

**AGENDA**  
**BIRMINGHAM DESIGN REVIEW BOARD**  
**WEDNESDAY – August 4<sup>th</sup>, 2021**  
**151 MARTIN STREET, CITY COMMISSION ROOM 205, BIRMINGHAM, MI \***  
**\*\*\*\*\* 7:15 PM\*\*\*\*\***

- 1) Roll Call
- 2) Approval of the DRB Minutes of July 21<sup>st</sup>, 2021
- 3) Public Hearing
- 4) Design Review
  - A. 33233 Woodward – Birmingham Colonial
- 5) Sign Review
- 6) Study Session
- 7) Miscellaneous Business and Communication
  - A. Pre-Application Discussions
  - B. Draft Agenda
    1. September 1<sup>st</sup>, 2021
  - C. Staff Reports
    1. Administrative Sign Approvals
    2. Administrative Approvals
    3. Action List 2021
- 8) Adjournment

\*Please note that board meetings will be conducted in person once again. Members of the public can attend in person at Birmingham City Hall or may attend virtually at:

**Link to Access Virtual Meeting:** <https://zoom.us/j/91282479817>  
**Telephone Meeting Access:** 877 853 5247 US Toll-free  
**Meeting ID Code:** 912 8247 9817

Notice: Individuals requiring accommodations, such as interpreter services for effective participation in this meeting should contact the City Clerk's Office at [\(248\) 530-1880](tel:2485301880) at least on day in advance of the public meeting.

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**A PERSON DESIGNATED WITH THE AUTHORITY TO MAKE DECISIONS MUST BE PRESENT  
AT THE MEETING.**

**Design Review Board  
Minutes Of July 21, 2021**

151 Martin Street, City Commission Room 205, Birmingham, MI

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The DRB selected Michael Willoughby as temporary chair of the meeting.

Minutes of the regular meeting of the Design Review Board ("DRB") held Wednesday, July 21, 2021. Temporary Chair Michael Willoughby called the meeting to order at 7:24 p.m.

**1) Rollcall**

**Present:** Board Members Natalia Dukas, Dustin Kolo, Patricia Lang, Michael Willoughby; Alternate Board Member Samantha Cappello; Student Representatives Charles Cusimano (Birmingham, MI), Elizabeth Wiegand (joined 7:45 p.m., Birmingham, MI)

**Absent:** Chair John Henke; Board Members Gigi Debbrecht, Keith Deyer; Alternate Board Member Kathleen Kriel

**Administration:** Nicholas Dupuis, City Planner  
Laura Eichenhorn, City Transcriptionist

**07-071-21**

**2) Approval Of Minutes**

**Motion by Ms. Lang**

**Seconded by Mr. Kolo to approve the DRB Minutes of July 7, 2021 as submitted.**

**Motion carried, 4-0.**

ROLL CALL VOTE

Yeas: Kolo, Willoughby, Lang, Dukas

Nays: None

Abstain: Cappello

**07-072-21**

**3) Public Hearing**

None.

**07-073-21**

**4) Design Review**

None.

**07-074-21**

## **5) Sign Review**

None.

**07-075-21**

## **6) Study Session**

None.

**07-076-21**

## **7) Miscellaneous Business And Communications** **A. Pre-Application Discussions**

CP Dupuis summarized the request from Kevin Kuza, owner of Henry Bikes at 33744 Woodward. He explained that Mr. Kuza painted the side of his business with a graphic and a text phrase without a permit. He noted that Mr. Kuza and Christian Unverzagt, architect for the project, were now before the DRB requesting a retroactive approval.

Mr. Unverzagt explained that they tried to keep their design abstract enough to avoid running afoul of the sign ordinance. He noted the side of the building was hand-painted by a local muralist.

While there was DRB consensus that the design was very aesthetically pleasing, there was also consensus that the design qualified as a sign and therefore had to adhere to the sign ordinance. It was noted that signs cannot be painted on buildings, that it qualified as a sign since it draws attention to the building, and that even if the other two issues were not present that the design exceeded the square footage that would be otherwise permitted for a sign.

Mr. Unverzagt asked if the DRB would consider allowing just the graphic and not the text phrase to remain since the graphic was more abstract.

Mr. Kolo noted that the City was currently working on creating a process for approving murals in the City's activation overlay district and said that complicated the present discussion as well in terms of just leaving the more abstract aspect of the design.

It was discussed that the City could possibly designate the long side of the building as the principal building frontage since there was both an address and door on that side, which would address some but not all of the issues.

CP Dupuis explained that then Mr. Kuza would have to decide whether he wanted to bring a variance request before the Board of Zoning Appeals (BZA). He said he would explain the process to Messrs. Kuza and Unverzagt if they were interested in considering the option.

CP Dupuis said the mural on the neighboring building would be addressed as well.

Mr. Kolo said he would be concerned about establishing a precedent with this case if the DRB were to grant approval.

Ms. Dukas said she would be less worried about establishing a precedent since it would be carefully reviewed by the BZA.

Temporary Chair Willoughby opined the text phrase certainly met the definition of a sign. He said the abstract graphic could potentially be construed as more art than sign.

Ms. Lang concurred with Temporary Chair Willoughby.

Ms. Lang said she hoped there was a path to approval for Mr. Kuza.

Temporary Chair Willoughby echoed Ms. Lang, saying he hoped there would be a way for the painted area to remain in order to encourage other businesses to do similarly high-quality work that benefits the community.

**B. Draft Agenda for Next Meeting**

**C. Staff Reports**

- 1. Administrative Sign Approvals**
- 2. Administrative Approvals**
- 3. Action List - 2021**

**07-077-21**

**Adjournment**

**Motion by Ms. Lang**

**Seconded by Ms. Dukas to adjourn the DRB meeting of July 21, 2021 at 7:53 p.m.**

**Motion carried, 5-0**

ROLL CALL VOTE

Yeas: Dukas, Willoughby, Kolo, Cappello, Lang

Nays: None

Nicholas Dupuis  
City Planner



# MEMORANDUM

Planning Division

**DATE:** August 4<sup>th</sup>, 2021

**TO:** Design Review Board

**FROM:** Nicholas Dupuis, City Planner

**SUBJECT:** 33233 Woodward – Birmingham Colonial – Design Review

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**Zoning:** B2B (General Business)

**Existing Use:** Commercial

## Introduction

The applicant has submitted a Design Review application for storefront glazing modifications to the existing 2-story commercial building at 33233 Woodward. The subject site is located on the west side of Woodward, north of 14 Mile at the southern edge of Birmingham.

## Building Exterior

As described above, the only change proposed on the building is an expansion of the storefront glazing. The site plans submitted show the existing conditions on the building façade, which the provided glazing calculations show at 18% glazing. The proposed glazing condition increases the glazing on the storefront façade to 62%. Please see the following table for a list of all proposed materials:

Material	Location	Color
Aluminum	Storefront glazing system	Dark Bronze
Aluminum Panel	Window headers	Dark Bronze
Glass	1 <sup>st</sup> floor windows	Clear (68% VLT)

As this building is not located within the Downtown or Triangle District Overlay zones, there are no specific architectural standards that must be followed. The building is currently composed of high quality materials such as brick, stone and glass.

## Signage

There are no new signs proposed as a part of this approval.

## Lighting

There are no new light fixtures proposed as a part of this approval.

## Planning and Zoning

As the building/site is not changing its use or size, there are no bulk, height or area requirements that must be reviewed at this time. However, a review of the following planning and zoning issues is warranted based on the proposed façade renovation:

- Parking – The use of the building is not proposed to change as a part of the Design Review application submitted. Thus, a parking analysis is not required.
- Glazing – As noted above, the applicant is proposing to increase the storefront glazing on the building from 18% to 62%. Article 4, Section 4.90 (A)(1) of the Zoning Ordinance requires no less than 70% of a storefront façade between 1 ft. and 8 ft. above grade to be clear glazing. The proposed 62% glazing does not meet the required glazing.

However, to allow flexibility in design, this standard may be modified by a majority vote of those appointed and serving on the Design Review Board for architectural design considerations provided that the following conditions are met:

- a. The subject property must be in a zoning district that allows mixed uses;
- b. The scale, color, design and quality of materials must be consistent with the building and site on which it is located;
- c. The proposed development must not adversely affect other uses and buildings in the neighborhood;
- d. Glazing above the first story shall not exceed a maximum of 70% of the façade area;
- e. Windows shall be vertical in proportion.

Based on a review of the design plans, the Planning Division finds that the above conditions have been met by the proposal. Thus, **the applicant is required to obtain approval from the Design Review Board for 62% glazing.**

In addition to the glazing percentage requirements, the applicant is also required to adhere to the clarity requirements outlined in the above language, as well as Article 9, Section 9.02, which defines clear glazing as glass and other transparent elements of building facades with a minimum visible light transmittance (VLT) of 80%. The applicant has submitted design plan indicating that the proposed glass will have a VLT of 80%, but has not submitted specification sheets to corroborate the information. **The applicant must submit specification sheets for the proposed glass to confirm that the VLT is a minimum of 80%.**

## Required Attachments

	Submitted	Not Submitted	Not Required
Detailed and Scaled Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interior Floor Plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Landscape Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Photometric Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Colored Elevations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Material Specification Sheets	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Material Samples	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Site & Aerial Photographs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Design Standards

Article 7, Section 7.09 states that the Design Review Board shall review all documents submitted pursuant to this section and shall determine the following:

1. All of the materials required by this section have been submitted for review.
2. All provisions of this Zoning Ordinance have been complied with.
3. The appearance, color, texture and materials being used will preserve property values in the immediate neighborhood and will not adversely affect any property values.
4. The appearance of the building exterior will not detract from the general harmony of and is compatible with other buildings already existing in the immediate neighborhood.
5. The appearance of the building exterior will not be garish or otherwise offensive to the sense of sight.
6. The appearance of the building exterior will tend to minimize or prevent discordant and unsightly properties in the City.
7. The total design, including but not limited to colors and materials of all walls, screens, towers, openings, windows, lighting and signs, as well as treatment to be utilized in concealing any exposed mechanical and electrical equipment, is compatible with the intent of the urban design plan or such future modifications of that plan as may be approved by the City Commission.

### Planning Division Analysis

Based on the requirements of Article 7, Section 7.09, the Planning Division recommends that the Design Review Board **APPROVE** the Design Review application for 33233 Woodward – Birmingham Colonial – with the following conditions:

1. The Design Review Board APPROVES the proposed 62% glazing; and
2. The applicant must submit specification sheets for the proposed glass to confirm that the VLT is a minimum of 80%.

The applicant appears to meet each of the Design Review requirements outlined in the above ordinance language, including the submittal of all the required documents and a proposal that is

a perceived upgrade to the existing storefront conditions. The façade renovations are not garish or unsightly, are compatible with other buildings in the immediate area and the Woodward corridor, and should not adversely affect neighboring property values.

**Sample Motion Language**

Motion to **APPROVE** the Design Review application for 33233 Woodward – Birmingham Colonial – with the following condition:

1. The Design Review Board APPROVES the proposed 62% glazing; and
2. The applicant must submit specification sheets for the proposed glass to confirm that the VLT is a minimum of 80%.

**OR**

Motion to **POSTPONE** the Design Review application for 33233 Woodward – Birmingham Colonial – pending receipt of the following:

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

**OR**

Motion to **DENY** the Design Review application for 33233 Woodward – Birmingham Colonial – for the following reasons:

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





SD-1.01





## Design Review Application Planning Division

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

### 1. Applicant

Name: Dr. Mikhail Muhammad, Clinic Director  
Address: 18899 W. 12 Mile Road  
Southfield, MI 48076  
Phone Number: 248-552-0205  
Email address: MikhailPT@hands-onpt.com

### 2. Property Owner

Name: Michael S. Muller  
Address: 33233 Woodward Avenue  
Birmingham, MI 48012  
Phone Number: 248-645-2440  
Email address: mike@mullerfirm.com

### 3. Project Contact Person

Name: John H. Gardner, AIA / LZG Architects  
Address: 555 South Old Woodward #27L  
Birmingham, MI 48009  
Phone Number: 248 642 3990  
Email address: gardner-arch!@sbcglobal.net

### 4. Project Designer/Developer

Name: Luckenbach|Ziegelman|Gardner Architects pllc  
Address: 555 S. Old Woodward Ave. #27L  
Birmingham, Michigan 48009  
Phone Number: 248 642 3990  
Email address: gardner-arch1@sbcglobal.net

### 5. Required Attachments

- I. Two (2) paper copies and one (1) digital copy of all project plans including:
  - i. A detailed and scaled Site Plan depicting accurately and in detail the proposed construction, alteration or repair;
  - ii. Colored elevation drawings for each building elevation;
  - iii. A Landscape Plan (if applicable);
  - iv. A Photometric Plan (if applicable);
- 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 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: 33233 Woodward Ave  
Birmingham MI 48012  
Name of development: Hands On Physical Therapy  
Sidwell #: \_\_\_\_\_  
Current Use: vacant (Office)  
Proposed Use: Office-Medical  
Area of Site in Acres: \_\_\_\_\_  
Current zoning: B2-B General Business

	Yes	No
Is the property located in a floodplain? -----	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the property within a Historic District? -----	<input type="checkbox"/>	<input checked="" type="checkbox"/>
→ If so, which? _____		
Will the project require a variance? -----	<input type="checkbox"/>	<input checked="" type="checkbox"/>
→ If so, how many? % <u>Glass in a Facade</u>		
Has the project been reviewed by another board?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
→ If so, which? _____		

### 7. Details of the Proposed Development (attach separate sheet if necessary)

Replacement of existing first Story windows with new Windows  
and two double glass door unit with sidelites - Refer to Attached Drawings for more information.

## 8. Required and Proposed Parking

Required number of parking spaces: 28  
Proposed number of parking spaces: 28  
Location of parking on site: 14  
Location of parking off site: 14  
Shared parking agreement? collective parking approved  
Size of surface parking lot: +/- 5,200 SF (Existing)

Number of underground parking levels: not applicable  
Typical size of parking spaces: n/a  
Typical width of maneuvering lanes: n/a  
Number of handicap spaces: n/a  
Screenwall material: n/a  
Height of screenwall: n/a

## 9. Landscaping

Location of landscape areas: not applicable

Proposed landscape material: not applicable

## 10. Streetscape

Sidewalk width: existing to remain - not applicable  
Number of benches: 0 - not in scope  
Number of planters: 0 - not in scope

Number of existing street trees: Existing - not in scope  
Number of proposed street trees: 0 - not in scope  
Number of waste receptacles: 0 - not in scope

## 11. Loading

Required number of loading spaces: not in scope  
Proposed number of loading spaces: not in scope  
Location of loading spaces on site: not in scope

Typical size of loading spaces: not in scope  
Screenwall material: not in scope  
Height of screenwall: not in scope

## 12. Exterior Waste Receptacles

Required number of waste receptacles: existing - not in scope  
Proposed number of waste receptacles: 0 - not in scope  
Location of waste receptacles: not in scope

Size of waste receptacles: existing - not in scope  
Screenwall material: not in scope  
Height of screenwall: not in scope

## 13. Mechanical Equipment

### Utilities and Transformers:

Number of ground mounted transformers: 0 - not in scope  
Location of all utilities & easements: existing - no change

Size of transformers (L•W•H): not applicable  
Screenwall material: n/a  
Height of screenwall: n/a

### Ground Mounted Mechanical Equipment:

Number of ground mounted units: 0 - not in scope  
Location of all ground mounted units: n/a

Size of ground mounted units (L•W•H): not applicable  
Screenwall material: n/a  
Height of screenwall: n/a

### Rooftop Mechanical Equipment:

Number of rooftop units: 4 existing - not in scope  
Type of rooftop units: n/a  
Location of all rooftop units: roof  
Size of rooftop units (L•W•H): n/a

Location of screenwall: not applicable  
Screenwall material: n/a  
Height of screenwall: n/a  
Distance from rooftop units to all screenwalls: n/a

## 14. Building & Site Lighting

Number of light fixtures on building: 6 existing - not in scope  
Light level at each property line: not in scope  
Type of light fixtures on building: n/a  
Location of light fixtures on building: n/a

Number of light fixtures on site: 0 - not in scope  
Type of light fixtures on site: n/a  
Height from grade: n/a  
Location of light fixtures on site: n/a

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 the same. The undersigned will be in attendance at the Planning Board meeting when this application will be discussed.

By providing your e-mail to the City, you agree to receive news notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.

Signature of Owner:



Date:

7/19/21

Print name: Michael S. Muller

Signature of Applicant:

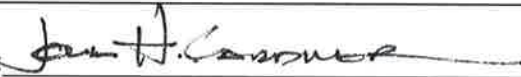


Date:

7/19/2021

Print Name: Dr. Mikhail Muhammad

Signature of Architect:



Date:

7/19/2021

Print Name:

John H. Gardner, R.A. AIA

*Office Use Only*

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

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



## Notice Sign Rental Application Community Development

### 1. Applicant

Name: Dr. Mikhail Muhammad, Clinic Director

Address: 18899 W. 12 Mile Road

Southfield, MI 48076

Phone Number: 248-552-0205

Fax Number: 248-552-0256

Email address: mikhailpt@hands-onpt.com

### 2. Property Owner

Name: Michale S. Muller

Address: 33233 Woodward Avenue

Birmingham, MI 48012

Phone Number: 248-645-2440

Fax Number: 248-645-5478

Email address: mlke@mullerfirm.com

### 3. Project Information

Address/Location of Property: 33233 Woodward Avenue

Name of Development: Tenant Space - Hands On Physical Therapy

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

Name of Historic District, if any: none

Current Use: Office

Current Zoning: B2-B General Business

### 4. Date of Board/Commission Review

City Commission: \_\_\_\_\_

Planning Board: \_\_\_\_\_

Historic District Commission: \_\_\_\_\_

Design Review Board: \_\_\_\_\_

Board of Zoning Appeals: \_\_\_\_\_

Board of Building Trades Appeals: \_\_\_\_\_

Housing Board of Appeals: \_\_\_\_\_

Other: \_\_\_\_\_

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: \_\_\_\_\_

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    1. **October 6<sup>th</sup>, 2021**
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**Design Review Board Action List – 2021**

<b>Design Review Board</b>	<b>Quarter</b>	<b>Rank</b>	<b>Status</b>
Wall Art	1 <sup>st</sup> (January-March)	1	<input type="checkbox"/>
Update Sign Ordinance	2 <sup>nd</sup> (April-June)	2	<input type="checkbox"/>
Create New Informational Artwork for Sign Ordinance	3 <sup>rd</sup> (July-September)	3	<input type="checkbox"/>
Sign Ordinance Enforcement	4 <sup>th</sup> (October-December)	4	<input type="checkbox"/>

## Updates:

1. Sign Ordinance update in progress.