

BIRMINGHAM CITY COMMISSION AGENDA
DECEMBER 9, 2019
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Pierre Boutros, Mayor

II. ROLL CALL

Cheryl Arft, Acting City Clerk

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

ANNOUNCEMENTS:

- Mayor Boutros' birthday
- The Santa House located in Shain Park continues to be open for your visits through December 24th. Horse-drawn carriage rides are also available on select dates throughout the holiday season. For more information on dates and times, visit www.allinbirmingham.com.

Appointments

A. Interviews for Birmingham Shopping District Board

1. Jessica Lundberg
2. Sam Surnow
3. Zachary Kay
4. Steve Quintal

B. To concur with the City Manager's appointment of _____ to the Birmingham Shopping District Board who is a Business operator for a four-year term to complete a four-year term to expire November 16, 2022.

To concur with the City Manager's appointment of _____ to the Birmingham Shopping District Board who has an in interest in property located in the district for a four-year term to expire November 16, 2023.

To concur with the City Manager's appointment of _____ to the Birmingham Shopping District Board as a Business operator for a four-year term to expire November 16, 2023.

To concur with the City Manager's appointment of _____ to the Birmingham Shopping District Board who has an in interest in property located in the district for a four-year term to expire November 16, 2023.

C. Resolution confirming Birmingham Shopping District Board member Richard Astrein as the BSD board member representative to the Advisory Parking Committee to complete a three-year term to expire September 4, 2021.

- D. Interviews for Board of Review
1. Lee (Leland) Feiste
 2. Kathleen Devereaux
 3. Suzanne Lasser
 4. James Rayis
 5. Harvey Rosenberg
- E. To appoint _____ as a regular member to the Board of Review for a three-year term to expire December 31, 2022.
- To appoint _____ as a regular member to the Board of Review for a three-year term to expire December 31, 2022.
- To appoint _____ as an alternate member to the Board of Review for a three-year term to expire December 31, 2022.
- F. The Oath of Office was administered to the appointees.

IV. CONSENT AGENDA

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

- A. Resolution approving the Regular City Commission meeting minutes of November 25, 2019.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated November 27, 2019 in the amount of \$644,044.82.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated December 4, 2019 in the amount of \$255,025.63.
- D. Resolution approving a request from the Birmingham Memorial Day Committee to hold the Memorial Day Service in Shain Park on May 25, 2020 from 10:00 – 11:00 am, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.
- E. Resolution approving the Oakland County Central Support Services Inter-Local Agreement and further, authorizing the Mayor to sign the agreement on behalf of the City.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

- A. Public Hearing to consider the Special Land Use permit and Final Site Plan for Brooklyn Pizza, 111 Henrietta and 195 W. Maple
 1. Resolution approving the Special Land Use Permit and Final Site Plan for Brooklyn Pizza at 111 Henrietta and 195 W. Maple and directing the Mayor to sign a contract to allow the operation of a bistro in the B4/D4 Zone;
AND
Resolution authorizing the Chief of Police to sign the MLCC Police Investigation Report (LC-1800) and to approve the liquor license request of 111 Brooklyn, Inc. that requests a new Class C License to be issued under MCL 436.1521(A)(1)(B) and SDM License with

Outdoor Service (1 Area) located at 195 W Maple Rd and 111 Henrietta St, Birmingham, Oakland County, MI 48009;

AND

Furthermore, pursuant to Birmingham City Ordinance, authorizing the City Clerk to complete the Local Approval Notice at the request of 111 Brooklyn, Inc. approving the liquor license request of 111 Brooklyn, Inc. that requested a new Class C License be issued under MCL 436.1521 (A)(1)(B) & SDM License with Outdoor Service (1 Area) located at 195 W Maple Rd and 111 Henrietta St, Birmingham, Oakland County, MI 48009.

- B. Resolution approving the review schedule recommended by the Planning Board on November 13, 2019 for an in depth review of the first draft of the Master Plan;

AND

Resolution approving the expenditure of funds from Other Contractual Services, account #101-721.000-811.0000 to incorporate additional public engagement opportunities into the remaining portion of the master plan update, in an amount not to exceed \$28,600, as needed, to be determined by the City Manager.

AND

Resolution approving an amendment to the 2019-2020 General Fund budget as proposed.

- C. Resolution approving a purchase of a 2020 Life Line Superliner Type-1, 171"x96", Superliner 72" headroom, on a 2020 Ford F-450 XLT 4x4 Chassis with Liquid Spring Suspension, Stryker Power-Load system, and Stryker Power Cot for the cost of \$256,700.00, which includes a Ford GPC rebate of \$4,200 from account #663.338.000.971.0100 and further, authorizing the Mayor to sign the purchase proposal on behalf of the City.

VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

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

X. REPORTS

- A. Commissioner Reports
Notice of intent to appoint on Monday, January 13, 2020 to Public Arts board, Storm Water Utility Appeals Board and Parks and Recreation Board
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

INFORMATION ONLY

XI. ADJOURN

PLEASE NOTE: Due to building security, public entrance during non-business hours is through the Police Department – Pierce St. entrance only.

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

Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al [\(248\) 530-1880](tel:(248)530-1880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).



**NOTICE OF INTENTION TO INTERVIEW
FOR APPOINTMENT TO THE
BIRMINGHAM SHOPPING DISTRICT BOARD**

At the regular meeting of Monday, December 9, 2019 the Birmingham City Commission intends to interview applicants for three positions on the Birmingham Shopping District Board to serve four-year terms to expire November 16, 2023, and one (1) applicant to serve the remainder of a four-year term to expire November 16, 2022.

The goal of the shopping district board shall be to promote economic activity in the principal shopping districts of the city by undertakings including, but not limited to, conducting market research and public relations campaigns, developing, coordinating and conducting retail and institutional promotions, and sponsoring special events and related activities. (Section 82-97(a)) The board may expend funds it determines reasonably necessary to achieve its goal, within the limits of those monies made available to it by the city commission from the financing methods specified in this article. (Section 82-97(b)).

The shopping district board shall consist of 12 members. One member shall be the City Manager, one shall be a resident of an area designated as a principal shopping district, and one shall be a resident of an adjacent residential area. A majority of the members shall be nominees of individual businesses located within a principal shopping district who have an interest in property located in the district. The remaining members shall be representatives of businesses located in the district.

The ordinance states that the City Manager will make the appointment with the concurrence of the City Commission.

Interested persons may submit a form available from the city clerk's office. Applications must be submitted to the city clerk's office on or before noon on Wednesday, December 4, 2019. These documents will appear in the public agenda.

Applicant(s) Presented For City Commission Consideration:

Applicant Name	Criteria/Qualifications
	Applicants shall be representatives of businesses located in the district.
Jessica Lundberg	Business operator
Sam Surnow	Interest in property located in district
Zachary Kay	Business operator
Steve Quintal	Interest in property located in district

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.

SUGGESTED RESOLUTION:

To concur with the City Manager's appointment of ____ to the Birmingham Shopping District Board, as a member who is a business operator to complete a four-year term to expire November 16, 2022.

To concur with the City Manager's appointment of ____ to the Birmingham Shopping District Board, as a member who has an interest in property located in the district, for a four-year term to expire November 16, 2023.

To concur with the City Manager's appointment of ____ to the Birmingham Shopping District Board, as a member who is a business operator, for a four-year term to expire November 16, 2023.

To concur with the City Manager's appointment of ____ to the Birmingham Shopping District Board, as a member who has an interest in property located in the district, for a four-year term to expire November 16, 2023.



BIRMINGHAM SHOPPING DISTRICT BOARD

Ordinance 1534 - Adopted September 14, 1992

The Board shall consist of 12 members as follows:

- City Manager.
- Resident from an area designated as a principal shopping district.
- Resident from an adjacent residential area.
- A majority of the members shall be nominees of individual businesses located within a principal shopping district who have an interest in property located in the district.
- The remaining members shall be representatives of businesses located in the district.

4-Year Terms

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Astrein	Richard	(248) 399-4228	11/16/1992	11/16/2021
13125 Ludlow		(248) 644-1651	Interest in Property Located in District	
Huntington Woods	48070	<i>richard@astreins.com</i>		
Eid	Samy	(248) 840-8127	11/14/2016	11/16/2021
2051 Villa, Apt. 303			Interest in Property Located in District	
Birmingham	48009	<i>samyeid@mac.com</i>		
588 S. Old Woodward				
Birmingham	48009			
Fehan	Douglas	(248) 705-3000	12/14/1992	11/16/2020
833 Hazel			District Resident	
Birmingham	48009	<i>godug@aol.com</i>		

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Hockman PO Box 936 Birmingham	Geoffrey 48012	(248) 431-4800 <i>jeff.hockman.mec@gmail.com</i>	11/16/1992 Business Operator	11/16/2022
Kay 168 South Old Woodward Birmingham	Zachary 48009	(248) 220-4999 <i>zak@shopfoundobjects.com</i>	7/9/2018 Business Operator	11/16/2019
Pohlod 1360 Edgewood Birmingham	Amy 48009	(248) 219-5042 <i>amypohlod@hotmail.com</i>	7/25/2016 Interest in property located in district	11/16/2022
Quintal 880 Ivy Lane Bloomfield Hills	Steven 48304	248-642-0024 <i>steve@fullercentralpark.com</i>	12/8/2003 Interest in property located in district	11/16/2019
Roberts 410 Whippers in Court Bloomfield Hills	William 48304	(248) 463-8606 (248) 646-6395 <i>BR@RobertsRestaurantGroup.com</i>	11/10/1997 Business Operator	11/16/2021
Roberts 273 Pierce Birmingham	William 48009			

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Solomon	Judith	(248) 645-2330	11/21/2016	11/16/2020
588 Stanley Birmingham	48009	<i>judyfreelance@aol.com</i>	Resident from Adjacent neighborhood	
Surnow	Sam	(248) 877-4000 (248) 865-3000 <i>sam@surnow.com</i>	11/23/2015	11/16/2019
320 Martin, Ste. 100 Birmingham	48009	Interest in property located in district		
VACANT				11/16/2022
			Business Operator	
Valentine	Joseph	(248) 530-1809	City Manager	2/22/2222
151 Martin Birmingham	48009	<i>jvalentine@bhamgov.org</i>		

CITY BOARD/COMMITTEE ATTENDANCE RECORD

Name of Board: Birmingham Shopping District

Year: 2019

Members Required for Quorum: 7

MEMBER NAME	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	SPEC MTG	SPEC MTG	Total Mtgs. Att.	Total Absent	Percent Attended Available
REGULAR MEMBERS																	
Richard Astrein	P	P	P	P	P	P	P	P	P	P	P				11	0	100%
Samy Eid	P	P	A	P	P	A	P	P	P	P	A				8	3	73%
Doug Fehan	A	A	P	P	P	A	P	P	P	P	P				8	3	73%
Geoffrey Hockman	P	A	P	A	P	P	P	P	P	P	P				9	2	82%
Zachary Kay	P	P	P	P	P	P	P	P	P	P	P				11	0	100%
Amy Pohlod	P	A	P	P	P	P	P	P	P	P	P				10	1	91%
Steve Quintal	P	P	P	P	P	A	P	P	P	P	A				9	2	82%
Bill Roberts	P	P	P	P	P	P	P	P	P	P	P				11	0	100%
Judy Solomon	P	P	P	P	A	P	P	P	A	A	P				8	3	73%
Sam Surnow	A	P	P	P	P	P	P	P	P	P	P				10	1	91%
Joe Valentine	P	P	P	P	P	P	P	P	P	P	P				11	0	100%
															0	0	#DIV/0!
Reserved															0	0	#DIV/0!
Reserved															0	0	#DIV/0!
Present or Available	9	8	10	10	10	8	11	11	10	10	9	0	0	0			

KEY: A = Member absent
 P = Member present or available
 CP = Member available, but meeting canceled for lack of quorum
 CA = Member not available and meeting was canceled for lack of quorum
 NA = Member not appointed at that time
 NM = No meeting scheduled that month
 CM = Meeting canceled for lack of business items

Department Head Signature

CITY BOARD/COMMITTEE ATTENDANCE RECORD

Name of Board: Birmingham Shopping District

Year: 2018

Members Required for Quorum: 7

MEMBER NAME	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	SPEC MTG	SPEC MTG	Total Mtgs. Att.	Total Absent	Percent Attended Available
REGULAR MEMBERS																	
Richard Astrein	P	P	A	P	P	P	CP	P	P	P	P	P			10	1	91%
Samy Eid	P	P	P	P	P	P	CP	P	P	P	A	A			9	2	82%
Doug Fehan	P	P	P	P	P	A	CP	A	A	P	P	P			8	3	73%
Geoffrey Hockman	P	A	P	A	P	P	CP	A	P	P	P	P			8	3	73%
Zachary Kay								P	P	P	P	P			5	0	100%
Amy Pohlod	P	P	P	A	P	P	CP	P	P	P	P	P			10	1	91%
Steve Quintal	P	P	P	P	P	P	CP	P	P	P	P	A			10	1	91%
Bill Roberts	P	P	P	P	P	P	CP	P	P	P	A	P			10	1	91%
Judy Solomon	A	P	A	P	P	P	CP	P	A	A	A	P			6	5	55%
Sam Surnow	P	P	P	P	P	P	CP	A	P	P	P	P			10	1	91%
Joe Valentine	P	P	P	P	P	P	CP	A	P	P	P	P			10	1	91%
															0	0	#DIV/0!
Reserved															0	0	#DIV/0!
Reserved															0	0	#DIV/0!
Present or Available	9	9	8	8	10	9	10	7	9	10	8	9	0	0			

KEY:

- A** = Member absent
- P** = Member present or available
- CP** = Member available, but meeting canceled for lack of quorum
- CA** = Member not available and meeting was canceled for lack of quorum
- NA** = Member not appointed at that time
- NM** = No meeting scheduled that month
- CM** = Meeting canceled for lack of business items

Department Head Signature

**BIRMINGHAM SHOPPING DISTRICT
BOARD MEETING ATTENDANCE RECORD 1/17-12/17**

MEMBER NAME	JAN	FEB	MAR	MAR SPECIAL MEETING 3/29	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL MEETING ATTENDANCE	TOTAL ABSENCES	ATTENDANCE %
ASTREIN	P	P	P	P	P	P	P	C	A	P	P	P		10	1	91%
A.-WOODS	P	P	P	P	A	P	P	C	P	A	P	A		8	3	73%
DASKAS	P	A	P	P	P	P	P	C	P	P	P	P		10	1	91%
EID	P	P	P	P	P	A	A	C	P	A	P	P		8	3	73%
FEHAN	A	P	P	P	A	A	A	C	P	P	A	P		6	5	55%
HOCKMAN	P	A	P	P	P	P	A	C	P	P	P	P		9	2	82%
POHLOD	P	P	P	P	P	P	P	C	P	P	P	A		10	1	91%
QUINTAL	P	P	P	P	P	P	P	C	P	P	P	P		11	0	100%
ROBERTS	A	P	P	P	P	P	P	C	P	P	A	P		9	2	82%
SOLOMON	A	P	A	P	P	P	A	C	P	P	A	A		6	5	55%
SURNOW	P	P	P	P	A	P	P	C	P	P	P	P		10	1	91%
VALENTINE	P	P	P	P	P	P	P	C	P	P	P	P		11	0	100%

KEY:

P = PRESENT

A = ABSENT

C = CANCELLED

*** = NEW**

**** = MEDICAL**

***** = GONE**



RECEIVED BY

NOV - 8 2019

OFFICE USE ONLY

Meets Requirements? ☒ Yes ☐ No

☒ Will Attend / ☐ Unable to Attend

APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities.

(Please print clearly)

Board/Committee of Interest BSD - Board

Specific Category/Vacancy on Board BSD - Board -- Business operator

Name Jessica Lundberg Phone 248 766 8696

Residential Address 494 Whippers In Court Email Jessica@rivagedayspa.com

Residential City, Zip Bloomfield Hills, MI 48304 Length of Residence 4 years

Business Address 210 S. Old Woodward, Suite 250 Occupation Owner / Spa Director

Business City, Zip Birmingham 48009

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied Along with being a part of the Marketing Committee, I have been to several BSD meetings, followed city meetings, etc.

List your related employment experience I have been on the marketing Committee for the past year and half.

List your related community activities please see above

List your related educational experience College - Communications, MBA

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: No

Do you currently have a relative serving on the board/committee to which you have applied? No

Are you an elector (registered voter) in the City of Birmingham? No

Jessica Lundberg
Signature of Applicant

11/8/19
Date



OFFICE USE ONLY	
Meets Requirements?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Will Attend / <input type="checkbox"/> Unable to Attend	

APPLICATION FOR CITY BOARD OR COMMITTEE

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(Please print clearly)

Board/Committee of Interest BIRMINGHAM SHOPPING DISTRICT

Specific Category/Vacancy on Board Interest in property located in district

Name SAM ~~MARTIN~~ SURNOW

Phone 248-877-4000

Residential Address 1310 S BATES

Email same.surnow.com

Residential City, Zip 48009

Length of Residence 6 MONTHS

Business Address 320 MARTIN #100

Occupation REAL ESTATE

Business City, Zip 48009

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied _____

REAL ESTATE DEVELOPER AND LONGTIME PROPERTY OWNER
IN BIRMINGHAM

List your related employment experience SURNOW COMPANY

List your related community activities JVS, MAKE-A-WISH, BIRMINGHAM
SHOPPING DISTRICT

List your related educational experience MASTERS IN ACCOUNTING

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: _____

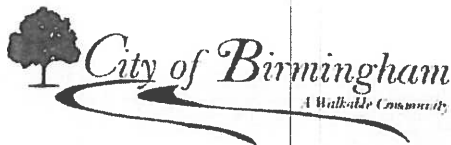
NO

Do you currently have a relative serving on the board/committee to which you have applied? NO

Are you an elector (registered voter) in the City of Birmingham? NO

Signature of Applicant [Signature]

Date 11/11/19



OFFICE USE ONLY	
Meets Requirements?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will Attend /	<input type="checkbox"/> Unable to Attend

APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

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(Please print clearly)

Board/Committee of Interest BSD
Specific Category/Vacancy on Board Business operator

Name Zachary Kay Phone 248 220 4999
Residential Address Zake Shop Found Objects. Com

Residential City, Zip _____ Length of Residence _____

Business Address 168 S Old Woodward owner

Business City, Zip Birmingham, MI 48009

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied _____

Existing Member

List your related employment experience Store owner in
Downtown Birmingham

List your related community activities BSD Board & Committee
Member

List your related educational experience BBA

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: _____

NO

Do you currently have a relative serving on the board/committee to which you have applied? NO

Are you an elector (registered voter) in the City of Birmingham? NO

Signature of Applicant Zachary Kay

Date 11/13/19

Return the completed and signed application form to: City of Birmingham, City Clerk's Office, 151 Martin, Birmingham, MI 48009 or by email to lpierce@bhamgov.org or by fax to 248.530.1080.
Updated 10/12/16

**OFFICE USE ONLY**Meets Requirements? ☒ Yes ☐ No☒ Will Attend / ☐ Unable to Attend**APPLICATION FOR CITY BOARD OR COMMITTEE**

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities.

(Please print clearly)

Board/Committee of Interest Birmingham Shopping District

Specific Category/Vacancy on Board Large Property Owner - Interest in property located in district

Name Steven G. Quintal

Phone 248-642-0024

Residential Address 880 Ivy Lane

Email steve@fullercentralpark.com

Residential City, Zip Bloomfield Hills, MI 48304

Length of Residence 20 years

Business Address 112 Peabody Street, Birmingham, MI 48009 Occupation Property Owner/Manager

Business City, Zip Birmingham, MI 48009

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied _____

To continue serving on the Board for the betterment of the City.

List your related employment experience Fuller Central Park Properties 1977 to Present


List your related community activities Current BSD member / several Ad Hoc committees

List your related educational experience Independent study in finance and business management.

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: No

Do you currently have a relative serving on the board/committee to which you have applied? No

Are you an elector (registered voter) in the City of Birmingham? No


Signature of Applicant

11/07/19
Date



MEMORANDUM

City Clerk's Office

DATE: December 3, 2019
TO: Joseph A. Valentine, City Manager
FROM: Cheryl Arft, Acting City Clerk
SUBJECT: Confirmation of BSD Board representative Richard Astrein to the Advisory Parking Committee

INTRODUCTION:

On October 28, 2019, the City Commission voted to modify the Advisory Parking Committee membership to enable the City to fill some long-time vacancies by replacing a building owner member position with a BSD board member to participate on the APC.

In November 2019, the BSD board appointed Richard Astrein to represent the board on the Advisory Parking Committee.

BACKGROUND:

The Building Owner representative position on the Advisory Parking Committee has remained vacant since September 2015.

LEGAL REVIEW:

n/a

FISCAL IMPACT:

n/a

SUMMARY:

The City Commission voted to amend the Advisory Parking Committee membership to remove the Building Owner position and replace it with a board member of the Birmingham Shopping District. The commission also voted to remove the City Engineer (non-voting, ex-officio) position and replace this position with the City Manager, or his/her designee.

At its November meeting, the BSD board appointed Richard Astrein as its representative to the Advisory Parking Committee

The City Commission is being asked to confirm BSD Board representative Richard Astrein to the Advisory Parking Committee at this time.

ATTACHMENTS:

1. Excerpt of the October 28, 2019 City Commission meeting minutes.
2. New Business Item 6F – October 21, 2019 Report from ACM Gunter requesting the change to the Advisory Parking Committee

SUGGESTED RESOLUTION:

To confirm Birmingham Shopping District Board member Richard Astrein as the BSD board member representative to the Advisory Parking Committee to complete a three-year term to expire September 4, 2021.

10-256 -19 AUDIT PRESENTATION – NO ACTION EXPECTED

Finance Mark Gerber presented Mr. Doug Bohren and Tim St. Andrew from Plante Moran.

- Explained the contents
- Unmodified Opinion, the highest form of Assurance.

Commissioner Harris asked about OPEC and Retiree Health Care and was advised that they are the same.

Commissioner Nickita thanked the auditors.

Commissioner Sherman extended kudos to the staff.

10-257 -19 AMENDMENT TO THE SIGN ORDINANCE TO PROHIBIT ELECTRONIC MESSAGE CENTERS

Nick Dupuis, City Planner, presented this item. This amendment would reduce visually unsightly signage; specifically regulating those types of signs.

- Commissioner DeWeese commented that the City uses electronic signage at the parking garages and is uncomfortable restricting their use.
- Mr. Dupuis expressed that he may amend to not include parking garage signs
- Commissioner Nickita expressed that city signs exist and therefore grandfathered in, but going forward, he thinks open signs flashing are inappropriate. He would like to see the ordinance expanded eventually to include open signs.
- Commissioner DeWeese noted that the new Master Plan addressed signage; while he can see adopting it tonight, it needs some further work.
- Mayor Pro Tem Boutros echoed Commissioner Nickita about open signs.

Public Comment

- David Bloom, resident, agreed with Commissioner DeWeese that the Master Plan addresses signage and this item is not consistent with the MP.
- City Manager Valentine noted that the Master Plan had not been adopted, but should be a guide to have future conversations.
- Commissioner Nickita expressed that ordinances are not perfect and may need to evolve over time.

MOTION: Motion by Commissioner Nickita, seconded by Commissioner Sherman:

To approve the following amendments to the Sign Ordinance to add Electronic Message Centers to the list of prohibited sign types:

1. To amend Article 1, Section 1.03, Sign Requirements, to amend the prohibited sign types;

AND

2. To amend Article 3, Section 3.02, Definitions, to add definitions for Electronic Message Centers and Gas Station Price Signs.

VOTE: Ayes: 5
 Nays: 0
 Absent: 2

10-258 -19 AMEND ADVISORY PARKING COMMITTEE MEMBERSHIP

City Manager Valentine presented this item.

- Recommending a modification to the composition of the board to enable the City to fill some long-time vacancies.
- Replace a building owner with a BSD board member to participate on the board

- Remove the City Engineer and Replace with the City Manager or his designee.

Brad Host expressed that he thought it might be a mistake to eliminate a representative from Engineering.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Harris:
To adopt the resolution to amend Advisory Parking Committee membership to remove the Building Owner position and replace it with a board member of the Birmingham Shopping District and to remove the City Engineer (non-voting, ex-officio) position and to replace this position with the City Manager, or his/her designee.

VOTE:	Ayes:	5
	Nays:	0
	Absent:	2

10-259 -19 WATER FEES

Fletcher Austin, Engineering, presented this item.

- There are approximately 9,000 water customers. 550 Homes may fall into that category.
- The City is required to replace 7% a year.
- Suggested waiving fees associated with the removal of lead water lines.

Mayor Pro Tem Boutros asked how the affected homes are being identified.

City Manager Valentine explained that it is up to each community to plan for replacement; the City has a plan to be submitted to the State. This resolution is an incentive to help those who want to replace leads on their own. It was designed to assist homeowners with known lead lines to avoid permit fees in the event they want to make the fix sooner than the City.

MOTION: Motion by Commissioner Harris, seconded by Commissioner DeWeese:
To amend the Fees, Charges, Bonds, Insurance Schedule to allow all associated water permit fees (ROW Permit, Plumbing Permit, Trench Maintenance and Inspection Fees) to be waived for individuals that wish to replace their lead water services.

VOTE:	Ayes:	5
	Nays:	0
	Absent:	2

VII. REMOVED FROM CONSENT AGENDA

Done at the beginning of the Agenda.

VIII. COMMUNICATIONS

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

- Brad Host commented on the 20/40 plan. At the Planning Board study session, the Mayor cut off City Master Planner before he could address Quarton Lake. Residents did not know about the Charrettes held over the summer. Public input is greatly needed.
- City Manager Valentine expressed that there is a survey planned to engage the public.
- Terese Longe, 103 Yosemite, commented about the lead testing and the lack of communication to residents. She wants the City to let the residents know that the replacement of the lines are the responsibility of the water provider. She thinks the City should prioritize the homes that are testing high and replace the lines immediately.



MEMORANDUM

Office of the City Manager

DATE: October 21, 2019

TO: Joseph A. Valentine, City Manager

FROM: Tiffany J. Gunter, Assistant City Manager

SUBJECT: Advisory Parking Committee Resolution: Board Member Composition Change

INTRODUCTION:

The role of the Advisory Parking Committee is to provide guidance to the City Commission regarding parking in the downtown, appropriate pricing, creating/maintaining attractive facilities that are safe, and while recognizing parking requirements in the assessment district make plans to address future parking needs. Parking is one of the most critical issues the City must address. However, it has been challenging to maintain a full complement of committee members over the years. Recently, the committee has received applications to fill a resident and an alternate vacancy. The resident position was confirmed earlier this month and the alternate applications are being reviewed at this evening's Commission meeting. If the alternate position is confirmed there will be two open positions remaining. They are:

- Building Owner
- Restaurant Owner

The Building owner position has not been occupied since September 2015. It has been recommended that the resolution creating the Advisory Parking Committee be amended to change the board composition and allow the Building Owner position to be removed and replaced with a Birmingham Shopping District Board member. The BSD Board would select their representative to participate with the committee for a term of three years consistent with the original APC resolution.

The original resolution also identified the City Engineer as the non-voting, ex-officio member of the Committee. The City Engineer no longer holds this responsibility. Staff recommends further amending the resolution to identify the City Manager or his/her designee as the non-voting, ex-officio member of the Committee.

BACKGROUND:

N/A

LEGAL REVIEW:

The proposed resolution was drafted by the City Attorney's office.

FISCAL IMPACT:

N/A

PUBLIC COMMUNICATIONS:

N/A

SUMMARY:

The Advisory Parking Committee is working to develop comprehensive parking solutions both now and into the future. The BSD Board member role will bring a breadth and depth of expertise and understanding of the downtown that will continue to add more value to the current committee roster. Many of the existing members have faithfully served on this committee for many years and continue to be reappointed. The City is grateful for their dedication and commitment.

ATTACHMENTS:

- Resolution creating the Advisory Parking Committee
- Proposed Amendment to the Resolution that created the Advisory Parking Committee

SUGGESTED ACTION:

To adopt the resolution to amend Advisory Parking Committee membership to remove the Building Owner position and replace it with a board member of the Birmingham Shopping District and to remove the City Engineer (non-voting, ex-officio) position and to replace this position with the City Manager, or his/her designee.

CITY OF BIRMINGHAM
RESOLUTION TO AMEND ADVISORY PARKING COMMITTEE MEMBERSHIP

Moved by: _____

Seconded by: _____

WHEREAS, the Advisory Parking Committee seeks to remove the Building Owner and City Engineer positions from its membership.

NOW, THEREFORE, BE IT RESOLVED that the Building Owner position shall be replaced with a board member of the Birmingham Shopping District and the City Engineer position as a non-voting, ex-officio member shall be replaced with the City Manager or his/her designee.

AYES:

NAYS:

ABSENT:

MOTION CARRIED.

I, Cheryl Arft, Acting Clerk of the City of Birmingham, certify that the foregoing is a true and compared copy of a Resolution duly made and passed by the Birmingham City Commission at a meeting held on _____, 2019.

Cheryl Arft, Acting City Clerk

Referred to the Traffic and Safety Board for review of meters in the following locations to determine if they are still appropriate in view of the change in the entrance to the Baldwin Library: twelve 30-minute meters on Martin between Bates and Chester; five 15-minute meters on Bates between Maple and Martin; three 15-minute meters on Bates near the former entrance on Martin Street to the library.

8:07

08-881-84: CITY COMMISSIONER REPORTS

Commissioner Miller reported that the Otsu Children's Choir will sing at the Community House at 2:00 P.M., Saturday, August 11, 1984. She also commented that AAA will provide transportation for the children to Bob-Lo.

Mayor Appleford reported that he attended a reception in Ann Arbor last week for the Governor of Shiga Province.

8.08

08-882-84: **ADVISORY PARKING COMMITTEE ESTABLISHED**

MOTION: Motion by Miller, supported by Hockman:

To receive the report of the City Manager re: Advisory Parking Committee; to establish an Advisory Parking Committee as follows:

PURPOSE: There is hereby established an Advisory Parking Committee to provide guidance to the Birmingham City Commission in the management of the Birmingham Auto Parking System that will: recognize parking requirements of the various interests in the Central Business District (CBD); fairly assess the costs of the parking system to users of the facility; create the least possible traffic impact on the CBD and the immediately abutting residential areas; provide for attractive, well-maintained, safe facilities; include plans for an orderly and responsive answer to future parking needs.

MEMBERS: The Birmingham City Commission shall appoint the Advisory Parking Committee, consisting of seven (7) members, each to be appointed for a term of three (3) years, but in the first instance, two (2) members shall be appointed for terms expiring on the first Monday in September, 1985, two (2) members shall be appointed for terms expiring on the first Monday in September, 1986, and three (3) members shall be appointed for terms expiring on the first Monday in September, 1987.

The majority of the members shall be residents and there shall be one member representing each of the following:

I. Downtown Commercial Representatives -

- A. Retail - Two (2) members
- B. Professional Firm - One (1) member
- C. **Building Owner - One (1) member**

II. Downtown Employee Representative - One (1) member

III. Residential - Two (2) members who do not qualify under any of the above categories.

Members of the Committee can be removed for cause determined at a public hearing at any time by the City Commission. Vacancies occurring shall be filled for the unexpired term by the City Commission.

ORGANIZATION: The Committee shall elect a Chairperson from its membership annually at its first meeting after the first Monday of September. The City Engineer shall be a non-voting, ex-officio member of the Committee and shall serve as the coordinating link between the Committee and various City Departments. A secretary shall be furnished by the City for the purpose of keeping Minutes of Committee meetings.

MEETINGS: The Committee shall hold at least one (1) regular public meeting in each quarter on such date and at such time and place as may be established by resolution of the Committee. Special meetings may be called by the Chairperson of the Committee or by request of any three (3) members of the Committee. There shall be at least a two (2) day notice for any special meeting. The Committee shall adopt such rules for the conduct of its business as it may from time to time adopt by resolution. The Committee shall keep a written or printed record of its proceedings which shall be a public record and property of the City.

EXPENDITURES: The Committee shall have the power to expend such funds as may from time to time be appropriated to it by the City Commission for the purpose of carrying out the powers and duties of the Committee. Funds expended by the Committee shall be processed through regular City channels and be accounted for in the Auto Parking Fund budget.

POWERS AND DUTIES: The Committee shall recommend:

1. A proper rate relationship between the charges for street meters, parking lot fees (short term and long term), and permit fees.
2. Parking fees that, while maintaining the financial integrity of the system, are still attractive to users.
3. The proper ratio between the number of short term, long term, and permit parkers in the attendant-operated lots and structures.
4. The area in each structure that should be assigned for short term, long term, and permit parking.
5. An equitable method of assigning permit parking spaces.
6. Financial objectives that reflect the requirements of ordinances and the need for information on the revenue received from specific users of the system.
7. A public relations program that will educate the public to the location of parking facilities, their ease of use, their close proximity to many fine stores offering a great variety of merchandise and the benefits of validated parking.
8. Corrective steps if the level of either maintenance or policing of the system facilities is inadequate.
9. Specific ordinance changes that will encourage private off-street parking in the CBD and/or help to improve the system operation as a whole.

REPORTS: The Committee shall make and submit to the City Commission an annual report in January regarding the general activities, operations and accomplishments of the Committee for the preceding year. The Committee shall, from time to time as occasion requires, advise the City Commission in writing on recommendations for the improvement of the Auto Parking System.

BUDGET: Not later than the first day of February of each year, the Committee shall present to the City Commission a request for funds which the Committee believes necessary to carry out its function as an advisory committee.

VOTE: Yeas, 6 Nays, None Absent, Sights

MOTION: Motion by Kain, supported by Jeske:
That the Ad Hoc Parking Committee be dissolved.

VOTE: Yeas, 6 Nays, None Absent, Sights

Resumes for membership on the Committee are to be submitted by August 27, 1984, and Commissioners are to submit names to the Mayor by the first meeting in September. They are also to advise the Mayor if they have a particular area in which they are interested.

MOTION: Motion by Hockman, supported by Miller:
That resumes for appointment to the Advisory Parking Committee be submitted by August 27, 1984, for consideration by the City Commission at its September 4 meeting.

VOTE: Yeas, 6 Nays, None Absent, Sights

8:50

08-883-84: BORDERLINE TREES

MOTION: Motion by Jeske, supported by Jensen:
To receive the report of the City Engineer and the City Manager re: Borderline Trees; to direct the Administration to draft an ordinance whereby sidewalks damaged by trees which are entirely or partly in the public right-of-way will be City responsibility.

MOTION: Motion by Kain, supported by Hockman:
To amend the previous Motion by directing that the proposed ordinance state that the cost of sidewalk replacement resulting from damage caused by borderline trees be borne equally by the City and the property owner.

VOTE ON AMENDMENT: Yeas 3 (Hockman, Kain, Miller)
Nays, 3
Absent, Sights

AMENDING MOTION FAILED

VOTE ON MAIN MOTION: Yeas, 3 (Appleford, Jensen, Jeske)
Nays, 3
Absent, Sights

MOTION FAILED



NOTICE OF INTENTION TO APPOINT TO BOARD OF REVIEW

On December 9, 2019, the City Commission intends to appoint two (2) regular members to serve three-year terms to expire December 31, 2022 and an alternate member to serve a three-year term to expire December 31, 2022. Applicants must be property owners and electors of the City of Birmingham.

The Board of Review, consisting of two panels of three local citizens who must be property owners and electors, is appointed by the City Commission for three-year terms. Although a general knowledge of the City is very helpful, more important are good judgment and the ability to listen carefully to all sides of an issue before making a decision. Approximately three weeks in March are scheduled for taxpayers to protest their assessments and one day each in July and December for correcting clerical errors and mutual mistakes of fact. Two training sessions in February are also required.

Interested citizens may submit an application available at the Clerk's office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, December 4, 2019. These documents will appear in the public agenda for the regular meeting at which time the City Commission will interview applicants and may make nominations and vote on appointments.

Board members are paid \$110 per diem.

Applicant(s) Presented For City Commission Consideration:

Applicant Name	Criteria/Qualifications
	Applicants must be property owners and electors (registered voters) of the City of Birmingham.
Leland Feiste	Property owner and Elector
Kathleen Devereaux	Property owner and Elector
Suzanne Lasser	Property owner and Elector
James Rayis	Property owner and Elector
Harvey Rosenberg	Property owner and Elector

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.

SUGGESTED RESOLUTION:

To appoint_____ to the Board of Review as a regular member to serve a three-year term to expire December 31, 2022.

To appoint_____ to the Board of Review as a regular member to serve a three-year term to expire December 31, 2022.

To appoint_____ to the Board of Review as an alternate member to serve a three-year term to expire December 31, 2022.



BOARD OF REVIEW

City Charter – Chapter III, Section 14

Terms: Three Years

Members: Members must be property owners and electors of the City of Birmingham

Appointed by the City Commission

The Board of Review hear appeals from property owners regarding their assessments. Approximately three weeks in March are scheduled for taxpayers to protest their assessments and one day each in July and December for correcting clerical errors and mutual mistakes of fact. Two training sessions in February are also required.

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Devereaux 1019 Rivenoak	Kathleen	(248) 840-5310 <i>kddevereaux@wowway.com</i>	2/22/2016	12/31/2019
Di Placido 726 Lakeside Dr.	Guy	(248) 644-1708	1/10/1994	12/31/2020
Feiste 1474 Maryland	Leland	(248) 644-3948 <i>lwfeiste@yahoo.com</i>	1/22/2001	12/31/2019
Katrib 1832 East Lincoln	Elicia	(248) 379-3577 <i>e.katrib@gmail.com</i>	2/22/2016	12/31/2021
Monahan 1560 Villa Rd.	Jason	(586) 243-5266 <i>jasonmonahan@gmail.com</i>	2/13/2017 alternate	12/31/2019

Last Name Home Address	First Name	Home Business E-Mail	Appointed	Term Expires
Richey 1690 Stanley	Lester	(248) 644-7143 <i>lesrichey@yahoo.com</i>	2/9/2015	12/31/2020
Rose 1011 Clark	Cynthia	(248) 752-2667 <i>crose@cbwm.com</i>	3/2/2009	12/31/2021
Stress 784 Westchester Way	Jill	(586) 246-6700 <i>jill.stress@yahoo.com</i>	2/13/2017 alternate	12/31/2020

CITY BOARD/COMMITTEE ATTENDANCE RECORD

Board/Committee: **Board of Review**

Year: **2019**

MEMBER NAME	2/13	3/5	3/11	3/12	3/14	3/15	7/16	12/10					Total Mtgs. Att.	Total Absent	Percent Attend
REGULAR MEMBERS															
DEVEREAUX, KATHLEEN	P	P	P	P	P	P	NM						6	0	100%
DIPLACIDO, GUY	P	P	P	P	P	P	P						7	0	100%
FEISTE, LELAND	P	P	P	P	P	P	NM						6	0	100%
KATRIB, ELICIA	P	P	A	A	P	P	P						5	2	71%
RICHEY, LESTER	P	P	P	P	P	P	NM						6	0	100%
ROSE, CYNTHIA	P	P	P	P	P	P	NM						6	0	100%
Reserved															
Reserved															
ALTERNATES															
MONAHAN, JASON	NM	NM	NM	NM	NM	NM	NM	NM				*	0		
STRESS, JILL	P	P	P	P	NM	P							5	0	100%
Reserved															
Reserved															
Members in attendance	7	7	6	6	6	7	2	0							

KEY: A = Absent
P = Present
NM = No Meeting
na = not appointed at that time


Department Head Signature

*Unable to attend training. Unable to participate on Board for 2019

CITY BOARD/COMMITTEE ATTENDANCE RECORD

Board/Committee: **Board of Review**

Year: **2018**

MEMBER NAME	2/13	2/27	3/6	3/12	3/13	3/15	3/16	3/19	3/20	7/18	12/10		Total Mtgs. Att.	Total Absent	Percent Attend
REGULAR MEMBERS															
DEVEREAUX, KATHLEEN	P	NM	P	P	P	P	P	NM	P	NM			7	0	100%
DIPLACIDO, GUY	P	NM	P	P	P	A	NM	A	NM	NM			4	2	67%
FEISTE, LELAND	P	NM	P	P	P	P	NM	P	NM	P			7	0	100%
KATRIB, ELICIA	P	NM	A	P	P	P	NM	P	NM	NM			5	1	83%
RICHEY, LESTER	P	NM	P	P	P	P	P	NM	P	P			8	0	100%
ROSE, CYNTHIA	P	NM	P	P	P	P	P	NM	P	P			8	0	100%
Reserved															
Reserved															
ALTERNATES															
MONAHAN, JASON	NM	A	NM	NM	NM	NM	NM	NM	NM	NM		*	0	1	0%
STRESS, JILL	NM	P	P	P	P	P	NM	P	NM	NM			6	0	100%
Reserved															
Reserved															
Members in attendance	6	1	6	7	7	6	3	3	3	3					

KEY: A = Absent
P = Present
NM = No Meeting
na = not appointed at that time


Department Head Signature

*Family emergency unable to attend training. Unable to participate on Board for 2018.

CITY BOARD/COMMITTEE ATTENDANCE RECORD

Board/Committee: **Board of Review**

Year: **2017**

MEMBER NAME	2/14	2/23	3/7	3/13	3/14	3/16	3/21	7/18	12/12					Total Mtgs. Att.	Total Absent	Percent Attend
REGULAR MEMBERS																
DEVEREAUX, KATHLEEN	P	NM	P	P	P	P	P	NM	P					7	0	100%
DIPLACIDO, GUY	P	NM	P	P	P	P	P	P						7	0	100%
FEISTE, LELAND	P	NM	P	P	P	P	P	P	P					8	0	100%
KATRIB, ELICIA	P	NM	A	P	P	A	P	A						4	3	57%
RICHEY, LESTER	P	NM	P	P	P	P	P	NM						6	0	100%
ROSE, CYNTHIA	P	NM	P	P	P	P	P	NM	p					7	0	100%
Reserved																
Reserved																
ALTERNATES																
MONAHAN, JASON	na	P	A	NM	NM	NM	NM	P	NM					2	1	67%
STRESS, JILL	na	P	P	P	P	P	P	NM	NM					6	0	100%
Reserved																
Reserved																
Members in attendance	6	2	6	7	7	6	7	3								

KEY: A = Absent
P = Present
NM = No Meeting
na = not appointed at that time


Department Head Signature

NOV 22 2019

carft@bhamgov.org



OFFICE USE ONLY
Meets Requirements? Yes No
Will Attend / Unable to Attend

APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities.

(Please print clearly)

Board/Committee of Interest BOARD OF REVIEW
Specific Category/Vacancy on Board Term of EXPIRATION 12-31-19
Name Leland W. Feiste Phone 248 644 3948
Residential Address 1474 Maryland Blvd Email LWFeiste@YAHOO.COM
Residential City, Zip BIRMINGHAM, MI 48019 Length of Residence 45 YEARS
Business Address NONE Occupation RETIRED
Business City, Zip NONE

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied

Originally Appointed to this Board JAN 02 and been serving to present time. I wish to continue serving the City of Birmingham in this capacity.

List your related employment experience Intertron Mfg. OMNICON CONSULTANT

11-96 to 06-2019. Ross Roy CONSULTANT 1-95 to 9-96. CHRYSLER CORP Finance Mgt 2-65 to 12-94

List your related community activities DRACHT ELECTION CHAIR FOR CITY OF BIRMINGHAM FOR LAST 22 YEARS

List your related educational experience B.S. B.S.A. DEPT. MAJOR & MATH MINOR FOR S.E. MO STATE UNIVERSITY GRADUATED 1959

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: _____

Do you currently have a relative serving on the board/committee to which you have applied? NO

Are you an elector (registered voter) in the City of Birmingham? yes

Leland W. Feiste
Signature of Applicant

11-11-19
Date



OFFICE USE ONLY
Meets Requirements? Yes No
Will Attend / Unable to Attend

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(Please print clearly)

Board/Committee of Interest BOARD OF REVIEW

Specific Category/Vacancy on Board REGULAR MEMBER

Name KATHLEEN DEVEREAUX

Phone 248 840 5310

Residential Address 1019 RIVENOAK

Email kdevereaux@wowway.com

Residential City, Zip BIRMINGHAM MI 48009

Length of Residence 40 years

Business Address _____

Occupation retired

Business City, Zip _____

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied _____

I have served on the Board of Review since 2016.
As a former attorney, I am familiar with property taxation issues.

List your related employment experience FORMER ATTORNEY specializing in appeals,
and consumer law.

List your related community activities Attend city meetings and participated in
the Master Plan charrettes. Volunteer, Community House.

List your related educational experience JD UNIVERSITY OF DETROIT / MERCY
BA LOYOLA CHICAGO

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: _____

NO

Do you currently have a relative serving on the board/committee to which you have applied? NO

Are you an elector (registered voter) in the City of Birmingham? YES

Kathleen Devereaux
Signature of Applicant

12-2-2019
Date

DEC - 3 2019

Meets Requirements? ☒ YES ☐ NO

Will Attend / Unable to Attend
attendance uncertain

APPLICATION FOR CITY BOARD OR COMMITTEE

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Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities.

(Please print clearly)

Board/Committee of Interest Board of Review
Specific Category/Vacancy on Board TEAM member to fill vacancy 2/417-9528 call
Name SUZANNE LASSER Phone (248) 646-4418 (home)
Residential Address 1120 N. GLENHURST Email SueLasser@yahoo.com
Residential City, Zip BIRMINGHAM, MI 48009 Length of Residence 39 YRS.
Business Address _____ Occupation Retired
Business City, Zip _____

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied I HAVE

been a homeowner for 39 years and in the last few yrs. have become an investor in B'ham residential property. I have watched the city grow and develop and am interested in using my skills of good judgment and mediation to keep it on a positive path.

List your related employment experience I was a teacher & leader of the special ed dept. in Dearborn High School for 22 yrs. Whether it is a school person or a tax issue it is important to explain the issues involved in order to come to a resolution.

List your related community activities I serve on a condo board and assist mediation between landlords, tenants and the HOA. I have also served on the Board of Nat'l Council of Jewish Women - helping women and families live a productive life.

List your related educational experience BA - U-M - political science & Education
MA - WAYNE STATE in Special Ed Specialist Degree - Wayne State
Learning Disabilities

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: NO

Do you currently have a relative serving on the board/committee to which you have applied? NO

Are you an elector (registered voter) in the City of Birmingham? yes

Suzanne Lasser
Signature of Applicant

12/3/19
Date



OFFICE USE ONLY	
Meets Requirements?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Will Attend	<input type="checkbox"/> Unable to Attend

APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

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(Please print clearly)

Board/Committee of Interest _____

Specific Category/Vacancy on Board _____ (see back of this form for information)

Name _____

Phone _____

Residential Address _____

Email _____

Residential City, Zip _____

Length of Residence _____

Business Address _____

Occupation _____

Business City, Zip _____

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied _____

List your related employment experience _____

List your related community activities _____

List your related educational experience _____

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: _____

Do you currently have a relative serving on the board/committee to which you have applied? _____

Are you an elector (registered voter) in the City of Birmingham? _____

Signature of Applicant

Date



RECEIVED BY

DEC - 4 2019

OFFICE USE ONLY

Meets Requirements? ☒ Yes ☐ No☒ Will Attend / ☐ Unable to Attend

APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities.

(Please print clearly)

Board/Committee of Interest BOARD OF REVIEWSpecific Category/Vacancy on Board Alternate memberName HARVEY ROSENBERGPhone 313-510-0190Residential Address 1590 E. MAPLEEmail HARVEY48301@YAHOOResidential City, Zip 48009Length of Residence 9 YEARS

Business Address _____

Occupation SEMI-RETIRED

Business City, Zip _____

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied _____

REAL ESTATE INVESTOR / MANAGERList your related employment experience 50+ YEARS PLANT MGRList your related community activities BIRMINGHAM ACADEMY GRAD,
ELECTION INSPECTOR VOLUNTEER - BVFD 40+ YEARSList your related educational experience MSU GRAD - CONSTRUCTION
MANAGEMENT

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: NONE

Do you currently have a relative serving on the board/committee to which you have applied? NOAre you an elector (registered voter) in the City of Birmingham? YESHarvey Rosenberg
Signature of ApplicantDEC 4, 2019
Date

BIRMINGHAM CITY COMMISSION MINUTES
NOVEMBER 25, 2019
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Pierre Boutros called the meeting to order at 7:30 P.M.

II. ROLL CALL

ROLL CALL: Present: Mayor Boutros
Mayor Pro Tem Longe
Commissioner Baller
Commissioner Hoff
Commissioner Host
Commissioner Nickita
Commissioner Sherman
Absent: None

Administration: City Manager Valentine, Assistant City Manager Gunter, City Attorney Currier, Acting City Clerk Arft, Assistant City Engineer Fletcher, Human Resource Manager Myers, Finance Director Gerber, DPS Director Wood, and Police Chief Clemence

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

11-273-19 ANNOUNCEMENTS:

- The City offices will be closed November 28th and 29th, 2019 for Thanksgiving.
- Small Business Saturday in downtown Birmingham is a day dedicated to supporting small businesses across the country. Shoppers are encouraged to enjoy extra perks and tackle their holiday shopping in Birmingham on Saturday, November 30th! Enjoy free parking in the structures and free two-hour valet parking from 10 AM to 6 PM at N. Old Woodward at Hamilton, and S. Old Woodward and Brown St.
- The Birmingham Santa Walk is also on Saturday, November 30th at 9:30 AM. Santa House will be open from 10:30 AM – 3 PM. Complimentary horse-drawn carriage rides will be offered from 11 AM to 3 PM. For more information, visit www.enjoybirmingham.com or call 248-530-1200 during business hours.
- Winter Market begins Friday, December 6th, 2019 at 4:00 PM in Shain Park, with the Tree Lighting ceremony in the park at 6:00 PM. Enjoy European food and drinks, gift items, holiday greens, crafts, ice sculptures, live reindeer, warming stations, a Kinderhaus children's activity area, the popular Santa House, horse-drawn carriage rides and live entertainment. More than 60 vendors will be at the event.

11-274-19 APPOINTMENT OF PIERRE BOUTROS, MAYOR TO BIRMINGHAM NEXT

MOTION: Motion by Commissioner Sherman:

To appoint Pierre Boutros, Mayor as the City Commission non-voting liaison to Birmingham NEXT.

VOTE:	Ayes,	7
	Nays,	0
	Absent,	0

IV. CONSENT AGENDA

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

11-275-19 APPROVAL OF CONSENT AGENDA

The following items were removed from the Consent Agenda:

Commissioner Hoff:	Item H - Resolution awarding the Parking Lot 5 Outfall Repair, Contract #12-19 (S), to Angelo Iafrate Construction Company, in the amount of \$76,300, to be charged to account number 585-538.005-981.0100; and further approving the appropriation and amendment to the 2019-2020 Automobile Parking System Fund budget as presented.
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MOTION: Motion by Commissioner Sherman, seconded by Commissioner Hoff:
To approve the Consent Agenda, excluding Item H, which was pulled from consent.

ROLL CALL VOTE:	Ayes,	Mayor Boutros Mayor Pro Tem Longe Commissioner Baller Commissioner Hoff Commissioner Host Commissioner Nickita Commissioner Sherman
	Nays,	None

- A. Resolution approving the Regular City Commission meeting minutes of November 11, 2019.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated November 13, 2019 in the amount of \$964,102.16.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated November 20, 2019 in the amount of \$864,281.94.
- D. Resolution approving the purchase of one (1) John Deere XUV 825M Utility Vehicle from Bader & Sons Co. through the State of Michigan MiDeal cooperative purchasing contract #071B7700085 in the amount of \$18,654.35 from the Auto Equipment Fund, account #641-441.006.971.0100.
- E. Resolution accepting the resignation of Therese Longe from the Parks and Recreation Board, thanking her for her service, and directing the City Clerk to begin the process of filling the vacancy.
- F. Resolution accepting the resignation of Clinton Baller from the Triangle District Corridor Improvement Authority, thanking him for his service, and directing the City Clerk to begin the process of filling the vacancy.

- G. Resolution authorizing the Mayor to sign the 2019 Program Year Community Development Block Grant (CDBG) Sub recipient Agreement on behalf of the City and approving the appropriations and amendment to the 2019-2020 CDBG Fund Budget as presented.
- I. Resolution approving the street light agreement between the City of Birmingham and DTE Energy Co. regarding the installation of streetlights at 298 S. Old Woodward Avenue. Further, directing the Mayor to sign the agreement on behalf of the City. All costs relative to this agreement will be charged to the adjacent owner.

11-276-19 (ITEM H) PARKING LOT 5 OUTFALL REPAIR

Commissioner Hoff expressed concern about the catch basins that become clogged. She asked Mr. Fletcher if the construction at Brookside was a contributing factor to the repairs needed in Lot 5, and if so, would the contractor be contributing to the cost of the repairs. Mr. Fletcher believes that the contractor is not responsible and that the timing of the repair is coincidental.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Nickita: To approve the resolution awarding the Parking Lot 5 Outfall Repair, Contract #12-19 (S), to Angelo Iafrate Construction Company, in the amount of \$76,300, to be charged to account number 585-538.005-981.0100; and further approving the appropriation and amendment to the 2019-2020 Automobile Parking System Fund budget as presented.

VOTE:	Ayes,	7
	Nays,	0
	Absent,	0

V. UNFINISHED BUSINESS

None

VI. NEW BUSINESS

11-277-19 PUBLIC HEARING TO CONSIDER PY 2020 CDBG FUNDING

Finance Director Gerber presented this item.

Mayor Boutros opened the Public Hearing at 7:40 P.M.

Cara Lynch, therapist at Haven, requested CDBG dollars and presented information about the people in Birmingham who Haven provided services. Approximately 38 people were counselled, spoken to on the crisis line, or given educational material. The program also provides support to survivors of domestic abuse/violence. All of the services are free.

Commissioner Hoff asked how much the City of Birmingham has given Haven in the past to support their programs. Director Gerber offered that Haven had been funded through an outside agency contract. The amount budgeted for this year was \$2,000.

Mayor Boutros asked why the minimum of \$3500 for CDBG funding does not apply in this instance.

City Manager Valentine explained that it does apply, but Haven does not meet the stringent requirements set forth by the CDBG; therefore, the Commission has discretion on how to fund this project.

Mayor Boutros closed the Public Hearing at 7:44 P.M.

Commissioner Hoff expressed that she supports the work of Haven. Taking \$3500 from the CDBG funds to donate to Haven in effect would be taking it away from NEXT, which services more people in the community. She prefers to continue donating to local charities in the way that it has been done in the past.

Mayor Pro Tem Longe concurred with Commissioner Hoff. She felt that using CDBG funds for Haven would open the doors to other domestic violence organizations that have other avenues to raise funds. She believes that seniors are in more need of the grant funds to remedy actual health and safety issues.

Commissioner Baller agreed and wondered, as a new commissioner and member of the public, how much does the City give in charitable contributions annually and to what organizations.

City Manager Valentine explained that the City does not give money away; it contracts for services provided to the City in exchange for the funds. The information can be compiled and shared with the new commissioners.

Commissioner Baller would like to see that information published, maybe on the City's website.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Nickita:
To authorize Finance Director Gerber to complete the 2020 Program Year Community Development Block Grant application and conflict of interest certification and authorize the Mayor to sign the application and conflict of interest certification and other documents resulting from this application on behalf of the City and submit them to Oakland County. The project(s) to be included in the application and the respective allocations of Community Development Block Grant Funds are as follows:

		APPROVED IN 2020 BUDGET
1.	Public Services – Yard Services	\$ 7,327
2.	Public Services – Senior Services	\$ 3,500
3.	Minor Home Repair	<u>\$25,263</u>
TOTAL		<u>\$36,090</u>

ROLL CALL VOTE: Ayes, Mayor Boutros
Mayor Pro Tem Longe
Commissioner Baller
Commissioner Hoff
Commissioner Host
Commissioner Nickita
Commissioner Sherman

Nays, None

11-278-19 PUBLIC HEARING TO CONSIDER RE-PROGRAMMING PY 2018 CDBG FUNDING

Finance Director Gerber presented this item. He explained that due to available funds left over from 2018, staff would like to reprogram the use of the extra funds for minor home repairs before they expire.

Mayor Boutros opened the Public Hearing at 7:50 P.M.

Mayor Boutros closed the Public Hearing at 7:51 P.M.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Hoff:
To authorize the Finance Director to submit a request along with the public hearing advertisement and City Commission resolution to Oakland County to reprogram the Community Development Block Grant (CDBG) program year 2018 funds in the amount of \$2,335 from Remove Architectural Barriers (Account 731619) to Minor Home Repair (Account 731227).

ROLL CALL VOTE: Ayes, Mayor Boutros
 Mayor Pro Tem Longe
 Commissioner Baller
 Commissioner Hoff
 Commissioner Host
 Commissioner Nickita
 Commissioner Sherman

 Nays, None

11-279-19 48TH DISTRICT COURT 2020 PROPOSED BUDGET APPROVAL

Director Gerber presented this item.

Commissioner Hoff commented that she volunteers as a mediator at the 48th District Court. She observed that they did a beautiful job with the recent renovations to increase security. She asked for clarification on how the funds are distributed.

Director Gerber offered the following: While the budgeted funds, \$1.5M, are distributed to the Court on a quarterly basis, the general fund is reimbursed with the revenues, estimated \$1.3M for 2019, generated from Court fines. There is an estimated \$100,000 contribution from the general fund.

Commissioner Hoff also noted that the City of Birmingham's court caseload has been increasing at a higher rate than neighboring communities have and wondered what is driving that trend.

Chief Clemence explained that is primarily due to stellar police work. While West Bloomfield is a larger community and are leading in both civil and criminal categories; Birmingham's criminal cases and production is much higher than W. Bloomfield resulting in an increased caseload.

MOTION: Motion by Commissioner Hoff, seconded by Mayor Pro Tem Longe:
To receive the 2020 proposed budget from the 48th District Court; and further, to approve the budget as submitted.

VOTE: Ayes, 7
 Nays, 0
 Absent, 0

11-280-19 GREENWOOD CEMETERY AGREEMENT

Assistant City Manager Gunter presented this item.

The proposed recommendation is to award Creative Collaborations, a venture of Cheri Arcome, the contract to operate the cemetery on behalf of the City. The key changes included in the agreement are as follows:

- An additional \$10,000 would be added to the Greenwood Cemetery budget for operation cost.
- 100% of lot sales will go to the Perpetual Care Fund.
- Full coordination of cemetery services would be the responsibility of Creative Collaborations.
- Moving toward a monthly flat fee arrangement as opposed to commission based sales.
- The agreement is a 6-month short-term arrangement to allow the GCAB time to discuss other potential options.
- A \$200 increase in burial service fees to be consistent with other Oakland County cemeteries.

Commissioner Hoff expressed concern for the cemetery that she has had for many years. For the benefit of the public and new commissioners, she offered additional historic information. The City operated the cemetery until 2012, when Mr. Brunner, the City Manager at the time, recommended hiring an outside consultant. In 2013 an RFP was issued for cemetery management services resulting in one response from Mr. Sloan, representing Elmwood Cemetery, who received the contract. Her concerns were further expressed about Ms. Arcome representing Mr. Sloan for the past six years and serving as the contact for the City of Birmingham; and now is proposing to do the same work with an increase in fees under a new name. Commissioner Hoff does not have confidence in Mr. Sloan who in her mind is represented by Cheri Arcome.

Assistant City Manager Gunter explained that Ms. Arcome worked as a subcontractor to Elmwood, and is an independent contractor, confirmed by Mr. Sloane. Her flat fee includes all services, and is separate from Elmwood. Ms. Arcome has a sexton and has the capacity to provide all services based on her experience with Greenwood.

Commissioner Sherman concurred with Commissioner Hoff. In researching Elmwood's board of directors, he found the officers and trustees listed on their website. Mr. Sloan is identified as a director who is a consultant to the board. With that noted, Commissioner Sherman questioned whether Mr. Sloan's letter was an effective termination on behalf of Elmwood Cemetery. He stated that Mr. Sloan does not seem to have the capacity as an independent consultant to terminate the contract. He further noted that Ms. Arcome is listed as the Director of Marketing for Greenwood, Glenwood, Birchwood, and staff of Elmwood cemeteries.

Ms. Arcome responded that she currently works in many capacities for Elmwood Cemetery. She manages Greenwood Cemetery for Elmwood, Glenwood Cemetery in Flint, and Birchwood Cemetery in Macomb. After December 1, 2019, Elmwood would continue to employ her to manage the other two cemeteries until January 1, 2020 at which time she will only manage Macomb Township Cemetery for Elmwood and manage Birchwood and Greenwood as Creative Collaborations.

Mayor Boutros stated that in summary, the commission is looking at Ms. Arcome as the subcontractor for the City of Birmingham. He asked Ms. Arcome what her role would be in trying to find a company to manage Greenwood in 6 months.

Ms. Arcome expressed that her conversations with the City, after it was clear that there was no path forward with Elmwood, was to find a solution for maintaining Greenwood seamlessly. In considering the City's capacity to manage the operations, she agreed to provide services on a month-to-month basis due to the timing of Elmwood's termination. She also expressed that her goal is to maintain total transparency and work with the City in any capacity to resolve this issue.

Mayor Boutros expressed appreciation for Ms. Arcome coming forward to help the City for the next six months with the management of the cemetery.

Commissioner Baller asked for the average number of burials per month or over the current year.

- As of September 30, 13 cremation burials and 10 full casket burials in 2019.
- As of September 30, \$84,000 in sales (28 graves sold), \$63,000 went to city
- With the proposed arrangement, all revenues will go to City.

Ms. Arcome offered that she deals with the Greenwood community several times a week.

Commissioner Hoff asked if she is going to work for or with Mr. Sloan and at which cemetery.

Ms. Arcome responded absolutely, and explained that Mr. Sloan is the Executive Director of Elmwood Cemetery, and Elmwood contracts to manage several other cemeteries including Birchwood, which she plans to continue managing. She further stated that if other cemeteries are added to Elmwood's portfolio, and if she is asked to manage the additions, she would.

Commissioner Baller asked if she has staff. Ms. Arcome said yes, part-time staff. The commissioner also asked to hear from Mr. Bancroft of Franklin Cemetery in Franklin.

Steven Bancroft, Franklin resident, manages Franklin Cemetery for the last four years. He was approached in August for information by City of Birmingham staff. Franklin is a private cemetery as opposed to a municipal cemetery that is owned by Franklin, and is operated through a purchased system that is not used by the City. When he did not respond to the RFP, he was asked by staff to consider the position outside of the RFP. He is retired and operates Franklin as a community service. He recommended that the City contract with Ms. Arcome due to the uniqueness of Greenwood and the specific needs of the community. He went on to say that Greenwood would be a complete learning curve for anyone new.

Mayor Boutros asked about the systems that Mr. Bancroft used for Franklin Cemetery. Mr. Bancroft described it as a complete system called Legacy Mark that included ground penetrating radar.

Commissioner Hoff asked Manager Wood if she was working for the City when DPS took care of the cemetery, Ms. Wood affirmed. Commissioner Hoff went on to say that there were not many burials because there were no plots available. Ms. Wood recalled burials that took time away from the regular maintenance of the City. She further talked about it being a joint venture between the City Clerk's office and DPS. The clerk took care of the administrative end and DPS took care of the grounds, maintenance, and burials.

Commissioner Hoff suggested that the number of burials have not increased but the creation of new graves created a new business of sales developed by Elmwood. Ms. Wood agreed with Commissioner Hoff and recommended that the City not engage in the cemetery business, as it is known today; with the exception of strict oversight of the contractor as a matter of good business practices.

Mayor Boutros shared the same concerns, as Commissioner Hoff.

Commissioner Hoff agreed that the City is in a very difficult position relative to Greenwood Cemetery and believes that the City has options, she noted that there are many historic cemeteries in Oakland County. She would like to hear more about the Legacy Mark program. She also noted that the GCAB has had ground penetrating radar as their number one goal for several years and asked why it had not been initiated. Commissioner Hoff suggested that the City move forward with the GPR that has been proposed by the GCAB. She further expressed that she has serious concerns about the 6-month contract that is

being proposed; considering that Winter is upon us and sales are highly unlikely during the winter months.

City Manager Valentine commented that the level of concern with this operation is understandable. He went on to state that when the City began the arrangement of bringing in a professional firm several years ago, it was to raise the level of service which has been achieved by hiring Elmwood. He asked, in going forward, does the City want to keep the bar raised or see it lowered. The opportunity is upon the City to continue service at the existing level that has been established but doing it in a different format. Contracting directly would have additional costs now that the contractor previously paid in the existing model. Realizing that the current model is unsustainable in the long term, a change must be made. The change being proposed would be an intermediary step demonstrating that the City can retain the level of service as a community to anyone at need by maintaining that consistent high level. The focus should remain on service.

Mayor Boutros asked if the staff is capable of providing this service. City Manager Valentine and Ms. Wood agreed that while staff are capable, it would be a struggle due to limited resources.

Mayor Pro Tem Longe commented that she thinks it is an appropriate course of action for the next 6 months. While the commission has heard from Ms. Wood about DPS's role and ability to take over, has it been considered from a service stand point the City Clerks availability to administer the cemetery. Given the fact that the City is in the process of hiring a Clerk, she feels it is not appropriate to put the burden back on the Clerk's office.

Commissioner Nickita expressed that the City is literally days away from a transitional point and do not have anything in place to accommodate what may come in December. He further stated that everyone must keep in mind that this is a sensitive process and the work must be done carefully and with preparation. Going forward, the City should evaluate the situation and identify a path to the future relative to Greenwood. He suggested that the GCAB be integrated into the process over the next 6 months, providing input that could be put in place. The bar has been raised and services should not be taken down.

MOTION: Motion by Commissioner Nickita, seconded by Mayor Pro Tem Longe:

To authorize the agreement with Creative Collaborations for a term of six months for an amount not to exceed \$22,800 and direct the Mayor to sign the agreement on behalf of the City.

AND

To increase burial fees for full casketed burials from \$1,200 - \$1,400 to be more consistent with industry standard rates.

AND

To approve the appropriation and amendment to the 2019-2020 General Fund budget as proposed.

Commissioner Hoff reiterated that she has lost confidence in this contractor, but she would support this motion for 6 months on the basis that other options are explored, staff makes contacts with Oakland Count historic cemeteries, analyze the Legacy program, and the GCAB is involved in the process. She did not want to see a burial come up on December 2 and the City has nothing in place to support it.

VOTE: Ayes, 7
 Nays, 0
 Absent, 0

11-281-19

CITY CLERK SELECTION SUB-COMMITTEE APPROVAL

City Manager Valentine presented this item.

Commissioner Nickita nominated Commissioner Sherman.
Commissioner Sherman nominated Commissioner Hoff.

MOTION: Motion by Commissioner Nickita, seconded by Commissioner Host:
To appoint a sub-committee comprised of Commissioners Sherman, and Hoff, the City Manager and the HR Manager to conduct the final interviews and recommend a finalist candidate for the position of City Clerk for approval by the City Commission.

VOTE: Ayes, 7
 Nays, 0
 Absent, 0

11-282-19 RESOLUTION TO MEET IN CLOSED SESSION PURSUANT TO SECTION 8(H) OF THE OPEN MEETING ACT

City Manager Valentine reviewed the provisions of the Open Meetings Act relative to closed session meetings for the new commissioners; and noted that action is only taken in open session.

Commissioner Nickita added that the only topic that may be discussed in closed session is that which is outlined on the agenda specifically for closed session.

No action is expected.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Nickita:
To meet in closed session pursuant to the Open Meetings Act Section 8(H) to consider material exempt from discussion or disclosure by state or federal statute.

ROLL CALL VOTE: Ayes, Commissioner Sherman
 Commissioner Nickita
 Mayor Boutros
 Mayor Pro Tem Longe
 Commissioner Baller
 Commissioner Hoff
 Commissioner Host

 Nays, None

VII. REMOVED FROM CONSENT AGENDA

The item removed from the consent agenda was addressed earlier in the meeting.

VIII. COMMUNICATIONS

None

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

Brad Coulter, 498 Wimbleton, said on November 5, 2019 the three highest vote getters in the Commission Election were newcomers and two incumbents were not reelected. He believed that voters sent a clear message. They wanted change, transparency, honesty, and ethics from the commission. At the lame duck session, the commission addressed the severance package in the City Manager's employment contract. A number of residents spoke up that 24 months' severance was out of line and that 6-12

months was standard. He has never heard of any city in Michigan giving more than a 12-month severance. He summarized his research reciting his findings and finally requested three examples of cities in Michigan who have given their City Managers 1-3 years severance from Commissioner Sherman through Mayor Boutros to back up that the severance market is 1-3 years. He also asked if Commissioner Sherman would disclose the benchmarking information that was referenced when supporting the 1-3 year severance before the vote.

Commissioner Sherman reminded Mr. Coulter that he was present when City Manager Valentine went through the process of closed session and explained that topics discussed in closed session must remain in closed session.

Mayor Boutros reminded the public that all questions from the public and all answers to the public must go through the chairperson.

David Bloom spoke about the exhaustive research conducted by Mr. Coulter. He requested data that Mr. Sherman said existed. He believes that the residents of Birmingham deserve transparency and trust the commission to come forward with their data.

X. REPORTS

11-283-19 COMMISSIONER REPORTS

11-284-19 COMMISSIONER COMMENTS
--

Commissioner Hoff commented that a group of Birmingham citizens representing several different boards attended the Michigan Women's Hall of Fame Gala to induct Martha Baldwin. It was a very nice event and the City of Birmingham had very good representation.

Commissioner Baller thanked Mr. Coulter for his research and believed that he raises some very important questions. While there is an expectation of transparency, maybe the commission should seek an opinion on whether facts presented in a closed session are never disclosed under any circumstances outside of that session. Commissioner Baller does not believe that Mr. Coulter's request is unreasonable. He suggested that there were several assertions made; and it is only fair that the public see supporting documentation. He also suggested using recruiting activities to fill appointments insuring that the finest people are appointed to board positions.

Commissioner Host commented:

- People should be able to speak to the commissioners before the regular meeting starts and it should be an agenda item.
- The commission should consider changing how we go forward with unimproved roads to be more democratic about the process. Give people a choice between asphalt and cement.
- He expressed that he would like to retain an independent attorney to look at the issues pointed out by Mr. Coulter and clear the air.

Commissioner Nickita clarified there is a process that goes through the City Commission selecting the package that goes to the City Manager annually. He went on to say that Commissioners Hoff, Sherman, and himself, being involved in the contract negotiations for several City Managers, understand that there are several aspects to the contract discussions. It has many elements and a series of issues. It is done annually and consistently, and Commissioner Nickita does not think there is any question that this is done with the highest integrity. The discussions are a complicated part of the process, and cannot be discussed in open session.

Commissioner Baller commented that he does not think anyone is questioning the complexity of the process. The question is about the assertions that were made by the commission to justify the action.

Mayor Boutros explained that any discussion in closed-door session cannot be shared outside of that session. He noted that the contract is signed and in effect. The precedent that needs to be set forward is respect for rules and legal documents signed and approved by the City Commission.

Commissioner Host begged to differ with Mayor Boutros. He believes that the most important thing is the public trust.

11-283-19 CITY STAFF REPORTS

Assistant City Manager Gunter submitted the Parking Utilization Report.

11-284-19 INFORMATION ONLY

XI. ADJOURN

Mayor Boutros adjourned to Closed Session at 9:24 p.m. There will be no action.

City of Birmingham
Warrant List Dated 11/27/2019

Meeting of 12/09/2019

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
270290	*	000855	48TH DISTRICT COURT	100.00
270291	*	000855	48TH DISTRICT COURT	100.00
270292	*	000855	48TH DISTRICT COURT	100.00
270293	*	000855	48TH DISTRICT COURT	808.00
270294		MISC	A & R LAWN & LANDSCAPE SERVICES INC	100.00
270296		005686	ADVANCED MARKETING PARTNERS INC	1,267.85
270297		003708	AIRGAS USA, LLC	225.62
270298		001000	ALLIED INC	1,103.78
270299		002638	AMERICAN ALLIANCE OF MUSEUMS	165.00
270300		MISC	AMY S WEBER REVOC TRUST	550.00
270301		007033	APPLIED IMAGING	7,048.69
270302		000500	ARTECH PRINTING INC	1,873.00
270303	*	006759	AT&T	227.02
270305	*	006759	AT&T	221.73
270308		001122	BOB BARKER CO INC	769.60
270309		MISC	BERGSMAN WIAND BOUCHARD & CO	500.00
270310		MISC	BEST BARRICADING INC	5,850.00
270311		008503	BIRDIE IMAGING SUPPLIES, INC	1,440.00
270312	*	001086	CITY OF BIRMINGHAM	373.11
270313		004244	BOLYARD LUMBER	212.48
270314	*	006953	JACQUELYN BRITO	19.00
270315	*	006177	BULLSEYE TELECOM INC	119.51
270316	*	008334	DAVID BUTTIGIEG	63.76
270317		003907	CADILLAC ASPHALT, LLC	514.05
270318		009078	CANON SOLUTIONS AMERICA INC	163.20
270319		MISC	CASCO REMODELING LLC	100.00
270320	*	000444	CDW GOVERNMENT INC	64.91
270321		MISC	CEI MICHIGAN LLC	500.00
270322	*	009137	CGS, INC	1,620.00
270323		MISC	CHRISTOPHER YOCKEY	5,500.00
270324		007710	CINTAS CORP	189.45
270325		000605	CINTAS CORPORATION	302.81
270326	*	000627	CONSUMERS ENERGY	234.24
270327		001367	CONTRACTORS CONNECTION INC	69.00
270328		MISC	COY CONSTRUCTION INC	200.00
270329		004386	CYNERGY PRODUCTS	434.00
270330		MISC	D L FLOYD INC	522.56
270332		MISC	DARLENE ST. CHARLES	62.85
270333		000177	DELWOOD SUPPLY	22.60
270334	*	007980	CURTIS DAVID DICHO	470.00
270335		MISC	DIRANI, SAMER G	100.00
270336		MISC	DOUGLAS G. ASHLEY PHOTOGRAPHER	300.00

City of Birmingham
Warrant List Dated 11/27/2019

Meeting of 12/09/2019

Check Number	Early Release	Vendor #	Vendor	Amount
270337		MISC	DROBOT CUSTOM BUILDING INC	200.00
270339	*	000179	DTE ENERGY	69.23
270340		005767	DTE ENERGY	748.17
270341		007876	DTE ENERGY	1,497.99
270342		007876	DTE ENERGY	4,253.96
270343		007876	DTE ENERGY	29,845.74
270344		000493	ED RINKE CHEVROLET BUICK GMC	543.00
270345		004671	ELDER FORD	331.95
270347		MISC	ERIE CONSTRUCTION MID-WEST	200.00
270348		001495	ETNA SUPPLY	2,310.00
270349		001223	FAST SIGNS	266.66
270350		MISC	FAST SIGNS OF BIRMINGHAM	200.00
270351		MISC	FILE, SCOTT	100.00
270352	*	007366	FIRST ADVANTAGE OCCUPATIONAL	25.00
270353	*	008868	JULIA FRYKMAN	392.00
270354		006384	GEOGRAPHIC INFORMATION SERVICES, IN	246.68
270355	*	004604	GORDON FOOD	95.46
270356		005103	GORNO FORD, INC.	35,169.00
270358		001531	GUNNERS METER & PARTS INC	300.00
270359		000198	H.D. EDWARDS	2,039.00
270360		007342	H2A ARCHITECTS, INC.	1,200.00
270361		MISC	HOME DEPOT USA INC	1,000.00
270362		MISC	JACK'S JOBS INC	400.00
270363	*	MISC	JEFFREY SAKWA	5,301.85
270364		MISC	JELINEK, CHRISTOPHER	500.00
270365		008564	JERRY'S TIRE	2,052.00
270366		MISC	KEARNS BROTHERS INC	400.00
270367		MISC	KEARNS BROTHERS INC.	200.00
270368		MISC	KELLETT BUILDERS INC	500.00
270369	*	004088	KGM DISTRIBUTORS INC	151.00
270370		MISC	KHANSA GROUP	100.00
270371	*	000352	JILL KOLAITIS	1,377.50
270372		MISC	KRISTINE LONGTINE	123.31
270373	*	008081	MARK LAWRY	240.00
270374	*	MISC	LINDA BUCHANAN	200.00
270376		001106	MAPERS	200.00
270377		MISC	MAY, ANTHONY G	850.00
270378		000972	MCKESSON MEDICAL-SURGICAL	158.43
270378	*	000972	MCKESSON MEDICAL-SURGICAL	2,206.71
270379		MISC	MENDIRATTA, KABIR	1,000.00
270380		008207	METAL MART U.S.A.	27.04
270381		MISC	MICHAEL H FAKIH	200.00
270382		004687	MICHIGAN DEPT. OF TRANSPORATION	4,456.15

City of Birmingham
Warrant List Dated 11/27/2019

Meeting of 12/09/2019

Check Number	Early Release	Vendor #	Vendor	Amount
270383		007765	MICHIGAN INDEPENDENT DOOR CO.	127.50
270384		006227	MICHIGAN RECREATIONAL CONST INC	27,593.00
270385		007378	MIDAS AUTO SERVICE CENTER	142.23
270386		007146	MIDSTATES RECREATION	308.61
270387		002671	MMA	100.00
270388		007163	MOBILE HEALTH RESOURCES	2,192.48
270389		005337	OCACP	30.00
270390	*	004048	OCBOA	105.00
270391	*	004370	OCCUPATIONAL HEALTH CENTERS	750.00
270392	*	000481	OFFICE DEPOT INC	124.68
270393		003881	ORKIN PEST CONTROL	100.00
270395		MISC	POWER HOME SOLAR	100.00
270396		000286	RESIDEX LLC	10,422.84
270397		006837	ROMAN FOUNTAINS CORPORATION	3,848.00
270398	*	MISC	RONDA REIBSCHEID	1,792.00
270399		000758	SCHOOLCRAFT COLLEGE	325.00
270400		007142	SHERWIN-WILLIAMS COMPANY	43.51
270401		MISC	SIGNARAMA/TROY	200.00
270402		009009	SIGNATURE CLEANING LLC	2,250.00
270403	*	008073	SITEONE LANDSCAPE SUPPLY, INC	81.80
270404	*	007907	SP+ CORPORATION	5,285.00
270405		MISC	SPENCER KNISH CONSTRUCTION INC	100.00
270406		MISC	SPURLOCK'S NATURAL STONE	200.00
270407		001005	STATE OF MICHIGAN	284.60
270408		MISC	STERLING DEVELOPMENT CORP	14.78
270409		MISC	STEVE'S CONCRETE	100.00
270410		000256	SUBURBAN BUICK GMC INC	314.32
270411	*	004355	SYMETRA LIFE INSURANCE COMPANY	35,951.44
270412		001076	TAYLOR FREEZER OF MICH INC	325.00
270414		MISC	THOMAS SEBOLD & ASSOCIATES, IN	700.00
270415	*	000293	VAN DYKE GAS CO.	138.95
270416	*	008411	VARIPRO	813.00
270417	*	000158	VERIZON WIRELESS	980.77
270418	*	000158	VERIZON WIRELESS	127.25
270419	*	000158	VERIZON WIRELESS	51.30
270420	*	000158	VERIZON WIRELESS	548.87
270421		006491	VILLAGE AUTOMOTIVE	472.70
270422		006285	WASHINGTON ELEVATOR CO, INC	828.80
270424		MISC	WHITE'S HOME IMPROVEMENTS INC.	400.00
270425	*	005794	WINDSTREAM	820.71
270426		008391	XEROX CORPORATION	101.01
270427		000309	ZEP SALES AND SERVICE	14.99
270428	*	001956	HOME DEPOT CREDIT SERVICES	5,669.48

City of Birmingham
Warrant List Dated 11/27/2019

Meeting of 12/09/2019

Check Number	Early Release	Vendor #	Vendor	Amount
270429	*	009084	PARTNR HAUS	328.50
SUBTOTAL PAPER CHECK				\$241,493.77
<u>EFT TRANSFER</u>				
" "		008732	AMAZON.COM, INC	3,203.07
" "		007525	BOAT LIFT & CANOPY	388.00
" "		MISC	BRYCER LLC	30.00
" "		MISC	CONFIDANTE MIAMI BEACH	1,819.44
" "		MISC	EBAY-SUMCOMPUTER	179.97
" "		MISC	GMEI UTILITY	183.46
" "		MISC	IHEART MEDIA	1,500.00
" "		MISC	PARTY CITY	(14.34)
" "		MISC	QR-CODE GENERATOR	168.97
" "		002589	SHANTY CREEK RESORTS	968.32
SUBTOTAL EFT TRANSFER				\$8,426.89
<u>ACH TRANSACTION</u>				
1766	*	008847	ABS- AUTOMATED BENEFIT SVCS, INC	31,263.23
1768	*	003243	AMERICAN PRINTING SERVICES INC	1,515.00
1769	*	007345	BEVERLY HILLS ACE	97.91
1770		006683	BIRMINGHAM LAWN MAINTENANCE	49.00
1771		008840	BIRMINGHAM PUBLIC SCHOOLS-TAXES	57,435.20
1772	*	003282	LISA MARIE BRADLEY	156.00
1773	*	000956	DELTA TEMP INC	676.50
1774		007359	DETROIT CHEMICAL & PAPER SUPPLY	109.79
1775		006077	DI PONIO CONTRACTING INC	64,085.24
1776	*	000565	DORNBOS SIGN & SAFETY INC	98.80
1777	*	000243	GRAINGER	1,233.03
1778	*	008851	INSIGHT INVESTMENT	5,093.35
1779	*	002407	J & B MEDICAL SUPPLY	635.88
1780		000261	J.H. HART URBAN FORESTRY	11,274.50
1781		000186	JACK DOHENY COMPANIES INC	160.86
1782	*	003458	JOE'S AUTO PARTS, INC.	607.09
1783	*	005876	KROPF MECHANICAL SERVICE COMPANY	718.00
1784	*	000649	MML WORKERS' COMP FUND	44,191.00
1785		008843	OAKLAND COUNTY TREASURER- TAX PYMNT	89,155.91
1786	*	002767	OSCAR W. LARSON CO.	542.50
1787	*	006853	PAUL C SCOTT PLUMBING INC	388.50
1788	*	005688	PEGASUS ENTERTAINMENT	600.00
1789	*	006027	PENCHURA, LLC	444.00
1790		008269	PREMIER SAFETY	318.00
1791	*	003554	RKA PETROLEUM	9,203.31
1792	*	000478	ROAD COMM FOR OAKLAND CO	1,500.16
1793		000254	SOCRRA	65,978.00

City of Birmingham
Warrant List Dated 11/27/2019

Meeting of 12/09/2019

Check Number	Early Release	Vendor #	Vendor	Amount
1793	*	000254	SOCRRA	300.00
1794		000278	TROY AUTO GLASS CO INC	314.25
1795		000306	WOLVERINE CONTRACTORS INC	5,979.15
SUBTOTAL ACH TRANSACTION				\$394,124.16
GRAND TOTAL				\$644,044.82

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



Mark Gerber
Finance Director/ Treasurer

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

City of Birmingham
Warrant List Dated 12/04/2019

Meeting of 12/09/2019

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
270430	*	000855	48TH DISTRICT COURT	100.00
270431	*	000855	48TH DISTRICT COURT	100.00
270432		MISC	794 OLD WOODWARD LLC	200.00
270433	*	008226	KATHERINE ABELA	208.00
270434	*	000500	ARTECH PRINTING INC	288.00
270435	*	006759	AT&T	1,697.00
270436	*	006759	AT&T	175.30
270437	*	006759	AT&T	79.14
270438	*	006759	AT&T	160.30
270439	*	007216	AT&T	87.34
270440		006534	BADER AND SONS CO	250.38
270442		MISC	BCM HOME IMPROVEMENT	100.00
270443		002231	BILLINGS LAWN EQUIPMENT INC.	77.55
270445	*	001086	CITY OF BIRMINGHAM	331.68
270447		003907	CADILLAC ASPHALT, LLC	169.74
270448		000571	CAR TRUCKING INC	112.50
270449		008306	CHARTER TOWNSHIP OF BLOOMFIELD	309.32
270450		000605	CINTAS CORPORATION	142.25
270452	*	008006	CLEAR RATE COMMUNICATIONS, INC	1,387.03
270453		004188	COFFEE BREAK SERVICE, INC.	138.25
270454	*	008955	COMCAST	371.96
270455		MISC	COMMON GROUND	1,015.86
270456	*	000627	CONSUMERS ENERGY	521.31
270457		002668	CONTRACTORS CLOTHING CO	99.00
270458		001367	CONTRACTORS CONNECTION INC	659.70
270460		005742	CRAIN'S DETROIT BUSINESS	79.00
270461		MISC	CREST HOMES	500.00
270462		008005	DE LAGE LANDEN FINANCIAL SVCS INC	173.75
270464		005318	DEWOLF & ASSOCIATES	745.00
270465	*	000179	DTE ENERGY	48.83
270466	*	000179	DTE ENERGY	203.82
270467	*	000179	DTE ENERGY	70.70
270468	*	000179	DTE ENERGY	28.06
270469	*	000179	DTE ENERGY	35.83
270471		MISC	FAST SIGNS OF BIRMINGHAM	200.00
270473		MISC	FRANCISCO ZEPEDA	100.00
270474		MISC	FRED LAVERY COMPANY	5,000.00
270475	*	004604	GORDON FOOD	111.23
270476		006153	HARRY'S ARMY SURPLUS	150.00
270477		MISC	HUGHES BUILDING LLC	500.00
270478		000948	HYDROCORP	1,315.00
270480		004085	KONE INC	645.99

City of Birmingham
Warrant List Dated 12/04/2019

Meeting of 12/09/2019

Check Number	Early Release	Vendor #	Vendor	Amount
270482		MISC	LMB PROPERTIES LLC	100.00
270483		MISC	MAINSTREET DESIGN BUILD	100.00
270484		001417	MAJIK GRAPHICS INC	70.00
270485		MISC	MATTHEW VILLEMURE III	90.00
270486		003099	MICHIGAN POLICE EQUIP.	835.00
270487	*	006461	MID AMERICA RINK SERVICES	2,317.69
270490		MISC	NAHHAS, GEORGE	100.00
270491		MISC	NORTHERN SIGN CO INC	200.00
270492		004110	OAKLAND COMMUNITY COLLEGE	750.00
270493	*	000481	OFFICE DEPOT INC	2,666.18
270495	*	008342	RAIN MASTER CONTROL SYSTEMS	29.85
270496		MISC	RASHID CONSTRUCTION	200.00
270498	*	002911	RUTH ROWLAND	100.92
270499	*	008983	BRENNA SANDLES	294.00
270500		MISC	SIGNARAMA/TROY	100.00
270501		MISC	SIGNS-N-DESIGNS, INC	100.00
270502		MISC	SIGNTEXT INC	200.00
270503	*	008073	SITEONE LANDSCAPE SUPPLY, INC	146.58
270504		000256	SUBURBAN BUICK GMC INC	1,144.60
270505	*	008507	SUPERFLEET MASTERCARD PROGRAM	185.05
270506		006749	SUPERIOR SCAPE, INC	18,000.00
270508	*	MISC	THE COUNTY OF OAKLAND	10,678.00
270509		MISC	THE DAILEY COMPANY	1,000.00
270511		MISC	UNITED BUILDING SERVICE	300.00
270512	*	000293	VAN DYKE GAS CO.	119.10
270513	*	000158	VERIZON WIRELESS	154.15
270515	*	000158	VERIZON WIRELESS	921.68
270516		006491	VILLAGE AUTOMOTIVE	350.82
270521		MISC	WENDY VAN ALSTYNE	100.00

SUBTOTAL PAPER CHECK

\$60,042.44

ACH TRANSACTION

1796	*	008847	ABS- AUTOMATED BENEFIT SVCS, INC	29,984.96
1797	*	002284	ABEL ELECTRONICS INC	225.00
1798	*	007345	BEVERLY HILLS ACE	0.89
1801	*	000956	DELTA TEMP INC	1,464.00
1802		007359	DETROIT CHEMICAL & PAPER SUPPLY	24.22
1803	*	000243	GRAINGER	297.72
1804		001672	HAYES PRECISION INC	85.00
1805		000331	HUBBELL ROTH & CLARK INC	123,275.90
1806	*	007465	IN-HOUSE VALET INC	3,000.00
1807	*	007870	J.C. EHRLICH CO. INC.	48.00
1808		000261	J.H. HART URBAN FORESTRY	9,473.75
1809	*	003458	JOE'S AUTO PARTS, INC.	770.35

City of Birmingham
Warrant List Dated 12/04/2019

Meeting of 12/09/2019

Check Number	Early Release	Vendor #	Vendor	Amount
1810	*	005550	LEE & ASSOCIATES CO., INC.	1,380.32
1811	*	006359	NYE UNIFORM COMPANY	407.15
1812	*	006853	PAUL C SCOTT PLUMBING INC	673.50
1813	*	003554	RKA PETROLEUM	10,081.24
1814		005787	SOUTHEASTERN EQUIPMENT CO. INC	1,098.95
1815	*	002037	TOTAL ARMORED CAR SERVICE, INC.	736.27
1816	*	007374	WESTWOOD TRUST	11,955.97
SUBTOTAL ACH TRANSACTION				\$194,983.19
GRAND TOTAL				\$255,025.63

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



Mark Gerber
Finance Director/ Treasurer

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

DATE: December 5, 2019

TO: Joseph A. Valentine, City Manager

FROM: Cheryl Arft, Acting City Clerk

SUBJECT: 2020 Memorial Day Service – May 25, 2020

INTRODUCTION:

The Birmingham Memorial Day Committee submitted a Special Event application to hold the 2020 Memorial Day Service in Shain Park May 25, 2020 at 10:00-11:00 am. Set-up for the event is scheduled for May 25th at 9 am.

BACKGROUND:

The Police Department has reviewed the proposed event details prior to submission for street closures and the need for safety personnel and has approved the details. DPS, Planning, Building, Police, Fire, and Engineering have indicated their approval. SP+ Parking has been notified of the event for planning purposes.

The following events occur in May in Birmingham, and do not pose a conflict for this event:

Farmers Market Celebrate Birmingham	Sundays	Lot 6
Birmingham Hometown Parade & party	May 17	Shain Park & city streets
Art Birmingham	May 9, 10	Shain Park & city streets
Village Fair (application not received)	May 27-31	Shain Park & city streets

LEGAL REVIEW:

No review required.

FISCAL IMPACT:

No fiscal impact.

SUMMARY

The City Commission is being asked to approve the 2020 Memorial Day Service to be held May 25, 2020 from 10:00-11:00 am, with set-up to begin at 9:00 am. Tear-down will begin at the conclusion of the event on that day.

ATTACHMENTS:

1. Special Event application
2. Notification letter with map of event area distributed to residents/businesses within 300 feet of the event area on November 14, 2019. Notification addresses are on file in the Clerk's Office.
3. Department Approval page with comments and estimated costs

SUGGESTED RESOLUTION:

To approve a request from the Birmingham Memorial Day Committee to hold the Memorial Day Service in Shain Park on May 25, 2020 from 10:00 – 11:00 am, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.

#20-00011617

RECEIVED BY

SEP 23 2019

CITY OF BIRMINGHAM
APPLICATION FOR SPECIAL EVENT PERMIT
PARKS AND PUBLIC SPACES

IMPORTANT: EVENTS UTILIZING CITY SIDEWALKS AND/OR STREETS MUST MEET WITH POLICE DEPARTMENT SPECIAL EVENT OFFICER TO REVIEW PROPOSED EVENT DETAILS PRIOR TO SUBMITTING APPLICATION.

Police Department acknowledgement: _____

I. EVENT DETAILS

- Incomplete applications will not be accepted.
- Changes in this information must be submitted to the City Clerk, in writing, at least three weeks prior to the event

FEES: **FIRST TIME EVENT:** **\$200.00**
 ANNUAL APPLICATION FEE: **\$165.00**

(Please print clearly or type)

Date of Application SEPTEMBER 25, 2019

Name of Event CITY OF BIRMINGHAM MEMORIAL DAY SERVICE

Detailed Description of Event (attach additional sheet if necessary) Patriotic program includes addresses of historical interest, mayoral address, popular songs, wreath laying at the monuments, B'ham concert band and friends of the Birmingham Museum.

Location SHAHN PARK - NORTH SIDE

Date(s) of Event MAY 25, 2020 Hours of Event 10AM-11AM

Date(s) of Set-up SAME Hours of Set-up 9AM-930AM

NOTE: No set-up to begin before 7:00 AM, per City ordinance.

Date(s) of Tear-down SAME Hours of Tear-down 11AM

Organization Sponsoring Event BIRMINGHAM MEMORIAL DAY COMMITTEE

Organization Address 1267 TWIN MAPLES LANE B'ham Hills 48301

Organization Phone 248 258 9007

Contact Person BRUCE W. MILLER

Contact Phone 248 258 9007

Contact Email SPARTAN70@SBCGLOBAL.NET

II. EVENT INFORMATION

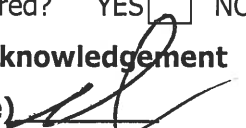
1. Organization Type COMMUNITY GROUP
(city, non-profit, community group, etc.)
2. Additional Sponsors or Participants (Provide name, address, contact person, status, etc. for all additional organizations sponsoring your event.) NONE

3. Is the event a fundraiser? YES ☐ NO ☒
List beneficiary _____
List expected income _____
Attach information about the beneficiary.
4. First time event in Birmingham? YES ☐ NO ☒
If no, describe HELD OVER 100 YEARS ANNUALLY

5. Total number of people expected to attend per day 300
6. The event will be held on the following City property: (Please list)
☐ Street(s) _____

☐ Sidewalk(s) _____

☐ Park(s) SHAIN PARK - NORTH SIDE

7. Will street closures be required? YES ☐ NO ☒
(Police Department acknowledgement prior to submission of application is required) (initial here) 
8. What parking arrangements will be necessary to accommodate attendance? NONE

9. Will staff be provided to assist with safety, security and maintenance? YES ☐ NO ☒
If yes, please provide number of staff to be provided and any specialized training received.
Describe _____

10. Will the event require safety personnel (police, fire, paramedics)? YES ☐ NO ☒
(Police Department acknowledgement prior to submission of application is required.) (initial here) _____
Describe OPTIONAL _____

11. Will alcoholic beverages be served? YES ☐ NO ☒
If yes, additional approval by the City Commission is required, as well as the Michigan Liquor Control Commission.
12. Will music be provided? YES ☒ NO ☐
☒ Live ☒ Amplification ☐ Recorded ☒ Loudspeakers
Time music will begin 10AM
Time music will end 11AM
Location of live band, DJ, loudspeakers, equipment must be shown on the layout map.
13. Will there be signage in the area of the event? YES ☐ NO ☒
Number of signs/banners _____
Size of signs/banners _____
Submit a photo/drawing of the sign(s). **A sign permit is required.**
14. Will food/beverages/merchandise be sold? YES ☐ NO ☒
 - Peddler/vendor permits must be submitted to the Clerk's Office, **at least two weeks prior to the event.**
 - You must obtain approval from the Oakland County Health Department for all food/beverage sales/donations. Contact ehclerk@oakgov.com or 248-535-9612 to obtain Health Department approval.
 - There is a \$50.00 application fee for all vendors and peddlers, in addition to the \$10.00 daily fee, per location.

LIST OF VENDORS/PEDDLERS

(attach additional sheet if necessary)

VENDOR NAME	GOODS TO BE SOLD	WATER HOOK-UP REQUIRED?	ELECTRIC REQUIRED?
NONE			

III. EVENT LAYOUT

- Include a map showing the park set up, street closures, and location of each item listed in this section.
- Include a map and written description of run/walk route and the start/finish area

1. Will the event require the use of any of the following municipal equipment?
(show location of each on map)

EQUIPMENT	QUANTITY	COST	NOTES
Picnic Tables	Ø	6 for \$500.00	A request for more than six tables will be evaluated based on availability.
Trash Receptacles	EXISTING	\$6.00 each includes 1 bag. For additional bags, the cost is \$32/per case.	Trash box placement and removal of trash is the responsibility of the event. Additional cost could occur if DPS is to perform this work.
Dumpsters	Ø	\$350.00/per dumpster per day.	Includes emptying the dumpster one time per day. The City may determine the need for additional dumpsters based on event requirements.
Utilities (electric)	Ø # of vendors requiring utilities	Varies	Charges according to final requirements of event.
Water/Fire Hydrant	Ø	\$224.75/per hydrant. Includes the use of 5,000 gallons of water. Any additional water usage will be billed.	Applicant must supply their own means of disposal for all sanitary waste water. Waste water is NOT allowed to be poured into the street or on the grass.
Audio System	/	\$200.00 per day	Must meet with City representative.
Meter Bags / Traffic Cones / Barricades	# to be determined by the Police Department.		

2. Will the following be constructed or located in the area of the event? YES NO
(show location of each on map) NOTE: Stakes are not allowed.

TYPE	QUANTITY	SIZE
Tents/Canopies/Awnings (A permit is required for tents over 120 sq ft)		
Portable Toilets		
Rides		
Displays		
Vendors		
Temporary Structure (must attach a photo)		
Other (describe)		

SIGNATURE OF APPLICANT REQUIRED

EVENT NAME City of Birmingham Memorial Day Service
EVENT DATE May 25, 2020

The Birmingham City Commission shall have sole and complete discretion in deciding whether to issue a permit. Nothing contained in the City Code shall be construed to require the City Commission to issue a permit to an applicant and no applicant shall have any interest or right to receive a permit merely because the applicant has received a permit in the past.

As the authorized agent of the sponsoring organization, I hereby agree that this organization shall abide by all conditions and restrictions specific to this special event as determined by the City administration and will comply with all local, state and federal rules, regulations and laws.

Benson Miller

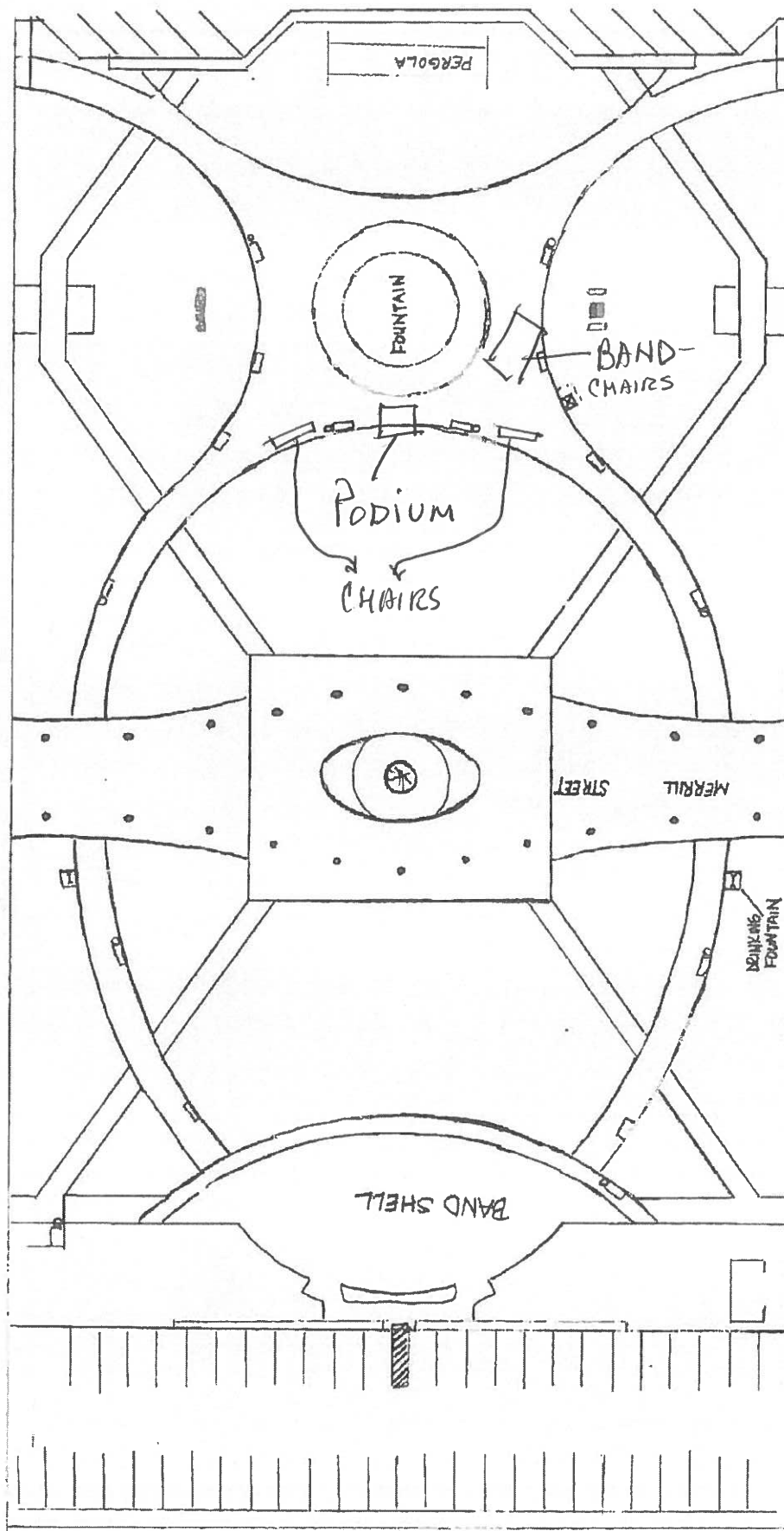
Signature

25 Sept. 2019

Date

**IV. SAMPLE LETTER TO NOTIFY ANY AFFECTED
PROPERTY/BUSINESS OWNERS**

- Organizer must notify all potentially affected residential property and business owners of the date and time this application will be considered by the City Commission. *(Sample letter attached to this application.)*
- Attach a copy of the proposed letter to this application. The letter will be reviewed and approved by the Clerk's Office. The letter must be distributed at least two weeks prior to the Commission meeting.
- A copy of the letter and the distribution list must be submitted to the Clerk's Office at least two weeks prior to the Commission meeting.
- If street closures are necessary, a map must be included with the letter to the affected property/business owners.

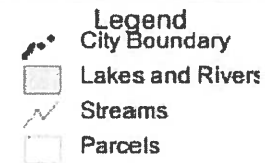


MARTIN STREET

TOWNSEND STREET

HENRIETTA STREET

Birmingham Map



Library

City Hall

DISCLAIMER

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SPECIAL EVENT NOTIFICATION

TO ALL PROPERTY/BUSINESS OWNERS

The Birmingham City Code requires that we receive approval from the Birmingham City Commission to hold the following special event. The code further requires that we notify any property owners or business owners that may be affected by the special event of the date and time that the City Commission will consider our request so that an opportunity exists for comments prior to this approval.

NAME OF EVENT: Memorial Day Ceremony
LOCATION: Shain Park
DATES/TIMES: Monday, May 25, 2020
10:00 AM

DATE/TIME OF CITY COMMISSION MEETING: Monday, December 9, 2019, 7:30PM
The city commission meets in room 205 of the Municipal Building at 151 Martin. A complete copy of the application to hold this special event is available for your review at the City Clerk's Office (248/530.1880).

EVENT ORGANIZER: Birmingham Memorial Day Committee
Event day contact: 248-258-9007

TO MANAGERS OF BUILDINGS CONTAINING MORE THAN ONE UNIT: PLEASE POST THIS NOTICE AT THE MAIN ENTRANCE TO YOUR BUILDING.



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DEPARTMENT APPROVALS

EVENT NAME: 2020 MEMORIAL DAY SERVICE

LICENSE NUMBER #20-00011617

COMMISSION HEARING DATE: DEC. 9, 2019

NOTE TO STAFF: Please submit approval by

DATE OF EVENT: MAY 25, 2020

DEPARTMENT	APPROVED	COMMENTS	PERMITS REQUIRED (Must be obtained directly from individual departments)	ESTIMATED COSTS (Must be paid two weeks prior to the event. License will not be issued if unpaid.)	ACTUAL COSTS (Event will be invoiced by the Clerk's office after the event)
PLANNING 101-000.000-634.0005 248.530.1855					
BUILDING 101-000.000.634.0005 248.530.1850	MJM	No Building Department Involvement.		\$0	
FIRE 101-000.000-634.0004 248.530.1900	JMC			\$0	
POLICE 101-000.000.634.0003 248.530.1870	SG	On duty personnel to attend.		\$0	\$0
PUBLIC SERVICES 101-000.000-634.0002 248.530.1642	CL	City Event. Audio Equipment, Podium and Chairs will be provided.		\$0	\$0
ENGINEERING 101-000.000.634.0002 248.530.1839	A.F.	No Engineering Department Involvement	None	\$0	\$0
SP+ PARKING					

INSURANCE 248.530.1807	CA	City event	None	\$0	\$0
CLERK 101-000.000-614.0000 248.530.1803		Notification letters mailed on 11/14/19. Notification addresses on file in the Clerk's Office. Evidence of required insurance must be on file with the Clerk's Office no later than CITY EVENT	Applications for vendors license must be submitted no later than N/A	CITY EVENT	
				TOTAL DEPOSIT REQUIRED \$0	ACTUAL COST

FOR CLERK'S OFFICE USE

Deposit paid _____

Actual Cost _____

Due/Refund _____

Rev. 11/19/19

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MEMORANDUM

Fire Department

DATE: December 9, 2019

TO: Joseph A. Valentine, City Manager

FROM: Paul A. Wells, Fire Chief

SUBJECT: Oakland County Central Support Services Inter-Local Agreement

INTRODUCTION:

The Birmingham Fire Department uses Oakland County's Central Support Services to perform work on all fire apparatus. The County requires an Inter-Local Work Agreement to be executed every 5 years before performing work on the City's vehicles.

BACKGROUND:

The Birmingham Fire Department uses an Oakland County Open Sky radio system. This system is used by most police and fire agencies in the County. Radio repairs, light and siren installations, and installation of radios is performed by the Central Support Services Division of Oakland County.

LEGAL REVIEW:

A legal review was conducted and no legal issues exist.

FISCAL IMPACT:

There is no fiscal impact.

SUMMARY:

The Fire Department recently purchased two new vehicles that need radio and emergency response equipment installed in order to be placed into service. A service agreement with Oakland County Central Support Services is required to be executed in order for any work to be performed on Fire Department vehicles. Oakland County is the preferred installer of radio and emergency equipment for the Fire Department.

ATTACHMENTS:

Central Support Services Inter-Local Agreement

SUGGESTED RESOLUTION:

To execute the Oakland County Central Support Services Inter-Local Agreement and further, to authorize the Mayor to sign the agreement on behalf of the City.

**AGREEMENT FOR CENTRAL SUPPORT SERVICES BETWEEN
OAKLAND COUNTY AND
City of Birmingham**

This Agreement (the "Agreement") is made between Oakland County, a Municipal and Constitutional Corporation, 1200 North Telegraph Road, Pontiac, Michigan 48341 ("County"), and the City of Birmingham ("Public Body") 151 Martin Street, P.O. Box 3001 Birmingham, Michigan 48012. County and Public Body may be referred to individually as a "Party" and jointly as "Parties".

PURPOSE OF AGREEMENT. County and Public Body enter into this Agreement pursuant to the Urban Cooperation Act of 1967, 1967 Public Act 7, MCL 124.501 *et seq.*, for the purpose of County providing Central Support Services for Public Body.

In consideration of the mutual promises, obligations, representations, and assurances in this Agreement, the Parties agree to the following:

1. **DEFINITIONS.** The following words and expressions used throughout this Agreement, whether used in the singular or plural, shall be defined, read, and interpreted as follows:
 - 1.1. **Agreement** means the terms and conditions of this Agreement and any other mutually agreed to written and executed modification, amendment, Exhibit and attachment.
 - 1.2. **Claims** mean any alleged losses, claims, complaints, demands for relief or damages, lawsuits, causes of action, proceedings, judgments, deficiencies, liabilities, penalties, litigation, costs, and expenses, including, but not limited to, reimbursement for reasonable attorney fees, witness fees, court costs, investigation expenses, litigation expenses, amounts paid in settlement, and/or other amounts or liabilities of any kind which are incurred by or asserted against County or Public Body, or for which County or Public Body may become legally and/or contractually obligated to pay or defend against, whether direct, indirect or consequential, whether based upon any alleged violation of the federal or the state constitution, any federal or state statute, rule, regulation, or any alleged violation of federal or state common law, whether any such claims are brought in law or equity, tort, contract, or otherwise, and/or whether commenced or threatened.
 - 1.3. **Confidential Information** means all information and data that County is required or permitted by law to keep confidential, including records of County' security measures, including security plans, security codes and combinations, passwords, keys, and security procedures, to the extent that the records relate to ongoing security of County as well as records or information to protect the security or safety of persons or property, whether public or private, including, but not limited to, building, public works, and public water supply designs relating to ongoing security measures, capabilities and plans for responding to violations of the Michigan Anti-terrorism Act, emergency response plans, risk planning documents, threat assessments and domestic preparedness strategies.
 - 1.4. **County** means Oakland County, a Municipal and Constitutional Corporation, including, but not limited to, all of its departments, divisions, the County Board of Commissioners, elected and appointed officials, directors, board members, council members, commissioners, authorities, committees, employees, agents, volunteers, and/or any such persons' successors.
 - 1.5. **Day** means any calendar day beginning at 12:00 a.m. and ending at 11:59 p.m.

- 1.6. **Public Body** means the City of Birmingham which is an entity created by state or local authority or which is primarily funded by or through state or local authority, including, but not limited to, its council, its Board, its departments, its divisions, elected and appointed officials, directors, board members, council members, commissioners, authorities, committees, employees, agents, subcontractors, attorneys, volunteers, and/or any such persons' successors. For purposes of this Agreement, Public Body includes any Michigan court, when acting in concert with its funding unit, to obtain Central Support Services.
- 1.7. **Public Body Employee** means any employees, officers, directors, members, managers, trustees, volunteers, attorneys, representatives of Public Body, licensees, concessionaires, contractors, subcontractors, independent contractors, agents, and/or any such persons' successors or predecessors (whether such persons act or acted in their personal, representative or official capacities), and/or any persons acting by, through, under, or in concert with any of the above who use or have access to the Central Support Services provided under this Agreement. "Public Body Employee" shall also include any person who was a Public Body Employee at any time during the term of this Agreement but, for any reason, is no longer employed, appointed, or elected in that capacity.
- 1.8. **Points of Contact** mean the individuals designated by Public Body and identified to County to act as primary and secondary contacts for communication and other purposes as described herein.
- 1.9. **Central Support Services** means the following individual Central Support Services provided by County's Department of Central Services, Support Services Division, if applicable:
- 1.9.1. **Mail Services** mean mail processing, including, but not limited to, mail piece automation, mail folding, inserting, copying, punching, padding, stapling, providing postage, and other similar services.
- 1.9.2. **Vehicle Services** mean installing and configuring specialized equipment for motor vehicles and/or repairing, servicing, and maintaining motor vehicles, including specialized equipment that has been installed in the motor vehicle.
- 1.10. **Exhibits** mean the following descriptions of Central Support Services which are governed by this Agreement only if they are attached to this Agreement and selected (checked) below or added at a later date by a formal amendment to this Agreement: ☐ Exhibit I: Mail Services ☐ Exhibit II: Vehicle Services

2. **COUNTY RESPONSIBILITIES.**

- 2.1. County, through its Department of Central Services, Support Services Division, will provide the Central Support Services selected above which are attached and incorporated into this Agreement. County is not obligated or required to provide any additional services that are not specified in this Agreement.
- 2.2. County may access, use, and disclose transaction information and any content to comply with the law such as a subpoena, court order or Freedom of Information Act request. County shall first refer all such requests for information to Public Body's Points of Contact for their response within the required time frame. County shall provide assistance for the response if requested by Public Body's Points of Contact, and if able to access the requested information. County shall not distribute Public Body's data to other entities for reasons other than when it is required by law.

3. **PUBLIC BODY RESPONSIBILITIES.**

- 3.1. Public Body shall comply with all terms and conditions in this Agreement, including each selected Exhibit.
- 3.2. For each Central Support Service covered by an Exhibit to this Agreement, Public Body shall designate two representatives to act as a primary and secondary Points of Contact with County. The Points of Contact responsibilities shall include:
 - 3.2.1. Direct coordination and interaction with County staff.
 - 3.2.2. Communication with the general public when appropriate.
- 3.3. Public Body shall respond to and be responsible for Freedom of Information Act requests relating to Public Body's records, data, or other information.
- 3.4. Third-party product or service providers may require County to pass through to Public Body certain terms and conditions contained in license agreements, service agreements, acceptable use policies and similar terms of service or usage, in order to provide Central Support Services to Public Body. Public Body agrees to comply with these terms and conditions. Public Body must follow the termination provisions of this Agreement if it determines that it cannot comply with any of the terms and conditions.

4. **DURATION OF INTERLOCAL AGREEMENT.**

- 4.1. This Agreement and any amendments shall be effective when executed by both Parties with resolutions passed by the governing bodies of each Party except as otherwise specified below. The approval and terms of this Agreement and any amendments, except as specified below, shall be entered in the official minutes of the governing bodies of each Party. An executed copy of this Agreement and any amendments shall be filed by the County Clerk with the Secretary of State. If Public Body is a court, a signature from the Chief Judge of the court shall evidence approval by Public Body, providing a resolution and minutes do not apply. If Public Body is the State of Michigan, approval and signature shall be as provided by law.
- 4.2. Notwithstanding Section 4.1, the Chairperson of the Oakland County Board of Commissioners is authorized to sign amendments to the Agreement to add Exhibits that were previously approved by the Board of Commissioners. An amendment signed by the Board Chairperson under this Section must be sent to the Election Division in the County Clerk's Office to be filed with the Agreement once it is signed by both Parties.
- 4.3. Unless extended by an Amendment, this Agreement shall remain in effect for five (5) years from the date the Agreement is completely executed by all Parties or until cancelled or terminated by any of the Parties pursuant to the terms of the Agreement.

5. **PAYMENTS.**

- 5.1. Central Support Services shall be provided to Public Body at the rates and for the charges specified in the Exhibits, if applicable.
- 5.2. **Possible Additional Services and Costs.** If County is legally obligated for any reason, e.g. subpoena, court order, or Freedom of Information Request, to search for, identify, produce or testify regarding Public Body's records, data, or information that is stored by County relating to Central Support Services that Public Body receives under this Agreement, then Public Body shall reimburse County for all reasonable costs County incurs in searching for,

identifying, producing or testifying regarding such records, data, or information. County may waive this requirement in its sole discretion.

- 5.3. County shall provide Public Body with an invoice/explanation of County's costs for Central Support Services provided herein and/or a statement describing any amounts owed to County. Public Body shall pay the full amount shown on any such invoice within sixty (60) calendar days after the date shown on any such invoice. Payment shall be sent along with a copy of the invoice to: Oakland County Treasurer – Cash Acctg, Bldg 12 E, 1200 N. Telegraph Road, Pontiac, MI 48341.
- 5.4. If Public Body, for any reason, fails to pay County any monies when and as due under this Agreement, Public Body agrees that unless expressly prohibited by law, County or the Oakland County Treasurer, at their sole option, shall be entitled to set off from any other Public Body funds that are in County's possession for any reason, including but not limited to, the Oakland County Delinquent Tax Revolving Fund ("DTRF"), if applicable. Any setoff or retention of funds by County shall be deemed a voluntary assignment of the amount by Public Body to County. Public Body waives any Claims against County or its Officials for any acts related specifically to County's offsetting or retaining of such amounts. This paragraph shall not limit Public Body's legal right to dispute whether the underlying amount retained by County was actually due and owing under this Agreement.
- 5.5. If County chooses not to exercise its right to setoff or if any setoff is insufficient to fully pay County any amounts due and owing County under this Agreement, County shall have the right to charge up to the then-maximum legal interest on any unpaid amount. Interest charges shall be in addition to any other amounts due to County under this Agreement. Interest charges shall be calculated using the daily unpaid balance method and accumulate until all outstanding amounts and accumulated interest are fully paid.
- 5.6. Nothing in this Section shall operate to limit County's right to pursue or exercise any other legal rights or remedies under this Agreement or at law against Public Body to secure payment of amounts due to County under this Agreement. The remedies in this Section shall be available to County on an ongoing and successive basis if Public Body becomes delinquent in its payment. Notwithstanding any other term and condition in this Agreement, if County pursues any legal action in any court to secure its payment under this Agreement, Public Body agrees to pay all costs and expenses, including attorney fees and court costs, incurred by County in the collection of any amount owed by Public Body.
- 5.7. Either Party's decision to terminate and/or cancel this Agreement, or any one or more of the individual Central Support Services identified herein, shall not relieve Public Body of any payment obligation for any Central Support Services rendered prior to the effective date of any termination or cancellation of this Agreement. The provisions of this Subsection shall survive the termination, cancellation, and/or expiration of this Agreement.

6. **ASSURANCES.**

- 6.1. **Responsibility for Claims.** Each Party shall be responsible for any Claims made against that Party by a third party, and for the acts of its employees arising under or related to this Agreement.
- 6.2. **Responsibility for Attorney Fees and Costs.** Except as provided for in Section 5.6, in any Claim that may arise from the performance of this Agreement, each Party shall seek its own

legal representation and bear the costs associated with such representation, including judgments and attorney fees.

- 6.3. **No Indemnification.** Except as otherwise provided for in this Agreement, neither Party shall have any right under this Agreement or under any other legal principle to be indemnified or reimbursed by the other Party or any of its agents in connection with any Claim.
- 6.4. **Costs, Fines, and Fees for Noncompliance.** Public Body shall be solely responsible for all costs, fines and fees associated with any misuse of the Central Support Services and/or for noncompliance with this Agreement by Public Body Employees.
- 6.5. **Reservation of Rights.** This Agreement does not, and is not intended to, impair, divest, delegate or contravene any constitutional, statutory, and/or other legal right, privilege, power, obligation, duty, or immunity of the Parties. Nothing in this Agreement shall be construed as a waiver of governmental immunity for either Party.
- 6.6. **Authorization and Completion of Agreement.** The Parties have taken all actions and secured all approvals necessary to authorize and complete this Agreement. The persons signing this Agreement on behalf of each Party have legal authority to sign this Agreement and bind the Parties to the terms and conditions contained herein.
- 6.7. **Compliance with Laws.** Each Party shall comply with all federal, state, and local ordinances, regulations, administrative rules, and requirements applicable to its activities performed under this Agreement.

7. USE OF CONFIDENTIAL INFORMATION

- 7.1. The Parties shall not reproduce, provide, disclose, or give access to Confidential Information to County or to a Public Body Employee not having a legitimate need to know the Confidential Information, or to any third-party. County and Public Body Employees shall only use the Confidential Information for performance of this Agreement. Notwithstanding the foregoing, the Parties may disclose the Confidential Information if required by law, statute, or other legal process provided that the Party required to disclose the information: (i) provides prompt written notice of the impending disclosure to the other Party, (ii) provides reasonable assistance in opposing or limiting the disclosure, and (iii) makes only such disclosure as is compelled or required. This Agreement imposes no obligation upon the Parties with respect to any Confidential Information when it can be established by legally sufficient evidence that the Confidential Information: (i) was in possession of or was known by prior to its receipt from the other Party, without any obligation to maintain its confidentiality; or (ii) was obtained from a third party having the right to disclose it, without an obligation to keep such information confidential.
- 7.2. Within five (5) business days after receiving a written request from the other Party, or upon termination of this Agreement, the receiving Party shall return or destroy all of the disclosing Party's Confidential Information.

8. DISCLAIMER OF WARRANTIES.

- 8.1. THE CENTRAL SUPPORT SERVICES, INCLUDING ANY GOODS, PARTS, SUPPLIES, EQUIPMENT, OR OTHER ITEMS THAT ARE PROVIDED TO PUBLIC BODY AS PART OF THE CENTRAL SUPPORT SERVICES, ARE PROVIDED ON AN "AS IS" AND "AS AVAILABLE" BASIS "WITH ALL FAULTS."

- 8.2. COUNTY EXPRESSLY DISCLAIMS ALL WARRANTIES OF ANY KIND, WHETHER EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND NON- INFRINGEMENT.
- 8.3. COUNTY MAKES NO WARRANTY THAT: (I) THE CENTRAL SUPPORT SERVICES WILL MEET PUBLIC BODY'S REQUIREMENTS; OR (II) THE CENTRAL SUPPORT SERVICES WILL BE UNINTERRUPTED, TIMELY, SECURE, OR ERROR-FREE.

9. **LIMITATION OF LIABILITY.**

- 9.1. IN NO EVENT SHALL EITHER PARTY BE LIABLE TO THE OTHER PARTY OR ANY OTHER PERSON, FOR ANY CONSEQUENTIAL, INCIDENTAL, INDIRECT, SPECIAL, AND/OR PUNITIVE DAMAGES ARISING OUT OF THIS AGREEMENT, REGARDLESS OF WHETHER THE OTHER PARTY HAS BEEN INFORMED OF THE POSSIBILITY OF SUCH DAMAGES.
- 9.2. NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED HEREIN AND TO THE EXTENT PERMITTED BY LAW, THE TOTAL LIABILITY OF COUNTY UNDER THIS AGREEMENT (WHETHER BY REASON OF BREACH OF CONTRACT, TORT, OR OTHERWISE) SHALL NOT EXCEED THE AMOUNT PAID BY PUBLIC BODY TO COUNTY WITH RESPECT TO THE PARTICULAR CENTRAL SUPPORT SERVICE GIVING RISE TO SUCH LIABILITY.

10. **DISPUTE RESOLUTION.** All disputes relating to the execution, interpretation, performance, or nonperformance of this Agreement involving or affecting the Parties may first be submitted to County's Manager of Support Services and Public Body's Agreement Administrator for possible resolution. County's Manager of Support Services and Public Body's Agreement Administrator may promptly meet and confer in an effort to resolve such dispute. If they cannot resolve the dispute in five (5) business days, the dispute may be submitted to the signatories of this Agreement or their successors in office. The signatories of this Agreement may meet promptly and confer in an effort to resolve such dispute.

11. **TERMINATION OR CANCELLATION OF AGREEMENT.**

- 11.1. Either Party may terminate or cancel this entire Agreement or any one of the Central Support Services described in the attached Exhibits, upon one hundred twenty (120) days written notice, if either Party decided, in its sole discretion, to terminate this Agreement or one of the Exhibits, for any reason including convenience.
- 11.2. Early termination fees may apply to Public Body if provided for in the Exhibits.
- 11.3. The effective date of termination and/or cancellation shall be clearly stated in the written notice. Either the County Executive or the Board of Commissioners is authorized to terminate this Agreement for County under this provision. A termination of one or more of the Exhibits which does not constitute a termination of the entire Agreement may be accepted on behalf of County by its Manager of Support Services.

12. **SUSPENSION OF SERVICES.** County, through its Manager of Support Services, may immediately suspend Central Support Services for any of the following reasons: (i) requests by law enforcement or other governmental agencies; (ii) engagement by Public Body in fraudulent or illegal activities relating to the Central Support Services provided herein; (iii) breach of the terms and conditions of this Agreement; or (iv) unexpected technical or security issues. The right to

suspend Central Support Services is in addition to the right to terminate or cancel this Agreement according to the provisions in Section 11. County shall not incur any penalty, expense or liability if Central Support Services are suspended under this Section.

13. **DELEGATION OR ASSIGNMENT**. Neither Party shall delegate or assign any obligations or rights under this Agreement without the prior written consent of the other Party.
14. **NO EMPLOYEE-EMPLOYER RELATIONSHIP**. Nothing in this Agreement shall be construed as creating an employee-employer relationship between County and Public Body. At all times and for all purposes under this Agreement, the Parties' relationship to each other is that of an independent contractor. Each Party will be solely responsible for the acts of its own employees, agents, and servants during the term of this Agreement. No liability, right or benefits arising out of an employer/employee relationship, either express or implied, shall arise or accrue to either Party as a result of this Agreement.
15. **NO THIRD-PARTY BENEFICIARIES**. Except as provided for the benefit of the Parties, this Agreement does not and is not intended to create any obligation, duty, promise, contractual right or benefit, right to indemnification, right to subrogation, and/or any other right in favor of any other person or entity.
16. **NO IMPLIED WAIVER**. Absent a written waiver, no act, failure, or delay by a Party to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement. No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.
17. **SEVERABILITY**. If a court of competent jurisdiction finds a term or condition of this Agreement to be illegal or invalid, then the term or condition shall be deemed severed from this Agreement. All other terms, conditions, and provisions of this Agreement shall remain in full force.
18. **PRECEDENCE OF DOCUMENTS**. In the event of a conflict between the terms and conditions of any of the documents that comprise this Agreement, the terms in the Agreement shall prevail and take precedence over any allegedly conflicting terms and conditions in the Exhibits or other documents that comprise this Agreement.
19. **CAPTIONS**. The section and subsection numbers, captions, and any index to such sections and subsections contained in this Agreement are intended for the convenience of the reader and are not intended to have any substantive meaning. The numbers, captions, and indexes shall not be interpreted or be considered as part of this Agreement. Any use of the singular or plural, any reference to gender, and any use of the nominative, objective or possessive case in this Agreement shall be deemed the appropriate plurality, gender or possession as the context requires.
20. **FORCE MAJEURE**. Notwithstanding any other term or provision of this Agreement, neither Party shall be liable to the other for any failure of performance hereunder if such failure is due to any cause beyond the reasonable control of that Party and that Party cannot reasonably accommodate or mitigate the effects of any such cause. Such cause shall include, without limitation, acts of God, fire, explosion, vandalism, national emergencies, insurrections, riots, wars, strikes, lockouts, work stoppages, other labor difficulties, or any law, order, regulation, direction, action, or request of the United States government or of any other government. Reasonable notice shall be given to the affected Party of any such event.

21. **NOTICES.** Except as otherwise provided in the Exhibits, notices given under this Agreement shall be in writing and shall be personally delivered, sent by express delivery service, certified mail, or first class U.S. mail postage prepaid, and addressed to the person listed below. Notice will be deemed given on the date when one of the following first occur: (i) the date of actual receipt; (ii) the next business day when notice is sent express delivery service or personal delivery; or (iii) three days after mailing first class or certified U.S. mail.

21.1. If Notice is sent to County, it shall be addressed and sent to: Manager of the Support Services Division, Oakland County Department of Central Services, 1200 N. Telegraph Road, Bldg. 16 East, Pontiac, MI 48341, and the Chairperson of the Oakland County Board of Commissioners, 1200 North Telegraph Road, Pontiac, Michigan 48341.

21.2. If Notice is sent to Public Body, it shall be addressed to: 151 Martin Street, P.O. Box 3001 Birmingham, Michigan 48012.

21.3. Either Party may change the individual to whom Notice is sent and/or the mailing address by notifying the other Party in writing of the change.

22. **GOVERNING LAW/CONSENT TO JURISDICTION AND VENUE.** This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan. Except as otherwise required by law or court rule, any action brought to enforce, interpret, or decide any Claim arising under or related to this Agreement shall be brought in the 6th Judicial Circuit Court of the State of Michigan, the 50th District Court of the State of Michigan, or the United States District Court for the Eastern District of Michigan, Southern Division, as dictated by the applicable jurisdiction of the court. Except as otherwise required by law or court rule, venue is proper in the courts set forth above.

23. **SURVIVAL OF TERMS.** The following terms and conditions shall survive and continue in full force beyond the termination or cancellation of this Contract (or any part thereof) until the terms and conditions are fully satisfied or expire by their nature: Definitions (Section 1); Assurances (Section 6); Use of Confidential Information (Section 7); Disclaimer of Warranties (Section 8); Limitation of Liability (Section 9); Dispute Resolution (Section 10); No Employee-Employer Relationship (Section 14); No Third-Party Beneficiaries (Section 15); No Implied Waiver (Section 16); Severability (Section 17); Precedence of Documents (Section 18); Force Majeure (Section 20); Governing Law/Consent to Jurisdiction and Venue (Section 22); Survival of Terms (Section 23); Entire Agreement (Section 24).

24. **ENTIRE AGREEMENT.**

24.1. This Agreement represents the entire agreement and understanding between the Parties regarding the specific Central Support Services described in the attached Exhibits. With regard to those Central Support Services, this Agreement supersedes all other oral or written agreements between the Parties.

24.2. The language of this Agreement shall be construed as a whole according to its fair meaning, and not construed strictly for or against any Party.

IN WITNESS WHEREOF, Pierre Boutros, Mayor that he has been authorized by a resolution of the City of Birmingham, a certified copy of which is attached, to execute this Agreement on behalf of Public Body and hereby accepts and binds Public Body to the terms and conditions of this Agreement.

EXECUTED: _____

Pierre Boutros, Mayor City of Birmingham

DATE: _____

WITNESSED: _____

DATE: _____

AGREEMENT

ADMINISTRATOR: _____

(IF APPLICABLE)

DATE: _____

IN WITNESS WHEREOF, David Woodward, Chairperson, Oakland County Board of Commissioners, hereby acknowledges that he has been authorized by a resolution of the Oakland County Board of Commissioners to execute this Agreement on behalf of Oakland County, and hereby accepts and binds Oakland County to the terms and conditions of this Agreement.

EXECUTED: _____

DATE: _____

David Woodward, Chairperson
Oakland County Board of Commissioners

WITNESSED: _____

DATE: _____

Oakland County Board of Commissioners County
of Oakland

[Type text]

NOTICE OF PUBLIC HEARING

BIRMINGHAM CITY COMMISSION

SPECIAL LAND USE PERMIT, FINAL SITE PLAN & DESIGN REVIEW

Meeting Date, Time, Location:	Monday, December 9, 2019 at 7:30 PM Municipal Building, 151 Martin Birmingham, MI
Location of Request:	111 Henrietta & 195 W. Maple
Nature of Hearing:	To consider the Special Land Use Permit, Final Site Plan & Design Review for Brooklyn Pizza at 111 Henrietta & 195 W. Maple to allow the operation of a bistro in the B4/D4 Zone.
City Staff Contact:	Jana Ecker 248.530.1841 jecker@bhamgov.org
Notice Requirements:	Mailed to all property owners and occupants within 300 feet of subject address. Publish November 24, 2019
Approved minutes may be reviewed at:	City Clerk's Office

Persons wishing to express their views may do so in person at the hearing or in writing addressed to City Clerk, City of Birmingham, 151 Martin, Birmingham, MI 48009.

Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

DATE: November 22, 2019

TO: Joseph A. Valentine, City Manager

FROM: Jana Ecker, Planning Director

SUBJECT: Public Hearing for SLUP & Final Site Plan & Design Review– 111 Henrietta and 195 W. Maple – Brooklyn Pizza

INTRODUCTION:

The applicant, Brooklyn Pizza, is seeking a Special Land Use Permit (SLUP) for the use of a bistro license to engage in the sale and consumption of alcohol on premise in both the existing Brooklyn Pizza restaurant and an expansion area where Birmingham Geek was located in the B4/D4 zoning district. The applicant is proposing to operate the expanded Brooklyn Pizza restaurant with the same food and casual ambiance of the existing restaurant. Outdoor dining is also proposed for expansion, along with the addition of operable windows to connect the indoor and outdoor space.

BACKGROUND:

On October 23, 2019, the Planning Board reviewed the SLUP, site plan and related documents. The Board voted 6 to 1 in favor of recommending approval to the City Commission for the Final Site Plan & Design and SLUP for 111 Henrietta and 195 W. Maple, Brooklyn Pizza, with one caveat. If there is a modification of the glazing ordinance, that the applicant be allowed to meet the new VLT requirement without returning for Planning Board review, and pending receipt of the following prior to appearing before the City Commission:

- 1) Provision of rooftop plans indicating all RTUs are screened on all sides in accordance with the Zoning Ordinance;
- 2) Provision of tree gate specifications indicating they will be ADA compliant;
- 3) Specification sheets for the new glass indicating a VLT of 80% or above;
- 4) Provision of all specifications for all outdoor and signage lighting and a photometric plan in accordance with the Zoning Ordinance;
- 5) Provision of specifications regarding the railing material and height for the outdoor patio barrier; and
- 6) Both existing park benches remain outside the restaurant.

The Planning Board minutes from October 23, 2019 are attached for your review.

The Police Department also received a request from the Law Offices of J. Patrick Howe regarding a request for a new Class C and SDM liquor license for Brooklyn Pizza, located at 195 W Maple Rd and 111 Henrietta St, to allow the service of alcohol for a bistro pursuant to Article 7, Section 7.34, Zoning, of the Birmingham City Code. A background check was conducted on Hani Ahmed Abdelfatah, the sole owner of the business, using the Law Enforcement Information Network (LEIN), the Court's Law Enforcement Management Information System (CLEMIS) and the Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLIN) FBI N-DEX national database. Abdelfatah has no criminal convictions.

LEGAL REVIEW:

The City Attorney has reviewed the documentation and has no concerns.

FISCAL IMPACT:

There are no fiscal impacts based on the approval of the SLUP, Final Site Plan and Design Review for Brooklyn Pizza.

PUBLIC COMMUNICATIONS:

As required for combined SLUP and Final Site Plan and Design applications, a legal ad was placed in a newspaper of local circulation to advertise the SLUP request at 111 Henrietta and 195 W. Maple in advance of the October 23, 2019 Planning Board meeting. In addition, postcard notices were mailed to all property owners and occupants within 300 feet of the subject property, in advance of the October 23, 2019 Planning Board meeting. The applicant also placed a notification sign on the property which is visible from the sidewalk and street as required.

SUMMARY:

The applicant is seeking approval for a Special Land Use Permit (SLUP) and Final Site Plan & Design Review to allow Brooklyn Pizza to operate a bistro at 111 Henrietta and 195 W. Maple in the B4/D4 Zone.

ATTACHMENTS:

- SLUP Resolution & Contract
- Updated Plans & Material Specification Sheets as Revised per Planning Board
- Planning Board minutes
- Special Land Use Permit Application and Initial Screening Application
- Planning Board Staff Report
- Originally Submitted Site Plans & Material Specification Sheets
- Correspondence
- Police Department Staff Report

SUGGESTED RESOLUTION:

To approve the Special Land Use Permit and Final Site Plan for Brooklyn Pizza at 111 Henrietta and 195 W. Maple and direct the Mayor to sign a contract to allow the operation of a bistro in the B4/D4 Zone;

AND

To authorize the Chief of Police to sign the MLCC Police Investigation Report (LC-1800) and to approve the liquor license request of 111 Brooklyn, Inc. that requests a new Class C License to be issued under MCL 436.1521(A)(1)(B) and SDM License with Outdoor Service (1 Area) located at 195 W Maple Rd and 111 Henrietta St, Birmingham, Oakland County, MI 48009;

AND

Furthermore, pursuant to Birmingham City Ordinance, to authorize the City Clerk to complete the Local Approval Notice at the request of 111 Brooklyn, Inc. approving the liquor license request of 111 Brooklyn, Inc. that requested a new Class C License be issued under MCL 436.1521 (A)(1)(B) & SDM License with Outdoor Service (1 Area) located at 195 W Maple Rd and 111 Henrietta St, Birmingham, Oakland County, MI 48009.

**BROOKLYN PIZZA
SPECIAL LAND USE PERMIT
2019**

- WHEREAS, Brooklyn Pizza filed an application pursuant to Article 7, section 7.34 of Chapter 126, Zoning, of the City Code to operate a bistro serving alcoholic liquors within the existing Brooklyn Pizza restaurant space at 111 Henrietta, and within an expanded restaurant space incorporating the former Birmingham Geek space at 195 W. Maple;
- WHEREAS, The land for which the Special Land Use Permit is sought is located on the southeast corner of the intersection of W. Maple and Henrietta;
- WHEREAS, The land is zoned B4, Business Residential, and D4 in the Downtown Birmingham Overlay District, which permits restaurants serving alcoholic liquor to operate as a bistro 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 Planning Board on October 23, 2019 reviewed the application for a Special Land Use Permit and Final Site Plan and Design Review and voted 6 to 1 in favor of recommending approval to the City Commission for the SLUP, Final Site Plan and Design Review for 111 Henrietta and 195 W. Maple, Brooklyn Pizza, with one caveat: If there is a modification of the glazing ordinance, that the applicant be allowed to meet the new VLT requirement without returning for Planning Board review, and pending receipt of the following prior to appearing before the City Commission:
- 1) Provision of rooftop plans indicating all RTUs are screened on all sides in accordance with the Zoning Ordinance;
 - 2) Provision of tree gate specifications indicating they will be ADA compliant;
 - 3) Specification sheets for the new glass indicating a VLT of 80% or above;
 - 4) Provision of all specifications for all exterior and signage lighting and a photometric plan in accordance with the Zoning Ordinance;
 - 5) Provision of specifications regarding the railing material and height for the outdoor patio barrier; and
 - 6) Both existing park benches remain outside the restaurant.
- WHEREAS, The applicant has complied with all of the conditions noted by the Planning Board;
- WHEREAS, The Birmingham City Commission has reviewed the Brooklyn Pizza Special Land Use Permit 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 Brooklyn Pizza's application for a Special Land Use Permit authorizing the operation of a bistro with the service of alcoholic liquors at 111 Henrietta and 195 W. Maple in accordance with Chapter 10, Alcoholic Liquors, 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 to allow the expansion of Brooklyn Pizza and to permit the operation of a bistro with the service of alcoholic liquors with the following conditions:

1. If there is a modification of the glazing ordinance, that the applicant be allowed to meet the new VLT requirement without returning for Planning Board review;
2. The applicant provide rooftop plans indicating all RTUs are screened on all sides in accordance with the Zoning Ordinance;
3. The applicant provide tree gate specifications indicating they will be ADA compliant;
4. The applicant provide specification sheets for the new glass indicating a VLT of 80% or above;
5. The applicant provide all specifications for all outdoor and signage lighting and a photometric plan in accordance with the Zoning Ordinance;
6. The applicant provide specifications regarding the railing material and height for the outdoor patio barrier;
7. Both existing park benches remain outside the restaurant;
8. Brooklyn Pizza shall abide by all provisions of the Birmingham City Code; and
9. The Special Land Use Permit may be canceled by the City Commission upon finding that the continued use is not in the public interest including, but not limited to, violations of the state law or Birmingham City Code.

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, Brooklyn Pizza 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 Brooklyn Pizza to comply with all the ordinances of the City may result in the Commission revoking this Special Land Use Permit.

I, Cheryl Arft, Acting 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 9, 2019.

Cheryl Arft, Acting City Clerk

CONTRACT FOR A PRINCIPAL SHOPPING DISTRICT LIQUOR LICENSE
(BISTRO)

This Contract is entered into this 25 day of November, 2019, by and between III Brooklyn, Inc., whose address is III Henrietta ST., (Licensee) and the **CITY OF BIRMINGHAM**, a Michigan Municipal Corporation, whose address is 151 Martin Street, Birmingham, Michigan 48012 (City).

R E C I T A L S:

WHEREAS, Licensee wishes to obtain a liquor license pursuant to MCLA 436.1521a(1)(b); and

WHEREAS, local legislative approval is required by the **CITY OF BIRMINGHAM** for the issuance of a liquor license pursuant to MCLA §436.152a(1)(b) of the Michigan Liquor Control Code of 1998; and

WHEREAS, Licensee desires to enter into this Contract as an inducement to the **CITY OF BIRMINGHAM** to approve the request of the aforementioned issuance of the liquor license; and,

WHEREAS, the **CITY OF BIRMINGHAM** is relying upon this Contract in giving its approval to the issuance of the on-premises licenses as described herein.

NOW, THEREFORE, the parties agree as follows:

1. Licensee shall be permitted to obtain a liquor license for use solely at the Property. Any transfer of the aforementioned license from the Property to any other location in the CITY OF BIRMINGHAM shall require the approval of the Birmingham City Commission in accordance with Section 10-83. In addition, any expansion of the building location at the Property shall also require the approval of the Birmingham City Commission.
2. Licensee does hereby agree that it shall establish a bistro, as defined in Birmingham City Code Chapter 126, Zoning, Article 9, section 9.02, at the Property within 18 months from the date of Special Land Use Permit approval granted by the Birmingham City Commission. Licensee agrees that the bistro must be open and fully operational within this time period, or approval of the Special Land Use Permit will automatically be revoked by the City.
3. Licensee further acknowledges that it must secure a special land use permit for a bistro as required by the Birmingham City Code. It is further agreed that it shall comply with all provisions of the special land use permit, or any amendments thereto, as a condition of this contract. Licensee further acknowledges and agrees that a violation of any provision of the special land use permit or the Michigan Liquor Control Code is a

violation of the terms of the contract entitling the City to exercise any or all of the remedies provided herein.

4. Licensee acknowledges that no modifications to the site plan, floor plan, elevations or operation of the bistro may be made unless approved by the City Commission through a Special Land Use Permit Amendment as required in the Zoning Ordinance. Modifications include, but are not limited to, name changes, ownership changes, remodeling, changes in the number of interior or exterior seats, the use of eisenglass and other enclosure materials on any outdoor dining area, relocation or addition of bar, etc.

5. Licensee acknowledges that it shall have a duty of continuing compliance with regards to off-street parking as required in the Zoning Ordinance, and further agrees to resolve any future parking issues that may arise, including but not limited to parking overflow and encroachment into residential areas or public parking facilities, to the satisfaction of the City or the Special Land Use Permit may be cancelled by the City Commission.

6. License further acknowledges that outdoor dining is seasonally permitted from April 1st through November 15th only, with a valid Outdoor Dining Permit. The use of an enclosure system(s) does not allow the outdoor dining season to be extended.

7. Licensee further agrees that it shall not apply or seek from the Michigan Liquor Control Commission any permit endorsements to its liquor license whether available in the current Michigan Liquor Control Code or in future Michigan Liquor Control Codes, or amendments thereto, without the prior approval of the Birmingham City Commission.

8. Licensee further agrees that it shall not seek any change in its license status/class whether such changes are available now in the current Michigan Liquor Control Code or in future Michigan Liquor Control Codes, or amendments thereto, without prior approval of the Birmingham City Commission.

9. Licensee agrees that it shall adhere to all Federal, State and Local laws currently in effect or as subsequently amended or enacted.

10. Licensee agrees that its failure to follow any of the provisions herein shall be grounds for the Michigan Liquor Control Commission to suspend, revoke or not renew its liquor license and/or for the Birmingham City Commission to revoke the special land use permit, either of which would prohibit Licensee from operating the bistro. Licensee agrees that in addition to the City of Birmingham's right to seek suspension, revocation or non-renewal of its liquor license and/or revocation of the special land use permit, the City retains any and all rights to enforce this Contract that may be available to it in law or in equity. Licensee further agrees that it shall reimburse the City all of its costs and actual attorney fees incurred by the City in seeking the suspension, revocation or non-renewal of its liquor license and revocation of the special land use

permit, as well as enforcing such other rights as may be available at law and/or in equity.

11. To the fullest extent permitted by law, Licensee and any entity or person for whom Licensee is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City, its elected and appointed officials, employees and volunteers and others working on behalf of the City against any and all claims, demands, suits, or loss, including all costs connected therewith, including all costs and actual attorney fees, and for any damages which may be asserted, claimed or recovered against or from the City, its elected and appointed officials, employees, volunteers or others working on behalf of the City, by reason of personal injury, including bodily injury, death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with Licensee's operation of a bistro at the Property.

12. In the event Licensee fails to reimburse the City the costs and/or attorney fees as required herein, or any part thereof, then said amount could be transferred to the tax roll in accordance with Section 1-14 of the Birmingham City Code.

13. Any disputes arising under this Contract, not within the jurisdiction of the Michigan Liquor Control Commission, shall be settled either by commencement of a suit in Oakland County Circuit Court or by compulsory arbitration, at the election of the City. The Licensee shall notify the City of any dispute it has arising out of this Contract and shall demand that the City elect whether the dispute is to be resolved by submitting it to compulsory arbitration or by commencement of a suit in Oakland County Circuit Court. The City shall make its election in writing within thirty (30) days from the receipt of such notice. If the City elects to have the dispute resolved by compulsory arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan, with each of the parties appointing one arbitrator and the two thus appointed appointing a third. In the event the City fails to make such an election, any dispute between the parties may be resolved by the filing of a suit in the Oakland County Circuit Court.

14. This Contract shall be governed by and performed, interpreted and enforced in accordance with the laws of the State of Michigan.

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

16. This Contract shall be binding upon and apply and inure to the benefit of the parties hereto and their respective successors or assigns. The covenants, conditions, and the agreements herein contained are hereby declared binding on the CITY OF BIRMINGHAM and Licensee. It is further agreed that there shall be no change, modification, or alteration hereof, except in writing, signed by both of the parties

hereto. Neither party shall assign any of the rights under this contract without prior approval, in writing, of the other. Any attempt at assignment without prior written consent shall be void and of no effect.

IN WITNESS WHEREOF, the parties hereby have executed this Contract as of the date set forth above.

By: Hani (Sam) Abdelfatah

Its: President

Date: 11-25-2019

CITY OF BIRMINGHAM

By: _____

Pierre Boutros, Mayor

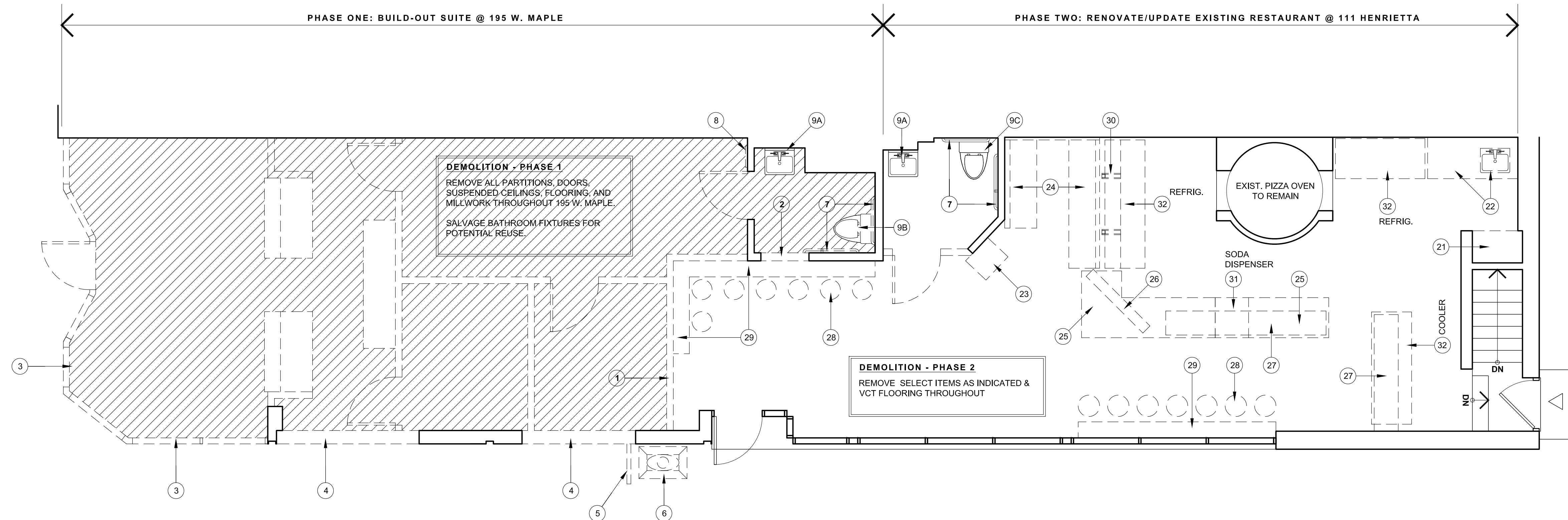
Date: _____

By: _____

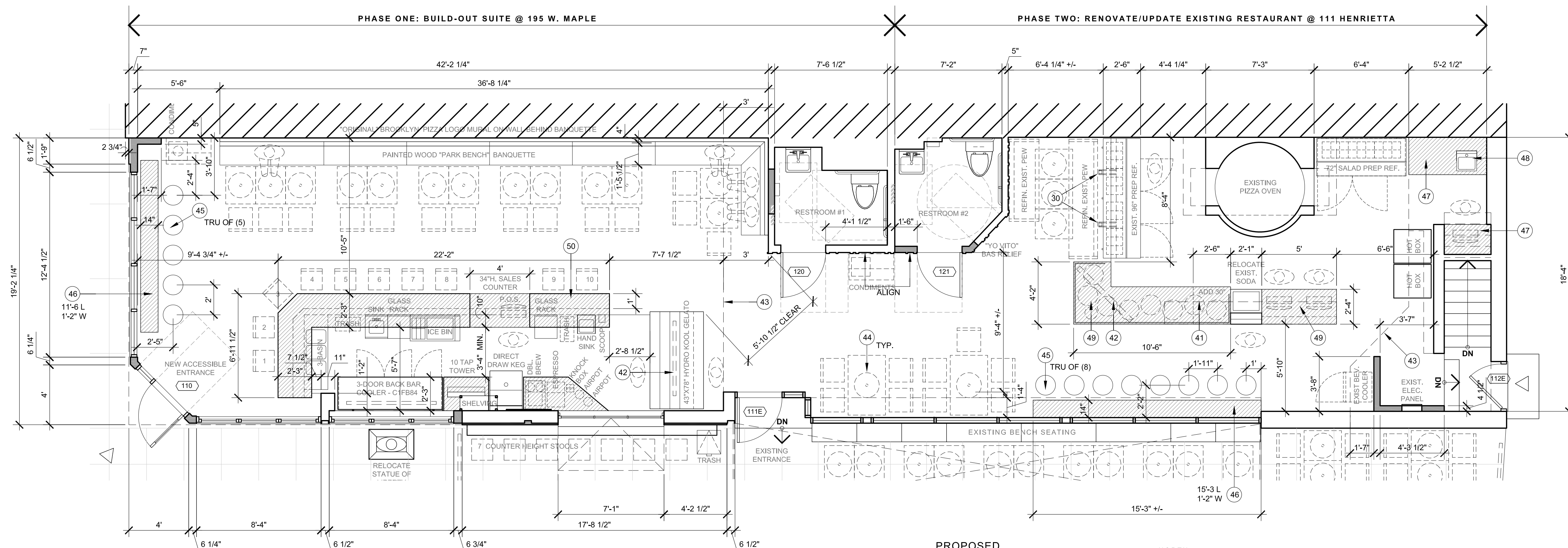
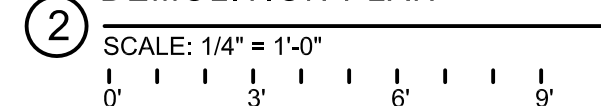
Cheryl Arft, Acting City Clerk

Date: _____

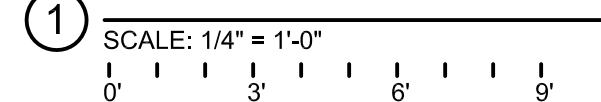
Current Revised Plans for City Commission Consideration



EXISTING GROUND FLOOR PLAN /
DEMOLITION PLAN



PROPOSED
GROUND FLOOR PLAN



GENERAL NOTES

1. UNLESS INDICATED OTHERWISE, ALL DIMENSIONS ARE 'NOMINAL' FROM FINISH-TO-FINISH OR 'FINISH-TO-CENTER'
2. PARTITIONS: NEW INTERIOR PARTITIONS ARE INDICATED ON THE FLOOR PLAN BY A SINGLE GRAY HATCHED TYPE. PARTITION DETAILS FOR MORE INFO.
3. PARTITION HEIGHT: THE CEILING HEIGHT OF EACH ROOM IS DESIGNATED ON THE RCP. NEW WALLS SHALL EXTEND TO A HEIGHT ABOVE THE FINISH CEILING, OR AS OTHERWISE NOTED ON THE RCP & INTERIOR ELEVATIONS.
4. NEW & EXISTING DOORS ARE DESIGNATED BY A DOOR TAG. EXISTING DOORS ARE FOLLOWED BY AN 'E'; REFER TO DOOR SCHEDULE FOR MORE INFO.
5. EXCEPT WHERE NOTED OTHERWISE, ALL PLUMBING FIXTURES SHALL BE PURCHASED & INSTALLED BY THE CONTRACTOR; REFER TO MEP DESIGN-BUILD NOTES ON SHEET A102 FOR MORE INFO.
6. EXCEPT WHERE INDICATED AS 'EXISTING' OR 'BY OWNER', ALL KITCHENS & BARS, EQUIPMENT SHALL BE PURCHASED & INSTALLED BY THE CONTRACTOR; SUBMIT PURCHASE ORDERS TO OWNER/ARCHITECT FOR REVIEW PRIOR TO PURCHASING

KEYED NOTES

DEMOLITION - PHASE 1

- 1 EXIST. DEMISING WALL TO REMAIN INTACT THROUGHOUT PHASE ONE CONSTRUCTION; REMOVE AT BEGINNING OF PHASE TWO.
- 2 EXIST. BATHROOM WALL TO REMAIN INTACT THROUGHOUT PHASE ONE CONSTRUCTION; CREATE DOOR OPENING AT BEGINNING OF PHASE TWO.
- 3 REMOVE EXIST. STOREFRONT SYSTEM AND KEEF WALL. REFER TO EXT. ELEV. ON A200 FOR MORE INFO.
- 4 REMOVE EXIST. WALL CONSTRUCTION TO MAKE WAY FOR NEW STOREFRONT WINDOW, REFER TO EXT. ELEV. FOR MORE INFO.
- 5 SALVAGE EXIST. PROJECTING SIGN & (2) SIGN LIGHTS. SAVE FOR REUSE; REFER TO EXT. ELEV. FOR MORE INFO.
- 6 PROTECT EXIST. STATUE DURING CONSTRUCTION; MOVE TO NEW LOCATION
- 7 SALVAGE S.S. GRAB BARS & SAVE FOR REUSE
- 8 RELOCATE ELECTRICAL PANEL TO BASEMENT
- 9A REMOVE & DISCARD BATHROOM SINK, FAUCET, & MIRROR
- 9B REMOVE & RELOCATE EXISTING TOILET
- 9C REMOVE & RE-INSTALL EXIST. TOILET AS NEEDED FOR NEW FLOORING

DEMOLITION - PHASE 2

- (21) REMOVE & DISCARD EXIST. COUNTER & BASE CABINET
- (22) REMOVE & DISCARD EXIST. SINK, COUNTER, & BASE CABINETS
- (23) REMOVE & DISCARD EXIST. TRASH ENCLOSURE
- (24) PROTECT CHURCH Pews DURING CONSTRUCTION; OWNER WILL RE-FINISH ITEM
- (25) REMOVE EXIST. SALES COUNTERS; SALVAGE SNEEZE GUARD & WOOD TOP FOR POTENTIAL REUSE
- (26) PROTECT MENU BOARD DURING CONSTRUCTION; OWNER WILL UPDATE MENU
- (27) REMOVE & DISCARD OVERHEAD STORAGE
- (28) SALVAGE FLOOR MOUNTED BARSTOOLS & SAVE BEST ONES FOR REUSE; OWNER WILL RE-UPHOLSTER
- (29) SALVAGE COUNTER & STEEL TUBE SUPPORTS; SAVE FOR REUSE
- (30) REMOVE EXIST. FLOOR MOUNTED SNEEZE GUARD; RE-INSTALL AFTER NEW FLOORING IS DONE
- (31) DISCONNECT KITCHEN EQUIP. & PROTECT DURING CONSTRUCTION; SAVE FOR REUSE
- (32) DISCONNECT KITCHEN EQUIP. & RETURN TO OWNER; DISCARD IF NOT WANTED

NEW CONSTRUCTION

- 41 DASHED LINE INDICATES NEW OVERHEAD STORAGE, SEE INT. ELEV. FOR MORE INFO.
- 42 DASHED LINE INDICATES MENU BOARD, SEE INT. ELEV. FOR MORE INFO.
- 43 DASHED LINE INDICATES NEW CEILING SOFFIT, SEE RCP & INT. ELEV. FOR MORE INFO.
- 44 HIDDEN LINE INDICATES FURNITURE BY OWNER, SEE FURN. PLANS FOR MORE INFO.
- 45 REFURBISHED/NEW FLOOR MOUNTED STOOLS, SEE FURN. PLANS FOR MORE INFO.
- 46 REFURBISHED/NEW FLOOR MOUNTED COUNTER; RE-USE EXIST. STEEL TUBE SUPPORTS WHERE POSSIBLE
- 47 REPLACE EXIST. MILLWORK W/ NEW PLAM COUNTER & BASE CABINET
- 48 REPLACE EXIST. HAND SINK & FAUCET
- 49 NEW SALES COUNTER & BUTCHER BLOCK COUNTERTOP, SEE INT. ELEV. FOR MORE INFO.
- 50 NEW BAR & QUARTZ COUNTERTOP, SEE INT. ELEV. FOR MORE INFO.

PROJECT TITLE:

BROOKLYN PIZZA EXPANSION

location
111 Henrietta St. &
195 W. Maple
Birmingham, MI 48009

contact / owner
Hani "Sam" Abdelfatah

ARCHITECT:

D MET design
architecture studio

Midtown Detroit
15 E. Kirby, suite 103
Detroit, MI 48202

phone
313.401.5181

contact
Joel T. Schmidt, RA
dmetdesign@gmail.com

www.dmetdesign.com

CONSULTANTS:

ISSUED FOR:

INITIAL SLUP APP.	JUL 5, 2019
BAR REVISIONS	AUG 19, 2019
SLUP APP.	SEP 17, 2019
PROJECT COORD.	OCT 10, 2019
BID DOCUMENTS	OCT 31, 2019

STAMP:

SHEET NAME:

GROUND FLOOR PLAN

SHEET NO.

A101

RCP LEGEND

- ELEC. DUPLEX OUTLET
- STEREO SPEAKER
- SECURITY CAMERA
- SUPPLY DIFFUSER
- RETURN AIR GRILLE
- PENDANT FIXTURE
- CEILING MOUNTED FIXTURE
- WALL SCONCE
- TRACK & TRACK HEADS
- DIRECTIONAL ARROW
- EMERGENCY EXIT SIGN
- EMERGENCY LIGHTING FIXTURE

MEP
DESIGN-BUILD NOTES

1. MODIFICATIONS TO THE EXISTING MECHANICAL, ELECTRICAL, & PLUMBING SYSTEMS SHALL BE "DESIGN-BUILD"

2. DRAWINGS, SCHEDULES, APPROVALS, INSPECTIONS & PERMITS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR PERFORMING THE WORK.

3. THE MEP CONTRACTOR(S) IS RESPONSIBLE FOR DESIGNING & IMPLEMENTING MODIFICATIONS TO THE EXISTING MEP SYSTEMS IN ACCORDANCE W/ THE ARCHITECTURAL DESIGN INTENT & IN COMPLIANCE W/ ALL APPLICABLE SECTIONS OF THE 2015 MICHIGAN BUILDING CODE.

4. PRIOR TO SUBMITTING FOR PERMIT, THE CONTRACTOR SHALL VERIFY THE LOCATION & CAPACITY OF ALL EXISTING MECH. EQUIPMENT & UTILITY SERVICES, & SUBMIT TO THE OWNER & ARCHITECT DRAWINGS OF THE PROPOSED WORK FOR REVIEW & COMMENT
5. EXCEPT WHERE NOTED AS BEING "RE-PURPOSED", "EXISTING", OR "BY OWNER", ALL PLUMBING FIXTURES & APPLIANCES ARE NEW, & SHALL BE PURCHASED & INSTALLED BY THE CONTRACTOR; REFER TO ARCHITECTURAL FLOOR PLAN FOR MORE INFO.

6. REFER TO THE ARCHITECT'S RCP FOR ADDITIONAL ELECTRICAL & MECHANICAL NOTES; COORDINATE ALL PROPOSED MEP WORK W/ THE ARCHITECTURAL DESIGN & PROPOSED LIGHTING LAYOUT; NOTIFY THE ARCHITECT IN ADVANCE OF ANY CONFLICTS

GENERAL NOTES

1. ALL DIMENSIONS ARE 'NOMINAL' FROM FINISH-TO-FINISH, OR FINISH-TO-C.L. UNLESS INDICATED OTHERWISE

2. THE CONTRACTOR IS RESPONSIBLE FOR THE DESIGN AND FABRICATION OF EQUIPMENT SCREENS EQUAL TO THE SCREENS DESCRIBED HERE & SHALL SUBMIT FABRICATION DRAWINGS FOR REVIEW AND COMMENT

3. THE CONTRACTOR SHALL VERIFY REQUIRED AIR-FLOW CLEARANCES & ACCESS REQUIREMENTS FOR MECH. EQUIP PRIOR TO START OF WORK; NOTIFY ARCHITECT & OWNER OF ALL FINDINGS

4. THE WORK SHALL INCLUDE THE PATCHING & REPAIRING OF THE ROOFING MEMBRANE @ FRAME SUPPORTS

5. REFLECTED CEILING PLAN

6. PHASE 1 INCLUDES REMOVING EXIST. ACT, GRID, LIGHTING FIXTURES, DIFFUSERS, AND DUCTWORK FROM 195 W. MAPLE TO EXPOSE EXISTING GYP. BD. CEILING; PATCH & REPAIR EXPOSED GYP. BD. AS REQUIRED; PROVIDE LIGHTING FIXTURES, DUCTWORK, & DIFFUSERS AS SHOWN

7. PHASE 2 INCLUDES PROVIDING NEW LIGHTING FIXTURES WHERE INDICATED BY A LIGHT FIXTURE TAG & LEAVING EXIST. LIGHTING FIXTURES, DIFFUSERS, & SPEAKERS AS-IS, UNLESS INDICATE OTHERWISE; CLEAN DIFFUSERS & DUCTS, REPLACE AIR FILTERS, RE-PAINT ENTIRE CEILING, & RE-LAMP EXISTING LIGHTING FIXTURES W/ LED BULBS

8. NEW LIGHTING FIXTURES ARE NOTED W/ A LIGHTING FIXTURE TAG; REFER TO LIGHTING FIXTURE SCHEDULE ON SHEET A602 FOR MORE INFO

9. UNLESS INDICATED OTHERWISE, THE MOUNTING HEIGHTS OF FIXTURES & DUCTWORK ARE NOTED ON THE INTERIOR ELEV.

10. REVIEW THE LOCATION OF ALL LIGHTING FIXTURES, ELEC. OUTLETS, & LIGHTING CONTROLS IN FIELD W/ ARCHITECT PRIOR TO ELEC. ROUGH

11. CONDUIT ATTACHED TO CEILING TO BE PAINTED SAME COLOR AS CEILING

12. THE SIZE & LOCATION OF DUCTWORK INDICATED HERE IS FOR COORDINATION PURPOSES. REFER TO DESIGN-BUILD MEP DRAWINGS FOR ADD. INFO., IF CONFLICTS OR INCONSISTENCIES BETWEEN MEP & ARCH. DRAWINGS ARISE, CONTACT ARCHITECT IMMEDIATELY FOR CLARIFICATION

KEYED NOTES

ROOF PLAN

1. -

2. NEW PERFORATED, 7/8" CORRUGATED METAL EQUIP. SCREEN ATTACHED (VERTICALLY) TO HORIZ. GLAV. STEEL HAT CHANNELS; SEE EXT. ELEV. FOR MORE INFO.

3A. CANTILEVERED, 3-MEMBER FRAME ON SQUARE BASE SUPPORTS, OR EQ.

3B. NON-CANTILEVERED, 3-MEMBER FRAME ON SQUARE BASE SUPPORTS, OR EQ.

3C. WALL MOUNTED FRAME ATTACHED TO INSIDE FACE OF EXIST. PARAPET

4. ACCESS GATE

5. APPROX. DISTANCE OF SCREEN FROM FACE OF BUILDING

REFLECTED CEILING PLAN
PHASE 1

21. HIDDEN LINE INDICATES APPROX. LOCATION OF RTU ABOVE; V.I.F.

22. NEW HVAC RETURN-AIR GRILLE; CONFIRM LOCATION IN FIELD W/ ARCHITECT

23A. NEW EXPOSED RECT. DUCTWORK W/ BOTTOM SUPPLY DIFFUSER; SEE MEP DWGS

23B. NEW EXPOSED RECT. DUCTWORK W/ SIDE-WALL SUPPLY DIFFUSERS; SEE MEP DWGS

24. NEW HVAC SUPPLY DIFFUSER, SEE MEP DESIGN-BUILD DRAWINGS

25. NEW GYP. BD. CEILING

26. RE-PURPOSED CEILING DECOR W/ NEW LED ROPE LIGHT; SEE FIXTURE SCHED. FOR MORE INFO.

REFLECTED CEILING PLAN
PHASE 2

41. DASHED LINE INDICATES ITEM TO BE REMOVED AND/OR SALVAGED

42. EXIST. RETURN AIR GRILLE TO REMAIN, CLEAN-OUT GRILLE & REPLACE RTU AIR FILTER

43. EXIST. SUPPLY DIFFUSER TO REMAIN, CLEAN DIFFUSER & DUCTS

44. EXIST. BATHROOM EXHAUST TO REMAIN, CLEAN DIFFUSER & DUCTS

45. REPLACE EXISTING LIGHT FIXTURE

46. RELOCATE EXISTING LIGHT FIXTURE

47. BOTTOM OF NEW OVERHEAD SHELVING W/ ROPE LIGHT

48. NEW DOUBLE-SIDED BUSINESS SIGN BY OWNER; SEE EXTERIOR ELEV. FOR MORE INFO.

49A. RELOCATE & RE-LAMP EXISTING SIGN LIGHT; PROVIDE NEW LED PAR 20 BULBS, TYP. OF (2)

49B. EXISTING SIGN LIGHT TO REMAIN; RE-LAMP W/ NEW LED PAR 20 BULBS, TYP. OF (7)

PROJECT TITLE:

BROOKLYN
PIZZA
EXPANSION

location
111 Henrietta St. &
195 W. Maple
Birmingham, MI 48009

contact / owner
Hani "Sam" Abdelfatah

ARCHITECT:

D MET design
architecture studio

Midtown Detroit
15 E. Kirby, suite 103
Detroit, MI 48202

phone
313.401.5181

contact
Joel T. Schmidt, RA
dmetdesign@gmail.com

www.dmetdesign.com

CONSULTANTS:

ISSUED FOR:

SLUP APP. & HDC
BID DOCUMENTS

SEP 17, 2019
OCT 31, 2019

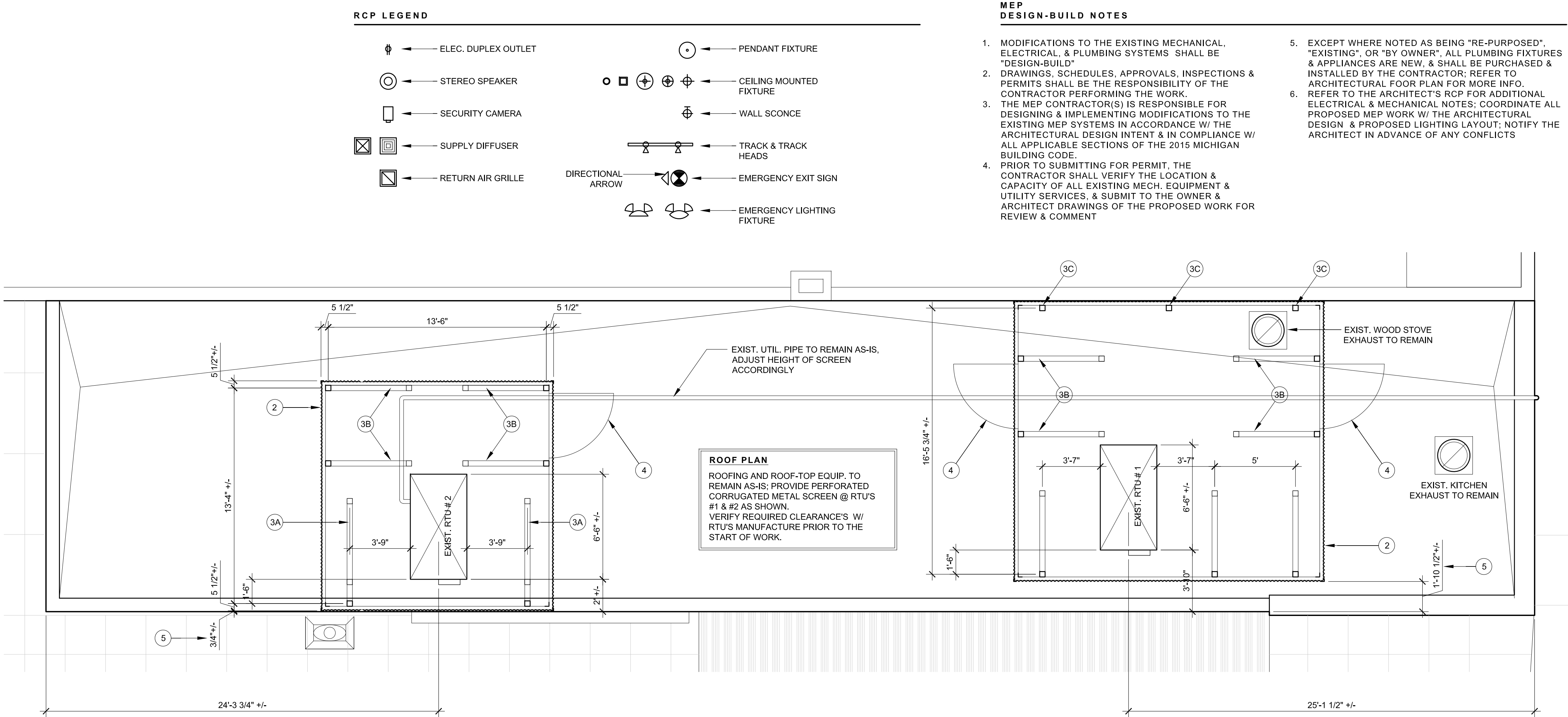
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SHEET NAME:

ROOF PLAN &
REFLECTED
CEILING PLAN

SHEET NO.

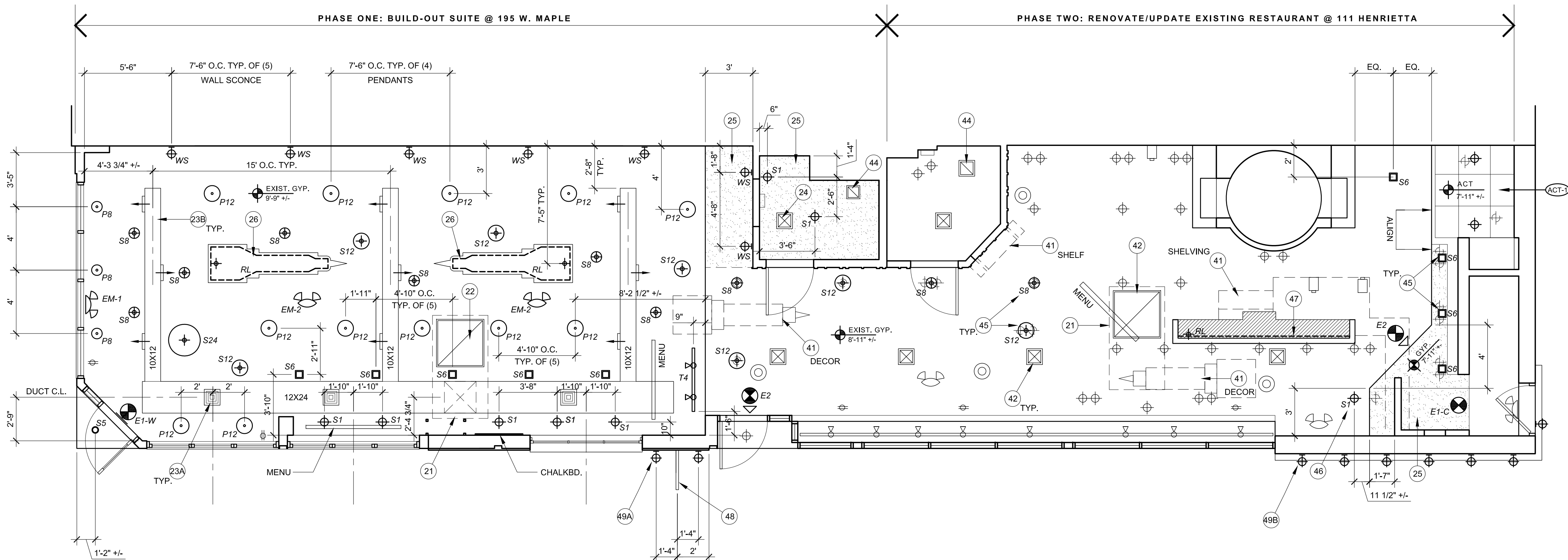
A102



2 ROOF PLAN

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

0' 3' 6' 9'

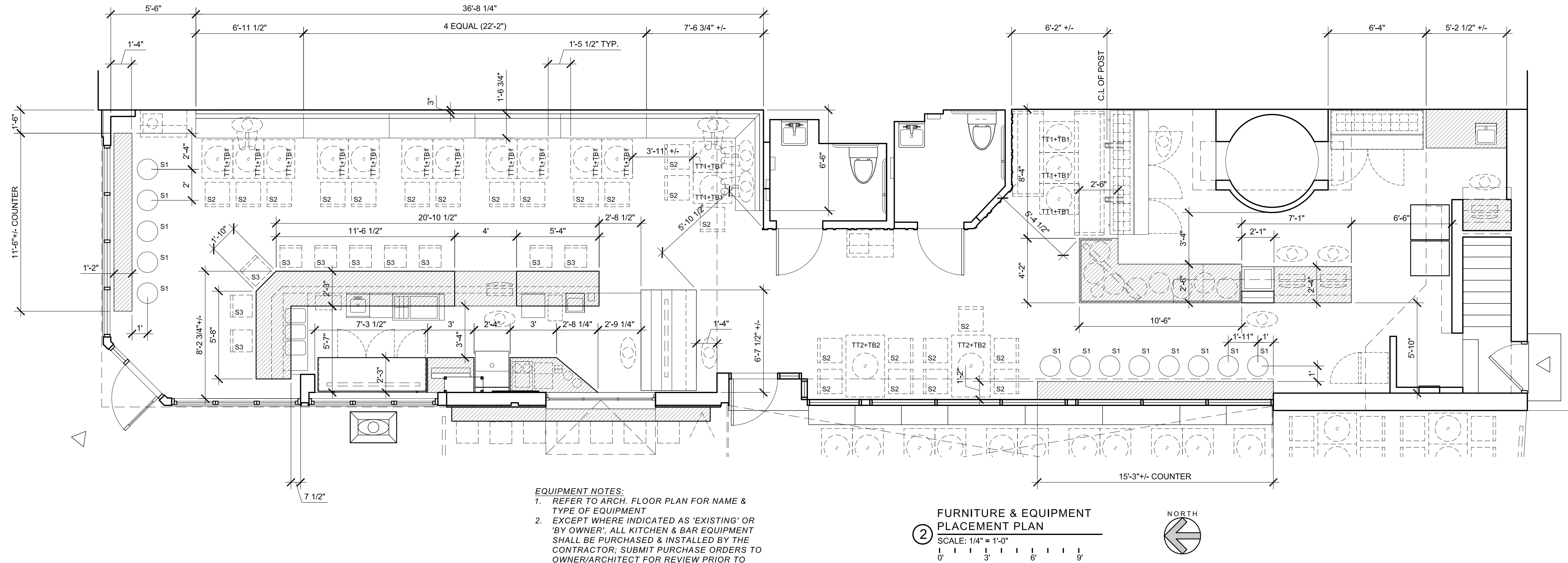


1 REFLECTED CEILING PLAN

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

0' 3' 6' 9'





FURNITURE NOTES:

1. THE TOTAL NUMBER OF INDOOR SEATS = 65, INCLUDING 10 BARSTOOLS @ THE BAR
2. THREE OF THE BARSTOOLS SHALL BE REMOVED WHEN THE THREE OUTDOOR BARSTOOLS IN FRONT OF THE WINDOW ARE IN PLACE; SEE OUTDOOR SEATING PLAN ON SHEET A300 FOR MORE INFO.
3. WITH THE EXCEPTION OF THE BUILT-IN MILLWORK, THE FURNITURE SHALL BE PURCHASED BY OWNER & UNLOADED & INSTALLED BY CONTRACTOR

INTERIOR FURNITURE SCHEDULE

TAG	DESCRIPTION	DETAILS	QUANTITY	SOURCE / MANUFACTURER REP.	NOTES
SEAT #1	FLOOR MOUNTED STOOL	-	13	-	-
SEAT #2	CHAIR	-	23	BEAUFURN.COM	-
SEAT #3	BARSTOOL	-	10	BEAUFURN.COM	3 SEATS TO BE SEASONAL & REMOVED WHEN OUTDOOR STOOLS ARE @ COUNTER
TABLE TOP #1	RECTANGULAR RESIN TABLE TOP, WHITE	24" X 30"	16	-	-
TABLE TOP #2	RECTANGULAR RESIN TABLE TOP, WHITE	48" X 30"	2	-	-
TABLE BASE #1	24"X30" TABLE BASE	-	16	BEAUFURN.COM	-
TABLE BASE #2	48"X30" TABLE BASE	-	2	BEAUFURN.COM	-

GENERAL NOTES

1. UNLESS INDICATED OTHERWISE, ALL DIMENSIONS ARE 'NOMINAL' FROM FINISH-TO-FINISH OR 'FINISH-TO-CENTER'
2. FINISHES ARE INDICATED WITH A MATERIAL-FINISHES TAG; REFER TO MATERIAL SCHEDULE FOR MORE INFO.
3. WALL FINISHES & OTHER RELEVANT FINISH INFO. ARE INDICATED ON THE INT. ELEV. & RCP; SEE INT. ELEV. & RCP FOR MORE INFO.
- 4.

KEYED NOTES

FURNITURE PLAN

1 -

EQUIPMENT NOTES:

1. REFER TO ARCH. FLOOR PLAN FOR NAME & TYPE OF EQUIPMENT
2. EXCEPT WHERE INDICATED AS 'EXISTING' OR 'BY OWNER', ALL KITCHEN & BAR EQUIPMENT SHALL BE PURCHASED & INSTALLED BY THE CONTRACTOR. SUBMIT PURCHASE ORDERS TO OWNER/ARCHITECT FOR REVIEW PRIOR TO PURCHASING

FINISHES PLAN

- 41 PROVIDE SCHLUTER TRIM @ LVT-TILE TRANSITIONS, PROFILE & FINISH TBD.; CONSULT W/ ARCH. ONCE EXIST. CONDITIONS ARE KNOWN
- 42 6.S. PIZZA COUNTER ON CUSTOM METAL BRACKETS ANCHORED TO EXIST. MASONRY WALL; SEE EXT. ELEV. & EXT. DETAILS FOR MORE INFO.

PROJECT TITLE:

**BROOKLYN
PIZZA
EXPANSION**

Birmingham, Michigan

Location
111 Henrietta St. &
195 W. Maple
Birmingham, MI 48009

contact / owner
Hani "Sam" Abdelfatah

ARCHITECT:

D MET design
architecture studio

Midtown Detroit
15 E. Kirby, suite 103
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phone
313.401.5181

contact
Joel T. Schmidt, RA
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www.dmetdesign.com

CONSULTANTS:

ISSUED FOR:

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SHEET NAME:

**FURN. PLAN &
FINISHES PLAN**

SHEET NO.

A102

GENERAL NOTES

1. SELECTIVE DEMOLITION IS INDICATED BY A CROSS HATCH PATTERN

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OCT 31, 2019

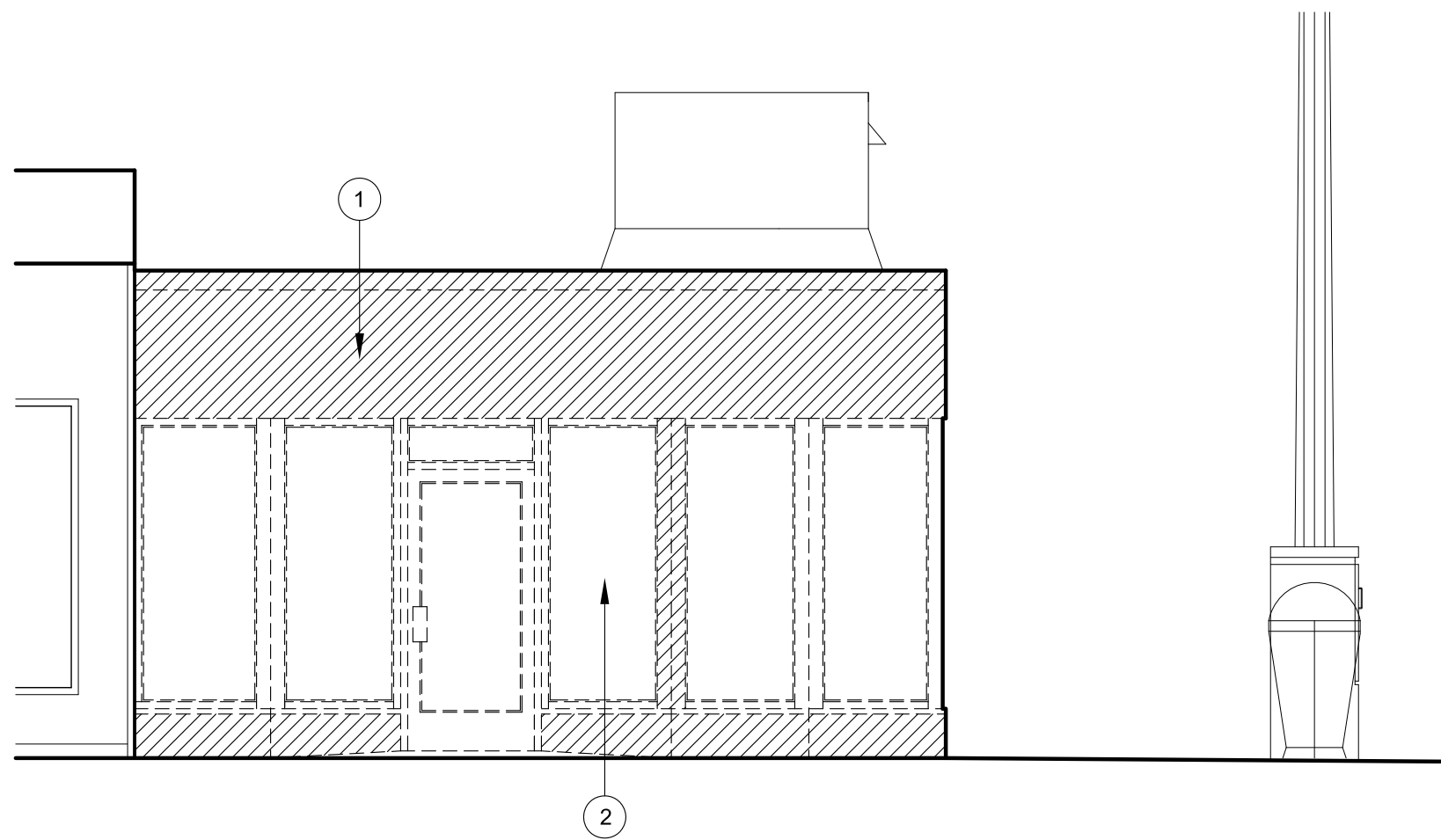
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SHEET NAME:

EXTERIOR
ELEVATIONS
DEMOLITION

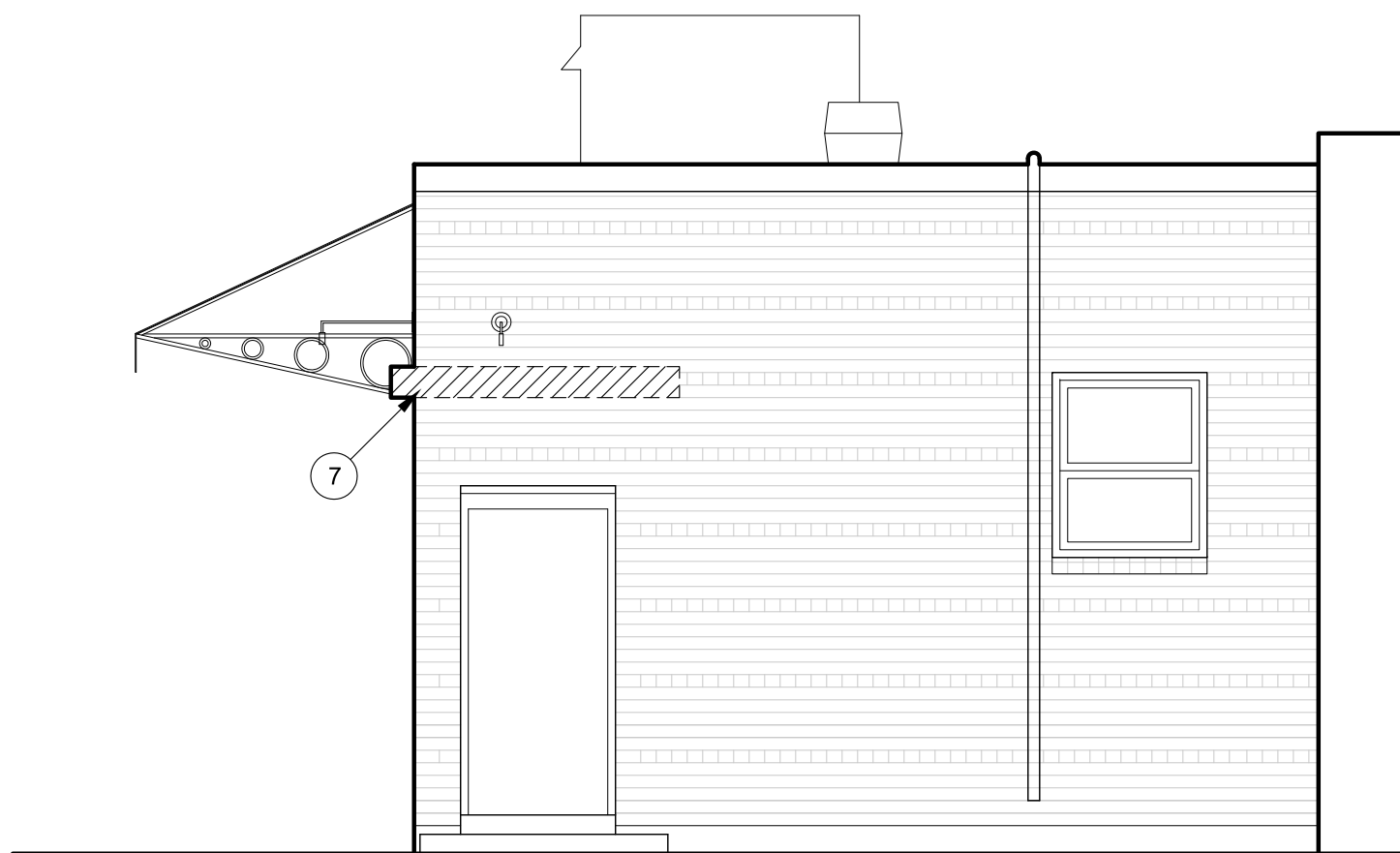
SHEET NO.

A200



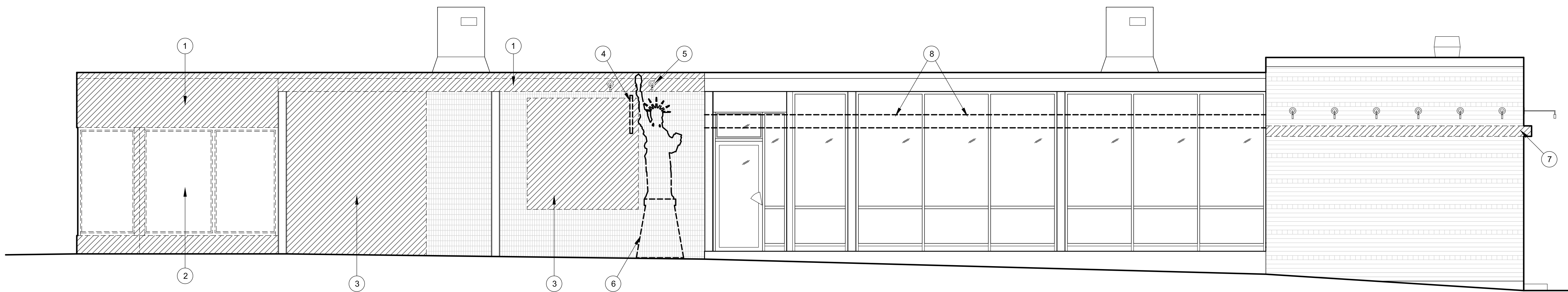
NORTH ELEVATION
(MAPLE ROAD)

③ SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
(PUBLIC ALLEY)

② SCALE: 1/4" = 1'-0"



WEST ELEVATION
(HENRIETTA STREET)

① SCALE: 1/4" = 1'-0"



GLASS SPECIFICATIONS

GLASS TYPE = GUARDIAN "ULTRACLEAR" (LOW-IRON) FLOAT GLASS W/ SUNGUARD NEUTRAL 78/65 HIGH PERFORMANCE COATING ON SURFACE #2

PROVIDE TEMPERED SAFETY GLAZING AT HAZARDOUS LOCATIONS INCLUDING:

- GLAZING IN SWINGING, SLIDING, AND BI-FOLD DOORS
- GLAZING ADJACENT TO DOORS WHERE THE NEAREST VERT. EDGE IS WITH 24" ARC OF DOOR IN CLOSED POSITION & WHERE BOTTOM EDGE IS LESS THAN 60" ABOVE WALKING SURFACE
- GLAZING IN WINDOWS WHERE INDIVIDUAL PANE IS GREATER THAN 9 SQ. FT., BOTTOM EDGE IS LESS THAN 18" ABOVE FLR., TOP EDGE IS GREATER THAN 36" ABOVE FLR., & A WALKING SURFACE IS WITHIN 36" HORIZ. FROM PLANE OF GLASS

PANEL NOTES

- PRIOR TO INSTALLING CLADDING ASSEMBLY OVER EXIST, EXTERIOR WALLS, CONTRACTOR SHALL INSPECT WALL, REMOVE LOOSE PAINT, AND RE-POINT WHERE NECESSARY.
- MAX. SPACING OF FASTENERS TO BE VERIFIED AND SET BY CLADDING SUPPLIER. CONTRACTOR SHALL ADJUST FURRING LAYOUT ACCORDINGLY.

KEYED NOTES

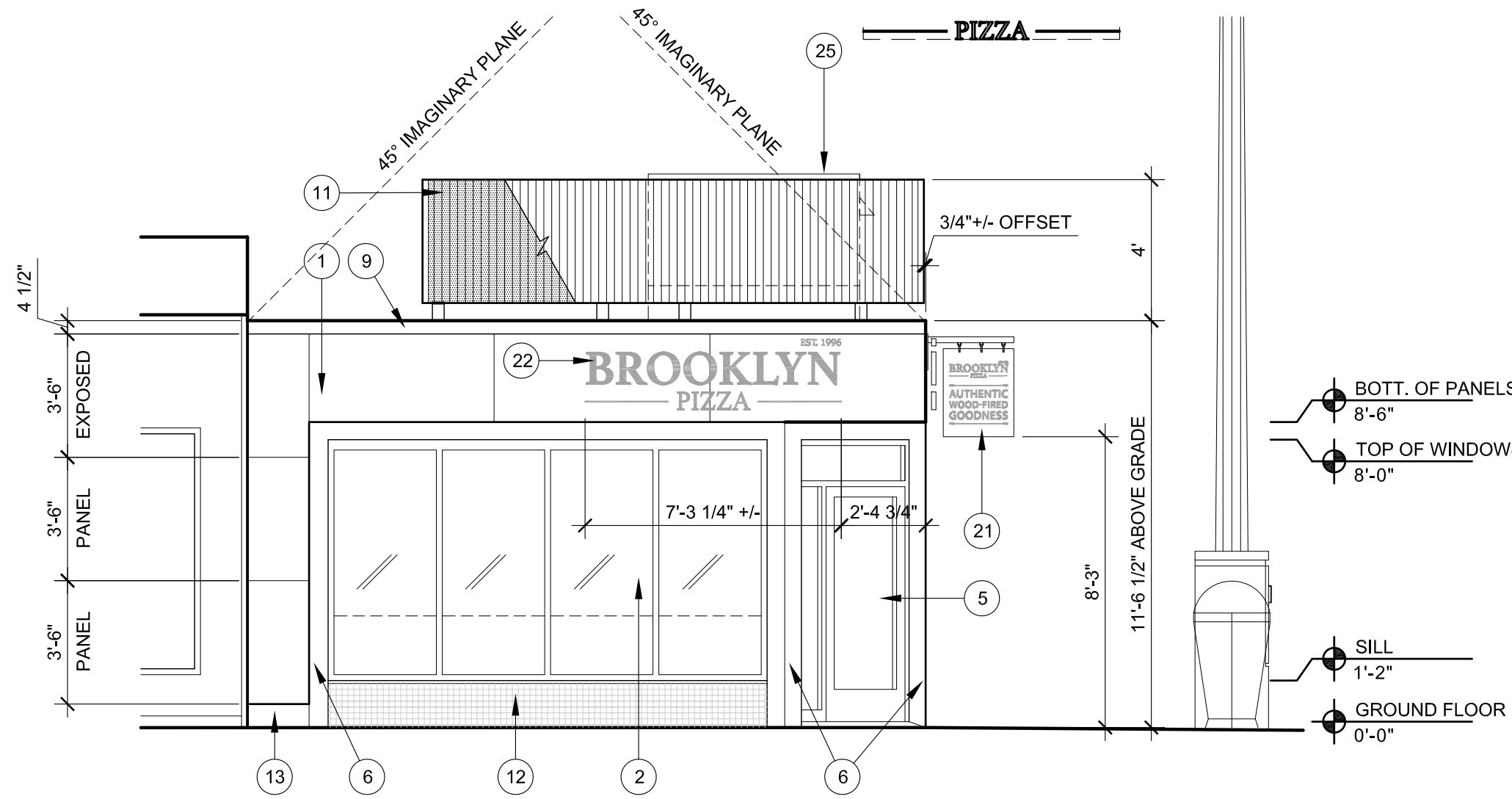
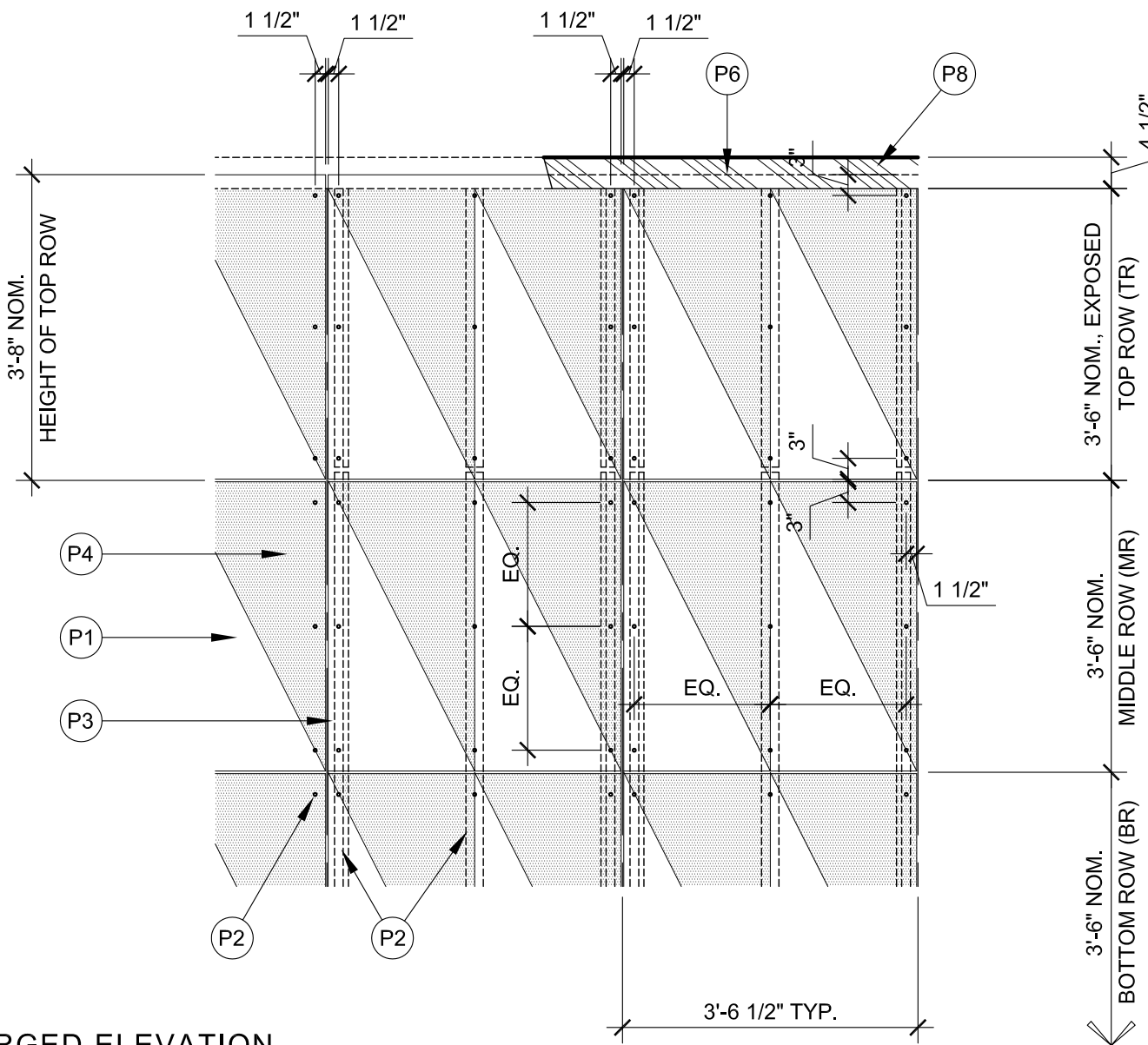
ENLARGED PANEL ELEVATION

- (P1) PAINTED, 8MM (5/16") THICK MINERIT HD FIBER CEMENT PANEL ON 1-1/2" GALV. METAL FURRING. REFER TO MANUFAC. INSTALL. INSTRUCTIONS FOR MORE INFO.
- (P2) PRE-DRILLED HOLE BY FIBER CEMENT PANEL SUPPLIER
- (P3) 3/8" OPEN JOINT BETWEEN PANELS
- (P4) PAINTED ACCENT TRIANGLE, COLOR TBD.
- (P5) HIDDEN LINES INDICATES LOCATION OF VERTICAL FURRING
- (P6) HIDDEN LINE INDICATE TOP EDGE OF TOP ROW BEHIND METAL COPING
- (P7) PERFORATED METAL VENT AT BOTTOM EDGE OF CLADDING, FURNISHED BY SUPPLIER, INSTALLED BY CONTRACTOR; (NOT SHOWN)
- (P8) NEW ALUMINUM COPING, COLOR: WHITE

ENLARGED ELEVATION (TYP. PANEL LAYOUT)

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

0' 3' 6' 9'

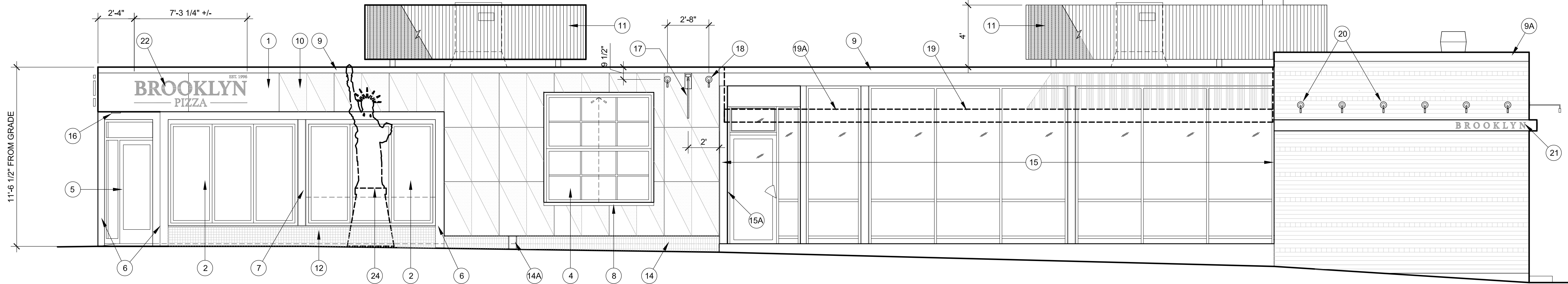


NORTH ELEVATION (MAPLE ROAD)

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

0' 3' 6' 9'

NOTE RE: ILLUMINATION OF BACK-LIT LETTERS:
ILLUMINATION OF "BROOKLYN PIZZA" SHALL BE BACK-LIT & SHALL NOT EXCEED .08 FOOT-CANDLES & A BRIGHTNESS OF 2,400 FOOT-LAMBERTS WHEN MEASURED @ PROPERTY LINE @ ANY HEIGHT

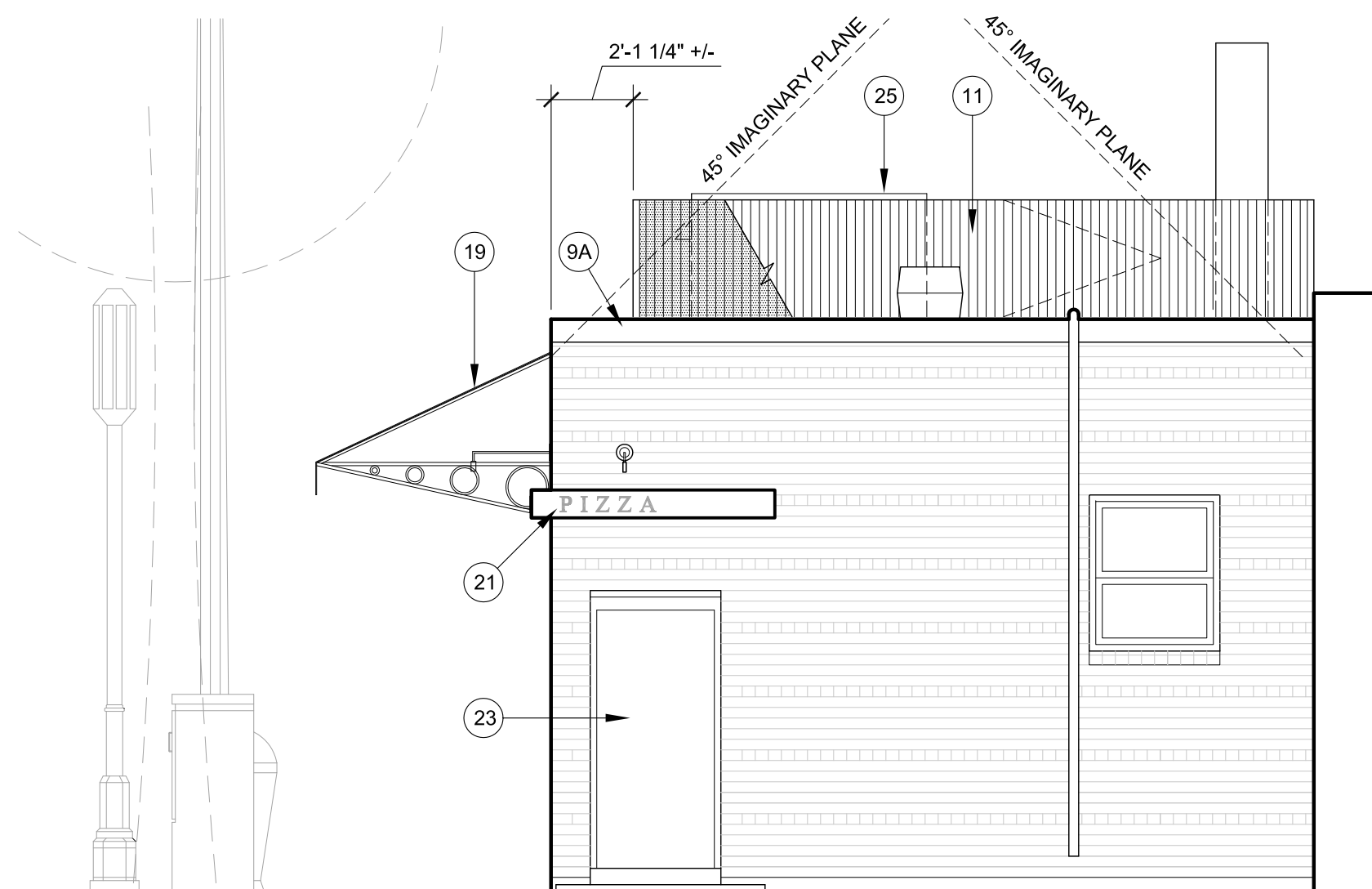


NOTE: AREA OF GLAZING = 70% OF FACADE

WEST ELEVATION (HENRIETTA STREET)

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

0' 3' 6' 9'



SOUTH ELEVATION (PUBLIC ALLEY)

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

0' 3' 6' 9'

SHEET NOTES

- BUILDING HEIGHTS ARE DESIGNATED BY A 'DATUM TAG' AND MEASURED FROM THE FLOOR SLAB INSIDE 111 HENRIETTA, ALSO KNOWN AS GROUND FLOOR, FIN. FLR. ELEV. 0'-0". THE HEIGHT OF THE FLOOR SLAB INSIDE 195 W. MAPLE IS UNKNOWN BUT IS BELIEVED TO BE AT THE SAME LEVEL.

KEYED NOTES

- NEW 8MM MINERIT HD (FIBER CEMENT) RAINSCREEN FACADE BOARDS ON 7/8" GALV. METAL FURRING; PAINT BOTH SIDES OF BOARDS PER MANUFAC. INSTRUCTIONS. COLORS: TBD.
- CLEAR ANODIZED, THERM. BROKEN ALUM. STOREFRONT WINDOW FRAME BY RAMCO W/ 1" I.G.U.; SEE GLASS SPEC. THIS SHEET
- NOT USED
- DOUBLE GLAZED SST-II HYDRAULIC BI-FOLD WINDOW BY CROWN DOORS OR EQUAL, IN "WHITE ALUMINUM" (RAL 9006); SEE GLASS SPEC. THIS SHEET
- CLEAR ANODIZED ALUM. STOREFRONT DOOR, SIDELITE, & TRANSOM BY RAMCO; SEE GLASS SPEC. THIS SHEET
- 18 GAUGE +/-, CLEAR ANNOZIDED ALUM. BRAKE METAL CASING; SEE DETAILS ON SHEET AXXX FOR MORE INFO.
- PRIME & PAINT EXIST. COLUMN; COLOR: TBD
- 10 GAUGE +/-, CLEAR ANNOZIDED ALUM. BRAKE METAL SILL & JAMBS; SEE EXT. DETAILS BEGINNING ON SHEET A301 FOR MORE INFO.
- NEW ALUMINUM COPING, COLOR: WHITE
- EXISTING COPING TO REMAIN
- SHADED AREA INDICATES ACCENT COLOR; SEE ENLARGED DETAILS FOR MORE INFO.
- NEW EQUIP SCREEN = PAINTED, PERFORATED 7/8" CORRUGATED METAL SCREEN ON HORIZ. HAT CHANNELS ON GLAV. METAL FRAME & BASE SUPPORTS; SEE ROOF PLAN FOR MORE INFO.
- CERAMIC TILE ON CEMENT BACKER BOARD MANUFACTURER / PRODUCT: DAL TILE, NATURAL HUES, 2X2 FIELD TILE, COLOR: BLACK QH45 GROUT COLOR: CHARCOAL, SUBMIT SAMPLES FOR APPROVAL
- PAINTED CEMENT PARGING ON CEMENT BACKER BOARD, COLOR: TBD
- EXISTING TILE TO REMAIN
- PRIME AND PAINT EXPOSED PORTION OF EXIST. COLUMN, COLOR: TBD
- RE-PAINT EXISTING STOREFRONT INCLUDING WINDOW FRAMES, DOOR FRAME, DOOR, FASCIA BOARD, EXPOSED COLUMNS, & UNDERSIDE OF SOFFIT; COLOR: TBD
- PRIME AND PAINT SIDE WALL @ ENTRANCE, COLOR: SAME AS KEY NOTE #15
- NEW 7'x9" 'SLIM SURFACE' LED DOWNLIGHT BY SIGNIFY ON CEILING ABOVE CORNER ENTRANCE
- RE-INSTALL EXISTING SIGN BRACKET HERE; DBL. SIDED SIGN BOARD BY OWNER
- RE-INSTALL (2) EXISTING SIGN LIGHTS HERE
- DASHED LINE INDICATES EXTENT OF EXIST. AWNING; PROTECT AWNING THROUGHOUT CONSTRUCTION, AWNING TO REMAIN AS-IS
- EXIST. VINYL LETTERS ATTACHED TO EXIST. AWNING TO REMAIN
- EXISTING LIGHT FIXTURES TO REMAIN AS-IS
- OWNER TO REPLACE DETERIORATING SIGN WITH MATCHING AND/OR COMPARABLE SIGN; REFER TO SIGN DRAWINGS FOR MORE INFO.
- NEW "HALO" BACKLIT LETTERS BY OWNER; CONTRACTOR TO PROVIDE POWER SOURCE; REFER TO SIGN DRAWINGS FOR MORE INFO.
- PAINT EXIST. EXTERIOR DOOR & DOOR FRAME, COLOR: TBD.
- RE-LOCATE EXIST. STATUE OF LIBERTY HERE, @ CENTER OF WINDOW OPENING
- EXISTING RTU TO REMAIN AS-IS; REFER TO ROOF PLAN FOR MORE INFO.

PROJECT TITLE:

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Birmingham, Michigan

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CONSULTANTS:

ISSUED FOR:

SLUP APP, DRAFT JUL 5, 2019
SLUP APP, & HDC SEP 17, 2019
PROJECT COORD. OCT 10, 2019
BID DOCUMENTS OCT 31, 2019

STAMP:

SHEET NAME:

EXTERIOR ELEVATIONS

SHEET NO.

A201

TAG	DESCRIPTION	DETAILS	QUANTITY	SOURCE / MANUFACTURER REP.	NOTES
SEAT #1	TOLIX BRASSERIE CHAIR	33.5" H X 17.5" W X 19" D, 17.5" SH, STEEL, NO ARMS	23	BEAUFURN.COM	-
SEAT #2	TOLIX BRASSERIE BARSTOOL	29.5" H X 17" W X 17" D, STEEL	7	BEAUFURN.COM	-
TABLE TOP	RECTANGULAR FAUX WOOD URBAN TABLE TOP	#URB-2430, 24" X 30" THERMOSET RESIN RECTANGLE, STANDARD EDGE, ANTIQUE OAK FINISH	17	BEAUFURN.COM	-
TABLE BASE	BRUSHED ALUMINUM TRUMPET TABLE BASE	#90134 TABLE BASE, BRUSHED ALUMINUM, TRUMPET BASE	17	BEAUFURN.COM	-
TRASH CAN	40-GALLON STEEL TRASH CAN, WHITE	RUBBERMAID #FGST40EPLWH, 40 GAL STEEL SQUARE WHITE MEDICAL STEP CAN W/ RIGID PLASTIC LINER	1	WEBSTAURANTSTORE.COM	FINISH = WHITE
PLANTER #1	FIBERGLASS RECTANGULAR PLANTER BOX, BLACK	36" L X 16" W X 32" H, FIBERGLASS RECTANGULAR PLANTER BOX, BLACK	5	POTSPANTERSANDMORE.COM	FINISH = BLACK (IE INFINITY)
PLANTER #2	CUSTOM HANGING PLANTER BOX	40" L X 11" +/- W/ WOOD & STEEL PLANTER BOX	1	CUSTOM FABRICATION	REFER TO REFERENCE IMAGE
RAILING	CUSTOM METAL RAILING	34" H, STEEL	6 INDIVIDUAL SECTIONS	CUSTOM FABRICATION	SUBMIT SHOP DRAWINGS FOR REVIEW PRIOR TO START OF FABRICATION
COUNTER	CUSTOM WOOD COUNTER	16'-8" L X 10" +/- D, CEDAR W/ POLYURETHANE COATING	1	CUSTOM FABRICATION	SUBMIT SHOP DRAWINGS FOR REVIEW PRIOR TO START OF FABRICATION
EXISTING BENCH	EXIST WOOD BENCH & BACK-REST CUSHIONS	RE-FINISH WOOD W/ PLOY URETHANE COATING; REMOVE & PROTECT CUSHIONS DURING CONSTRUCTION	11+ PERSONS	BY GENERAL CONTRACTOR	-

NOTE:
THE LENGTH OF EACH SECTION VARIES, REFER TO PLAN
FOR MORE INFO & FIELD VERIFY ALL DIMENSIONS; MODIFY
OVERALL LENGTH WHILE KEEPING "Y" MOTIF CONSISTENT
FROM SECTION TO SECTION

1/2" TH X 2-1/2" W STEEL RAILING

2'-10"

10"

3 1/2"

10"

9'-4" +/-

2 1/2" +/-

2'-8"

FIBERGLASS PLANTER BOX, TYP.

ANCHOR PLATE AND BOLTS
@ 4'-0" +/- O.C., TYP.

② DETAIL OF CUSTOM RAILING

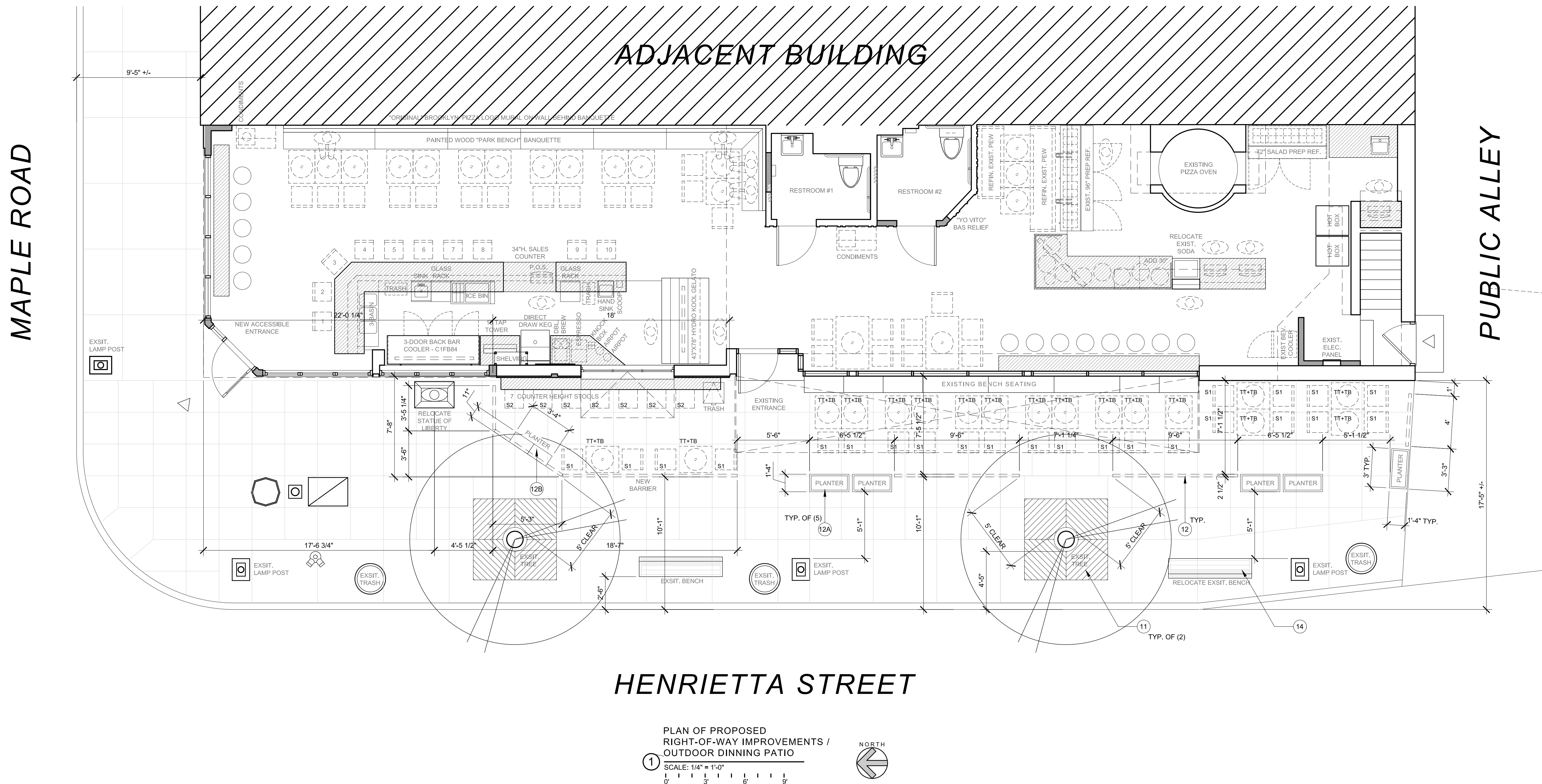
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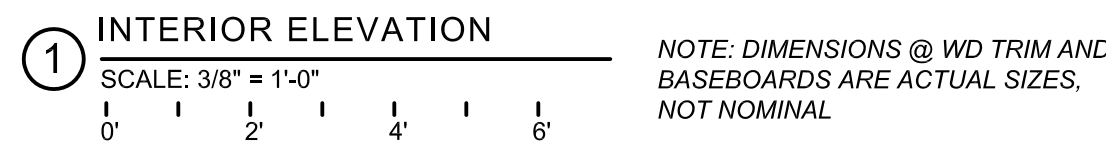
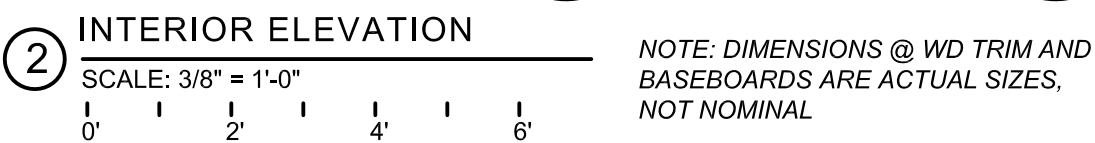
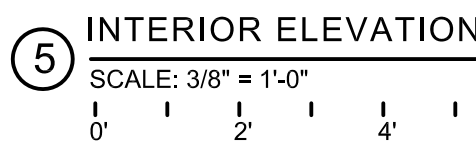
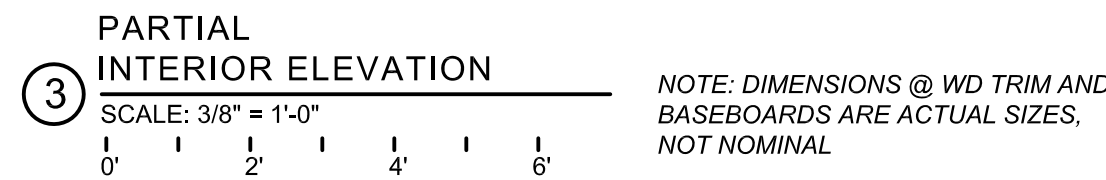
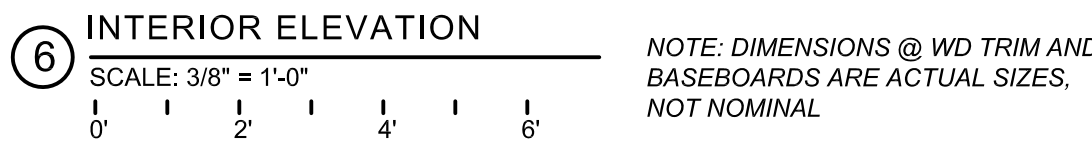
0' 1' 2' 3' 4'

1. UNLESS INDICATED OTHERWISE, ALL DIMENSIONS ARE NOMINAL FROM FINISH-TO-FINISH OR FINISH-TO-CENTER LINE

- 11 PROVIDE NEW ADA COMPLIANT SIDEWALK GRATE AT EXISTING STREET TREE. RE-GRADE AS REQ.; CONTACT CITY OF BIRMINGHAM PUBLIC WORKS DEPARTMENT FOR MORE INFO.
- 12A NEW FIBERGLASS PLANTER W/ PLANTED HERBS, COLOR = BLACK; REFER TO OUTDOOR FURNITURE SCHED. FOR MORE INFO.
- 12B CUSTOM HANGING PLANTER ATTACHED TO RAILING, FINISHES = WOOD & STEEL; REFER TO OUTDOOR FURNITURE SCHED. FOR MORE INFO.
- 13 NEW 34" HIGH, CUSTOM METAL RAILING, FINISH = MATTE BLACK; REFER TO OUTDOOR FURNITURE SCHED. FOR MORE INFO.
- 14 RELOCATE SOUTHERN-MOST PUBLIC BENCH, HERE; MAINTAIN 5' MIN. CLEARANCE BTWN. BENCH & PATIO BARRIER

A300





1. UNLESS INDICATED OTHERWISE, ALL DIMENSIONS ARE 'NOMINAL' FROM FINISH-TO-FINISH OR 'FINISH-TO-CENTER'
2. REFER TO ARCHITECTURAL STANDARDS ON SHEET 100 FOR TYPICAL MOUNTING HEIGHTS OF BATHROOM FIXTURES & ACCESSORIES
3. CONTRACTOR SHALL PROVIDE WD. BLOCKING @ ALL LOCATIONS WHERE ARTWORK IS TO BE HUNG ON EITHER WALL MOUNTED FIXTURES & ACCESSORIES; ARTWORK BY OWNER
4. PROVIDE POWER & DATA IN MILLWORK TO ALL POINT-OF-SALE (POS) LOCATIONS; & PROVIDE GROMMETS IN COUNTERTOP TO TERMINATE ALL DATA @ ELEC. RECEPTACLES W/ EQUIPMENT
5. SPECIFICATIONS SO THAT POWER CORDS REMAIN HIDDEN

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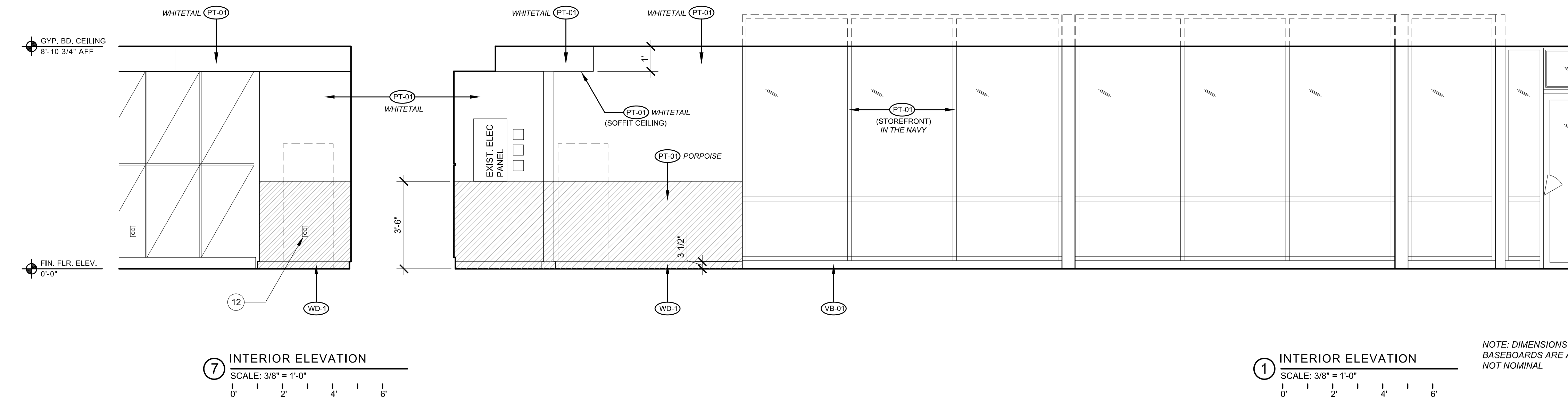
CONSULTANTS:

BID DOCUMENTS OCT 31, 2019

STAMP:

INTERIOR ELEVATIONS

A401



1. UNLESS INDICATED OTHERWISE, ALL DIMENSIONS ARE 'NOMINAL' FROM FINISH-TO-FINISH OR 'FINISH-TO-CENTER'
2. REFER TO FINISHERS' STANDARD SCHEDULE SHEET A001 FOR TYPICAL MOUNTING HEIGHTS OF BATHROOM FIXTURES & ACCESSORIES
3. CONTRACTOR SHALL PROVIDE WD. BLOCKING @ ALL LOCATIONS WHERE ARTWORK IS SHOWN & BEHIND OTHER WALL MOUNTED FIXTURES & ACCESSORIES; ARTWORK BY OWNER
4. PROVIDE POWER & DATA IN MILLWORK TO ALL POINT-OF-SALE (POS) LOCATIONS; & PROVIDE GROMMETS IN COUNTERTOP COORDINATE WITH ALL ELEC. RECEPTACLES W/ EQUIPMENT
5. SPECIFICATIONS SO THAT POWER CORDS REMAIN HIDDEN
- 6.

- 1 WALL MOUNTED MONITOR BY OWNER
- 2 WALL MOUNTED S.S. SHELVES BY OWNER
- 3 EXIST. FAUX BRICK FINISH @ PIZZA OVEN TO
REMAIN; OWNER WILL COMMISSION MURALIST TO
REPAIR DAMAGED AREAS
- 4 RE-INSTALL EXIST. "YO, VITO" DECOR AS SHOWN
- 5 -
- 6 -
- 7 HIDDEN LINE INDICATES APPROX. LOCATION
CONDIMENTS STATION; BY OWNER
- 8 HIDDEN LINES INDICATE APPROX. LOCATION OF
EXIST. FLOOR MOUNTED SNEEZE GUARD & PREP
COOLER
- 9 -
- 10 -
- 11 LIGHT FIXTURE, REFER TO RCP
- 12 ELEC. OUTLET W/ PAINTABLE, MTL. WALL PLATE;
EXPOSURE WHITE RECESSED IN SET IN CASE OF

location
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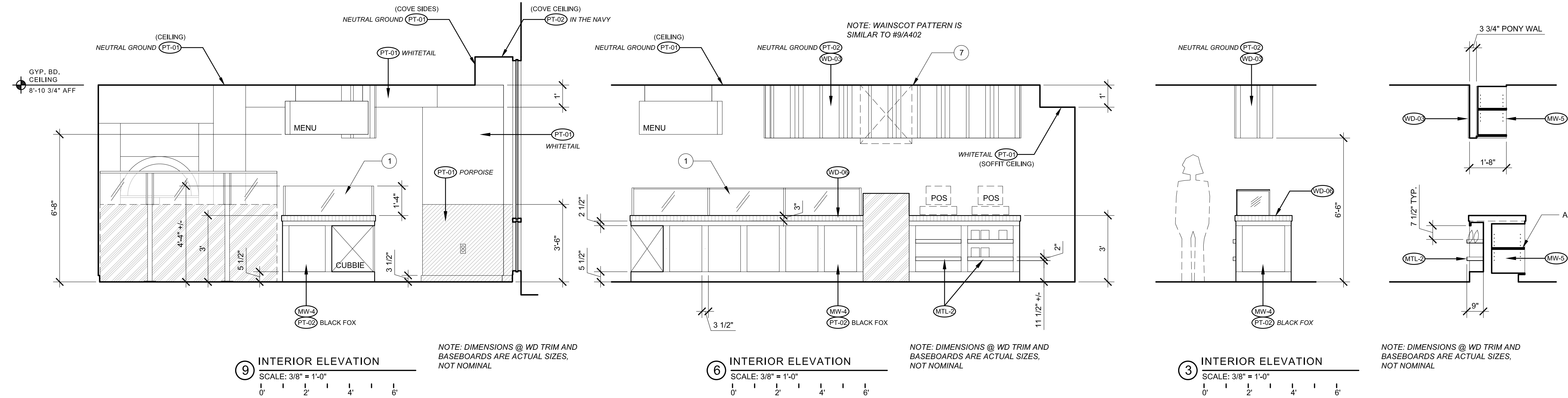
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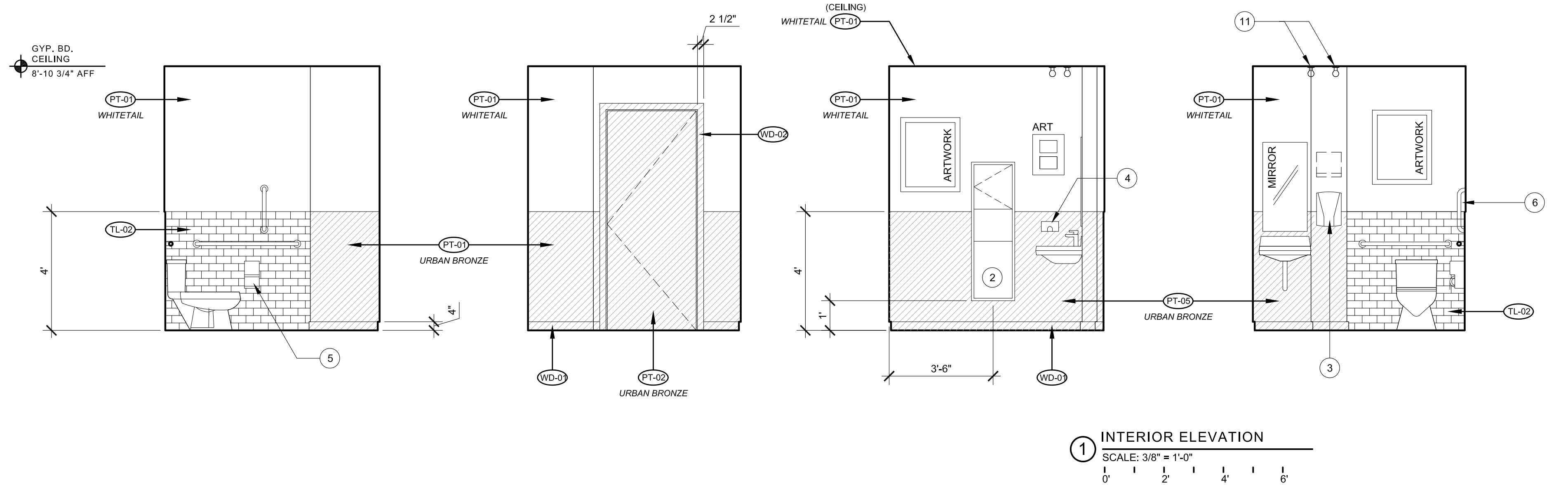
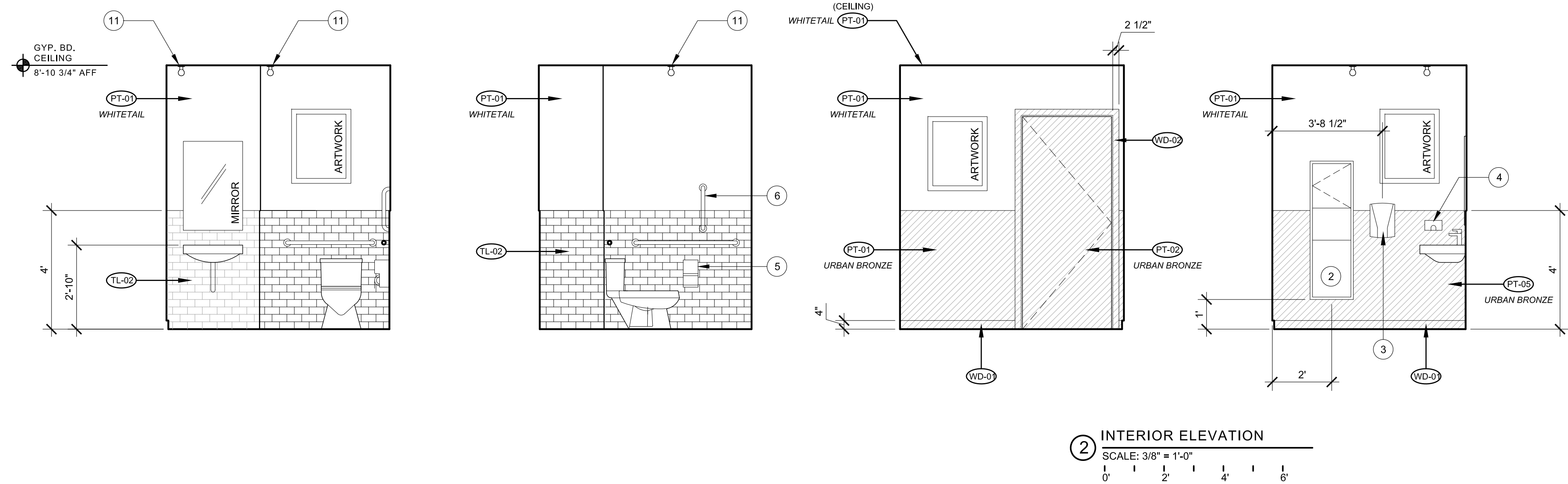
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A402



- GENERAL NOTES**
- UNLESS INDICATED OTHERWISE, ALL DIMENSIONS ARE 'NOMINAL' FROM FINISH-TO-FINISH OR 'FINISH-TO-CENTER'
 - REFER TO ARCHITECTURAL STANDARDS ON SHEET A001 FOR TYPICAL MOUNTING HEIGHTS OF BATHROOM FIXTURES & ACCESSORIES
 - CONTRACTOR SHALL PROVIDE WD. BLOCKING @ ALL LOCATIONS WHERE ARTWORK IS SHOWN & BEHIND OTHER WALL MOUNTED FIXTURES & ACCESSORIES; ARTWORK BY OWNER
 - PROVIDE POWER & DATA IN MILLWORK TO ALL POINT-OF-SALE (POS) LOCATIONS; & PROVIDE GROMMETS IN COUNTERTOP COORDINATE LOCATION OF ALL ELEC. RECEPTACLES W/ EQUIPMENT SPECIFICATIONS SO THAT POWER CORDS REMAIN HIDDEN
 -
 -

- KEYED NOTES**
- SNEEZE GUARD:
 - S.S., RECESSED PAPER DISPENSER
 - THINAIR HAND DRYER BY EXCEL, MODEL NO. TA-ABS (WHITE)
 - SOAP DISPENSER
 - TOILET PAPER DISPENSER
 - S.S. GRAB BARS; REUSE EXISTING
 - HIDDEN LINE INDICATES APPROX. LOCATION OF CUP DISPENSER; COORDINATE MILLWORK W/ DIM. OF EXISTING DISPENSER
 -
 -
 -
 - LIGHT FIXTURE, REFER TO RCP



PROJECT TITLE:
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Birmingham, Michigan

location
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CONSULTANTS:

ISSUED FOR:
BID DOCUMENTS OCT 31, 2019

STAMP:

SHEET NAME:
INTERIOR ELEVATIONS

SHEET NO.
A403

INTERIOR PAINT COLORS
THE FOLLOWING IS A LIST OF PAINT COLORS USED ON THE PROJECT. ALL PAINT COLORS ARE INDICATED ON THE INTERIOR ELEVATIONS. THE CONTRACTOR IS RESPONSIBLE FOR REVIEWING THE INTERIOR ELEV. & PROVIDING DRAW-DOWN SAMPLES OF EACH COLOR & FINISH.

WHITES:
SW 7103 WHITETAIL (261-C1)
SW 7568 NEUTRAL GROUND (261-C5)

GRAY TONES & BROWNS:
SW 7047 PORPOISE (245-C6)
SW 7048 URBAN BRONZE (245-C7)
SW 7020 BLACK FOX (244-C7)

RED HUES:
SW 6352 SOFT APRICOT (126-C2)

GREENS:
SW 9132 ACACIA HAZE (217-C4)
SW 6207 RETREAT (217-C5)
SW 6216 JASPER (218-C7)

BLUES:
SW 9178 IN THE NAVY (253-C3)

MATERIALS AND FINISHES SCHEDULE - INTERIORS

TAG	TYPE / CATEGORY	LOCATION / APPLICATION	MANUFACTURER / SPECIFICATIONS	SIZE / DIMENSIONS / QTY	COLOR / FINISH	SOURCE / REP. CONTACT INFO.	NOTES
AT-01	ACOUSTIC CEILING TILE	KITCHEN CEILING	VINYL CLAD A.C.T. TO COMPLY WITH MDA GUIDELINES FOR FOOD PREP AREAS / COLOR TBD	24" X 24"	SMOOTH, FLAT	N/A; CONTRACTOR TO PROVIDE SAMPLE 4 REVIEW	PROVIDE MDA APPROVED FIN.
FL-01	FLOORING / SVT	TRHOUGHOUT	CORTINA GRANDE "KARIM SHAPES" SOLID VINYL TILE (SVT) BY TARKETT	HIVE SHAPE & TRI SHAPE	THREE COLORS, TBD.	TARKETT	
FL-02	FLOORING / QUARRY TILE	BAR	DALTILE OR EQUAL 6"X6" QUARRY TILE W/ ABRASIVE (NON-SLIP) SURFACE & MATCHING COVE BASE; 3/8" GROUT JOINT OR AS RECOMMENDED BY MANUFACTURER.	6" X 6" FIELD + 5" X 6" COVE BASE	DARK GREY, ABRASIVE NON-SLIP TEXTURE	DALTILE	PROVIDE SCHLUTER RENO RAMP @ THRESHOLD
FL-03	FLOORING / VCT	FOOD PREP / PIZZA KITCHEN	12"X12" VCT	12" X 12"	BLACK	N/A; CONTRACTOR TO PROVIDE SAMPLE 4 REVIEW	
FL-04	FLOORING / PORCELAIN TILE	RESTROOMS	HEX PORCELAIN MOSAIC, MATTE BLACK	2"X2" HEX	MATTE BLACK W/ MAPEI BLACK #10 GROUT	N/A; CONTRACTOR TO PROVIDE SAMPLE 4 REVIEW	PROVIDE SCHLUTER RENO RAMP @ THRESHOLD
FL-05	FLOORING / NON-SLIP, CONCRETE FLOOR COATING	STAIRS TO BASEMENT	PRIMER: TBD TOPCOAT: SHERWIN WILLIAMS PRO-INDUSTRIAL PRE-CATALYZED WATER BASED EPOXY (2 CTS. MIN.)			SHERWIN WILLIAMS (1 800 4 SHERWIN)	
FRP-1	FIBERGLASS REINFORCED PANEL	KITCHEN WALLS		48" HIGH	SMOOTH, WHITE	N/A; CONTRACTOR TO PROVIDE SAMPLE 4 REVIEW	
MTL-1	METAL / SHELF SUPPORTS	BACK OF BAR	CUSTOM METAL WORK; EXPOSED TUBE STEEL, LADDER-STYLE SHELF SUPPORTS	1-1/2" X 1-1/2" SQ. TUBE	NATURAL, WAXED		
MTL-2	METAL / DISPLAY SHELVES	PIZZA COUNTER	CUSTOM METAL WORK; FOLDED STEEL SHELVES/TRAYS FOR DISPLAY OF GRAB-N-GO FOOD ITEMS, ETC.	FOLDED STEEL	NATURAL, WAXED		
MTL-3	METAL / BRAKE METAL TRIM	TILE WALL BEHIND BAR	CUSTOM METAL WORK; L-SHAPED BRAKE METAL TRIM @ WINDOWS	APPROX. 1-1/4" X 5" LEGS			
MW-1	MILLWORK-CABINETRY / BAR	BAR					
MW-2	MILLWORK-CABINETRY / BACK OF BAR	BAR					
MW-3	MILLWORK-CABINETRY / PARK BENCH	DINNING ROOM					
MW-4	MILLWORK-CABINETRY / SALES COUNTER	PIZZA KITCHEN					
MW-5	MILLWORK-CABINETRY / OVERHEAD STORAGE	PIZZA KITCHEN					
MW-6	MILLWORK-CABINETRY / MISC. CABINETRY	PIZZA KITCHEN					
PL-01	PLASTIC LAMINATE / COUNTER TOP	PIZZA KITCHEN					
PT-01	PAINT / GYP BOARD (DRY AREAS)	TYPICAL GYPSUM BOARD WALLS & CEILINGS	PRIMER: SHERWIN WILLIAMS PROMAR 200 ZERO VOC LATEX TOPCOAT: SHERWIN WILLIAMS PROMAR 200 ZERO VOC INTERIOR LATEX (2 CTS. MIN.)		COLOR VARIES SHEEN ON WALLS & CEILING = EGGSHELL, <i>UNLESS INDICATED OTHERWISE ON INT. ELEV.</i>	SHERWIN WILLIAMS (1 800 4 SHERWIN)	PAINT SUBMITTALS: PRIOR TO ORDERING PAINT, THE CONTRACTOR SHALL PROVIDE ARCHITECT W/ DRAW-DOWN SAMPLES OF ALL COLORS & PAINT PRODUCTS. SAMPLES SHALL BE TRUE TO SHEEN & SHALL BE USED TO REVIEW & APPROVE FINAL PAINT SCHEME
PT-02	PAINT / WOODS	WOOD DOORS, CASING, TRIM + PAINTED MILLWORK	PRIMER: SHERWIN WILLIAMS PREMIUM WALL & WOOD PRIMER TOPCOAT: SHERWIN WILLIAMS EMERALD URETHANE TRIM		COLOR VARIES SHEEN ON BASE MOLDING = SEMI-GLOSS SHEEN ON DOORS, TRIM & MILLLWORK = GLOSS	SHERWIN WILLIAMS (1 800 4 SHERWIN)	
PT-03	PAINT / METALS	EXPOSED CONDUIT, DUCTWORK, STEEL COLUMNS, METAL DOORS & HOLLOW METAL FRAMES, ETC.	PRIMER: SHERWIN WILLIAMS MULTIPURPOSE PRIMER TOPCOAT: SHERWIN WILLIAMS PRO INDUSTRIAL WATER-BASED ACRYLLIC DRYFALL (2 CTS. MIN.)		COLOR VARIES TYP. SHEEN = SEMI-GLOSS, <i>UNLESS INDICATED OTHERWISE ON INT ELEV</i>	SHERWIN WILLIAMS (1 800 4 SHERWIN)	SEE COLOR LIST ON SHEET A601
PT-04	PAINT / MASONRY	EXPOSED MASONRY AND CONCRETE	PRIMER: SHERWIN WILLIAMS LOXON CONCRETE/MASONRY PRIMER/SEALER TOPCOAT: SHERWIN WILLIAMS LOXON ACRYLLIC COATING (2 CTS.)		COLOR VARIES TYP SHEEN = SEMI-GLOSS, <i>UNLESS INDICATED OTHERWISE ON INT ELEV</i>	SHERWIN WILLIAMS (1 800 4 SHERWIN)	
PT-05	PAINT / GYP BOARD (WET AREAS)	GYPSUM BOARD WALLS & CEILINGS IN WET LOCATIONS SUCH AS BATHROOMS & FOOD PREP	PRIMER: TBD TOPCOAT: SHERWIN WILLIAMS PRO-INDUSTRIAL PRE-CATALYZED WATER BASED EPOXY (2 CTS. MIN.)		COLOR VARIES SHEEN ON WALLS & CEILING = EGGSHELL	SHERWIN WILLIAMS (1 800 4 SHERWIN)	USE EPOXY PAINT W/ IN 2' OF PLUMBING FIXTURES & IN COMPLIANCE W/ MDA GUIDELINES FOR FOOD PREP AREAS
QZ-01	MANUFACT. QUARTZ	BAR & BACK OF BAR	SOLID MANUFACTURED QUARTZ, CALACATTA NUVO, STRAIGHT SQUARE EDGE	3CM THICK	POLISHED	DIAMOND GRANITE ATTN: LESLIE: 586-228-7914	
SS-01	STAINLESS STEEL / COUNTERTOP	PIZZA KITCHEN					
TL-01	TILE / WALL TILE	WALL BEHIND BAR	DALTILE BRICKWORK 4X8 FIELD TILE, RUNNING BOND (BRICK JOINT) PATTERN AS DRAWN; COLOR: STUDIO #BW01	4'X8" FIELD TILE	STUDIO #BW01 W/ MAPEI PEWTER #02 GROUT	DALTILE	
TL-02	TILE / WALL TILE	RESTROOM WALLS	DALTILE RITTENHOUSE SQ. GLAZED CERAMIC TILE, RUNNING BOND (BRICK JOINT) PATTERN AS DRAWN	3'X6" WALL TILE + MISC. TRIM TILE	MATTE ARCH GRAY #0709 W/ MAPEI SAHARA BEIGE #11 GROUT	DALTILE	PROVIDE BULLNOSE & COVE BASE TILE AS REQ.
TL-03	TILE / MISC. TILE	FOOT REST @ BAR	HEX PORCELAIN MOSAIC, MATTE BLACK	2"X2" HEX	MATTE BLACK W/ MAPEI BLACK #10 GROUT	N/A; CONTRACTOR TO PROVIDE SAMPLE 4 REVIEW	PROVIDE SCHLUTER JOLLY @ OUTSIDE CORNERS
VB-01	VINYL BASE	BELOW WINDOWS @ 111 HENRIETTA	ROPPE VINYL COVE BASE	1/8" TH. X 4" H	BLACK #####?	ROPPE OR EQUAL PH: 800.537.9527	
WD-01	WOOD / BASEBOARD	THROUGHOUT, SEE INT. ELEV.	SOLID WD., SMOOTH POPLAR; PRIMED & PAINTED	1X4, 1X6, & 1X8 SEE INT. ELEV.	PAINT COLOR = SAME AS WALL; SEE INT. ELEV		
WD-02	WOOD / CASING	THROUGHOUT, SEE INT. ELEV.	SOLID WD., SMOOTH POPLAR; PRIMED & PAINTED	1X3 SEE INT. ELEV.	PAINT COLOR = SAME AS WALL; SEE INT. ELEV		
WD-03	WOOD / WAINSCOTTING	MULTIPLE LOCATIONS, SEE INT. ELEV.	SOLID WD., SMOOTH POPLAR; PRIMED & PAINTED	1X2, 1X3, & 1X4 SEE INT. ELEV.			
WD-04	WOOD / 1X1 BATTENS	SOUTHERN MOST WALL @ 111 HENRIETTA	SOLID WD., SMOOTH POPLAR; PRIMED & PAINTED	1X1			
WD-05	WOOD / COUNTER TOP	POLE MOUNTED COUNTERS	HD. WOOD VENEER PLYWD. COUNTER & EDGE BAND, FINISHED W/ MINWAX WATER BASED WD. STAIN, & MASTER CLEAR SUPREME ACRYLIC POLY CLEAR COAT	1-1/2" THICK	STAIN COLOR: TBD SEALANT SHEEN: MATTE	N/A; CONTRACTOR TO PROVIDE SAMPLE 4 REVIEW	
WD-06	WOOD / COUNTER TOP	PIZZA COUNTER	SOLID WOOD BUTCHER BLOCK COUNTER, FINISHED W/ TUNG OIL SEALANT OR APPROVED EQUAL	3" THICK		MICHIGAN MAPLE BLOCK CO.	
WD-07	WOOD / SHELVING	BACK OF BAR	SOLID WD., RECLAIMED LUMBER			N/A; CONTRACTOR TO PROVIDE SAMPLE 4 REVIEW	

NOTES

- MISC.**
- INSTALL ALL MATERIALS AND FINISHES ACCORDING TO MANUFACTURER'S INSTRUCTIONS
 - CONTRACTOR TO SUBMIT SAMPLES OR CUTSHEETS OF EACH FINISH FOR OWNER / ARCHITECT APPROVAL
 - REFER TO PLANS AND INTERIOR ELEVATIONS FOR EXTENTS OF ALL FINISHES
 - FINISHES MARKED "MDA APPROVED FINISH" MUST COMPLY WITH THE MICHIGAN DEPARTMENT OF AGRICULTURE AND THEIR DOCUMENT OF GUIDELINES FOR FINISHES IN COMMERCIAL RESTAURANT SPACES.
- PAINT**
- REFER TO INTERIOR ELEVATIONS ON 400 SERIES SHEETS FOR WHERE TO APPLY PAINTS
 - DO NOT MATCH SPECIFIED PAINT COLORS WITH ANOTHER MANUFACTURER'S PRODUCT. ANY SUBSTITUTIONS MUST BE APPROVED BY ARCHITECT AHEAD OF TIME
 - SURFACE PREPARATION OF INTERIOR DRYWALL: MUST BE CLEAN AND DRY. ALL NAIL HEADS MUST BE SET AND SPACKLED. JOINTS MUST BE TAPED AND COVERED WITH JOINT COMPOUND. JOINTS AND SPACKLED NAIL HEADS MUST BE SANDED SMOOTH AND ALL DUST REMOVED PRIOR TO PAINTING.
 - SURFACE PREPARATION OF INTERIOR WOOD: ALL FINISHING LUMBER AND FLOORING MUST BE STORED IN DRY WARM ROOMS TO PREVENT ABSORPTION OF MOISTURE, SHRINKAGE AND ROUGHENING OF WOOD. ALL SURFACES MUST BE SANDED SMOOTH, WITH THE GRAIN, NEVER ACROSS IT. SURFACE BLEMISHES MUST BE CORRECTED AND THE AREA CLEANED OF DUST BEFORE COATING.
 - SURFACE PREPARATION OF PREVIOUSLY PAINTED SURFACES: ALL SURFACE CONTAMINATION MUST BE REMOVED TO ASSURE SOUND BONDING TO THE TIGHTLY ADHERING OLD PAINT. WASH AND SAND TO CLEAN AND DULL SURFACE. CHECK COMPATIBILITY OF PRIMER WITH EXISTING COATING, PRIOR TO PAINTING.
 - PRIMING: ALL SURFACES TO BE PAINTED SHALL BE PRIMED WITH A LOW VOC PRIMER APPLICABLE TO THE SUBSTRATE. WOOD ITEMS INCLUDING TRIM, CABINETRY, AND WALL SHEATHING SHALL BE PRIMED ON ALL SIDES TO PREVENT WARPING.

PROJECT TITLE:

BROOKLYN
PIZZA
EXPANSION

Birmingham, Michigan

Location
111 Henrietta St. &
195 W. Maple
Birmingham, MI 48009

contact / owner
Hani "Sam" Abdelfatah

ARCHITECT:

D MET design
architecture studio

Midtown Detroit
15 E. Kirby, suite 103
Detroit, MI 48202

phone
313.401.5181

contact
Joel T. Schmidt, RA
dmetdesign@gmail.com

www.dmetdesign.com

CONSULTANTS:

ISSUED FOR:

BID DOCUMENTS OCT 31, 2019

STAMP:

SHEET NAME:

MATERIALS &
FINISHES
SCHEDULE

SHEET NO.

A601

MAPLE ROAD

~~ADJACENT BUILDING~~

BROOKLYN PIZZA

**PUBLIC
ALLEY**

HENRIETTA STREET

PHOTOMETRIC ANALYSIS

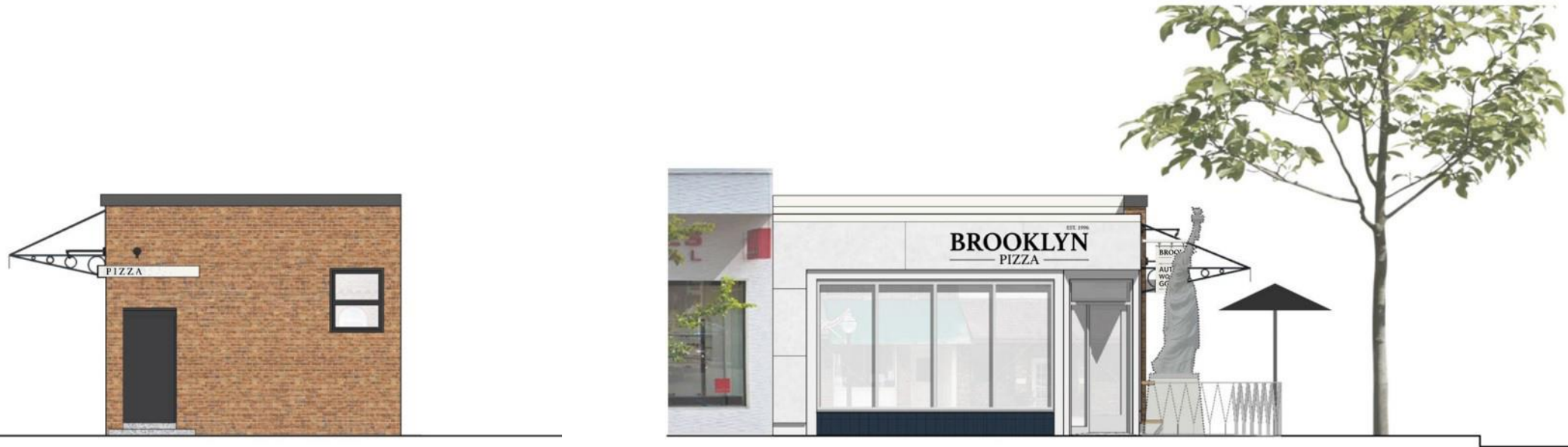
SCALE: NTS



Building Façades – Colored Exterior Elevations

Paint Scheme / Color Palette

- 
 Sherwin-Williams
High Reflective White SW 7757
 RGB: 247 247 241
- 
 Sherwin-Williams
Ceiling Bright White SW 7007
 RGB: 233 235 231
- 
 Sherwin-Williams
Caviar SW 6990
 RGB: 49 48 49
- 
 Sherwin-Williams
Honorable Blue SW 6811
 RGB: 22 69 118
- 
 Sherwin-Williams
In the Navy SW 9178
 RGB: 40 56 73



South Elevation (Public Alley)

North Elevation (Maple Road)



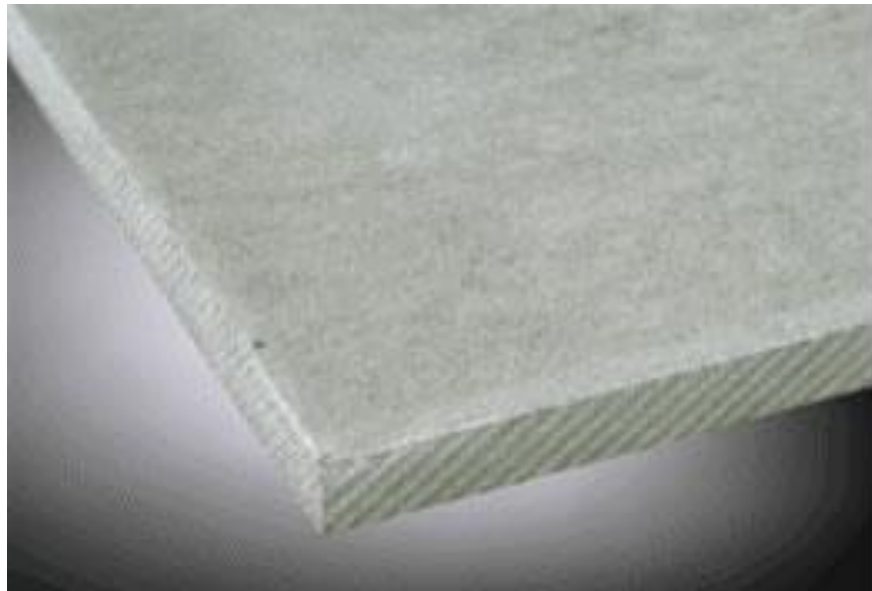
West Elevation (Henrietta Street)

Building Façades – Street View



View of new entrance

Building Façades - Material Samples + Miscellaneous Details



8mm Minerit HD Cement Fiber - Unpainted



Painted Cement Fiber Board Rainscreen/Siding



Clear Anodized Storefront Windows



Example of Overhead Bi-fold Window

Building Façades – The Use of Cement Fiber Board in Historic District



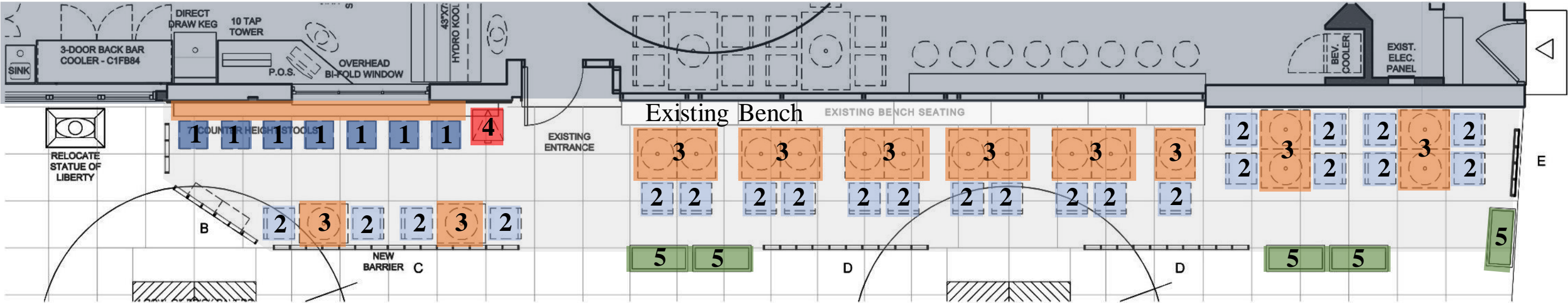
The use of cement fiber board in Detroit’s historic districts.

Description of proposed material: Cement fiber boards are a common replacement for stucco or plywood on building facades. It is composed of cement, silica (sand) and cellulous. The first two ingredients are the principal raw materials used to create stucco, while the later ingredient, cellulous, comes from wood. It has a similar appearance to some stucco finishes and when painted is equivalent to painted plywood but is vastly more durable than either.

Total # of Seats Outside = 41

- Tolix Brasserie Barstool = 7
- Tolix Brasserie Chair = 23
- Bench = 11+

Outdoor Patio – Patio Furniture



1 Tolix Brasserie Barstool



2 Tolix Brasserie Chair



3 Antique Oak Tabletop



3 Brushed Aluminum Tablebase

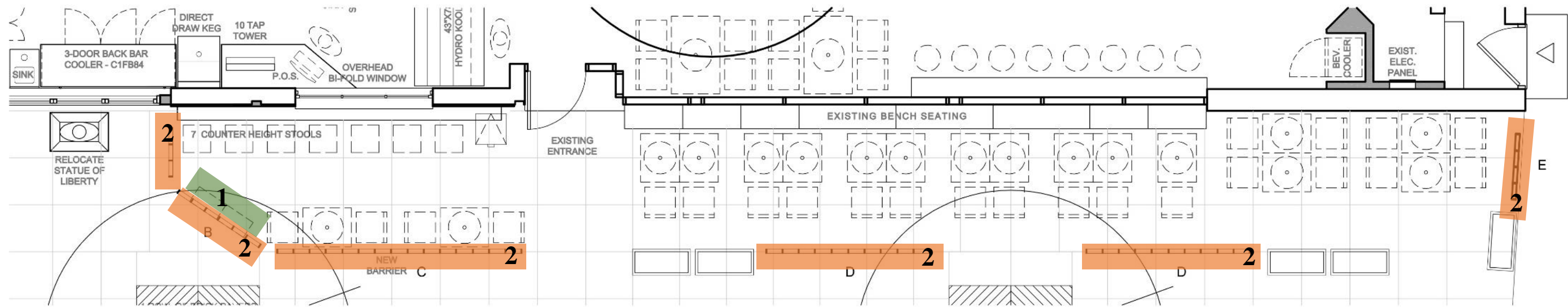


4 40-gallon Steel Trash Can



5 Black Fiberglass Planter

Proposed Renovation – Metal Railing

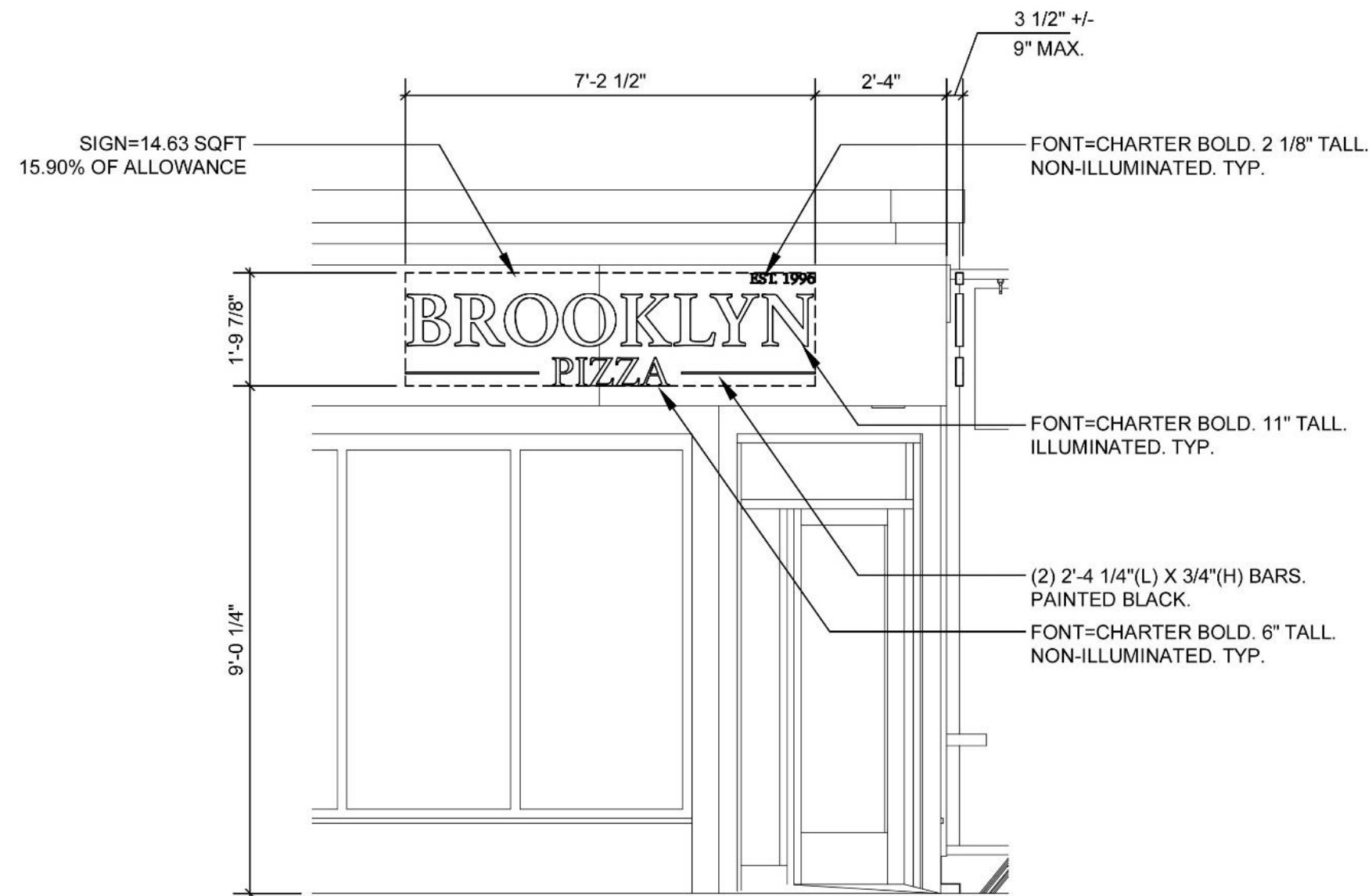


1 Clip-on Planter

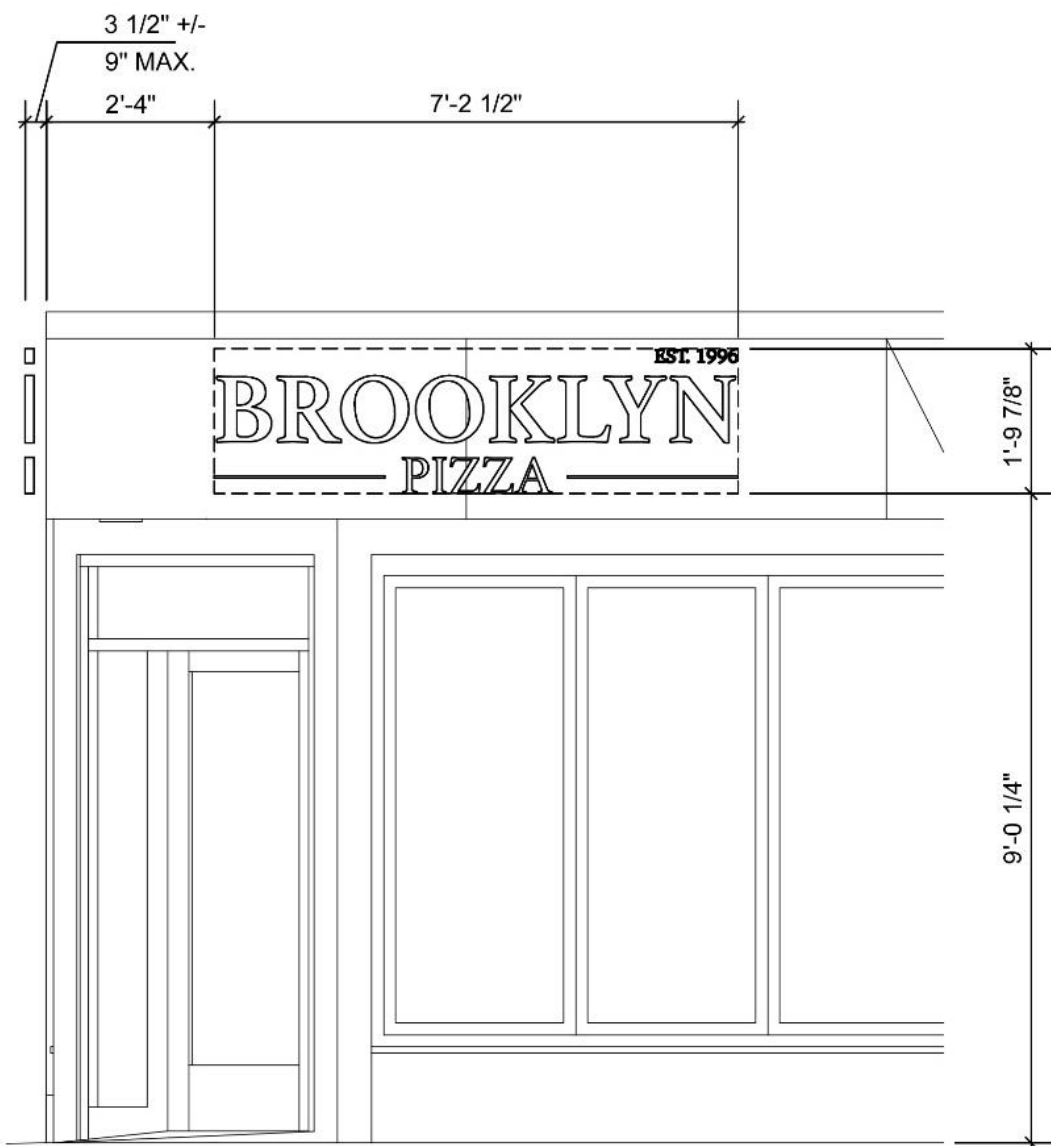


2 Metal Railing

Signage and Lighting – Wall Signs



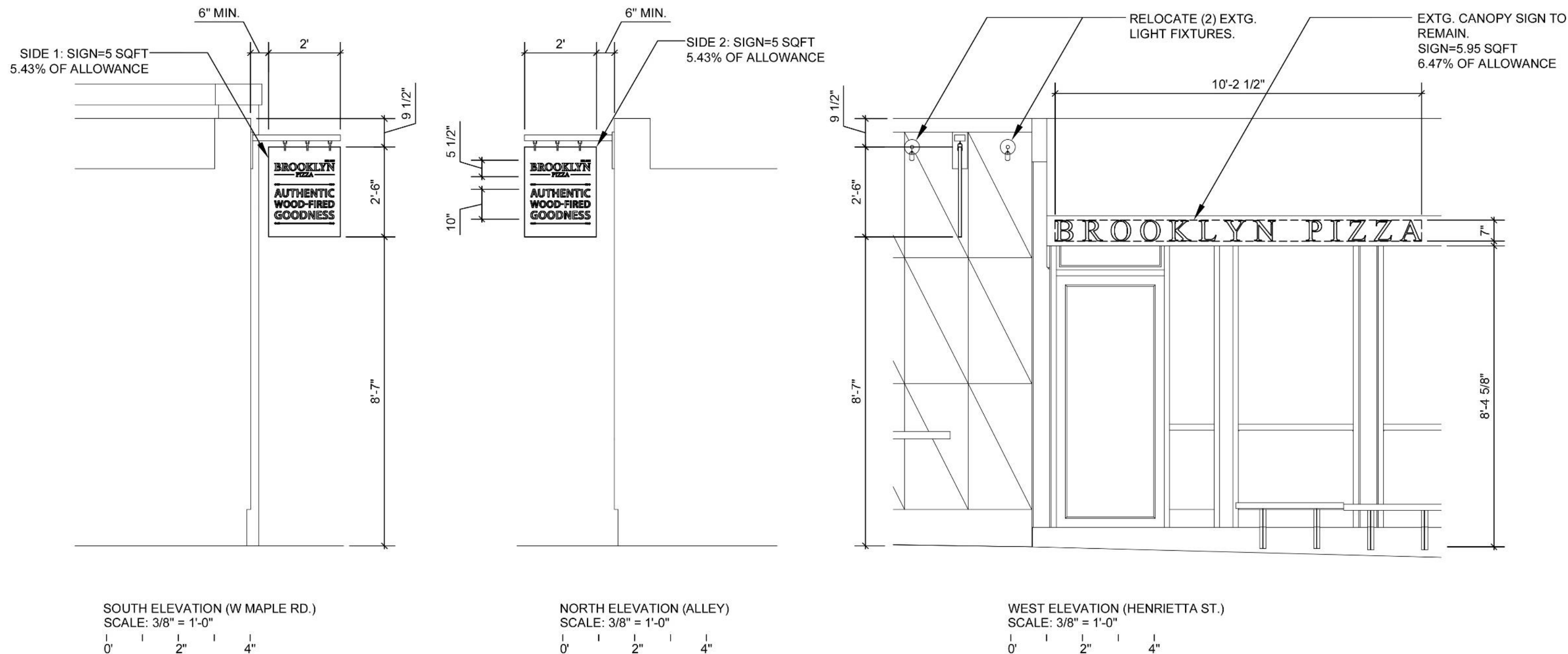
NORTH ELEVATION (W MAPLE RD.)
SCALE: 3/8" = 1'-0"
0' 1' 2' 4"



WEST ELEVATION (HENRIETTA ST.)
SCALE: 3/8" = 1'-0"
0' 1' 2' 4"

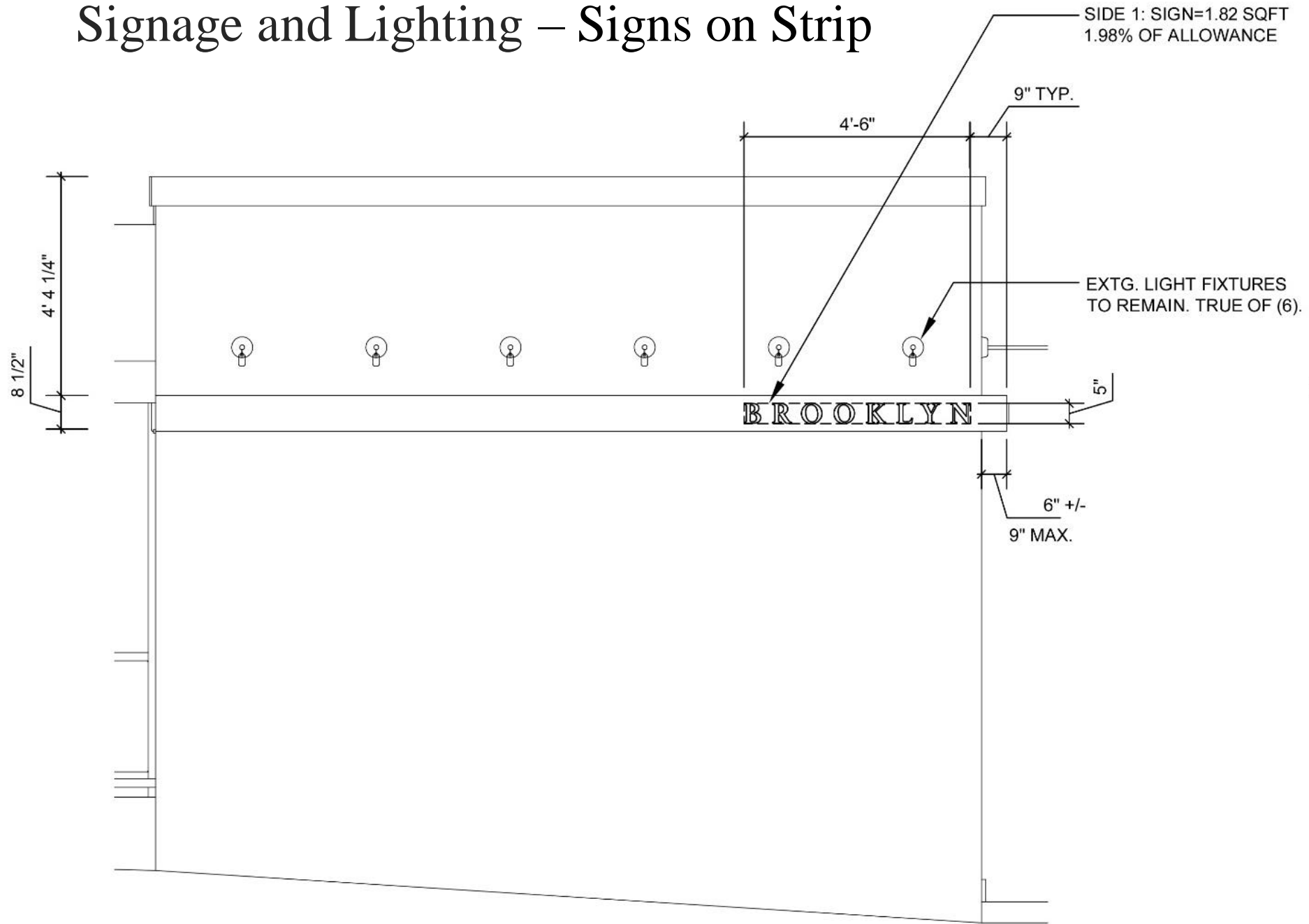
- NOTES:**
- ALL CHARACTERS TO BE METAL CHANNEL LETTERS PAINTED BLACK, AND PIN-MOUNTED TO BLDG. FACADE.
 - ILLUMINATED LETTERS SHOULD BE BACKLIT.

Signage and Lighting – Projecting Sign and Canopy Sign



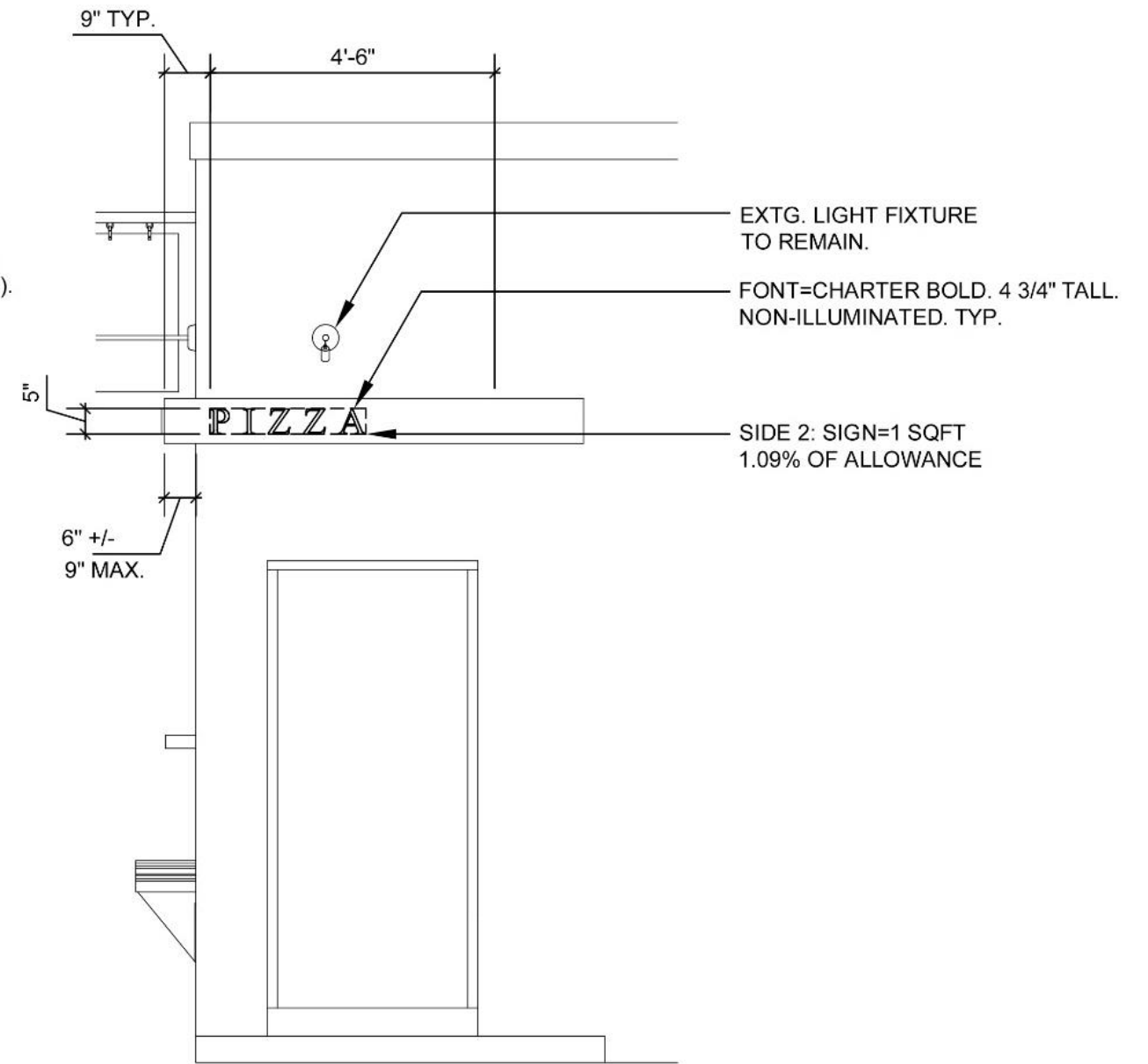
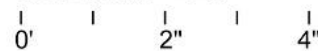
- NOTES:**
- DASHED BOUNDING BOX INDICATES THE MAXIMUM SQUAREFOOTAGE OF THE PROJECTING SIGN. ANY PROJECTING SIGN SMALLER IS ACCEPTABLE.
 - THE AREA OF BOTH SIDES IS TO BE COUNTED TOWARD THE TOTAL ALLOWANCE.
 - EXTG. CANOPY SIGN IS COMPLIANT TO CURRENT ORDINANCE.

Signage and Lighting – Signs on Strip



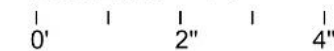
WEST ELEVATION (HENRIETTA ST.)

SCALE: 3/8" = 1'-0"



SOUTH ELEVATION (ALLEY)

SCALE: 3/8" = 1'-0"



NOTE:

- NEW (2) 8 1/2"(H) X 6"(D) WHITE METAL BOXES TO BE ATTACHED TO MASONRY WALL.
- ALL LETTERS SHALL BE 1/2" THICK ACRYLIC, PAINTED BLACK, AND INSTALLED ON THE BOXES USING ADHESIVE.

Signage and Lighting – Calculations

Type of Sign	Number	Dimension	Total Area (sqft)	% of Allowance
Wall Sign	2	7'-2 1/2"(W) × 1'-9 7/8"(H)	29.26	31.8%
Projecting Sign	2 (sides)	2'(W) × 2'-6"(H)	10	10.87%
Canopy Sign	1	10'-2 1/2"(W) × 7"(H)	5.95	6.47%
Sign on Stripe 1	1	4'-6" (W) × 5"(H)	1.82	1.98%
Sign on Stripe 2	1	2'-5 1/2" (W) × 5"(H)	1	1.09%
Total	7	-	48.03	52.21%



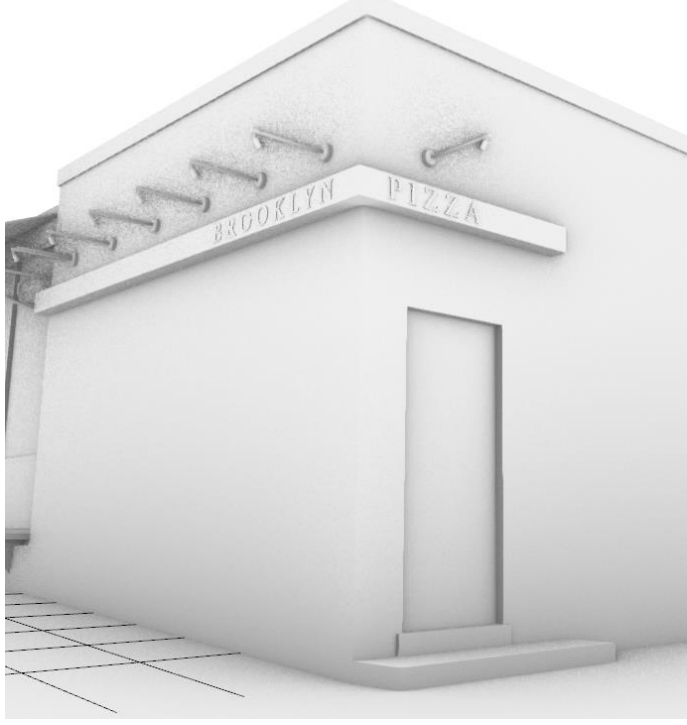
Wall Signs



Projecting Sign



Canopy Sign



Signs on Stripe

Signage and Lighting – New Building Lighting

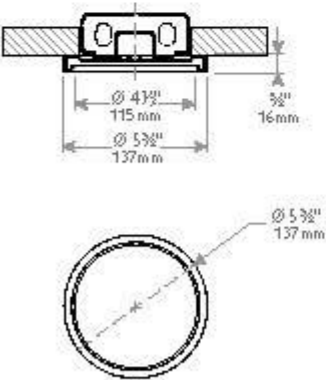
Round apertures

5", 7" and 10"

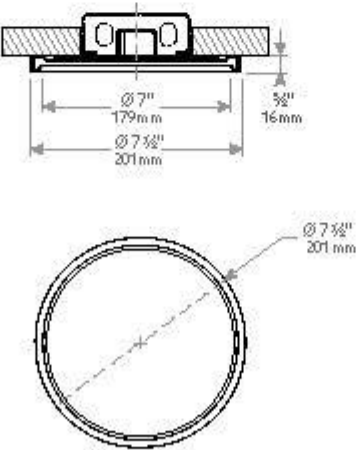
Now available in a 10" aperture with a high end, specification grade, metal trim. The SlimSurface 10" luminaire is also available in the same finishes as the 5" & 7" aperture's to provide a consistent trim style and match any design. This 2,200lm configuration provides a high amount of light to help illuminate larger spaces where smaller surface mount down lights can not perform effectively. SlimSurface is perfect for hallways, entry ways and even the traditional center-of-the-room installations.



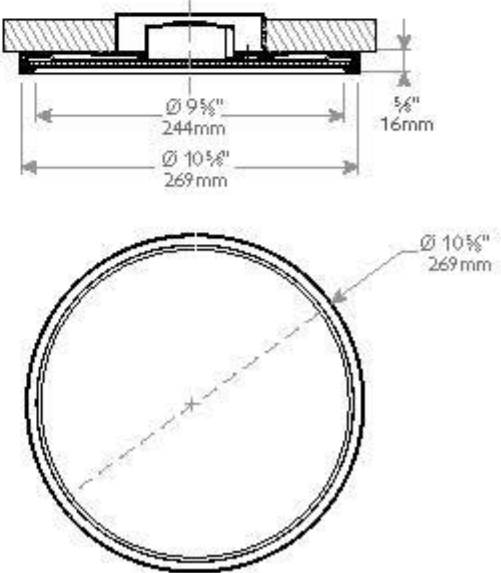
SlimSurface 5" round downlight



SlimSurface 7" round downlight



SlimSurface 10" round downlight



Ordering guide

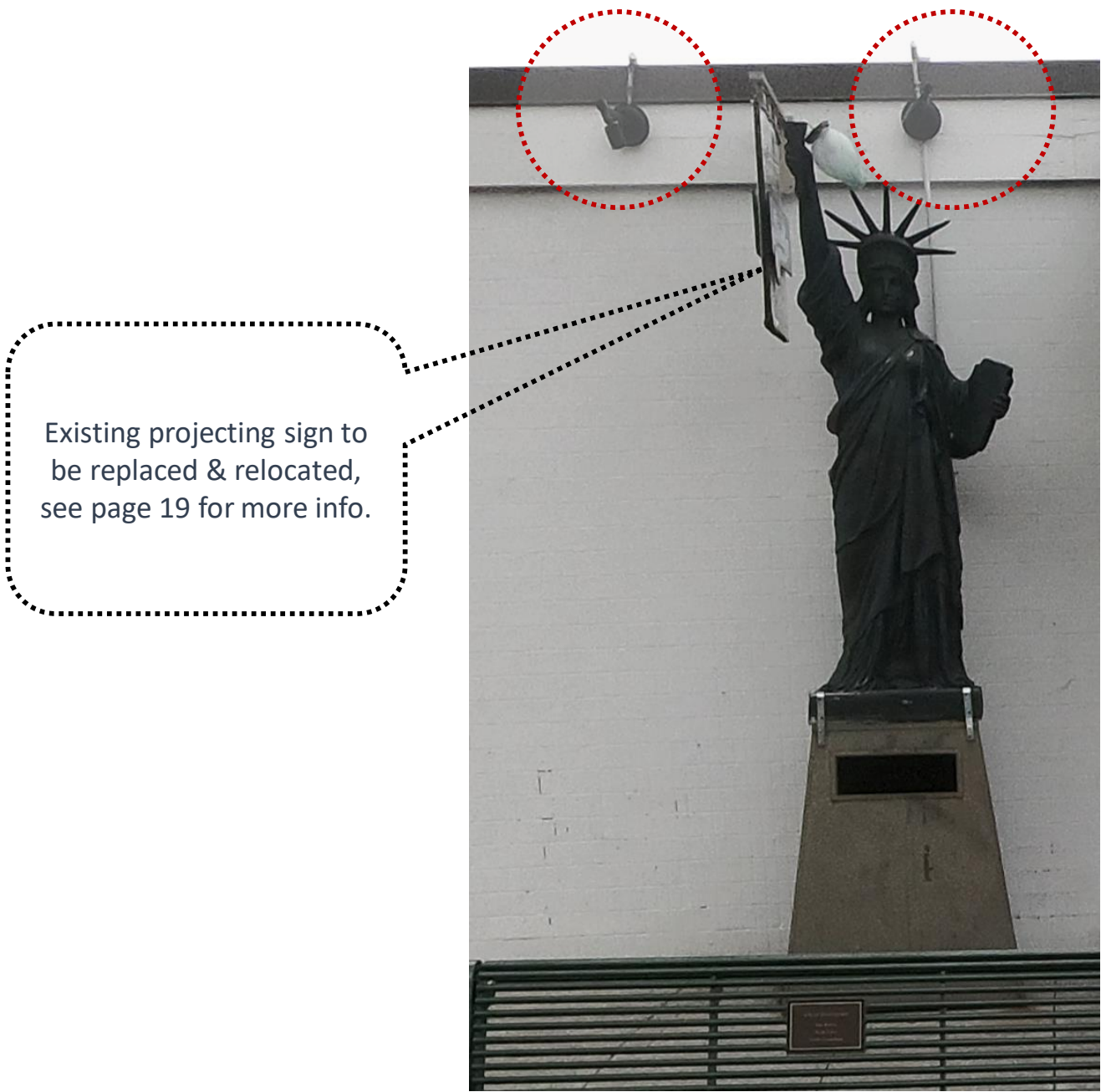
example: S5R890K7WH

Family	CRI / CCT	Lumens	Finish	Dimming
S5R SlimSurface 5" Round	827K 80 CRI / 2700K CCT	7 650lm (S5R only)	— White	— ELV / Triac (120V)
S7R SlimSurface 7" Round	830K 80 CRI / 3000K CCT	10 1000lm (S7R only)	AL Aluminum	
S10R SlimSurface 10" Round	835K 80 CRI / 3500K CCT	22 2200lm (S10R only)	BK Black	
	840K 80 CRI / 4000K CCT		MT Metallic*	
	927K 90 CRI / 2700K CCT		W White	Z10U 0-10V (120V-277V)
	930K 90 CRI / 3000K CCT		AL Aluminum	
			BK Black	
			MT Metallic*	

* Only available with 10" (S10R) configurations.

Project to include (1) 7" LED Downlight above Corner Entrance

Signage and Lighting – Replacement Lighting



Project to include (2) relocated/replaced existing sign lights @ refurbished/relocated projecting sign. Lighting fixtures shall match existing.



See what's possible™



Pure. Bright. Boundless.

Guardian UltraClear®

Low-Iron Glass



THE NEW NEUTRAL

Manufactured using a proprietary process, quality materials and dramatically low iron content, Guardian UltraClear® glass is noticeably more clear and color neutral than standard float glass.



WHAT WILL YOU CREATE?

Guardian UltraClear® glass substrate elevates the performance and aesthetics of a wide range of interior glass products—expanding the possibilities for your next project.

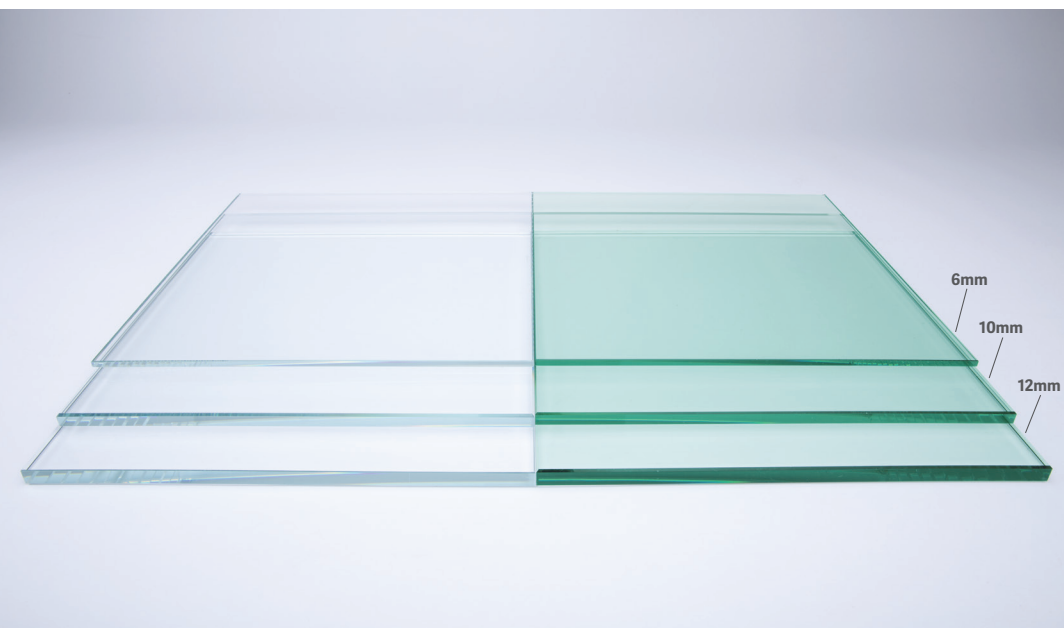
Laminated UltraClear glass preserves light transmission through laminated layers that add strength, security and sound control

SatinDeco® UltraClear glass provides translucence for privacy with light, in a neutral color

Mirror UltraClear glass improves the clarity and distortion-free qualities of mirrored glass

ShowerGuard® UltraClear glass resists corrosion while transmitting light and color-true views of bathroom design elements





Frameless enclosures, storefronts, surfaces and shelving call for strikingly clear edges. Guardian UltraClear® glass delivers. The green cast of standard glass is amplified at the edge as size and thickness increases. UltraClear glass significantly reduces this effect for a clear, neutral finish no matter the dimensions of your application.

UltraClear glass



Standard Clear glass



SIZES AND THICKNESSES

UltraClear glass is available in thicknesses from 2mm to 12mm. Maximum size is 130" x 204".

PROCESSING OPTIONS

Guardian UltraClear glass can be processed like any conventional float glass, including lamination, painting, cutting, bending, silk screening and tempering.





YOUR VISION. NOTHING ELSE.

Guardian UltraClear® low-iron float glass delivers maximum clarity and color neutrality—clear to the edge. Without the green tint of standard float glass, it elevates light transmission and presents views that are true to life.

Designers and architects choose UltraClear glass to flood interiors with natural light and create drama with spaces that feel bright, open and boundless. Applications are many, including frameless enclosures, walls and partitions, entranceways, display cases, tables, railings and more—anywhere neutral color and clarity count.



Guardian UltraClear® glass is a featured product from Guardian Glass, a complete offering of interior glass solutions.

Deco HT™ back-painted glass

Reveal® switchable privacy glass

ShowerGuard® shower protection

SatinDeco® acid-etched glass

Standard Textures textured glass

UltraMirror® corrosion resistant mirror

Berman Glass editions designer glass textures

Laminated options in color, safety and sound control

Float glass basic glass substrates

LEARN MORE

For specification details and availability, please contact your local sales representative, call 855.58.GLASS (855.584.5277) or visit GuardianGlass.com.



EXTERIOR ADVANTAGE

Guardian SunGuard energy saving architectural glass can also be enhanced with Guardian UltraClear float glass.

New possibilities include low-E glass that invites more natural light and looks more neutral, and Guardian Deco HT spandrel that shows true paint color through the glass.



See what's possible™



Guardian Glass is a leading international manufacturer of float, value-added coated, and fabricated glass products and solutions for architectural, residential, interior, transportation and technical glass applications. To learn more, visit GuardianGlass.com.

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New Project 258

Make-up Name	Make-up Icon	Visible Light			Ultraviolet	Solar Energy					Thermal Properties			Light to Solar Gain (LSG)
		Transmittance	Reflectance			Transmittance	Reflectance	Solar Heat Gain Coefficient (SHGC)	Shading Coefficient (sc)	Relative Heat Gain (RHG)	U-Value		R-Value Winter Night (hr-ft²·F/Btu)	
			Visible (τ _v %)	ρ _v % out	ρ _v % in						Trans UV (τ _{UV} %)	Solar (τ _e %)		
78/65 #2		81	13	13	54	66	22	0.68	0.78	160	0.31	0.30	3.2	1.2
78/65 #3		81	13	13	54	66	23	0.72	0.83	171	0.31	0.30	3.2	1.1

Calculation Standard: NFRC 2010

78/65 #2

Outdoors

GLASS 1	UltraClear™ (North America)		#1 -----
	Thickness = 1/4" (6mm)		#2 SunGuard® Neutral 78/65 (North America)
GAP 1		100% Air, 1/2" (12.7mm)	
GLASS 2	UltraClear™ (North America)		#3 -----
	Thickness = 1/4" (6mm)		#4 -----
Total Unit (Nominal) = 1 in			Slope = 90°
Estimated Nominal Glazing Weight: 5.75 lb/ft²			

Indoors

78/65 #3

Outdoors

GLASS 1	UltraClear™ (North America)		#1 -----
	Thickness = 1/4" (6mm)		#2 -----
GAP 1		100% Air, 1/2" (12.7mm)	
GLASS 2	UltraClear™ (North America)		#3 SunGuard® Neutral 78/65 (North America)
	Thickness = 1/4" (6mm)		#4 -----
Total Unit (Nominal) = 1 in			Slope = 90°
Estimated Nominal Glazing Weight: 5.75 lb/ft²			

Indoors

Important Notes

Calculations and terms in this report are based on NFRC 2010. The performance values shown above represent nominal values for the center of glass with no spacer system or framing.

Laminated products:

It is not guaranteed that modeled laminated configurations will be compliant with relevant laminated safety regulations unless specifically declared for Guardian products. It is the user's sole responsibility to assess if the final laminated product should be certified according to relevant standards and ensure compliance with laminated safety regulations.

Additional consequences for laminated glass with coating facing interlayer (due to contact between coating and interlayer) may include (not limited to): significant decrease of safety performance for some coating and interlayer combinations; loss of thermal insulation performance of surface facing the interlayer; noticeable color change; other performance deterioration.

Non-specular products (translucent or diffuse):

The performance measurement for non-specular (translucent or diffuse) materials such as translucent interlayers or acid etched glass surface, or surface with ceramic frit is limited by the current experimental technologies. Since measurements capture physically only a part of the resulting radiation, calculated performance results provided herein and based on such measurements are not compliant with any standard (including EN 410) and may only be used as a general reference. Actual values may vary significantly based upon exact fabrication process, as well as type, thickness and color of used non-specular material.

Please note that the Thermal Stress Guideline is only a general guide to the thermal safety of a glazing, and it is not a replacement for detailed thermal stress analysis.

Explanation of Terms

Visible Light Transmittance (Tv, %) is the percentage of incident light in the wavelength range of 380 nm to 780 nm that is transmitted by the glass.

Ultraviolet (UV) Transmittance (Tuv, %) is the percentage of the incident solar radiation transmitted by the glazing in the 300 nm to 380 nm range.

Solar Energy Direct Transmittance (Te, %) is the percentage of incident solar energy in the wavelength range of 300 nm to 2500 nm that is directly transmitted by the glass.

Visible Light Reflectance Outdoors/Indoor (Rv out/in, %) is the percentage of incident visible light directly reflected by the glass.

Solar Direct Reflectance Outdoors/Indoors (Re out/in, %) is the percentage of incident solar energy directly reflected by the glass.

Solar Energy Absorptance (Ae, %) is the percentage of the sun's energy that is absorbed by glass.

U-Value is the glazing parameter that characterizes the heat transfer through the central part of the glazing, i.e. without edge effects, and expresses the steady-state density of heat transfer rate per temperature difference between the environmental temperatures on each side. US Standard units are Btu/hr·ft²·F and SI / Metric units are W/m² K.

Relative Heat Gain (RHG) is the total net heat gain to the indoors due to both the air-to-air thermal conductance and the solar heat gain. US Standard units are Btu/hr·ft² and SI / Metric units are W/m².

Shading Coefficient (sc) is Solar Factor divided by 0.87. It is a measure of the solar heat gain referenced to 3 mm clear glass which has the designated value of 1.00.

Solar Heat Gain Coefficient (SHGC) is the sum of the solar direct transmittance and the secondary heat transfer factor of the glazing towards the inside, the latter resulting from heat transfer by convection and longwave IR-radiation of that part of the incident solar radiation which has been absorbed by the glazing.

Light-to-Solar Gain (LSG) is the ratio of visible light gain to solar gain. $LSG = (\text{Visible Transmittance}) / (\text{SHGC})$

Color Rendering Index in transmission, D65 (Ra) is the change in color of an object as a result of the light being transmitted by the glass.

Weighted Sound Reduction Index (Rw) is a single-number quantity which characterizes the airborne sound insulation of a material or building element over a range of frequencies.

Sound Transmission Class (STC) is a single-number quantity which characterizes the airborne sound insulation of a material or building element over a range of frequencies.

Disclaimer

This performance analysis is provided for the limited purpose of assisting the user in evaluating the performance of the glass products identified on this report.

Spectral data for products manufactured by Guardian reflect nominal values derived from typical production samples or CE Initial Type Testing and subject to variations due to manufacturing and calculation tolerances. Spectral data for products not manufactured by Guardian were derived from the LBNL International Glazing Database and have not been independently verified by Guardian. Guardian recommends a full-size mock-up be approved.

The values provided herein are generated according to established engineering practices and applicable calculation standards. Many factors may affect glazing characteristics, including glass size, building orientation, shading, wind speed, type of installation, production process and others. The applicability and results of the analysis are directly related to user inputs and any changes in actual conditions can have a significant effect on the results. It is the responsibility of the users of the analysis to ensure that the intended application is appropriate and complies with all relevant laws, regulations, standards, codes of practices, processing guidelines and other requirements. Guardian makes no guarantee that any glazing modeled herein is available from Guardian or any other manufacturer. The user has the responsibility to check with the manufacturer regarding availability of any glass type or make-up.

While Guardian has made a good faith effort to verify the reliability of the tools used for this analysis, they may contain unknown programming errors that could result in inaccurate results. The user assumes all risk relating to the results provided and is solely responsible for selection of appropriate products for user's application. Guardian makes no express or implied warranty of any kind with respect to the tools used by Guardian and this analysis. There are no warranties of merchantability, non-infringement or fitness for a particular purpose with respect to the tools used by Guardian and this analysis and no warranty shall be implied by operation of law or otherwise. The only warranties applicable to Guardian products are those separately provided in writing for each product. In no event shall Guardian be liable for direct, indirect, special, consequential or incidental damages of any kind relating to or resulting from use of Guardian tools and analyses.

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Program Version: 4.1.0.8542
Database Version: 20191023

Minerit HD

Home / Products / Raw / Minerit HD



Minerit HD Facade Boards

Minerit HD (Heavy Duty) **facade boards** are extremely well suited to both new buildings and the renovation of old buildings. Minerit HD is a safe construction material for facades, balconies and footings and for agricultural construction. It's smooth, natural gray and even-quality surface allows effective staining or painting. See the sealing requirements for more information.

Minerit HD is a Finnish product that is made of clean and non-hazardous raw materials. As a Finnish product, it is designed to withstand wear and extreme weather conditions of the north, such as major temperature and air humidity fluctuations. In addition, this facade board is non-combustible.

Available in 4 by 8 foot and 4 by 10 foot sheets, with a standard thickness ranging from ¼ to 3/8 of an inch



Specially developed for **exterior cladding**, this product is strong, durable facade board and able to withstand extreme climatic and working conditions. Its smooth, cement gray surface provides the perfect base for a variety of finishes and **composite panels**. Minerit HD is a natural material and variations may occur in individual boards and from board to board. Depending on the application, Minerit HD can be left uncoated or it must be sealed. When using Minerit HD for cladding in a rainscreen system, the panels must be sealed. In industrial applications where the surface appearance of the board is of less importance, the panels do not need to be but sealed but efflorescence will likely occur.



Applications Include

- › Exterior cladding
- › Sports and leisure centers
- › Agricultural buildings
- › Balconies
- › Production facilities
- › Prefabricated units
- › Stairways
- › Laminated panels
- › Squash courts
- › Fume hood liners
- › Mechanical screens
- › Interior Applications

* Exterior applications must be installed as a ventilated rain screen system. Please see the installation guidelines for additional information.





Sealing Requirements

Minerit HD

Minerit HD is a non-pigmented raw fiber cement board with no surface coating. It is an air-cured product that consists of Portland cement, mineral fillers, plastic and cellulose fibers. Minerit HD is an air cured product and by nature alkalic when fresh. It can be used in a variety of different applications including exterior wall cladding.

Minerit HD is a natural material and variations may occur in individual boards and from board to board. Depending on the application, Minerit HD can be left uncoated or it must be sealed.



Figure 1: Minerit HD – 8 mm sample

Uncoated Minerit HD

When Minerit HD is installed as is, with no coating/sealant, the fiber cement is likely to exhibit efflorescence and staining over extended periods of time depending on the type of exposure and climate conditions. Therefore, it cannot be installed in a rainscreen system without the use of a coating. Without a coating, the product will still structurally perform for the life of the building, but its appearance will alter over time. In industrial applications where the surface appearance of the board is of less importance, the panels do not need to be but sealed but efflorescence will likely occur.

Sealing Minerit HD

When using Minerit HD for cladding in a rainscreen system, the panels must be sealed, typically on all sides. They can be painted on-site with acrylic paint systems or transparent stains suitable for cement-based materials. If painting the surface of Minerit HD, refer to page two. All surface coating products must be alkali resistant. If a vapor permeable paint is used, then only the visible surface of the board can be coated. If a non-vapor permeable sealant or paint is used, all six sides of the panel must be sealed to prevent any moisture from entering. Even when sealed, Minerit HD still needs to be installed in accordance with AFCC's installation guidelines in order for the system to function properly.

**Effective 05/2019: Minerit HD must be installed with a coating when being used in a rainscreen system application.*



Painting Minerit HD Facade Boards on Site

Paints

It is recommended that the paint or sealant manufacturer is consulted to ensure their product is suitable on a fiber cement substrate. The paints must be alkali resistant; because of the surface of fresh Minerit HD is alkaline due to the free lime released by the hydration reactions of Portland cement. If coating the boards is to take place on site, the boards need to be totally dry and under cover in a dust free area.

Water based paints are suitable, especially **100% acrylic** type.

When you paint the boards on site, you need to apply the paint on the face side only provided that:

- The finished paint layer allows water vapor and carbon dioxide to travel through it. This is absolutely necessary, because the aging reactions of the board must proceed at the same speed on both sides of the board. Otherwise warping will occur.
- Every paint type and application system must be checked in advance for its permeability. The paint layer must not decrease the water vapor permeability of the board more than 40%.
- It is also advisable to check the adhesion of the paint to the surface of the board.

Other general rules in painting:

- The surface must be clean (beware of greasy gloves).
- The surface must be dry.
- Follow the temperature range recommendations of the paint producer; avoid temperatures below +5 degrees C or direct hot sunshine.

If the above parameters (water vapor and carbon dioxide permeability) cannot be determined and verified, then all six surfaces of the boards must be coated, painted and/or sealed in the same manner, with the same application of materials. This results in a “balanced” board with all six sides (faces and edges) in equilibrium.

Testing paints

Surface coating tests should be performed before applying the coatings to the entire project to ensure the painted product has adequate esthetical value and it is durable enough in the environment it is going to be installed.

- Make sure that the color and shade of the top layer paint stands.
- Make sure that the gloss of the paint either remains unchanged or ages elegantly.
- Test carefully the adhesion of the primer paint to the board surface and also the top layer adhesion to the primer paint.

AFCC will not accept responsibility of the paints/sealant or painting/sealing work. It is 100% up to the painting company to ensure that the paints, application methods and the painting process are suitable for Minerit boards and the paints selected.

**Effective 05/2019: Minerit HD must be installed with a coating when being used in a rainscreen system application.*

**Contact American Fiber Cement Corporation with any questions pertaining to painting or sealing.*

Cembrit Construction

Also known as Minerit HD (RAW)

Datasheet

Cembrit Construction is an untreated fibre cement board that allows the authentic appearance of the rough fibre-cement to stand out. In nature, Cembrit Construction is a building board which can be installed for cladding purposes, when a natural and rough expression is desired.

Cembrit Construction is a natural material and variations may occur in the individual boards and from board to board, adding a lively expression to your facade. Cembrit Construction is a high quality fibercement building board used as both a building board as well as a part of a ventilated facade solution.

Dimensions	Thickness	Width mm	Length mm
Size	6 mm	1200 1250	2500
Size	8 mm	1192 1200 1250	2500/3050 2500/3050 2500
Size	10 mm	1192 1200	3050

Standard sizes



Project sales



www.cembrit.com

Please visit the local website for contact details and further information.

Cembrit Construction

Dimension						
Thickness	mm	3.2	4.0	6.0	8.0	10.0
Tolerances (ref. EN 12467)						
Thickness	mm	±0.6	±0.6	±0.6	±0.8	±1.0
Length	mm	±3	±3	±3	±3	±3
Width	mm	±2	±2	±2	±2	±2
Physical properties						
Density, dry, average (EN 12467)	Kg/m ³	1800	1800	1800	1800	1800
Density, dry, minimum (EN 12467)	Kg/m ³	1550	1550	1550	1550	1550
Weight (Average incl. 5% moisture)	Kg/m ²	6.1	7.6	11.3	15.1	18.9
Mechanical properties (EN 12467)						
Bending modulus of elasticity						
Ambient E-module with grain	GPa	21	21	21	21	21
Ambient E-module across grain	GPa	20	20	20	20	20
Wet E-module with grain	GPa	13	13	13	13	13
Wet E-module across grain	GPa	9	9	9	9	9
Bending strength (EN 12467)						
Ambient with grain	MPa	26	26	26	26	26
Ambient across grain	MPa	22	22	22	22	22
Wet with grain	MPa	20	20	20	20	20
Wet across grain	MPa	15	15	15	15	15
Interlaminar bond						
Dry	MPa	-	-	min. 0.5	min. 0.5	min. 0.5
Impacts strength (Charpy)						
Ambient with grain	kJ/m ²	-	-	2.7	2.7	2.7
Ambient across grain	kJ/m ²	-	-	2.0	2.0	2.0
Thermal properties						
Coefficient of thermal expansion	mm/m °C	0.008	0.008	0.008	0.008	0.008
Temperature range	°C	max. 105	max. 105	max. 105	max. 105	max. 105
Frost resistance (EN 12467)	Cycles	>100	>100	>100	>100	>100
Thermal conductivity (ISO 8301, EN 12667)	λ ₁₀ W/(mK)	-	-	-	0.48	-

www.cembrit.com

Please visit the local website for contact details and further information.

Cembrit Construction

Hygrothermal properties						
Water absorption (wet over dry)	%	12.0	12.0	12.0	12.0	12.0
Wet-dry-wet (max)	mm/m	3	3	3	3	3
Water vapour transmission properties (EN 12572-C)						
Vapour transmission resistance (Z-value)	Gpa • m ² • s/kg	1.93	2.2	4.23	5.21	3.15
Vapour transmission resistance	s/m	14146	16130	31023	38185	23106
Vapour diffusion equivalent air layer thickness	Sd (m)	0.37	0.43	0.82	1.01	0.61
Vapour resistivity	MNs/(g • m)	596	522	653	651	307
Vapour resistance factor	μ	116	102	127	127	59.4
Vapour resistance	MNs/g	1.9	2.2	4.2	5.2	3.2
Vapour transmission	USPerm	9.1	8	4.1	3.4	5.6
Fire performance						
Reaction to fire	EN 13501	-	-	A2-s2, d0	A2-s1, d0	A2-s1, d0
ASTM E136	Flaming test	Pass	Pass	Pass	Pass	Pass
ASTM E84	Flame spread index	-	-	-	0	-
	Smoke development index	-	-	-	10	-
	Flame spread rating	-	-	-	0	-
CAN/ULC-S102-10	Smoke development classification	-	-	-	5	-
Other properties						
pH surface		11	11	11	11	11
Category, Class	EN 12467	NT A3 I	NT A3 I	NT A3 I	NT A3 I	NT A3 I

Cembrit Construction

Soft- and hard body impact resistance (ETAG 034, ISO 7892), 8 mm

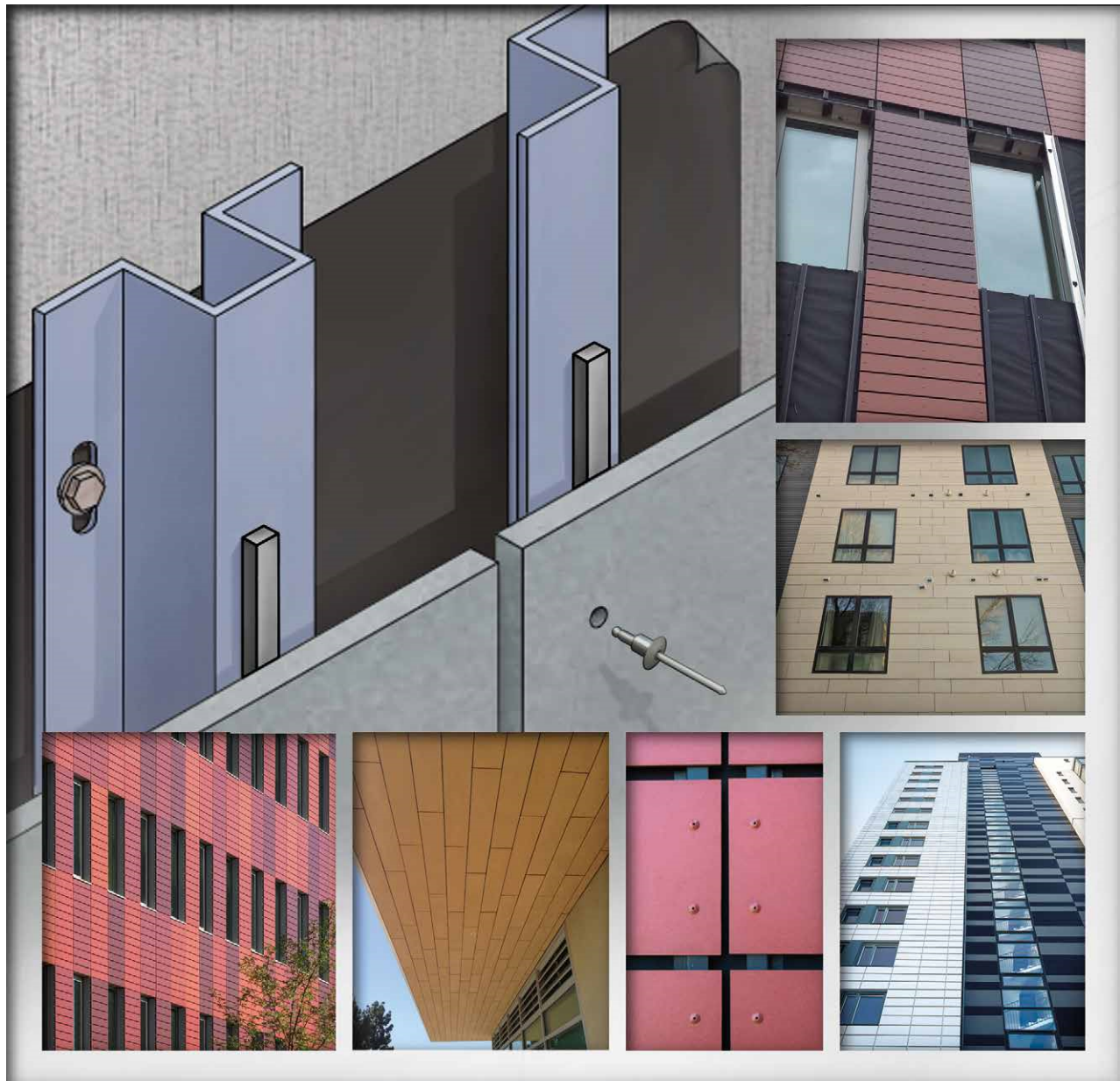
Type of impact	Energy	Category IV	Category III	Category II	Category I
Hard body	1 Joule	passed	-	-	-
	3 Joule	-	passed	passed	passed
	10 Joule	-	-	passed	passed
Soft body	10 Joule	passed	passed	-	-
	60 Joule	-	-	not passed	not passed
	300 Joule	-	-	not passed	-
	400 Joule	-	-	-	not passed

Soft- and hard body impact resistance (ETAG 034, ISO 7892), 10 mm

Type of impact	Energy	Category IV	Category III	Category II	Category I
Hard body	1 Joule	passed	-	-	-
	3 Joule	-	passed	passed	passed
	10 Joule	-	-	passed	passed
Soft body	10 Joule	passed	passed	-	-
	60 Joule	-	-	passed	passed
	300 Joule	-	-	not passed	-
	400 Joule	-	-	-	not passed

Steel Profiles with Rivets

Rainscreen Application — 8mm Panels



**American Fiber
Cement Corporation**

¹ These guidelines represent an **abbreviated illustration** for proper installation of Cembrit Cover, Patina, Solid and Transparent architectural panels in a ventilated rain screen application. Additional guidelines for interior applications, hidden adhesive attachment, sealing, and weather barrier attachment can be found at www.americanfibercement.com

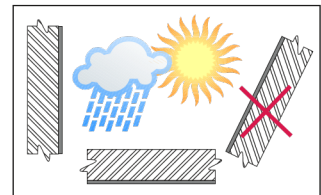
CEMBRIT



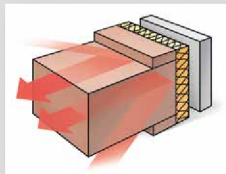
Note: The online copy of the Installation Guidelines obtained at www.americanfibercement.com supersedes any printed copy.

1. Air space at top and bottom of building or wall termination to be 20 mm ($\frac{3}{4}$ ") to facilitate airflow from out behind the panels. Do not block vertical airflow at windows, doors, eaves, or at the base of the building. Airflow needs to be continuous from bottom to top so there is air movement behind each panel. For walls over 60 feet high, the ventilated cavity between rear of panels and exterior wall should be increased to 30 mm ($1\frac{1}{4}$ "). Vertical air flow behind the fiber cement panels is a critical necessity in rainscreen constructions.
2. A metal drip edge may be used at window heads, door heads and the panel base, but it must not restrict airflow ($\frac{3}{4}$ ").
3. Install panels from top of building to bottom.
4. For straight walls, start panel installation in center and work outward.
5. For walls with inside corners, start installation there and work across wall.
6. Jobsite storage:
 - Keep material laying flat, under cover, dry and protected with a waterproof tarp.
 - Transport material on edge.
 - Using a microfiber cloth, brush off any material dust generated by drilling or cutting prior to installation.
 - Do not use the shipping crates or pallets containing the fiber cement panels as a work surface. Keep panels dust-free.
7. For field cuts and drilling, use carbide or diamond blades/bits and slower turning/feed rates. AFCC offers saw blades and drill bits.
8. All Cover, Solid and Transparent field-cut edges and field-drilled holes must be sealed with Cembrit Edge Sealer. See Cembrit Edge Sealer Instructions found on AFCC's website for more information.

Panels exposed to weather
(rain, sun) may only be assembled vertically. Soffit applications not exposed to weather are allowed.

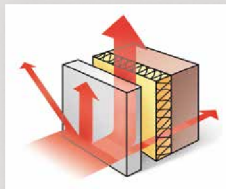


Rainscreen Cladding



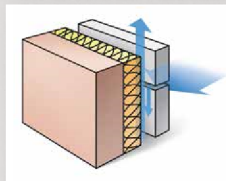
Preventing thermal bridges

As the insulating material is on the outside of the structural wall, it can easily be mounted without interruptions caused by floor slabs. In this way, any thermal bridges that occur at each floor slab can be prevented. These thermal bridges are also the cause of surface condensation that may result in fungus growth.



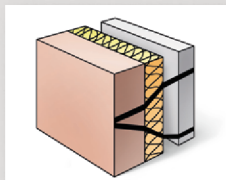
Dissipating heat from the sun

The ventilated rainscreen cladding system has a cooling effect when temperatures outside are high. Most of the sun's rays are reflected away from the building. Heat passing through the exterior wall panel is partially dissipated by the ventilating effect of the air space between the exterior cladding panel and the structural wall. Any residual heat managing to penetrate buildings is very minor.



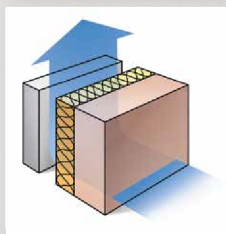
Rainscreen

Architectural wall-cladding panels act as a rainscreen on the outside of the building and keep the structural wall absolutely dry. The air space connected to the outside air evacuates water and humidity that might have penetrated behind the wall-cladding panels through its horizontal or vertical joints. This water will never reach the load-bearing wall and/or the thermal insulation.



Protecting the basic structure and load-bearing wall against temperature variations

In view of the fact that the insulation material is applied to the outside of the building, changes in temperature are very minor compared with those found in conventional constructions where insulation is applied on the interior. This principle works in summer and winter in both hot and cold climates.



Prevention of internal condensation

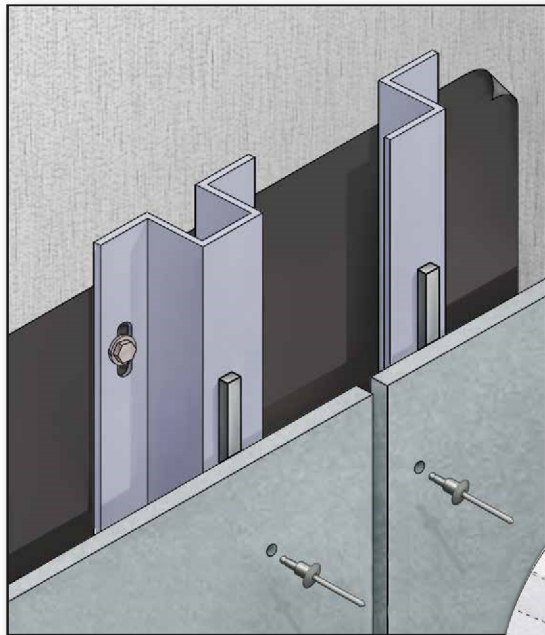
Insulation material can be applied to the outside of the structural wall because it is protected effectively by the architectural exterior wall panel. Because of differences in vapor pressure and temperature passing through the wall, condensation has been shown to occur close to the ventilated area and not in the structural wall itself. As a result, the ventilating effect is easily sufficient to dry out the thermal insulating material.

Profile Attachment — illustrated

For wall assemblies utilizing exterior sheathing with low screw holding strength, a two-layer attachment system may be required. (See FIG. D-1B)

FIG. D-1A —

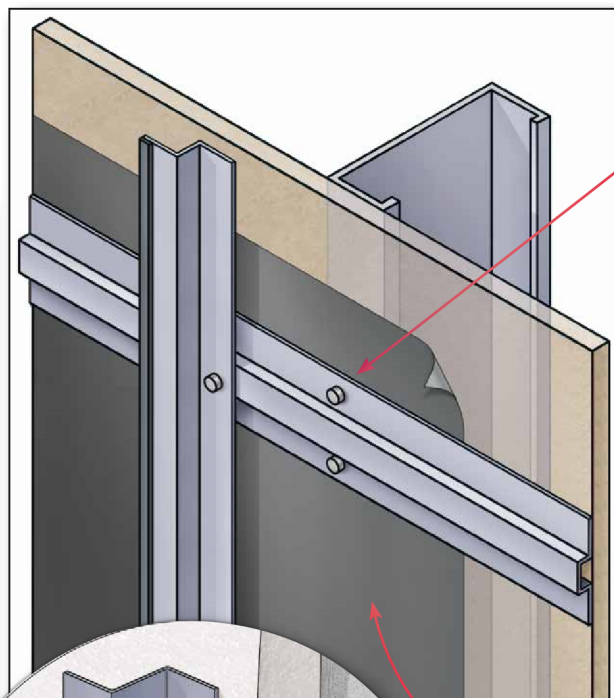
Vertical profiles are typically “Z” channels or “Hat” channels.



Hat channel can be attached with the crown facing in or out, depending on fastener spacing and the visibility of the profile through the joint.

FIG. D-1B

Building wrap per AFCC. Weather and UV resistant. Check local codes for proper placement.



Horizontal member fastened into studs

Options for building wrap placement

FIG. D-2 —

Exterior insulation, when vertical profiles are attached to horizontal profiles affixed to wall.

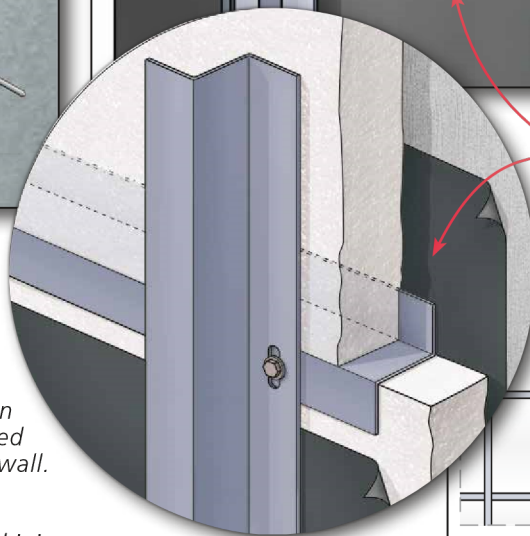
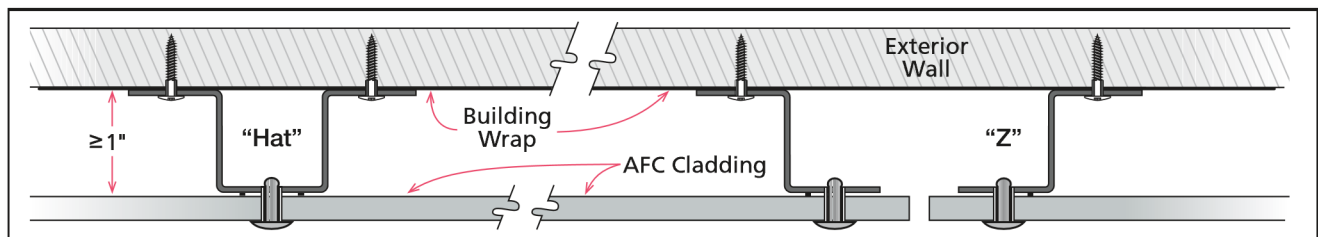


FIG. J — “Hat” or “Z” channels and vertical joint.
(G90 and Powder Coated “Z” channels offered by AFCC.)



Can be affixed vertically directly to wall if there is no exterior insulation (provided sheathing has adequate screw-holding strength; 3/4" plywood sheathing is recommended).

FIG. H — Astro Rivet® with fixed cylinder

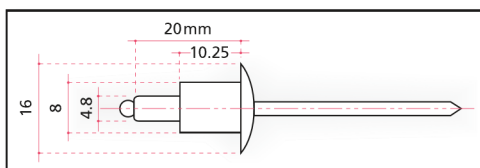
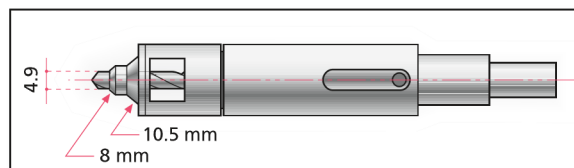


FIG. I — Centralizing drill bit



For centering pilot hole in profile for **Fixed Points** and **Gliding Points**.

Building/Structure

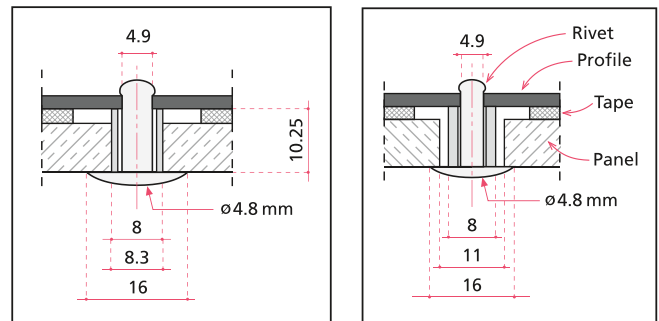
1. **Architect/Engineer/Contractor to design and build structurally sound, water-tight exterior wall. Special care should be given to building location, building height, and maximum actual wind loads.**
2. **Attach profiles to exterior walls. Structural engineer to determine fastening/affixing specification,** i.e. quantity and type of attachment and fasteners, based upon exterior wall construction. Attachment must support 3.2 lbs/ft² (8 mm panel) dead load plus design wind loads. Fasteners in profile must accommodate thermal expansion/contraction of metal and not interfere with panel application. Shortening the length of the profiles can minimize thermal expansion and contraction. It is also recommended to oversize holes at near the tops and bottoms of the profiles while having fixed points near the center. This reduces stress in the panels.
3. Profiles for affixing panels to be a minimum of 16 gauge steel or greater, determined by building orientation/location and load factors. Depending on location and climate, a minimum of G90 or greater hot-dipped galvanized coating is recommended. Galvalume® and powder coat finishes may also be used.
4. Profiles for affixing panels need to provide the following airspace depths between the back of the panel and the exterior wall:
 - 19 mm (¾") for panel runs 0–15 ft
 - 25 mm (1") for panel runs 15–60 ft
 - 32 mm (1¼") for panel runs 60–100 ft
 - 38 mm (1½") for panel runs 100–150 ft

For buildings over 150 feet high, special provisions are required; check with your AFC Cladding representative.
5. Profile width at vertical joints to be ≥ 120 mm (4¾"), and interior center profile width to be ≥ 32 mm (1¼") or greater, to allow tolerances in alignment. Maximum length of steel profile ≤ 12 feet. Two

narrower profiles ("Hat" or "Z" $\geq 1\frac{1}{4}$ ") may be used in place of one wide profile at vertical joints. Panel can be cantilevered 1½"–6" over edge profile so vertical joint is open. (See FIG. C)

6. Profiles to be straight, plumb, level and aligned correctly on the building. **For installations without exterior insulation, the steel profiles are typically hat-channels or Z-channels affixed directly to the exterior wall, provided the sheathing has adequate screw holding strength.** (See FIG. J)
7. **It is recommended to take field measurements before panels are cut or drilled.** Field measurements verify print dimensions to ensure proper fit.
8. Spacing between vertical profiles to be ≥ 20 mm (¾"). A joint between the vertical profiles must **always** coincide with a joint between the panels (FIG. A). The joint is preferably continued at the same horizontal height among adjacent profiles. (Reduces stress in panels).
9. For structures with **exterior insulation**, follow the insulation manufacturer's installation instructions. Horizontal metal profiles (the same depth as the exterior insulation) can be attached to the exterior wall. Vertical metal profiles are then attached to the horizontal profiles (See FIG. D-2).

FIG. E — Fixed and Gliding Points



Fixed Point — cylinder & rivet

Gliding Point — cylinder & rivet

FIG. A

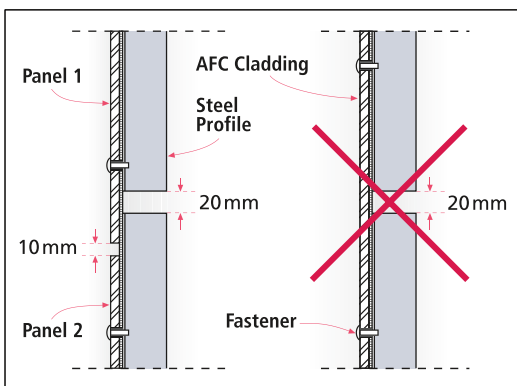


FIG. B —

Interior profile.

Affix adhesive foam tape to either **or** both sides of rivet. (Foam tape will compress to correct depth when panel is fastened.)

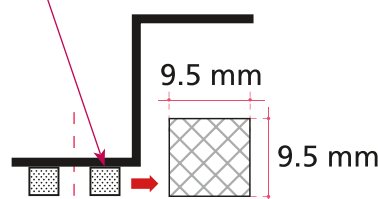
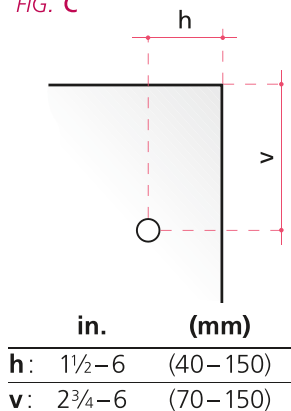


FIG. C

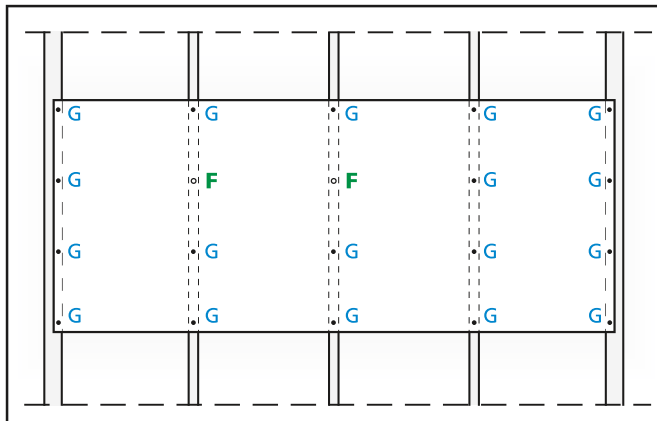


Prepare Profile

1. Typical vertical and horizontal joints are left open and have a black background (use a black weather and UV resistant building wrap). Metal profiles visible at joint openings (vertical and horizontal) can be covered with a black UV weather resistant tape or UV weather resistant coating. Other reveal colors are possible if desired.
2. Affix adhesive foam tape (supplied by AFCC) to the profile's full length — 1 strip on either side of the rivet location or 1 strip on each side of the rivet location. At vertical joints, place 1 strip on the panels center side of the rivet location. (See **FIG. B**)
3. Horizontal and vertical joints can be closed with profiles (21 gauge or less) if desired.

Panels

1. Panels to be Patina, Solid, Transparent or Cover.
 - Patina panels have a sanding grain that must be accounted for when positioning panels. Rotating some panels 90° from the orientation of adjacent panels can result in the appearance of color shading.
2. Vertical and horizontal joints to be 10 mm ($\frac{3}{8}$ "). This is the minimum distance between the edges of two adjacent panels, or the distance from panel edge to metal trim extrusions or structural members. (See **FIG. A**)
3. Pre-drill holes in panel so that there are: (See **FIGS. E, F & G**)
 - Two (2) **fixed points** per panel (**F**).
 - The rest of the holes are to be **gliding points** (**G**).
 - See **Fixing** section (and **FIGS. F & G**) for determining location of fixed points in each panel.
4. Diameter of the fixed point hole is to be 8.3 mm ($\frac{21}{64}$ ").
5. Diameter of the gliding point hole is to be 11 mm ($\frac{7}{16}$ ").
6. Joints between profiles must coincide with horizontal joints in the panels. **Panels cannot bridge a break in the profiles.** (See **FIG. A**)
7. **The pilot hole in metal profile must be in the center of both the fixed point and gliding point holes.** Use a drill bit centralizing fixture (supplied by AFCC) to accomplish this geometry. Pilot hole to be 4.9 mm in diameter — use #10 drill bit (4.9149 mm). (See **FIG. I**)
8. After first affixing the two fixed-point rivets, work from the top of the panel to the bottom to avoid damage to the panel.



▼ **FIG. G** — Horizontal installation on vertical profiles

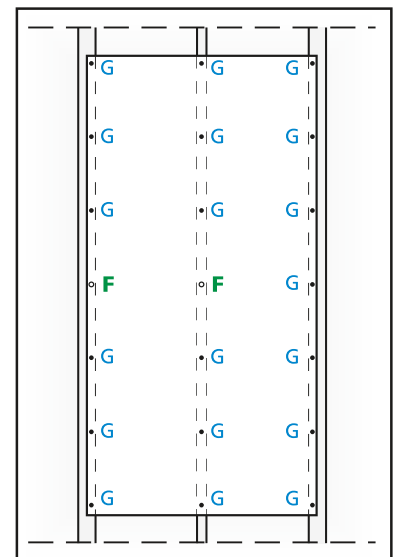
Fixing

1. Rivets to be Astro Rivet (supplied by AFCC) with colored or stainless steel head with 8 mm x 11.1 mm cylinder. Shank of rivet is 4.8 mm x 20 mm long, with a 16 mm diameter head. (See **FIG. H**)
2. Fixing pattern is typically either 16" or 24" on center horizontally (based upon metal profile spacing) and 16" to 24" on center vertically, depending upon building height, building location, design criteria/specifications, and panel/fastener location on building. Edge areas on facades and high wind load conditions require closer fixing distances. Structural engineer to determine spacings. For soffit applications, the maximum fastener spacing is 16" on center in both directions.
3. Corner rivets to be located at 40 – 150 mm horizontally and 70 – 150 mm down/up vertically from each corner of panel. (**FIG. C**)
4. 10 mm ($\frac{3}{8}$ ") clearance is required from the edge of metal profile to pilot hole for rivet.
5. Two **fixed points** are required per panel. (**FIGS. I & J**)

Fixed points (for attachment to vertical profiles) are:

- Always the same height in each panel.
- As close to center of panel as possible, and then either the next adjacent point to the left **or** right. Be consistent in panel-to-panel location (center and left **or** center and right, so fixed points are at the same level horizontally for attachment to vertical profiles).
- No two fixed points on one panel can be on the same profile, and no two fixed points on two adjacent panels can be on the same profile when adjacent panels share a profile at a vertical joint.

▼ **FIG. F** — Vertical installation on vertical profiles

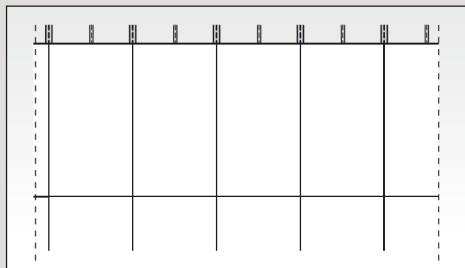


Fixing (continued)

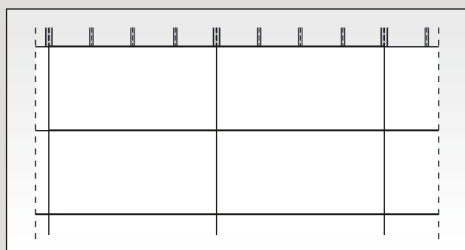
- For smaller panel sizes with only two rows of fasteners, fixed points to be top center and top left **or** top right (horizontal applications on vertical profiles). For vertical narrow panel applications on vertical profiles, vertical joints must incorporate two separate profiles (as illustrated, **FIG J**).
- Joint closures can be installed (maximum thickness of finishing profile to be .8 mm or 21 gauge). Standard practice is to leave the joints open.
 - Pilot hole for rivet in metal profile to be 4.9 mm diameter. See **Panel** section for drill size. (See **FIGS. E & I**)
 - Remove drill shavings from metal profile holes and panel fixed and gliding holes prior to installing rivets. Prior to brush off any dust on panel due to drilling residue using a microfiber cloth.

Typical Pattern Layout

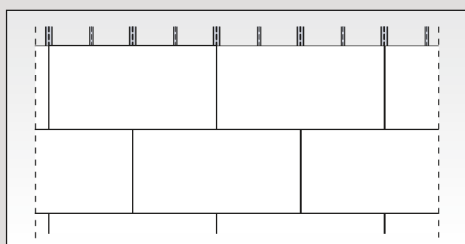
Panels can be used full size (4' x 8' or 4' x 10'), or fabricated to smaller dimensions.



Straight pattern with vertical panels



Straight pattern with horizontal panels

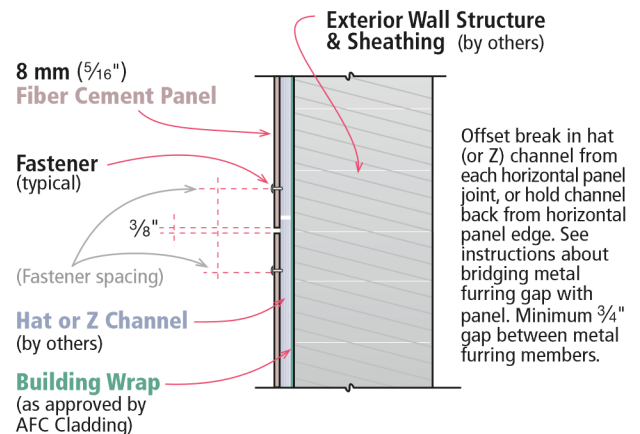


Semi pattern with horizontal panels

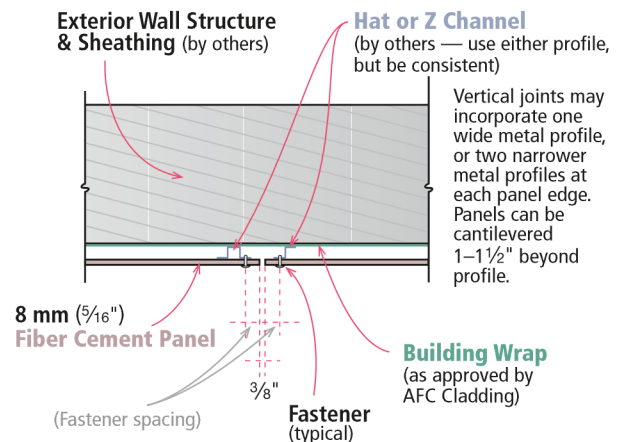
Details

See AFCC Standard Details for detailing requirements in architectural drawing format.

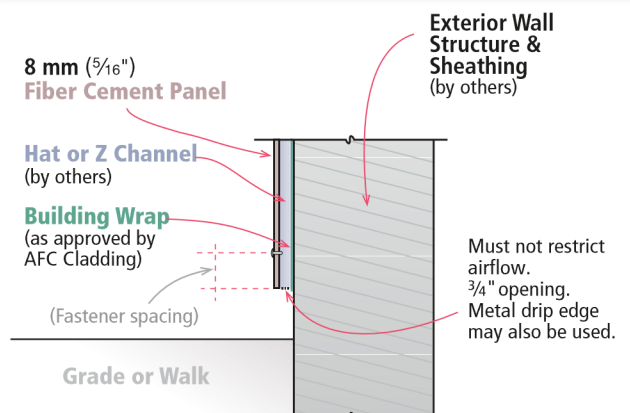
Typical Horizontal Panel Joint



Typical Vertical Panel Joint



Typical Panel Base

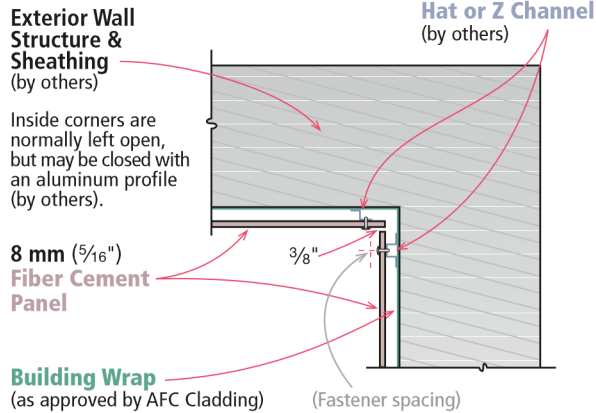


Ventilated Rainscreen Application

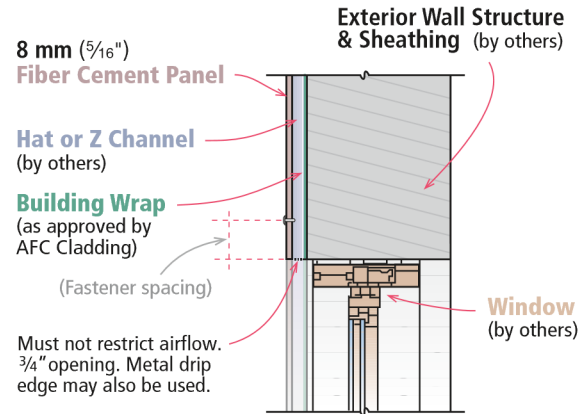
Details (continued)

See AFCC Standard Details for detailing requirements in architectural drawing format.

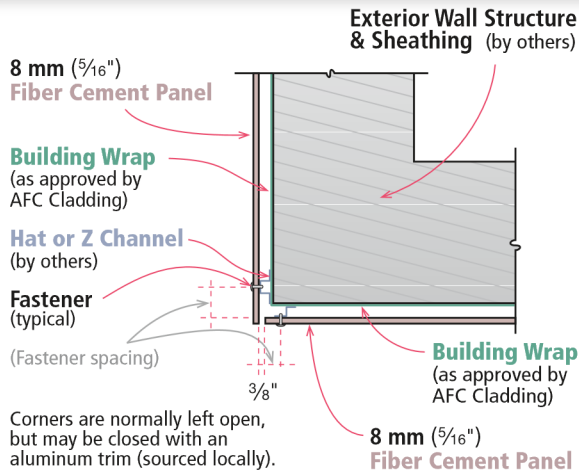
Typical Inside Corner – Plan View



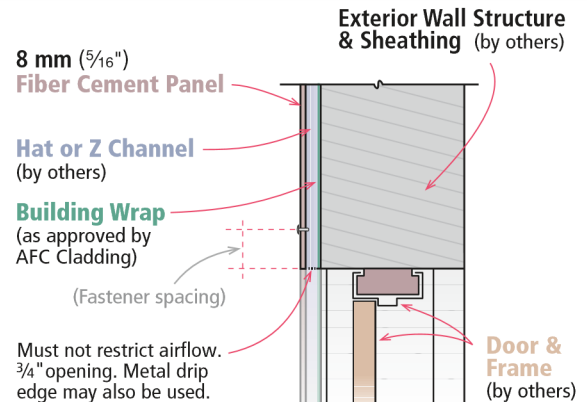
Typical Panel @ Window Head



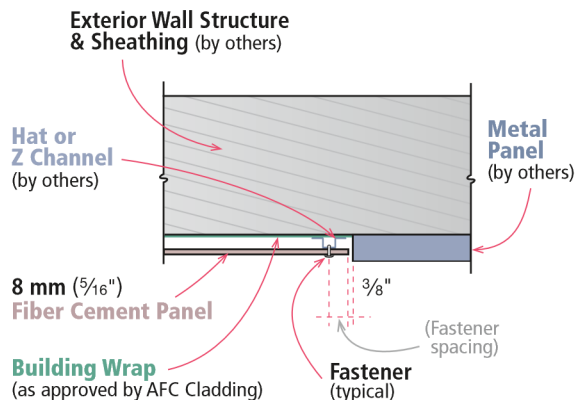
Typical Outside Corner – Plan View



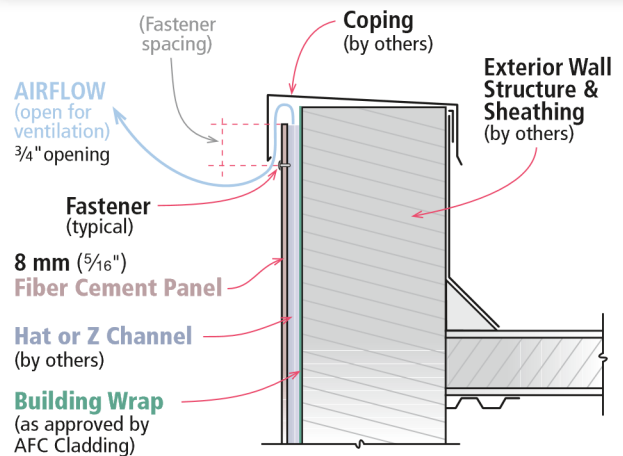
Typical Panel @ Door Head



Typical Panel End @ Metal Panel



Typical Panel @ Parapet



Product Sustainability Statement

AFC Cladding is committed to providing the highest quality high density compressed fiber cement panels to the U.S. building markets. In order to do this, we feel it necessary to provide not only high quality products, but sustainable products that can contribute to green (LEED) building projects, which in turn benefit the environment we all live in.

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Direct Contribution

Materials and Resources:

- ◆ BPDO – Environmental Product Declarations

Indirect Contribution

Indoor Environmental Quality:

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Energy and Atmosphere:

- ◆ Optimize Energy Performance

One of the most important sustainable attributes is the durability of AFC Cladding panels. With their long lifespan, virtually requiring no refurbishment, AFC Cladding panels can contribute to less replacement of materials and to drastically lower maintenance costs over the useful life of the building.

The Ventilated and Insulated Rainscreen Cladding (VIRSC) system, which is used to affix AFC Cladding panels to the exterior of a structure, offers many benefits and green attributes to the performance of the building envelope. Durability and resistance to moisture and mold build-up are noteworthy benefits. Equally important is its ability to accommodate external insulation.

In addition, AFC Cladding is dedicated to further research and analysis of our products to achieve additional LEED credits, and help further the cause of building sustainable and efficient buildings.

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The background is a dark, monochromatic composition. The upper half features a series of parallel, slightly curved lines that create a sense of depth and perspective, resembling a close-up of a textured surface or a series of steps. The lower half is dominated by a grid of overlapping, semi-transparent circles, which also follow a perspective, giving the impression of a perforated metal plate or a honeycomb structure. The overall effect is one of architectural precision and modern design.

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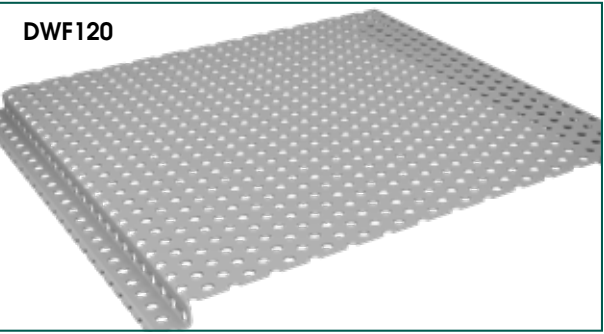
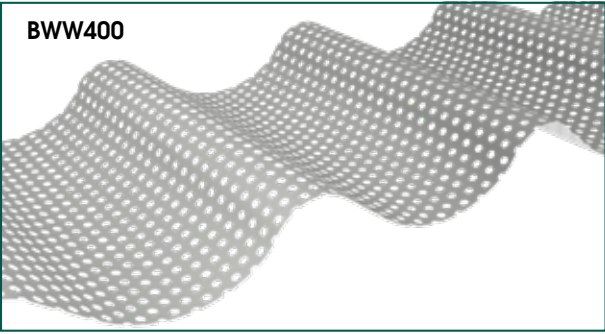
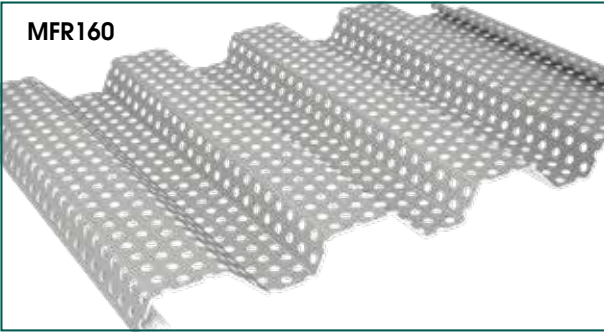
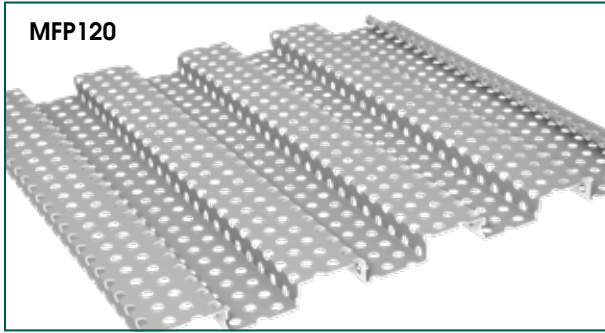
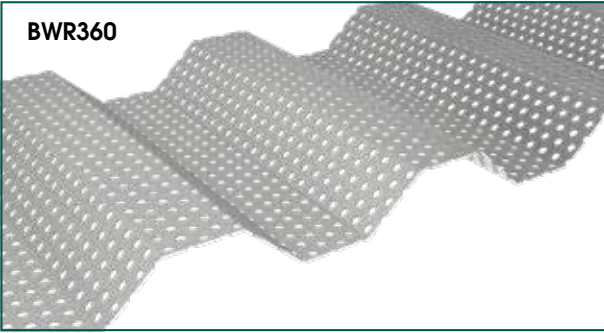
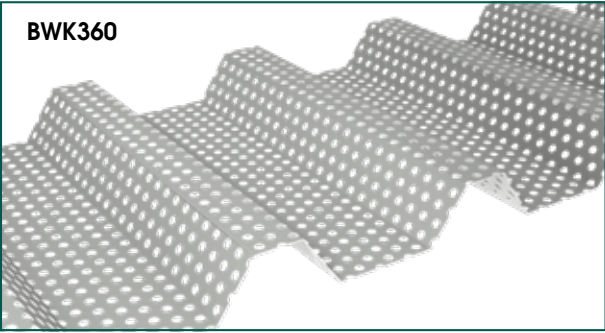
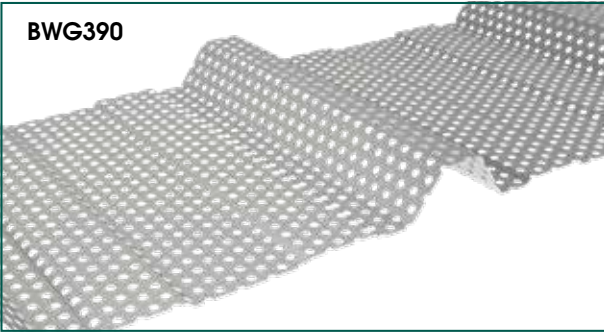
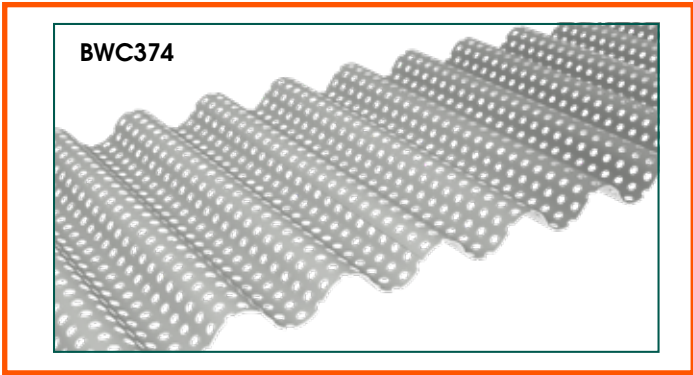
Wheeler & Wheeler Architects

perforated corrugated panels
BWR360 profile
.125" dia. holes | 30% open area
aluminum



Perforated Corrugated Profiles

Eight standard hole patterns are offered, as well as custom options to fit any project's design intent. The panels are available in a selection of aluminum thicknesses, panel profiles, and colors.



Note: Percentage of open area ranges from 66% to 14%; samples depicting this range will be submitted for review and approval.

Open Area for Standard 60° Staggered Hole Patterns by Profile

	BWC374	BWG390	BWK360	BWR360	BWW400	DWF120	MFP120	MFR160
.125" dia. x .188"	54%	51%	54%	51%	51%	41%	62%	61%
.125" dia. x .218"	40%	38%	40%	38%	37%	31%	45%	45%
.125" dia. x .250"	30%	29%	31%	29%	29%	23%	35%	34%
.125" dia. x .375"	14%	13%	14%	13%	13%	10%	15%	15%
.188" dia. x .313"	44%	42%	44%	42%	41%	34%	50%	50%
.250" dia. x .500"	29%	28%	30%	28%	28%	23%	34%	33%
.375" dia. x .500"	66%	63%	67%	63%	62%	51%	76%	75%
.375" dia. .x 563"	52%	50%	53%	50%	49%	40%	60%	59%

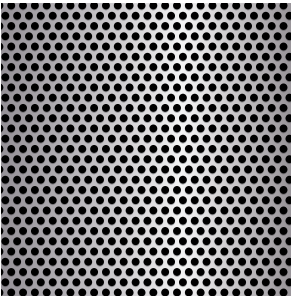
Aluminum Options

	BWC374	BWG390	BWK360	BWR360	BWW400	DWF120	MFP120	MFR160
.032"	✓	✓	✓	✓	✓	✓	✓	✓
.040"	✓	✓	✓	✓		✓	✓	✓
.050"	✓			✓		✓	✓	✓

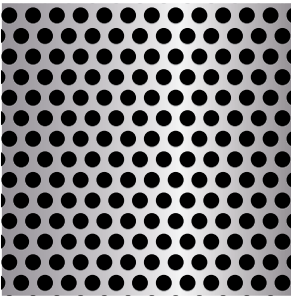
- ✓ Over 30 standard colors
- ✓ Color matched trim
- ✓ Color matched fasteners

Standard Perforated Patterns

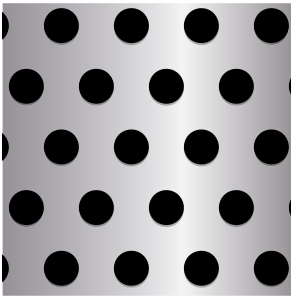
An endless choice of perforated patterns are available, in a variety of shapes, sizes, and materials. The following is a selection of Hendrick's popular patterns.



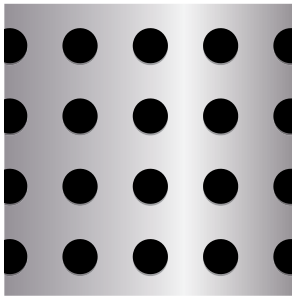
.125" dia. x .188"
staggered
40% open area



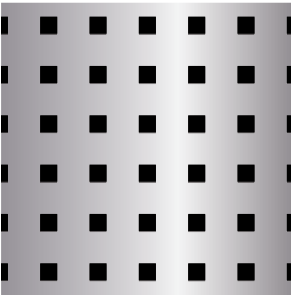
.250" dia. x .375"
staggered
40% open area



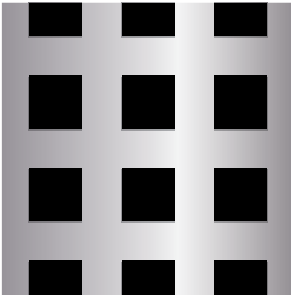
.500" dia. x 1.000"
staggered
23% open area



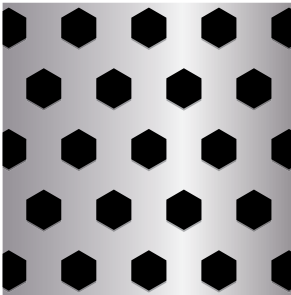
.500" dia. x 1.000"
straight
20% open area



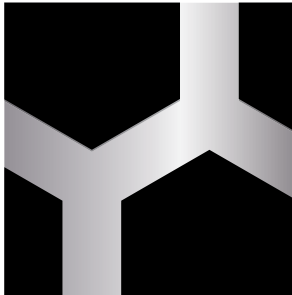
.250" sqr. x .750"
straight
11% open area



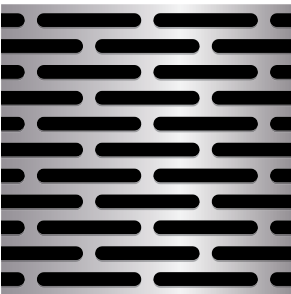
.750" sqr. x 1.313"
straight
33% open area



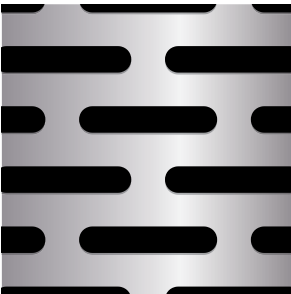
.500" hex. x 1.000"
staggered
25% open area



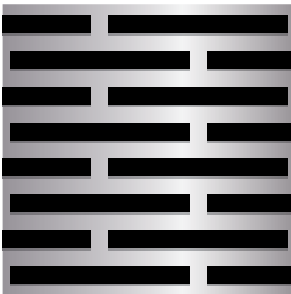
2.598" hex. x 3.464"
staggered
56% open area



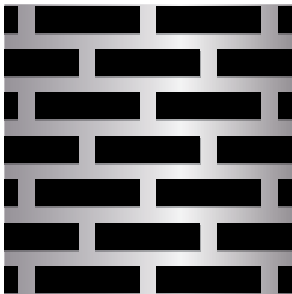
.188" x 1.500"
obround on .375"
staggered
43% open area



.375" x 2.000"
obround on .875"
staggered
33% open area

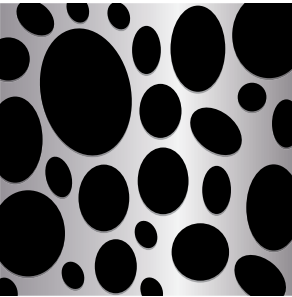


.250" x 2.500 rec.
on .500"
staggered
45% open area

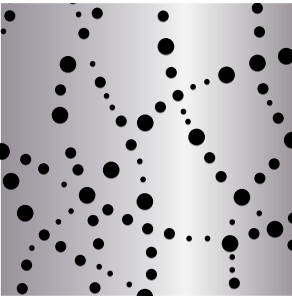


.375" x 1.500" rec.
on .625"
staggered
51% open area

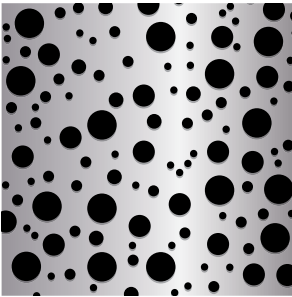
Designer Series Perforated Patterns



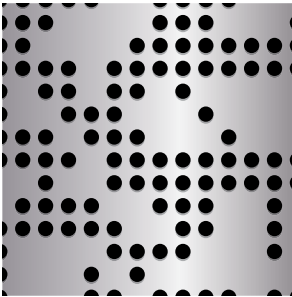
Austin



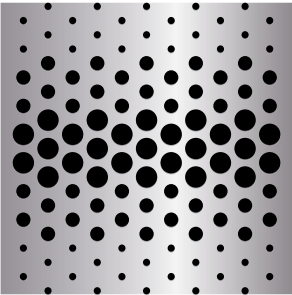
Bubble Trail



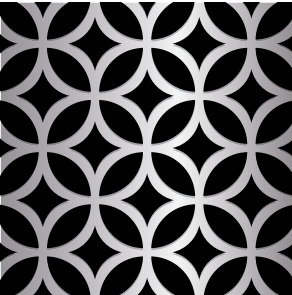
Bubbles



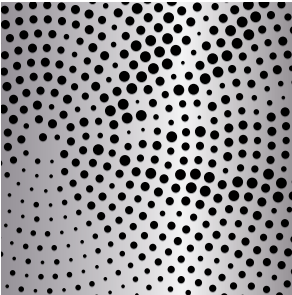
Digital



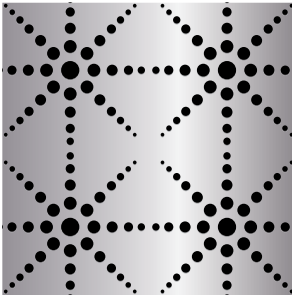
Horizon



Lotus



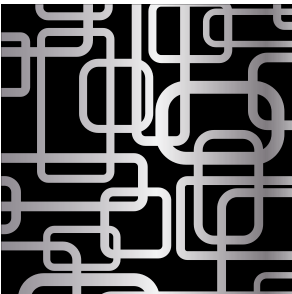
Spiral



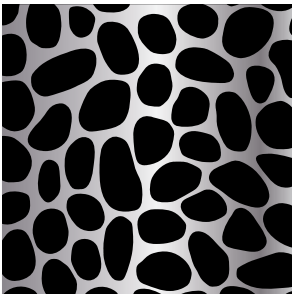
Starburst

Laser Patterns

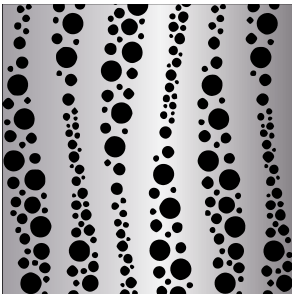
Hendrick's newest 8kW fiber laser removes several obstacles for precise custom designs when cutting metal.



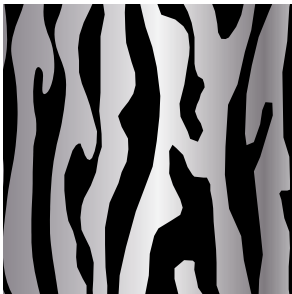
Maze



River Stone



Seaweed



Tree Bark



Hendrick

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Perforated Corrugated Standard Profiles

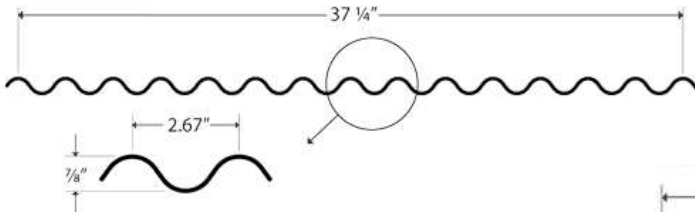
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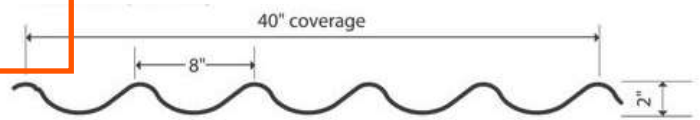
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Hendrick BWC374



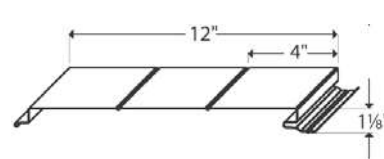
Hendrick BWW400



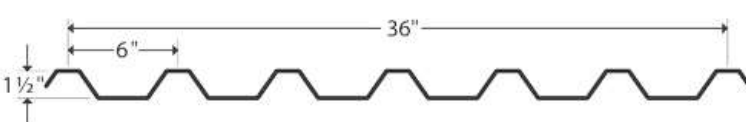
Hendrick BWG390



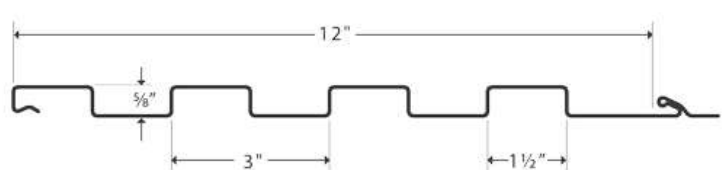
Hendrick DWF120



Hendrick BWK360



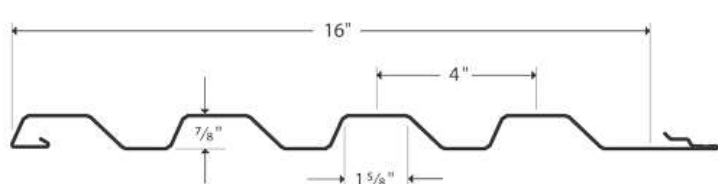
Hendrick MFP120



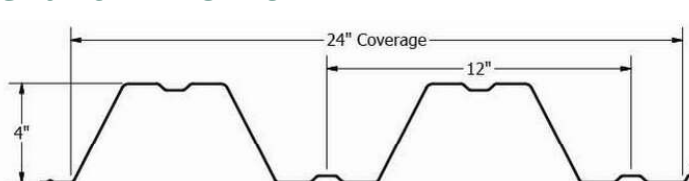
Hendrick BWR360



Hendrick MFR160



Hendrick BWS240



Hendrick

ARCHITECTURAL

Perforated Corrugated Color Chart

877-840-0881

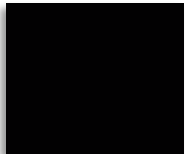
www.hendrickarch.com

arch@hendrickcorp.com

Carbondale, PA | Elgin, IL | Owensboro, KY

Standard Colors (PVDF Finish)

PVDF resin based coatings provide high-performance durability for exterior and interior applications. These coatings are designed to resist fading, chalking, and abrasion. Meets the requirement of AAMA 2605-13 and AAMA 620-02.



Black (02)



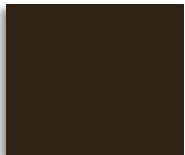
Patina Green (12)



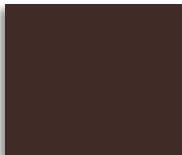
Concord Cream (05)



Charcoal Grey (62)



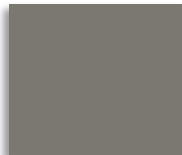
Classic Bronze (01)



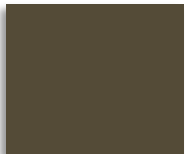
Chocolate Brown (04)



Almond (36)



Slate Grey (20)



Medium Bronze (03)



Boysenberry (25)



Sandstone (06)



Dove Grey (13)



Hartford Green (27)



Redwood (07)



Regal Blue (18)



Forest Green (11)



Mission Red (08)



Slate Blue (21)



Teal (19)



Sierra Tan (09)



Siam Blue (14)



Hemlock Green (30)



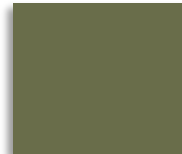
Rawhide (15)



Rocky Grey (16)

Premium Finish (PVDF Finish)

PVDF resin based coatings, as noted above, with premium pigmentation to obtain metallic or deep color for desired aesthetics.



Antique Patina (24)



Champagne (31)



Coppertone (23)



Titanium (35)



Silversmith (28)



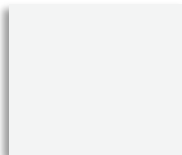
Brite Red (17)



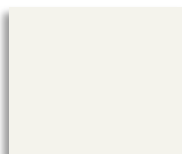
Clear Anodized (70)



Dark Bronze Anodized (71)



Ascot White (10)



Bone White (26)

ALL colors & finishes available in:

.032" aluminum

.040" aluminum

.050" aluminum

Please inquire about custom colors & materials.

Hendrick

ARCHITECTURAL

Perforated Corrugated Color Reference Guide

877-840-0881

www.hendrickarch.com

arch@hendrickcorp.com

Carbondale, PA | Elgin, IL | Owensboro, KY

STANDARD COLORS		Color Number	Initial Solar Reflectance	Thermal Emittance	Solar Reflectance Index (SRI)
Classic Bronze		01	0.09	0.87	3
Black		02	0.05	0.88	-1
Medium Bronze		03	0.32	0.85	33
Chocolate Brown		04	0.27	0.85	25
Concord Cream		05	0.65	0.85	78
Sandstone		06	0.57	0.85	66
Redwood		07	0.29	0.86	29
Mission Red		08	0.44	0.86	48
Sierra Tan		09	0.46	0.85	51
Ascot White		10	0.67	0.85	80
Forest Green		11	0.25	0.84	23
Patina Green		12	0.43	0.85	47
Dove Grey		13	0.48	0.85	54
Siam Blue		14	0.34	0.85	35
Rawhide		15	0.55	0.85	64
Rocky Grey		16	0.28	0.86	28
Regal Blue		18	0.25	0.84	23
Teal		19	0.30	0.85	30
Slate Grey		20	0.39	0.85	42
Slate Blue		21	0.31	0.86	31
Boysenberry		25	0.28	0.85	27
Bone White		26	0.73	0.85	89
Hartford Green		27	0.25	0.85	23
Hemlock Green		30	0.30	0.86	30
Almond		36	0.62	0.87	74
Charcoal Grey		62	0.28	0.86	27
PREMIUM COLORS		Color Number	Initial Solar Reflectance	Thermal Emittance	Solar Reflectance Index (SRI)
Brite Red		17	0.37	0.86	39
Coppertone		23	0.50	0.86	57
Antique Patina		24	0.26	0.86	25
Silversmith		28	0.47	0.81	51
Champagne		31	0.55	0.79	62
Titanium		35	0.51	0.87	59
Clear Anodized		70	0.77	0.70	92
Dark Bronze Anodized		71	0.15	0.77	6



SlimSurface is a 5/8" thick LED surface mounted luminaire with the appearance of a recessed downlight. Easy to install into most standard j-boxes, the SlimSurface round apertures are available as a 5" 650lm, 7" 1000lm and 10" 2200lm fixture.

Cutsheet for new exterior light fixture above new corner entrance.

Project: _____
Location: _____
Cat.No: _____
Type: _____
Lamps: _____ Qty: _____
Notes: _____

Ordering guide

example: S5R830K7AL

Series	CRI	CCT	Lumens	Finish	Dimming
S5R SlimSurface 5" Round	8 80	27K 2700K	7 650lm	— White	blank ELV / Triac (120V)
	9 90 ¹	30K 3000K		AL Aluminum	
		35K 3500K		BK Black	
		40K 4000K		W White	Z10U 0-10V (120V-277V)
S7R SlimSurface 7" Round	8 80	27K 2700K	10 1000lm	— White	blank ELV / Triac (120V)
	9 90 ¹	30K 3000K		AL Aluminum	
		35K 3500K		BK Black	
		40K 4000K		W White	Z10U 0-10V (120V-277V)
S10R SlimSurface 10" Round ²	8 80	27K 2700K	22 2200lm	W White	blank ELV / Triac (120V)
	9 90 ¹	30K 3000K		AL Aluminum	Z10U 0-10V (120V-277V)
		35K 3500K		BK Black	
		40K 4000K		MT Metallic	

- Configurations using 90 CRI are only available with 2700K & 3000K CCT.
- SlimSurface LED 10" round installs into 4-11/16" J-box (not wet location listed).



Features

- Flange:** One piece plastic flange. Injection molded white, applied aluminum or black.
- Lens:** High transmittance lens allowing for smooth, comfortable light pattern.
- Power supply:** Integral class 2 driver. Factory wired electronic LED driver (see Electrical section for specifications)
- LED Strip:** Utilizes LEDs.
- Lifetime:** Expected lifetime 50,000 hours and backed by a 5-year warranty*
- Compliance:** Non-conductive fixture for shower light application (not applicable to metal trim model).

Dimming

Intended for ELV/Triac (120V) or 0-10V dimming (120V-277V) based on the configuration. Min 90°C supply conductors.

Electrical

Electronic power supply: RoHS compliant. Class 2 power unit. Unit tolerates sustained open and short circuit output conditions without damage.

Electrical specifications	Dimming	Input volts	Input frequency	Input current	Input Power	THD Factor	Power Factor	Minimum Operating Temp.
Slim 5" 650lm	Triac	120V	50/60Hz	0.08A	9.5W	<15%	>0.9	-20°C
	0-10V	120V	50/60Hz	0.09A	10.1W	<20%	>0.9	-20°C
		277V	50/60Hz	0.04A	10.2W	<20%	>0.9	-20°C
Slim 7" 1000lm	Triac	120V	50/60Hz	0.13A	14.2W	<15%	>0.9	-20°C
	0-10V	120V	50/60Hz	0.12A	14.4W	<20%	>0.9	-20°C
		277V	50/60Hz	0.06A	14.7W	<20%	>0.9	-20°C
Slim 10" 2200lm	Triac	120V	50/60Hz	0.20A	23.2W	<20%	>0.9	-20°C
	0-10V	120V	50/60Hz	0.20A	23.2W	<10%	>0.95	-20°C
		277V	50/60Hz	0.09A	24.6W	<15%	>0.95	-20°C

For more details, please see LED-DIM-DL spec sheet.

* See Philips.com/warranties for warranty details.

Labels

cULus listed. ENERGY STAR® certified. All models are damp location rated for walls or ceilings. The 5" & 7" are suitable for ceiling mount wet locations when installed per instructions.

S5R, S7R & S10R SlimSurface LED

Round 5", 7" and 10" Apertures

Compatibility

Installs into standard J-box applications for 5" & 7" models (for 10" model fixture install into 4-11/16" J-box):



3 1/2" round (plastic)



4" square (plastic)

Not compatible with S5R

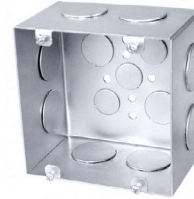


4" octagonal (metal)



4" square (metal)

Not compatible with S5R



4 11/16" square (metal)

Compatible with S10R only



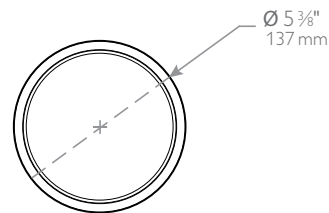
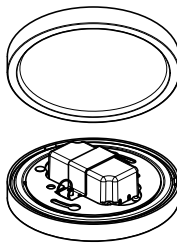
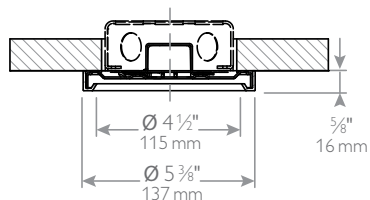
Fire rated J-box

Fire rated classification is per the ceiling and junction box ratings.

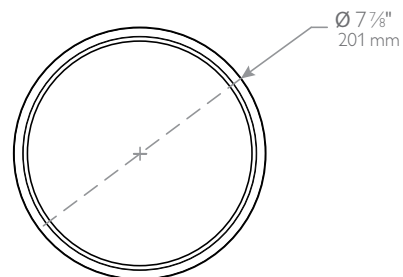
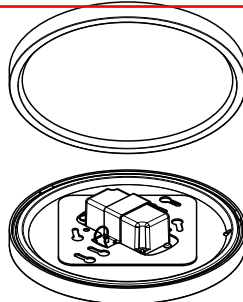
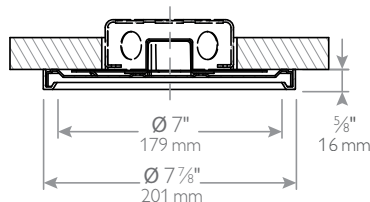
Note: A 2 1/8" deep octagon junction box is recommended for through circuit wiring applications.

Dimensions

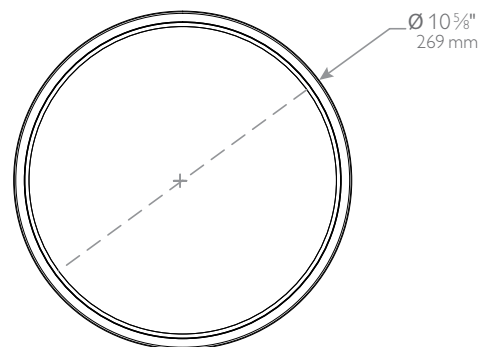
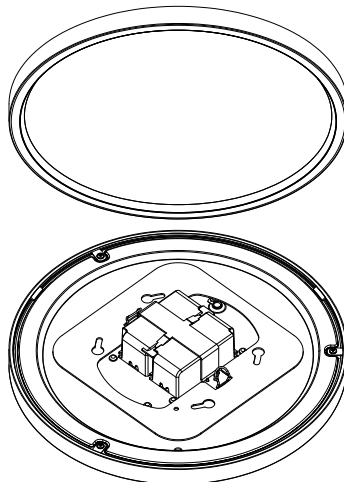
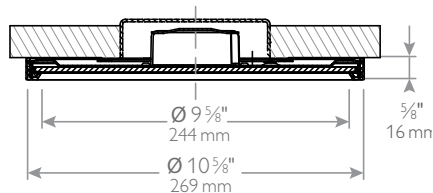
SlimSurface LED 5" downlight



SlimSurface LED 7" downlight



SlimSurface LED 10" downlight

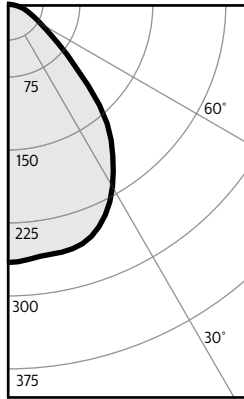


S5R, S7R & S10R SlimSurface LED

Round 5", 7" and 10" Apertures

S5R927K7 • 10W LED, 90CRI, 2700K

Candela Curves



Angle	Mean CP	Lumens
0	266	
5	263	
10	261	
15	260	736
20	254	
25	239	110
30	217	
35	190	118
40	160	
45	118	91
50	81	
55	55	51
60	40	
65	30	31
70	23	
75	18	18
80	11	
85	4	5
90	0	

Single unit data

Height to Lighted Plane	Initial center beam foot-candles	Beam dia. (ft)*
5'	11	6.0'
6'	7	7.2'
7'	5	8.4'
8'	4	9.6'
9'	3	10.8'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq.ft.
5'	21.8	0.40
6'	14.2	0.26
7'	10.2	0.19
8'	8.5	0.16
9'	6.8	0.13

38'x38'x10' Room, Workplane 2.5' above floor, 80/50/20% Reflectances

Coefficients of utilization

Ceiling	80%				70%		50%		30%		0%
Wall	70	50	30	10	50	10	50	10	50	10	0
RCR	Zonal cavity method - Effective floor reflectance = 20%										
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106
1	111	107	103	100	105	98	100	95	97	92	88
2	102	96	90	85	94	84	90	82	87	80	77
3	95	86	79	73	84	73	82	72	79	70	67
4	88	78	70	64	76	64	74	63	72	62	60
5	82	71	63	57	70	57	68	56	66	56	53
6	76	64	57	51	64	51	62	50	60	50	48
7	71	59	51	46	58	46	57	45	56	45	43
8	67	54	47	42	54	41	53	41	51	41	39
9	63	50	43	38	50	38	49	38	48	37	36
10	59	47	40	35	46	35	45	34	44	34	33

Zonal lumens & percentages

Zone	Lumens	%Luminaire
0-30	208	39.8%
0-40	326	62.5%
0-60	469	89.7%
0-90	522	100.0%

CRI and CCT adjustment factors

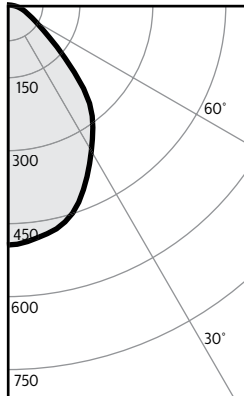
90 CRI 2700K = 84%
80 CRI 2700K = 100%
80 CRI 3000K = 100%
80 CRI 3500K = 105%
80 CRI 4000K = 109%

Report: 1053GFR

Output lumens:	523lms	Efficacy:	57.4lm/w
Spacing Criterion:	1.2	CCT ³ :	2700K
Beam Angle:	87°	CRI:	90min
Input Watts ² :	9.1W		

S7R927K10 • 14W LED, 90CRI, 2700K

Candela Curves



Angle	Mean CP	Lumens
0	496	
5	490	
10	479	
15	464	130
20	433	
25	391	180
30	348	
35	309	193
40	265	
45	197	152
50	135	
55	92	85
60	68	
65	51	52
70	40	
75	30	32
80	21	
85	9	10
90	0	

Single unit data

Height to Lighted Plane	Initial center beam foot-candles	Beam dia. (ft)*
5'	20	5.5'
6'	14	6.6'
7'	10	7.7'
8'	8	8.8'
9'	6	9.9'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq.ft.
5'	21.8	2.89
6'	14.2	1.90
7'	10.2	1.35
8'	8.5	1.13
9'	6.8	0.90

38'x38'x10' Room, Workplane 2.5' above floor, 80/50/20% Reflectances

Coefficients of utilization

Ceiling	80%				70%		50%		30%		0%
Wall	70	50	30	10	50	10	50	10	50	10	0
RCR	Zonal cavity method - Effective floor reflectance = 20%										
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106
1	111	107	103	100	104	98	100	95	96	92	88
2	102	96	90	85	94	84	90	82	87	80	77
3	95	86	79	74	85	73	82	72	79	71	67
4	88	78	70	65	77	64	74	63	72	62	60
5	82	71	63	57	70	57	68	56	66	56	53
6	76	65	57	51	64	51	62	51	61	50	48
7	71	59	52	46	59	46	57	46	56	45	43
8	67	55	47	42	54	42	53	42	52	41	39
9	63	51	43	38	50	38	49	38	48	38	36
10	59	47	40	35	47	35	46	35	45	35	33

Zonal lumens & percentages

Zone	Lumens	%Luminaire
0-30	356	40.5%
0-40	549	62.4%
0-60	786	89.3%
0-90	880	100.0%

CRI and CCT adjustment factors

90 CRI 2700K = 84%
80 CRI 2700K = 100%
80 CRI 3000K = 100%
80 CRI 3500K = 105%
80 CRI 4000K = 109%

Report: 962GFR

Output lumens:	880lms	Efficacy:	65.2lm/w
Spacing Criterion:	1.1	CCT ³ :	2700K
Beam Angle:	83°	CRI:	90min
Input Watts ² :	13.5W		

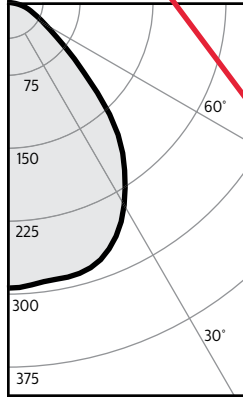
1. Tested using absolute photometry as specified in LM79: IESNA Approved Method for the Electrical and Photometric Measurements of Solid-State Lighting Products.
2. Wattage: controlled to within 5%
3. Correlated Color Temperature: within specs as defined in ANSI_NEMA_ANSI C78.377-2008: Specifications for the Chromaticity of Solid State Lighting Products.

S5R, S7R & S10R SlimSurface LED

Round 5", 7" and 10" Apertures

S5R827K7 • 10 W LED, 80 CRI, 2700 K

Candela Curves



Angle	Mean CP	Lumens
0	294	28
5	291	
10	289	
15	288	81
20	281	
25	265	121
30	241	
35	211	131
40	178	
45	131	102
50	91	
55	62	57
60	45	
65	34	34
70	26	
75	20	21
80	13	
85	4	5
90	0	

Single unit data

Height to Lighted Plane	Initial center beam foot-candles	Beam dia. (ft)*
5'	12	6.0'
6'	8	7.2'
7'	6	8.4'
8'	5	9.6'
9'	4	10.8'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq.ft.
5'	24.2	2.77
6'	15.8	1.82
7'	11.3	1.30
8'	9.5	1.08
9'	7.5	0.87

Coefficients of utilization

Ceiling	80%				70%		50%		30%		0%	
Wall	70	50	30	10	50	10	50	10	50	10	0	
RCR	Zonal cavity method - Effective floor reflectance = 20%											
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100
	1	111	107	103	100	105	105	100	95	97	92	88
	2	102	96	90	85	94	94	90	82	87	80	77
	3	95	86	79	73	84	84	82	72	79	70	67
	4	88	78	70	64	76	76	74	63	72	62	60
	5	82	71	63	57	70	70	68	56	66	56	53
	6	76	64	57	51	64	64	62	50	60	50	48
	7	71	59	51	46	58	58	57	45	56	45	43
	8	67	54	47	42	54	54	53	41	51	41	39
	9	63	50	43	38	50	50	49	38	48	37	36
10	59	47	40	35	46	46	45	34	44	34	33	

Zonal lumens & percentages

Zone	Lumens	%Luminaire
0-30	231	39.7%
0-40	362	62.3%
0-60	521	89.6%
0-90	581	100.0%

CRI and CCT adjustment factors

90 CRI 2700K = 84%
80 CRI 2700K = 100%
80 CRI 3000K = 100%
80 CRI 3500K = 105%
80 CRI 4000K = 109%

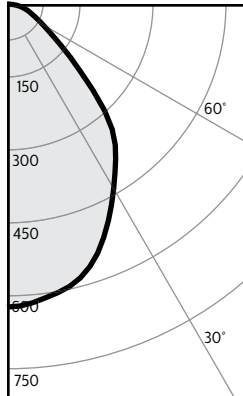
Report: 1054GFR

Output lumens:	581lms	Efficacy:	62.5lm/w
Spacing Criterion:	1.2	CCT ³ :	2700 K
Beam Angle:	87°	CRI:	80 min
Input Watts ² :	9.3 W		

38'x38'x10' Room, Workplane 2.5' above floor, 80/50/20% Reflectances

S7R827K10 • 14 W LED, 80 CRI, 2700 K

Candela Curves



Angle	Mean CP	Lumens
0	625	59
5	618	
10	604	
15	584	164
20	546	
25	494	227
30	440	
35	390	244
40	337	
45	250	193
50	170	
55	117	108
60	85	
65	65	65
70	51	
75	39	41
80	27	
85	12	13
90	0	

Single unit data

Height to Lighted Plane	Initial center beam foot-candles	Beam dia. (ft)*
5'	25	5.5'
6'	17	6.6'
7'	13	7.7'
8'	10	8.8'
9'	8	9.9'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq.ft.
5'	24.2	3.68
6'	15.8	2.42
7'	11.3	1.73
8'	9.5	1.44
9'	7.5	1.15

Coefficients of utilization

Ceiling	80%				70%		50%		30%		0%	
Wall	70	50	30	10	50	10	50	10	50	10	0	
RCR	Zonal cavity method - Effective floor reflectance = 20%											
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100
	1	111	107	103	100	104	98	100	95	96	92	88
	2	102	96	90	85	94	84	90	82	87	80	77
	3	95	86	79	74	85	73	82	72	79	71	67
	4	88	78	70	65	77	64	74	63	72	62	60
	5	82	71	63	57	70	57	68	56	66	56	53
	6	76	65	57	51	64	51	62	51	61	50	48
	7	71	59	52	46	59	46	57	46	56	45	43
	8	67	55	47	42	54	42	53	42	52	41	39
	9	63	51	43	38	50	38	49	38	48	38	36
10	59	47	40	35	47	35	46	35	45	35	33	

Zonal lumens & percentages

Zone	Lumens	%Luminaire
0-30	449	40.4%
0-40	693	62.3%
0-60	994	89.3%
0-90	1113	100.0%

CRI and CCT adjustment factors

90 CRI 2700K = 84%
80 CRI 2700K = 100%
80 CRI 3000K = 100%
80 CRI 3500K = 105%
80 CRI 4000K = 109%

Report: 964GFR

Output lumens:	1113lms	Efficacy:	83.1lm/w
Spacing Criterion:	1.1	CCT ³ :	2700 K
Beam Angle:	83°	CRI:	80 min
Input Watts ² :	13.4 W		

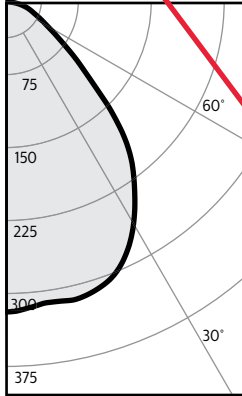
38'x38'x10' Room, Workplane 2.5' above floor, 80/50/20% Reflectances

S5R, S7R & S10R SlimSurface LED

Round 5", 7" and 10" Apertures

S5R830K7 • 10 W LED, 80 CRI, 3000 K

Candela Curves



Angle	Mean CP	Lumens
0	319	30
5	315	
10	313	
15	313	88
20	306	
25	290	131
30	264	
35	231	142
40	197	
45	146	109
50	100	
55	69	62
60	50	
65	38	37
70	22	
75	22	22
80	15	
85	6	6
90	0	

Single unit data

Height to Lighted Plane	Initial center beam foot-candles	Beam dia. (ft)*
5'	13	6.0'
6'	9	7.2'
7'	7	8.4'
8'	5	9.6'
9'	4	10.8'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq.ft.
5'	26.2	3.06
6'	17.1	2.01
7'	12.2	1.43
8'	10.2	1.19
9'	8.1	0.96

Coefficients of utilization

Ceiling	80%				70%		50%		30%		0%	
Wall	70	50	30	10	50	10	50	10	50	10	0	
RCR	Zonal cavity method - Effective floor reflectance = 20%											
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100
	1	111	107	103	100	105	98	100	95	97	92	88
	2	102	96	90	85	94	84	90	82	87	80	77
	3	95	86	79	73	84	73	82	72	79	70	67
	4	88	78	70	64	76	64	74	63	72	62	60
	5	82	71	63	57	70	57	68	56	66	56	53
	6	76	64	57	51	64	51	62	50	60	50	48
	7	71	59	51	46	58	46	57	45	56	45	43
	8	67	54	47	42	54	41	53	41	51	41	39
	9	63	50	43	38	50	38	49	38	48	37	36
10	59	47	40	35	46	35	45	34	44	34	33	

Zonal lumens & percentages

Zone	Lumens	%Luminaire
0-30	249	39.7%
0-40	391	62.3%
0-60	562	89.6%
0-90	628	100.0%

CRI and CCT adjustment factors

90 CRI 2700K = 84%
80 CRI 2700K = 100%
80 CRI 3000K = 100%
80 CRI 3500K = 105%
80 CRI 4000K = 109%

Report: 1055GFR

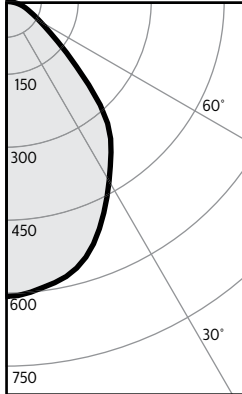
Output lumens: 628 lms
Spacing Criterion: 1.2
Beam Angle: 87°
Input Watts²: 9.1W

Efficacy: 69.0 lm/w
CCT³: 3000 K
CRI: 80 min

38'x38'x10' Room, Workplane 2.5' above floor, 80/50/20% Reflectances

S7R830K10 • 14 W LED, 80 CRI, 3000 K

Candela Curves



Angle	Mean CP	Lumens
0	607	
5	601	
10	588	57
15	568	
20	531	159
25	480	
30	427	221
35	379	
40	328	237
45	243	
50	165	187
55	113	
60	83	105
65	63	
70	49	63
75	37	
80	26	39
85	12	
90	0	13

Single unit data

Height to Lighted Plane	Initial center beam foot-candles	Beam dia. (ft)*
5'	24	5.5'
6'	17	6.6'
7'	12	7.7'
8'	9	8.8'
9'	7	9.9'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq.ft.
5'	26.2	3.55
6'	17.1	2.33
7'	12.2	1.66
8'	10.2	1.39
9'	8.1	1.11

Coefficients of utilization

Ceiling	80%				70%		50%		30%		0%	
Wall	70	50	30	10	50	10	50	10	50	10	0	
RCR	Zonal cavity method - Effective floor reflectance = 20%											
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100
	1	111	107	103	100	104	98	100	95	96	92	88
	2	102	96	90	85	94	84	90	82	87	80	77
	3	95	86	79	74	85	73	82	72	79	71	67
	4	88	78	70	65	77	64	74	63	72	62	60
	5	82	71	63	57	70	57	68	56	66	56	53
	6	76	65	57	51	64	51	62	51	61	50	48
	7	71	59	52	46	59	46	57	46	56	45	43
	8	67	55	47	42	54	42	53	42	52	41	39
	9	63	51	43	38	50	38	49	38	48	38	36
10	59	47	40	35	47	35	46	35	45	35	33	

Zonal lumens & percentages

Zone	Lumens	%Luminaire
0-30	437	40.4%
0-40	674	62.3%
0-60	966	89.4%
0-90	1081	100.0%

CRI and CCT adjustment factors

90 CRI 2700K = 84%
80 CRI 2700K = 100%
80 CRI 3000K = 100%
80 CRI 3500K = 105%
80 CRI 4000K = 109%

Report: 961GFR

Output lumens: 1081 lms
Spacing Criterion: 1.1
Beam Angle: 83°
Input Watts²: 13.5W

Efficacy: 80.0 lm/w
CCT³: 3000 K
CRI: 80 min

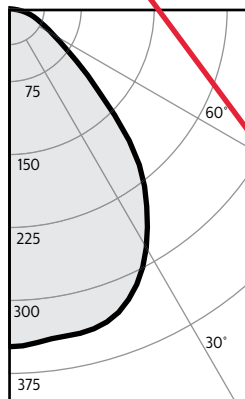
38'x38'x10' Room, Workplane 2.5' above floor, 80/50/20% Reflectances

S5R, S7R & S10R SlimSurface LED

Round 5", 7" and 10" Apertures

S5R835K7 • 10 W LED, 80 CRI, 3500 K

Candela Curves



Angle Mean CP Lumens

Angle	Mean CP	Lumens
0	347	33
5	344	
10	341	
15	340	96
20	332	
25	312	143
30	283	
35	248	155
40	209	
45	154	119
50	107	
55	74	68
60	53	
65	41	41
70	31	
75	22	25
80	15	
85	5	7
90	0	

Single unit data

Height to Lighted Plane	Initial center beam foot-candles	Beam dia. (ft)*
5'	14	6.0'
6'	10	7.2'
7'	7	8.4'
8'	5	9.6'
9'	4	10.8'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq.ft.
5'	28.6	3.34
6'	18.7	2.19
7'	13.3	1.56
8'	11.2	1.30
9'	8.9	1.04

38'x38'x10' Room, Workplane 2.5' above floor, 80/50/20% Reflectances

Coefficients of utilization

Ceiling	80%				70%		50%		30%		0%
Wall	70	50	30	10	50	10	50	10	50	10	0
RCR	Zonal cavity method - Effective floor reflectance = 20%										
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	111	106
1	111	107	103	100	105	98	100	95	95	92	88
2	102	96	90	85	94	84	90	82	82	80	77
3	95	86	79	73	84	73	82	72	72	70	67
4	88	78	70	64	76	64	74	63	63	62	60
5	82	71	63	57	70	57	68	56	56	56	53
6	76	64	57	51	64	51	62	50	50	50	48
7	71	59	51	46	58	46	57	45	45	45	43
8	67	54	47	42	54	41	53	41	41	41	39
9	63	50	43	38	50	38	49	38	38	37	36
10	59	47	40	35	46	35	45	34	34	34	33

Zonal lumens & percentages

Zone	Lumens	%Luminaire
0-30	272	39.6%
0-40	426	62.2%
0-60	613	89.5%
0-90	685	100.0%

CRI and CCT adjustment factors

90 CRI 2700K = 84%
80 CRI 2700K = 100%
80 CRI 3000K = 100%
80 CRI 3500K = 105%
80 CRI 4000K = 109%

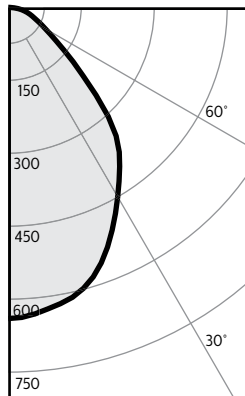
Report: 1056GFR

Output lumens: 685lms
Spacing Criterion: 1.2
Beam Angle: 87°
Input Watts²: 9.1W

Efficacy: 75.3lm/w
CCT³: 3500K
CRI: 80min

S7R835K10 • 14 W LED, 80 CRI, 3500 K

Candela Curves



Angle Mean CP Lumens

Angle	Mean CP	Lumens
0	639	60
5	632	
10	618	
15	597	167
20	558	
25	505	232
30	449	
35	399	249
40	345	
45	255	197
50	174	
55	120	111
60	88	
65	67	67
70	52	
75	40	42
80	28	
85	12	13
90	0	

Single unit data

Height to Lighted Plane	Initial center beam foot-candles	Beam dia. (ft)*
5'	26	5.5'
6'	18	6.6'
7'	13	7.7'
8'	10	8.8'
9'	8	9.9'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq.ft.
5'	28.6	3.74
6'	18.7	2.45
7'	13.3	1.75
8'	11.2	1.46
9'	8.9	1.17

38'x38'x10' Room, Workplane 2.5' above floor, 80/50/20% Reflectances

Coefficients of utilization

Ceiling	80%				70%		50%		30%		0%
Wall	70	50	30	10	50	10	50	10	50	10	0
RCR	Zonal cavity method - Effective floor reflectance = 20%										
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106
1	111	107	103	100	104	98	100	95	96	92	88
2	102	96	90	85	94	84	90	82	87	80	77
3	95	86	79	74	85	73	82	72	79	71	67
4	88	78	70	65	77	64	74	63	72	62	60
5	82	71	63	57	70	57	68	56	66	56	53
6	76	65	57	51	64	51	62	51	61	50	48
7	71	59	52	46	59	46	57	46	56	45	43
8	67	55	47	42	54	42	53	42	52	41	39
9	63	51	43	38	50	38	49	38	48	38	36
10	59	47	40	35	47	35	46	35	45	35	33

Zonal lumens & percentages

Zone	Lumens	%Luminaire
0-30	459	40.3%
0-40	708	62.2%
0-60	1016	89.2%
0-90	1139	100.0%

CRI and CCT adjustment factors

90 CRI 2700K = 84%
80 CRI 2700K = 100%
80 CRI 3000K = 100%
80 CRI 3500K = 105%
80 CRI 4000K = 109%

Report: 965GFR

Output lumens: 1139lms
Spacing Criterion: 1.1
Beam Angle: 83°
Input Watts²: 13.5W

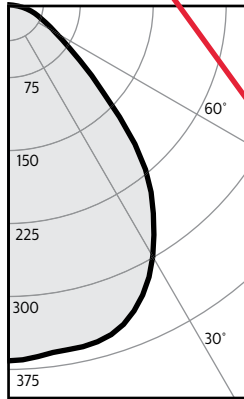
Efficacy: 84.4lm/w
CCT³: 3500K
CRI: 80min

S5R, S7R & S10R SlimSurface LED

Round 5", 7" and 10" Apertures

S5R840K7 • 10W LED, 80CRI, 4000K

Candela Curves



Report: 1057GFR

Output lumens: 726 lms
Spacing Criterion: 1.2
Beam Angle: 87°
Input Watts: 9.1W

Angle	Mean CP	Lumens
0	366	35
5	363	
10	360	
15	359	101
20	350	
25	329	151
30	299	
35	262	163
40	221	
45	163	126
50	113	
55	79	72
60	57	
65	44	44
70	34	
75	25	27
80	16	
85	6	7
90	0	

Single unit data

Height to Lighted Plane	Initial center beam foot-candles	Beam dia. (ft)*
5'	15	6.0'
6'	10	7.2'
7'	7	8.4'
8'	6	9.6'
9'	5	10.8'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq.ft.
5'	30.3	3.54
6'	19.8	2.32
7'	14.1	1.66
8'	11.8	1.38
9'	9.4	1.10

38'x38'x10' Room, Workplane 2.5' above floor, 80/50/20% Reflectances

Coefficients of utilization

Ceiling	80%				70%		50%		30%		0%	
Wall	70	50	30	10	50	10	50	10	50	10	0	
RCR	Zonal cavity method - Effective floor reflectance = 20%											
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100
	1	111	107	103	100	105	98	100	95	97	92	88
	2	102	96	90	85	94	84	90	82	87	80	77
	3	95	86	79	73	84	73	82	72	79	70	67
	4	88	78	70	64	76	64	74	63	72	62	60
	5	82	71	63	57	70	57	68	56	66	56	53
	6	76	64	57	51	64	51	62	50	60	50	48
	7	71	59	51	46	58	46	57	45	56	45	43
	8	67	54	47	42	54	41	53	41	51	41	39
	9	63	50	43	38	50	38	49	38	48	37	36
10	59	47	40	35	46	35	45	34	44	34	33	

Zonal lumens & percentages

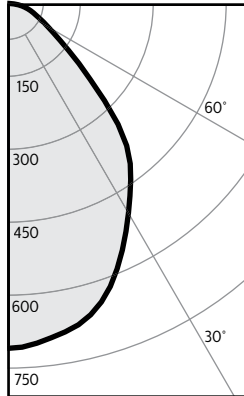
Zone	Lumens	%Luminaire
0-30	286	39.5%
0-40	450	62.0%
0-60	648	89.3%
0-90	726	100.0%

CRI and CCT adjustment factors

90 CRI 2700K = 84%
80 CRI 2700K = 100%
80 CRI 3000K = 100%
80 CRI 3500K = 105%
80 CRI 4000K = 109%

S7R840K10 • 14W LED, 90CRI, 2700K

Candela Curves



Report: 963GFR

Output lumens: 1262 lms
Spacing Criterion: 1.1
Beam Angle: 83°
Input Watts: 13.4W

Angle	Mean CP	Lumens
0	710	66
5	702	
10	686	
15	663	186
20	620	
25	560	258
30	499	
35	443	276
40	382	
45	283	218
50	193	
55	133	122
60	97	
65	74	74
70	57	
75	44	46
80	30	
85	14	15
90	0	

Single unit data

Height to Lighted Plane	Initial center beam foot-candles	Beam dia. (ft)*
5'	28	5.5'
6'	20	6.6'
7'	14	7.7'
8'	11	8.8'
9'	9	9.9'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq.ft.
5'	30.3	4.17
6'	19.8	2.74
7'	14.1	1.96
8'	11.8	1.63
9'	9.4	1.30

38'x38'x10' Room, Workplane 2.5' above floor, 80/50/20% Reflectances

Coefficients of utilization

Ceiling	80%				70%		50%		30%		0%	
Wall	70	50	30	10	50	10	50	10	50	10	0	
RCR	Zonal cavity method - Effective floor reflectance = 20%											
<div>Room Cavity Ratio</div>	0	119	119	119	119	116	116	111	111	106	106	100
	1	111	107	103	100	104	98	100	95	96	92	88
	2	102	96	90	85	94	84	90	82	87	80	77
	3	95	86	79	74	85	73	82	72	79	71	67
	4	88	78	70	65	77	64	74	63	72	62	60
	5	82	71	63	57	70	57	68	56	66	56	53
	6	76	65	57	51	64	51	62	51	61	50	48
	7	71	59	52	46	59	46	57	46	56	45	43
	8	67	55	47	42	54	42	53	42	52	41	39
	9	63	51	43	38	50	38	49	38	48	38	36
10	59	47	40	35	47	35	46	35	45	35	33	

Zonal lumens & percentages

Zone	Lumens	%Luminaire
0-30	510	40.4%
0-40	786	62.3%
0-60	1127	89.3%
0-90	1262	100.0%

CRI and CCT adjustment factors

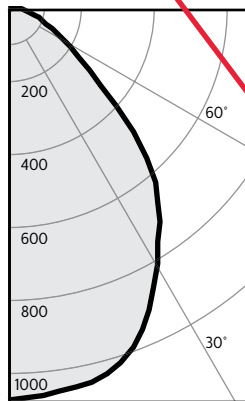
90 CRI 2700K = 84%
80 CRI 2700K = 100%
80 CRI 3000K = 100%
80 CRI 3500K = 105%
80 CRI 4000K = 109%

S5R, S7R & S10R SlimSurface LED

Round 5", 7" and 10" Apertures

S10R830K22 • 24 W LED, 80 CRI, 3000 K

Candela Curves



Angle	Mean CP	Lumens
0	1027	97
5	1017	
10	1008	279
15	992	
20	947	399
25	871	
30	776	429
35	685	
40	597	351
45	459	
50	313	204
55	223	
60	161	122
65	122	
70	93	74
75	70	
80	46	23
85	20	
90	0	

Single unit data

Height to Lighted Plane	Initial center beam foot-candles	Beam dia. (ft)*
5'	41	5.5'
6'	29	6.6'
7'	21	7.7'
8'	16	8.8'
9'	13	9.9'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq.ft.
5'	83.4	1.04
6'	54.8	0.68
7'	39.1	0.49
8'	32.6	0.41
9'	26.1	0.33

Coefficients of utilization

Ceiling	80%				70%		50%		30%		0%	
Wall	70	50	30	10	50	10	50	10	50	10	0	
RCR	Zonal cavity method - Effective floor reflectance = 20%											
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100
	1	111	107	103	100	104	98	100	95	96	92	88
	2	102	95	90	85	93	84	90	82	87	80	76
	3	95	86	79	73	84	72	81	71	79	70	67
	4	88	77	70	64	76	63	74	63	71	62	59
	5	82	70	62	56	69	56	67	56	65	55	53
	6	76	64	56	50	63	50	61	50	60	49	47
	7	71	59	51	45	58	45	57	45	55	45	43
	8	66	54	46	41	53	41	52	41	51	41	39
	9	62	50	43	37	49	37	48	37	47	37	35
10	59	47	39	34	46	34	45	34	44	34	32	

Zonal lumens & percentages

Zone	Lumens	%Luminaire
0-30	775	39.2%
0-40	1203	60.9%
0-60	1758	88.9%
0-90	1977	100.0%

Report: S10R927K22BK

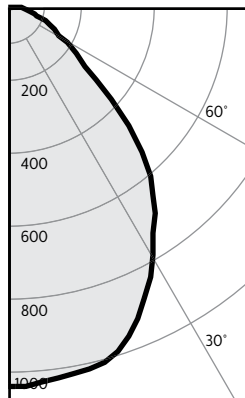
Output lumens: 1977 lms
Spacing Criterion: 1.1
Beam Angle: 87°
Input Watts²: 23.5 W

Efficacy: 84.1 lm/w
CCT³: 3000 K
CRI: 80 min

38'x38'x10' Room, Workplane 2.5' above floor, 80/50/20% Reflectances

S10R835K22 • 24 W LED, 80 CRI, 3500 K

Candela Curves



Angle	Mean CP	Lumens
0	1000	94
5	990	
10	981	271
15	966	
20	922	388
25	847	
30	754	416
35	664	
40	579	339
45	442	
50	300	195
55	212	
60	153	117
65	117	
70	89	71
75	67	
80	44	22
85	20	
90	0	

Single unit data

Height to Lighted Plane	Initial center beam foot-candles	Beam dia. (ft)*
5'	40	5.5'
6'	28	6.6'
7'	20	7.7'
8'	16	8.8'
9'	12	9.9'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq.ft.
5'	80.8	1.06
6'	53.0	0.70
7'	37.9	0.50
8'	31.6	0.41
9'	25.2	0.33

Coefficients of utilization

Ceiling	80%				70%		50%		30%		0%	
Wall	70	50	30	10	50	10	50	10	50	10	0	
RCR	Zonal cavity method - Effective floor reflectance = 20%											
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100
	1	111	107	103	100	104	98	100	95	96	92	88
	2	102	95	90	85	94	84	90	82	87	80	76
	3	95	86	79	73	84	72	81	71	79	70	67
	4	88	77	70	64	76	64	74	63	72	62	59
	5	82	70	62	57	69	56	67	56	65	55	53
	6	76	64	56	51	63	50	62	50	60	50	47
	7	71	59	51	45	58	45	57	45	55	45	43
	8	67	54	47	41	54	41	52	41	51	41	39
	9	62	50	43	38	50	38	49	37	48	37	35
10	59	47	39	35	46	34	45	34	44	34	32	

Zonal lumens & percentages

Zone	Lumens	%Luminaire
0-30	754	39.4%
0-40	1170	61.2%
0-60	1703	89.0%
0-90	1913	100.0%

Report: 963GFR

Output lumens: 1913 lms
Spacing Criterion: 1.1
Beam Angle: 87°
Input Watts²: 23.9 W

Efficacy: 80.0 lm/w
CCT³: 3500 K
CRI: 80 min

38'x38'x10' Room, Workplane 2.5' above floor, 80/50/20% Reflectances

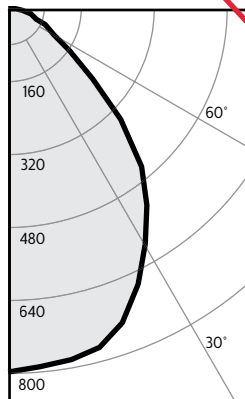
1. Tested using absolute photometry as specified in LM79: IESNA Approved Method for the Electrical and Photometric Measurements of Solid-State Lighting Products.
2. Wattage: controlled to within 5%
3. Correlated Color Temperature: within specs as defined in ANSI_NEMA_ANSI C78.377-2008: Specifications for the Chromaticity of Solid State Lighting Products.

S5R, S7R & S10R SlimSurface LED

Round 5", 7" and 10" Apertures

S10R927K22 • 23 W LED, 90 CRI, 2700 K

Candela Curves



Angle	Mean CP	Lumens
0	794	
5	788	
10	781	
15	769	216
20	732	
25	669	307
30	595	
35	525	328
40	453	
45	344	265
50	238	
55	162	149
60	116	
65	87	87
70	66	
75	49	52
80	32	
85	13	15
90	0	

Single unit data

Height to Lighted Plane	Initial center beam foot-candles	Beam dia. (ft)*
5'	32	5.5'
6'	22	6.6'
7'	16	7.7'
8'	12	8.8'
9'	10	9.9'

* Beam diameter is where foot-candles drop to 50% of maximum.

Multiple unit data - RCR 2

Spacing on center	Initial center beam foot-candles	Watts per sq.ft.
5'	63.3	1.01
6'	41.5	0.66
7'	29.7	0.47
8'	24.7	0.39
9'	19.8	0.32

38'x38'x10' Room, Workplane 2.5' above floor, 80/50/20% Reflectances

Coefficients of utilization

Ceiling	80%				70%		50%		30%		0%	
Wall	70	50	30	10	50	10	50	10	50	10	0	
RCR	Zonal cavity method - Effective floor reflectance = 20%											
Room Cavity Ratio	0	119	119	119	119	116	116	111	111	106	106	100
	1	111	107	103	100	105	98	100	95	97	93	88
	2	103	96	90	85	94	84	90	82	87	80	77
	3	95	86	79	74	85	73	82	72	79	70	67
	4	88	78	70	64	77	64	74	63	72	62	60
	5	82	71	63	57	70	57	68	56	66	56	53
	6	76	65	57	51	64	51	62	50	60	50	48
	7	71	59	51	46	58	46	57	45	56	45	43
	8	67	55	47	42	54	42	53	41	52	41	39
	9	63	51	43	38	50	38	49	38	48	38	36
10	59	47	40	35	46	35	46	35	45	35	33	

Zonal lumens & percentages

Zone	Lumens	%Luminaire
0-30	598	40.0%
0-40	925	62.0%
0-60	1339	89.7%
0-90	1493	100.0%

Report: S10R927K22BK

Output lumens:	1493 lms	Efficacy:	65.5 lm/w
Spacing Criterion:	1.1	CCT ³ :	2700 K
Beam Angle:	86°	CRI:	90 min
Input Watts ² :	22.8 W		



Sample Cutsheet for Existing Sign Lights. The existing lights are similar to these.

Questions? [1-888-919-7446](tel:1-888-919-7446)



[Home](#) / [Sign & Business Lighting](#) / [Bullet Lights](#) / Streamline Wall Mount Single PAR20 Spotlight Fixture



Streamline Wall Mount Single PAR20 Spotlight Fixture

[Be the first to review this product](#)

SKU

D12-PAR20-SNGL

Ships In

3-4 Business Days

\$147.85

Add to Cart

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Streamline Wall Mount Single PAR20 Spotlight Fixture

[Be the first to review this product](#)

\$147.85

In stock

Ships In

3-4 Business Days

SKU#: D12-PAR20-SNGL

Choose Arm Length *

-- Please Select --

Qty

1

Add to Cart



Details



The Streamline Wall Mount Single PAR20 Spotlight Fixture is the perfect choice of spotlights for all types of sign lighting as well as for illuminating artwork and other items along a wall. Perfect for use indoors or outdoors in areas where winds are light, the light is easy to aim with its swiveling arm. The spread of light provided by the spot can be as wide as 3 feet and as high as 6 feet.

Specifications:

Mounting tips: For best results, install the light 18 inches above the targeted area or object. You can increase the spread of the spot light by taking out the glass lens; however, to do so safely, the light must be kept in an area away from water exposure, including precipitation, humidity and sprinklers. The light must also be installed at a downward angle for use without the lens.

Includes ceramic 120-volt 50W socket threaded for easy screw-in installation. You can use the light with any PAR20 lamp. No bulb is included, so that you can select the ideal lamp for your needs, even an LED bulb with a medium base socket for energy savings.

Customize the single spotlight fixture with a selection of three arm lengths: 12-inch, 18-inch, or a 24" arm. Additional lead time may be necessary for customized orders.

More Information



Reviews



Downloads (1)



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FEATURES

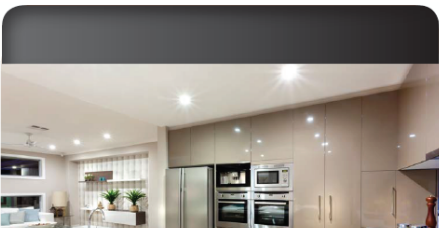
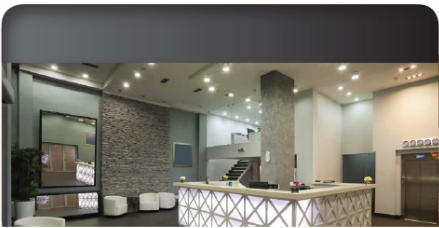
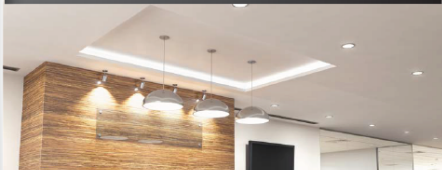
- Direct replacement for 50-Watt halogen alternatives
- Dimmable with suitable dimmer switch
- Pleasing 3000 Kelvin halogen white light
- Not for use in enclosed fixtures
- UL rated for damp locations
- Shatter resistant



CAUTION: SUITABLE FOR DAMP LOCATIONS.
NOT FOR USE IN TOTALLY ENCLOSED
LUMINAIRES.

SKU#	Kelvin	Lumens	Wattage	Voltage	Dimmable	Base	Life Hours	Warranty
PLT-11140	3000	500	7	120V	YES	E26	25,000	1 Year

APPLICATIONS



FEATURES

- Long lifespan of up to 25,000 hours
- Exceptional lumen efficacy
- Lights instantly to full brightness, no need for warm up

TYPICAL APPLICATIONS

- Recessed downlights
- Display lights
- Track lights

WARRANTY

Warranty

1 Year

SPECIFICATIONS

DIMMABLE	YES
BASE	E26
SAFETY RATING	UL DAMP LOCATION
CRI	80
COLOR	HALOGEN WHITE
COLOR TEMPERATURE	3000K
LIFE HOURS	25,000
WATTAGE	7
LUMENS	500
VOLTAGE	120
BEAM ANGLE	40
ENCLOSED FIXTURE RATED	NO
HALOGEN EQUIVALENT (WATTS)	50
ENERGY STAR	NO
HEIGHT	3.15 IN.
DIAMETER	2.56 IN.
CASE QUANTITY	24

**Planning Board Minutes
October 23, 2019**

F. Special Land Use Permit and Final Site Plan & Design Review

1. 111 Henrietta & 195 W. Maple - Brooklyn Pizza (including former Birmingham Geek space) – Request for Special Land Use Permit to operate a bistro with the service of alcohol in the existing Brooklyn Pizza, to be expanded, in the B4/D4 zoning district.

2. 111 Henrietta & 195 W. Maple - Brooklyn Pizza (including former Birmingham Geek space) – Request for Final Site Plan & Design Review to convert the former Birmingham Geek space into restaurant space to expand the existing Brooklyn Pizza space, including exterior changes to the building.

City Planner Cowan presented the item. He noted there would actually be 60 interior seats, not the 65 seats stated in his written report.

Planning Director Ecker explained that while many dumpsters in alleys do not have screening walls because they were grandfathered in, they would be subject to the same screening requirements as other dumpsters in the City should changes to their circumstances be made.

Mr. Jeffares said he was considering possible improvements to the alley behind Brooklyn Pizza as part of this review.

Mr. Share asked that the Board consider whether to grant a bistro license to a restaurant with no table service. He said the lack of table service seemed counter to what bistros within the City have traditionally been.

Patrick Howe, attorney for the applicant, discussed the plans for the restaurant. He noted that the first bistro license granted in the City was for Cosi, an now-closed establishment that did not provide table service.

The Board and the applicant's team discussed whether a bistro license could be granted to an establishment where patrons pick up their own alcoholic drinks from the bar and proceed to their tables. Ms. Whipple-Boyce noted that Article 3 of the Bistro License requires that alcohol is only served to seated patrons.

Chairman Clein said that Ms. Whipple-Boyce's point was a good one, and that it would be up to the City Commission to determine whether Brooklyn Pizza's proposed bar service would be sufficiently in-line with the ordinance. He said that since the issue had been minuted, it could now be further reviewed by the City Attorney and the Commission.

Sam Abdelfatah, owner of Brooklyn Pizza, told the Board that the alley behind their building is both very narrow and very busy. He said an apartment building next to the alley has their garage exit directly into the alley and that AT&T frequently parks their trucks in that alley. He added that his business plans to purchase a larger dumpster to fit the expanding needs of the restaurant, and that to fence it off would be prohibitive for other traffic that needs to flow through the alley and for the garbage company to empty the dumpster. He also said that during the summer three

of the ten bar stools from the interior would be moved to the exterior bar, and that during the colder months they would move back inside.

Joel Schmidt, architect for the project, stated that the project plans to use high-density cement fiber board, and that there are no plans to use EFIS on this project. He continued:

- The decision about whether to screen the RTUs was a matter of either violating the ordinance requiring the screening of the RTUs or violating the ordinance requiring that to the best extent possible, no screening should extend above the top edge of an imaginary plane extending upward 45 degrees from the eave line. He said that screening the most northerly unit would likely cause the screen wall to either be flush with the exterior wall of the building, or to possibly even overhang the edge of the building. This is because this unit is two feet away from the edge of the building, and a screen wall should be installed two feet away from the unit. He recommended that if the City wants that unit completely screened, a perforated metal screen should be used to make that part of the screening wall less obtrusive. He said he would use a perforated metal screen rated for 70% opacity or greater.
- The City's ordinance requiring a VLT for windows of 80% or above makes buildings in Birmingham much more expensive. He said a standard window with a standard coating would yield a VLT of 71%. To get to the 80% a number of upgrades are required. Mr. Schmidt asserted that the visible difference between windows with 71% VLT and 80% VLT would be likely invisible to the naked eye. He said that both would result in clear facades on the main streets of Birmingham, and asked that the Board consider reviewing the matter. He said that, despite this point, if the City wanted Brooklyn Pizza to move forward with the 80% VLT they were absolutely prepared to do so.
- The park benches outside of Brooklyn Pizza will remain in place as part of these plans, and were only accidentally omitted from the drawings.
- Choosing to locate the bar where it is in the plans is because Mr. Abdelfatah insisted on a layout that made the restaurant and bar area feel like it opened up onto Shain Park. It was also assumed that bar patrons would more likely sit sideways interacting each other, and would not sit looking straight ahead at the wall that will be located in front of four of the bar seats.
- The high-density cement fiber board will have open joints that will allow for open ventilation and a bit of rain driven water to enter the wall. Then the water would hit a masonry wall behind the cement fiber board that was already weatherproofed. As a result, any water that was able to permeate the fiber board will drain out the bottom of the wall, meaning the cement fiber board would be able to fully dry.

Chairman Clein noted for the record that page 107 was submitted with the original bistro application, and is not what the Planning Board would be voting on this evening. The submittal the Board would be voting on would be based on updated plans.

Ms. Whipple-Boyce told Mr. Abdelfatah that she would like him to leave his outdoor seating down in the evenings so that people strolling through the City might be able to sit in those chairs. She said that many establishments stack their chairs in the evening in a way that is both inhospitable and unsightly, and that this application was her first opportunity to address the issue.

Mr. Abdelfatah said he would be happy to leave his outdoor seating for people to sit in when the establishment is closed.

Seeing no public comment, discussion returned to the Board.

Motion by Mr. Williams

Seconded by Ms. Whipple-Boyce to add the memorandum from the Birmingham Police Department indicating that Mr. Abdelfatah had no criminal record dated October 23, 2019, and the memorandum from the Building Department dated October 23, 2019 be received and filed.

Motion carried, 7-0.

VOICE VOTE

Yeas: Williams, Whipple-Boyce, Share, Emerine, Boyle, Clein, Jeffares

Nays: None

In reply to Mr. Boyle, Planning Director Ecker stated that while the RTUs must be screened the screening walls can exceed the imaginary 45 degree plane mentioned in the ordinance if necessary, and that they may be screened using any one of a number of appropriate materials as long as it meets City specifications. She also advised the Planning Board that they could choose to lower the 80% VLT requirement for this project if the four requirements to do so were met. She told the Board that they were scheduled to review the 80% VLT requirements on their November 13, 2019 agenda. She stated that there is reasonably-priced clear glass available that can meet the 80% VLT standard, but that when a building complies with that requirement they often cannot also get the building to be compliant with the Energy Code, especially in existing buildings.

Chairman Clein acknowledged the clause that would allow the Board to lower the VLT requirement, but said he would not be comfortable randomly applying the clause.

Mr. Jeffares noted that an exception had been made for the VLT of the glass in the Baldwin Library's youth room addition, and that there should not be one standard for public development and one standard for private.

Acknowledging that she has been an ardent supporter of clear glass windows throughout the City, Ms. Whipple-Boyce said she would also be interested in seeing the difference between 71% VLT glass and 80% VLT glass given the hardships stemming from the 80% requirement that more than one applicant has described. Echoing a previous comment from Mr. Boyle, she agreed that there should be some language in the upcoming motion to allow Brooklyn Pizza to change its window VLT should the City's VLT requirements be amended subsequent to this meeting.

Chairman Clein said it would be inappropriate for the Board to decide on a VLT percentage from the outset with the understanding that it is the number that would best serve a particular applicant. He emphasized that the City has ordinances which must be followed, and that Brooklyn Pizza could still benefit from future changes if the City's VLT standard changed by the time they return for a building permit.

Mr. Abdelfatah told the Board that he would accommodate the City's VLT ordinance if it was the best way to move the process forward.

In reply to Mr. Jeffares question regarding whether the applicant should be required to screen

their dumpster, Ms. Whipple-Boyce opined that it would not likely be possible with the circumstances as they are. She said an ideal scenario would be for a number of businesses to all utilize one compacting dumpster in that alley.

Planning Director Ecker confirmed for Mr. Jeffares that the alley in question is scheduled to be redone, but could not immediately recall when that work would commence.

Motion by Mr. Jeffares

Seconded by Mr. Williams 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 Design Review for Brooklyn Pizza at 111 Henrietta and 195 W. Maple, provided however that if there is a modification of the glazing ordinance that the applicant be allowed to meet the new VLT requirement without returning for Planning Board review, and pending receipt of the following prior to appearing before the City Commission:

- 1) Provision of rooftop plans indicating all RTUs are screened on all sides in accordance with the Zoning Ordinance;**
- 2) Provision of tree grate specifications indicating they will be ADA compliant;**
- 3) Specification sheets for the new glass indicating a VLT of 80% or above;**
- 4) Provision of all specifications for all outdoor and signage lighting and a photometric plan in accordance with the Zoning Ordinance;**
- 5) Provision of specifications regarding the railing material and height for the outdoor patio barrier; and**
- 6) Both existing park benches remain outside the restaurant.**

Ms. Whipple-Boyce asked if there would be a way to allow Brooklyn Pizza to benefit if the City's VLT requirements were lowered in the future.

Planning Director Ecker replied that if the Board agreed Brooklyn Pizza should be afforded that option in the future, the relevant language should be included in the present motion.

Mr. Jeffares permitted Ms. Whipple Boyce's recommended language to be added to the motion.

Mr. Share made it known that he would not be supporting this motion or the following regarding the SLUP because in his view the operational plan was not consistent with the Zoning Ordinance in terms of serving seated patrons, and was not consistent with his conception of what a bistro is. Mr. Share stated that if the establishment were pursuing another type of alcohol-serving license within the City he would be more obliging. He noted that bistro licenses are relatively scarce resources in the City and that the Commission, as he understood it, had not considered those aspects.

Chairman Clein invited public comment.

Mr. Howe explained that the ordinance says alcohol is only served to seated patrons except for those standing in the defined bar area. He noted that with Brooklyn Pizza's proposed layout, patrons would only be served alcohol while standing in the defined bar area, after which they would proceed to their seats and become seated patrons. Mr. Howe reiterated that Brooklyn Pizza's plan is consistent with the first bistro ever granted in Birmingham, and that has been their intent.

Motion carried, 6-1.

VOICE VOTE

Yeas: Jeffares, Williams, Whipple-Boyce, Emerine, Boyle, Clein

Nays: Share

Motion by Mr. Jeffares

Seconded by Ms. Whipple-Boyce 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 Special Land Use Permit for Brooklyn Pizza at 111 Henrietta and 195 W. Maple, provided however that if there is a modification of the glazing ordinance that the applicant be allowed to meet the new VLT requirement without returning for Planning Board review, and pending receipt of the following prior to appearing before the City Commission:

- 1) Provision of rooftop plans indicating all RTUs are screened on all sides in accordance with the Zoning Ordinance;**
- 2) Provision of tree grate specifications indicating they will be ADA compliant;**
- 3) Specification sheets for the new glass indicating a VLT of 80% or above;**
- 4) Provision of all specifications for all outdoor and signage lighting and a photometric plan in accordance with the Zoning Ordinance;**
- 5) Provision of specifications regarding the railing material and height for the outdoor patio barrier; and**
- 6) Both existing park benches remain outside the restaurant.**

Motion carried, 6-1.

VOICE VOTE

Yeas: Jeffares, Whipple-Boyce, Williams, Emerine, Boyle, Clein

Nays: Share



Special Land Use Permit Application – Bistro Planning Division

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

1. Applicant

Name: 111 Brooklyn, Inc.
Address: 111 Henrietta St. & 195 W. Maple St.
Birmingham, MI 48009
Phone Number: (248) 258-6690
Fax Number: N/A
Email address: sambrooklynpizza@gmail.com

2. Property Owner

Name: Freund II Investment, LLC
Address: 3985 Torrey Hill Ln.
San Diego, CA 92130
Phone Number: (858) 232-6867
Fax Number: N/A
Email address: N/A

3. Applicant's Attorney/Contact Person

Name: J. Patrick Howe
Address: 280 N. Old Woodward Ave., Suite 12
Birmingham, MI 48009
Phone Number: (248) 385-3112
Fax Number: (888) 450-1682
Email address: jphowe@jphowe.com

4. Project Designer/Developer

Name: D MET Architecture + Design Attn: Joel Schmidt
Address: 15 E. Kirby St., Suite 103
Detroit, MI 48202
Phone Number: (313) 874-1528
Fax Number: N/A
Email address: dmetdesign@gmail.com

5. Required Attachments

- I. Two (2) paper copies and one (1) digital copy of all project plans including:
 - i. A detailed Existing Conditions Plan including the subject site in its entirety, including all property lines, buildings, structures, curb cuts, sidewalks, drives, ramps and all parking on site and on the street(s) adjacent to the site, and must show the same detail for all adjacent properties within 200 ft. of the subject sites property lines;
 - ii. A detailed and scaled Site Plan depicting accurately and in detail the proposed construction, alteration or repair;
 - iii. A Certified Land Survey;
 - iv. Interior floor plans;
 - v. A Landscape Plan;
 - vi. A Photometric Plan;
 - vii. Colored elevation drawings for each building elevation;
- II. Specification sheets for all proposed materials, light fixtures and mechanical equipment;
- III. Samples of all proposed materials;
- IV. Photographs of existing conditions on the site including all structures, parking areas, landscaping and adjacent structures;
- V. Current aerial photographs of the site and surrounding properties;
- VI. Warranty Deed, or Consent of Property Owner if the applicant is not the owner;
- VII. Any other data requested by the Planning Board, Planning Department, or other City Departments.

6. Project Information

Address/Location of the property: 111 Henrietta St. & 195 W. Maple St.
Birmingham, MI 48009
Name of development: Brooklyn Pizza
Sidwell #: _____
Current Use: Restaurant
Proposed Use: Bistro
Area of Site in Acres: .04
Current zoning: B-4
Is the property located in the floodplain? No.
Name of Historic District Site is Located in: No.
Date of Historic District Commission Approval: _____
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 Application for Revised Final Site Plan: _____
Date of Revised Final Site Plan Approval: _____
Date of Design Review Board Approval: _____
Is there a current SLUP in effect for this site? _____
Date of Application for SLUP: _____
Date of SLUP Approval: _____
Date of Last SLUP Amendment: _____

7. Details of the Proposed Development (attach separate sheet if necessary)

_____The project entails the conversion of the existing computer repair store at 195 W. Maple Road into a bar _____
_____and additional seating for Brooklyn Pizza. _____

8. Buildings and Structures

Number of Buildings on Site: 1
Height of Buildings & # of Stories: 11'-6" (1 story)

Use of Buildings: Restaurant & Retail/Office
Height of Rooftop Mechanical Equipment: 15'-0" +/- above grade

9. Floor Use and Area (in Square Feet)

Structures:

Restaurant Space: 1
Office Space: 0
Retail Space: 0

Number of Residential Units: 0
Rental or Condominium? 0
Total Floor Area: 1,770 GSF

10. Proposed Bistro Operation

Number of Indoor Seats: 65
Number of Outdoor Seats: 41
Entertainment Proposed: No
Previous LCC Complaints? No
Number of Tables along Street Façade: 2 Tables + 3 Counters
Type of Cuisine: Pizza & Italian Fare

Bar Area? Yes
Number of Seats at Bar: 10
Full Service Kitchen? Yes
Percentage of Glazing Proposed: 70%
Years of Experience in Birmingham: 23
Years of Experience Outside Birmingham: 25

11. Required and Proposed Setbacks N/A - Footprint of existing building will not change

Required Front Setback: _____
Required Rear Setback: _____
Required Total Side Setback: _____

Proposed Front Setback: _____
Proposed Rear Setback: _____
Proposed Total Side Setback: _____

12. Outdoor Dining Facility

Location (sidewalk right-of-way or on-street parking space): Sidewalk Right of Way
Hours of Operation: 11 AM - 11PM seven days/wk
Width of unobstructed sidewalk between door and café? (5 ft. required): N/A - Outdoor dinning is against building.
Platform Proposed: No
Trash Receptacles: Yes

Number of Tables/Chairs: 17 Tables / 41 Seats
Material of Tables/Chairs: Metal
Tables Umbrellas Height & Material: None
Number and Location of Parking Spaces Utilized: None
Screenwall Material: Custom metal railing / barrier
Enclosure Material: Not applicable

13. Required and Proposed Parking N/A - No existing parking and no parking proposed

Required number of parking spaces: _____
Location of parking on site: _____
Screenwall material: _____

Shared Parking Agreement? _____
Location of parking off site: _____
Height of screenwall: _____

14. Landscaping

Location of landscape areas: _____
_____(1) Hanging box planters and (5) planters are _____
____incorporated into the patio design _____

Proposed landscape material: Flowering herbs and _____
_____other ornamental _____
_____plants. _____

15. Streetscape

Sidewalk width: 17'-0" +/- on Henrietta; 9'-0" +/- on Maple.
Number of benches: 1 existing bench
Number of planters:
Number of existing street trees: 2 existing street trees
Number of proposed street trees: No new trees.
Streetscape plan submitted? Yes.

Description of benches or planters: No new benches or planters.

Species of existing trees: Unknown to applicant.

of proposed trees: None.

16. Loading

Required number of loading spaces: 0; none required
Typical angle of loading spaces:
Screenwall material:
Location of loading spaces on site:

Proposed number of loading spaces:

Typical size of loading spaces:

Height of screenwall:

Typical time loading spaces are used:

17. Exterior Waste Receptacles

Required number of waste receptacles: 1 dumpster, existing
Location of waste receptacles: in public alley
Screenwall material:

Proposed number of waste receptacles: 1 dumpster, existing

Size of waste receptacles:

Height of screenwall:

18. Mechanical Equipment

Utilities and Transformers: N/A - No changes to existing utilities or transformers

Number of ground mounted transformers: 0

Size of transformers (L•W•H):

Number of utility easements:

Screenwall material:

Location of all utilities & easements:

Height of screenwall:

Ground Mounted Mechanical Equipment: N/A - No ground mounted mechanical equipment

Number of ground mounted units:

Size of ground mounted units (L•W•H):

Screenwall material:

Location of all ground mounted units:

Height of screenwall:

Rooftop Mechanical Equipment: No changes to existing rooftop equip.

Number of rooftop units: 2

Type of rooftop units:

Screenwall material: Painted fiber cement boards

Location of screenwall: New screening will be provided @ each unit.

Location of all rooftop units: Above each store

Size of rooftop units (L•W•H): Varies

Percentage of rooftop covered by mechanical units: 4.5%

Height of screenwall: 4'-0" +/- high

Distance from rooftop units to all screenwalls:

Varies; 2'-0" +/- in most cases

19. Accessory Buildings N/A - No accessory buildings

4 Number of accessory buildings:

Location of accessory buildings:

Size of accessory buildings:

Height of accessory buildings:

20. Building Lighting No change to the existing building lighting w/ exception of 1 new down light above corner entrance.

Number of light standards on building:

Size of light fixtures (L•W•H): 7" diameter x 1"

Maximum wattage per fixture:

Light level at each property line:

Type of light standards on building:

Height from grade: 8'-0" +/-

Proposed wattage per fixture:

21. Site Lighting N/A - No sight lighting.

Number of light fixtures:

Size of light fixtures (L•W•H):

Maximum wattage per fixture:

Light level at each property line:

Type of light fixtures:

Height from grade:

Proposed wattage per fixture:

Holiday tree lighting receptacles:

22. Adjacent Properties

Number of properties within 200 ft.: 15 +/-

Property #1

Number of buildings on site: 2
Zoning district: B-4
Use type: Retail (Roots & West Elm) + Business offices
Square footage of principal building: Not known to applicant
Square footage of accessory buildings: None
Number of parking spaces: None

Property #2

Number of buildings on site: None, parking lot
Zoning district: B-4
Use type: Parking
Square footage of principal building: N/A
Square footage of accessory buildings: N/A
Number of parking spaces: 23 +/-

Property #3

Number of buildings on site: 2
Zoning district: B-4
Use type: Retail (Anthropology) + Mixed-use
Square footage of principal building: Not known to applicant
Square footage of accessory buildings: None
Number of parking spaces: None

Property #4

Number of buildings on site: 1
Zoning district: B-4
Use type: Retail (Blue Mercury & Lyudviga Couture)
Square footage of principal building: Not known to applicant
Square footage of accessory buildings: None
Number of parking spaces: None

Property #5

Number of buildings on site: 1
Zoning district: B-4
Use type: Retail (Shades Optical)
Square footage of principal building: Not known to applicant
Square footage of accessory buildings: None
Number of parking spaces: None

Property #6

Number of buildings on site: 1
Zoning district: B-4
Use type: Business (AT+T)
Square footage of principal building: Not known to applicant
Square footage of accessory buildings: None
Number of parking spaces: None

Property Description: 1-story retail building occupying
211 and 215 W. Maple, located
across Henrietta from proposed
bistro + 3-story office building @
240 Martin

North, south, east or west of property? West

Property Description: 23 +/- parking lot located
behind 211 and 215 W.
Maple

North, south, east or west of property? West

Property Description: 1-story retail building occupying 214
W. Maple, located across W. Maple
from bistro + 3-story mixed-use
building occupying 240 thru 284 W.
Maple

North, south, east or west of property? North

Property Description: 1-story retail building
occupying 168 and 172 W.
Maple, located across bistro

North, south, east or west of property? North

Property Description: 1-story retail building
occupying 193 W. Maple,
located next to bistro

North, south, east or west of property? East

Property Description: Multi-story office building
occupying lot @ northeast
corner of Henrietta and
Martin, located across alley
from bistro

North, south, east or west of property? South

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. The undersigned further states that they have reviewed the procedures and guidelines for Site Plan Review 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: Robert A. Freund Date: 7.16.19

Print Name: Robert A. Freund, Managing Member

Signature of Applicant: [Signature] Date: 9-16-19

Print Name: Hani A. Abdelfatah

Signature of Architect: _____ Date: _____

Print Name: Joel Schmidt

Office Use Only		
Application #:	Date Received:	Fee:
Date of Approval:	Date of Denial:	Accepted by:

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. The undersigned further states that they have reviewed the procedures and guidelines for Site Plan Review 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: _____

Print Name: _____

Signature of Applicant: _____ Date: _____

Print Name: Hanan A. Abdelfatah

Signature of Architect: Joel T. Schmidt Date: July 15, 2019

Print Name: Joel Schmidt, Architect D MET studio

Office Use Only

Application #: _____ Date Received: _____ Fee: _____

Date of Approval: _____ Date of Denial: _____ Accepted by: _____



SPECIAL LAND USE PERMIT APPLICATION CHECKLIST – PLANNING DIVISION

Applicant: 111 Brooklyn, Inc. d/b/a Brooklyn Pizza Case #: _____ Date: _____

Address: 111 Henrietta St. & 195 W. Maple Rd. Project: Brooklyn Pizza SLUP for Operation of Bistro

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. Aerial photographs of the subject site and surrounding properties;
- ___ 9. A detailed and scaled Site Plan depicting accurately and in detail the proposed construction, alteration or repair;
- ___ 10. A detailed Existing Conditions Plan including the subject site in its entirety, including all property lines, buildings, structures, curb cuts, sidewalks, drives, ramps and all parking on site and on the street(s) adjacent to the site, and must show the same detail for all adjacent properties within 200 ft. of the subject site's property lines;
- ___ 11. Interior floor plans;
- ___ 12. A chart indicating the dates of any previous approvals by the Planning Board, Board of Zoning Appeals, Design Review Board, or the Historic District Commission ("HDC");
- ___ 13. Existing and proposed layout of streets, open space and other basic elements of the plan;

- ___ 14. Existing and proposed utilities and easements and their purpose;
- ___ 15. Location of natural streams, regulated drains, 100-year flood plains, floodway, water courses, marshes, wooded areas, isolated preserve-able 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;
- ___ 16. General description, location, and types of structures on site;
- ___ 17. Location of sidewalks, curb cuts, and parking lots on subject site and all sites within 200 ft. of the property line;
- ___ 18. Details of existing or proposed lighting, signage and other pertinent development features;
- ___ 19. Elevation drawings showing proposed design;
- ___ 20. Screening to be utilized in concealing any exposed mechanical or electrical equipment and all trash receptacle areas;
- ___ 21. Location of all exterior lighting fixtures;
- ___ 22. A Photometric Plan depicting proposed illuminance levels at all property lines;
- ___ 23. 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
- ___ 24. 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:

- ___ 25. Color elevation drawings showing the proposed design for each façade of the building;
- ___ 26. List of all materials to be used for the building, marked on the elevation drawings;
- ___ 27. Elevation drawings of all screenwalls to be utilized in concealing any exposed mechanical or electrical equipment, trash receptacle areas and parking areas;
- ___ 28. Details of existing or proposed lighting, signage and other pertinent development features;
- ___ 29. A list of any requested design changes;
- ___ 30. Itemized list and specification sheets of all materials, light fixtures, and mechanical equipment to be used, including exact size specifications, color, style, and the name of the manufacturer;
- ___ 31. Location of all exterior lighting fixtures, exact size specifications, color, style and the name of the manufacturer of all fixtures, and a photometric analysis of all exterior lighting fixtures showing light levels to all property lines; and
- ___ 32. Any other information requested in writing by the Planning Division, the Planning Board, or the Building Official deemed important to the development.

CONTRACT FOR TRANSFER OF A LIQUOR LICENSE
(BISTRO)

This Contract is entered into this ____ day of _____ (month), ____ (year), by and between
111 Brooklyn, Inc., whose address is 111 Henrietta St., Birmingham, MI, (Licensee) and the **CITY OF BIRMINGHAM**, a Michigan Municipal Corporation, whose address is 151 Martin Street, Birmingham, Michigan 48012 (City).

RECITALS:

apply for a new Class C Liquor License under MCL 436.1531a(1)(B) and new SDM Liquor License

WHEREAS, Licensee wishes to transfer the location of its liquor license from _____ to hold at
111 Henrietta St. & 195 W. Maple St., Birmingham, Michigan (Property); and

issuance

WHEREAS, local legislative approval is required by the **CITY OF BIRMINGHAM** for the transfer of a
Class C liquor license pursuant to MCLA §436.1501 of the Michigan Liquor Control Code of
1998; and and MCL 426.1521a

WHEREAS, Licensee desires to enter into this Contract as an inducement to the **CITY OF BIRMINGHAM**
to approve the request of the aforementioned transfer of the liquor license; and,
^ application

WHEREAS, the **CITY OF BIRMINGHAM** is relying upon this Contract in giving its approval to the transfer-
of the on-premises licenses as described herein. ^ application

NOW, THEREFORE, the parties agree as follows:

obtain a Class C Liquor License under MCL 436.1521a(1)(B) for use at

1. Licensee shall be permitted to transfer the location of its liquor license from _____ to the
Property. Any transfer of the aforementioned license from the Property to any other location in the CITY OF
BIRMINGHAM shall require the approval of the Birmingham City Commission in accordance with Section 10-
83. In addition, any expansion of the building location at the Property shall also require the approval of the
Birmingham City Commission.

2. Licensee does hereby agree that it shall establish a bistro, as defined in Birmingham City Code Chapter 126,
Zoning, Article 9, section 9.02, at the Property.

3. Licensee further acknowledges that it must secure a Special Land Use Permit for a bistro as required by the
Birmingham City Code. It is further agreed that it shall comply with all provisions of the Special Land Use
Permit or any amendments thereto, as a condition of this contract. Licensee further acknowledges and agrees
that a violation of any provision of the Special Land Use Permit or the Michigan Liquor Control Code is a
violation of the terms of the contract entitling the City to exercise any or all of the remedies provided herein.

4. Licensee further agrees that it shall not apply or seek from the Michigan Liquor Control Commission any
permit endorsements to its liquor license whether available in the current Michigan Liquor Control Code or in
future Michigan Liquor Control Codes, or amendments thereto, without the prior approval of the Birmingham
City Commission.

5. Licensee further agrees that it shall not seek any change in its license status/class whether such changes are
available now in the current Michigan Liquor Control Code or in future Michigan Liquor Control Codes, or
amendments thereto, without prior approval of the Birmingham City Commission.

6. Licensee agrees that it shall adhere to all Federal, State and Local laws currently in effect or as subsequently
amended or enacted.

7. Licensee agrees that its failure to follow any of the provisions herein shall be grounds for the Michigan Liquor Control Commission to suspend, revoke or not renew its liquor license and/or for the Birmingham City Commission to revoke the Special Land Use Permit, either of which would prohibit Licensee from operating the bistro. Licensee agrees that in addition to the City of Birmingham's right to seek suspension, revocation or non-renewal of its liquor license and/or revocation of the special land use permit, the City retains any and all rights to enforce this Contract that may be available to it in law or in equity. Licensee further agrees that it shall reimburse the City all of its costs and actual attorney fees incurred by the City in seeking the suspension, revocation or non-renewal of its liquor license and revocation of the Special Land Use Permit, as well as enforcing such other rights as may be available at law and/or in equity.

8. To the fullest extent permitted by law, Licensee and any entity or person for whom Licensee is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City, its elected and appointed officials, employees and volunteers and others working on behalf of the City against any and all claims, demands, suits, or loss, including all costs connected therewith, including all costs and actual attorney fees, and for any damages which may be asserted, claimed or recovered against or from the City, its elected and appointed officials, employees, volunteers or others working on behalf of the City, by reason of personal injury, including bodily injury, death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with Licensee's operation of a bistro at the Property.

9. In the event Licensee fails to reimburse the City the costs and/or attorney fees as required herein, or any part thereof, then said amount could be transferred to the tax roll in accordance with Section 1-14 of the Birmingham City Code.

10. Any disputes arising under this Contract, not within the jurisdiction of the Michigan Liquor Control Commission, shall be settled either by commencement of a suit in Oakland County Circuit Court or by compulsory arbitration, at the election of the City. The Licensee shall notify the City of any dispute it has arising out of this Contract and shall demand that the City elect whether the dispute is to be resolved by submitting it to compulsory arbitration or by commencement of a suit in Oakland County Circuit Court. The City shall make its election in writing within thirty (30) days from the receipt of such notice. If the City elects to have the dispute resolved by compulsory arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan, with each of the parties appointing one arbitrator and the two thus appointed appointing a third. In the event the City fails to make such an election, any dispute between the parties may be resolved by the filing of a suit in the Oakland County Circuit Court.

11. This Contract shall be governed by and performed, interpreted and enforced in accordance with the laws of the State of Michigan.

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

13. This Contract shall be binding upon and apply and inure to the benefit of the parties hereto and their respective successors or assigns. The covenants, conditions, and the agreements herein contained are hereby declared binding on the CITY OF BIRMINGHAM and Licensee. It is further agreed that there shall be no change, modification, or alteration hereof, except in writing, signed by both of the parties hereto. Neither party shall assign any of the rights under this contract without prior approval, in writing, of the other. Any attempt at assignment without prior written consent shall be void and of no effect.

IN WITNESS WHEREOF, the parties hereby have executed this Contract as of the date set forth above.
111 Brooklyn, Inc.

By: _____
Hani A. Abdelfatah

Its: President _____

Date: _____

CITY OF BIRMINGHAM

By: _____
, Mayor

Date: _____

By: _____
, Clerk

Date: _____



Notice Signs - Rental Application Community Development

1. Applicant

Name: _____
Address: _____

Phone Number: _____
Fax Number: _____
Email address: _____

Property Owner

Name: _____
Address: _____

Phone Number: _____
Fax Number: _____
Email address: _____

2. Project Information

Address/Location of Property: _____
Name of Development: _____
Area in Acres: _____

Name of Historic District site is in, if any: _____
Current Use: _____
Current Zoning: _____

3. Date of Board Review

Board of Building Trades Appeals: _____
City Commission: _____
Historic District Commission: _____
Planning Board: _____

Board of Zoning Appeals: _____
Design Review Board: _____
Housing Board of Appeals: _____

The undersigned states the above information is true and correct, and understands that it is the responsibility of the applicant to post the Notice Sign(s) at least 15 days prior to the date on which the project will be reviewed by the appropriate board or commission, and to ensure that the Notice Sign(s) remains posted during the entire 15 day mandatory posting period. The undersigned further agrees to pay a rental fee and security deposit for the Notice Sign(s), and to remove all such signs on the day immediately following the date of the hearing at which the project was reviewed. The security deposit will be refunded when the Notice Sign(s) are returned undamaged to the Community Development Department. Failure to return the Notice Sign(s) and/or damage to the Notice Sign(s) will result in forfeiture of the security deposit.

Signature of Applicant: _____ Date: _____

Office Use Only

Application #: _____	Date Received: _____	Fee: _____
Date of Approval: _____	Date of Denial: _____	Reviewed by: _____



Fee Schedule

Administrative Approval	\$100
Board of Zoning Appeals* <ul style="list-style-type: none"> Single Family Residential All Others 	\$310 \$510
Community Impact Study Review*	\$2,050
Design Review*	\$350
Lot Division*	\$200 / parcel affected
Historic District Review* <ul style="list-style-type: none"> Single Family Residential District All other zone districts 	No charge \$350
Public Notice Sign	\$100 / refundable deposit \$50 fee
Site Plan Review* <ul style="list-style-type: none"> R4 through R8 zone district Nonresidential districts 	\$850 plus \$50 per dwelling unit \$1,050 plus \$50 per acre or portion of acre
Special Land Use Permit* <ul style="list-style-type: none"> Plus Site Plan Review Plus Design Review Plus Publish of Legal Notice Plus sign rental and deposit 	\$800 \$1,050 \$350 \$450 \$150 Total fee: \$2,800
Special Land Use Permit Annual Renewal Fee	\$200
Temporary Use Permit	\$100
Zoning Compliance Letter	\$50

The fees for Design Review, Site Plan Review, Historic District Review and Special Land Use Permits shall be double the listed amounts in the event the work is commenced prior to the filing of an application for review by the City of Birmingham.

Ordinance No. 1751 (Appendix A, Section 7.38 of the Birmingham City Code)



City of Birmingham 2019 Bistro Application

Applicant: 111 Brooklyn, Inc. d/b/a Brooklyn Pizza
111 Henrietta St., Birmingham, MI 48009

Current Location: 111 Henrietta St., Birmingham, MI 48009

Proposed Location: 111 Henrietta St. **AND** 195 E. Maple Rd.
(currently Birmingham Geek Computer Repair)

Applicant's Representative: Sam Abdelfatah, Owner
111 Henrietta St., Birmingham, MI 48009
ph. (248) 709-1354

Applicant's Attorney: JPHOWE, PLLC / J. Patrick Howe
280 N. Old Woodward Ave., Suite 12, Birmingham, MI 48009
ph. (248) 385-3112

Applicant's Architect: D MET Architecture + Design / Joel Schmidt
15 E. Kirby, Suite 103, Detroit, MI 48202
ph. (313) 874-1528

History of Brooklyn Pizza

Authentic Goodness, Fresh from Brooklyn

Since 1996, Brooklyn Pizza has offered the residents and visitors of Birmingham, authentic, wood-fired pizza that tastes like it comes directly from Brooklyn, New York. That's because it has. Our founders came from Brooklyn and created comfortable local pizzerias modeled after those you'd find nestled in New York. Each delicious pizza is handcrafted using the freshest ingredients and then expertly cooked over an open flame in a wood-burning stove that was developed by a renowned Italian-born engineer. The result is pizza that is aromatic, smoky, flavorful and downright delicious. Owner Sam Abdelfatah is ready to take Brooklyn Pizza to the next level, by converting Brooklyn Pizza to a Bistro. The new Brooklyn Pizza will maintain the same authentic family friendly atmosphere, but in an expanded restaurant setting that offers a wider selection of menu items, and a select assortment of alcoholic beverages.

Restaurant Experience

The team at Brooklyn Pizza has been at it in their current location since 1996, and also operates a second location in Troy, Michigan. Owner Sam Abdelfatah brings over 25 years of experience to the operation of Brooklyn Pizza, and is a true-hands on operator. Sam will be the face and the leader of the new Brooklyn Pizza, and will ensure that the expanded operations are executed in a professional and responsible manner.

Concept for Bistro

Brooklyn Pizza has been known as family establishment open seven days a week for lunch, dinner, or quick bite to eat. It looks to maintain that identity, while expanding its menu offerings, and growing its footprint to attract more on-premise dining. Its traditional by the slice and take out operations will remain intact in the existing footprint of the restaurant. It seeks to connect the existing restaurant to the neighboring space at 195 E. Maple Rd., which is currently occupied by Birmingham Geek Computer Repair. In the neighboring space, it will offer a small bar with no more than 10 bar stools, and additional indoor seating that will not exceed 65 seats. A conceptual floor plan of the combined space is attached on page 5.

The bar area will be for dining and socializing. There will not be televisions installed in the bar area, as Brooklyn Pizza desires to maintain its true family atmosphere, and not evolve into a bar. Brooklyn Pizza also envisions creating a larger outdoor dining area on the right of way abutting Henrietta St., as shown on the attached conceptual floor plan. Brooklyn Pizza already activates Henrietta St. with its operations (especially during the outdoor dining season), and by expanding to the neighboring space at 195 E. Maple St., Brooklyn Pizza will help activate Maple St. A second entrance on Maple St. will create more foot traffic for the retail businesses along Maple St., and will contribute to the vitality of this downtown corridor. In keeping with the City of Birmingham Bistro ordinance, there will be one bar, no dancing or entertainment of any kind, tables will align the windows facing Maple St. and Henrietta St., and the restaurant will meet the Bistro glazing requirements.

Statement Regarding Impact Bistro Will Have on Mix of Commercial Uses in Birmingham

Birmingham is a family town that can be enjoyed by all generations, and that is what Brooklyn Pizza is all about. The new Brooklyn Pizza will be a true family friendly Bistro, where young children can laugh with their grandparents, and enjoy delicious Italian offerings. It will now also be a spot for mom and dad to enjoy a glass of wine on a Friday night while their children enjoy the homemade Italian gelato after finishing their coveted cheese pizza. That is what is envisioned for the new Brooklyn Pizza - a casual family friendly Bistro, which is at times hard to find in the ever growing and evolving Birmingham dining landscape.

Sample Menu & Price Point

Brooklyn Pizza currently offers a delicious selection of gourmet wood-fired pizzas, fresh salads, flavorful appetizers and snacks, and homemade Italian gelato. Our delicious, wood-fired round pizzas are handcrafted using only the finest and freshest ingredients, including homemade

tomato sauce, all-white meat chicken, dolphin-safe tuna, and beef pepperoni and sausage. From plain cheese to primavera, there's a pizza to please every person. All Brooklyn Pizzas are available in 10" round or 16" round, and most varieties are also available by the slice. The price point for all Brooklyn Pizza items is very reasonable, and is in line with similar establishments in the marketplace. If Brooklyn Pizza is approved to operate as a Bistro, it will expand upon its current menu to offer a new selection of items as outlined in the chart below:

<u>Existing Menu Items</u>	<u>Bistro Menu Items</u>
<u>Pizzas</u> Cheese Pepperoni Four Cheese Barbecued Chicken Brooklyn Signature Greek Primavera Spicy Mexican Margherita 3 Mushroom Cheese Buffalo Chicken Prosciutto & Arugula <u>Salads</u> Mixed Greens Greek Antipasto Prosciutto & Melon Greens & Gorgonzola <u>Paninis</u> El Cubano South of France Portobello Cap <u>Appetizers</u> Chicken Pesto Bites Garlic Knots Greek Veggie Bites Pepperoni Bites <u>Dessert</u> Homemade Italian Gelato <u>Beverages</u> Assortment of iced teas, soft drinks, and juices	<u>Pizzas</u> No Changes <u>Salads</u> No Changes <u>New Sandwiches</u> Chicken Parmesan Philly Cheesesteak Hamburger Sliders <u>New Appetizers</u> Chicken Wings Mac N Cheese Bites Carrots & Hummus <u>New Dessert</u> Homemade Cookies Italian Zeppole <u>New Beverages</u> Sparkling Water Cappuccino Espresso Wine by the glass Beer by the bottle Beer on Tap (4-8 varieties) Limited Selection of Traditional Mixed Spirit Drinks

Hours of Operation

11:00 AM – 11:00 PM daily

Outdoor Patio will be open when weather permits from May 1 – October 31 each year

Renovation Schedule

Renovations on the adjacent space located at 195 E. Maple Rd. (currently Birmingham Geek Computer Repair) would commence in August 2019, and would be completed in early November 2019. The existing Brooklyn Pizza restaurant located at 111 Henrietta St. would close for renovations in early November 2019. The two completely renovated spaces would be connected, and open to the public as a Bistro in mid-late November 2019.

Statement Regarding Ability to Finance, Construct & Operate Bistro

Brooklyn Pizza has assembled an experienced team that has the expertise and experience to plan, construct, open and operate a Bistro in the City of Birmingham. All renovations will be funded with cash on hand, and the proposed conversion of Brooklyn Pizza to a Bistro is not contingent on obtaining financing of any kind. Brooklyn Pizza has engaged a prominent local architect to assist with the design of the Bistro, and an experienced licensed contractor will be engaged to complete all construction. With respect to restaurant operations, owner Sam Abdelfatah brings over 25 years of experience to the operation of Brooklyn Pizza, and his very experienced staff will ensure that the Bistro is run in a professional and responsible manner. All employees involved in the sale and service of alcoholic beverages will be required to pass a server training course approved by the Michigan Liquor Control Commission.

DATE: October 23rd, 2019

TO: Planning Board

FROM: Brooks Cowan, City Planner

SUBJECT: 111 Henrietta & 195 W. Maple – Brooklyn Pizza - Final Site Plan Review & Special Land Use Permit

On April 8, 2019, the City Commission reviewed a second round of bistro applications, and selected Brooklyn Pizza as one of the two applications to move forward to the Planning Board for a Final Site Plan and Special Land Use Permit and Design Review.

Brooklyn Pizza is located at 111 Henrietta and is proposing to expand into the adjacent suite at 195 W. Maple. The proposed bistro space is currently used by Brooklyn Pizza and a computer repair store, Birmingham Geek . The parcel is zoned B-4, Business-Residential and D-4 in the Downtown Overlay District. At this time, the applicant, 111 Brooklyn, Inc, is seeking approval of a Special Land Use Permit ("SLUP") and Final Site Plan for Brooklyn Pizza to expand into the adjacent site and change to a bistro. The applicant is proposing to demolish the interior of 195 W. Maple to expand the existing restaurant and create a bar area while updating their existing space. Both interior and exterior modifications are proposed.

Chapter 10, Alcoholic Liquors, requires that the applicant obtain approval of a SLUP and Final Site Plan from the City Commission. Accordingly, the applicant will be required to obtain a recommendation from the Planning Board on the Final Site Plan and Special Land Use Permit, and then obtain approval from the City Commission for the Final Site Plan and Special Land Use Permit.

As the site is also in a Historic District, the applicant will be required to obtain approval from the Historic District Commission for all proposed signage, changes to the exterior of the building or the property and changes to the streetscape adjacent to the building.

1.0 Land Use and Zoning

- 1.1 Existing Land Use - The existing site is currently occupied by Brooklyn Pizza as a restaurant and a computer repair store is next door in the build out suite. Land uses surrounding the site are retail and commercial.
- 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.

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

2.0 **Bistro Requirements**

The applicant is requesting approval of a SLUP to operate Brooklyn Pizza bistro as an expansion at their current location.

Article 9, section 9.02, Definitions, of the Zoning Ordinance defines a bistro as a restaurant with a full service kitchen with a maximum of 65 seats indoors, and a maximum of 65 seats outdoors. The proposed renovations for Brooklyn Pizza includes the addition of a bar in the build out suite of the current computer repair store, and proposes 55 interior dining seats plus an additional 10 seats at the bar, for a total of 65 interior seats. Brooklyn Pizza will continue to utilize their full service kitchen and will offer an outdoor dining area with 41 seats along the west side of the building.

Article 3, section 3.04(C)(10) Building Use of the Zoning Ordinance permits bistros in the Overlay District as long as the following conditions are met:

- (a) No direct connect additional bar permit is allowed and the maximum seating at a bar cannot exceed 10 seats;
 - (b) Alcohol is served only to seated patrons, except those standing in a defined bar area;
 - (c) No dance area is provided;
 - (d) Only low key entertainment is permitted;
 - (e) Bistros must have tables located in the storefront space lining any street, or pedestrian passage;
 - (f) A minimum of 70% glazing must be provided along building facades facing a street or pedestrian passage between 1' and 8' in height;
-

-
- (g) All bistro owners must execute a contract with the City outlining the details of the operation of the bistro; and
 - (h) Outdoor dining must be provided, weather permitting, along an adjacent street or passage during the months of May through October each year. Outdoor dining is not permitted past 12:00 a.m. If there is not sufficient space to permit such dining on the sidewalk adjacent to the bistro, an elevated, ADA compliant, enclosed platform must be erected on the street adjacent to the bistro to create an outdoor dining area if the Engineering Department determines there is sufficient space available for this purpose given parking and traffic conditions.

As discussed above, Brooklyn Pizza bistro is proposed to have 10 seats at the bar. The applicant has proposed an L shaped bar that is 22'2" in length on its long side and 6'11" in length on the shorter side. No direct connect bar permit will be permitted from this license if it is approved. Alcohol may only be served to seated patrons and those standing in the defined bar area. Brooklyn Pizza bistro does not propose any dance area, nor are they planning to offer a live music entertainment area.

Tables are located in the majority of the storefront space along Maple and Henrietta, although the bar also occupies a portion of the store frontage. Brooklyn Pizza is currently approved for outdoor dining, and is proposing to extend the dining tables further north along Henrietta Street on the west elevation. The addition of the 70% required glazing to the building façade facing the street has been proposed along the western and northern elevation. An outdoor counter with 7 stools is proposed along the patio space. 3 of these stools face a bifold window that connects to the bar. **A potential issue is that the proposed outdoor counter could count as bar seats if they are able to receive service from the bar through the bifold window. Only 10 bar seats are permitted for bistros, therefore the number of indoor bar seats would have to be reduced if patrons could receive bar service at the outdoor patio counter.**

Brooklyn Pizza bistro is proposing to continue to provide outdoor dining and provide additional seats along the western elevation of the building. The outdoor dining area as proposed includes 41 total seats, which includes the addition of 11 seats to the current seating under the existing canopy structure. The site plan indicates the required 5' walking path around the outdoor dining area, ensuring a safe and efficient pedestrian flow along the city sidewalks continues to be maintained. The applicant is proposing to cease outdoor dining at 11:00 p.m.

3.0 Screening and Landscaping

- 3.1 Screening – No screening is required, nor proposed.
 - 3.2 Landscaping –Five planters are proposed along the outdoor dining area on Henrietta. **The applicant must provide details related to the size and type of vegetation to be used in these planters.**
 - 3.3 Rooftop Mechanical Equipment – The two rooftop mechanical units are proposed to remain as is. The applicant has proposed to screen the RTU's with cement fiber
-

board on the north, east, and south facing sides while leaving the west side unscreened for both. Section 4.54(C)(8)(c) states that any screenwall barrier shall, to the best extent possible, not extend above the top edge of an imaginary plane extending upward no more than 45 degrees from the eave line. The current RTUs extend beyond this boundary as they are currently located 2' and 3'10" from the eave line. **The Planning Department recommends that the applicant fully screen both RTUs on all sides.**

4.0 Parking, Loading, Access, and Circulation

- 4.1 Parking – As the subject site is located within the Parking Assessment District, the applicant is not required to provide on-site parking. The proposed outdoor dining area will not extend into any on-street parking spaces.
- 4.2 Loading - Loading spaces are not required, nor proposed.
- 4.3 Vehicular Access & Circulation - Vehicular access to the building will not be altered.
- 4.4 Pedestrian Access & Circulation – Pedestrian access to Brooklyn Pizza is available directly from the City sidewalks on W. Maple and Henrietta. Under the 2016 Plan, outdoor cafes are encouraged as they create a more pedestrian friendly environment. All outdoor dining areas must maintain a 5' minimum width of unobstructed pedestrian access along storefronts and pedestrian passages. As discussed above, the outdoor dining area as proposed does provide a 5' wide pedestrian path for safe and efficient pedestrian flow.
- 4.5 Streetscape – Currently there are two existing benches in front of Brooklyn Pizza on Henrietta facing towards the east. Each are beside a City standard garbage can. **The plans indicate the removal of the southern sidewalk bench that is currently placed between the streetlight and the tree grate.**

The applicant is proposing new tree grates along the sidewalk which are included in the required 5' pedestrian passageway. **The applicant must provide details and specifications for the proposed tree grates demonstrating that they are ADA compliant.** The current Statue of Liberty will be moved further north to accommodate the expanded outdoor dining.

5.0 Lighting

Existing pedestrian scale light fixtures along the western elevation of the building illuminate Henrietta Street and will continue to do so. The applicant is also proposing to relocate lighting to illuminate the projecting sign. These relocated light fixtures will match the existing lights. **The applicant must provide specification sheets for all luminaires.** In addition, a new 7" LED downlight above the relocated entrance at the corner of Henrietta and W. Maple is proposed. **The applicant must submit a photometric plan.**

6.0 Departmental Reports

- 6.1 Engineering Division – Comments to be provided for the Planning Board meeting.
- 6.2 Department of Public Services - Comments to be provided for the Planning Board meeting.
- 6.3 Fire Department – Comments to be provided for the Planning Board meeting.
- 6.4 Police Department - Comments to be provided for the Planning Board meeting.
- 6.5 Building Department - Comments to be provided for the Planning Board meeting.

7.0 Design Review

As this building is located within the Downtown Historic District, all design changes must be approved by the Historic District Commission.

Building Changes

The applicant is proposing to alter the northern and western elevations. Along W. Maple the changes include removing the existing storefront door and relocating the entrance to the northwest corner. The proposed alterations to the western elevation include additional glazing along the build out suite with the addition of an overhead bi-fold window. The additional glazing satisfies the 70% minimum requirement. **The applicant must provide specification sheets for the proposed glass. Glass areas are required to be clear with a VLT of 80% or above.**

The applicant is also proposing to update the exterior with blue and white cement fiber boards. The boards are proposed to be painted in a triangular manner between the entrance and the current canopy. **Section 3.04(E)(1) of the Zoning Ordinance indicates E.F.I.S. (Exterior Insulation and Finish System) is prohibited. The applicant must select a different material or obtain a variance from BZA.**

No changes are proposed to the existing southern elevation facing the public via at this time. This property is along an active alley within the Via Activation Overlay District. Currently, the alley is used for loading, trash refuge, and rear entry to the kitchen. **The Planning Board may wish to discuss possible improvements to the via.**

Outdoor Dining Area

Outdoor cafes must comply with the site plan criteria as required by Article 04, Section 4.41 OD-01, Outdoor Dining Standards. Outdoor cafes are permitted immediately adjacent to the principal use and are subject to site plan review and the following conditions:

1. Outdoor dining areas shall provide and service refuse containers within the outdoor dining area and maintain the area in good order.
 2. All outdoor activity must cease at the close of business, or as noted in Subsection 3 below, whichever is earlier.
-

3. When an outdoor dining area is immediately adjacent to any single-family or multiple-family residential district, all outdoor activity must cease at the close of business or 12:00 a.m., whichever is earlier.
4. All tables and chairs provided in the outdoor dining area shall be constructed primarily of metal, wood, or material of comparable quality.
5. Table umbrellas shall be considered under Site Plan Review and shall not impede sight lines into a retail establishment, pedestrian flow in the outdoor dining area, or pedestrian or vehicular traffic flow outside the outdoor dining area.
6. For outdoor dining located in the public right-of-way:
 - (a) All such uses shall be subject to a license from the city, upon forms provided by the Community Development Department, contingent on compliance with all city codes, including any conditions required by the Planning Board in conjunction with Site Plan approval.
 - (b) In order to safeguard the flow of pedestrians on the public sidewalk, such uses shall maintain an unobstructed sidewalk width as required by the Planning Board, but in no case less than 5 feet.
 - (c) An elevated, ADA compliant, enclosed platform may be erected on the street adjacent to an eating establishment to create an outdoor dining area if the Engineering Department determines there is sufficient space available for this purpose given parking and traffic conditions.
 - (d) No such facility shall erect or install permanent fixtures in the public right-of-way.
 - (e) Commercial General Liability Insurance must be procured and maintained 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. This coverage shall include an endorsement naming the city, including all elected and appointed officials, all employees, all boards, commissions and/or authorities and board members, as an additional insured. This coverage must be primary and any other insurance maintained by the additional insureds shall be considered to be excess and non-contributing with this insurance, and shall include an endorsement providing for a thirty (30) day advance written notice of cancellation or non-renewal to be sent to the city's Director of Finance.

The applicant has provided a 40 gallon steel trash receptacle within the outdoor dining area next to existing entrance as required by the Zoning Ordinance. The current Brooklyn Pizza restaurant has business hours of 11:00am to 10:00 p.m. for the outdoor dining area. The applicant has indicated that their proposed business hours for the outdoor dining area are 11am to 11pm seven days a week. The proposed outdoor dining area is not immediately adjacent to any single-family zoned property.

The applicant has provided details of the proposed outdoor tables and chairs which will consist of metal and wood material. The plans indicate the existing bench along the western elevation will remain with 6 tables and 11 chairs. The 2 existing tables with 8 chairs on the southern portion of their outdoor patio will remain as well. The applicant is proposing an addition of an exterior countertop along the western elevation with 7 countertop stools. A

portion of the new countertop and stools will be facing the proposed bi-fold window. 2 new tables with 4 chairs are also proposed along the new barrier towards the northern end of the outdoor patio. There is a total of 41 seats proposed for the outdoor dining, including 11 for the existing bench, which meets the Zoning Ordinance requirement of no more than 65 outdoor dining seats.

The outdoor seating area will be surrounded by a metal railing barrier and black fiberglass planters. **The applicant must provide specifications detailing the railing material and height.** The site plan indicates the required 5' clear pedestrian path between the street and the the outdoor dining barrier.

The applicant will be required to obtain an Outdoor Dining License from the City if the SLUP is approved by the City Commission.

Signage

The applicant is proposing two name letter signs reading "BROOKLYN PIZZA" above the newly renovated corner entrance at Henrietta and Maple, one facing north and the other facing west. Each sign is 14.63 square feet. The lettering is 1'10" in height and attached to the façade 9' above ground level. All characters will be metal channel letters painted black and pin mounted to the façade. The "BROOKLYN" portion of the sign will be illuminated with backlit lighting. Because this property is within the Historic District, only halo type backlighting is permitted for name letter signs. **The applicant must provide details in regards to the illumination of the sign as halo lit.**

A projecting sign is proposed next to the entrance on Henrietta that is 2' by 2.5', 5 square feet per side, 10 square feet total, which satisfies the requirement of 15 square feet or less. The proposed projecting sign is 8'7" above ground level and provides 6" of separation between the sign and the wall face.

There is an existing canopy sign with "BROOKLYN PIZZA" along the valance with lettering 7" in height extended 10'2" long and 5.95 square feet total which is proposed to remain. The existing canopy and signage meets all requirements of the Zoning Ordinance. The existing wall sign that wraps around the southwest corner of the building reading "BROOKLYN PIZZA" in 5" lettering is 2.82 square feet and is proposed to remain as well.

The building has 134 feet of street frontage though the Zoning Ordinance states that the total area of signs for a building may not exceed 100 feet. The applicant has proposed a total of 48 square feet of signage which meets the ordinance.

8.0 Downtown Birmingham 2016 Overlay District

The site is located within the D-4 zone of the Downtown Birmingham Regulating Plan, within the Downtown Birmingham Overlay District. The 2016 Plan recommends the addition of outdoor dining areas in the public right-of-way as it is in the public's best interest as it enhances street life, thus promoting a pedestrian friendly environment. The 2016 Plan also

recommends the enhancement of pedestrian passages to improve routes for pedestrians. Appendix C-9 of the 2016 Plan provides a map of all alleys in downtown Birmingham, and classifies each as an alley or a pedestrian passage. The recommendations contained in Circulation 5 of the 2016 Plan state that alleys should be kept clean and well lit, but that their service function should not be compromised. The Plan further states that pedestrian passages should be held to higher standards, similar to sidewalks, given their pedestrian function. The 2016 Plan specifically recommends encouraging outdoor dining areas along pedestrian passages. **The Planning Board may wish to discuss ways in which the applicant can enhance the alley to promote a more pedestrian friendly environment.**

9.0 Selection Criteria for Bistro Licenses

Chapter 10, Alcoholic Liquors, section 10-82 provides a limitation on the number of Bistro Licenses that the City Commission may approve, and provides selection criteria to assist the Planning Board and City Commission in evaluating applications for Bistro Licenses. Section 10-82 states:

- (a) **Maximum Number of Bistro Licenses.** The city commission may approve a maximum number of license transfers for Bistro licenses per calendar year as follows:
 - (1) New establishments. Two (2) Bistro Licenses may be approved each calendar year to applicants who do not meet the definition of existing establishments as set forth in (a)(1) above. In addition to the usual criteria used by the city commission for liquor license requests, the commission shall consider the following non-exclusive list of criteria to assist in the determination of which of the new establishment applicants, if any, should be approved:
 - a) The applicant's demonstrated ability to finance the proposed project.
 - b) The applicant's track record with the city including responding to city and/or citizen concerns.
 - c) Whether the applicant has an adequate site plan to handle the bistro liquor license activities.
 - d) Whether the applicant has adequate health and sanitary facilities.
 - e) The establishment's location in relation to the determined interest in the establishment of bistros in the Overlay District and the Triangle District.
 - f) The extent that the cuisine offered by applicant is represented in the city.
 - g) Whether the applicant has outstanding obligations to the city (ie property taxes, utilities, etc.).

The selection criteria provided above must be considered in providing a recommendation to the City Commission as to whether or not to approve the operation of a new bistro and ensure that Brooklyn Pizza will be a high quality establishment that will meet the City's expectations for bistros. Accordingly, a review of the requirements contained in section 10-82 is below.

The applicant has indicated they have the ability to finance this project with cash and do not need to obtain financing. Brooklyn Pizza has been in Birmingham since 1996 and has demonstrated a good track record with the city. The applicant would like to take Brooklyn Pizza to the next level by converting it to a bistro while still maintaining the same authentic family friendly atmosphere in an expanded restaurant setting with a wider selection of menu items and a select assortment of alcoholic beverages.

The owner of Brooklyn Pizza operates one other establishment in Troy, Michigan and has no issues with the city or State in regards to liquor license violations.

As discussed above, the site plan as proposed does provide for safe and efficient pedestrian flow along the city sidewalks and the plan provides space for a trash receptacle in the outdoor dining area.

In regards to the cuisine offered downtown, there are no known restaurants that specialize in pizza in the same manner as Brooklyn Pizza.

The applicant has no outstanding financial obligations with the City of Birmingham at this time.

10.0 Approval Criteria for Final Site Plan

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.
-

11.0 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 Permit application or amendment pursuant to this section shall constitute approval of the site plan and design.

12.0 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 Design Review and Special Land Use Permit for Brooklyn Pizza to operate at 111 Henrietta and 195 W. Maple pending receipt of the following prior to appearing before the City Commission:

- 1) Provision of rooftop plans indicating all RTUs are screened on all sides in accordance with the Zoning Ordinance;
- 2) Provision of tree gate specifications indicating they will be ADA compliant;
- 3) Specification sheets for the new glass indicating a VLT of 80% or above;
- 4) Provision of plans indicating an exterior design that does not include the use of E.F.I.S.;
- 5) Provision of all specifications for all outdoor and signage lighting and a photometric plan in accordance with the Zoning Ordinance;
- 6) Provision of specifications regarding the railing material and height for the outdoor patio barrier.

13.0 Sample Motion Language

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 Design Review for Brooklyn Pizza at 111 Henrietta and 195 W. Maple pending receipt of the following prior to appearing before the City Commission:

-
- 1) Provision of rooftop plans indicating all RTUs are screened on all sides in accordance with the Zoning Ordinance;
 - 2) Provision of tree gate specifications indicating they will be ADA compliant;
 - 3) Specification sheets for the new glass indicating a VLT of 80% or above;
 - 4) Provision of plans indicating an exterior design that does not include the use of E.F.I.S.;
 - 5) Provision of all specifications for all outdoor and signage lighting and a photometric plan in accordance with the Zoning Ordinance;
 - 6) Provision of specifications regarding the railing material and height for the outdoor patio barrier.

AND

Based on a review of the site plans submitted, the Planning Board recommends APPROVAL to the City Commission of the applicant's request for a Special Land Use Permit for Brooklyn Pizza at 111 Henrietta and 195 W. Maple, pending receipt of the following prior to appearing before the City Commission:

- 1) Provision of rooftop plans indicating all RTUs are screened on all sides in accordance with the Zoning Ordinance;
- 2) Provision of tree gate specifications indicating they will be ADA compliant;
- 3) Specification sheets for the new glass indicating a VLT of 80% or above;
- 4) Provision of plans indicating an exterior design that does not include the use of E.F.I.S.;
- 5) Provision of all specifications for all outdoor and signage lighting and a photometric plan in accordance with the Zoning Ordinance;
- 6) Provision of specifications regarding the railing material and height for the outdoor patio barrier.

OR

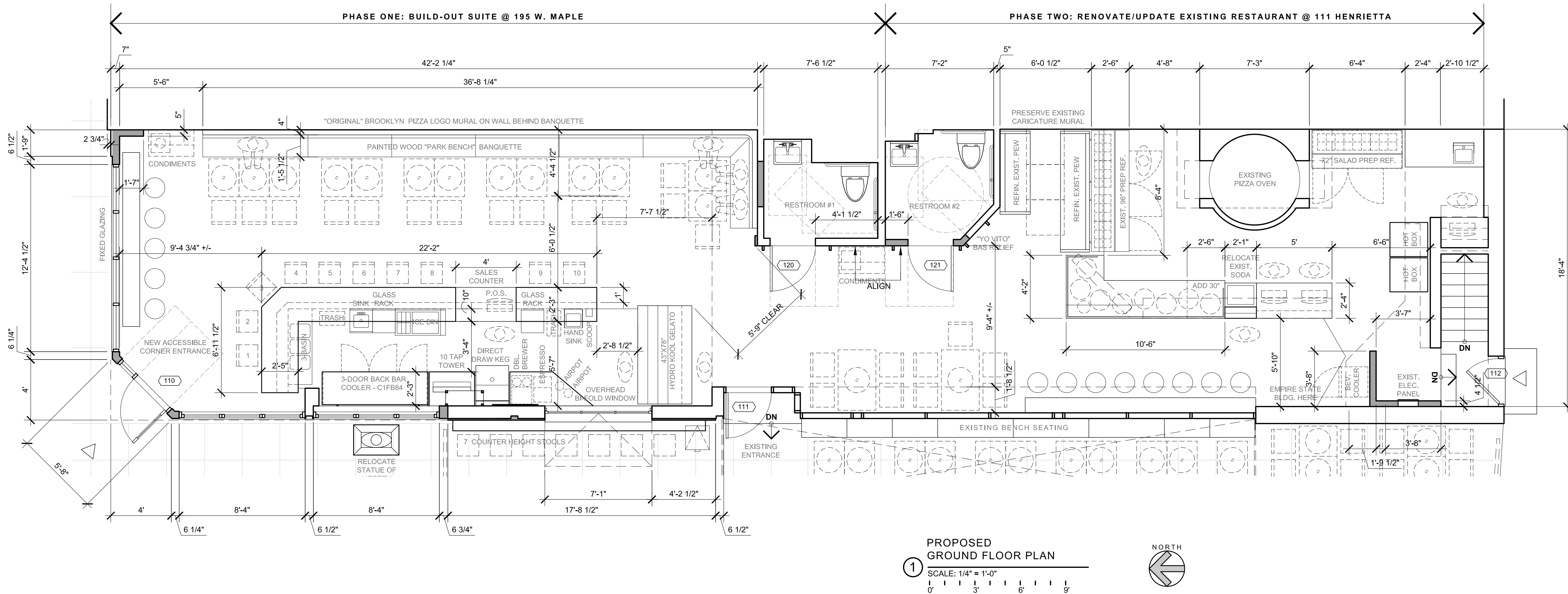
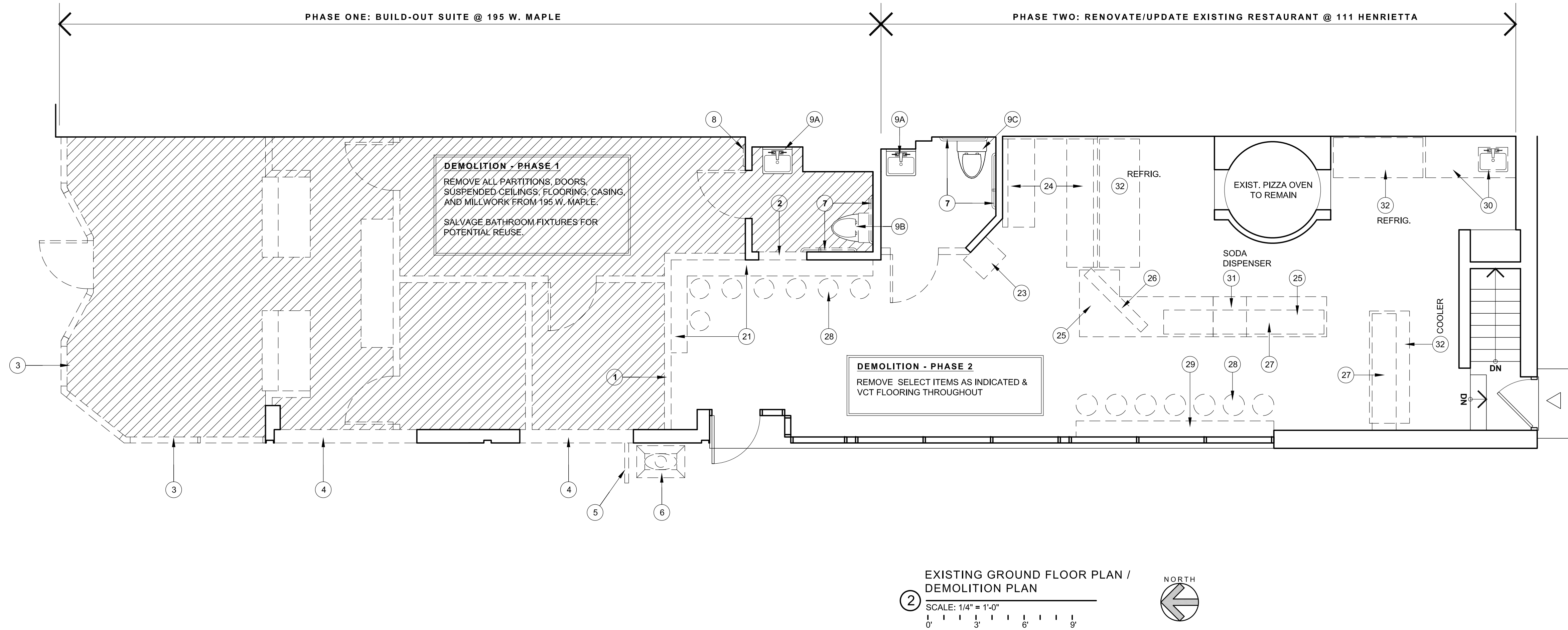
Based on a review of the site plans submitted, the Planning Board recommends to POSTPONE the applicant's request for a Final Site Plan and Design Review and a SLUP to permit Brooklyn Pizza at 111 Henrietta and 195 Henrietta until the following is submitted:

- 1) Provision of rooftop plans indicating all RTUs are screened on all sides in accordance with the Zoning Ordinance;
 - 2) Provision of tree gate specifications indicating they will be ADA compliant;
 - 3) Specification sheets for the new glass indicating a VLT of 80% or above;
 - 4) Provision of plans indicating an exterior design that does not include the use of E.F.I.S.;
 - 5) Provision of all specifications for all outdoor and signage lighting and a photometric plan in accordance with the Zoning Ordinance;
 - 6) Provision of specifications regarding the railing material and height for the outdoor patio barrier; and
-

OR

Motion to recommend DENIAL of the Final Site Plan and Design Review and a SLUP to the City Commission for Brooklyn Pizza at 111 Henrietta for the following reasons:

Original Plans Considered by the Planning Board - Now Outdated



GENERAL NOTES

1. ALL DIMENSIONS ARE 'NOMINAL' FROM FINISH-TO-FINISH UNLESS INDICATED OTHERWISE.
2. WALL TYPE DESIGNATION: WALL TYPES OTHER THAN 'TYPICAL' ARE INDICATED ON THE PLAN WITH A WALL TYPE DESIGNATION TAG. WHERE WALL TYPES ARE INDICATED, THE PARTITION SYSTEM IS CONTINUOUS UNTIL THE PARTITION CHANGES DIRECTION OR ANOTHER WALL TYPE IS INDICATED. UNMARKED PARTITIONS ARE TYPE 'TYPICAL.'
3. WALL HEIGHT DESIGNATION: THE CEILING HEIGHT OF EACH ROOM IS DESIGNATED ON THE RCP. NEW WALLS MAY EXTEND TO A HEIGHT ABOVE THE FINISH CEILING, OR AS OTHERWISE NOTED ON THE RCP.
4. NEW AND EXISTING DOORS ARE DESIGNATED WITH A DOOR TAG. CORRESPONDING INFORMATION IS FOUND IN THE DOOR SCHEDULE ON SHEET AXXX.
- 5.

KEYED NOTES

DEMOLITION - PHASE 1

- 1 EXIST. DEMISING WALL TO REMAIN INTACT THROUGHOUT PHASE ONE CONSTRUCTION; REMOVE AT BEGINNING OF PHASE TWO.
- 2 EXIST. BATHROOM WALL TO REMAIN INTACT THROUGHOUT PHASE ONE CONSTRUCTION; CREATE DOOR OPENING AT BEGINNING OF PHASE TWO.
- 3 REMOVE EXIST. STOREFRONT SYSTEM AND KNEE WALL. REFER TO EXT. ELEV. ON A200 FOR MORE INFO.
- 4 REMOVE EXIST. WALL CONSTRUCTION TO MAKE WAY FOR NEW STOREFRONT WINDOW, REFER TO EXT. ELEV. FOR MORE INFO.
- 5 SALVAGE EXIST. PROJECTING SIGN & (2) SIGN LIGHTS, SAVE FOR REUSE; REFER TO EXT. ELEV. FOR MORE INFO.
- 6 PROTECT EXIST. STATUE DURING CONSTRUCTION; MOVE TO NEW LOCATION
- 7 SALVAGE S.S. GRAB BARS & SAVE FOR REUSE
- 8 RELOCATE ELECTRICAL PANEL TO BASEMENT
- 9A REMOVE & DISCARD BATHROOM SINK, FAUCET, & MIRROR
- 9B REMOVE & RELOCATE EXISTING TOILET
- 9C REMOVE & RE-INSTALL EXIST. TOILET AS NEEDED FOR NEW FLOORING

DEMOLITION - PHASE 2

- (21) REMOVE & DISCARD EXIST. COUNTER
- (22) *NOT USED
- (23) REMOVE & DISCARD EXIST. TRASH ENCLOSURE
- (24) PROTECT CHURCH PEWS DURING CONSTRUCTION;
OWNER WILL RE-FINISH ITEM
- (25) REMOVE & RELOCATE SERVICE COUNTERS; OWNER
WILL HAVE ITEM RE-FURNISHED
- (26) PROTECT MENU BOARD DURING CONSTRUCTION;
OWNER WILL UPDATE MENU
- (27) REMOVE & DISCARD OVERHEAD STORAGE
- (28) SALVAGE FLOOR MOUNTED BARSTOOLS & SAVE
BEST FOR REUSE; OWNER WILL RE-UPHOLSTER
- (29) SALVAGE COUNTER & SAVE FOR REUSE; OWNER
WILL HAVE ITEM RE-FURNISHED
- (30) REMOVE & DISCARD EXIST. SINK, COUNTER, & BASE
CABINETS
- (31) DISCONNECT KITCHEN EQUIP. & PROTECT DURING
CONSTRUCTION; SAVE FOR REUSE
- (32) DISCONNECT KITCHEN EQUIP. & RETURN TO
OWNER; DISCARD IF NOT WANTED

NEW CONSTRUCTION - PHASE 1

- 41
- 42

PROJECT TITLE:

BROOKLYN
PIZZA
EXPANSION
Birmingham, Michigan

location
111 Henrietta Street
Birmingham, MI 48009

contact / owner
Hani "Sam" Abdelfatah

ARCHITECT:

D MET design
architecture studio

Midtown Detroit
15 E. Kirby, suite 103
Detroit, MI 48202

phone
313.401.5181

contact
Joel T. Schmidt, RA
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CONSULTANTS:

ISSUED FOR:

SLUP APP. DRAFT
PLAN REVISIONS 1
BAR REVISIONS
SLUP APP. & HDC

SLUP APP. DRAFT	JUL 5, 2019
PLAN REVISIONS 1	JUL 25, 2019
BAR REVISIONS	AUG 19, 2019
SLUP APP. & HDC	SEP 17, 2019

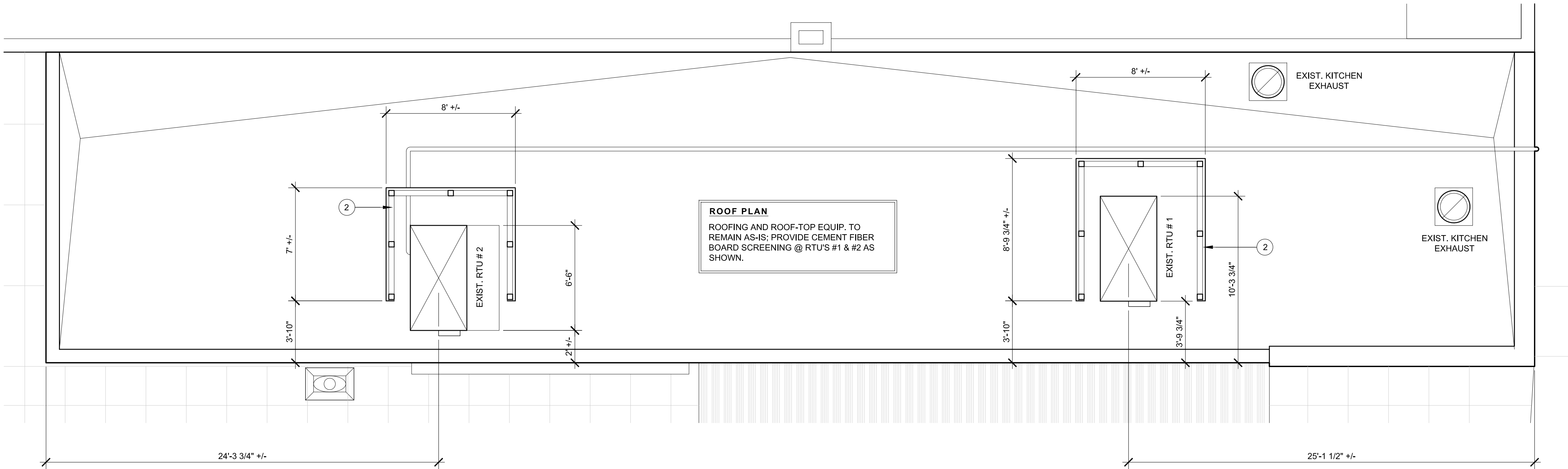
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SHEET NAME:

GROUND FLOOR PLAN

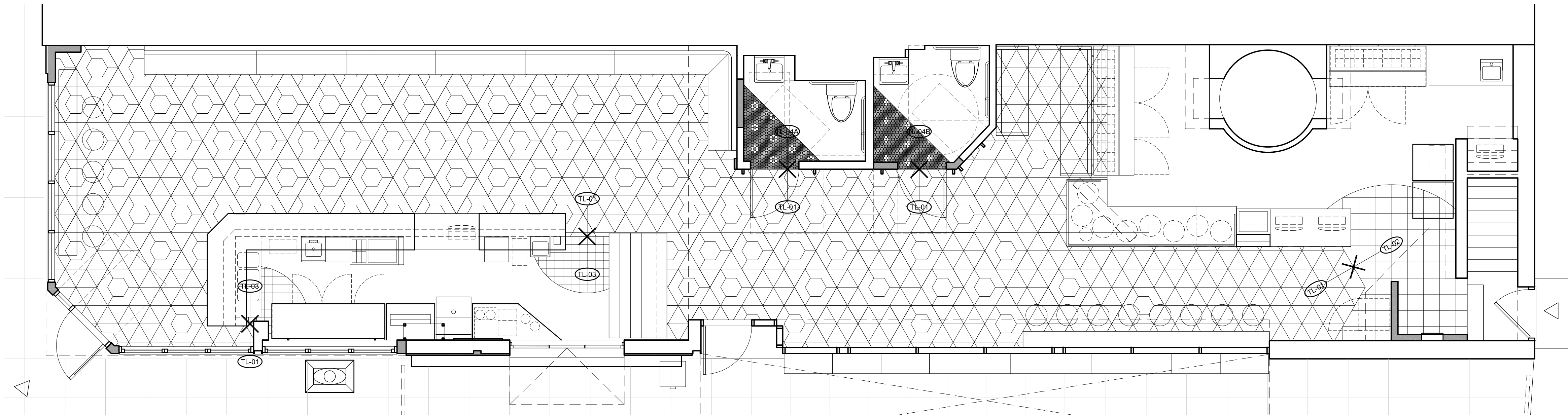
SHEET NO.

A100



ROOF PLAN
ROOFING AND ROOF-TOP EQUIP. TO REMAIN AS-IS; PROVIDE CEMENT FIBER BOARD SCREENING @ RTU'S #1 & #2 AS SHOWN.

2 ROOF PLAN
SCALE: 1/4" = 1'-0"



1 FINISHES FLOOR PLAN
SCALE: 1/4" = 1'-0"



GENERAL NOTES

- ALL DIMENSIONS ARE 'NOMINAL' FROM FINISH-TO-FINISH UNLESS INDICATED OTHERWISE.
- CONTRACTOR SHALL VERIFY REQUIRED AIR-FLOW CLEARANCES & ACCESS REQUIREMENTS FOR MECH. EQUIP PRIOR TO START OF WORK; NOTIFY ARCHITECT & OWNER OF ALL FINDINGS.
-

KEYED NOTES

ROOF PLAN

-
- NEW EQUIP. SCREEN @ EXIST. HVAC UNIT; SEE EXTERIOR ELEVATIONS ON A201 FOR MORE INFO.

FINISHES PLAN

- 41 -
- 42 -

PROJECT TITLE:

BROOKLYN
PIZZA
EXPANSION

Birmingham, Michigan

Location

111 Henrietta Street
Birmingham, MI 48009

Contact / owner

Hani "Sam" Abdelfatah

ARCHITECT:

D MET design
architecture studio

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15 E. Kirby, suite 103
Detroit, MI 48202

phone

313.401.5181

contact

Joel T. Schmidt, RA
dmetdesign@gmail.com

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CONSULTANTS:

ISSUED FOR:

SLUP APP. & HDC

SEP 17, 2019

STAMP:

SHEET NAME:

FINISHES &
ROOF PLAN

SHEET NO.

A102

PANEL NOTES

1. PRIOR TO INSTALLING CLADDING ASSEMBLY OVER EXIST, EXTERIOR WALLS, CONTRACTOR SHALL INSPECT WALL, REMOVE LOOSE PAINT, AND RE-POINT WHERE NECESSARY.
2. MAX. SPACING OF FASTENERS TO BE VERIFIED AND SET BY CLADDING SUPPLIER. CONTRACTOR SHALL ADJUST FURRING LAYOUT ACCORDINGLY.

KEYED NOTES

ENLARGED PANEL ELEVATION

- (P1) PAINTED, 8MM (5/16") THICK MINERIT HD FIBER CEMENT PANEL ON 1-1/2" GALV. METAL FURRING. REFER TO MANUFAC. INSTALL INSTRUCTIONS FOR MORE INFO.
- (P2) PRE-DRILLED HOLE BY FIBER CEMENT PANEL SUPPLIER
- (P3) 3/8" OPEN JOINT BETWEEN PANELS
- (P4) PAINTED ACCENT TRIANGLE, COLOR TBD.
- (P5) HIDDEN LINES INDICATES LOCATION OF VERTICAL FURRING
- (P6) HIDDEN LINE INDICATE TOP EDGE OF TOP ROW BEHIND METAL COPING
- (P7) PERFORATED METAL VENT AT BOTTOM EDGE OF CLADDING, FURNISHED BY SUPPLIER, INSTALLED BY CONTRACTOR (NOT SHOWN)
- (P8) NEW ALUMINUM COPING, COLOR: WHITE

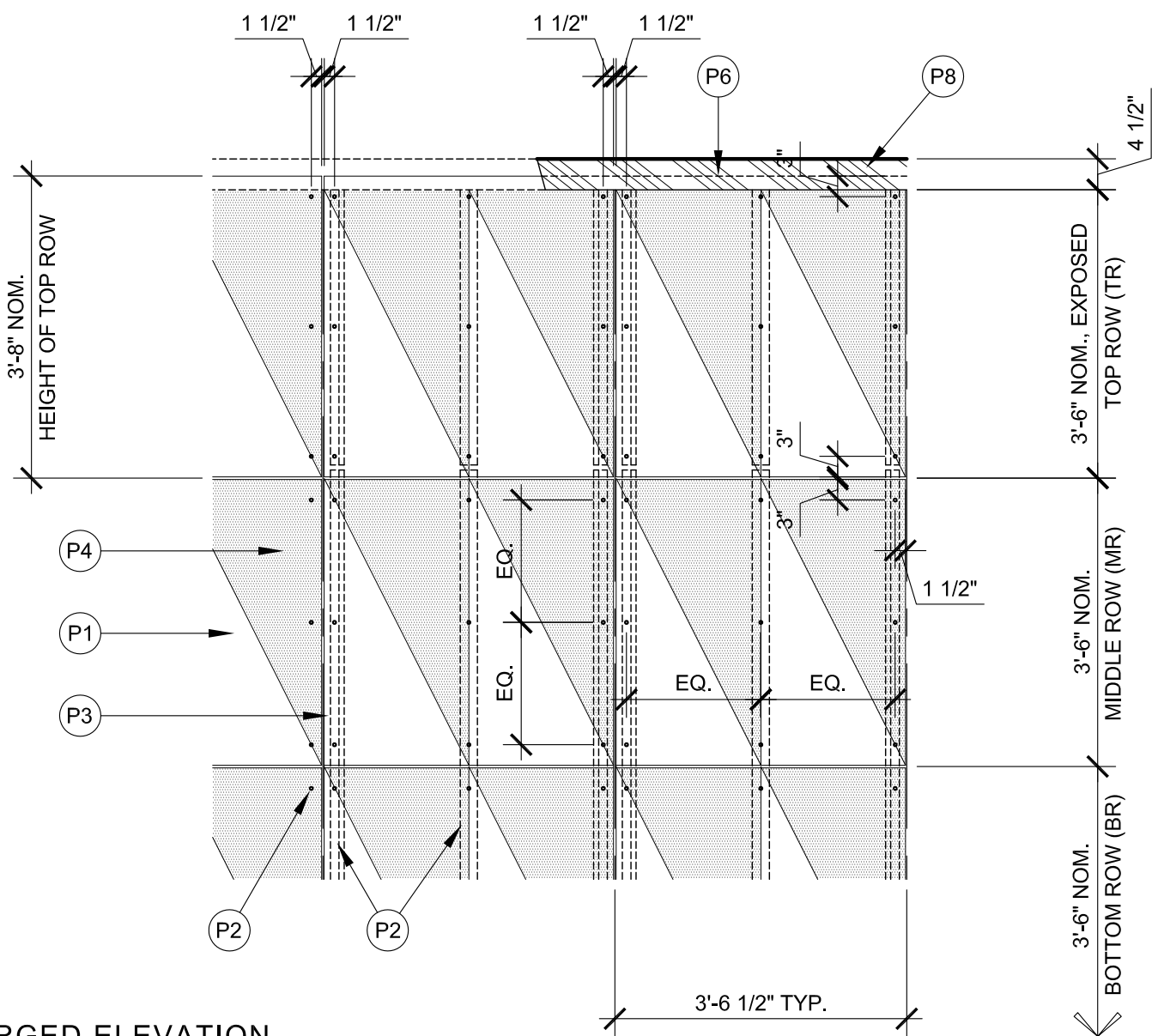
ENLARGED ELEVATION

(TYP. PANEL LAYOUT)

5

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

0' 3' 6' 9'



SHEET NOTES

1. BUILDING HEIGHTS ARE DESIGNATED BY A 'DATUM TAG' AND MEASURED FROM THE FLOOR SLAB INSIDE 111 HENRIETTA, ALSO KNOWN AS GROUND FLOOR, FIN. FLR. ELEV. 0'-0". THE HEIGHT OF THE FLOOR SLAB INSIDE 195 W. MAPLE IS UNKNOWN BUT IS BELIEVED TO BE AT THE SAME LEVEL.

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PIZZA
EXPANSION

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ISSUED FOR:

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SLUP APP. & HDC

JUL 5, 2019
SEP 17, 2019

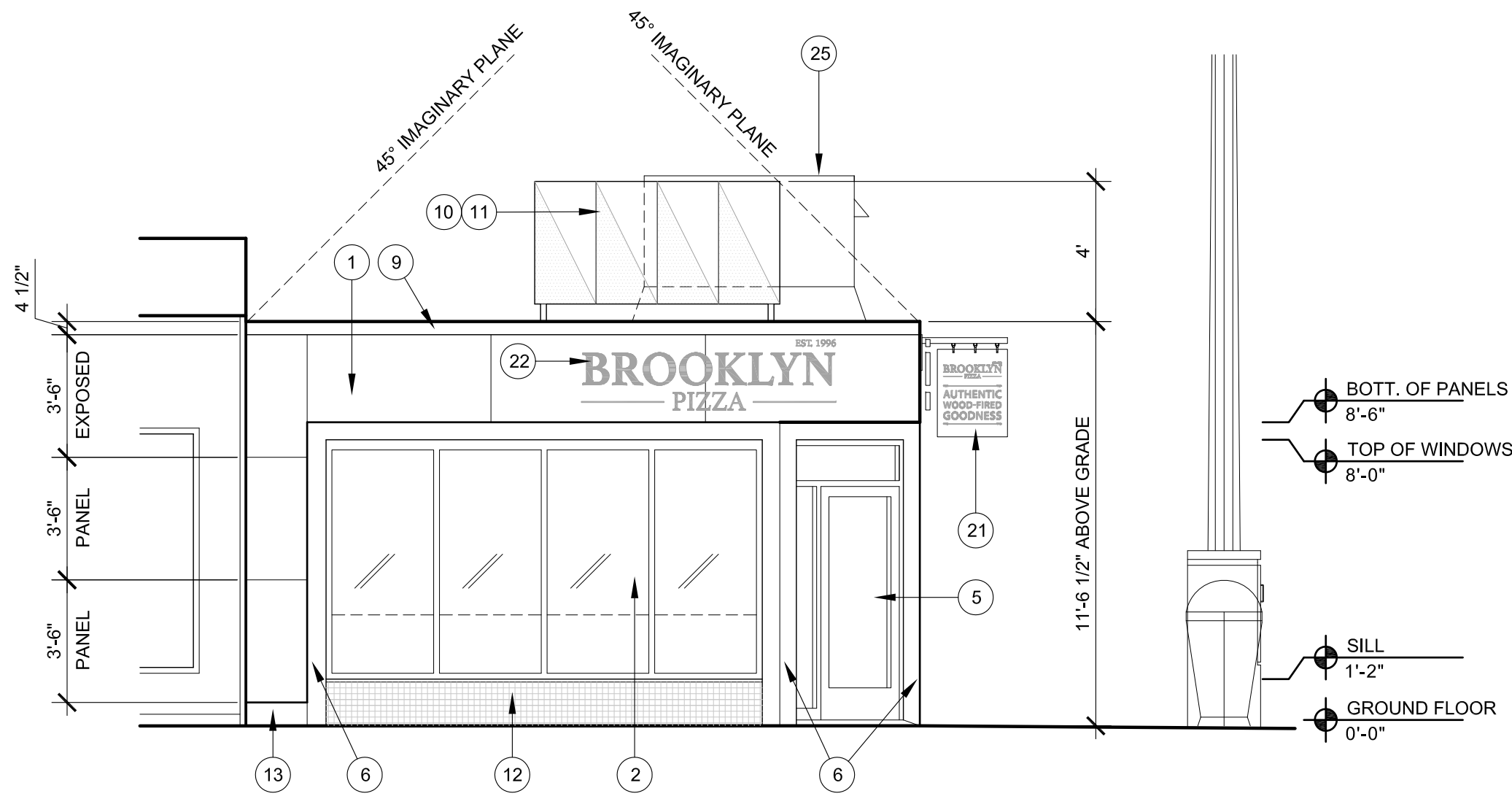
STAMP:

SHEET NAME:

EXTERIOR
ELEVATIONS

SHEET NO.

A201



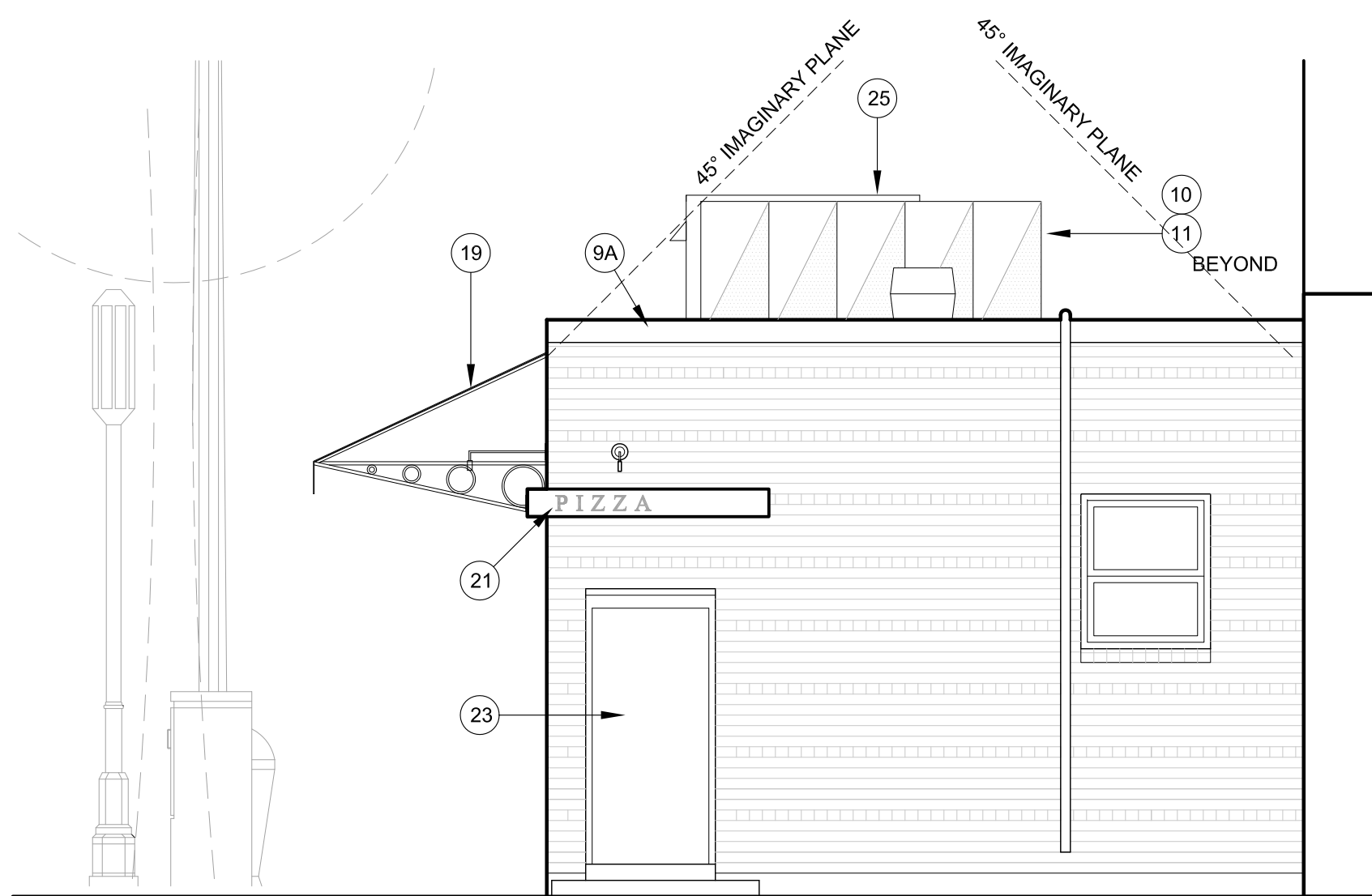
NORTH ELEVATION
(MAPLE ROAD)

3

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

0' 3' 6' 9'

NOTE: AREA OF GLAZING = 70% OF FACADE

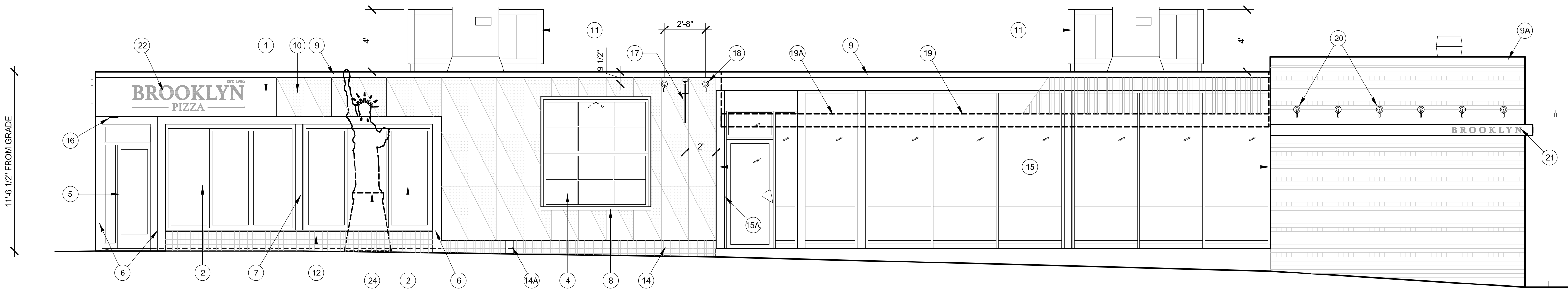


SOUTH ELEVATION
(PUBLIC ALLEY)

2

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

0' 3' 6' 9'



WEST ELEVATION
(HENRIETTA STREET)

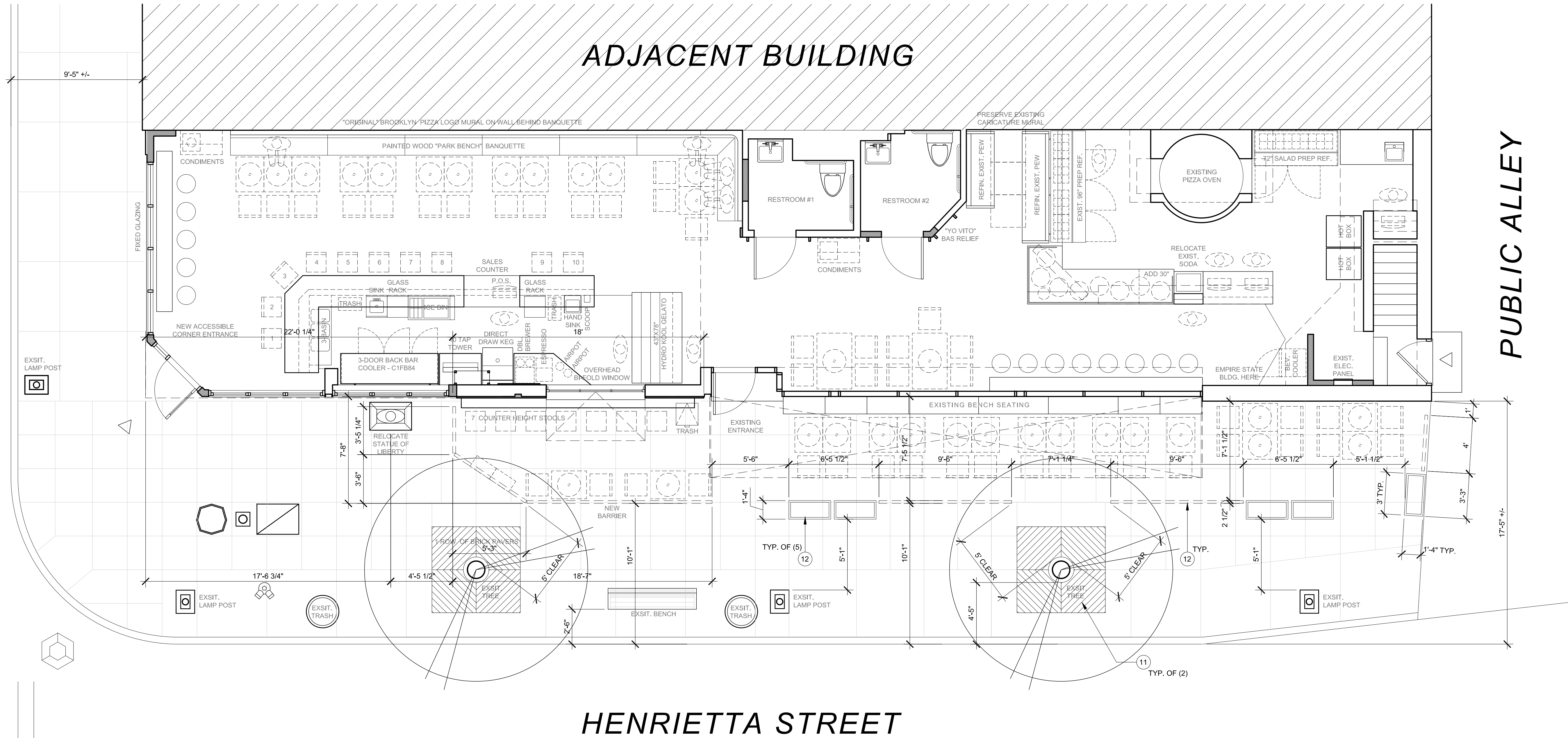
1

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

0' 3' 6' 9'

NOTE: AREA OF GLAZING = 70% OF FACADE

MAPLE ROAD



PROJECT TITLE:
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PIZZA
EXPANSION**
Birmingham, Michigan

location
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CONSULTANTS:

ISSUED FOR:
SLUP APP. DRAFT
SLUP APP. & HDC
JUL 5, 2019
SEP 17, 2019

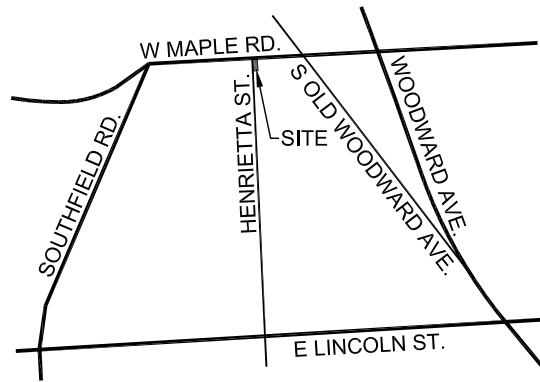
STAMP:

SHEET NAME:
**SITE PLAN /
OUTDOOR PATIO**

SHEET NO.
A300

EXISTING CONDITIONS PLAN

BOUNDARY SURVEY



LOCATION MAP
NOT TO SCALE

LEGEND OF SYMBOLS & ABBREVIATIONS

- PROPERTY LINE
- SET IRON W/CAP43058
- FOUND IRON/PIPE/MON/NAIL (F/FP/FM/FN)
- SECTION CORNER
- ② EASEMENTS
- Ⓐ ENCROACHMENTS
- BH BUILDING HEIGHT
- L/S LANDSCAPING
- Ⓜ REGULAR PARKING SPACES
- Ⓜ HANDICAP PARKING SPACES
- Ⓜ SANITARY CLEAN OUT, MANHOLE
- Ⓜ STORM END SECTION, MANHOLE
- Ⓜ CATCH BASIN SQUARE, ROUND
- Ⓜ HYDRANT, GATE VALVE
- Ⓜ WATER KEY, SHUT-OFF, WATER METER
- Ⓜ FIRE DEPARTMENT CONNECTION
- Ⓜ UNKNOWN MANHOLE, COMBINED MANHOLE
- Ⓜ GAS KEY, GAS METER, GAS VALVE
- ☆ LIGHT POLE
- Ⓜ ELECTRIC METER/PEDESTAL
- Ⓜ TRANSFORMER
- Ⓜ UTILITY LINE O/H, POLE, GUY WIRE
- Ⓜ UTILITY PEDESTAL
- Ⓜ FLAGPOLE
- Ⓜ FENCE
- Ⓜ WALL
- Ⓜ GUARD RAIL
- Ⓜ OVERHANG
- Ⓜ DECIDUOUS TREE



LEGAL DESCRIPTION

Parcel #19-36-129-001 (from Tax Records)
Lot 6 except the South 9.00 feet, of Merrill's Plat, Section 36, Town 2 North,
Range 10 East, City of Birmingham, Oakland County Records.
193 W Maple Rd., Birmingham, MI 48009

SURVEYOR'S NOTES

Since our Survey work does not include a Title Search, there may be easements
and/or encumbrances upon the land which are not shown on our Survey at this
time.

CERTIFICATION

I hereby certify that I surveyed and mapped the land above platted and described
on August 5, 2019.
And that the ratio of closure on the unadjusted filed observations of such survey
was within accepted limits.

Derek Kosicki
Derek Kosicki, P.S.#43058
Professional Surveyor



MICHIGAN SURVEYING, INC.

37637 Five Mile Rd., Suite 364, Livonia, MI 48154
tel. (734) 542-9088, fax (734) 799-5737
www.MichiganSurveying.com

R-1 08/08/19 MISC
↑ REVISIONS ↓
DATE: 08/05/19

EXISTING CONDITIONS PLAN

111 HENRIETTA ST. & 195 W. MAPLE ST.
BIRMINGHAM, MI 48009

CLIENT: 111 BROOKLYN, INC.

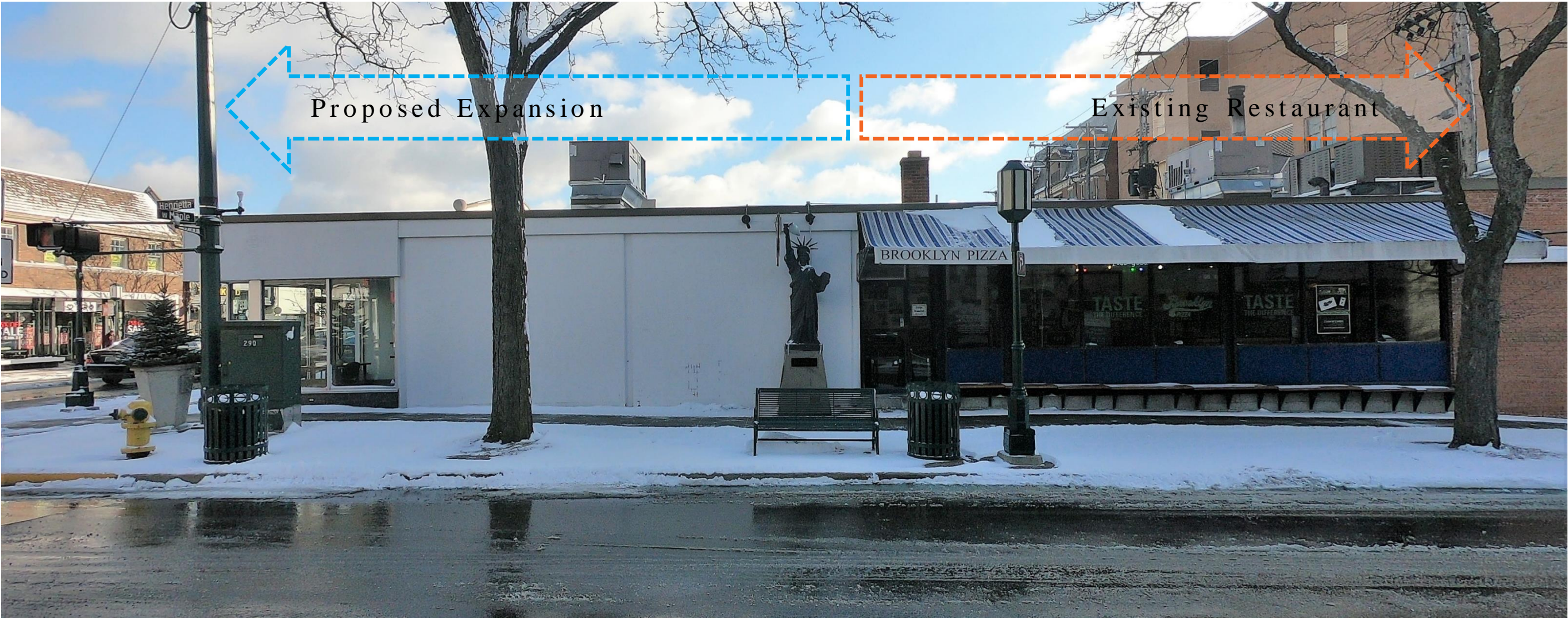
DRAWN: KT
CHECKED: DK
SCALE: 1"=30'
JOB No: 19-165
SHEET: 1 of 1

September 17, 2019

BROOKLYN PIZZA
SPECIAL LAND USE PERMIT APPLICATION – BISTRO
DESIGN SUPPLEMENT

SUBMITTED BY
111 Brooklyn, Inc
111 Henrietta St. & 195 W. Maple St.
Birmingham, MI 48009

Existing Site Photographs – Street View



View of the existing restaurant and adjacent storefront (as seen from Henrietta Street)

Existing Site Photographs – Street View



View of the existing restaurant from southwest corner of site



View of the existing outdoor dining area on Henrietta Street

Existing Site Photographs – Street View

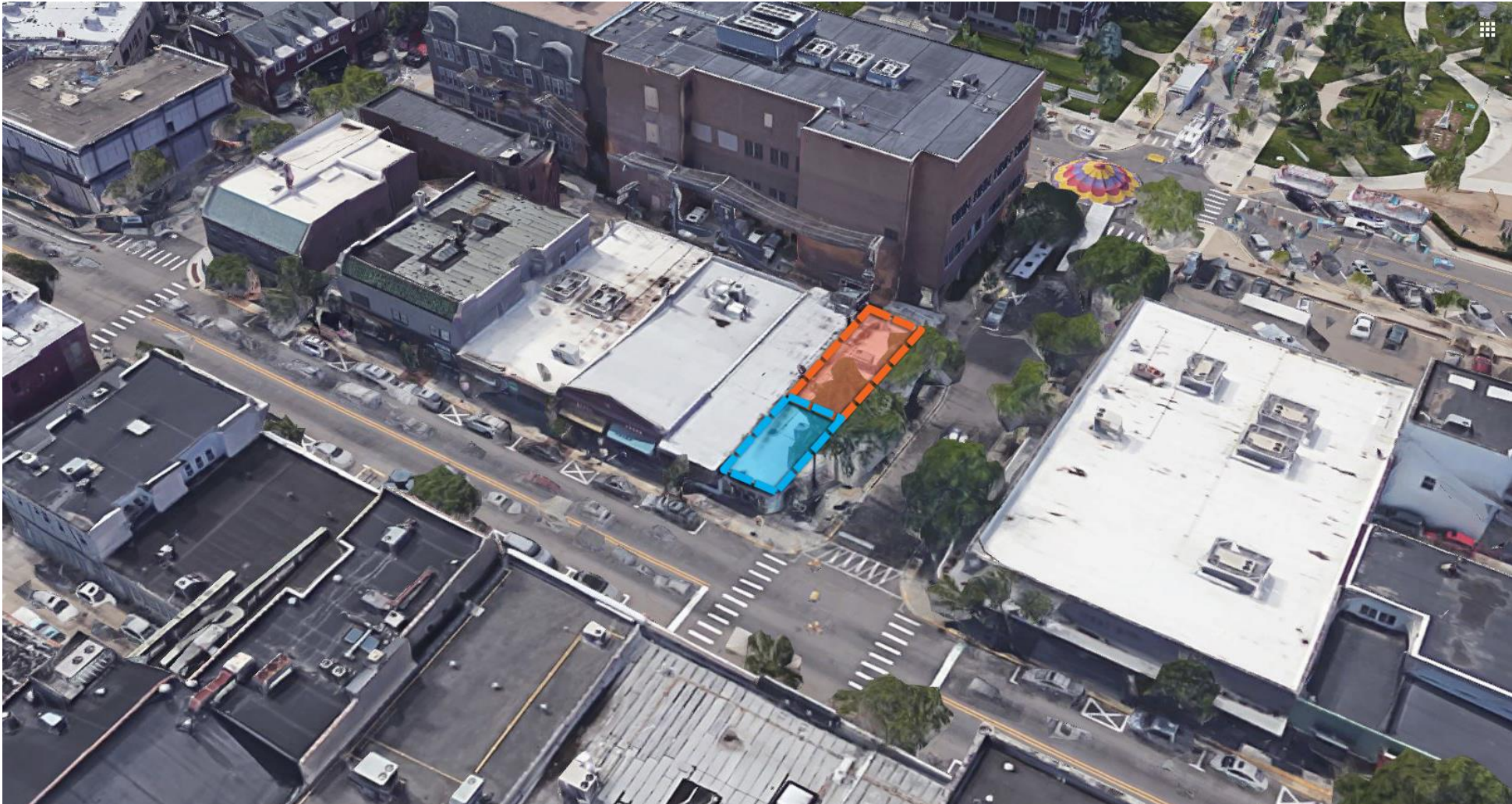
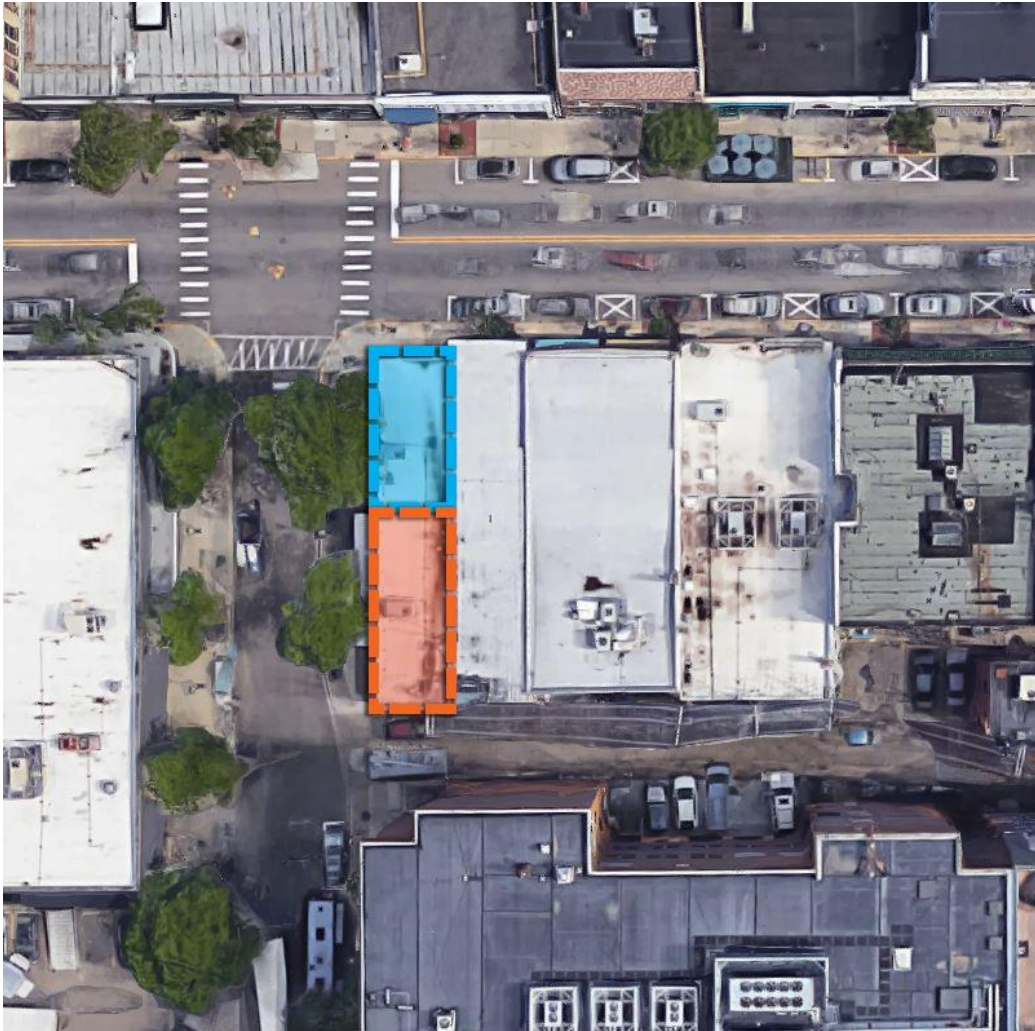


View of adjacent storefront form the northwest corner of the site



View of existing adjacent storefront on West Maple Road

Existing Site Photographs – Aerial Views



View of the existing restaurant and the new addition

Existing Site Photographs – Aerial Views



View of the existing restaurant, the new addition, and the rooftop equipment

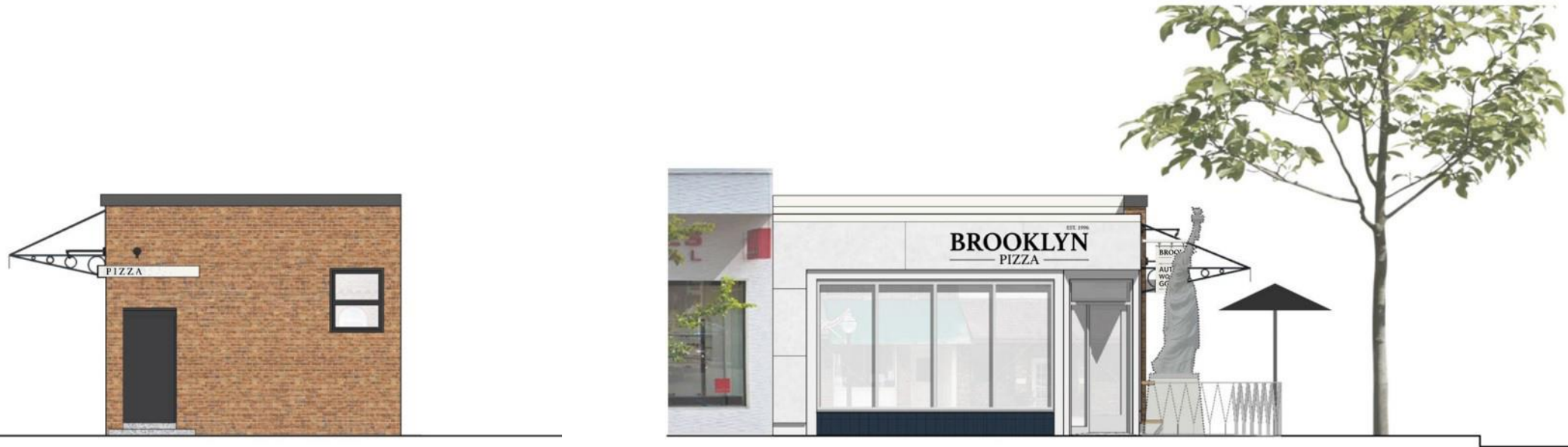
DESIGN SUPPLEMENT

Chapter 1 - Building Façades

Building Façades – Colored Exterior Elevations

Paint Scheme / Color Palette

-  Sherwin-Williams
High Reflective White SW 7757
RGB: 247 247 241
-  Sherwin-Williams
Ceiling Bright White SW 7007
RGB: 233 235 231
-  Sherwin-Williams
Caviar SW 6990
RGB: 49 48 49
-  Sherwin-Williams
Honorable Blue SW 6811
RGB: 22 69 118
-  Sherwin-Williams
In the Navy SW 9178
RGB: 40 56 73



South Elevation (Public Alley)

North Elevation (Maple Road)



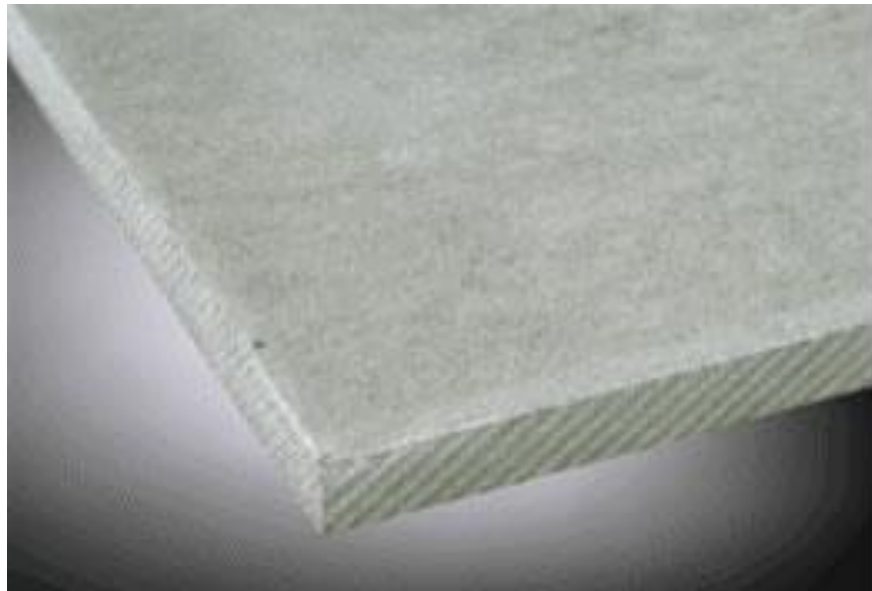
West Elevation (Henrietta Street)

Building Façades – Street View



View of new entrance

Building Façades - Material Samples + Miscellaneous Details



8mm Minerit HD Cement Fiber - Unpainted



Painted Cement Fiber Board Rainscreen/Siding



Clear Anodized Storefront Windows



Example of Overhead Bi-fold Window

Building Façades – The Use of Cement Fiber Board in Historic District



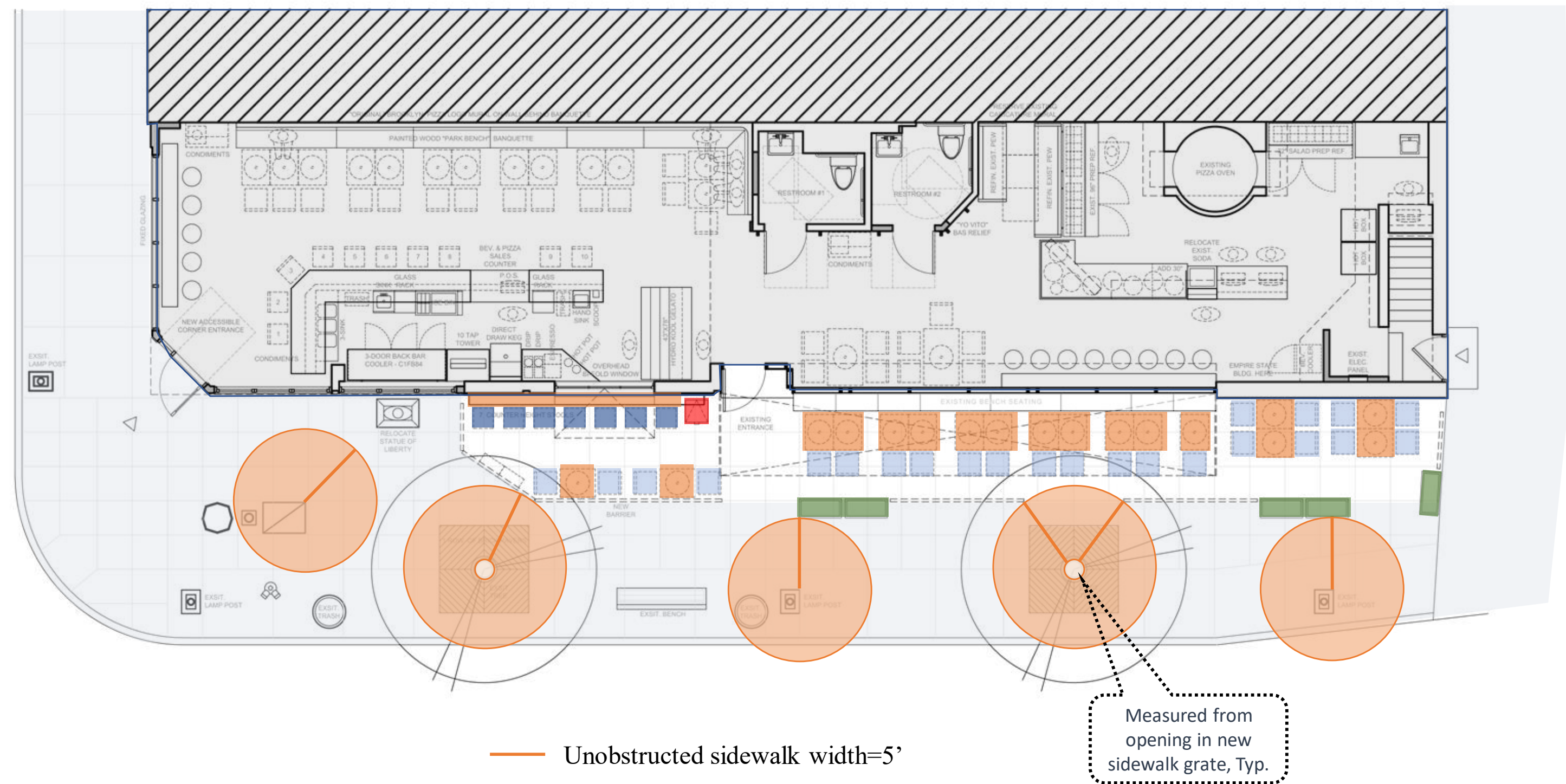
The use of cement fiber board in Detroit’s historic districts.

Description of proposed material: Cement fiber boards are a common replacement for stucco or plywood on building facades. It is composed of cement, silica (sand) and cellulous. The first two ingredients are the principal raw materials used to create stucco, while the later ingredient, cellulous, comes from wood. It has a similar appearance to some stucco finishes and when painted is equivalent to painted plywood but is vastly more durable than either.

DESIGN SUPPLEMENT

Chapter 2 – Outdoor Patio

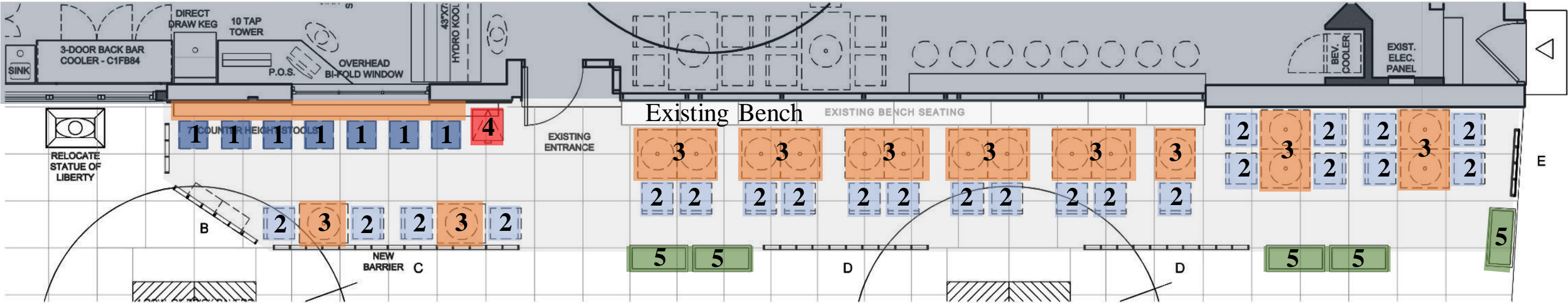
Outdoor Patio – Patio Plan and Clearance



Total # of Seats Outside = 41

- Tolix Brasserie Barstool = 7
- Tolix Brasserie Chair = 23
- Bench = 11+

Outdoor Patio – Patio Furniture



1 Tolix Brasserie Barstool



2 Tolix Brasserie Chair



3 Antique Oak Tabletop



3 Brushed Aluminum Tablebase

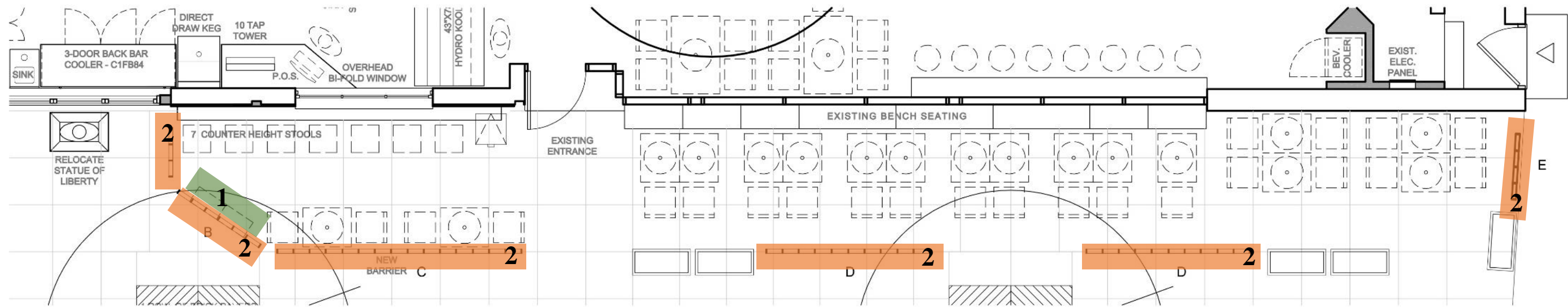


4 40-gallon Steel Trash Can



5 Black Fiberglass Planter

Proposed Renovation – Metal Railing

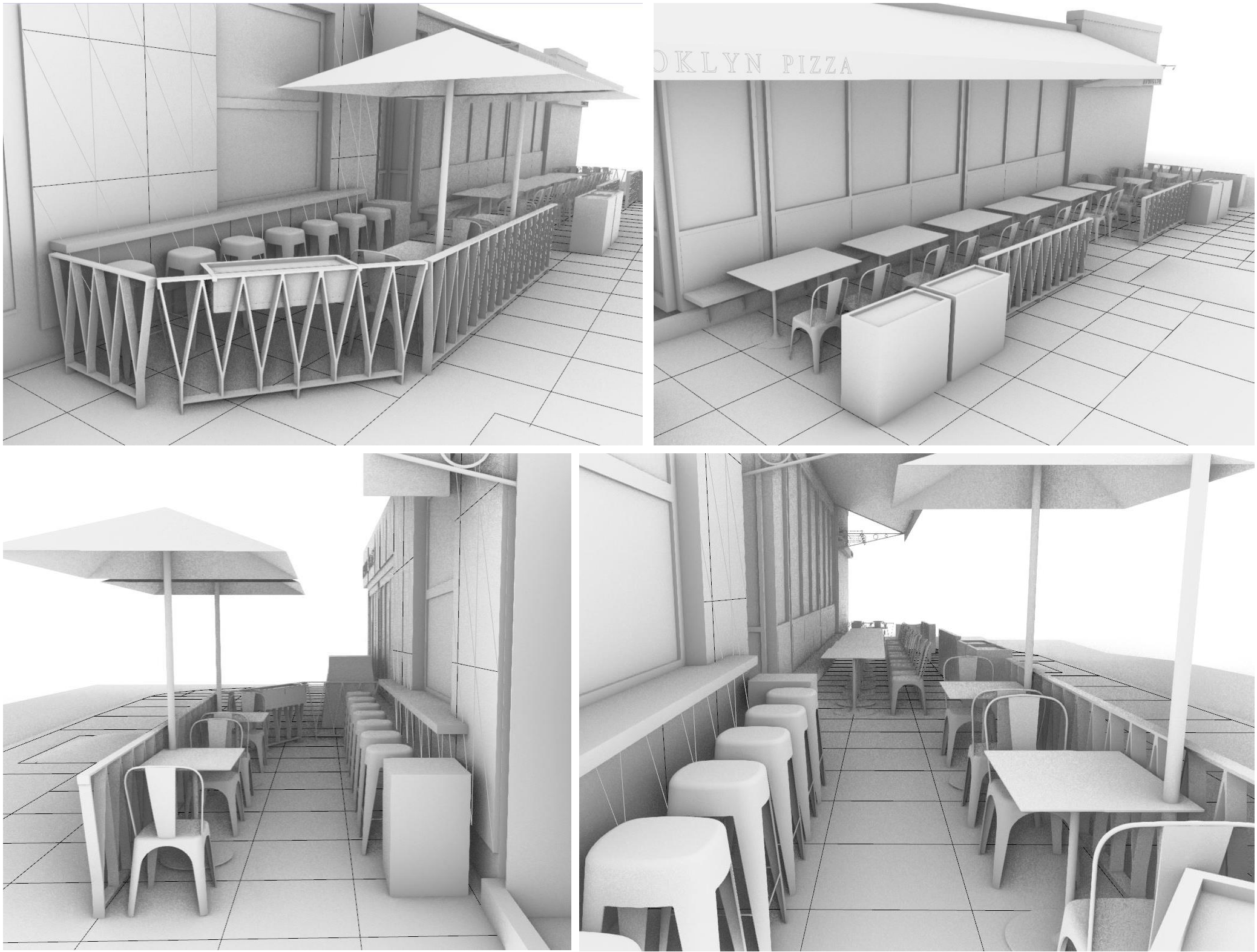


1 Clip-on Planter



2 Metal Railing

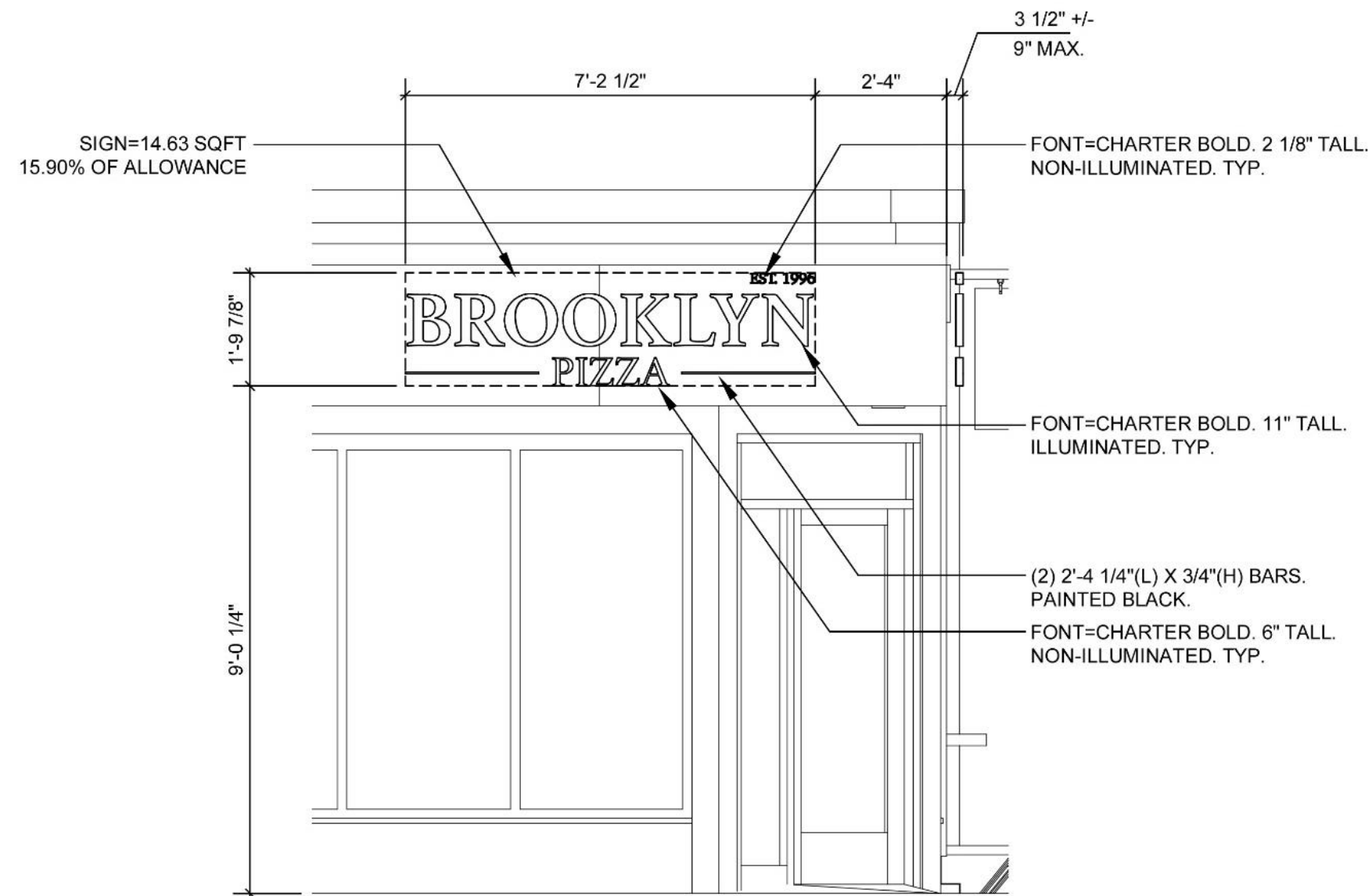
Outdoor Patio – Perspective Views



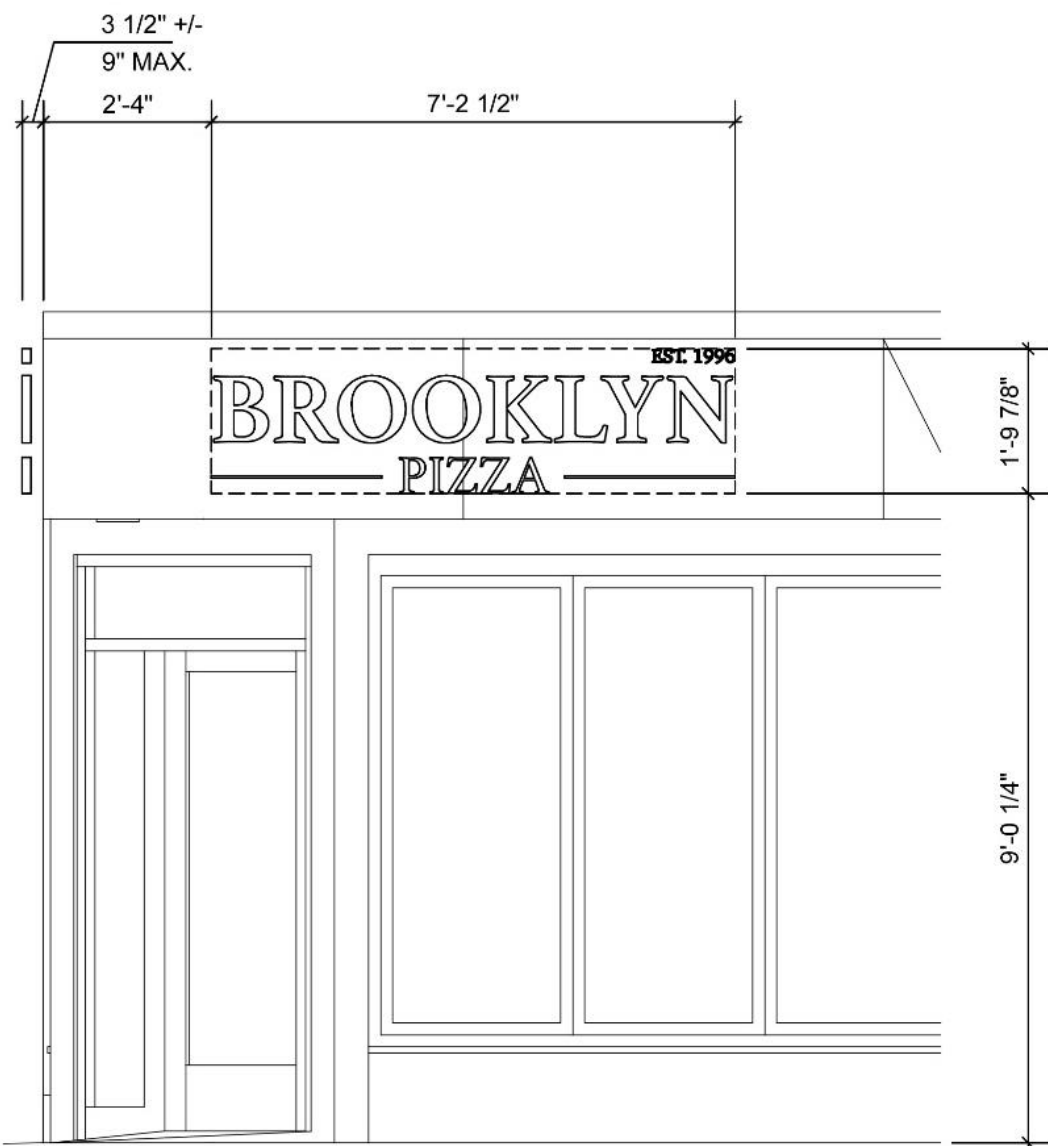
DESIGN SUPPLEMENT

Chapter 3 – Signage and Lighting

Signage and Lighting – Wall Signs



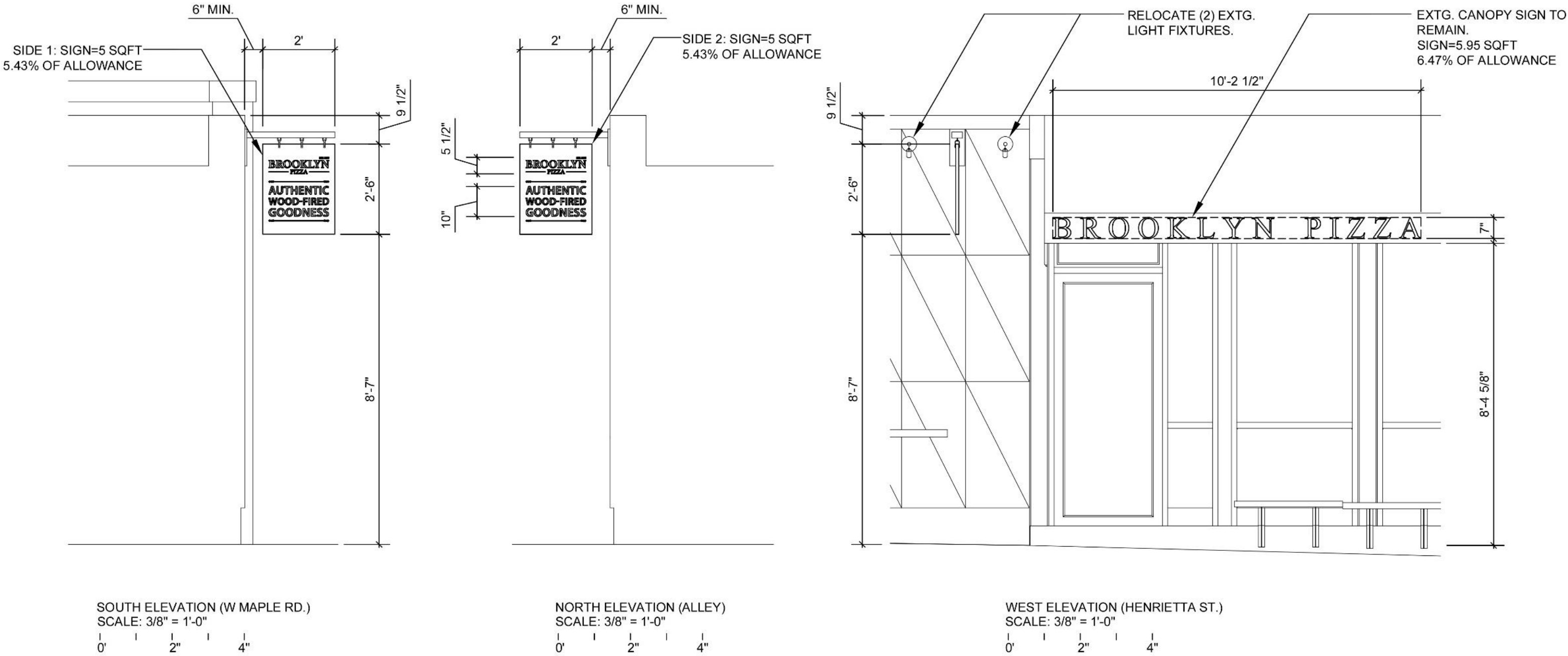
NORTH ELEVATION (W MAPLE RD.)
SCALE: 3/8" = 1'-0"
0' 1' 2' 4"



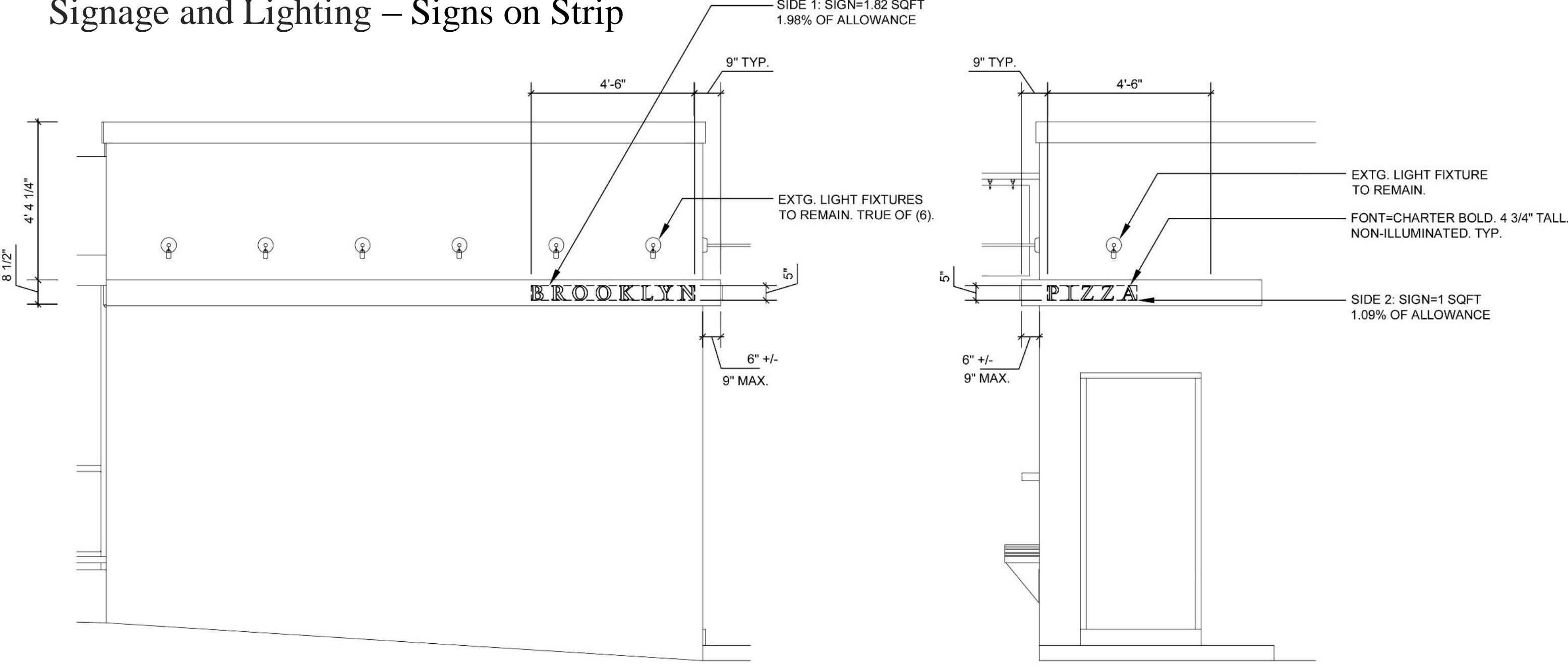
WEST ELEVATION (HENRIETTA ST.)
SCALE: 3/8" = 1'-0"
0' 1' 2' 4"

- NOTES:**
- ALL CHARACTERS TO BE METAL CHANNEL LETTERS PAINTED BLACK, AND PIN-MOUNTED TO BLDG. FACADE.
 - ILLUMINATED LETTERS SHOULD BE BACKLIT.

Signage and Lighting – Projecting Sign and Canopy Sign



Signage and Lighting – Signs on Strip



Signage and Lighting – Calculations

Type of Sign	Number	Dimension	Total Area (sqft)	% of Allowance
Wall Sign	2	7'-2 1/2"(W) × 1'-9 7/8"(H)	29.26	31.8%
Projecting Sign	2 (sides)	2'(W) × 2'-6"(H)	10	10.87%
Canopy Sign	1	10'-2 1/2"(W) × 7"(H)	5.95	6.47%
Sign on Stripe 1	1	4'-6" (W) × 5"(H)	1.82	1.98%
Sign on Stripe 2	1	2'-5 1/2" (W) × 5"(H)	1	1.09%
Total	7	-	48.03	52.21%



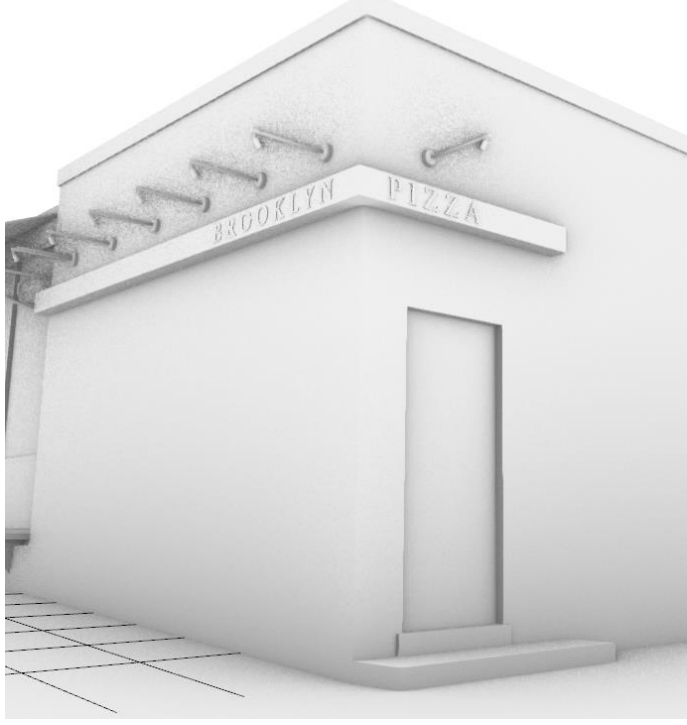
Wall Signs



Projecting Sign



Canopy Sign



Signs on Stripe

Signage and Lighting – New Building Lighting

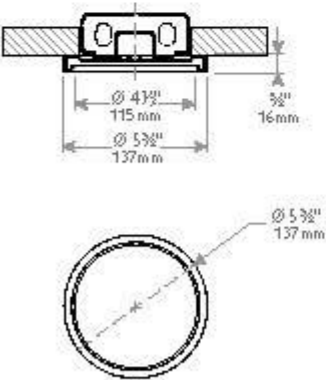
Round apertures

5", 7" and 10"

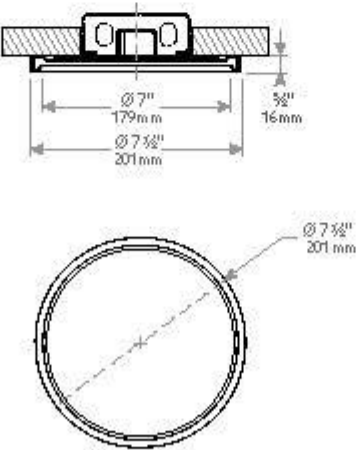
Now available in a 10" aperture with a high end, specification grade, metal trim. The SlimSurface 10" luminaire is also available in the same finishes as the 5" & 7" aperture's to provide a consistent trim style and match any design. This 2,200lm configuration provides a high amount of light to help illuminate larger spaces where smaller surface mount down lights can not perform effectively. SlimSurface is perfect for hallways, entry ways and even the traditional center-of-the-room installations.



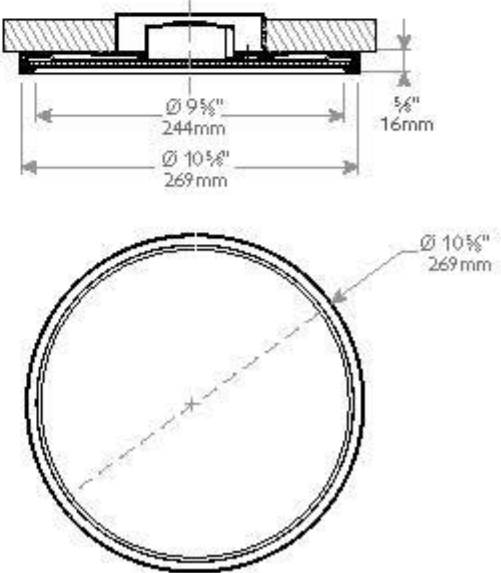
SlimSurface 5" round downlight



SlimSurface 7" round downlight



SlimSurface 10" round downlight



Ordering guide

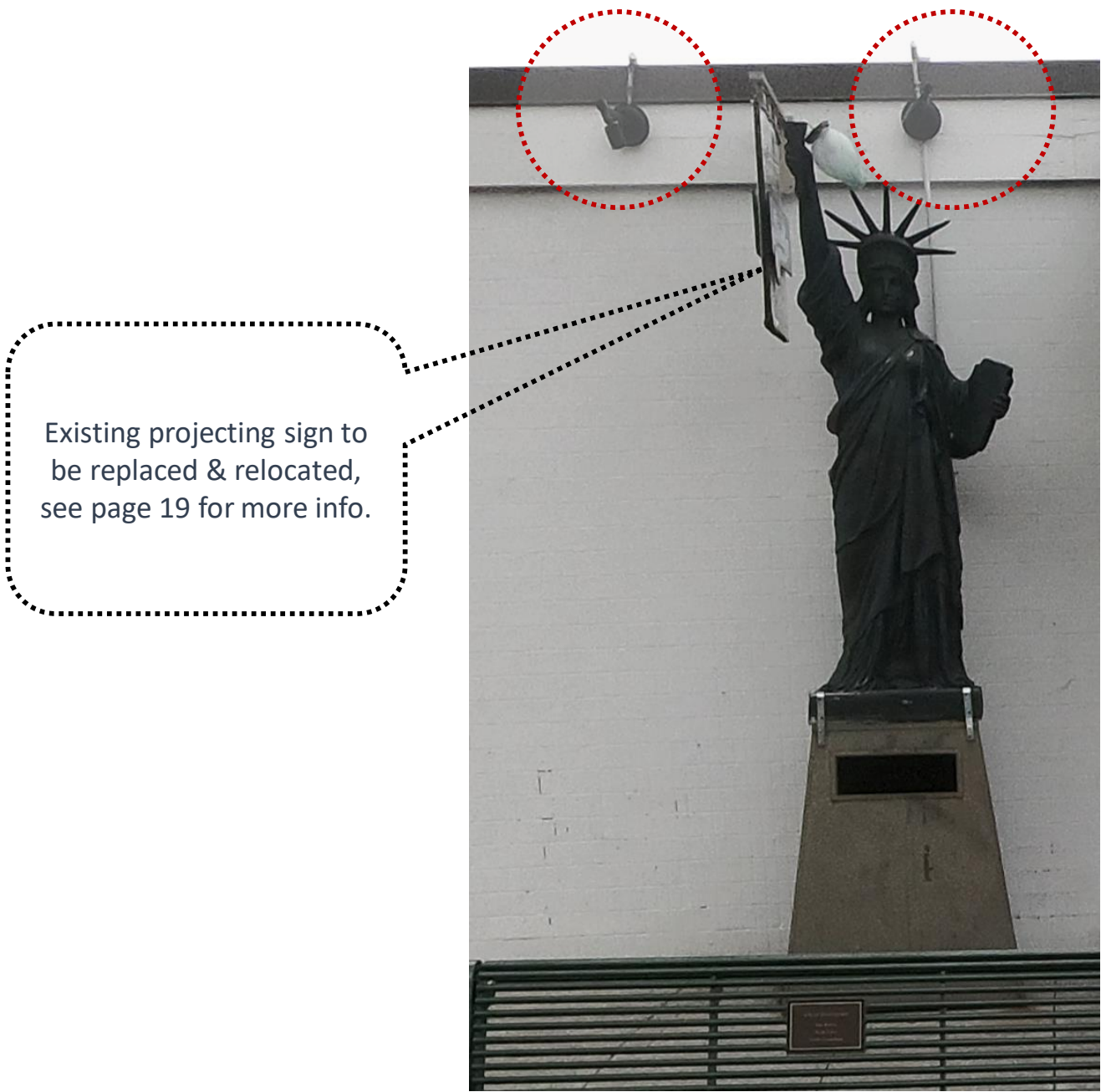
example: S5R890K7WH

Family	CRI / CCT	Lumens	Finish	Dimming
S5R SlimSurface 5" Round	827K 80 CRI / 2700K CCT	7 650lm (S5R only)	— White	— ELY / Triac (120V)
S7R SlimSurface 7" Round	830K 80 CRI / 3000K CCT	10 1000lm (S7R only)	AL Aluminum	
S10R SlimSurface 10" Round	835K 80 CRI / 3500K CCT	22 2200lm (S10R only)	BK Black	
	840K 80 CRI / 4000K CCT		MT Metallic*	
	927K 90 CRI / 2700K CCT		W White	Z10U 0-10V (120V-277V)
	930K 90 CRI / 3000K CCT		AL Aluminum	
			BK Black	
			MT Metallic*	

* Only available with 10" (S10R) configurations.

Project to include (1) 7" LED Downlight above Corner Entrance

Signage and Lighting – Replacement Lighting



Project to include (2) relocated/replaced existing sign lights @ refurbished/relocated projecting sign. Lighting fixtures shall match existing.

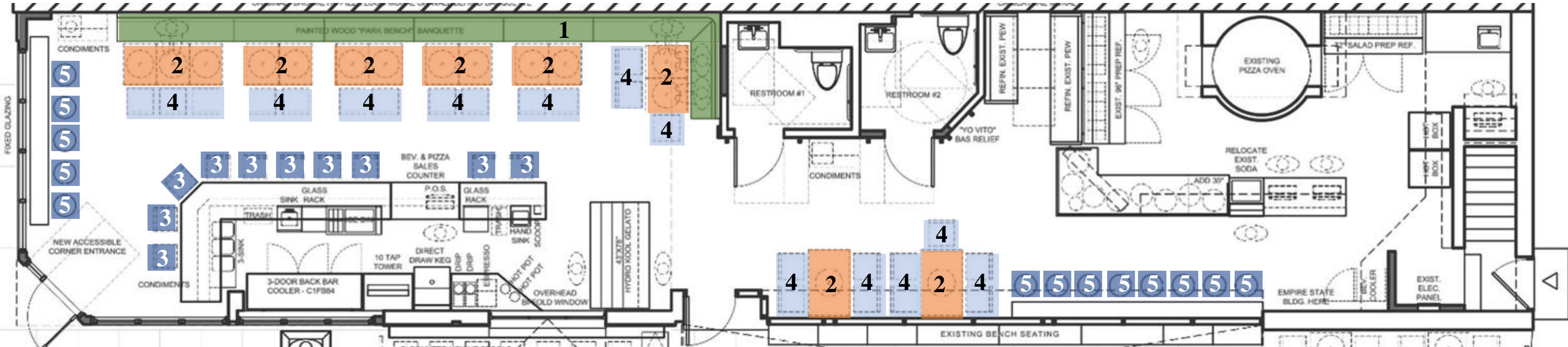
DESIGN SUPPLEMENT

Chapter 4 – Interior Design

Interior Design – Furniture

Total # of Seats Inside = 65

- Park Bench = 14
- Pronto Stella Vintage Chair = 23
- Nadia Swivel Barstool = 10
- Barstools = 13
- Refurbished Church Pews = 5



1 Park Bench



2 Tabletop



Cast Iron Table Base



3 Nadia Swivel Barstool



4 Pronto Stella Vintage Chair

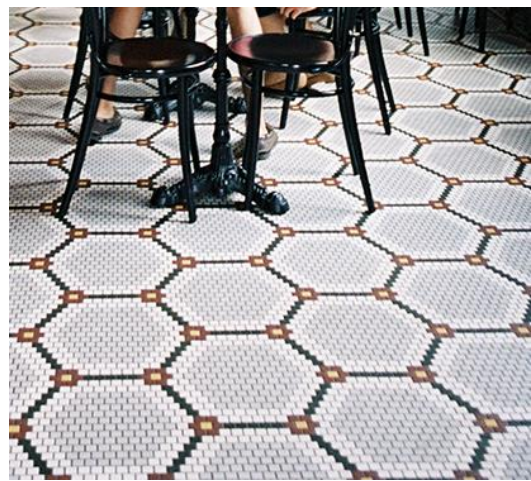
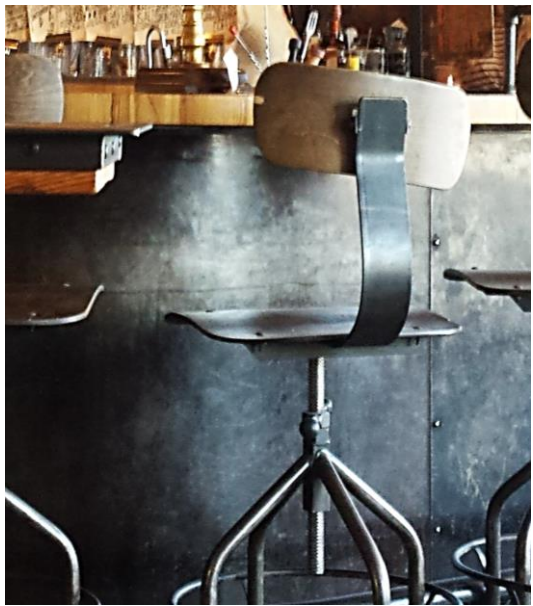


5 Wood Top Stool

Interior Design – Color Palette



Interior Design – Mood Board



Bar

Bar / Service Counter

Wainscoting

Floor Finishes

Tabletops & Countertops

Interior Design – Mood Board

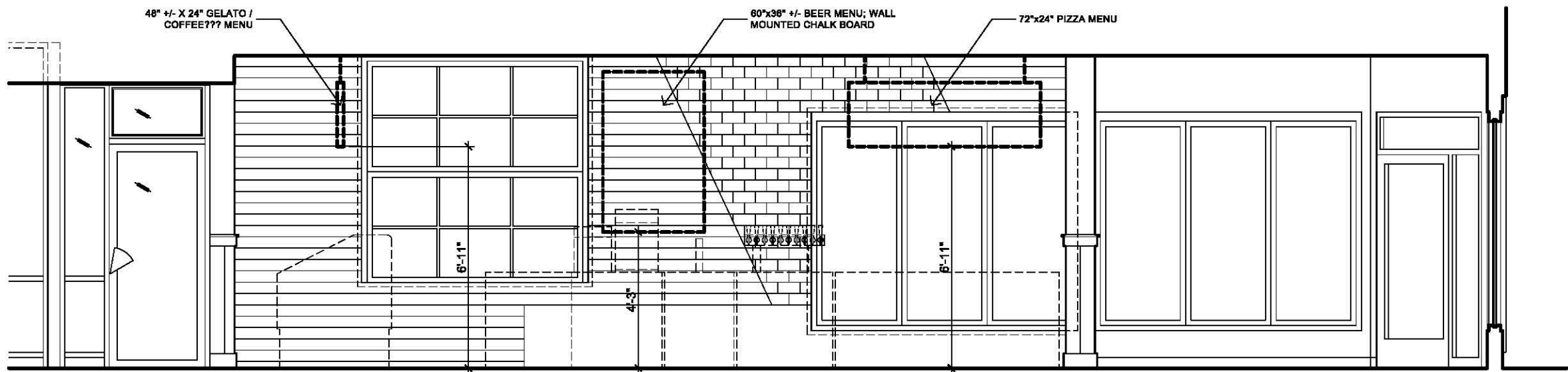


Restroom Tile

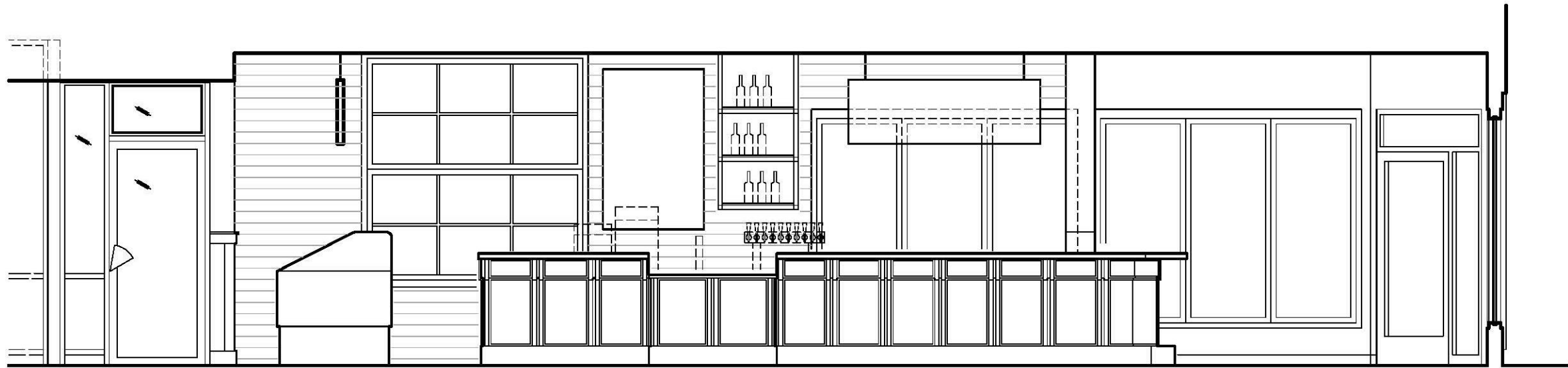


Dining Area

Interior Design – Interior Elevations



Back-of-Bar Elevation

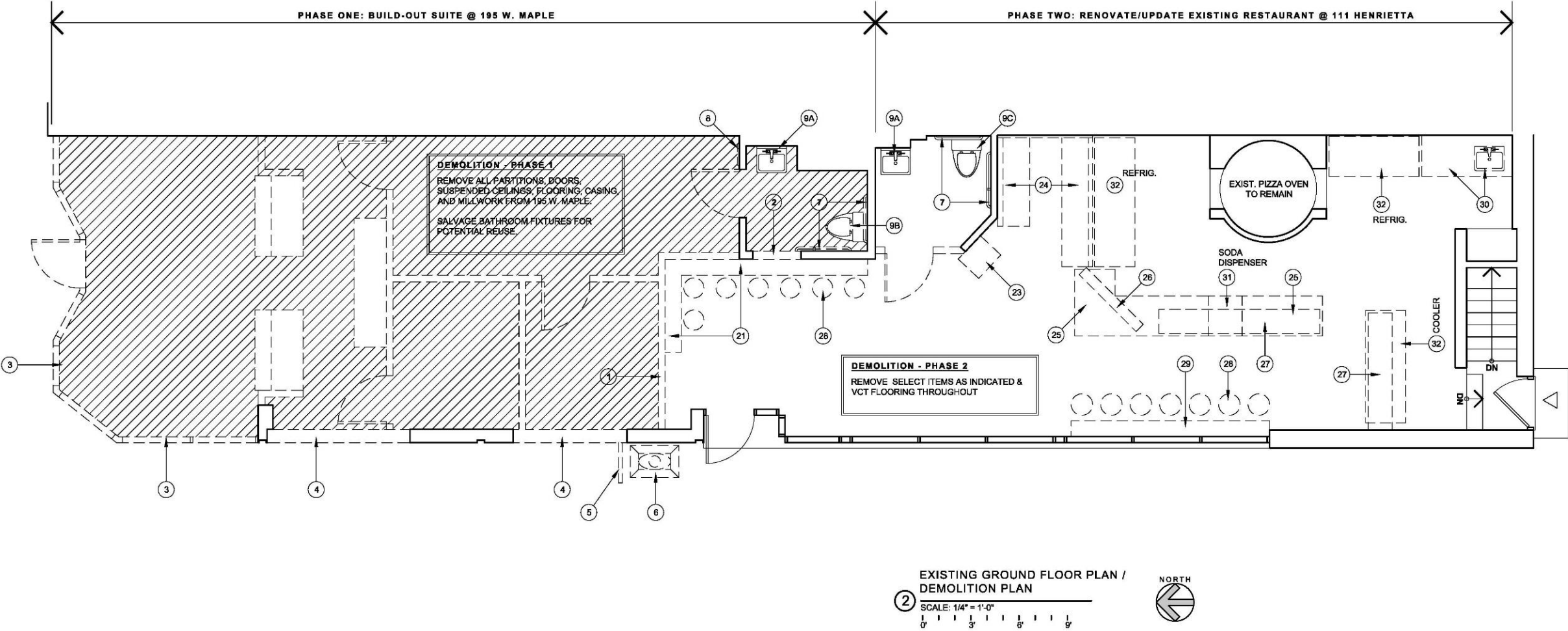


Bar Elevation

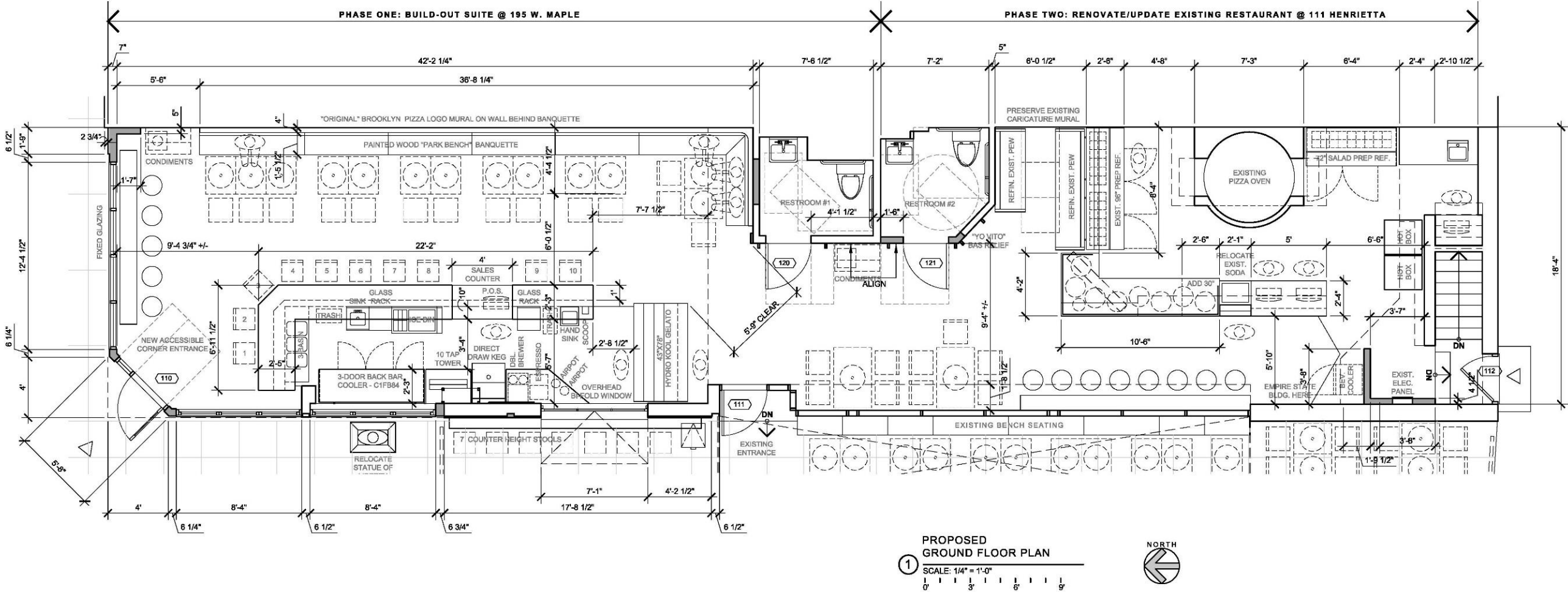
DESIGN SUPPLEMENT

Chapter 5 – Architectural Drawings

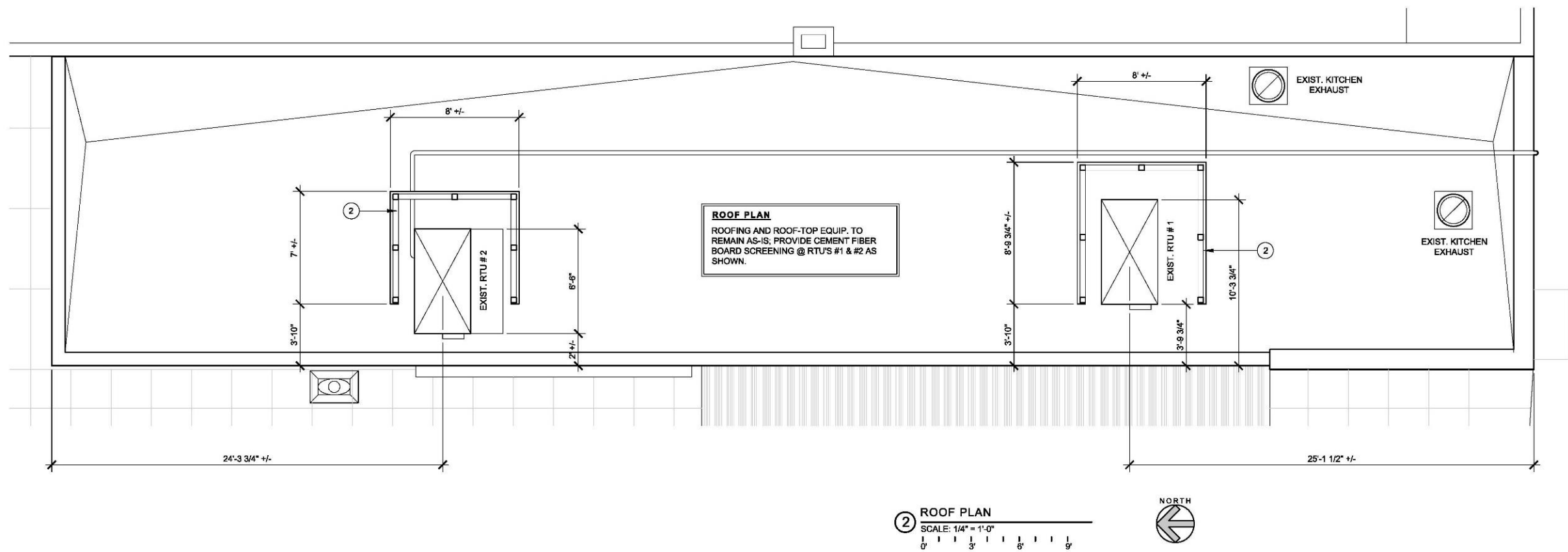
Existing Plan



Proposed Floor Plan



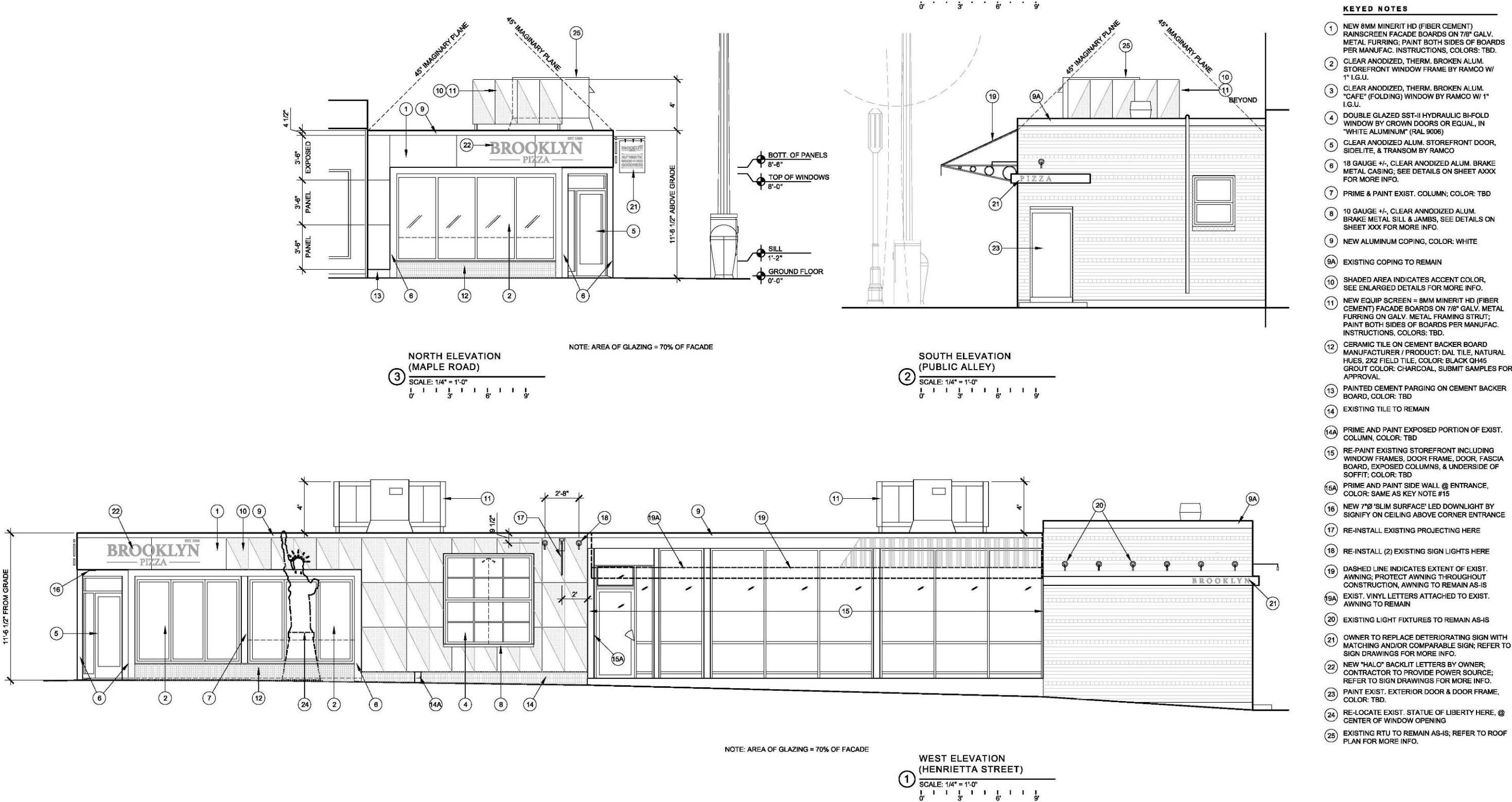
Roof Plan



- GENERAL NOTES**
1. ALL DIMENSIONS ARE 'NOMINAL' FROM FINISH-TO-FINISH UNLESS INDICATED OTHERWISE.
 2. CONTRACTOR SHALL VERIFY REQUIRED AIR-FLOW CLEARANCES & ACCESS REQUIREMENTS FOR MECH. EQUIP PRIOR TO START OF WORK; NOTIFY ARCHITECT & OWNER OF ALL FINDINGS.
 - 3.

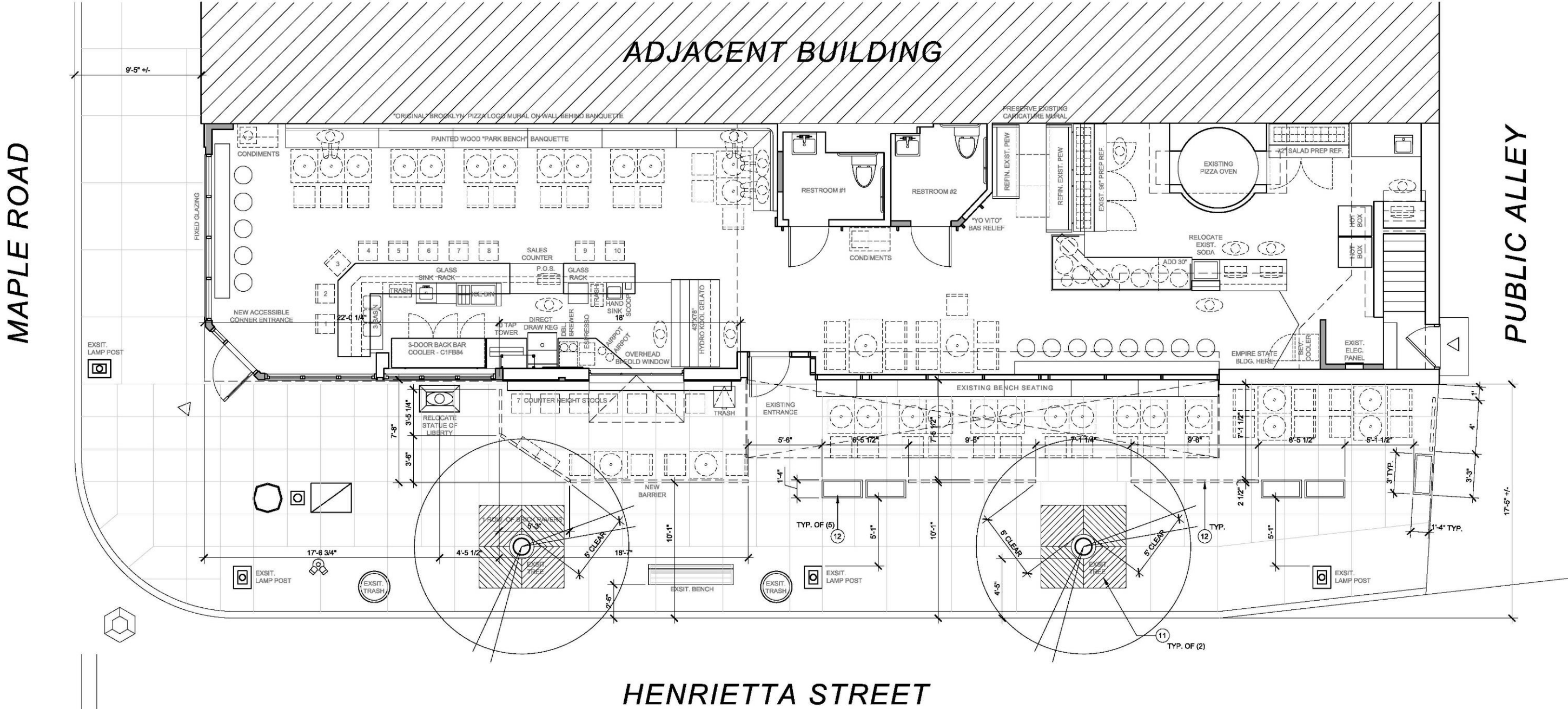
- KEYED NOTES**
- ROOF PLAN**
- 1 -
 - 2 NEW EQUIP. SCREEN @ EXIST. HVAC UNIT; SEE EXTERIOR ELEVATIONS ON A201 FOR MORE INFO.

Annotated Exterior Elevations



Architectural Site Plan / Outdoor Patio

- KEYED NOTES**
- OUTDOOR DINING/SITE PLAN**
- 11 PROVIDE NEW STREET GRATE AT EXISTING STREET TREE; CONTACT CITY OF BIRMINGHAM PUBLIC WORKS DEPARTMENT FOR MORE INFO.
 - 12 NEW FIBERGLASS PLANTER, BLACK; REFER TO OUTDOOR FURNITURE SCHED. FOR MORE INFO.
 - 13 NEW CUSTOM METAL RAILING, BLACK; REFER TO OUTDOOR FURNITURE SCHED. FOR MORE INFO.



Land Survey





280 N. Old Woodward
Suite 12
Birmingham, MI 48009
O 248.385.3112
C 248.835.2068
F 888.450.1682

jphowe@jphowe.com
www.jphowe.com

October 17, 2019

VIA EMAIL ONLY

Birmingham Planning Board
c/o Ms. Jana Ecker
Planning Director
City of Birmingham
151 Martin St.
Birmingham, MI 48009

Re: Special Land Use Permit Application to Operate a Bistro
Applicant: 111 Brooklyn, Inc. d/b/a Brooklyn Pizza
Address: 111 Henrietta St. & 195 W. Maple Rd.
Birmingham, MI 48009

Dear Members of the Birmingham Planning Board,

On behalf of 111 Brooklyn, Inc. d/b/a Brooklyn Pizza ("Brooklyn Pizza"), we hereby submit this letter in support of our Client's Special Land Use Application to operate a Bistro (the "SLUP Application"). Since 1996, Brooklyn Pizza has offered the residents and visitors of Birmingham, authentic, wood-fired pizza in a welcoming family environment. Owner Sam Abdelfatah is ready to take Brooklyn Pizza to the next level, by converting Brooklyn Pizza into a Bistro, and expanding the restaurant into the adjacent suite located at 195 W. Maple Rd. The new Brooklyn Pizza will maintain the same authentic family friendly atmosphere, but in an expanded restaurant setting that will offer a wider selection of menu items, and a select assortment of alcoholic beverages.

This Birmingham City Commission unanimously authorized Brooklyn Pizza to move forward with a formal Bistro Application at a public hearing on April 22, 2019 after reviewing the selection criteria outlined in Section 10-82 of the Birmingham City Code (the "Code"). Our Client has applied to the Michigan Liquor Control Commission for a new Class C liquor license under MCL 436.1521a(1)(b) within the City of Birmingham's Principal Shopping District, and has applied to the City Commission for local approval of its liquor license application by filing the appropriate application documents with the Birmingham Police Department. Our Client now comes to the Birmingham Planning Board requesting a recommendation of approval of its SLUP Application, and hopes that the City Commission will concur with a positive recommendation from the Planning Board, and approve its SLUP Application.

The standards for approving a Special Land Use Permit to operate a Bistro are set forth in the Code and the Birmingham Zoning Ordinance. We submit that our Client meets the requirements set forth in Section 126, Article 7 of the Birmingham Zoning Ordinance for the following reasons:

- (1) 7.336(A)(1). “The use is consistent with and will promote the intent and purpose of this Zoning Ordinance.”

RESPONSE: Brooklyn Pizza has been a dining destination in the City of Birmingham since 1996, and has established itself as an appropriate and thriving use within the City’s Principal Shopping District. Completely renovating the restaurant, expanding its footprint, and expanding its menu offerings to add additional food items and a select assortment of alcoholic beverages, is consistent with the intent of the Birmingham Zoning Ordinance and the City’s 2016 Master Plan. Converting Brooklyn Pizza to a Bistro will increase the vitality of the Maple Rd. corridor, and will attract additional patrons to downtown Birmingham to enjoy Brooklyn Pizza, and visit the many nearby retail establishments within this district of the City.

- (2) “The use will be compatible with adjacent uses of land, the natural environment, and the capabilities of the public services and facilities effected by the land use.”

RESPONSE: Brooklyn Pizza has established itself as being compatible with the surrounding land and uses in this district of the City. Furthermore, it is not a drain on the City or its public services. Expanding the restaurant and adding the service of alcoholic beverages will not disrupt any surrounding land uses or be a drain on the City or its public services, insofar as the service of alcohol will complement the service of food, and will comprise a very small percentage of the establishment’s overall sales. The hours of operation of the business will not detrimentally impact any surrounding landowners. While the outdoor patio will be renovated and expanded, the existing outdoor patio has been an appropriate fit in this area of the City for many years, and it will continue to add to patrons’ enjoyment of the restaurant, and the vitality of the Henrietta St. corridor.

- (3) “The use is consistent with public health, safety and welfare of the city.”

RESPONSE: Brooklyn Pizza has been operated in a safe and responsible manner for many years, and it will continue to be operated that way. Public health, safety and welfare is vitally important to Brooklyn Pizza, and it will ensure that the public health, safety and welfare of its patrons, neighbors, and other stakeholders in the City is not compromised in any way by its operation of a Bistro. All managers will complete and pass a state recognized alcohol server training program.

- (4) “The use is in compliance with all other requirements of the zoning ordinance.”

RESPONSE: The conversion of this long-standing restaurant into a Bistro will be operated in full compliance with the City’s Zoning Ordinance, and the use is consistent with the goals of the City of Birmingham Principal Shopping District. Brooklyn Pizza will

comply with all mandates and responsibilities applicable to the holder of a Special Land Use Permit within the City of Birmingham.

(5) “The Use Will Not Be Injurious to the Surrounding Neighborhood.”

RESPONSE: The operation of Brooklyn Pizza has not been injurious to the surrounding neighborhood for many years. Converting this restaurant into a Bistro will benefit the surrounding neighborhood, and it will not be operated in a way that will negatively impact the surrounding neighborhood in any way.

(6) “The Establishment is not in violation of any State or Federal Statutes.”

RESPONSE: Brooklyn Pizza is not in violation of any state laws or federal statutes, and will comply with all applicable local, state and federal laws, regulations and ordinances if the restaurant is operated as a Bistro.

* * *

We submit that our Client meets the liquor license approval conditions set forth in Section 10-42 of the Code in that:

(1) “An applicant will be given consideration only if he proposes to provide and continues to provide for the service of meals to be consumed on the premises.”

RESPONSE: Brooklyn Pizza will continue to provide regular dine in, take out, and delivery meal service for lunch and dinner. It will also provide new menu offerings and a selection of beer, wine and spirits in a completely renovated and expanded restaurant.

(2) “The location proposed, and methods of operation must not detrimentally and unreasonably impact nearby property owners, businesses and residents.”

RESPONSE: Brooklyn Pizza has operated a successful restaurant within the City of Birmingham for many years, and has never been a detriment to nearby property owners, businesses or residents. The renovated and expanded Brooklyn Pizza with new menu offerings and a selection of beer, wine and spirits, will continue to be a great destination in downtown Birmingham, and will improve the dining experience for nearby property owners, businesses and residents.

(3) “All applicable health and safety codes and ordinances, including zoning, must be met.”

RESPONSE: Brooklyn Pizza in its current format complies with the City’s Zoning Ordinance, and all applicable health and safety codes and ordinances will be met before the renovated and expanded restaurant opens for business with the service of alcoholic beverages.

- (4) “Applicants will be required to submit a detailed plan of proposed operation as part of their application for transfer, which shall include a plot plan of the site, a plan for any proposed change in exterior and interior design, lay-out of any proposed change to ancillary facilities and a general operational statements outlining the proposed manner in which the establishment will be operated, including a schedule of the hours of operation, crowd control plans, use of the facility, parking provisions and the estimated cost of any proposed improvements.”

RESPONSE: The site plan and floor plans for the renovated restaurant have been filed with the City in connection with our Client’s Special Land Use Application to operate a Bistro. Hours of operation for the renovated restaurant will be 11AM-11PM seven (7) days per week. Alcoholic beverages will be available for purchase during all hours in which the restaurant is open to the public. The operation of the restaurant will be similar to how it is currently operated. Guests will order food and beverages (including alcoholic beverages) at the ordering counter. A sample menu is attached hereto. When ready, food and non-alcoholic beverages will be picked up at the food ordering counter. Alcoholic beverages, if ordered, will be picked up at the small bar located within the restaurant by providing proof of purchase to the bartender. Identification for guests ordering alcoholic beverages will be checked when the alcoholic beverages are ordered, and the guest’s identity will be confirmed when the alcoholic beverages are served to ensure that only persons above 21 order and consume alcoholic beverages within the restaurant. Guests may consume food and beverages on the outdoor patio adjacent to the restaurant by taking the ordered food and beverages onto the patio. Staff will operate the food ordering counter and the bar. There will not be any waiter service within the restaurant, unless a guest places a large order, or needs assistance transporting their food and beverages to their table. Brooklyn Pizza will also operate its traditional takeout and delivery service. Food along with packaged beer and wine may be purchased for off-premise consumption under the SDM liquor license that our Client has requested.

* * *

We submit the following in response to the application details that must be addressed under Section 10-81 of the Code:

- (1) “Utilization of said liquor licenses and details on the number of quota liquor licenses in escrow at the time of application”

RESPONSE: There are no quota liquor licenses available for issuance in the City of Birmingham. There are four (4) on-premise liquor licenses in escrow in Birmingham, which based on the lack of responses to our written inquiries, are not available for purchase.

- (2) “Proposed and/or existing site plan of the property, building floor plan and an operations floor plan”

RESPONSE: The site plan and floor plans for the renovated and expanded restaurant have been filed with the City Planning Department.

- (3) “A copy of the special land use permit application and supporting documentation submitted by the applicant.”

RESPONSE: The special land use permit application and supporting documentation has been filed with the City Planning Department.

- (4) “All documentation submitted to the LCC requesting the transfer.”

RESPONSE: Our client’s application to the MLCC has been filed with the Birmingham Police Department.

- (5) “Full identification and history of the license holder(s) as it pertains to the license proposed to be transferred, including all complaints filed with the state liquor control commission (LCC) or actions taken by any municipality or the LCC to suspend, revoke, deny or the non-renewal of said license and all other documentation setting forth the detail of the bistro layout proposed by the applicant.”

RESPONSE: The applicant is applying for a *new* Class C liquor license under MCL 436.1521a(1)(b), so there is no identification and history of the current license holder to report. The applicant has never held a liquor license in the State of Michigan. However, based on our Client’s track record of operating a very reputable restaurant within the City of Birmingham for many years, we submit that it is qualified to operate an expanded restaurant with additional menu offerings with alcoholic beverages.

- (6) “Such other items deemed necessary by city administration.”

RESPONSE: The undersigned along with the owner of Brooklyn Pizza, Sam Abdelfatah, and his architect, will be available to address any questions regarding this application at the City Commission hearing wherein this application is considered.

* * *

We submit the following in response to the criteria that must be met in order to be approved to operate a Bistro under Section 10-82 of the Code:

- (1) The applicant's demonstrated ability to finance the proposed project.

RESPONSE: Brooklyn Pizza has secured the funding to complete the proposed renovations and expansion.

- (2) The applicant's track record with the city including responding to City and/or citizen concerns.

RESPONSE: Brooklyn Pizza has an excellent operating record with the City, and will immediately respond to any City or Citizen concerns arising out of the operation of a Bistro.

- (3) Whether the applicant has an adequate site plan to handle the bistro liquor license activities.

RESPONSE: The proposed site plan and floor plan are adequate to operating the proposed Bistro activities.

- (4) Whether the applicant has adequate health and sanitary facilities.

RESPONSE: The restaurant is completely renovating its public restrooms, and the kitchen will be updated to comply with all applicable laws and ordinances.

- (5) The establishment's location in relation to the determined interest in the establishment of bistros in the overlay district and the Triangle district.

RESPONSE: The addition of a Bistro to this area of the City's Principal Shopping District will contribute to the vitality of the Maple Rd. corridor, and will attract additional patrons to downtown Birmingham to enjoy Brooklyn Pizza, and visit the many nearby retail establishments within this district of the City.

- (6) The extent that the cuisine offered by applicant is represented in the city.

RESPONSE: The cuisine offered by the City is loved by City residents, and will just get better if the restaurant is converted to a Bistro.

- (7) Whether the applicant has outstanding obligations to the city (i.e., property taxes, utilities, etc.).

RESPONSE: Brooklyn Pizza is current and in good standing with respect to all obligations to the City and utility providers.

We appreciate you considering this letter in connection with your review of our Client's SLUP Application. Should you have any questions or concerns regarding this project, please do not hesitate to contact me. We look forward to appearing before you on October 23rd.

Very truly yours,

JPHOWE, PLLC

J. Patrick Howe



Proposed Menu

If Brooklyn Pizza is approved to operate as a Bistro, it will expand upon its current menu to offer a new selection of items as outlined in the chart below:

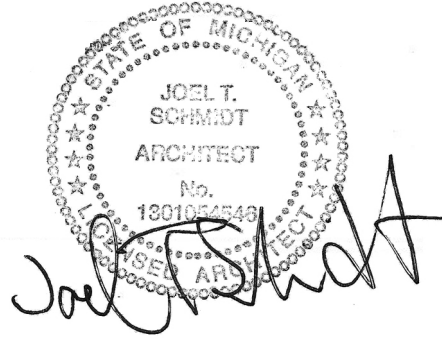
<u>Existing Menu Items</u>	<u>Bistro Menu Items</u>
<u>Pizzas</u> Cheese Pepperoni Four Cheese Barbecued Chicken Brooklyn Signature Greek Primavera Spicy Mexican Margherita 3 Mushroom Cheese Buffalo Chicken Prosciutto & Arugula	<u>Pizzas</u> No Changes
<u>Salads</u> Mixed Greens Greek Antipasto Prosciutto & Melon Greens & Gorgonzola	<u>Salads</u> No Changes
<u>Paninis</u> El Cubano South of France Portobello Cap	<u>New Dessert</u> Homemade Cookies Italian Zeppole
<u>Appetizers</u> Chicken Pesto Bites Garlic Knots Greek Veggie Bites Pepperoni Bites	<u>New Beverages</u> Sparkling Water Cappuccino Espresso Wine by the glass Beer by the bottle Beer on Tap (4-8 varieties) Limited Selection of Traditional Mixed Spirit Drinks
<u>Dessert</u> Homemade Italian Gelato	
<u>Beverages</u> Assortment of iced teas, soft drinks, and juices	

D MET design

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p. 313.401.5181

www.dmetdesign.com



October 31, 2019

Memorandum

To:

Planning Department
City of Birmingham, Michigan
151 Martin Street
Birmingham, MI 48009

Attn: Jana Ecker, Planning Director

Re: Brooklyn Pizza, Final Site Plan Review & SLUP Conditions for Approval Response

Dear Ms. Ecker,

As the Architect for the aforementioned project, I am writing to provide the attached documentation and response to the Planning Boards requirements for approval. The approval issued October 23, 2019 stipulated a handful of items which we have endeavored to answer here. We've added the requested information to the project's documentation and hope our reply satisfies the requirements for approval. We look fwd to the project moving to the next step. Please contact us if you have concern or comments.

ITEM #1

Board's comment: The roof plan shall indicate that the two existing RTUs are screened on all sides in accordance with the Zoning Ordinance

Answer: *The requested information has been added to the project's documentation. See sheets A102 and A201. As discussed at the Planning Board meeting, we will be changing the material of the equipment screen from Minerit HD to perforated corrugated metal because the four-sided screen will be close to, if not overhanging, the edge of the building on Henrietta. As directed we will provide you with physical samples of the material for your review and approval. Our supplier has several perforation options and we are confident that we will be able to provide you with a product that offers adequate visible coverage.*

ITEM #2

Board's comment: The plans shall indicate that the tree grates shall be ADA compliant and that the contractor shall consult with and coordinate the work with Birmingham's Public Works Department.

Answer: *The requested information has been added to the drawings. Please see Key Note #11 on sheet A300.*

ITEM #3

Board's comment: That the specifications for the new glass shall indicate a VLT of 80% or above.

Answer: *The requested information has been added to the drawings. Please refer to sheet A201. Also, please see the attached specification sheet for Ultra Clear glass from Guardian Glass.*

ITEM #4

Board's comment: That the Planning Department receives the specifications for outdoor lighting, signage lighting, and a photometric plan in accordance with the Zoning Ordinance.

Answer: *The requested information is attached under a separate cover. In addition, the requirements / specifications for the illuminated, back-lit letters located at the corner of Maple and Henrietta have been added to the drawings. Please refer to sheet A201.*

ITEM #5

Board's comment: That the specifications for the material and height of the railing at the outdoor patio are added to the drawings.

Answer: *The requested information is provided on sheet A300. The railing is to be coated steel and will be 34" tall. The steel will appear matte black.*

ITEM #6

Board's comment: That the drawings shall indicate that both public benches shall remain on Henrietta.

Answer: *The omission of the southernmost bench has been corrected. A note has been added to Sheet A300 to indicate that the southernmost bench shall be relocated to another location on Henrietta, very close to it's current position. See Key Note #14 on Sheet A300.*

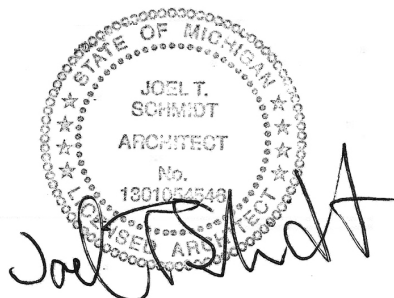
IN CLOSING

Thank you for your time. Please contact D MET if we can be any further assistance. I can be reached at 313-401-5181.

Regards,

Joel T. Schmidt, Architect

D MET design, LLC





MEMORANDUM

Police Department

DATE: October 16, 2019

TO: Joseph A. Valentine, City Manager
Jana Ecker, Planning Director

FROM: Chris Busen, Investigative Commander

APPROVED: Mark H. Clemence, Chief of Police

SUBJECT: 111 Brooklyn, Inc. d/b/a Brooklyn Pizza ("Brooklyn Pizza") requests approval of a new Class C and SDM liquor licenses with Sunday sale (AM/PM) and Catering Permit and an Outdoor Service Permit located at 195 W Maple Rd and 111 Henrietta St, Birmingham, Oakland County, Michigan, to be issued pursuant to MCL 436.1521(A)(1)(B).

INTRODUCTION:

The police department has received a request from the Law Offices of J. Patrick Howe regarding a request for a new Class C and SDM liquor licenses for Brooklyn Pizza, located at 195 W Maple Rd and 111 Henrietta St, Birmingham, Oakland County, MI 48009. Brooklyn Pizza has paid the initial fee of \$1500 for a business that serves alcoholic beverages for consumption on the premises per section 7.33 of the Birmingham City Code. Brooklyn Pizza will be seeking a Bistro License under Chapter 10, Alcoholic Liquors, of the Birmingham City Code contingent on the Birmingham City Commission approval of the SLUP to operate an establishment with a Bistro License for 195 W Maple Rd and 111 Henrietta St, pursuant to Article 7, Section 7.34, Zoning, of the Birmingham City Code.

BACKGROUND:

Brooklyn Pizza is planning to completely renovate its existing restaurant, and expand it into the adjacent suite located at 195 W. Maple Rd. The renovated restaurant will offer the same food that has been offered in its current format for years, but its menu will be expanded to offer additional food, desserts, and a selection of beer, wine, and spirits. The menu will include pizza, salads, paninis, appetizers, desserts, beer and wine. There will not be any waiter service inside the restaurant. Food and non-alcoholic beverages will be picked up at the food-ordering counter. Alcoholic beverages, if ordered, will be picked up at the small bar located within the restaurant by providing proof of purchase to the bartender. Identification for guests ordering alcoholic beverages will be checked when ordered. Their liquor license application to the Michigan Liquor Control Commission is pending local approval.

LEGAL REVIEW:

Non-applicable

FISCAL IMPACT:

Non-applicable

SUMMARY:

The hours of operation for the renovated restaurant will be 11am-11pm, seven (7) days per week. Alcoholic beverages will be available for purchase during all hours in which the restaurant is open to the public. The cost of the renovation will be \$200,000. This will be paid from existing funds generated from the business prior to the renovation that are contained in a Level One Bank account and a \$250,000 line of credit with Huntington Bank. Bank statements were provided to verify the funds were present and the line of credit is current. The existing building lease is for five (5) years with three (3) renewal terms.

Brooklyn Pizza Members

Percentage of Interest

Hani Ahmed Abdelfatah.....100%

The lone member of Brooklyn Pizza is Hani Ahmed Abdelfatah.

The applicant has never held a liquor license in the past, thus has no prior violations.

A background check was conducted on Hani Ahmed Abdelfatah using the Law Enforcement Information Network (LEIN), the Court's Law Enforcement Management Information System (CLEMIS) and the Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLIN) FBI N-DEX national database. Abdelfatah has no criminal convictions.

ATTACHMENTS:

Non-applicable

SUGGESTED RESOLUTION:

To authorize the Chief of Police to sign the MLCC Police Investigation Report (LC-1800) and to approve the liquor license request of 111 Brooklyn, Inc. that requests a new Class C License to be issued under MCL 436.1521(A)(1)(B) and SDM License with Outdoor Service (1 Area) located at 195 W Maple Rd and 111 Henrietta St, Birmingham, Oakland County, MI 48009.

Furthermore, pursuant to Birmingham City Ordinance, to authorize the City Clerk to complete the Local Approval Notice at the request of 111 Brooklyn, Inc. approving the liquor license request of 111 Brooklyn, Inc. that requested a new Class C License be issued under MCL 436.1521 (A)(1)(B) & SDM License with Outdoor Service (1 Area) located at 195 W Maple Rd and 111 Henrietta St, Birmingham, Oakland County, MI 48009.

DATE: December 4, 2019

TO: Joseph A. Valentine, City Manager

FROM: Jana Ecker, Planning Director

SUBJECT: Review Process for First Draft of Master Plan

INTRODUCTION:

Over the past few months, the DPZ team hired by the City to update our comprehensive master plan has been conducting information gathering sessions with members of the public. The team conducted a web survey this spring with a strong participation rate among residents. In addition, the team conducted many stakeholder meetings during April and May, meeting with property owners, residents, neighborhood groups, business owners and institutional partners in the City to solicit detailed input on the City's needs, specific concerns and recommendations for the future vision of the City.

From May 14, 2019 through May 21, 2019 the DPZ team also conducted a public visioning charrette to gather input from residents and business owners for integration into a strategic vision for the neighborhood and commercial areas within the Plan. An analysis of the findings from the survey and the stakeholder meetings was incorporated into the sessions running during the charrette and the key findings and proposals that were presented in the final presentation at the end of the weeklong charrette.

BACKGROUND:

A second web survey was released to solicit additional input from residents based on the proposals developed during the charrette process to gauge how these ideas resonated with the public. In addition, a public open house was held July 8 – 10, 2019 in the former charrette space at 255 S. Old Woodward to discuss and evaluate some the key findings and discuss their refinement and progression into a draft master plan.

DPZ team members attended both the City Commission and Planning Board meetings on July 8 and 10, 2019, respectively to provide an update on the findings and progress to date, to solicit input, and to promote the next steps of the master planning process.

At the joint meeting of the City Commission and the Planning Board on October 17, 2019, the DPZ team presented an overview of the first draft of the Master Plan.

On October 23, 2019, the Planning Board conducted a debrief from the joint meeting, and discussed review options going forward. Staff was asked to prepare a Master Plan review schedule for upcoming Planning Board meetings and to provide recommendations for ongoing public engagement.

On November 13, 2019, the Planning Board discussed the proposed review schedule. After much discussion, the Planning Board voted unanimously to recommend approval to the City Commission of the review process of the first draft as outlined in the chart below, and recommended that the City promote this schedule extensively.

Meeting Dates	Areas of Review
Web Survey # 3 – November 2019	Questions on major areas of recommendation in the first draft of Master Plan
January 8, 2020	Master Plan Premises The Future City (Vision)
February 12, 2020	Neighborhood Components
March 11, 2020	Neighborhood Plans
April 8, 2020	Mixed Use Districts Maple & Woodward Market North
May 13, 2020	Haynes Square South Woodward Gateway Rail District

In addition, the Planning Board encouraged the City to maintain ongoing communication with residents regarding the status of the Master Plan and the review schedule using email, social media, the project website, e-newsletters and articles in the Quarterly publication and local newspapers, and to consider additional events and / or options for encouraging public engagement.

Accordingly, City staff requested a selection of additional public engagement options from DPZ CoDesign to consider during the review of the draft Master Plan over the next several months. DPZ provided a selection of additional public engagement initiatives that the City Commission may wish to add during the remainder of the Master Plan update project. DPZ recommends that the City use the communication tools already in use for the project, and schedule additional roundtable discussions and a series of additional surveys to ensure ongoing public engagement through the review and adoption of the Master Plan. The City Commission may wish to consider holding roundtable discussions in each of the 5 planning districts identified by DPZ for the first series of roundtables conducted last spring.

LEGAL REVIEW:

The City Attorney has reviewed the proposed schedule and has no concerns.

FISCAL IMPACT:

There are no fiscal impacts that will occur if the above review schedule proposed by the Planning Board is approved.

Should the City Commission wish to add public engagement initiatives for the draft review phase that were not included in the original contract with DPZ, there will be a cost for each initiative added. The costs proposed by DPZ, range from \$1,500 to \$12,800 for each of the options provided for consideration. None of these engagement activities were budgeted for in FY 2019-2020, and thus a budget amendment will be necessary for any additional initiatives. The funding for these additional costs would come from the General Fund. Costs are shown for each option to allow the City Commission to discuss any or all additional public engagement initiatives to be conducted during the draft review phase of the Master Plan project.

PUBLIC COMMUNICATIONS:

Public communications for the Master Plan project have been ongoing for more than a year. Public meetings have been held at Planning Board meetings, City Commission meetings and joint meetings of both groups. An extensive public engagement schedule also included roundtable discussions with residents, stakeholders and property owners, a week long design charrette last spring and a multi-day drop in clinic last summer. In addition, three surveys were created and launched to allow all members of the community to provide their input even if they were unavailable to attend any of the public meetings. Media coverage has been ongoing, and the City has also provided a project website at BirminghamPlan.com to host all material created and discussed throughout the Master Plan project, and to solicit input and provide a forum for public engagement. The City has also provided ongoing communication through the Birmingham Plan App, social media such as Twitter, Facebook and Instagram, Inside City Hall and other television segments, as well as newsletters and articles.

SUMMARY:

The Planning Board is seeking the endorsement of the City Commission of the proposed review process for the first draft of the Master Plan. In addition, the City Commission may wish to consider one or more of the additional events and / or options for encouraging public engagement outlined by DPZ during the remainder of the Master Plan update project. The following additional public engagement activities are recommended:

• 2 days of roundtable discussions	\$12,800
• Drop in clinic	\$12,800
• Two additional short surveys	\$ 3,000
Total:	\$28,600

ATTACHMENTS:

- DRAFT Planning Board Minutes
- Memo from DPZ dated December 3, 2019
- Letters from Residents

SUGGESTED RESOLUTION:

To approve the review schedule recommended by the Planning Board on November 13, 2019 for an in depth review of the first draft of the Master Plan;

AND

To approve the expenditure of funds from Other Contractual Services, account #101-721.000-811.0000 to incorporate additional public engagement opportunities into the remaining portion of the master plan update, in an amount not to exceed \$28,600, as needed, to be determined by the City Manager.

AND

To approve an amendment to the 2019-2020 General Fund budget as follows:

General Fund:

Revenues

Draw from Fund Balance	101-000.000-400.0000	\$28,600
Total Revenues		\$28,600

Expenditures

Contractual Services	101-721.000-811.0000	\$28,600
Total Expenditures		\$26,600

**Planning Board Minutes
October 23, 2019**

H. Study Session Items

1. Master Plan Update

Chairman Clein asked the Board for ideas to encourage community involvement during the rest of the master plan process.

Mr. Williams said there is excessive and redundant narrative discussion within the first draft, and that bullet points could better convey the information. He said the plan needs to do a better job of addressing the implementation timing for its recommendations. Mr. Williams opined the City needs engagement from neighborhood representatives in order to achieve buy-in from the neighborhoods before the plan is finalized. Mr. Williams refuted the idea, ventured by a public commenter at the October 17, 2019 City Commission-Planning Board Joint meeting (Joint Meeting), that free discussion would be stymied if City representatives attended neighborhood association meetings. Rather, according to Mr. Williams, City representatives at neighborhood association meetings would better allow the City to hear and subsequently address citizens' perspectives and needs. Mr. Williams expressed pressing concern that the first draft does not give the City a sense of the best way to get a broad range of community feedback regarding ideas in the master plan, and that efforts to acquire that feedback from the public should be a City effort undertaken immediately.

Mr. Share agreed. He said it would be important to invite community engagement, to engage each neighborhood in a familiar environment, and to be sure to engage each community in discussions relevant to their particular concerns. Mr. Share expressed hope that if well-publicized public meetings were held with City decision makers in various neighborhoods that the public would choose to attend.

Ms. Whipple-Boyce stated that DPZ did an outstanding job of soliciting community engagement during the spring charrettes and that the plan best represents guidelines for how to begin to draw the neighborhoods together. While Ms. Whipple-Boyce agreed with the importance of getting the neighborhoods involved, she noted for the Board that the community has been highly engaged and responsive throughout the entire process thus far. Ms. Whipple-Boyce stated that the first draft provides the City laid out some ideas for building further community engagement, and that by her assessment the level of community engagement is right in line with where it should be for implementing the plan's next steps. She also echoed Mr. Share's recommendation from the Joint Meeting that the Board create some subcommittees, possibly with some Commissioners as well, to discuss and invite public engagement on any aspects of the first draft that would benefit from a more in-depth review.

Chairman Clein agreed with Ms. Whipple-Boyce that the community has been engaged in the process. He said he wants to see continued community engagement because the plan cannot purport to represent the community's interests if very few community members ever attend the meetings or give input. Responsibility falls to the Board members, according to Chairman Clein, to encourage community engagement as much as possible. He opined that ad hoc meetings to

discuss particular issues would ultimately amount to a well-intentioned misappropriation of time, since the public will often either be insufficiently aware of them, or the meetings are often scheduled for times when most people could not attend. Chairman Clein strongly recommended that any topics to be discussed from the first draft should be done as part of the Board's regular meetings. He also cautioned that the City is currently in a review stage of the process, and that implementation will not begin until the master plan is formally adopted sometime in the spring of 2020.

Mr. Boyle suggested three levels at which the plan should be discussed:

- Board-level planning topics, announced and scheduled for the Board's regular meetings;
- Implementation, which will be determined by various parts of City governance and by the Plan's ultimate recommendations; and,
- Leadership. After the November 5, 2019 City elections, Mr. Boyle anticipated the City Commission would recommence decision making processes regarding the master plan.

Mr. Boyle said the Board's focus should be on reviewing the planning elements of the plan, and providing feedback and guidance on what DPZ and McKenna have set forth.

Mr. Jeffares said a diversity of strategies will be required to retain public engagement through the balance of the process. He mentioned surveys, meetings at schools, social media posts, door-to-door conversations, and neighborhood meetings as some of the options. Anything less than a comprehensive effort, similar to what the master planning team did for community engagement in the spring, would be insufficient in Mr. Jeffares' view.

Chairman Clein requested that Staff begin the process of breaking down the draft into manageable pieces and scheduling them for the Board's upcoming meetings. He said that once the Board has a full Study Session meeting a month, beginning in January 2020, it would be worth considering whether whatever master plan topic is scheduled should be the only topic during those meetings. He also said that City Manager Valentine could review these minutes for thoughts on developing a communication strategy in regards to the master plan, and how best to engage City residents through the multiple platforms the City possesses.

Mr. Williams said he would like the City Commission, after the election, to state what the Board's role should be during the rest of the process.

Chairman Clein agreed. He said that at their next meeting the Board could review the proposed schedule of meetings, a recommendation of enhanced engagement, and a request to the Commission for further direction. Once the Board has consensus on those, he suggested the Board could either ask through Staff or pass a resolution to request that the Commission either endorse or redirect the Board's plan.

**DRAFT Planning Board Minutes
November 13, 2019**

1. Master Plan Review

Planning Director Ecker presented the item.

Chairman Clein thanked Planning Director for putting together the proposed schedule.

Subsequent to discussion, Board consensus was that they would schedule the master plan discussions for regular study session meetings beginning in January 2020 and running through May 2020. Notes would be provided to DPZ after each study session. The Board agreed to start those study session meetings at 7 p.m. instead of 7:30 p.m.

Planning Director Ecker noted that a member of the public could always provide their feedback on a previous meeting's topic as well.

Ms. Whipple-Boyce recommended creating an insert with the schedule of these meetings to mail out to all Birmingham residents in the City's 2020 calendar. She advocated for allowing staff to determine the most appropriate division of the master plan topics over the four or five study sessions.

Mr. Boyle also asked it be recommended to the Commission that the City publicize these master plan study sessions by every means available to the City's communications office.

Chairman Clein strongly concurred with Mr. Boyle's recommendation.

Ms. Whipple-Boyce noted that if a site plan meeting were particularly light one month the Board could address a smaller study session item like this evening's glazing discussion. She also ventured that as the Board provides feedback to DPZ on the master plan topics, DPZ will develop an increasingly clearer understanding of the Board's perspective and how to integrate it into the plan.

Mr. Williams stated that the Board's alternate members should be encouraged to attend and participate in the Board's master plan study sessions.



December 4, 2019

Memo: Additional Public Engagement Options

A selection of additional public engagement opportunities has been requested to supplement the public engagement activities to date for The Birmingham Plan. We recognize the desire for continued outreach and we support the need to ensure that public opinion is gathered and reflected in the plan. In considering these options, be aware that too much engagement can decrease participation, particularly by those who are typically less represented, while too little can threaten the success of a plan and its implementation.

To date we have held round tables, individual interviews and special meetings, the charrette, a drop-in clinic and a series of community surveys. Of these efforts, the round tables resulted in fewer participants than expected, however they established the overall direction for the plan, focused on neighborhood identity and community cohesion. The drop-in clinic brought more families and younger residents than other events. Surveys have been the most successful, gathering many more responses across a broad range of age groups, locations within the community, and family composition. While too early to determine an outcome, most opinions remain in support of plan proposals, and the open-ended responses are providing an opportunity for additional comments and suggestions.

It has recently been suggested that the City may wish to add an additional platform for public engagement, beyond the current website, social media, and surveys. Bang the Table is an example of a digital platform that focuses on creating a conversation with the community. Different than a static site, Bang the Table encourages dialogue between stakeholders – residents can publicly comment on a project, plan, or map, allowing other individuals to respond back in a conversational manner or ask follow up questions and build on understanding. All comments are monitored, within two hours of being posted publicly, by Bang the Table's global commentators team, ensuring that the conversation is productive and professional, and eliminating profanity and hateful or purposefully damaging speech. Similar to Survey Monkey, the website also generates detailed analytics and reports.



However, due to the amount of public engagement to-date, including the website, social media, surveys, charrette, interviews, videos, and drop-in clinic, changing the communication processes and tools at this stage of the planning process would not be recommended as a best practice.

However, a public engagement platform such as Bang the Table could be an effective long-term, city-wide public engagement tool, which is in-line with current plan recommendations for increased long-term representation. Bang the Table offers the City a consolidated place to stay connected with community stakeholders. This would be especially useful for the implementation of the Master Plan as well as other future City initiatives, including park development, street projects, and neighborhood projects. The tool also allows for citizens to ask the municipality questions, which can help educate the public.

Our Recommendation

As we are already mid-way through an established process to update the City's Master Plan, DPZ recommends using the communication tools already in use and approved within the project's scope of work. DPZ does recommend that the Commission elect to conduct additional round table discussions and a series of additional surveys to ensure public engagement continues through the review and adoption process. An additional Drop-in Clinic would also increase input, however the surveys have been more effective to date. The City should continue to maintain an ongoing conversation with the public through email, social media, the project website, articles, and local media.

Additional Engagement Options and Costs

Additional Public Engagement Method	Potential Strengths / Weaknesses	Additional Fee
1. VIDEO INFORMATION SHARING <ul style="list-style-type: none"> • Purpose of method: To share information and inform / educate residents and stakeholders about the draft Master Plan and complex concepts • Process: DPZ and McKenna record content, transmits to the Planning Department for editing and approval, and the content is shared per the existing communications channels • Feedback: Viewers could click on an email form beneath the video on The Birmingham Plan website to submit comments specific to the content 	Potential Strengths: <ul style="list-style-type: none"> • On-demand content • Ability to receive specific topic-based feedback • Less costly than in-person presentations Potential Weaknesses: <ul style="list-style-type: none"> • Older residents may be less inclined to click on digital videos • Not interactive 	\$2,500 per video for content creation, including new graphics as needed, and video promotion via project media, approximately 5-10 minutes; editing and distribution by the City Total: \$2,500 per video
2. ROUNDTABLE DISCUSSIONS <ul style="list-style-type: none"> • Purpose of method: To generate and record dialogue with residents and stakeholders about specific concepts in the draft Master Plan • Process: Conduct neighborhood-based and topic-based discussions, promote events, conduct events and record notes, report back to City Commission and Planning Board on findings • Feedback: Attendees will provide feedback during the roundtable discussions 	Potential Strengths: <ul style="list-style-type: none"> • Additional in-person engagement allows residents and stakeholders to express nuanced perspectives • Test neighborhood-focused concepts with neighborhood residents, receive very specific feedback Potential Weaknesses: <ul style="list-style-type: none"> • Participants may be less likely to go to meetings during winter months • Relatively lower quantity of stakeholders are engaged using this method 	Communications execution / preparation per each round of roundtable discussions @ \$2,400 + \$4,800 per day of roundtable discussions or portion thereof (2 days estimated herein) + An estimated \$800 for transportation. Total: \$12,800

Additional Public Engagement Method	Potential Strengths / Weaknesses	Additional Fee
<p>3. DROP-IN CLINIC</p> <ul style="list-style-type: none"> • Purpose of method: To generate and record dialogue with residents and stakeholders about the draft Master Plan and complex concepts • Process: Develop exhibits to convey draft Master Plan key features for display, promote clinic, conduct clinic and record notes, report back to City Commission and Planning Board on findings • Feedback: Attendees will be providing feedback during the clinic 	<p>Potential Strengths:</p> <ul style="list-style-type: none"> • Additional in-person engagement allows residents and stakeholders to express nuanced perspectives • Test hot-button concepts in person, receive very specific feedback <p>Potential Weaknesses:</p> <ul style="list-style-type: none"> • Participants may be less likely to go to clinic during winter months • Relatively lower quantity of stakeholders are engaged using this method 	<p>Communications execution / preparation for one drop-in clinic @ \$2,400</p> <p>+</p> <p>\$4,800 per day of drop-in clinic or portion thereof (2 days estimated herein)</p> <p>+</p> <p>An estimated \$800 for transportation.</p> <p>Total: \$12,800</p>
<p>4. ADDITIONAL SURVEYS</p> <ul style="list-style-type: none"> • Purpose of method: To generate feedback on specific topics and concepts • Process: Determine scope of survey (example of weekly 1-question survey series vs. longer surveys), promote survey, analyze results and report to City • Feedback: Attendees submit feedback in the survey program 	<p>Potential Strengths:</p> <ul style="list-style-type: none"> • Receive a relatively large amount of responses • Easy execution on getting answers to specific questions that arise <p>Potential Weaknesses:</p> <ul style="list-style-type: none"> • May see decline in responses (survey fatigue) 	<p>\$1,500 per survey for promoting, content creation, hosting, and analysis of short +/- 10 question surveys</p> <p>OR</p> <p>\$3,000 per survey for promoting, content creation, hosting, and analysis of long +/- 30 questions surveys</p>

City of Birmingham, MI
Planning Commission Meeting - October 23, 2019
Master Plan Comments

Submitted by Jim Arpin

1. On page 39 (Section A. Vision A.2 the Future City) DPZ states in the Discussion “Birmingham Zoning Code is due for an **overhaul**.” Can the Board or Staff comment on how this recommendation will impact upcoming zoning ordinance change requests before there is a potential overhaul?
2. Can the Board or Staff comment on how **supporting building infrastructure** factors such as; police, fire, pedestrian/cycle/motor vehicle traffic, electric power/water/IT utility availability, rock bed strata and vehicle parking impact a recommendation to amend a zoning district?
3. On page 200 (Section C. Mixed-use Districts C.4. Haynes Square) Can the Board or Staff comment on how the implementation of DPZ’s recommendations for Haynes Square can co-exist with the DPZ D5 Study (submitted 9/5/19). It appears Figure C.4-01 Haynes Square in the Master Plan Draft conflicts with multiple Figures in the DPZ D5 Study. Will the Board or Staff be coordinating with DPZ on their recommendations and **impacts to adjacent Mixed-use Districts** prior to recommending any zoning district ordinance amendments?
4. It appears the DPZ D5 Study is not included in the **Document Library** on the www.thebirminghamplan.com web site. Can the Board or Staff comment on this omission of DPZ City of Birmingham related work to the Document Library?

5. In the DPZ D5 Study, DPZ recommended the **Peabody Mansion historic building** could be moved to make room for a 10 story building. I did not see a designated area in the Master Plan draft for a suitable place in the City of Birmingham to relocate the Peabody Mansion. Can the Board or Staff comment on the process involved in moving historic buildings within the City?

A Vision for the City of Birmingham

The Purpose of any government is to guarantee the quality of life for its citizens

Compliments to the City of Birmingham for its commitment to the quality of life of its residents. Essential components to ensure quality of life are well established and well maintained in the city: Police, Fire, EMS, trash collection, public schools and environmental aspects such as walkability, parks, and tree canopy. Can these things be better? Can the city improve? Sure. But so far – well done.

Prosperity (which includes but is not limited to making profit) always follows quality of life

Birmingham and its citizens are the recipients of the high quality of life in having a vibrant local economy and increasing house values. But,

Birmingham should not lose its focus on quality of life in preference to making money

Quality of life always leads to prosperity but making profit does not always guarantee quality of life, which leads to a deterioration of prosperity. So, this means that in my vision the city will focus on replacing lead water lines to increase quality of life, and not spend money on retail developments to benefit specific retailers and masquerade the project as a parking structure.

The government should extend its environmental timeline perspective

By this I mean the government should conceptualize issues decades ahead. My sewer line collapsed because of the decision to use Orangeburg tubing, which was cheap but had a short useful life of only 25 years. A community outside of Grand Rapids showed a spike in cancer in its residents because a business (now extinct) dumped PFA which leached into the groundwater 30 years ago. I do not want to expect an increase in cancer in our residents in 2050 because of the tons of chemicals we put on our lawns in 2020.

Rooftops are an undeveloped resource

If I stand on the fifth or sixth floor of a building and look out over the neighborhoods (not just in Birmingham) I can see hundreds of acres of desolate, arid, lifeless wasteland. A person can actually see the distortions in the atmosphere caused by the rising heat. This wasteland is the rooftops of the buildings. In my vision the City of Birmingham would see this wasteland as an opportunity to incentivize developments such as rooftop gardens or solar panel fields, or maybe a windmill or two like we have on Seaholm's roof.

Thank you for your attention,
Len Billingsley
527 Larchlea, Birmingham
248-645-1542

DATE: December 9, 2019

TO: Joseph A. Valentine, City Manager

FROM: Paul A. Wells, Fire Chief

SUBJECT: Rescue 2 – Life Line Ambulance

INTRODUCTION:

The Birmingham Fire Department currently has a 2001 Ford Horton ambulance (yellow-Rescue 3) in service as a reserve ambulance. Rescue 3 is past due to be replaced based on the age and usage of the vehicle. Rescue 3 has structural deterioration and its maintenance costs have markedly increased. On July 1, 2019, Rescue 2 was placed in service at Station 2 during peak run volume times. Rescue 2 is a 2012 International Medtec ambulance. Rescue 2 is having increased maintenance costs and it is time to transition Rescue 2 into a reserve ambulance. Rescue 2 will be renamed Rescue 3 and placed in reserve after receiving the new Ford Life Line ambulance in the summer of 2020. The 2020 Ford Life Line ambulance will be named Rescue 2.

BACKGROUND:

In 2001, the Fire Department purchased a yellow Ford Horton van-style ambulance as a front line Advanced Life Support (ALS) ambulance. In 2012, this yellow Ford Horton van-style ambulance (Rescue 3) was placed into reserve status. Currently Rescue 3 is placed in service when the other two rescues need repair, preventative maintenance, or during special events. Rescue 3 has surpassed its lifespan and is in need of immediate replacement. The Fire Department responds to over 2,700 emergency calls per year. This purchase will meet the needs of our fleet for the foreseeable future.

LEGAL REVIEW:

A Legal review was completed and there are no legal issues.

FISCAL IMPACT:

There is no fiscal impact; the funds are available in the Fire Department replacement apparatus account

SUMMARY:

The Birmingham Fire Department is requesting to purchase a 2020 Life Line Superliner Type-1, 171"x96", Superliner 72" headroom, on a 2020 Ford F-450 XLT 4x4 Chassis with Liquid Spring Suspension, Stryker Power-Load system, and Stryker Power Cot. The ambulance will provide patients with a state-of-the-art suspension which will be able to handle Michigan's rough roads. The ambulance has 4-wheel drive to ensure a speedy and safe response during inclement weather. The contract price includes a Stryker Power Cot and Stryker Power-Load system. This system is currently on Rescue 1 and is the safest cot-loading and securing

system ever created. The purchase contract includes HGAC Buy Program competitive pricing. The Life Line Ambulance is expected to be completed in July 2020.

ATTACHMENTS:

Life Line purchase proposal through R&R Fire Truck Repair, Inc.

SUGGESTED RESOLUTION:

To approve a purchase of a 2020 Life Line Superliner Type-1, 171"x96", Superliner 72" headroom, on a 2020 Ford F-450 XLT 4x4 Chassis with Liquid Spring Suspension, Stryker Power-Load system, and Stryker Power Cot for the cost of \$256,700.00, which includes a Ford GPC rebate of \$4,200 from account #663.338.000.971.0100 and further, to authorize the Mayor to sign the purchase proposal on behalf of the City.



Service and repairs on all makes and models

Paul Wells
Fire Chief
Birmingham Fire Dept.
572 S. Adams Road
Birmingham, MI 48009

November 4, 2019

Dear Chief Wells,

The following quote is offered for your review regarding one [1] 2020 Life Line Type-I Ambulance, purchased under the HGAC Buy program. The build is based off your specifications drafted earlier this year for unit.

R&R Fire Truck Repair Inc. is the Michigan Dealer for Life Line Emergency Vehicles (LLEV), Sumner, IA. LLEV has been in business building custom high-end Ambulances for the past 34 years.

One (1) 2020 Life Line Superliner Type-I 171"x 96" Superliner 72" Headroom, on a 2020 Ford F-450 XLT 4x4 Chassis with Liquid Spring Suspension, Stryker Power-LOAD, and Power Cot [Birmingham Specifications].

Two Hundred Sixty Thousand, Nine Hundred Dollars no/100

\$260,900.00

This quote is based on the NA02 HGAC Contract AM-10-18, with Liquid Spring Suspension installed. This quote also contains the required HGAC Contract Fee, Published Options requested, and Un-Published Options required to complete the delivery. The Chassis will be ordered by Life Line, with availability in the first quarter of 2020. The unit should be completed in late Spring/Summer of 2020.

Note: The available Ford GPC Rebate on the **2020 Chassis is -\$4,200.00**. It is your choice to have this amount refunded directly to the City of Birmingham, or deducted from the bid total, signing the rebate amount over to R&R Fire Truck Repair Inc. (paperwork required, see attached form).

Delivery is running approximately 110-calendar days after receipt of the Chassis from Olathe Ford [KS], and a "signed off" Work Order and CAD Drawings.

Thank You for your business, we look forward to providing another state-of-the-art-Ambulance for the City of Birmingham.

Feel free to contact me with any questions you may have at 248-697-8002



Al D'Agostino
Sales & Marketing Mgr.
R&R Fire Truck Repair Inc.
al@rrfiretruck.com



Proposal Accepted on behalf of the City of Birmingham by:

Signed By

Title

Date

Printed Name



NOTICE OF INTENTION TO APPOINT TO PUBLIC ARTS BOARD

At the regular meeting of Monday, January 13, 2020, the Birmingham City Commission intends to appoint two regular members to the Public Arts Board to serve three-year terms to expire January 28, 2023, two regular members to serve the remainder of a three-year term to expire January 28, 2022, and 2 alternate members to serve three-year terms to expire January 28, 2023.

In so far as possible, the members shall represent a major cultural institution, a registered architect of the State of Michigan, an artist, an art historian, and an art consultant. Members may also be members of the Historic District Commission, Design Review Board, the Parks and Recreation Board, or the Planning Board. At least four members of the Board shall be residents of the City of Birmingham.

The objectives of the Public Arts Board are to enrich the City's civic and cultural heritage; to promote a rich, diverse, and stimulating cultural environment in order to enrich the lives of the City's residents, business owners, employees, and all visitors; and to establish an environment where differing points of view are fostered, expected, and celebrated by providing the opportunity for such expression through the display of public art.

Interested citizens may apply for this position by submitting an application available from the City Clerk's office. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, January 8, 2020. These applications will appear in the public agenda for the regular meeting at which time the commission will discuss recommendations, and may make nominations and vote on the appointments.

All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
<p>Members shall, in so far as possible, represent a major cultural institution, a registered architect of the State of Michigan, an artist, an art historian, and an art consultant. Members may also be members of the Historic District Commission, Design Review Board, the Parks and Recreation Board, or the Planning Board.</p> <p>At least four members of the Board shall be residents of the City of Birmingham.</p>	1/8/20	1/13/20



**NOTICE OF INTENTION TO APPOINT
STORM WATER UTILITY APPEALS BOARD**

At the regular meeting of Monday, January 13, 2020, the Birmingham City Commission intends to appoint 3 regular members to serve three-year terms to expire January 31, 2023, and two alternate board members to serve the remainder of three-year terms to expire January 31, 2022. Members and alternates shall serve at the will of the commission. Members and alternates shall hold office until their successors are appointed. The City Commission shall fill a vacancy by an appointment only.

2 of the 3 regular members appointed shall be licensed professional engineers not employed by the local unit of government. 1 of the 2 alternate members shall also be a licensed professional engineer not employed by the city. The board members shall serve without compensation. Members are not required to be city residents.

The Appeals Board shall be responsible for hearing disputes to a fee or bill that a property owner or resident of the city shall receive pursuant to the Storm Water Utility ordinance (Section 114-402(c)). The board members shall schedule periodic meetings for appeals as needed.

Interested citizens may submit a form available from the City Clerk's office on or before noon on Wednesday, January 8, 2020. These applications will appear in the public agenda for the regular meeting at which time the commission will discuss recommendations, and may make nominations and vote on the appointments.

All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
At least one of the alternate members shall be a licensed professional engineer not employed by the local unit of government, and have legal, administrative or other desirable qualifications that will aid him or her in the performance of the duties of the board members.	1/8/20	1/13/20



NOTICE OF INTENTION TO APPOINT TO THE PARKS & RECREATION BOARD

At the regular meeting of Monday, January 13, 2020, the Birmingham City Commission intends to appoint a regular member to the Parks and Recreation Board to serve the remainder of a three-year term to expire March 13, 2022.

Interested citizens may submit an application available at the City Clerk's office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, January 8, 2020. These applications will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on the appointments.

Responsibilities

The Parks & Recreation Board consists of seven members who serve for three-year terms without compensation. The goal of the board is to promote a recreation program and a park development program for the City of Birmingham. The Board shall recommend to the City Commission for adoption such rules and regulations pertaining to the conduct and use of parks and public grounds as are necessary to administer the same and to protect public property and the safety, health, morals, and welfare of the public.

The meetings are held the first Tuesday of the month at 6:30 P.M.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
Members must be electors (registered voters) of the City of Birmingham.	01/08/20	01/13/20

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.