<th>ACCESSIBILITY RANKING</th>
<th>ACREAGE</th>
<th>CLASSIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2</td>
<td>5.98</td>
<td>Neighborhood Park</td>
</tr>
</tbody>
</table>

St. James Park is located in the southern portion of the city, south of Lincoln and directly south of the Birmingham YMCA. St. James Park contains open space which is used for a soccer area during the summer months. The park also has the city’s only regulation-size baseball diamond in addition to two tennis courts, and several pieces of ADA- compliant play equipment installed over a woodchip surface. Also, the park contains a hard surface basketball area, benches and trash containers located in the proximity of the play equipment.

The City of Birmingham has discussed partnership opportunities as it relates to St. James Park, specifically with the YMCA.

<table>
<thead>
<tr>
<th>W. Lincoln Well Site</th>
<th>ACCESSIBILITY RANKING</th>
<th>ACREAGE</th>
<th>CLASSIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2</td>
<td>2.24</td>
<td>Neighborhood Park</td>
</tr>
</tbody>
</table>

The Lincoln Well Site is located on the south side of Lincoln Road at Westchester Way. The park contains open space, two tennis courts and play equipment including swings, slides, sandbox and rockers.
Community Parks
Community parks typically contain a wide variety of recreation facilities to meet the diverse needs of residents from the community. Community parks may include areas for intense active recreation as well as passive recreation opportunities not commonly found in mini or neighborhood parks. Community parks generally serve residents within a three-mile radius. Community parks also include smaller parks that are more specialized in nature and are meant to serve the entire community.

<table>
<thead>
<tr>
<th>Birmingham Museum (Formerly Birmingham Historical Museum &amp; Park)</th>
<th>ACCESSIBILITY RANKING</th>
<th>ACREAGE</th>
<th>CLASSIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>SITE: 4</td>
<td>2.83</td>
<td>Community Park</td>
</tr>
<tr>
<td></td>
<td>PARK &amp; OPEN SPACE: 1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Birmingham Museum is located in the City’s Mill Pond Historic District at the corner of Maple and Southfield Roads in downtown Birmingham. In 1969, voters approved a bond to purchase the historic 1928 Allen House and surrounding land adjacent to the Rouge River. Shortly thereafter, the 1822 John West Hunter House was donated to the city and relocated to the property next to the Allen House. In 2001, the Birmingham Museum (formerly Birmingham Historical Museum & Park) was established at the site to preserve and interpret Birmingham’s unique story. The museum is operated by the City with a seven-member Museum Board functioning in an advisory role. Partial funding is provided by an endowment. The park and historic buildings are maintained by the city. The Birmingham Museum recently updated its overall strategic plan for 2017-2020, and is in the process of updating its historic landscape master plan for 2018 with an emphasis on preserving and interpreting the historic elements of the landscape.

<table>
<thead>
<tr>
<th>Barnum Park</th>
<th>ACCESSIBILITY RANKING</th>
<th>ACREAGE</th>
<th>CLASSIFICATION</th>
</tr>
</thead>
<tbody>
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<td>4</td>
<td>9.0</td>
<td>Community Park</td>
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Barnum Park is located at Pierce and Frank and includes such features as a play structure, softball, soccer fields, a crushed stone walking path, garden sanctuary, tree-lined promenade and an outdoor ice rink.

Design work and improvements were completed in 2012. These features are the sanctuary, heart of the park, play area and overall landscape improvements. The improvements were primarily funded using donation dollars. In 2013, the City completed landscape improvements which included the installation of two of the planned four shade structures.
Booth Park

Booth Park is located at the southwest intersection of Old Woodward and Harmon, north of the Rouge River branch. Its features include an expansive playscape, a labyrinth and tunnel, turf hill/amphitheater, during the winter months an area for sledding, rain garden, stabilized stream banks, native plantings, a trail connecting to the Rouge River Trail, and open green space.

The award-winning park was originally the site of the turn-of-the-century inter-urban railway system. It was later purchased by the Booth family and then donated to the City by the Cranbrook Foundation. It is now a beautiful recreational area attracting hundreds of visitors from all over southeast Michigan.

In 2007, residents and business owners throughout the community raised more than $170,000 in private donations and also participated heavily in the planning of the park. In the span of just one week, the playscape structures were built thanks to the helping hands of hundreds of community residents.
Kenning Park

Kenning Park is located in the southeast portion of the city adjacent to Lincoln Road. The site is the primary recreation complex in the community and is home to the Ice Sports Arena. Outdoor facilities at Kenning Park include three Little League baseball diamonds and one softball diamond, four tennis courts, open space and playground equipment with an ADA accessible path leading from the parking area to the playground.

In 2004, a skate park was installed on the east side of the arena. The city has also negotiated a long-term lease for the Racquet Club at Kenning Park. The contractor provides two tennis bubbles which cover six courts during the winter months. These bubbles meet the demand for year-round tennis opportunities for area residents. Inside the racquet club are locker rooms, a pro shop, and children’s nursery. Adult and junior lessons, tennis leagues, club mixers, and court time for individual play are part of the 32-week indoor season.

Birmingham residents pay a reduced membership fee.

In 2014, the City prepared a concept plan which was endorsed by the Parks and Recreation Board and received by the City Commission. This plan included a partnership with the Birmingham Little League, who offered to partner in making significant improvements to the ball fields. The City and the Parks and Recreation Board continue to discuss bringing some elements of the Master Plan to fruition.
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<tr>
<th></th>
<th>ACCESSIBILITY RANKING</th>
<th>ACREAGE</th>
<th>CLASSIFICATION</th>
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<tbody>
<tr>
<td><strong>Ice Sports Arena</strong></td>
<td>4</td>
<td>21.71</td>
<td>Community Park</td>
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</table>

The Birmingham Ice Sports Arena is located on the Kenning Park property in the southeast portion of the city. The indoor arena contains a regulation sized ice rink with bleacher seating for 920 spectators. A smaller, studio arena is used for lessons and skate parties within the complex. The arena has a contracted pro shop and is open for use August through May.

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<tr>
<th></th>
<th>ACCESSIBILITY RANKING</th>
<th>ACREAGE</th>
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</thead>
<tbody>
<tr>
<td><strong>Lincoln Hills Golf Course</strong></td>
<td>4</td>
<td>57.13</td>
<td>Community Park</td>
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</tbody>
</table>

The nine-hole municipal Lincoln Hills Golf Course is located in the southwest portion of the city off 14 Mile Road.

Some of the amenities offered are: power golf cart and pull-cart rentals; lessons; rental clubs; and merchandise, food and beverage for purchase. A membership is available to Birmingham residents, Birmingham property owners, Birmingham businesses, and non-residents. Non-members may play during April and October. Lincoln Hills is also made available for winter activities including sledding and cross-country skiing.

In fall 2010, an off-leash dog area was established at Lincoln Hills Golf Course. The city has installed fencing, signage, waste receptacles, and a dog waste bag dispenser for the designated dog park area. Resident and non-residents access the dog park through a key fob.
Poppleton Park

Poppleton Park comprises a significant piece of property in the northern portion of the city, east of Woodward Avenue. The park is accessed from Oxford and Rivenoak Roads, both of which are residential streets. The north end of Poppleton Park contains several pieces of play equipment including swings, climbers, sandboxes, and playscapes. There are also benches and trash containers in this area as well as considerable open space. Poppleton Park also contains a softball field with an athletic mix infield, grassy outfield, warming track, homerun fence and bleachers. A paved parking lot is located at the end of Rivenoak Road. A drinking fountain is located between the parking lot and baseball field. The park also has two tennis courts.

In 2016, the City prepared a concept plan which was endorsed by the Parks and Recreation Board and received by the City Commission.

Quarton Lake

Quarton Lake, located on the city's west side, is fed by the Rouge River. The Quarton Lake Park surrounds the lake almost entirely and provides passive recreation areas for the public. In 2005, the park and lake underwent restoration which included: dredging of sediment, removal of invasive species, shoreline stabilization, creation of a fish habitat, and an assessment of the tributary stream corridor. Lake restoration activities were coordinated with improvements to the adjacent park. Park improvements included the clean-up and beautification of the historic park grounds and the extension of several pathways and parking areas to improve accessibility. Further improvements also included creating several viewing areas, installing a footbridge over the water just below the dam, adding a new fishing pier, and improving the pathway system.
### Shain Park

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<tr>
<th>ACCESSIBILITY RANKING</th>
<th>ACREAGE</th>
<th>CLASSIFICATION</th>
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<tr>
<td>4</td>
<td>2.26</td>
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Shain Park (located on Merrill Street in downtown Birmingham) is often considered the heart of the City. The 2010 renovations include a plaza fountain with granite décor, a band shell, a new children’s play area, paved Merrill Street, the relocation of the Marshall Fredericks statue, installation of a performance stage area with open lawn space for large audiences, and a reconstructed parking lot.

### Springdale Park and Golf Course

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<tr>
<th>ACCESSIBILITY RANKING</th>
<th>ACREAGE</th>
<th>CLASSIFICATION</th>
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<tr>
<td>3</td>
<td>45.03</td>
<td>Community Park</td>
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The Springdale Park and Golf Course, the older of the City's two golf courses, was designed by Jerry Matthews and built in the 1920s. The course is characterized as challenging and picturesque with its location along the Rouge River in the northeast corner of the City. A Par 34 with total yardage of 2,700 from the back tees will challenge weekly golfers looking to brush up on their short game and provide fun for players of all levels.

The par for men and women is 34, and the course yardage from the blue tees is 2,732 yards and 2,196 from the red tees. The clubhouse offers power carts, pull carts, food and beverage for purchase, and league play.

A membership is available to Birmingham residents, Birmingham property owners, Birmingham businesses, and non-residents.

In addition to the golf course, the site also offers Springdale Park which is a popular venue for all types of parties, family events and “get together.” The park portion of the property is located at the north end of the property. There is a paved drive and parking area, large pavilion with tables and benches, ADA compliant playground equipment with woodchip surfacing, grills, a drinking fountain, and open space. Park-goers have access to the clubhouse restrooms while using the park facilities. The pavilion is available for group rentals.
<table>
<thead>
<tr>
<th>Area</th>
<th>Accessibility</th>
<th>Amenities</th>
<th>Electrical Outlets</th>
<th>Parking</th>
<th>Bathrooms</th>
<th>Benches</th>
<th>Bike Racks</th>
<th>Trash Recycle Containers</th>
<th>Dog Park</th>
<th>Disc Golf Course</th>
<th>Drinking Fountain</th>
<th>Fishing</th>
<th>Ice Rink</th>
<th>Ice Rink Rink</th>
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<td>TOTAL ACREAGE</td>
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<td>TOTAL ACREAGE (ALL ABOVE)</td>
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School Facilities
The City of Birmingham maintains a working relationship with the Birmingham Public School District. As is detailed in the next chapter, the school district provides much of the recreation programming through the Community Education Program. The city and schools maintain communication for use of city and school facilities with an informal policy for scheduling.

PUBLIC SCHOOL FACILITIES
A total of five public school properties were inventoried for available recreation facilities. While school facilities are not accessible at all times and are not maintained or upgraded by the City of Birmingham, they do play an important role in the provision of recreation opportunities and facilities to residents.

Derby Middle School:
Derby Middle School is located in the northeast portion of the city between Adams Road and the Canadian National Railroad. The school is located on a large piece of property which includes a practice football field, two soccer fields, a regulation-size baseball field and a football field with goal posts. The school site also has three basketball hoops and a partial asphalt path leading past the baseball field near the railroad tracks. The school also has an indoor pool.

Midvale Center:
The Midvale Center is located adjacent to the Seaholm High School property along Midvale Street. The center includes the Birmingham Area Senior Group (NEXT) and the BPS Early Childhood Center. There are swings, a play structure, tot lot structure and baseball field on the west side of the Center.

Pierce Elementary School:
Pierce School is located near the southern border of the city, east of Pierce Road. The site contains two basketball hoops, a baseball field, two soccer field, and play equipment including swings, three play structures, climbers, etc.

Quarton Elementary School:
The Quarton Elementary School is located near the western border of the city, off Oak Street. The school property includes a practice soccer field, baseball fields, four basketball hoops, and play equipment including swings, climbers and two play structures. On a city-owned parcel adjacent to the school sits two tennis courts, a bench, trash receptacle and a drinking fountain.

Seaholm High School:
Birmingham Seaholm High School is located on the western edge of the city, north of Lincoln Road. The high school property includes seven tennis courts and a football/soccer stadium with lights, a press box, scoreboard and bleachers, a baseball and softball field with bleachers as well as open areas for practice fields. The high school has an indoor pool, outdoor track and a climbing high rope course. The property is also the location of the Birmingham Community Education Department.
PRIVATE SCHOOL FACILITIES
There are four private schools within the city boundaries including:

Eton Academy:
Eton Academy is located in the southeast portion of the city, adjacent to Melton Road, south of Kenning Park. The Academy has one soccer field, benches and a small open area with swings and a playscape.

Holy Name Catholic School:
Holy Name Catholic School is located north of Harmon Street, west of Old Woodward Avenue. The school has a small playscape.

Our Shepherd Lutheran:
Our Shepherd Lutheran School is located in the southeast portion of the city, south of Lincoln Street. The property includes a practice softball diamond, a soccer field, indoor gym, open space and play equipment.

Roeper School:
Roeper School is located in the northeast portion of the city, north of Maple Road. The school is adjacent to Adams Park. The property includes a soccer field, basketball courts, open space, and a play area.
Regional Parks and Facilities
Regional parks offer unique natural features that are particularly suited for outdoor recreation, such as viewing and studying nature, fishing, boating, hiking, and trail use. Many also include active play areas such as ball field or courts. While these parks are not used for formal programming by the City of Birmingham, they provide active and passive recreational opportunities to the residents of the community. Regional facilities are provided by the Michigan Department of Natural Resources, the Huron Clinton Metropolitan Authority, and Oakland County Parks System. The regional parks located within close proximity (30 miles) of the City are sown on Map 3- Regional Parks and Facilities. While the following describes the nearly 6,000 acres of natural landscapes and outdoor recreation provided through the Oakland County Parks System.
Addison Oaks:
Addison Oaks is a scenic 1,139-acre park in northeast Oakland County with two lakes and spring-fed ponds.

Catalpa Oaks:
Catalpa Oaks’ nearly 24 acres of open space is nestled in Southfield, just west of Greenfield Road. The park currently features six soccer fields, a baseball diamond and softball field. Fields are reserved by permit.

Glen Oaks:
The Glen Oaks Golf Course features an 18-hole, Par 70 course with challenging Par 3 holes crossing streams, with rolling terrain. The 122-acre course includes a 1920's English-style stone clubhouse designated as a Michigan Historical Building serves as a beautiful setting for banquets, weddings and golf outings (food service provided by Oak Management). There's also a formal garden ideal for outdoor weddings.

Groveland Oaks:
Groveland Oaks County Park is a summer family favorite, with picnicking, swimming and family camping on 362 acres near Holly.

Highland Oaks:
Highland Oaks offers 302 acres of picturesque rolling hills, wetlands and old pastures. Located within the headwaters of the Shiawassee River, Highland Oaks preserves sensitive habitat while providing recreational experiences in a natural setting.

Independence Oaks:
Enjoy year-round recreation in this naturally-maintained 1,285-acre park near Clarkston.

Lyon Oaks:
Lyon Oaks in Wixom preserves 800 acres of environmentally sensitive wetlands within a 1,041-acre park. The park features a 13-acre, fenced dog park.

Orion Oaks:
Orion Oaks County Park preserves more than 916 acres of environmentally-sensitive green space.

Red Oaks:
At this 163-acre park built on the Red Run Drain, golfers, dog lovers and sports enthusiasts will find clean, safe facilities and opportunities to enjoy the outdoors with family and friends.

Rose Oaks:
Rose Oaks Park preserves 640 acres of gently rolling open meadows and wooded uplands, including approximately 200 acres of valuable wetlands and frontage on several glacial lakes within the site.
**Springfield Oaks:**
Springfield Oaks County Park’s 332 acres is home to the annual Oakland County Fair, the historic Ellis Barn, the Springfield Oaks Golf Course and a Community Service Garden.

**Waterford Oaks:**
Waterford Oaks is a 185-acre park near Pontiac, headquarters of the Oakland County Parks and Recreation Commission.

**White Lake Oaks:**
White Lake Oaks is a scenic 18-hole, par 70 course. The 197-acre course is a well-manicured, player-friendly layout with front nine open and back nine tight, featuring wetlands and woodlands. The new clubhouse features a pro shop, club room, garden patio, and banquet facilities for groups up to 200.
Barrier Free Accessibility
The passage of the American Disabilities Act of 1990 (ADA) requires all areas of public service, including parks and other recreation facilities, to have barrier-free accessibility. An evaluation of the City of Birmingham's parks and recreation facilities has been conducted as part of the inventory. In accordance with the Michigan Department of Natural Resources (MDNR) standards, facilities were evaluated to determine if a person with any of the following criteria can safely and independently access and use the park or facility:

- Has limited sight or is blind
- Uses a wheelchair
- Has a hearing impairment or is deaf
- Uses a walking aid
- Has a mental impairment

A five-point evaluation system was used to rank each facility's accessibility. The system is described below and the accessibility rankings can be found in the Inventory Tables starting on page 31.

**Level 1.** The park is not accessible to people with a broad range of physical disabilities. The site includes little paved areas and the facilities such as play equipment or picnic areas are not easily accessible.

**Level 2.** The park is somewhat accessible to people with a broad range of physical disabilities. Either the parking area or pathways are paved, but not both. Many of the facilities such as play equipment or picnic areas are not easily accessible.

**Level 3.** The park is mostly accessible to people with a broad range of physical disabilities. Most of the parking areas and pathways are paved, and some of the facilities such as play equipment or picnic areas are accessible but may not be completely barrier-free.

**Level 4.** The park is completely accessible to people with a broad range of physical disabilities. Parking areas and pathways are paved, and most of the facilities such as play equipment or picnic areas are easily accessible.

**Level 5.** The entire park was developed or renovated using the principles of universal design, a design approach which enables all environments to be usable by everyone, to the greatest extent possible, regardless of age, ability, or situation.
INCLUSIVE PLAY

For children with and without disabilities, the community playground can facilitate a positive environment for physical activity and inclusion.

The ADA Accessibility Guidelines (ADAAG), signed into law in 2010, detail enforceable standards for physical accessibility. However, these standards do not include elements designed for children with Down syndrome, sensory disorders, and visual and hearing impairments.

New attention has been focused on inclusive playgrounds and universal design that can serve a diverse population, including children with physical, cognitive, emotional and sensory disabilities.

The following elements are considered essential activities for inclusive play:

- Sensory play
- Music
- Swinging
- Spinning
- Sliding
- Socialization/imaginative
- Safety, comfort and access

Sources: United States Access Board, Landscape Structures; InclusivePlaygrounds.org
INTERACTIVE PLAY – SPLASH PADS

Splash pads or spray parks have made a big splash as a common replacement for aging swimming pools or alternative aquatic amenity, particularly because they still provide the community with aquatic experiences without the high operating costs of traditional pools. Spray parks do not require high levels of staffing, require only minimal maintenance and offer a low-cost alternative to a swimming pool. They typically appeal to kids 2–12 year olds and can be a stand-alone facility in a community park or incorporated inside a family aquatic center.

- Splash pads tend to serve as a regional amenity, with some cities reporting over 10,000 visitors at parks from Memorial Day through Labor Day. Cities can choose to charge an admission fee for residents and/or nonresidents to control crowds and ensure enough revenue to fund maintenance and staffing.
- The location of a splash pad is important. Cities should analyze several potential locations for visibility, parking capacity, screening from neighbors and accessibility for the public.

Source: National Recreation and Parks Association (NRPA) Aquatic Trends, 2016
Quasi-Public and Private Recreation Facilities

Recreation facilities which are not owned or operated by the City of Birmingham or the Public School District were also inventoried due to their relevance in the provision of recreational opportunities to Birmingham residents.

**Birmingham/Bloomfield Art Center:** The Birmingham/Bloomfield Art Center is located in the southwest portion of the city, west of Cranbrook Road, adjacent to the Lincoln Hills Golf Course. The non-profit Art Center offers over 500 high-quality art classes and workshops annually for students of all ages and abilities. The Center also holds a children’s art camp, changing exhibitions and competitions, works of fine art for purchase or rental and a student pottery sale. The annual Birmingham Fine Arts Festival is held each year in May. A Gallery Shop is located in the Center, providing an opportunity to purchase high-quality fine works of art by regional and national artists.

**First United Methodist Church:** The Christian Life Center, located on Maple, west of Southfield. The center offers a wide range of physical, social and spiritual enrichment activities that can be integrated through recreation, education and fellowship and serves all ages.

Park, is a private swim club in Birmingham that is open from Memorial Day to Labor Day.

**The Community House:** On January 5, 1921, a small group of women officially committed themselves to the concept that “a house big enough for dances, mass raise funds to establish such a center. In April 1923, they rented a small house on the corner of Bates and Maple, officially establishing the first Community House.

When the community recognized the need for a larger establishment, a campaign was initiated and on April 28, 1930, The Community House on Bates Street opened to the public. The original structure covered the area from Townsend Street on the south to the middle of the block, where the center chimney is now, on the north. The rest of the building (from the center chimney to Merrill Street) was added in October 1990.

In its more than 90 years of existence, and in spite of overwhelming changes in our society, The Community House has stayed true to its mission of building a strong community. People of all ages and interests continue to be served by the many and varied programs and services offered by The Community House.

**Birmingham Family YMCA:** The Birmingham YMCA is located adjacent to Lincoln Road, west of Woodward and directly north of St. James Park. The YMCA offers classes, programs and activities for all ages, that are detailed in the 'programs' portion of this chapter. The YMCA has gymnasiums, swimming pools, weight rooms, exercise rooms and a variety of individual meeting rooms.
Programming
An understanding of the programs and events which are currently offered by the City of Birmingham as well as programs offered by other entities within the city will help identify programming needs and avoid the duplication of services.

Birmingham Next (formerly Birmingham Area Seniors Coordinating Council and Center): Birmingham Next is a non-profit tax-exempt organization providing services to persons 55 and older in the Birmingham School District and surrounding communities. The Senior Center is located within the Midvale Center with membership costs varying. Next offers such services as activities and travel programs, meal programs, medical equipment for loan, housing information, support groups, transportation and information and referrals. Next publishes a newsletter highlighting activities, classes, information and opportunities such as new tax laws, holiday parties, computer classes, aerobics, golf and bowling leagues, card games and support groups.

City of Birmingham Golf Courses: The Junior Golf Program is available for children between the ages of 7 and 14 during the summer school break. The program teaches golf fundamentals and offers golf on the Course. Adult golf leagues are a staple at both golf courses during the week.

City of Birmingham Ice Sports Arena: Programs offered through the City of Birmingham at the Ice Sports Arena include skating lessons for beginners to freestyle, an annual ice show, group parties, parents and tots skating and hockey, and adult hockey. Open skating is available on various days and times.

City of Birmingham In-the-Park Summer Concerts: "In-the-Park" concerts are offered Wednesday evenings in Shain Park from mid-June to mid-August. The event highlights a wide variety of musical talents from the surrounding areas.

YMCA: The YMCA offers many programs and activities for all ages. Membership fees vary. Some of the classes and activities offered include:

- Babysitting
- In-line hockey
- Open swim
- Senior activities
- Weight training
- Yoga
- Dance
- Fitness screening
- Kickboxing
- Parties and events
- Soccer
- Wellness classes
- Day camps
- Gymnastics
- Massage therapy
- Preschool programs
- Swim lessons
- Wrestling

Volunteer Organizations/Leagues/Associations/Public/Private Partnerships: In addition to the above listed recreational programs, many other clubs and groups offer social, competitive, and child-oriented recreational activities. Many of these groups are volunteer organizations requiring payment of annual or monthly dues to support activities.

These groups serve an integral role in recreation planning because they offer programs for residents that are not offered by the City of Birmingham. The following groups are active in Birmingham and utilize city properties and facilities:
• Birmingham Baseball Little League
• Birmingham Beverly Hills Church Softball League
• Birmingham Bloomfield Soccer Club
• Birmingham Figure Skating Club
• Birmingham Friends and Relatives Conservatory
• Birmingham Girls Softball League
• Birmingham Hockey Association
• Birmingham Racquet Club
• Birmingham United Soccer
• Birmingham-Bloomfield Art Association
• Holy Name Hurricane Club – Holy Name School

Special Events: Additional special events held in Birmingham throughout the year include:

• Art Birmingham
• Birmingham Winter Market
• Celebrate Birmingham Hometown Parade
• Dash for Destiny
• Day on the Town
• Farmer’s Market
• Fine Art Festival
• Halloween Parade
• Holiday Tree Lighting

• Memorial Day Ceremony
• Night on The Town
• Our Town Art Exhibition and Sale
• Pumpkin Patch
• Summer in the City
• Veteran’s Day Ceremony
• Village Fair
• Woodward Dream Cruise

Public Schools Community Education: The Birmingham Public Schools offer many classes and organized activities throughout the year, some of which include:

• Aerobics and Pilates
• Baseball camp
• Beading classes
• Boating
• Culinary arts and entertaining classes
• Dance
• Digital photography
• Fencing

• Home, garden and pet classes
• Languages
• Martial Arts/Self Defense
• Music
• Safety/first aid and CPR classes
• Skating
• Swim lessons
• Tennis
• Yoga
Basis for Action Plan

An essential task in the recreation planning process is to determine the needs of the community. The needs serve as a basis for the development of the Action Plan. This task is accomplished using a compilation of several methods, including information gathered during the public input process and surveys, comparing the City to national recreation guidelines for the size of the community, and consultation with the Department of Public Services and the Parks and Recreation Board.
Planning and Public Input

Working together with the City of Birmingham Department of Public Services and Parks and Recreation Board Subcommittee, McKenna coordinated and conducted various outreach events throughout the planning process for robust and open community input. Participants at such events included residents, specific parks and recreation stakeholders, and community organizations’ representatives. In total, there were four methods used as part of this program that have resulted in meaningful public engagement:

1. **Farmers Market “Field Day”** – On Sunday, September 17, 2017, the City of Birmingham parks and recreation team and McKenna conducted public engagement during the Harvest Festival Farmers Market. Teams were on-site from 9:00AM until 2:00PM to facilitate quick, fun engagement exercises with visitors to the market. In total, the McKenna team estimated engaging over 450 individuals during the five-hour engagement period. Participants included young families and older individuals.

Input collected from the field day highlight family-friendly ideas such as the development of a splash pad, park design improvements for supervising multiple children, the incorporation of rubber surface materials, and universally accessible playgrounds. In addition, residents contributed ideas for capital development-focused facilities improvements like improved parking, an outdoor pool, and restrooms.
2. **Online and Hard Copy Surveys** – McKenna launched online and hard copy surveys related to the City’s overall parks and recreation program, and the Ice Sports Arena and Golf Courses specifically. Links to the surveys were made available at the City of Birmingham Parks and Recreation Master Plan Update website and on social media. Hard copy surveys were located at strategic locations throughout the City including City Hall and the Library. The surveys were made available for 45 days. At the end of the survey period, the City received the following number of survey responses:

- 2018 Parks and Recreation Master Plan Survey: 417 responses
- 2018 Parks and Recreation Golf Courses Survey: 324 responses
- 2018 Parks and Recreation Ice Arena Survey: 260 responses

Most of the completed surveys were from residents between the ages of 35-49 and 50-64, 38% and 37% of all responses respectively. Individuals aged 65 and better made up 15% of all responses and just 10% of the responses were from individuals 18-34 years old. No responses were received from individuals 17 and younger.

Individuals in Quadrants B and D were equally represented, each accounting for 34% of the total survey responses. Quadrant A and Quadrant C also were equally represented accounting for 17% and 16% of all survey responses.

Generally, residents were familiar with the facilities and programs offered by Birmingham Parks and Recreation (88%). While most reported using parks for exercise, fitness, and casual sports (87%) followed by children’s play and cultural events (45% each).

**PUBLIC RESTROOMS DESIGN AND SITING**

Throughout the public engagement process, many residents expressed a desire for restrooms and portable toilets to be sited at neighborhood and community parks. With the increased importance of parks and recreation facilities over the next twenty years, many government agencies are recognizing the benefits of investing in bathrooms that serve users of outdoor athletics and recreation facilities. However, there are specific design and maintenance considerations that should go into the development of a restroom or portable toilet location.

- Achieving exterior restroom design that matches local community architecture creates a local feel to park restrooms. New restrooms that architecturally match the neighborhood blend in to create a community acceptance.
- Portable toilets can also be screened from view to improve the aesthetics of a neighborhood park. In Santa Cruz, California, many portable toilets are screened with trellises that grow attractive vines or the enclosure is framed with a poster or public art.
- The cost of restroom maintenance can be reduced by building with longer-lasting, stronger components. In addition, many parks and recreation providers utilize security cameras to supervise facilities when facilities are locked and staff are off the clock. Security cameras are a relatively low-cost way to keep vandalism down.
Overall the survey sought to gauge to what degree residents value the parks and recreation system, if the current parks and recreation facilities meet the needs of residents, and what should be the Department’s future priorities.

Overwhelmingly, participants recognized that parks and recreation programs are important to their quality of life, regardless if they use the programs on a regular basis (99% of all respondents). Respondents largely rated the maintenance of parks and recreation facilities, availability of public spaces, and overall existing outdoor facilities to be excellent or good (over 80%). Similarly, over 60% of residents reported that the existing parkland, playgrounds, community and special events, and golf courses meet the needs of the community. However, over 50% of respondents reported that the existing walking and biking trails fall short of the needs of the community and over 30% agreed that the available WIFI connections, environmental/nature education programs, and aquatic programs also fall short of the needs of the community.

When asked what new or enhanced opportunities residents would like to see within the City, nearly 47% of all respondents choose hiking/walking trails, followed by restrooms (44%), adult fitness and wellness (36%), community gardens (33%), and bicycling (32%). These responses were very similar to the open-ended questions that asked what residents felt are the top three recreational priorities for Birmingham in the next 10 years. The word cloud below shows the most frequently used phases for respondents’ number one priorities.

What do you feel is the top recreation priority for Birmingham in the next 10 years?

- Fitness
- Splash Pad
- Community Ice Arena Access Road
- Green Space
- Play Bike Paths
- Open Space
- Existing Programs
- Walking
- Natural Park
- Safe Trails
- Senior Playgrounds
- Bicycle Facilities
- Traffic Restrooms
- Golf Courses
- Center Maintain Current Swimming Pool

This word cloud is a visual representation of the most frequently used answers to the above survey question. The larger the word the more often it was used.
The Ice Sports Arena and Golf Course Surveys sought to understand specific users’ experience with each facility. Respondents’ experiences with the golf courses were positive. Nearly 93% of all respondents reported satisfaction with the City of Birmingham Golf Course with 56% of all respondents living in Birmingham. Half of respondents felt that the City should prioritize the golf course the same as other parks within the city. Improvements suggestions included: improved general maintenance, speed of play and the greens, and improved bunkers/sand traps.

Respondents to the Ice Sports Arena were split 58% residents, 42% nonresidents. Satisfaction with the facility was mixed; 47% of respondents reported satisfaction with 59% of survey respondents believing that the City of Birmingham should prioritize improvements to the Ice Arena more than other parks. 42% of respondents are willing to pay between zero and ten percent more in fees for improvements. While, 38% of respondents would be willing to pay more than 10% in increased fees for improvements. The word cloud below shows the most commonly provided suggestions for improvement to the Ice Sports Arena, with larger locker rooms being mentioned approximately 100 times.

What do you think [about the Ice Arena] could be improved?

Open during Summer instead Pro Shop Food Stands Lighting Year Round Locker Rooms are Tiny Bigger Locker Rooms Off-ice Training Larger Locker Rooms Temperature Hockey Seating Ice Snack Bar Locker Room Size Own Locker Room High School Heaters Space Crowded Bathrooms Install Lobby Visiting Offer

This word cloud is a visual representation of the most frequently used answers to the above survey question. The larger the word the more often it was used.
3. **Roundtable Discussions** – On September 21, 22, and 26, 2017, McKenna conducted Roundtable Discussions with a number of stakeholders. The Roundtable Discussions ensured that representatives from specific stakeholder groups were able to provide feedback about their organization’s perceived parks and recreation needs.

City Leadership and Boards and Commission Liaisons stressed the importance of coordination in planning activities, especially with the development of the non-motorized transportation system and in efforts to acquire land for a linear park in the triangle district. The Birmingham Public Schools recognized both the schools and the parks limited capacity to provide space for organized sports league. Representatives from various leagues, associations, and nonprofits expressed a strong interest in developing partnerships with the department to improve their operations. The neighborhood associations shared their commitment to their respective neighborhoods and a desire for the parks to remain a special place within their communities.

- City Leadership, Boards & Commissions Liaisons
- Coordination
- Birmingham Public Schools
- Capacity
- Leagues, Associations, Nonprofits
- Partnership
- Neighborhood Associations
- Commitment

4. **Open House and Presentation** – On October 3, 2017, McKenna hosted an Open House before the start of the regularly scheduled Parks and Recreation Board Meeting. Using the exercises from the Farmers Market “Field Day” and open-ended comment cards, the team collected additional public input. During the Parks and Recreation Board Meeting, McKenna made a presentation on the 2018 Parks and Recreation Master Plan Planning Process and accepted public comment. An estimated thirty to forty residents participated in the Open House and attended the following presentation. The participants generally were older couples and individuals.

The input received at the Open House reflected the needs of the specific residents that were present the Open House. Common themes that emerged were multimodal connections, the desire for natural resource/open space preservation and management, and capital improvements.
MAJOR THEMES FROM COMMUNITY ENGAGEMENT

Throughout the public engagement process people were generally positive about the parks and recreation facilities in Birmingham. However, several community values emerged throughout the process that can be used to prioritize improvements to the system. These include:

**Natural Area Stewardship:** Throughout the engagement efforts, many comments were made about the desires to preserve and maintain natural areas and open spaces within the City. When asked what the City of Birmingham’s priorities for the next ten years should be over 14% of respondents mentioned the need to preserve and manage open space.

**Inclusive Community:** The City of Birmingham was able to engage many types of residents throughout the planning process and what emerged was a desire for the parks and recreation system to accommodate the variety of users in the City, ranging from young children to seniors. Improvements that were suggested in order to keep parks inclusive of the City’s diverse community included restrooms at park facilities, barrier-free playgrounds and pathways, community programs and festivals, dog parks, and the development of a community center. Furthermore, many residents expressed concern that individuals in the Triangle and Rail Districts do not have easy access to the parks system.

**Health and Fitness:** Over three fourths of survey respondents reported that they use the parks system for fitness and casual sports. Over 20% of survey respondents believed that health and fitness related improvements should be a priority. They believe there is a need for improved or enhanced walking and running trails, adult and youth fitness classes, and improved organized sports facilities and programs like pickleball and lap swim.

**Connectivity:** Many residents largest concern about the park system was not the parks themselves but the system of connectivity that gets residents from their homes or from local business to parks. Over 20% of survey respondents and many more at the Field Day and Open House mentioned a need for improved bicycle paths, sidewalks, and parking (both bicycle and automobile).

**Customer Service:** A large number of residents expressed satisfaction with the parks and recreation system in Birmingham. Nearly 15% believed that the City’s priority for the next ten years should be maintaining, updating, and advertising the existing system.
Park Land Analysis and Service Areas

Approximately 315 acres of parks and facilities exist within Birmingham, with 231 acres owned by the City and managed by the Department of Public Services. The Birmingham Public Schools own the remaining 84 acres.

As required by the MDNR, the Birmingham park land and facilities were compared to the minimum guidelines set forth by the National Recreation and Park Association (NRPA, 1983, 1995). Although the NRPA’s updated guidelines were set more than 13 years ago, the MDNR still recommends their use as standards to establish minimum community needs in terms of land area and number of facilities.

Caution must be exercised in the interpretation of these results given that these guidelines were set over a decade ago and may not represent current popular activities and trends. Each community, based on its own particular resources and resident preferences and demands, are encouraged to establish its needs and requirements so that the plan best suits the community’s desires for recreation. Recreation needs are often better documented through public input rather than relying only on the national guidelines. The NRPA guidelines and the MDNR standards were considered in the development of the Action Plan but not weighted heavily. The information gathered during the many methods of public input directed the Action Plan directly.

Table 6 and the following discussion compares the amount of park land as it relates to the conditions of the City and the MDNR standards based on the 2015 ACS population estimate of 20,489. Park classifications used by the MDNR are defined as follows and described in further detail in Table 6.

Mini/Neighborhood Park. Mini/Neighborhood parks serve an area up to a one-half mile distance and are typically less than 10 acres in size. Birmingham has five mini-parks, 11 neighborhood parks and four school facilities that provide more than the recommended acreage for mini/neighborhood parks.

- Community Park. Community parks typically serve an area within one-half to three miles and are between 30 to 50 acres in size. However, since the City of Birmingham is only 4.4 square miles many of the City’s community parks are smaller than the guidelines, but serve a community-wide function. The City owns 186 acres of community park land, thus exceeding the recommended 402 acres by 222. In addition to the City-owned land, Seaholm High School contributes 45 acres of land since it is categorized as a community park.

- School Park. School properties can fulfill the requirements for other classes of parks such as neighborhood, community, sports complex, and special use. For the purposes of this inventory all childhood centers and elementary and middle school facilities were classified as neighborhood parks, and Seaholm High School was considered a community park.

- Regional Park. Regional facilities offer a variety of active and passive recreational opportunities which help in meeting the need for local park land and help balance the deficiencies in facilities. Birmingham does not have a regional park within its borders. However, it should be noted that a number of regional parks are within a short distance from the City despite not being within its borders.

- According to the above guidelines, the City of Birmingham exhibits a
surplus in all of the park land categories. Overall, the City is providing an exceptional amount of park land for its residents given the constraint of its municipal boundaries and relatively dense land use.

Table 6: Birmingham Public Park Land Acreage Analysis

<table>
<thead>
<tr>
<th>Park Classification</th>
<th>NRPA Guideline Minimum Acres/1,000 Residents(^1)</th>
<th>Recommended Acreage for Birmingham(^2)</th>
<th>Public City Park</th>
<th>Public School Park(^3)</th>
<th>City Total</th>
<th>Surplus (Deficiency)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mini Parks</td>
<td>0.25-0.5</td>
<td>5.1-10.2</td>
<td>5.44</td>
<td>5.44</td>
<td>-4.76</td>
<td></td>
</tr>
<tr>
<td>Neighborhood Parks</td>
<td>1.0-2.0</td>
<td>20.5-41.0</td>
<td>39.83</td>
<td>39.19</td>
<td>79.02</td>
<td>+38.02</td>
</tr>
<tr>
<td>Community Parks</td>
<td>5.0-8.0</td>
<td>102.4-163.9</td>
<td>186.1</td>
<td>44.54</td>
<td>230.67</td>
<td>+66.77</td>
</tr>
<tr>
<td>Total</td>
<td>-</td>
<td>128.1-215.1</td>
<td>231.4</td>
<td>83.73</td>
<td>315.13</td>
<td>+100.03</td>
</tr>
</tbody>
</table>


3. All early childhood centers and elementary schools classified as neighborhood parks, and all middle and high schools classified as community parks.

Although it is important to consider the overall amount of park land in the City, it is also essential to consider the type of parks, their location, and their disbursement throughout the City. When evaluating parks and recreation service areas it is important to closely consider where the residents in the City live and if the residents are within walking distance to a park, recreation, or school facility. The distance of 0.25 miles is often used as an established standard of how far people would be willing to walk to a park or recreation facility.

The parks and school facilities walkability areas are shown on MAP 4 and MAP 5. For the purposes of measuring the walkability area in the City, a radius of one-fourth mile from each park was used.

There are few service gaps within the City in regard to City owned recreation facilities within one fourth mile. The primary areas without nearby City owned facilities are the southeast part of the City, the area west of Linden Park between Maple and Midvale Street, and the southwestern edge of the City.

When the school facilities are added to the walkability analysis, service gaps decrease. Specifically, Seaholm High School has the potential to serve the residents west of Linden Park. However, the area west of Woodward and south of Adams park still has limited access to a park.
Facilities Analysis

In addition to park land, existing facilities were compared against the recommended guidelines set by the NRPA and the MDNR to determine if they are adequate to meet the needs of residents based on national averages. The analysis takes into account a variety of factors including specific needs and existing conditions in Birmingham, information obtained during the public input opportunities, programming needs, site conditions, as well as national averages. Table 7 indicates the recommended guideline and facilities, the number of facilities in the Township, and the surplus or deficiency of facilities. The comments below the table provide further prospective and assist in identifying key issues related to specific facilities.

Table 7: Facilities Analysis

<table>
<thead>
<tr>
<th>Park Classification</th>
<th>NRPA Guideline¹</th>
<th>Recommended Facilities²</th>
<th>Public Birmingham Facilities</th>
<th>Public School Facilities</th>
<th>Total Facilities</th>
<th>Surplus (Deficiency)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Archery Range</td>
<td>1/50,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Baseball / Softball</td>
<td>1/5,000</td>
<td>4</td>
<td>9</td>
<td>7</td>
<td>16</td>
<td>+12</td>
</tr>
<tr>
<td>Basketball</td>
<td>1/5,000</td>
<td>4</td>
<td>3</td>
<td>9</td>
<td>12</td>
<td>+8</td>
</tr>
<tr>
<td>Football</td>
<td>1/20,000</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Golf Driving Range</td>
<td>1/50,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Golf Course (9-Hole)</td>
<td>1/25,000</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>+1</td>
</tr>
<tr>
<td>Golf Course (18-Hole)</td>
<td>1/50,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ice Rink</td>
<td>Indoor</td>
<td>1/100,000</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Outdoor</td>
<td>depends on climate</td>
<td>depends on climate</td>
<td>1</td>
<td>0</td>
<td>N/A</td>
</tr>
<tr>
<td>Playground</td>
<td>1/3,000</td>
<td>7</td>
<td>10</td>
<td>3</td>
<td>13</td>
<td>+6</td>
</tr>
<tr>
<td>Running Track</td>
<td>1/20,000</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Soccer</td>
<td>1/10,000</td>
<td>2</td>
<td>5</td>
<td>5</td>
<td>10</td>
<td>+8</td>
</tr>
<tr>
<td>Swimming Pool</td>
<td>1/20,000</td>
<td>1</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>+2</td>
</tr>
<tr>
<td>Tennis</td>
<td>1/2,000</td>
<td>10</td>
<td>6</td>
<td>7</td>
<td>11</td>
<td>+1</td>
</tr>
<tr>
<td>Trails</td>
<td>1 system per region</td>
<td>1</td>
<td>1 system</td>
<td>0</td>
<td>1 system</td>
<td>0</td>
</tr>
<tr>
<td>Volleyball</td>
<td>1/5,000</td>
<td>4</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>-2</td>
</tr>
</tbody>
</table>

² Based on 2011-2015 American Community Survey Population Estimates, 20,489

A number of the facilities included in Table 7 are owned by Birmingham Public Schools. Though, schools provide limited hours and access to the general public, they complement the existing parks and recreation system within the City of Birmingham. Representatives from the Birmingham School District affirmed the idea that the parks and schools work together to provide residents a recreation system. Management of recreation facilities should be done in coordination to ensure that, despite the geographic constraints of providing parks and recreation facilities in a fully developed city, residents have access to their desired amenities.
Action Plan

By using the comprehensive planning process of trend identification, roundtable discussions, surveys, and public meetings, the City of Birmingham Department of Public Services has effectively established a framework for the Action Plan. The Action Plan describes recommendations for improvements and enhancement of the Birmingham parks and recreation facilities and programming, as well as identifying the tools needed for implementation of the plan components.

A complementary component of the Action Plan is the Capital Improvement Plan. Action strategies that may require significant capital investment from the community have been organized into a five-year plan. The specific projects have been prioritized in the Capital Improvement Plan in order to better manage the Department of Public Services budget and equally distribute the projects over a five-year cycle. The timing of these projects may be influenced, moved, or eliminated depending upon economic conditions, available funding, and/or grant awards. However, the spirit and intent of the project priorities are well defined in the Capital Improvement Plan.

The Action Plan is organized into four sections:

- Vision, Mission, and Community Values
- Department of Public Services Goals and Strategies
- System Wide Recommendations
- Five Year Capital Improvement Plan
Mission, and Community Values

To provide a guideline for decision making, the Parks and Recreation Board has developed a mission statement and list of identified community values. Together, these will guide the development of the goals and strategies for the departments future projects, and other efforts.

MISSION

The following Mission presents how the City of Birmingham Department of Public Services and the Parks and Recreation Board will achieve the Vision:

“The Mission of the Birmingham Parks and Recreation Board is to help other organizations and agencies to plan and share family activities in helping to prevent the desires and need to use alcohol, drugs, and tobacco by providing recreational programs for all ages, and to encourage recreational life styles.”

COMMUNITY VALUES

The community values that were brought forward during the community input process of the planning process included:

- **Natural Area Stewardship**: We value the efficient and effective management of our assets and stewardship of our parks and open space, to sustain them for future generations.

- **Inclusive Community**: We value creating, enhancing, expanding and promoting opportunities for all members of our community to participate in the enjoyment of parks and recreation services.

- **Health and Fitness**: We value the health and well-being of our residents and the benefits that parks, recreation, and open space offer.

- **Connectivity**: We value an interconnected parks and facilities network that provides access to the parks system across the City of Birmingham.

- **Customer Service**: We value our current parks and recreation system and take pride in managing and maintaining world class parks and facilities.
Goals and Objectives
To provide a guideline for decision making, the Department of Public Services and the Parks and Recreation Board developed a list of goals and objectives based on the previous 2012-2016 Parks and Recreation Master Plan, and the results of analysis and public input. The following goals and objectives are intended to provide an operational framework for future decisions related to the provision of parks and recreation for Birmingham.

As recommended in the Action Plan, these goals and objectives should be reviewed annually by the Parks and Recreation Board and modified as necessary.

GOAL #1: FOSTER AN INCLUSIVE AND UNIQUE COMMUNITY.

Birmingham is enriched by strong volunteer efforts, including the youth sports league administration, boards, commissions and planning and historical preservation efforts. Numerous special events are held throughout the year, such as festivals, art fairs, farmer’s market and organizations. Working together to create a strong sense of an inclusive community, it is only made stronger by the partnerships, trust and collaboration of the stakeholders and elected officials.

OBJECTIVES:

1. Continue working with local organizations, clubs and institutions to provide a wealth and variety of organized activities and programs within the community. This includes:
   a. Senior Walking Clubs.
   b. “Theatrical” programming that involves schools, library, residents and the Community House.
   c. Seasonal, including winter activities.
   d. Art and cultural programs.
   e. Teen and youth programming during the summer and utilizing extended hours.

2. Celebrate the community by participation in festivals, community functions and events

3. Support and encourage new developments to include areas for active and passive recreation.

4. Provide volunteer opportunities in program delivery and improvement projects.
GOAL #2: PROVIDE PARKS AND RECREATION FACILITIES THAT ARE BEAUTIFUL AND HIGH QUALITY, THAT RESPECT HISTORY, OFFER A VARIETY OF EXPERIENCES, BOTH PASSIVE AND ACTIVE, ARE WELL MAINTAINED AND THAT ARE ACCESSIBLE TO ALL RESIDENTS OF THE COMMUNITY.

Quality and beauty are important to residents and it is expected that community assets are protected and valued. This is true for existing parks and recreation though continued maintenance and the improvement for both existing and new green spaces, facilities and recreational areas.

OBJECTIVES:

1. Analyze and improve universal accessibility.
2. Maintain and improve designated wetlands, Rouge River Corridor and open space.
3. Incorporate art/sculptures into park design.
4. Encourage central entry areas for sitting and gathering in park design.
5. Maintain and update park equipment and facilities as needed, such as playground equipment, ball fields, open space areas including natural landscaping.
6. Continue implementation of standardized park design for all City of Birmingham Parks including signage, installation of trees, tree transplanting, improved landscaping, benches, bike racks, and waste receptacles.
GOAL #3: TO CREATE A COMMUNITY OF HEALTHY RESIDENTS BY PROVIDING OPPORTUNITIES THAT PROMOTE AND ENCOURAGE ACTIVE LIFESTYLES AND MOBILITY.

Birmingham has an active resident base that includes runners, cyclists, soccer players, walkers, skaters, hockey players, golfers, etc. The health of the aging population will need to be maintained through private and public efforts.

OBJECTIVES

1. Increase non-motorized transportation connections between parks, historical sites, community facilities and shopping districts that allow residents to cycle, walk and run.

2. Develop and promote programming that encourages active lifestyles for all ages.

3. Work with Oakland County to develop pathway connections with surrounding communities that include Beverly Hills, Bloomfield Hills, Bloomfield Twp., Royal Oak, Southfield and Troy with the existing Rouge River Corridor.

4. Promote the establishment of the Rouge River Corridor along the Rouge River to encourage the preservation, enhancement and an increase community understanding of this important watershed.

5. Develop a wayfinding program for the trail / greenway network that directs users of the non-motorized paths to City parks and other destinations.
GOAL #4: PROVIDE RECREATION PROGRAMMING AND FACILITY OPPORTUNITIES THAT MEET THE NEEDS AND INTERESTS OF THE ENTIRE COMMUNITY.

Residents have indicated that recreation outlets and activities are important to their quality of life. Providing well balanced activity choices, including passive and active opportunities, along with flexible structure is essential.

OBJECTIVES:

1. Monitor the use of athletic fields and facilities to determine additional needs.

2. Create opportunities that go beyond the traditional team sports such as educational components, individual sporting pursuits, training/self-improvement courses.

3. Provide additional environmental-oriented programs and use parks as outdoor classrooms and art theater.

4. Coordinate with the Arts Board regarding public art at parks. Coordinate location, lights to illuminate, sprinkler locations, etc.
GOAL #5: TO USE EXISTING COMMUNITY RESOURCES EFFICIENTLY AND TO DEMONSTRATE FISCAL RESPONSIBILITY AND TO COORDINATE AND PARTNER WITH OTHER ENTITIES TO ENSURE THE AVAILABLE AND OPPORTUNITY FOR COMPREHENSIVE, QUALITY SERVICES AND FACILITIES.

Parks and recreation services, along with all government services, must evaluate and provide cost effective opportunities for residents.

OBJECTIVES

1. Explore opportunities with private partnerships and Oakland County Parks to jointly provide desired services and facilities, while minimizing duplication and competition between the agencies.

2. Coordinate efforts with Oakland County for opportunities to preserve open space and provide public access along the Rouge River Corridor.

3. Recruit civic and business organizations for assistance with park improvement projects.

4. Partner for grants & outside funding.

5. Foster, promote and encourage cooperative relationship with public and private entities.

6. Promote a system for people to approach the City with ideas to collaborate for park improvements.

7. Increase opportunities for donation, sponsorships and fundraising efforts.

8. Review and update the Parks and Recreation Master Plan every five years to maintain a current assessment and ensure grant funding eligibility.
GOAL #6: TO BECOME A LEADER IN SUSTAINABLE, INNOVATIVE MAINTENANCE PRACTICES TO PROTECT OUR NATURAL COMMUNITY RESOURCES, DEMONSTRATE ENVIRONMENTAL STEWARDSHIP AND REDUCE ADVERSE HEALTH EFFECTS TO ALL RESIDENTS, WHILE MAINTAIN PUBLIC USE, ACCESS AND ENJOYMENT.

OBJECTIVES:

1. Continue to implement ‘best practices’ and safer alternatives in cultivating healthy lawn care in City properties and parks such as heat and hot water weed control techniques and low-maintenance landscape designs. Expand existing practice techniques to include applications such as adding beneficial insects to control destructive pests, and various natural and synthetic mulch materials.

2. Continue to implement Integrated Pest Management (IPM) practices and develop an IPM policy based on current IPM practices for park maintenance activities.

3. Research programming with area school districts to decrease and possibly eliminate spraying at properties surrounding public schools.

4. Develop an interpretive signage program in parks to expand educational opportunities about environmental protection.

5. Create demonstration projects within parks to showcase native Michigan plants and promote appreciation for natural landscape techniques.

6. Develop and implement standards and timeline for achieving sustainable lawn care maintenance practices for parks and recreation facilities.

7. Implement a pilot “Pesticide Free Park” program at a City Park.


9. Reduce and minimize usage of chemicals in all parks to lessen the potential for adverse health effects to the extent that is practicable.
**GOAL #7: OPERATE THE DEPARTMENT OF PUBLIC SERVICES IN AN EFFECTIVE AND EFFICIENT MANNER SO AS TO MAINTAIN A HIGH LEVEL OF CUSTOMER SERVICE.**

**OBJECTIVES:**

1. Expand web-based marketing efforts to inform residents of programs and events.
2. Review Parks and Recreation Master Plan annually to establish priorities and responsibilities with Parks and Recreation Board.
System Wide Recommendations
In addition to capital investments into the parks and recreation system, the Department of Public Services must also focus on maintenance of the park system.

The following items describe system wide suggestions that should be coordinated each year.

- **Barrier Free Accessibility:** The Americans with Disabilities Act (ADA) has established guidelines to provide barrier free accessibility at public facilities. It is important to provide access to the City of Birmingham facilities according to these guidelines so that all residents can enjoy the facilities. As parks and facilities are improved or developed, a high priority must be placed on upgrades that improve barrier free accessibility with improvements to proper surfaces for wheelchairs, accessible picnic tables, and play equipment that provides universal access.

- **Park Design Improvements:** As the park system evolves and each park undergoes its own degree of improvements, it is important to clearly mark park entrances and visually unify the parks so residents are aware that facilities they use are part of Birmingham’s park system. This can be accomplished by a uniform set of design themes that symbolize Birmingham parks and are used in the design of lighting, benches, signs, waste receptacles, bike racks, and other amenities. Tree transplanting and improvements is a community focus for all public areas.

- **Non-Motorized Connectivity:** The City of Birmingham has been committed to the development of non-motorized systems locally as well as regionally. This was substantiated with the City Commission’s 2011 support of Complete Streets principals for the City of Birmingham. The Department, in cooperation with Oakland County and surrounding communities, and other supporting agencies, should continue to seek opportunities for planning, land acquisition, access easements, and non-motorized trail development to assist this effort within the community.

- **Natural Resource Inventory:** As opportunities become available the Department should analyze any critical natural areas in the community through inventories and appropriate studies. This information is critical to prioritizing resources for the acquisition, protection, and management of park natural areas.

- **Recreation Programming:** The City of Birmingham Department of Public Services is only one of several sources of recreation programming for community residents. YMCA, volunteer youth sports organizations, private businesses, and other groups offer leagues, services and programs. To complement these other resources, the Department should partner with these programs when appropriate.

- **Staffing:** The Department of Public Services needs to annually monitor staffing levels and office facility needs as needed for efficient administration, operation, programming and maintenance of the parks and recreation system.
• **Park Promotion**: The Department of Public Services should use creative promotional approaches to increase awareness of the features available at the various parks. Promotional ideas could include: park maps and park events. Increased awareness of the parks will increase appreciation and support for the park system and could also generate a spirit of volunteerism with maintenance, development and fundraising projects.

• **Fund Raising**: Develop new and creative ways to raise funds for park improvements, such as events, service projects and local fund raising. Continue and expand the popular recognition program for donations of benches, trees and other amenities.

• **Public Involvement**: The Department of Public Services should continue to solicit residents’ suggestions on planning, use, and improvement of parks and programming. This can be accomplished with public meetings, surveys, or through resident feedback solicited at special events.

**Five-Year Capital Improvement Plan**
This section summarizes the overall system recommendations as well as specific improvements to individual parks. Some are multi-year efforts that will involve primarily staff time and coordination, while others are park improvements that require primarily investment.

The Five-Year Capital Improvement Plan incorporates the top priority for capital improvement in the next five years. Priorities should be reviewed on an annual basis and adjusted to respond to updated findings and identification of funding opportunities. In particular, costs should be closely monitored, as the proposed plan estimates are strictly preliminary.

Actual costs for each project will be more specifically determined as site surveys, programming elements and engineering plans are developed. If funding levels are lower than required to implement the plan based on the schedule provided, the implementation could be stretched over additional years.
### Table 8: Five-Year Capital Improvement Plan

The following capital improvements are conceptual and subject to change based on annual prioritization; actual funding sources are largely undetermined during conceptual planning, thus, potential funding sources will be investigated and sought as projects move from the conceptual phase to design / funding phase.

<table>
<thead>
<tr>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Park Enhancements</td>
</tr>
<tr>
<td>Continue general landscape maintenance and beautification</td>
</tr>
<tr>
<td>General baseball/softball field maintenance</td>
</tr>
<tr>
<td>General tennis court maintenance</td>
</tr>
<tr>
<td>Installation of bike racks</td>
</tr>
<tr>
<td>Installation of drinking fountains</td>
</tr>
<tr>
<td>Land acquisition opportunities</td>
</tr>
<tr>
<td>Open space maintenance (i.e., seeding, drainage and grading at various parks)</td>
</tr>
<tr>
<td>Inclusive/Accessible Playground Enhancements</td>
</tr>
<tr>
<td>Reforestation of public property</td>
</tr>
<tr>
<td>Site furnishings (benches, trash receptacles, tables)</td>
</tr>
<tr>
<td>Installation of electric outlets</td>
</tr>
<tr>
<td>Installation of park shelters (location TBD)</td>
</tr>
<tr>
<td>Update park signage (new logo and supplemental signs)</td>
</tr>
<tr>
<td>Park Enhancements to Explore (Locations TBD)</td>
</tr>
<tr>
<td>Pickle ball court development</td>
</tr>
<tr>
<td>Installation of splash pad</td>
</tr>
<tr>
<td>Platform tennis court development</td>
</tr>
<tr>
<td>Installation of wi-fi and mobile device charging stations</td>
</tr>
<tr>
<td>Adams Park</td>
</tr>
<tr>
<td>Implement Adams Park Master Plan</td>
</tr>
<tr>
<td>Develop Adams Park Master Plan</td>
</tr>
</tbody>
</table>

- Completed 2012 – 2017
- X Planned for 2018 – 2022
- Explore and potentially implement 2018 – 2022

1. Public-private partnerships (P3s) will be investigated and implemented whenever feasible and determined to be in the public interest; projects listing P3s as a funding source have already been identified.
2. Inclusive / accessible playground enhancements will meet or exceed ADA accessibility standards.

DRAFT · March 6, 2018
<table>
<thead>
<tr>
<th>ACTION</th>
<th>Completed (2012-2017)</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>Estimated Total Over Five Years</th>
<th>Potential Funding Source(s)¹</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Barnum Park</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Install two new pergolas</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>$30,000</td>
<td>Donations / General Fund / Grants</td>
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<tr>
<td>Softball field maintenance</td>
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<tr>
<td>Installation of new tables and chairs</td>
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<tr>
<td>Installation of two pergolas</td>
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</tr>
<tr>
<td>Soccer / open play field enhancements</td>
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<tr>
<td><strong>Booth Park</strong></td>
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<tr>
<td>Evaluate bridge trail access</td>
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<td></td>
<td>TBD</td>
<td>Donations / General Fund / Grants</td>
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<tr>
<td>Reevaluate Phase 3 entrance plaza</td>
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<td>TBD</td>
<td>Donations / General Fund / Grants</td>
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<tr>
<td>Installation of porous paving</td>
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<tr>
<td>Trail system improvements</td>
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<tr>
<td><strong>Crestview Park</strong></td>
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<tr>
<td>Inclusive/accessible playground enhancements²</td>
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<td></td>
<td></td>
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<td>$200,000</td>
<td>Donations / General Fund / Grants</td>
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<tr>
<td>Soccer / open play field enhancements</td>
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<tr>
<td><strong>Crestview Park</strong></td>
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<tr>
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<td>Bank stabilization</td>
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<td><strong>Howarth Park</strong></td>
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<tr>
<td>Baseball field improvements</td>
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<td></td>
<td></td>
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<td>$20,000</td>
<td>Donations / General Fund / Grants</td>
<td></td>
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<tr>
<td><strong>Kenning Park</strong></td>
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<tr>
<td>Phased implementation of Kenning Park Master Plan (partial)²</td>
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<td>X</td>
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<td>Donations / General Fund / Grants / Public-Private Partnership</td>
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<td>Parking lot and pedestrian-scale lighting</td>
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<td>General Fund / Grants</td>
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<tr>
<td>Develop Kenning Park Master Plan</td>
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<tr>
<td>Softball/baseball field maintenance</td>
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<tr>
<td>Tennis court crack repair/paint</td>
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<tr>
<td>Parking lot re-construction</td>
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<tr>
<td><strong>Linden Park</strong></td>
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<tr>
<td>Inclusive/accessible playground enhancements²</td>
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<td>Trail extension from Linden Park trail to Maple Road</td>
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</tr>
</tbody>
</table>

- Completed 2012 – 2017
- X Planned for 2018 – 2022
- | Explore and potentially implement 2018 – 2022

¹ Public-private partnerships (P3s) will be investigated and implemented whenever feasible and determined to be in the public interest; projects listing P3s as a funding source are those for which partners have already been identified.

² Inclusive / accessible playground enhancements will meet or exceed ADA accessibility standards.
### Manor Park
- Reforestation

### Martha Baldwin Park
- Improve native plant garden/monarch waystation: X
- Potential location for artwork: TBD

### Pembroke Park
- Inclusive/accessible playground enhancements: X
- Portable restroom screening: X
- Baseball field maintenance
- Soccer / open play field enhancements
- New drinking fountain

### Poppleton Park
- Inclusive/accessible playground enhancements: X
- Softball field improvements: X
- Develop Poppleton Park Master Plan
- Softball field improvements
- Analyze parking (expansion)
- Crown baseball diamonds

### Quarton Lake
- Reforestation: X

### Rouge River Trail Corridor
- Removal of debris and riverbank stabilization: X
- Trail system improvements: X
- Selected master plan improvements: X

### Shain Park
- Play/musical equipment: X

### Springdale Park
- Shelter site furnishing: X
- Inclusive/accessible playground enhancements: X

---

- Completed 2012 – 2017
- Planned for 2018 – 2022
- Explore and potentially implement 2018 – 2022

---

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2 Inclusive / accessible playground enhancements will meet or exceed ADA accessibility standards.
<table>
<thead>
<tr>
<th>ACTION</th>
<th>Completed (2012-2017)</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>Estimated Total Over Five Years</th>
<th>Potential Funding Source(s)¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. James Park</td>
<td></td>
<td></td>
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<tr>
<td>Soccer / open play field enhancements</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
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<td>$15,000</td>
<td>Donations / General Fund / Grants</td>
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<tr>
<td>Inclusive/accessible playground enhancements²</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
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<td></td>
<td>$200,000</td>
<td>Donations / General Fund / Grants</td>
</tr>
<tr>
<td>Baseball field maintenance</td>
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<td>Soccer / open play field improvements</td>
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<tr>
<td>Investigate private / public partnerships</td>
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<td>Tennis court crack repair</td>
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<tr>
<td>Ice Arena</td>
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<tr>
<td>Explore interior building improvements (underway)</td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
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<td>TBD</td>
<td>Donations / General Fund / Grants</td>
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<td>Building/facility assessment</td>
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<td>X</td>
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<td></td>
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<td>General Fund</td>
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<tr>
<td>Replace rink refrigeration system - rink floor and piping and mechanical room (main / studio rinks)</td>
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<td></td>
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<td>Donations / General Fund / Grants</td>
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<td>Study locker room/conference room expansion</td>
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<td></td>
<td></td>
<td></td>
<td>TBD</td>
<td>General Fund / Public-Private Partnership</td>
</tr>
<tr>
<td>Lincoln Hills Golf Course</td>
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<td></td>
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<tr>
<td>Add cart paths</td>
<td></td>
<td></td>
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<td>TBD</td>
<td>Grants / Golf Course Fund</td>
</tr>
<tr>
<td>Redesign #1 tee</td>
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<td>Grants / Golf Course Fund</td>
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<tr>
<td>Practice putting green expansion</td>
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<td></td>
<td></td>
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<td>TBD</td>
<td>Grants / Golf Course Fund</td>
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<tr>
<td>Maintenance building expansion</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>TBD</td>
<td>Grants / Golf Course Fund</td>
</tr>
<tr>
<td>Parking lot lights improvements</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>TBD</td>
<td>Grants / Golf Course Fund</td>
</tr>
</tbody>
</table>

- Completed 2012 – 2017
- X Planned for 2018 – 2022
- | Explore and potentially implement 2018 – 2022

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² Inclusive / accessible playground enhancements will meet or exceed ADA accessibility standards.
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Springdale Golf Course</td>
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<tr>
<td>Add cart paths</td>
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<td></td>
<td>TBD</td>
<td>Golf Course Fund</td>
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<tr>
<td>Replace irrigation system</td>
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<td>Maintenance building expansion</td>
<td></td>
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<td></td>
<td>X</td>
<td>X</td>
<td></td>
<td>TBD</td>
<td>Golf Course Fund</td>
</tr>
<tr>
<td>Renovate bank #5 and #6</td>
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<td>X</td>
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<td>TBD</td>
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<tr>
<td>New bunker #2</td>
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<td>X</td>
<td></td>
<td></td>
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<td>Golf Course Fund</td>
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<tr>
<td>Add parking lot lights</td>
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<td>X</td>
<td>X</td>
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<td>Grants</td>
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<td>Patio renovations</td>
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<td>TBD</td>
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<tr>
<td>New dining room furniture</td>
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<td></td>
<td></td>
<td>X</td>
<td>TBD</td>
<td>Donations / Golf Course Fund</td>
</tr>
</tbody>
</table>

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Appendix

1. MDNR Grants Status
2. Affidavit of Publication for 30-Day Comment Period and City Commission
3. Resolution of Plan Adoption by Parks and Recreation Board on March 6, 2018
4. Minutes from February 12, 2018 City Commission Meeting
5. Minutes from March 2016, 2018 City Commission Meeting
6. Resolution of Plan Adoption by City Commission on March 26, 2018
7. Letters of Submission to Oakland County, SEMCOG
8. MDNR Plan Certification Checklist
9. Plans Accepted by Birmingham City Commission (2012-2016)
   c. Kenning Park Concept Plan, 2014
   d. Barnum Park Phase II Concept Plan, 2012
   e. Booth Park Phase III Concept Plan, 2007
   f. The River Rouge Trail Corridor Master Plan, 2006
Deanna Dupuy

From: Carlock, Merrie (DNR) <CarlockM@michigan.gov>
Sent: Thursday, August 17, 2017 1:38 PM
To: Deanna Dupuy
Subject: Birmingham

Deanna:

I am the Grant Coordinator for Oakland County. I cannot find any past grants for the City of Birmingham. Unless you hear otherwise from me, assume they have not had any.

Please let me know if you have any questions.

Thank you,

Merrie M. Carlock, LLA
Grant Coordinator / Grants Management
Region One – Upper Peninsula
Region Ten -Wayne, Oakland & Macomb Counties
Finance and Operations Division
Michigan Department of Natural Resources
carlockm@michigan.gov
517.284.5931

If you are writing about your grant, please always include your grant number in the subject line.

Learn about Michigan Department of Natural Resources Grant Programs:
http://www.michigan.gov/dnr/0,4570,7-153-58225---,00.html

Apply for Recreation Grants at MiRecGrants:
https://secure1.state.mi.us/MIRGS/Login2.aspx?APPTHEME=MIDNR

Click on the red envelope to receive DNR email updates or visit www.michigan.gov/dnr to
BE IT MADE KNOWN THAT THE FOLLOWING ADVERTISEMENT APPEARED IN:

Publication: Birmingham Eccentric
Placed By: City of Birmingham
Subject: 30 Day Notice
Date of Publication: December 3, 2017

(Susan Totoraitis), being duly sworn, deposes and says that the advertising illustrated above/attached was published in the Birmingham Eccentric Newspaper on the following date/s/: December 3, 2017, INVOICE number 335604, and as an authorized employee of the Observer and Eccentric Media, she knows well the facts stated/herein. Cost: $86.88.

STATE OF MICHIGAN

NOTARIZED BY: [Signature]

Commission Expires: July 22, 2023

(Acting in County of) Macomb Notary Public in and for said County
Rouge River Trail Corridor Master Plan

City of Birmingham
A Walkable Community

Park Planning by
M.C. Smith Associates and Architectural Group, Inc.
Landscape Architects - Architects
Park and Recreation Planners
529 Greenwood Avenue S.E.
East Grand Rapids, Michigan 49506
Phone: 616-451-3346
www.mcsagrup.com

January 2006
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Rouge River Trail Corridor Master Plan  
City of Birmingham, Michigan
**ROUGE RIVER TRAIL MASTER PLAN**
City of Birmingham, Michigan
Preliminary Order of Magnitude Cost Projection
October 28, 2005

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<td></td>
<td></td>
<td>$127,500.00</td>
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| Site Construction                         |      |              |       |           |
| Crushed stone path with 8x6 in edging - 6' wide | LF   | 8,250        | $14.00 | $115,500.00|
| Crushed stone path - 6'                   | LF   | 870          | $8.00  | $6,960.00 |
| Elevated boardwalks & ramps - 6' wide     | LF   | 2,580        | $240.00 | $619,200.00|
| Boardwalk stairs - 6' wide                | LF   | 283          | $500.00 | $85,000.00 |
| Pedestrian overpass with concrete ramp    | LS   | 6            | $260,000.00 | $260,000.00|
| Overlook deck                             | EA   | 1            | $7,500.00 | $7,500.00 |
| Trail entry identifier, including paving  | EA   | 10           | $6,500.00 | $65,000.00 |
| Trail entry columns                       | EA   | 15           | $1,500.00 | $22,500.00 |
| Brick area at Linn Smith Park             | SF   | 560          | $12.00 | $6,720.00 |
| Masonry seat wall                         | LF   | 47           | $350.00 | $16,450.00|
| 1/3 mile marker                           | EA   | 10           | $1,500.00 | $15,000.00|
| General signage                           | LS   | 1            | $10,000.00 | $10,000.00|
| 45 foot pedestrian bridge with abutments  | EA   | 1            | $75,000.00 | $75,000.00|
| 40 foot pedestrian bridge with abutments  | EA   | 3            | $65,000.00 | $195,000.00|
| 35 foot pedestrian bridge with abutments  | EA   | 1            | $55,000.00 | $55,000.00|
| Viewing shelter                           | LS   | 1            | $30,000.00 | $30,000.00|
| Concrete sidewalk                         | SF   | 3,318        | $5.00  | $16,590.00|
| Stormwater management improvements        | LS   | 1            | $60,000.00 | $60,000.00|
| Crosswalk pavement marking                | LS   | 1            | $5,000.00 | $5,000.00 |
| Stream bank restoration and protection    | LS   | 1            | $75,000.00 | $75,000.00|
| Benches                                   | EA   | 26           | $120.00 | $3,120.00 |
| Waste receptacles                         | EA   | 18           | $850.00 | $15,300.00|
| Tree grates                               | EA   | 4            | $1,200.00 | $4,800.00 |
| Trees                                     | EA   | 26           | $300.00  | $7,800.00 |
| Restoration planting                      | LS   | 1            | $40,000.00 | $40,000.00|
| **SUBTOTAL**                              |      |              |       | $1,871,452.00|

| SUBTOTAL                                  |      | $1,909,252.00|
| DESIGN & CONSTRUCTION CONTINGENCIES 12%    |      | $239,874.00 |
| PROFESSIONAL FEES 8%                      |      | $179,106.00 |
| **GRAND TOTAL**                           |      | $2,417,832.00|
Birmingham Rouge River Corridor

Public Comments

September 29, 2005

1. There were questions regarding why the areas east of Old Woodward and Farmers Market and north of Quarton Lake are not included in the study. The response was that a directive was given to begin the study at Booth Park.

2. There were comments regarding that the natural areas along the river corridors should remain, especially to provide a "habitat" for plants and animals. The area should not become an "amusement park" for bikes and walkers. The response included discussion regarding the preservation and protection of the natural areas but also provides opportunities for access and viewing of the park and to remain sensitive of the natural features.

3. There were comments regarding that there was no "sense of balance" in the presentation and a desire to maintain a balance of the project.

4. There were comments made in regard to the unique natural areas of the site in an urban setting. There is great concern regarding intensive use areas that would disturb the natural areas but there is a need for connection to the existing museum.

5. There were comments made regarding the site is not necessarily attractive but it is a managed environment. There is a tremendous need for benches and access to the river. There was another person that agreed with needing access to the site, especially better accessibility. Site needs to be cleaned up and that the river corridors are "not the Galapagos Islands". This person voiced a like for the stone chips, boardwalks, concerns about the crossing of Maple, and discussed the Baldwin Street Bridge and upgrades on the bridge possibly taking place when the street work is done.

6. The next person discussed a camp in Michigan that is specifically designed for people with physical disabilities that there is a two-story 90 foot high and sensitive design is possible. This person liked the Turnpike Trail.

7. The next person questioned whether we have worked with the DEQ yet. There is concern at the intersection of Maple and Baldwin re the floodway and floodplain. This person has recently worked with the DEQ and said that any work should be done on the "high side" of the stream bank.

8. There was a question if there been any contact with the golf course regarding a lease or an extension of the trail system.

9. There was a comment regarding the sidewalk crossing at the museum is not safe and does not have pedestrian signal button.

10. The next person voiced a like for turnpike trail, that it provides a lower maintenance path. There is a great desire for access from Lynn Smith Park and that dead trees should be left for wildlife habitat.

11. The next question regarded what the recommended width for a trail is. There was discussion that AASHTO Guidelines for bicycle trails is 10 feet but a trail for this project should be 8-9 feet trail would be comfortable.

12. There was a question whether the 7 foot height of the Maple overpass can be connected with the trail underneath the bridge. The response is yes it is possible but this would have to be looked at in depth as far as means, methods and costs involved.

13. The next comment was regarding the historic museum is a great asset and it should be developed as an entrance way to the park, possibly offering brochures on trees, wildlife and nature and include restrooms that could be used as a trailhead. The response indicated that if it is used as a trailhead that it should be barrier-free.

14. The next comments were in regard to suggestion to the methodology of the development of the park system. The development should be sensitive to phased implementation that during construction all the walkways are put in and not have any bridges to connect them. Not leaving the project or section of the project "half done".

15. There was a question on whether or not an estimate of cost has been completed yet. The response was not yet.
16. A person questioned whether bond issue money available. The response was: Money for bridges and trail and trail extensions is available through DNR Trust Funds.

17. A comment regarding if Grant Applications are applied for that linkages should be looked at regarding links to adjacent communities, such as Beverly Hills.

18. Beverly Hills is currently completing Master Plan at this time.

19. Additional comments were made regarding the trail system should connect to the remaining assets in Birmingham.

20. The question was asked whether there were any areas with “spectacular overlook potentials” and continued noting that areas should be provided for resting and overlooks and the overlooks should be used as destination along the trail.

21. The next comment made was in regard to not want lighting along the trail but would like the entries to the trail lit.

22. Signage is important, especially at trailheads. There was a response that way-finding is definitely important along the trail and at the trailheads.

23. There was a question regarding whether maintenance costs would be included with the estimate. The response indicated that maintenance would be an issue that the City would need to address in the annual budget.

24. There was a question on whether or not the new trail will follow the existing trail. The response was that the new trail will be close but should provide more river access.

25. Comments were made that the trail should be visible and have four season use.

26. There were questions on whether or not Turnpike Trail can be gamed.

27. There was a comment made that a lot of snow and ice on wood would be a very slippery surface. The response was that deck materials often utilize recycled products that are a combination of plastic and wood and provide a more non-slip surface.
BIRMINGHAM - ROUGE RIVER CORRIDOR
PUBLIC COMMENTS MEETING
OCTOBER 6, 2005

1. A comment was made from a lady who is suspicious of Landscape Architects. She is concerned about the design leaving “a heavy footprint” in the natural area of Birmingham.

2. The Rouge Green Corridor Project and Friend of the Rouge, which is an interest group that works with adjacent communities in trying to build a consensus of preservation and enhancement of the corridor. Some of the points stressed are: to keep the entire corridor green; prohibit bikes, dogs and rollerblades; remove invasive species; enhance native species regrowth, limit bridges and keep project at a low cost and low maintenance.

3. A question in regard to ADA accessibility, can a trail somewhere else in the City, qualify as similar experience if the Rouge River Trail is maintained as is. There were several comments regarding that not very many people use the trail on a day to day basis. Several events including the Wildflower Wall, Planting Projects, L. Walks and Photography including a series of talks have tried to garner more interest in the River Corridor.

4. There was discussion regarding formal environmental curriculum at Birmingham Public Schools. There is student involvement with monitoring of the water quality of the Rouge River. Environmental issues are becoming more of a forefront topic for the corridor.

5. There was a question whether or not there has been a study on the number of people using the park each day. The part is not taken fully advantage of. The community is aware of the park however, several estimates from the public estimate about 15 people per day on the walkway.

6. There was discussion regarding concern of the impact on the improvements that are planned. Many of the volunteers that have been working with cultivating of native species know where they specifically exist and would like to be involved when the project is under construction.

7. The next comment made was they would like to encourage the use of the corridor system. Enhancement funding would not be appropriate to pursue due to MIDOT mandates on trail width and types of pavement used on the trail. The trail should be of minimal impact. The person also does not like the overlooks or bridges along the corridor system. Any signage used on the project should be coordinated with Garland County.

8. There was discussion on water quality and the type of river that the Rouge is because of the water flowing during storm events, it is difficult to maintain fish habitat.

9. A person noted that many of the residents along the corridor are “nimby” (not in my backyard). Lynn Smith Park is used during the summer months for evening parties this person questioned whether additional access would make the partying become worse.

10. There was a question whether or not the City has completed a city wide survey regarding the park. This has not been done as far as recreational activities are concerned but mostly for clean-up and associated activities regarding removal of invasive species of plants.

11. The next comment regarded the lack of use is not due to people not knowing about it.

12. The next person wants enhancements to the corridor that are acceptable to the community while a multitude of activities.

13. There was a comment stating that less people are using the trail now a Quarton Lake after the improvements have taken place.

14. A person commented on general consensus that they do not want to do much here, so something but not a lot.

15. There is a critical connection at the parking lot and at Maple Street crossing.
1. A question was asked regarding lead time for the pedestrian bridge, M. C. Smith Associates and Architectural Group, Inc. would need a lead time of six months and the projected cost would be $260,000.00.

2. A question was asked regarding “logical chunking”. There are opportunities for outside funding which would include a crushed stone trail, contact station bridges, and overlook decks, pedestrian bridge (TEA Funding) and for Linn Smith Park.

3. Cost Estimate (pass alternate).

4. Bales Street parking projected cost would be $45,000.00. Storm management, cost deferred to engineering department.

5. Preparation of the project – 100% go for funding
   TEA funding – 20%/$500,000.00
   Most client contribute – 50%
   Funding if not ADA – 0%
   Accessibility is a must


7. Quiet viewing shelter/details

8. Maple Street/trail identifier

9. Booth Park identifier

10. Peter Brey: chip trails to existing “leave well enough alone”

11. Gordon Rinehiller: walkway across Maple Street, need visuals, guarded chain link fence, pylons/roofs (metal), good art if well designed

12. Tim Page: traffic light at Maple Street (neighborhood/motorists/pedestrians), meet with Traffic and Safety Board regarding traffic signal

13. Mrs. Brey: users per day, 30-40 years with maintenance, recycled materials (long life), concerns for maintenance (brush, trash & repairing), control of bicycles, pedestrians, dog laws, need to use smaller equipment to trim tree

14. Bill Weibrecht: concerned on the usage, hopes it gets used on a regular basis, walkable community

15. Handrails required? Ramp 1:12, 30” no handrails

16. Both chip and stone for a rustic look

17. Agitation – work will disturb land, address construction and monitor

18. Specify which equipment can and cannot be used

19. Preserve all areas

20. Trails marked
NOTICE IS HEREBY GIVEN THAT the City of Birmingham’s City Commission will hold a public hearing on the reprogramming of Community Development Block Grant (CDBG) Funds. The Public Hearing will be held on Monday, March 26, 2018 at 7:30 p.m., or as soon thereafter as the agenda will permit in the Commission Room at the City’s Municipal Building, 151 Martin Street, Birmingham, MI 48009 for the purpose of hearing public comments on the reprogramming of Community Development Block Grant (CDBG) program year 2017 funds in the amount of $17,834 from Minor Home Repair (Activity 731227) to Remove Architectural Barriers (Activity 731619). All interested citizens are requested to attend the Public Hearing. Comments will also be received in writing or in person at the City Clerk’s Office, 151 Martin Street, Birmingham, MI 48009 until 5:00 p.m., March 26, 2018.

Arrangements to reasonably accommodate, special needs, including handicap accessibility or interpreter, will be made upon receiving 72-hour advance notice. Individuals with questions or people with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk’s Office at (248) 530-1880 (voice) or (248) 644-5155 (TDD).

J. Cherilynn Mynsberge, City Clerk
City Clerk’s Office
MEMORANDUM
Finance Department

DATE: March 14, 2018

TO: Joseph A. Valentine, City Manager

FROM: Kathryn Burrick, Senior Accountant
Mark Gerber, Director of Finance/Treasurer

SUBJECT: Public Hearing for Reprogramming Community Development Block Grant Program Year 2017 Funds

The purpose of the March 26, 2018 public hearing is to receive citizen input regarding the reprogramming of Community Development Block Grant (CDBG) program year 2017 funds towards another project.

At the February 12, 2018, City Commission meeting, a contract for the retrofit of the police entrance doors for ADA was approved in the amount of $51,156 to Meridian Contracting Group. The City at the time of the contract award had $33,322 available in Community Development Block Grant (CDBG) funds for the project. This left $17,834 remaining which is currently planned to be spent out of the General Fund.

At the November 13, 2017, City Commission meeting, the 2017 program year CDBG subrecipient agreement with Oakland County was approved. This agreement provided funding as follows: $6,017 for yard services, $3,300 for senior services, and $37,268 for minor home repair. These services were awarded to NEXT at the February 12, 2018, City Commission meeting.

There is some concern about whether the amount provided for minor home repair will be spent by the end of the program year deadline (December 31, 2018). In addition, there are other funds available to NEXT for minor home repair through the Foundation for Birmingham Senior Residents. After speaking with NEXT, they are agreeable to reprogramming some of the minor home repair funds for the City's police door project. This would still leave $19,434 available for minor home repair. Therefore, it is requested that $17,834 be reprogrammed from minor home repair to remove architectural barriers as shown below:

**Existing (FROM) – Minor Home Repair:**

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<th>Account Number</th>
<th>Activity Description</th>
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<tr>
<td>731227</td>
<td>Minor Home Repair</td>
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### Proposed (TO) – Remove Architectural Barriers:

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<th>Activity Description</th>
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<td>Remove Architectural Barriers - Police Department Main Entrance ADA Retrofit</td>
<td>$17,834</td>
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Federal regulations governing the public hearing require: the public hearing to first be opened to the public for comment; after public comment, the public hearing should then be closed; after the public hearing has been closed, the City Commission may then discuss the item and take action by roll call vote.

SUGGESTED RESOLUTION: To authorize the Finance Director to submit a request along with the public hearing advertisement and City Commission resolution to Oakland County to reprogram the Community Development Block Grant (CDBG) program year 2017 funds in the amount of $17,834 from Minor Home Repair (Account 731227) to the Remove Architectural Barriers project (Account 731619) – Police Department Main Entrance ADA Retrofit; and further to approve the appropriation and amendment to the General and Community Development Block Grant Funds as follows:

**General Fund:**

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<th>City Hall and Grounds Buildings</th>
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**Community Block Grant Fund:**

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March 20, 2018

Mr. Joseph A. Valentine, City Manager
City of Birmingham
151 Martin Street, P.O. Box 3001
Birmingham, MI 48012-3001

Re: Ordinance Amendment to Add Definition of “Central Business District”
To the Birmingham City Code

Dear Mr. Valentine:

Pursuant to discussions that were held at the City Commission meeting on March 12, 2018, I have been asked to review the definition of Central Business District. In this regard, I have found references to the Central Business District in the Birmingham City ordinances, but none are consistent with each other. I, therefore, recommend adding a specific definition for Central Business District to the general provisions of the Birmingham City Code so that when it is used in a general sense, there is a definition that describes and establishes its boundaries. It is, therefore, our recommendation that unless a different specific definition is used for a particular provision, then a general definition should be applied in all other circumstances. In this regard, the attached amendment is being recommended to the City Commission for adoption which is consistent with the Birmingham Zoning Ordinance as to the Birmingham Downtown Overlay District.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

BEIER HOWLETT, P.C.

Timothy J. Currier

PROPOSED ACTION

A RESOLUTION TO APPROVE THE ORDINANCE AMENDMENT TO AMEND THE CITY CODE, PART II, CHAPTER 1 – GENERAL PROVISIONS, SEC. 1-2 DEFINITIONS.
AN ORDINANCE TO AMEND PART II OF THE CITY CODE, CHAPTER 1 – GENERAL PROVISIONS, SEC. 1-2 DEFINITIONS.

THE CITY OF BIRMINGHAM ORDAINS:

The City Code, Part II, Chapter 1. General Provisions, Sec. 1-2. – Definitions, shall read as follows:

CHAPTER 1 – GENERAL PROVISIONS

Sec. 1-2. - Definitions and rules of construction.

(a) The following words and phrases, when used in this Code, shall have the meanings respectively ascribed to them unless otherwise provided for in this Code:

Central Business District. When the words "Central Business District" are used in this Code, it shall mean those areas included within the Downtown Birmingham Overlay District as described in Article Three: Overlay Districts, 3.02 Section D of the Birmingham Zoning Ordinance.

Charter. The word "Charter" means the Charter of the City of Birmingham.

City. The word "city" means the City of Birmingham, Michigan.

Code. The words "Code" or "this Code" mean the Birmingham City Code as designated in section 1-1.

Commission. The words "commission" or "city commission" mean the legislative body of the City of Birmingham, Michigan.

Computation of time. The time within which an act is to be done, as provided in this Code or in any order issued pursuant to this Code, when expressed in days, shall be computed as prescribed by state statute.

State Law reference— Computing period of days, MCL 8.6, MSA 2.217.

County. The word "county" means the County of Oakland.

Gender. Words importing the masculine gender shall apply to firms, associations, partnerships and corporations, and may apply to females if the intent of the ordinance or Code provision so requires.

Health department. The phrase "health department" means the health department, or any department assigned the duties of a health department.

Health officer. The phrase "health officer" means the director of the health department or his authorized representative, or any person hereinafter appointed to such position by the city.

Joint authority. All words purporting to give joint authority to three or more public officers or other persons, shall be construed as giving such authority to a majority of such officers or other persons unless it is otherwise expressly declared in the provision granting the authority.

MCL. The abbreviation "MCL" means the Michigan Compiled Laws, as amended.

Month. The word "month" means a calendar month.
MSA. The abbreviation "MSA" means the Michigan Statutes Annotated, as amended.

Number. Words in either the singular or plural numbers shall include either or both numbers and may apply to any instance of a particular person or persons.

Oath, affirmation, sworn, affirmed. The word "oath" includes the word "affirmation" in all cases where by law an affirmation may be substituted for an oath; and in like cases the word "sworn" includes the word "affirmed."

Officers, departments, divisions, boards, commissions, employees or agencies. The several titles of any officer, department, division, board, commission, employee or agency mean such officer, department, division, board, commission, employee or agency of the city or any authorized subordinate or designee.

Person. The word "person" includes firms, joint ventures, partnerships, corporations, clubs, and all associations or organizations of natural persons, either incorporated or unincorporated, however operating or named, and whether acting by themselves or by a servant, agent or fiduciary, and includes all legal representatives, heirs, successors and assigns thereof. The word "he" includes "she."

Preceding, following. The words "preceding" and "following," when used by way of reference to any title, chapter or section of any ordinance of the city, mean the title, chapter or section next preceding or next following that in which such reference is made, unless some other title, chapter or section is expressly designated in such reference.

Public place. Any place to or upon which the public resorts, or travels, whether such place is owned or controlled by the city or any agency of the State of Michigan, or is a place to or upon which the public resorts or travels by custom, or by invitation, express or implied.

References, history notes. The charter references, cross references, state law references, editor's notes and history notes are inserted for convenience and to facilitate the use of same, and such words shall not be construed to limit or affect the meaning of any of the provisions of this Code.

Seal. In all cases in which the seal of any court or public office shall be required to be affixed to any paper issuing from such court or office, the word "seal" means the impression of such seal on such paper alone, as well as the impression of such seal affixed thereto by means of a wafer or wax.

Shall, may. The word "shall" means imperative or mandatory; the word "may" means permissive.

Sidewalk. The word "sidewalk" means that portion of a street between the curblines or lateral lines and the right-of-way lines which is intended for the use of pedestrians.

Signature, subscription. The words "signature" and "subscription" include a mark when the person cannot write.

State. The word "state" means the State of Michigan.

Street, highway and alley. The words "street," "highway" and "alley" mean the entire width subject to an easement for public right-of-way, or owned in fee by the city, county or state, of every way or place, of whatever nature, whenever any part thereof is open to the use of the public, as a matter of right for purposes of public travel. Lawn extensions and sidewalks and the
area reserved for same where they are not yet constructed are included. The word "alley" shall mean any such way or place providing a secondary means of ingress and egress from a property.

Sundays, legal holidays. Whenever any act required to be done pursuant to the provisions of any ordinance or Code section falls on a Sunday or legal holiday, that act shall be performed on the next succeeding business day.

Tense. Words used in the present or past tense shall be construed as including the future as well as the present or past.

Time. Whenever time is referred to, it means eastern standard time or the time officially in force in the city.

Titles, headings and catchlines. The key words used in the Code as headings, titles or catchlines for chapters, sections and subsections are inserted for convenience and to facilitate the use of same, and such words shall not be construed to limit or affect the meaning of any of the provisions of this Code.

Week. The word "week" means seven days.

Written, in writing. The words "written" or "in writing" may include any form of reproduction or expression of language.

Year. The word "year" means a calendar year; and the word "year," alone, shall be equivalent to the words "year of our Lord."

(b) All ordinances of the city shall be interpreted and construed in accordance with the above provisions, unless such interpretation and construction would be inconsistent with the manifest intent of the commission.

State Law reference— Rules of construction, MCL 8.3 et seq., MSA 2.212 et seq.

All other Sections of Chapter 1 – General Provisions, shall remain unaffected.

Ordained this _____ day of ________________, 2018. Effective upon publication.

______________________________
Andrew Harris, Mayor

______________________________
Cherilynn Mynsberge, City Clerk

I, Cherilynn Mynsberge, City Clerk of the City of Birmingham, do hereby certify that the foregoing ordinance was passed by the Commission of the City of Birmingham, Michigan at a regular meeting held __________________, 2018 and that a summary was published __________________, 2018.

______________________________
Cherilynn Mynsberge, City Clerk
AN ORDINANCE TO AMEND PART II OF THE CITY CODE, CHAPTER 1 - GENERAL PROVISIONS, SEC. 1-2 DEFINITIONS.

THE CITY OF BIRMINGHAM ORDAINS:

The City Code, Part II, Chapter 1. General Provisions, Sec. 1-2. - Definitions, shall read as follows:

CHAPTER 1 – GENERAL PROVISIONS

Sec. 1-2. - Definitions and rules of construction.

(a) The following words and phrases, when used in this Code, shall have the meanings respectively ascribed to them unless otherwise provided for in this Code:

Central Business District. When the words “Central Business District” are used in this Code, it shall mean those areas included within the Downtown Birmingham Overlay District as described in Article Three: Overlay Districts, 3.02 Section D of the Birmingham Zoning Ordinance.

Charter. The word "Charter" means the Charter of the City of Birmingham.

City. The word "city" means the City of Birmingham, Michigan.

Code. The words "Code" or "this Code" mean the Birmingham City Code as designated in section 1-1.

Commission. The words "commission" or "city commission" mean the legislative body of the City of Birmingham, Michigan.

Computation of time. The time within which an act is to be done, as provided in this Code or in any order issued pursuant to this Code, when expressed in days, shall be computed as prescribed by state statute.

State Law reference— Computing period of days, MCL 8.6, MSA 2.217.

County. The word "county" means the County of Oakland.

Gender. Words importing the masculine gender shall apply to firms, associations, partnerships and corporations, and may apply to females if the intent of the ordinance or Code provision so requires.

Health department. The phrase "health department" means the health department, or any department assigned the duties of a health department.

Health officer. The phrase "health officer" means the director of the health department or his authorized representative, or any person hereinafter appointed to such position by the city.

Joint authority. All words purporting to give joint authority to three or more public officers or other persons, shall be construed as giving such authority to a majority of such officers or other persons unless it is otherwise expressly declared in the provision granting the authority.

MCL. The abbreviation "MCL" means the Michigan Compiled Laws, as amended.

Month. The word "month" means a calendar month.
MSA. The abbreviation "MSA" means the Michigan Statutes Annotated, as amended.

Number. Words in either the singular or plural numbers shall include either or both numbers and may apply in any instance to a particular person or persons.

Oath, affirmation, sworn, affirmed. The word "oath" includes the word "affirmation" in all cases where by law an affirmation may be substituted for an oath; and in like cases the word "sworn" includes the word "affirmed."

Officers, departments, divisions, boards, commissions, employees or agencies. The several titles of any officer, department, division, board, commission, employee or agency mean such officer, department, division, board, commission, employee or agency of the city or any authorized subordinate or designee.

Person. The word "person" includes firms, joint ventures, partnerships, corporations, clubs, and all associations or organizations of natural persons, either incorporated or unincorporated, however operating or named, and whether acting by themselves or by a servant, agent or fiduciary, and includes all legal representatives, heirs, successors and assigns thereof. The word "he" includes "she."

Preceding, following. The words "preceding" and "following," when used by way of reference to any title, chapter or section of any ordinance of the city, mean the title, chapter or section next preceding or next following that in which such reference is made, unless some other title, chapter or section is expressly designated in such reference.

Public place. Any place to or upon which the public resorts, or travels, whether such place is owned or controlled by the city or any agency of the State of Michigan, or is a place to or upon which the public resorts or travels by custom, or by invitation, express or implied.

References, history notes. The charter references, cross references, state law references, editor's notes and history notes are inserted for convenience and to facilitate the use of same, and such words shall not be construed to limit or affect the meaning of any of the provisions of this Code.

Seal. In all cases in which the seal of any court or public office shall be required to be affixed to any paper issuing from such court or office, the word "seal" means the impression of such seal on such paper alone, as well as the impression of such seal affixed thereto by means of a wafer or wax.

Shall, may. The word "shall" means imperative or mandatory; the word "may" means permissive.

Sidewalk. The word "sidewalk" means that portion of a street between the curblines or lateral lines and the right-of-way lines which is intended for the use of pedestrians.

Signature, subscription. The words "signature" and "subscription" include a mark when the person cannot write.

State. The word "state" means the State of Michigan.

Street, highway and alley. The words "street," "highway" and "alley" mean the entire width subject to an easement for public right-of-way, or owned in fee by the city, county or state, of every way or place, of whatever nature, whenever any part thereof is open to the use of the public, as a matter of right for purposes of public travel. Lawn extensions and sidewalks and the
area reserved for same where they are not yet constructed are included. The word "alley" shall mean any such way or place providing a secondary means of ingress and egress from a property.

*Sundays, legal holidays.* Whenever any act required to be done pursuant to the provisions of any ordinance or Code section falls on a Sunday or legal holiday, that act shall be performed on the next succeeding business day.

*Tense.* Words used in the present or past tense shall be construed as including the future as well as the present or past.

*Time.* Whenever time is referred to, it means eastern standard time or the time officially in force in the city.

*Titles, headings and catchlines.* The key words used in the Code as headings, titles or catchlines for chapters, sections and subsections are inserted for convenience and to facilitate the use of same, and such words shall not be construed to limit or affect the meaning of any of the provisions of this Code.

*Week.* The word "week" means seven days.

*Written, in writing.* The words "written" or "in writing" may include any form of reproduction or expression of language.

*Year.* The word "year" means a calendar year; and the word "year," alone, shall be equivalent to the words "year of our Lord."

(b) All ordinances of the city shall be interpreted and construed in accordance with the above provisions, unless such interpretation and construction would be inconsistent with the manifest intent of the commission.

**State Law reference**— Rules of construction, MCL 8.3 et seq., MSA 2.212 et seq.

All other Sections of Chapter 1 – General Provisions, shall remain unaffected.

Ordained this _____ day of __________________, 2018. Effective upon publication.

________________________________________
Andrew Harris, Mayor

________________________________________
Cherilynn Mynsberge, City Clerk

I, Cherilynn Mynsberge, City Clerk of the City of Birmingham, do hereby certify that the foregoing ordinance was passed by the Commission of the City of Birmingham, Michigan at a regular meeting held ______________, 2018 and that a summary was published ______________, 2018.

________________________________________
Cherilynn Mynsberge, City Clerk
DATE: March 19, 2018

TO: Joseph A. Valentine, City Manager

FROM: Jana L. Ecker, Planning Director

SUBJECT: Community Development Department/Planning Division Annual Report & Planning Board, Historic District Commission, and Design Review Board Action Lists for 2018-2019

Please find attached the Planning Division’s Annual Report for 2017-2018, including the Planning Board’s Action List 2018-2019, the Historic District Commission’s Action List, and the Design Review Board’s Action List for your review.
COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION ANNUAL REPORT AND 2018-2019 ACTION LISTS FOR
THE PLANNING BOARD     THE HISTORIC DISTRICT COMMISSION
THE DESIGN REVIEW BOARD

PLANNING BOARD
Scott Clein, Chairperson
Gillian Lazar, Vice Chairperson
Bryan Williams
Janelle Whipple Boyce
Bert Kosek
Robin Boyle
Stuart Jeffares
Naseem Ramin, Alternate Member
Dan Share, Alternate Member
Ariana Afrakhteh, Student Representative
Bella Niskar, Student Representative

HISTORIC DISTRICT COMMISSION
John Henke, III, Chairperson
Keith Deyer, Vice Chair
Michael Willoughby
Natalia Dukas
Thomas Trapnell
Doug Burley
Kevin Filthaut (Alternate Member)
Dulce Fuller (Alternate Member)
Josh Chapnick, Student Representative
Griffin Pfaff, Student Representative

DESIGN REVIEW BOARD
John Henke, III, Chairperson
Keith Deyer, Vice Chair
Michael Willoughby
Natalia Dukas
Thomas Trapnell
Lauren Tolles
Joseph Mercurio
Adam Charles (Alternate Member)
Dulce Fuller (Alternate Member)
Josh Chapnick, Student Representative
Griffin Pfaff, Student Representative

PLANNING DIVISION STAFF
Jana L. Ecker, Planning Director
Matthew Baka, Senior Planner
Brooks Cowan, City Planner
Lauren Chapman, Assistant City Planner
Nicholas Dupuis, Planning Intern
Each year, the City Commission asks the Planning Division to prepare a report outlining the board and commission activities from the previous year. This report covers the year beginning **April 1, 2017 and ending March 31, 2018**. In preparing the report, the Planning Board, the HDC, and the DRB have the chance to review their goals and objectives for the upcoming year.

The report is separated into two distinct parts: 1) Accomplishments and 2) Goals. The Accomplishments section cites in narrative form the activities conducted by each board. This narrative will include a list of public hearings, studies and reviews.

The Goals section lists the items from the Planning Board's 2018-2019 Action List, the HDC’s 2018-2019 Action List, and the DRB’s 2018-2019 Action List, and speaks to the action(s) taken on each item. From this list, each board, as well as the City Commission, has the opportunity to evaluate their goals and objectives, and make any needed amendments.
SECTION ONE: ACCOMPLISHMENTS

PLANNING BOARD

Site Plans
The Planning Board, which meets the second and fourth Wednesdays of each month, sets aside their first meeting of the month for discussion or study items and their second meeting of the month for site plan reviews. The following list includes all the site plans reviewed from April 1, 2017 to March 31, 2018. It should be noted that each site plan may have been reviewed more than once:

1. 160 W. Maple - Dick O’ Dow’s Irish Pub, Re-design of rear of building; outdoor dining
2. 298 S. Old Woodward - New five-story boutique hotel
3. 2010 Cole St. - New three-story mixed use building
4. 225 E. Maple - Social Kitchen, Glass enclosure around outdoor dining/rooftop canopy
5. 277 Pierce St. - Former Varsity Shop, New five-story mixed use building
6. 2254 Cole St. - Cole Business Center, Changes to parking lot, trash enclosure, landscaping, and exterior design
7. 211 S. Old Woodward - Birmingham Theater, Request to serve liquor under Class C license
8. 412-420 E. Frank - New three-story residential building
9. 300 Hamilton Row - Commonwealth Café, Installation of larger outdoor dining platform
10. 375 S. Eton - District Lofts, approval for commercial use over 6,000 sq. ft. in size
11. 34965 Woodward - Former Peabody’s, Construction of new five-story mixed use building
12. 3335 Woodward - Tide Dry Cleaners, Request allowing new business to provide services to patrons in their cars
13. 505 N. O. Woodward - Salvatore Scallopini’s, Allow interior and exterior changes to existing bistro
14. 2000-2070 Villa - Vacant property (former #6 Eton St. Station), New two-story building
15. 525 Southfield - Vasileff/Orchid Day Spa/Nine Short Months, New construction of eight attached single-family residences
16. 415 W. Merrill - Existing residence, Construction of detached garage in an R-8 Multiple Family Residential Zone District
17. 271-273 Euclid - Existing duplex, Construction of a new single-family residence in an R-4 Two-Family Residential Zoning District
18. 33363 Woodward - Wesch Cleaners, Proposed design and site plan changes from previous approval
19. 220 E. Merrill - 220 Restaurant, Approval of a SLUP amendment to expand the establishment into the lower level of the building
20. 210 S. Old Woodward – The Bird and the Bread, Request for approval of concept change to Vinotecca, with interior and exterior changes proposed
21. 885 Redding – Duplex, Request for approval to allow construction of a new two-family residence
22. 1669 W. Maple – First Presbyterian Church, Request for illuminated ground sign
23. 670 S. O. Woodward – Detroit Trading Company, Request to replace existing entrance door with garage door and sidelight, and add a small 23 sq. ft. addition
24. 1669 W. Maple - First Presbyterian Church, Request to permit a commercial catering business to operate in the existing Church kitchen
25. 33588 Woodward - Shell Gas Station/Dunkin donuts, Request to allow construction of small addition for restroom, and new signage
26. 191 N. Chester (Church of Christ, Scientist, renamed The Jeffery), Request to allow exterior design and site changes to existing building to convert to office use larger than 3,000 sq. ft. in size
27. 857 Redding – Existing single family, Requesting addition to rear of house and new detached garage.

Special Land Use Permits
The Planning Board reviewed the following special land use permits (SLUPs):

1. 160 W. Maple - Dick O’Dow’s Irish Pub, Re-design of rear of building; outdoor dining
2. 225 E. Maple - Social Kitchen, Glass enclosure around outdoor dining/rooftop canopy
3. 211. S. Old Woodward - Birmingham Theater, Request to serve liquor under Class C license
4. 375 S. Eton - District Lofts, Request for approval of a commercial office use over 6,000 sq. ft.
5. 33353 Woodward - Tide Dry Cleaners, Request allowing new business to provide services to patrons in their cars
6. 505 N. O. Woodward - Salvatore Scallopini’s, Request to allow interior and exterior changes to existing bistro
7. 220 E. Merrill - 220 Restaurant, Approval of a SLUP amendment to expand the establishment into the lower level of the building
8. 210 S. Old Woodward - The Bird & the Bread, SLUP to allow concept change to Vinotecca, with interior and exterior changes proposed
9. 1669 W. Maple - First Presbyterian Church, SLUP to allow new illuminated ground sign
10. 1669 W. Maple – First Presbyterian Church, SLUP to allow commercial catering company to operate out of existing Church kitchen
11. 260 N. Old Woodward – The Morrie, Request for approval of new liquor establishment with interior and exterior renovations and new signage
12. 33588 Woodward - Shell Gas Station/Dunkin donuts, Request to allow construction of small addition for restroom, and new signage
13. 191 N. Chester (Church of Christ, Scientist, renamed The Jeffery), Request to allow exterior design and site changes to existing building to convert to office use larger than 3,000 sq. ft. in size

Community Impact Statements
For proposed construction over 20,000 square feet, the developer must provide a Community Impact Statement (CIS), which addresses planning, zoning, land use and environmental issues, as well as public service and transportation concerns.

1. 298 S. Old Woodward Ave. – New five-story boutique hotel
2. 2010 Cole St. – New three-story mixed use building
3. 277 Pierce St. – Former Varsity Shop, New five story mixed use building
4. 34965 Woodward – Former Peabody’s, Construction of new five-story mixed use building
**Rezoning Applications**
Over the past year, there was one (1) request for rezoning/zoning amendments on property within the City of Birmingham.

1. 191 N. Chester -- First Church Christ Scientist, Rezoning from TZ-1 to TZ2 to allow adaptive reuse of building for office use

**Pre-Application Discussions**, as suggested in the DB2016 Report, are recommended for new construction. This type of discussion is beneficial to both the applicant and the Planning Board, giving both the opportunity to informally discuss proposals. However, the placement of the discussion, at the end of a site plan review meeting, often precludes all issues from being discussed. The following Pre-Application discussions occurred from April 1, 2017 to March 31, 2018:

1. 191 N. Chester – First Church of Christ Scientist, Adapt and reuse Church building for office use

**Courtesy Reviews**
None

**Study Sessions/ Discussions**
The Planning Board also engaged in many study sessions and discussions with regards to the following topics. It should be noted that these topics are often discussed at multiple meetings:

1. Window tinting 3-29-17, 5-10-17
2. Transitional Zoning 3-29-17
3. Shared Parking Standards 3-29-17, 5-10-17, 7-12-17
4. Definition of Retail 3-29-17, 5-10-17, 6-14-17, 1-10-18, 3-14-18
5. Parking Requirements for all uses 3-29-17, 5-10-17
6. Definition of Personal Services 7-12-17, 10-25-17, 11-8-17
7. Parking Issues to be Included in the Master Plan 7-12-17
8. Bistro Regulations 7-12-17, 8-9-17, 9-13-17, 1-10-18, 3-14-18
10. Economic Development and Liquor License Boundaries 8-9-17, 9-13-17
11. Review of Historic District Study Commission Report for 361 E. Maple 1-10-18
12. Commercial Projections onto Public Property 1-10-18
13. Site Plan Submittal Requirements for Adjacent Properties 1-10-18, 3-14-18
Public Hearings/ Zoning Amendments

Public hearings were held by the Planning Board to ensure public participation at various stages in the planning process. The following ordinances were reviewed at public hearings by the Planning Board:

Transitional Zoning

1. An ordinance to amend Chapter 126, Zoning, of the code of the City of Birmingham as follows:

To amend Article 2, Section 2.43, TZ-2 (Transition Zone 2) District intent, permitted uses, and special uses to add the TZ-2 Zoning classification;

To amend Article 2, Section 2.44, TZ2 development standards to add standards for the TZ-2 district;

To move the existing TZ-3 (Transition Zone 3) zoning classification, district intent, permitted uses, and special uses to Article 2, Section 2.45 with no changes;

To move the existing TZ-3 (Transition Zone 3) zoning classification, development standards to Article 2, Section 2.46 with no changes;

To amend Article 5, Section 5.15, use specific standards, to add use specific standards for the TZ-2 Zone district;

AND

To amend Chapter 126 Zoning, of the Code of the City of Birmingham, Article 4, all sections noted below, to apply each section to the newly created TZ-2 Zone districts indicated:

<table>
<thead>
<tr>
<th>Ordinance Section Name</th>
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<tbody>
<tr>
<td>Accessory Structures Standards (AS)</td>
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<td>Outdoor Dining Standards (OD)</td>
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<td>Structure Standards (SS)</td>
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</table>
Definition of Retail
2. An ordinance to amend Chapter 126 Zoning, of the Code of the City of Birmingham, as follows:

To amend Article 03 Downtown Overlay District, Section 3.04 (E) Architectural Standards to require clear glazing at the first floor façade;

To amend Article 03 Triangle Overlay District, Section 3.09, Commercial/Mixed Use Architectural Requirements to require clear glazing at the first floor façade;

To amend Article 04 Developmental Standards, Section 4.90, WN-01 (Window Standards) to alter the required glazing on commercial buildings;

To amend Article 07 Architectural Design Requirements, Section 7.05, requirements to remove inconsistent provisions; and

To amend Article 9, Section 9.04, Definitions, to add definitions for clear glazing and lightly tinted glazing.

6-14-17 PH

Window Glazing
3. An ordinance to amend Chapter 126, Zoning, of the Code of the City of Birmingham as follows:

To amend Article 03 Downtown Overlay District, Section 3.04 (E) Architectural Standards to require clear glazing at the first floor façade;

To amend Article 03 Triangle Overlay district, Section 3.09, commercial/Mixed Use Architectural Requirements to require clear glazing at the first floor façade;

To amend Article 04 Development Standards, Section 4.90, WN-01 (Window Standards) to alter the required glazing on commercial buildings;

To amend Article 07 Architectural Design Requirements, Section 7.05, Requirements;

To remove inconsistent provisions; and

To amend Article 9, Section 9/02, Definitions, to add definitions for clear glazing and lightly tinted glazing.

6-14-17 PH
Exclusion of Community Uses and Definition of Personal Services
4. An ordinance to amend Chapter 126, Zoning as follows:

   Article 3, Section 3.04, Specific Standards, to amend the Downtown Birmingham Overlay Standards to exclude community and personal service uses as permitted uses in the Redline Retail District; and

   Article 9, Section 9.02, Definitions, to add a definition for personal services, to amend the definition of commercial use to exclude personal services and to amend the definition of retail use to include retail bank branches and personal services

   7-12-17 PH

Definition of Personal Services
5. An ordinance to amend Chapter 126, Zoning to consider changes to Article 03 section 3.04 to exclude community uses in the Redline Retail District and Article 09, Definitions to define Personal Services.

   8-9-17 PH

Economic Development Liquor Licenses
6. Ordinance to amend Chapter 126, Zoning, to allow the use of Economic Development Liquor Licenses in an expanded area.

   Article 2, Section 2.27, District Intent, Permitted Uses and Special Uses to amend the uses requiring a Special Land Use Permit in the B-1 (Neighborhood Business) Zone District;

   Article 2, Section 2.29, District Intent, Permitted Uses and Special Uses to amend the uses requiring a Special Land Use Permit in the B-2 (General Business) Zone District;

   Article 2, Section 2.31, District Intent, Permitted Uses and Special Uses to amend the uses requiring a Special Land Use Permit in the B-2B (General Business) Zone District;

   Article 2, Section 2.39, District Intent, Permitted Uses and Special Uses to amend the uses requiring a Special Land Use Permit in the MX (Mixed Use) Zone District;

   Article 3, Section 3.08, District Intent, Permitted Uses and Special Uses to amend the uses requiring a Special Land Use Permit in the Mu-3, MU-5, and MU-7 Mixed Use Zone Districts; and

   Appendix C, Exhibit 1, Economic Development Licenses Map to expand the number of parcels which may qualify for the use of an Economic Development Liquor License.

   10-25-17
7. Ordinance to amend map for expansion of Economic Development Liquor Licenses Area.

Exclude 1) the ordinance amendment of Article 2, Section 2.27, District Intent, Permitted Uses and Special Uses to amend the uses requiring a Special Land Use Permit in the B1 (Neighborhood Business) zone district.

Article 2, Section 2.29, District Intent, Permitted Uses and Special Uses to amend the uses requiring a Special Land Use Permit in the B2 (General Business) zone district (Full ordinance appended to these minutes as Attachment A);

Article 2, Section 2.31, District Intent, Permitted Uses and Special Uses to amend the uses requiring a Special Land Use Permit in the B2B (General Business) zone district (Full ordinance appended to these minutes as Attachment B);

Article 2, Section 2.39, District Intent, Permitted Uses and Special Uses to amend the uses requiring a Special Land Use Permit in the MX (Mixed Use) zone district (Full ordinance appended to these minutes as Attachment C);

Article 3, Section 3.08, District Intent, Permitted Uses and Special Uses to amend the uses requiring a Special Land Use Permit in the MU-3, MU-5 and MU-7 (Mixed Use) zone districts (Full ordinances appended to these minutes as Attachment D, E and F, respectively); and

Appendix C, Exhibit 1, Economic Development Licenses Map to expand the number of parcels which may qualify for the use of an Economic Development Liquor License (Map appended to these minutes as Attachment G).

10-25-17 PH

Site Plan Submittal Requirements
9. An ordinance to amend Chapter 126, Zoning, of the Code of the City of Birmingham:

To amend Article 7, Section 7.26, Application, to amend the Site Plan Review submittal requirements to include adjacent property details

To amend Article 7, Section 7.34, Special Land Use Permit Review, to amend the Special Land Use Permit review process to include Site Plan Review submittal requirements to include adjacent property details.

2-28-18 PH, 3-14-18 PH
Liquor Licenses for Hotels

10. An ordinance to amend Chapter 126, Zoning, of the Code of the City of Birmingham:

To amend Chapter 126, Article III, Section 2.37 (B4), to allow hotels that serve alcoholic liquor.

AND

11. An ordinance to amend Chapter 10, Alcoholic Liquors, of the Code of the City of Birmingham:

To amend Article II, Licenses, to amend Division 5, Sections 10-100 to 10-107, Licenses for Theatres, to add a new category of liquor licenses for hotels.

3-28-18 PH
Both the HDC (Historic District Commission) and the DRB (Design Review Board) meet on the first and third Wednesdays of each month, with a limit of 4 regular reviews per meeting, and up to 8 reviews without formal presentation. Limiting reviews in this way allows the HDC & DRB time to conduct public hearings and discuss study session items.

**Design Reviews**
The following businesses requested design reviews by the DRB to alter the appearance of their buildings:

1. 344 Hamilton – Façade renovation
2. 1555 E. 14 Mile – Kakos Market, Façade renovation
3. 180 E. Brown – Façade Renovation
4. 34602 Woodward – Lavery Audi, Façade renovation
5. 33722 Woodward, Meadow Brooke Urgent Care - Façade renovation
6. 912 S. Old Woodward, OWC - Façade renovation
7. 33502 Woodward - Façade renovation
8. 2254 Cole St. – Façade renovation

**Historic Reviews**
The following historic buildings proposed changes that required review by the HDC:

1. 556 W. Maple – Allen House
2. 100 Townsend – Façade renovation
3. 166 W. Maple – Caruso Caruso
4. 277 Pierce - Demolition request
5. 539 S. Bates – New Addition
6. 300 Warren Ct. Alterations to historic home
7. 215 N. Old Woodward - Façade renovation
8. 126 S. Old Woodward – Façade renovation
9. 539 S. Bates – Changes to previously approved addition
10. 159 Pierce – Façade renovation
11. 325 S. Old Woodward – Façade renovation
12. 117 Willits, Mitchell’s – Outdoor Dining
**Sign Reviews**
The following businesses requested sign reviews:

1. 576 E. Lincoln, Birmingham Bloomfield Credit Union
2. 555 S. Old Woodward, Triple Nickel
3. 2100 E. Maple, Whole Foods
4. 200 Chester, Baldwin House
5. 210 S. Old Woodward – KW Domain
6. 142 W. Maple – Allen Edmond

**Study Session Discussions:**
1. Millrace Rd. name change request
2. 927 Purdy – review of HDSC report
SECTION TWO: GOALS

The Planning Division boards and commissions set specific goals and priorities each year as part of the annual report. The formulation of these goals comes from the City Commission, Planning Board, HDC, DRB, and City Staff. Upon review of the items noted on the action lists that follow (see attached), the Planning Board, the HDC, and the DRB will make recommendations to the City Commission, as they deem important and necessary.

2018 HDC ACTION LIST RANKING

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<th>HISTORIC</th>
<th>Rank</th>
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<td>Coordinate Overlay/Historic/General sign standards</td>
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<tr>
<td>Historic District Ordinance Enforcement</td>
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<td>Preservation Education</td>
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<td>Commercial In-fill Guidelines</td>
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<td>Certified Historic Homes Plaques</td>
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<td>Print Eco City Neighborhood Survey</td>
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<tr>
<td>Alleys and Passages</td>
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## 2018 DRB ACTION LIST RANKING

### SIGNS

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<th>Rank</th>
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<tbody>
<tr>
<td>Coordinate Overlay/Historic/General sign standards</td>
<td>1</td>
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<tr>
<td>Sign Ordinance Enforcement</td>
<td>2</td>
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<tr>
<td>Develop Informational Sign Guidelines</td>
<td>3</td>
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<tr>
<td>Sign Band Designation on New buildings</td>
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### DESIGN REVIEW

<table>
<thead>
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<tbody>
<tr>
<td>Ordinance Enforcement</td>
<td>1</td>
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<tr>
<td>Improve Sequence of Reviews Between Boards</td>
<td>2</td>
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<tr>
<td>Continue to Implement 2016 Plan</td>
<td>3</td>
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<tr>
<td>Alleys and Passages</td>
<td>4</td>
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<tr>
<td>TOPIC</td>
<td>SPECIFIC DIRECTION/ PROBLEM DEFINITION</td>
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| 1 Bistro Parameters | • Review the bistro regulations on the location or number of outdoor dining seats permitted  
• Clarify and/or provide additional regulations to regulate the operation of bistro  
• Consider different standards for different districts | 7/12/17  
8/9/17  
9/13/17  
1/10/18 | In Progress | • As directed by the City Commission on 7/10/17 |
| 2 Renovation of Commercial Properties | • Amend the review procedures for new construction and/or the renovation of existing buildings  
• Clarify the distinction between a renovation and new construction  
• Clarify the distinction between a site plan review and a design review  
• Consider Planning Board review for use changes | 8/19/17  
0/13/17 | In Progress | • As directed by the City Commission on 7/10/17 |
| 3 Definition of Retail – Long Term Study | | 8/10/16  
3/29/17  
5/10/17  
6/14/17  
1/10/18  
3/14/18 | In Progress | • As directed by the City Commission on 7/11/2016 |
<table>
<thead>
<tr>
<th></th>
<th><strong>Commercial Projections onto Public Property / Architectural Allowances</strong></th>
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</table>
|   | • Clarify in the Zoning Ordinance which, if any, projections are permitted into the ROW  
• Draft regulations to address the height, projection or permitted materials for architectural features projecting into the ROW | 1/10/18 | In Progress | • As directed by the City Commission on 7/10/17 |
| 5 | **Shared Parking** |   |   |   |
|   | • Evaluate the success/difficulties encountered in other communities  
• Require a formal shared parking agreement | 8/10/16  
2/8/17  
3/29/17  
5/10/17  
7/12/17 |   | • As directed by the City Commission on 7/10/17 |
| 6 | **Church / Religious Institutions** |   |   |   |
|   | • Add definitions for Church and/or Religious Institutions  
• Clarify in which zone district(s) each use is permitted |   |   | • As directed by the City Manager |
<table>
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<tr>
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<th>Amend cost of parking space for payment-in-lieu of parking to allow additional building height in the Triangle District</th>
</tr>
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</table>
|   | • Update cost of parking space to today's cost  
|   | • Build in automatic cost increase / year into ordinance language |
|   | • As directed by the City Manager |
|   | Consider looking at principal uses allowed and add flexibility ("and other similar uses") |
|   | • Evaluate the current system of listing only permitted uses in each zone district  
|   | • Determine whether to continue this system, or switch to broad use categories that do not list all specifically permitted uses (ie. retail is permitted, instead of listing drugstore, shoe store, grocery store) |
|   | |
|   | Potential residential zoning changes; MF & MX garage doors |
|   | • Consider adding garage placement standards and/or garage and garage door size or design standards for mixed use and multi-family residential developments |
|   | Sustainable Urbanism (Green building standards, pervious surfaces, geothermal, native plants, low impact development etc.) |  | Incentive option in Triangle District  
Guest speakers in LEED  
Certification, Pervious Concrete, LED Lighting, Wind Power, Deconstruction  
Sustainability website & awards  
Native Plant brochure | 2/09/2005  
7/11/2007  
8/08/2007  
9/12/2007  
1/9/2008  
9/10/08  
1/14/09  
1/28/09  
2/10/09 (LRP)  
5/13/09  
8/12/09  
11/11/09  
1/23/10 (LRP)  
5/12/10  
6/9/10 | 2/25/09 (PB - Solar)  
1/13/10 (PB-Wind)  
2/10/10 (PB–Wind)  
|---|---|---|---|---|---|---|
| 11 | Additional Items to be Considered during Master Plan Process |  | Woodward Avenue Gateway Plan (Lincoln to 14 Mile Road)  
Parking  
Complete Streets  
Regional Planning | 7/12/17 | On Hold |
| 12 | Review Process for Public Projects |  | Clarify review process for projects on public property  
Consider requiring same site plan review process as that for private projects |  |  |
<table>
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<th>Completed Items 2017 - 2018</th>
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| **Window Tinting Standards** | • Consider allowing clear glass only on first floor storefront windows  
• Consider adding tint standards for upper story windows  
3/29/17 5/10/17 6/14/18 PB  
Completed |
| **Transitional Zoning (TZ2)** | • Revise previous draft ordinance language to create TZ2 zone district for transitional properties in the City  
3/29/17 5/10/17 PB  
Completed  
• Completion of Transitional Zoning Study & Implementation |
| **Definition of Retail - Short Term Study (Personal Services Definition)** | • Temporary relief to clarify retail & personal services definitions  
• City Manager’s memo to PB  
• Evaluate whether the current application of personal services is consistent with the intent of the 2016 Plan  
5/10/17 6/14/17 7/12/17 PB  
Completed  
• As directed by the City Commission on 5/8/17 |
| **Economic Development License Boundary Review** | • Consider revising the map in Exhibit A of the Zoning Ordinance to amend the number and/or location of properties that may qualify for an Economic Development liquor license into other areas of the City  
8/19/17 9/13/17 10/24/17  
Completed  
• As directed by the City Commission on 7/10/17 |
| **Rail District Boundary Review** | • Consider expanding the Rail District to include properties on the west side of S. Eton across from Big Rock and/or to include the North Eton Plaza  
8/19/17 9/13/17  
Completed  
• As directed by the City Commission on 7/10/17 |
As a part of the W. Maple Rd. resurfacing discussions held in 2015, the Maple Rd. & Southfield Rd. intersection was identified as one that had a relatively high crash rate, given the sharp angle at which these streets intersect. I am pleased to report that we were notified by MDOT that we were successful in obtaining a federal grant to cover 80% of the construction cost of a safety improvement, with funding available for 2020 construction. It is our intent to combine this work with the downtown Maple Rd. reconstruction also slated for the 2020 construction season.

The intersection project has an estimated construction cost of $312,100. The federal grant will cover $249,700 of that amount. The City also previously received a federal grant to be applied to the downtown Maple Rd. project, valued at $350,000. Prior to the end of 2018, it is expected that an agreement will be drafted between MDOT and the City that will address both grants, with a total value of $600,000.