

**CITY OF BIRMINGHAM  
PLANNING BOARD ACTION ITEMS  
OF WEDNESDAY, MARCH 14, 2012**

Item	Page
<p><b>FINAL SITE PLAN REVIEW</b>  <b>201 S. Old Woodward Ave.</b>  <b>Hyde Park Steakhouse (formerly Forte)</b>  <b>Request to expand previously approved outdoor dining area</b></p>	<b>2</b>
<p style="padding-left: 40px;"><b>Motion by Mr. DeWeese</b>  <b>Seconded by Mr. Koseck to approve the Final Site Plan and Design for</b>  <b>201 S. Old Woodward Ave., Hyde Park Prime Steakhouse, subject to the</b>  <b>following conditions:</b></p> <ol style="list-style-type: none"> <li><b>1) The applicant add the required trash receptacle inside the outdoor dining area and provide specification sheets or obtain a variance from the Board of Zoning Appeals (“BZA”);</b></li> <li><b>2) The applicant receive permission to remove and relocate the planter and mail boxes at the south edge of the outdoor dining area to provide the required 5 ft. wide pedestrian path between the building and the existing street light, subject to administrative approval;</b></li> <li><b>3) The applicant obtain approval from the Fire Dept. for all outdoor heating devices if such are ever installed;</b></li> <li><b>4) The applicant complies with the requests of the Engineering Dept. as stated in these records;</b></li> <li><b>5) The applicant enters into a license agreement with the City for use of the public right-of-way, and obtains an Outdoor Dining Permit;</b></li> <li><b>6) In case the City sees there is a problem for the egress associated with the two double doors, the applicant make changes with the City subject to administrative approval.</b></li> </ol> <p><b>Amended by Mr. Clein and accepted:</b></p> <ol style="list-style-type: none"> <li><b>7) The applicant reconstruct the ADA ramp;</b></li> </ol> <p><b>Amended by Mr. Williams and accepted:</b></p> <ol style="list-style-type: none"> <li><b>8) Add “remove and relocate” and “subject to administrative approval” to item (2).</b></li> </ol>	<b>3</b>
<p><b>Motion carried, 5-0.</b></p>	<b>4</b>

Item	Page
<b>APPOINTMENT TO LIBRARY JOINT BUILDING COMMITTEE</b>	<b>7</b>
<b>Motion by Mr. Clein</b> <b>Seconded by Mr. DeWeese to appoint Janelle Whipple-Boyce as the</b> <b>Planning Board representative on the Library Joint Building Committee.</b>	<b>8</b>
<b>Motion carried, 5-0.</b>	<b>8</b>

APPROVED

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**CITY OF BIRMINGHAM  
REGULAR MEETING OF THE PLANNING BOARD  
WEDNESDAY, MARCH 14, 2012  
Department of Public Services Conference Room  
851 S. Eton Street, Birmingham, Michigan**

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Minutes of the regular meeting of the City of Birmingham Planning Board held March 14, 2012. Vice-Chairperson Gillian Lazar convened the meeting at 7:35 p.m.

**Present:** Vice-Chairperson Gillian Lazar; Board Members Scott Clein, Carroll DeWeese, Bert Koseck, Bryan Williams

**Absent:** Chairman Robin Boyle; Board Member Janelle Whipple-Boyce; Student Representative Kate Leary

**Administration:** Matthew Baka, Planning Intern  
Jana Ecker, Planning Director  
Carole Salutes, Recording Secretary  
Sue Weckerle, City Planner

**03-40-12**

**APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING  
HELD FEBRUARY 15, 2012**

Ms. Lazar:

Page 5 - Sixth paragraph, insert "at the Corner Bar" after "continued."

**Motion by Mr. DeWeese**

**Seconded by Mr. Koseck to approve the Minutes of the Regular Planning Board Meeting of February 15, 2012 as amended.**

**Motion carried, 4-0.**

VOICE VOTE

Yeas: DeWeese, Koseck, Clein, Lazar

Nays: None

Abstain: Williams

Absent: Boyle, Whipple-Boyce

**03-41-12**

**CHAIRPERSON'S COMMENTS** (none)

03-42-12

**APPROVAL OF THE AGENDA** (no changes)

03-43-12

**FINAL SITE PLAN REVIEW**

**201 S. Old Woodward Ave.**

**Hyde Park Steakhouse** (formerly Forte)

**Request to expand previously approved outdoor dining area**

Mr. Baka recalled that the subject site is located at 201 S. Old Woodward Ave., on the east side of Old Woodward Ave. The parcel is zoned B-4, Business-Residential and D-4 in the Downtown Overlay District. The applicant, Hyde Park, is proposing to add an outdoor cafe, which is approximately 490 sq. ft., on public property. The outdoor café is allowed in the B-4 Zoning District per Article 05, Section 5.12 (H). The proposed café meets the overall goals of the 2016 Plan, which is to create a more pedestrian friendly environment.

As the site is also in a Historic District, the applicant was required to obtain approval from the Historic District Commission (“HDC”). The applicant obtained approval from the HDC on February 15, 2012.

The applicant proposes to install an outdoor dining area on the front elevation of the tenant space. The applicant proposes to remove the round street benches surrounding the two trees in front of the tenant space.

The applicant proposes to enclose the outdoor dining area with eight planter boxes and a decorative railing. The railing will be constructed from black powder coated 2 in. steel tube legs with decorative top caps and 4 in. mounting plates. The railing will be bolted into the sidewalk and removed at the end of the outdoor dining season.

In front of **bay 1**, the applicant proposes to place two tall round tables with four tall chairs. The area will be enclosed with three planter and rail combinations. Between the pilasters in front of **bay 4**, the applicant proposes to place two tall, round tables with four tall chairs. Two sofas, four chairs, and three occasional tables are proposed to be placed in front of **bay 5**. The area will be enclosed with five planters and rail combinations and a gate located in front of the single door in **bay 3**.

The plans call for a combination of high-top tables constructed of granite tops and cast aluminum bases with chairs constructed of tan resin wicker and teak arms with black frames. In addition, the lounge seating area will have black wrought iron tables and resin wicker sofas with cushions.

The plans show the existing two U.S. mailboxes and the City planter at the south end of the site. Those items are within the 5 ft. pedestrian path. ***The applicant must get approval and make arrangements to move these items in order to provide the 5 feet.***

Mr. Williams did not think pedestrians would be able to get by if the mailboxes are moved in front of the coffee house next door.

Ms. Ecker noted the HDC approved broom finish for the sidewalk; however the Engineering Dept. has requested that the existing brick pavers be flattened out. Mr. Clein commented that the Americans with Disabilities Act (“ADA”) ramp is non-compliant with current standards.

Mr. DeWeese observed if both the new double egress doors are open, there is less than a foot to get out because of the table location in front. Mr. Baka assumed the Building Dept. would look at that for compliance. Mr. DeWeese went on to say that potentially the mailboxes could be moved out to the edge of the curb.

Mr. Joe Sacony, one of the principals, gave a brief overview of the Hyde Park Prime Steakhouse in terms of their 24-year history and their fourteen other locations.

There were no comments from the public at 8:25 p.m.

Mr. DeWeese was concerned that the valet parking may have been overlooked. Ms. Ecker advised that the Police Dept. will review the specifics of the valet parking before a permit is issued.

**Motion by Mr. DeWeese**

**Seconded by Mr. Koseck to approve the Final Site Plan and Design for 201 S. Old Woodward Ave., Hyde Park Prime Steakhouse, subject to the following conditions:**

- 1) The applicant add the required trash receptacle inside the outdoor dining area and provide specification sheets or obtain a variance from the Board of Zoning Appeals (“BZA”);**
- 2) The applicant receive permission to remove and relocate the planter and mail boxes at the south edge of the outdoor dining area to provide the required 5 ft. wide pedestrian path between the building and the existing street light, subject to administrative approval;**
- 3) The applicant obtain approval from the Fire Dept. for all outdoor heating devices if such are ever installed;**
- 4) The applicant complies with the requests of the Engineering Dept. as stated in these records;**
- 5) The applicant enters into a license agreement with the City for use of the public right-of-way, and obtains an Outdoor Dining Permit;**

- 6) In case the City sees there is a problem for the egress associated with the two double doors, the applicant make changes with the City subject to administrative approval.

**Amended by Mr. Clein and accepted:**

- 7) The applicant reconstruct the ADA ramp;

**Amended by Mr. Williams and accepted:**

- 8) Add “remove and relocate” and “subject to administrative approval” to item (2).

There were no comments or questions from the public regarding the motion at 8:34 p.m.

**Motion carried, 5-0.**

VOICE VOTE

Yeas: DeWeese, Koseck, Clein, Lazar, Williams

Nays: None

Absent: Boyle, Whipple-Boyce

**03-44-12**

## **STUDY SESSION**

### **Complete Streets Master Plan**

### **Review of Scope of Work and Request for Proposals (“RFP”)**

### **Update on E. Maple Rd.**

Ms. Weckerle reported that together the Planning and Engineering Departments are currently drafting an RFP to retain a qualified consultant to develop a comprehensive Citywide Multi-Modal Transportation Master Plan. At the August 10, 2011 Planning Board meeting and the City Commission’s Long-Range Planning meeting in January 2012, Planning Board members and City Commissioners directed City staff to develop a Master Plan to guide road project improvements over time to improve the Level of Service for a broader group of users including pedestrians, bicyclists and transit users. The Multi-Modal Transportation Master Plan will allow Birmingham to take a comprehensive look at the street conditions and make thoughtful recommendations.

Staff envisions the following as components of the Multi-Modal Transportation Master Plan RFP:

- 1) A multi-Modal Transportation Master Plan that will address non-motorized modes of transportation and non-motorized access to transit to create multi-modal options. The plan will be a document that guides decision makers, residents, developers, and staff on decisions related to inclusive transportation projects.
- 2) An Americans with Disabilities Act (“ADA”) Transition Plan for Public Rights-of-Way (“ADA Transition Plan”). The ADA Transition Plan, a federally required document,

is intended to list all right-of-way facilities that are not in compliance with the ADA, create a prioritization list and a recommended timetable for implementation.

Mr. DeWeese wanted to ensure that the RFP covers not only roadways but the whole range of alleys and paths because they are part of the network of people and non-motorized transportation moving around the City.

Mr. Clein noted that input from Maple Rd. residents suggests to him that the RFP should talk about Birmingham's vision of its roadways, incorporation of vehicular level of service, as well as pedestrian and bicycle level of service quality. The RFP should focus on the implementation process and what it means to the Birmingham road network. In other words, he would like to see a street design guide based on Complete Streets principals that takes into account input from the residents, as opposed to a high level Master Plan. Further, it would be helpful to have recommendations related to who reviews roads for compliance with the intent of the ordinance, as well as what ordinance changes might be needed in order to ensure implementation.

Mr. Williams wanted to see traffic and pedestrian counts included in the information packet. Mr. O'Meara asked for an assessment of the shortcomings of the ADA ramps.

Ms. Ecker went over the RFP process for the group. Mr. Koseck thought if the commitment is made, the City should follow through as opposed to shelving it. Ms. Ecker explained that typically they do not go with the low bidder. They consider all of the factors and qualifications count more than the cost.

Mr. DeWeese commented that they need someone who is able sell their vision to the public. Mr. Williams envisioned that staff would spend a fair amount of time internally in laying out the process that will be followed for the evaluation of applicants. Then it would be brought before the City Commission for their approval. After the City Commission reaches agreement, the process is published before the RFPs go out so that people understand it. Mr. O'Meara agreed with those comments.

The vice-chairperson asked for comments from the public at 9:02 p.m.

Ms. Dorothy Conrad, 2252 Yorkshire, talked about the shortcomings of the railroad bridge on E. Maple Rd. which is an entranceway to Birmingham. On either side is a pedestrian passageway which is a dark hole. Something should be done to make it a more comfortable place for people to be, such as cleaning and lighting it. Further it would be nice to have a plan where the leader can get up in front of a group of people and sell the plan as well as himself. Mr. O'Meara noted that during major rain storms there is a drainage issue in the underpass that cannot be fixed with this project. A sewer going south needs to be upgraded.

Ms. Weckerle indicated that City staff intends to incorporate the Planning Board's comments and input, based on this discussion, into the draft RFP document and bring a proposed RFP document to the April 11, 2012 meeting for discussion and review.

**STUDY SESSION**

**Alleys and Passages**

**Review and comment on draft alley and passage plan**

Ms Ecker explained that the 2016 Plan recognizes the service value of the alleys behind commercial buildings as an essential function of the downtown area. However, it also identifies certain alleys as pedestrian passages as they are used only lightly for service functions. These passages are considered untapped resources that can generate interest and uniqueness in the downtown.

Ms. Ecker advised that the recommendations contained in Circulation 5 of the 2016 Plan state that pedestrian passages should be held to higher standards, similar to sidewalks, given their pedestrian function. Over the past few years several properties have come through the site plan or design review process and have been approved for alley and passage improvements.

Based on the recommendations of the 2016 Plan and study sessions conducted over the past several years, the Planning Board established an Alley and Passages Committee. Further, the City has contracted the architectural firms of Ron and Roman as well as Krieger/Klatt to create conceptual plans and design standards for these areas. These conceptual plans can then be used to provide guidance to developers, staff and the various City boards when reviews are performed.

Ms. Ecker advised that on February 8, 2012, the Planning Board reviewed the design concepts prepared by the consultants. It was decided that the Planning Division should prepare a complete document on existing alleys and passages with recommendations for design guidelines for improvement so that they develop into unique and attractive urban spaces.

Ms. Ecker advised that the Planning Division has put together a draft plan that incorporates a lot of the ideas that came out of the discussions with Ron and Roman and the Krieger/Klatt concepts. They went through the existing conditions and came up with the following recommendations:

- 1) **Create a new classification system for alleys and passages**
  - (a) Destination vias – People are attracted to the alley for a purpose;
  - (b) Active vias – Mixed service functions with some vehicular traffic; and
  - (c) Connecting vias – Smaller spaces that are clearly pedestrian-oriented.
  
- 2) **Establish design guidelines and enhancement strategies**
  - (a) Sign regulations that are bold and graphic for alleys and passages;
  - (b) Paving standards;
  - (c) Incorporate lighting such as pedestrian scale or wall washing;



- (d) Encourage use of furniture;
- (e) Incorporate landscaping such as Boston ivy growing up the building walls;
- (f) Establish a naming rights program to provide funding for physical improvements; and
- (g) Require pedestrian scaled design of building facades facing alleys and passages.

**3) Establish activation strategies**

- (a) Active edges to encourage people to spill retail out into the alley;
- (b) Provide multi-modal access;
- (c) Incorporate public art to draw people into the passage; and
- (d) Incorporation of wayfinding signage.

Ms. Ecker advised that the Planning Division has put together a draft plan and implementation strategy that outlines some of the different things that can be done to move this project forward, one of which may be to pick a pilot project area. The next step would be to amend this document based on comments from the board and then come up with development regulations.

Mr. Williams inquired as to how they would deal with the cost issues that will arise. Ms. Ecker said when a developer is making an improvement adjacent to the alley and they want to use the alley or passage, development standards can be put in place that will require developers to build the cost of improvements into their cost of doing business in Birmingham. Public improvements will be special assessed. Also, Engineering has a separate line item in the capital improvements program in the budget for alleys and passages where the City pays for portions of this type of work.

Mr. Williams suggested that they focus sooner on the funding sources for capital improvements for alleys and passages. They have to anticipate apathy. Alleys should be approached on a case-by-case basis.

Mr. DeWeese said to consider less developed connecting paths as part of the pedestrian system. Also, include private vias when placing standards and expectations.

There were no comments from the audience at 9:30 p.m. Ms. Ecker said she will incorporate tonight's comments for the next meeting.

**03-46-12**

**APPOINTMENT TO LIBRARY JOINT BUILDING COMMITTEE**

Ms. Ecker advised that at its long-range planning session on January 21, 2012 the Birmingham City Commission heard a presentation by Doug Koschik, Library Director, and Matt Church, Assistant Library Director, about the future of the Baldwin Public Library building. The Commission then suggested that a Library Joint Building Committee be established to address this issue.

Doug Koschik and Bob Bruner, with input from the Library's Building Committee, developed a charge to the Joint Committee.

On February 20, 2012, the Library Board accepted the charge. Library Board President Andy Harris proceeded to appoint three representatives to the Joint Committee: Frank Pisano, Jim Suhay and Dave Underdown.

On March 5, 2012, the City Commission also appointed Commissioners Hoff, Rinschler and Moore to the Joint Building Committee.

At this time, one appointee of the Planning Board is requested to serve on the Library Joint Building Committee. It is anticipated that the Joint Committee will be able to convene for the first time in late March or early April.

Given her ongoing involvement with the Baldwin Library, Ms. Whipple Boyce had expressed interest in this appointment, but was unable to attend this Planning Board meeting on March 14, 2012.

**Motion by Mr. Clein**

**Seconded by Mr. DeWeese to appoint Janelle Whipple-Boyce as the Planning Board representative on the Library Joint Building Committee.**

**Motion carried, 5-0.**

**VOICE VOTE**

Yeas: Clein, DeWeese, Koseck, Lazar, Williams

Nays: None

Absent: Boyle, Whipple-Boyce

**03-47-12**

**COMMUNITY DEVELOPMENT ANNUAL REPORT**

Ms. Ecker said the updated Planning Board Action List is based on all of the comments from this board.

**03-48-12**

**MEETING OPEN TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA (no public)**

**03-49-12**

**MISCELLANEOUS BUSINESS AND COMMUNICATIONS**

Ms. Ecker updated the board on some of the issues that will be going before the City Commission next Monday. Messrs. DeWeese and Williams and Ms. Lazar are up for re-appointment. Also, a fourth person has applied.

a. Communications

Ms. Ecker reported that the Barclay Inn is under contract. Also, the Hamilton Funeral Home site closed last week and it is proposed to be redeveloped as independent senior living.

Mr. Koseck noted the unsightly unfinished five story building project on E. Maple. Ms. Ecker advised that building is under the purview of the Building Dept. and she will pass that comment along to them. The Building Permit remains active as long as work is done every six months.

b. Administrative Approvals

- 126 S. Old Woodward Ave., Birmingham Park Place – Screenwall to be built and painted Birmingham Green.
- 155 S. Bates St., Tallulah's, – Reconfigure table layout (interior).
- 34244 Woodward Ave., Papa Joe's Market – New rooftop mechanical units.

c. Draft Agenda for the Regular Planning Board Meeting on March 28, 2012

- Site plan for Comerica Bank addition of a tower element and a new bank teller building; and
- Site plan for vacant property on the south side of Villa St. across from the District Lofts.

**03-50-12**

**PLANNING DIVISION ACTION ITEMS**

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

**03-51-12**

**ADJOURNMENT**

No further matters being evident, the Planning Board motioned to adjourn at 9:39 p.m.

Jana Ecker  
Planning Director

APPROVED