



**CITY COMMISSION LONG RANGE PLANNING AGENDA  
JANUARY 27, 2018  
8:30 AM**



Photo Credit: Carroll DeWeese

**Municipal Building, 151 Martin, Birmingham, MI 48009**

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**BIRMINGHAM CITY COMMISSION  
LONG RANGE PLANNING AGENDA  
JANUARY 27, 2018  
MUNICIPAL BUILDING, 151 MARTIN  
8:30 A.M.**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Andrew M. Harris, Mayor

**II. ROLL CALL**

Cherilynn Mynsberge, City Clerk

**III. DISCUSSION ITEMS**

- I. 8:30 AM – 9:00 AM Finance**
  - A. Five-Year Financial Forecast (under separate cover)
  
- II. 9:00 AM – 9:45 AM Department of Public Services**
  - A. Parks & Recreation Master Plan Update
  - B. Parks & Recreation Improvement Funding
  - C. Capeseal Update
  - D. Water Portal
  - E. Maple/Eton Bridge Enhancements
  
- III. 9:45 AM – 11:30 AM Planning**
  - A. City-wide Master Plan Update
  - B. Agenda Report Formatting Procedure
  - C. Ordinance Reviews
    - 1. Retail Regulations
    - 2. Alley Regulations
    - 3. Bistro Regulations
    - 4. Partial reconstruction vs. full redevelopment regulations
    - 5. Site Plan submittal requirements
  - D. Multi-Modal Initiatives
    - 1. Woodward Avenue Crossings
    - 2. Crosswalk Standards
    - 3. Bike Share Program
    - 4. N. Old Woodward Streetscape Reconstruction
  
- IV. 11:30 AM – 11:45 AM Birmingham Shopping District**
  - A. Plan for Old Woodward Reconstruction
  - B. New Retail Consultant
  
- V. 11:45 AM – 12:15 PM Engineering**
  - A. Backyard Sewer and Water Master Plan
  - B. Parking Initiatives
    - 1. Surface and Structure Parking
    - 2. On-Street Parking Meters
    - 3. Downtown Parking Structure Planning

- |              |   |                            |
|--------------|---|----------------------------|
| <b>VI.</b>   | <b>12:15 PM – 12:25 PM</b>                                | <b>Lunch Break</b>         |
| <b>VII.</b>  | <b>12:25 PM – 12:35 PM</b>                                | <b>Fire Department</b>     |
|              | A. Chesterfield Fire Station Construction                 |                            |
| <b>VIII.</b> | <b>12:35 PM – 1:00 PM</b>                                 | <b>Police Department</b>   |
|              | A. Local Street Traffic Counts & Traffic Control Measures |                            |
|              | B. Enhanced Community Policing                            |                            |
| <b>IX.</b>   | <b>1:00 PM – 1:15 PM</b>                                  | <b>Building Department</b> |
|              | A. Revised Builder's Code of Conduct                      |                            |
|              | B. Online Inspection Scheduling & Permitting              |                            |
| <b>X.</b>    | <b>1:15 PM – 1:45 PM</b>                                  | <b>Library</b>             |
|              | A. Phase 2 Plan Proposal                                  |                            |
| <b>XI.</b>   | <b>1:45 PM – 2:00 PM</b>                                  | <b>Historical Museum</b>   |
|              | A. Historic Landscape Plan                                |                            |
|              | B. Bicentennial Planning                                  |                            |
|              | C. Museum Utilization                                     |                            |
| <b>XII.</b>  | <b>2:00 PM – 2:15 PM</b>                                  |                            |
|              | A. Adult Services Long Term Planning                      |                            |

<b>IV. PUBLIC COMMENT</b>
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<b>V. ADJOURN</b>
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*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](tel:2485301880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).*



# LET'S PLAN

BIRMINGHAM,  
MICHIGAN *Parks & Recreation*

## City Commission

Planning Process Update, Parks and Recreation Master Plan

January 27, 2018

2A

# WHY PLAN?

- MDNR suggests that plans should be updated every five years.
- Provide a roadmap for parks and recreation decisions over the next 5 years, as well as long range planning of projects.
- Address the City's current and future parks and recreation needs.
- Make City eligible for MDNR acquisition and development grants.

# HOW IS A PLAN USED?

*Is used to:*

- Communicate values
- Create historical record of parks and recreation assets and public input
- Determine areas for further exploration
- Make eligible for grants

*Is NOT used:*

- As a means of obligating funding
- To set programs in stone
- To create inflexible policies

# PLANNING PROCESS

## *Seven Elements*

1. Describe Community
2. Identify Administrative Structure and Funding
3. Perform Parks, Recreation, and Facility Inventory
- ↓
4. Engage the Public
- ↓
5. Analyze Results of 1:4
6. Prepare Action Plan
- ↓
7. **Test Plan through Public Review and Adoption**

Parks & Recreation

WHAT'S YOUR BIG IDEA?

## RESOURCE MAPPING

What's your vision for our Parks?

[illegible]

# PUBLIC ENGAGEMENT

## OVERALL THEMES



### Engaged stakeholders value:

1. Natural Area Stewardship
2. Inclusive Community
3. Health and Fitness
4. Connectivity
5. Customer Services

# RECREATION TRENDS



92%

of Americans agree parks and recreation are **important local government services**  
*(comparable to police/fire/schools/transportation)*



95%



85%

of Americans seek **high-quality parks and recreation amenities** when they are choosing a new place to live



of Americans say it is important for their local park and recreation agency **to protect the natural environment by acquiring and maintaining parks, trails, and green spaces**

Source: National Recreation and Park Association 2017 Americans' Engagement With Parks Survey

# RECREATION TRENDS

- **Parks are everywhere-** develop parks in places never before thought as suitable
- **Health and parks-** growing body of research showing parks improve health outcomes
- **Data will drive budgets-** reports such as the “Economic Impact of Local Parks” will justify proposed capital improvements
- **Conservation and recreation** – parks become integral in conservation and storm water management efforts
- **Technology and parks** – use technology to assist with promotion and integrate technology into park use

Source: National Recreation and Park Association Top Five Predictions for Parks and Recreation 2017

# DRAFT PLAN

## Goals

- **Goal #1:** Foster an inclusive and unique community.
- **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.

# DRAFT PLAN

## Goals

- **Goal #3:** To create a community of healthy residents by providing opportunities that promote and encourage active lifestyles and mobility.
- **Goal #4:** Provide recreation programming and facility opportunities that meet the needs and interests of the entire community.

# DRAFT PLAN

## Goals

- **Goal #5:** To use existing community resources efficiently, demonstrate fiscal responsibility, and coordinate and partner with other entities to ensure the availability and opportunity for comprehensive and quality services and facilities.
- **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 maintaining public use, access and enjoyment.

# DRAFT PLAN

*Goals*

- **Goal #7:** Operate the Department of Public Services in an effective and efficient manner so as to maintain a high level of customer service.



# DRAFT PLAN

## *System-Wide Recommendations*

- Barrier Free Accessibility
- Park Design Improvements
- Non-Motorized Connectivity
- Natural Resource Inventory
- Recreation Programming
- Staffing
- Park Promotion
- Fundraising
- Public Involvement



# DRAFT PLAN

## Highlights

### General Park Enhancements

- Landscape and beautification
- Baseball/softball field maintenance
- Tennis court maintenance
- Install bike racks
- Install drinking fountains
- Install park benches and picnic tables / site furnishings
- Land acquisition opportunities (as arise)
- Open space maintenance
- Playground equipment maintenance
- Reforest public property
- Install electric outlets
- Install park shelters

# DRAFT PLAN

## Highlights

### Specific Park Enhancements

- Implement Adams Park Master Plan
- Install two pergolas at Barnum Park
- Baseball field improvements at Howarth Park
- Implement (phased) Kenning Park Master Plan
- Improve parking lot at Lincoln Well Site
- Study feasibility and installation of pedestrian bridge at Linn Smith Park
- Improve native plants garden / monarch butterfly waystation at Martha Baldwin Park

# DRAFT PLAN

## Highlights

### Specific Park Enhancements, con'd.

- Update playground facilities and create portable restroom screening structure at Pembroke Park
- Analyze accessible playground at Poppleton Park
- Reforest at Quarton Lake
- Remove woody debris, stabilize riverbank, improve trail system along River Rouge Trail Corridor
- Improve tables at Springdale Park
- Maintain open space at St. James Park

Identify external funding sources as feasible

# NEXT STEPS

Tuesday Feb. 6 *Presentation*

Presentation of final draft Plan to  
Parks and Recreation Board

Monday Feb. 12 *Public Hearing*

Public Hearing and potential  
adoption of Plan by City  
Commission

The draft Plan was made  
available for public review  
and comment at:

- Birmingham Website
- Department of Public Services
- Birmingham City Hall
- Birmingham Public Library



# THANK YOU

If you have any questions or additional comments, please contact:

**Sarah Traxler, AICP**  
**McKenna**  
straxler@mcka.com

# **Parks and Recreation 5-Year Capital Improvement Plan**

**Proposed Project List - By Park**

**Long Range Planning Session**

**January 27, 2018**



ACTION	PROPOSED FUNDING SOURCE(S)
<b>Adams Park</b>	
Implement Adams Park Master Plan	Grants/Donations/Partnerships
<b>Barnum Park</b>	
Install 2 new pergolas	Donations
<b>Crestview Park</b>	
Playground enhancements	Donations/General Fund
<b>Howarth Park</b>	
Baseball field improvements	Donations/General Fund
<b>Kenning Park</b>	
Phased implementation of Kenning Park Master Plan	Public-Private Partnership/General Fund
Parking lot and pedestrian-scale lighting	Capital Improvement Fund/Grants

<b>ACTION</b>	<b>PROPOSED FUNDING SOURCE(S)</b>
<b>Linden Park</b>	
Playground enhancements	Capital Improvement Fund/Donations/Grants
<b>Martha Baldwin Park</b>	
Improve native plant garden/monarch waystation	Donations/General Fund
<b>Pembroke Park</b>	
Playground enhancements	Capital Improvement Fund/Donations/Grants
Portable restroom screening	General Fund
<b>Poppleton Park</b>	
Accessible playground enhancements	Public-Private Partnership/Donations/Grants
Softball field improvements	Donations/General Fund
<b>Rouge River Trail Corridor</b>	
Removal of debris and riverbank stabilization	Grants/Donations
Trail system improvements	Grants/Donations
Selected master plan improvements	Grants/Donations

<b>ACTION</b>	<b>PROPOSED FUNDING SOURCE(S)</b>
<b>Shain Park</b>	
Play/musical equipment	Capital Improvement Fund/General Fund
<b>Springdale Park</b>	
Shelter site furnishing	Capital Improvement Fund/General Fund
Playground enhancements	Capital Improvement Fund/Donations/Grants
<b>St. James Park</b>	
Soccer/open play field enhancements	Capital Improvement Fund/General Fund
Playground enhancements	Capital Improvement Fund/Donations
<b>Ice Arena</b>	
Replace rink refrigeration system/rink floor	General Fund/Capital Improvement Fund

## **Total Estimated Improvement Costs:**

**\$6,000,000**

## **Potential Funding Sources:**

- Grants
- Donations
- Public/Private Partnerships
- Bonds

# Questions?



# Cape Seal Street Maintenance

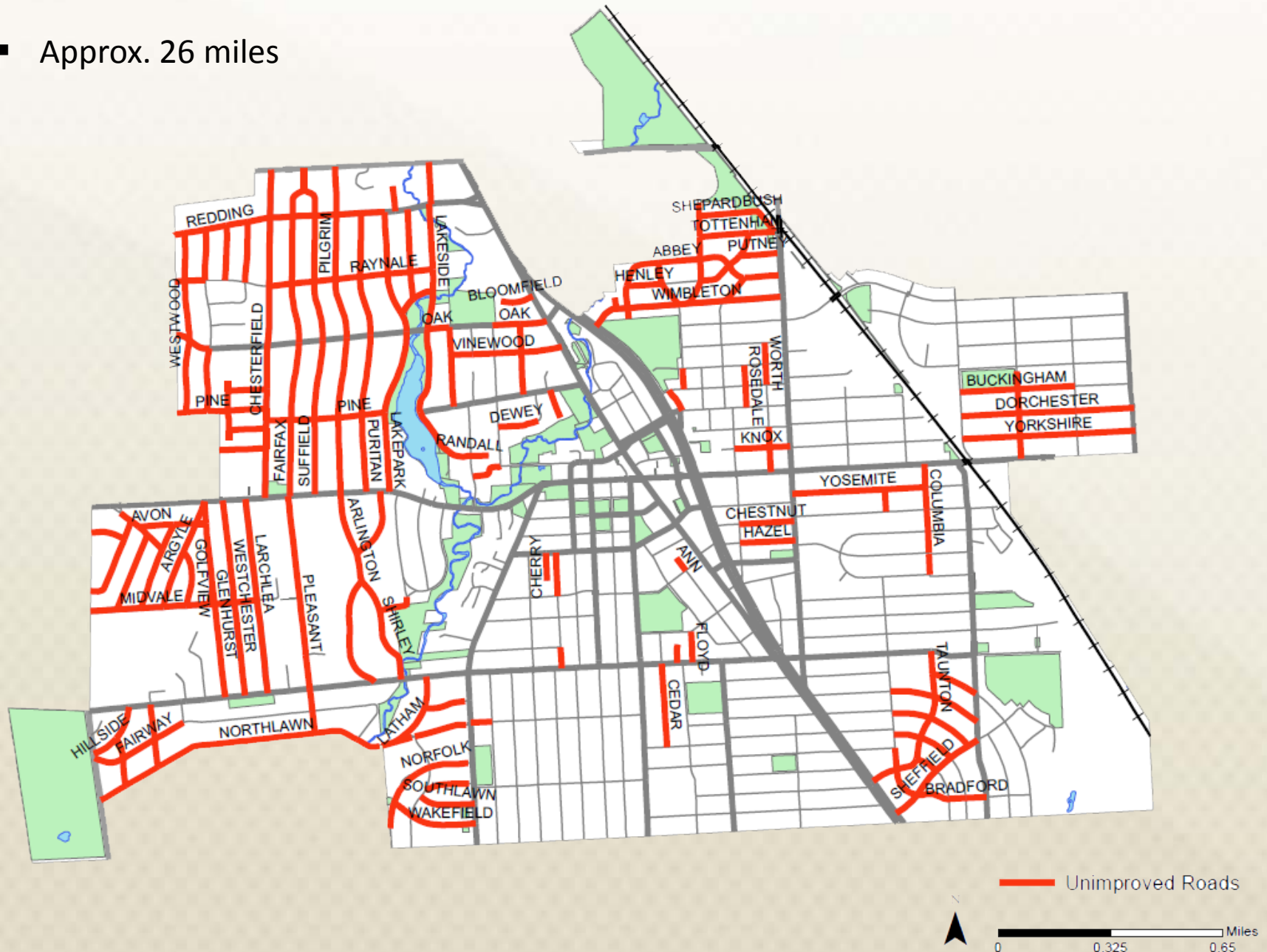
Long Range Planning Session

January 27, 2018



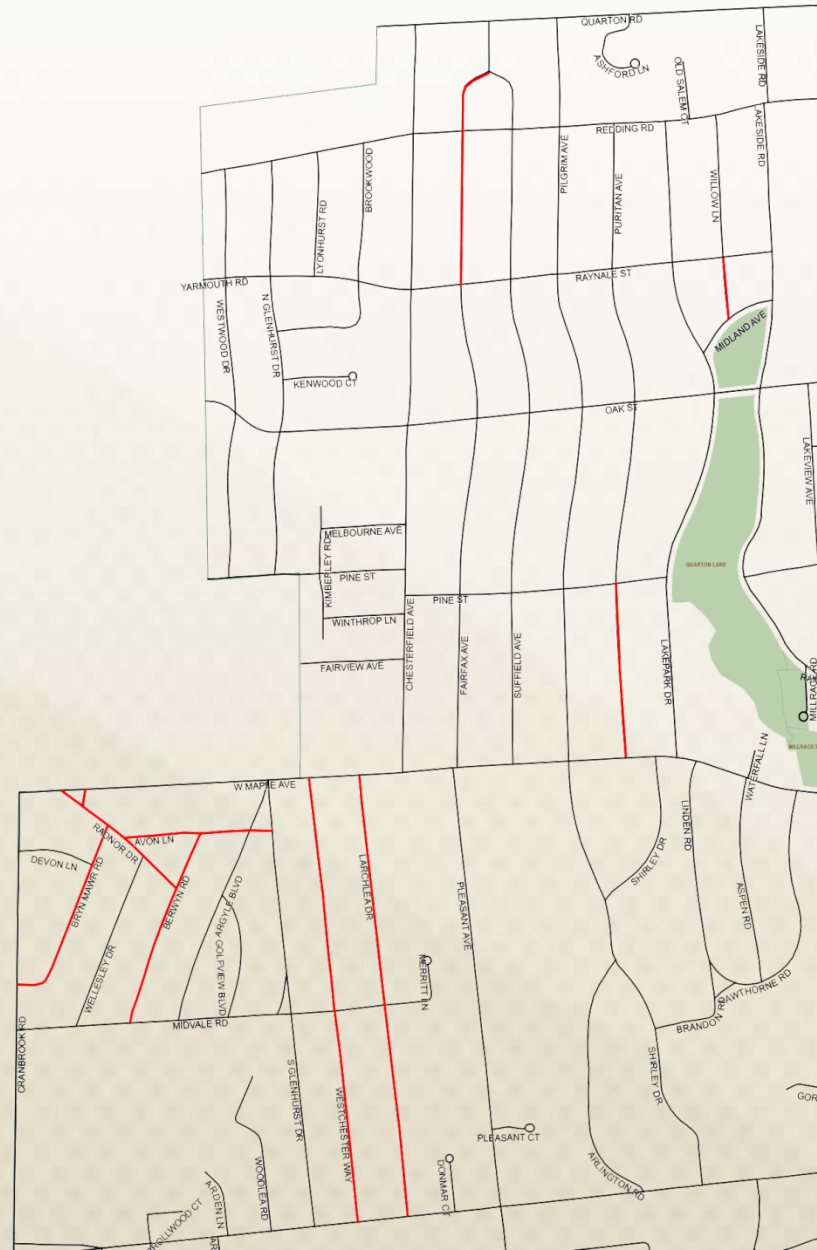
# Birmingham Unimproved Streets

- Approx. 26 miles



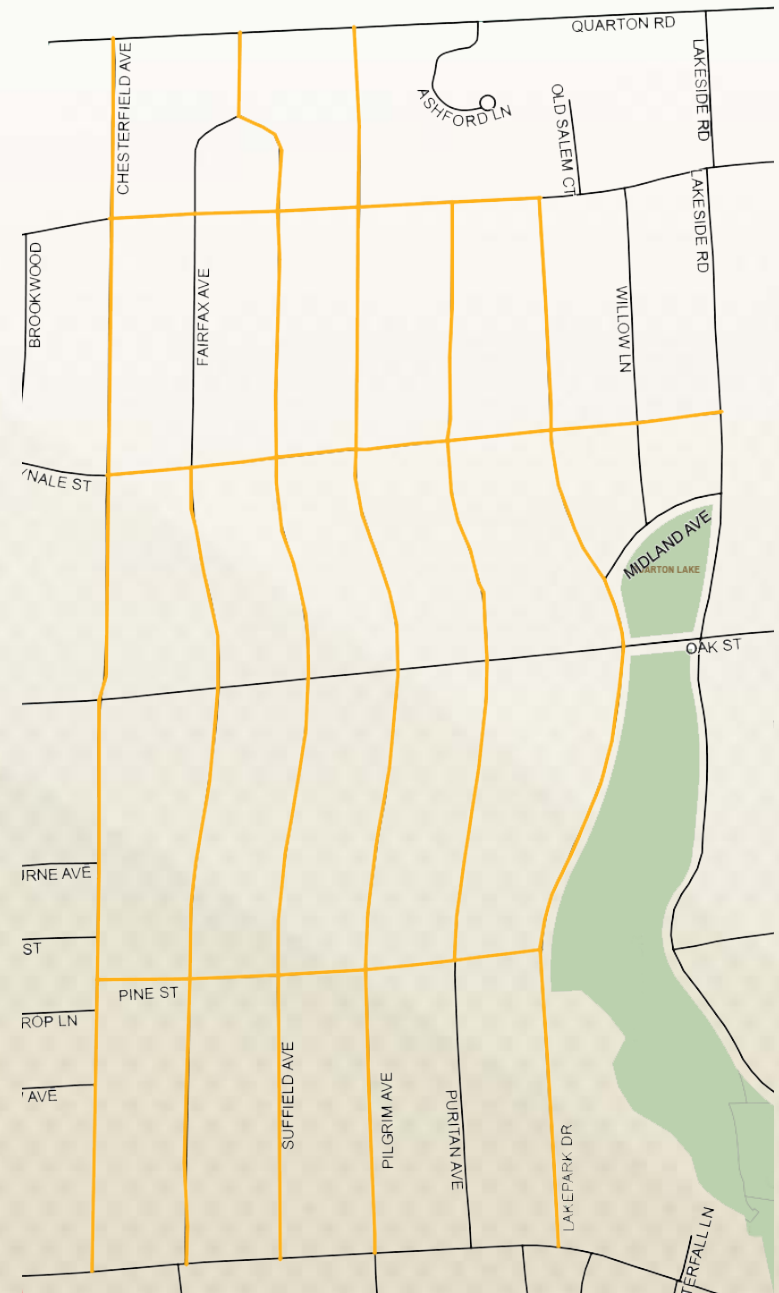
# October 2017

- 33,000 square yards
- 2.5 miles
- Average per-foot cost: \$13.16
- Average assessment: \$932
- Larchlea
- Westchester
- Berwyn
- Radnor
- Avon
- Bryn Mawr
- Fairfax
- Puritan
- Willow Lane



# July 2018

- 72,000 square yards
- 5.8 miles
- Chesterfield
- Fairfax
- Suffield
- Pilgrim
- Puritan
- Lakepark
- Pine
- Raynale
- Redding
- Information Packets - sent August 2017
- Hearing Notices – February 2018
- Informational Forum – February 2018
- Public Hearing of Necessity – April 2017
- 17-18 projects = nearly 1/3 of unimproved streets

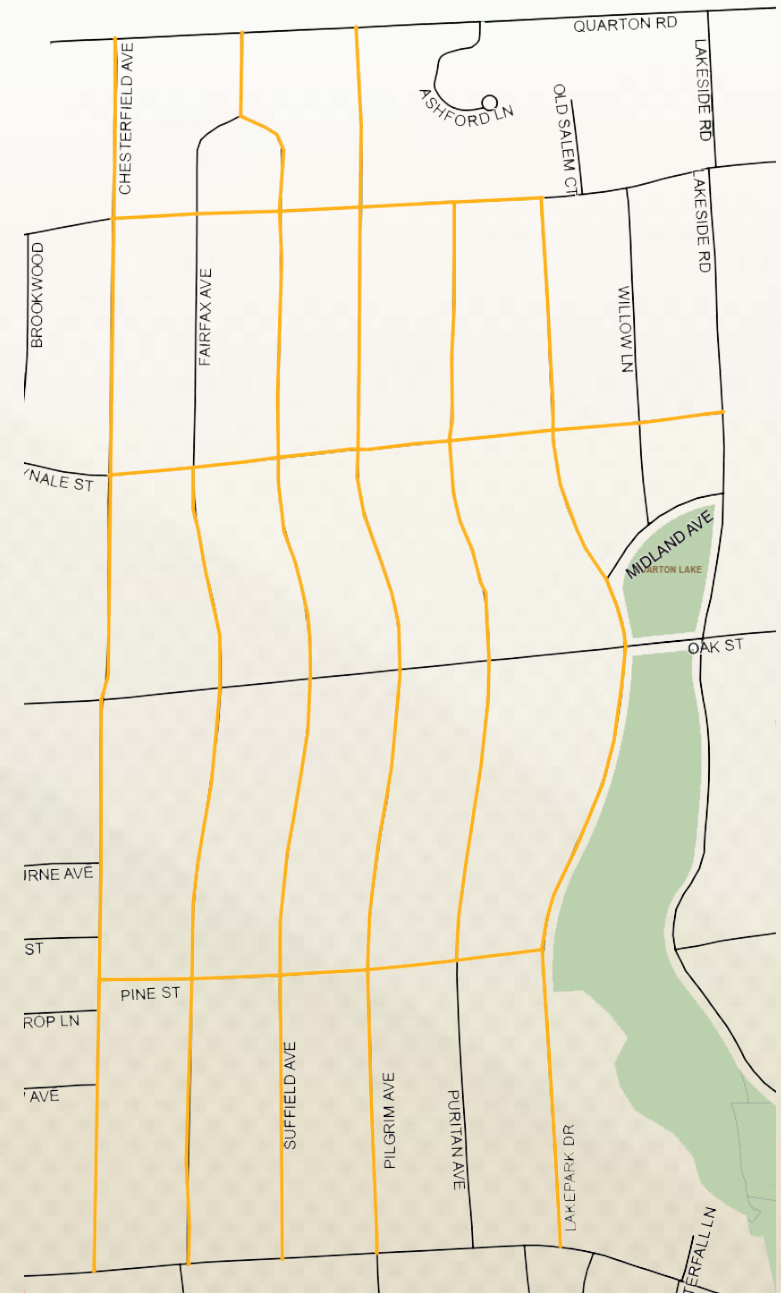


# What to expect:


- 3-4 days of work over 1-2 weeks
- Street parking bans on select work days
- 2 days include a 4-hour partial traffic restriction
- Weather-related schedule adjustments

## Communications:

- Street Signage
  - parking restrictions
  - partial street closures
- Digital Messaging
  - schedule updates
  - other project-related messages
  - [bhamgov.org/capeseal](http://bhamgov.org/capeseal)



# bhamgov.org/capeseal

 Email Notify - Click on the envelope icon to receive e-mail notifications when this page has been updated.

[Summer 2018 Cape Seal Program](#)

[Cape Seal FAQs and Resources](#)

[Cape Seal Videos](#)

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## [NOTIFICATION AND UPDATE CENTER]

### Fall 2017 Cape Seal Program Updates:

- **10/9/2017** - Field work complete; assessments to be mailed upon final receipt and review of contractor invoices - expected within 3-4 weeks.
- **Slurry Coat Schedule - Updated 10/4/2017**

Refer to this [tentative schedule](#) for the application of the final slurry coat for streets in the Fall 2017 cape seal maintenance program. Click the 'Email Notify' icon above to receive email alerts related to this and future cape seal projects.

# Ad Hoc Unimproved Street Study Committee

- Created by Commission Resolution 09-262-17 in Sept. 2017
- Term expires Dec. 31, 2018

## Purpose

Conduct a city-wide study of unimproved streets and provide a recommendation to the City Commission outlining a long term plan for these streets.

## Composition

- Two (2) members of the City Commission
- Three (3) residents living on an unimproved street representing different areas of the City
- One (1) resident living on an improved street
- One (1) member with a background in road design and maintenance
- City Manager
- Manager-designated staff members/consultants

# Ad Hoc Unimproved Street Study Committee

## Scope

To develop a long term plan on how to best proceed in addressing unimproved roads in the City by reviewing and/or evaluating:

- history and evolution of the road system in the City.
- types of streets in the City while considering road durability, maintenance cycles, drainage, Rights-of-Way usage, traffic speeds, parking, resident preference and aesthetics.
- policies from neighboring communities for addressing unimproved streets.
- policies and procedures attributed to each type of street construction and maintenance method used by the City.
- conditions where small sections of unimproved streets exist within a predominately improved block and provide recommendations.
- conditions where large areas of unimproved streets exist within a neighborhood and provide recommendations.
- cost and budget implications of any proposed recommendation and include strategic funding alternatives.
- ✓ Compile the Committee's findings and recommendations into a report to be presented at the end of the Committee's term.

# Cape Seal Maintenance – Moving Forward

- Findings of the Ad-Hoc Committee may affect the cape seal program beyond 2018
- Maintenance will continue until directed otherwise

## Questions?





## MEMORANDUM

Department of Public Services

**DATE:** January 5, 2018

**TO:** Joseph A. Valentine, City Manager

**FROM:** Aaron Filipski, Public Services Manager

**SUBJECT:** LRP – AquaHawk (Water Portal) Update

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In April 2017, the City Commission approved an agreement with American Conservation and Billing (AmCoBi) to provide Birmingham residents online access to their water consumption data through its AquaHawk product. Since that time, the Public Services, Treasury, and IT departments have collaborated with AmCoBi to integrate the city's advanced metering data with the company's online access platform. After months of work, the team is pleased to offer this useful tool to the public, beginning February 1, 2018.

With AquaHawk's easy-to-understand dashboard-style interface, residents can now access current and projected water consumption and billing data from their desktops. One of the most useful features is customizable threshold alerting. This feature automatically alerts residents by phone, text, or email when bills or consumption are projected to exceed a certain quantity. Alerts can also be configured to trigger when consumption trends indicate the possibility of a leak.

This service will be announced via Birmingham's website, social media accounts, and water bill inserts. Additionally, a brief registration and interface demonstration of AquaHawk will be presented during the January 27 Long Range Planning Session.

# Maple and Eton Bridge Improvements

Long Range Planning Session

January 27, 2018





East Side View



West Side View



Bridge Arch Wall



Bridge Underside/Ceiling

# Potential for Beautification and Lighting Enhancements





# Walker Consultants

The City asked Walker Consultants to perform a structural review and prepare 2 conceptual scope of work and cost opinion scenarios for:

- concrete repairs
- paint application
- lighting under bridge

Option 1: Only Sidewalk Areas \$253,000

Option 2: Sidewalk & Roadway \$393,000

# Structural Review...Today

- Maple Road Railway Bridge constructed in 1930
- Relatively good condition for its age
- Modest amount of concrete deterioration
- Many small shallow areas of spalled concrete and rust staining around areas where embedded steel is near the concrete surface
- (Spalling is not a primary structural concern. However, future rust staining may be an aesthetic concern for the improved look of the bridge if no repairs/improvements are made)



Concrete Deterioration- Bridge Retaining Wall



Concrete Deterioration- Slab Wall



Frequent concrete spalling/rust staining at shallow steel



Close Up of Spalling/Rust Staining

# Ceiling/Walls Review

- Cracks and other joints where water infiltration has led to leaching of minerals and other debris that stains the exposed concrete surface
- Active water leaking is occurring, affecting both the ceiling surface and the upper areas of the wall
- No effective way to entirely stop this leaking and leaching= more frequent repainting to maintain neat, clean appearance
- Some existing paint on steel structures- Lead testing performed -Lead found





# Sidewalks



Soil/sediment build up

# Sidewalks



Cracking

# BRIDGE IMPROVEMENT STUDY RESULTS

# Painting the Underside of Bridge (Ceiling)

- Lead abatement=High Cost
- Active water leaking that will continue, leaching/rust staining at some of the joints in the ceiling
- Frequent re-painting may be needed frequently to maintain a clean and presentable appearance of any ceiling coating
- If Option 2 (entire bridge over roadway) is taken, the paint at the drive lane ceilings will be subject to this same scraping / impact
- Painting of the ceiling areas is not included in either Option 1 or Option 2 due to the above reasons.

# Lighting

- Lighting study performed to determine the appropriate levels of LED lighting necessary to provide proper lighting under the bridge.
- Walker used a wall-mounted LED fixture as the basis of the design. These light fixtures would be mounted near the ceiling. Walker has assumed that power will be drawn from the nearby light pole to the North and would be run underground to the bridge.

# Lighting

- Option 1 recommends installing three light fixtures above each sidewalk area
- If Option 2 is taken, Walker recommends installing three light fixtures above each sidewalk area as well as six light fixtures in each of the two roadway areas (to be installed in two rows of three each).

# Sidewalks

- Adding lighting will bring more attention to aesthetically unappealing cracking and sediment build up
- As part of the cost opinion, Walker has included sidewalk replacement/installation in these areas with detailing to install crushed stone around the guardrails to minimize future cracking

# Option 1

## Sidewalk Areas Improvements- \$253,000

### Work Scope

- Mobilization/site access
- Structural concrete repair work
  - Concrete retaining walls and arch walls at/above sidewalk areas
  - Bridge fascia over both sidewalk and roadway
- Non-structural concrete repair work
  - Shallow concrete repairs/surface preparation
  - Sidewalk replacement with surface drainage improvements
- Painting/Staining
  - Concrete retaining walls and arch walls at/above sidewalk areas
  - Bridge fascia (walls of bridge superstructure) over both sidewalk and roadway
- Lighting and conduit installation above sidewalk areas only

## Option 2

# Sidewalk & Drive Lane Improvements- \$393,000

### Work Scope

- Mobilization/site access
- Structural concrete repair work
  - Retaining walls, arch walls, bridge fascia (walls of bridge superstructure)
- Non-structural concrete repair work
  - Shallow concrete repairs/surface preparation
  - Sidewalk replacement with surface drainage improvements
- Painting/Staining at above sidewalk and roadway areas
  - Concrete retaining walls, arch walls, bridge fascia (walls of bridge superstructure)
- Lighting and conduit installation above sidewalk and roadway areas

# CN RAILROAD

- Owner of the Bridge
- Right of Entry Application Required
- Scope of Work/Proposal must be reviewed and approved by CN
- They will not be responsible for any upkeep
- They have worked with other communities for similar projects

# NEXT STEPS

- Selection of Option 1 or Option 2
- Finalize scope of work and project design detail
- Establish a committee to assist with artistic fascia design
- Pursue Cost Share Partnership Opportunities with surrounding property stakeholders
- Submit Application to CN
- Enlist CN input/involvement with structural repairs, as needed

# Questions?





## MEMORANDUM

Planning Division

**DATE:** December 20, 2017

**TO:** Joseph A. Valentine, City Manager

**FROM:** Matthew Baka, Senior Planner

**APPROVED:** Jana Ecker, Planning Director

**SUBJECT:** Comprehensive Master Plan Update

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The City of Birmingham has a history of implementing master plans and ordinances that are intended to guide and regulate the growth of the City in order to promote the type of development that the citizens and property owners value. Currently, the development of the City's planning and zoning regulations are principally governed by six documents which are currently available on the City website:

- The Birmingham Future Land Use Plan (1980);
- The Downtown Birmingham 2016 Plan (1996);
- The Eton Road Corridor Plan (1999);
- The Triangle District Plan (2007);
- The Alleys and Passages Plan (2012); and
- The Multi-Modal Transportation Plan (2013).

The Future Land Use Plan ("the Plan") was the last comprehensive master plan to be adopted by the City (1980). The Plan made specific recommendations throughout the City that are intended to protect residential areas while at the same time made recommendations that would allow the commercial areas to thrive. Since the adoption of the Plan, the City has updated the master plan through the additional subarea plans listed above. Those plans have been implemented through the three overlay zones (Downtown, Triangle and Via Activation) and the rezoning of the rail district to MX (Mixed Used). The Multi-modal plan adopted in 2013 is now the guiding document for the City in regards to transportation infrastructure, major right of way improvements, and user accessibility issues. The cumulative effect of all the sub area plans has essentially updated the Future Land Use Plan in the majority of the commercially zoned areas of Birmingham.

Over the last several years the City Commission and Planning Board have been actively discussing the potential scope of an RFP for a new comprehensive master plan. The updating and implementation of master plans and subarea plans are important aspects of maintaining and improving the standard of excellence that is expected in Birmingham. Although the subarea plans listed above have been established in the City over the past twenty years, there has not been a comprehensive Master Plan update completed since the 1980 Future Land Use Plan. There are several components of the plan that included demographic data and projections that were based on a twenty year time frame (1980-2000). In addition, many of

the land use policies and system analysis may be considered outdated now considering the advancements in technology and changes in lifestyle habits. Accordingly, much of the information provided in the plan was intended to be projections up to the year 2000, and is in need of updating.

At the 2016 and 2017 joint meetings of the City Commission and the Planning Board, the need to update the City's existing comprehensive master plan was discussed in detail. A draft RFP has been reviewed by the group on each occasion. There was consensus that a large portion of the new master plan would be dedicated to updating outdated sections of the Future Land Use Plan. The following list outlines the information in the plan that is out of date or policies that are currently included in the draft RFP for review and updating:

- Community vision and planning objectives;
- Update of Population section to include current demographic data, future projections and analysis;
- Update of Regional and Surrounding Development section to include current and projected demographic data (residential, retail, office, mix of land uses) and analysis of the region, regional and downtown development trends and regional collaboration efforts;
- Update of Residential Housing section to include neighborhood vision in residential areas, analysis of changes in residential patterns and residential areas from 1980 to now, typology and character of neighborhoods, development trends, future projections and future direction;
- The physical characteristics of neighborhoods should be identified and documented including historic attributes, landscape conditions, housing type and the period of construction for each area;
- Review and update of Transportation section to include current vehicular, pedestrian and bicycle data, recent and currently budgeted infrastructure improvements, current multi-modal trends, regional transportation projects, and future recommendations based on regional and national best practices;
- Update and review of existing land use, updated recommendations for future land uses and an updated future land use map including the area of Woodward between 14 Mile Rd. and Lincoln, known as the S. Woodward gateway;
- Parking analysis and recommendations for both public and private parking regulations throughout the entire City including consideration of parking requirements, public parking needs, residential parking permitting requirements, accessible parking needs, potential for shared parking and emerging and innovative technologies;
- Review and update of the Policies section to encourage the implementation of the City's vision, current goals, best practices, current technological advances, and innovative policies.

In addition to the review of the previous master plan and the incorporation of the subarea plans into a comprehensive document, the RFP also provides direction to include additional categories to the scope of work as follows:

- **Comprehensive Community Engagement Plan** that details how public input will be acquired throughout the master planning process;

- **Infrastructure Analysis** that reviews existing infrastructure, evaluates future needs and provides recommendations;
- **Parking Analysis** and recommendations for both public and private parking regulations throughout the entire City including the following components:
  1. Central Business District municipal system;
  2. Triangle District municipal system;
  3. Rail District recent analysis and recommendations;
  4. Zoning Ordinance parking regulations;
  5. Residential Permit parking and alternatives (City-wide); and
  6. Restricted on-street parking between 2am-6am.
- **Meeting Attendance Schedule** that outlines the expectations for the public meetings that the consultant will be expected to attend.
- **Plan Preparation** requiring the Contractor to provide ongoing engagement with respective commissions and boards.
- **Finalization and Adoption** of a draft of the updated Plan will be presented to the Planning Board for initial recommendation and to the City Commission for their concurrence.

The attached draft RFP has been updated to reflect the comments made by the City Commission and Planning Board at the most recent joint workshop. The timelines in the RFP will need to be inserted before the RFP is issued. It is anticipated that the RFP for the master plan will be issued in early March, 2018. Relevant meeting minutes regarding this topic have also been included to provide context for the content of the RFP.



## REQUEST FOR PROPOSALS FOR MASTER PLAN UPDATE

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Sealed proposals endorsed **"MASTER PLAN UPDATE"**, will be received at the Office of the City Clerk, 151 Martin Street, PO Box 3001, Birmingham, Michigan, 48012; until \_\_\_\_\_ **at 3:00pm** after which time bids will be publicly opened and read.

The City of Birmingham, Michigan is accepting sealed bid proposals from qualified professional firms to conduct a comprehensive master plan update. This work must be performed as specified in accordance with the specifications contained in the Request For Proposals (RFP).

The RFP, including the Specifications, may be obtained online from the Michigan Inter-governmental Trade Network at <http://www.mitn.info> or at the City of Birmingham, 151 Martin St., Birmingham, Michigan, ATTENTION: Jana L. Ecker, Planning Director.

The acceptance of any proposal made pursuant to this invitation shall not be binding upon the City until an agreement has been executed.

**Submitted to MITN:**

**Deadline for Submissions:**

**Contact Person:**

\_\_\_\_\_ at 3:00pm  
Jana L. Ecker, Planning Director  
P.O. Box 3001, 151 Martin Street  
Birmingham, MI 48012-3001  
Phone: 248-530-1841  
Email: [jecker@bhamgov.org](mailto:jecker@bhamgov.org)



## REQUEST FOR PROPOSALS FOR MASTER PLAN UPDATE

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## **INTRODUCTION**

For purposes of this request for proposals the City of Birmingham will hereby be referred to as "City" and the private consulting firm or firms will hereby be referred to as "Contractor."

The City of Birmingham, Michigan is seeking a comprehensive update of the City-wide master plan, and is accepting sealed bid proposals from qualified professional planning firms who have experience drafting comprehensive master plan updates. Qualified Contractors must demonstrate experience in conducting strategic visioning sessions, encouraging public participation, community consensus building, demographic and land use analysis, parking analysis, planning best practices, and have a strong background working in traditional, walkable communities.

During the evaluation process, the City reserves the right where it may serve the City's best interest to request additional information or clarification from proposers, or to allow corrections of errors or omissions. At the discretion of the City, firms submitting proposals may be requested to make oral presentations as part of the evaluation.

It is anticipated the selection of a firm will be completed by \_\_\_\_\_. An Agreement for services will be required with the selected Contractor. A copy of the Agreement is contained herein as Attachment A. Contract services will commence upon execution of the service agreement by the City.

The purpose of this RFP is to request sealed bid proposals from qualified parties presenting their qualifications, capabilities and costs to provide a comprehensive update of the City-wide master plan. The City's current comprehensive master plan is entitled The Birmingham Plan, and was adopted in 1980. Since the adoption of the master plan, several sub-area plans have also been adopted for specific sections of the City:

- Downtown 2016 Plan (1996);
- Eton Road Corridor Plan (1999);
- Triangle District Plan (2007);
- Alleys and Passages Plan (2012); and
- Multi-modal Transportation Plan (2013);
- Parks and Recreation Master Plan (TBD)

Each of these sub-area plans continue to be relevant and have essentially acted as updates to the City's comprehensive master plan for portions of the City. The new comprehensive master plan should facilitate a collective utilization of the City's various districts coming together. In addition, the review document produced as a result of Andres Duaney's visit in 2014 should also be considered and incorporated into the development of a new comprehensive master plan.

At this time the City is seeking a comprehensive update of the 1980 Birmingham Plan, and the formal inclusion of each of the subarea plans into an updated comprehensive master plan ("the Plan"). While some portions of the Birmingham Plan may continue to be relevant today, specific areas that need to be updated include:

- Community vision and planning objectives;
- Update of Population section to include current demographic data, future projections and analysis;
- Update of Regional and Surrounding Development section to include current and projected demographic data (residential, retail, office, mix of land uses) and analysis of the region, regional and downtown development trends and regional collaboration efforts;
- Update of Residential Housing section to include neighborhood vision in residential areas, analysis of changes in residential patterns and residential areas from 1980 to now, typology and character of neighborhoods, development trends, future projections and future direction;
- The physical characteristics of neighborhoods should be identified and documented including historic attributes, landscape conditions, housing type and the period of construction for each area;
- Review and update of Transportation section to include current vehicular, pedestrian and bicycle data, recent and currently budgeted infrastructure improvements, current multi-modal trends, regional transportation projects, and future recommendations based on regional and national best practices;
- Update and review of existing land use, updated recommendations for future land uses and an updated future land use map including the area of Woodward between 14 Mile Rd. and Lincoln, known as the S. Woodward gateway;
- Parking analysis and recommendations for both public and private parking regulations throughout the entire City including consideration of parking requirements, public parking needs, residential parking permitting requirements, accessible parking needs, potential for shared parking and emerging and innovative technologies;
- Review and update of the Policies section to encourage the implementation of the City's vision, current goals, best practices, current technological advances, and innovative policies.

This work must be performed as specified in accordance with the specifications outlined by the Scope of Work contained in this Request for Proposals (RFP). It is anticipated that the master plan update will commence \_\_\_\_\_ and be completed \_\_\_\_\_.

## **PUBLIC PARTICIPATION**

Extensive public participation is vital to the success of the master plan update. During the master plan update process, the Contractor will solicit and garner the input of the public on the future vision for the City and build consensus to provide the basis for the overall direction of the master plan update. Extensive public input will also be encouraged throughout the entire master planning process, including specific discussions on residential areas, the downtown and commercial areas, and the transitional areas that connect these zones. The selected Contractor will be required to submit a detailed community engagement plan as a part of this RFP that allows for public input throughout the entire process from visioning to formal adoption of the Plan, utilizing contemporary technologies.

## **SCOPE OF WORK**

The selected Contractor will work with the public, City staff, the Planning Board, and the City Commission to review and update Birmingham's master plan. The Contractor will coordinate with City staff and the City Attorney to ensure compliance with all State and/or Federal laws related to a community master plan update. The scope of services is as follows:

1. **Comprehensive Community Engagement Plan.** Create a detailed and inclusive comprehensive Community Engagement Plan to encourage and facilitate ongoing public participation of all stakeholders in the master planning process, including workshops, charrettes, visioning process, surveys, walking tours and/or other such methods that have been demonstrated to stimulate public discourse to gather input from residents and business owners (property owners and retailers) for integration into the strategic vision for the residential neighborhoods and commercial areas within the Plan. This process is expected to include at a minimum, a multi-day workshop that provides substantial opportunities for various local stakeholders and residents to provide input to achieve consensus on the direction of the City moving forward and ongoing engagement with elected and appointed boards and commissions throughout the entire planning process.
2. **Updated Data Collection and Analysis.** Review and update all demographic, social, economic and market data and provide future projections and trends. Review and update existing land use and zoning patterns and evaluate future land uses (ie. zoning district boundaries, transitional zoning, lot consolidation etc.). Evaluate current trends and best practices in other dense, traditional, walkable communities to make policy recommendations for the future success of Birmingham.
3. **Infrastructure Analysis.** Review existing infrastructure, current construction practices, evaluate future needs and provide recommendations. Specific emphasis should be placed on transportation infrastructure, including analysis of existing vehicular, pedestrian, bicycle

and transit facilities, current multi-modal trends, the formulation of recommendations based on future projections, best practices and the incorporation of Complete Streets principles and walkability priorities.

4. **Parking Analysis.** Review current parking regulations in effect in the City of Birmingham for both private and public property. Provide best practice analyses and recommendations for updating current parking regulations for both private developments and on street public parking in residential and commercial areas, including consideration of the following:
  1. A review of the Central Business District Parking Assessment District with regards to desired future land use, and the need to consider a restructuring of the Parking Assessment District to consider price variations for future expansion of buildings;
  2. A study of build-out capacity as it relates to parking needs and perceived parking issues Downtown;
  3. The potential need for a municipal parking system in the Triangle District and parking needs in the Rail District, with reference to recent analysis and recommendations;
  4. An analysis of the need for other public parking structures and locations along with ideas on financing strategies;
  5. A comprehensive review of the Zoning Ordinance parking regulations that apply outside of the Parking Assessment District;
  6. Analysis of the impact of ride sharing, autonomous vehicles and mass transit on future parking needs;
  7. The need for a written standard relative to the maximum number of dining decks that can be installed in on street parking spaces per block or other defined distance;
  8. The need for demand pricing for parking that would create dynamic hourly rates depending on daily changes in demand both on the street and in the structures;
  9. Development of a policy for electric vehicle charging stations;
  10. Residential Permit parking and alternatives (City-wide);
  11. The need for restricted on-street parking between 2am-6am; and
  12. A review of options to transition public parking decks to other uses in the future if demand for parking declines.
5. **Attendance at Meetings.** The Contractor shall expect to attend the following meetings and base their fees accordingly:
  - A multi-day charrette as noted in subsection (1) above.
  - One (1) meeting with the Planning Board to discuss process and finalize a schedule to meet the requirements of this RFP.
  - Up to five (5) work sessions with City staff to discuss progress and recommendations.

- Two (2) progress report meetings with the City Commission during the master planning process.
- Up to three (3) work sessions/monthly meetings with the Planning Board to discuss updates to key segments of the Plan.
- One (1) public hearing for review of the final draft at the Planning Board.
- One (1) public hearing for review of the final draft at the City Commission.

The City reserves the right to reduce or increase the number of meetings depending on the progress of the project with an adjustment in the contract accordingly.

6. **Plan Preparation.** The Contractor will prepare a detailed progress report for review by the City Commission upon completion of 50% of the project, and another progress report for review by the City Commission upon completion of 75% of the project. The Contractor shall provide ongoing engagement with respective commissions and boards. The Contractor will prepare drafts of each key segment of the Plan for review by the Planning Board, and shall make changes as directed throughout the process. The Contractor will prepare one draft version of the Plan including updated census information, maps, charts, exhibits and graphics to create a vital and compelling statement of public policy. The Contractor will work with the public and the Planning Board to refine the draft Plan into a final draft for approval by the City Commission.
7. **Finalization and Adoption.** A draft of the updated Plan will be presented to the Planning Board for initial recommendation and to the City Commission for their concurrence. The Contractor will participate in the required public hearing(s) and prepare a completed final document with all necessary changes.

This outline is not necessarily all-inclusive and the Contractor shall include in the proposal any other tasks and services deemed necessary to satisfactorily complete the project.

### **DELIVERABLES**

The Contractor shall provide a detailed, master graphic format of the Plan that incorporates all sub-area plans and includes an extensive use of illustrations, photos, before and after examples, charts and tables that clearly depict the plan content, vision and implementation in the following formats upon adoption of the final version of the Plan:

1. One (1) reproducible PDF digital file and twenty (20) hard copies of the draft Plan at 50% completion of plan;
2. One (1) reproducible PDF digital file and twenty (20) hard copies of the draft Plan at 75% completion of plan;

3. One (1) reproducible PDF digital file and twenty (20) hard color copies of the completed plan; and
4. One reproducible PDF digital file of the final Plan for publication on the web and social media.
- 5.
6. One page infographic outlining vision, goals and recommendations of the Plan.

All data, illustrations and projections created or compiled throughout the project shall become the sole property of the City of Birmingham.

### **TIME SCHEDULE AND COST PROPOSAL**

All proposals must include a proposed time schedule for completion of the project and a fixed price agreement with an associated fee schedule for extra meeting costs, should they be required. Reimbursable expenses will be billed at direct cost plus a 10% administrative charge. Normal reimbursable expenses including... associated with the project are to be included in the estimated fees as outlined in the proposal.

The Contractor shall perform all services outlined in this RFP in accordance with the requirements as defined and noted herein.

### **INVITATION TO SUBMIT A PROPOSAL**

Proposals shall be submitted no later than \_\_\_\_\_, **2018 at 3:00pm** to:

City of Birmingham  
Attn: City Clerk  
151 Martin Street  
Birmingham, Michigan 48009

One (1) electronic copy and ten (10) hard copies of the proposal must be submitted. The proposal should be firmly sealed in an envelope, which shall be clearly marked on the outside, **"MASTER PLAN UPDATE"**. Any proposal received after the due date cannot be accepted and will be rejected and returned, unopened, to the proposer. Proposer may submit more than one proposal provided each proposal meets the functional requirements.

### **SUBMISSION REQUIREMENTS**

All proposals that wish to be considered must contain the following:

- (1) Cover Letter;
- (2) Outline of qualifications of the Contractor and of the key employees that will be involved in the project, including an organizational chart of the roles and responsibilities of each team member, and references for the team leader(s).  
The project team should include each of the following skill sets:

- Urban design;
  - Multi-modal transportation;
  - Sustainability;
  - Urban planning;
  - Zoning and form-based code;
  - Architecture;
  - Physical design;
  - Landscape architecture;
  - Transportation engineering;
  - Parking expertise; and
  - National Charrette Institute certification and/or training.
- (3) Outline of Contractor(s) experience with the preparation of similar master plan updates, including references from at least two relevant communities where you have completed such plans. (Portions of sample plans prepared by the Contractor should be submitted with the proposal, up to a maximum of twenty-five (25) pages);
  - (4) Outline presenting a description of the scope of work to be completed, broken down into the following separate components:
    - (i) Community Engagement Plan;
    - (ii) Data collection and analysis;
    - (iii) Parking and infrastructure Analysis;
    - (iv) Preparation of draft plan;
    - (v) Presentation and Adoption;
  - (5) Proposed time frame for completion of each component of the scope of work;
  - (6) A statement of any additional services that you recommend, if any. Define hourly rates for additional services by discipline.
  - (7) Bidders Agreement (Attachment B);
  - (8) Cost Proposal (Attachment C); and
  - (9) Iran Sanctions Act Vendor Certification (Attachment D).

#### INSTRUCTIONS TO BIDDERS

1. Any and all forms requesting information from the bidder must be completed on the attached forms contained herein (see Contractor's Responsibilities). If more than one bid is submitted, a separate bid proposal form must be used for each.
2. Any request for clarification of this RFP shall be made in writing and delivered to: Jana L. Ecker, Planning Director, 151 Martin Street, Birmingham, MI, or via email to jecker@bhamgov.org. Such request for clarification shall be delivered, in writing, no later than 5 days prior to the deadline for submissions. Email requests must contain in their subject line "Request for Clarification".

3. All proposals must be submitted following the RFP format as stated in this document and shall be subject to all requirements of this document including the instruction to respondents and general information sections. All proposals must be regular in every respect and no interlineations, excisions, or special conditions shall be made or included in the RFP format by the respondent.
4. The contract will be awarded by the City of Birmingham to the most responsive and responsible bidder and the contract will require the completion of the work pursuant to these documents.
5. Each respondent shall include in their proposal, in the format requested, the cost of performing the work. Municipalities are exempt from Michigan State Sales and Federal Excise taxes. Do not include such taxes in the proposal figure. The City will furnish the successful company with tax exemption information when requested.
6. Each respondent shall include in their proposal the following information: Firm name, address, city, state, zip code, telephone number, and fax number. The company shall also provide the name, address, telephone number and e-mail address of an individual in their organization to whom notices and inquiries by the City should be directed as part of their proposal.

#### EVALUATION PROCEDURE AND CRITERIA

The City will utilize a qualifications-based selection process in choosing a Contractor for the completion of this work. The evaluation panel will consist of City staff, board members, and/or any other person(s) designated by the City who will evaluate the proposals based on, but not limited to, the following criteria:

- Ability to provide services as outlined.
- Experience of the Contractor with similar projects.
- Professional qualification of key employees assigned to the project.
- Public Involvement Process.
- Content of Proposal.
- Cost of Services.
- References.

#### TERMS AND CONDITIONS

1. The City reserves the right to reject any or all proposals received, waive informalities, or accept any proposal, in whole or in part, it deems best. The City reserves the right to award the contract to the next most qualified Contractor if the successful Contractor does not execute a contract within ten (10) days after the award of the proposal.

2. The City reserves the right to request clarification of information submitted and to request additional information of one or more Contractors.
3. The City reserves the right to terminate the contract at its discretion should it be determined that the services provided do not meet the specifications contained herein. The City may terminate this Agreement at any point in the process upon notice to Contractor sufficient to indicate the City's desire to do so. In the case of such a stoppage, the City agrees to pay Contractor for services rendered to the time of notice, subject to the contract maximum amount.
4. Any proposal may be withdrawn up until the date and time set above for the opening of the proposals. Any proposals not so withdrawn shall constitute an irrevocable offer, for a period of ninety (90) days, to provide the services set forth in the proposal.
5. The cost of preparing and submitting a proposal is the responsibility of the Contractor and shall not be chargeable in any manner to the City.
6. Payment will be made within thirty (30) days after invoice. Acceptance by the City is defined as authorization by the designated City representative to this project that all the criteria requested under the Scope of Work contained herein have been provided. Invoices are to be rendered each month following the date of execution of an Agreement with the City.
7. The Contractor will not exceed the timelines established for the completion of this project.
8. The successful bidder shall enter into and will execute the contract as set forth and attached as Attachment A.

#### CONTRACTOR'S RESPONSIBILITIES

Each bidder shall provide the following as part of their proposal:

1. Complete and sign all forms requested for completion within this RFP.
  - a. Bidder's Agreement (Attachment B)
  - b. Cost Proposal (Attachment C)
  - c. Iran Sanctions Act Vendor Certification Form (Attachment D)
  - d. Agreement (Attachment A – **only if selected by the City**).
2. Provide a description of completed projects that demonstrate the firm's ability to complete projects of similar scope, size, and purpose, and in a timely manner, and within budget.
3. Provide a written plan detailing the anticipated timeline for completion of the tasks set forth in the Scope of Work.

4. The Contractor will be responsible for any changes necessary for the plans to be approved by the City of Birmingham.
5. Provide a description of the firm, including resumes and professional qualifications of the principals involved in administering the project.
6. Provide a list of sub-contractors and their qualifications, if applicable.
7. Provide three (3) client references from past projects, include current phone numbers. At least two (2) of the client references should be for similar projects.
8. Provide a project timeline addressing each section within the Scope of Work and a description of the overall project approach. Include a statement that the Contractor will be available according to the proposed timeline.

#### CITY RESPONSIBILITY

The City will provide a designated representative to work with the Contractor to coordinate both the City's and Contractor's efforts and to review and approve any work performed by the Contractor.

#### SETTLEMENT OF DISPUTES

The successful bidder agrees to certain dispute resolution avenues/limitations. Please refer to paragraph 17 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

#### INSURANCE

The successful bidder is required to procure and maintain certain types of insurances. Please refer to paragraph 12 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

#### CONTINUATION OF COVERAGE

The Contractor also agrees to provide all insurance coverages as specified. Upon failure of the Contractor to obtain or maintain such insurance coverage for the term of the agreement, the City may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the contract amount. In obtaining such coverage, Birmingham shall have no obligation to procure the most cost effective coverage but may contract with any insurer for such coverage.

#### EXECUTION OF CONTRACT

The bidder whose proposal is accepted shall be required to execute the contract and to furnish all insurance coverages as specified within ten (10) days after receiving notice of such acceptance. Any contract awarded pursuant to any bid shall not be binding

upon the City until a written contract has been executed by both parties. Failure or refusal to execute the contract shall be considered an abandonment of all rights and interest in the award and the contract may be awarded to another. The successful bidder agrees to enter into and will execute the contract as set forth and attached as Attachment A.

#### **INDEMNIFICATION**

The successful bidder agrees to indemnify the City and various associated persons. Please refer to paragraph 13 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

#### **CONFLICT OF INTEREST**

The successful bidder is subject to certain conflict of interest requirements/restrictions. Please refer to paragraph 14 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

#### **EXAMINATION OF PROPOSAL MATERIALS**

The submission of a proposal shall be deemed a representation and warranty by the Contractor that it has investigated all aspects of the RFP, that it is aware of the applicable facts pertaining to the RFP process and its procedures and requirements, and that it has read and understands the RFP. Statistical information which may be contained in the RFP or any addendum thereto is for informational purposes only.

#### **PROJECT TIMELINE**

Evaluate Respondents	_____
Interview Contractors	_____
Award Contract	_____
Project Kick Off Meeting	_____
50% Completion of draft Plan	_____
75% Completion of draft Plan	_____
Final Draft of Plan Completed	_____

The Contractor will not exceed the timelines established for the completion of this project.

**ATTACHMENT A - AGREEMENT  
FOR MASTER PLAN UPDATE**

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This AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by and between CITY OF BIRMINGHAM, having its principal municipal office at 151 Martin Street, Birmingham, MI (hereinafter sometimes called "City"), and \_\_\_\_\_, Inc., having its principal office at \_\_\_\_\_ (hereinafter called "Contractor"), provides as follows:

**WITNESSETH:**

**WHEREAS**, the City has heretofore advertised for bids for the procurement and performance of services required to complete an update to the City-wide comprehensive master plan, and in connection therewith has prepared a request for sealed proposals ("RFP"), which includes certain instructions to bidders, specifications, terms and conditions.

**WHEREAS**, the Contractor has professional qualifications that meet the project requirements and has made a bid in accordance with such request for cost proposals to complete an update to the City-wide comprehensive master plan.

**NOW, THEREFORE**, for and in consideration of the respective agreements and undertakings herein contained, the parties agree as follows:

1. It is mutually agreed by and between the parties that the documents consisting of the Request for Proposal to complete an update to the City-wide comprehensive master plan and the Contractor's cost proposal dated \_\_\_\_\_, 2017 shall be incorporated herein by reference and shall become a part of this Agreement, and shall be binding upon both parties hereto. If any of the documents are in conflict with one another, this Agreement shall take precedence, then the RFP.
2. The City shall pay the Contractor for the performance of this Agreement in an amount not to exceed \_\_\_\_\_, as set forth in the Contractor's \_\_\_\_\_, 2017 cost proposal.
3. This Agreement shall commence upon execution by both parties, unless the City exercises its option to terminate the Agreement in accordance with the Request for Proposals.
4. The Contractor shall employ personnel of good moral character and fitness in performing all services under this Agreement.
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 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. The Contractor agrees that it will require all subcontractors to sign a Non-Disclosure Agreement satisfactory to the City Attorney.
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. The Contractor shall not commence work under this Agreement until it has, at its sole expense, obtained the insurance required under this paragraph. All coverages shall be with insurance companies licensed and admitted to do business in the State of Michigan. All coverages shall be with carriers acceptable to the City of Birmingham.
12. 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: 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: Commercial General Liability and Motor Vehicle Liability Insurance, 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 employee and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof. This coverage shall be primary to any other coverage that may be available to the additional insured, whether any other available coverage by primary, contributing or excess.

- E. Cancellation Notice: Workers' Compensation Insurance, Commercial General Liability Insurance and Motor Vehicle Liability Insurance (and Professional Liability Insurance, if applicable), 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: Finance Director, City of Birmingham, PO Box 3001, 151 Martin Street, Birmingham, MI 48012-3001.
- F. Proof of Insurance Coverage: Contractor shall provide the City of Birmingham, at the time the Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the City of Birmingham, 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;
  - 5) If so requested, Certified Copies of all policies mentioned above will be furnished.
- G. 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 of Birmingham at least (10) days prior to the expiration date.
- H. Maintaining Insurance: Upon failure of the Contractor to obtain or maintain such insurance coverage for the term of the Agreement, the City of Birmingham may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the Agreement amount. In obtaining such coverage, the City of Birmingham shall have no obligation to procure the most cost-effective coverage but may contract with any insurer for such coverage.
13. 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 behalf of the City of Birmingham 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 and the City of Birmingham, its elected and appointed officials, employees, volunteers or others working on behalf of the City of Birmingham, 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 this Agreement. 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 of Birmingham.

14. 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.
15. 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.
16. All notices required to be sent pursuant to this Agreement shall be mailed to the following addresses:

City of Birmingham  
Attn: Jana L. Ecker  
151 Martin Street  
Birmingham, MI 48009  
248-530-1841

CONTRACTOR

17. 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.
18. 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.**

WITNESSES:

**CONTRACTOR**

\_\_\_\_\_

By: \_\_\_\_\_

Its:

**CITY OF BIRMINGHAM**

\_\_\_\_\_

By: \_\_\_\_\_

Andrew Harris

Its: Mayor

\_\_\_\_\_

By: \_\_\_\_\_

Cherilynn Mynsberge

Its: City Clerk

Approved:

\_\_\_\_\_  
Jana L. Ecker, Planning Director  
(Approved as to substance)

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

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

\_\_\_\_\_  
Mark Gerber, Director of Finance  
(Approved as to financial obligation)

**ATTACHMENT B - BIDDER'S AGREEMENT  
FOR MASTER PLAN UPDATE**

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In submitting this proposal, as herein described, the Contractor agrees that:

1. They have carefully examined the specifications, terms and Agreement of the Request for Proposal and all other provisions of this document and understand the meaning, intent, and requirement of it.
2. They will enter into a written contract and furnish the item or items in the time specified in conformance with the specifications and conditions contained therein for the price quoted by the proponent on this proposal.

---

**PREPARED BY  
(Print Name)**

---

**DATE**

---

**TITLE**

---

**DATE**

---

**AUTHORIZED SIGNATURE**

---

**E-MAIL ADDRESS**

---

**COMPANY**

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**ADDRESS**

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**PHONE**

---

**NAME OF PARENT COMPANY**

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**PHONE**

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**ADDRESS**

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**ATTACHMENT C - COST PROPOSAL  
FOR MASTER PLAN UPDATE**

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**In order for the bid to be considered valid, this form must be completed in its entirety.** The cost for the Scope of Work as stated in the Request for Proposal documents shall be a lump sum, as follows:

<b>TOTAL AMOUNT</b>	\$
<b>Additional Meeting Charge</b>	\$ per meeting
<b>Additional Services Recommended (if any):</b>	\$ / hour
	\$ / hour
	\$ / hour
	\$ / hour
	\$ / hour
	\$ / hour
	\$ / hour

Firm Name\_\_\_\_\_

Authorized signature\_\_\_\_\_ Date\_\_\_\_\_

**ATTACHMENT D - IRAN SANCTIONS ACT VENDOR CERTIFICATION  
FORM  
FOR MASTER PLAN UPDATE**

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Pursuant to Michigan Law and the Iran Economic Sanction Act, 2012 PA 517 ("Act"), prior to the City accepting any bid or proposal, or entering into any contract for goods or services with any prospective Vendor, the Vendor must certify that it is not an "Iran Linked Business", as defined by the Act.

By completing this form, the Vendor certifies that it is not an "Iran Linked Business", as defined by the Act and is in full compliance with all provisions of the Act and is legally eligible to submit a bid for consideration by the City.

---

**PREPARED BY  
(Print Name)**

**DATE**

---

**TITLE**

**DATE**

---

**AUTHORIZED SIGNATURE**

**E-MAIL ADDRESS**

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**COMPANY**

---

**ADDRESS**

**PHONE**

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**NAME OF PARENT COMPANY**

**PHONE**

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**ADDRESS**

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**TAXPAYER I.D.#**

**BIRMINGHAM CITY COMMISSION /  
PLANNING BOARD JOINT WORKSHOP SESSION MINUTES  
JUNE 20, 2016  
DPS FACILITY, 851 SOUTH ETON  
7:30 P.M.**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Rackeline J. Hoff, Mayor called the meeting to order at 7:30 PM.

**II. ROLL CALL**

ROLL CALL: Present, Mayor Hoff

Commissioner Bordman Commissioner Boutros Commissioner DeWeese Commissioner Harris

Mayor Pro Tem Nickita Commissioner Sherman

Absent;

None

**ROLL CALL OF PLANNING BOARD:**

Present, Mr. Clein, Chairperson

Ms. Boyce

Mr. Boyle

Mr. Jeffares

Mr. Koseck

Ms. Lazar

Mr. Williams

Ms. Prasad, alternate member (arrived at 7:32 PM)

Mr. Share, alternate member

Administration: City Manager Valentine, City Attorney Studt, Deputy Clerk Arft, City Engineer O'Meara, Planning Director Ecker, Senior Planner Baka, Building Director Johnson

**III. ITEMS FOR DISCUSSION**

City Manager explained the meeting format. The city-wide master plan will be discussed, followed by discussion on various issues facing the city regarding land use. No action is anticipated this evening on any of the items. We envision there will be a consensus-driven discussion at the end as to which items are to be brought back to the City Commission to act on formally and provide direction on those issues for the Planning Board.

Public participation will be included as each item is concluded. A short presentation outlining each item will be made by staff.

Mayor Hoff noted that they hope to have interaction here and gain consensus on how to prioritize the many issues. Through the discussion tonight we will try to prioritize and give the Planning Board some direction on next steps.

**A. City-wide Master Plan Update**

Senior Planner Baka noted that the most recent comprehensive master plan was completed and adopted in 1980. Since that time, there have been sub-area plans and overlay plans that

have been implemented and are essentially master plan updates, including the 2016 plan in 1996, the Eton Road corridor plan in 1999, and the Triangle plan in 2007. Also the Alleys and Passageways plan was done in 2012, and the Multi-Modal plan in 2013. All of those have been used to guide development throughout Birmingham. The discussion has been whether it is time to do a comprehensive master plan update. It has been suggested that with the sub-area plans being fairly recent, generally it is thought it may not be necessary to overhaul the master plan but tie all of the plans together in a way that creates a consistent and comprehensive guide for the future development. The 1980 plan contains outdated demographic and statistical information. The projections were for 20 years out.

Staff provided a sample RFP of the types of things thought to be important to include in the plan, and certainly, public participation is at the top of the list. If the Commission and Planning Board want to move in that direction, staff would pursue a formal RFP and begin the process.

Mayor Hoff noticed much information to be updated is objective data and she is not certain why we need an outside consultant for that.

Mr. Valentine said part of the reason is the need for a process facilitated by an outside consultant. He agreed that the data analysis is certainly something staff could do, but the public involvement process is more defined, and that process needs to be driven by a hired consultant to insure all public input that is desired is included in the process.

She confirmed that this is scheduled for the 2016-17 budget. She noted that this is not as much a discussion topic, since we are going to move forward.

Ms. Bordman said that she was disappointed after reading the sample RFP and the memo. She did not think it asked for new ideas especially in the residential areas. She did not see a place for this visionary look at the plan.

Ms. Ecker noted that this would be addressed, but this is not going to be a comprehensive master plan. If Birmingham was a community that did not have any sub-area plans or any master plans, then a comprehensive master plan would be needed. She does not envision that we would start from scratch because Birmingham has been consistent in knowing where it wants to go in the different commercial areas. It is more fine tuning some of the areas that have almost been left out by the sub-area plans, such as the residential neighborhoods and the some of the sensitive zones between the residential neighborhoods in downtown.

Mr. Koseck said master plans should be about discovery, gathering information and analyzing information and presenting it. He would like to find someone who has creativity and can help the city connect the dots after analyzing the information. He thinks it requires a specific and unique expertise. In his opinion, the 2016 plan was very successful. He does not think a one day workshop with the public will gather enough information. The influence should be equally shared by people who live in and who have businesses in the community. He said the Planning board references the plan often. He does not want to shortchange the design piece, and suggested giving at least another day or two of workshops.

Mr. Clein agreed that more public engagement is needed and ask for a detailed public engagement plan.

Mr. Boyle thought the 1980 plan did not connect with the public until the vision was completed and presented. He agrees that we need public involvement in the planning process and let the staff and consultants keep the process moving to end up with a product acceptable with everyone in the city.

Commissioner Harris asked if this RFP mirrors the RFP issued 20 years ago for the 2016 plan since he understands it was considered to be successful. Ms. Ecker said that neither she nor Mr. Baka were employed with the city in 1996 when the 2016 plan was written and she has been unable to locate the RFP. She said the last direction staff received from the previous commission was to update the data and pull all the sub-area plans together. She agrees that the 2016 plan was more involved.

Mr. Jeffares said he views this as a strategic plan of our city. He agreed that the Planning Board relies on the plan in every decision that is made. His opinion that there have been several sea changes and doing something like this may not capture the changes. He referenced plans for electric vehicles in the near future and planning for it in the city. He thinks we need to be more all-encompassing and stretching a bit more on this.

Commissioner DeWeese missed vision and direction as to where we want to go and how we get there. Residents have a vision of how neighborhoods should be and how the city acts in regard to that. It is all about integration and the perspective. He thinks we need a broader scope and to pay more attention to the vision that people have. He noted the trend in the community for big homes on small lots, and may become more narrow in terms of economic perspective due to need for more wealth in order to live here. We need a community consensus of what we want the community to be, and he thinks this was missing. He wants to see a document that gives us a direction and vision. It may be implied, but it was not explicit.

Commissioner Nickita thinks the RFP has to be carefully drafted. He thinks it is a matter of the right consultant to help orchestrate the very solid planning efforts that have been successfully implemented. Also, to look at the gaps that have not been looked at for many years and put it all together. He thinks we can find a consultant if we clearly define the expectations. He thinks someone needs to recognize what the city has brought to the table already, and then orchestrate it with the neighborhoods and seam it together.

Mr. Williams noted that the plans that have been approved are basically touching on commercial areas as they impact the residential areas. He would like to focus on the neighborhood input and that is different from what the city has done in the past. He said the master plan is not comprehensive as it pertains to some of the neighborhoods and some of the transitional areas but more importantly from a future planning standpoint of how the neighborhoods fit into the dynamics of the entire city. We cannot sit back and pretend that an outside entity will be successful at getting the input of the residents. That is up to the Planning Board and City Commission to reach out to the residents.

Mr. Jeffares agreed that the plans that have been implemented are good and need to be looked at now with a vision to the future to make sure they will continue to work. This plan could have a dramatic effect on the neighborhoods.

Mr. Valentine expected to hear comments about the process by which the plan is updated. Staff will go back and rework it based on the comments made and show everyone another draft for any other comments and then move forward with the process.

Ms. Ecker explained for Ms. Prasad that what generally happens in the RFP process is to advertise and invite proposals. In the past, a steering committee or a board or committee has been used to review the proposals along with staff. A number of top candidates are selected and will be invited to interview with the committee and the City Commission and a final consultant is chosen. Mr. Valentine confirmed that this would be done in the fiscal year beginning July 1. It will go through the process at this level to make certain that what is wanted in the RFP is included. It may be this fall or later.

Ms. Ecker stated the selection process would be included in the RFP. This evening was a review of the scope of service.

Mayor Hoff asked for public comments.

Paul Reagan, 997 Purdy, expressed concern about buffers contained in the master plan, emphasis by the city on commercial planning only, at the expense of neighborhoods. He is fearful for property values of homes. He stated that this process has to be neighborhood-centric when moving forward.

DeAngelo Espree, 505 E. Lincoln, asked if there is any plan for a common meeting place for all residents. Ms. Ecker said the master plan does not have a specific recommendation to provide a community center, but over the years there have been many discussions with the expansion of the YMCA and the Barnum property, but nothing has so far moved forward. It was noted there has been no discussion about expanding or adding another Department of Public Services building, nor is there a present need.

Mayor Hoff summarized that the comments heard tonight will be incorporated into a new proposed RFP which will come back to the commission.

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Mayor Hoff summarized that the comments heard tonight will be incorporated into a new proposed RFP which will come back to the commission.

**BIRMINGHAM CITY COMMISSION /  
PLANNING BOARD JOINT WORKSHOP MINUTES  
SEPTEMBER 19, 2016  
DPS FACILITY, 851 SOUTH ETON  
7:30 P.M.**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Rackeline J. Hoff called the meeting to order at 7:30 PM.

**II. ROLL CALL**

Present: Commissioner Bordman Commissioner Boutros Commissioner DeWeese  
Commissioner Harris Mayor Hoff  
Mayor Pro Tem Nickita  
Commissioner Sherman  
Ms. Boyce Mr. Boyle Mr. Jeffares Mr. Koseck Ms. Lazar  
Ms. Prasad, alternate member Mr. Williams

Absent: Mr. Clein  
Mr. Share, alternate member

Administration: City Manager Valentine, City Attorney Currier, Deputy Clerk Arft, City Planner Ecker, Building Director Johnson

**III. ITEMS FOR DISCUSSION**

**A. Comprehensive Master Plan Update**

Ms. Ecker described what has transpired with the RFP for a Master Plan. In June, 2016 a draft scope of work was presented to the commission and board. At that time, it was agreed that a more holistic, comprehensive approach was desired, including a visioning process that would look at the character and future of the neighborhoods and how that would fit in with the commercial districts. Transitional zoning, parking concerns, and the use of present and future technology, among others, were also concerns. The intention is to get feedback tonight on the draft RFP and then bring the RFP formally to the City Commission for issuance. She said if the RFP is issued soon, respondents could submit in October, with interviews following, and an award in December of this year, with a kick-off meeting in January 2017.

Some of the additions to the draft include a public visioning process, a public engagement plan from firms. The Planning Board would work with the consultant to get a draft plan and then bring it to the City Commission. The Commission would be involved throughout the process in the various design sessions, input sessions, and workshops. More detail was added to the parking analysis, including residential permit parking, city-wide parking plan.

Ms. Ecker said transitional zoning is not specifically called out for a study, but is referred to within the RFP as it relates to residential areas, the downtown, and commercial areas.

Mr. Williams would like to see representatives from residential communities added to the evaluation committee.

Ms. Ecker noted that the proposals would be reviewed by staff and the Planning Board, be narrowed down to two or three candidates, and be interviewed by the Planning Board. It would be brought to the City Commission to make the final selection. Ms. Ecker explained how the process was handled for the sub-area plans.

Mayor Hoff asked for thoughts on including residents on the selection committee. City Manager Valentine said the options would be to stay with the Planning Board, or create an ad hoc committee to serve as the evaluation panel for the proposals.

Mr. Williams said residents have complaints about a lack of input and he would like to get them involved. He would like the residents to appoint their own representatives from the beginning.

City Manager Valentine asked if the residents are part of the evaluation panel, are they going to have the same voting privileges as other members of the board.

Ms. Boyce thinks important for the Planning Board to make recommendations to the City Commission, and agrees it is important to have residents involved early in the process. She does not think there should be a separate committee and that the residents should not have a vote. The Planning Board already has qualified people on the board who have the knowledge and skills in this area.

Commissioner Boutros said the residents elected the commissioners to represent them and make decisions. He welcomes public involvement, but his fear is finding qualified residents to make the evaluations and decisions on this important plan.

Mayor Pro Tem Nickita said the key to public involvement is during the process to include as much as possible the public's interest and concerns and reaction to the proposals. In terms of selecting, he suggested we stay with the Planning Board or create an ad hoc committee to include members of different boards and some commissioners. He suggested it would be helpful to include the public in that dialog during the evaluation process with specific invitations and keep the final selection to the Planning Board.

Mr. Williams said since this plan will deal with residential areas and not just commercial as the sub-area plans have, the residents should be invited to participate at the beginning of the process. The residents would have opinions on what the study is going to look like as opposed to who the consultant is going to be.

Commissioner Bordman thinks an ad hoc committee could be created for the purpose of selecting the contractor to include MMTB, Parks & Recreation as well as the Planning Board and residents.

Mr. Boyle suggested those who respond to the RFP be asked how they would engage the public. He thinks we can deal with the selection of appropriate consultants by using the people who are experienced in this including the commission, staff and with a public meeting at the Planning Board with the consultants who respond.

Mayor Hoff said there are now two different opinions on how we should proceed. One is to create an ad hoc committee consisting of members of different boards and including members of the general public. The other is to have the Planning Board conduct the interviews with invitations to members of the public to attend that session and invite them to give their opinions on selecting the contractor.

Ms. Ecker said historically we have used an ad hoc committee if we do not have a specific board dedicated to the topic. She stated that the state law and city code specifically task the planning board with the planning of the city and making recommendations for land use, etc. to the City Commission.

Mayor Pro Tem Nickita prefers to base the decision making on some level of precedent that we have had success with. This is a special plan, more broad, more inclusive, more unique in the sense it has not been done in 30 years, so it may be appropriate to have the Planning Board lead, but incorporate some of the other boards as an option.

Commissioner DeWeese suggested a compromise of perhaps three or more Planning Board members that the board selects and maybe one member of other boards that are critical, along with a public representative.

Commissioner Harris agrees with the creation of an ad hoc committee for this review.

Mr. Jeffares suggested using the Planning Board and adding a few people to that. After the decision is made, the Planning Board will be working with the plan, and it is important to have the seven Planning Board members all feel like they were in on the decision.

Commissioner Sherman suggested that what is contemplated is how the city is going to grow and fit together, and he thinks it falls more in the category of a committee as we have set up for things like Shain Park where we had multiple aspects that went into it. All of the boards will be involved in various aspects of this plan, but he would limit the task of this committee solely to selecting the contractor. The plan itself is going to come back to each of the boards for review. At that point, the board's comments and interpretation are going to be incorporated into the plan. Selection is only part of it. Getting the right candidates to submit their proposals is more important.

Commissioner Boutros asked how the individual members feel.

Mr. Williams wants to be inclusive and go beyond the Planning Board.

Mr. Jeffares is in favor of the Planning Board and add a few of the other key players.

Ms. Prasad has experience in working on master plans and she does not believe that she has ever presented to a group that has not been tailor made to select the planner for that particular exercise. She agrees with including members of other committees that could add value with the Planning Board would be the right approach.

Ms. Boyce said the Planning Board is the appropriate board to make the selection for the recommendation and agrees that it would be beneficial to have others invited and hear their comments at a public meeting. She would not put them on the board and specifically give them a vote

Mr. Boyle is in favor of inclusiveness and wants the Planning Board members to be involved. At the end of the day, the board will be working with the consultant and their teams. He suggested that Parking, Multi-Modal Transportation Board, Parks and Recreation, and Design Review Boards be included, and there may be others.

Mr. Koseck said the Planning Board members have been appointed by the commission. Members of other committees would bring expertise to the group which might make it better.

Mayor Hoff said we are now talking about the Planning Board and four other people, or an ad hoc committee comprised of three or four planning board members and people from the other committees and boards. She believes the makeup makes a difference.

Ms. Boyce said this discussion began with including residents and asked if that is important or not.

Commissioner Sherman does not think the entire board should sit on the selection committee plus other committee members. He would rather see a couple board members plus the other committees mentioned, and a couple of residents. It will be looked at from different points of view made up of a mixed bag of people with different skill sets.

Mayor Hoff said if that is the way we go, we need to discuss the composition of the committee. Mayor Hoff noted the contractor selection recommendation committee will be made up of three Planning Board members, two residents (one property owner), and one member of each of the following committees: Multi-Modal Transportation Board, Advisory Parking Committee, Parks and Recreation, Design Review Board.

Mayor Hoff asked for comments on the Introduction.

Commissioner DeWeese suggested changes in the reference to dense urban communities.

Mayor Pro Tem Nickita agreed and suggested the words "...traditional, walkable..." be used.

Commissioner Bordman suggested adding the words "...encouraging residents to participate in a public involvement process,...".

Mayor Hoff suggested "conducting strategic visioning sessions with residents".

Commissioner Bordman would like to see it in the introduction on the first page. She questioned the use of only "current" demographic data, and suggested that "projected" be added. Ms. Ecker noted it was spelled out in more detail on the next in the Updated Data Collection and Analysis section. Ms. Ecker said the word would be added.

Resident Deangelo Espree commented.

Commissioner DeWeese referred to bullet point 4, and said he would like to have something referring to a vision for neighborhoods. There is disagreement in this city over how the

neighborhoods look and he would like to more directly address that with a vision on which we can get some agreement.

Mr. Williams would like to address the trends in the city since 1980, and analyze what has taken place in neighborhoods.

Commissioner DeWeese said we have a clear vision for the downtown and commercial areas, but we do not have a clear vision of the neighborhoods.

Commissioner Bordman suggested "Update of residential housing section to include an analysis of changes in residential areas from 1980 to present, neighborhood goals, projections..."

Commissioner DeWeese wants some direction. He wants to know where the city needs to be moving.

Mr. Boyle suggested adding "...future direction" to Commissioner Bordman's suggestion.

Mayor Pro Tem Nickita thinks it is more involved and maybe we need to expand the bullet, because it is going back to the percentage of the city that is single family residential for the most part and the amount of emphasis we have had on the planning and directing the non-residential. In order for us to identify where we want these neighborhoods to go, we have to recognize exactly what we have. Part of that is the distinction of identifying the characteristics of the different neighborhoods so that there is some definition of physical conditions of one neighborhood over another, because if we are going to start identify or analyze some type of variation of what is there, we need to understand how it is different from the next. He thinks the bullet point should expand to include "neighborhood typeology, neighborhood characteristics and neighborhood evolution". He said we cannot competently direct vision and set the stage for future development if we do not understand that.

Commissioner Harris suggested incorporating the RTA in the discussion in bullet 5. Commissioner Bordman suggested adding "anticipated effects of autonomous vehicles". Ms. Ecker said that is covered on the next page under Parking Analysis.

Mr. Jeffares asked if that would cover the utility aspect since autonomous is mostly going to be electrical. Ms. Ecker agreed that should be added in section 3.

Commissioner DeWeese would like the words "and alternatives" added to item 4. Residential Permit Parking (city-wide). It would be clear that we are looking for alternatives.

Mayor Pro Tem Nickita said we need to be somewhat specific when referring to demographic data to include residential, office and commercial.

Mayor Pro Tem Nickita suggested adding to bullet point 7 "to incorporate current technological advancements" and "innovative policies". He feels "best practices" is too broad.

Mayor Pro Tem Nickita suggested under Public Participation language to include provide an app to develop and encourage as much public participation as possible.

Mr. Boyle suggested the words “,...utilizing contemporary technologies.” at the end of the last sentence.

Commissioner Bordman did not see anything like a monkey survey that the consultant would put together and offer to the public. She thought the city could use the email that we use now for the bulletins we send out so we could have a monkey survey ahead of or around the same time as the charrettes. It would involve people who due to work or family commitments cannot come to the charrette, but would still like to play a role to help figure out where we are going with this plan.

Mr. Boyle suggested more of a rewrite in the Visioning Process section to indicate we are looking for a consultant who understands the importance of capturing all views and brings these views early and often. He would like to put the onus on them to present to us a detailed plan for comprehensive community engagement, and that we assess that as part of the review process. They should bring experience of where it has been done before.

Mayor Hoff asked how we communicate that we want one public meeting for review of the final draft at the Planning Board and one before the City Commission.

Ms. Ecker suggested “....shall include at a minimum...”

Mayor Pro Tem Nickita suggested that the commission be involved in a preliminary meeting that provides a progress report.

Commissioner DeWeese suggested replacing the words “urban areas” with “dense, traditional, walkable communities” in 2. Updated Data Collection and Analysis. Mr. Koseck suggested adding words “residential” before neighborhood in 1. Visioning Process. Mayor Pro Tem Nickita suggested adding in 3. Infrastructure Analysis “and the incorporation of complete streets policies and walkable priorities.”

Ms. Prasad said whatever we find in the infrastructure analysis and parking analysis, should feed the visioning process, and that the community engagement goes on throughout the whole term of the project.

Commissioner DeWeese suggested changes to item 6 on page 6. He said it needs to be more inclusive especially as it relates to the City Commission. Ms. Ecker will add language requiring progress reports and/or updates.

Mr. Boyle suggested the words “ongoing engagement with....”

Mayor Pro Tem Nickita said we may want to be more specific in the Deliverables section. He suggested that we add “...that clearly depict the plan concepts, proposed vision, and recommendations.” We should be very clear on the documentation that they give us. We may want to add before and after illustrations, three dimensional illustrations of particular concepts, detailed plan document, including elements like buildings, pedestrian network, including sub area plans. We want to have in our hands at the end of the day that will give us the ability to implement the plan.

Ms. Boyce asked if we need the hard color copies. Ms. Ecker said historically we have supplied a copy of the plan to the commissioners.

Mr. Koseck said it might be more important to get a hard copy of a 90% complete set. It is common for architects to provide hard copies at 50% and 90% completion so the clients can mark it up.

Mr. Jeffares suggested an infographic might be helpful.

Mr. Koseck suggested that item 2 under Submission Requirements, identify key people and their roles, ask for references for those people, and a separate category for past projects that the firm has done with references.

Mr. Williams suggested we need to be flexible to accept both a contractor who brings along sub-contractors as opposed to a joint venture situation.

Mayor Pro Tem Nickita said it is important how we frame our desired qualifications.

City Attorney Currier said a joint venture agreement gives the city more protection and more accessibility.

Mr. Koseck suggested requesting an organizational chart in the submission requirements.

City Manager Valentine clarified this RFP will be bid under our normal procedure which is open and public as all bids are.

Mr. Williams said he is not sure a month is enough time to put together a joint venture. He thinks firms should have 60 days to respond.

Mayor Hoff adjourned the meeting at 9:44 pm.

**BIRMINGHAM CITY COMMISSION /  
PLANNING BOARD JOINT WORKSHOP SESSION MINUTES  
SEPTEMBER 18, 2017  
DPS FACILITY, 851 SOUTH ETON  
7:30 P.M.**

**IV. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Mark Nickita called the meeting to order at 7:30 PM.

**V. ROLL CALL**

PRESENT: Mayor Nickita  
Mayor Pro Tem Harris  
Commissioner Bordman  
Commissioner Boutros  
Commissioner DeWeese  
Commissioner Hoff (arrived at 7:35 PM)  
Commissioner Sherman

Scott Clein, Planning Board  
Chairman  
Stuart Jeffares, Member  
Janelle Whipple-Boyce, Member  
J. Bryan Williams,  
Member  
Robin Boyle, Member

ABSENT: Bert Koseck,  
Member Gillian  
Lazar, Member  
Lisa Prasad,  
Member Daniel  
Share, Member

ADMINISTRATION: City Manager Valentine, City Attorney Currier, Deputy  
Clerk Arft, Planning Director Ecker

Mayor Nickita explained that this meeting will be a workshop session. No formal decisions will be made. The purpose of the workshop is to focus on problem definition and desired outcomes.

**VI. ITEMS FOR DISCUSSION**

**A. REVIEW OF CITY-WIDE MASTER PLAN CONSULTANT REQUEST FOR PROPOSALS**

City Planner Ecker explained the request for proposal (RFP) incorporates all comments from joint meetings, topic requests, and miscellaneous comments over the past year. All changes asked for thus far have been incorporated.

Mayor Nickita asked for Commission comments.

Commissioner Sherman commented that the plan has been seen a number of times, and gone through a number of revisions. He continued that he wanted to incorporate the 2014 review of the 2016 plan by Andres Duany. City Planner Ecker said she would add it to the list, and Commissioner Sherman concluded that he saw nothing else missing from the RFP.

Mayor Nickita added that:

- The document Commissioner Sherman referenced was a review document.
- DPZ submitted a document after that review, and it was an all-encompassing review of the plan. It included department issues and pretty extensive public interaction. There were meetings, presentations, and it was a multi-faceted city initiative.
- The document gave recommendations to move forward and a sense of where the City was on the plan.
- Even though it was not an official plan, the Mayor believes it is an important supplemental document that should be included in the plan.

Commissioner DeWeese expressed concern about the point on page six which reads: "Update of Residential Housing section to include neighborhood vision in residential areas, analysis of changes in residential patterns and residential areas from 1980 to now, typology and character of neighborhoods, development trends, future projections and future direction." He believed that point did not sufficiently address either the issues and visions people have in the neighborhoods, or the relationship between residential and commercial needs.

Commissioner DeWeese continued that:

- He did not understand the reference to one-way streets in the fourth bullet point on page six. The City does not have one-way streets, and he added that for walkable communities one-way streets are not usually desirable.
- He still did not see a sufficient expression of a vision for the desired future direction and character of the City.
- The 2016 plan included such a vision for the downtown, and added that there was something of a vision included in the Master Plan, but he felt that such a vision was lacking in this document.
- He wants to see the community come together and make a decision of what they think Birmingham is, and should be.
- Implementing a walkable community and new urbanism has been successful, but is not sure that "contemporary technologies" are as cutting edge as what the City of Birmingham already does. He wanted to make sure that the RFP emphasizes the goal of taking what the City is already doing well and bringing it to the next level.

Mayor Nickita built off Commissioner DeWeese's comments to say that an expanded overview with introductory goals in the overall framework plan could be useful. City Planner Ecker suggested that the first bullet point on page six would be the place to expand on the City's goals and intentions. The Mayor agreed the RFP could get more specific there regarding what the City is looking for and what it would like the document to become. He added that the bullet could even include more specifics like "collective utilization of [the City's] different districts coming together".

Commissioner Bordman wanted the first bullet point on page seven, "Comprehensive Community Engagement Plan", to include a parenthetical that will change the paragraph to read "to stimulate public discourse to gather input from residents and business owners (property owners and retailers)" in order to more broadly include all of the potential stakeholders.

City Planner Ecker confirmed for Mayor Pro Tem Harris that a North Bates potential development is covered in the 2016 plan and in the review document.

Commissioner Hoff, in replying to Commissioner DeWeese, noted that page six reads "extensive public input will also be encouraged throughout the entire master planning process including specific discussions on residential areas, the downtown and commercial areas, and the transitional areas that connect these zones," and that she thought this was sufficiently inviting the public to participate.

Commissioner DeWeese clarified that his concern is not the process, but the kind of outcome. The goal is to take those conversations and make recommendations for the City from them. His concern was that many of the bullet points focused on updating what the City already does, but not providing a new, overarching direction.

City Planner Ecker explained for Commissioner Hoff that point eight on page eight calls for public parking to be priced according to its demand.

Mayor Nickita asked if there is a way to include Birmingham's intent in its interactions with adjacent communities. City Planner Ecker stated that this would be challenging because adjacent communities do not always share Birmingham's goals.

Mayor Nickita concurred, but wanted a stated goal that Birmingham will do the best it can to make borders as seamless as possible for both communities.

Mayor Nickita then called for comments from the Planning Board.

Mr. Williams wanted the City's consultants to be made aware that changes in Birmingham have not always happened under the purview of the Master Plan. Major historical zoning changes, like transitional zoning, garages, and dormers, occurred outside of the master planning process from 1980, and will now need to be brought in.

City Manager Valentine clarified for Mr. Boyle that the Master Plan and the Recreation Plan are on a similar track. The Master Plan for the Parks and Recreation programs will be completed ahead of the citywide Master Plan, but when the citywide Master Plan RFP is issued, City Manager Valentine does not anticipate the Parks and Recreation Master Plan will be completed. Some language should be added to the Master Plan RFP that when the Parks and Recreation Master Plan is completed, it will be incorporated and shared at the appropriate time.

City Manager Valentine explained to Commissioner Hoff that:

- The RFP would likely be issued after the first of the year.
- He intends on having the resources and people to carry it through after that date.
- The City is in the process of adding a new planner.

Commissioner Hoff expressed her belief that the City must not delay action on all issues until completion of the Master Plan, since the planning process will likely take longer than a year.

Mayor Nickita and Commissioner DeWeese concurred with Commissioner Hoff. Commissioner DeWeese added:

- That a Master Plan is an overview plan with the overall goals and objectives of the City.
- The City needs to continue making decisions at lower levels while the planning process progresses.
- The City should continue using the guides it has used to make those decisions until new guides are released with the new Master Plan.

Mayor Nickita addressed the language regarding neighborhood conditions in the plan, wanting to be sure that:

- The language provided enough information for the consultant team since the Master Plan is the most focused neighborhood planning the City performs, and since Birmingham does not have a sub-area plan for the neighborhoods.
- There is a way to address issues that were not included in the 1980 Master Plan such as tear-downs and combined lots.

Commissioner DeWeese explained that:

- The Mayor's point is the same one the Commissioner was trying to make earlier.
- Birmingham has very distinctive neighborhoods, such as the walkable downtown, the near-town, and the very suburban areas, and without a sub-area plan, the City has been going on what was written in the 1980 Master Plan.
- There is a need to update the language of the Master Plan to create guidelines for the changes the City is experiencing and whatever future changes can be foreseen.

Mr. Jeffares added that he wants to make sure that children and seniors are well-represented in the master planning process.

Ms. Whipple-Boyce suggested the City may want to study whether it is desirable to establish some consistency between residential neighborhoods as part of the master planning process. She mentioned sidewalks, curbs, treatment of streets, signage, and lighting as a few of the aspects to be potentially considered.

Mayor Nickita suggested:

- The master planning process should clarify identifiable neighborhoods within Birmingham by making reference to specific
  - historic attributes;
  - the physical conditions of the landscape;
  - the housing type;
  - the period in which the buildings were built; or
  - any other number of ways to characterize a given neighborhood.

- This clarity would allow the City to plan for how they would like these neighborhoods to be preserved or updated.
- The Master Plan should also identify primary, secondary, and tertiary linkages between the neighborhoods with the intent of focusing on these routes over time for scheduling future infrastructure improvements.



## MEMORANDUM

Planning Division

**DATE:** January 2, 2018

**TO:** Joseph A. Valentine, City Manager

**FROM:** Matthew Baka, Senior Planner

**APPROVED:** Jana Ecker, Planning Director

**SUBJECT:** Agenda Report Formatting Procedure

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The Planning staff has been asked to provide a review of the current policies regarding the format of staff reports and memos in order to determine if the current format can be improved to provide the City Commission and the public with a more concise presentation of the relevant information. Currently, staff provides a memo or report to the Commission outlining the issue being discussed. Support data and required attachments are then attached to the memo in chronological order. The support data typically includes the staff memo that was written for the Planning Board, relevant meeting minutes, architectural plans and any additional correspondence or public comment that has been received.

Currently the support data is organized in chronological order from oldest to newest. However, comments have been received suggesting that this method has the potential to be confusing or difficult to follow as it may result in the attachments being organized in a manner that does not clearly present the information currently under discussion. There can several reasons why this may take place. Applicants often appear at several Planning Board meetings before coming in front of the City Commission. As a result of these meetings there are generally several revisions to the architectural plans and several reports which are included as attachments. In an effort to provide the Commission with as much information as possible, all of these various versions of the plans and reports are attached to the staff memo. This can sometimes result in the most updated plans being attached after older plans, since they are chronologically newer. However, the older plans no longer accurately illustrate what the Commission is being asked to consider, which has the potential to cause confusion. In addition, correspondence letters from residents and business owners may be received at different times throughout the review process and under the current process are therefore scattered throughout the various attachments based on the date on the letters.

In order to illustrate this issue a recent City Commission memo has been attached from the 220 Restaurant review. This example shows how in certain situations the sequencing of the documents may make it difficult for Commission members and the public at large to recognize which documents are under consideration. Also attached is a sample memo that offers an alternate format that prioritizes the most relevant information first and attaches additional background information at the end. Each individual attachment is labeled in the following manner to clarify its relevance to the current request.

#### 220 Merrill Staff report – chronological order

- City Commission memo (current)
- New SLUP resolution (current)
- Old SLUP resolution (1991)
- Previously submitted land survey (2013)
- Previously approved plans (2014)
- Planning Board minutes (02/2014)
- Previously approved signed plans (02/2014)
- Warranty Deed (02/2014)
- Previously approved elevation plan (06/2014)
- Previously approved Administrative Approval plans (06/2014)
- Historic District Commission minutes (06/2015)
- Current plan submission (09/2017)
- Cover letter from applicants attorney (09/2017)
- SLUP Application (09/2017)
- Staff report to Planning Board (11/2017)
- Planning Board minutes (11/2017)
- Previously approved plans (undated)
- Aerial map (undated)

#### 220 Merrill Staff report – relevance order

- City Commission memo (current)
- New SLUP resolution (current)
- SLUP application (09/2017)
- Warranty Deed (02/2017)
- Cover letter from applicants attorney (09/2017)
- Plans for current submission (09/2017)
- Staff memo to Planning Board (with relevant meeting minutes) (11/2017)
- Aerial Map
- All background info and plans

CHRONOLOGICAL ORDER



## MEMORANDUM

Planning Division

**DATE:** December 5, 2017

**TO:** Joseph A. Valentine, City Manager

**FROM:** Jana L. Ecker, Planning Director

**Re:** Public Hearing for a Special Land Use Permit Amendment and Final Site Plan for 220 Restaurant at 220 E. Merrill

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The subject property at 220 E. Merrill is located in the B4 Business Residential zone district. The B4 zone lists food and drink establishment as a permitted use requiring a Special Land Use Permit (SLUP). The applicant was approved for a SLUP by the City Commission on March 10, 2014.

The applicant is now requesting an amendment to the existing SLUP to allow them to utilize the lower level of the building, formerly known as "Edison's" for special events, private parties, and the public as an extension to 220 Restaurant on the first floor. The applicant has indicated that the proposed lower level of 220 Restaurant will offer a food menu (the same as that offered on the main floor of the existing restaurant) and will host low-key entertainment, such as jazz music and piano music, in the space. Business hours would be the same as those of the main restaurant. The existing 220 Restaurant currently holds an entertainment permit from the Michigan Liquor Control Commission. According to the Michigan Liquor Control Code, Administrative Rules and Related Laws, Article 436.1915, Section 916:

An on-premises licensee shall not allow monologues, dialogues, motion pictures, still slides, closed circuit television, contests, or other performances for public viewing on the licensed premises unless the licensee has applied for and been granted an entertainment permit by the commission. Issuance of an entertainment permit under this subsection does not allow topless activity on the licensed premises.

As 220 Restaurant currently holds an entertainment permit, the low-key live entertainment proposed would be permitted within the establishment. However, given previous concerns raised by the City Commission regarding the use of DJ's and other types of entertainment, the draft SLUP resolution contains additional entertainment provisions that the City Commission may wish to consider adopting.

The applicant appeared before the Planning Board on November 8, 2017 and received a recommendation for approval. As there are no exterior changes proposed to the historic structure they are not required to obtain approval from the Historic District Commission.

The City Commission set a public hearing date for December 11, 2017 to consider an application for a Special Land Use Permit ("SLUP") Amendment and Final Site Plan for 220 restaurant at 220 E. Merrill.

**SUGGESTED ACTION:**

To approve a Special Land Use Permit Amendment and Final Site Plan for 220 Restaurant at 220 E. Merrill to utilize the lower level of the building as an extension of the 220 Restaurant.

220 RESTAURANT  
220 E. MERRILL  
SPECIAL LAND USE PERMIT ADMENDMENT  
2017

- WHEREAS, 220 Restaurant filed an application pursuant to Article 7, section 7.34 of Chapter 126, Zoning, of the City Code to operate a food and drink establishment in the B4 zone district in accordance Article 2, Section 2.37 of Chapter 126, Zoning, of the City Code;
- WHEREAS, The land for which the Special Land Use Permit is sought is located on the south side of E. Merrill, west of S. Old Woodward;
- WHEREAS, The land is zoned B-4, and is located within the Downtown Birmingham Overlay District, which permits the operation of food and drink establishments serving alcoholic beverages with a Special Land Use Permit;
- WHEREAS, Article 7, section 7.34 of Chapter 126, Zoning requires a Special Land Use Permit to be considered and acted upon by the Birmingham City Commission, after receiving recommendations on the site plan and design from the Planning Board for the proposed Special Land Use;
- WHEREAS, The applicant was granted a Special Land Use Permit by the City Commission on March 10, 2014;
- WHEREAS, The applicant submitted an application for a Special Land Use Permit Amendment and Final Site Plan for 220 Restaurant;
- WHEREAS, The Planning Board on November 8, 2017 reviewed the application for a Special Land Use Permit Amendment and recommended approval of the application with the following conditions:
1. Add the required street tree to the existing open tree well, with a minimum caliper of 3 in. DBH at the time of planting;
  2. Complete and legible plans, with all required information, will need to be submitted before approval of any occupancy of this space, and for the evaluation of this space for the allowable occupant load; and
  3. Compliance with the requests of all City departments.
- WHEREAS, The applicant has agreed to comply with the conditions of approval recommended by the Planning Board;
- WHEREAS, The Birmingham City Commission has reviewed 220 Restaurant's Special Land Use Permit Amendment application and the standards for such review as set forth in Article 7, section 7.36 of Chapter 126, Zoning, of the City Code;
- NOW, THEREFORE, BE IT RESOLVED, The Birmingham City Commission finds the standards imposed under the City Code have been met, subject to the conditions below, and that 220 Restaurant's application for a Special Land Use Permit Amendment and Final Site Plan at 220 E. Merrill is hereby approved;

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

1. 220 Restaurant shall be permitted to provide entertainment in accordance with their entertainment permit issued by the MLCC, except that no disc jockey ("DJ") entertainment shall be permitted after 7:00pm on any day of the week;
2. DJ entertainment includes any entertainment that involves a person who mixes different sources of pre-existing recorded music as it is playing;
3. 220 Restaurant shall abide by all provisions of the Birmingham City Code; and
4. 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.

BE IT FURTHER RESOLVED, Except as herein specifically provided, 220 Restaurant 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 be subsequently amended. Failure of 220 Restaurant to comply with all the ordinances of the City may result in the Commission revoking this Special Land Use Permit.

MAY IT BE FURTHER RESOLVED that 220 Restaurant is recommended for the operation of a food and drink establishment serving alcoholic beverages on premises with a Class C Liquor License at 220 E. Merrill, pursuant to Chapter 10, Alcoholic Liquors, of the Birmingham City Code, subject to final inspection.

I, Cherilynn Mynsberge, City Clerk of the City of Birmingham, Michigan, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Birmingham City Commission at its regular meeting held on December 11, 2017.

---

Cherilynn Mynsberge, City Clerk

# PREVIOUS SLUP RESOLUTION

## 220 MERRILL RESTAURANT SPECIAL LAND USE PERMIT AMENDMENT OUTDOOR DINING 2000

WHEREAS, 220 Merrill Restaurant at 220 Merrill has applied for a continuation of a Special Land Use Permit originally granted on March 15, 1993 to permit the placement of outdoor seating for 20 persons in front of the building, where customers would consume food purchased at 220 Merrill Restaurant, such applications having been filed pursuant to Section 126-477 of the City Code;

WHEREAS, The land for which the Special Land Use Permit is sought is on the north side of Merrill, east of Pierce;

WHEREAS, The land is zoned B - 4 Business-Residential, which permits outdoor dining with a Special Land Use Permit;

WHEREAS, Section 126-477 (8) requires a Special Land Use Permit to be considered by the Birmingham City Commission at such time that any change takes place in the building, or the use of the property is altered;

WHEREAS, 220 Merrill Restaurant has applied for a Special Land Use Permit Amendment for outdoor dining in conformance with the approved February 10, 1993 plan;

WHEREAS, The Birmingham City Commission has reviewed the 220 Merrill Restaurant Special Land Use Permit application and standards for such review as set forth in Subparagraphs (a) through (f) of Section 126-477 of the City Code; now, therefore, be it

RESOLVED, That the Birmingham City Commission finds the standards imposed under the City Code have been met and 220 Merrill Restaurant application for a Special Land Use Permit Amendment to continue the outdoor dining operation is hereby approved; be it further

RESOLVED, That all conditions of the previously approved 1999 Special Land Use Permit shall be continued for a period of one year as part of this Special Land Use Permit Amendment and are incorporated as herein by reference; be it further

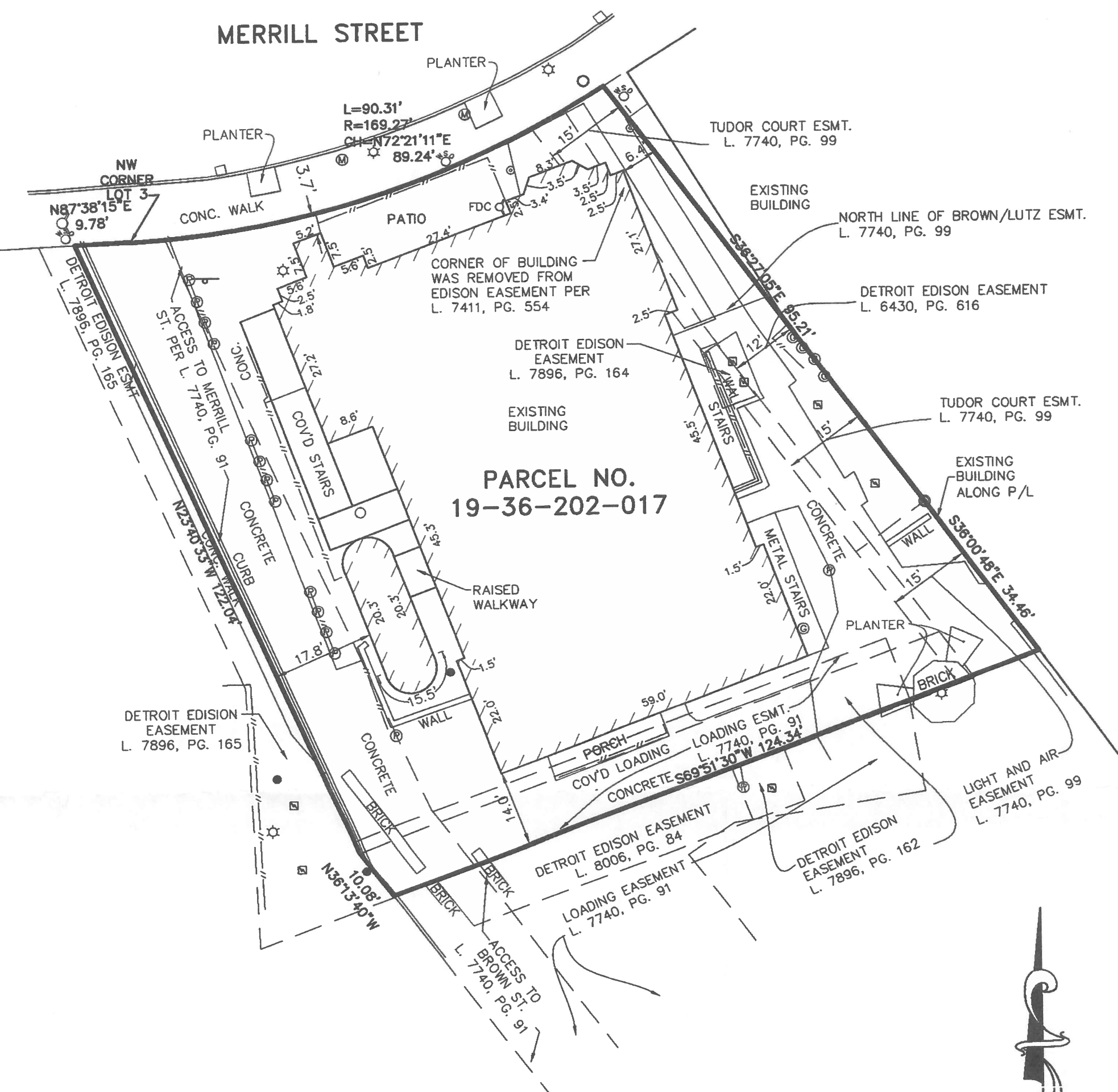
RESOLVED, Except as herein specifically provided, 220 Merrill Restaurant and its heirs, successors and assigns shall be bound by all ordinances of the City of Birmingham in effect at the time of the issuance of this permit, and as they may be subsequently amended. Failure of 220 Merrill Restaurant and its heirs, successors and assigns to comply with all the ordinances of the city, may result in the Commission revoking this Special Land Use Permit. The applicant may reapply for a renewal of its Special Land Use Permit at the end of the one year period.

I, Judith A. Benn, City Clerk of the City of Birmingham, Michigan, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Birmingham City Commission at its regular meeting held on March 27, 2000.

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Judith A. Benn, City Clerk















## Previously Approved Plans

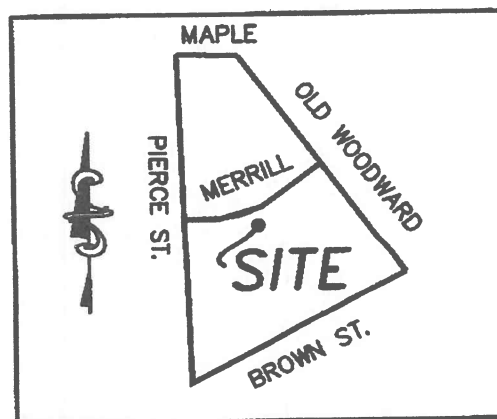


**NOTE:**

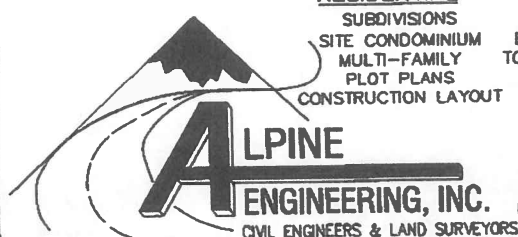
THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AS DISCLOSED BY AVAILABLE UTILITY COMPANY RECORDS AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE COMPANY. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. THE CONTRACTOR SHALL NOTIFY THE DESIGN ENGINEER IMMEDIATELY IF A CONFLICT IS APPARENT.

### LEGEND

- |   |                           |
|---|---------------------------|
|      | EX. CATCH BASIN           |
|      | EX. WATER SHUTOFF         |
|      | EX. PARKING METER         |
|      | EX. LIGHT POLE            |
|      | EX. TRANSFORMER           |
|      | EX. UTILITY POLE          |
|      | FOUND IRON ROD            |
|      | EX. UTILITY METERS        |
| FDC  | EX. FIRE DEPT. CONNECTION |
| -----   | EXISTING OVERHEAD LINES   |
|      | EX. CLEAN OUT             |
|      | EX. POST                  |
|      | EX. MANHOLE               |
|      | EX. HYDRANT               |
|      | EX. SIGN                  |
| ____ // ____  | EX. FENCE LINE            |



**LOCATION MAP**  
**NOT TO SCALE**

[illegible]

**RESIDENTIAL**  
**SUBDIVISIONS**  
**SITE CONDOMINIUM**  
**MULTI-FAMILY**  
**PLOT PLANS**  
**CONSTRUCTION LAYOUT**

**SURVEYING**  
ALTA SURVEYS  
BOUNDARY SURVEYS  
TOPOGRAPHIC SURVEYS  
PARCEL SPLITS

**COMMERCIAL**  
SITE PLANNING  
SITE ENGINEERING  
INDUSTRIAL & MULTI-UNIT  
LAND SURVEYING  
CONSTRUCTION LAYOUT

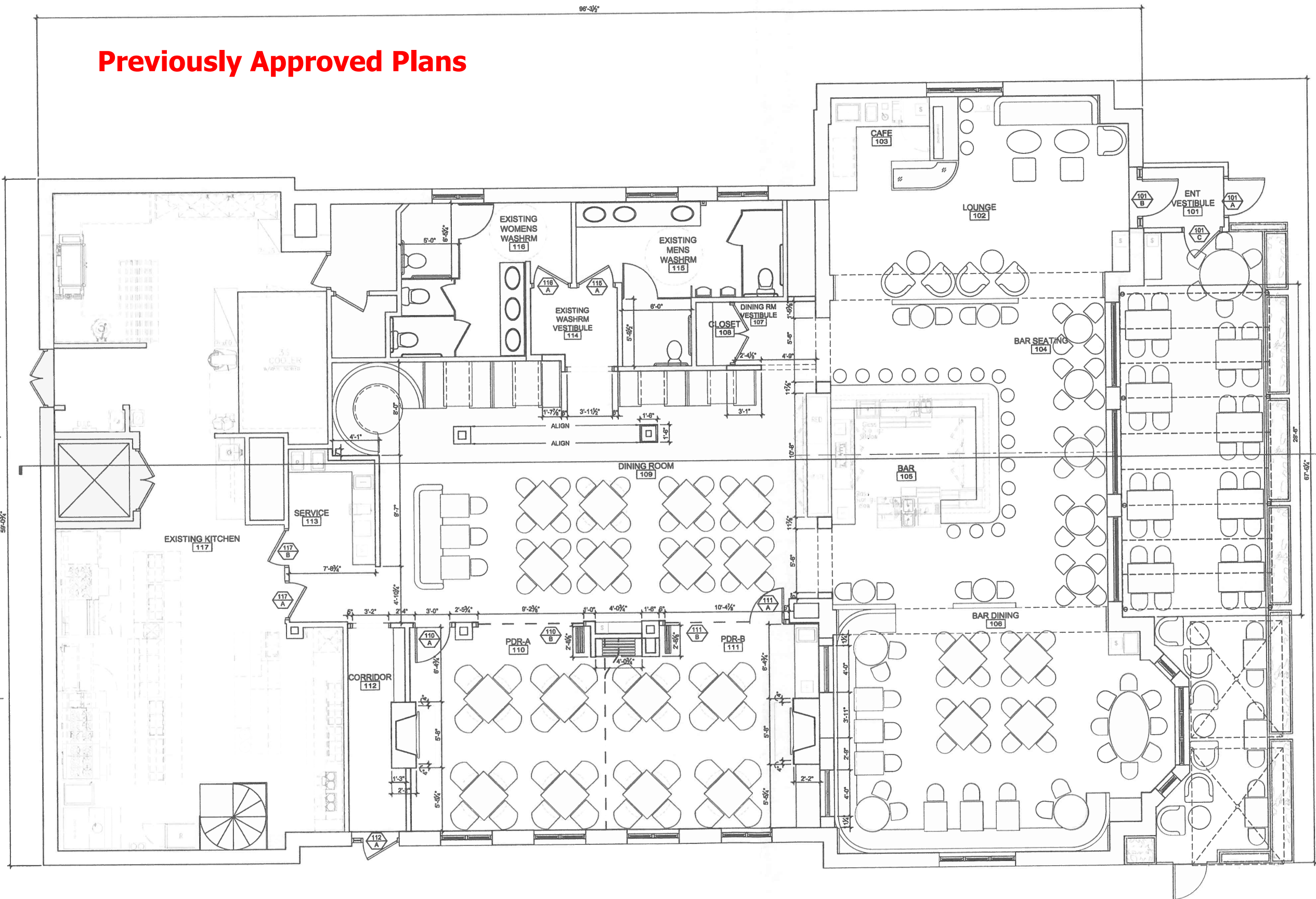
**CLIENT:**

**220 PARK PLACE, LLC**

ALTA/ACSM LAND TITLE SURVEY

**220 E MERRILL STREET**  
SECTION: 36 TOWNSHIP: 2 N RANGE: 10 E  
CITY OF BIRMINGHAM  
OAKLAND COUNTY  
MICHIGAN

Previously Approved Plans



1 FIRST FLOOR PLAN  
1/4" = 1'-0"

KNAUER

Knauer Incorporated  
720 Waukegan Road, Suite 200  
Deerfield, IL 60015  
(847) 948.9500  
(847) 948.9599 fax  
www.knaufinc.com

MARK	DATE	DESCRIPTION
	02/08/14	DD SET
	01/27/14	FINAL DD COORDINATION
	01/27/14	BACKGROUND TO KEC
	01/23/14	FOR DEMOLITION PERMIT
	01/17/14	FOR OWNER APPROVAL
	01/15/14	PRELIMINARY FLOOR PLAN
	01/14/14	BACKGROUND TO KEC
	01/13/14	OFFICE MEETING

220 MERRILL

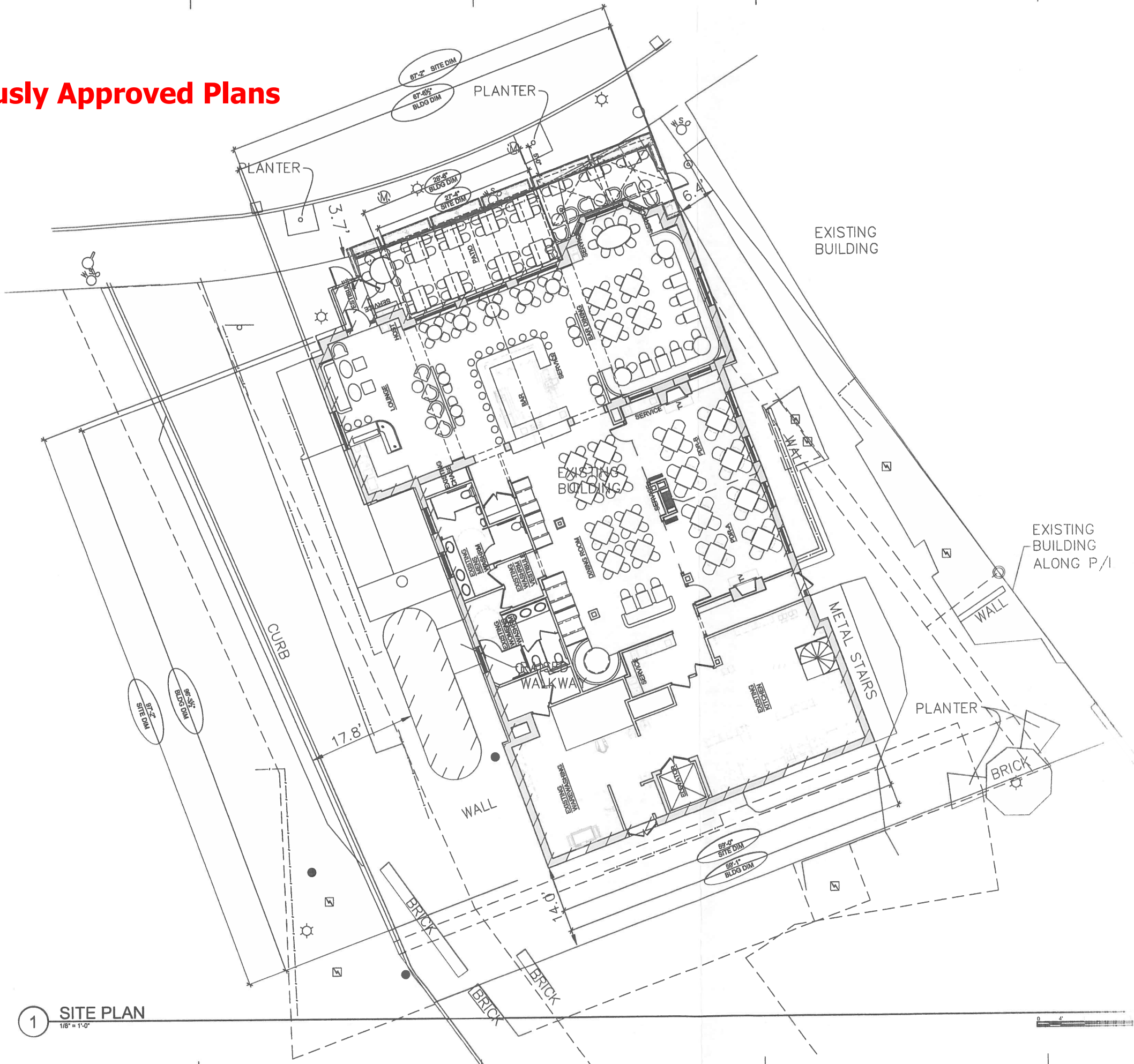
220 MERRILL  
BIRMINGHAM, MI 48009

PROJECT NO: 3199  
CAD DWG FILE: 2014-2015 MERRILL BIRMINGHAM - 220 MERRILL BIRMINGHAM  
DRAWN BY: -  
CHKD BY: -  
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SHEET TITLE  
FIRST FLOOR PLAN

A-101

Previously Approved Plans



KNAUER

Knauer Incorporated  
720 Waukegan Road, Suite 200  
Deerfield, IL 60015  
(847) 948.9500  
(847) 948.9599 fax  
www.knaufinc.com

architecture  
design  
direction

02/08/14	DD SET	
01/27/14	FINAL DD COORDINATION	
01/27/14	BACKGROUND TO KEC	
01/23/14	FOR DEMOLITION PERMIT	
01/17/14	FOR OWNER APPROVAL	
01/15/14	PRELIMINARY FLOOR PLAN	
01/14/14	BACKGROUND TO KEC	
01/13/14	OFFICE MEETING	
MARK	DATE	DESCRIPTION
ISSUED		

220 MERRILL  
220 MERRILL  
BIRMINGHAM, MI 48009

PROJECT NO: 3199  
CAD DWG FILE: 220 MERRILL BIRMINGHAM ARCHITECTURE - 220 MERRILL BIRMINGHAM  
ARCHITECTURAL DESIGN - ARCHITECTURE SITE PLANS  
DRAWN BY: -  
CHKD BY: -  
COPYRIGHT: © 2014 KNAUF INCORPORATED  
ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN  
CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF  
KNAUF INCORPORATED AND THE SAME MAY NOT BE  
DUPLICATED, USED, OR DISCLOSED WITHOUT THE WRITTEN  
CONSENT OF KNAUF INCORPORATED

SHEET TITLE  
SITE PLAN

AS-100

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**CITY OF BIRMINGHAM  
REGULAR MEETING OF THE PLANNING BOARD  
MINUTES OF WEDNESDAY, FEBRUARY 26, 2014**

**SLUP & FINAL SITE PLAN REVIEW  
220 E. Merrill St.**

*Site Plan Review*

Ms. Ecker advised the subject site, currently 220 Restaurant, is located on the south side of Merrill St. west of Old Woodward Ave. The parcel is zoned B-4, Business-Residential and D-4 in the Downtown Overlay District. The applicant, 220 Restaurant, is proposing to renovate the existing interior of the restaurant and to update and enlarge the outdoor dining area across the front of the building. A new door system is also proposed to replace a window on the existing façade to allow direct access from the restaurant into the outdoor dining area. The establishment will remain as 220 Restaurant, operating under the existing Class C liquor license. The applicant is required to obtain a Special Land Use Permit ("SLUP") due to the change in ownership of both the restaurant and the liquor license. Article 06 section 6.02 Continuance of Nonconformity, A (5) requires that any establishment with alcoholic beverage sales (on-premise consumption) shall obtain a ("SLUP") upon change in ownership or name of establishment, or upon application for a site plan review.

Accordingly, the applicant is required to obtain a recommendation from the Planning Board on the Final Site Plan and SLUP, and then obtain approval from the City Commission for the Final Site Plan and SLUP. As the proposed establishment is located within the Central Business District Historic District, the applicant is also required to appear before the Historic District Commission.

There is an unscreened dumpster at the rear of the building which is visible from the vias to the south and west of the building. ***The applicant will be required to screen the dumpster or obtain a variance from the Board of Zoning Appeals.***

*Design Review*

The applicant is proposing to renovate the north elevation of the building by reconfiguring the central bay, and adding glass doors with sidelites in metal frames with a bronze finish to match the existing windows. The existing transom windows in this bay are proposed to remain. This new door will improve access and circulation in the area of the outdoor dining as guests and servers will be able to access the outdoor dining area directly from the building without having to go in and out of the main entrance door to the restaurant.

No signage changes are proposed at this time. The name of the restaurant will remain the same.

The applicant is proposing to expand the existing 360 sq. ft. outdoor dining area to both the east and west to extend the full length of the property. The existing outdoor dining area will also extend into the public sidewalk to the north. The total outdoor dining area proposed is 825 sq. ft.

Nine 24 in. by 30 in. two-top dining tables with stainless steel bases and white carrarra marble table tops are proposed within the expanded outdoor dining area. Ten 32 in. by 48 in. four-top dining tables with stainless steel bases and white carrarra marble table tops are also proposed. Sixty-four

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powder coated aluminum chairs in lime green are proposed for use at all dining tables. Sunbrella "Canvas Walnut" fabric chair cushions are proposed for each dining chair.

The applicant also proposes to install a pergola structure constructed of 5 ft. steel tube columns and 3 ft. aluminum cross bars, with overhead planters and lights in the central portion of the outdoor dining area at 11 ft. above grade.

The required 5 ft. pedestrian pathway will be maintained along the entire frontage of the building.

Mr. Christopher Longe, Architect, said their proposal opens up the rear of the restaurant to the front and to the street. Chairs and tables in the outdoor area are all movable. In response to Ms. Whipple-Boyce's inquiry, the space between tables is adequate at 3 ft. His preference was to put in a regular door in the middle and not a roll-up door. In answer to Ms. Lazar, the food will stay about the same. The chef will remain. On the interior, the paneling will be stained. Valet parking is not part of their plan. They hope to open by June 1.

**Motion by Mr. DeWeese**

**Seconded by Mr. Williams that the Planning Board approve the applicant's request for Final Site Plan and a SLUP for 220 E. Merrill, 220 Restaurant, with the following conditions:**

There were no public comments on the motion at 10:05 p.m.

**Motion carried, 6-0.**

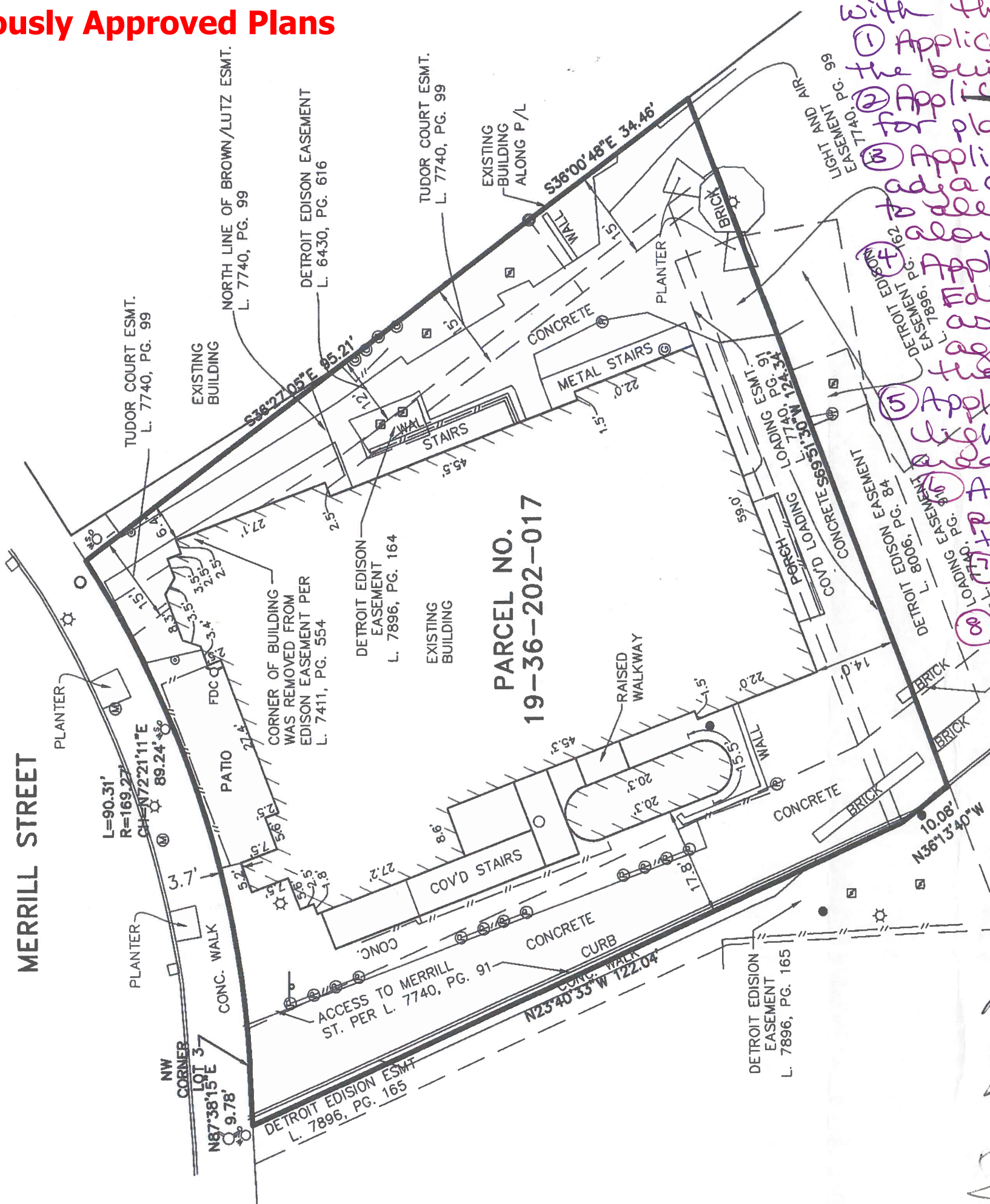
**VOICE VOTE**

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

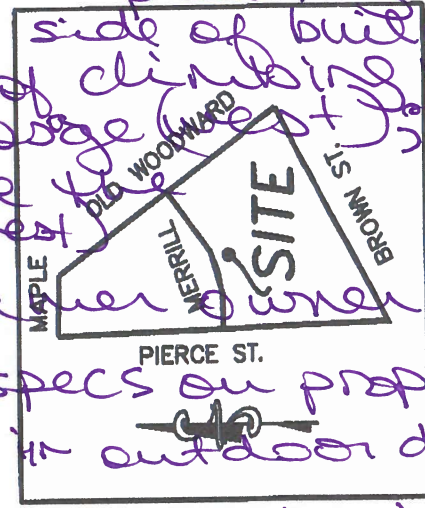
Nays: None

Absent: Clein

Previously Approved Plans



On Feb 26/17, the PB voted to give COMMUNITY APPROVAL to the City Commission with the following conditions:  
① Applicant screen the dumpster behind the building or obtain variance.  
② Applicant provide spec sheets for planters + plant material.  
③ Applicant add small planting beds adjacent to west side of building to allow planting of climbing vines along Edison Passage (west).  
④ Applicant improve the Edison Passage (west) as previously agreed with former owner of the property.  
⑤ Applicant provide specs on proposed lighting fixtures in outdoor dining area.  
⑥ Applicant provide spec sheets on proposed door system to be added to north elevation.  
⑦ Applicant obtain all outdoor dining permit.  
⑧ Add a Knox Box.



LEGEND

- EX. CATCH BASIN
- EX. WATER SHUTOFF
- EX. PARKING METER
- EX. LIGHT POLE
- EX. TRANSFORMER
- EX. UTILITY POLE
- FOUND IRON ROD
- EX. UTILITY METERS
- EX. FIRE DEPT. CONNECTION
- EXISTING OVERHEAD LINES
- EX. CLEAN OUT
- EX. POST
- EX. MANHOLE
- EX. HYDRANT
- EX. SIGN
- EX. FENCE LINE

Signed:  
*[Signature]*  
*[Signature]*  
*[Signature]*

Approved by  
City Commission  
3/10/14

NOTE: THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN AN APPROXIMATE WAY ONLY AS DISCLOSED BY AVAILABLE UTILITY COMPANY RECORDS AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE COMPANY. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. THE CONTRACTOR SHALL NOTIFY THE DESIGN ENGINEER IMMEDIATELY IF A CONFLICT IS APPARENT.

CLIENT: 220 PARK PLACE, LLC

SECTION: 36

RANGE: 10 E

ALTA/ACSM LAND TITLE SURVEY

220 E MERRILL STREET

TOWNSHIP: 2 N

CITY OF BIRMINGHAM

OAKLAND COUNTY

MICHIGAN

RESIDENTIAL SURVEYING

SUBDIVISIONS

SITE CONDOMINIUM

MULTI-FAMILY PLOT PLANS

CONSTRUCTION LAYOUT

COMMERCIAL SURVEYING

SITE PLANNING

SITE ENGINEERING

INDUSTRIAL & MULTI-UNIT LAND SURVEYING

CONSTRUCTION LAYOUT

ALPINE ENGINEERING, INC.

CIVIL ENGINEERS & LAND SURVEYORS

46892 WEST ROAD

SUITE 109

NOV, MICHIGAN 48377

(248) 926-3701 (BUS)

(248) 926-3765 (FAX)

WWW.ALPINE-INC.NET

DATE: 10/16/2013

DRAWN BY: JDH

CHECKED BY: GLM

SCALE: HORIZONTAL = 1" = 20 FT. VERTICAL = 1" = 10 FT.

FBK: 256 & 264

CHK: RDF

VER: 1" = 20 FT.

13-317

LIBER 46848 PAGE 534

0039513

OAKLAND COUNTY TREASURERS CERTIFICATE:  
I HEREBY CERTIFY that there are no TAX LIENS or TITLES  
held by the state or any individual against the within description  
and all TAXES on same are paid for five years previous to the  
date of this instrument as appears by the records in the office  
except as stated.

FEB 28 2014

001523

1.00

ANDREW E. MEISNER, County Treasurer  
Sec. 135, Act 208, 1893 as amended

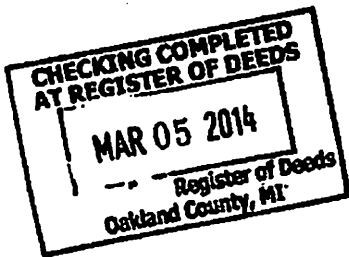
LIBER 46848 PAGE 534  
\$22.00 DEED - COMBINED  
\$4.00 REMONUMENTATION

03/10/2014 08:29:11 AM RECEIPT# 22098  
PAID RECORDED - Oakland County, MI  
Lisa Brown, Clerk/Register of Deeds

**WARRANTY DEED**

TWO TWENTY, L.L.C., a Michigan limited liability company ("Grantor"), having an address of 16267 West 14 Mile Road, Suite 200, Beverly Hills, Michigan 48025, conveys and warrants to 220 PARK PLACE, LLC, a Michigan limited liability company ("Grantee"), having an address of 124 South Old Woodward Avenue, Suite A, Birmingham, Michigan 48009, certain land situated in the City of Birmingham, Oakland County, Michigan, and more particularly described in attached Exhibit A, subject to those matters set forth in attached Exhibit B, for good and valuable consideration [Real Estate Transfer Tax Valuation Affidavit filed].

Dated as of the 11<sup>th</sup> day of February, 2014.



**GRANTOR:**

TWO TWENTY, L.L.C., a Michigan limited liability company

By: Judith Ann Roberts

Name: Judith Ann Roberts

Its: Authorized Representative

[ACKNOWLEDGMENT ON FOLLOWING PAGE]

REVENUE TO BE AFFIXED  
AFTER RECORDING

Warranty Deed - 220 East Merrill Street  
2000939162 12472/068440

2014 MAR - 4 AM 10:25  
OK - JAN  
JANUARY 4 2014  
REGISTER OF DEEDS  
OAKLAND COUNTY, MI

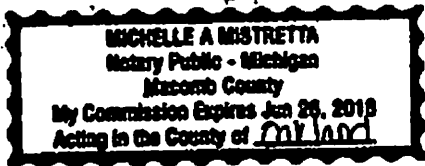
5P  
R  
TC

TC13-49880  
Title Connect LLC  
a title insurance agency  
28470 W. 13 Mile Rd. Suite 325  
Farmington Hills, MI 48334

LIBER 46848 PAGE 535

STATE OF MICHIGAN       )  
                                      ) ss.  
COUNTY OF OAKLAND       )

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of February, 2014, by Judith Ann Roberts, authorized representative of Two Twenty, L.L.C., a Michigan limited liability company, on behalf of the limited liability company.



Michelle A. Mistretta  
Michelle A. Mistretta, Notary Public  
Macomb County, Michigan  
My commission expires: 1-28-2018  
Acting in Oakland County, Michigan

Prepared by:

Brandon J. Muller  
Clark Hill PLC  
151 South Old Woodward Avenue, Suite 200  
Birmingham, Michigan 48009

When recorded, return to:

Zaid D. Elia  
220 Park Place, LLC  
124 South Old Woodward Avenue, Suite A  
Birmingham, Michigan 48009

**Exhibit A to Warranty Deed**

**Legal Description**

**Land situated in the City of Birmingham, Oakland County, Michigan, described as follows:**

**Part of Lots 3, 4, 6 and 7, Assessor's Plat No. 25, as recorded in Liber 54A of Plats, Page 73, Oakland County Records, described as beginning at the Northwest corner of said Lot 3; thence along the Northerly line of said Lot 3, on a curve to the left (radius = 169.27 feet, long chord bears North 72 degrees 21 minutes 11 seconds East, 89.24 feet), a distance of 90.31 feet; thence South 36 degrees 27 minutes 05 seconds East 95.21 feet, thence South 36 degrees 00 minutes 48 seconds East, 34.46 feet, thence South 69 degrees 51 minutes 30 seconds West, 124.34 feet; thence North 36 degrees 13 minutes 40 seconds West, 10.08 feet; thence North 23 degrees 40 minutes 33 seconds West, 122.04 feet; thence North 87 degrees 38 minutes 15 seconds East 9.78 feet to the point of beginning.**

**Commonly known as 220 East Merrill Street, Birmingham, Michigan 48009  
Tax Parcel No. 19-36-202-017**

**Subject to and together with easements for ingress, egress and loading described as:**

**ACCESS TO MERRILL STREET:**

**A 15 foot wide easement for ingress and egress described as the Westerly 15.00 feet of part of Lots 3, 4, 6 and 7 of Assessor's Plat No. 25, as recorded in Liber 54A of Plats, Page 73, Oakland County Records, described as beginning at the Northwest corner of said Lot 3; thence along the Northerly line of said Lot 3 on a curve to the left (radius = 169.27 feet, long chord bears North 72 degrees 21 minutes 11 seconds East, 89.24 feet), a distance of 90.31 feet; thence South 36 degrees 27 minutes 05 seconds East, 95.21 feet; thence South 36 degrees 00 minutes 48 seconds East, 34.46 feet; thence South 69 degrees 51 minutes 30 seconds West, 124.34 feet; thence North 36 degrees 13 minutes 40 seconds West, 10.08 feet; thence North 23 degrees 40 minutes 33 seconds West, 122.04 feet; thence North 87 degrees 38 minutes 15 seconds East, 9.78 feet to the point of beginning. Created by Easement recorded in Liber 7740, Page 91, Oakland County Records.**

**LOADING EASEMENT:**

**An easement for loading and unloading over and across part of Lots 3, 6 and 7, Assessor's Plat No. 25, as recorded in Liber 54A of Plats, Page 73, Oakland County Records, described as commencing at the Northwest corner of said Lot 3; thence along the Southerly right-of-way line of Merrill Street (60 feet wide), South 87 degrees 38 minutes 15 seconds West 9.78 feet; thence South 23 degrees 40 minutes 33 seconds East, 119.72 feet to the point of beginning; thence North 69 degrees 51 minutes 30 seconds East, 102.28 feet; thence South 20 degrees 08 minutes 30 seconds East, 12.00 feet; thence South 69 degrees 51 minutes 30 West, 99.34 feet; thence North 36 degrees 13 minutes 40 seconds West, 10.08 feet; thence North 23 degrees 40 minutes 33 seconds West, 2.32 feet to the point of beginning. Created by Easement recorded in Liber 7740, Page 91, Oakland County Records.**

**ACCESS TO BROWN STREET:**

**A 15 foot wide easement for ingress and egress described as the Westerly 15.00 feet of Lots 19 and 20 and part of Lots 3, 7, 8, 9 and 18 of Assessor's Plat No. 25, as recorded in Liber 54A of Plats, Page 73,**

Oakland County Records, described as beginning at the Southeasterly corner of said Lot 20; thence South 61 degrees 38 minutes 00 seconds West, along the Southerly line of said Lots 19, 20 and part of Lot 18, a distance of 120.00 feet; thence North 36 degrees 13 minutes 40 seconds West, 229.0 feet; thence North 69 degrees 51 minutes 30 seconds East, 124.34 feet; thence South 36 degrees 00 minutes 48 seconds East, 47.0 feet; thence South 35 degrees 56 minutes 29 seconds East, 43.96 feet; thence South 36 degrees 07 minutes 40 seconds East, 120.0 feet to the point of beginning. Created by Easement recorded in Liber 7740, Page 91, Oakland County Records.

**LOADING EASEMENT:**

An easement for loading and unloading over and across part of Lots 3, 7, 8 and 9, Assessor's Plat No. 25, as recorded in Liber 54A of Plats, Page 73, Oakland County Records, described as commencing at the Southeast corner of said Lot 20; thence along the Southerly lot line of Lots 20, 19 and part of Lot 18, also being the Northerly right-of-way line of Brown Street, South 61 degrees 38 minutes 00 seconds West, 120.00 feet; thence North 36 degrees 13 minutes 40 seconds West, 182.62 feet to the point of beginning; thence North 36 degrees 13 minutes 40 seconds West, 46.38 feet; thence North 69 degrees 51 minutes 30 seconds East, 99.34 feet; thence South 08 degrees 38 minutes 00 seconds East, 17.00 feet; thence South 81 degrees 22 minutes 00 seconds West, 35.00 feet; thence South 56 degrees 43 minutes 20 seconds West, 10.00 feet; thence South 36 degrees 13 minutes 40 seconds East, 20.00 feet; thence South 53 degrees 46 minutes 20 seconds West, 46.56 feet to the point of beginning. Created by Easement recorded in Liber 7740, Page 91, Oakland County Records.

**Exhibit B to Warranty Deed**

**Permitted Exceptions**

1. Taxes and assessments that are not yet due and payable.
2. Easements over subject property as shown on the recorded plat.
3. Rights of tenants under any unrecorded leases.
4. Easement to Detroit Edison Company to construct, operate and maintain its lines for transmission and distribution of electrical light and power over the Easterly 12 feet of the subject property as recited in deed recorded in Liber 6430, Page 616, Oakland County Records, which easement has been partially released by Release recorded in Liber 7411, Page 554, Oakland County Records.
5. Agreement to create common easements for ingress, egress and loading as recorded in Liber 7740, Page 91, Oakland County Records.
6. Agreement for creation of limited easement to provide light and air and to satisfy zoning set back requirements as recorded in Liber 7740, Page 99, Oakland County Records.
7. Underground Easement in favor of The Detroit Edison Company as recorded in Liber 7896, Page 162, Liber 7896, Page 164, Liber 7896, Page 165 and in Liber 8006, Page 84, Oakland County Records.
8. Resolution regarding special assessment recorded in Liber 8715, Page 137, Oakland County Records.

Previously Approved Plans

220 Merrill  
Birmingham, MI. 48009



Plantings



Elevation



Paving



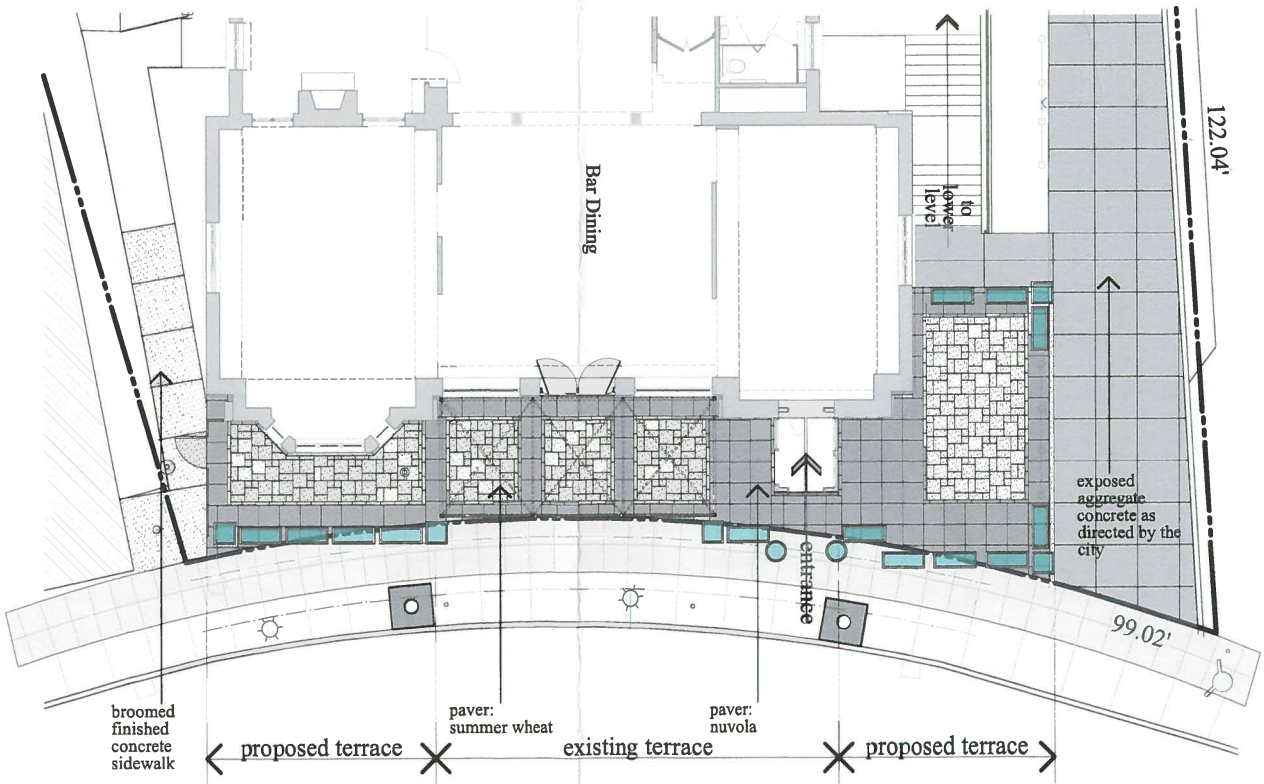
CONTAINER GARDEN  
CAST STONE PLANTER  
ARABESQUE WINDOW BOX  
48.75"Wx18.25"Hx16.75"H



CONTAINER GARDEN  
CAST STONE PLANTER  
ARABESQUE MEDIUM PLANTER  
24.00"W x 20.00"H

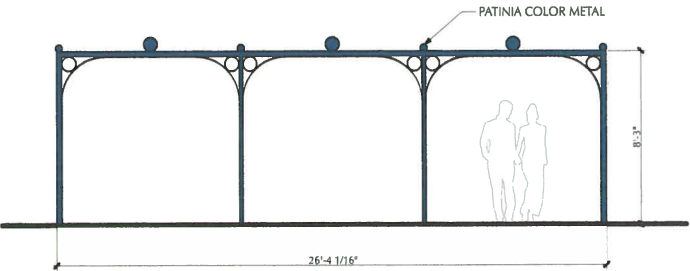
CONTAINER GARDEN  
CAST STONE PLANTER  
ARABESQUE SQUARE PLANTER  
25.00"W x 20.50"H

Planters



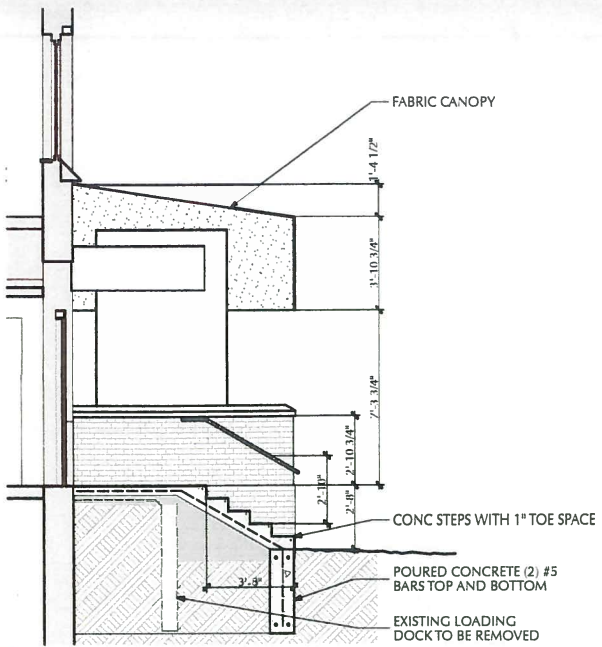
Site Plan

CHRISTOPHER J. LONGE AIA  
ARCHITECTURE  
INTERIORS  
124 Peabody, Birmingham, Michigan 48009 248.258.6940

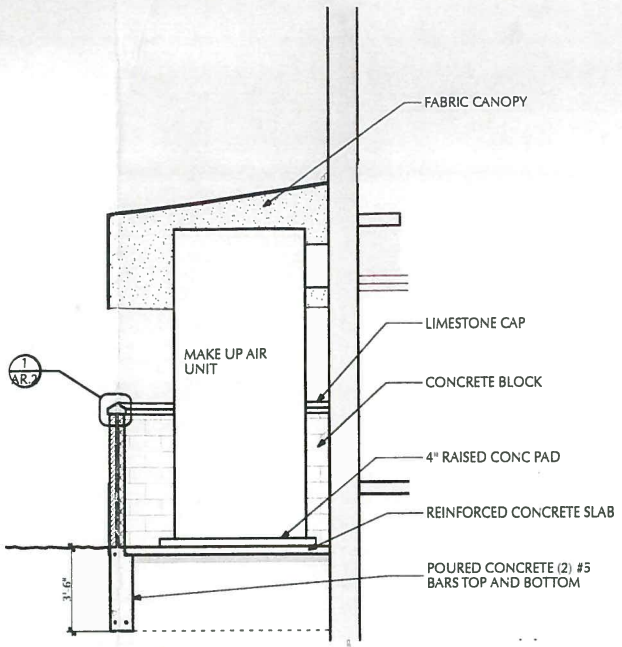


Pergola

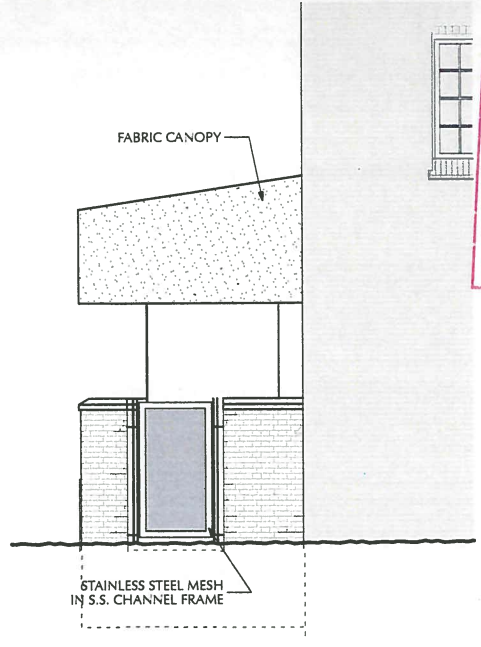
Previously  
Approved Plans



4 Stair Section  
AR.1 SCALE: 1/4" = 1'-0"



5 Section at Screen  
AR.1 SCALE: 1/4" = 1'-0"



6 East Elevation  
AR.1 SCALE: 1/4" = 1'-0"

RECEIVED  
JUN 10 2014  
CITY OF BIRMINGHAM  
COMMUNITY DEVELOPMENT DEPARTMENT

124 Pea  
Birming  
Mich  
4

CHRISTOPHER J. LONGE A  
ARCHITECTUR  
INTERIOR

T. 248.258.  
F. 248.258.

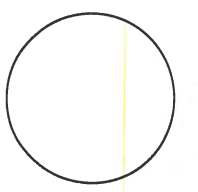
Project Title

220 Merrill  
220 Merrill  
Birmingham, MI. 48009

Date 6.7.2014  
preliminary bids/permits construction

Revisions		

Sealed By

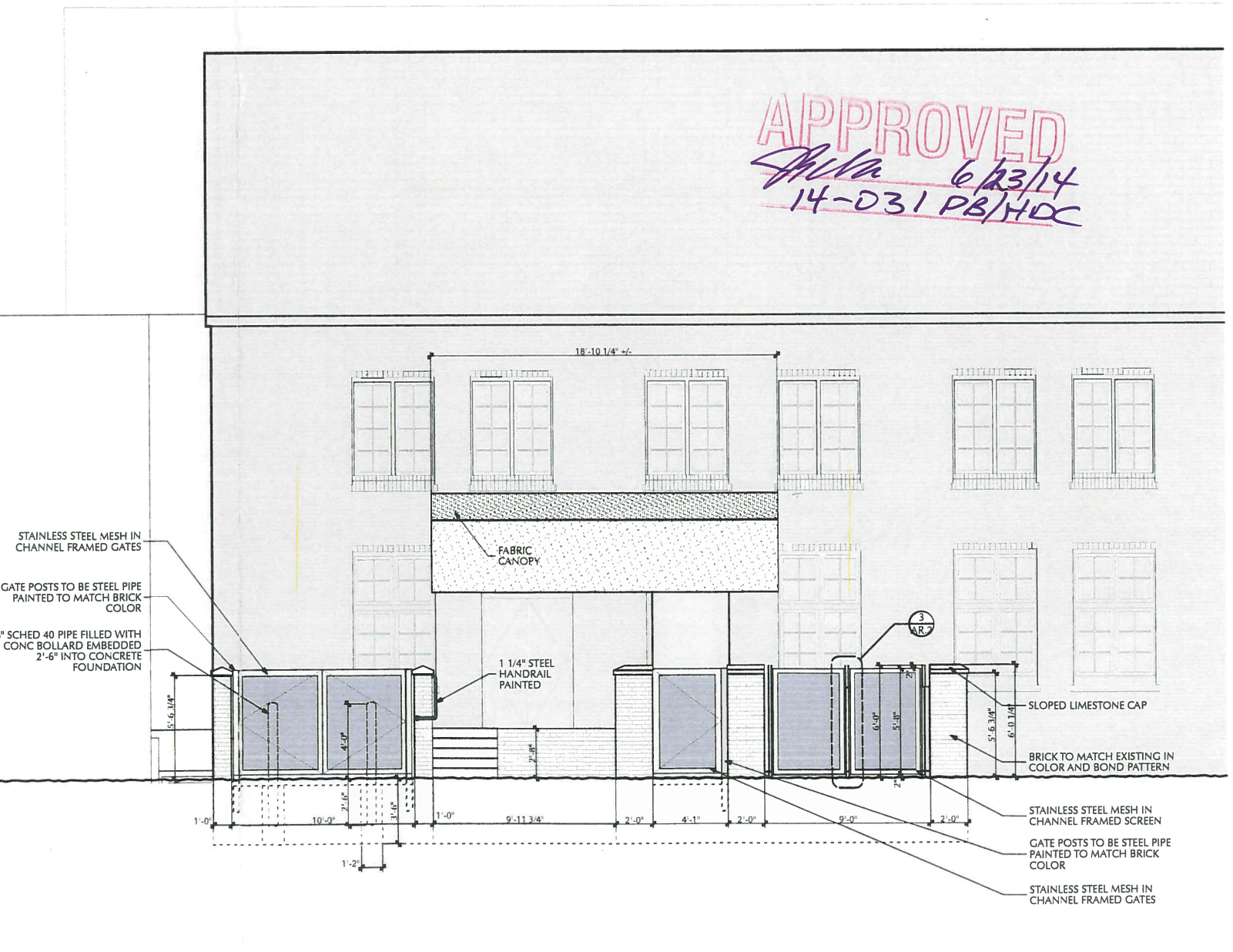
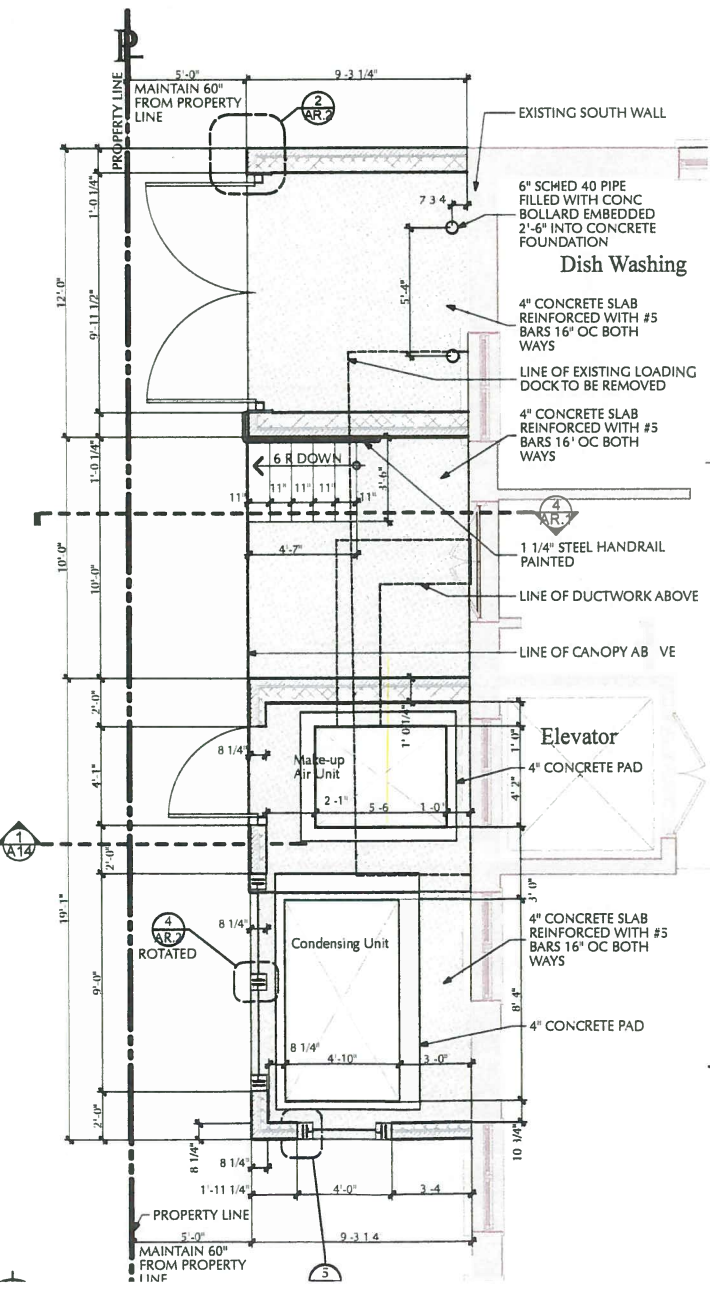
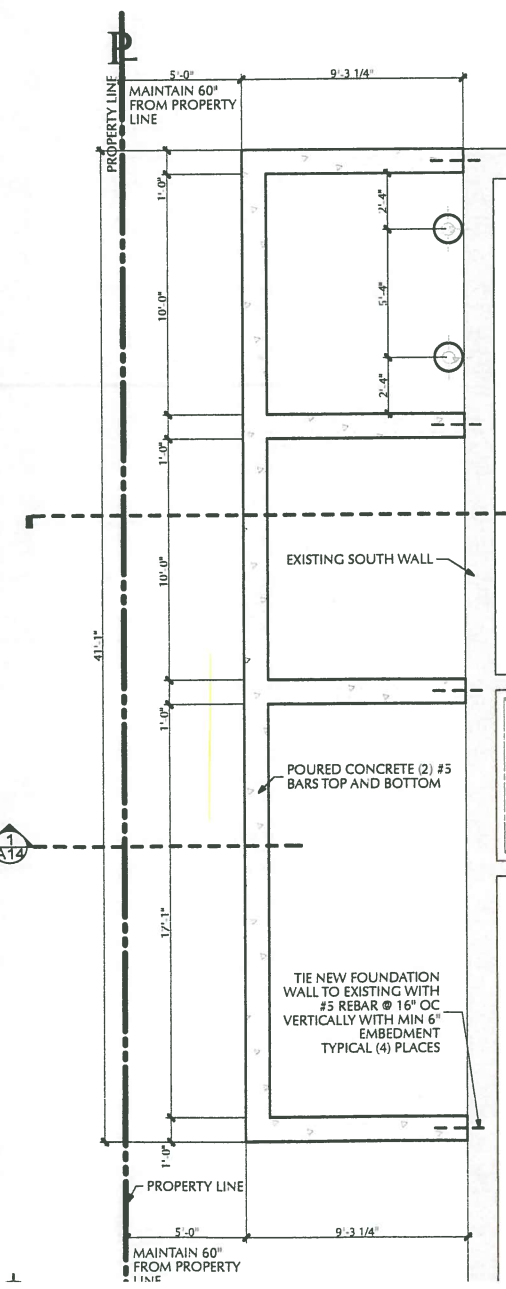


Christopher J. Longe A.I.A. Architect No. 3178  
Signed:  
PROJECT NO: 1  
DRAWN BY: CE, C  
CHK'D BY:

Sheet Title  
Rear Elevation

Sheet

AD 1



APPROVED  
Shila 6/23/14  
14-031 PB/HDC

---

**HISTORIC DISTRICT COMMISSION**  
**MINUTES OF June 17, 2015**

**HISTORIC DESIGN AND SIGN REVIEW**

**220 E. Merrill**

**220 Restaurant Legendary Steaks**

**CBD Historic District**

Zoning: B-4 Business Residential

Proposal: The applicant proposes to renovate the tenant space front elevation of a one-story, multi-tenant non-contributing building in the CBD Historic District. The tenant space is currently occupied by Max and Erma's. The applicant proposes to extend the façade toward the sidewalk and apply new finishes and add a new canopy. The applicant also proposes to install planters and outdoor dining. The project requires a Special Land Use Permit (SLUP), so the applicant will be reviewed for the SLUP application, additional square footage, signage and the outdoor dining at the November 14, 2012, Planning Board Meeting. The applicant will receive final review at a City Commission meeting in December.

Design: The applicant proposes to demolish the existing façade and construct a new façade. The east half of the new facade will extend an additional 6 ft. out to the edge of the existing second-story overhang. Artificial timber planks stained with Sherwin Williams Woodscape Plum Mahogany are proposed to be mounted over the main entrance, and the bays east and west of it. A Heritage Cast Stone arch in Greystone is proposed and is to be mounted in the wall beneath the wood timber plank, and a matching stone is proposed to be applied at the base of the existing columns. The applicant proposes to add Sturgis Natural Thin Stone Veneer in Crystal Ridge to the new façade and existing columns of the building.

A new storefront window system will be installed in the new facade. Kawneer aluminum windows in Boysenberry will have aluminum detailing in Light Bronze. Six windows with transoms are proposed on the east side of the recessed entrance which consists of a set of three windows on either side of the column. The proposed recessed entry will have a single window placed perpendicular to the east side of the Marvin Windows glass double door stained to match the timber plank. An additional single window is proposed west of the double doors.

Two windows and a door with transoms are proposed for the west end of the façade.

The applicant proposes to install a canopy over the entire length of the main entrance. The canopy finish will match the Boysenberry window frame. A door with a transom and stained to match the timber is proposed for the east elevation of the new addition.

Illumination: The applicant proposes to install two Hinkley Casa Extra Large wall lanterns.

Mr. Henry Clover, Clover Architects, Kansas City, and Mr. Fred Timm, President of 220 Restaurant Legendary Steaks, were present. Mr. Clover explained that the intent of their proposed design is to add life to the front facade by pulling the building out flush with the

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second floor. He went on to highlight the design and pass around material samples. Mr. Timm described 220 Restaurant as being a high-end steak restaurant.

Ms. Bashiri advised that the applicant will need to present cut views of the signage that show how it is mounted. Mr. Clover indicated the sign will be back-lit.

Mr. Willoughby urged the applicant to construct the arch out of the same stone so that it is not yet another element on a building that already has too much decoration. Mr. Clover agreed to check if it is possible to do that with the stone.

**Motion by Mr. Willoughby**

**Seconded by Mr. Goldman to approve the design for 220 E. Merrill, 220 Restaurant Legendary Steaks, with capability of getting administrative approval should they be able to successfully change the arch to fieldstone, and to make sure that the 220 Restaurant sign complies with the Ordinance.**

**Motion carried, 4-0.**

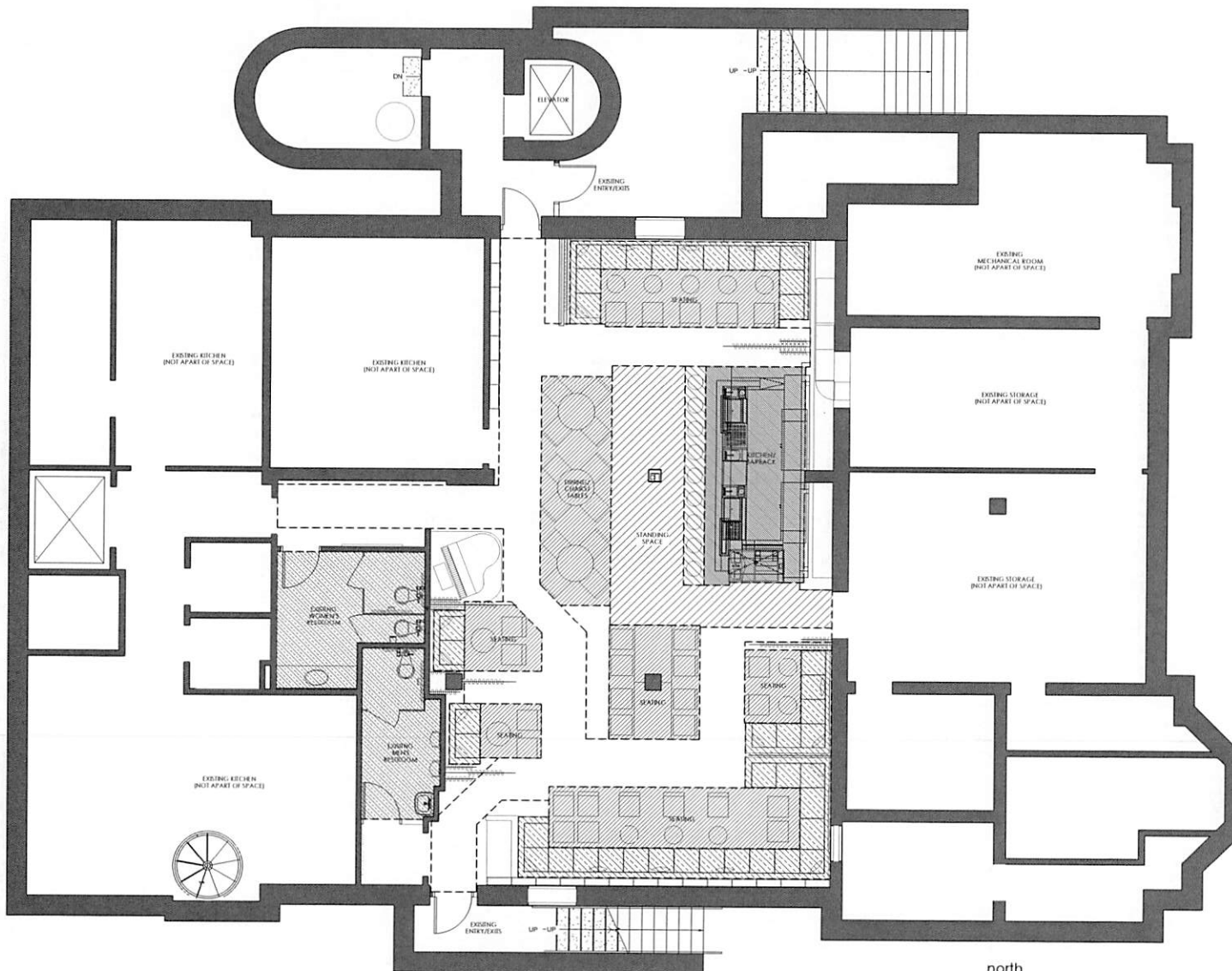
Mr. Timm said their price point is half or less than a lot of high priced restaurants in town. The entire inside will be renovated.

**VOICE VOTE**

Yeas: Willoughby, Goldman, Lekas, Gehringer

Nays: None

Absent: Henke, Deyer, Weisberg



# CONCEPTUAL FLOOR PLAN

SCALE: 1/4" = 1'-0"

EGRESS DATA		
OCCUPANCY CALCULATIONS		
TOTAL FLOOR AREA *		1,930 SF
ASSEMBLY STANDING SPACE (17' x 15' = 255 SF)	34 OCCUPANTS	
ASSEMBLY UNCONCENTRATED (EAT & CHAIRS) (10' x 15' = 150 SF)	29 OCCUPANTS	
ASSEMBLY FRIED SEATING WITH/OUT DIVIDED AREA (15' x 10' PER OCCUPANT)	10 OCCUPANTS	
ASSEMBLY SEATING BOOTH (10' x 10' PER OCCUPANT)	35 OCCUPANTS	
KITCHEN BAR/BACK (10' x 10' = 100 SF)	2 OCCUPANTS (ACTUAL)	
CORRIDOR/WALKWAY (40' x 5' = 200 SF)		
RESTROOMS *		110 OCCUPANTS
TOTAL OCCUPANTS		110 OCCUPANTS



ABRO DESIGN GROUP, INC.  
30600 NORTHWESTERN HWY.  
SUITE 310  
FARMINGTON HILLS, MI 48334  
P. 248-254-3834 F. 248-671-2772  
WWW.ABRODESIGNGROUP.COM

## PROJECT:

220

INTERIOR BUILD-OUT

220 E MERRILL ST.  
BIRMINGHAM, MICHIGAN  
48009

## SHEET TITLE:

CONCEPTUAL  
FLOOR PLAN

DO NOT SCALE DRAWINGS  
USE FIGURED DIMENSIONS ONLY

## DATE: ISSUE:

09.12.17 DESIGN DEVELOPMENT

**KNAUER**

Project Incorporated  
720 Westinghouse Road, Suite 200  
Oxford, MI 48364  
Architecture  
Design  
Division

## PROJECT NO:

080717

## SHEET NO:

A1.0

220 Merrill  
Birmingham, Michigan 48009



Elevation

CHRISTOPHER J. LONGE AIA  
ARCHITECTURE  
INTERIORS  
124 Peabody, Birmingham, Michigan 48009 248.258.6940

9.21.2017

220 Merrill  
Birmingham, Michigan 48009



West Elevation

CHRISTOPHER J. LONGE AIA  
ARCHITECTURE  
INTERIORS  
124 Peakbody, Birmingham, Michigan 48009 248.258.6940

9.26.2017



LAW OFFICES

**ADKISON, NEED, ALLEN, & RENTROP**

PROFESSIONAL LIMITED LIABILITY COMPANY

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OF COUNSEL:  
KEVIN M. CHUDLER  
SARAH J. GABIS  
LINDA S. MAYER

September 28, 2017

*Via Hand Delivery and Electronic Mail*

Jana Ecker, Planning Director  
City of Birmingham  
151 Martin St.  
Birmingham, MI 48012

**Re: Special Land Use and Final Site Plan Application for  
220 Merrill Street Lower Level**

Dear Ms. Ecker:

220 Restaurant Hospitality, LLC requests City approval for a Special Land Use Permit and a Final Site Plan to enable the lower level of the building (f/k/a Edison's) to reopen.

The plan is to open the lower level for special events, private parties, and the public. The hours would be the same as the hours for the main restaurant. A food menu will be offered.

The lower level may have low-key entertainment, such as jazz music and a piano bar.

There will be no changes to the façade or layout of the lower level. There will be upgrades of the plumbing, electrical, and HVAC systems.

The Michigan Liquor Control Commission has approved the lower level as part of the licensed premises, as well as the following permits: Add Bar, Sunday Sales (AM and PM), Dance/Entertainment, and Outdoor Service.

Enclosed for your review are the following:

1. Special Land Use Permit Application;
2. Elevations;
3. Floor plan;
4. Deed; and

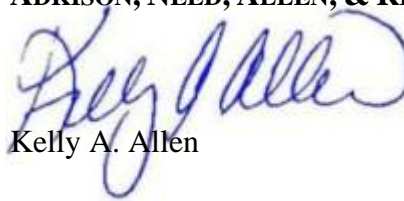
5. Check for \$2,800.00.

Please contact me if you need any further information or documentation. We would appreciate being placed on the Planning Board agenda as soon as possible.

Thank you, as always, for your assistance.

Very truly yours,

**ADKISON, NEED, ALLEN, & RENTROP, PLLC**



Kelly A. Allen

/kjf  
Enclosures

Cc: Matt Baka  
Zaid Elia



## Special Land Use Permit Application

### Planning Division

*Form will not be processed until it is completely filled out.*

#### 1. Applicant

Name: 220 Restaurant Hospitality, LLC  
Address: 124 S Old Woodward, Birmingham, Michigan 48009

Phone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Email Address: zaid@theeliagroup.com

#### Property Owner

Name: 220 Park Place, LLC  
Address: Same as applicant

Phone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

#### 2. Applicant's Attorney/Contact Person

Name: Kelly Allen  
Address: 39572 Woodward, Suite 222, Bloomfield Hills, Michigan 48304

Phone Number: (248) 540-7400  
Fax Number: (248) 540-7401  
Email Address: kallen@anafirm.com

#### Project Designer/Developer

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

#### 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: 220 Merrill Street

Name of Development: 220 Park Place, LLC

Sidwell #: \_\_\_\_\_

Current Use: Commercial/bar/restaurant

Proposed Use: Commercial/bar/restaurant

Area in Acres: \_\_\_\_\_

Current Zoning: B-4

Zoning of Adjacent Properties: B-4

Is there a current SLUP in effect for this site?: Yes

Is property located in the floodplain? No

Name of Historic District site is in, if any: \_\_\_\_\_

Date of HDC Approval, if any: \_\_\_\_\_

Date of Application for Preliminary Site Plan: \_\_\_\_\_

Date of Preliminary Site Plan Approval: \_\_\_\_\_

Date of Application for Final Site Plan: \_\_\_\_\_

Date of Final Site Plan Approval: \_\_\_\_\_

Date of Revised Final Site Plan Approval: \_\_\_\_\_

Date of Final Site Plan Approval: \_\_\_\_\_

Date of DRB approval, if any: \_\_\_\_\_

Date of Last SLUP Amendment: 6/23/14

Will proposed project require the division of platted lots? \_\_\_\_\_

#### 5. Details of the Nature of Work Proposed (Site plan & design elements)

The applicant intends to open the lower level of the building, to be used for special events, and to be open to the public during the same hours as the main restaurant upstairs. The only changes will include updated plumbing, HVAC, and electrical.

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## 6. Buildings and Structures

Number of Buildings on site: 1  
Height of Building & # of stories: 2

Use of Buildings: Restaurant/Bar/Office  
Height of rooftop mechanical equipment: N/A

**7. Floor Use and Area (in square feet)**

### Commercial Structures:

Total basement floor area: 3,500  
 Number of square feet per upper floor: 6,400  
 Total floor area: \_\_\_\_\_  
 Floor area ratio (total floor area divided by total land area): \_\_\_\_\_  
 Open space: \_\_\_\_\_  
 Percent of open space: \_\_\_\_\_

Office space: \_\_\_\_\_  
Retail space: \_\_\_\_\_  
Industrial space: \_\_\_\_\_  
Assembly space: \_\_\_\_\_  
Seating Capacity: \_\_\_\_\_  
Maximum Occupancy Load: 110

### 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: \_\_\_\_\_

Rental units or condominiums?: \_\_\_\_\_  
 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: \_\_\_\_\_  
 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: \_\_\_\_\_  
 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

[illegible]

## 11. Streetscape

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

Description of benches or planters: \_\_\_\_\_  
\_\_\_\_\_  
Species of existing street trees: \_\_\_\_\_  
Species of proposed street trees: \_\_\_\_\_  
\_\_\_\_\_

## 12. Loading

Required number of loading spaces: No change  
Typical angle of loading spaces: \_\_\_\_\_  
Screenwall material: \_\_\_\_\_  
Location of loading spaces on the site: \_\_\_\_\_

Proposed number of loading spaces: \_\_\_\_\_  
Typical size of loading spaces: \_\_\_\_\_  
Height of screenwall: \_\_\_\_\_

## 13. Exterior Trash Receptacles

Required number of trash receptacles: No change  
Location of trash receptacles: \_\_\_\_\_  
Screenwall material: \_\_\_\_\_

Proposed number of trash receptacles: \_\_\_\_\_  
Size of trash receptacles: \_\_\_\_\_  
Height of screenwall: \_\_\_\_\_

## 14. Mechanical Equipment

### Utilities & Transformers:

Number of ground mounted transformers: No change  
Size of transformers (LxWxH): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Number of utility easements: \_\_\_\_\_  
Screenwall material: \_\_\_\_\_

Location of all utilities & easements: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Height of screenwall: \_\_\_\_\_

### Ground Mounted Mechanical Equipment:

Number of ground mounted units: No change  
Size of ground mounted units (LxWxH): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Screenwall material: \_\_\_\_\_

Location of all ground mounted units: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Height of screenwall: \_\_\_\_\_

### Rooftop Mechanical Equipment:

Number of rooftop units: No change  
Type of rooftop units: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Screenwall material: \_\_\_\_\_  
Location of screenwalls: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Location of all ground mounted units: \_\_\_\_\_  
Size of rooftop units (LxWxH): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Height of screenwall: \_\_\_\_\_  
Percentage of rooftop covered by mechanical units: \_\_\_\_\_  
Distance from units to rooftop units to screenwall: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 15. Accessory Buildings

Number of accessory buildings: No change  
Location of accessory buildings: \_\_\_\_\_

Size of accessory buildings: \_\_\_\_\_  
Height of accessory buildings: \_\_\_\_\_

## 16. Building Lighting

Number of light standards on building: No change  
Size of light fixtures (LxWxH): \_\_\_\_\_

Type of light standards on building: \_\_\_\_\_  
Height from grade: \_\_\_\_\_

Maximum wattage per fixture: \_\_\_\_\_  
Light level at each property line: \_\_\_\_\_

Proposed wattage per fixture: \_\_\_\_\_  
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: 9-28-17

Print Name: Zaid Elia

Signature of Applicant: \_\_\_\_\_

Date: 9-28-17

Print Name: Zaid Elia

Signature of Architect: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

### Office Use Only

Application #: \_\_\_\_\_ Date Received: \_\_\_\_\_ Fee: \_\_\_\_\_

Date of Approval: \_\_\_\_\_ Date of Denial: \_\_\_\_\_ Accepted by: \_\_\_\_\_



## MEMORANDUM

Planning Division

**DATE:** November 1, 2017

**TO:** Planning Board

**FROM:** Sean Campbell, Assistant City Planner

**APPROVED BY:** Jana Ecker, Planning Director

**SUBJECT:** 220 E. Merrill, 220 Restaurant – Final Site Plan and Special Land Use Permit Amendment

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### Executive Summary

The subject site, currently 220 Restaurant, is located at 220 E. Merrill, on the south side of Merrill west of Old Woodward. The parcel is located in the B-4, Business-Residential zoning district and is also zoned D-4 in the Downtown Overlay District, and is located in a historic district. At this time, the applicant is proposing to utilize a portion of the basement of the building (formerly Edison's) to use for special events, private parties, and the public as an extension to 220 restaurant on the first floor. The applicant has indicated that the proposed lower level of 220 Restaurant will offer a food menu (the same as that offered on the main floor of the existing restaurant) and will host low-key entertainment, such as jazz music and piano music, in the space. Business hours would be the same as those of the main restaurant. No changes to the existing building facade or first floor plan are proposed.

As no exterior changes are proposed to the building, historic review by the Historic District Commission is not required at this time.

The subject site currently operates under a Special Land Use Permit ("SLUP") as 220 restaurant serves alcoholic beverages under a Class C liquor license. No changes are proposed to the name of the establishment or to the ownership of the existing establishment. The only change proposed at this time is to amend the SLUP to include the lower level as part of 220 restaurant. The Michigan Liquor Control Commission has already approved the basement of the 220 E. Merrill as part of the licensed premises, and thus no licensing changes are required with the State of Michigan.

However, in accordance with Article 06 section 6.02 Continuance of Nonconformity, A(5) of the Zoning Ordinance, any establishment with alcoholic beverage sales (on-premises consumption) shall obtain a Special Land Use Permit upon change in ownership or name of establishment, or upon application for a site plan review. As the applicant is proposing to expand the square footage of the restaurant operating under the existing SLUP, site plan review is required. Accordingly, the applicant is required to obtain a recommendation from the Planning Board on the Final Site Plan

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and SLUP Amendment, and then obtain approval from the City Commission for the Final Site Plan and SLUP Amendment.

## **1.0 Land Use and Zoning**

- 1.1 Existing Land Use – The existing site is used for retail and commercial purposes, including an eating establishment with alcoholic beverage sales. Land uses surrounding the site are also retail and commercial, with multi-family residential to the north.
- 1.2 Existing Zoning – The property is currently zoned B-4, Business Residential and D-4 in the Downtown Overlay District. The existing use and surrounding uses appear to conform to the permitted uses of each Zoning District.
- 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.

	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<b>Existing Land Use</b>	Commercial / Retail and Residential	Commercial / Retail	Commercial / Retail	Commercial / Retail
<b>Existing Zoning District</b>	B-4, Business- Residential	B-4, Business- Residential	B-4, Business- Residential	B-4, Business- Residential
<b>Downtown Overlay Zoning District</b>	D-4	D-4	D-4	D-4

## **2.0 Screening and Landscaping**

- 2.1 Screening – No screening is required, nor proposed at this time. The applicant was previously required to screen mechanical equipment and a dumpster at the rear of the building, which was completed.
- 2.2 Landscaping – No changes are proposed at this time.

## **3.0 Parking, Loading, Access, and Circulation**

- 3.1 Parking – No changes are proposed. Parking is not required as the site is located within the Parking Assessment District.
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- 3.2 Loading – No changes are proposed. Existing loading occurs from the adjacent alleys to the west and south of the building.
  - 3.3 Vehicular Access & Circulation - Vehicular access to the building will not be altered.
  - 3.4 Pedestrian Access & Circulation – No changes are proposed to either pedestrian circulation or the existing outdoor dining layout.
  - 3.5 Streetscape – The applicant is not proposing to alter the existing sidewalk, street trees, or light poles. **However, there is one street tree missing from a tree well in front of the existing 220 restaurant which the applicant was required to plant as part of their previous approval. This was not done, and thus the applicant will be required to add the required street tree to the existing open tree well. At the time of planting, the new tree must measure at least 3" DBH. The species of tree must be approved by the Department of Public Services.**

#### 4.0 Lighting

No new lighting is proposed at this time to the exterior of the building.

#### 5.0 Departmental Reports

- 5.1 Engineering Division – The Engineering Division has no concerns.
- 5.2 Department of Public Services – The DPS has stated that the applicant still owes the City a new tree in the tree well located in front of the building on E. Merrill.
- 5.3 Fire Department – The Fire Department has no concerns with the **concept** of occupying this lower level space. **However, a readable set of floor plans, with all required information, will need to be submitted before approval of any occupancy of this space, and for the evaluation of this space, for the allowable occupant load. This space is only approved for storage at this time. Additionally this space will require a full final inspection before occupancy.**
- 5.4 Police Department - **No comments have been received at this time, but will be provided prior to the Planning Board meeting on November 8, 2017.**
- 5.5 Building Division – **No comments have been received at this time, but will be provided prior to the Planning Board meeting on November 8, 2017.**

#### 6.0 Design Review

The applicant is not proposing any design changes to the exterior of the subject building.

The interior of the existing restaurant on the first floor currently has 145 seats in the dining room, 17 seats at the bar, and 8 seats in a lounge area near the front entrance, for an

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existing total of 170 interior seats on the first floor. No interior changes are proposed for the first floor at this time. The applicant is now proposing to incorporate the lower level of the building (formerly Edison's) into the existing 220 restaurant on the first floor. The addition of the lower level will add 77 seats in the open area around the bar, and 9 seats at the bar. A piano is also proposed to provide low key entertainment for guests. The applicant has stated that the lower level will be an extension of the first floor restaurant, but it may be used for private events at times, and open to the general public at other times. The furniture plan for the lower level appears to be lounge style seating with cocktail tables. Only 3 full size dining tables are provided in the area between the bar and the piano, thus suggesting more of a lounge atmosphere than the first floor restaurant space. With the addition of the lower level to the restaurant, a total of 256 seats will be provided between the dining areas, lounge areas and the upper and lower bar areas.

## **7.0 Downtown Birmingham 2016 Overlay District**

The site is located within the D-4 zone of the DB 2016 Regulating Plan, and is within the Downtown Birmingham Overlay District. The proposed plans conform to the provisions of the D-4 overlay zoning district, and continue to implement the goals of the plan.

## **8.0 Approval Criteria**

In accordance with Article 7, section 7.27 of the Zoning Ordinance, the proposed plans for development must meet the following conditions:

- (1) The location, size and height of the building, walls and fences shall be such that there is adequate landscaped open space so as to provide light, air and access to the persons occupying the structure.
  - (2) The location, size and height of the building, walls and fences shall be such that there will be no interference with adequate light, air and access to adjacent lands and buildings.
  - (3) The location, size and height of the building, walls and fences shall be such that they will not hinder the reasonable development of adjoining property not diminish the value thereof.
  - (4) The site plan, and its relation to streets, driveways and sidewalks, shall be such as to not interfere with or be hazardous to vehicular and pedestrian traffic.
  - (5) The proposed development will be compatible with other uses and buildings in the neighborhood and will not be contrary to the spirit and purpose of this chapter.
  - (6) The location, shape and size of required landscaped open space is such as to provide adequate open space for the benefit of the inhabitants of the building and the surrounding neighborhood.
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## 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 Suggested Action

Based on a review of the site plans submitted, the Planning Division recommends that the Planning Board recommend APPROVAL to the City Commission of the applicant's request for Final Site Plan and a SLUP amendment for 220 E. Merrill, 220 Restaurant to enable the restaurant to reopen the basement for food and alcoholic beverage sales, public use, special events, private parties, and low-key entertainment.

## 11.0 Sample Motion Language

Based on a review of the site plans submitted, the Planning Division recommends that the Planning Board recommend APPROVAL to the City Commission of the applicant's request for Final Site Plan and a SLUP Amendment for 220 E. Merrill, 220 Restaurant with the following conditions:

1. Add the required street tree to the existing open tree well, with a minimum caliper of 3" DBH at the time of planting; and
2. Complete and legible plans, with all required information, will need to be submitted before approval of any occupancy of this space, and for the evaluation of this space for the allowable occupant load; and
3. Compliance with the requests of all departments.

OR

Motion to recommend DENIAL of the Final Site Plan and SLUP Amendment to the City Commission for 220 E. Merrill, 220 Restaurant for the following reasons:

1. \_\_\_\_\_
2. \_\_\_\_\_

OR

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Motion to recommend POSTPONEMENT of the Final Site Plan and SLUP Amendment for 220 E. Merrill, 220 Restaurant, pending receipt of the following:

1. \_\_\_\_\_
2. \_\_\_\_\_

**Planning Board Minutes  
November 8, 2017**

**UNFINISHED BUSINESS**

**SPECIAL LAND USE PERMIT ("SLUP") AMENDMENT  
FINAL SITE PLAN REVIEW**

**1. 220 E. Merrill, 220 Restaurant**

**Request for approval of a Final Site Plan and SLUP Amendment to expand the establishment into the lower level of the building**

Ms. Ecker advised the subject site, currently 220 Restaurant, is located on the south side of Merrill, west of Old Woodward Ave. The parcel is located in the B-4 Business-Residential Zoning District and is also zoned D-4 in the Downtown Overlay District, and is located in a Historic District.

She explained there are two issues, the State Licensing issue and the City zoning issue. At the State, the lower level is already included in the applicant's licensed premises area and they have a Class C Liquor License with an Entertainment Permit. From the City's standpoint, the approval of 220 Restaurant did not include the basement.

At this time, the applicant is proposing to utilize a portion of the basement of the building for special events, private parties, and the public as an extension of the 220 Restaurant on the first floor. The applicant has indicated that the proposed lower level of the restaurant will offer a food menu (the same as that offered on the main floor of the existing restaurant) and will host low-key entertainment, such as jazz music and piano music, in the space.

Business hours would be the same as those of the main restaurant.

The only issue outside has been called out by the Dept. of Public Services ("DPS") who says the applicant has not added the required street tree to the existing open tree well in the front,

No changes to the existing building facade or first floor plan are proposed. As no exterior changes are proposed to the building, historic review by the Historic District Commission is not required at this time.

*Design Review*

No interior changes are proposed for the first floor at this time. The applicant is now proposing to incorporate the lower level of the building (formerly Edison's) into the existing 220 Restaurant on the first floor.

The addition of the lower level will add 77 seats in the open area around the bar, and nine seats at the bar. A piano is also proposed to provide low key entertainment for guests. The furniture plan for the lower level appears to be lounge style seating with cocktail tables. Only three full size dining tables are provided in the area between the bar and the piano, thus suggesting more of a lounge atmosphere than the first floor restaurant space. With the addition of the lower level to the restaurant, a total of 256 seats will be provided between the dining areas, lounge areas and the upper and lower bar areas.

Ms. Kelly Allen, Attorney, was present with Mr. Zaid Elia on behalf of 220 Restaurant. She explained for Mr. Boyle that an Entertainment Permit allows 220 to have music, karaoke, closed

circuit television, and stand-up comedians. An entertainment agreement with the City is pretty strict with regard to what kind of entertainment is allowed.

There were no comments from the public at 8:26 p.m.

**Motion by Mr. Williams**

**Seconded by Mr. Boyle that based on a review of the site plans submitted, the Planning Board recommends approval to the City Commission of the applicant's request for Final Site Plan and a SLUP Amendment for 220 E. Merrill, 220 Restaurant, with the following conditions:**

- 1. Add the required street tree to the existing open tree well, with a minimum caliper of 3 in. DBH at the time of planting;**
- 2. Complete and legible plans, with all required information, will need to be submitted before approval of any occupancy of this space, and for the evaluation of this space for the allowable occupant load; and**
- 3. Compliance with the requests of all City departments.**

No one from the public commented on the motion at 7:27 p.m.

**Motion carried, 6-0.**

**VOICE VOTE**

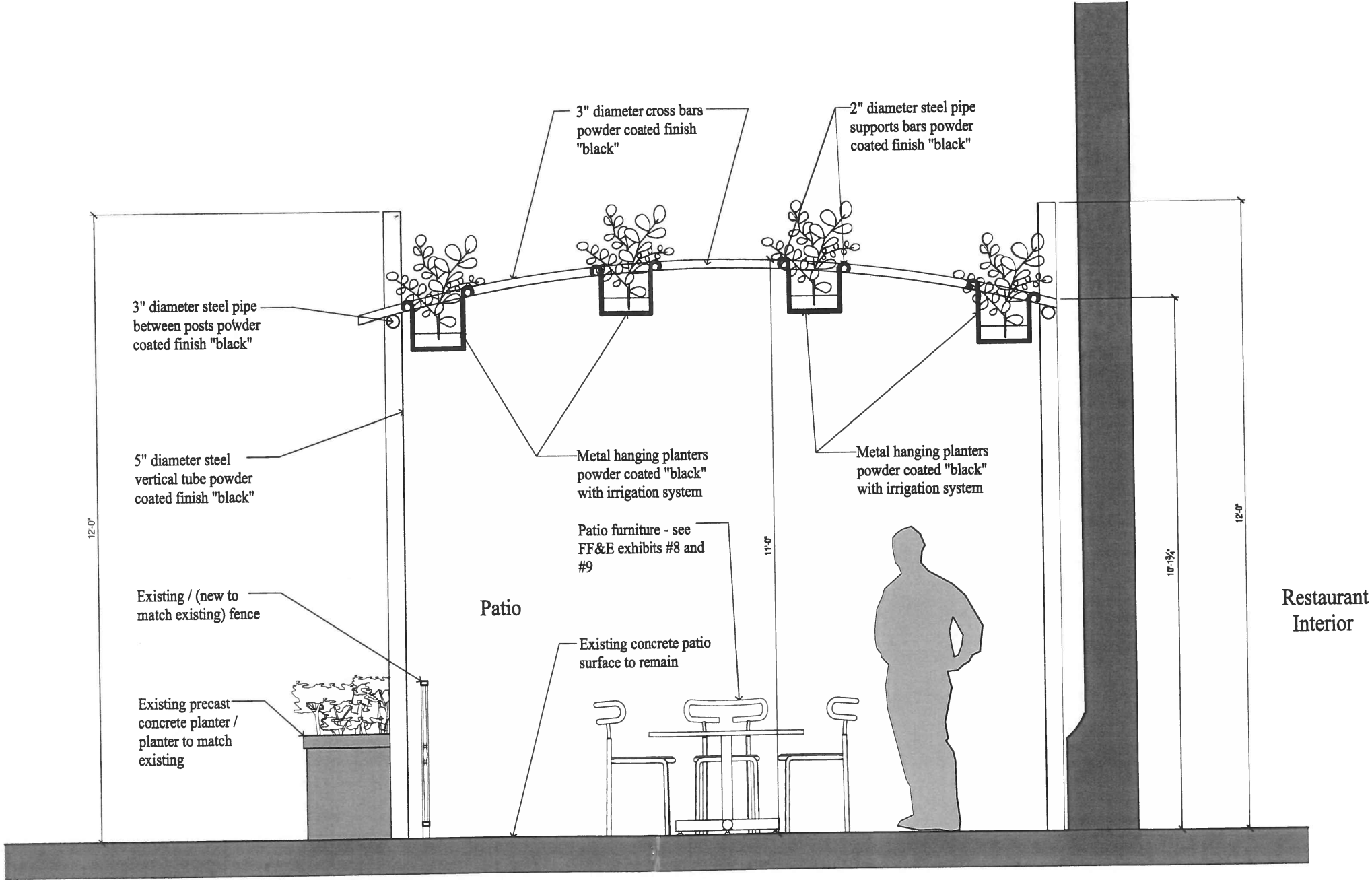
Yeas: Williams, Boyle, Jeffares, Koseck, Lazar, Whipple-Boyce

Nays: None

Absent: Clein

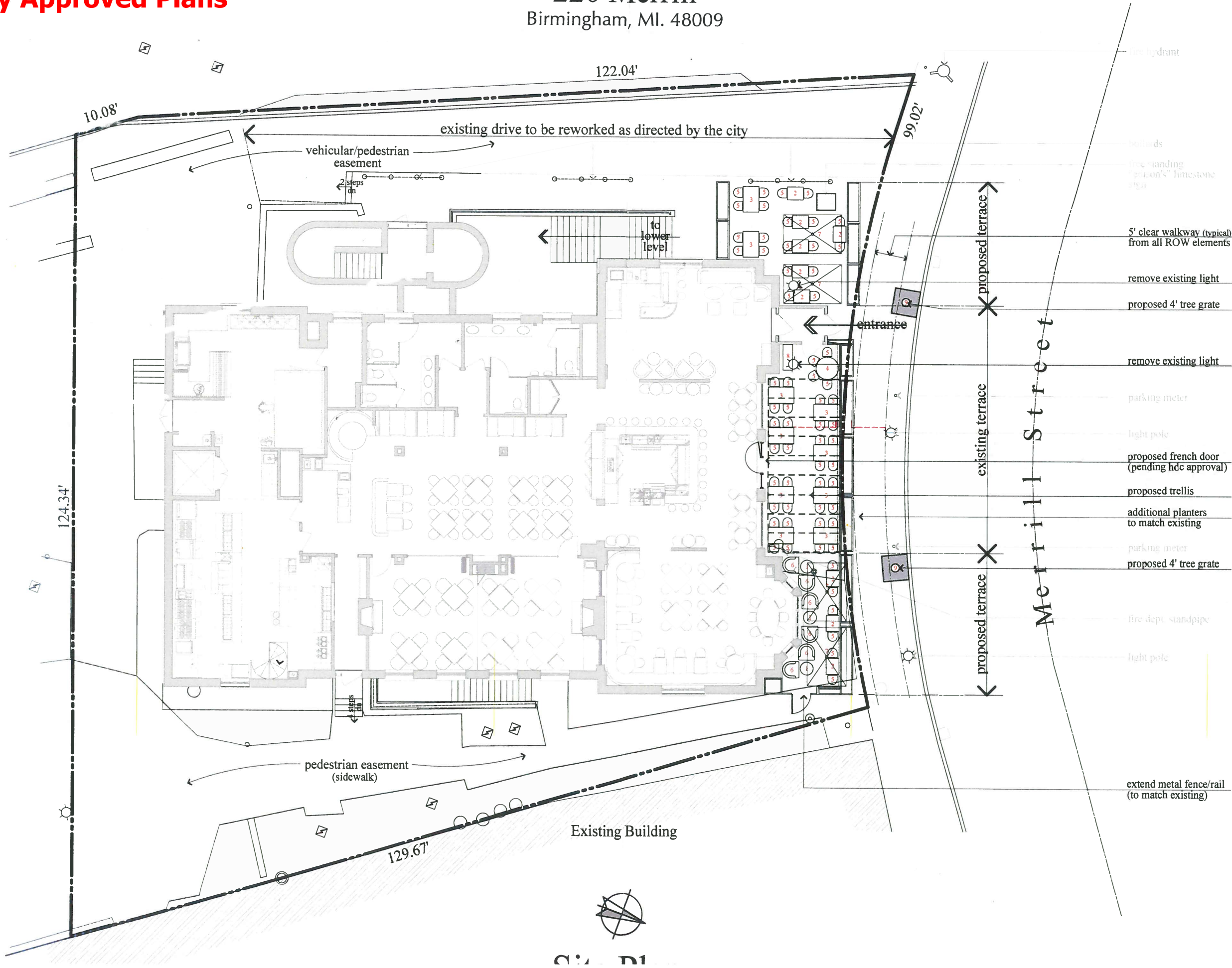
Previously Approved Plans

220 Merrill  
Birmingham, MI. 48009



Previously Approved Plans

220 Merrill  
Birmingham, MI. 48009



Previously Approved Plans

220 Merrill  
Birmingham, MI. 48009



Previously Approved Plans

220 Merrill  
Birmingham, MI. 48009



## 220 Restaurant





## MEMORANDUM

Planning Division

**DATE:** November 13, 2017

**TO:** Joseph A. Valentine, City Manager

**FROM:** Matthew Baka, Senior Planner

**APPROVED:** Jana L. Ecker, Planning Director

**Re:** Public Hearing for a Special Land Use Permit Amendment and Final Site Plan for 220 Restaurant at 220 E. Merrill

The subject property at 220 E. Merrill is located in the B4 Business Residential zone district. The B4 zone lists food and drink establishment as a permitted use requiring a Special Land Use Permit (SLUP). The applicant was approved for a SLUP by the City Commission on March 10, 2014. The applicant is now requesting an amendment to the existing SLUP to allow them to utilize the lower level of the building, formerly known as "Edison's" for special events, private parties, and the public as an extension to 220 Restaurant on the first floor. The applicant has indicated that the proposed lower level of 220 Restaurant will offer a food menu (the same as that offered on the main floor of the existing restaurant) and will host low-key entertainment, such as jazz music and piano music, in the space. Business hours would be the same as those of the main restaurant.

The applicant appeared before the Planning Board on November 8, 2017 and received a recommendation for approval. The previously approved plans were submitted with the application to demonstrate that there are no exterior changes proposed to the historic structure. Accordingly, they are not required to obtain approval from the Historic District Commission.

The City Commission set a public hearing date for December 11, 2017 to consider an application for a Special Land Use Permit ("SLUP") Amendment and Final Site Plan for 220 restaurant at 220 E. Merrill. Please see attached staff report presented to the Planning Board, along with the application, submitted plans and relevant meeting minutes.

### SUGGESTED ACTION:

To approve an application for a Special Land Use Permit Amendment and Final Site Plan for 220 restaurant at 220 E. Merrill to expand the existing restaurant into the lower level as recommended by the Planning Board on November 8, 2017.

220 RESTAURANT  
220 E. MERRILL  
SPECIAL LAND USE PERMIT ADMENDMENT  
2017

- WHEREAS, 220 Restaurant filed an application pursuant to Article 7, section 7.34 of Chapter 126, Zoning, of the City Code to operate a food and drink establishment in the B4 zone district in accordance Article 2, Section 2.37 of Chapter 126, Zoning, of the City Code;
- WHEREAS, The land for which the Special Land Use Permit is sought is located on the south side of E. Merrill, west of S. Old Woodward;
- WHEREAS, The land is zoned B-4, and is located within the Downtown Birmingham Overlay District, which permits the operation of food and drink establishments serving alcoholic beverages with a Special Land Use Permit;
- WHEREAS, Article 7, section 7.34 of Chapter 126, Zoning requires a Special Land Use Permit to be considered and acted upon by the Birmingham City Commission, after receiving recommendations on the site plan and design from the Planning Board for the proposed Special Land Use;
- WHEREAS, The applicant was granted a Special Land Use Permit by the City Commission on March 10, 2014;
- WHEREAS, The applicant submitted an application for a Special Land Use Permit Amendment and Final Site Plan for 220 Restaurant;
- WHEREAS, The Planning Board on November 8, 2017 reviewed the application for a Special Land Use Permit Amendment and recommended approval of the application with the following conditions:
1. Add the required street tree to the existing open tree well, with a minimum caliper of 3 in. DBH at the time of planting;
  2. Complete and legible plans, with all required information, will need to be submitted before approval of any occupancy of this space, and for the evaluation of this space for the allowable occupant load; and
  3. Compliance with the requests of all City departments.
- WHEREAS, The applicant has agreed to comply with the conditions of approval recommended by the Planning Board;
- WHEREAS, The Birmingham City Commission has reviewed 220 Restaurant's Special Land Use Permit Amendment application and the standards for such review as set forth in Article 7, section 7.36 of Chapter 126, Zoning, of the City Code;
- NOW, THEREFORE, BE IT RESOLVED, The Birmingham City Commission finds the standards imposed under the City Code have been met, subject to the conditions below, and that 220 Restaurant's application for a Special Land Use Permit Amendment and Final Site Plan at 220 E. Merrill is hereby approved;

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

1. 220 Restaurant 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.

BE IT FURTHER RESOLVED, Except as herein specifically provided, 220 Restaurant 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 be subsequently amended. Failure of 220 Restaurant to comply with all the ordinances of the City may result in the Commission revoking this Special Land Use Permit.

MAY IT BE FURTHER RESOLVED that 220 Restaurant is recommended for the operation of a food and drink establishment serving alcoholic beverages on premises, subject to final inspection.

I, Cherilynn Mynsberge, City Clerk of the City of Birmingham, Michigan, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Birmingham City Commission at its regular meeting held on December 11, 2017.

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Cherilynn Mynsberge, City Clerk



## Special Land Use Permit Application

### Planning Division

*Form will not be processed until it is completely filled out.*

#### 1. Applicant

Name: 220 Restaurant Hospitality, LLC  
Address: 124 S Old Woodward, Birmingham, Michigan 48009

Phone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Email Address: zaid@theeliagroup.com

#### Property Owner

Name: 220 Park Place, LLC  
Address: Same as applicant

Phone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

#### 2. Applicant's Attorney/Contact Person

Name: Kelly Allen  
Address: 39572 Woodward, Suite 222, Bloomfield Hills, Michigan 48304

Phone Number: (248) 540-7400  
Fax Number: (248) 540-7401  
Email Address: kallen@anafirm.com

#### Project Designer/Developer

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

#### 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: 220 Merrill Street

Name of Development: 220 Park Place, LLC

Sidwell #: \_\_\_\_\_

Current Use: Commercial/bar/restaurant

Proposed Use: Commercial/bar/restaurant

Area in Acres: \_\_\_\_\_

Current Zoning: B-4

Zoning of Adjacent Properties: B-4

Is there a current SLUP in effect for this site?: Yes

Is property located in the floodplain? No

Name of Historic District site is in, if any: \_\_\_\_\_

Date of HDC Approval, if any: \_\_\_\_\_

Date of Application for Preliminary Site Plan: \_\_\_\_\_

Date of Preliminary Site Plan Approval: \_\_\_\_\_

Date of Application for Final Site Plan: \_\_\_\_\_

Date of Final Site Plan Approval: \_\_\_\_\_

Date of Revised Final Site Plan Approval: \_\_\_\_\_

Date of Final Site Plan Approval: \_\_\_\_\_

Date of DRB approval, if any: \_\_\_\_\_

Date of Last SLUP Amendment: 6/23/14

Will proposed project require the division of platted lots? \_\_\_\_\_

#### 5. Details of the Nature of Work Proposed (Site plan & design elements)

The applicant intends to open the lower level of the building, to be used for special events, and to be open to the public during the same hours as the main restaurant upstairs. The only changes will include updated plumbing, HVAC, and electrical.

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## 6. Buildings and Structures

Number of Buildings on site: 1  
Height of Building & # of stories: 2

Use of Buildings: Restaurant/Bar/Office  
Height of rooftop mechanical equipment: N/A

**7. Floor Use and Area (in square feet)**

### Commercial Structures:

Total basement floor area: 3,500  
 Number of square feet per upper floor: 6,400  
 Total floor area: \_\_\_\_\_  
 Floor area ratio (total floor area divided by total land area): \_\_\_\_\_  
 Open space: \_\_\_\_\_  
 Percent of open space: \_\_\_\_\_

Office space: \_\_\_\_\_  
Retail space: \_\_\_\_\_  
Industrial space: \_\_\_\_\_  
Assembly space: \_\_\_\_\_  
Seating Capacity: \_\_\_\_\_  
Maximum Occupancy Load: 110

### 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: \_\_\_\_\_

Rental units or condominiums?: \_\_\_\_\_  
 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: \_\_\_\_\_  
 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: \_\_\_\_\_  
 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:**

## 11. Streetscape

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

Description of benches or planters: \_\_\_\_\_  
\_\_\_\_\_  
Species of existing street trees: \_\_\_\_\_  
Species of proposed street trees: \_\_\_\_\_  
\_\_\_\_\_

## 12. Loading

Required number of loading spaces: No change  
Typical angle of loading spaces: \_\_\_\_\_  
Screenwall material: \_\_\_\_\_  
Location of loading spaces on the site: \_\_\_\_\_

Proposed number of loading spaces: \_\_\_\_\_  
Typical size of loading spaces: \_\_\_\_\_  
Height of screenwall: \_\_\_\_\_

## 13. Exterior Trash Receptacles

Required number of trash receptacles: No change  
Location of trash receptacles: \_\_\_\_\_  
Screenwall material: \_\_\_\_\_

Proposed number of trash receptacles: \_\_\_\_\_  
Size of trash receptacles: \_\_\_\_\_  
Height of screenwall: \_\_\_\_\_

## 14. Mechanical Equipment

### Utilities & Transformers:

Number of ground mounted transformers: No change  
Size of transformers (LxWxH): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Number of utility easements: \_\_\_\_\_  
Screenwall material: \_\_\_\_\_

Location of all utilities & easements: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Height of screenwall: \_\_\_\_\_

### Ground Mounted Mechanical Equipment:

Number of ground mounted units: No change  
Size of ground mounted units (LxWxH): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Screenwall material: \_\_\_\_\_

Location of all ground mounted units: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Height of screenwall: \_\_\_\_\_

### Rooftop Mechanical Equipment:

Number of rooftop units: No change  
Type of rooftop units: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Screenwall material: \_\_\_\_\_  
Location of screenwalls: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Location of all ground mounted units: \_\_\_\_\_  
Size of rooftop units (LxWxH): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Height of screenwall: \_\_\_\_\_  
Percentage of rooftop covered by mechanical units: \_\_\_\_\_  
Distance from units to rooftop units to screenwall: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 15. Accessory Buildings

Number of accessory buildings: No change  
Location of accessory buildings: \_\_\_\_\_

Size of accessory buildings: \_\_\_\_\_  
Height of accessory buildings: \_\_\_\_\_

## 16. Building Lighting

Number of light standards on building: No change  
Size of light fixtures (LxWxH): \_\_\_\_\_

Type of light standards on building: \_\_\_\_\_  
Height from grade: \_\_\_\_\_

Maximum wattage per fixture: \_\_\_\_\_  
Light level at each property line: \_\_\_\_\_

Proposed wattage per fixture: \_\_\_\_\_  
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: 9-28-17

Print Name: Zaid Elia

Signature of Applicant: \_\_\_\_\_

Date: 9-28-17

Print Name: Zaid Elia

Signature of Architect: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

### Office Use Only

Application #: \_\_\_\_\_ Date Received: \_\_\_\_\_ Fee: \_\_\_\_\_

Date of Approval: \_\_\_\_\_ Date of Denial: \_\_\_\_\_ Accepted by: \_\_\_\_\_



## SPECIAL LAND USE PERMIT APPLICATION CHECKLIST – PLANNING DIVISION

Applicant: 220 Restaurant Hospitality, LLC Case #: \_\_\_\_\_ Date: \_\_\_\_\_

Address: 124 S Old Woodward Project: 220 Merrill Lower Level

All site plans and elevation drawings prepared for approval shall be prepared in accordance with the following specifications and other applicable requirements of the City of Birmingham. If more than one page is used, each page shall be numbered sequentially. All plans must be legible and of sufficient quality to provide for quality reproduction or recording. Plans must be no larger than 24" x 36", and must be folded and stapled together. The address of the site must be clearly noted on all plans and supporting documentation.

### Site Plan for Special Land Use Permit

A full site plan detailing the proposed changes for which approval is requested shall be drawn at a scale no smaller than 1" = 100' (unless the drawing will not fit on one 24" X 36" sheet) and shall include:

- \_\_\_\_\_ 1. Name and address of applicant and proof of ownership;
- \_\_\_\_\_ 2. Name of Development (if applicable);
- \_\_\_\_\_ 3. Address of site and legal description of the real estate;
- \_\_\_\_\_ 4. Name and address of the land surveyor;
- \_\_\_\_\_ 5. Legend and notes, including a graphic scale, north point, and date;
- \_\_\_\_\_ 6. A separate location map;
- \_\_\_\_\_ 7. A map showing the boundary lines of adjacent land and the existing zoning of the area proposed to be developed as well as the adjacent land;
- \_\_\_\_\_ 8. A list of all requested elements / changes to the site plan;
- \_\_\_\_\_ 9. Any changes requested marked in color on the site plan and on all elevations of any building(s);
- \_\_\_\_\_ 10. A chart indicating the dates of any previous approvals by the Planning Board, Board of Zoning Appeals, Design Review Board, City Commission, or the Historic District Committee ("HDC");
- \_\_\_\_\_ 11. Existing and proposed layout of streets, open space and other basic elements of the plan;
- \_\_\_\_\_ 12. Existing and proposed utilities and easements and their purpose;
- \_\_\_\_\_ 13. Location of natural streams, regulated drains, 100-year flood plains, floodway, water courses, marshes, wooded areas, isolated preservable trees, wetlands, historic features, existing structures, dry wells, utility lines, fire hydrants and any other significant feature(s) that may influence the design of the development;
- \_\_\_\_\_ 14. General description, location, and types of structures on the site;
- \_\_\_\_\_ 15. Details of existing or proposed lighting, signage and other pertinent development features;
- \_\_\_\_\_ 16. A landscape plan showing all existing and proposed planting and screening materials, including the number, size, and type of plantings proposed and the method of irrigation; and
- \_\_\_\_\_ 17. Any other information requested in writing by the Planning Division, the Planning Board, or the Building Official deemed important to the development.

### Elevation Drawings

Complete elevation drawings detailing the proposed changes for which approval is requested shall be drawn at a scale no smaller than 1" = 100' (unless the drawing will not fit on one 24" X 36" sheet) and shall include:

- \_\_\_\_\_ 18. Name and address of applicant and proof of ownership;
- \_\_\_\_\_ 19. Name of Development (if applicable);
- \_\_\_\_\_ 20. Address of site and legal description of the real estate;
- \_\_\_\_\_ 21. A separate location map;
- \_\_\_\_\_ 22. Legend and notes, including a graphic scale, north point, date and all relevant dimensions;
- \_\_\_\_\_ 23. Color elevation drawings showing the proposed design for each façade of the building;
- \_\_\_\_\_ 24. Itemized list of all materials to be used, including exact size specifications, color, style, and the name of the manufacturer; and
- \_\_\_\_\_ 25. Elevation drawings of all screenwalls to be utilized in concealing any exposed mechanical or electrical equipment, trash receptacle areas and parking areas;
- \_\_\_\_\_ 26. Details of existing or proposed lighting, signage and other pertinent development features;
- \_\_\_\_\_ 27. A list of any requested design changes;
- \_\_\_\_\_ 28. Location of all exterior lighting fixtures, exact size specifications, color, style and the name of the manufacturer of all fixtures, and a photometry analysis of all exterior lighting fixtures showing light levels to all property lines; and
- \_\_\_\_\_ 29. Any other information requested in writing by the Planning Division, the Planning Board, or the Building Official deemed important to the development.

LIBER 46848 PAGE 534

0039513

OAKLAND COUNTY TREASURERS CERTIFICATE:  
I HEREBY CERTIFY that there are no TAX LIENS or TITLES  
held by the state or any individual against the within description  
and all TAXES on same are paid for five years previous to the  
date of this instrument as appears by the records in the office  
except as stated.

FEB 28 2014

001523

1.00

ANDREW E. MEISNER, County Treasurer  
Sec. 135, Act 208, 1893 as amended

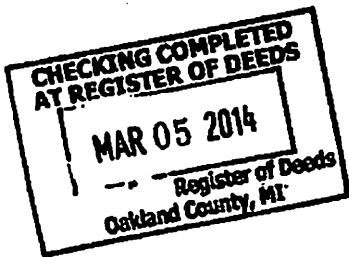
LIBER 46848 PAGE 534  
\$22.00 DEED - COMBINED  
\$4.00 REMONUMENTATION

03/10/2014 08:29:11 AM RECEIPT# 22098  
PAID RECORDED - Oakland County, MI  
Lisa Brown, Clerk/Register of Deeds

**WARRANTY DEED**

TWO TWENTY, L.L.C., a Michigan limited liability company ("Grantor"), having an address of 16267 West 14 Mile Road, Suite 200, Beverly Hills, Michigan 48025, conveys and warrants to 220 PARK PLACE, LLC, a Michigan limited liability company ("Grantee"), having an address of 124 South Old Woodward Avenue, Suite A, Birmingham, Michigan 48009, certain land situated in the City of Birmingham, Oakland County, Michigan, and more particularly described in attached Exhibit A, subject to those matters set forth in attached Exhibit B, for good and valuable consideration [Real Estate Transfer Tax Valuation Affidavit filed].

Dated as of the 11<sup>th</sup> day of February, 2014.



**GRANTOR:**

TWO TWENTY, L.L.C., a Michigan limited liability company

By: Judith Ann Roberts

Name: Judith Ann Roberts

Its: Authorized Representative

[ACKNOWLEDGMENT ON FOLLOWING PAGE]

REVENUE TO BE AFFIXED  
AFTER RECORDING

Warranty Deed - 220 East Merrill Street  
2000939162 12472/068440

2014 MAR - 4 AM 10:25  
OK - JAW  
JANUARY 10 2014  
REGISTER OF DEEDS

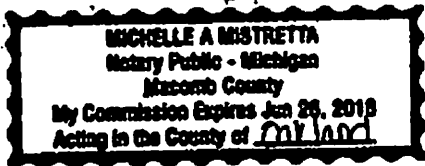
5P  
R  
TC

TC13-49880  
Title Connect LLC  
a title insurance agency  
28470 W. 13 Mile Rd. Suite 325  
Farmington Hills, MI 48334

LIBER 46848 PAGE 535

STATE OF MICHIGAN       )  
                                      ) ss.  
COUNTY OF OAKLAND       )

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of February, 2014, by Judith Ann Roberts, authorized representative of Two Twenty, L.L.C., a Michigan limited liability company, on behalf of the limited liability company.



Michelle A. Mistretta  
Michelle A. Mistretta, Notary Public  
Macomb County, Michigan  
My commission expires: 1-28-2018  
Acting in Oakland County, Michigan

Prepared by:

Brandon J. Muller  
Clark Hill PLC  
151 South Old Woodward Avenue, Suite 200  
Birmingham, Michigan 48009

When recorded, return to:

Zaid D. Elia  
220 Park Place, LLC  
124 South Old Woodward Avenue, Suite A  
Birmingham, Michigan 48009

**Exhibit A to Warranty Deed**

**Legal Description**

**Land situated in the City of Birmingham, Oakland County, Michigan, described as follows:**

**Part of Lots 3, 4, 6 and 7, Assessor's Plat No. 25, as recorded in Liber 54A of Plats, Page 73, Oakland County Records, described as beginning at the Northwest corner of said Lot 3; thence along the Northerly line of said Lot 3, on a curve to the left (radius = 169.27 feet, long chord bears North 72 degrees 21 minutes 11 seconds East, 89.24 feet), a distance of 90.31 feet; thence South 36 degrees 27 minutes 05 seconds East 95.21 feet, thence South 36 degrees 00 minutes 48 seconds East, 34.46 feet, thence South 69 degrees 51 minutes 30 seconds West, 124.34 feet; thence North 36 degrees 13 minutes 40 seconds West, 10.08 feet; thence North 23 degrees 40 minutes 33 seconds West, 122.04 feet; thence North 87 degrees 38 minutes 15 seconds East 9.78 feet to the point of beginning.**

**Commonly known as 220 East Merrill Street, Birmingham, Michigan 48009  
Tax Parcel No. 19-36-202-017**

**Subject to and together with easements for ingress, egress and loading described as:**

**ACCESS TO MERRILL STREET:**

**A 15 foot wide easement for ingress and egress described as the Westerly 15.00 feet of part of Lots 3, 4, 6 and 7 of Assessor's Plat No. 25, as recorded in Liber 54A of Plats, Page 73, Oakland County Records, described as beginning at the Northwest corner of said Lot 3; thence along the Northerly line of said Lot 3 on a curve to the left (radius = 169.27 feet, long chord bears North 72 degrees 21 minutes 11 seconds East, 89.24 feet), a distance of 90.31 feet; thence South 36 degrees 27 minutes 05 seconds East, 95.21 feet; thence South 36 degrees 00 minutes 48 seconds East, 34.46 feet; thence South 69 degrees 51 minutes 30 seconds West, 124.34 feet; thence North 36 degrees 13 minutes 40 seconds West, 10.08 feet; thence North 23 degrees 40 minutes 33 seconds West, 122.04 feet; thence North 87 degrees 38 minutes 15 seconds East, 9.78 feet to the point of beginning. Created by Easement recorded in Liber 7740, Page 91, Oakland County Records.**

**LOADING EASEMENT:**

**An easement for loading and unloading over and across part of Lots 3, 6 and 7, Assessor's Plat No. 25, as recorded in Liber 54A of Plats, Page 73, Oakland County Records, described as commencing at the Northwest corner of said Lot 3; thence along the Southerly right-of-way line of Merrill Street (60 feet wide), South 87 degrees 38 minutes 15 seconds West 9.78 feet; thence South 23 degrees 40 minutes 33 seconds East, 119.72 feet to the point of beginning; thence North 69 degrees 51 minutes 30 seconds East, 102.28 feet; thence South 20 degrees 08 minutes 30 seconds East, 12.00 feet; thence South 69 degrees 51 minutes 30 West, 99.34 feet; thence North 36 degrees 13 minutes 40 seconds West, 10.08 feet; thence North 23 degrees 40 minutes 33 seconds West, 2.32 feet to the point of beginning. Created by Easement recorded in Liber 7740, Page 91, Oakland County Records.**

**ACCESS TO BROWN STREET:**

**A 15 foot wide easement for ingress and egress described as the Westerly 15.00 feet of Lots 19 and 20 and part of Lots 3, 7, 8, 9 and 18 of Assessor's Plat No. 25, as recorded in Liber 54A of Plats, Page 73,**

Oakland County Records, described as beginning at the Southeasterly corner of said Lot 20; thence South 61 degrees 38 minutes 00 seconds West, along the Southerly line of said Lots 19, 20 and part of Lot 18, a distance of 120.00 feet; thence North 36 degrees 13 minutes 40 seconds West, 229.0 feet; thence North 69 degrees 51 minutes 30 seconds East, 124.34 feet; thence South 36 degrees 00 minutes 48 seconds East, 47.0 feet; thence South 35 degrees 56 minutes 29 seconds East, 43.96 feet; thence South 36 degrees 07 minutes 40 seconds East, 120.0 feet to the point of beginning. Created by Easement recorded in Liber 7740, Page 91, Oakland County Records.

**LOADING EASEMENT:**

An easement for loading and unloading over and across part of Lots 3, 7, 8 and 9, Assessor's Plat No. 25, as recorded in Liber 54A of Plats, Page 73, Oakland County Records, described as commencing at the Southeast corner of said Lot 20; thence along the Southerly lot line of Lots 20, 19 and part of Lot 18, also being the Northerly right-of-way line of Brown Street, South 61 degrees 38 minutes 00 seconds West, 120.00 feet; thence North 36 degrees 13 minutes 40 seconds West, 182.62 feet to the point of beginning; thence North 36 degrees 13 minutes 40 seconds West, 46.38 feet; thence North 69 degrees 51 minutes 30 seconds East, 99.34 feet; thence South 08 degrees 38 minutes 00 seconds East, 17.00 feet; thence South 81 degrees 22 minutes 00 seconds West, 35.00 feet; thence South 56 degrees 43 minutes 20 seconds West, 10.00 feet; thence South 36 degrees 13 minutes 40 seconds East, 20.00 feet; thence South 53 degrees 46 minutes 20 seconds West, 46.56 feet to the point of beginning. Created by Easement recorded in Liber 7740, Page 91, Oakland County Records.

**Exhibit B to Warranty Deed**

**Permitted Exceptions**

1. Taxes and assessments that are not yet due and payable.
2. Easements over subject property as shown on the recorded plat.
3. Rights of tenants under any unrecorded leases.
4. Easement to Detroit Edison Company to construct, operate and maintain its lines for transmission and distribution of electrical light and power over the Easterly 12 feet of the subject property as recited in deed recorded in Liber 6430, Page 616, Oakland County Records, which easement has been partially released by Release recorded in Liber 7411, Page 554, Oakland County Records.
5. Agreement to create common easements for ingress, egress and loading as recorded in Liber 7740, Page 91, Oakland County Records.
6. Agreement for creation of limited easement to provide light and air and to satisfy zoning set back requirements as recorded in Liber 7740, Page 99, Oakland County Records.
7. Underground Easement in favor of The Detroit Edison Company as recorded in Liber 7896, Page 162, Liber 7896, Page 164, Liber 7896, Page 165 and in Liber 8006, Page 84, Oakland County Records.
8. Resolution regarding special assessment recorded in Liber 8715, Page 137, Oakland County Records.



LAW OFFICES

**ADKISON, NEED, ALLEN, & RENTROP**

PROFESSIONAL LIMITED LIABILITY COMPANY

PHILLIP G. ADKISON  
KELLY A. ALLEN  
JESSICA A. HALLMARK  
GREGORY K. NEED  
G. HANS RENTROP

39572 Woodward, Suite 222  
Bloomfield Hills, Michigan 48304  
Telephone (248) 540-7400  
Facsimile (248) 540-7401  
[www.ANAfirm.com](http://www.ANAfirm.com)

OF COUNSEL:  
KEVIN M. CHUDLER  
SARAH J. GABIS  
LINDA S. MAYER

September 28, 2017

*Via Hand Delivery and Electronic Mail*

Jana Ecker, Planning Director  
City of Birmingham  
151 Martin St.  
Birmingham, MI 48012

**Re: Special Land Use and Final Site Plan Application for  
220 Merrill Street Lower Level**

Dear Ms. Ecker:

220 Restaurant Hospitality, LLC requests City approval for a Special Land Use Permit and a Final Site Plan to enable the lower level of the building (f/k/a Edison's) to reopen.

The plan is to open the lower level for special events, private parties, and the public. The hours would be the same as the hours for the main restaurant. A food menu will be offered.

The lower level may have low-key entertainment, such as jazz music and a piano bar.

There will be no changes to the façade or layout of the lower level. There will be upgrades of the plumbing, electrical, and HVAC systems.

The Michigan Liquor Control Commission has approved the lower level as part of the licensed premises, as well as the following permits: Add Bar, Sunday Sales (AM and PM), Dance/Entertainment, and Outdoor Service.

Enclosed for your review are the following:

1. Special Land Use Permit Application;
2. Elevations;
3. Floor plan;
4. Deed; and

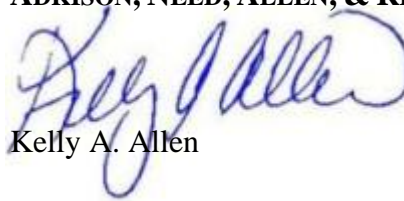
5. Check for \$2,800.00.

Please contact me if you need any further information or documentation. We would appreciate being placed on the Planning Board agenda as soon as possible.

Thank you, as always, for your assistance.

Very truly yours,

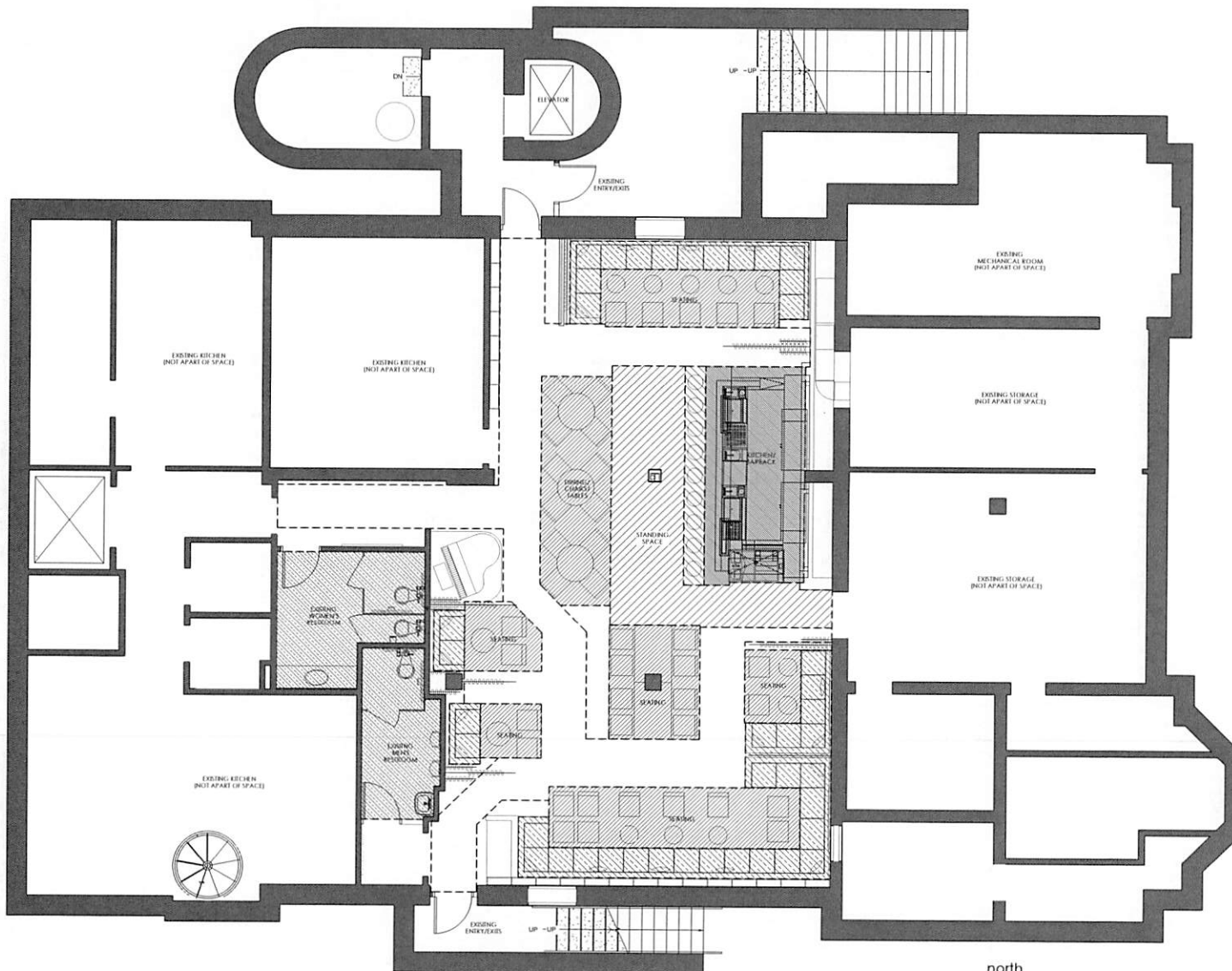
**ADKISON, NEED, ALLEN, & RENTROP, PLLC**



Kelly A. Allen

/kjf  
Enclosures

Cc: Matt Baka  
Zaid Elia



# CONCEPTUAL FLOOR PLAN

SCALE: 1/4" = 1'-0"

EGRESS DATA		
OCCUPANCY CALCULATIONS		
TOTAL FLOOR AREA *		1,930 SF
ASSEMBLY STANDING SPACE (17' x 15' = 255 SF)	34 OCCUPANTS	
ASSEMBLY UNCONCENTRATED (EAT & CHAIRS) (10' x 15' = 150 SF)	29 OCCUPANTS	
ASSEMBLY FRIED SEATING WITH/OUT DIVIDED AREA (15' x 10' PER OCCUPANT)	10 OCCUPANTS	
ASSEMBLY SEATING BOOTH (10' x 10' PER OCCUPANT)	35 OCCUPANTS	
KITCHEN BAR/BACK (10' x 10' = 100 SF)	2 OCCUPANTS (ACTUAL)	
CORRIDOR/WALKWAY (40' x 5' = 200 SF)		
RESTROOMS *		110 OCCUPANTS
TOTAL OCCUPANTS		110 OCCUPANTS



ABRO DESIGN GROUP, INC.  
30600 NORTHWESTERN HWY.  
SUITE 310  
FARMINGTON HILLS, MI 48334  
P. 248-254-3834 F. 248-671-2772  
WWW.ABRODESIGNGROUP.COM

## PROJECT:

220

INTERIOR BUILD-OUT

220 E MERRILL ST.  
BIRMINGHAM, MICHIGAN  
48009

## SHEET TITLE:

CONCEPTUAL  
FLOOR PLAN

DO NOT SCALE DRAWINGS  
USE FIGURED DIMENSIONS ONLY

## DATE: ISSUE:

09.12.17 DESIGN DEVELOPMENT

**KNAUER**

Project Incorporated  
720 Westinghouse Road, Suite 200  
Farmington Hills, MI 48334  
(248) 248-9000  
(248) 248-9000  
www.knauder.com

## PROJECT NO:

080717

## SHEET NO:

A1.0

220 Merrill  
Birmingham, Michigan 48009



Elevation

220 Merrill  
Birmingham, Michigan 48009



West Elevation

CHRISTOPHER J. LONGE AIA  
ARCHITECTURE  
INTERIORS  
124 Peakbody, Birmingham, Michigan 48009 248.258.6940

9.26.2017



## MEMORANDUM

Planning Division

**DATE:** November 1, 2017

**TO:** Planning Board

**FROM:** Sean Campbell, Assistant City Planner

**APPROVED BY:** Jana Ecker, Planning Director

**SUBJECT:** 220 E. Merrill, 220 Restaurant – Final Site Plan and Special Land Use Permit Amendment

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### Executive Summary

The subject site, currently 220 Restaurant, is located at 220 E. Merrill, on the south side of Merrill west of Old Woodward. The parcel is located in the B-4, Business-Residential zoning district and is also zoned D-4 in the Downtown Overlay District, and is located in a historic district. At this time, the applicant is proposing to utilize a portion of the basement of the building (formerly Edison's) to use for special events, private parties, and the public as an extension to 220 restaurant on the first floor. The applicant has indicated that the proposed lower level of 220 Restaurant will offer a food menu (the same as that offered on the main floor of the existing restaurant) and will host low-key entertainment, such as jazz music and piano music, in the space. Business hours would be the same as those of the main restaurant. No changes to the existing building facade or first floor plan are proposed.

As no exterior changes are proposed to the building, historic review by the Historic District Commission is not required at this time.

The subject site currently operates under a Special Land Use Permit ("SLUP") as 220 restaurant serves alcoholic beverages under a Class C liquor license. No changes are proposed to the name of the establishment or to the ownership of the existing establishment. The only change proposed at this time is to amend the SLUP to include the lower level as part of 220 restaurant. The Michigan Liquor Control Commission has already approved the basement of the 220 E. Merrill as part of the licensed premises, and thus no licensing changes are required with the State of Michigan.

However, in accordance with Article 06 section 6.02 Continuance of Nonconformity, A(5) of the Zoning Ordinance, any establishment with alcoholic beverage sales (on-premises consumption) shall obtain a Special Land Use Permit upon change in ownership or name of establishment, or upon application for a site plan review. As the applicant is proposing to expand the square footage of the restaurant operating under the existing SLUP, site plan review is required. Accordingly, the applicant is required to obtain a recommendation from the Planning Board on the Final Site Plan

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and SLUP Amendment, and then obtain approval from the City Commission for the Final Site Plan and SLUP Amendment.

## **1.0 Land Use and Zoning**

- 1.1 Existing Land Use – The existing site is used for retail and commercial purposes, including an eating establishment with alcoholic beverage sales. Land uses surrounding the site are also retail and commercial, with multi-family residential to the north.
- 1.2 Existing Zoning – The property is currently zoned B-4, Business Residential and D-4 in the Downtown Overlay District. The existing use and surrounding uses appear to conform to the permitted uses of each Zoning District.
- 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.

	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<b>Existing Land Use</b>	Commercial / Retail and Residential	Commercial / Retail	Commercial / Retail	Commercial / Retail
<b>Existing Zoning District</b>	B-4, Business- Residential	B-4, Business- Residential	B-4, Business- Residential	B-4, Business- Residential
<b>Downtown Overlay Zoning District</b>	D-4	D-4	D-4	D-4

## **2.0 Screening and Landscaping**

- 2.1 Screening – No screening is required, nor proposed at this time. The applicant was previously required to screen mechanical equipment and a dumpster at the rear of the building, which was completed.
- 2.2 Landscaping – No changes are proposed at this time.

## **3.0 Parking, Loading, Access, and Circulation**

- 3.1 Parking – No changes are proposed. Parking is not required as the site is located within the Parking Assessment District.
-

- 
- 3.2 Loading – No changes are proposed. Existing loading occurs from the adjacent alleys to the west and south of the building.
  - 3.3 Vehicular Access & Circulation - Vehicular access to the building will not be altered.
  - 3.4 Pedestrian Access & Circulation – No changes are proposed to either pedestrian circulation or the existing outdoor dining layout.
  - 3.5 Streetscape – The applicant is not proposing to alter the existing sidewalk, street trees, or light poles. **However, there is one street tree missing from a tree well in front of the existing 220 restaurant which the applicant was required to plant as part of their previous approval. This was not done, and thus the applicant will be required to add the required street tree to the existing open tree well. At the time of planting, the new tree must measure at least 3" DBH. The species of tree must be approved by the Department of Public Services.**

#### 4.0 Lighting

No new lighting is proposed at this time to the exterior of the building.

#### 5.0 Departmental Reports

- 5.1 Engineering Division – The Engineering Division has no concerns.
- 5.2 Department of Public Services – The DPS has stated that the applicant still owes the City a new tree in the tree well located in front of the building on E. Merrill.
- 5.3 Fire Department – The Fire Department has no concerns with the **concept** of occupying this lower level space. **However, a readable set of floor plans, with all required information, will need to be submitted before approval of any occupancy of this space, and for the evaluation of this space, for the allowable occupant load. This space is only approved for storage at this time. Additionally this space will require a full final inspection before occupancy.**
- 5.4 Police Department - **No comments have been received at this time, but will be provided prior to the Planning Board meeting on November 8, 2017.**
- 5.5 Building Division – **No comments have been received at this time, but will be provided prior to the Planning Board meeting on November 8, 2017.**

#### 6.0 Design Review

The applicant is not proposing any design changes to the exterior of the subject building.

The interior of the existing restaurant on the first floor currently has 145 seats in the dining room, 17 seats at the bar, and 8 seats in a lounge area near the front entrance, for an

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existing total of 170 interior seats on the first floor. No interior changes are proposed for the first floor at this time. The applicant is now proposing to incorporate the lower level of the building (formerly Edison's) into the existing 220 restaurant on the first floor. The addition of the lower level will add 77 seats in the open area around the bar, and 9 seats at the bar. A piano is also proposed to provide low key entertainment for guests. The applicant has stated that the lower level will be an extension of the first floor restaurant, but it may be used for private events at times, and open to the general public at other times. The furniture plan for the lower level appears to be lounge style seating with cocktail tables. Only 3 full size dining tables are provided in the area between the bar and the piano, thus suggesting more of a lounge atmosphere than the first floor restaurant space. With the addition of the lower level to the restaurant, a total of 256 seats will be provided between the dining areas, lounge areas and the upper and lower bar areas.

## **7.0 Downtown Birmingham 2016 Overlay District**

The site is located within the D-4 zone of the DB 2016 Regulating Plan, and is within the Downtown Birmingham Overlay District. The proposed plans conform to the provisions of the D-4 overlay zoning district, and continue to implement the goals of the plan.

## **8.0 Approval Criteria**

In accordance with Article 7, section 7.27 of the Zoning Ordinance, the proposed plans for development must meet the following conditions:

- (1) The location, size and height of the building, walls and fences shall be such that there is adequate landscaped open space so as to provide light, air and access to the persons occupying the structure.
  - (2) The location, size and height of the building, walls and fences shall be such that there will be no interference with adequate light, air and access to adjacent lands and buildings.
  - (3) The location, size and height of the building, walls and fences shall be such that they will not hinder the reasonable development of adjoining property not diminish the value thereof.
  - (4) The site plan, and its relation to streets, driveways and sidewalks, shall be such as to not interfere with or be hazardous to vehicular and pedestrian traffic.
  - (5) The proposed development will be compatible with other uses and buildings in the neighborhood and will not be contrary to the spirit and purpose of this chapter.
  - (6) The location, shape and size of required landscaped open space is such as to provide adequate open space for the benefit of the inhabitants of the building and the surrounding neighborhood.
-

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## 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 Suggested Action

Based on a review of the site plans submitted, the Planning Division recommends that the Planning Board recommend APPROVAL to the City Commission of the applicant's request for Final Site Plan and a SLUP amendment for 220 E. Merrill, 220 Restaurant to enable the restaurant to reopen the basement for food and alcoholic beverage sales, public use, special events, private parties, and low-key entertainment.

## 11.0 Sample Motion Language

Based on a review of the site plans submitted, the Planning Division recommends that the Planning Board recommend APPROVAL to the City Commission of the applicant's request for Final Site Plan and a SLUP Amendment for 220 E. Merrill, 220 Restaurant with the following conditions:

1. Add the required street tree to the existing open tree well, with a minimum caliper of 3" DBH at the time of planting; and
2. Complete and legible plans, with all required information, will need to be submitted before approval of any occupancy of this space, and for the evaluation of this space for the allowable occupant load; and
3. Compliance with the requests of all departments.

OR

Motion to recommend DENIAL of the Final Site Plan and SLUP Amendment to the City Commission for 220 E. Merrill, 220 Restaurant for the following reasons:

1. \_\_\_\_\_
2. \_\_\_\_\_

OR

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Motion to recommend POSTPONEMENT of the Final Site Plan and SLUP Amendment for 220 E. Merrill, 220 Restaurant, pending receipt of the following:

1. \_\_\_\_\_
2. \_\_\_\_\_

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**CITY OF BIRMINGHAM  
REGULAR MEETING OF THE PLANNING BOARD  
MINUTES OF WEDNESDAY, FEBRUARY 26, 2014**

**SLUP & FINAL SITE PLAN REVIEW  
220 E. Merrill St.**

*Site Plan Review*

Ms. Ecker advised the subject site, currently 220 Restaurant, is located on the south side of Merrill St. west of Old Woodward Ave. The parcel is zoned B-4, Business-Residential and D-4 in the Downtown Overlay District. The applicant, 220 Restaurant, is proposing to renovate the existing interior of the restaurant and to update and enlarge the outdoor dining area across the front of the building. A new door system is also proposed to replace a window on the existing façade to allow direct access from the restaurant into the outdoor dining area. The establishment will remain as 220 Restaurant, operating under the existing Class C liquor license. The applicant is required to obtain a Special Land Use Permit ("SLUP") due to the change in ownership of both the restaurant and the liquor license. Article 06 section 6.02 Continuance of Nonconformity, A (5) requires that any establishment with alcoholic beverage sales (on-premise consumption) shall obtain a ("SLUP") upon change in ownership or name of establishment, or upon application for a site plan review.

Accordingly, the applicant is required to obtain a recommendation from the Planning Board on the Final Site Plan and SLUP, and then obtain approval from the City Commission for the Final Site Plan and SLUP. As the proposed establishment is located within the Central Business District Historic District, the applicant is also required to appear before the Historic District Commission.

There is an unscreened dumpster at the rear of the building which is visible from the vias to the south and west of the building. ***The applicant will be required to screen the dumpster or obtain a variance from the Board of Zoning Appeals.***

*Design Review*

The applicant is proposing to renovate the north elevation of the building by reconfiguring the central bay, and adding glass doors with sidelites in metal frames with a bronze finish to match the existing windows. The existing transom windows in this bay are proposed to remain. This new door will improve access and circulation in the area of the outdoor dining as guests and servers will be able to access the outdoor dining area directly from the building without having to go in and out of the main entrance door to the restaurant.

No signage changes are proposed at this time. The name of the restaurant will remain the same.

The applicant is proposing to expand the existing 360 sq. ft. outdoor dining area to both the east and west to extend the full length of the property. The existing outdoor dining area will also extend into the public sidewalk to the north. The total outdoor dining area proposed is 825 sq. ft.

Nine 24 in. by 30 in. two-top dining tables with stainless steel bases and white carrarra marble table tops are proposed within the expanded outdoor dining area. Ten 32 in. by 48 in. four-top dining tables with stainless steel bases and white carrarra marble table tops are also proposed. Sixty-four

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powder coated aluminum chairs in lime green are proposed for use at all dining tables. Sunbrella "Canvas Walnut" fabric chair cushions are proposed for each dining chair.

The applicant also proposes to install a pergola structure constructed of 5 ft. steel tube columns and 3 ft. aluminum cross bars, with overhead planters and lights in the central portion of the outdoor dining area at 11 ft. above grade.

The required 5 ft. pedestrian pathway will be maintained along the entire frontage of the building.

Mr. Christopher Longe, Architect, said their proposal opens up the rear of the restaurant to the front and to the street. Chairs and tables in the outdoor area are all movable. In response to Ms. Whipple-Boyce's inquiry, the space between tables is adequate at 3 ft. His preference was to put in a regular door in the middle and not a roll-up door. In answer to Ms. Lazar, the food will stay about the same. The chef will remain. On the interior, the paneling will be stained. Valet parking is not part of their plan. They hope to open by June 1.

**Motion by Mr. DeWeese**

**Seconded by Mr. Williams that the Planning Board approve the applicant's request for Final Site Plan and a SLUP for 220 E. Merrill, 220 Restaurant, with the following conditions:**

There were no public comments on the motion at 10:05 p.m.

**Motion carried, 6-0.**

**VOICE VOTE**

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

Nays: None

Absent: Clein

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**HISTORIC DISTRICT COMMISSION**  
**MINUTES OF June 17, 2015**

**HISTORIC DESIGN AND SIGN REVIEW**

**220 E. Merrill**

**220 Restaurant Legendary Steaks**

**CBD Historic District**

Zoning: B-4 Business Residential

Proposal: The applicant proposes to renovate the tenant space front elevation of a one-story, multi-tenant non-contributing building in the CBD Historic District. The tenant space is currently occupied by Max and Erma's. The applicant proposes to extend the façade toward the sidewalk and apply new finishes and add a new canopy. The applicant also proposes to install planters and outdoor dining. The project requires a Special Land Use Permit (SLUP), so the applicant will be reviewed for the SLUP application, additional square footage, signage and the outdoor dining at the November 14, 2012, Planning Board Meeting. The applicant will receive final review at a City Commission meeting in December.

Design: The applicant proposes to demolish the existing façade and construct a new façade. The east half of the new facade will extend an additional 6 ft. out to the edge of the existing second-story overhang. Artificial timber planks stained with Sherwin Williams Woodscape Plum Mahogany are proposed to be mounted over the main entrance, and the bays east and west of it. A Heritage Cast Stone arch in Greystone is proposed and is to be mounted in the wall beneath the wood timber plank, and a matching stone is proposed to be applied at the base of the existing columns. The applicant proposes to add Sturgis Natural Thin Stone Veneer in Crystal Ridge to the new façade and existing columns of the building.

A new storefront window system will be installed in the new facade. Kawneer aluminum windows in Boysenberry will have aluminum detailing in Light Bronze. Six windows with transoms are proposed on the east side of the recessed entrance which consists of a set of three windows on either side of the column. The proposed recessed entry will have a single window placed perpendicular to the east side of the Marvin Windows glass double door stained to match the timber plank. An additional single window is proposed west of the double doors.

Two windows and a door with transoms are proposed for the west end of the façade.

The applicant proposes to install a canopy over the entire length of the main entrance. The canopy finish will match the Boysenberry window frame. A door with a transom and stained to match the timber is proposed for the east elevation of the new addition.

Illumination: The applicant proposes to install two Hinkley Casa Extra Large wall lanterns.

Mr. Henry Clover, Clover Architects, Kansas City, and Mr. Fred Timm, President of 220 Restaurant Legendary Steaks, were present. Mr. Clover explained that the intent of their proposed design is to add life to the front facade by pulling the building out flush with the

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second floor. He went on to highlight the design and pass around material samples. Mr. Timm described 220 Restaurant as being a high-end steak restaurant.

Ms. Bashiri advised that the applicant will need to present cut views of the signage that show how it is mounted. Mr. Clover indicated the sign will be back-lit.

Mr. Willoughby urged the applicant to construct the arch out of the same stone so that it is not yet another element on a building that already has too much decoration. Mr. Clover agreed to check if it is possible to do that with the stone.

**Motion by Mr. Willoughby**

**Seconded by Mr. Goldman to approve the design for 220 E. Merrill, 220 Restaurant Legendary Steaks, with capability of getting administrative approval should they be able to successfully change the arch to fieldstone, and to make sure that the 220 Restaurant sign complies with the Ordinance.**

**Motion carried, 4-0.**

Mr. Timm said their price point is half or less than a lot of high priced restaurants in town. The entire inside will be renovated.

**VOICE VOTE**

Yeas: Willoughby, Goldman, Lekas, Gehringer

Nays: None

Absent: Henke, Deyer, Weisberg

## 220 Restaurant



## Previous SLUP Resolution

### 220 MERRILL RESTAURANT SPECIAL LAND USE PERMIT AMENDMENT OUTDOOR DINING 2000

WHEREAS, 220 Merrill Restaurant at 220 Merrill has applied for a continuation of a Special Land Use Permit originally granted on March 15, 1993 to permit the placement of outdoor seating for 20 persons in front of the building, where customers would consume food purchased at 220 Merrill Restaurant, such applications having been filed pursuant to Section 126-477 of the City Code;

WHEREAS, The land for which the Special Land Use Permit is sought is on the north side of Merrill, east of Pierce;

WHEREAS, The land is zoned B - 4 Business-Residential, which permits outdoor dining with a Special Land Use Permit;

WHEREAS, Section 126-477 (8) requires a Special Land Use Permit to be considered by the Birmingham City Commission at such time that any change takes place in the building, or the use of the property is altered;

WHEREAS, 220 Merrill Restaurant has applied for a Special Land Use Permit Amendment for outdoor dining in conformance with the approved February 10, 1993 plan;

WHEREAS, The Birmingham City Commission has reviewed the 220 Merrill Restaurant Special Land Use Permit application and standards for such review as set forth in Subparagraphs (a) through (f) of Section 126-477 of the City Code; now, therefore, be it

RESOLVED, That the Birmingham City Commission finds the standards imposed under the City Code have been met and 220 Merrill Restaurant application for a Special Land Use Permit Amendment to continue the outdoor dining operation is hereby approved; be it further

RESOLVED, That all conditions of the previously approved 1999 Special Land Use Permit shall be continued for a period of one year as part of this Special Land Use Permit Amendment and are incorporated as herein by reference; be it further

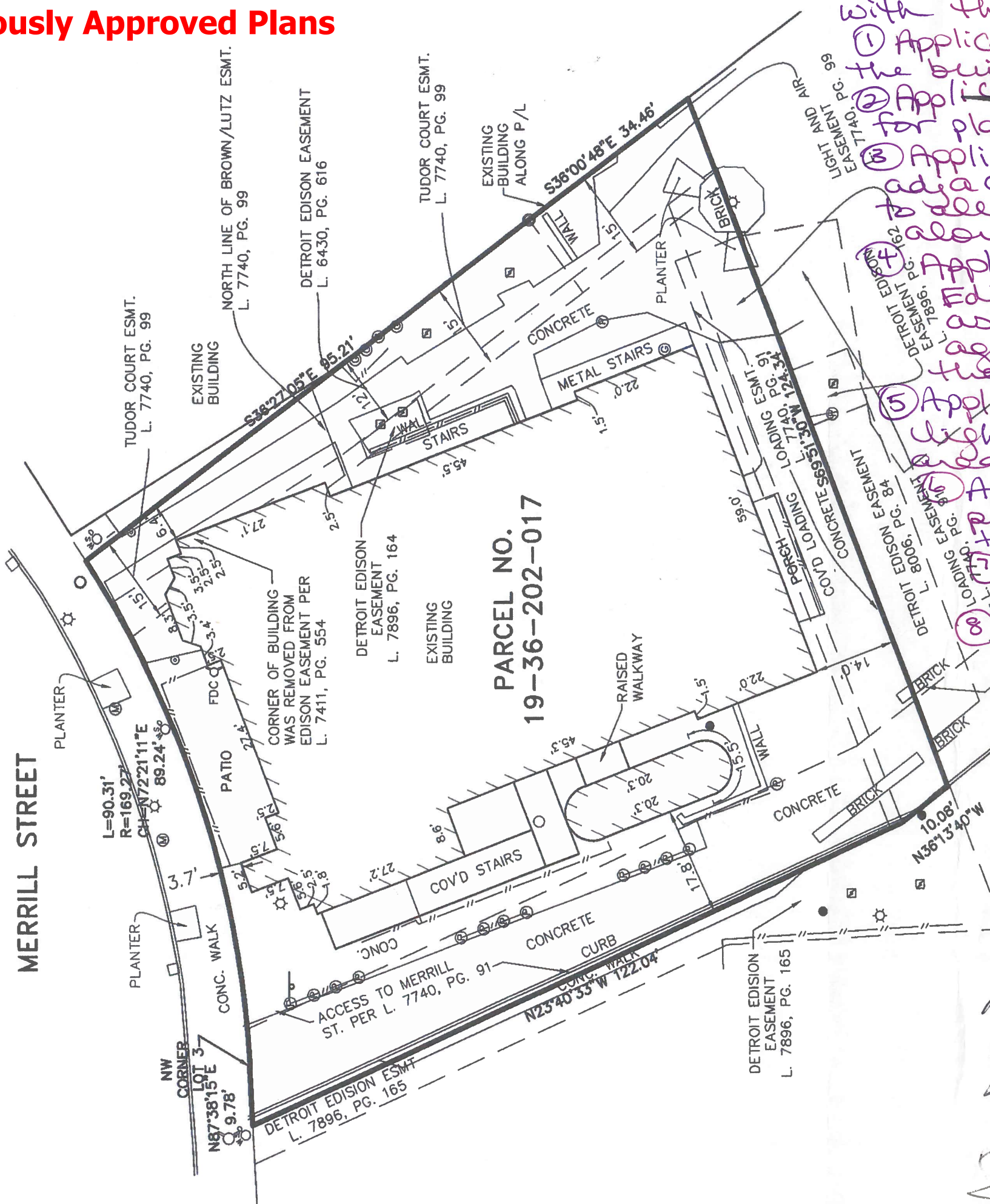
RESOLVED, Except as herein specifically provided, 220 Merrill Restaurant and its heirs, successors and assigns shall be bound by all ordinances of the City of Birmingham in effect at the time of the issuance of this permit, and as they may be subsequently amended. Failure of 220 Merrill Restaurant and its heirs, successors and assigns to comply with all the ordinances of the city, may result in the Commission revoking this Special Land Use Permit. The applicant may reapply for a renewal of its Special Land Use Permit at the end of the one year period.

I, Judith A. Benn, City Clerk of the City of Birmingham, Michigan, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Birmingham City Commission at its regular meeting held on March 27, 2000.

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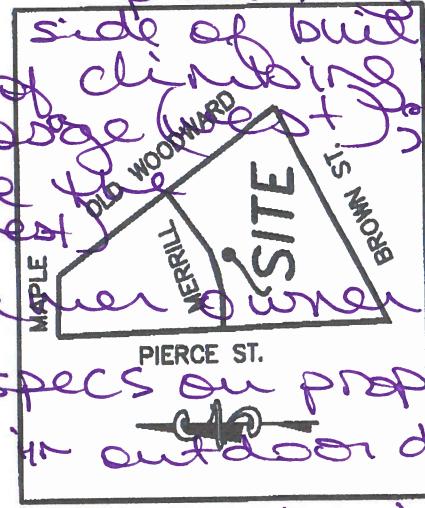
Judith A. Benn, City Clerk

Previously Approved Plans



On Feb 26/17, the PB voted to give COMMUNITY APPROVAL to the City Commission with the following conditions:

- ① Applicant screen the dumpster behind the building or obtain variance.
- ② Applicant provide spec sheets for planters + plant material.
- ③ Applicant add small planting beds adjacent to west side of building to allow planting of climbing vines along Edison Passage (west).
- ④ Applicant improve the Edison Passage (west) as previously agreed with former owner of the property.
- ⑤ Applicant provide specs on proposed lighting fixtures in outdoor dining area.
- ⑥ Applicant provide spec sheets on proposed door system to be added to north elevation.
- ⑦ Applicant obtain all outdoor dining permit.
- ⑧ Add a Knox Box.



LEGEND

- EX. CATCH BASIN
- EX. WATER SHUTOFF
- EX. PARKING METER
- EX. LIGHT POLE
- EX. TRANSFORMER
- EX. UTILITY POLE
- FOUND IRON ROD
- EX. UTILITY METERS
- EX. FIRE DEPT. CONNECTION
- EXISTING OVERHEAD LINES
- EX. CLEAN OUT
- EX. POST
- EX. MANHOLE
- EX. HYDRANT
- EX. SIGN
- EX. FENCE LINE

Signed: *[Signature]*  
*[Signature]*  
*[Signature]*

Approved by *[Signature]*  
City Commission 3/10/14

NOTE: THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN AN APPROXIMATE WAY ONLY AS DISCLOSED BY AVAILABLE UTILITY COMPANY RECORDS AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE COMPANY. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. THE CONTRACTOR SHALL NOTIFY THE DESIGN ENGINEER IMMEDIATELY IF A CONFLICT IS APPARENT.

CLIENT: 220 PARK PLACE, LLC

SECTION: 36

TOWNSHIP: 2 N

CITY OF BIRMINGHAM

OAKLAND COUNTY

MICHIGAN

RANGE: 10 E

ALPINE ENGINEERING, INC.

CIVIL ENGINEERS & LAND SURVEYORS

46892 WEST ROAD

SUITE 109

NOV, MICHIGAN 48377

(248) 926-3701 (BUS)

(248) 926-3765 (FAX)

WWW.ALPINE-INC.NET

RESIDENTIAL SURVEYING

SUBDIVISIONS

SITE CONDOMINIUM

MULTI-FAMILY

PLOT PLANS

CONSTRUCTION LAYOUT

COMMERCIAL SITE PLANNING

SITE ENGINEERING

INDUSTRIAL & MULTI-UNIT

LAND SURVEYING

CONSTRUCTION LAYOUT

DATE: 10/16/2013

DRAWN BY: JDH

CHECKED BY: GLM

SCALE: HORIZ 1"=20 FT. VERT 1"=5 FT.

1/2

13-317

Previously Approved Plans

220 Merrill  
Birmingham, MI. 48009



Previously Approved Plans

220 Merrill  
Birmingham, MI. 48009



Plantings



Elevation



Paving



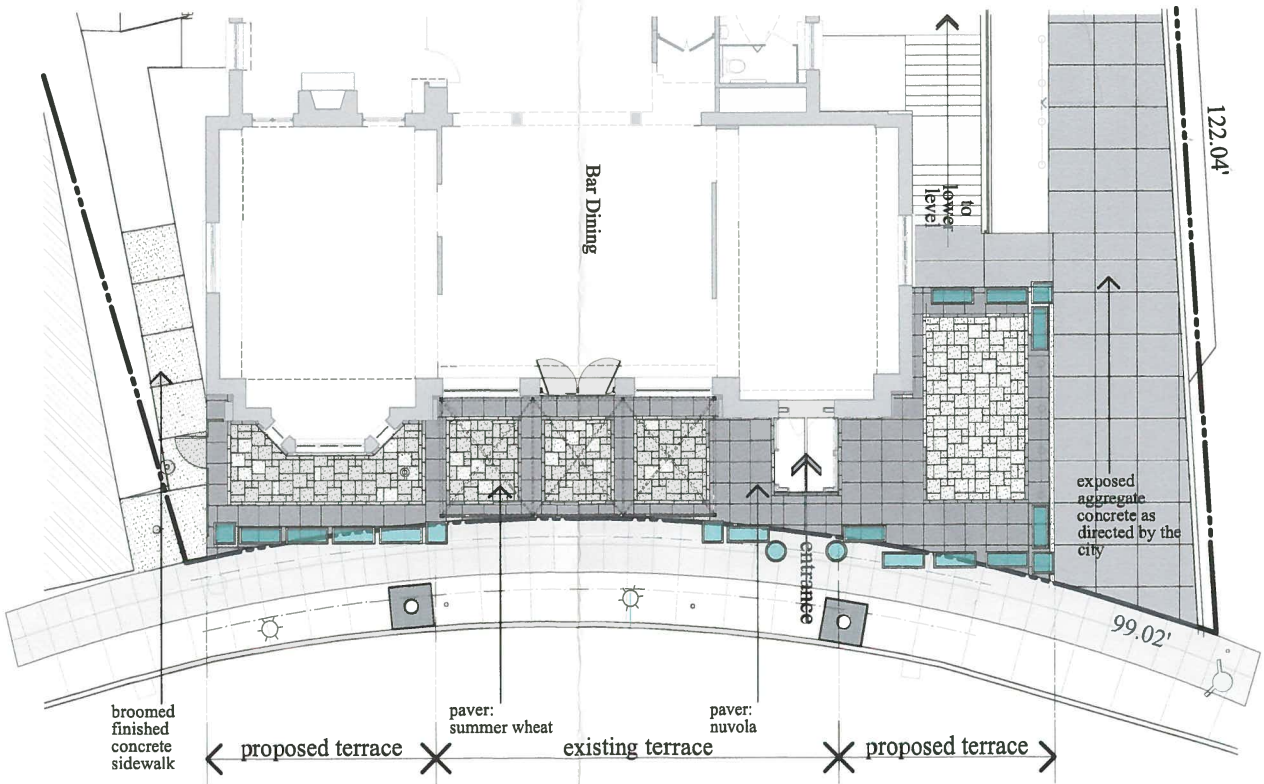
CONTAINER GARDEN  
CAST STONE PLANTER  
ARABESQUE WINDOW BOX  
48.75\"/>



CONTAINER GARDEN  
CAST STONE PLANTER  
ARABESQUE MEDIUM PLANTER  
24.00\"/>

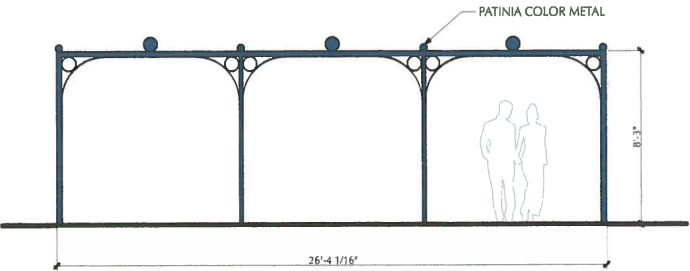
CONTAINER GARDEN  
CAST STONE PLANTER  
ARABESQUE SQUARE PLANTER  
25.00\"/>

Planters



Site Plan

CHRISTOPHER J. LONGE AIA  
ARCHITECTURE  
INTERIORS  
124 Peabody, Birmingham, Michigan 48009 248.258.6940



Pergola

Previously Approved Plans

220 Merrill  
Birmingham, MI. 48009



1 FIRST FLOOR PLAN  
1/4" = 1'-0"

	02/06/14	DD SET
	01/27/14	FINAL DD COORDINATION
	01/27/14	BACKGROUND TO KEC
	01/23/14	FOR DEMOLITION PERMIT
	01/17/14	FOR OWNER APPROVAL
	01/15/14	PRELIMINARY FLOOR PLAN
	01/14/14	BACKGROUND TO KEC
	01/13/14	OFFICE MEETING
MARK	DATE	DESCRIPTION
ISSUED		

220 MERRILL

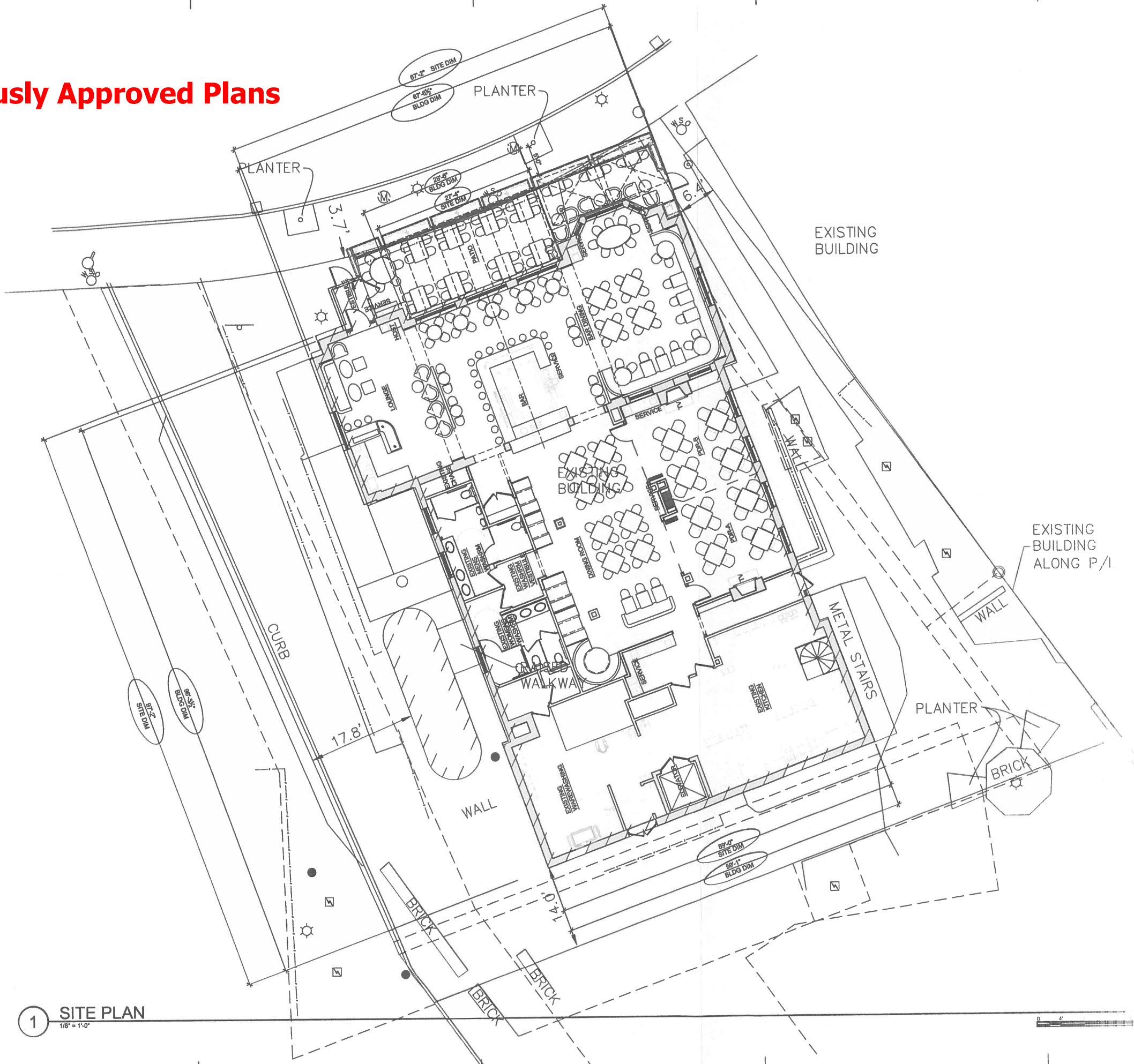
220 MERRILL  
BIRMINGHAM, MI 48009

PROJECT NO:	3199
CAD DWG FILE:	B3199 - 239 E MERRELL ST-BROWNSHAW-NOVA2018 - 239 E MERRELL ST-BROWNSHAW- -BROWNSHAW-NOVA2018 - BROWNSHAW FIRST FLOOR PLAN.DWG
DRAWN BY:	
CHECK BY:	
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SHEET TITLE
FIRST FLOOR PLAN

A-101

Previously Approved Plans



KNAUER

Knauer Incorporated  
720 Waukegan Road, Suite 200  
Deerfield, IL 60015  
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(847) 948.9599 fax  
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architecture  
design  
direction

02/08/14	DD SET	
01/27/14	FINAL DD COORDINATION	
01/27/14	BACKGROUND TO KEC	
01/23/14	FOR DEMOLITION PERMIT	
01/17/14	FOR OWNER APPROVAL	
01/15/14	PRELIMINARY FLOOR PLAN	
01/14/14	BACKGROUND TO KEC	
01/13/14	OFFICE MEETING	
MARK	DATE	DESCRIPTION
ISSUED		

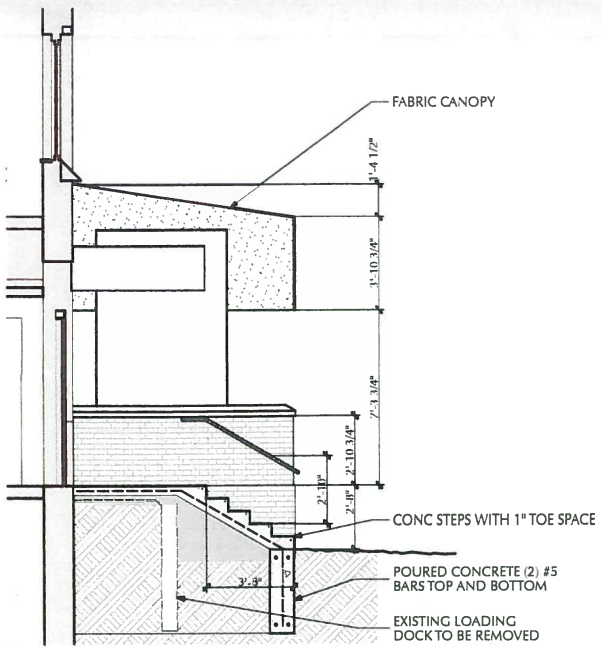
220 MERRILL  
220 MERRILL  
BIRMINGHAM, MI 48009

PROJECT NO: 3199  
CAD DWG FILE: 10100 - 220 MERRILL BIRMINGHAM ARCHITECTURE - 220 MERRILL BIRMINGHAM  
ARCHITECTURAL DESIGN - ARCHITECTURE SITE PLANS  
DRAWN BY: -  
CHKD BY: -  
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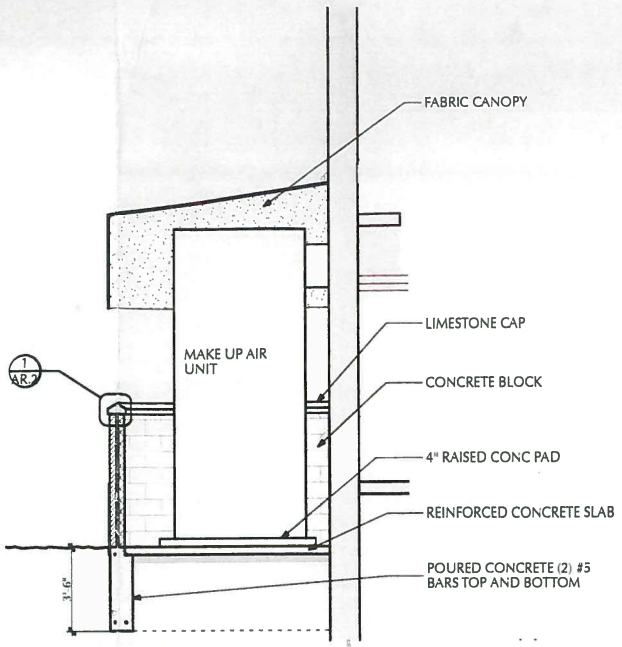
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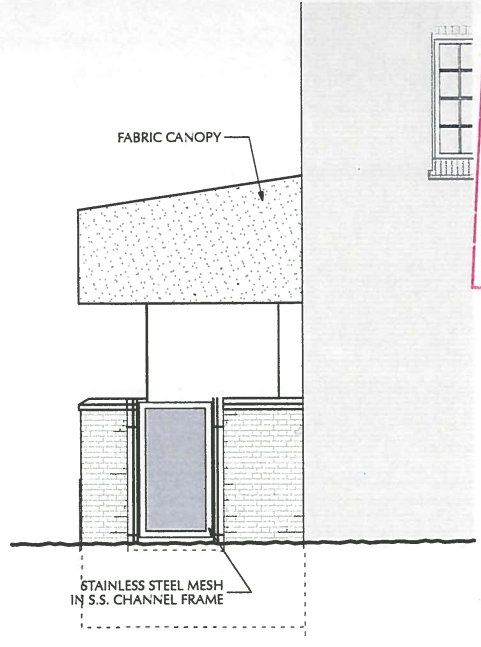
Previously  
Approved Plans



4 Stair Section  
AR.1 SCALE: 1/4" = 1'-0"



5 Section at Screen  
AR.1 SCALE: 1/4" = 1'-0"



6 East Elevation  
AR.1 SCALE: 1/4" = 1'-0"

RECEIVED  
JUN 10 2014  
CITY OF BIRMINGHAM  
COMMUNITY DEVELOPMENT DEPARTMENT

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Birming  
Mich  
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CHRISTOPHER J. LONGE A  
ARCHITECTUR  
INTERIOR

T. 248.258.  
F. 248.258.

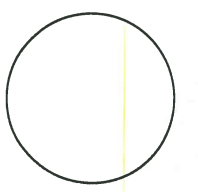
Project Title

220 Merrill  
220 Merrill  
Birmingham, MI. 48009

Date 6.7.2014  
preliminary bids/permits construction

Revisions		

Sealed By

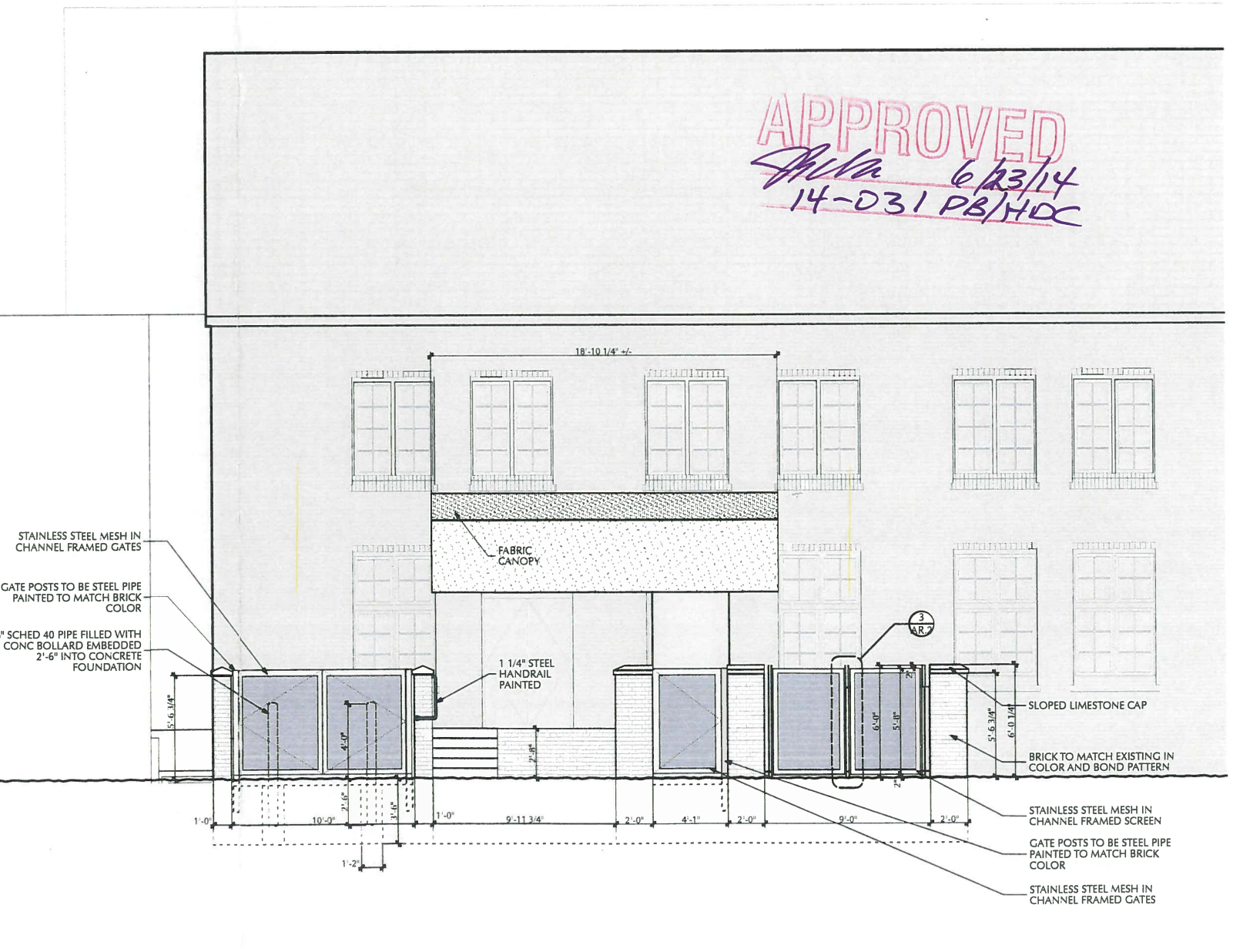
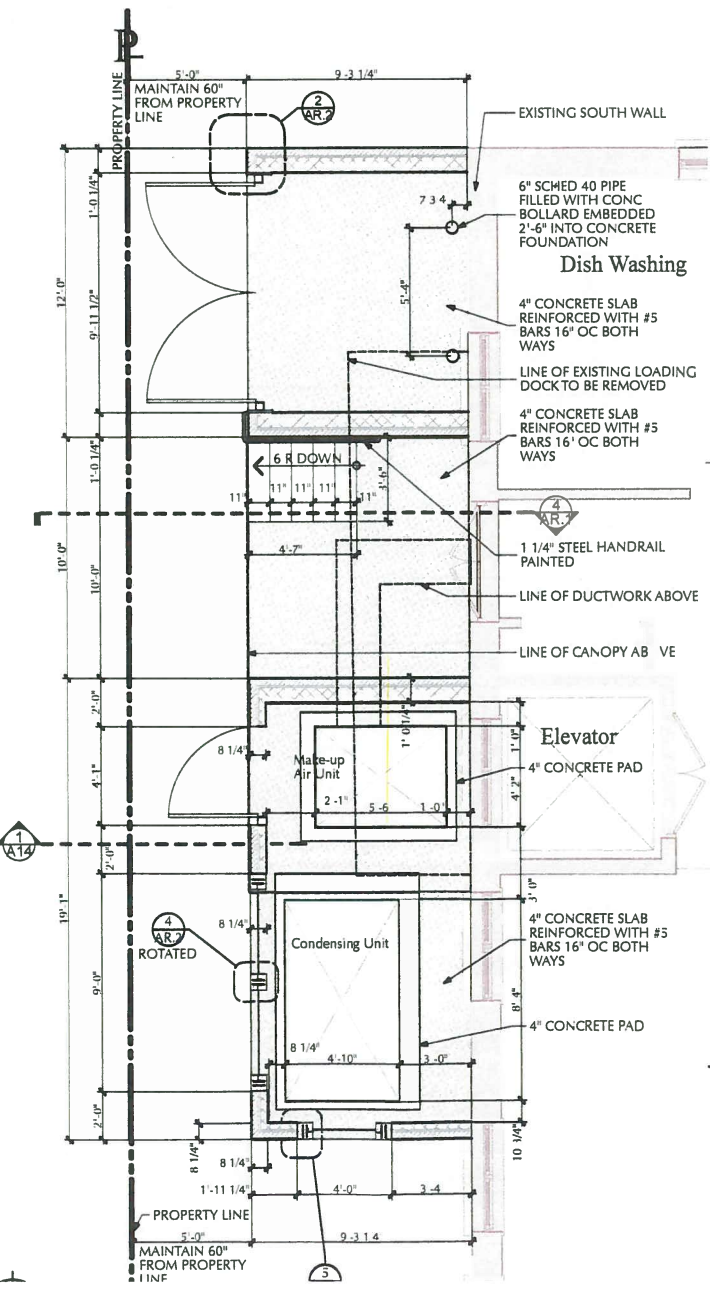
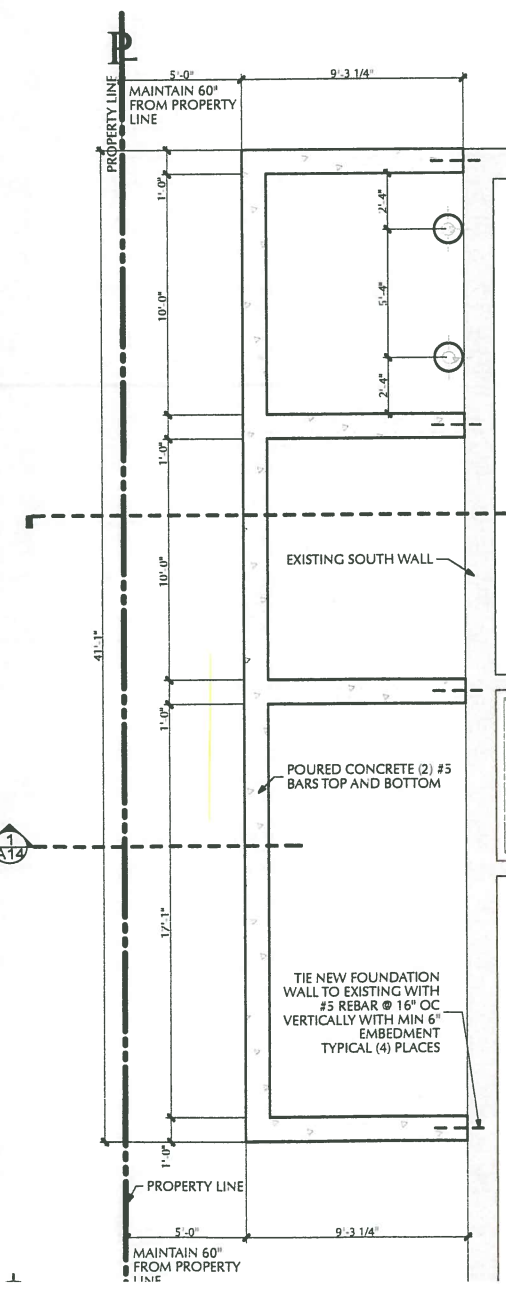


Christopher J. Longe A.I.A. Architect No. 3178  
Signed:  
PROJECT NO: 1  
DRAWN BY: CE, C  
CHK'D BY:

Sheet Title  
Rear Elevation

Sheet

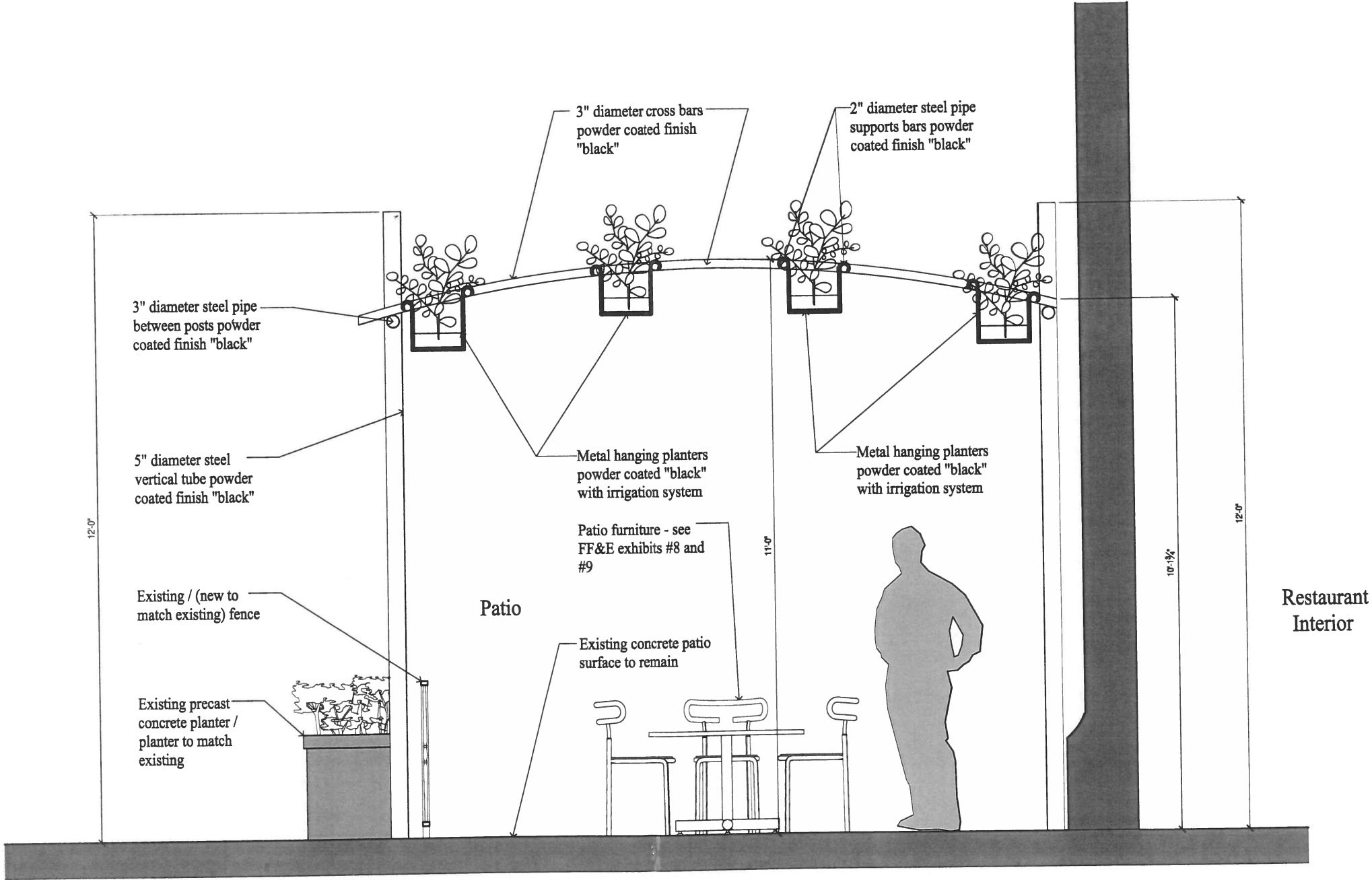
AD 1



APPROVED  
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14-031 PB/HDC

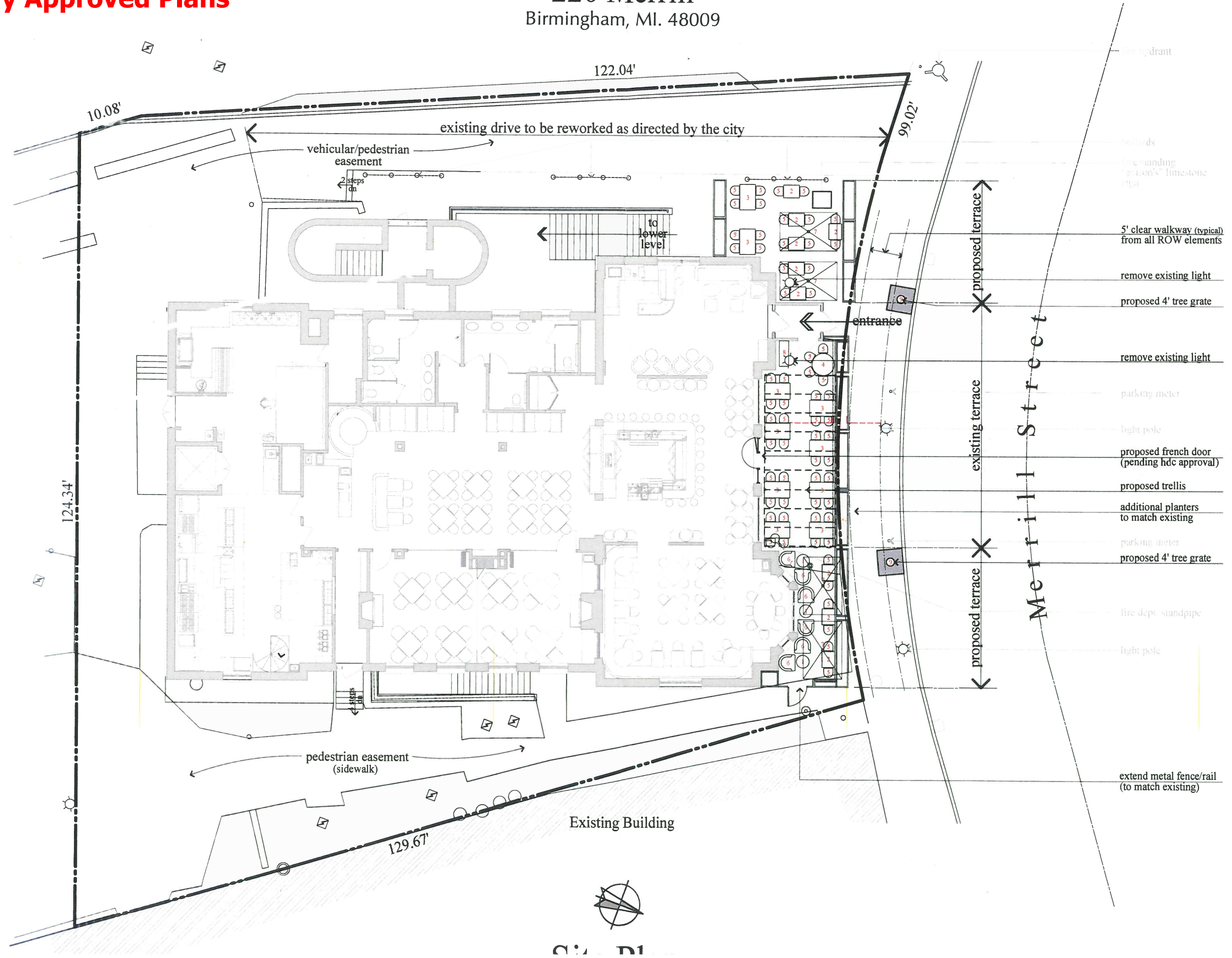
Previously Approved Plans

220 Merrill  
Birmingham, MI. 48009



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220 Merrill  
Birmingham, MI. 48009



**DATE:** January 5, 2018

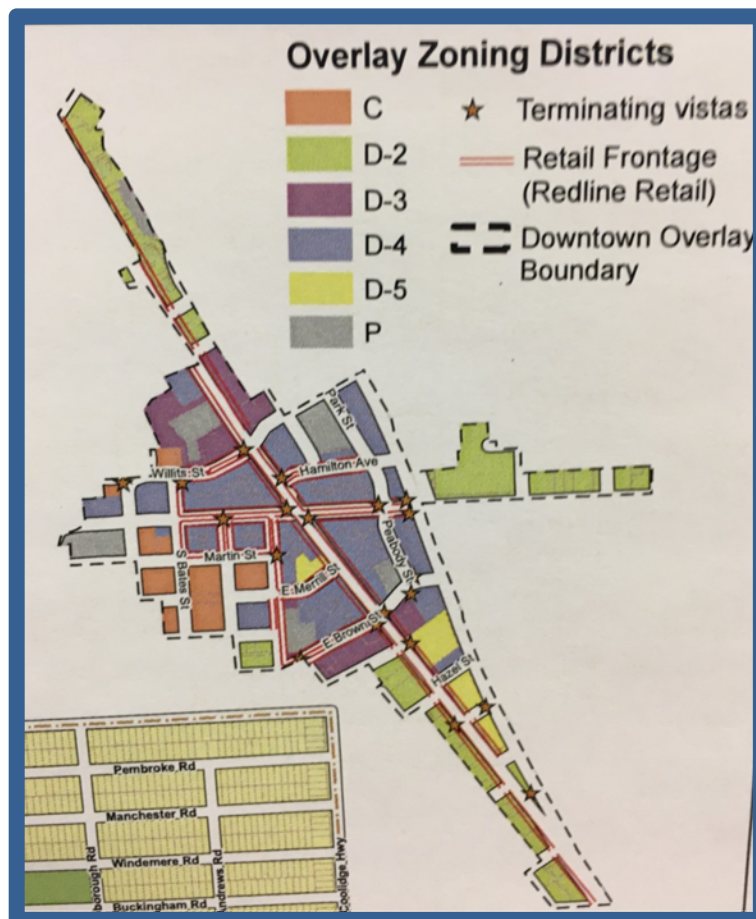
**TO:** Joseph A. Valentine, City Manager

**FROM:** Jana L. Ecker, Planning Director

**SUBJECT:** Ordinance Reviews

## a) Retail Regulations

Over the past decade, there has been an ongoing desire by some City Boards and Commissions to review the current definition of retail to ensure that we are encouraging true retail downtown, and not allowing office and other service uses to dominate. The issue is specifically relevant in the Downtown Overlay, where retail use is required in the first 20' of depth for all buildings in the Redline Retail District as illustrated below.



Article 3, Section 3.04 (C)(6) states:

Buildings that have frontage along the required retail frontages, as specified on the Regulating Plan, shall consist of retail with a minimum depth of 20 feet from the frontage line within the first story. Lobbies for hotels, offices, and multiple-family dwellings may be considered as part of the required retail frontage, provided that any such lobby occupies no more than 50% of the frontage of said building.

Accordingly, all buildings built under the Downtown Overlay in the areas marked in red on the map inset above, must contain retail uses in the first 20' of depth of the first floor. Article 9, section 9.02 of the Zoning Ordinance provides the following retail related definitions:

**Retail Use:** Any of the following uses: artisan, community, commercial, entertainment (including all establishments operating with a liquor license obtained under Chapter 10, Alcoholic Liquors, Article II, Division 3, Licenses for Economic Development), bistro or restaurant uses.

**Artisan Use:** Any premises used principally for the repair, manufacture, and sale of domestic furniture, arts, and crafts. The work must take place entirely within an enclosed building using only hand-held and/or table-mounted manual and electric tools.

**Community Use:** Premises used principally for education, worship, cultural performances, and gatherings administered by nonprofit cultural, educational, and religious organizations; premises used principally for local, state, and federal government, administration, provision of public services, education, cultural performances, and gatherings.

**Commercial Use:** Premises used generally in connection with the purchase, sale, barter, display, or exchange of goods, wares, merchandise, or personal services.

**Office:** A building or portion of a building wherein services are performed, including professional, financial (including banks), clerical, sales, administrative, or medical services.

**Personal Services:** An establishment that is open to the general public and engaged primarily in providing services directly to individual consumers, including, but not limited to, personal care services, services for the care of apparel and other personal items, but not including business to business services, medical, dental and/or mental health services. *(Adopted in November 2017)*

As defined in Article 9, retail uses include the direct sale of products from the premises, but also include restaurants, entertainment and the purchase, sale or exchange of personal services (given the inclusion of personal services in the definition of commercial uses, which are included as retail uses). Previously, there was no definition for personal services and the City

Commission expressed concern about the types of service uses that had been approved in the Redline Retail District over the past several years.

On March 29, 2017, the Planning Board began a detailed discussion on the retail requirements downtown, and potential options to strengthen the definition of retail throughout the Redline Retail District or in a more defined area. The Planning Board identified several potential areas of study:

- The future of the retail industry in light of current trends and the increase in online shopping and how these may affect retail in Downtown Birmingham;
- Establishing a definition for personal services to clarify personal service uses to be permitted in the Redline Retail District;
- Re-evaluating the 20' depth requirement for retail use in Downtown Birmingham to determine if it is sufficient to create an activated, pedestrian-friendly retail district;
- Establishing a maximum dimension for first floor permitted lobbies for hotels, offices and residential units located on the upper levels of buildings in the Redline Retail District;
- Re-evaluating the size and location of the Redline Retail District; and
- Establishing one or more secondary retail districts to allow a broader range of uses outside of the retail core.

Over the next several months, the Planning Board reviewed substantial research on retail districts and requirements in other walkable downtowns, including downtown Walnut Creek, CA and Hinsdale, IL, as well as additional research on retail requirements in Palo Alto, CA, Oakland, CA, Highland Park, IL and Evanston, IL.

In July 2017, the City Commission directed the Planning Board to immediately draft a definition for personal services to clarify the types of services that are permitted in the Redline Retail District, and after this was complete, to further study the larger issues of retail in Downtown Birmingham. Accordingly, the Planning Board drafted the definition noted above for personal services for review by the City Commission.

On November 13, 2017, the City Commission adopted the definition for personal services drafted by the Planning Board, and again directed the Planning Board to continue studying the larger issue of retail use in Downtown Birmingham. Formal direction was provided in a memo from the City Manager which is attached for your review. Specifically, the direction provided from the City Commission was to recommend any needed ordinance amendments, including but not limited to, the following:

1. To evaluate the current geographic boundary of the Retail District for possible modification and also consider a priority level hierarchy consisting of the downtown core and other areas within the current Retail District boundary.
2. To evaluate current properties in the Retail District that were not built to support first floor retail uses and provide recommendations to address this issue. Such properties

may, for example, have not been built with first floor frontage at grade or the building was not previously designed to support a retail use.

3. To evaluate the prohibition of desks, workstations and office related amenities placed within the first 20 feet of depth of window frontage within the Retail District and recommend ordinance language to address this issue.

### **Next Steps: Areas of Study**

#### **Retail District Boundaries**

Most of the research that the Planning Board began studying last spring on creating great urban retail districts emphasized the importance of strictly controlling the types of retail permitted in the core urban shopping district, and also limited the core retail area to no more than 2 -4 blocks in size. Reducing the size of the premier retail area creates a much stronger retail destination with the synergy to support itself. Outside of the main retail, other quasi-retail uses may be permitted. Thus, the Planning Board began to discuss the possibility of reducing the size of the existing Redline Retail District, and strictly defining those retail uses permitted on the first floor in this core area, and then creating a secondary district within the downtown that could allow some quasi-retail and personal service uses.

The City Commission has now directed a continuation of this study. At the Planning Board meeting on January 10, 2018, the Planning Board will be reviewing research from other walkable, urban downtowns that provide examples of smaller core retail districts with secondary retail districts that allow a greater variety of uses. The Planning Board may wish to consider eliminating some of the outlying areas on N. and S. Old Woodward from the core retail district and creating a more flexible secondary downtown district for these areas.

#### **Retail Depth Requirement**

Last spring, the Planning Board also reviewed the minimum retail depth requirements in the Redline Retail District, which are currently 20', as well as the retail depth requirements in similar downtown environments. Concerns were raised that the 20' depth required in Birmingham is not a large enough area to support a viable retail establishment, and that it lends itself to proprietors stretching the definition of retail by placing token objects in this space that are for sale, even if they are not the main business of the establishment. Research on the minimum retail depths in other cities has demonstrated that 20' in depth is the minimum, with many sources indicating that 35'-80' in depth would ensure quality retail use. Several articles and examples from other cities were reviewed by the Planning Board.

Based on the direction of the City Commission, the Planning Board will be reviewing additional research from other walkable, urban downtowns that may provide guidance on the best practices for minimum retail storefront depths at the Planning Board meeting on January 10, 2018. In addition, the Planning Board will also discuss display areas in and / or the use of required retail frontage, specifically to consider prohibiting desks, cubicles, meeting tables and

other office-type amenities in this space to ensure that this area is used for the display of retail items for sale that will provide storefront interest.

### **First Floor Lobby Allowances**

On January 10, 2018, the Planning Board will also be considering whether to establish a maximum dimension for permitted lobbies for hotels, offices and residential units within the Redline Retail District. While the Zoning Ordinance currently allows 50% of the first floor retail space to be used for lobbies, in large buildings, this allows lobbies to occupy a large expanse of the storefront space, thus creating a less active and less visually attractive section of storefront that breaks up the retail area. Many other communities have provisions to offer some first floor retail space for lobbies for upper story uses, but place a maximum dimension on the lobby space.

### **Retail Use Requirements in Existing Buildings**

Finally, the City Commission has directed the Planning Board to evaluate current properties with buildings located in the Redline Retail District that have not been constructed to support first floor retail uses, such as buildings with first floor garden levels (which are located partially below grade), buildings with very low ceiling heights on the first floor, or split level first floor spaces, to name a few design challenges.

At the January 10, 2018 Planning Board meeting, the board will also begin a discussion to identify buildings within the retail district that may have design constraints that limit their first floor use and discuss regulations to allow for exemptions from the retail use standards and/or to allow for non-retail uses to be grandfathered in as non-conforming until major construction or renovation is proposed to such buildings.

### **b) Alley Regulations**

The maintenance and cleanliness of alleys in Birmingham have been ongoing issues. While some alleys are public, others are private, but ultimately alleys are used by many people and businesses, and are notoriously difficult to manage. In 2012, the City of Birmingham adopted an alleys and passages plan that was designed to classify existing alleys and passages, provide a vision and goals for each type of alley, and provide recommendations for enhancement. The Via Activation Overlay District was added to the Zoning Ordinance, and established standards for alleys, including clear zones, multi-modal connections, screening requirements, use regulations and design requirements for buildings and signage facing the alleys. While this has allowed the City to review portions of alleys and passages adjacent to individual buildings and properties that are subject to site plan and / or design review, these standards do not provide comprehensive and detailed regulations for simply maintaining existing alleys.

Accordingly, the Planning Division has been conducting research on other urban communities to determine best practices for maintaining and managing the use of both public and private alleys and passages. Most communities that have alley plans and ordinances suggest that reimagining alleys away from service corridors with a focus on cars and trash service is the

biggest step in creating clean, safe and useful alleys. For example, Seattle's Integrated Alley Handbook takes a comprehensive approach to identify, quantify and rethink the way alleys are used city-wide. This approach recommends new uses for previously wasted space and challenges the notion that a commercial area cannot function without a service alley filled with dumpsters and cars. The City of Birmingham's Strategy for Alleys and Passages emulates the key elements of classification and design guidelines, but more specific and comprehensive regulations should be written to enforce the ideas contributing to a *clean*, safe and useful alley that are congruent with the goals of the Strategy for Alleys and Passages in Birmingham.

Cities such as Chicago, Baltimore and Los Angeles have instituted green alley programs to help remedy a myriad of shortcomings that typical alleys possess. Some objectives of this transformation to green infrastructure are storm water management, beautification, safety enhancement, and connectivity, among others. Cities like Seattle, Washington, have decided that its underutilized 217,500 ft<sup>2</sup> of alley space would be better used for public space and pedestrian connectivity. Rethinking and maintaining a healthy and clean alley system can create a more walkable city, offer more space for green infrastructure, offer additional space for public gatherings, allow additional retail storefronts and assist in fully activating urban downtowns.

Following are some recommendations for addressing specific alley-related issues that can be adopted in phases based on a prioritization of needs, and in the end will combine to provide a comprehensive set of alley regulations to maintain, clean up and manage existing alleys in Birmingham.

#### Waste Receptacle Regulations

The most obvious cleanliness issue stems from the existence of dumpsters and other refuse containers located in alleys. However unsightly and disheveled dumpsters or refuse containers are, they are necessary for most commercial areas of the city. An example of an ordinance in Syracuse, NY regulated commercial waste generators in such a way that they themselves are held responsible for every aspect of waste collection and cleanliness. Commercial generators of refuse are first given an option to use city-provided collection service, or a private collection service. Whether public or private, commercial carts may be used in lieu of a dumpster if feasible. Commercial carts must be clean and in good repair. Wherever a dumpster is used, they must be clean, neat, freshly painted, have the licensed haulers name and the city license affixed to the container, be screened from public view, and not be placed in the public right-of-way unless otherwise approved.

Increasing recycling to decrease large waste receptacle needs, and reduce space needs in landfills has been addressed in cities as well. In California, Assembly Bill 1327, the California Solid Waste Reuse and Recycling Access Act of 1991 requires new commercial and multi-family developments of 5 units or more, or improvements that add 30% or more to the existing floor area, to include adequate, accessible, and convenient areas for collecting and loading recyclable

materials. The City of Elk Grove, California has written language requiring designated waste areas to dedicate 50% of the space to recycling.

In Baltimore County, MA, regulations are also used to make the prevention and control of odors the owner's or tenant's responsibility. In San Jose, CA, commercial generators of waste are not allowed to store refuse containers in an alley at all, they are stored on their own property and can only be placed in an alley on garbage pickup day in between 6 AM and 6 PM. The city of Royal Oak, Michigan has moved to requiring 50 gallon trash bins for recycling and shared compactors in some alleys.

The Birmingham City Code currently includes regulations requiring property owners to keep their own property clean and free of accumulated litter in Chapter 90, Article 2, section 90-29. It may also be useful to hold all trash generators accountable, and expand the source of litter to include more than just litter discarded by a person. In terms of refuse receptacles, the City Code of Ordinances is vague and does not specify what is acceptable in business zoned alleys and what requirements the City has for the refuse receptacles located in them. The biggest asset in the attack on cleanliness could be the phasing out of large dumpsters in favor of 50 gallon trash receptacles, with an emphasis on recycling and composting, to be stored within the building envelope. The required space for a designated trash area in a building would not be a large percentage. Some new developments are already doing so and the proposed development at 277 Pierce St. is one example.

Thus, the City may wish to consider adding language describing the waste receptacles that the City would permit: Commercial waste generators are to use an appropriate number of 50 gallon refuse containers, or one slant dumpster not exceeding 4-yards. The size and number of refuse



containers could be approved by the Director of the Department of Public Services. Commercial refuse containers could be required to have hinged lids and be locked when not in use. Refuse containers should also be required to be kept neat, freshly painted, and in good repair.

It may also be beneficial for the City to require all owners of dumpsters, or any waste receptacles, to place labels upon them: All trash contributors to refuse containers should be required to label their refuse containers with their business name, address, license number and phone number associated with the refuse container with a clear and durable label reasonably visible by average standards.

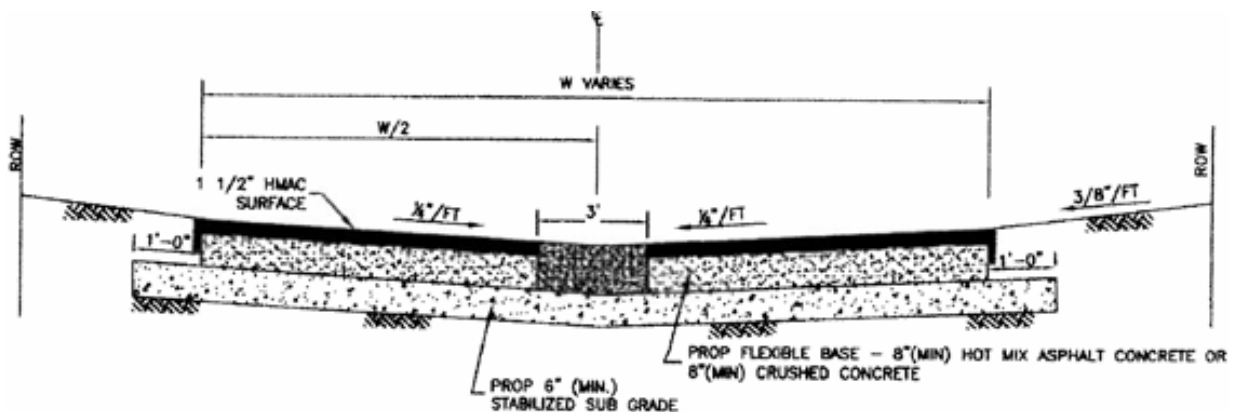
### Parking Control Regulations

Illegal/improper parking is also a major issue which impacts the cleanliness, safety and usefulness of alleys. Champaign, IL has written an ordinance that says "no person shall stop, stand or park any vehicle in any alley, except for utility vehicles to repair utility lines, freight carrying vehicles to load, unload and deliver materials, licensed garbage haulers to pick up garbage or refuse, or other governmental emergency vehicles." Denver, CO adds that the loading and unloading of merchandise should be expeditious and that no driveways to abutting properties shall be blocked. Illegally parked cars may block garbage collection and block pick ups and deliveries to adjacent business, and prevent the use of the alley by other members of the public.

Thus, the City may wish to consider the addition of no parking signs as needed throughout our alley system so that the Police Department can effectively control illegal parking in alleys.

### Paving and Storm Water Retention

Paving and storm water retention are major aspects of green alley programs across the country. A portion of the Green Alley Handbook from Chicago focuses on paving techniques and the benefits of using possibly more costly techniques for a more environmentally sound and less infrastructure dependent future. Proper alley pitching and grading, permeable pavement, high albedo pavement, and recycled construction materials provide an array of benefits. These benefits range from reducing stress on sewer systems to conserving energy.



Existing ordinance requirements for the construction and design of alleys in Birmingham are outdated, and do not address current green infrastructure concepts. Article 3 Section 3.16 of the Zoning Ordinance states that all public alleys are to be paved with broom finished concrete with exposed aggregate paving accents for visual interest. This is the current standard, but the

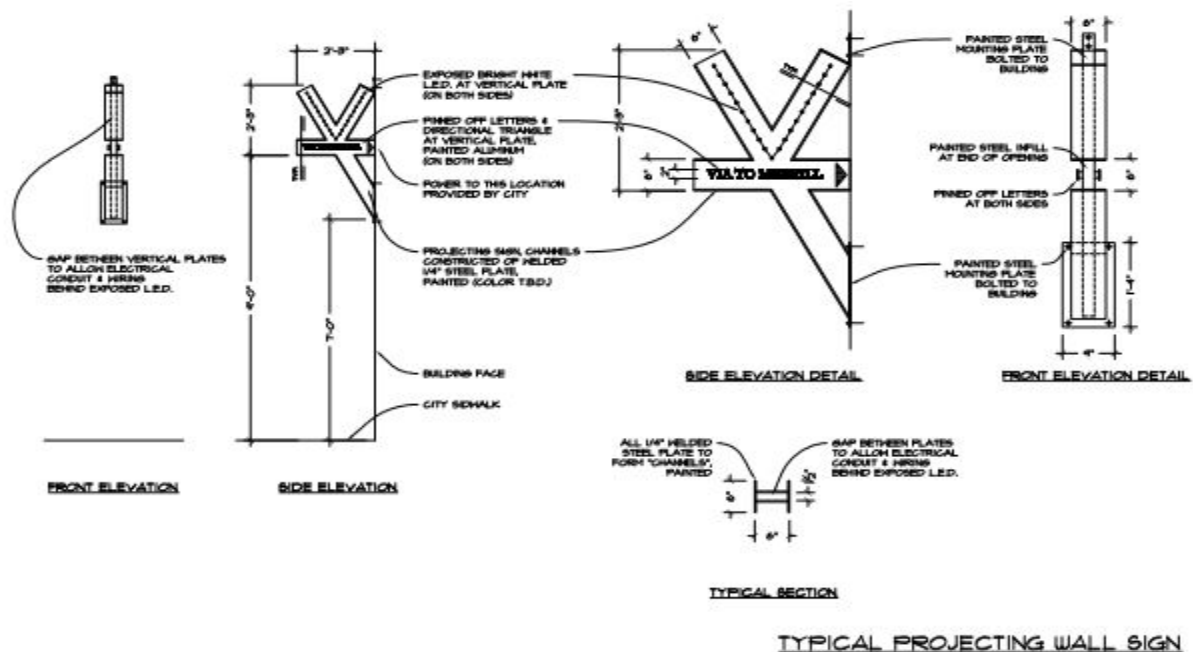
City may wish to adopt a more green-friendly approach to paving. There are forms of concrete that are permeable and recycled materials can be used if green infrastructure is desired, without having to drastically alter the code. Green paving efforts not only positively affect storm water runoff, but they make alleys more attractive to walk through.

### Signage and Wayfinding

Increasing signage could also play a role in the upkeep of an alley. Adjacent business owners in commercial districts can be held more accountable for their part in the cleanliness, safety and usefulness of the alley they utilize when their buildings are labeled on the alley side as well. Typically, businesses would only need a sign if there is a public rear entrance to their building. Ann Arbor, MI allows an additional 1 ft<sup>2</sup> of signage for each linear foot of alley frontage and 10 additional message units solely for signs facing alleys. Citizen enforcement and City code officials are more likely to take proper action if it is easier to identify culprits of clutter.

Aside from commercial signage, regulatory signage is essential as well. Posting speed limits will reduce speed, dust and inappropriate through traffic, public or private access signs will let the public know where they are allowed and when, and littering signs (especially ones depicting fines for littering) can help with garbage accumulation in alleys.

The City of Birmingham has already invested resources into wayfinding signage to support the Strategy for Alleys and Passages and Via Overlay District. The plan recommends that wayfinding signage can be the most effective method of raising awareness that alleys and passages exist, and that these spaces provide additional retail and recreation opportunities. Wayfinding signage can also point out convenient shortcuts and enhance connectivity in commercial areas, and identify the presence of new businesses facing alleys.



### Minimum Right-of-Way Standards

Designing an alley with a right-of-way size appropriate for its use will help reduce vehicle speed (if applicable), reduce the number of motor vehicle users, can promote proper refuse pickup, and increase accountability. Keeping alleys as narrow as possible, while still allowing its use to be provided without impediment, provide a calming effect as through traffic is not as likely to utilize the alley. Fewer cars mean less noise, less dirt/oil/emissions, and less litter.

Birmingham's Via Activation Overlay District separates alleys into 3 types: Active Via, Connecting Via and Destination Via. Active and Destination Vias will need to remain wide because of the nature of the use. Connecting Vias used for pedestrian and bicycle passage only, however, could be slimmed down with beautification tactics such as landscaping and/or public art projects. Bicyclists feel comfortable with merely a 6 foot travel lane and pedestrians a 5 foot travel lane.

#### Code Enforcement

Once a comprehensive set of alley regulations has been adopted, continued enforcement is the final element to ensure clean, safe and useful alleys and passages that enhance the downtown.

### **c) Bistro Regulations**

In 2007 the City of Birmingham amended the Zoning Ordinance to create the bistro concept that allows small eclectic restaurants to obtain a liquor license if they have no more than 65 seats, including 10 at the bar, and low key entertainment only. The bistro regulations adopted also included requirements for storefront glazing, seating along the storefront windows, and a requirement for outdoor dining. In accordance with the Zoning Ordinance, each bistro applicant is required to go through an initial screening process at the City Commission, demonstrate that all bistro requirements have been met, and then obtain a Special Land Use Permit from the City Commission.

#### **Issues:**

As the bistro concept has evolved over the past 10 years, new applicants have sought creative ways to make the establishments distinctive from other restaurants and bistros in the City, and to increase the number of seats through the use of all season outdoor dining. The following issues have been raised:

- **Use of Eisenglass** – Doing so extends the time period outdoor dining areas are in operation which increases the number of seats for the restaurant as a whole for a majority of the year;
- **District Requirements** – The Downtown District, Triangle District, and Rail District have different opportunities which could merit different requirements for bistros locating within them;
- **On-street Dining/Rooftop Dining** – the use of on-street parking spaces and rooftops in addition to the sidewalk area allows the addition of larger outdoor dining areas;

- **Parking Needs** – the expansion of outdoor dining increases the number of people dining at the restaurant, which increases parking demand;
- **Building Code Requirements** – the enclosure of outdoor dining areas triggers Building Code regulations such as Energy Code compliance, fire suppression requirements, fire separation distances and exterior wall fire resistive ratings.
- **Incentivizing Seating Capacity Tiers** – Allowing an increased amount of indoor seating and/or outdoor dining seating for bistros based upon conditional standards such as shared parking, landscaping, greenspace, etc.

At the joint City Commission/Planning Board meeting of June 19<sup>th</sup>, 2017 the issue of bistro regulations was discussed at length. There was a consensus that a review of the bistro requirements and how they relate to the various areas in which they are permitted is warranted. Additionally, Commission members saw good reason to potentially regulate bistros differently depending on the district in which they are located.

On July 12<sup>th</sup>, 2017, the Planning Board held further discussion about the topics brought up in the joint City Commission/Planning Board meeting related to bistro requirements. Potential revisions and additions to the bistro standards were discussed, as well as sample draft ordinance language to be proposed for the next Planning Board meeting.

On August 9, 2017 the Planning Board held a study session to address the issues of parking, outdoor dining, and eisenglass enclosures. Based on previous discussion at the joint meeting and the Planning Board, the Planning Division presented sample draft ordinance language to initiate discussion. The draft language provided limits on the number of outdoor dining seats, restricted the use of eisenglass or vinyl enclosures and required additional parking for the outdoor dining areas. The discussion revealed that the Planning Board did not support regulating the number of outdoor dining seats, or requiring additional parking for such outdoor dining areas. There was unanimous support for restricting the use of enclosures on outdoor dining to ensure that outdoor dining is truly seasonal.

On September 13<sup>th</sup>, 2017 The Planning Board once again held a study session in regards to bistro regulations and reviewed sample draft ordinances. The draft language was revised to provide options that would eliminate the ability to utilize enclosures year round. The language was also revised so as not to limit the number of outdoor seats and not to require additional parking for those seating areas, as previously discussed.

Additional points raised by the Planning Board were whether or not the 65 seat limit should be revisited, whether rooftop dining should be encouraged, and what an acceptable railing height for platform decks is. It was suggested that The Triangle District and Rail District could establish different standards for maximum seating due to different conditions in those areas. New draft language has been included that expands interior seating for bistros in the Triangle District and

Rail District to 85 seats with 15 at the bar, while interior seating for the Downtown District remains at 65. Current rooftop dining standards were deemed acceptable, but the Board wished to see railings on platform decks limited to 42". Sample ordinance language has been provided in relation to this issue.

At the Planning Board meeting on January 10, 2018, the issue of amending the bistro regulations will again be discussed, and the Planning Board will be considering draft ordinance language to amend the bistro regulations. Among the amendments to be considered are increasing the number of interior seats for bistros in the Triangle District and Rail District to 85 seats, including no more than 15 at a bar, prohibiting all types of enclosure systems for outdoor dining, including drapes, Eisenglass, vegetation and other materials, and finally limiting the height of railings to 42" for outdoor dining areas. Once the Planning Board has reached consensus on proposed amendments, the board will set a public hearing date at the Planning Board level. At the public hearing, the Planning Board may make a recommendation to the City Commission. The City Commission will then hold another public hearing and make a final decision on whether or not to approve changes to the bistro regulations as proposed by the Planning Board.

#### **d) Review Process for the Renovation and / or New Construction of Buildings**

The Zoning Ordinance establishes the review process for new construction and renovation of existing buildings. However, the Zoning Ordinance is not clear as to the extent an existing building can be renovated before it is deemed new construction, and the ordinance is not clear as to what specific changes trigger site plan review. Thus, questions have been raised as to the procedure for determining what level of board review is required for the renovation of a building or construction of a new building. Currently there are three boards that review proposed modifications to buildings: the Planning Board, the Design Review Board, and the Historic District Commission.

Article 7, Section 7.25 of the Zoning Ordinance establishes the reviewing board for site plan reviews as follows:

For properties located within historic districts designated under Chapter 62 of the Birmingham City Code, Site Plan Reviews will be conducted by the Historic District Commission and the Planning Board. Site Plan Reviews by the Planning Board are required for non-historic properties and the following types of developments:

- A. Single-family cluster developments.
- B. Accessory building in all zoning district except single-family.
- C. Attached Single-Family Residential (R8).
- D. Two-Family Residential (R4).
- E. Multiple-Family Residential (R5, R6, R7).

- F. Neighborhood Business (B1).
- G. General Business (B3, B2B, B2C).
- H. Office/Residential (B3).
- I. Business/Residential (B4).
- J. Office (O1).
- K. Office/Business (O2).
- L. Parking (P) and all off-street parking facilities in any zoning district except in a district zoned single-family residential when the area thereof accommodates three or less vehicles.
- M. Mixed Use (MX).

Thus, Article 7, section 7.25 requires site plan review for new development of all historic properties by the Historic District Commission and the Planning Board. Meanwhile site plan review for new development of non-historic properties is required by the Planning Board.

Article 7, Section 7.08 of the Zoning Ordinance establishes the review procedure for design reviews for all building renovation and construction activities as follows:

- All Design Review plans for new non-historic construction also requiring Site Plan Review will be submitted to and reviewed by the **Planning Board**.
- All plans, not requiring Site Plan Review or Historic District Review, for new construction, the alteration or painting of the exterior of any building and/or the addition of any lighting, signs, equipment or other structures which substantially alter the exterior appearance as determined by the City Planner shall be submitted to the **Design Review Board** for review.
- All plans for additions or alterations to historic structures or structures within a historic district shall be submitted to the **Historic District Commission** in addition to any required Site Plan Review.
- For uses requiring a special land use permit, Design Review of such uses shall be undertaken by the City Commission with recommendations from the Planning Board pursuant to Section 7.26. Those items not requiring Design Review by the Design Review Board are as follows:
  - A. Single-family residential buildings and structures not located within a cluster development.
  - B. Items such as gutters, downspouts, door and window replacement when similar materials are used, antennas, roof vents and small mechanical equipment not readily visible to the public, painting to a similar color, and items of ordinary repair and maintenance.

Thus, Article 7, section 7.08 states that for all new non-historic construction projects, the Planning Board is responsible for conducting both the site plan review and design review. All

plans for projects not requiring site plan review or HDC review such as exterior alternations, lighting, signs, equipment or other structures that substantially alter the exterior appearance of the building shall be reviewed by the DRB.

Article 7, section 7.08 also states that all Special Land Use Permit reviews will be conducted by the City Commission, with recommendations from the Planning Board. The Design Review Board is responsible for conducting design reviews for new construction and the alteration of existing buildings when no site plan is required. However, it is not explicitly delineated when a design review is required or when a site plan review is required.

City policy has been to require proposals that add square footage to a building or make changes to a site that would affect vehicle or circulation patterns to obtain site plan approval. Proposals that are limited to modifying the exterior of the building but do not expand the building or alter the site are required to obtain design review.

### **Current Planning Department Practice:**

The Planning Department has discretion to determine what plans go to Planning Board vs Design Review Board as per Section 7.08 of the Zoning Ordinance.

New development and modifications to existing non-historic buildings that require Planning Board site plan review include:

- Modifications that increase or decrease the principal building's square footage
- Modifications to the site that change the areas circulation
- Modifications to the approved site plan that are of lesser quality than previously approved

New development and modifications to existing buildings that require Design Review Board review include:

- New construction
- The alteration or painting of the exterior of any building
- The addition of any lighting
- Signs
- Addition of equipment or other structures which substantially alter the exterior appearance as determined by the City Planner

Some recent examples of projects that have been reviewed by the Design Review Board exclusively include the following:

- Lavery Audi dealer – 34602 Woodward
- Meadowbrook Urgent Care – 33722 Woodward
- OWC wine shop – 912 S. Old Woodward
- Holiday Market select – 1740 W. Maple

On June 19, 2017 the City Commission and the Planning Board held a joint study session to discuss current planning issues in the City. When discussing the existing regulations regarding the renovation of existing buildings several deficiencies and/or ambiguities were identified in the Zoning Ordinance. Specifically, the question was raised as to what triggers a site plan review as opposed to a design review. There was a general consensus among the group that these issues should be studied by the Planning Board with the goal of providing recommendations to the City Commission for ordinance amendments that will clarify which type of reviews are required.

On August 9<sup>th</sup>, 2017 The Planning Board held further discussion related to new construction and examined sample ordinance language requiring site plan approval for any alteration that affects the flow of traffic, the addition of square footage, and if more than 25% of the exterior elevations are torn down. This discussion was carried into the next meeting on September 13<sup>th</sup>, 2017 where the Planning Board suggested revising the draft ordinance language to require site plan approval if more than 33.3% of the exterior elevations are torn down.

At the Planning Board meeting on January 10, 2018, the Planning Board will be reviewing draft ordinance language to create objective criteria to delineate between what requires site plan review and what requires design review to codify the existing City policy as described above. In addition, proposed ordinance language will be discussed that clarifies that new construction will include the construction of new buildings or any renovation to an existing building that includes the partial demolition and reconstruction of 33.3% or more of the exterior elevations.

Once the Planning Board has reached consensus on proposed amendments, the board will set a public hearing date at the Planning Board level. At the public hearing, the Planning Board may make a recommendation to the City Commission. The City Commission will then hold another public hearing and make a final decision on whether or not to approve changes to clarify the board review process for renovation and new construction.

#### **e) Site Plan Review Standards for Adjacent Properties**

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, Commissioner Nickita specifically requested 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 at the Planning Board meeting on January 10, 2018, the Planning Board will be reviewing draft language to consider adding the requirement that all site plans submitted for approval must include all property lines, buildings and structures, and must show the same details for all adjacent properties within 200 feet of the subject sites' property lines.

Once the Planning Board has reached consensus on proposed amendments, the board will set a public hearing date at the Planning Board level. At the public hearing, the Planning Board may make a recommendation to the City Commission. The City Commission will then hold another public hearing and make a final decision on whether or not to approve changes to clarify the board review process for renovation and new construction.



## **MEMORANDUM**

**Engineering Division  
Planning Division  
Police Department**

**DATE:** January 5, 2018

**TO:** Joseph A. Valentine, City Manager

**FROM:** Jana L. Ecker, Planning Director  
Commander Scott Grewe, Police  
Paul O'Meara, City Engineer

**SUBJECT:** Woodward Avenue Crossings

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In 2013, the City adopted the Birmingham Multi-Modal Transportation Plan (MMTP) to guide transportation improvements throughout the City. The MMTP provides direction on how to make Birmingham an outstanding walkable, bikeable and transit friendly community. It also provides specific recommendations for the City's road infrastructure and new guidelines for the right-of-way improvement and approval process. All proposed recommendations are designed to enable the city to better plan for and incorporate design changes and enhancements in all public and private projects that accommodate different user groups of all ages and abilities.

One of the key findings of the Multi-Modal Transportation Plan was that while Birmingham has an extensive sidewalk system to support our tag line of being a walkable community, there are limited opportunities for pedestrians to safely cross many of our major roadways, and limited bicycle and pedestrian connections between neighborhoods and destinations that are located on opposite sides of the roadway. This is especially true for Woodward Avenue, which bisects Birmingham. The MMTP contains a separate section outlining the numerous recommendations for improvements in and along the Woodward Corridor. This memo will focus on the pedestrian crossing recommendations outlined for Woodward Avenue.

Specifically, the MMTP recommends intersection and pedestrian crosswalk improvements at the following intersections along Woodward Avenue from south to north (see attached illustration from page 53 of the MMTP):

- 14 Mile Rd. (intersection shared with Royal Oak);
- (North of) Emmons;
- E. Lincoln;
- Bowers;
- Forest and E. Brown;
- Oakland; and
- Oak Street.



Each of the pedestrian crossing locations identified for improvement as illustrated above currently exist, with the exception of the intersection of Woodward and Oak. At this intersection, there is currently a signal that controls the movement of vehicles, but there is no pedestrian signal nor crosswalk to allow pedestrians to safely cross Woodward Avenue. The nearest crossing opportunities are almost a half mile to the south at Oakland, and a half mile to the north at Quanton Road. All of the other locations noted above do provide marked crosswalks at this time.

In addition to our own City-wide efforts, the City of Birmingham also participated in a two year regional planning process from 2013 through 2015 with all of the Woodward Avenue communities from Detroit to Pontiac to prepare a Complete Streets Plan for the entire 27 mile Woodward corridor. The Woodward Avenue Complete Streets Plan emphasizes the importance of improving the pedestrian environment along Woodward, and recommends a whole new road cross-section for Woodward that includes an 8 to 6 lane road diet, a median running Bus Rapid Transit system, a continuous sidewalk and cycle track from 14 Mile Road to Quanton, and the construction of curb extensions and medians to narrow Woodward to three travel lanes. The Woodward Avenue Complete Streets Plan emphasizes the importance of providing safe pedestrian crossings at each of the mile roads in Birmingham, and at each of the half mile segments from Lincoln to Oak Street. The recommended crossings are shortened by curb extensions, broken up by medians, and proposed with 12" continental pavement markings. Please see the attached excerpt from the Woodward Avenue Complete Streets Plan for full details on all of the recommended improvements.

In 2010, the Woodward Avenue Action Association also funded a Woodward Avenue Crossing Improvements Study that included many intersections along the entire Woodward corridor. In Birmingham, this study recommended intersection and pedestrian crossing improvements at Woodward and Bowers, Woodward and E. Lincoln, Woodward and Forest / E. Brown and Woodward and Maple. Recommendations for each location included straightening out angled

crosswalks to shorten walking distances, curb extensions, special pavement treatment at the corners and continental pavement markings for all crossings except Maple and Woodward, which proposed a unique plaza design to scale down the intersection for pedestrians. Please see attached excerpts for all recommended Woodward crossing improvements in Birmingham.

In 2007, the City completed and adopted the Birmingham Triangle District Urban Design Plan ("Triangle Plan") which included a portion of the Woodward corridor from Lincoln to Maple Road. The Triangle Plan made several recommendations pertaining to Woodward with regards to streetscape, traffic conditions and pedestrian crossings. The Triangle Plan specifically recommended intersection and pedestrian crossing improvements at Woodward and Maple, which included the installation of new mast arm signals with a pedestrian countdown feature, construction of a small structure in the center median to act as a pedestrian refuge, a road diet from 8 down to 6 lanes, and a reduction in the posted speed limit. The use of pavers was also recommended for pedestrian crosswalks to draw attention to the crossings. The Triangle Plan also recommended pedestrian crossing upgrades for the Woodward and Bowers and Woodward and Forest / Brown Street locations. Please see attached excerpt from the Triangle Plan.

As noted above, all of the intersections identified for crosswalk improvements have existing crosswalks, with the exception of the intersection of Oak and Woodward which has no pedestrian signal or crosswalk markings. Given that Oak and Woodward is also proposed to be a BRT stop in the Woodward Avenue Complete Streets Plan, and a crossing at this location would provide a connection between Downtown Birmingham and the Poppleton neighborhood to the east, the City Commission determined it would make sense to prioritize improvements to this intersection to install pedestrian signals and crosswalk markings.

### **Woodward and Oak Crossing**

As discussed at last year's long range planning session, and as recommended in both the MMTP and the Woodward Complete Streets Plan, the City has approved the installation of a new pedestrian signal at Oak Street to provide a safe crossing for pedestrians. Currently, there is a signal at Oak on Woodward, but this signal would need to be upgraded. After reviewing this idea with MDOT staff, it was determined that the addition of pedestrian signals would require complete replacement of this signal, which is nearing the end of its service life. In addition to the installation of a new pedestrian signal, ADA ramps and detectable warning strips must be installed as well as high visibility crosswalk markings and sidewalk sections in the median on Woodward. Additional enhancements discussed would include new sidewalk on the west side of Woodward Avenue (south to Oakland), and / or widened sidewalk on the east side of Woodward. All of these improvements would allow for the connection of the Poppleton neighborhood to the north end of Downtown, and to the Farmer's Market. This crossing will also provide an important east to west connection for the neighborhood connector route that runs along Oak Street and Derby Road that provides an alternative to Oakland Blvd. and Maple Road. The addition of a pedestrian crossing at Oak and Woodward would also break up the three-quarter mile stretch of Woodward where there are no crossing opportunities currently.

The illustration below from page 153 of the MMTP illustrates the proposed location of a new pedestrian crossing at Oak and Woodward, as well as the sidewalk connections required along Woodward.



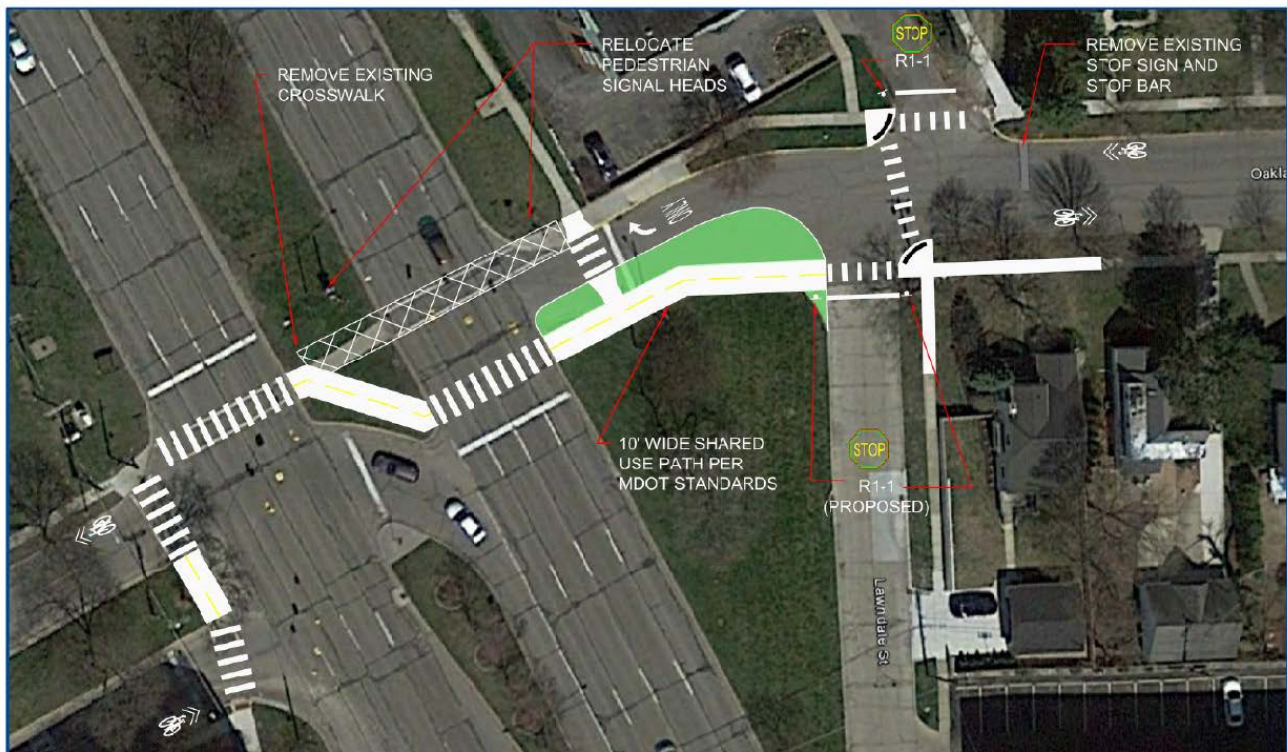
Over the past year, staff has been working with MDOT to finalize the plans for the intersection and crossing improvements at Woodward and Oak. Also over the past year, crosswalk standards have been adopted by the City that call for a 14' wide crosswalk at Woodward and Oak, comprised of a Continental striping pattern with 24" painted bars and 24" painted spaces between the bars. MDOT has indicated that their standards for Woodward crosswalk markings are 12" painted bars with 24" spaces between bars, and a maximum crosswalk width of 8'. However, MDOT has agreed to install the crosswalks at Woodward and Oak at a width of 10', and with the City standard 24" painted bars and 24" wide spaces in the Continental style, provided that the City is willing to pay for the ongoing maintenance of the larger crosswalks.

On January 22, 2018, the City Commission will be considering approval of the intersection and crosswalk improvements at Woodward and Oak, which will be formalized in a contract with MDOT for the construction and financing of these improvements. The City Commission will have to determine whether the City is willing to pay for ongoing maintenance costs of restriping the crosswalks in order to have them built to City standards. The contract will also specify how the improvements will be funded using TAP grant funds, MDOT funds and City funds. The total project is estimated at a cost of \$252,000, and the City's portion is estimated at \$107,000, plus future crosswalk maintenance costs if the wider crosswalk dimensions are utilized. The work included under this contract includes a complete signal replacement at this intersection, including the addition of pedestrian countdown signals, new ADA ramps and detectable warning strips to match the new crosswalk and center median sidewalk, installation of new crosswalk markings, stop bar relocation and a new curved sidewalk and plaza space in the center median. Construction is planned for this intersection between April and August 2018 as a part of the larger resurfacing project on Woodward. Once MDOT has completed construction, the City plans to install landscaping around the sidewalk and plaza in the median to match the landscaping improvements at Woodward and Maple.

## **Woodward and Oakland Crossing**

Crossing improvements were recommended in the MMTP at the intersection of Woodward and Oakland, and included relocating the existing crosswalk on the north side of Oakland to the south side of Oakland to eliminate the conflict between right-turning vehicles and pedestrians and cyclists crossing Woodward. The MMTB reviewed the improvements, and made a recommendation to the City Commission. In May 2017, staff received confirmation from MDOT that they were willing to relocate the northbound Woodward Ave. crosswalk location at Oakland Ave., as a part of their 2018 Woodward resurfacing project. Accordingly, MDOT will be relocating the crosswalk, moving the northbound traffic stop bar, installing a new crosswalk, and installing ADA ramps with detectable warning strips between April and August 2018 as a part of the larger resurfacing project on Woodward. The City's portion is estimated at \$35,000, plus future crosswalk maintenance costs if the wider crosswalk dimensions are utilized.

Finally, the City also plans to coordinate further improvements in the area of Woodward and Oakland / Lawndale with the MDOT resurfacing project. The City improvements include narrowing Oakland Ave. to accommodate one lane of westbound traffic, installing a 10' multi-use path on the south side of the block, and relocating the westbound Oakland STOP sign to northbound Lawndale Avenue. Please see illustration of proposed improvements below.



**PEDESTRIAN & BICYCLE FACILITIES IMPROVEMENTS**  
**LAWNDALE AVE PAVING - OAKLAND BLVD TO WOODWARD AVE**  
**MMTB RECOMMENDED ALTERNATIVE**



### **Woodward and Bowers Crossing**

Crossing improvements were recommended in the MMTP at the intersection of Woodward and Bowers, including enhanced crosswalk markings and a colored bicycle lane along Bowers crossing Woodward Ave. In addition, the Woodward Avenue Crossing Improvement Study completed in 2010 by the WA3 also recommended changes at this intersection to straighten out angled crosswalks to shorten walking distances, the addition of curb bump outs and special pavement treatment at the corners, along with Continental style crosswalk striping. While MDOT will not approve of bump outs and complex pavement treatments in their right-of-way, MDOT will be installing all new ADA ramps and detectable warning strips, and improving the crosswalks at Bowers to the Continental style. MDOT is also willing to increase the width of the crosswalks to 10' with the City standard 24" painted bars and 24" painted spaces, provided that the City is willing to pay for the ongoing maintenance of the larger crosswalks. This work is proposed to be completed between April and August 2018 as a part of the larger resurfacing project on Woodward.

In addition, Phase 3 of the Old Woodward project downtown will also include reconstruction of Bowers between Old Woodward and Woodward, and thus the City may have the opportunity to make further crossing enhancements at the Bowers and Woodward intersection when this phase of the project is constructed in 2022.

### **Woodward and Maple & Woodward and 14 Mile Crossings**

Significant crossing improvements were also recommended in the MMTP at the intersections of Woodward and Maple and Woodward and 14 Mile Road (which is shared jurisdiction with Royal Oak). These improvements were part of a complete redesign of Woodward Avenue to meet Complete Street standards. In addition, the Woodward Avenue Crossing Improvement Study completed in 2010 by the WA3 also recommended changes at both the Maple and 14 Mile intersections to shorten walking distances on crosswalks through the addition of curb bump outs, and enhance the aesthetics of the intersections by adding different paving treatments to create a plaza feeling within the intersection, and by installing Continental style crosswalk striping at a larger scale. At Woodward and Maple, the Triangle District Urban Design Plan also envisioned the addition of a structure in the center median to provide pedestrian respite and to cue traffic to slow down. As part of their signal upgrade program in 2019, MDOT plans to install new mast arm signals at both Maple and 14 Mile Road on Woodward, as well as to install new ADA ramps and detectable warning strips, and convert the crosswalks to the Continental style. At the City's request, the Maple Road signal will be the mast arm design to match others in the downtown area. Again, MDOT is willing to increase the width of the crosswalks to 10' with the City standard 24" painted bars and 24" spaces.

## **Funding Options for Woodward Crossing Improvements**

In addition to working with MDOT on their scheduled Woodward improvement projects, another funding option available for Woodward intersections and crossing improvements would be to request funds through the Five-Year Transportation Program that includes planned investments for highways, bridges, public transit, rail, aviation, marine, and nonmotorized transportation. This program implements the State's vision for transportation presented within the 2040 MI Transportation Plan.

The Highway Program development process is a yearlong, multi-stage process. MDOT's seven regional offices, 22 Transportation Service Centers ("TSC") and statewide planning staff work throughout the year to share project lists with local agencies, stakeholders and the public. In addition to formal presentations, MDOT staff members informally discuss individual projects within the plan with economic development and tourism agencies, metropolitan planning organizations (MPOs), road commissions, local officials, businesses, the general public, and other stakeholders. The road and bridge projects proposed in the Five-Year Program are incorporated into MDOT's State Transportation Improvement Program ("STIP"). The STIP is a federally required planning document that lists surface transportation projects that the state plans to fund with federal aid. It provides information on the programs and projects to which state and local transportation agencies have committed to over the next four years, and verifies that transportation funds are available and sufficient to finance them. Included are all federal-aid transit projects in small urban areas and state trunkline (highway) projects (such as Woodward Avenue) located within MPO areas.

Project prioritization under the STIP takes several months to complete. It is the result of state and local processes designed to assure the broadest participation in meeting the state's transportation needs. Michigan's 13 MPOs (such as SEMCOG) approve road and bridge projects for the metro area. To meet its regional transportation needs, each MPO develops a Transportation Improvement Program (TIP) for its area in cooperation with MDOT and regional partners. MDOT shares its list of priorities with the respective MPO, which in turn conducts its own public involvement and decision-making process to come up with its TIP. The TIPs from all 13 MPOs are incorporated in the MDOT STIP by reference. Accordingly, any funds for Woodward crossing improvements would be competing with all other road projects seeking funds in Metro Detroit.

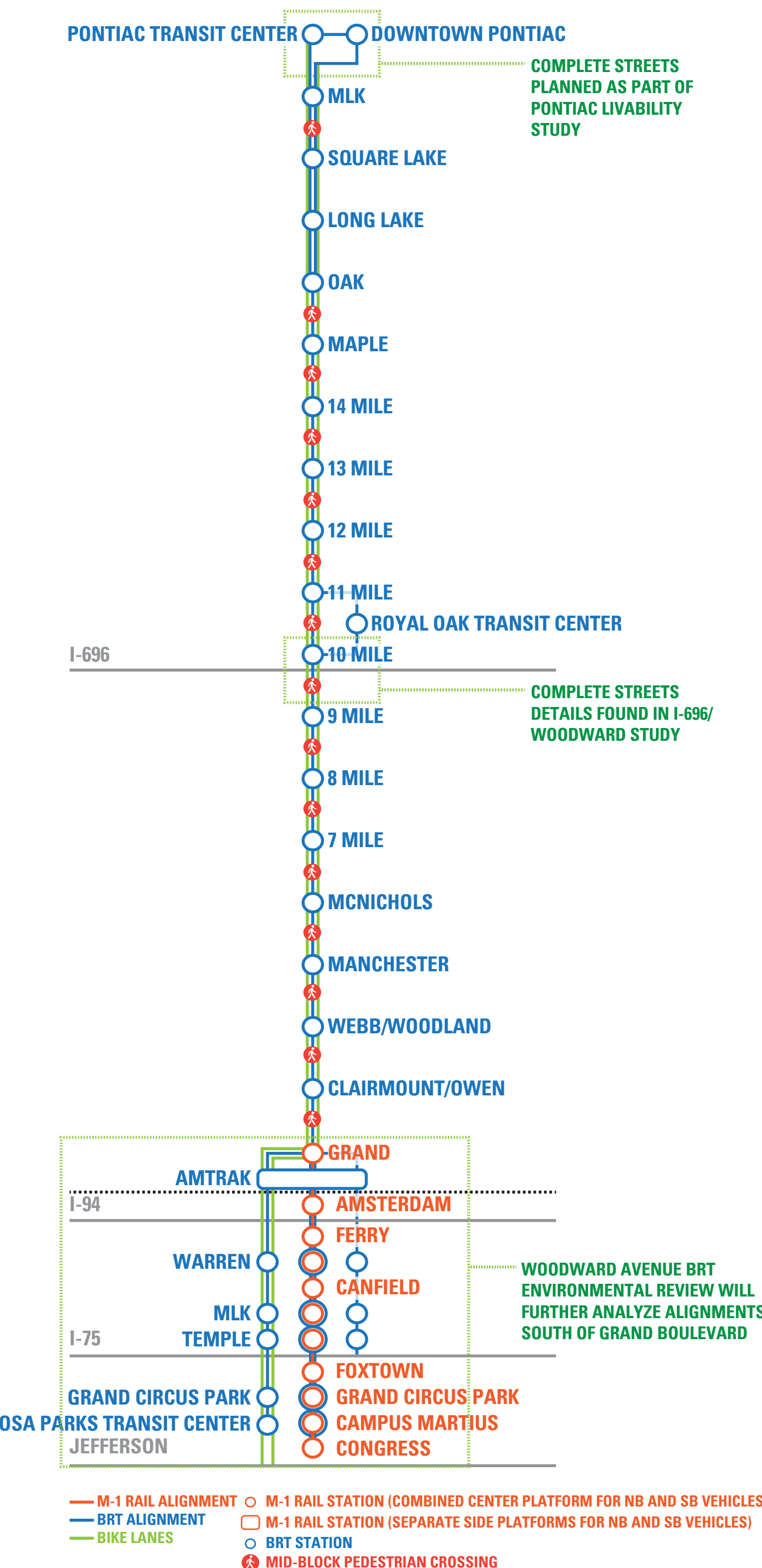
# Woodward Avenue

## COMPLETE STREETS

### WOODWARD AT A GLANCE...

Woodward Avenue is an iconic urban scenic byway and the spine of the Detroit metropolitan region that traverses eleven communities from Downtown Detroit to the City of Pontiac. Woodward Avenue is perhaps the most critical corridor in the region and state as 1 in 10 Michiganders live along Woodward Avenue. It also represents the "Main Street" of many corridor communities, including Detroit, Highland Park, Ferndale, and Pontiac.

The future Woodward Avenue vision paints a picture of a livable, walkable, pedestrian, and transit-friendly multi-modal corridor. Building upon the future rapid transit, it aims to create a different future for Woodward Avenue that focuses on being a safe, secure, stable, well-linked, and economically stimulated place for its communities.



## COMPLETE STREETS RECOMMENDED ELEMENTS FOR WOODWARD AVENUE



### Street Trees

A consistent layout of street planting will bring order to Woodward Avenue and create spaces that will improve each neighborhood's identity. The proper design of irrigation and establishment of landscape maintenance protocols will help street trees to reach maturity. Mature plantings in ordered, urban streetscapes exude a sense of calm and stability. Street trees will also provide environmental benefits and assist in calming traffic.



### Pedestrian Zone

Providing ample space within the pedestrian zone will synthesize a variety of activities, including the movement of pedestrians and outdoor dining/retail operations. Enhanced pedestrian crossings with curb extensions and pedestrian refuge islands (where feasible) at mid-block locations and major intersections will improve connectivity and safety for pedestrians throughout the corridor.



### On-Street Parking

Maintaining on-street parking spaces (where feasible) will increase the viability of business along the corridor and will have a traffic calming effect on adjacent general purpose lanes.



### Branding

Building on the brand established by the Woodward Avenue Action Association (WA3) will provide consistency and recognition throughout the corridor, further enhancing its sense of place. This brand can be applied to signage, wayfinding, kiosks, and many other elements.



### Cycle Tracks

Raised cycle tracks will be constructed adjacent to sidewalks but will be delineated from pedestrian zones by unique paving colors or materials. Raised bicycle facilities will foster a greater sense of safety for less advanced cyclists and also reduce maintenance challenges.



### Stormwater Management

Streetscape vegetation will be designed and programmed to filter stormwater from impervious surfaces. These elements improve the aesthetics of the street and will act as buffers between different modes of travel.



### Mixed-Use Development

Complete streets will produce greater volumes of all types of travel, providing the foundation for intensified private development that combines uses. Ground floor retail with a high percentage of windows can help activate the street.



### Furnishing

Streetscape elements, such as lighting, benches, trash receptacles, informational kiosks, bike share facilities, and many others, will have a powerful effect on the identity of the corridor if designed as a unified brand.



### Rapid Transit

Two rapid transit systems, M-1 Rail (in construction) and Woodward Avenue bus rapid transit (BRT) (planned), will provide premium transit service throughout the corridor and are projected to serve over 40,000 users each day.



### VISION

Woodward Avenue will be a complete street that provides safe and efficient means of travel for all users; creates excellent quality of place that benefits local residents; builds value for property; and inspires visitors to return.

### MISSION

All stakeholders shall work together to create a cohesive corridor plan that balances the needs and benefits of all users, neighborhoods, and communities that is significantly completed by 2025.

# Woodward Avenue

## COMPLETE STREETS 14 MILE ROAD TO QUARTON ROAD

### EXISTING CONDITIONS

This segment, between 14 Mile Road and Quarton Road, extends through the City of Birmingham and a portion of Bloomfield Township. The right-of-way is 200', consisting of eight (8) vehicle travel lanes, a wide median, and 6' sidewalks on both sides of the street. Street trees and lighting are present within the sidewalk and median in select locations throughout this segment. The space between the sidewalk and vehicle travel lanes varies from block to block, including a variety of conditions e.g. grass lawns, slip roads with parallel parking, and slip roads with angled parking. Transverse crosswalk design (12" parallel lines to delineate the edge of the crosswalk) is used within this segment at most intersections and mid-block locations.

### SEGMENT COMMUNITIES

Birmingham and Bloomfield Township

### RECOMMENDATIONS

Between 14 Mile Road and Quarton, the existing eight (8) vehicle travel lanes will be reduced to six (6). This reduction allows for this segment to be redesigned as a multiway boulevard that will include dedicated transit lanes physically separated from vehicle travel lanes, an enhanced pedestrian zone, two-way raised cycle tracks on each side of the street, and on-street parking on both sides of the street separated from traffic by an 8' landscaped median.

The two-way raised cycle tracks will be 8' in total width and will be accommodated adjacent to the sidewalk. The cycle tracks will include two 4' bicycle only lanes, delineated from the sidewalk by unique paving colors or materials and bicycle lane word, symbol, and arrow markings (MUTCD Figure 9C-3). A 3' buffer and curb will separate the cycle tracks from on-street parking.

The remaining 10' will accommodate the pedestrian-only zone. Sidewalks will be constructed with enhanced finishes and materials consistent with the overall design of the corridor, although unique patterns and colors can be used to identify this segment. Continental crosswalk design will be used for all crosswalks (12" bars perpendicular to the path of travel) and may be further accented with colored paint.

Vegetation within this segment will consist of mature street trees planted no more than 40' apart to provide a consistent canopy. The trees can be planted in designated tree grates or within vegetated planters (located both at the edge of the sidewalk and in the median), which will use a combination of soils, mulch, and plants that help filter stormwater.

Furnishing within this segment will be consistent with the design of the corridor, although unique patterns and colors can be used to identify this segment. Furnishing elements may include seating, trash receptacles, bicycle parking, wayfinding, and lighting. Branding established by WA3 will be incorporated within wayfinding elements and permanent/seasonal banners.



#### RAPID TRANSIT

Dedicated bus rapid transit lanes will provide premium transit in this segment



#### CYCLE TRACKS

Two-way raised cycle tracks (NB + SB) adjacent to sidewalk with 3' buffer from on-street parking



#### PEDESTRIAN ZONE

Reconstructed sidewalks, enhanced pedestrian crossings with curb extensions, and pedestrian refuge islands



#### FURNISHING

Amenities consistent with Woodward corridor, including space for outdoor dining and bike share facilities



#### STREET TREES

Mature street trees in planters and/or grates spaced 40' apart



#### STORMWATER MANAGEMENT

Permeable paving materials for all sidewalks and filtration planters 40' apart



#### BRANDING

Signage, wayfinding, colors, and materials consistent with Woodward brand



#### ON-STREET PARKING

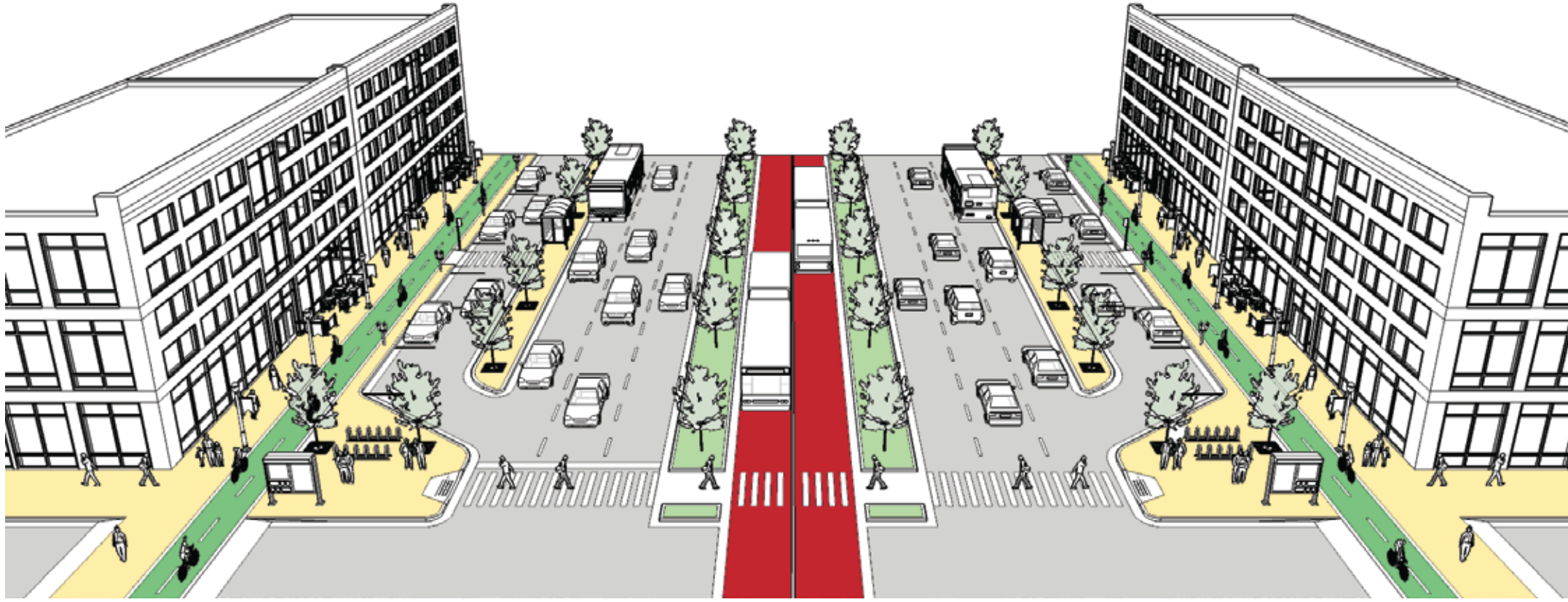
On-street, parallel parking accommodated within multiway boulevard

### VISION

Woodward Avenue will be a complete street that provides safe and efficient means of travel for all users; creates excellent quality of place that benefits local residents; builds value for property; and inspires visitors to return.

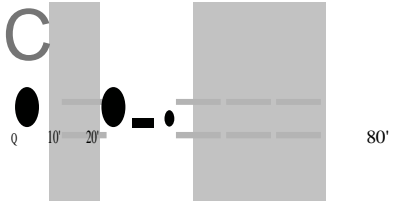
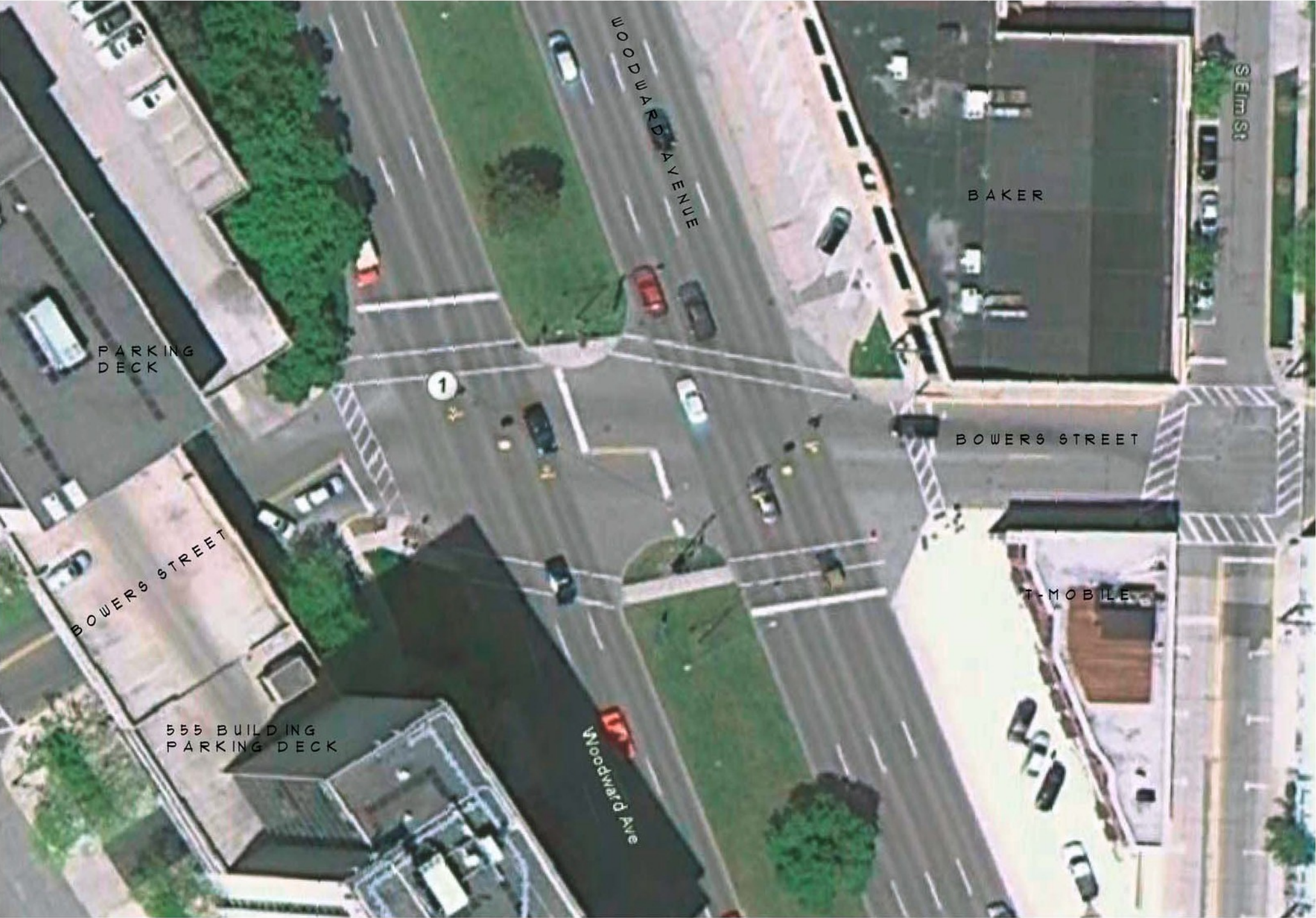
### MISSION

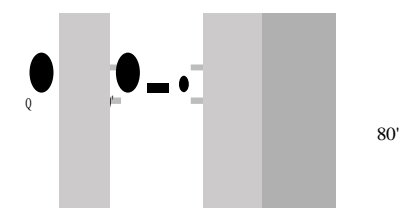
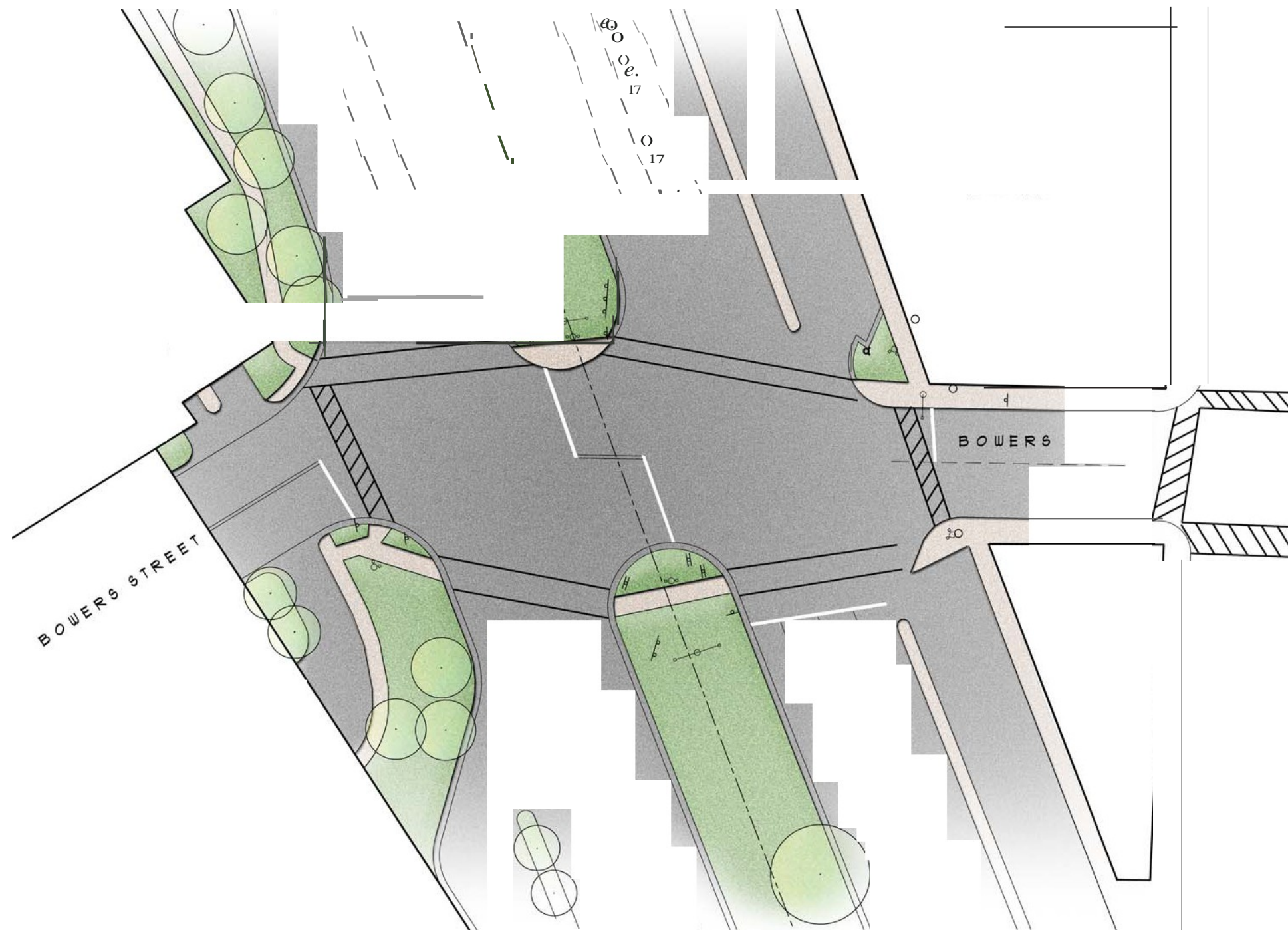
All stakeholders shall work together to create a cohesive corridor plan that balances the needs and benefits of all users, neighborhoods, and communities that is significantly completed by 2025.

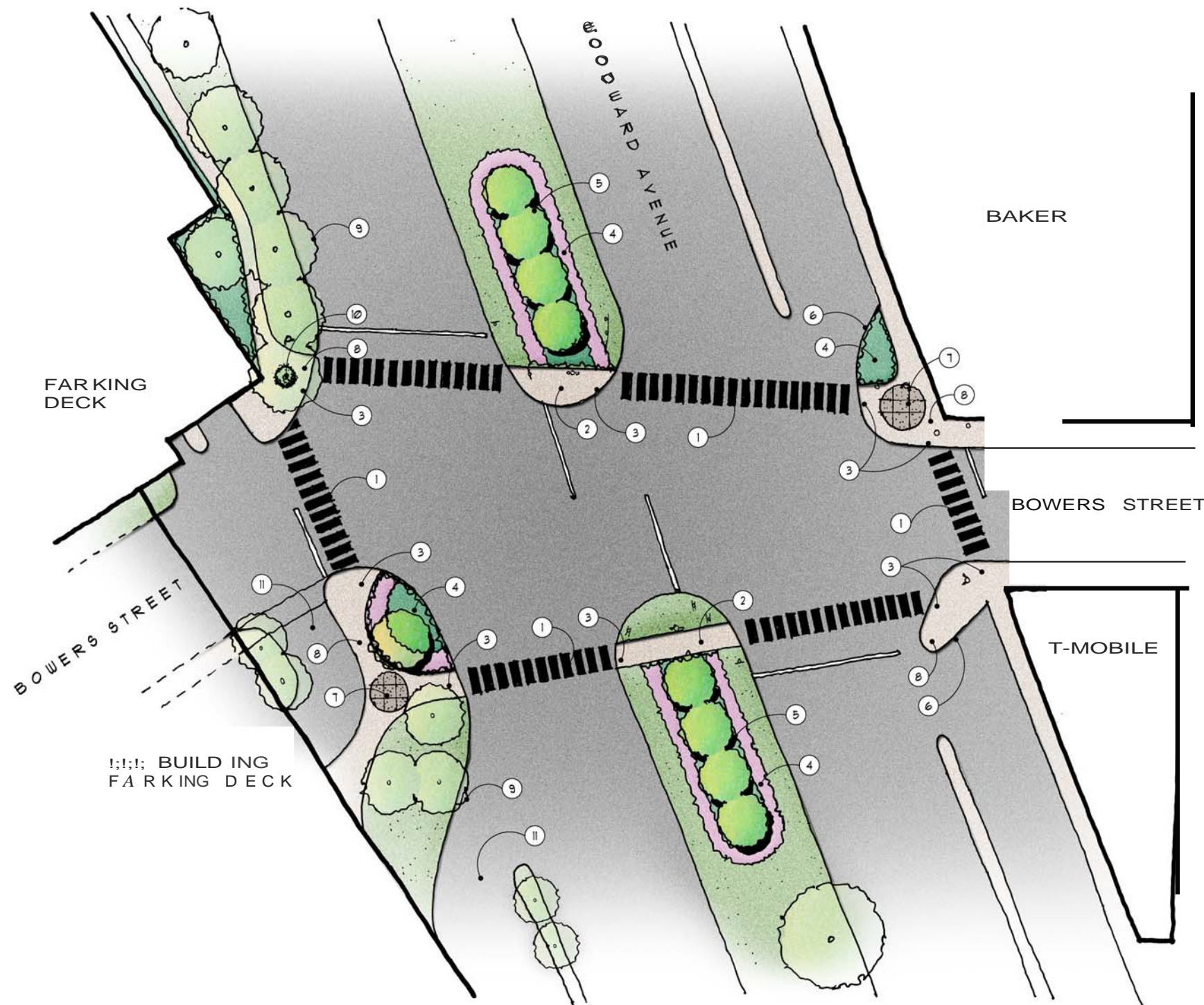


TYPICAL CROSS SECTION: 14 MILE TO QUARTON  
RIGHT-OF-WAY = 200'



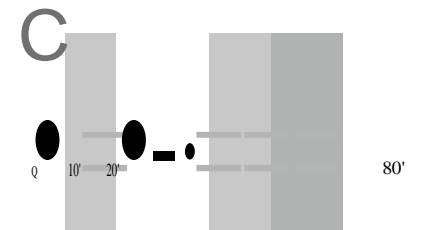




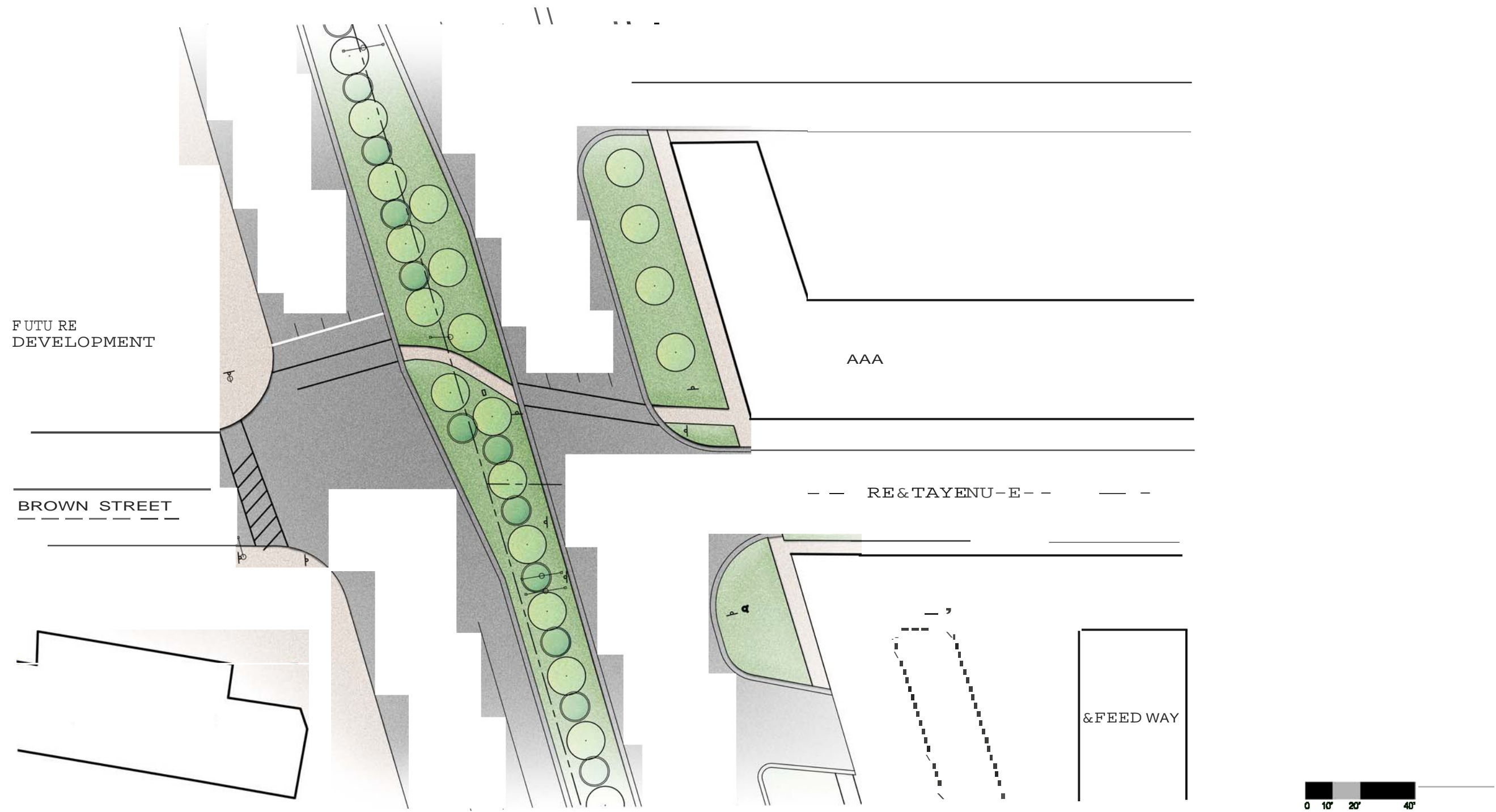


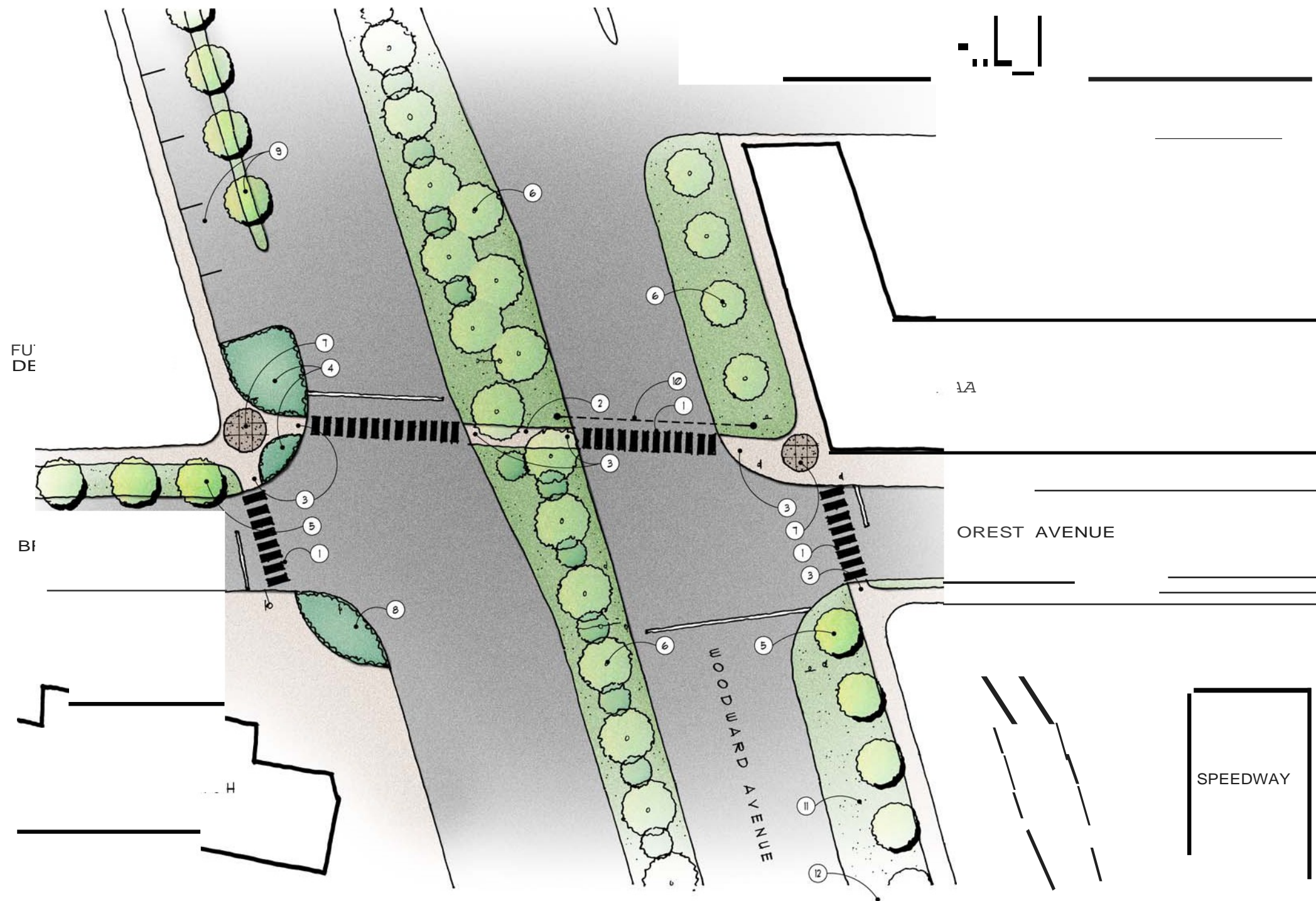
#### Note Key:

- (D) 'Contental' tile pated crosswalk in new location
- (O) Concrete crosswalk in median in new location
- (O) New barrier free ramp
- (O) Planting bed
- (V) Shade tree
- @ Remove (1) parking space
- (2) Exposed aggregate concrete accent
- @ Revised concrete sidewalk layout
- @ Existing tree and planting to remain
- (@) Circular opening in pavement for existing tree
- @ Existing drive







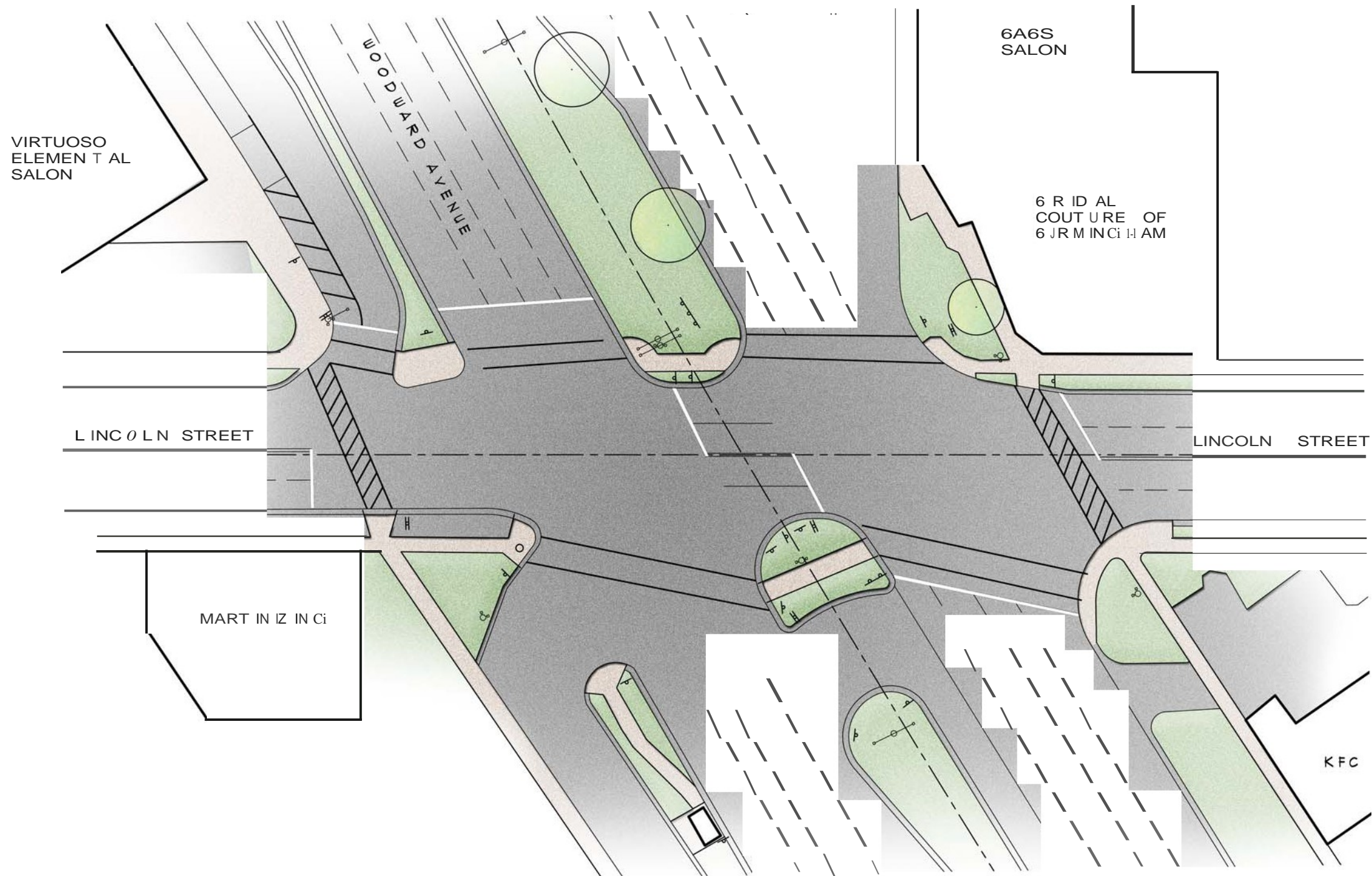


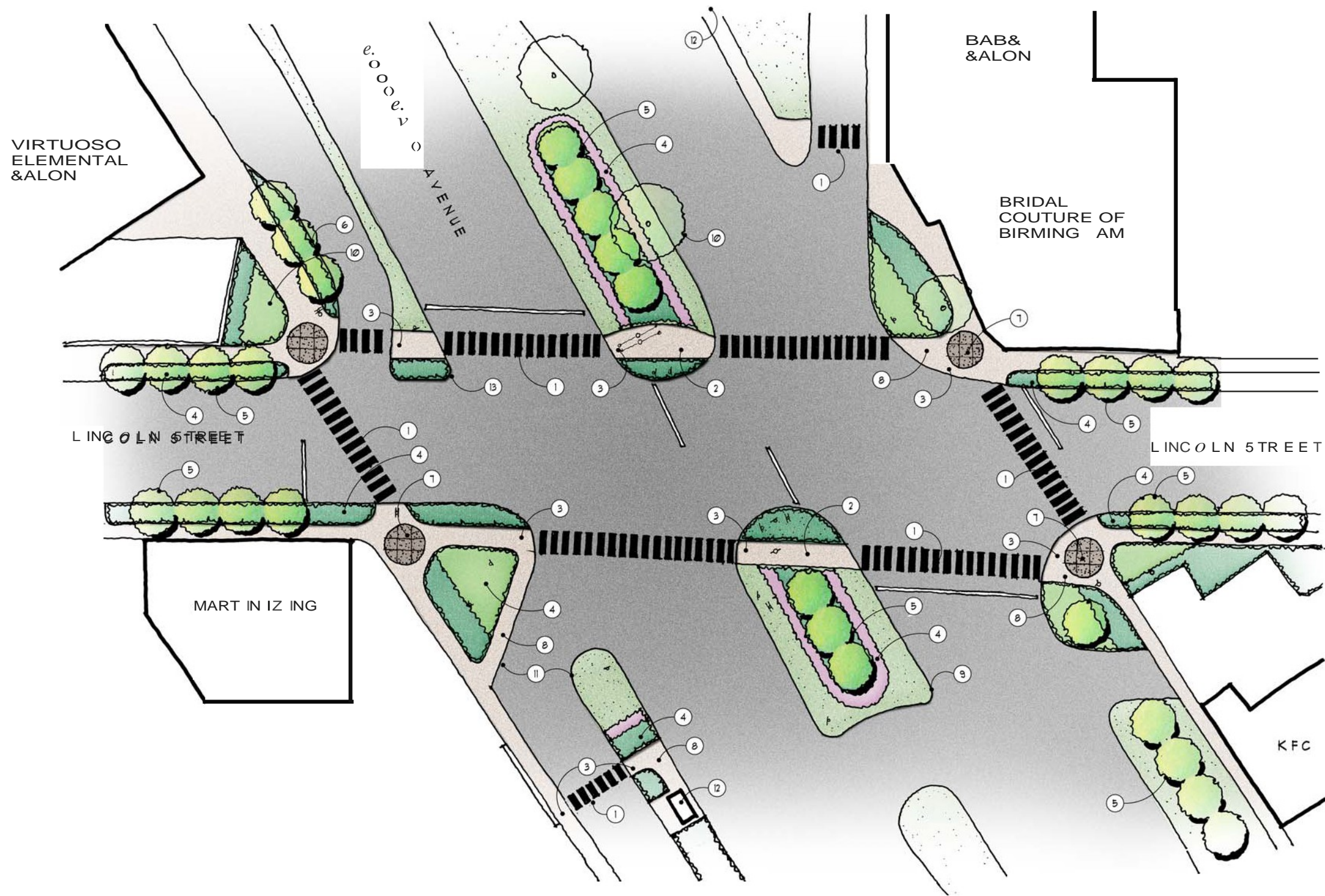
### Note Key:

- (D) Continental painted crosswalk in new location
- O Concrete crosswalk in new location
- O New barrier free ramps
- @ Planting bed
- (R) Shade tree
- @ Existing tree and planting to remain
- (G) Exposed aggregate concrete accent
- (C) Remove existing concrete for planting bed
- (V) Convert existing diagonal parking to parallel parking and widen to allow for new trees and planting
- @ New ADA crosswalk signal
- @ Close existing entry and entry with trees and lawn.
- @ Existing one-way drive to the intersection to be used as primary entry/exit.



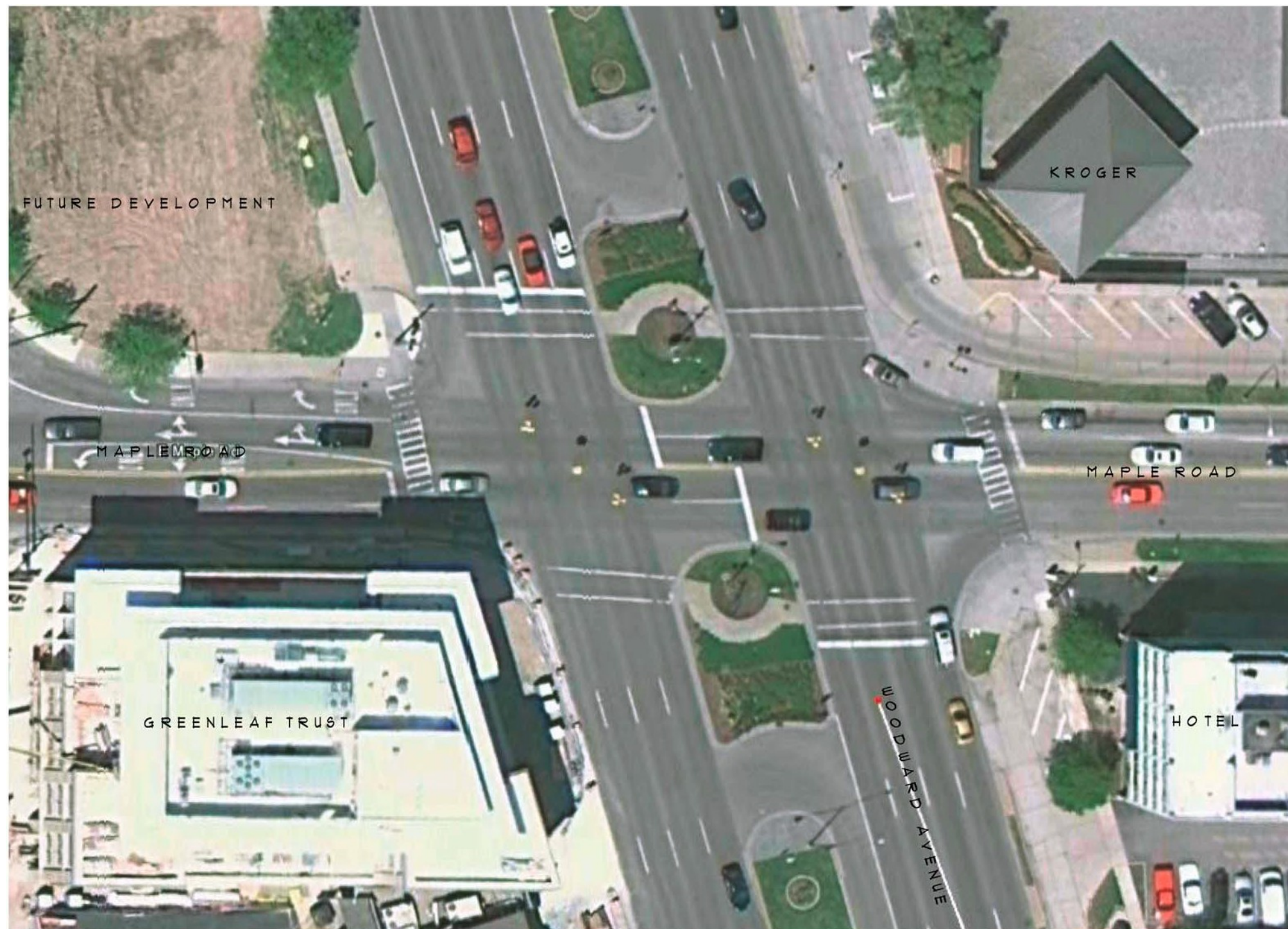




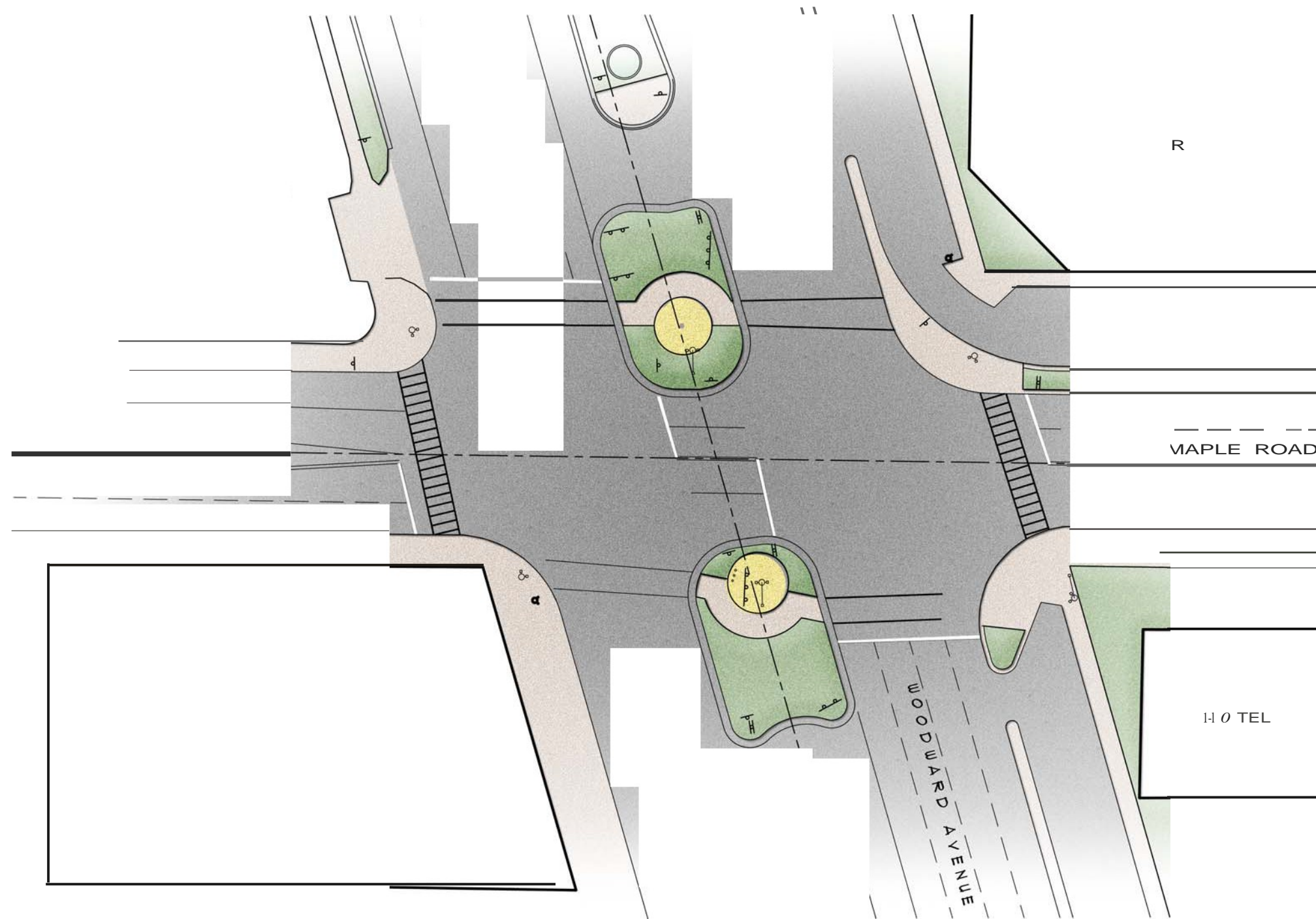


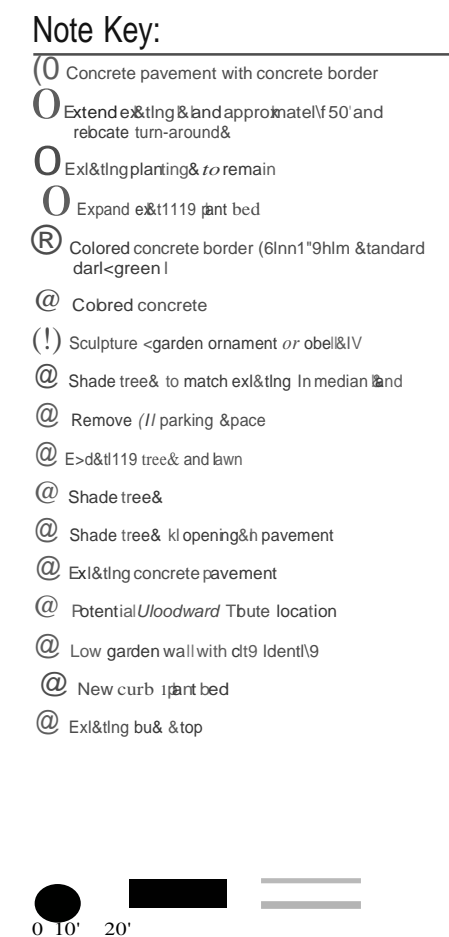
- Note Key:**
- (!) Contingency of painted crosswalk location
  - 0 Concrete crosswalk location
  - O New barrier free ramps
  - @ Planting bed
  - (R) Shaded tree
  - @ Revised curb layout - designate area with 'No Parking'
  - (G) Exposed aggregate concrete accent
  - (C) Revised concrete sidewalk layout
  - @ Extended and approximately 10' 50'. Move walkway around to the south
  - @ Existing tree and planting to remain
  - @ Decrease width of drive opening to 24'
  - @ Existing bus stop
  - @ Modified curb geometry to discontinue right hand turn





0 10' 20'







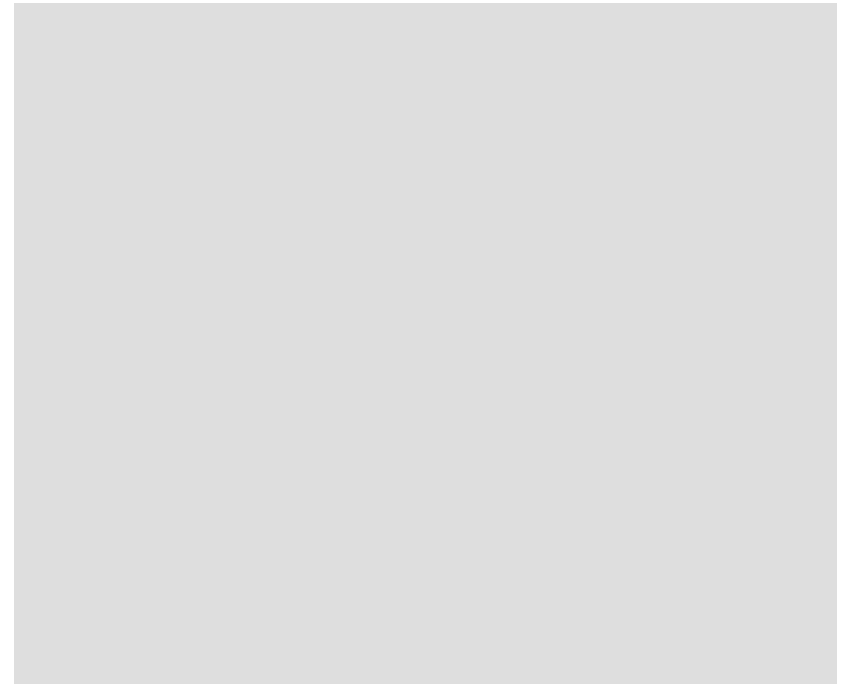
## Woodward Corridor Improvements

Woodward Avenue is the principal roadway that passes through the City and links Birmingham to the other communities along the corridor from Downtown Detroit to Pontiac. This roadway has been designed and improved to handle large volumes of traffic and currently carries approximately 65,000 vehicles per day with four lanes in each direction. As this roadway was modified to handle increasing volumes of traffic, its suitability for pedestrians diminished. This plan recommends potential changes to Woodward Avenue to become a grand, tree-lined boulevard, lined with distinctive buildings and a street design that accommodates vehicles, but also would be more inviting for pedestrians to cross and walk along the roadway.

Alternatives for improving Woodward Avenue are listed below:

- Create a stronger sense of enclosure along the corridor to help contain the large scale of the wide right-of-way, make the environment more comfortable for pedestrians, and induce traffic to drive slower. This can be achieved by the combination of taller buildings along the corridor and more street trees in the medians and along sidewalks.
- Eliminate some of the driveways and intersecting streets along Woodward that create conflict points for through traffic and local traffic. This will help improve vehicular and pedestrian safety and alleviate conflicts.
- Reduce the speed limit to 35 mph to make it safer for pedestrians and for drivers and their passengers.
- North of the Maple intersection, shorten the northbound u-turn lane to increase the width of the median for pedestrians. The southbound u-turn may be eliminated to increase the median for pedestrians; however this would need to be studied further to determine the impact to southbound to northbound movements.

- North of the Maple intersection, remove southbound right turn lane into Downtown and convert the westernmost travel lane to a right turn lane to reduce distance a pedestrian must travel to cross the roadway.
- Move northbound median south of Maple further away from the intersection to reduce the potential conflict with pedestrians in the median.
- Add a northbound signal at Forest to facilitate pedestrian crossing at the crosswalk. A signal already exists in the southbound direction and MDOT should consider the additional signal if it is timed to operate with the one at Maple.
- Shorten southbound u-turn lane south of Forest to increase the distance between pedestrians in the crosswalk and vehicles.
- Upgrade the Maple-Woodward intersection signals to mast-arm signals to improve the visual character of the area.
- Add pavers to crosswalks the existing crosswalks at Maple, Forest, and Bowers to improve the visual character of the area, to more clearly identify the pedestrian zone to drivers, and to enhance the secondary crossings of Forest and Bowers.
- Improve the existing at-grade crossing at Maple by adding to the median pedestrian elements such as a shelter depicted to the right. Such improvements can provide a resting place for pedestrians who cannot cross the entire extent of Woodward at once. A structure would also protect pedestrians from vehicles, induce vehicles to slow down, and provide some comfort to pedestrians standing in the median of a busy intersection.
- An above-grade crossing of Woodward not recommended at this time, given the construction and maintenance costs and the lack of large “anchor” destinations to serve as terminating points. Some type of elevated crossing could be worth reconsideration if conditions change in the future.



Illustrative Concept of Woodward Avenue Pedestrian Improvements



## MEMORANDUM

Engineering Division  
Planning Division  
Police Department

**DATE:** January 5, 2018

**TO:** Joseph A. Valentine, City Manager

**FROM:** Lauren Chapman, Assistant Planner

**APPROVED:** Jana L. Ecker, Planning Director  
Commander Scott Grewe, Police Department  
Paul O'Meara, City Engineer

**SUBJECT:** Crosswalk Standards

Over the past year and a half, City staff and the Multi-Modal Transportation Board ("MMTB") have been researching modern crosswalk standards to provide consistent and updated crosswalk standards in Birmingham. This research was conducted in two stages as outlined below.

### **(1) Design and Dimension Standards for Crosswalks**

At the February 27, 2017 meeting the City Commission voted to adopt the following standard policy for the design and dimensions of all future crosswalk pavement markings in the City of Birmingham:

All new painted crosswalks installed shall be of the continental style, as outlined on MDOT Detail Sheet PAVE-945-C, Sheet 3 of 3, with the exception that all painted bars shall be 24 inches wide spaced as close to 24 inches apart as possible. Crosswalk widths shall be installed as follows:

#### **On Major Streets within the Central Business District, Triangle District, Rail District, or Adjacent to Schools:**

- Total width of the crosswalk shall be 12 to 14 feet wide. Crosswalks at the upper width limit may be installed when traffic signals are present.
- The following shall be considered Major Streets (within the specific districts noted) for the purposes of this standard:

Woodward Ave.

Oakland Blvd.

Old Woodward Ave.

Chester St.

Maple Rd.

Brown St.

Southfield Rd.

S. Eton Rd.

Adams Rd.

E. Lincoln Ave.

**On Local Streets within the Central Business District, Triangle District, Rail District, or Adjacent to Schools:**

- Total width of the crosswalk shall be 8 feet wide, unless the adjacent sidewalk main walking path is wider, at which point it shall be widened to match the main walking path width.

**At All Other Locations:**

- Total width of the crosswalk shall be 6 feet wide.

**(2) Pavement Marking Material Standards for Crosswalks**

Over the next several months the MMTB began discussing pavement marking material choices. After much discussion, at the September 9<sup>th</sup> 2017 meeting the MMTB recommended:

"To use paint on all non-major street crosswalks. Use paint on all major streets that are not going to be completely re-built; but when those major street crosswalks are being re-paved and re-built all markings will be grooved and filled with thermoplastic. Re-evaluate annually with the thermoplastics that are applied to make sure they are truly living up to their suggested retail life span."

However, further research was conducted by City staff during attempts to find a specification for the new thermoplastic standard to be used in bidding documents. As a result of the additional research and a field inspection in Ann Arbor, the MMTB continued their discussion on pavement marking materials. On January 4, 2018, the MMTB amended their recommendation for pavement marking material selection as follows:

"To use polyurea on all major concrete streets and HPS-8 on all major asphalt streets within the Central Business District, Triangle District, Rail District; and waterborne paint on all other streets. Depending on visibility needs and average daily traffic, polyurea or HPS-8 may be used for crosswalks adjacent to schools."

The revised recommendation for pavement marking material standards will be coming before the City Commission later this month for discussion.

**Retrofitting Existing Crosswalks**

While both of the recommendations for the design and dimensions and pavement marking material standards for crosswalks were proposed, the intent was that crosswalks would be redone to the new City standards as streets were removed and rebuilt.

However, the City Commission has expressed a desire to update or retrofit several pilot intersections downtown to meet the new crosswalk standards, even though there are no immediate plans to remove and rebuild any of the streets that are part of the pilot intersections. The pilot intersections to be updated are as follows:

Peabody & Brown Streets (CBD)  
Peirce & Townsend Streets (CBD)  
Townsend and Southfield (CBD)  
Townsend and Chester (CBD)

The amount of \$25,000 has been budgeted to retrofit all four of these intersections, which allocates approximately \$6,250 per intersection.

While each of these pilot intersections can be updated to meet the City's current standards, it is important to note that doing so is not just a matter of repainting the crosswalks in the appropriate material at the new widths in continental style, as the new widths will not match the placement and width of the existing ramps and detectible warning plates on these ramps. The Engineering Department has verified that the Michigan Department of Transportation's standard for crosswalks is that the crosswalks width should be no greater than 1 foot outside of the curb drop zone of the pedestrian ramp. The purpose of this standard is to increase safety for blind / low vision pedestrians by decreasing the tripping hazard from a curb that is located within the marked crosswalk area. This means that the updated crosswalks (which will in most cases be wider than the existing crosswalks currently in place) will be required to have the curb drop zone widened to create wider pedestrian ramps, and the detectible warning plates relocated to the center of the ramps. Accordingly, retrofitting existing crosswalks to the new standards will greatly increase the cost over the originally budgeted amount.

As an example, the Brown and Peabody intersection is one that has been recommended to be retrofit to the new crosswalk standards. Included below is an aerial of the current intersection. Due to the varying ages of the existing pavement markings, the crosswalk across Peabody is a diagonal ladder design, and the two Brown Street crosswalks are continental style. None of the existing crosswalks meet the new width requirements.



**Brown and Peabody - Currently**

However, in accordance with the new design and dimension crosswalk standards, the crosswalk layout at this intersection would change significantly when updated or retrofit. As Brown Street is a major street, the two crosswalks across Brown would be widened to 12' to meet the current standards, and the markings would continue be continental style, with 24" wide bars separated by 24" wide spaces. As Peabody is a local street, the crosswalk across Peabody would be widened to 8', and the style would be changed to the continental style, with 24" wide bars separated by 24" wide spaces as illustrated in concept below.



**Brown and Peabody - Built to New City Standards**

As noted, updating all crosswalks at the Brown and Peabody intersection to the new City standards will require the widening of the crosswalks as noted above, a new 24" bar/space design of continental striping, and the replacement and relocation of pedestrian ramps and detectable warning strips. The chart below was prepared by the Engineering Department and summarizes the cost estimate of retrofitting the crosswalks at Brown and Peabody.

<b>PAY ITEM</b>	<b>QTY.</b>	<b>UNIT</b>	<b>UNIT PRICE</b>	<b>TOTAL</b>
R & R 6" Sidewalk Ramp	800	SF	\$6	\$4,800
R & R Concrete Curb and Gutter	120	LF	\$38	\$4,560
Detectable Warning Plates	90	SF	\$35	\$3,150
Removing Pavement Markings	330	LF	\$3	\$990
Pavement Marking, Polyurea, 24" Bar	460	LF	\$13	\$5,980
Traffic Maintenance & Control	1	LS	\$3,000	\$3,000
SUBTOTAL				\$22,480
20% Administration & Contingency				\$4,496
<b>GRAND TOTAL</b>				<b>\$26,976</b>

Thus, retrofitting the intersection of Brown and Peabody to meet the City's current crosswalk standards will greatly exceed the original budgeted amount of approximately \$6,250 per intersection. It should also be noted that the Brown and Peabody intersection only has three legs, and thus only three crosswalks, where the majority of the other intersections selected as pilots to be updated have four legs, and four crosswalks which will increase the cost of retrofitting as well.

City staff is bringing this to your attention at this time to provide you with the opportunity to understand these issues. We will bring this before the City Commission at an upcoming meeting for your direction as to whether to reduce the number of pilot intersections to be updated and retrofit over the coming year, or whether to continue with plans to retrofit all four of the pilot intersections at a significantly higher cost than originally budgeted.

**DATE:** December 28, 2017

**TO:** Joseph A. Valentine, City Manager

**FROM:** Lauren Chapman, Assistant Planner

**APPROVED BY:** Jana L. Ecker, Planning Director

**SUBJECT:** Implementing a Bike Share in Birmingham

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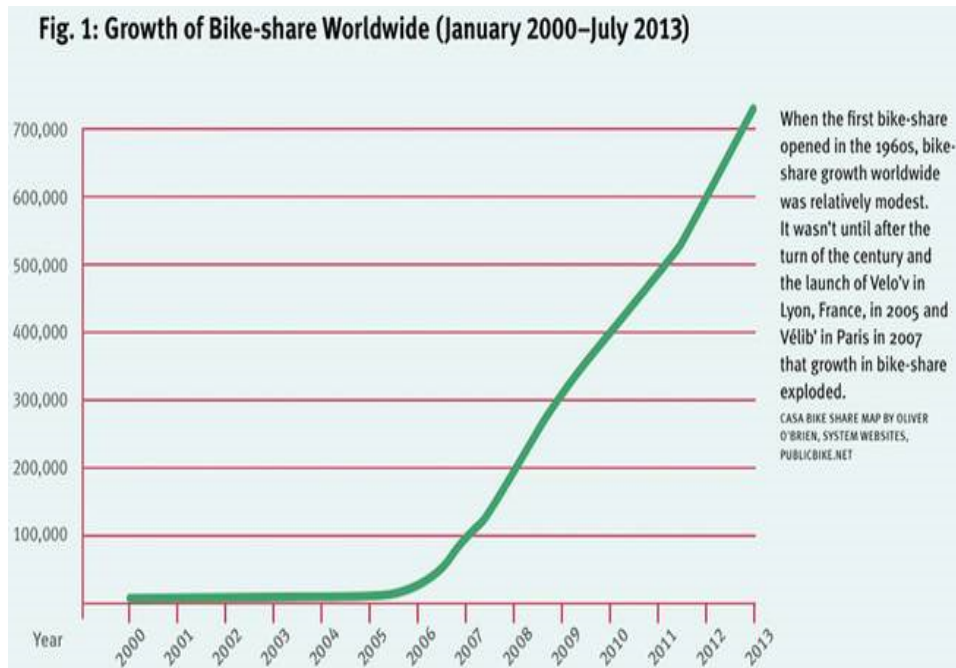
The City of Birmingham is currently exploring the possibility of implementing a bike share program. The purpose of this report is to detail how bike shares work, examples of cities with bike shares, and what options Birmingham may wish to pursue.

## **INTRODUCTION**

Bike share is a solution to the environmental, health, and transportation infrastructure challenges that face modern communities. Bike shares have been shown to:

- Link modes of transit
  - A comprehensive transportation network can maximize the reach of existing transit options by adding an additional way to get around.
- Improve public health
  - Bike sharing gets people active. The health benefits of bike sharing have been shown to outweigh the risks by a ratio of 77:1. A majority of Americans want to ride bikes more often, but 48% say they lack access to a functional bike.
- Reduce congestion
  - Washington, D.C.'s, bike share reduced congestion by roughly 3%, with each bike annually offsetting on average 250 miles of car travel. Bike shares offset emissions and reduce pollution.
- Grow economies
  - Bike share stations in Montreal raised nearby property values by an average of 2.7% — or \$8,650. Bike sharing helps people reach businesses and introduces them to new ones. Each ride in Minneapolis' bike share added \$7-14 to the local economy.
- Increase civic engagement
  - Bike share programs are placemaking tools that foster social connections by moving people out of vehicles and into their communities.

## Bike Share in Birmingham



Bike share is growing significantly in the United States and worldwide. In May 2011, there were around 375 bike sharing systems comprising 236,000 bicycles, and by April 2013, there were around 535 schemes around the world, made of an estimated fleet of 517,000 bicycles. As of June 2014, public bike sharing systems were operating in 50 countries on five continents, including 712 cities, operating approximately 806,200 bicycles at 37,500 stations.

It is important to note that bike sharing and bike lanes have somewhat of a “chicken and egg” situation. Meaning that one does not have to come first; having bike lanes could complement implementation of a bike share and having a bike share could justify the installation of new bike lanes and bolster use of existing lanes.

### HOW BIKE SHARES WORK

Although users of such systems generally pay to use bicycles that they themselves do not own, sharing systems differ from traditional for-profit bike rental businesses. Local community organizations initiated the first bike sharing projects, either as charitable projects intended for the disadvantaged, or to promote bicycles as a non-polluting form of transportation. Recently, in an effort to reduce losses from theft and vandalism, many bike sharing schemes now require a user to provide a monetary deposit or other security, or to become a paid subscriber. Most large-scale urban bike sharing programs utilize numerous bike check-out stations, and operate much like public transit systems, catering to tourists and visitors as well as local residents.

Most publicly owned bicycle sharing systems utilize funding from governmental and/or charitable sources. Bike sharing schemes may be administered by government entities, nonprofit private organizations, or via public-private partnerships.

A variety of organizations have developed many bicycle sharing schemes over the years, all based on one or more of the following systems:

### Unregulated

Bicycles are simply released into a city or given area for use by anyone. In some cases, such as a university campus, the bikes are only designated for use within certain boundaries. Users are expected to leave the bike unlocked in a public area once they reach their destination. Because users are not required to return a bike to a centralized station, ready availability of such bicycles is rare, and since another user may take an unlocked bike at any time, the original rider may be forced to find alternative transport for the return trip. Bike sharing programs without locks, user identification, and security deposits have also historically suffered large loss rates from theft and vandalism.

Civic and environmental activists started one of the first community bicycle projects in the United States in Portland, Oregon in 1994. It took the approach of simply releasing a number of bicycles to the streets for unrestricted use. While Portland's Yellow Bike Project was successful in terms of publicity, it proved unsustainable due to theft and vandalism of the bicycles. The Yellow Bike Project was eventually terminated, and replaced with the Create A Commuter (CAC) program, which provides free secondhand bicycles to certain preselected low-income and disadvantaged people who need a bicycle to get to work or attend job training courses, and the 2016 Biketown system.

### Deposit

A small cash deposit releases the bike from a locked terminal and can only be refunded by returning it to another. Since the deposit (usually one or more coins) is a fraction of the bike's cost, this does little to deter theft. Other bike sharing programs have implemented rules requiring the user to provide a valid credit card, along with substantial security deposits for bicycles and mandatory security locks.

### Membership

Bicycles are kept either at volunteer-run hubs or at self-service terminals throughout the city. Individuals registered with the program identify themselves with their membership card (or by a smart card, via cell phone, or other methods) at any of the hubs to check out a bicycle for a short period of time, usually three hours or less. In many schemes the first half-hour is free. The individual is responsible for any damage or loss until the bike is returned to another hub and checked in.

Public-private partnerships operate many of the membership-based systems. Several European cities have signed contracts with private advertising agencies that supply the city with bicycles free of charge (or for a minor fee). In return, the city allows the agencies to advertise both on the bikes themselves and in other select locations in the city. Some programs are financed as a part of public transportation scheme.

These programs attempt to reduce losses from theft by requiring users to purchase subscriptions with a credit/debit card and by equipping the bike with complex anti-theft and bike maintenance sensors. The bike sharing operator withdraws money from the

user's credit card account if user does not return the bike within the subscription period, or significantly damages the bike.

### Dockless

In China, there was a rapid increase in the size and use of private app driven dockless bike share networks in the 2010s. Dockless bike shares are designed whereby a user need not return the bike to a station; rather, the next user can find it by GPS. Dockless bike shares have been criticized as "rogue" systems instituted without respect for local authorities.

### Long-term checkout (also known as bike library systems)

Bicycles may be lent for: free, a refundable deposit, or a small fee. A user checks out a bike and typically keeps it for several months, and is encouraged or obliged to lock the bike between uses. A disadvantage of this system is a lower usage frequency per day, around three uses on average as compared to ten to fifteen uses typically experienced with other bike sharing schemes.

Advantages of long-term use include rider familiarity with the bicycle and a mode of travel that is nearby and instantly ready for use. A user can check out a bicycle like a library book and return it at any time. Additionally, a liability waiver can be collected at checkout. A person with a "library bike" can choose it for some trips instead of a car, thus lowering car usage. The long-term rental system generally results in fewer repair costs to the scheme administrator, as riders are incentivized to obtain minor maintenance in order to keep the bike in running order during the long rental period. Most of the long-term systems implemented to date are funded solely through charitable donations of used bicycles, using unpaid volunteer labor to maintain, and administer the bicycle fleet. While reducing or eliminating the need for public funding, such a scheme imposes an outer limit to program expansion.

### Partnership with other transportation providers

Some bike share programs collaborate with other transportation providers, such as bus and rail systems. Recently, car share operations began experimenting with collaborating with bike share operators.

## **BIKES**

Many community-run bicycle programs paint their bicycles in a bright solid color. Painting the bicycles helps to advertise the program, as well as deter theft. Many large-scale bike sharing programs have designed their own bike using specialized frame designs and other parts to prevent disassembly and resale of stolen parts.

When users can return bicycles to any station in the system, they are more likely to use a bike for one-way rides. Thus, one bike may take ten to fifteen rides a day with different users and can be ridden up to 6,200 miles a year.

Most bike shares use the traditional two-wheeled bike. However, other bikes can accommodate users who struggle to or cannot use traditional bikes. Adaptive bikes are designed to be inclusive of riders with disabilities, although they are not exclusively for special needs individuals. In June 2017, the city of Wauwatosa, Wisconsin collaborated with Zagster to incorporate an adaptive bike share station into their existing Bubl network. It is thought to be the first adaptive bike share station in Wisconsin, and the dual partnership is thought to be the first of its kind in the United States.

### **BIKE SHARE AGENCIES**

#### BCycle

Trek Bicycle Corporation, a family and employee-owned business, owns and operates BCycle. Founded in 1975, Trek Bicycle Corporation headquarters are in Waterloo, Wisconsin. BCycle's mission is to collaborate with campuses, corporations, and municipalities of all sizes to implement and maintain bike share systems that complement and improve existing transportation infrastructure. BCycle offers a suite of products that make riding an easy and enjoyable part of people's day, and an incredibly impactful part of any transportation network.



BCycle acknowledges that communities are different, so they focus on their partner's needs on an individual basis in order to keep their system(s) running smoothly and efficiently at all times. BCycle listens to customers and the market in order to improve products that evolve with new technologies and community needs.

#### CycleHop

CycleHop's headquarters are in Santa Monica, California. In 1997, CycleHop received the first U.S. patent for the "Automated Bicycle Rental Station." The CycleHop team encompasses 20 years of experience in the cycling industry, specifically in bike sharing, bicycle commuting, and cycle tourism. "Our mission is to inspire people to ride bicycles for the benefit of one's health, spirit, and planet. We realize this by partnering with communities and businesses to create spaces and programs that encourage people to ride."



Today, CycleHop focuses on:

- Planning, funding, and operating bike share programs for cities and businesses
- Sourcing bike share equipment and supporting clients
- Selling media and sponsorship to support bike share programs
- Consulting with cities and companies

## Bike Share in Birmingham

CycleHop sites locations to maximize ridership, connect the “last mile” of transit, serve the entire community, and optimize the system network. Cyclehop offers outreach programs, and the creation of fun brands that mirror the communities that are served. The company continually manages the brands to keep them fresh and positive. When it comes to marketing, they roll out campaigns, cultivate local partnerships, and focus on membership sales and member retention.

### Shift Transit

Shift Transit’s headquarters are in Longueuil, Quebec. Shift Transit is a comprehensive bike share service provider that collaborates with cities and non-profits to take bike share vision from concept to reality.



Shift Transit, with its' partner PBSC offers cities a unique one-stop shop solution by offering bikes, stations, software, station siting and planning, marketing, sponsorship procurement and minute-to-minute system operations.

Shift Transit has years of experience launching and managing large and successful bike share programs in North America. Shift Transit collaborates with clients – from the time a bid is awarded through program maturity –to ensure the agreed upon vision is executed. Shift Transit and PBSC are behind the bike share programs in Chicago, Columbus, Detroit, and Washington D.C.

### Zagster

Founded in 2007 and headquartered in Cambridge, Massachusetts; Zagster has over 135 bike shares in over 30 states. Zagster plans, deploys and operates bike sharing programs for cities, universities, businesses and real estate properties. The company’s goal: To make the bike the most loved form of transportation in every community.

Zagster’s programs give users the freedom to ride as long as they want, wherever they want. Because Zagster manages all aspects of its programs — from bikes and technology, to maintenance and marketing — Zagster partners can create and deploy scalable bike share systems that best suit their needs and work within their budgets.

Zagster uses analytics that give communities real-time usage data. Rider support and a nationwide network of local mechanics perform maintenance and repairs are available twenty-four hours a day, seven days a week. The company carries \$4,000,000 liability coverage to protect partners from risk. Zagster offers a comprehensive marketing program to get systems exposure and riders. Ridership data dashboards make it easy to gauge system success and adapt to usage trends over time.

## Bike Share in Birmingham

Bikes can be found via the free Zagster Mobile App or online. Zagster's cruiser bicycles feature eight gears, automatic lights, a bell and a front basket. Every Zagster bike is custom-built with components that are easy to replace.

In addition to the standard cruiser, Zagster offers six models of accessible bicycles for mixed use in Zagster bike share systems: handcycles, side-by-side tandems, heavy-duty cruisers, tricycles, recumbent tricycles and cargo tricycles.



Figure 1 Handcycle



Figure 2 Side-by-side Tandem



Figure 3 Heavy-duty Cruise



Figure 4 Standard Tricycle



Figure 5 Recumbent Tricycle



Figure 6 Cargo Tricycle

For users with compatible smartphones, Zagster's ring locks open at the touch of a button. For users without compatible phones, users unlock bikes by entering a single-use code (that is sent via the Zagster app or text message) into the on-bike keypad.

The ring lock has no removable pieces, meaning there is nothing to misplace. When locked, multiple security points repel tampering and theft. When engaged, the ring lock prevents the rear wheel from spinning, immobilizing the bike. This technology streamlines the overall process for borrowing and riding a bike, making bike sharing without a station simpler and more secure.



The ring lock and on-bike cable allow riders to stop and secure bicycles to any fixed objects during a trip - not only designated stations. This allows riders to go more places without installing more stations.

## Bike Share in Birmingham

Giving riders the freedom to check out bikes with only a phone creates a simple, streamlined bike share experience. Riders can join systems, unlock, and return bikes with the free Zagster mobile app. Riders without smartphones have full access to the bike share system via text message.

Zagster docks have integrated wheel wells that keep bikes upright and organized. Two sturdy docking cables -one securely attached to each station dock, and one retracted inside each bike- plug into the smart lock to keep bikes grounded between trips.



## FEASIBILITY ANALYSIS

As a free service to communities interested in bike sharing, a Zagster Transportation Planner will perform a feasibility analysis customized just for your circumstances and goals. There are no costs, no strings, and no contracts. The feasibility analysis is meant solely as a planning tool to arm decision-makers with the information necessary to determine if bike sharing makes sense for their communities, and if so, how to move forward with implementation. Included with a Feasibility Analysis is:

- **BIKE SHARE OVERVIEW-** The overview helps communities and stakeholders fully understand the bike share industry. This includes the history of bike sharing, and a comparison of bike share providers and technologies.
- **DEMAND ANALYSIS-** Zagster studies the city to create a model that helps you understand the potential sources and volume of demand for shared bikes. The demand analysis is crucial for determining if bike sharing will suit your city.
- **COMPARATIVE ANALYSIS-** Compares a potential partner to similar places that have implemented bike sharing. The Comparative Analysis allows communities to plan for success and avoid points of failure.
- **SCOPE AND PHASE PLAN-** This helps identify key stakeholders and determine how to fundraise to launch and sustain a successful program.
- **POST-ANALYSIS CONSULTATION-** After completion of a feasibility analysis, Zagster's team of consultants will suggest specific implementation timelines, funding and sponsorship options, and recommendations for user pricing.

As part of an implementation proposal, Zagster may visit a city to demonstrate technology and work with stakeholders on key issues like permitting and way-finding, and to help you fundraise with local, regional or national sponsors.

## Examples of cities with bike shares

Several cities have been reviewed to demonstrate how careful planning, design, and engineering can successfully implement a bike share.

## Bike Share in Birmingham

City	2010 Population	Year established	Number of stations	Number of bikes	Operator	Cost		
						Daily	Monthly	Annually
Ann Arbor	113,934	2014	14		BCycle	\$6	\$10	\$65
Beverly Hills, CA	34,687	2016	9	50	Cyclehop	\$7/hr	\$25	\$99
Detroit	713,777	2017	43	430	Shift Transit	\$8	\$18	\$80
Huntington, IN	17,541	2016	3		Zagster	\$3/hr	\$10	\$25
Port Huron	30,184	2017	4		Zagster	\$2/hr	-	\$20
Southfield	71,739	2017	7	23	Zagster	\$2/hr	-	\$25

Other small towns in Michigan that have established bike shares are Dearborn and Midland. Zagster facilitates both cities' bike shares with similar pricing. They have not been explored further in this report because City staff believes that Port Huron and Southfield are closer to Birmingham in population and location, respectively.

### Ann Arbor, MI - ArborBike

ArborBike is owned and operated by Clean Energy Coalition, a non-profit located in downtown Ann Arbor. The program was developed in partnership with the University of Michigan, the City of Ann Arbor, TheRide, and Clean Energy Coalition. These entities helped to fund, plan, site, promote, and launch the system with staff time and other resources.

ArborBike is intended for short trips around town. Members have access to an unlimited number for one hour trips while their membership is active. As long as each trip is kept under one hour, no additional fees, outside of the initial membership fee, are incurred.

If a rider wishes to ride an ArborBike for longer than one hour with no usage fees, simply return bike to any station and check the bike back out again. Trips over one hour incur usages fees at a rate of \$3 per half hour, or portion thereof.



Anyone over the age of 18 with a valid credit/debit card can become a member.

The University of Michigan, Underground Printing, Om of Medicine, State Street Association, Kerrytown Market & Shops, and UMS sponsor ArborBike.

### **Beverly Hills, CA- Beverly Hills Bike Share**



The Beverly Hills Bike Share program was launched on May 10, 2016. The system has 50 smart bikes and several stations throughout the City. Riders can use the 'Social Bicycles' smart phone app or [www.BeverlyHillsBikeShare.com](http://www.BeverlyHillsBikeShare.com) website to sign-up, find available bikes and docking stations, and reserve bikes. The Beverly Hills Bike Share system will be compatible with the bike share system in future adjacent jurisdictions.

For the Pay As You Go plan, minutes are purchased in advance and balance of available time is reduced when used, with no expiration. Bikes can only be locked to bike share hubs or public bike racks. The rider is solely responsible for any moving violations and/or fines incurred while using the bike, including any fees for parking the bike in prohibited locations.



In addition to Pay As You Go and monthly and annual plans, The Beverly Hills Bike Share offers a student plan that costs \$7 a month. The minimum age is 18 to check out a bike with a credit card and 16 to ride.

### **Detroit, MI- MoGo**

MoGo is a station-based system that offers bikes for public use. Wayne State University's Office of Economic Development planted the seeds for MoGo in 2012. Several local foundations and corporations helped fund a feasibility study in 2013, this served as the road map for implementing a bike share in Detroit. MoGo became a nonprofit affiliate of the Downtown Detroit Partnership in 2015.



MoGo is made possible through a partnership with the City of Detroit Department of Transportation, who helped secure federal non-motorized transit funding for MoGo and select the system's equipment provider and operator, PBSC Urban Solutions and Shift Transit.

MoGo received a Transportation Alternatives Program Grant in for FY 2016. The project received \$1,075,001 and provided a match of 37%. The grant helped the purchase and installation of up to 35 bike share stations and related bike share amenities throughout Greater Downtown Detroit. The project aligned with the construction of M-1 Rail and is expected to alleviate traffic congestion and parking challenges in Downtown Detroit.

MoGo is available 24 hours a day, 7 days a week, and 365 days a year, with the exception of severe weather.

## Huntington, IN

There are bike stations at Huntington University, the library, and Drover Park. The plan is designed for additional stations in the future as needed.



A city official stated that they “started this program to create another amenity for our citizens—something to get people outside and active. It’s also something to attract tourists to explore Huntington. This will also be something to promote our growing multi-purpose trails and our on-street bicycle route systems. This project is a small part in a larger goal to become a designated bicycle-friendly community through the League of American Bicyclists.”

## Port Huron, MI



City officials and local business owners have said they hope the bike share brings more tourism to Port Huron. The program was announced in spring of 2017. Members get their first hour free. Users will incur a \$24 overtime charge if they kept the bike longer than a day.



Blue Water Area Transit, St. Clair County Community College, the Downtown Development Authority, Blue Water Convention and Visitors Bureau, and Port Huron law firm Fletcher Fealko Shoudy and Francis are partners.

## Southfield, MI

The city of Southfield, in partnership with Zagster, Inc., launched a bike share program that will provide residents and visitors with a convenient, affordable and healthy way to get around town.



Twenty-one cruiser bikes and two accessible bikes, are available at seven stations located throughout the city for riders to use. Riders must be 18 or older. Student annual memberships are available for \$10. Rides for members are free for the first hour, then \$2 per hour; rides for non-members cost \$2 per hour with a maximum charge of \$20 per day for both members and non-members. There is no additional cost for membership; however, all riders must register to participate.

The Southfield City Centre Advisory Board is sponsoring a one-year trial period for the bike share program, which includes all maintenance and insurance.

## **NEXT STEPS**

### Conduct a feasibility study

This can provide the information necessary to determine if bike sharing makes sense for the City, and if so, how to move forward with implementation. A feasibility study should last for at least a year, two to three years is ideal however. Less than a year does not allow for riders and potential riders the opportunity to gain familiarity with the system or for the system to gain momentum. The estimated cost for a feasibility study is \$100,000; however, Zagster offers a free feasibility study. If the City decides to implement a bike share the following options are available:

#### 1.) Manage Own Bike Share

If the City wants to manage a bike share without the assistance of an outside agency, the bike share would likely be a long-term checkout system operated by DPS. A long-term checkout system would not likely have high ridership numbers because many City residents may own or otherwise have access to a bicycle. However, it could still serve as a valuable amenity for the community.

#### 2.) Contract With A Bike Share Agency

Several agencies collaborate with communities of various sizes to begin and maintain a bike share. Four of those agencies were explored earlier in this report. Pricing is highly dependent on what the City's goals for the program are. The number of desired bikes and stations are the key variables that determine the cost of implementation.

#### 3.) Joint Venture With Another City

In 2015, the Citi Bike system that began in New York City in 2013 expanded to Jersey City. One membership works for both Citi Bike New York and Citi Bike Jersey City.

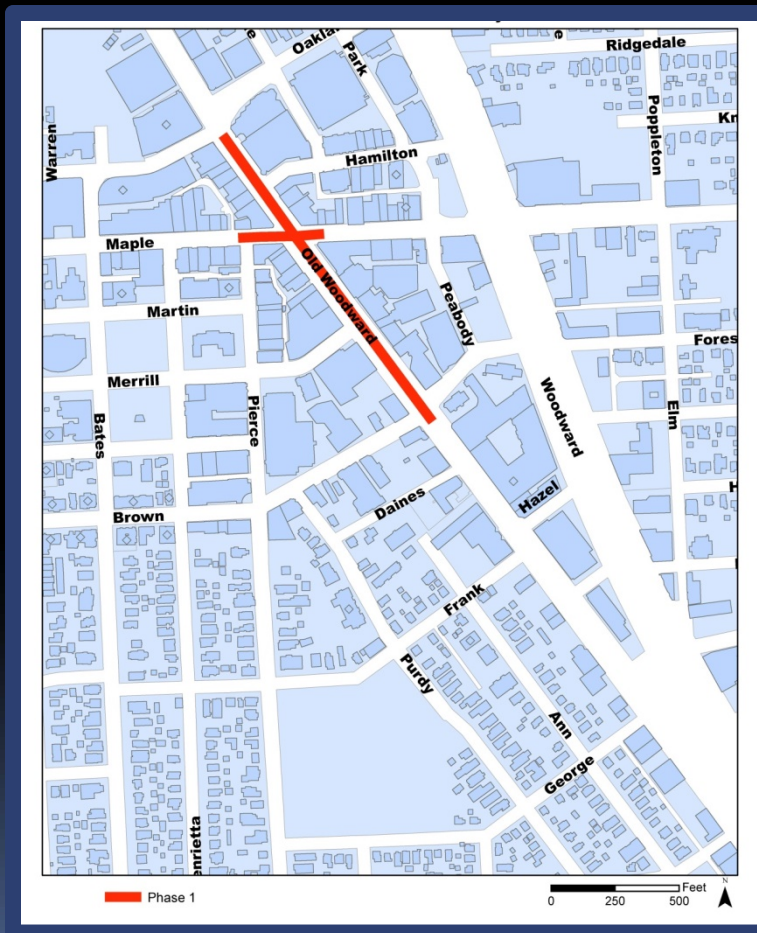
The nearest Southfield bike share station is located on Evergreen just south of 11 Mile. Birmingham's city border at 14 Mile is approximately a 20-minute bike ride from that station. This close proximity could open the possibility for a partnership between the two cities. Southfield bike share is through Zagster. In order for the two systems to be compatible, Birmingham would also have to contract through Zagster.



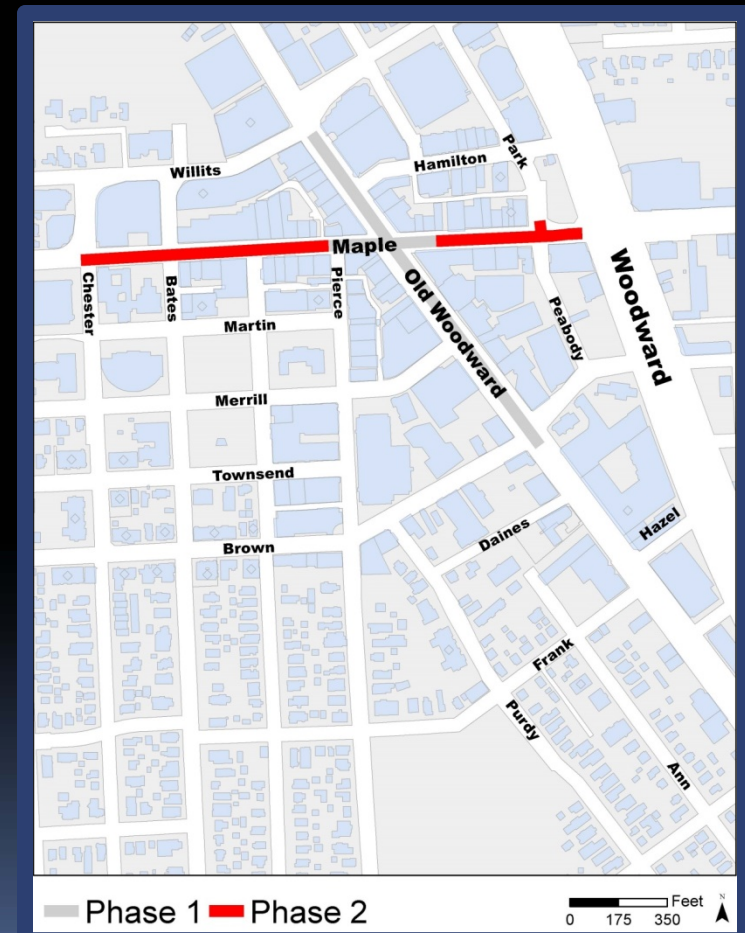
# OLD WOODWARD RECONSTRUCTION PROJECT

Long Range Planning – January 27, 2018

# Project Limits

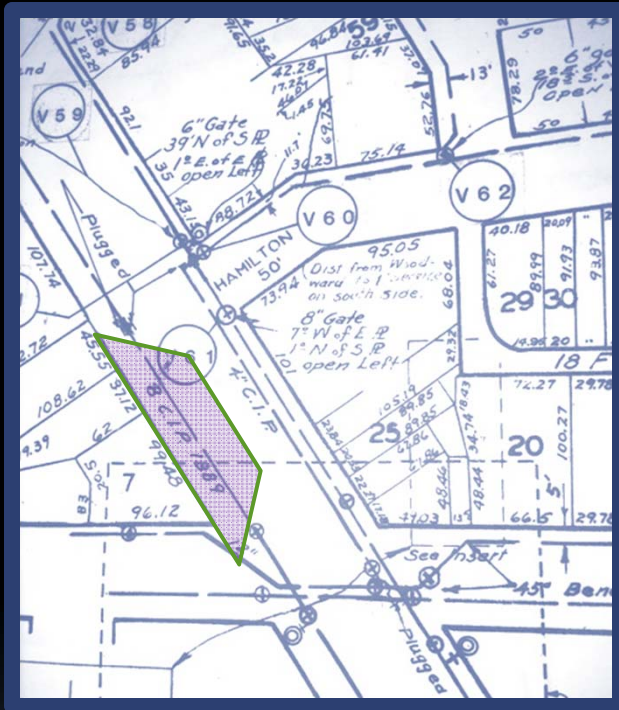


2018



2020

# Underground Infrastructure Improvements



- Installation of all new water and sewer lines given the age of the existing pipes throughout the project area
- Installation of new electrical and communications infrastructure and new pedestrian scale and intersection lighting



# Pedestrian Improvements

- Widening of pedestrian zones to allow wider sidewalks and an enhanced pedestrian environment for the central business district



- Removal of double curbs along Maple



- The installation of expanded curb bumpouts at intersections to reduce the length of pedestrian crossings

# Traffic Calming

- The addition of medians and mid-block crossings to enhance the pedestrian environment and calm traffic



- Narrowing of the road width dedicated to traffic flow to reduce speeds

## Recommended Street Section

### Phase II | Mid-Block Crossing | Maple Road

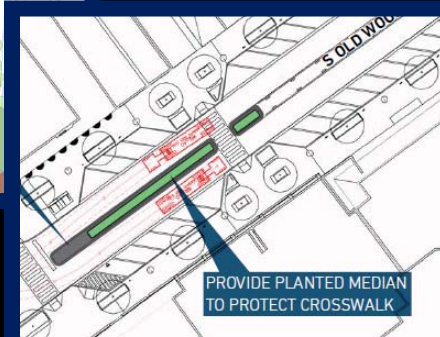


MKSK

# Enhanced Landscaping



- Installation of much larger tree wells (5' wide by 12' long on average, compared to existing 4' by 4' tree wells)
- Installation of landscape planters and landscaped medians at key locations



- Installation of 60 new street trees, a minimum of 3.5 - 4" in caliper at the time of planting, with mature heights between 40 and 80' in height (compared to total of 38 existing street trees in the Phase 1 project area)
- Installation of a new irrigation system



# Birmingham's New Main Street

## Recommended Street Section

Phase I | Mid-Block Crossing | Old Woodward Ave

11



MKSK

- Overall new design concept for Old Woodward to create a unique streetscape to highlight the street's importance



## MEMORANDUM

**DATE:** January 9, 2017

**TO:** Joseph A. Valentine, City Manager

**FROM:** Ingrid Tighe, Executive Director

**SUBJECT:** Plan to Assist Businesses during 2017 Road Construction

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To assist businesses during the upcoming Old Woodward Construction, the BSD will conduct the following activities to promote downtown Birmingham and encourage customers to continue to patronize establishments during the project. The campaign comprised of a combination of signs, marketing, and events is based on successful practices used on other construction projects conducted in the city such as major road work on Hamilton Row.

### **Merchant Communication**

Regularly scheduled merchant meetings will be held before and during the project. Additionally, the BSD will be using various social media channels such as Facebook, Twitter, Instagram, and weekly e-mail to provide project updates with photos and descriptions of the work to be done.

### **Advertising, Signs and Promotions**

**Themed Advertising Campaign:** Our construction theme is "Pave the Way for a more Beautiful Downtown" designed by Harris Marketing Group. This logo and slogan will be used on all of our marketing material.



**Free Valet Parking:** At least three locations will serve the public and be located at:

- Old Woodward at Willits
- Maple at Henrietta
- Old Woodward south of Brown

All locations will be well-marked with prominent signage and well-advertised to alert shoppers of this convenience.

**Enhanced signage and lighting:** Based on the same design as Pierce and Hamilton, colorful individual store signs will be placed on tall posts in front of stores. Additionally, mini-lights will be draped between the sign poles to add light and color. Last, large colorful banners will be located at the barricade entrances indicating STORES ARE OPEN.



## Activities and Events

**Cash Mobs:** In partnership with Chamber of Commerce, this is a “spontaneous” promotional event, inspired by flash mobs, where a group of people assemble at a local business to make purchases to support both the local businesses and the overall community.



**“Birmingham Bucks”:** A system of rewards redeemable on merchandise and food at BSD stores and restaurants. Make a purchase at a brick-and-mortar BSD location during the construction period, and a customer can earn “Birmingham Bucks” based on how much she spends. The customer can then redeem the rewards for a specific dollar amount off of future purchases in the BSD.

**Family Day** featuring kids activities, construction equipment, photos, etc.



**Paint the Barricades** public art program.

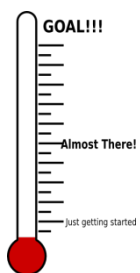
- Kids art contest during Family Day using paint or chalk.
- Commission professional artists to paint or chalk art sections of the sidewalk barricades. Possibly have them do this during an event so visitors can watch them work.



**Selfie Spot** with a construction cutout.



**Progress Thermometer Sign**





## MEMORANDUM

**DATE:** January 9, 2017

**TO:** Joseph A. Valentine, City Manager

**FROM:** Ingrid Tighe, Executive Director

**SUBJECT:** BSD Retail Consultant

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In 2009, the BSD implemented an initiative to retain a retail leasing consultant to assist with bringing key retailers to the downtown. This service assists commercial property owners and gives Birmingham a competitive recruitment advantage over other downtown districts. The BSD board voted in September 2017 to broaden its business development with the following strategy:

- Support and retain existing businesses by connecting current merchants, restaurants, and businesses to resources.
- Attract new retailers using a three - prong approach attracting 1) local, Michigan-based stores 2) regional retailers and 3) national retailers.
- Retain a third party consultant to conduct a metro analysis, community core analysis, and development of marketing and branding program. Additionally, conduct market research analysis to determine strong national and local retailers that would fit well in the BSD to build a robust tenant recruitment plan.
- Implement a City, Property Owner, and Broker program to connect brokers representing specific properties to potential businesses interested in locating to Birmingham.

To accomplish the above goals, the BSD retained Buxton Company to create a comprehensive marketing strategy that enables the BSD to understand the consumer profile of our retail trade area and to identify specific retailers who will fit well in the BSD.

The proposed timeline for implementation and execution of the BSD retail attraction strategy is as follows:





## MEMORANDUM

Engineering Dept.

**DATE:** January 5, 2018

**TO:** Joseph A. Valentine, City Manager

**FROM:** Paul T. O'Meara, City Engineer

**SUBJECT:** Backyard Sewer & Water Master Plan  
Progress Update

---

As you know, in 2011 the City Commission approved a Master Plan directing how to address the future maintenance needs of the City's backyard sewers and water mains. As shown on the attached map, the following highlights progress made over the past several years, as well as progress being made currently:

1. Main line storm sewers have been constructed on the W. Lincoln Ave. and Oak St. corridors, helping remove storm water flows from the combined sewer system. More significantly, both pipelines help prepare for additional storm water diversion in the future as streets upstream of these streets are reconstructed.
2. All subdivision areas relying on backyard water main systems have now been reconstructed, providing all properties with the opportunity to connect their buildings to a newer public water main located in the street. The entire backyard system in the Crestview Subdivision has now been disconnected and shut down. Disconnections are now in progress in the two east side subdivisions as well as Old Salem Ct., with final shutdown of these backyard systems planned between 2022 and 2024.
3. At the beginning of 2017, several of the Quarton Lake Estates Subdivision blocks had almost 100% of the needed easement acquisitions completed. A focused effort on the part of the Engineering Dept. resolved the majority of them, allowing a sewer lining contract to be let out for bid in October. The City and contractor are currently working with individual homeowners where work is required to access manholes in backyards. Several manholes have been buried, and fences built close or over the top of manholes must be temporarily dismantled. Repairs to manholes and internal camera inspections are now underway, with lining planned to start in February.
4. Once the lining program was announced, the Engineering Dept. worked with the neighborhood association to update residents on the easement acquisition effort. This communication has helped in obtaining easements from some of the remaining holdouts on blocks north of Oak St. Our office is now focusing communications further with remaining owners on three blocks. If successful, up to three additional blocks of lining may be able to be added to this contract.

Once the current lining program is finished, the Engineering Dept. will start a new campaign to work with homeowners in both Quarton Lake and the small area on E. Maple Rd. advertising the progress that has been made, and again asking that they work with the City to sign the necessary easements.

# BACKYARD SEWER & WATER MASTER PLAN UPDATE

LONG RANGE PLANNING SESSION  
JANUARY 27, 2018

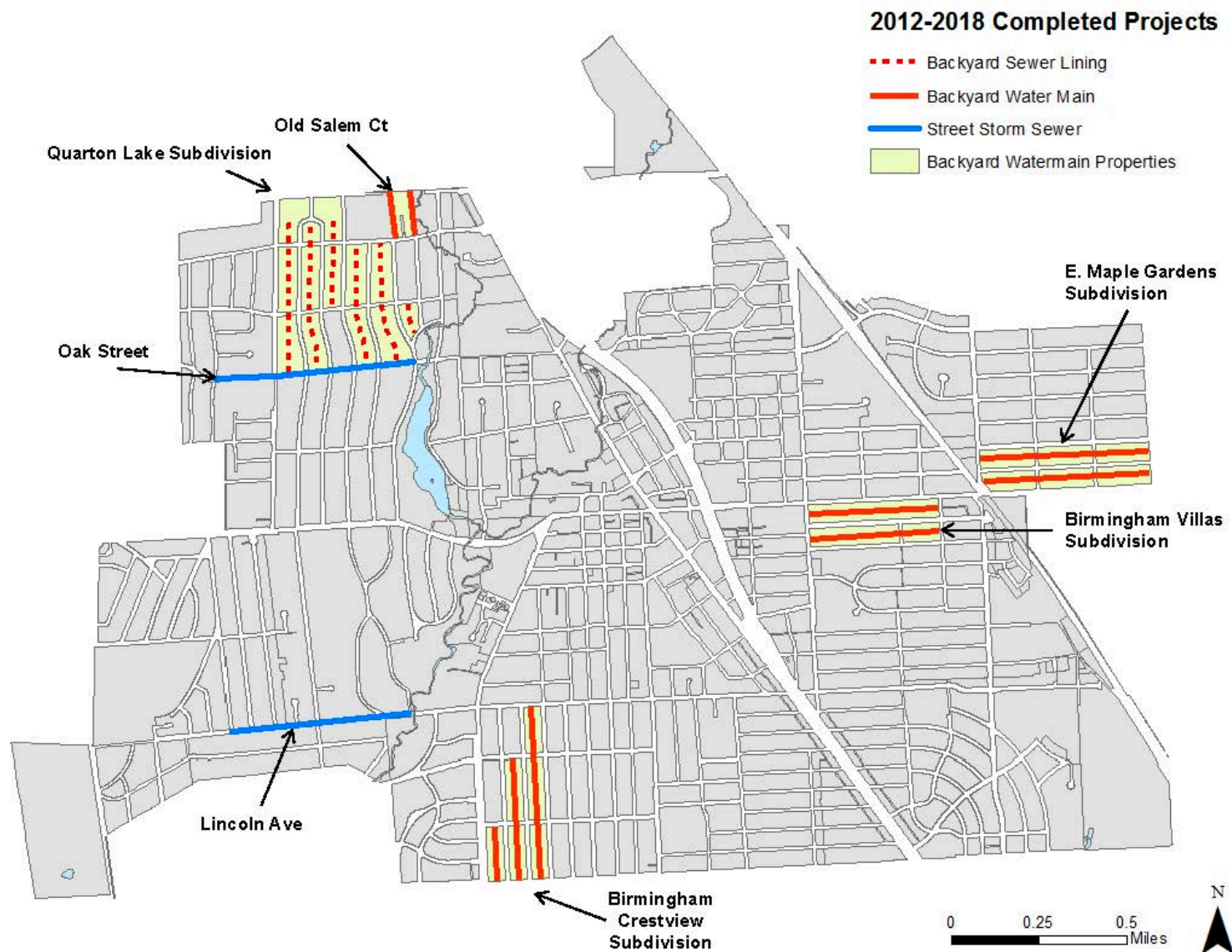
*City of Birmingham Engineering Dept.*

# BIRMINGHAM BACKYARD SEWER AND WATER MASTER PLAN

Approved July, 2011

A holistic, eight year plan to address three remaining neighborhoods that were built with backyard water mains and/or sewers.

# BACKYARD SEWER & WATER MASTER PLAN



# BACKYARD SEWER & WATER MASTER PLAN

## North Quarton Lake Subdivision Easement Status



### Status

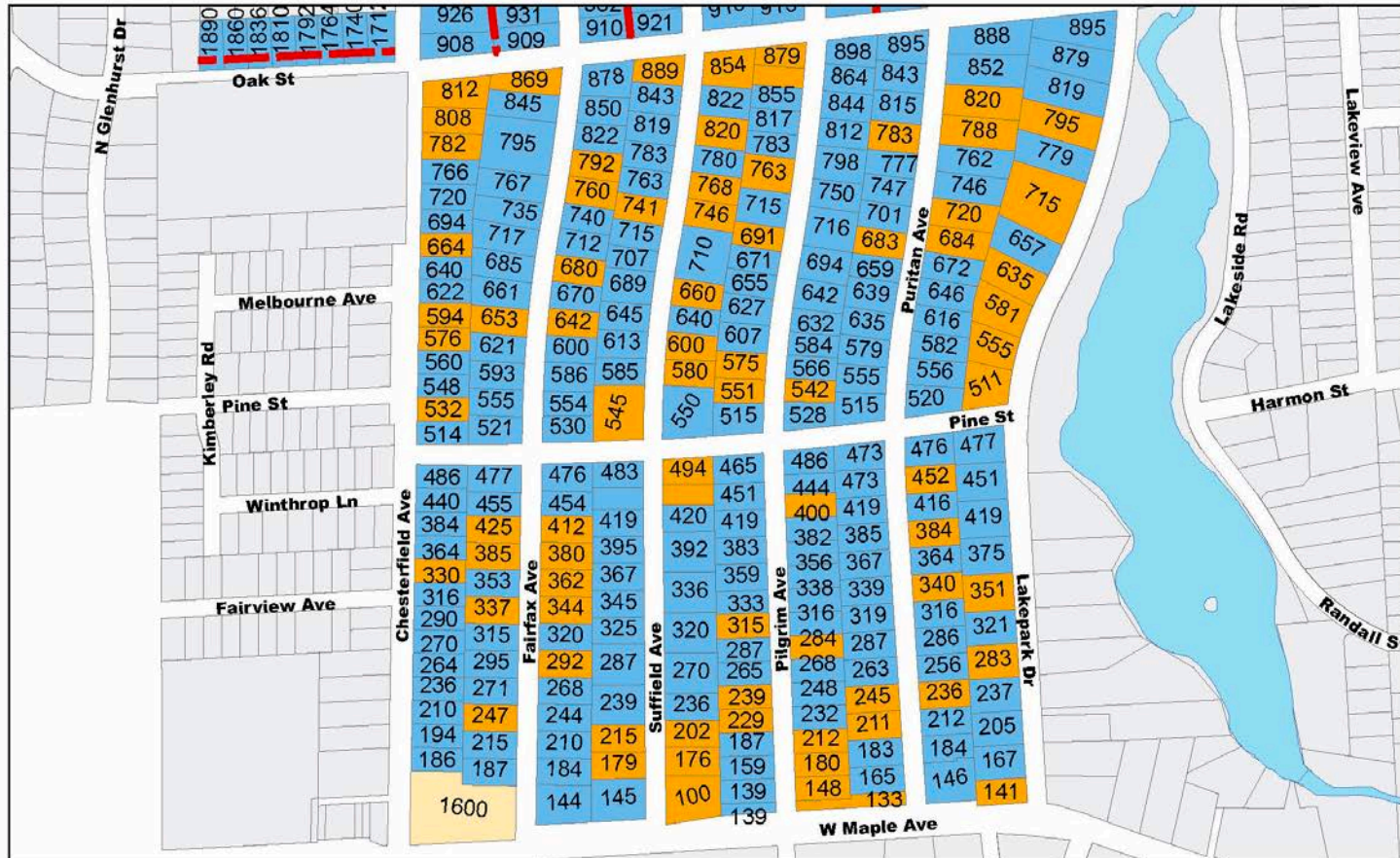
- Easement Not Needed
- Have Easement
- Need Easement

0 295 590 Feet



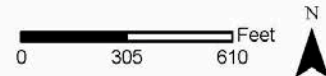
# BACKYARD SEWER & WATER MASTER PLAN

## South Quarton Lake Subdivision Easement Status



### Status

- Easement Not Needed
- Have Easement
- Need Easement



# BACKYARD SEWER & WATER MASTER PLAN

## East Maple Gardens Easement Status



BACKYARD SEWER & WATER  
MASTER PLAN

## EASEMENT ACQUISITIONS

Quarton Lake Estates Subdivision –  
253 Recordable Easements Received (76%)

East Maple Gardens Subdivision –  
19 Recordable Easements Received (73%)

# BACKYARD SEWER & WATER MASTER PLAN



BACKYARD SEWER AND WATER  
MASTER PLAN

Questions?



## MEMORANDUM

Engineering Dept.

**DATE:** January 5, 2018  
**TO:** Joseph A. Valentine, City Manager  
**FROM:** Paul T. O'Meara, City Engineer  
**SUBJECT:** Central Business District  
Auto Parking System Initiatives

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As the economy continues to improve, demand for parking spaces continues to increase. The following summarizes the various means that the City is employing or exploring to help make the parking system better for the public, while increasing capacity to meet the growing demands of the Central Business District.

Topics will include:

1. Parking Structure Utilization
2. Parking Facilities Expansion
3. Temporary Parking Lots
4. Off-Site Parking Opportunities

In addition to the above, additional information regarding the current status of the on-street parking meters will be provided by the Police Dept. under separate cover.

### **Parking Structure Utilization**

#### **a. Parking Structure Rooftop Valet Assist Program**

Starting in June 2016, the City added a rooftop valet service at the N. Old Woodward Ave. Parking Structure on Tuesdays, Wednesdays and Thursdays. On these days, the rooftop of the parking structure is controlled by valet staff during the peak demand hours of the day (about 10 a.m. to 2 p.m. or later, depending on demand). Drivers that are unable to locate a vacant space on the lower levels of the parking structure have the opportunity to use the valet service located at the entrance to Level 5. The valet operation allows the building to hold about 50 more cars than it would without the valet. Implementation of the rooftop valet service has eliminated closures at this deck (due to being at full capacity). The City is paying for the valet services that are provided by SP+. There is no fee to patrons for this service.

Starting in June, 2017, the City undertook a steel painting project in the Park St. Structure. The painting project required closing off about 18% of the parking spaces at one time in order to create a safe working space. Knowing that the parking structure was operating near capacity every day already, the rooftop valet assist program was implemented five days per

week to help keep the structure open during construction. The rooftop valet was also increased to five days per week at the N. Old Woodward Ave. Structure, since traffic was expected to increase there as well. Thanks to the rooftop valet program, even though as many as 150 parking spaces were closed in the structure, it only filled to capacity twice during the entire construction period. Without the rooftop valet program, it is expected that the structure would have had to close four to five days per week.

During the upcoming construction on Old Woodward Ave. in the spring and summer of 2018, approximately 130 on-street parking spaces will have to be removed from service for several months. The BSD plans to operate three or perhaps even four valet stations during the construction period. Each of these locations are meant to provide convenient valet service immediately adjacent to the construction area so that patrons have a clear and easy to use option for parking upon reaching the road closure zones. Plus, for those parking less than two hours, there will be no cost to the customer.

Once the valet stations are operating, it will be important for the City to provide a location close to each station to park customers' vehicles. The City Commission has authorized the City to implement the Rooftop Valet Assist program at four of the five parking structures, effectively providing an additional 250 parking spaces throughout the system. (Due to the lack of open space available on the roof of the Peabody St. Structure, no rooftop valet is planned in that building.) We have directed SP+ to be prepared to begin rooftop valet services at all four of the structures beginning at the same time that the street closes for construction, not only to allow for a positive valet experience, but also to help avoid days when any of the parking structures fill to capacity.

#### b. Management of Long-Term Employee Parking

As you know, the demand for monthly parking permits from employees continues to exceed the supply. The number of employees parking in the structures without permits has increased as a result.

One benefit of issuing monthly permits is the additional control the system gains over such parkers. Monthly permit holders sign a contract, and are required to have their windshield tagged designating them as a monthly parker. Once tagged, they are required to park in the less desirable parking space, generally located at Level 3 and above. The monthly spaces are designated by yellow paint markings, instead of white. Employees that do not have a permit are not tagged, and they can therefore park in the most desirable parking spaces in the structure when they arrive in the early hours of the business day.

The dynamics in each parking structure is different, given the different layouts of each building, as well as the customer base. No Parking Zones from 7 AM to 9 AM have been implemented on the entrance levels in some locations, with good results, helping keep all parking clear until the majority of the employees have arrived for the day.

SP+ is currently surveying traffic patterns in all five parking structures around 10 AM to help determine the extent of all-day parking that is occurring without monthly permits. Once more data is available, staff will review options with the Advisory Parking Committee to help motivate employees to park on the upper levels. Methods that will be explored will include:

1. Expanding or modifying the No Parking Zones from 7 AM to 9 AM, to keep more parking places clear of long-term employee parked cars.
2. Implementing the Rooftop Valet Program on a more frequent basis. Doing so would potentially allow the sale of more monthly permits. Once employees are issued a permit, they would then have their vehicles tagged, and would be forced to park on the upper levels, including the roof. While some permit holders have expressed that they do not want to participate in the rooftop valet, we plan to modify the contract to make it clear that if one wants to obtain the benefits of the lower price that a monthly permit brings, they must park their car in the allotted area, which may include the rooftop valet.

### **Parking Facilities Expansion**

The City currently has two parking facility expansion projects in the planning stage. The complete reconstruction of the N. Old Woodward Ave. Parking Structure and lot is being reviewed under separate cover. The possible expansion of Parking Lot #6 is detailed below.

#### **Parking Lot #6 Area**

Currently, the Auto Parking System operates Parking Lot #6 as well as the on-street parking meters on N. Old Woodward Ave., managing it as best as possible to satisfy the needs of the employees, but more importantly, provide sufficient parking for customers. Parking demand exceeds supply in this area routinely on Thursdays and Fridays, during the early afternoon. Options such as providing a public valet service, or forcing employees to park further away, have been problematic due to the lack of options.

The pavement surface on the majority of the parking lot is now over 20 years old, and needs to be resurfaced. A public discussion about parking lot expansion held about 9 years ago met with resistance from the adjacent residential neighborhood, so it was not pursued. Now that a construction project is being planned for the lot, the Advisory Parking Committee asked staff to further explore expansion options for the lot. Given the close proximity to the river, staff sees the opportunity to improve the area with respect to improving the quality of the lot's storm water discharge. By improving the environmental impact the lot makes on the adjacent river, it is hoped that public perceptions about an expansion will be met with better results.

The engineering firm of Hubbell, Roth, & Clark (HRC) has been hired to prepare conceptual plans to help envision various ways that the lot can be improved. Three options have been drawn, with cost estimates, and presented to the Advisory Parking Committee. (When reviewing the options, note that the center part of the lot was just repaved last year as a part of an Oakland Co. Water Resources Commissioner sewer improvement, so that part is being left as is.) A public hearing is scheduled for their meeting of March 7. At that time, the business community, as well as the neighboring residential community, will be advised about the hearing, and encouraged to comment. The three options being considered include:

Option A – Add arborvitae along the east edge of the lot for screening, and resurface the majority of the asphalt pavement. The estimated cost is \$243,000.

Option B – Remove and relocate the east side curb about 4 feet further east, close to the existing pine trees. Pave the area in between, providing space for 14 additional parallel parking

places in this area. Add arborvitaes along the east edge of the lot for screening, and resurface the majority the asphalt pavement. The estimated cost is \$289,000.

Option C – Remove the existing pine trees east of the parking lot. Remove and relocate the east side curb about 20 feet further east. Pave the area in between, providing space for 34 additional head-in parking places in this area. Construct the curb and gutter in this area so that almost all drainage from the parking lot is directed into a bio-swale constructed east of the lot, which would then flow into a sedimentation area that would provide further water filtering before it then enters the adjacent river. The bio-swale would include plant selections that would improve screening of the lot from the adjacent homes to the east. The estimated cost is \$498,000.

After receiving feedback from the community, the Advisory Parking Committee hopes to advance a proposal to the City Commission, with construction planned for the spring of 2019.

### **Temporary Parking Lots**

Since demand for parking has grown in the Central Business District the past several years, staff have continued to seek opportunities for temporary parking options that could help relieve demand on the existing facilities.

Currently, a temporary gravel parking lot is operating at 35001 Woodward Ave. (at the northwest corner of Maple Rd.). The owner has leased the lot to the City since the summer of 2016, at no cost to the system other than to take over maintenance costs for the property. The lot, which contains 38 parking spaces, currently allows for the sale of 50 monthly permits. Permit holders have been taken from the adjacent Park St. Structure waiting list as a means to provide a lower cost option while they wait for a permit inside the structure. Permit holders are encouraged to keep their name on the waiting list, as there is no assurance how long this opportunity will last.

We have also been in discussions with the owner of the property at 34952 Woodward Ave. (at the southeast corner of Maple Rd.). This property would provide an opportunity to park about 175 vehicles temporarily until a construction project materializes here. We are encouraged from recent discussions that the City may be able to open such a lot in the spring of 2018. Monthly permit holders from both the Park St. and Peabody St. Structures would be the first invited to purchase a parking permit in this lot, helping remove vehicles from the parking structures, and giving employees a lower cost parking option.

### **Off-Site Parking Opportunities**

Starting almost two years ago, staff discussed parking lot leasing options with three different churches located relatively close to downtown. The three church lots are located at:

First United Methodist Church – 1669 W. Maple Rd.

Ascension of Christ Lutheran Church – 16935 14 Mile Rd. (Beverly Hills)

Our Shepherd Lutheran Church – 2225 E. 14 Mile Rd.

The leases represent an opportunity for employers, particularly large ones, to set up an off-site parking program for their employees. The employer would ask groups of employees to park at the off-site lot each day, and then they would set up a means to get the employees from the lot

to their place of work downtown. Options include carpooling (where one car could be parked in a structure for four employees), transit, or valet. All parking costs in the remote lot would be free to the employer, and they would just be responsible for the cost of transportation to the place of work. To date, no employer has been willing to join such a program voluntarily.

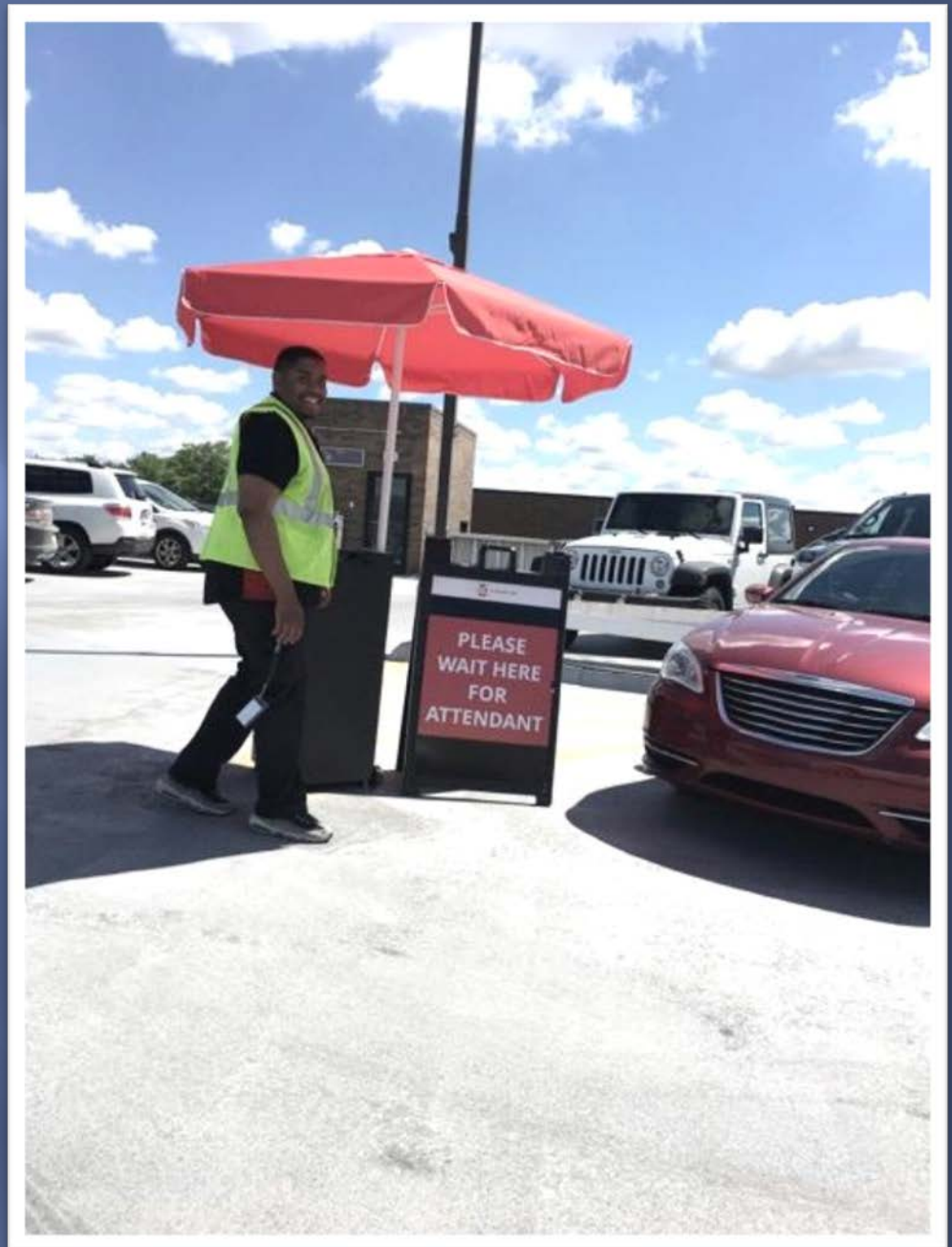
In the coming months, staff will be working to devise a policy wherein employees from buildings now under construction or planned in the future would be required to spend a period of time parking in such a remote lot before being offered monthly parking passes. The City would have to take a more active role in providing the transportation from the remote lot to downtown. The details of the program have yet to be established.

CITY OF BIRMINGHAM  
AUTO PARKING SYSTEM

# PARKING INITIATIVES



# ROOFTOP VALET ASSIST PROGRAM





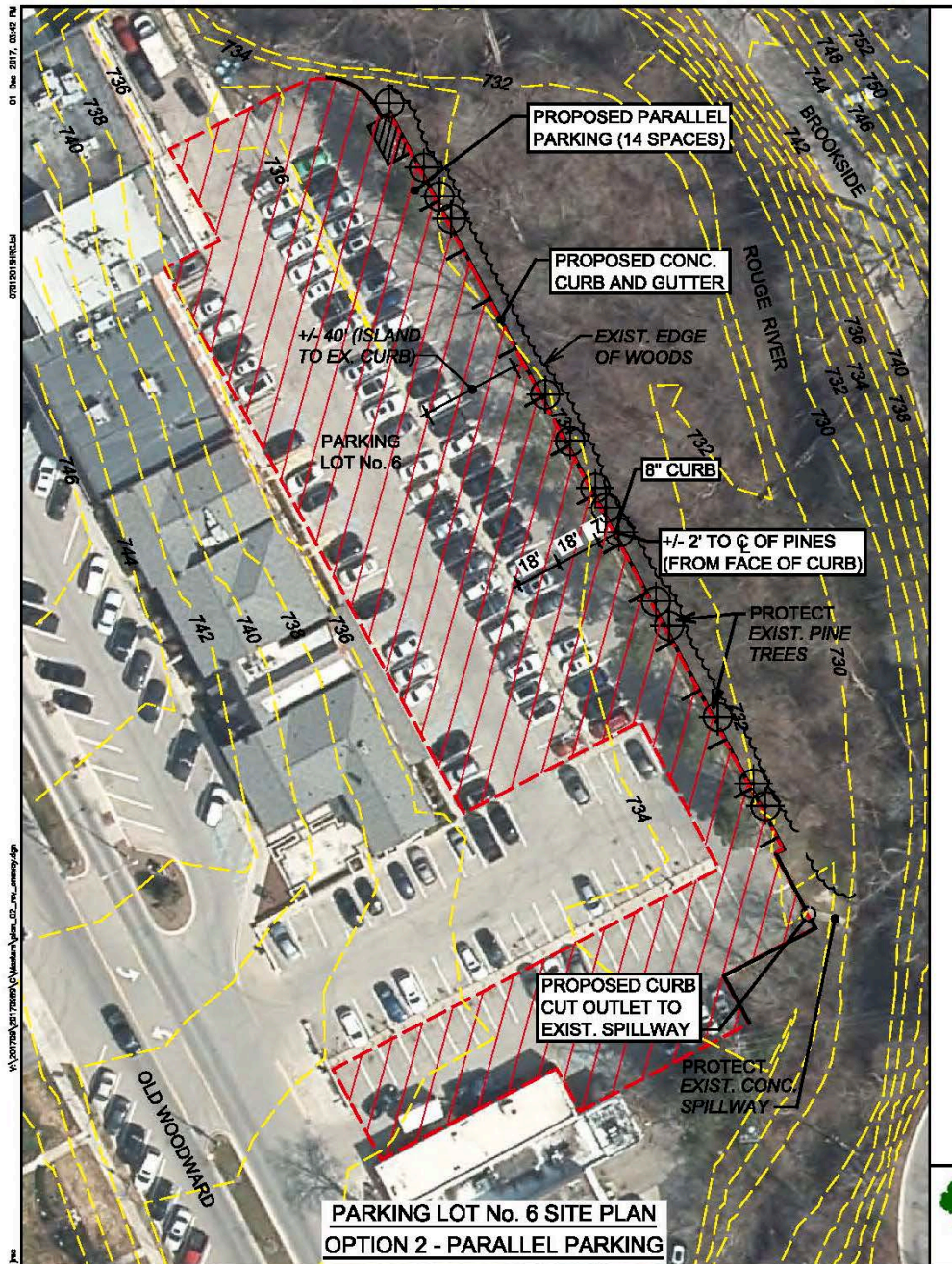
# MONTHLY PARKING PERMIT MANAGEMENT



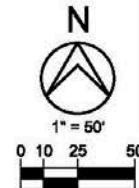
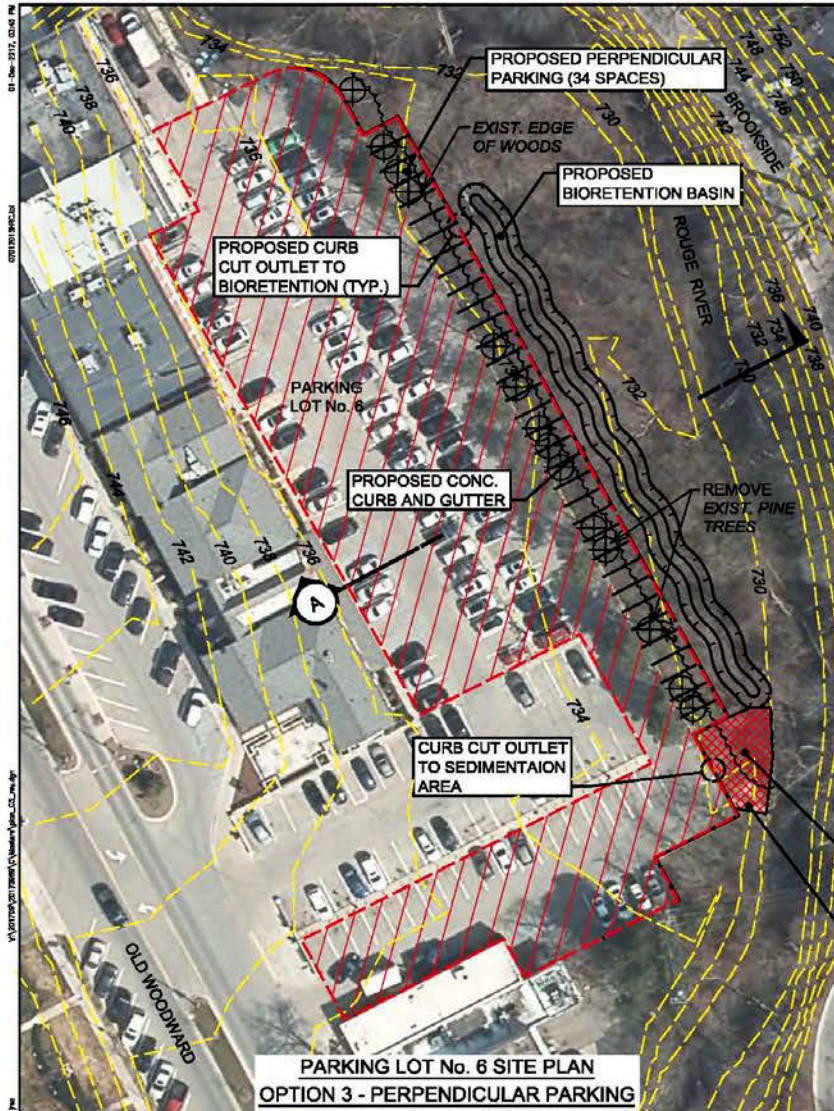


# PARKING LOT 6 IMPROVEMENTS OPTION 1

# PARKING LOT 6 IMPROVEMENTS OPTION 2



# PARKING LOT 6 IMPROVEMENTS - OPTION 3

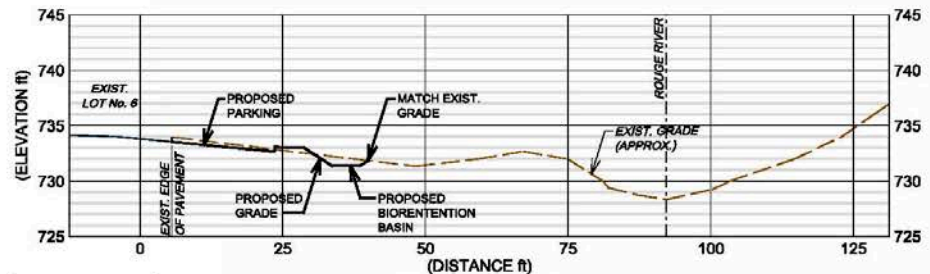


APPROXIMATE LIMITS  
OPTION 3 RESURFACING

PROPOSED  
SEDIMENTATION AREA

**NOTE:**

1. REMOVE EXISTING STAND OF PINE TREES ALONG EAST SIDE OF PARKING LOT.
2. EXISTING LIGHT POLES (4 TOTAL) WILL NEED TO BE RELOCATED TO ACCOMMODATE NEW PARALLEL PARKING.
3. LIMIT REMOVAL OF EXISTING VEGETATION AND SUPPLEMENT WITH ADDITIONAL SCREENING AS NECESSARY.

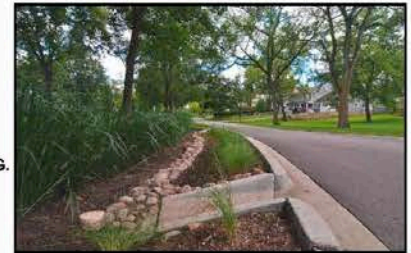


PROPOSED  
SEDIMENTATION  
AREA

REMOVE EXIST.  
CONC. SPILLWAY

**SITE SECTION - A**  
SCALE: 1" = 20' HORIZ.  
1" = 10' VERT.

## BIORETENTION BASIN EXAMPLES



## CITY OF BIRMINGHAM PARKING LOT No. 6 REHABILITATION DESIGN OPTION 3

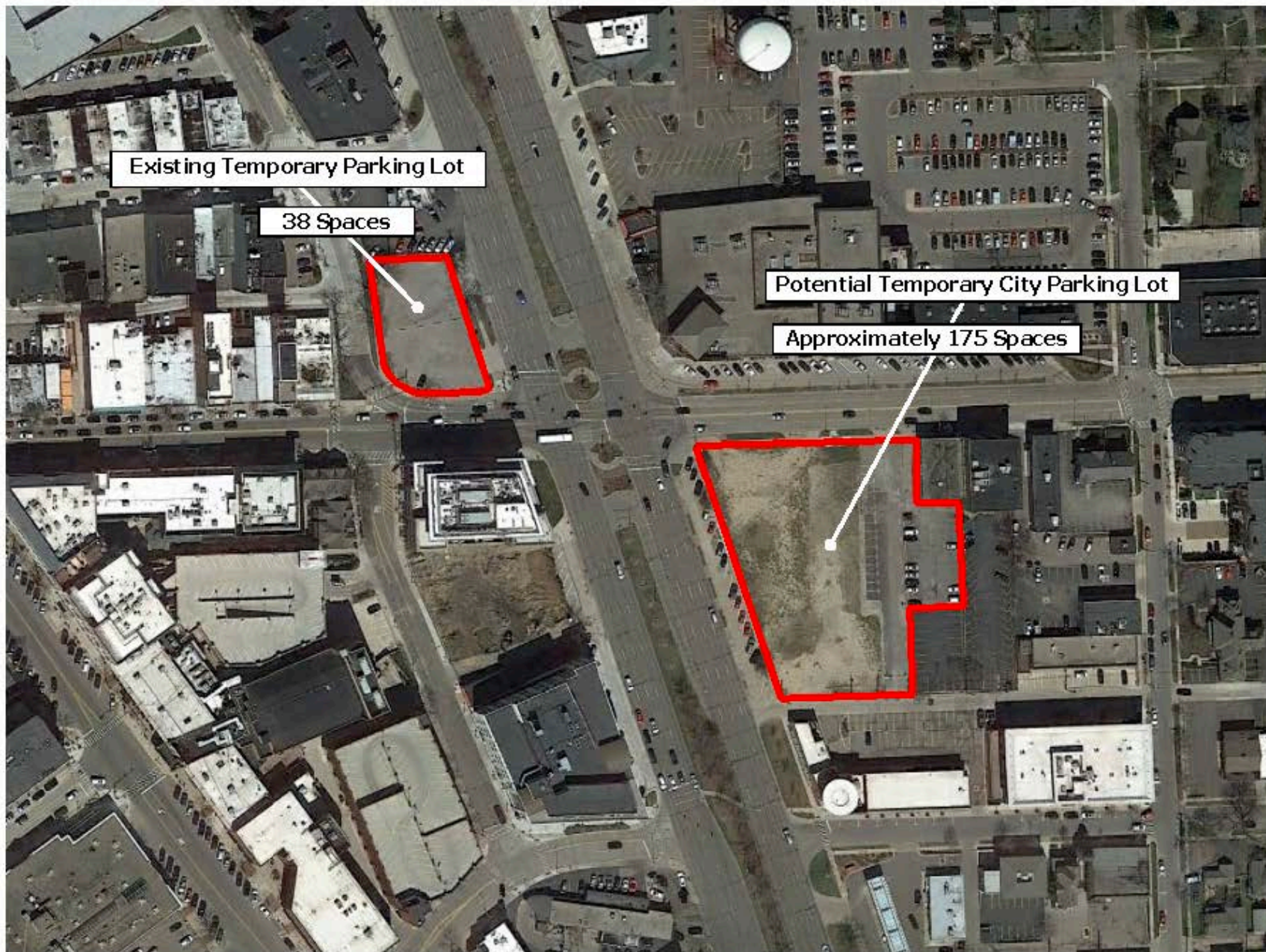


JOB NO.  
20170889  
DATE  
NOV. 2017



1505 HULEY DRIVE  
BLOOMFIELD HILLS, MICH. 48303-0624  
PHONE: (248) 454-6300  
FAX (1st. Floor): (248) 454-6312  
FAX (2nd. Floor):  
WEB SITE: <http://www.hrcengr.com>

FIGURE  
**03**



# OFF-SITE PARKING OPPORTUNITIES





## MEMORANDUM

Police Department

**DATE:** January 5, 2018  
**TO:** Joseph A. Valentine, City Manager  
**FROM:** Mark H. Clemence, Police Chief  
**SUBJECT:** 2018 Long Range Planning Topics

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### **Parking Initiatives – Meter Enhancements and Functionality**

In the 2016-17 fiscal year, the City purchased 1277 new CivicSmart “smart” meters with vehicle detection sensors. Installation of the meters was completed by the end of June of 2017. Once installation was completed, a number of issues arose that included the following:

1. Software upgrades - Meters needed to be upgraded almost immediately
2. Low battery problems - Quality issues with batteries and/or improperly charged batteries
3. Internet connectivity issues caused by T-Mobile network band width strength
4. Sensors - Non-operational because of all the above issues

Since installation, all of the new meters have been operational and accept payment by coin, credit card and Parkmobile. City staff and CivicSmart employees have worked together to keep the meters operational while working through the issues incurred during the course of the project. Starting in January of 2018, City staff and CivicSmart officials will begin to add some functionality features back to the meters including the following:

1. Parkmobile payment “push” to meters - Time purchased on Parkmobile is reflected on the meter display
2. Flexible time limits – Meters will show one time limit during the day (one or two hours) and have a second, longer time limit (3 or 4 hour allotments) in the evening if desired

3. New Parkmobile Available Space App – App under development that will interface Parkmobile and CivicSmart systems to communicate with smart phones to show users where on-street parking spaces are available
4. Sensor Test – Test sensors to see if their functionality will work now that the rest of the meter system components are operational



## MEMORANDUM

Engineering Division  
Planning Division

**DATE:** December 20, 2017

**TO:** Joseph A. Valentine, City Manager

**FROM:** Jana L. Ecker, Planning Director  
Paul O'Meara, City Engineer

**SUBJECT:** Downtown Parking Structure Planning

Over the past several years, the City of Birmingham has been experiencing high levels of activity, particularly in the Downtown, that have resulted in the increased use of public parking facilities. In 2013, for the first time ever, each of the Downtown public parking decks experienced a waiting list of patrons seeking monthly parking permits, as all available permits in every deck were in use. In 2015, multiple parking decks also began to experience closures during the summer months as they were filled to capacity. In January 2016, there was another increase in parking deck closures after the new office space in the Palladium building came online. Given the success of businesses in the Downtown and the influx of shoppers and visitors, the City began to receive complaints and concerns regarding the availability of public parking.

Accordingly, the City took action to study the current parking needs, as well as future parking trends anticipated, and reviewed all components of the public parking system to determine where improvements could be made both in the short and long term to address the real and perceived parking challenges. Short term strategies and parking system improvements were discussed in the previous memo entitled Surface and Structured Parking Initiatives.

In addition to the short term strategies and smaller parking system improvements, the City is also looking at a long term strategy to provide additional convenient and accessible parking in Downtown Birmingham to meet the City's long term parking needs.

In 2015, the City Commission established the Ad Hoc Parking Development Committee ("AHPDC") to develop an implementation strategy for addressing future parking demands in the Central Business District, while considering cost, capacity needs and impacts, master planning concepts, financial alternatives and timelines. Thus, the AHPDC began conducting studies to examine the current and projected long-term parking needs in the Downtown and beyond.

As a result of their findings regarding the need for additional parking in Downtown, one of the AHPDC's main tasks has been to undertake the collective redevelopment of a parcel of public property of approximately 4 acres located in the City's Central Business District, to include the removal of the N. Old Woodward parking deck, and the construction of a new and expanded public parking facility, as well as the extension of Bates Street as recommended in the

Downtown Birmingham 2016 Plan, and the private development of commercial and residential space. The City's objective is to solicit creative and innovative development plans from qualified developers that will extend Bates Street from Willits to North Old Woodward and redevelop the remainder of the site by constructing a parking facility that provides a minimum of 1150 parking spaces to replace the 770 parking spaces currently on the N. Old Woodward / Bates Street site, introducing residential, commercial and/or mixed uses to create an activated, pedestrian-oriented urban streetscape and provide public access to the Rouge River and Booth Park to the north.

### **Phase 1: North Old Woodward / Bates Street RFQ**

On March 16, 2017 the City issued a Request for Qualifications ("RFQ") seeking qualified developers interested in the N. Old Woodward Parking / Bates Street Extension project. The City received submittals from four development teams. The following documents are attached for your review from the RFQ Phase:

- A final copy of the Request for Qualifications issued March 16, 2017;
- A summary chart of all submittals received; and
- A review letter from the City Attorney pertaining to financial qualifications of each of the development teams.

All four submittals were reviewed by City staff and all four met the qualifications contained in the RFQ. Accordingly, the City Attorney reviewed the financial documentation and determined that all four development teams are financially qualified to complete the North Old Woodward Parking Structure and Bates Street Development project.

On July 26, 2017, the Ad Hoc Parking Development Committee passed a motion finding that all four of the development teams that submitted their qualifications were in fact qualified to proceed to the next phase. The Committee directed staff to prepare a draft Request for Proposals ("RFP") for their review at a future meeting.

### **Phase 2: North Old Woodward / Bates Street RFP**

On September 6, 2017, the AHPDC reviewed the draft RFP. The Ad Hoc Committee requested some changes to clarify the City's intentions, draw attention to the public plaza requirements, reference the Alleys & Passages Plan and highlight the desire for a public parking structure that can be repurposed for other uses. The Ad Hoc Parking Development Committee voted unanimously to recommend approval of the RFP to the City Commission.

On September 11, 2017, the City Commission reviewed the draft RFP and directed staff to issue the Request for Proposals for the solicitation of qualified development teams to plan and construct the North Old Woodward / Bates Street Parking and Site Development. The RFP was sent directly to the four pre-qualified development teams, and is attached for your review.

### **Next Steps**

On January 3, 2018, the City received proposals from three of the development teams that were pre-qualified during Phase 1. The fourth pre-qualified team, The Morningside Group, did

not submit a development proposal.

All proposals received are now being reviewed internally by City staff to determine if all of the basic requirements of the RFP have been met by each development team. All proposals meeting the requirements of the RFP will then be reviewed at a future meeting of the AHPDC committee. The AHPDC may recommend interviewing one or more of the development teams prior to making a recommendation on the preferred team(s) to the City Commission.

The City Commission will conduct a final review of all proposals received from each of the development teams. It is anticipated that the City Commission may select a development team to proceed with the North Old Woodward Parking Structure / Bates Street Redevelopment project in the spring of 2018. The selected team would enter into a contract with the City outlining the terms of the agreement for the development of a new parking structure and the redevelopment of the surrounding area. As each development team has proposed a different public-private partnership terms, including either the sale or lease of public property, it is difficult to determine the term of the contract or to estimate a completion date at this time.

**City Commission Minutes**  
**March 13, 2017**

**03-63-17 REQUEST FOR QUALIFICATIONS FOR N. OLD WOODWARD/BATES STREET PARKING & SITE DEVELOPMENT**

City Planner Ecker has been looking at the parking situation in downtown Birmingham for ways to address it. She described the process to date, changes in parking demands and determining future needs. The City Commission established an Ad Hoc Parking Development Committee in 2015, and they were charged with developing an implementation strategy for addressing future parking demands, looking at costs, capacity, needs, impacts, master planning concepts, timelines, etc. The committee has been meeting for the past two years and studying exactly what the parking situation is downtown. A previous committee talked about the Pierce street structure versus the North Old Woodard structure as well. The committee recommended that we move forward with the North Old Woodward deck improvements first.

The Ad Hoc Parking Development Committee also agrees, and the committee has spent the last two years studying what the parking demands are, and how many spaces we need to add. When looking at the way office space is changing, everybody is spread out in an open format which creates space for more people. It seems like the new form of office space is creating more demand. The committee determined what would be needed in terms of adding more parking to that north end of the district. They determined a number and started looking as to how they could redevelop the North Old Woodward structure by, either tearing it down, expanding it, adding on levels, etc. The committee considered what can be done to add more parking to that area while keeping in mind the Downtown Birmingham 2016 Plan that calls for Bates Street to be extended from Willits to North Old Woodward. We have a Parks plan that shows a trail connection across the river to Booth Park.

The committee recommended in January that the Commission consider issuing a Request for Qualifications. This would make it a two stage process. First, we would issue a RFQ. We would pick those that we think are qualified and they would move to the second stage, which would be a Request for Proposals. Only those qualified would be invited to submit a proposal under the RFP. The Ad Hoc Parking Development Committee also asked that we send this RFQ out to a real estate consulting firm.

Ms. Ecker explained that there is a letter from Jones Lang LaSalle (JLL). JLL reviewed it and thought it was well done, and suggested that we move forward quickly with this, given the cyclical economy. They also indicated they have a potential list of developers available to the City, if needed.

Mayor Nickita explained that we are simply asking for developers to submit something to get a sense of whether or not they fall in line with something that would be applicable. He said there are a number of iterations to go yet. Commissioner Boutros asked about time frames for responses. Planning Director Ecker said the deadline for the first phase is April 14, 2017. Deadlines for the second phase have yet to be determined.

Commissioner DeWeese pointed out that because it is a Request for Qualifications this is about finding the person or persons to produce something we will find useful.

Victor Saroki of Saroki & Associates said it was apparent that the North Old Woodward deck has the best potential. He said it yields the maximum amount of parking and created a new street as well as more development potential for the area. He worked with Carl Walker, parking consultants in Kalamazoo, on the deck designs and the calculations and proposals. He explained the structure is five levels and has about 572 spaces. The surface lot has 173 spaces, for a total of 745 spaces. He described the two schemes, their features and differences.

Discussion followed about the increase in the number of parking spaces. Mr. Saroki said the target numbers proposed were exceeded.

Commissioner Boutros asked if we put two buildings together, would they yield 2,000 spaces. Mr. Saroki believes the existing structure is not designed for additional floors on top. If a new structure is built, some of the surface parking is lost. The new total combined would be 1,088, which is less than a new deck.

Commissioner DeWeese suggested we need to remove at least the north section of the old garage to make Bates wide enough for sidewalks. If the garage is kept the way it is now, full utilization of Bates would not be possible and not be pedestrian friendly. He expressed concern about how the upper floors of the parking deck would look, and would like that look diminished.

Mr. Saroki agreed, and said that would be the challenge of the architects and developers working on the project.

Commissioner Hoff thought the designs were excellent, and is happy to see an RFQ as a first step. She thinks it is a better way to move forward. She expressed concern about whether two weeks is sufficient time for firms to submit a response to a RFQ.

Mr. Saroki agreed with Commissioner Hoff, because it will be a team that will need to be assembled to submit a thoughtful proposal, so more time for development is important.

Commissioner Hoff said this project has many challenges, including financing and use of the public property. She feels a group has to come together that is familiar with public/private partnerships as well as building and design, and that process may require more time. She suggested using the list that Jones LaSalle provided.

Mr. Saroki suggested the site visit be scheduled three weeks from now. Mayor Nickita agreed that extra time does not have an impact on us. Planning Director Ecker suggested mid-April for the mandatory meeting, and mid-May for qualifications to come back, give or take a month.

**MOTION:** Motion by Boutros, seconded by Hoff: To direct staff to issue the Request for Qualifications for the N. Old Woodward/Bates Street Parking and Site Development through the MITN system to solicit qualified firms interested in pursuing the development of this area.

Commissioner Hoff would like to amend the motion to include the MITN system, as well as other developers locally, regionally, and nationally.

Commissioner Bordman said this is a significant project with many parts. The group that is going to review the responses should include the Parks and Recreation Board, since this RFQ involves Booth Park and the bridge connecting the park and the trail system. The RFQ needs the expertise of the Parks and Recreation Board represented in the review of the RFQ.

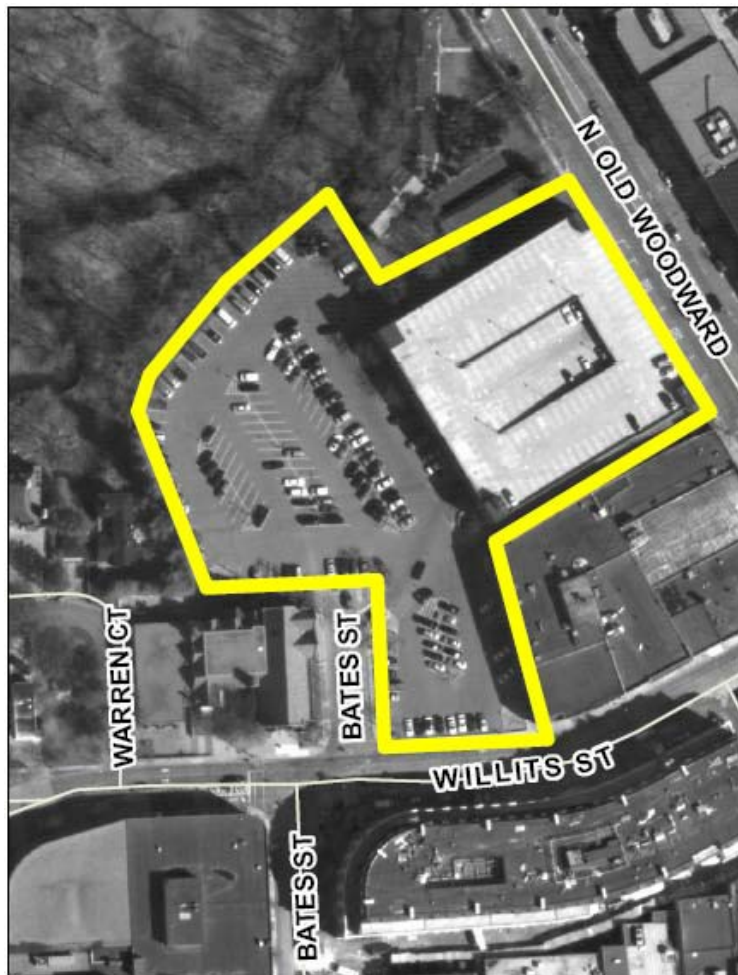
Mayor Nickita agreed and said having some additional insight from the Board is a valid point.  
It was agreed that the Parks and Recreation Board could be incorporated into the RFQ review.

VOTE: Yeas, 7  
Nays, None  
Absent, None



## REQUEST FOR QUALIFICATIONS

### North Old Woodward / Bates Street Parking and Site Development



#### Issued by:

City of Birmingham,  
151 Martin Street  
P.O. Box 3001  
Birmingham, MI 48012  
(248) 530-1850  
[www.bhamgov.org](http://www.bhamgov.org)



**NORTH OLD WOODWARD / BATES STREET  
PARKING AND SITE DEVELOPMENT**

**REQUEST FOR QUALIFICATIONS**

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## **INTRODUCTION**

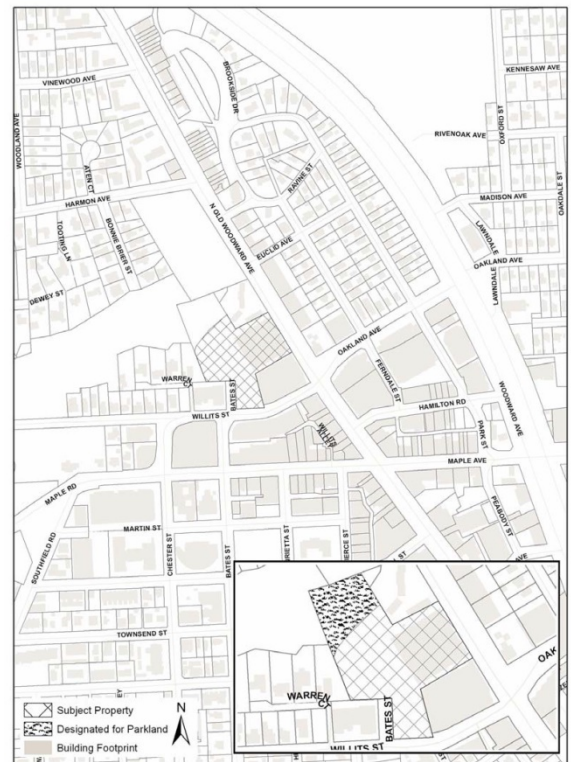
The City of Birmingham, Michigan (the “City”) is seeking a developer or a development team (the “Developer”) to undertake the collective redevelopment of a parcel of public property of approximately 4 acres located in the City’s Central Business District. Figure 1 shows the location of the subject property being offered for redevelopment. This property currently contains a public parking structure and surface parking lot.

The City will be utilizing a two phase process to select a Developer to redevelop the subject site. First, the City will conduct a public selection process for qualified Developers to redevelop the N. Old Woodward/Bates Street site, with oversight and review to be provided by the Ad Hoc Parking Development Committee and the City Commission.

In evaluating Developer’s qualifications, the City will consider past development success, experience in working or partnering with communities, financial capacity and the design quality of previous development projects. The details of the City’s interests are outlined within this Request for Qualifications (RFQ).

Following a review of Developer qualifications, the City will establish a “short list” of Developers that will be extended an invitation to participate in an interview with the Ad Hoc Parking Development Committee and/or the City Commission to discuss their qualifications for the redevelopment of this site. Only pre-qualified Developers will be offered the opportunity to submit a development proposal under a separate Request for Proposals.

Figure 1



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The City's objective is to solicit creative and innovative development plans from qualified Developers that will extend Bates Street from Willits to North Old Woodward and redevelop the remainder of the site by constructing a parking facility that provides a minimum of 380 parking spaces in addition to replacing the 770 parking spaces currently on the N. Old Woodward / Bates Street site, introducing residential, commercial and/or mixed uses to create an activated, pedestrian-oriented urban streetscape and provide public access to the Rouge River and Booth Park to the north. (Note that if additional commercial space is provided by this project, parking spaces in addition to the 380 noted above shall be provided at the rate of 1 space for every 564 sq.ft. of new gross commercial space. Residential parking spaces are assumed to be provided and reserved outside of these numbers, at the rate of 1.5 spaces per unit.) The City owns the entire parcel and its parking structure as illustrated in Figure 1. Parcel dimensions are illustrated in Attachment A. The northern end of this parcel is planned for designation as park property along the Rouge River.

It should be noted that the parcel marked Brookside Townhomes of Birmingham on Attachment A to the northeast of the City's property is currently under construction. A new five story mixed use building with retail and residential on the first level, residential on floors two through five, and two levels of underground parking is being constructed.

A sample plan of what the City envisions can be done with this property, while accomplishing the parking goals listed, is provided in Attachment D. Important desirable amenities of the plan as provided by the City include:

- New parking structure(s) with a minimum of 1150 parking spaces.
- New mixed use building adjacent to parking structure facing N. Old Woodward Ave.
- Service drive access to the adjacent buildings both north and south of the parking structure.
- New mixed use building facing Willits St.
- Public park property and connection between a new City street and the existing Rouge River to the north.
- Residential building on the north end of the site taking advantage of the existing views present in this area.

The existing zoning of this parcel is Public Property. An illustration of the existing zoning for this parcel and the immediate area is contained in Attachment B. This parcel is included in the City's Overlay Zoning District as illustrated in Attachment C, which provides for certain development opportunities. Modifications to the zoning of this parcel may occur to conform to the selected development plan, if the creativity of development plan does not meet existing parameters of the Overlay Zoning District. Additional information concerning the zoning regulations can be obtained from the City's Planning Division.

The selected Developer will work with the Ad-Hoc Parking Development Committee to present and review their plan at public meetings to receive community input on

their development plan. This process may include presenting the plan to one or more of the following boards and commissions:

- a. The Ad-Hoc Parking Development Committee;
- b. The Birmingham Planning Board;
- c. The Historic District Commission;
- d. The Parks and Recreation Board;
- e. The Advisory Parking Committee;
- f. The Multi-Modal Transportation Board; and
- g. The City Commission.

The final approval of the development plans will be concluded by the Birmingham City Commission following the community review process.

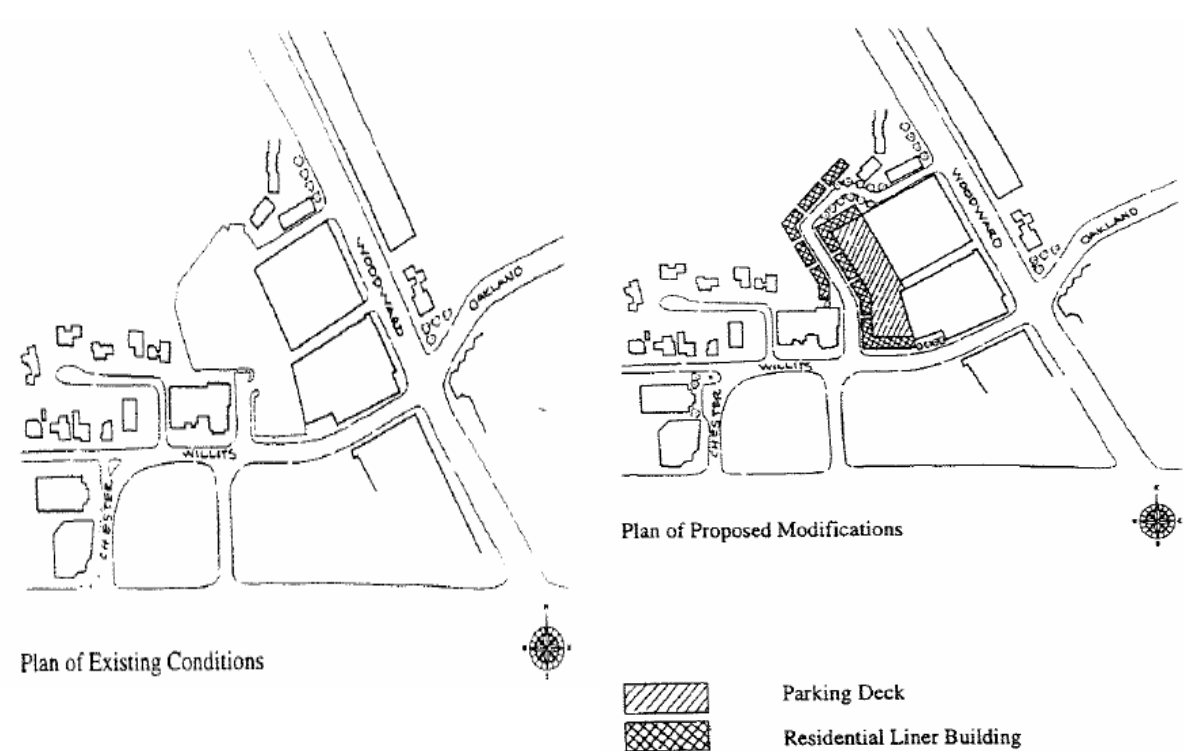
Based on the development plan selected, the City may lease or sell a portion or all of the property for development provided the development guidelines are met. The sale of public property would require the City to engage in placing the sale of property on the ballot for a vote in accordance with its City Charter. Once a development plan is accepted by the City, the process for the sale of property to the Developer may take from 4 to 12 months.

**DEVELOPMENT OBJECTIVES AND GUIDELINES**

The City's master planning document for the downtown, known as the *Downtown Birmingham 2016 Report* (DB2016 Report), identifies the N. Old Woodward / Bates Street site as a proposed location for redevelopment and provides conceptual illustrations of proposed modifications. The concept from the DB2016 Report referencing this area is provided herein for reference as Figure 2. Additional conceptual illustrations based on the DB2016 Report and incorporating various elements are provided as Attachment D.

Developers will be expected to present creative concepts for the site that incorporate these objectives and guidelines. The objectives and guidelines presented in this RFQ will be used in evaluating the submitted qualifications.

Figure 2.



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## Development Objectives

The City's overall objectives for redevelopment of the N. Old Woodward / N. Old Woodward / Bates Street site are as follows:

- **To extend Bates Street from Willits and provide access to a location on North Old Woodward as envisioned in the Downtown Birmingham 2016 Plan.**
- **To accommodate current and future public parking needs with consideration for transient, employee permit parking, shoppers and faith-based community uses.**
- **To provide a form of residential, commercial and/or mixed use development along the extension to Bates Street to create an activated urban streetscape.**

A number of primary objectives for the redevelopment of Bates Street as a whole are outlined below:

- **To contribute to the improvement of the downtown as an active, pedestrian- oriented retail, residential and community environment.**
- **Ensure an adequate supply of conveniently located and attractively designed parking.**
- **To coordinate parking utilization in conjunction with public parking standards modified to accommodate mixed residential and business uses.**
- **To incorporate existing streetscape standards into proposed streetscape design and create an attractive streetscape that unifies, enhances and connects the N. Old Woodward / Bates Street site with the rest of the downtown.**
- **Enhance the N. Old Woodward / Bates Street site as a safe, convenient and hospitable pedestrian environment, while linking Willits to North Old Woodward.**
- **To ensure that new construction is compatible with the existing building fabric.**
- **Minimize conflicts between vehicles, pedestrians and cyclists.**

These objectives should be a fundamental part of any development proposal for the N. Old Woodward / Bates Street site. The guidelines discussed below for the physical framework, mix and location of land uses, and design of buildings and public spaces are drawn directly from the *Downtown Birmingham 2016 Report* and/or have been developed with these objectives in mind.

## Development Guidelines

1. **Pedestrian Circulation.** Redevelopment of the N. Old Woodward / Bates Street site should include a pedestrian circulation system that links public parking, public open space and new developments to surrounding uses and activities. All pedestrian access routes must be compliant with Americans with Disabilities Act (ADA) requirements.
2. **Vehicular Connection.** Bates Street will be preserved as a public street to promote efficient access and circulation by vehicles, pedestrians, cyclists and transit riders. Bates Street will connect Willits to North Old Woodward.
3. **Parking.** The existing parking structure should be renovated and expanded to accommodate additional parking, if current location is maintained. Should a proposal involve the removal and reconstruction due to relocation of the parking structure, the developer is responsible for the demolition and reconstruction costs. It is expected the City will own and operate any parking structure and own the land underneath the structure. Parking lots or garages serving residential developments would be privately owned. **During construction phasing, the Developer shall coordinate development with respect to the existing parking operation.**
4. **Topography and Redevelopment.** Building designs that take advantage of the natural topography in the area should be utilized. Site designs that provide public access to or overlooks of the Rouge River and Booth Park to the north are encouraged.
5. **Storm Water Management –** Special consideration for development on the Rouge River must be in accordance with best management practices permitted by the Environmental Protection Agency (EPA) and the Michigan Department of Environmental Quality (MDEQ).
6. **Infrastructure.** This project will require extending sewer and water utilities to any new developments. New water mains must be looped into the existing system. The addition of sewer or water services for this site must conform to the City's standards. Information on these standards can be obtained from the City's Engineering Division.
7. **Utilities.** All utilities within and leading to the site shall be underground. The adequacy of gas, electric, telephone and cable service availability to the site will need to be determined by those making a proposal by contacting the respective utility companies.

8. **Financial.** No City subsidies will be made available. Land will be sold or leased at market rates and all private property or private use of public property will be subject to property taxes.
9. **Required Easements.** All necessary easements must be provided in accordance with the Consolidating Easement and Restriction Agreement dated November 28, 2005 between the City and B/K/G Birmingham LLC, benefiting 325 N. Old Woodward (located at corner of Willits and Old Woodward). A copy of this easement is included as Attachment E.
10. **Booth Park Trail.** Booth Park is located to the immediate north of the N. Old Woodward / Bates Street site. A proposed bridge connection to Booth Park from the site is planned as part of a trail master plan. The bridge will provide access between the downtown and Booth Park. This proposed bridge will be a vital link in the overall trail system. A conceptual illustration is provided as Attachment F.

## **Design Issues**

1. **Building Height Considerations.** The portion of the site not used for public parking is zoned D-3 under the Downtown Birmingham Overlay Zoning, which allows a maximum of 4 stories, provided the 4<sup>th</sup> story is used for residential units and is set back 10' from the front building façade. Maximum overall height is 68'. Specific regulations also apply. These regulations are outlined in the City's Zoning Ordinance.
2. **Residential Building Relationships.** Any proposed residential uses should be integrated into an overall mixed use development.
3. **Design of Buildings.** Specific design and architectural requirements are in place in the Downtown Birmingham Overlay Zoning District as outlined in the City's Zoning Ordinance.
4. **Design of Street.** The extension of Bates Street must conform to the City's street standards.
5. **Streetscape and Landscaping.**
  - Streetscape designs must incorporate the City's Downtown Streetscape Design Standards.
  - Landscaping designs should include innovative and aesthetically appealing plants and landscape features that enhance the pedestrian experience while enhancing the natural area along the Rouge River.

6. **Public Safety.** Fire and emergency access must be accommodated for all buildings in the development area. Hydrants must be placed where required by the City's Fire Department.
7. **Parking.** Most residential parking should be emphasized underground or within buildings, which would allow land areas to be used for buildings and open spaces. The change in elevation in the area should be used to facilitate underground parking.

## **REQUEST FOR QUALIFICATIONS PROCESS**

The City will conduct a two phase public selection process for qualified Developers to redevelop the N. Old Woodward/Bates Street site, with oversight and review to be provided by the Ad Hoc Parking Development Committee and the City Commission.

In evaluating a Developer's qualifications in Phase 1 under this RFQ process the City will consider past development success, experience in working or partnering with communities, financial capacity and the design quality of previous development projects. The City may identify one or more of developers with qualifications that the City determines at their sole discretion, demonstrate the capability of the Developer(s) to successfully undertake and complete this redevelopment project.

**All qualifications must be received by the City Clerk no later than May 15, 2017.** Submission requirements and guidelines are detailed in the Submission Requirements and Guidelines section of this RFQ.

### **Mandatory Site Visit Meeting**

Each prospective developer is required to attend a mandatory pre-bid meeting to visit the site and meet with City staff prior to submitting qualifications. The mandatory site visit meeting will be held on **April 17, 2017**. This meeting will begin in room 205 of the Birmingham Municipal Building located at 151 Martin Street and will conclude at the project site. Prospective developers are asked to pre-register by **April 12, 2017** by contacting Paul O'Meara at (248) 530-1836 or at [pomeara@bhamgov.org](mailto:pomeara@bhamgov.org).

### **Selection Process**

Following a review of Developer qualifications, the City will establish a "short list" of Developers that will be extended an invitation to participate in an interview with the Ad Hoc Parking Development Committee and/or the City Commission to discuss their qualifications for the redevelopment of this site. Only pre-qualified Developers will be offered the opportunity to submit a development proposal in Phase 2 under a separate Request for Proposals (RFP).

During the evaluation process, the City reserves the right, where it may serve the City's best interest, to request additional information or clarification from Developers, or to allow corrections of errors or omissions. At the discretion of the City, firms submitting qualifications may be requested to make public presentations as part of the evaluation process.

The City will select a single developer or development team for the redevelopment of the parcel offered in this RFQ. The City may offer to sell or

lease the property it currently owns within the Bates Street Site, exclusive of land to be used for public parking and public roads, for private use to the selected developer or development team.

### **Anticipated Timetable of Selection Process**

<b><u>Submittal &amp; Review Process</u></b>	<b><u>Target Date</u></b>
Release of Request for Qualifications	March 16
Registration for Site Visit with staff	April 12
Mandatory site visit with staff	April 17
Qualifications Due Date	May 15
Extend invitation for Interviews	May 30
Interviews Conducted	June 5-10
Recommendation of Developers to City Commission	June 12
Request for Proposals Issued	June 30
Conduct community review process	July-August
City Commission approval of final development plan	Sept - October

### **Developer rights and responsibilities**

The following outlines the rights and responsibilities of the developer and the City of Birmingham in the redevelopment of the North Old Woodward / Bates Street Parking and Site Development:

- Exclusive development rights and right to purchase or lease land for private uses (excludes purchase of any City owned land that will be used for public purposes, such as public parking.)
- To serve as developer or development team of the property for a mix of uses; all sub-developers must be identified if other firms will carry out portions of the project.
- Prepare all site plans and elevation drawings for approval by the City in accordance with the specifications and requirements of the City of Birmingham.
- Plan for and construct public parking as indicated in the development program.
- Work with the City during construction to accommodate temporary parking and minimize disruption to residents, tenants and the faith community in the surrounding area.
- Develop public infrastructure and utilities necessary for the site.
- Attend public meetings as necessary in order to present plans for review. It is expected that plans will need to be presented at up to ten (10) boards and committee meetings for review.

### **City's Role**

- Assist with necessary development review process and approvals.

- Cooperate with any land acquisition pursued by the developer in accordance with this RFQ.
- Assist with construction phasing and coordination with respect to temporary parking operation during construction.
- Provide existing information relating to the site such as 1) title search, 2) site survey, 3) baseline environmental analysis, and 4) utility availability analysis.

## **SUBMISSION REQUIREMENTS AND GUIDELINES**

The following outlines the submission requirements and guidelines for the North Old Woodward / Bates Street Parking and Site Development project.

- A. Cover sheet as provided in RFQ;
- B. Transmittal letter;
- C. Qualification Statement (see details below);
- D. Financial Information from Developer (Separate Sealed Envelope);
- E. Narrative description of what is proposed in detail and how proposal meets the development objectives; and
- F. Conceptual development plan for the entire site.

### **Qualification Statement Requirements**

#### **1. Firm/Team Description**

A development team headed by an experienced developer should be identified including, as required, an architect, construction consultant, Developer, economic-financial consultant, and leasing/management company. Depending on the developer's capabilities, the team may include as few or as many firms as required. For all companies on the team, the following is required:

- Identification of all principal firms to be involved in the project including their roles, responsibilities and authorities.
- The size of each firm and the depth of experience of their personnel.
- Resumes of the persons who would be responsible for the day-to-day operation of the project and his/her back up in the event of this person's absence. Also, resumes of all other key persons directly involved with this project shall be included.

#### **2. Organizational Structure and Workload**

- Legal Name of development entity and managing entity which will be considered the developer.
- Business type (corporation, partnership, LLC, individual, joint venture, not for profit, etc.).
- Date established (for constituent firms if joint venture).
- If the developer is a subsidiary or affiliate of any other corporation, list such entity or entities including name, address, relationship to developer, and officers and directors.

- Names, addresses, title of position, and nature and extent of the interest of the officers and principals, shareholders and investors of both the developer and the development entity as follows:
  - For corporations, the officers, directors or trustees, and each stockholder owning more than 10% of any class of stock.
  - For partnerships or limited liability corporations, each partner or member, whether a general or limited partner or member, and either the percent of interest or a description of the character and extent of interest.
  - For joint ventures, each participant and either the percent of interest or a description of the character and extent of interest. If the joint venture partners are corporations or partnerships, then the information for such firms should be provided.
  - For any other type of entity, the officers, members of governing body, and each person having an interest of more than 10 %.
  - No City of Birmingham elected or appointed City official or employee, and no person who serves on any City of Birmingham public board or commission may have a direct or material indirect interest in the development entity or any part of that entity.
- The number, location and magnitude of projects currently on the developer's work plan for 2016 - 2019.
- A proposed organizational structure for the development team showing roles of each member of the team.

### **3. Experience**

- Description, illustrations, location and a brief summary of the performance of similar projects, especially as they relate to the project.
- A comprehensive list of all projects for which the firm has served as a developer over the past three years including size, construction costs, major tenants, uses involved, and the current occupancy and ownership of these projects.
- Minimum experience required:
  - Demonstrated experience in at least two completed projects of similar size and quality as proposed in this RFQ.
  - Demonstrated financial resources and commitments to both acquire and develop the property (provided in financial statements, evidence of equity and debt financing, etc.)
  - Demonstrated commitment to the overall goals of the City and specific land uses and evidence of substantial efforts to comply with the development guidelines stated in this RFQ.

### **4. References**

A minimum of three references for similar projects is required. References reflecting experience working on public/private ventures with government officials and public bodies should be included, if applicable.

## Financial Information

One copy of the following information should be submitted in a separate sealed envelope to be kept confidential:

- Audited financial statement or federal income tax forms for the developer from the last three years; personal financial statements may be required as supplemental information at the option of the City's development advisor.
- References from financial institutions with whom the developer has dealt as a borrower or as a joint venture partner.
- Proposed sources of financing and preliminary evidence of interest from financial institutions or partners if available.
- List of pending litigation or other disputes with which the developer, development entity, or joint venture partners are involved, indicate status, the potential of a financial settlement, and impact on your ability to execute this project.
- If the firm or any individual in the proposed project has ever filed for bankruptcy or has had projects that have been foreclosed (or return lenders via deed-in-lieu of foreclosure), list dates and circumstances.

All of the above information will be provided only to the City's legal counsel and is considered exempt from the Freedom of Information Act as private information. Only those firms who are short-listed and invited for an interview with the City will have their financial information reviewed. All other sealed packets will be returned unopened to their respective firms. Upon completion of the selection process all firms will have their financial information returned.

## Submission Procedure

Ten (10) hard copies and one (1) PDF copy of each qualifications proposal and one (1) copy of the developer's financial information shall be submitted no later than **4:00 p.m., on May 15, 2017** to:

City of Birmingham  
Attn: City Clerk  
151 Martin Street  
Birmingham, Michigan 48009

Submittals should be firmly sealed in an envelope, which shall be clearly marked on the outside, **"Request for Qualifications – N. Old Woodward / Bates Street Parking and Site Development"**. Any proposal received after the due date cannot be accepted and will be rejected and returned, unopened, to the proposer. Proposer may submit more than one submittal provided each

proposal meets the functional requirements.

Each respondent shall include in their submittal the following information: Firm name, address, city, state, zip code, telephone number, fax number and website address. The company shall also provide the name, address, telephone number and e-mail address of an individual in their organization to whom notices and inquiries by the City should be directed as part of their proposal.

The City of Birmingham reserves the right, at its sole discretion, to reject any or all submittals when, in its opinion, it is determined to be in the public interest to do so; to waive minor irregularities and informalities of a submittal; or to cancel, revise, or extend this solicitation. The Request for Qualifications does not obligate the City of Birmingham to pay any costs incurred by any respondent in the submission of a proposal or in making necessary studies or designs for the preparation of that proposal, or for procuring or contracting for the services to be furnished under this Request for Qualifications.

### **Selection Criteria**

Evaluation of qualifications will be based upon:

- Qualifications and experience of developer and team members with projects of similar scale and magnitude;
- Financial capability including resources available as equity for the project and strength of financial commitments;
- Design quality of previous development projects;
- Detailed description of conceptual development plan and how the proposal meets the City's objectives;
- Past performance of firms as verified by references of previous clients/projects including demonstrated ability to work with local government clients in similar relationships; and
- Offer price for sale or lease of City property with a description of the necessity to purchase or lease.

## **TERMS AND CONDITIONS**

1. The City reserves the right to reject any or all qualifications received at any time during this process, waive informalities, or accept any qualifications in whole or in part, it deems best. The City reserves the right to award the contract to the next most qualified Developer if the successful Developer does not execute a development agreement within thirty (30) days after the award of the proposal under a future Request for Proposals.
2. The City reserves the right to request clarification of information submitted and to request additional information of one or more Developers.
3. The City reserves the right to terminate any contract at its discretion should it be determined that the services provided do not meet the specifications contained herein. The City may terminate this Agreement at any point in the process upon notice to Developer sufficient to indicate the City's desire to do so. In the case of such a stoppage, the City agrees to pay Developer for services rendered to the time of notice, subject to the contract maximum amount.
4. The successful bidder will be required to furnish a Performance Bond in an amount not less than 100% of the contract price in favor of the City of Birmingham, conditioned upon the faithful performance of the contract, and completion on or before the date specified.
5. Any qualifications proposal may be withdrawn up until the date and time set above for the opening of the qualifications. Any proposal not so withdrawn shall constitute an irrevocable offer, for a period of ninety (90) days, to provide the services set forth in accordance with the specifications outlined in this RFQ.
6. The cost of preparing and submitting qualifications and any future proposal is the responsibility of the Developer and shall not be chargeable in any manner to the City.
7. The Developer will not exceed the timelines established for the completion of this project.
8. Pre-qualified Developers will be offered the opportunity to submit a Development proposal under a future Request for Proposals. The successful Developer shall enter into and execute a development agreement with the City.

**Assessor's Plat No 27**

**Legend**

- Tax Parcel
- Subdivision
- Lot Lines
- Subject Property
- Designated for Parkland
- Right of Way

**Property Description:**  
 T2N, R10E, SEC 25 SCHLAACK SUB LOTS 1 TO 8 INCL EXC THAT PART OF LOTS 3 & 4 BEG AT MOST ELY COR OF LOT 27N S 67-34-20 W 50.53 FT, TH N 14-06-00 W 50.32 FT, TH N 59-26-20 E TO E LINE OF LOT 4, TH SELY ALG SD LINE TO BEG, ALSO EXC S 24 FT OF LOT 8, ALSO THAT PART OF VAC BATES ST ADJ TO SD LOTS, ALSO OF 'ASSESSOR'S PLAT NO 27' PART OF LOT 10 DESC AS BEG AT NW LOT COR, N RELY 54.11 FT ALG N LOT LINE, TH S 59-26-20 W TO W LOT LINE, TH MNWLY TO BEG, ALSO ALL OF LOTS 11 TO 15 INCL, ALSO LOT 16 EXC N 40 FT THEREOF, ALSO ALL OF LOT 19, ALSO EXC PART OF LOTS 3 & 4 OF 'SCHLAACK SUB' & PART OF LOTS 10 & 11 OF ASSESSOR'S PLAT NO 27 IN PCL DESC AS BEG AT PT DIST S 63-11-50 W 16.85 FT FROM SE COR OF SD LOT 11, TH S 63-11-50 W 103.15 FT, TH S 59-26-20 W 59.61 FT, TH N 14-06-00 W 6.42 FT, TH N 59-26-20 E 217.33 FT, TH S 30-33-40 E 4.01 FT, TH S 63-11-50 W 16.19 FT, TH S 26-48-10 E 10 FT TO BEG, ALSO EXC PART OF LOT 11 OF 'ASSESSOR'S PLAT NO 27' DESC AS BEG AT SE LOT COR, TH S 63-11-50 W 16.85 FT, TH N 26-48-10 W 10 FT, TH N 63-11-50 E 16.19 FT, TH S 30-33-40 E 10 FT TO BEG 7-19-05 PM 079

**Streets:** N OLD WOODWARD AVE, WILLITS ST, N BATES ST

**Other Labels:** Brookside Townhomes of Birmingham, Warrens Replat, Schlaack Sub, Willits Northern Add, Oak Grove Add

**Scale:** 0 20 40 80 120 160 Feet

**North Arrow:** N

**ATTACHMENT B**  
**N. Old Woodward / Bates Parking Site**  
**Zoning Districts**



ATTACHMENT C

**N. Old Woodward / Bates Parking Site  
Overlay Zoning Districts**





[illegible]

**Carl Walker**

## Request for Developer Qualifications



**SAROKI**  
ARCHITECTURE

**City Walker**

**South Bird's Eye View**

**Birmingham Parking Expansion**  
201 N. Old Woodward Avenue  
Birmingham, MI  
City of Birmingham  
Bird's Eye View  
February 24, 2016

**ATTACHMENT E**  
**Easement Benefitting 325 N. Old Woodward**

**Vehicle Access Easement**

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

A parcel of land being a part of Lots 10 and 11 of "Assessor's Plat No. 27" in the SW quarter of Section 25, T2N, R10E, City of Birmingham, Oakland County, Michigan, according to the Plat thereof as recorded in Liber 6 of Plats, Page 46, Oakland County Records, and a part of Lots 3 and 4 of "Schlaack Subdivision of Lots 40, 41, 42 and part of Lot 53 of Willets Addition", City of Birmingham, Oakland County, Michigan, according to the Plat thereof as recorded in Liber 8 of Plats, Page 8, Oakland County Records, said parcel of land being described as follows: Commencing at the southeasterly corner of said Lot 11, said point also being on the westerly line of Woodward Avenue (100 feet wide); thence S 63°11'50" W 16.85 feet along the southerly line of said Lot 11 to the point of beginning of this description; thence continuing S 63°11'50" W 103.15 feet along said lot line to a point; thence S 59°26'20" W 99.61 feet to a point; thence N 30°33'40" W 19.16 feet to a point; thence N 59°26'20" E 219.35 feet to a point on the easterly line of said Lot 11; thence S 30°33'40" E 17.01 feet along said easterly line of said Lot 11 to a point; thence S 63°11'50" W 16.19 feet along a line 10.00 feet northerly of and parallel to the southerly line of said Lot 11 to a point; thence S 26°48'10" E 10.00 feet to the point of beginning of this description.

## ATTACHMENT F Booth Park Trail Connection

Booth Park trail  
connection to  
Bates Street site.



Team Lead	Partners	Contact Information	Cover Sheet	Transmittal Letter	Qualifications Statement	Narrative/ Concept Plan	Financial Information Provided	Attended Pre-Bid Meeting
<b>Morningside Group Chicago, IL</b>	Morningside Group Hobbs & Black, Architects Turner Construction	David Strosberg, President DStrosberg@Morningside USA.com 312-280-7770 ext. 114	Yes	Yes	Yes	Yes, consistent with City's concept No narrative provided	Yes (evidence of funding on other projects, letters from banking partners)	Yes
<b>Redico Southfield, MI</b>	McIntosh Porris, Architects	Kent Heckaman, Vice- President <a href="mailto:KHeckaman@redico.com">KHeckaman@redico.com</a> Office: 248-2865229 Cell: 248-497-3959	Yes	Yes	Yes	Yes, consistent with City's concept	Yes (sealed envelope)	Yes
<b>TIR Equities</b>	Robert A.M. Stern,Architects Colasanti Construction Services Gibbs Planning Group Design Haus Stokas Bieri Real Estate Jackier Gould	Ara Darakjian, President <a href="mailto:Ara.d@tirequities.com">Ara.d@tirequities.com</a> 248-819-6000	Yes	Yes	Yes	Yes, consistent with City's concept	Yes (sealed envelope)	Yes
<b>Walbridge</b>	Saroki Architecture Boji Group Robertson Brothers Homes Michael J. Dul Carl Walker Signature Associates Zimmerman/Volk Luckenbach/Ziegelman	Victor Saroki John Rakolta, Jr. Ron Boji Paul Robertson, Jr. <a href="mailto:Vsaroki@sarokiarchitecture.com">Vsaroki@sarokiarchitecture.com</a> 248-258-5707	Yes	Yes	Yes	Yes, consistent with City's concept	Yes (sealed envelope)	Yes

## **City Commission Minutes September 11, 2017**

From City Planner Ecker's staff report to City Manager Valentine dated September 6, 2017: On March 16, 2017 the City issued a Request for Qualifications (RFQ) seeking qualified developers interested in the N. Old Woodward Parking / Bates Street Extension project. The City received submittals from four development teams. All were reviewed by City staff and all four met the qualifications contained in the RFQ. Accordingly, the City Attorney reviewed the financial documentation to determine if all were financially qualified. 7 September 11, 2017 On July 26, 2017, the Ad Hoc Parking Development Committee adopted a motion finding that all four of the development teams that submitted their qualifications were in fact qualified to proceed to the next phase. The Committee directed staff to prepare a draft Request for Proposals (RFP) for their review at a future meeting. On September 6, 2017, the Ad Hoc Parking Development Committee reviewed the draft RFP. The Ad Hoc Committee requested some changes to clarify the City's intentions, draw attention to the public plaza requirements, reference the Alleys & Passages Plan and highlight the desire for a public parking structure that can be repurposed for other uses. The Ad Hoc Parking Development Committee voted unanimously to recommend approval of the RFP to the City Commission.

Commissioner Bordman was concerned that:

- The plan did not include parking accommodations for construction site workers.
- The turn-around time between the release of the RFP and the proposal due date of January 3, 2018 is too short and may lead to rushed proposals.

City Planner Ecker explained that parking arrangements for construction site workers are generally handled during pre-construction meetings with the developer and city staff, and that all four pre-qualified candidates stated before the Ad Hoc Parking Development Committee they would only need 90 days to create and submit their proposals.

Commissioner Hoff provided a brief overview of the Ad Hoc Parking Development Committee:

- It was formed about two years ago to look at the parking situation in Birmingham.
- The Committee includes a financial representative, a developer representative, members of the advisory parking committee, members of the City Commission, and members of the Planning Board.
- Victor Saroki's firm was hired to come up with a concept plan focusing on the N. Old Woodward parking structure and the surrounding area. Based on the firm's proposal, this is a development project, not just a parking project. The proposal includes:
  - o Demolishing the N. Old Woodward structure and replacing it with a larger one;
  - o Developing the surrounding area with business and residential projects; and
  - o Continuing Bates north to emerge on Old Woodward.
- Commissioner Hoff and Mayor Nickita are both on the Committee.
- The four pre-qualified teams have a multitude of disciplines represented.

Mayor Pro Tem Harris asked whether the sale of public land, which under the City Charter requires a public vote, needs to be incorporated in the timeline for the bidders.

City Planner Ecker confirmed that it is included under Item E – Submission Requirements and Guidelines, on page twelve. A written outline of the terms the development team proposes is

required, and the terms include purchase and/or lease of land. Commissioner DeWeese clarified that should there be a lease of public land, and not a sale, that only the Commission's approval is required. City Manager Valentine confirmed. City Planner Ecker specified that such leases have been done previously, albeit with smaller parcels.

Mayor Nickita explained that the land lease or sale would include the retail liner of the parking deck and the development parcels: one residential, one mixed use. The City would retain ownership of the land beneath the parking deck, the street, the sidewalk, the infrastructure, the right of way, the public park or space that goes down to the river and the connection to Booth Park.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Boutros:

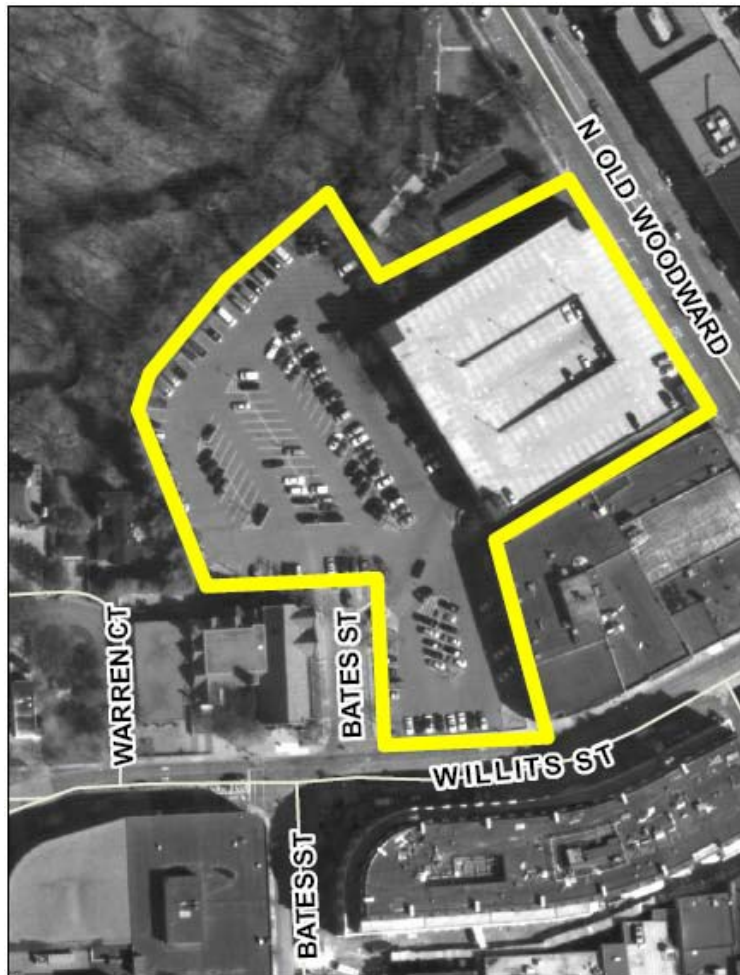
To direct staff to issue the Request for Proposals for the solicitation of qualified development teams to plan and construct the North Old Woodward / Bates Street Parking and Site Development with the changes noted.

VOTE: Yeas, 7  
Nays, 0  
Absent, 0



## REQUEST FOR PROPOSALS

### North Old Woodward / Bates Street Parking and Site Development



**Issued by:**

City of Birmingham,  
151 Martin Street  
P.O. Box 3001  
Birmingham, MI 48012  
(248) 530-1850  
[www.bhamgov.org](http://www.bhamgov.org)



**NORTH OLD WOODWARD / BATES STREET  
PARKING AND SITE DEVELOPMENT**

**REQUEST FOR PROPOSALS**

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## **INTRODUCTION**

The City of Birmingham, Michigan (the “City”) is seeking a developer or a development team (the “Developer”) to undertake the collective redevelopment of a parcel of public property of approximately 4 acres located in the City’s Central Business District. Figure 1 shows the location of the subject property being offered for redevelopment. This property currently contains a public parking structure and surface parking lot.

The City is utilizing a two phase process to select a Developer to redevelop the subject site. First, the City conducted a public selection process for qualified Developers to redevelop the N. Old Woodward/Bates Street site, with oversight and review to be provided by the Ad Hoc Parking Development Committee and the City Commission. A Request for Qualifications (RFQ) was issued earlier this year, and respondents were invited to submit their qualifications and experience to compete for pre-qualification to submit a proposal in the second phase of this process. In evaluating Developers’ qualifications, the City considered past development success, experience in working or partnering with communities, financial capacity and the design quality of previous development projects.

Through the RFQ process, the City has established a “short list” of four Developers that have been extended an invitation to submit a development proposal under this Request for Proposals (RFP). The details of the City’s interests are outlined within this RFP. At this time, the City is soliciting detailed proposals outlining the proposed development plan and proposed terms of an agreement between the development team and the City to construct additional public parking and redevelopment of the N. Old Woodward and Bates Street area.



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The City's objective is to solicit creative and innovative development plans from qualified Developers that will extend Bates Street from Willits to North Old Woodward and redevelop the remainder of the site by constructing a parking facility that provides a minimum of 380 parking spaces in addition to replacing the 770 parking spaces currently on the N. Old Woodward / Bates Street site, introducing residential, commercial and/or mixed uses to create an activated, pedestrian-oriented urban streetscape and provide public access to the Rouge River and Booth Park to the north. (Note that if additional commercial space is provided by this project, parking spaces in addition to the 380 noted above shall be provided at the rate of 1 space for every 564 sq.ft. of new gross commercial space. Residential parking spaces are assumed to be provided and reserved outside of these numbers, at the rate of 1.5 spaces per unit.) The City owns the entire parcel and its parking structure as illustrated in Figure 1. Parcel dimensions are illustrated in Attachment B. The northern end of this parcel is planned for designation as park property along the Rouge River.

It should be noted that the parcel marked Brookside Townhomes of Birmingham on Attachment B to the northeast of the City's property is currently under construction. A new five story mixed use building with retail and residential on the first level, residential on floors two through five, and two levels of underground parking is being constructed.

A sample plan of what the City envisions can be done with this property, while accomplishing the parking goals listed, is provided in Attachment E. It is important to note that the sample plan shown in Attachment E is conceptual only. For specific details on required plan elements please refer to this RFP and the development objectives outlined herein. Important desirable amenities of the plan as provided by the City include:

- New parking structure(s) with a minimum of 1150 parking spaces.
- New mixed use building adjacent to parking structure facing N. Old Woodward Ave.
- Service drive access to the adjacent buildings both north and south of the parking structure.
- New mixed use building facing Willits St.
- Public park property and connection between a new City street and the existing Rouge River to the north.
- Residential building on the north end of the site taking advantage of the existing views present in this area.

The existing zoning of this parcel is Public Property. An illustration of the existing zoning for this parcel and the immediate area is contained in Attachment C. This parcel is included in the City's Overlay Zoning District as illustrated in Attachment D, which provides for certain development opportunities. Modifications to the zoning of this parcel may occur to conform to the selected development plan, if the creativity of development plan does not meet existing parameters of the Overlay Zoning District. Additional information concerning the zoning regulations can be obtained from the City's Planning Division.

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The selected Developer will work with the Ad-Hoc Parking Development Committee to present and review their plan at public meetings to receive community input on their development plan. This process may include presenting the plan to one or more of the following boards and commissions:

- a. The Ad-Hoc Parking Development Committee;
- b. The Birmingham Planning Board;
- c. The Historic District Commission;
- d. The Parks and Recreation Board;
- e. The Advisory Parking Committee;
- f. The Multi-Modal Transportation Board; and
- g. The City Commission.

The final approval of the development plans will be concluded by the Birmingham City Commission following the community review process.

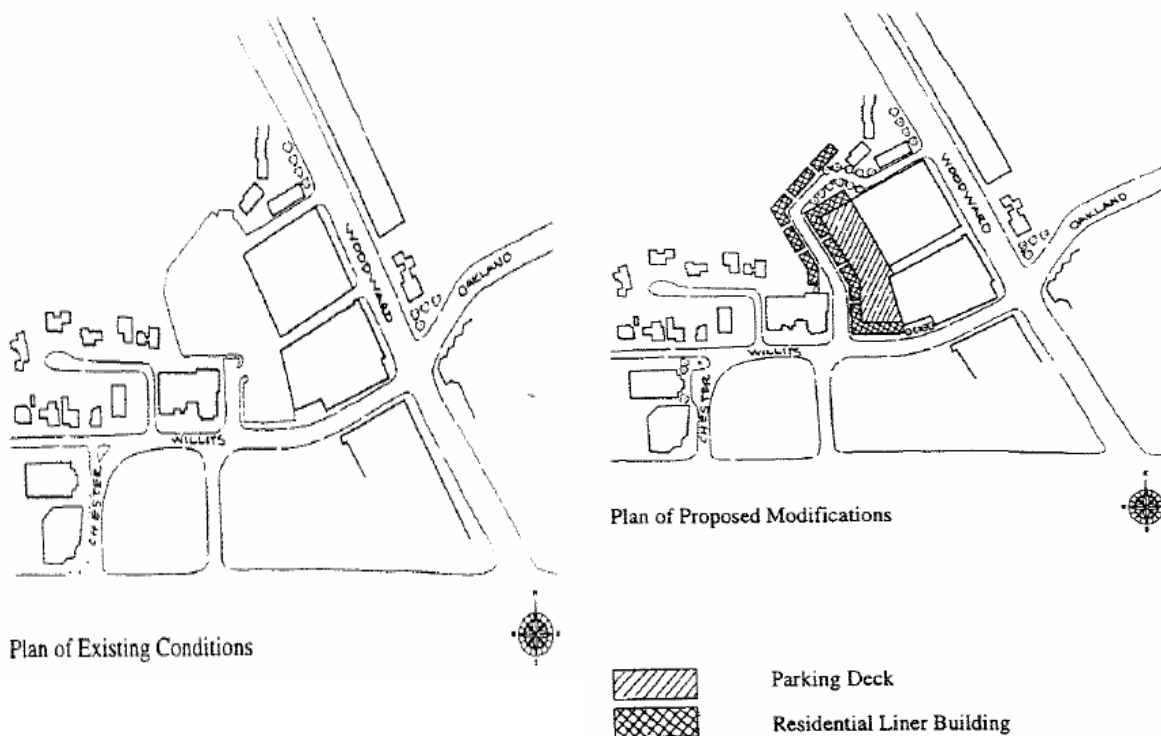
Based on the development plan selected, the City may lease or sell a portion or all of the property for development provided the development guidelines are met. The sale of public property would require the City to engage in placing the sale of property on the ballot for a vote in accordance with its City Charter. Once a development plan is accepted by the City, the process for the sale of property to the Developer may take from 4 to 12 months.

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## **DEVELOPMENT OBJECTIVES AND GUIDELINES**

The City's master planning document for the downtown, known as the *Downtown Birmingham 2016 Report* (DB2016 Report), identifies the N. Old Woodward / Bates Street site as a proposed location for redevelopment and provides conceptual illustrations of proposed modifications. The concept from the DB2016 Report referencing this area is provided herein for reference as Figure 2. Additional conceptual illustrations based on the DB2016 Report and incorporating various elements are provided as Attachment E.

Figure 2.



The City also adopted a master planning document for alleys and passages entitled *Activating Urban Space: A Strategy for Alleys & Passages* (Alleys & Passages Plan) in 2012. Developers will be expected to present creative concepts for the site that incorporate the objectives and guidelines listed above and outlined in the DB2016 Report and the Alleys & Passages Plan. The objectives and guidelines presented in this RFP will be used in evaluating the submitted proposals.

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## **Development Objectives**

The City's overall objectives for redevelopment of the N. Old Woodward / N. Old Woodward / Bates Street site are as follows:

- **To extend Bates Street from Willits and provide access to a location on North Old Woodward as envisioned in the Downtown Birmingham 2016 Plan.**
- **To accommodate current and future public parking needs with consideration for transient, employee permit parking, shoppers and faith-based community uses.**
- **To provide a form of residential, commercial and/or mixed use development along the extension to Bates Street to create an activated urban streetscape.**

A number of primary objectives for the redevelopment of Bates Street as a whole are outlined below:

- **To contribute to the improvement of the downtown as an active, pedestrian- oriented retail, residential and community environment.**
- **Ensure an adequate supply of parking in a conveniently located and attractively designed parking deck that limits negative externalities on surrounding buildings.**
- **To coordinate parking utilization in conjunction with public parking standards modified to accommodate mixed residential and business uses.**
- **To provide accessible parking on-street where possible consistent with existing Downtown Streets.**
- **To incorporate existing streetscape standards into proposed streetscape design and create an attractive streetscape that unifies, enhances and connects the N. Old Woodward / Bates Street site with the rest of the Downtown.**
- **Enhance the N. Old Woodward / Bates Street site as a safe, convenient and hospitable pedestrian environment, while linking Willits to North Old Woodward.**
- **To ensure that new construction is compatible with the existing building fabric and is sensitive to the existing light and air provided to adjacent structures.**
- **The improvement of public gathering space for people, as well as a pedestrian connection to the Rouge River and Booth Park to the north.**
- **Provide an attractive pedestrian via located in between the proposed 5-story building (building 2) and the existing 4-story building at 325 N. Old Woodward.**

- 
- **Provide a minimum 20 foot wide alley between the new parking structure and Building 2 to allow space for loading and services to both Building 2 and 325 N. Old Woodward Ave.**
  - **Minimize conflicts between vehicles, pedestrians and cyclists.**
  - **To ensure that the needs of the existing Church are met through the provision of nearby accessible parking, and a loading/unloading zone for the frequent drop off and pick up of young children.**
  - **Assurance of full uninterrupted access to surrounding buildings during construction and/or demolition.**
  - **Ability for creative adaptive re-use of the parking structure in the future, as well as options for multiple uses of the parking structure in the present.**

These objectives should be a fundamental part of any development proposal for the N. Old Woodward / Bates Street site. The guidelines discussed below for the physical framework, mix and location of land uses, and design of buildings and public spaces are drawn directly from the *Downtown Birmingham 2016 Report* and/or have been developed with these objectives in mind.

### **Development Guidelines**

1. **Pedestrian Circulation.** Redevelopment of the N. Old Woodward / Bates Street site should include a pedestrian circulation system that links public parking, public open space and new developments to surrounding uses and activities. All pedestrian access routes must be compliant with Americans with Disabilities Act (ADA) requirements. Pedestrian connection to the existing Rouge River trail and Booth Park located on the north side of the river is encouraged.
2. **Vehicular Connection.** Bates Street will be preserved as a public street to promote efficient access and circulation by vehicles, pedestrians, cyclists and transit riders. Bates Street will connect Willits to North Old Woodward. Accessible parking on street and pedestrian drop off areas must be provided.
3. **Parking.** The existing parking structure should be removed and replaced to accommodate additional parking. It is expected the City will own and operate any parking structure and own the land underneath the structure. Parking lots or garages serving residential developments would be privately owned. During construction phasing, the Developer shall coordinate development with respect to the existing parking operation. Parking elements should be the first phase of construction. Further, developers are encouraged to share ideas on how the City may offer solutions to handle the lack of parking while the parking structure is under construction.
4. **Topography and Redevelopment.** Building designs that take advantage

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of the natural topography in the area should be utilized. Site designs that provide public access to or overlooks of the Rouge River and Booth Park to the north are required.

5. **Storm Water Management** – Special consideration for development on the Rouge River must be in accordance with best management practices permitted by the Environmental Protection Agency (EPA) and the Michigan Department of Environmental Quality (MDEQ).
6. **Infrastructure.** This project will require extending sewer and water utilities to any new developments. New water mains must be looped into the existing system. The addition of sewer or water services for this site must conform to the City's standards. Information on these standards can be obtained from the City's Engineering Division.
7. **Utilities.** All utilities within and leading to the site shall be underground. The adequacy of gas, electric, telephone and cable service availability to the site will need to be determined by those making a proposal by contacting the respective utility companies. Note that the existing electrical source planned for 369 N. Old Woodward Ave. is overhead from the north of the Rouge River, through this site. The redevelopment will need to bring power for the new buildings as well as 369 N. Old Woodward Ave. from the south in order to remove all overhead wiring in this area.
8. **Financial.** No City subsidies will be made available. Land will be sold or leased at market rates and all private property or private use of public property will be subject to property taxes.
9. **Required Easements.** All necessary easements must be provided in accordance with the Consolidating Easement and Restriction Agreement dated November 28, 2005 between the City and B/K/G Birmingham LLC, benefiting 325 N. Old Woodward (located at corner of Willits and Old Woodward). A copy of this easement is included as Attachment F.
10. **Booth Park Trail.** Booth Park is located to the immediate north of the N. Old Woodward / Bates Street site. A proposed bridge connection to Booth Park from the site is planned as part of a trail master plan. The bridge will provide access between the downtown and Booth Park. This proposed bridge will be a vital link in the overall trail system. A conceptual illustration is provided as Attachment G.
11. **Phasing.** The developer is required to provide a clear, concise phasing plan to clarify how and when various parts of the development package would be built. Consideration shall be given to keep the amount of time that the parking structure is out of service to the public to a minimum, and that sufficient remaining land be made available to not only stage the

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construction of the parking structure, but to accommodate a staging area if needed for daily shuttling of hundreds of parkers to this area to an off-site parking area, if necessary. Further, developers are encouraged to share ideas on how the City may offer solutions to handle the lack of parking while the parking structure is under construction.

## **Design Issues**

1. **Building Height Considerations.** The portion of the site not used for public parking is zoned D-3 under the Downtown Birmingham Overlay Zoning, which allows a maximum of 4 stories, provided the 4<sup>th</sup> story is used for residential units and is set back 10' from the front building façade. Maximum overall height is 68'. Specific regulations also apply. These regulations are outlined in the City's Zoning Ordinance. However, it should be noted that City owned property may exceed the maximum height limits for private property.
2. **Residential Building Relationships.** Any proposed residential uses should be integrated into an overall mixed use development.
3. **Design of Buildings.** Specific design and architectural requirements are in place in the Downtown Birmingham Overlay Zoning District as outlined in the City's Zoning Ordinance.
4. **Design of Street.** The extension of Bates Street must conform to the City's street standards. A consistent minimum of 50 ft. width is required for the new public right-of-way, unless the existing parking structure is maintained.
5. **Streetscape and Landscaping.**
  - Streetscape designs must incorporate the City's Downtown Streetscape Design Standards.
  - Landscaping designs should include innovative and aesthetically appealing plants and landscape features that enhance the pedestrian experience while enhancing the natural area along the Rouge River.
6. **Public Safety.** Fire and emergency access must be accommodated for all buildings in the development area. Hydrants must be placed where required by the City's Fire Department.
7. **Parking.** Most residential parking should be emphasized underground or within buildings, which would allow land areas to be used for buildings and open spaces. The change in elevation in the area should be used to facilitate underground parking.

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## **REQUEST FOR PROPOSAL PROCESS**

Four Developers have been short-listed and pre-qualified in the RFQ phase of the process. Only these four Developers are being offered the opportunity to submit a development proposal in Phase 2 under this RFP.

During the evaluation process, the City reserves the right, where it may serve the City's best interest, to request additional information or clarification from Developers, or to allow corrections of errors or omissions. At the discretion of the City, firms submitting qualifications may be requested to make public presentations as part of the evaluation process.

The City will select a single developer or development team for the redevelopment of the parcel offered in this RFP. The City may offer to sell or lease the property it currently owns within the Bates Street Site, exclusive of land to be used for public parking and public roads, for private use to the selected developer or development team.

### **Anticipated Timetable of Selection Process**

<b><u>Submittal &amp; Review Process</u></b>	<b><u>Target Date</u></b>
Release of Request for Proposals	Sept. 12, 2017
Proposal Due Date	Jan. 3, 2018
Extend invitation for Interviews	Jan. 30, 2018
Interviews Conducted	Feb. 2018
Recommendation of Developers to City Commission	March 2018
Conduct community and plan review process	April – Dec 2018
City Commission approval of final development plan	January 2019

### **Developer rights and responsibilities**

The following outlines the rights and responsibilities of the developer and the City of Birmingham in the redevelopment of the North Old Woodward / Bates Street Parking and Site Development:

- Exclusive development rights and right to purchase or lease land for private uses (excludes purchase of any City owned land that will be used for public purposes, such as public parking.)
- To serve as developer or development team of the property for a mix of uses; all sub-developers must be identified if other firms will carry out portions of the project.
- Prepare all site plans and elevation drawings for approval by the City in accordance with the specifications and requirements of the City of Birmingham.
- Plan for and construct public parking as indicated in the development

- 
- program.
- Work with the City during construction to accommodate temporary parking and minimize disruption to residents, tenants and the faith community in the surrounding area.
  - Develop public infrastructure and utilities necessary for the site.
  - Attend public meetings as necessary in order to present plans for review. It is expected that plans will need to be presented at up to ten (10) boards and committee meetings for review.

### **City's Role**

- Assist with necessary development review process and approvals.
- Cooperate with any land acquisition pursued by the developer in accordance with this RFP.
- Assist with construction phasing and coordination with respect to temporary parking operation during construction.
- Provide existing information relating to the site such as 1) title search, 2) site survey, 3) baseline environmental analysis, and 4) utility availability analysis.

### **SUBMISSION REQUIREMENTS AND GUIDELINES**

The following outlines the submission requirements and guidelines for the North Old Woodward / Bates Street Parking and Site Development project. All respondents must provide the following documents to be considered:

- A. Cover sheet as provided in RFP (Attachment A);
- B. Transmittal letter;
- C. Detailed site plan for the entire site, illustrating proposed buildings, open spaces, noting proposed uses and connections and relationships with all adjacent properties;
- D. Written response indicating how the proposal meets each of the City's development objectives and development guidelines;
- E. Written outline of terms the development team proposes to structure a deal with the City, including the following:
  - Recommendations for terms of development plan for the purchase and/or lease of City land;
  - Terms of ownership, operation and/or maintenance of the public parking structure;
  - Terms of ownership, operation and/or maintenance of any proposed private assets integrated into the public parking structure building (retail liners, etc.);
  - Construction proposal for public infrastructure, such as roads, sidewalks, plazas etc.;
  - Financing methods;
  - Proposed contractual terms; and

- 
- Anticipated role/obligations of the City.
- F. Estimated overall total budget for the project, with sub-totals for land costs and construction costs; and
- G. Proposed timeline with details on each phase from selection of development team to completion of entire project.

### **Submission Procedure**

Ten (10) hard copies and one (1) PDF copy of each proposal shall be submitted no later than 4:00 p.m., on January 3, 2018 to:

City of Birmingham  
Attn: City Clerk  
151 Martin Street  
Birmingham, Michigan 48009

Submittals should be firmly sealed in an envelope, which shall be clearly marked on the outside, **"Request for Proposals – N. Old Woodward / Bates Street Parking and Site Development"**. Any proposal received after the due date cannot be accepted and will be rejected and returned, unopened, to the proposer. Proposer may submit more than one submittal provided each proposal meets the functional requirements.

Each respondent shall include in their submittal the following information: Firm name, address, city, state, zip code, telephone number, fax number and website address. The company shall also provide the name, address, telephone number and e-mail address of an individual in their organization to whom notices and inquiries by the City should be directed as part of their proposal.

The City of Birmingham reserves the right, at its sole discretion, to reject any or all submittals when, in its opinion, it is determined to be in the public interest to do so; to waive minor irregularities and informalities of a submittal; or to cancel, revise, or extend this solicitation. The Request for Proposals does not obligate the City of Birmingham to pay any costs incurred by any respondent in the submission of a proposal or in making necessary studies or designs for the preparation of that proposal, or for procuring or contracting for the services to be furnished under this Request for Proposals.

### **Selection Criteria**

Evaluation of proposals will be based upon:

- Detailed description of conceptual development plan and how the proposal meets the City's objectives;
- Design quality of the proposed development project, including both private buildings and public space;

- 
- Offer price and terms and conditions for the sale or lease of City property, with a description of the necessity to purchase or lease;
  - Proposed public engagement process; and
  - Past performance of firms as verified by references of previous clients/projects in urban areas.

## TERMS AND CONDITIONS

1. The City reserves the right to reject any or all proposals received at any time during this process, waive informalities, or accept any qualifications in whole or in part, it deems best. The City reserves the right to award the contract to the next most qualified Developer if the successful Developer does not execute a development agreement within thirty (30) days after the award of the proposal under the RFP.
2. The City reserves the right to request clarification of information submitted and to request additional information of one or more Developers.
3. The City reserves the right to terminate any contract at its discretion should it be determined that the services provided do not meet the specifications contained herein. The City may terminate this Agreement at any point in the process upon notice to Developer sufficient to indicate the City's desire to do so. In the case of such a stoppage, the City agrees to pay Developer for services rendered to the time of notice, subject to the contract maximum amount.
4. The successful bidder will be required to furnish a Performance Bond in an amount not less than 100% of the contract price in favor of the City of Birmingham, conditioned upon the faithful performance of the contract, and completion on or before the date specified.
5. Any proposal may be withdrawn up until the date and time set above for the opening of the qualifications. Any proposal not so withdrawn shall constitute an irrevocable offer, for a period of ninety (90) days, to provide the services set forth in accordance with the specifications outlined in this RFP.
6. The cost of preparing and submitting a proposal is the responsibility of the Developer and shall not be chargeable in any manner to the City.
7. The Developer will not exceed the timelines established for the completion of this project.
8. The successful Developer shall enter into and execute a development agreement with the City.

---

**ATTACHMENT A****COVER SHEET**

In submitting this proposal, as herein described, the Consultant agrees that:

1. They have carefully examined the specifications and terms of the Request for Proposal and all other provisions of this form and understand the meaning, intent, and requirement of it.
2. They will enter into written contract and furnish the item or items in the time specified in conformance with the specifications and conditions contained therein for the price quoted by the proponent on this proposal.

---

**BID PREPARED BY**  
**(Print Name)**

---

**DATE SUBMITTED**

---

**AUTHORIZED SIGNATURE**

---

**DATE**

---

**TITLE**

---

**COMPANY**

---

**ADDRESS**

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**PHONE**

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**NAME OF PARENT COMPANY**

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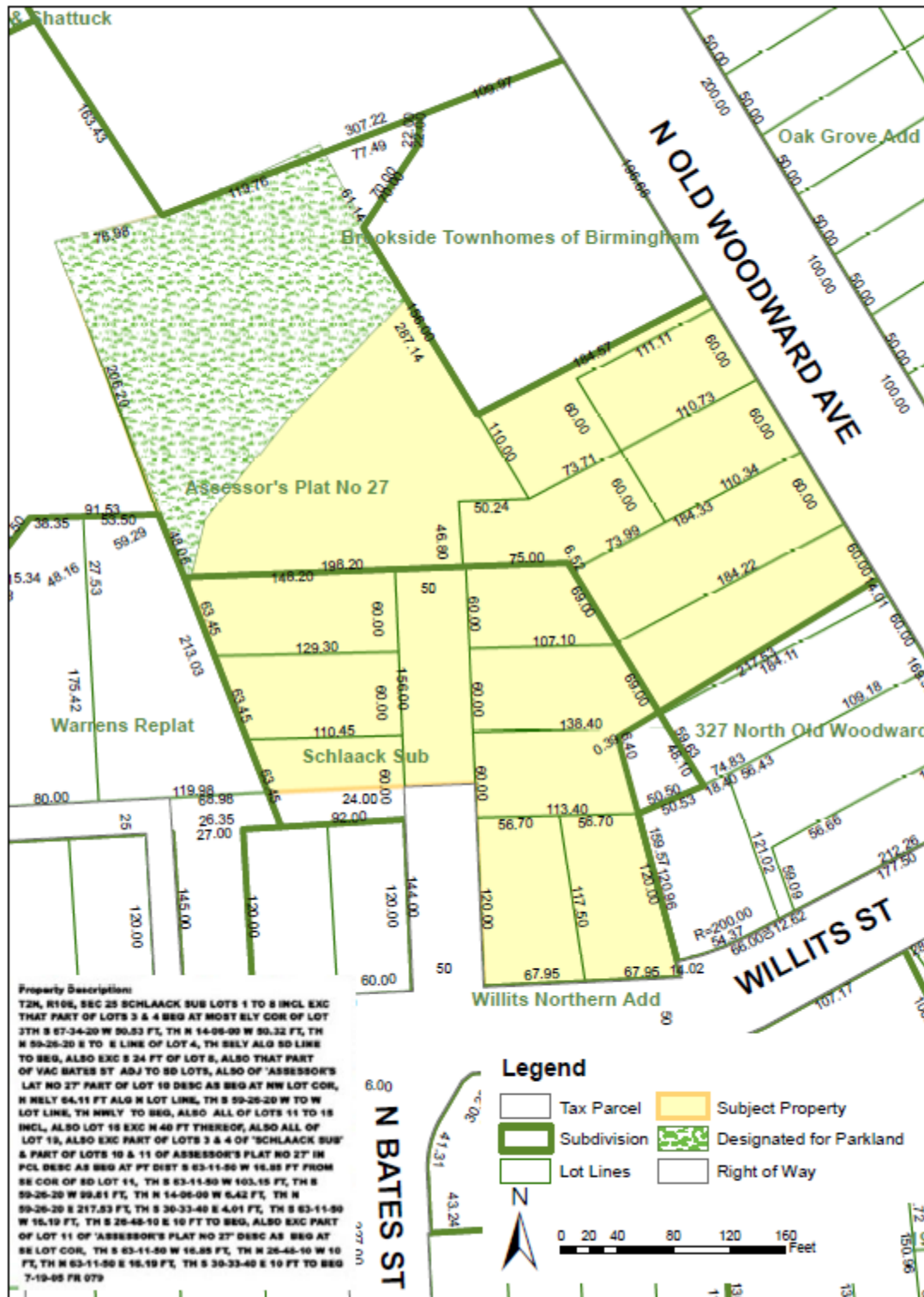
**ADDRESS**

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**PHONE**

## ATTACHMENT B

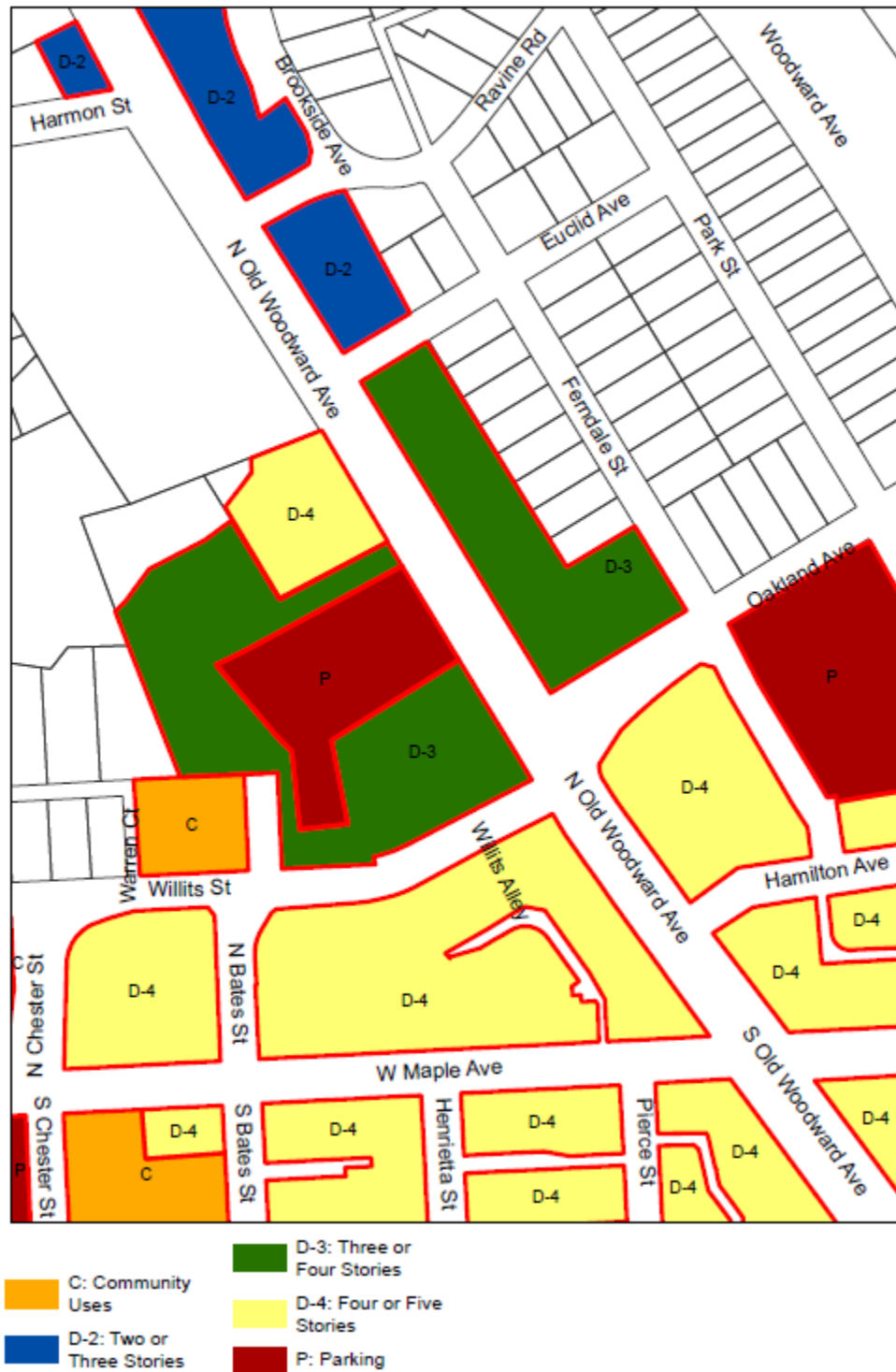
# N. OLD WOODWARD / BATES PARKING SITE PARCEL DIMENSIONS



ATTACHMENT C  
**N. Old Woodward / Bates Parking Site**  
**Zoning Districts**



ATTACHMENT D  
**N. Old Woodward / Bates Parking Site**  
Overlay Zoning Districts





[illegible]

**Carl Walker**

Request for Developer Qualifications



**SAROKI**  
ARCHITECTURE

**City Walker**

**South Bird's Eye View**

**Birmingham Parking Expansion**  
201 N. Old Woodward Avenue  
Birmingham, MI  
City of Birmingham  
Bird's Eye View  
February 24, 2016

**ATTACHMENT F**  
**Easement Benefitting 325 N. Old Woodward**

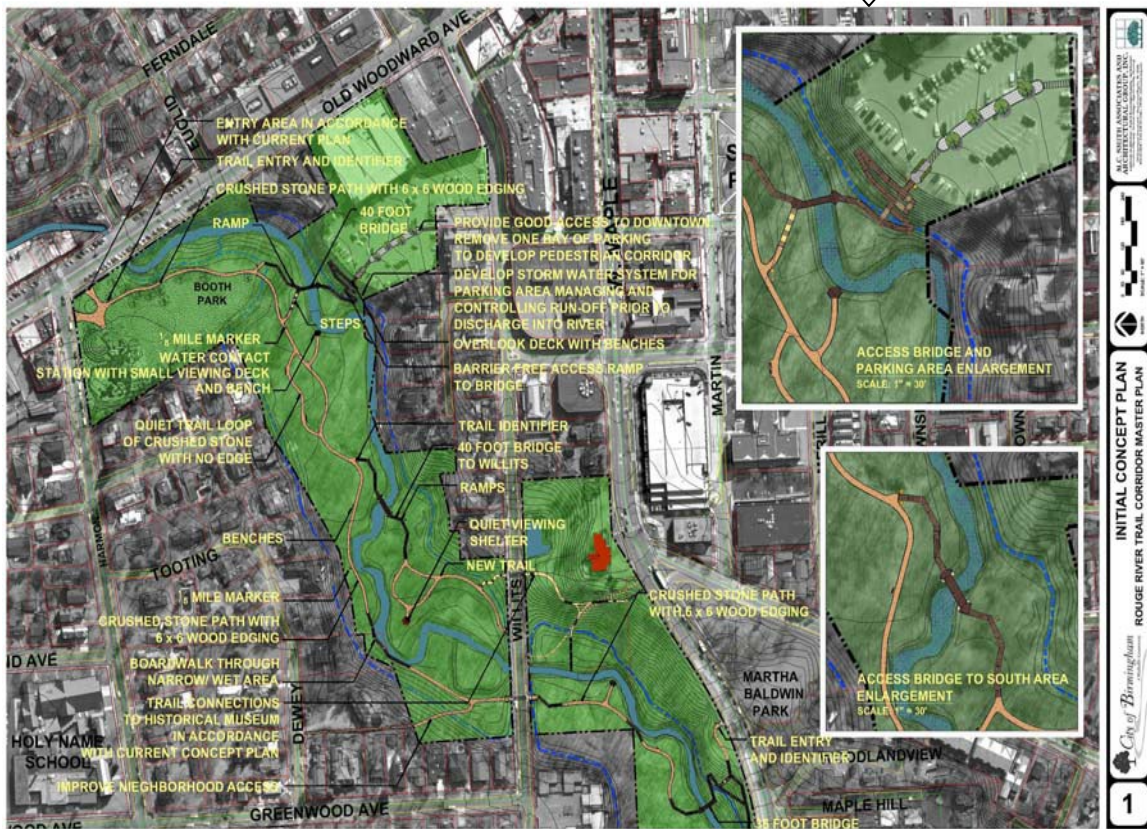
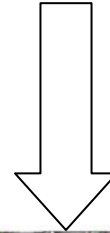
**Vehicle Access Easement**

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

A parcel of land being a part of Lots 10 and 11 of "Assessor's Plat No. 27" in the SW quarter of Section 25, T2N, R10E, City of Birmingham, Oakland County, Michigan, according to the Plat thereof as recorded in Liber 6 of Plats, Page 46, Oakland County Records, and a part of Lots 3 and 4 of "Schlaack Subdivision of Lots 40, 41, 42 and part of Lot 53 of Willets Addition", City of Birmingham, Oakland County, Michigan, according to the Plat thereof as recorded in Liber 8 of Plats, Page 8, Oakland County Records, said parcel of land being described as follows: Commencing at the southeasterly corner of said Lot 11, said point also being on the westerly line of Woodward Avenue (100 feet wide); thence S 63°11'50" W 16.85 feet along the southerly line of said Lot 11 to the point of beginning of this description; thence continuing S 63°11'50" W 103.15 feet along said lot line to a point; thence S 59°26'20" W 99.61 feet to a point; thence N 30°33'40" W 19.16 feet to a point; thence N 59°26'20" E 219.35 feet to a point on the easterly line of said Lot 11; thence S 30°33'40" E 17.01 feet along said easterly line of said Lot 11 to a point; thence S 63°11'50" W 16.19 feet along a line 10.00 feet northerly of and parallel to the southerly line of said Lot 11 to a point; thence S 26°48'10" E 10.00 feet to the point of beginning of this description.

## ATTACHMENT G Booth Park Trail Connection

Booth Park trail  
connection to  
Bates Street site.



**LUNCH BREAK**

**12:15 PM – 12:25 PM**



## MEMORANDUM

Fire Department

**DATE:** January 5, 2018

**TO:** Joseph A. Valentine, City Manager

**FROM:** John M. Connaughton, Fire Chief

**SUBJECT:** 2018 Long Range Planning – Chesterfield Fire Station

---

The Chesterfield Fire Station construction project continues to move forward. When completed, the new fire station will offer many operational opportunities that were not available to the department with our previous building. As residents of the City of Birmingham, you will have a building that visually will be stunning and one you will be proud of for many years to come.

On April 3, 2017 the onsite start of demolition/construction began. Since then, many aspects of the building have been completed and at this point except for landscaping which will be completed in April, the exterior is done. In the interior, all electrical, plumbing, heating/cooling and rough carpentry have been completed. As soon as Consumer Energy connects the gas line to the building and the interior is heated, hanging drywall will begin, doors will be hung, walls will be painted and fixtures will be installed. Regardless of landscaping, when the interior is at a point of substantial completion, fire service will resume out of the new station. As for interior operational opportunities, we will be able to house equipment such as Tower 34 which due to overall length would have never been able to be housed at the old station. Our rescue boat/motor will now be able to be stored and transported by a trailer due to the larger apparatus bay, training such as rappelling can be conducted from the interior of the apparatus bay. Storage of medical, firefighting, HazMat, technical rescue, self-contained rescue bottles and hose equipment will be able to be safely stored due to storage rooms built into the apparatus bay. As the years go by and run volumes increase, as they have for many years the opportunity to explore the option of a second rescue responding from the new fire station becomes available. Due to the fire service no longer being gender specific we will have facilities for female firefighters and larger office area provides room for officers to conduct their work. To ensure that this City project when completed will be to the high standards set by the City, personnel from engineering, community development, IT, fire department and the City Manager have been involved from the beginning and throughout this project and will continue to do so until completion.

We will continue on a daily basis, throughout completion to make sure this fire station will serve the residents of Birmingham, business owners and anyone else that enters our borders for the next fifty years plus.



## MEMORANDUM

### Police Department

**DATE:** January 5, 2018  
**TO:** Joseph A. Valentine, City Manager  
**FROM:** Mark H. Clemence, Police Chief  
**SUBJECT:** 2018 Long Range Planning Topics

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The following three topics are priorities for the police department in the 2018-2019 fiscal year:

#### **Local Street Traffic Counts & Traffic Control Measures**

Among the most common complaints received by the police department from citizens are concerns over speeding vehicles in residential neighborhoods. With this in mind, the police department began a program two years ago to start charting speeds on local streets using a covert radar system. The purpose of this program was to identify problem streets for traffic speeds or volume and to create a database of information that the department could use when meeting with residents to discuss historical speed studies for their respective streets. In the 2017-18 budget, the police department identified the purchase of additional speed monitoring equipment to assist officers in meeting the demand for individualized enforcement on local streets.

In 2018, it is the intention of the police department to assign two day shift sergeants to a program addressing citizen concerns over speeding vehicles on neighborhood streets. These sergeants will be assigned speeding complaints and will be required to follow-up with each resident, preferably in person. Discussions will center on concerns expressed by residents, education of residents regarding previous speed studies, any engineering issues that may be factors and the also the formulation of a plan to address the issues. Plans may include an officer actively working radar in the area, use of a speed trailer, speed board, use of the speed trailer with a message board, additional signage or a referral to the City's Multi-Modal Traffic Board. The goal is be more interactive with residents concerned over speeding vehicles in their neighborhoods and for the police department to proactively engage in some form of a response to complaints.

## **Enhanced Community Policing Efforts**

The past several years have been difficult for law enforcement, both from a national media perspective (negative perceptions) about law enforcement to dealing with large scale horrific acts of terrorism and active shooter incidents. The world is a very complex and changing environment that demands the very best from officers to make people feel safe in their daily lives. Toward this end, the police department is going to engage in at least two new programs to assist residents and business owners to feel a greater sense of security in these turbulent times.

The police department is currently in the process of developing its first community resource officer, Ofc. Casey Pedersen. This officer will be meet with community groups, special interest groups, homeowners associations, local businesses, individual citizens and school groups to discuss a wide variety of issues that include: building security, home security, personal safety, "stranger danger," active shooter response and many other topics of interest. It is the hope that the officer will have completed her training by the middle of 2018.

The second program is one in which local churches, businesses or educational institutions concerned over active shooter incidents can contact the police department for an analysis of their emergency protocols, emergency response plans and hands-on training on what to do if any of these unfortunate incidents were to occur. All officers of the Birmingham Police Department receive annual training in active shooter response (ASR). The department has sent Commander Scott Grewe for comprehensive training that will allow him to directly work with the aforementioned community groups on how to deal with ASR incidents from a civilian perspective. The police department is already working with Birmingham Public Schools to implement this program and will soon be sending a letter to every church in the City to offer this service.

All of the training costs associated with both of these programs will be covered by training funds received from the State of Michigan (also known as 302 funds).

## **Drug Recognition Expert (DRE) Training**

A drug recognition expert or drug recognition evaluator (DRE) is a police officer trained to recognize impairment in drivers under the influence of drugs other than, or in addition to alcohol. This program offers an academically challenging curriculum developed to enhance an officer's ability to identify, evaluate and document suspected drug impairment. Officers that successfully complete the training often become leaders in alcohol and or drug impairment within their departments and communities.

DRE officers will learn about the seven drug categories, human physiology and the signs and symptoms as they relate to the drug impaired driver. Officers will also learn to

conduct a standardized and systematic twelve step evaluation of a drug impaired driver and determine the category of drugs most likely causing that impairment.

For 2018, Ofc. Yacoub Iseid was one of only 22 officers statewide to be selected for the DRE program. All costs associated with this training program are being paid by the State of Michigan through a federal grant. Having a certified DRE officer on staff will significantly increase the department's ability to deal with the expanding issue of individuals under the influence of narcotics.



## MEMORANDUM

Building Department

**DATE:** January 8, 2018

**TO:** Joseph A. Valentine, City Manager

**FROM:** Bruce R. Johnson, Building Official

**SUBJECT:** Long Range Planning Meeting  
Revised Code of Conduct; Online Inspection Scheduling

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The Building Department continues to seek ways to improve customer service with the public. For example, we are revising the Builders Code of Conduct sign to clarify violations by listing the City Code sections for the most common violations found at construction sites. In addition, we are also preparing to roll out our new Online Inspection Scheduling program early this spring.

The Builders Code of Conduct was adopted by City Commission in 1999. This was in response to concerns expressed by residents that builders were not properly maintaining their construction sites. The document illustrates the City's expectations of how builders and their subcontractors are to conduct themselves and maintain their construction sites while they are building in the City of Birmingham. The Building Department posts a Builders Code of Conduct sign at each building site that has construction fencing installed. The purpose of the sign is to remind builders and inform residents that the contractors are to conduct themselves professionally and maintain the construction site in accordance with City rules and regulations. However, residents have expressed concerns that some builders and contractors appear to not take the sign seriously and suggest that updating the sign would help. In response to those concerns, we have revised the sign by tying the violations back to the City Code Sections to clarify that the City does have regulations applicable to construction sites.

The department also continues to push forward with technology improvements. On April 1, 2018, we will go live with an Online Inspection Scheduling program. The initial go live date for this feature was delayed to allow the developer to make some enhancements to the program that we needed. That work is now complete and over the next few months we will be testing the updates, preparing our database, and finalizing promotional documents as we gear up to go live in the spring.

With the input of the residents, the revised Builders Code of Conduct sign clearly communicates the specific sections of the City Code for violations. Additionally, the Online Inspection Scheduling feature will streamline the scheduling process for both the public and staff alike. The building department values input and will continue to seek ways to improve efficiency while providing legendary customer service.

We endorse the Birmingham City Commission's

# Builders' Code of Conduct

*We understand the builder and all subcontractors are guests in this neighborhood, and we take pride in the high standards of work on and around our site. We pledge to be professional, considerate, responsible, orderly and safe. We understand partnership and cooperation are the keys to the success of our project, the neighborhood, and the city. We pledge to adhere to the City Code and all its provisions.*

**Hours of Operation:** Construction is permitted 7 a.m.-7 p.m. on Monday-Saturday. No work is to be conducted on Sundays/legal holidays. **Per Section 50-74: Noise & construction hour provisions.**

**Fencing and Gates:** Construction fencing and gates will be properly maintained; gates will be closed at the end of each workday. Gates will not block sidewalks. Fences will not infringe on neighboring property or sidewalks. **Per Section 50-27 (9): Unguarded excavations or machinery, Section 50-29 (1, 4-5): (1) Construction to be done in safe manner and public protection provided, (4) Construction fence requirements, (5) Watchman required to warn the public during intermittent hazardous operations.**

**Sidewalks and Right of Way:** Sidewalks will be maintained, passable and free from damage or obstruction. **Per Section 98-67: Sidewalk to be maintained, Section 98-68: Failure to maintain sidewalk, Section 98-26: Obstructions in road Right-of-Way, Section 98-27: Obstruction & Damage road Right-of-Way.**

**Construction Site and Materials:** All equipment and materials will be stored in an orderly fashion. The construction site will be kept clean, and debris disposed of properly. There will be no dirt and mud tracked into the road, or damage to the road surface. **Per Section 50-29 (2): Construction equipment and materials to be stored in orderly fashion, (3): Control of airborne materials.**

**Tree Preservation:** All city trees will be maintained, protected and preserved during the construction process. **Per Section 118-13: Tree location survey, Section 118-14: Tree protection of public and private trees, Section 118-15: Tree protection measures, Section 118-16: Excavations and driveways near city trees.**  
*If you have any concerns or comments about this site, contact the builder or the City:*

**Code Enforcement: (248) 530-1859**

**Building Department: (248) 530-1850**

**Builder: \_\_\_\_\_**

**Phone Number: \_\_\_\_\_**

The complete Builders Code of Conduct can be viewed on the City's website at:

[www.bhamgov.org](http://www.bhamgov.org)



To: Joe Valentine, Birmingham City Manager  
From: Doug Koschik, Baldwin Public Library Director  
Subject: Long-Range Planning Session on January 27, 2018: Proposed Youth Room Expansion  
Date: January 10, 2018

At the City Commission's long-range planning session on January 27, 2018, I will deliver an update on the proposed Phase 2 of Baldwin's long-range building vision. Phase 2 would consist of an expansion and renovation of the Youth Room.

### ***Phase 1: Adult Services Renovation***

Baldwin completed the renovation of its Adult Services Department in June 2017. The project was completed on time and under budget, and has met with great acclaim.

### ***Phase 2: Youth Room Expansion and Renovation***

Phase 2 of the Library's long-range building vision would expand and renovate the Youth Room to meet community needs more effectively. As the first step toward implementing this proposal, the Library issued an RFP for architectural services to develop a conceptual/schematic design of the Youth Room and to update cost estimates. In October 2017, the Library Board selected Luckenbach Ziegelman Gardner (LZG) to do the work. If the project moves forward, there will be another bid process for architectural services to carry out the design-development and construction-drawing portions of the project.

### ***Technical Work***

In order to ensure that the designs for this project are reliable, the Library commissioned the following:

- As-built drawings of the existing Youth Room
- Soil borings, so that a structural engineer could evaluate foundation requirements, and
- Drillings through the drywall to examine the underlying brick of the 1927 building

### ***Input from Public and Staff***

LZG met with the Library's Youth Room staff and the Building Committee to gather input for the Youth Room design. The firm also gathered input from the public via three forums:

- For a period of six weeks, the Library encouraged visitors to the Youth Room to write comments on flip chart paper. People left numerous comments, which were compiled in the August 2017 Library Board packet.
- A widely-advertised community forum at the Library was held on November 13, 2017. Participant comments were compiled in the December 2017 Library Board packet.
- The Library conducted a survey, both online and using paper forms, between December 4 and December 14, 2017. The results were compiled in the December 2017 Library Board packet. You can also find them in Appendix C.

Of the 88 people responding to the December survey, *92% saw the need for a renovation of the Youth room, and 88% expressed support for an expansion.*

Respondents were asked to rank the importance of eight different Youth Room features. While all features received support, the respondents ranked the features in the following order, from most important to least important:

1. Easy-to-browse book shelving
2. Large play area
3. Comfortable seating
4. Expanded story room
5. Better lighting and more windows
6. More coat racks and stroller storage
7. Computers & iPads
8. More study tables

Through all of the comments gathered through these different methodologies, certain themes were consistent:

- Collections remain important. The public wants a good selection of books, magazines, audiovisual materials, puppets, toys, etc.
- The public sees the need for a larger play area and story room.
- Offering technology (computers, iPads, STEM activities) is important, but some people don't want to see it emphasized over books, learning, and literacy.

In addition, there is support for all of the following:

- Improved bathrooms
- More and better seating and collaboration space, especially where a child and adult can sit together
- Availability of both quiet study places and areas for play and collaboration
- A self-check machine in the Youth Room
- A less crowded and more logical layout, better wayfinding, and a more seamless connection from the lobby into the Youth Room
- A less claustrophobic space and a more up-to-date atmosphere
- A layout that better accommodates children with special needs
- Full ADA-accessibility throughout the space, including in the book stacks and public restrooms
- Adding one stall to the women's restroom and one urinal to the men's restroom
- Keeping—and expanding—the windows, to make them child-height
- Enhancing the connection to Shain Park, other downtown buildings, and people walking by the building
- Flexibility for the future—perhaps using movable and modular furniture and shelving.
- An outdoor seating space
- Something interactive on the outside of the building for people to use

## ***Conceptual/Schematic Design of Phase 2***

After careful consultation with the Library's staff and Building Committee, LZG has developed a plan for the Youth room that calls for the following:

- Expanding the Youth Room by approximately 40%--i.e. 2,000 square feet. This expansion would carry the Library building toward both the east and north. The expanded Youth Room would be clad in heat-and glare-reducing glass from floor to ceiling.
- Renovating the existing Youth Room, including public, staff, and storage spaces. The play area would increase in size by 130%, and the story room would increase by 160%. The number of seats would increase by 50%.
- Widening of the hallway leading from the lobby toward the Youth Room. This would help circulation flow and succeed in better connecting the Youth Room to Adult Services. In effect, it would be a continuation of the "main street" already existing in Adult Services. The hallway would contain display cases and a large aquarium. Off the hallway would be a room for strollers and backpacks.
- Enhancing the arrangement of shelving and furniture in order to make the space ADA-compliant.
- Upgrading the public restrooms on the main floor, making them ADA-compliant in the process.
- Re-using existing shelving, wherever possible.
- Adding new furniture and fixtures, carrying through on a number of design features used in the Adult Services renovation.
- Honoring the 1927 building wherever possible by exposing and highlighting the original brick.
- Adding an outside Youth terrace on the north side of the building.
- Landscaping the exterior of the building to make an appropriate transition to Shain Park.

Renderings of the design are contained in Appendix A.

## ***Funding of Phase 2***

An updated cost estimate of Phase 2, developed by LZG, is contained in Appendix B. The estimated cost of the project in 2019 dollars comes to \$2,348,000.

It is the hope of the Library Board that funding of this project will proceed in accordance with the City's previously established funding vision, taking into account other City funding initiatives. Further discussion about it will take place at the April 28 City budget hearing.

## ***Timeline of Phase 2***

If there is continued support the building vision and financing is available, the Library Board would like to begin the construction of Phase 2 in fall 2019.

## ***Phase 3: Circulation, Front Entrance, Outdoor Plaza***

The plans for Phase 2 would easily accommodate the construction of Phase 3—the last of the building vision's three phases—at a future date. Phase 3 would occur in fiscal year 2022-23 if we follow the timeline of the long-range building vision presented to the City Commission in January 2016 and January 2017. Phase 3 would consist of the following elements:

- Renovation of the Commons/Circulation area.
- Development of a new entry. This would probably consist of a glass enclosure of the area lying underneath the Birkerts curve. The steps to the main floor would be redone and reduced in scope. An elevator would be installed to transport people who need assistance from street level to the main floor. A café would be placed inside the glass enclosure connected to the outside plaza.
- Upgrade of the outdoor plaza next to the new enclosed entry. The construction in Phases 2 and 3 would take a toll on the existing plaza, and enclosing the area under the Birkerts curve would transform the setting. Therefore, an upgrade to the outdoor space would be advisable. It also offers the opportunity to connect the Library in a more effective manner to Shain Park, The Community House, and rest of Birmingham's civic center. The Library believes the replacement of concrete with aggregate pavement—as well as improvements to the hardscape, landscape, and lighting—should be considered.
- Installation of a skylight at the entrance to the Library and possible skylights around the exterior of the 1927 building, along the line where the 1927 building meets the 1960 and 1981 additions. The skylight at the entrance would allow natural light to flood into the interior of the building and would expose the peak of the 1927 building to patrons walking into the Library. LED lighting, installed during Phases 1 and 2, would continue to be used to highlight the brick walls of the 1927 building when natural light is not present.

### ***Conclusion***

The Baldwin Public Library Board of Directors is pleased to present the Birmingham City Commission with its conceptual/schematic design for Phase 2, along with an updated cost estimate. Phase 2 achieves the following goals:

- Strengthens Birmingham's civic center
- Increases the value that Baldwin delivers to residents
- Responds to public input
- Balances community needs, given limited resources
- Ensures Birmingham remains competitive against other communities with larger and more recently designed Youth Rooms

Phase 2 would bring the Library improvements in:

- Infrastructure, including technology
- Wayfinding
- Access for families (strollers, wheelchairs, etc.)
- Study and collaboration spaces
- Light and acoustics
- Aesthetics, including honoring the 1927 building

The process for Phase 2 would involve:

- Input from the public
- Consultation with City boards
- Following all City procedures

The Library Board looks forward to working with the Commission to develop an expanded Youth Room that both serves the needs of the community's children and parents and helps integrate the Library building with Shain Park and the surrounding civic center.

## **Appendix A**

### **Design Approach, Space Plans, and Renderings for Phase 2**

The designs on the following eight pages were developed jointly by Luckenbach Ziegelman Gardner Architects LLG and the Baldwin Public Library Board of Directors and Library Staff.

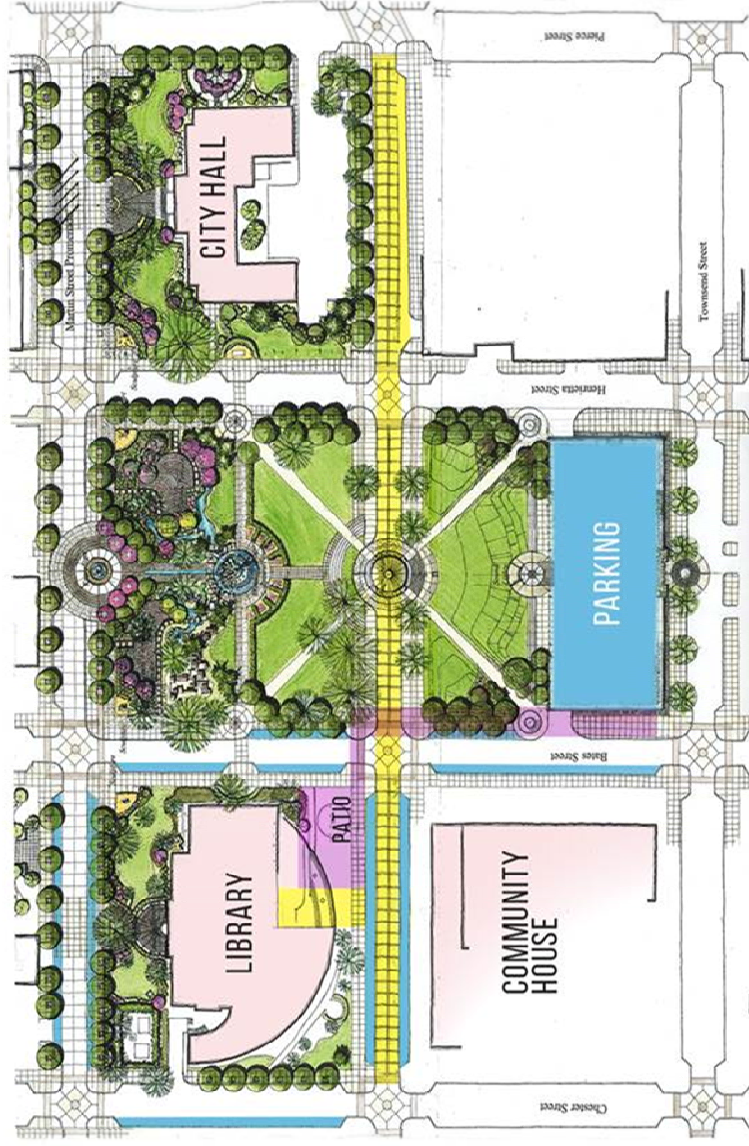
The rendering on page 7 shows the Baldwin Library in the context of Birmingham's civic center, but it does not actually reflect the Library as it would look after Phase 2, and Shain Park is not displayed as it currently looks. During my January 27 presentation, I will show an updated version of this rendering.

The orientation of the Youth Room stacks is still under discussion. Note that the floor plan on page 12 shows an east-west orientation, while other renderings show a north-south orientation.

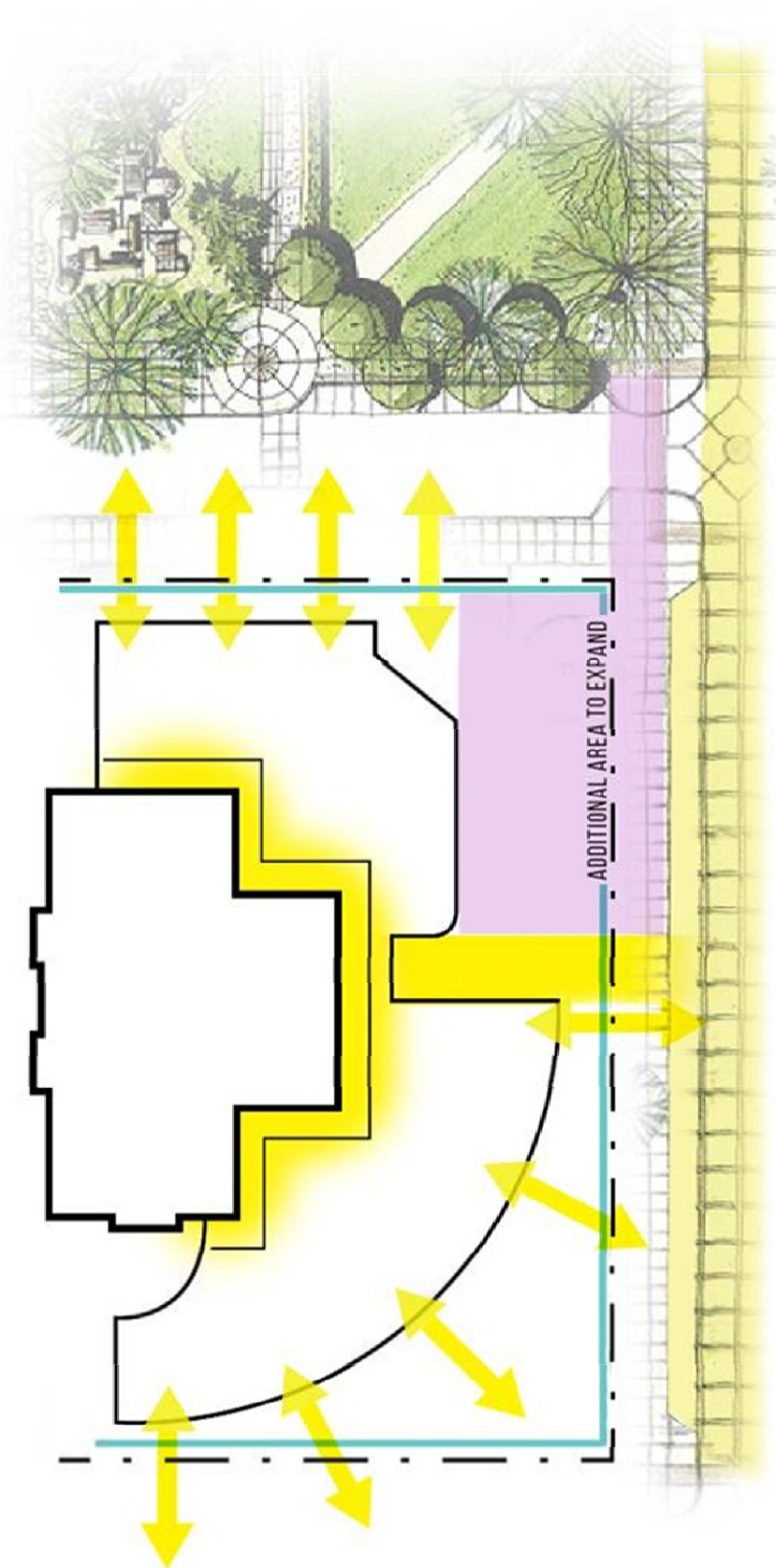
Should the decision be made to proceed with this project, there will, of course, be a number of other modifications before the final plan is agreed on.

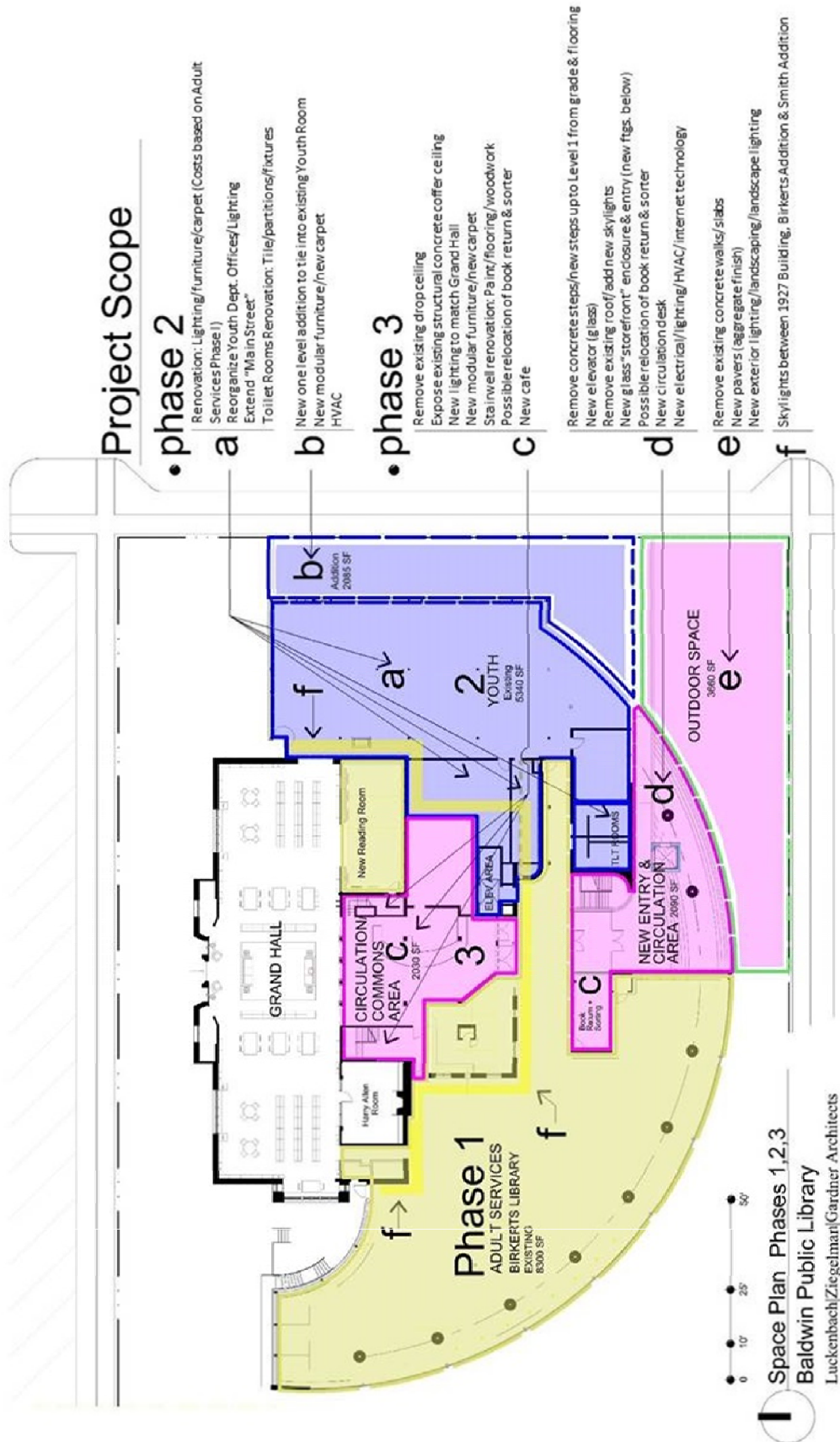
# DESIGN APPROACH

CONTEXT  
CIVIC CENTER



Luckenbach/Ziegelman/Gardner Architects





## Project Scope

### • phase 2

Renovation: Lighting/furniture/carpet (Costs based on Adult Services Phase 1)

Reorganize Youth Dept. Offices/Lighting

Extend "Main Street"

Toilet Rooms Renovation: Tile/partitions/fixtures

New one level addition to tie into existing Youth Room

New modular furniture/new carpet

HVAC

### • phase 3

Remove existing drop ceiling

Expose existing structural concrete coffer ceiling

New lighting to match Grand Hall

New modular furniture/new carpet

Stairwell renovation: Paint/flooring/woodwork

Possible relocation of book return & sorter

New cafe

Remove concrete steps/new steps up to Level 1 from grade & flooring

New elevator (glass)

Remove existing roof/add new skylights

New glass "storefront" enclosure & entry (new figs. below)

Possible relocation of book return & sorter

New circulation desk

New electrical/lighting/HVAC/internet technology

Remove existing concrete walks/slabs

New pavers (aggregate finish)

New exterior lighting/landscaping/landscape lighting

Skylights between 1927 Building, Birkerts Addition & Smith Addition

Space Plan Phases 1,2,3

Baldwin Public Library

Luckenbach/Ziegelman/Gardner Architects

**Exterior View from East (Shain Park)**



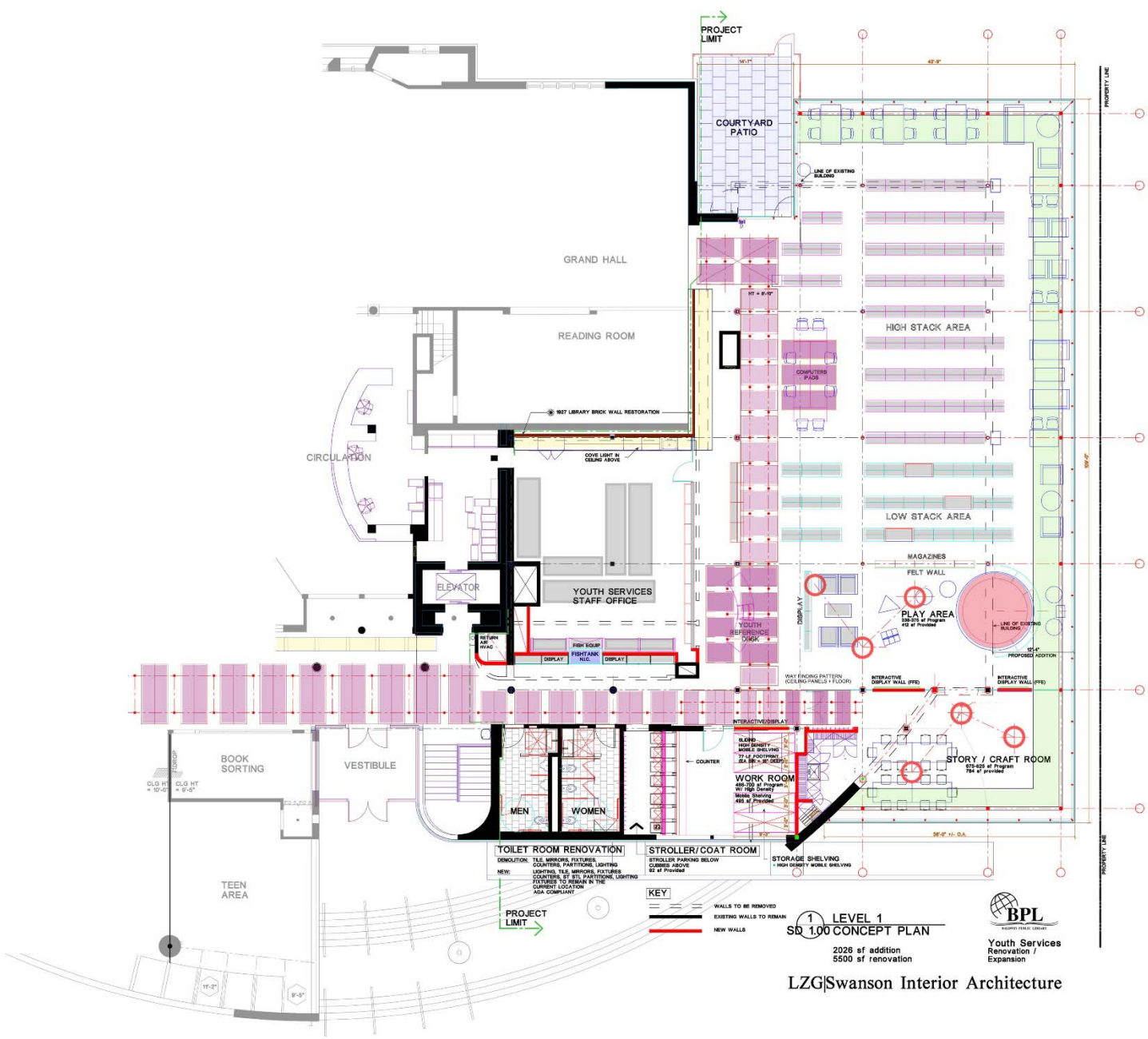
**Exterior from North (Martin Street)**



**Bird's Eye View of Expanded Youth Room, Showing Terrace**



# Floor Plan



### Widened Hallway Leading Toward Youth Room



### Play Area with Story Room to Right



**Play Area, Looking Toward Youth Office**



**Picture Book Shelves, with Story Room in Background**



## Computer Area and Exposed Brick of 1927 Building



**Exterior View from South (Merrill Street) at end of Phase 2**



**Exterior View from South (Merrill Street), Showing Conceptual Design of Phase 3**



## Appendix B

### Phase 2 Cost Estimates, Revised January 2018

	<u>In 2018 Dollars</u>	<u>In 2019 Dollars</u>
Construction costs—5,500 square-foot renovation	\$ 630,000	
Construction costs—2,026 square-foot expansion	810,000	
Furniture, fixtures, and equipment	400,000	
Architectural and engineering fees	190,000	
Landscaping, incl. terrace and seating facing Shain Park	95,000	
Owner's contingency (5%)	<u>112,000</u>	
<b>Total in 2018 dollars</b>	<b>\$2,236,000</b>	
<b>Total in 2019 dollars, factoring in 5% cost increase</b>		<b>\$2,348,000</b>
Library contribution from unrestricted Trust funds, fund balance, & fundraising		<u>-380,000</u>
<b>Contribution from additional Library millage up to the Headlee cap</b>		<b>\$1,968,000</b>

These costs include general conditions, construction phasing, and furniture and fixtures.

The anticipated cost in 2019 dollars is approximately \$230,000 higher than the estimate of \$2,117,170 that was projected in January 2016. One reason is that a couple of features were not included in that estimate, but have since been added—namely, ADA-compliant restrooms and landscaping around the expanded building. In addition, construction costs in the past two years have gone up considerably higher than the 4% inflation factor that was used at that time.

The Library is committed to keeping the costs of the project as low as possible. Some value engineering might be necessary when it comes to the design-development stage.

## **Appendix C**

### **Youth Services Survey Results**

The user survey was distributed via paper forms in the Youth Room and before and after programs from December 5 through 14. The survey was available online from December 4 through December 14. Users were notified of the opportunity to fill out the survey via the Library's social media accounts and via an email sent to 874 contacts from the Library Board Updates, Renovation Updates, and Youth Events email lists. 88 surveys were received.

#### **Do you see a need for renovation of the Youth Room?**

Yes	92%	81 votes
No	8%	7 votes

#### **Do you see a need for expansion of the Youth Room?**

Yes	87.5%	77 votes
No	12.5%	11 votes

#### **What are your favorite parts of the current Youth Room?**

- Play area (5)
- The staff members are so friendly and great with children. Ms. Stephanie's baby time is wonderful and Ms. Donna's Mother Goose time is amazing too!
- Windows
- Big selection of books to check out
- Natural sun light
- Play area and story time room
- Ease of access for kids
- That it exists.
- Activities/crafts, computer stations, comfortable seating, and toys.
- Toy section and computers
- The librarians!
- Play area, soft seating, fish tank.
- Where the books are being housed. This should not be an activity center but a place you bring you child to pick out books to take home and read.
- Play area and story room
- The comprehensive materials and programs
- Computer Stations
- The play area, the iPads and of course the children's books.
- The open layout of the central area, the amount of natural light that comes in during the day, and the Story Time room (specifically that it is closed off from the rest of the room, allowing for occasional moments of quiet).
- The play area for kids, and the books and DVDs of course!
- So many books!

- My kids like the I pads and art projects
- The play area and puppets
- Computers and activity rooms
- Play area and book collections
- Play area. Computer area. More room for friendly and inviting displays of books.
- I love the windows. It's nice to be able to look out at the park.
- The books!!!
- The librarians along with the crafts
- Bookshelves.
- Reading area
- Our family loves the new book area and play area. In addition, we love making a craft at the tables.
- View of Shain Park
- Helpful Librarians, Windows , play area, shelves new books, new posters on bulletin boards
- Workspaces and computers
- The play area and story room located within the Youth Room
- New releases, all bookshelves
- Crafts area and play area
- The computers for kids
- The natural light
- All of the children's books
- The Books!
- The space for small children to play
- Play area for the little ones
- Love it all.
- I like the room where the classes take place because it has a lot of learning instruments for the kids
- Play area, top 100 books
- The books! The chairs for sitting and reading together, the space for art
- Toys, puppets
- Daughter loves play area
- Play area, storytime, iPads, DVDs available, magazine collection
- The children love the play area, storytimes and other activities offered. The classroom needs to be enlarged.
- The common areas, media space and play area
- Dollhouse
- Story room, play area, fish tank, book selection
- Play area, light from windows
- Story time, staff
- The librarians and the play space
- The play area
- Play area, front desk area size and information areas, displays, globe, low book shelves in some areas.
- The books
- Play area, story time
- Toy section, art displays

### **What changes or additions would you like in the Youth Room?**

- Bigger story room (2)
- Move the iPads to a corner instead of the center.
- A stem area (or cart with supplies)
- A train table
- Kitchen area
- Popular book subjects pre-sorted... trucks, dinosaurs, princesses, etc
- Montessori style toys and step stools for children to explore
- Window seats. Favorite library set up is the west Bloomfield library followed closely by the Southfield library. But Baldwin's library staff is what makes me come back here as my main library. (2)
- Definitely more space and wider aisles. Better lighting and overall upgrade. Right now the rest of the library is very modern or classic. The youth room just looks dated unfortunately.
- Bigger story time room, bigger play area
- Needs to be much larger with much larger program room and it would be great to have an area for crafts/STEM projects. Also - move technology so it's not the first thing kids see when entering the space.
- Thomas the Train table, larger play area, more seating for parent/child.
- I actually like it a lot but sometimes the play area is very crowded
- None
- More space for expanded collections. Areas for moms to chat and babies to crawl. Study areas for tutors/kids. Bigger storytime space with maybe parking for strollers.
- Updated.
- Better layout for the book shelves. More books for middle school readers. More youth desks for homework.
- Enlarged reading room
- More nooks, seating, tables, and workspaces. Better lighting. Something that is fun and creates a visual interest for kids. Get rid of things that can't be sanitized. More books!
- Larger play area, larger area for story time/activities
- Closing doors to keep wee ones in, more comfy seating.
- More books for children to take home. Children need to be taught and encouraged to read. Play is necessary at other times.
- Area for Tweens to study and browse.
- More space for all activities—it's too cramped
- Wide aisles, more shelving, more space in general.
- More space in aisles
- Perhaps a new carpet? And maybe some surface work on the columns throughout the room (like sanding the chinks).
- Bigger space between shelving, less claustrophobic, bathroom,
- More space to browse, better lighting
- All new furniture, places to sit on the floor with bean bags or mats. Smaller service area.
- More books and more space for children to do homework/research
- Expand the play area and activity rooms
- More space between shelving, more study areas, more reading space, bigger story/activity area
- Better displays of books. Better seating for adults.
- I think more young families would come play if there was a larger play area.

- More variety and multiples of books
- Easier ability to find books in the stacks
- More organized cubbies for picture books.
- More private rooms.
- My husband uses a power chair and it is very difficult for him to get through the stacks to find our son when he walks to look at books. There are obstacles everywhere.
- Make it flexible to allow for changing needs in the future
- More space
- better use of space. larger seating areas
- More open areas and seating, larger story room, more shelving for books/sections
- More space, better light
- More imagination play
- Wider aisles, more seating, snack area for the kids
- More collection and people space. Just more space!
- More room for free play
- Too many to list here
- More room to sit and read or play quietly
- More space for books!
- An expanded small kid area, more tables at different heights, some open shelves to display more books at toddler level height (peek their interest), large area for bean bag chairs or cubes for kids to sit at and read in groups.
- Updated carpeting.
- More open play space, bright colors, cheerier atmosphere, more organized reference desk
- I wish the room where classes take place was much bigger. The playing area should also be bigger with more puzzles and learning toys. The troy library also had a “technology” area for toddlers with little toy tablets and toy computers that my son loves.
- More sitting/table space, more technology, larger story room
- More space for sitting and reading, some tables! A children’s makerspace or an area more dedicated to arts & crafts
- Separate spaces/zones targeted to different ages
- More room for kids to move around
- Mainly just a bigger play area with an expanded toy selection similar to the existing toys, which are great. Occasionally, the storytimes in the 2.5-3.5 age group can get a little crowded and that room can seem too small but the basement room would be way too big.....however, most days the existing room is perfect just the way it is.
- Expand play area like the Bloomfield Library. Also children love computer at Bloomfield library. Seating/chairs for children
- More seating selection and larger areas for events
- Larger spaces - story room, play area, computer area, more view of Shain park/outdoors
- Bigger story time room
- Larger story room, more seating, nooks for kids to read
- Bigger play, better places to read
- Large play area

- An area that is closed off and is just for children under the age of 3. More room between aisles, moving a stroller and children thru the current aisles can be a challenge. Would love to see computers and iPads moved to their own room, so they are not in the public space (besides catalogue computers).
- An art activity area or more play
- Larger room, more room for books and pass through between shelves, larger hands on play area for toddlers but also for older children as well. bigger story room.
- More space! Better design with textures, cozy nooks, make-believe play
- A larger play area and more chairs/reading areas
- Larger storytime room, more iPads/computers, larger play area
- More space, softer rugs, more seating
- Area for strollers inside

**Please rank the following items in order of importance, with #1 being the most important and #5 being least important.**

#### **Easy-to-browse Book Shelving**

1 (most important)	52.9%	45 votes
2	25.9%	22 votes
3	7.1%	6 votes
4	8.2%	7 votes
5 (least important)	5.9%	5 votes

#### **Large Play Area**

1 (most important)	43%	37 votes
2	18.6%	16 votes
3	19.8%	17 votes
4	10.5%	9 votes
5 (least important)	8.1%	7 votes

#### **Comfortable Seating**

1 (most important)	40%	34 votes
2	25.9%	22 votes
3	22.4%	19 votes
4	5.9%	5 votes
5 (least important)	5.9%	5 votes

#### **Expanded Story Room**

1 (most important)	31.4%	27 votes
2	36%	31 votes
3	20.9%	18 votes
4	7%	6 votes
5 (least important)	4.7%	4 votes

**Better Lighting and More Windows**

1 (most important)	29.8%	25 votes
2	15.5%	13 votes
3	20.2%	17 votes
4	16.7%	14 votes
5 (least important)	17.9%	15 votes

**More Coat Racks & Stroller Storage**

1 (most important)	22.4%	19 votes
2	24.7%	21 votes
3	17.6%	15 votes
4	20%	17 votes
5 (least important)	15.3%	13 votes

**Computers & iPads**

1 (most important)	21.4%	18 votes
2	22.6%	19 votes
3	25%	21 votes
4	14.3%	12 votes
5 (least important)	16.7%	14 votes

**More Study Tables**

1 (most important)	20.2%	17 votes
2	29.8%	25 votes
3	22.6%	19 votes
4	15.5%	13 votes
5 (least important)	11.9%	10 votes

**Where do you reside?**

Birmingham	53
Beverly Hills	16
Bingham Farms	0
City of Bloomfield Hills	2
West Bloomfield	2
Troy	2
Royal Oak	1
Farmington Hills	1
Southfield	1
Detroit	1
Berkley	1
Auburn Hills	1
Baldwin Employee	1
Adjacent Community	1
No answer	1

**Age of child(ren) who visit(s) the Youth Room with you:**

0-11 Months	8
12-23 Months	13
2	13
3	20
4	10
5	11
6	13
7	12
8	8
9	5
10	7
11	2
12	2
13	2
None	2
No answer	15

**How often do you visit the Library's Youth Room?**

Infrequently or never	5.7%	5 votes
Once a quarter	10.3%	9 votes
Once a month	26.4%	23 votes
Once a week	37.9%	33 votes
Several Times a week	19.5%	17 votes
No answer		1 vote

If you'd like to share more thoughts and feedback with the Library staff and Board, please share your name and contact information below.

- I am a sub at the library and would love to see the youth room redone in a way that shows off what a great library we are and what great staff we have!
- Our taxes should be used to foster reading. This is NOT a community center
- It would be nice to be able to check out books in the kids' area.
- We go to several libraries in the area to take advantage of their youth services - would love to spend more time at Baldwin and would do so with more events and a variety of times (afternoons?)
- The staff that put on storytimes are fantastic! We love Miss Susan!
- The wall sticking out into outside ramp is a hazard! Shave off the corner or widen the ramp - cannot believe this passed building code.



## MEMORANDUM

Birmingham Museum

**DATE:** January 27, 2018  
**TO:** Joe Valentine, City Manager  
**FROM:** Leslie Pielack, Museum Director  
**SUBJECT:** Museum Long Range Planning Report

---

In accordance with the 2017-2020 Birmingham Museum Strategic Plan, the museum staff and Museum Board have been preparing for the following in 2018:

1) Completion of a conceptual landscape master plan for the museum park and site and initiation of phased design.

The museum grounds and landscape as has important historical and natural resources that must be preserved and protected as well as being made more accessible to the public. The conceptual landscape master plan development has included physical data and site conditions, historic materials, and guidelines for barrier free public access as well as input from the public, and the Parks and Recreation Board, the Historic District Commission, and city staff. Presentation to the city commission of a final conceptual landscape master plan is anticipated in late February.

2) Planning and implementation of Birmingham bicentennial activities.

During 2018, the museum will be engaging in various activities to commemorate the bicentennial at the end of the year on December 1, 2018. These include:

- A year-long crowd-sourced exhibit that focuses on the last 200 years
- Special lectures and museum events related to the theme throughout the year
- A joint "human library" event with the Baldwin Library to feature the novel approach related to Birmingham's history
- The bicentennial theme will be incorporated into the Celebrate Birmingham parade
- School tours will include additional emphasis on the bicentennial theme and student work will be exhibited in the museum
- Planning for a possible bicentennial publication will continue
- The 2018 Winter Markt will incorporate and promote the bicentennial
- A final event to celebrate the Bicentennial (TBD) in December 2018

3) Continuation of successful community engagement and audience expansion via multiple media platforms and other points of contact.

Through social media, virtual contact, outreach, and other programs, the museum will continue to explore opportunities for enhancing utilization and broadening its accessibility. Emphasis will be placed on connecting with audiences through Facebook, Instagram, and Twitter as well as providing online content and increasing outreach programs in the community. This approach has been effective at implementing the community engagement objectives of the Museum's Strategic Plan (see attached).

Respectfully submitted,

Leslie Pielack  
Museum Director

## Birmingham Museum Community Engagement and Utilization

The museum has been successful at reaching new audiences through both traditional and social media formats. Programs and events have shown increased attendance and have built relationships resulting in repeat visits. Examples include the Children's Storytime series, a monthly program at the Hunter House that is often patronized by returning families, and the adult lecture series at the Baldwin Public Library that brings in presenters on topics related to Birmingham history and our exhibits.

Facebook, Twitter, and Instagram have helped the Birmingham Museum develop its online presence and individuality, resulting in more interest in our exhibits, programs, and in Birmingham's unique character. Facebook's high level of reach and our Twitter average daily impressions reflect significant interest in our content and a measure of success as to how appealing it is. This enhanced interest in our museum and its mission has resulted in increased donations to the Friends of the Birmingham Museum and in many new memberships, indicating greater relevance.

### **Birmingham Museum Community Engagement and Utilization, Previous 3 Years**

	<b>2015</b>	<b>2016</b>	<b>2017</b>
Online Engagement			
Facebook Total Likes	541	685	793
Facebook Reach	5570	49748	81143 <sup>1</sup>
Instagram Followers	-	-	226 <sup>2</sup>
Twitter Followers	-	-	118 <sup>3</sup>
Twitter Average Daily Impressions	-	-	1100 <sup>4</sup>
Visits			
Museum Site (includes park)	2400	2700	3100
School Tours	700	735	711
Total Visits	3100	3435	3811
Programs & Events			
# of Adult Programs	9	12	23
Adult Attendance	141	151	431
# of Family Programs	3	1	8
Family Attendance	33	70	71
# of Children's Programs	7	12	12
Children's Attendance	77	85	78
Total Program and Event Attendance	251	306	580

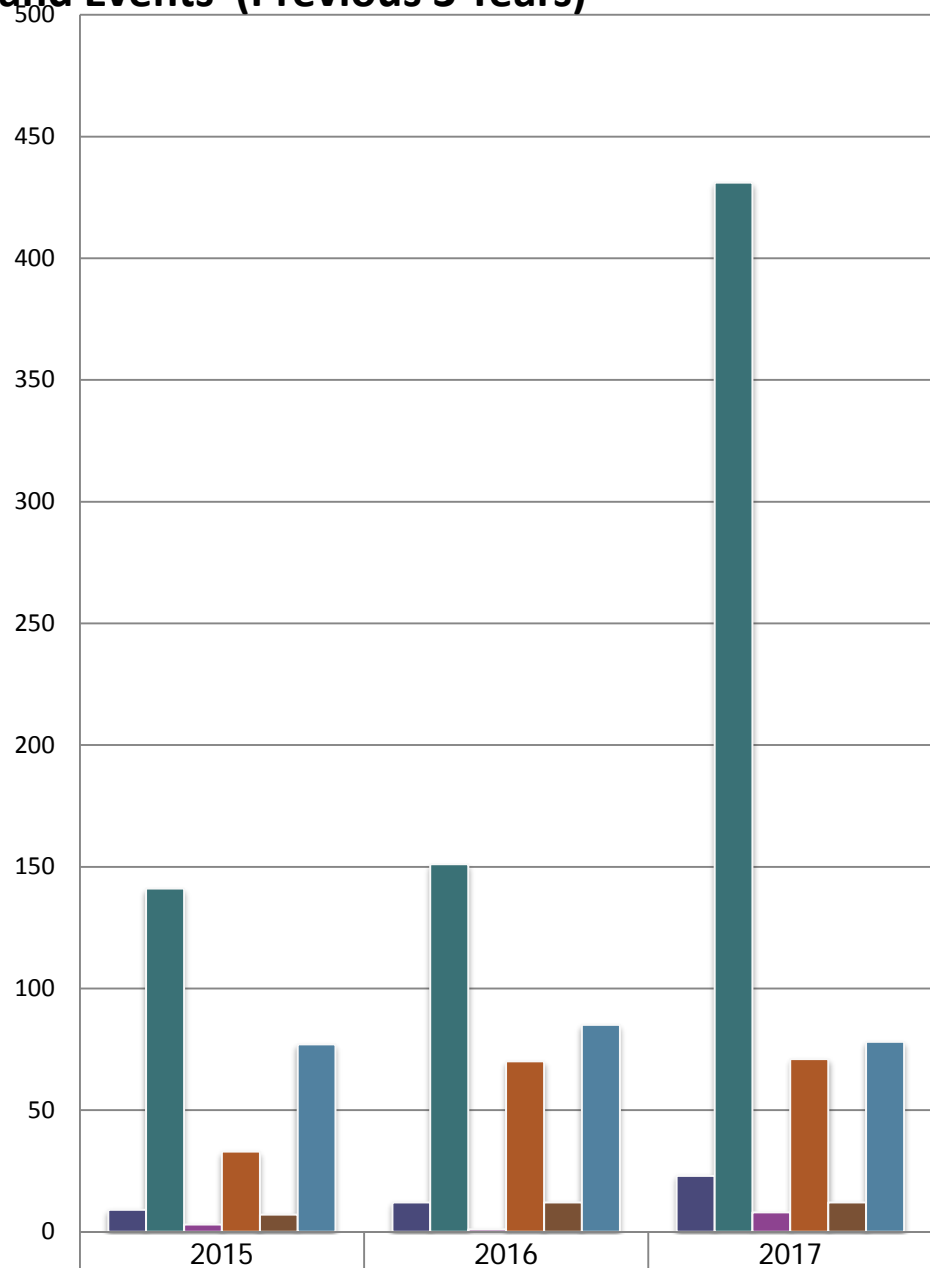
<sup>1</sup> Facebook reach refers to the number of people who have seen a post. As number of posts go up, reach goes up, as long as followers remain engaged to view, re-post, share, etc. If followers don't want offered content, they can block posts. As this has not occurred, it suggests our followers want our content.

<sup>2</sup> The goal for Instagram was 100 followers by the end of 2017, which at 226 has been exceeded by 126%

<sup>3</sup> Twitter followers since mid-September of 2017 (14 weeks)

<sup>4</sup> Twitter average daily impressions as of December 27, 2017. Twitter impressions refer to the online interaction/activity with tweet content after it has gone out; higher impressions reflect more engagement and/or more interest online. 1100 average daily impressions is a high level of engagement for a small museum.

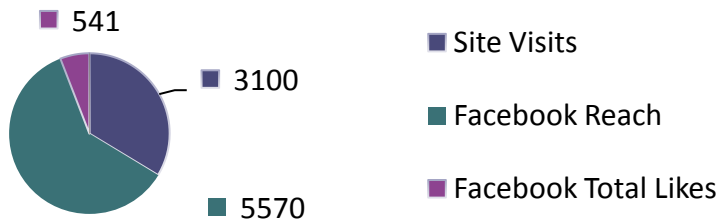
## Community Engagement - Museum Programs and Events (Previous 3 Years)



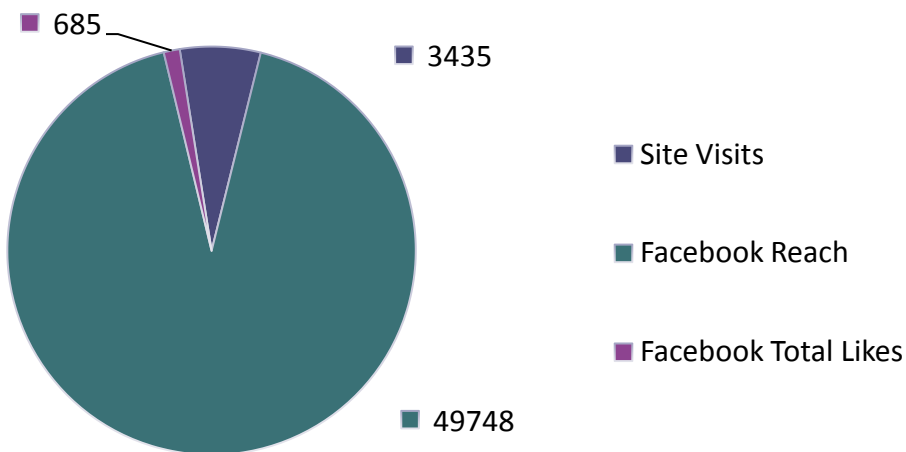
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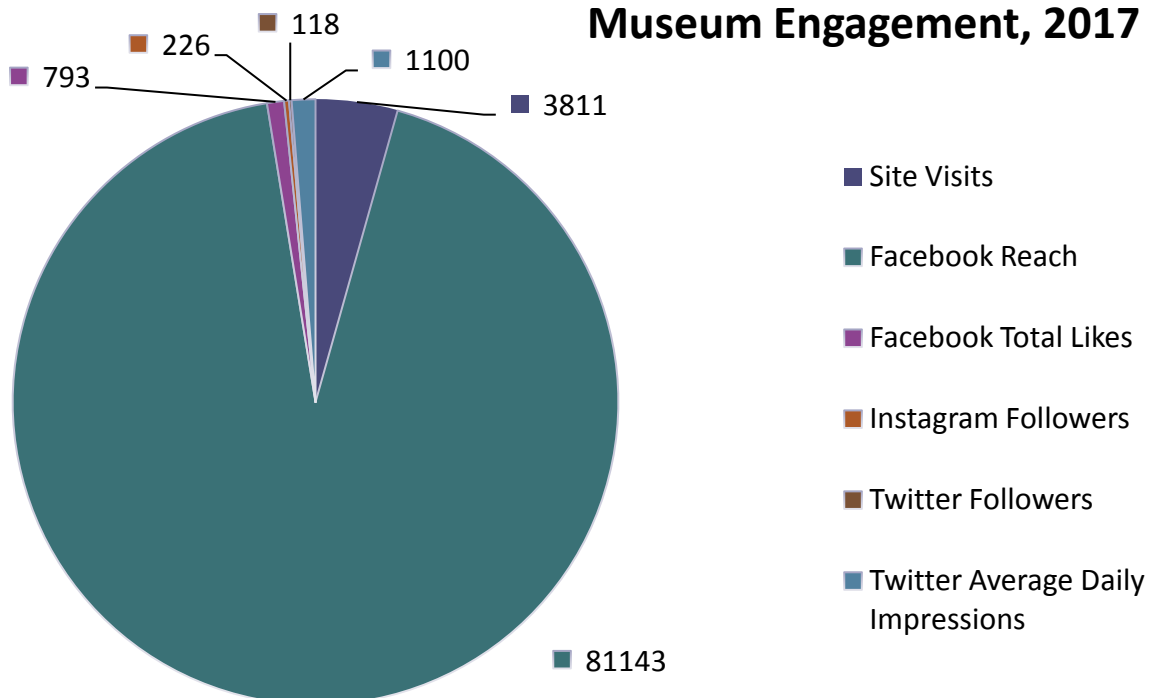
## Museum Engagement, 2015



## Museum Engagement, 2016



## Museum Engagement, 2017





## MEMORANDUM

Office of the City Manager

**DATE:** January 5, 2018  
**TO:** City Commission  
**FROM:** Joseph A. Valentine, City Manager  
**SUBJECT:** Providing Adult Services

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Current demographic trends continue to show the "baby boomer" generation will continue to be the largest increasing population segment of all communities both locally and nationally. This trend is also true for Birmingham. Preparing for the expected growth in the service demands of this growing segment of our population warrants ongoing study and direction.

The City currently provides adult services through a contract arrangement with NEXT in conjunction with the communities of Beverly Hills, Bingham Farms, Franklin and Southfield Township. In April of 2012, these communities created a Joint Senior Services Committee to review existing operations and services and provide recommendations for the future. This study concluded with a final report in June of 2013. The recommendations from this report consisted of both short term and long term strategies. The short term recommendations were to expand services and municipal budget requests in order to accommodate the increasing demands with increased hours and programming. This was achieved with increased municipal contributions, which began in 2014. The longer term recommendations were related to facility improvements and/or expansion/replacement. Because this facility is owned by the Birmingham Public Schools (BPS) discussions for improvements have occurred with BPS and resulted in new mechanical equipment being installed this past year. However, the trend of increasing service demands on the existing facility warrants broader conversation on how this growing demand for services will not only be housed, but provided and funded. To this end, I propose the re-creation of the Joint Senior Service Committee comprised of representatives from the current member communities and revisit long term strategies including, but not limited to, service structure, partnerships, funding models, program needs and related service demands based on population trends. This committee would be established by resolution of each participating community. I have had preliminary conversations with the respective managers from the current municipal members served by our current partnership on this approach. Each respective manager concurred that the re-creation of the Joint Senior Services Committee was an appropriate next step and further discussions are expected. I will plan to have more formal discussions with the respective member communities based on input from the City Commission.

**Birmingham, Beverly Hills, Bingham Farms, Franklin, Southfield Township**

# **Joint Senior Services Committee**

## **Final Recommendation to the Municipalities**



**June 2013**

## Findings, Assumptions and Policy Recommendations

The JSSC has completed its investigation and now reports its findings, assumptions and policy recommendations. JSSC was directed to:

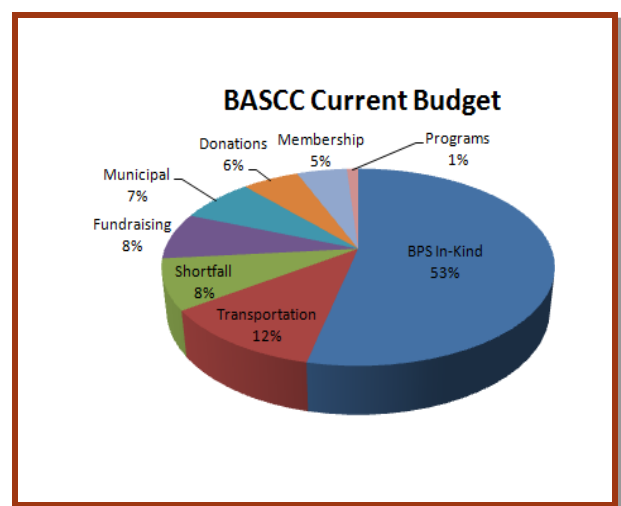
- Study what other area communities are doing with regard to funding and managing senior programs and services.
- Gather public input to create a consensus around what senior programs and services our seniors need and are willing to fund.
- Prepare policy recommendations regarding a combination of programs, services, potential revenue sources and governance models.

Study of the funding and the management of senior programs and services in neighboring communities was addressed in the JSSC Mid-term report (Exhibit 1). Observations of how surrounding communities provide senior services have provided insight about the ways we might move forward in developing a model for our communities.

The senior centers of Bloomfield Senior Services (BSS), Oakland Township, Rochester and Rochester Hills Older Persons Commission (OPC), Royal Oak Senior Center and the Troy Community Center have addressed the growing needs of their seniors. For example, OPC and BSS provide information and referral programs, exercise equipment, lap and/or warm pools for exercise, adult day care services, meals on wheels, transportation and extended hours. Troy and Royal Oak also provide some of these services. A complete list of these services can be found in the Midterm Report Area Senior Centers Matrix. (Exhibit 2)

With regard to funding, OPC and BSS sought a .25 millage for operations and a bond issue to build a senior center and they received overwhelming support from their communities. To govern their senior center, OPC operates under an interlocal agreement which could be a governing guide for our communities. Troy and Royal Oak senior centers, on the other hand, are funded from the general fund, and both are managed by the Parks and Recreation Department.

While other nearby communities generally fund senior services through the local government general fund or a millage, the cost of providing senior services through the Birmingham Area Seniors Coordinating Council (BASCC) has been born largely by the Birmingham Public School (BPS) district through in-kind support estimated at \$300,000 (imputed rent on the Midvale facility) and other direct funding amounting to \$36,000. Municipal funding, on the



other hand, accounts for only 7% of BASCC total funding. Additional sources of funding for the senior center are transportation grants, fundraising, operating grants, membership dues, programs and donations. (Exhibit 3)

From a financial and facility perspective, BASCC faces an uncertain future. In recent years, BASCC has had no alternative but to use endowment funds to balance its already inadequate annual operating budget. Over the last ten years, this endowment drawdown has totaled over \$400,000. This is not sustainable in the long term; expenses will continue to rise and additional programming is required to meet the needs of our seniors.

BASCC's long-term use of the outdated Midvale facility is also in question. Midvale is shared with the BPS's Early Childhood Center, an activity that generates revenue and may well be expanded. BPS has embarked on a system-wide strategic planning process and is also conducting a facilities review. The goal is to complete these studies in the Fall of 2013. Whether that is achieved and what conclusion is reached regarding the future use of Midvale are unknown. What we can say, however, is that Dr. Nerad has assured the JSSC that any transition involving Midvale will be handled in such a way that ensures that BASCC will continue to have a home. Therefore, it is reasonable to assume that BASCC will continue to operate at Midvale for at least a few more years.

**What are the needs of seniors in the communities of Birmingham, Beverly Hills, Bingham Farms and Franklin and how should we fund them?**

Now that the JSSC understands what other communities are doing to meet the needs of seniors, we must answer the following question: "What are the needs of seniors in our four communities and how should we fund them?" In order to answer this question, BASCC and the JSSC sought the consultant services of Mitchell Research and Communications, Inc. and the Detroit Executive Service Corps (DESC).

### **Mitchell Benchmark Survey**

According to the Mitchell Benchmark Survey, a general population telephone survey, JSSC learned the following:

- Sixty-nine percent think a senior center is important.
- Fifty percent have a favorable impression of BASCC with only four percent having an unfavorable impression. The rest cannot say or are unaware of BASCC. Only forty percent know where BASCC is located.
- If BASCC provided day care, it would be a welcomed service according to sixty-six percent of those surveyed.
- Sixty-five percent support low cost exercise and fitness programs to keep seniors healthier longer

- Fifty-one percent support increased hours.
- Sixty-four percent support the continued growth of senior programs to meet growing senior needs.
- Sixty-three percent support a millage for expanding programs and services. They want to assure that we keep the programs and services we currently offer.

### DESC Focus Group Results

DESC Focus Group Results, on the other hand, were qualitative and representative of the general “feelings” of users of BASCC, non-users and caregivers. (Exhibit 4) The following observations were identified through the focus group sessions:

- People tend to view a senior center as an activity center providing a broad range of things to do, including intellectual stimulation, physical activities, games, trips and social interaction.
- Accessibility, transportation and mobility are important, i.e., a senior center should be accessible and the Midvale location meets that criterion.
- Many, however, feel the current facility is outdated. It does not provide gym equipment, or a swimming/therapy pool.

After studying other senior centers in the area and collecting data, the current services provided by BASCC are viewed as marginally meeting the needs of our area seniors. The BASCC mission is to “identify and meet the needs of older adults”. Therefore, the JSSC has prepared a short-term (i.e. Phase I plan) and a long-range vision (i.e. Phase II) and related proforma budget that will more adequately serve our seniors.

### Recommendations

In the short term, JSSC recommends that BASCC’s operation at Midvale be expanded to increase hours and services by 45%, while only increasing budget expenditures by 24%. Increasing morning and evening hours Monday through Friday and adding Saturday morning hours will also increase senior participation. JSSC also recommends exercise equipment such as weight machines, exercise bikes, tread mills and elliptical equipment. Adding exercise equipment would be a one-time expenditure of \$46,000 paid out of the BASCC endowment fund. This will accommodate senior exercise needs, enhance fitness, and increase senior participation.



The additional annual cost of this short-term plan is estimated at \$200,000 which includes estimates of \$144,500 for additional staff, \$52,000 for budget shortfall, and \$3,500 for insurance. To cover the expanded programs, municipal contributions from our four communities could be raised either by increased contributions from their general fund or by a millage placed on the ballot of their next general election.

Longer term, it is clear that a major facility upgrade is necessary. When the status of Midvale is resolved, the plan is to either rebuild Midvale (if BPS decides to leave), build an entirely new facility, or upgrade an existing facility. This will accommodate additional services and programs such as adult day care, physical therapy, additional exercise equipment, a heated lap/therapy pool and related classes. Both a facility bond issue and an operational millage would be required to fund this major upgrade.

## Conclusion

Serving our seniors can no longer be considered an “added education” service provided largely by BPS. This is a municipal responsibility. The benefits to our communities of being senior friendly are well documented and undisputed.

**Michigan allows up to 1 mill for voter approved Senior Millage. The following communities have taken advantage of this in Oakland County:**

- Bloomfield Township
- Madison Heights
- Oakland Township
- Pontiac
- Rochester
- Rochester Hills

The JSSC has studied the demographics of our four communities. The percentage of homes with children under 18 is, on average, 30% and the number of households with resident seniors averages 39%. Projections show the percentage of seniors will grow faster than any other age segment. Taxpayers in the Birmingham Public School District pay just under 17 mills in local school taxes plus an additional State school tax of 6 mills, of which some is returned to the school district. In contrast, there is no dedicated senior millage. By State law, if approved by the voters, municipalities may assess up to 1 mill for senior services. (Act 39 of 1976 – Senior Funding and Millage)

The JSSC, based on the combined efforts of representatives from the governing bodies, as well as, BASCC and BPS, is recommending:

- The Municipalities support the Phase I plan, and reach agreement as to how it is to be funded by June 1, 2014.
- A small group of JSSC members be appointed as an official communication channel with BPS. This group would also keep the communities updated as decisions regarding Midvale unfold.

## Exhibits

1. JSSC Mid-term Report
2. Comparison of Senior Services by Community
3. JSSC Recommendation-Senior Services Funding / Overview
4. DESC Focus Group Summary

**Birmingham, Beverly Hills, Bingham Farms, Franklin, Southfield Township**

# **Joint Senior Services Committee**

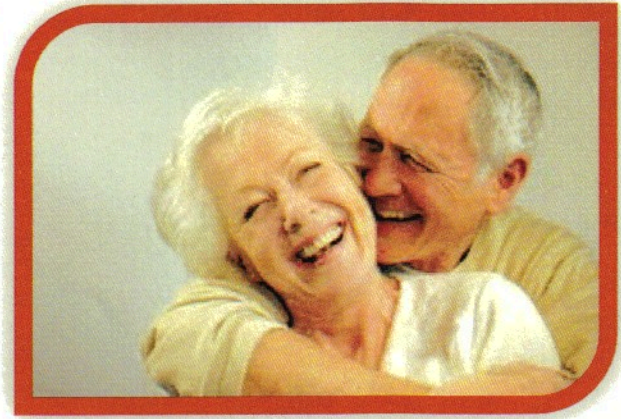
## **Mid-term Report to the Municipalities**



**February 2013**

## Executive Summary

Each of the community leaders that form the Joint Senior Services Committee (JSSC) started this assignment with different perspectives on the seniors in our community and their needs. We all have a much deeper understanding today. As we continue on our journey of discovery, this is some of what we have learned so far:



- There are many more seniors in our local area than we thought – on a percentage basis, by next year, more than in Florida.
- We have good senior services in our community, including vital services like transportation, meals and outreach that impact thousands of seniors and their family caregivers. On the other hand, by comparison with other peer communities, our senior facilities are just adequate.
- The organization that provides these services, Birmingham Area Seniors Coordinating Council (BASCC), receives only around 11% of their funds from their supporting municipalities – much lower than surrounding senior centers.
- This has gone unnoticed because the local schools have donated a building and some staff salary to fill the void. This historical arrangement with the schools is unique based on what we have seen.
- Even with this major annual donation, BASCC has begun to dip into endowment principal to balance their books. This is not a sustainable practice.
- Two trends seem clear going forward:
  - The senior population is growing – the only growth segment in our local community. More population = greater needs = more services.
  - Changes in state public school funding threaten the continued gift from the local schools. Exactly when is not clear.
- So BASCC is at a cross road: how to provide services to a growing population when funding is tight and likely to get tighter.

**Many would be surprised to know that by 2014 the BASCC communities will have a higher percentage of adults over 60, than does Florida.**

We know from looking at other communities that there are viable funding models and governance models that could work in a multi-municipality environment like ours, even where each municipality places a different priority on senior services.

Our plan now is to gather input from the community members on what they consider vital senior services, and what they would be willing to pay for such services. All this will be packaged in the form of final recommendations. Your JSSC representative will keep you informed of our progress and timeline.

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\* Numbers in parenthesis, throughout this report, refer to supporting materials

## Establishment of the Joint Senior Services Committee

The Joint Senior Services Committee (JSSC) was established in June of 2012 to address areas of need for our rising senior demographic, including the appropriate funding and governance models necessary to support these needs. The seven participating organizations of the JSSC appointed a total of 19 community leaders to serve on the committee. The membership covers all the municipalities included wholly within the boundaries of the Birmingham Public School district, including: City of Birmingham, Village of Beverly Hills, Village of Bingham Farms, Village of Franklin, and Southfield Township, as well as the existing senior services provider, Birmingham Area Seniors Coordinating Council (BASCC) and the Birmingham Public School District. (1)



This committee will provide policy recommendations to the governing bodies for providing activities and services to individuals 55 years of age and older. “Activities and services” means identifiable actions directed toward the improvement of the social, health, housing, educational, emotional, nutritional, recreational, and legal or mobility status of older persons. (2)

The original JSSC formation memorandum (Robert J. Bruner, Birmingham City Manager), a sample municipal resolution for JSSC participation, and the complete JSSC membership roster are included in the supporting materials at the end of this report. (3)

## Duties of the Committee

### The duty of the Joint Senior Services Committee is four-fold:

1. Study what other area communities are doing in regard to funding and managing senior programs and services.
2. Gather public input to create a consensus around what senior programs and services our seniors need, want and are willing to fund.
3. Prepare policy recommendations regarding a combination of programs, services, revenue sources and governance models.
4. Solicit public input on these policy recommendations before reporting back to each governing body.

## Committee Activities to Date

The activities of the committee to date include:

1. Completed site visits to four senior centers in Oakland County: Bloomfield Township Senior Services, Rochester Older Persons Center, Royal Oak Senior Center and the Troy Community Center
2. Created a matrix of the four senior centers comparing the governance, facility programs, services and demographics to BASCC.
3. Attended presentations in August by Jim McGuire from Area Agency on Aging, 1-B on "Preparing for the Age Wave" and, Tom Jankowski from the Wayne State Gerontology Institute on "Why you should support Senior Services".
4. Retained the Detroit Executive Service Corps to facilitate seven focus groups: four user groups of BASCC members, two non-user groups and one caregiver group. Each community representative recruited participants from a list established by BASCC. The focus groups were completed in February 2013.

## BASCC – Past and Present

The Birmingham Area Seniors Coordinating Council (BASCC) was established in 1977 when individuals from the community and the Birmingham Public School district Lifelong Learning Initiative proposed to the City of Birmingham the establishment of an area wide senior citizen program. By 1978, an ambitious new group from the area had established goals and objectives and adopted the name: Birmingham Area Seniors Coordinating Council and Center (BASCC.) (4)



BASCC has relocated several times throughout the years but the mission is the same as it was in 1978. The mission of BASCC is to identify and meet the needs of older adults and persons with disabilities by soliciting and coordinating community resources to provide educational, recreational and social programs, supportive outreach services and volunteer opportunities.

Over 35 years later, BASCC is a thriving non-profit organization serving 1,100 members residing in the Birmingham Public Schools service area. Communities served by BASCC include the City of Birmingham, and the Villages of Beverly Hills, Bingham Farms, and Franklin. Members enjoy the welcoming Midvale Center, located in a neighborhood setting, with easy parking and affordable programs that enhance seniors socially, physically, and intellectually. Senior Programs offered include health, fitness and sports, creative arts, computer classes, cards and games, as well as, local and regional travel opportunities.

**Outreach services** that allow older adults to live independently include information and referral services, transportation, tax assistance, counseling, support groups, nutrition support and more. A recipient of the Outreach services does not have to be a member of BASCC. In 2011, the BASCC outreach department touched the lives of more than 20,000 people in the area including seniors, their caregivers and family members.

The Outreach Services and Senior Programs provided by BASCC are beneficial to the aging population and their families. The goal of the Outreach Department is to assist and guide seniors, caregivers and their families with unbiased guidance in sorting through the many services available to them. Specific programs to educate the seniors in mental and physical acuity, nutrition, safety, socio-economic and general well-being are offered throughout the year. Over 19,000 people benefited from the many programs and events at the center in 2011. (5)

**In 2011, the BASCC outreach department touched the lives of more than 20,000 people in the area -- including seniors, their caregivers and family members.**

The number one concern of seniors getting older is transportation. Since 1990 BASCC has provided transportation to seniors age 55+ and disabled adults. In the last 10 years 32,000 passengers have benefitted from this service which provides transportation for medical, dental, personal appointments, shopping or activities at BASCC. The request for this service will only continue to grow as the population continues to age.

The center is open Monday through Friday, 9 am to 4 pm, with evening hours for specific classes and clubs. The facility is comprised of five classrooms, a gym, lobby and five offices for its eight part or full time staff members. Several of the classrooms are used for specific programs such as the computer lab where members can check their e-mail or take one-on-one computer lessons. Other classrooms are designated for art classes and a library.

As a non-profit organization, BASCC's funding is provided by various grants, donations, fundraisers, membership dues, municipal support and investment income. The Birmingham Public School district provides in-kind support which includes use of half of the Midvale Center and a portion of the Executive Director's salary. The Birmingham Public School Districts continued support of the Lifelong Learning initiative from 1978 has allowed BASCC to grow from one room at Derby Middle School to 14,500 sq. ft. at the Midvale Center.

The organization has a Board of Directors overseeing its financial and operational activities. The current twenty member BASCC Board of Directors includes representatives from the City of Birmingham, the Villages of Beverly Hills, Bingham Farms, Franklin and the Birmingham Public Schools. Board members have varied backgrounds in finance, education, law and public relations.

There are other local area organizations that provide similar programs as BASCC, such as the Community House, BPS Community Education, Baldwin Library, the BBAC, YMCA, local social clubs and the faith-based community. Each organization serves a niche in the community, but unlike other organizations, BASCC has the sole responsibility to serve the 50+ population along with their caregivers and families. BASCC offers supportive outreach services and programs which provide the important social interaction for seniors' emotional and physical health that allows them to continue living independently within the community. BASCC member, Lois Rowe, stated recently that, "BASCC is better than any organization or church that I've ever belonged to."



### Importance of Seniors in Our Community

Seniors are the foundation for our families, social institutions and communities. They provide important participation in our councils, service organizations, committees and churches. Supporting the programs and services available to seniors is becoming more of a priority for every community.

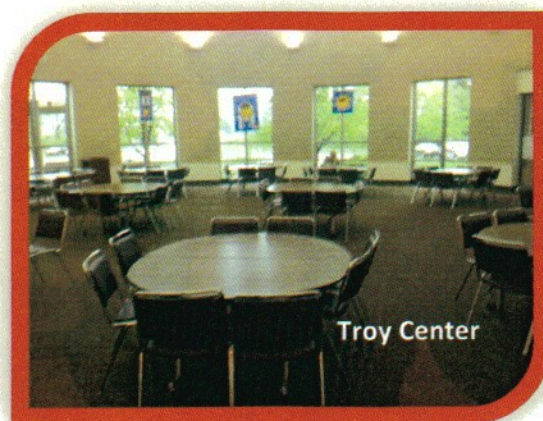
The current wave of retirees is transforming the way communities look from the way they grow, to the details of infrastructure decisions like curb height and street sign font and size. A survey conducted by AARP indicates that 84% of baby boomers *plan* on staying in their current homes – but in reality, a smaller percentage, around 70%, are able to do so. With that in mind, the goal of local communities is to help aging residents lead fulfilling lives while remaining engaged and active, during their senior years. This has been termed “aging in place”. (6)

Seniors are a vital part of our local economy. Just in Oakland County, seniors contributed \$5.1 billion into the local economy. For each 100 retirees that move to or stay in the region it's estimated they will spend over \$4 million in retail and consumer services. They will spend an additional \$1.4 million on healthcare. An active senior center brands an area as a preferred retirement location and assists in retaining and attracting retirees and the economic resources that they contribute. (7)

**For each 100 retirees that move to or stay in the region it's estimated that over \$4 million will be spent on services and in retail and an additional \$1.4 million will be spent on healthcare. (7)**

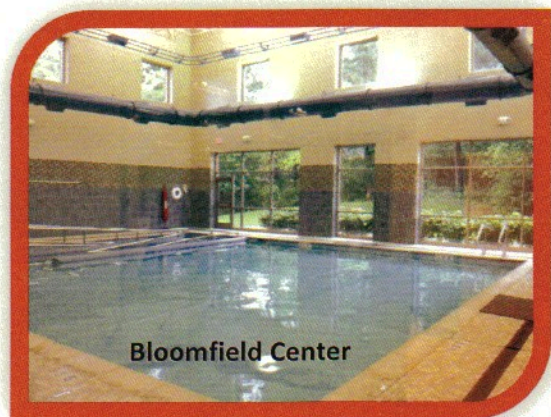
## Senior Services in Oakland County

In Oakland County there are 42 senior centers that provide programs, outreach services and transportation to seniors. Each of these centers offers a variety of programs and services based on their facility, funding and the needs of the community. The JSSC members had the opportunity to tour four senior facilities Bloomfield Township Senior Services, Rochester Older Persons Commission (OPC), Troy Community Center and Royal Oak Senior Center and compare their programs and services. (8)



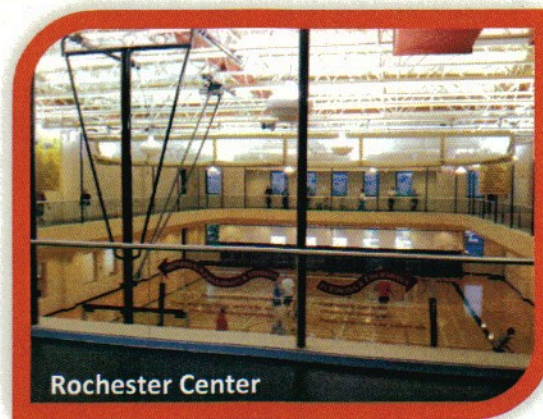
Troy Center

Bloomfield Township Senior Services and the Rochester (OPC) facilities were built in the early 2000's with extensive health and wellness facilities to serve the growing and diverse 50+ demographic. These facilities are supported by a .25 millage, program fees, fundraising and transportation grants. They provide adult day care services and extended hours to meet the needs of older adults who work or have care-giving responsibilities during the day which can limit their participation. Rochester OPC is open six days a week for a total of 82 hours and Bloomfield Township Senior Services is open six days weekly for a total of 75 hours. In comparison to the two centers BASCC is open 5 days a week for a total of 35 hours.



Bloomfield Center

The Royal Oak Senior Center is similar to BASCC in their program offerings and age of their facility. They're funded by Community Development Block Grant funds, transportation grants, fees and donations. The Troy Community Center is a multi-age center with 127,000 sq. ft. that has specific programs for their 50+ residents including a therapy and lap pool. The center is funded through the municipal general fund, program fees, minor grants and donations.



Rochester Center

## Future Challenges

These senior centers and the rest in Oakland County are serving an important need which will grow rapidly as the “Silver Tsunami” demographic shift accelerates. In 2010 the percentage of residents age 50 and over ranged between 35% in Birmingham and 65% in Bingham Farms. (9) By 2019, one in four residents of the BASCC area will be age 60 or older. BASCC is not currently capable of meeting the anticipated growth associated with these changing demographics. (7)

**By 2019, one in four residents of the BASCC area will be age 60 or older. BASCC is not currently capable of meeting the anticipated growth. (7)**

BASCC faces an uncertain economic future. For more than 10 years the organization has used principal from its endowment fund to balance the annual operating budget. This is not sustainable long-term. While other nearby communities generally fund senior services through the local government, the cost of providing senior services through BASCC has been born largely by the Birmingham Public School (BPS) district. Although the City of Birmingham and Bingham Farms still provides some BASCC funding (\$44,100 and \$1,500 respectively), financial pressures have forced them to cut their support for seniors. Municipal funding now accounts for only 11% of BASCC’s total funding. BPS funding accounts for approximately one-third of BASCC’s total funding through direct and in-kind support.

BASCC appreciates the support from BPS. But it is unusual in comparison with surrounding communities. If school funding were to change, a reduction of BPS direct or in-kind support estimated to be \$300,000 would result in BASCC facing a facility, programming and financial crisis. On the other hand, changes to school funding could be a catalyst that leads to a change in BASCC funding, creating a more permanent source of revenue predicated on an “up-front” funding for senior services vs. the unusual BPS funding formula that is used today.

The communities represented on the JSSC have to make choices between a proactive approach that creates age-friendly communities or other priorities. The present approach is largely a result of historical decisions rather than proactive planning. Securing the long-term health and prosperity of the senior community may require a funding solution that is more aligned with traditional norms in local government funding.

## Next Steps

The committee will now turn its attention to analyzing the results of the community focus groups to gain a deeper understanding of the needs of seniors in our community.(10) Combined with the information in this report, the input from the community focus groups will allow us to answer the questions outlined below, which will serve as the basis for our preliminary recommendations.

1. How should BASCC be configured going forward, to meet the needs of the community?
  - a. Service Area and Clients
  - b. Programs and Services Offered
  - c. Facilities
  - d. Administration/Staffing
  - e. Community Partnerships
2. How much will it cost to meet these needs?
3. How should BASCC be funded going forward, i.e. what combination of revenue sources?
4. What should the BASCC governance model be going forward?
5. What will be required of each municipality? Will tiered levels of participation be appropriate to meet the unique needs of each municipality?

These preliminary policy recommendations will then be shared with the community through a series of community forums. This will allow the JSSC to confirm and further refine our recommendations before final presentation to each of the participating municipalities.

Your municipal representative on the JSSC will keep you informed of our progress and timeline for submitting final recommendations.

## JSSC Recommendation - Senior Services Funding

<b>CURRENT</b>	
<b>No Change of Services or Hours Dependent on BPS Funding</b>	
11,500 sq. ft. with 4 hrs. "Shared Gym use" daily Hours Open: <b>35 hours a week</b>	
<b>REVENUE:</b>	
Municipal Contribution	46,000
Transportation (Smart)	73,000
Fundraising	48,000
Donations	35,000
Membership	31,000
Programs & General Activities	7,000
BPS In-Kind Contribution	336,000
<b>Shortfall</b>	<b>52,000</b>
<b>Total Revenue</b>	<b>628,000</b>

<b>EXPENSES: Current</b>	<b>Exp</b>
*Staff Salary, FICA	209,000
Facility Overhead	54,000
Fundraising/Marketing Expense	19,500
Transportation Expense	16,500
General Administrative Exp.	16,000
Insurance - Liab. & work comp	7,000
Grant Writing	6,000
BPS, In-kind Rent	300,000

<b>Total Expenses</b>	<b>628,000</b>
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<b>Phase 1</b>	
<b>Increased Services and Hours Add Exercise Equipment - Dependent on Municipal Contribution and/or Millage</b>	
Same Sq. Ft. Increased Hours Open: <b>51 hours a week</b>	
<b>REVENUE</b>	
Municipal Contribution (+200,000)	246,000
Transportation (Smart)	73,000
Fundraising	48,000
Donations	35,000
Membership	31,000
Programs & General Activities	7,000
BPS In-Kind Contribution	336,000
=====	=====
<b>Total Revenue</b>	<b>776,000</b>

<b>EXPENSES:</b>	
Staff Salary +Added Staff (below)	353,500
Facility Overhead	54,000
Fundraising/Marketing Expense	19,500
Transportation Expense	16,500
General Administrative Exp.	16,000
Insurance - Liab. & work comp	10,500
Grant Writing	6,000
BPS, In-kind Rent	300,000

<b>Total Expenses</b>	<b>776,000</b>
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<b>Phase 2</b>	
<b>Bond issue to fund new or upgraded facility Replace Municipal &amp; BPS Funding via Millage</b>	
Newer Facility (50% more space) Increased Hours Open: <b>69 hours a week</b>	
<b>REVENUE</b>	
Millage Income	501,000
Transportation (Smart)	73,000
Fundraising	48,000
Donations	35,000
Membership from Non-Millage Communities	14,000
Programs/Gen. Activities/Adult Day Care	146,000
Federal Grants	50,000
=====	=====
<b>Total Revenue</b>	<b>867,000</b>

<b>EXPENSES:</b>	
Staff Salary + \$36k BPS ED Salary	396,500
Facility Cost & Overhead	260,000
Fundraising/Marketing Expense	19,500
Transportation Expense	16,500
General Administrative Exp.	16,000
Insurance - Liab. & work comp	10,500
Grant Writing	12,000
Rent (see facility overhead increase)	0
Adult Day Care Staff	125,000
Office Systems & Support	11,000

<b>Total Expenses</b>	<b>867,000</b>
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# **JSSC Recommendation for Senior Services Funding**

## **Budget Overview**

### **Current Budget**

- No change of service or hours / 9 am-4 pm / Monday through Friday
- Dependent on BPS Funding
- 11,500 sq. ft. with 4 hours of "Shared gym use" daily

### **Revenue**

**BPS In-kind contribution** – The value of BPS salary payments and in-kind contribution for rent. \$336,000

### **Expenses**

**Staff Salary** – This amount includes two full-time and six part-time staff plus the BPS contribution. \$209,000

**BPS In-kind rent** – A fair market value donation by the Birmingham Public School district for use by BASCC for Senior programs and services. \$300,000

### **Phase 1 – The purpose of the increased services and hours is to capture the Emerging Senior.**

- Increased services and evening and weekend hours
- Added exercise equipment
- Dependent on Municipal contribution and /or millage

### **Revenue Needs**

**Municipal contribution** – present \$46,000 in municipal grants from Birmingham and Bingham Farms plus an additional \$200,000 contribution from the four communities of Birmingham, Beverly Hills, Bingham Farms and Franklin. \$246,000

### **Expenses**

Current Staff Salary of \$209,000 plus additional staff of 5 part-time and 2 full-time staff members are \$144,500. Total staff Salary \$353,500

## Phase 2

- Bond issue to fund a new or upgraded facility
- Replace Municipal and BPS funding with a Millage
- 50% more space
- Open 69 hours a week

### Revenue

**Millage Income** – A senior millage from the four communities will replace the Municipal Contribution revenue line item. \$501,000

**Membership** – Senior not included in the millage contribution will pay an annual membership fee. \$14,000

**Program/General Activities and Adult Day Care** – The additional square footage will allow for added classes which will increase the program income. Adult Day Care revenue for eight seniors to receive care Monday through Friday, 9 am – 4 pm. \$146,000

**Federal Grants** – Adult Day Care and nutrition programs will allow for application of Federal and State grants to subsidize these programs. \$50,000

### Expenses

**Staff Salary** – Additional salary as a result of independence from BPS District. \$396,500

**Facility Cost and Overhead** – Rent, maintenance, supplies and grounds upkeep for new building. \$260,000

**Grant Writing** – additional cost associated with the increase in programs. \$12,000

**Adult Day Care Staff** – One full-time staff member and four part-time staff to oversee Adult Day Care program. \$125,000 (Self-sustaining program)

**Office Systems Support** – Contracted services as a result of separation from the BPS District. \$11,000

### One Time Expenses

- Additional Exercise Equipment - \$120,000
- Physical Therapy Equipment - \$12,000



## **Birmingham Area Seniors Coordinating Council Joint Senior Services Committee**

### **Focus Group Results**

#### **Summary and Other Observations**

In summary, the Detroit Executive Service Corps has identified several key themes/issues based on the input received during the focus group sessions in direct response to the questions asked as well as other opinions expressed during associated discussions:

- People tend to view a senior center as a activities center providing a broad range of things to do including, but not limited to:
  - Intellectual stimulation
  - Physical activities
  - Games
  - Trips
  - Social interaction (a place to get out of the house and see other people).
- Those using the senior center tend to use it for a very specific purpose (tennis, bridge, lectures, etc.), but do not necessarily use it for multiple purposes. They also feel the services they do use are being provided very well.
- People want a resource center (web based and at a center) for information and referrals including, but not limited to:
  - Central website for offerings of interest in the area
  - Senior services that are available throughout the area
  - Changes in the law regarding health, taxes, estate planning
  - Issues impacting seniors
  - Exercise that maintains and improves function and mobility.
- There is a perception that the senior center is underutilized in the sense that a large percentage of the senior population (much less the communities in general) is unaware of the center's existence and the range of services it provides. The corollary to this is the fear that if more people start using the center it will not have the capacity to handle them and the center will lose its "ambiance". People did feel the center should do a better job of marketing itself, although they did not offer many suggestions as to how this should be done.
- Accessibility, transportation and mobility: Comment suggested in all ages groups said a center should be accessible. The Midvale location was appreciated for that reason. Transportation availability in a variety of forms was mentioned several times.
- Marketing and Publicity: As mentioned above, all focus groups, despite information in municipal and school publications, indicated little or no awareness of what BASCC does or who it serves.

## **Birmingham Area Seniors Coordinating Council Joint Senior Services Committee**

### **Focus Group Results**

#### **Summary and Other Observations**

- Observations were mixed as to the current facility. Many feel it is outdated, the entrance is dark and uninviting and it does not have the capacity for many types of activities (particularly related to gym equipment, a swimming pool and as a place to just sit around and socialize or hold discussions after movies or lectures). Some commented that it “looked like an old grade school”. Others liked the facility and wouldn’t change much other than the entrance.
- A senior center needs to be welcoming to seniors of all ages. The senior center will need to broaden its appeal to all seniors (through programming, facilities and hours) who are active and intelligent. Current actual usage is perceived to be by “older” seniors. The perception people have of the center is extremely important.
- Seniors tend to resent the term “senior”. While they want to be identifiable and have services designated specifically for their use, they do not feel they identify themselves as “senior”. There is always someone older who fits that terminology. Several debates occurred regarding the use of the term in all ages and groups. The “seniors” almost universally recognized that they were intelligent, active and vibrant and, while they had needs or wants, the implication of being opposite of intelligent, active and vibrant was an anathema.
  - In one group a discussion also took place regarding the use of “BASCC” and whether it was appropriately descriptive and meaningful.
- Many groups mentioned partnerships and collaborations with schools, universities, the Y, health clubs, Birmingham Bloomfield Art Council, Baldwin Public Library, hospitals and churches as important to a senior center. Several people indicated concern about duplicated services.
- Most groups, other than the caretakers did not mention the need for services for those with disabilities (other than mobility issues). The discussion in the caretaker focus group indicated that needs for caretaker as well as for the person with disabilities is not being adequately served in the Birmingham school area. The focus groups provided no information on the amount of need in this area.
- In discussion related to the role of a senior center in the community several issues were identified:
  - Should a facility be a senior center or a community center? Do seniors need/want a separate facility (Bloomfield Township/Rochester) or a community center that has a senior focus within (Troy)?\
  - Should a senior center provide all the various “services” required by seniors, just act as a referral service so people can get those services from other

## **Birmingham Area Seniors Coordinating Council Joint Senior Services Committee**

### **Focus Group Results**

#### **Summary and Other Observations**

community resources (businesses, religious institutions, government agencies, etc.) or some combination of the two? What criteria would be used to determine which services to supply versus which to “outsource”?

- Should the municipal governments support a senior center, and if so, monetarily, by encouraging usage, by referring questions received by the municipalities regarding seniors to a senior center?
- Is a senior center a key element to making a municipality a “good place to live” and therefore a selling point for future growth?
- There were many opinions regarding the willingness of people to pay for a millage to support and new or expanded senior services. Much depended on what was meant by senior services, publicity and marketing, and the strategy of implementation of a millage.
- One of our observations was that during the two hours of the focus groups, some people's perceptions for the importance of senior services changed positively.

#### **One final reminder**

Focus group data is **qualitative** and is representative of general “feelings” of the participants. Focus group results may be skewed by the selection of the participants and other factors such as group dynamics. Care should be taken in projecting results across a total population, some of whom may not have been represented by the participants or who were represented, but whose voice may have been not heard as loudly as others.

*Focus group participants across all groups were “active” seniors with lots of interests and varied activities (BASCC and otherwise) in which they participated. All seemed well educated and participated actively and cogently in the focus groups. We have some concerns regarding their being a truly representative sample of the senior population of the four municipalities, specifically those who are inactive, possibly less intelligent and possibly less affluent. Additional research may be warranted to determine if a significant percentage of the senior population meets these criteria and were not represented in these focus groups, and if so, should their opinions be obtained*

## Comparison of Senior Services by Community

	<u>BASCC</u>	<u>Bloomfield Twpshp</u>	<u>Rochester OPC</u>	<u>Royal Oak</u>	<u>Troy</u>
Fiscal Year Reported (Ending)	06/30/12	03/31/12	12/31/11	06/30/11	06/30/11
	BASCC document	Jenkins Magnus	Plante Moran	Rehmann	Rehmann
Balance Sheet					
Assets		2,261,000	16,728,000	818,000	
Liabilities		43,000	404,000	69,000	
Net Assets		2,217,000	16,324,000	749,000	
Unrestricted Assets		2,217,000	1,585,000	782,000	
As Pct of annual operating budget			36%		
Income Statement (Change in Net Assets)					
Revenue					
Federal Sources	97,000	92,000	395,000	-	
State Sources			21,000	159,000	
Local Municipalities	46,000	826,000	1,552,000	-	
Local K-12 Schools			-	-	
Charges for Services	35,000	445,000	1,349,000	216,000	
Interest	-	-	8,000	2,000	
Donations	60,000	-	742,000	48,000	
Endowment Fund	51,000	-	-	-	-
Other	1,000	18,000	68,000	-	
Total Revenue	290,000	1,381,000	4,135,000	425,000	-
Local Municipal Millage?	no	yes	yes		
Mils and Duration		25 yrs, \$26m, .38 (see note)	0.25 mills for x yrs		
Expense					
Salaries and Fringes	172,000	615,000	2,109,000	-	
Supplies	45,000	-	165,000	-	
Professional Services	37,000	-	477,000	-	
Maintenance, Insurance, Other	24,000	6,000	1,045,000	-	
Other	12,000	709,000	50,000	501,000	
Total Expense	290,000	1,330,000	3,846,000	501,000	-
Change in General Fund	-	51,000	289,000	(76,000)	-

## Comparison of Senior Services by Community

Total GF expend. of participating municipalities		68,400		84,309,000	97,269,000
Population Served					
Municipalities (Pct)	Birmingham (	Bloomfield Township	Rochester Hills (65)	Royal Oak	Troy
	Beverly Hills (		Oakland Twshp (21)		
	Bingham (		Rochester (14)		
	Franklin (				
Total Population					80,980
Senior Population (over 65)					
Senior Population (over 60)			X		
Senior Population (over 55)		6,907			
Governance Structure					
Entity Type	separate 501(c)3	township department	inter-local agency	city department	city department
Board Size			8 member		
Board Type			Inter Local Agreement		
Board Reporting			to each municipality		
Staff					
Paid Full-Time (FTE)				2.0	
Paid Part-Time (FTE)					
Paid Total (FTE)					
Volunteers					
Director	Renee Cortright			Paige	Carla (PT)
Facility					
Year Built	shared school building	dedicated center	dedicated center	dedicated center	Troy Community Ctr
Dedicated space in square feet	built in 60's	built in 2009 (\$5.5m)	built in 2003	built in 1989	built in 2000
Shared with non-seniors?	14,000	24,000	90,000	21,000	127,000
Weekend hours?	shared gym	no mixed use	no mixed use	no mixed use	senior only areas
	no weekends	yes, weekends	yes, weekends	no weekends	yes, but no sr. programs
Ratios					
\$ expended per total population	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	-
\$ expended per senior population					
\$ millage per total population					
etc.					
etc.					

## Comparison of Senior Services by Community

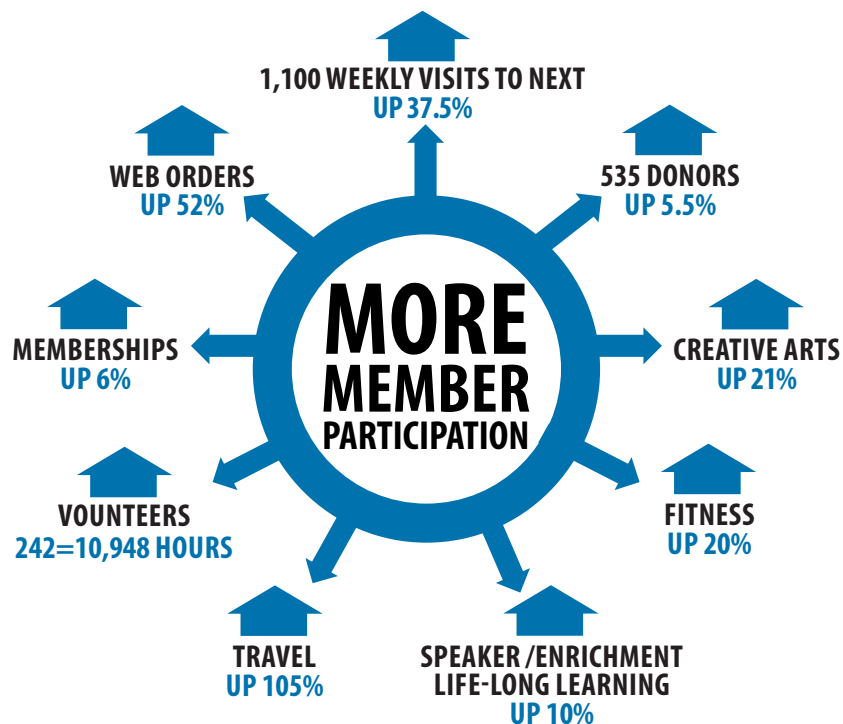
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SEMCOG 2010 Census Data and Forecast

BASCC Service Area

Community Name	Age group	Census 2010	F-cast 2015	F-cast 2020	F-cast 2025	F-cast 2030	F-cast 2035	F-cast 2040	Change	% Change
Beverly Hills village	Total Pop	10267	10214	10231	10272	10288	10308	10338	71	0.7%
	60_64	691	815	884	850	817	725	642	-49	-7.1%
	65_74	767	867	1022	1155	1171	1122	1024	257	33.5%
	75+	1015	874	856	919	1005	1110	1215	200	19.7%
Bingham Farms village	Total Pop	1111	1170	1165	1137	1130	1123	1136	25	2.3%
	60_64	118	131	112	99	92	73	62	-56	-47.5%
	65_74	166	196	213	163	171	166	154	-12	-7.2%
	75+	268	275	274	289	295	308	313	45	16.8%
Birmingham city	Total Pop	20103	20398	20539	21022	21285	21540	21800	1697	8.4%
	60_64	1261	1438	1658	1593	1488	1342	1210	-51	-4.0%
	65_74	1443	1735	2041	2294	2322	2133	1908	465	32.2%
	75+	1320	1256	1348	1597	1929	2259	2497	1177	89.2%
Franklin village	Total Pop	3150	3244	3209	3207	3255	3316	3406	256	8.1%
	60_64	199	230	243	254	211	191	180	-19	-9.5%
	65_74	280	353	414	459	451	419	366	86	30.7%
	75+	230	233	246	274	332	423	456	226	98.3%

# Next Your Place to Stay Active & Connected • 2016 - 2017 Year in Review



## YOUR GIFT, YOUR IMPACT!



Total clients were assisted: **3871**



UP 7%



Van rides given: **4615**



UP 11%



Hot meals delivered: **7277**



UP 2%



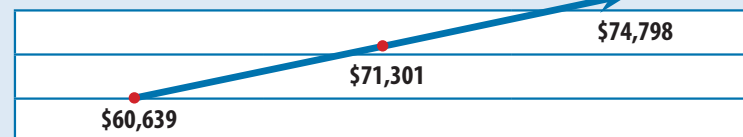
Home medical equipment loaned: **820**



UP 3%

FUNDRAISING GROWTH (GOLF OUTING & FUND CAMPAIGNS)

2014/15	2015/16	2016/17
\$60,639	\$71,301	\$74,798



"The longer I live, the more beautiful life becomes."

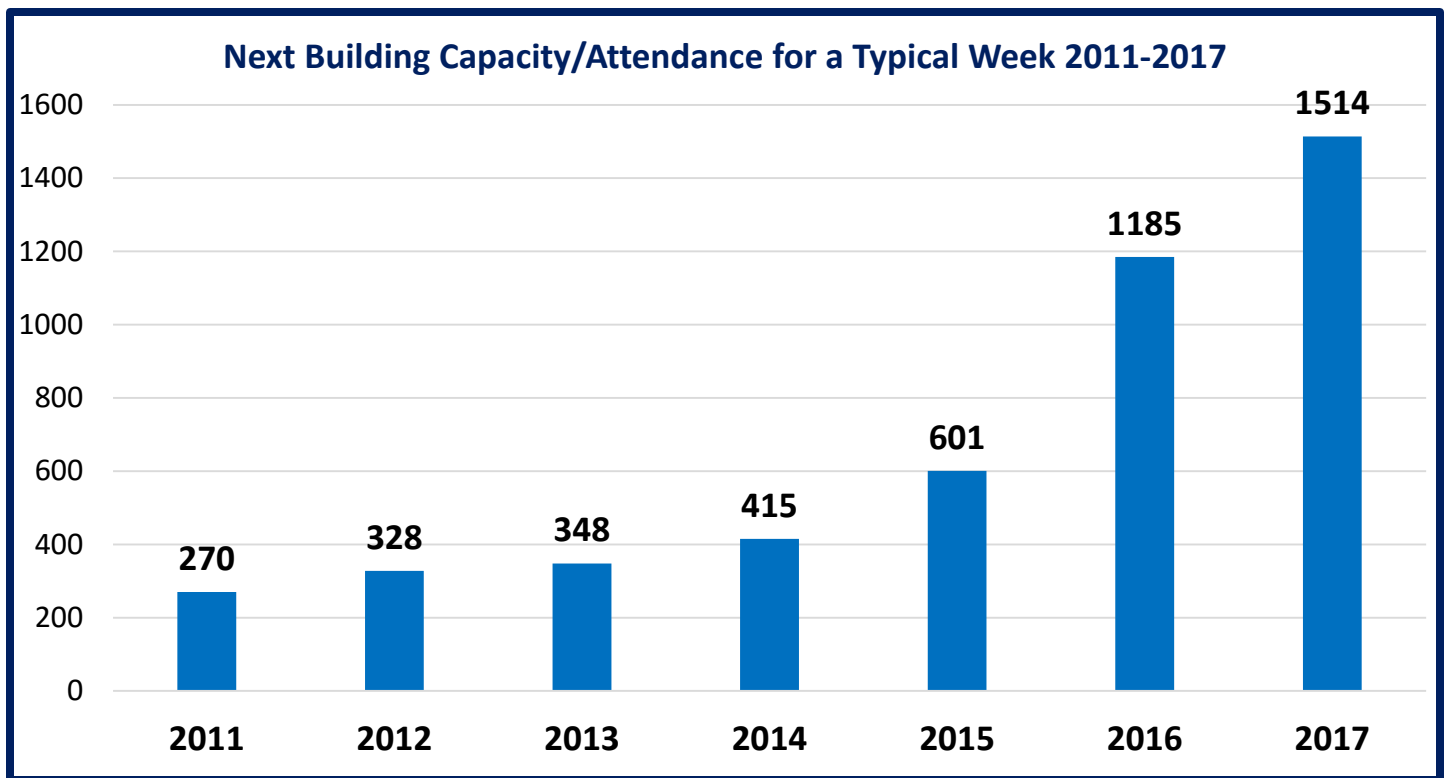
Frank Lloyd Wright

## TOTAL REVENUES: \$823,377

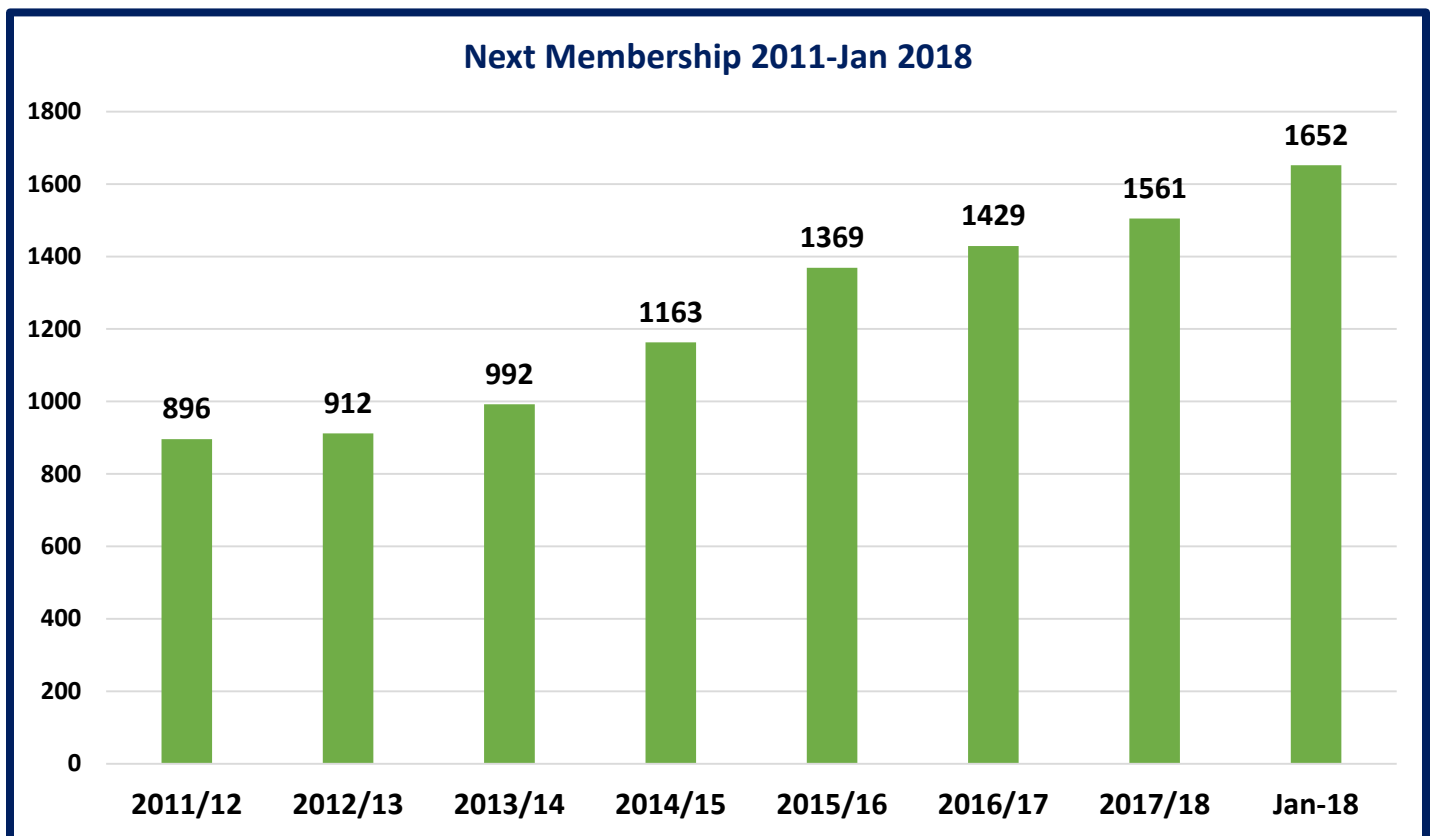
- 34% In-kind
- 17% Municipal
- 5% Sponsorship
- 14% Transportation
- 9% Fundraisers
- 8% Program Fees
- 6.5% Membership Dues
- 3% Grants
- 2% Outreach
- 1.5% Misc.



TOTAL EXPENSES: \$822,853

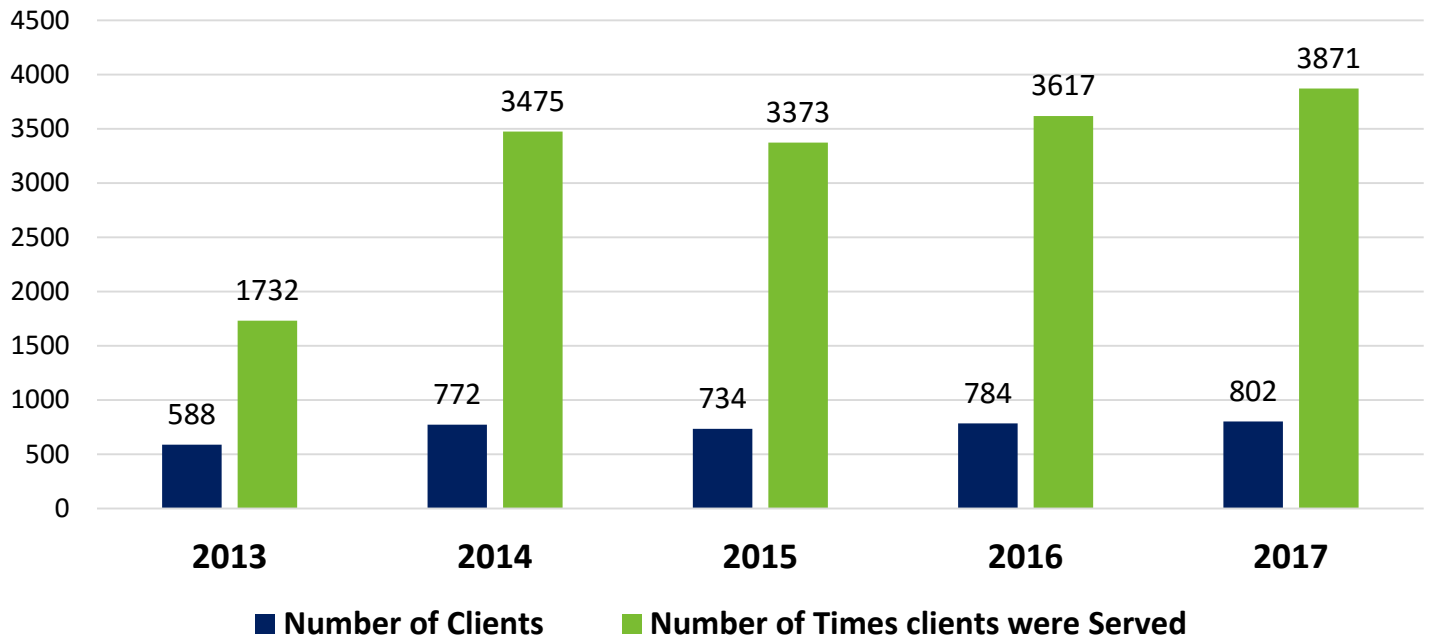


Attendance and participation has almost quadrupled since 2014 because of the greater depth and variety of programs introduced the past few years, up more than 250%. Hours of operation have increased from 43 hours per week in 2014, to 62 hours per week currently.



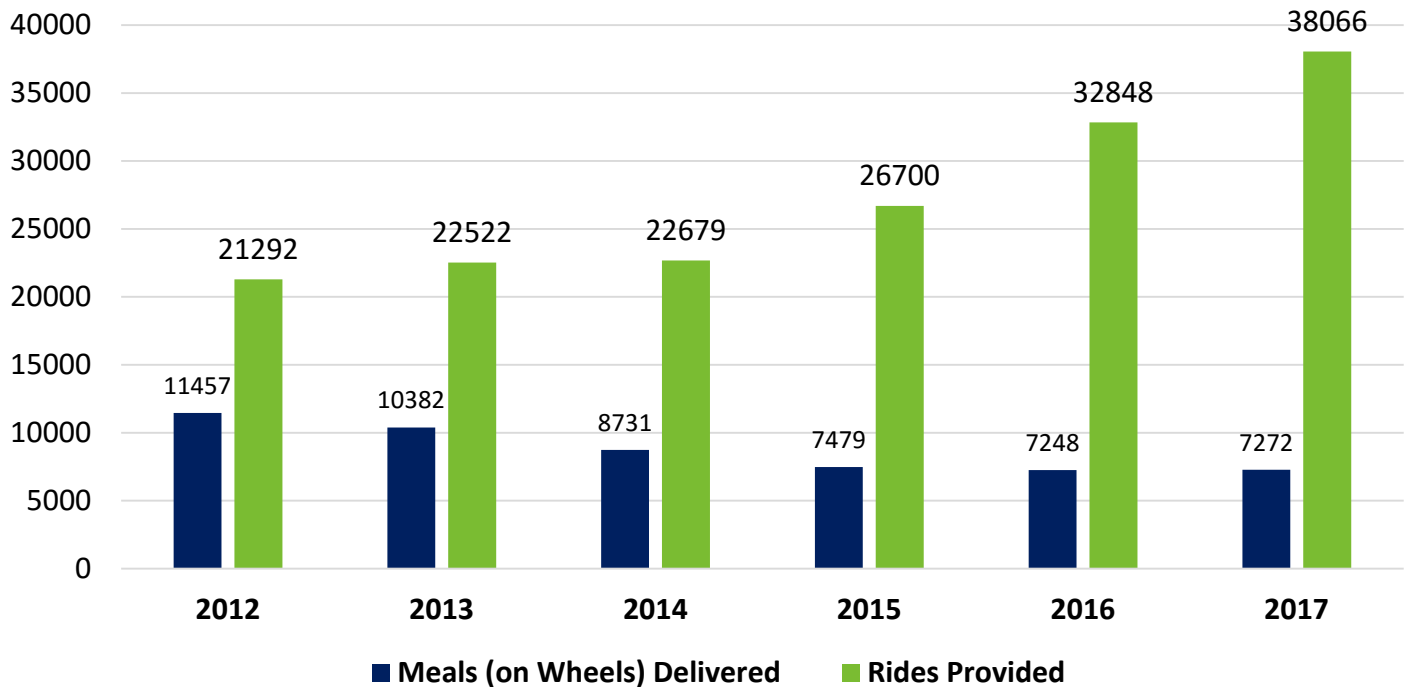
With a renewed energy at Next, membership continues to grow, up 66% since 2014. A statistic worth noting, for every 2 new members that join, 1 member is lost primarily due to relocation or mobility.

### Next Support Services 2011-2017



As the aging population continues to increase, so do the needs for additional support and assistance. In 2017, 3,871 separate times Next offered a variety of support to local residents. Birmingham residents accounted for 1579 of the 3,871 interactions.

### Next-Meals Delivered/Transportation Services 2012-2017



Meals on Wheels have declined due to tougher government restrictions for applicants. Transportation continues to be an increasing need for older seniors. Side note\* Transportation income has remained stagnate over the past 6 years (SMART grant, state & local community credits).