

**REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY – AUGUST 10, 2016
7:30 PM
CITY COMMISSION ROOM
151 MARTIN STREET, BIRMINGHAM**

- A. Roll Call
- B. Review and Approval of the Minutes of the regular meeting of **July 27, 2016**
- C. Chairpersons' Comments
- D. Review of the Agenda
- E. Final Site Plan Review
 - 1. **100 – 450 Woodland Villa (existing duplexes)** – Request for Final Site Plan approval to add a gate across Woodland Villa south of W. Maple **(continued from July 27, 2016)**.
- F. Study Session Items
 - 1. **Glazing Standards Update**
 - 2. **City Commission Direction on Current Planning Issues**
 - 3. **Planning Board Action List**
- G. Pre-Application Discussion
 - 1. **33877 Woodward Avenue, Savon Drugs** – Discussion of proposed drive-through pharmacy.
- H. Meeting Open to the Public for items not on the Agenda
- I. Miscellaneous Business and Communications:
 - a. Communications – Request for Planning Board representative on **Birmingham Brand Development Committee**
 - b. **Administrative Approval** Correspondence
 - c. Draft Agenda for the next Regular Planning Board Meeting **(August 24, 2016)**
 - d. Other Business
- J. Planning Division Action Items
 - a. Staff Report on Previous Requests
 - b. Additional Items from tonight's meeting
- K. Adjournment

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**CITY OF BIRMINGHAM
PLANNING BOARD ACTION ITEMS
OF WEDNESDAY, JULY 27 2016**

Item	Page
<p>PUBLIC HEARING</p> <p>1. To consider amendments to Chapter 126, Zoning, Article 04 Development Standards, section 4.19, HT-04 (Height Standards) to alter the maximum height of buildings in the MX District to allow for rooftop mechanical equipment.</p> <p>Motion by Mr. Williams Seconded by Ms. Whipple-Boyce to recommend an amendment to Article 04, Section 4.19, Height Standards HT-04 of the Zoning Ordinance to the City Commission to alter the maximum height of buildings in the MX District as set forth in the proposed ordinance in the materials. Among other things, 4.19 HT-04 A would increase the maximum overall height, including mechanical and other equipment to be no more than 60 ft.</p> <p>Motion carried, 7-0.</p> <p>FINAL SITE PLAN REVIEW</p> <p>1. 100-450 Woodland Villa (existing duplexes) Request for Final Site Plan Approval to add a gate across Woodland Villa south of W. Maple Rd. (continued from June 22, 2016)</p> <p>Motion by Mr. Williams Seconded by Ms. Whipple-Boyce to postpone the hearing for 100-450 Woodland Villa to August 10, 2016.</p> <p>Motion carried, 7-0.</p> <p>2. 400 W. Maple (office building) Request for Final Site Plan Review to allow an addition to enclose the outer atrium at the front entrance of the building</p> <p>Motion by Mr. Jeffares Seconded by Mr. Boyle to approve the Final Site Plan and Design Review for 400 W. Maple Ave. with the following conditions, as the proposed site plan meets the approval criteria set out in Article 7, section 7.27 (B) of the Zoning Ordinance:</p>	

Item	Page
<p>1. Replace the cut-off wall pack on the rear elevation with a cut-off fixture and provide a photometric plan, both of which to be administratively approved; and</p> <p>2. Construct a dumpster enclosure to be administratively approved if it is deemed that it can be built without obstructing the existing easements to the two adjacent buildings.</p> <p>Motion carried, 7-0.</p> <p>3. 748-750 Forest Ave. (existing office buildings) Request for Final Site Plan Review to allow the new construction of a five-story/three-story building for office and residential uses.</p> <p>Motion by Mr. Boyle Seconded by Mr. Williams to approve the Final Site Plan Review for 748 and 750 Forest Ave. with the following conditions:</p> <ol style="list-style-type: none"> 1. The applicant must submit a completed USGBC certification checklist to indicate how they will achieve certification; 2. The applicant provide a revised photometric plan indicating compliance with the lighting standards in the Zoning Ordinance; 3. The applicant incorporate the requirements of the Via Activation Plan into their proposal as required by the Planning Board; 4. The applicant complies with requests from City Departments; and 5. Applicant submit the Shared Parking Agreement and record it against the title. <p>Motion carried, 7-0.</p>	

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, JULY 27, 2016
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on July 27, 2016. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Gillian Lazar, Janelle Whipple-Boyce, Bryan Williams; Student Representative Colin Cousimano (left at 9:10 p.m.)

Absent: Alternate Board Members Lisa Prasad, Daniel Share

Administration: Matthew Baka, Senior Planner
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

07-126-16

**APPROVAL OF THE MINUTES OF THE REGULAR PLANNING BOARD MEETING
OF JULY 13, 2016**

Motion by Ms. Lazar

Seconded by Mr. Koseck to approve the Minutes of July 13, 2016 as presented.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

07-127-16

CHAIRPERSON'S COMMENTS (none)

07-128-16

APPROVAL OF THE AGENDA

The applicants for 100-450 Woodland Villa have requested postponement of their hearing.

PUBLIC HEARING

1. To consider amendments to Chapter 126, Zoning, Article 04 Development Standards, section 4.19, HT-04 (Height Standards) to alter the maximum height of buildings in the MX District to allow for rooftop mechanical equipment.

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

Ms. Ecker recalled at the January 14, 2015 Planning Board meeting, the board considered the Final Site Plan for 245, 325 and 375 S. Eton (District Lofts, Building B). The applicant originally proposed a four-story mixed-use building with a rooftop terrace, a mechanical tower extending above the roof, and rooftop mechanical equipment. While the site plan was approved, the Planning Board added a condition requiring the applicant to remove the rooftop terrace, and lower the height of the mechanical tower and other mechanical equipment to 55 ft. in height or less to comply with Article 4, section 4.19, Height Standards, or obtain a variance from the Board of Zoning Appeals ("BZA").

On July 14, 2015, the BZA heard the requests and denied each of them. They stated that the applicant's best path in this case would be to seek ordinance amendments through the City Commission. Thus, the applicant amended their plans to comply with the Zoning Ordinance.

At this time, the applicant has filed a petition to amend the Zoning Ordinance to request an amendment to Article 4, section 4.19, Height Standards to increase the maximum overall height in the MX District to allow for rooftop mechanical equipment and associated structures. The applicant also requested an amendment to the same section to allow rooftop terraces and accessory uses such as fitness areas and kitchen facilities, which the Planning Board did not wish to take action on at this time.

With regards to extra height, in every other zone district in the City an extra 10 ft in height is allowed for mechanical equipment, screening and other rooftop structures. The maximum allowable height in the MX District is currently no more than 50 ft. These amendments will bring the MX District in line with all other districts in the City with regard to allowable mechanical space above the maximum height. The roof height is the same, but an extra 10 ft. is allowed for mechanicals.

The chairman took comments from the public at 7:36 p.m.

Mr. Victor Saroki, Architect, said they are very pleased to see the text amendment and they support it as it is written for 60 ft. access for mechanical use, stairs, and elevators. He asked the board to please consider moving forward an allowance for use of the rooftop area. They become outdoor areas for people to enjoy, especially when they do not have a yard.

Motion by Mr. Williams

Seconded by Ms. Whipple-Boyce to recommend an amendment to Article 04, Section 4.19, Height Standards HT-04 of the Zoning Ordinance to the City Commission to alter the maximum height of buildings in the MX District as set forth in the proposed ordinance in the materials. Among other things, 4.19 HT-04

A would increase the maximum overall height, including mechanical and other equipment to be no more than 60 ft.

There were no comments from members of the public at 7:40 p.m.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

Chairman Clein closed the public hearing at 7:40 p.m.

07-130-16

FINAL SITE PLAN REVIEW

1. 100-450 Woodland Villa (existing duplexes)

Request for Final Site Plan Approval to add a gate across Woodland Villa south of W. Maple Rd. (continued from June 22, 2016)

Motion by Mr. Williams

Seconded by Ms. Whipple-Boyce to postpone the hearing for 100-450 Woodland Villa to August 10, 2016.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

07-131-16

2. 400 W. Maple (office building)

Request for Final Site Plan Review to allow an addition to enclose the outer atrium at the front entrance of the building

Ms. Ecker summarized the request. The subject location is a 14,505 sq. ft. parcel with an existing three-story office building. The property is located on the northwest corner of W. Maple Rd. and Willits/Chester in the Downtown Overlay District. At this time, the applicant is proposing to add a 290 sq. ft. lobby addition to provide vestibule space and access to an existing elevator. The proposed lobby addition would be located in the existing entry courtyard area at the corner, within the area already defined by existing building columns.

Ms. Ecker advised that this property has been recently zoned to TZ-3 Transitional Zone. The existing building is in conformance with TZ-3. The only non-conformity is the floor to ceiling height of the existing first floor. What is being added on does not increase the

non-conformity of the first floor, as it meets the required floor to ceiling height. There is a dumpster on-site that is currently unscreened.

Design Review

The applicant is proposing to add a lobby addition within the overhang area of the entrance courtyard. The existing brick piers and arches are proposed to remain, and a new curtain wall glass system is proposed to be inset 3.5 ft. behind the brick piers and arches to add a new lobby space 14.49 ft. in depth. A new entrance canopy is proposed to extend above the new double entry door to define the front entrance.

The following materials are proposed:

- Kawneer curtain wall system with some Solarban60 medium tinted panes, and some clear glass panes;
- Brick knee wall to match existing red brick;
- Clear, anodized ACM panel behind canopy and above door;
- Aluminum and glass double entry doors; and
- Bronze standing seam metal roof and aluminum fascia on canopy.

In accordance with the requirements of the Downtown Birmingham Overlay District, all glass must be clear or lightly tinted only. Thus, the applicant will be required to use clear or lightly tinted glazing.

The applicant is also proposing to add a new address sign to be constructed with a powder coated metal finish.

Mr. Frank Martin, Dorchen/Martin Associates Architects Inc., was present with Mr. Tom Giglioni, the building owner, and his son, Tom. Mr. Martin stated one of the reasons for the vestibule is to better achieve some barrier-free access to the building. They have made it a little special by adding a canopy. He passed around a sample of the light tint window glass they are now proposing. One of the possibilities for lighting is to have a chandelier along with recessed lights in the ceiling of the proposed vestibule.

Mr. Giglioni talked about the unscreened dumpster. They own that property and it is also a legal permitted easement for the adjacent building, whose trucks ingress and egress through there. If they enclose the dumpster it would limit truck maneuvering around that corner. Mr. Giglioni said they would be happy to consider a trash compactor for use by the properties concerned.

At 8 p.m. no one from the public wished to come forward to comment.

Mr. Jeffares thought this would be the time to get the dumpster enclosed. Mr. Williams disagreed because at this time the Board doesn't know what is happening with the adjoining property and how they will use the easement. Therefore he was in favor of approving the vestibule but reserving judgment on the dumpster screening. It was determined that the sample glass provided was lightly tinted.

Motion by Mr. Jeffares

Seconded by Mr. Boyle to approve the Final Site Plan and Design Review for 400 W. Maple Ave. with the following conditions, as the proposed site plan meets the approval criteria set out in Article 7, section 7.27 (B) of the Zoning Ordinance:

1. Replace the cut-off wall pack on the rear elevation with a cut-off fixture and provide a photometric plan, both of which to be administratively approved; and
2. Construct a dumpster enclosure to be administratively approved if it is deemed that it can be built without obstructing the existing easements to the two adjacent buildings.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

07-132-16

3. 748-750 Forest Ave. (existing office buildings)

Request for Final Site Plan Review to allow the new construction of a five-story/three-story building for office and residential uses.

Mr. Baka described the request. The subject site is composed of two parcels, 750 and 748 Forest Ave. 750 Forest is a fitness and health club, while 748 Forest is an interior design office. The combined parcels are 13,200 sq. ft. and are located on the southwest corner of Forest Ave. and Elm St. The applicant is proposing to demolish the existing buildings to construct a three story/five story mixed-use, office and residential development occupying both lots. The proposed building consists of 22 residential units and 850 sq. ft. of office space.

The site is currently zoned O-2 Office Commercial and falls within the MU-5 and MU-3 zones of the Triangle Overlay District. The proposed residential units, office space and parking facility are permitted principal and/or accessory uses in the Triangle Overlay District in accordance with Article 3, section 3.07 of the Zoning Ordinance.

The applicant was required to prepare a Community Impact Study in accordance with Article 7, section 7.27 (E) of the Zoning Ordinance, as they are proposing a new building containing more than 20,000 sq. ft. of gross floor area.

On June 8, 2016 the Planning Board accepted the Community Impact Statement and approved the Preliminary Site Plan with several conditions.

In accordance with Article 4, section 4.45 (PK) of the Zoning Ordinance, 42 spaces are required for the mixed-use, office and residential building. The applicant is now proposing 37 spaces on site and is permitted to count the two on-street spaces along Elm towards their parking requirements as well. ***Accordingly the applicant must provide three additional spaces, obtain approval for a shared parking agreement from the Planning Board, or obtain a variance from the Board of Zoning Appeals ("BZA").*** The applicant has stated that they are requesting to be approved for a shared

parking agreement that would permit them to share the three spaces provided for the office space with the residential units.

The applicant is proposing to construct a portion of the MU-3 section of the building up to five stories. This is permitted by the Triangle Overlay if they are 100 ft. or more from residential and meet the requirements of Section 3.08 (E), which requires that they meet two or more of the conditions listed. As currently proposed, the plan meets provision three by providing over 50% of the floor area as residential. The applicant has stated that they intend to comply with provision four by achieving LEED certification for the building.

Design Review

The building consists of five stories on the western section, and three stories on the eastern section, both of which have flat rooftops. The flat roof of the eastern section will serve as an outdoor terrace. The windows are vertically proportioned and transparent. The residential units have balconies with concrete bases and metallic checkered fencing.

A ground level façade made predominantly of glass surrounds the office and lobby space on the Forest Ave. and Elm St. frontages. The glazing abuts a “Pacific” color masonry wall which encloses the parking lot on both the north and east facing sides of the building. The masonry walls have window openings and vehicle entryways to prevent a blank wall of more than 20 ft.

Openings above the first story are planned for the residential units. The upper stories consist of grey masonry, charcoal grey metal panels, red cedar wood siding, “Sailcloth” fiber cement panels and “zinc” metal window box panels, with vertically proportioned windows and balconies for the residential units.

Mr. Williams did not think shared parking arrangements would help much in this area. The whole district is in need of some municipal parking relief. If this project gets approved there will be more traffic, more parking, and things will get worse. This is not the developer's problem; it is the City's problem.

Ms. Lazar noticed that a Knox Box was not one of the Fire Dept.'s requirements.

Mr. Paul Robertson with Robertson Bros. was present with Mr. Eric Larson from Larson Realty Group, who is his partner; and Mr. Michael Poris and Mr. Ross Hoekstra from McIntosh/Poris Architects. Mr. Robertson supported the comment about the parking problem, which is the biggest problem he had. They have worked with this board and with staff to make sure they meet the ordinance in every way.

Mr. Hoekstra described the exterior color scheme. The materials board was passed around and Mr. Hoekstra noted they have taken their inspiration from masonry and brick as opposed to stone and limestone that is seen on the other side of Woodward Ave. Chairman Clein commented that it looks like a lot of grey. Mr. Poris said that reddish brick did not look good alongside the building next door and the AAA Building. Mr. Robertson explained they picked the color so the project would feel different than the rest of the street.

Mr. Koseck was surprised they don't have a corner bay window that looks down onto the rooftop. He thought if they did something up there it would be a great enhancement. Mr. Poris said that is possible.

Ms. Whipple-Boyce liked the building and thought the color scheme is pretty cool.

Mr. Boyle applauded the applicant for what they have done and he looks forward to seeing the project built.

Mr. Robertson confirmed the units will sell for approximately \$400 thousand and parking will be assigned. The units will vary in size from 800 sq. ft. to 2,200 sq. ft. He hopes to call the building 750 Forest even though the entrance is off of Elm St.

The chairman called for comments from the audience at 8:55 p.m.

Mr. Jim Rosenthal, the owner of 700 Forest, the building to the west, expressed his concern about the height and being directly next door to a five-story structure that will block sunlight and views. Chairman Clein was sure the developer would reach out to him as a good neighbor for the design as well as for the construction operations.

Mr. Williams encouraged Mr. Robertson to work closely with the neighboring property on his west side to make it more attractive. That will benefit everybody. He thinks the building is a plus for this area. The City should think about how to restrict cut-thru traffic along Elm St. from this site.

Motion by Mr. Boyle

Seconded by Mr. Williams to approve the Final Site Plan Review for 748 and 750 Forest Ave. with the following conditions:

- 1. The applicant must submit a completed USGBC certification checklist to indicate how they will achieve certification;**
- 2. The applicant provide a revised photometric plan indicating compliance with the lighting standards in the Zoning Ordinance;**
- 3. The applicant incorporate the requirements of the Via Activation Plan into their proposal as required by the Planning Board;**
- 4. The applicant complies with requests from City Departments; and**
- 5. Applicant submit the Shared Parking Agreement recorded against the Title.**

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

Mr. Koseck said he will support the project and hopes it will be a harbinger of future things to come.

There were no comments from members of the public on the motion at 9:07 p.m.

07-133-16

MEETING OPEN TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA (none)

07-133-16

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

a. Communications

Ms. Ecker updated the board about City Commission proceedings. The top item that the Commission would like to see addressed is the dormer issue for single-family homes. Second is to keep TZ-2 moving. Third is to deal with non-conforming buildings and allowing maintenance, renovation, etc. Then, the parking requirements and the definition of retail. Lot consolidations will not come to the Planning Board and will require City Commission review.

Commissioners expressed the desire to review the parking requirements and to include parking in the Master Plan.

b. Administrative Approval Correspondence

- 630 Harmon St., Holy Name Church - Remove and replace existing sidewalk section (8 ft. x 9 ft.) with 4 in. thick concrete.
- 2225 E. Fourteen Mile Rd., Our Shepherd Lutheran Church, - Install 6 ft. picket fence.
- 245, 325, 375 Eton St., District Lofts - To provide and replace existing landscaping and tree grates.
- 746 E. Maple Rd., Love & Buttercream - A/C condenser to be located on roof with required screening.
- 555 S. Old Woodward Ave., Triple Nickel Restaurant - Illuminated sign at west elevation entrance canopy. Non-illuminated sign at east elevation overhang.
- 210 S. Old Woodward Ave, Suite 200 - Adding a balcony to make a usable outdoor area. The space already exists.
- 34222 Woodward Ave. - Change number of sign lights from three to two (due to location of I-beam).

c. Draft Agenda for the Regular Planning Board Meeting on August 10, 2016

- Dormers for single-family homes;
- Update of the Planning Board Action list;
- Woodland Villa, Final Site Plan Review;

- Glazing Ordinance;
 - Lightly tinted
 - Percentage for the back of buildings that front onto vias
- City Commission direction to the Planning Board on current planning issues.

d. Other Business (none)

07-124-16

PLANNING DIVISION ACTION ITEMS

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

07-125-16

ADJOURNMENT

No further business being evident, the chairman adjourned the meeting at 9:15 p.m.

Jana Ecker
Planning Director



MEMORANDUM

Planning Department

DATE: July 22, 2016

TO: Planning Board Members

FROM: Brooks Cowan, Planning Intern

SUBJECT: 100-450 Woodland Villa Court Street Gate (Changes noted in blue type)

Executive Summary

The subject location is a 1.84 acre parcel that was split into four lots in 2003. The property is located on Woodland Villa Court, a no-outlet street 370 feet in length that is privately owned. The street location was approved by the City Commission on July 14, 2003 as a relocated easement by prescription. The subject site is on the south side of W. Maple Road, adjacent to Martha Baldwin Park near the intersection of W. Maple and Southfield. The parcel is zoned R-4 Two Family Residential. The site consists of four two-family dwelling unit buildings with a single family dwelling option on lots 3 & 4.

At this time, the applicant is requesting approval to place a gate across the entire width of Woodland Villa Court. The proposed gate is sensor activated and opens for all cars. The applicant has stated the intent of the gate is to discourage cars from using Woodland Villa Court as a turnaround street.

Background

On July 14, 2003, the City Commission approved the lot split of the previously single platted lot commonly known as Woodland Villa Court. Four new lots were created ranging in size from 16,492 sq.ft. to 24,040 sq.ft. In addition, the City Commission approved the relocation of the prescriptive easement that existed prior to December 12, 1966.

On April 14, 2004, Preliminary Site Plan approval was granted. On June 23, 2004, Final Site Plan approval was granted.

On August 10, 2004 the petitioner received four variances from the Board of Zoning Appeals. Each dwelling unit was granted a dimensional variance for the front yard setback requirement facing Woodland Villa Court of 25' in an R-4 zone.

On March 9, 2005, the applicant appeared before the Planning Board and received approval on a Revised Site Plan. The applicant proposed creating a single-family option on Lots 3 and 4 of the development to allow potential property owners the choice of purchasing a single-family residential home or a two-family condo-style unit.

On September 27, 2006, the applicant appeared before the Planning Board with a proposal for a gated entry into Woodland Villa Court. Woodland Villa residents would

have access through the gate, and visitors would have to call in to residents and be granted entry. The proposal was denied 6-1 by the Planning Board.

All changes noted to this report since Final Site Plan approval are marked with bold type. Relevant meeting minutes are attached for your review.

On June 22, 2016, the Planning Board discussed the traffic concerns that the applicant cited as reason to construct an entrance gate across Woodland Villa. The Planning Board subsequently requested that the Planning Department confer with the Fire and Police Departments about potential dangerous traffic conditions at W. Maple and Woodland Villa Ct. and how to address the situation. The Planning Board further requested feedback from the City Attorney regarding Woodland Villa Court's status as a street, and information as to how driveways have obtained approval for gates on other sites. Finally, the Planning Board requested that the City's traffic consultant attend the Planning Board meeting on July 27, 2016.

Please see attached reports from the Police and Fire Departments. Both the Police and Fire Departments have determined there is not a safety issue at Woodland Villa Court and both continue to be opposed to gating the street. The City Attorney has further confirmed that Woodland Villa is a street and was treated as such during the lot split approved in 2003 in order to allow the four new lots, as City Code requires that all residential lots have frontage on a street. With regards to gates approved across driveways in the City, gates are considered fences, and fences are permitted on private property with a fence permit. The Zoning Ordinance contains regulations regarding fence heights on private property, and if a proposed fence or gate meets all of the ordinance requirements for materials, height and location, a fence permit will be issued.

1.0 Land Use and Zoning

- 1.1 Existing Land Use - The existing land use is residential. Land uses surrounding the site include residential to the south, west and east, and a public park to the north and east of the site.
- 1.2 Existing Zoning - R-4, Two Family Residential; a majority of the surrounding uses appear to conform to the permitted uses of each Zoning District.
- 1.3 2016 Regulating Plan - The subject site is located outside the Downtown Birmingham DB 2016 Overlay District.
- 1.4 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	Rouge River & Parkland (across W. Maple)	Multiple Family & Single Family Residential	Martha Baldwin Park & Multiple Family Residential	Single Family Residential
Existing Zoning District	PP – Public Property	R-7 & R-8 Multiple Family Residential & R-1 Single Family Residential	PP Public Property & R-7 & R-8 Multiple Family Residential	R-2 Single Family Residential

2.0 Setback and Height Requirements

The project meets most of the required bulk, height, area and placement regulations. A Zoning Compliance Summary is attached for review.

On August 10, 2004 the petitioner received the following variances:

- A. A dimensional variance of 4.6 ft. on Lot 1 to reduce the required front yard setback to 20.4 ft. in lieu of the 25 ft. minimum required by Section 126-446 (26) of the Zoning ordinance: and
- B. A dimensional variance of 3.5 ft. on Lot 2 to reduce the required front yard setback to 21.5 ft. in lieu of the 25 ft. minimum required by Section 126-446 (26) of the Zoning Ordinance; and
- C. A dimensional variance of 6.1 ft. on Lot 3 to reduce the required front yard setback to 18.9 ft. in lieu of the 25 ft. minimum required by Section 126-446 (26) of the Zoning Ordinance.

No changes are proposed with regards to the setback or height of the existing houses at this time.

4.0 Screening and Landscaping

- 4.1 Screening of Ground-mounted Mechanical Equipment - **The applicant is proposing to add four new sensors on either side of the proposed gate across the street. Two are proposed on the north side of the gate, and two are proposed on the south side. Specifications for the sensors have not been provided. The applicant is required to provide screening of any new ground mounted sensors.**
- 4.2 Parking Facility Screening -**No changes are proposed at this time.**

4.3 Landscaping – No changes are proposed at this time.

4.4 Streetscape – Two 10'-10" clad wood posts are proposed that will extend 6'4" above the ground. One on the west side of the street, 22' from the W. Maple sidewalk, and another on the east side of the street, 28.3' from the W. Maple sidewalk. Each post has a clad wood mechanical gate that extends 14'6" into the road, for a total of 29' of gate length. The gate when closed would extend across the street between 42'-48' south of W. Maple Road.

The gates are proposed to open when the vehicle sensor system is activated. The sensor does not require a private pass; it may be activated by any car. The two gates are proposed to swing south whenever the sensor is activated to permit access to Woodland Villa Court. The amount of time it takes for the sensor to activate and the gate to open has not been indicated.

The proposal is not compatible with other developments in the area. The property addresses and lot setback requirements are based on Woodland Villa Court, which makes this a street, not a driveway. Gates blocking access to roads are not approved streetscape elements.

5.0 Parking, Loading, Access, and Circulation

5.1 Parking - No changes are proposed at this time.

5.2 Loading – No loading spaces are required, nor proposed.

5.3 Vehicular Access & Circulation –Woodland Villa Court runs south of W. Maple Road. A sign is located on the east side of the entrance indicating "No U Turns". Each unit has a private driveway from Woodland Villa Court to access private garages. The applicant has not indicated how close a car must be to activate the gate sensor, and the amount of time it takes for the gate to open. With the addition of a mechanically operated gate blocking off the street, access to Woodland Villa Court could be delayed, with the possibility to create a dangerous queuing situation onto W. Maple Road. Within the 42'-48' span between W. Maple Road and the proposed gate, roughly two standard sized vehicles could safely queue before impeding traffic on W. Maple. Thus, the proposed gate's placement in the street will create a relationship to both Woodland Villa and W. Maple that can interfere with or be hazardous to vehicular traffic. As noted in the Police Department's report, there have been four (4) vehicle crashes reported on W. Maple near Woodland Villa Ct. between 2011 and 2016. Of the four (4) vehicles crashes, two (2) occurred in 2016. The Police Chief advised that with the number of accidents reported at this location, there is not a safety concern.

Additionally, the Fire Department has advised that only two (2) emergency responses have occurred at the subject location from January 1, 2015 to present (July 2016). Both runs were identified as "Vehicle Accident with Injuries" and were found to be on W. Maple Road not Woodland Villa Ct.

- 5.4 Pedestrian Access & Circulation – The entrance gate is 22' from the sidewalk, and the sensor is approximately 5' from the sidewalk. Cars slowing down to activate the sensor and wait for the gate to open could create a queuing situation that blocks the flow of pedestrian traffic on the sidewalk. Thus, the proposed gate's placement in the street will create a relationship to the sidewalk along W. Maple that can cause interference with or a hazard to pedestrian traffic.

6.0 Lighting

No lighting is proposed to illuminate the gate proposed across the width of the street.

7.0 Departmental Reports

- 7.1 Engineering Division - As noted previously several times, including the most recent review dated January, 2005, masonry pier structures with footings are not allowed within a utility easement. The westerly proposed pier is clearly within an easement, and is only three feet from the center of the public combined sewer servicing this site. The Engineering Division requests that the Planning Board not approve this proposal as it will potentially damage the sewer, and hamper any further maintenance on this sewer in the future.
- 7.2 Department of Public Services – Comments from the Department of Public Services will be provided by June 22, 2016.
- 7.3 Fire Department – The Fire Department has concerns if the gate installation would hinder access or cause delays in response time. Access would be required for the following:
- Normal hydrant maintenance
 - Emergency fire, medical and investigations
 - Power outage – gate operation

A review of all dispatched emergency responses from the Birmingham Fire Department to Woodland Villa starting from January 1, 2015 to present has revealed two responses. This search excluded responses to residential property and focused on emergencies on the street.

Both responses were dispatched to W. Maple Road near or adjacent to Woodland Villa. Both runs were identified as "Vehicle

Accident with Injuries” and were found to be on W. Maple Road not Woodland Villa. No other records in the mentioned time line were found.

- 7.4 **Police Department** – The Police Department is fundamentally opposed to any gate being installed on any street from a response standpoint.

Following the June 22, 2016 Planning Board meeting, the Police Department conducted research to assess traffic conditions in the area. The report demonstrates that four car crashes occurred between 2011 and 2016. The reported incidents occurred on the following dates:

1. 12/21/2012; due to Improper Turn
2. 5/22/2015; due to Unable to Stop in Assured Clear Distance
3. 5/13/2016; due to Unable to Stop in Assured Clear Distance
4. 6/14/2016; due to Careless/Negligent Driving

The Police Department has further advised that the number of accidents reported for this location does not raise a safety concern.

- 7.5 **Building Department** - The Building Department has provided its standard comments. In addition the safety features of the gate must be provided.

8.0 Design Review

The applicant is proposing two 10'-10" wood clad posts that will extend 6'4" above the ground. Each post has a wood clad mechanical gate attached. The top of each gate is 4'4" above grade, and they each extend 14'6" into the street. The bottom of the gate tapers from 4' in length at the post to 2'10" in length at the center of the road.

9.0 Approval Criteria

In accordance with Article 7, section 7.27(B) 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 nor 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.

10.0 Recommendation

Based on our review of the plans submitted, the Planning Division finds that the proposed design does not meet the approval criteria set out in Article 07, section 7.27(B) of the Zoning Ordinance as the proposal has the potential to interfere with and create a hazardous situation for both vehicular and pedestrian traffic on W. Maple. In addition, the proposal is not compatible with other developments in the area. The property addresses and lot setback requirements are based on Woodland Villa Court, which makes this a street, not a driveway. As there are no other gated streets within the City of Birmingham, the Planning Division recommends DENIAL of the Revised Final Site Plan and Design Review for 100-450 Woodland Villa Ct.

11.0 Sample Motion Language

Motion to DENY the Revised Final Site Plan and Design Review for 100-450 Woodland Villa Court as the proposed site plan does not meet the approval criteria set out in Article 7, section 7.27(B) of the Zoning Ordinance.

OR

Motion to POSTPONE the Revised Final Site Plan and Design Review for 100-450 Woodland Villa Court.

OR

Motion to APPROVE the Revised Final Site Plan and Design Review for 100-450 Woodland Villa Court.

**Revised Zoning Compliance Summary Sheet
Final Site Plan Review
for 100-450 Woodland Villa Court**

Existing Zoning: R-4 Two-Family Residential

Existing Land Use and Zoning of Adjacent Properties:

	North	South	East	West
Existing Land Use	Rouge River & Parkland	Multiple Family & Single Family Residential	Martha Baldwin Park & Multiple Family Residential	Single Family Residential
Existing Zoning District	PP – Public Property	R-7 & R-8 Multiple Family Residential & R-1 Single Family Residential	PP Public Property & R-7 & R-8 Multiple Family Residential	R-2 Single Family Residential

Land Area: existing: 79,160 sq. ft. or 1.82 acres.
proposed: 79,160 sq. ft. or 1.82 acres, now split into four lots.
Lot 1 17,512 sq. ft.
Lot 2 24,040 sq. ft.
Lot 3 17,364 sq. ft.
Lot 4 21,265 sq. ft.

Minimum Lot Area: required: 3,000 sq. ft. /unit
proposed: Lot 1 8,756 sq. ft. /unit
Lot 2 12,020 sq. ft. /unit
Lot 3 8,682 sq.ft./unit
Lot 4 10,632 sq.ft./unit

Front Setback: required: 25'
proposed: Lot 1 20'
Lot 2 22'
Lot 3 20'
Lot 4 15'

The applicant obtained a variance from the Board of Zoning Appeals for the front setback on all lots on August 10, 2004.

Side Setbacks: required: 9' or 10% of lot width, whichever is greater (9' one side and 5' other side setback minimum)
proposed: Lot 1 5' and 25'.

		Lot 2	9.5' and 22.9'		
		Lot 3	5' and 20.9'		
		Lot 4	15' and 23.9'		
Rear Setback:	required:	30'			
	proposed:	Lot 1	30'	Lot 3	30'
		Lot 2	30'	Lot 4	30'
Minimum Distance Between buildings:	required:	14' or 25% of lot width, whichever is larger			
		Between Lot 1 & 2:	27.9'		
		Between Lot 2 & 3:	25'		
		Between Lot 3 & 4:	28.9'		
	proposed:	Between Lot 1 & 2:	27.9'		
		Between Lot 2 & 3:	31'		
		Between Lot 3 & 4:	28.9'		
Minimum Floor Area:	required:	800 sq. ft. / unit			
	proposed:	Unit 1	3410 sq. ft.	Unit 5	3325 sq. ft.
		Unit 2	3589 sq. ft.	Unit 6	3627 sq. ft.
		Unit 3	3883 sq. ft.	Unit 7	3358 sq. ft.
		Unit 4	3876 sq. ft.	Unit 8	3655 sq. ft.
Floor Area Ratio:	maximum:	40%			
	proposed:	Lot 1	39.9%	Lot 3	40.0%
		Lot 2	32.2%	Lot 4	32.9%
Maximum Lot Coverage:	required:	N/A			
	proposed:	N/A			
Minimum Open Space:	required:	N/A			
	proposed:	N/A			
Max. Bldg. Height:	permitted:	35' and 2.5 stories			
	proposed:	Lot 1	32'		
		Lot 2	31'		
		Lot 3	28.8'		
		Lot 4	32'		
Parking Spaces:	required:	2 spaces / unit = 16 spaces (8 units)			
	proposed:	Units 1, 2, 3, 4, 7 & 8 provide 3 spaces each			
		Units 5 & 6 provide 2 spaces each			
		Total parking provided: 22 spaces			
Loading Spaces:	required:	N/A			
	proposed:	N/A			

Site Access:	required:	All lots must abut a street for at least 30', and street must be at least 30' in width.
	proposed:	Lot 1 111.7' frontage Lot 2 100' frontage Lot 3 115.6' frontage Lot 4 83.1' frontage
<p>Woodland Villa Court is a private road 27' in width. The street location was approved by the City Commission on July 9, 2003 as a relocated easement by prescription.</p>		
Screening of Ground Mounted Mechanical Equipment.	required:	Screening is required per section 126-572(d)(5)
		the 2 proposed transformers and 16 proposed air conditioning units.
	proposed:	All units are fully screened, with the exception of the transformer closest to the east property line and the north side of the air conditioning units proposed for residential unit # 3. Please see staff report for additional details.
Screening for Loading:	required:	N/A
	proposed:	N/A
Screening for Parking:	required:	N/A for parking provided indoors.
	proposed:	All parking spaces will be provided in private, attached garages.
Trash Receptacles:	required:	Per section 126-572(d)(7), 6 ft. masonry screen wall with wood gates for dumpsters.
	proposed:	No dumpsters are proposed. Trash will be stored indoors, with private curbside pick up.

City Commission Meeting Minutes
July 14, 2003

07-182-03 PUBLIC HEARING – LOT SPLIT
219-375 WOODLAND VILLA COURT
679-697 WEST MAPLE

The mayor opened the public hearing to consider a request for a lot division for property known as 219-375 Woodland Villa Court and 679-697 West Maple at 8:45 PM.

Mr. Sabo reviewed background of this request. He stated that the applicant has attempted to address the adjacent property owners' concerns.

Commissioner Lanzetta pointed out that the plan has not changed and the developer has promised to work with the city to resolve the grade issue. He stated his concern that there are no guarantees.

Commissioner Hoff reported that she has been in contact with Mrs. Galbraith, 400 Southfield, who had been concerned that units would be built along her property line. Understanding the proposal, Mrs. Galbraith is in agreement with the development.

Mr. Sabo confirmed for Commissioner Lanzetta that there is no hold harmless to be provided by the developer.

Mr. Germain, engineer with Nowak & Fraus, explained for Commissioner Hoff that raising the grade of the roadway will lessen the severity of the slope.

Mr. Germain also explained that the plan calls for boulders to retain the slope on the east property line, however, an alternative method may be applied if recommended to be more effective.

Commissioner Thorsby expressed concern with the high grade which could result in drainage problems. Mr. Germain explained that an under drain will direct water to an on-site collection area.

Mayor Chafetz stated that storm water should drain into the soil where it falls and not into the city sewer.

Mr. Rattner, representative of the applicant, responded to a question from Commissioner Lanzetta stating that the permeable surface currently will be about the same as the proposal.

The applicant confirmed for Paul Bormon, 719 Maple Hill Lane, that there is a minimum 30 foot setback on the west side.

Barbara Shapiro, 366 Southfield, and Karen Gunther, 364 Southfield expressed support the development but was concerned about support of the east side retaining wall during construction. The mayor assured them that all necessary precautions would be taken prior to the project proceeding.

The mayor closed the public hearing at 9:32 PM.

MOTION: Motion by Thorsby. seconded by McKeon:

To approve the subdivision of 219-375 Woodland Villa Court / 679-697 W. Maple as proposed, including the storm sewer on the west side and conditioned upon a structural analysis performed by an engineering firm that supports the method and material to be used for the construction of the retaining wall on the east property line in order to maintain the existing grade of the property to the east and subject to payment of any outstanding taxes.

VOTE: Yeas, 6
Nays, None
Absent, 1 (Dixon)

Commissioner Thorsby stated he now supports this proposal since the flooding and drainage issues have been resolved.

Commissioner Hoff stated she supports this development since the neighbors concerns have been addressed.

Planning Board Meeting Minutes
March 24, 2004

Preliminary Site Plan Review
219-375 Woodland Villa Court
Multi-family development

Ms. Ecker called out the names of the residents she was advised of who did not receive a notice from the City:

Steven Carson

Daniel Sherr

Paul Borman

Steven Potler

Arlene Rice Fredrick

Since none were present, Ms. Ecker explained the city attorney has advised this matter should be postponed to the next available Planning Board meeting. Ms. Ecker apologized for the delay and explained that there were problems with county data used in the city's noticing software.

Motion by Mr. Neuhard

Seconded by Ms. Holland to postpone this review to the next available slot.

There was no public comment on the motion at 8:35 p.m.

Motion carried, 6-0.

ROLL CALL VOTE

Yeas: Neuhard, Holland, Blaesing, Dilgard, Tazelaar, Thal

Nays: None

Absent: None

Planning Board Meeting Minutes April 14, 2004

Preliminary Site Plan Review
219-375 Woodland Villa Court and
679-697 W. Maple
Proposed multi-family development

Ms. Ecker stated the subject site was a 1.82 acre parcel that was split into four lots, and is located on the south side of W. Maple, next to Martha Baldwin Park at the corner of W. Maple and Southfield. The parcel is zoned R-4 Two-Family Residential, and the applicant is proposing to demolish the seven existing homes on the site and construct four new two-family residential buildings, thus creating eight new residential units.

On July 14, 2003, Ms. Ecker advised that the City Commission approved the lot split of the previously single platted lot commonly known as Woodland Villa Court. Four new lots were created ranging in size from 16,492 sq. ft. to 24,040 sq. ft. In addition, the City Commission approved the relocation of the prescriptive easement that existed prior to December 12, 1966.

Ms. Ecker advised that the applicant appeared before the Planning Board for a pre-application discussion on January 28, 2004. The applicant has provided a plan that shows all surrounding buildings and photos of the existing site and views from W. Maple. This evening The applicant intends to bring a massing study and a section drawing of the site, along with a sunlight study.

Ms. Ecker went on to present the overall site plan.

Mr. Ronald Hughes, the owner of Woodland Villa, said prior to the recording of this plat, the parcel was in litigation between the former property owner and the City of Birmingham. This became a settlement for the City. It ended up with four separate platted lots under the R-4 zoning and permitting two structures per lot for a total of eight units. They are proposing to construct within the footprint of the setbacks of those four lots. The road was predetermined as well. Mr. Hughes pointed out they have been very sensitive to the neighbors to the west and to the east as to how they aligned their homes. He turned the presentation over to Mr. Bogaerts to go through the entire site plan.

Mr. Alex Bogaerts, the architect, explained they selected a shingle-style architecture for the project because they felt it is sympathetic to the streetscape. They are replicating for their first building the same chocolate brown with light trim as the existing home on Maple Road. He went on to describe how the topography changes 20 ft. between their site and the neighbors to the east who are higher. Mr. Dul is handling that grade differential with a decorative landscape wall. For the neighbors to the west they have as part of their landscape plan a hedge format and landscaping. As for the buildings, they are looking at a variety of building colors to keep them from being repetitive. The units range in size from about 3,500 sq. ft. to 4,500 sq. ft.

Mr. Michael Dul, landscape architect, outlined the landscape plan and plant materials, and described the retaining wall that is planned to handle the grade change.

Mr. Blaesing noted this is a difficult site and all of the extra effort that has been taken to deal with the grade changes is very important. Mr. Blaesing asked how visitors, parties, salespeople, etc. could be accommodated along a street where no parking is allowed because it is posted for a fire lane. Mr. Bogaerts explained there are parking spaces in the driveway apron of unit 4 and unit 7, which have side entry garages. Unit 8 is at the end and can stack cars. Units 1, 2, 3, 5, and 6 have aprons in front of the garage door. Additionally, there is a parking structure right up the street.

Mr. Ted Germaine, civil engineer from Nowak & Frause, said the width of the road has been established by the City Commission along with the lot splits. The width varies from 20 – 26 ft. Mr. Nickita suggested as a compromise that some parking spaces could be provided along the street. Ms. Ecker said the applicant would need to work that out with the Fire Marshal. The discussion could be held between Preliminary and Final Site Plan Review.

Mr. Germaine spoke about the 20 ft. drainage easement along the westerly property line. A rigid 12 in. concrete pipe will pick up the storm water so that it doesn't cascade down the wall.

Mr. Nickita inquired why there is not a sidewalk from the development to the public sidewalk so that pedestrians can walk safely into town. Mr. Bogaerts agreed to look at extending the paver area down to the street. He appreciates Mr. Nickita's idea of making this a walkable community. Mr. Nickita suggested it is very important that the front loaded garages be masked with vegetation as much as possible along the edge of the park. It would be very positive to diminish the garage house effect especially with regards to the first unit, which is the most visible. Mr. Bogaerts agreed that the combination of additional landscaping on the park side and the very rich and handsome designer doors that would be used will target the issue.

There was discussion about limiting the width of the doors to 8 ft. in order to break up the garage façade. However, Mr. Bogaerts thought that their targeted market of empty nesters may have trouble negotiating such a narrow span. Chairman Thal asked about whether there is risk that tree roots may cause damage to the drain in the rear easement. Mr. Dul said the trees are placed 10 ft. away from the pipe. Chairman Thal then determined from Mr. Bogaerts that there is 28 – 30 ft. of open space between the residences. Ms. Ecker advised that they meet the requirement in all instances.

Chairman Thal opened up the discussion to the public at 10 p.m.

Mr. Paul Borman who lives on Maple Hill had a question about setback. It was determined that the trellis is allowed to extend into the 30 ft. setback area. Also, the transformers are allowed within the setback. Mr. Borman also asked about the height of the units, which was specified to be 38 ft. to the ridge of the roof. Flame gas lights are proposed for the back of the houses.

Mr. Jamal Lewis, 400 Southfield, explained their condo faces unit 7. He questioned whether the project has been over developed and how it would impact the value of his condo. Mr. Bogaerts responded that Mr. Lewis's property is 13 ft. higher than his site. Secondly, the setbacks are more significant in the development that is proposed than

what exists presently. Mr. Lewis produced a picture of what he sees now from his balcony and asked what he would see from his balcony with the new development. Mr. Hughes showed him the front elevation of unit 7.

Mr. Shawn Kirshat, 400 Southfield, asked how far unit 7 is from their property line. Mr. Bogaerts responded that it is 35 – 40 ft. away, which includes a topographic change.

When Mr. Bogaerts was asked how his project will affect the value of the homes around it, he assured that the effect will be absolutely positive, without question. They expect this to be a stunning, beautiful development.

Ms. Ecker read into the record several letters received from adjoining property owners.

Mr. Nickita noted that the letters brought up a couple of points. He asked what existing trees are to be taken down. Secondly, what do the letters refer to when they talk about a gate? Mr. Dul explained the courtyard gates are an architectural detail. He went on to say that some trees will be lost but they are trying to save as many as possible. They are adding a lot of trees too.

Motion by Mr. Blaesing

Seconded by Mr. Potts that the board approve Preliminary Site Plan for Woodland Villa Court on W. Maple Road with the following conditions:

- 1. The applicant comply with the recommendations of all City departments;**
- 2. The applicant install additional screening on the east side of the second transformer;**
- 3. The applicant submit catalog specifications sheets on all mechanical units and any proposed building or street lighting, plus a list of proposed plant species, the elevation drawings of all planters, decorative walls and retaining, and a photometric plan at the time of final site plan and design review;**
- 4. The applicant agree to install “No Parking – Fire Lane” signs along Woodland Villa Court Road;**
- 5. The applicant get approval from the Engineering Department for the storm sewer in the western portion of the drain easement where pavers and landscaping are proposed;**
- 6. The applicant add a pedestrian sidewalk to connect Maple Road to the garage apron near unit 1; and**
- 7. The applicant provide additional landscaping along the edge of Martha Baldwin Park as approved by City staff.**

Mr. Nickita said he thinks the applicant is interested in having on-street parking on part of the private road. If the Fire Marshal is in agreement he suggested they pursue that. Also, he asked the applicant to consider adding 8 in. vertical posts to the garage of at least the first building in order to diminish the amount of garages visible to the street.

Mr. Blaesing thought the garage door issue should become part of the final design rather than a site plan concern. With respect to the parking matter, he would like to provide a site plan that meets all city staff requirements at this point. If the board wants to change the plan later, it has a chance at Final Site Plan Review to do that. Mr. Hughes indicated

that without a favorable recommendation, as Mr. Nickita has suggested, the Fire Department will not talk to them about parking.

Chairman Thal then stated the board recommends that Mr. Hughes pursue street parking in some form or other. Mr. Blaesing added that he would suggest the Fire Department consider talking with the applicant about increasing the width of the drive and/or allowing on-street parking on one side.

Mr. Nickita suggested that in the future the Planning Board consider adding garage width standards to prohibit this kind of garage situation in order to maintain pedestrian oriented situations as is requested in R-1, R-2 and R-3.

There was no public comment relative to the motion at 10:35 p.m.

Motion carried, 6-0.

ROLL CALL VOTE

Yeas: Blaesing, Potts, Dilgard, Holland, Nickita, Thal

Nays: None

Absent: None

The board took a short break at 10:36 p.m.

**Planning Board Meeting Minutes
June 23, 2004**

**FINAL SITE PLAN AND DESIGN REVIEW
219 – 375 Woodland Villa Court and 679 – 697 W. Maple
Construction of four new two-family buildings**

Ms. Ecker advised that the subject site was a 1.82 acre parcel that was split into four lots, and is located on the south side of W. Maple, next to Martha Baldwin Park at the corner of W. Maple and Southfield. The parcel is zoned R-4 Two-Family Residential, and the applicant is proposing to demolish the seven existing homes on the site and construct four new two-family residential buildings, thus creating eight new residential units.

Ms. Ecker advised that on July 14, 2003 the City Commission approved the lot split of the previously single platted lot commonly known as Woodland Villa Court. Four new lots were created. In addition, the City Commission approved the relocation of the prescriptive easement that existed prior to December 12, 1966.

Ms. Ecker further advised that on April 14, 2004, the Planning Board approved the Preliminary Site Plan for Woodland Villa with the following conditions: (1) compliance with the recommendations of all City departments; (2) full screening of the second transformer; (3) provision of specification sheets on mechanical equipment, elevation drawings of all walls, planters and piers, plant list and photometric plan; (4) installation of "No Parking – Fire Lane" signs; (5) Engineering approval for the installation of a storm sewer in the drainage easement; (6) the addition of a pedestrian sidewalk from the City sidewalk to Unit 1; and (7) the addition of more landscaping and trees along the western edge of Martha Baldwin Park. Although not part of the formal motion, the Planning Board strongly recommended that the applicant pursue permission to provide on-street parking from the Fire Department.

Accordingly, the applicant has had ongoing negotiations with the Fire Department regarding emergency vehicle access into the site, the width of the roadway, and turning radiuses. The Fire Department has worked with them to come up with an agreeable re-design of the road and it is no longer concerned about the access for larger trucks. In addition, the applicant has provided 3.5 ft. of paving which the Fire Department is pleased with because if there were trouble they can drive over the top of it with their trucks and still get safely out of the development. With the alteration of the road to accommodate the Fire Department's concerns, the front setbacks have been reduced. Therefore, each of the buildings is out of compliance with regard to the front setback. The applicant has provided a 20 ft. front setback on Lots 1 and 3, a 22 ft. front setback on Lot 2, and a 15 ft. front setback on Lot 4.

The project meets all of the required bulk, area and placement regulations for the R-4 Two-Family Residential Zoning District, with the exception of the 25 ft. required front setback. *Accordingly, the applicant will be required to obtain a variance from the Board of Zoning Appeals for the front setback on all lots or move the buildings back to the 25 ft. setback.*

The chairman called for comments from the audience at 10:43 p.m.

Mr. Ronald Hughes, owner and developer of Woodland Villa, was present with Messrs. Bogaerts from Alexander Bogaerts & Associates, the architects; Mr. Tim Germaine, Nowak & Fraus Engineers; and Mr. Michael J. Dul, the landscape architect.

Mr. Alexander Bogaerts pointed out that one of the biggest changes that has occurred is changing the garage doors on Units 1 and 2 from a double door down to three individual doors. They have made an effort to create a sense of individuality from one unit to the next.

Mr. Germaine commented on the concerns of the City Engineering Division regarding the proposed masonry walls, piers, a patio column, and special paving materials in the City's easement, which are not permitted. The Engineering Division will require the applicant to obtain a Special Treatment License to install special paving materials and outlining the liability repair these special treatments when necessary. The developer is fully aware that the materials that he is choosing to place in these areas will be repaired if needed. Major structural components are not within the easement. Mr. Germaine addressed the retaining wall on the east property line and assured the board of its long-term viability. The wall where the maximum elevation occurs is designed as a structural wall, sealed by a structural engineer, with full footings, and poured concrete reinforcement.

Chairman Thal took the discussion to the public at 10:43 p.m.

Mr. Ron Fredrick who lives on Maple Hill Lane inquired about the sound standard for the air conditioning units. He added that most of the residents on Maple Hill Lane are pleased with this plan. Mr. Zander Bogaerts, architect, replied the units are all located at the rear of the buildings.

Motion by Mr. Blaesing

Seconded by Mr. Potts that the board approve the Final Site Plan for Woodland Villa Court on West Maple Road with the following conditions:

- ❖ **That the plan comply with all of the recommendations of the City departments including those of the Engineering Division with regard to the utility easement;**
- ❖ **That the petitioner obtain a variance from the BZA for the front setback for the four buildings, particularly since the need for the variance was caused by the request of this board to obtain both parking on the street and fire access, to the extent which the petitioner widened the road to obtain both fire access and parking and therefore reduced the front setback, throwing the development out of compliance with the zoning;**
- ❖ **That the developer install screening around the transformer located closest to the east property line;**
- ❖ **That additional plantings be secured as screening for the ground-mounted mechanical units proposed for Unit 3 so that it is screened from the north; and**
- ❖ **The applicant submit elevation drawings with respect to the planters and decorative piers for administrative approval.**

Mr. Blaesing noted this project has been before the board for some time in at least a couple of different configurations and this is by far the best design and the best function of the ones the board has seen. It provides the least impact on the neighbors on both

sides. The petitioner has worked with the board with regard to its previous recommendations and suggestions for the road and the parking situation. The board is very much in favor of seeing this project move forward and he is hopeful the BZA would understand why the variance is necessary, and the trade-off is certainly worth it for the better access and parking that the board has requested.

Mr. Potts said he thinks this is the type of project that the community should encourage. The developer's response to the requirements that the Planning Board has imposed has been exemplary.

Mr. Dilgard offered high kudos for the photometrics of the site plan showing very low footcandles, especially along the property lines.

Chairman Thal said he is totally in accord with the idea that the Planning Board has caused the need for a variance and along with the other members, he strongly supports the developer's efforts before the BZA. He went on to read one letter into the record which was in favor of the project, but asked for an expedited clean-up of the property. After hearing the letter, Mr. Hughes inquired whether there would be a mechanism to submit their engineering and building plans as soon as possible so that they could take the buildings down. Ms. Ecker agreed to set up a meeting for him with the Building Department.

There was no public comment on the motion at 10:50 p.m.

Motion carried, 5-0.

ROLL CALL VOTE

Yeas: Blaesing, Potts, Boyle, Dilgard, Thal

Nays: None

Absent: Holland, Nickita

Motion by Mr. Blaesing

Seconded by Mr. Dilgard to extend the meeting as long as necessary, but no later than midnight.

Motion carried, 5-0.

Yeas: Blaesing, Dilgard, Boyle, Potts, Thal

Nays: None

Absent: Holland, Nickita

Board of Zoning Appeals Minutes
August 10, 2004

219-375 WOODLAND VILLA COURT
(Appeal 04-42)

The owners of the property known as 219-375 Woodland Villa Court request the following variances:

- D. A dimensional variance of 4.6 ft. on Lot 1 to reduce the required front yard setback to 20.4 ft. in lieu of the 25 ft. minimum required by Section 126-446 (26) of the Zoning ordinance: and
- E. A dimensional variance of 3.5 ft. on Lot 2 to reduce the required front yard setback to 21.5 ft. in lieu of the 25 ft. minimum required by Section 126-446 (26) of the Zoning Ordinance; and
- F. A dimensional variance of 6.1 ft. on Lot 3 to reduce the required front yard setback to 18.9 ft. in lieu of the 25 ft. minimum required by Section 126-446 (26) of the Zoning Ordinance.

The property is zoned R-4 Two-Family Residential.

Two letters objecting to the variances have been received by the Building Department.

Mr. Ronald Hughes, developer of the project, explained they propose four buildings for a total of eight units, and the plan has received both preliminary and final site plan approval from the Planning Board. They are requesting a front yard setback variance for lot numbers 1 - 3 on the site.

The original road configuration of Woodland Villa Court was approved in preliminary site plan approval, but it yielded no off-street parking. Furthermore, the curvature of the road would have made maneuvering a fire engine truck somewhat of a challenge. Therefore the road configuration was straightened out as much as possible at the request of the Planning Board, both for ease of maneuvering a fire engine truck as well as adding off-street parking. This in turn reduced the front setback for Lots 1 - 3.

Mr. Tim Germaine, engineer from Nowak and Frause, explained where the variances would occur along the private road.

Chairman Cotton noted the problem is the private road. The Ordinance is designed to address dedicated streets.

Chairman Cotton abstained from voting on this appeal.

Motion by Mr. Judd

Seconded by Mr. Hughes in regard to Appeal 04-42 to approve the appeal. This particular appeal deals with variances for front yard setbacks on three pieces of property. The board is dealing with odd-shaped lots. The setbacks are necessitated by the placement of a private road. To require strict

compliance with the Ordinance would unreasonably prevent the owner from using his property for its intended purpose. The motion is tied to the plans as presented this evening.

Motion carried, 6-0.

ROLL CALL VOTE

Yeas: Judd, Hughes, Conlin, Koseck, Stamps, Livingston

Nays: None

Abstain: Cotton

Absent: Lillie

**Planning Board Meeting Minutes
February 23, 2005**

FINAL SITE PLAN AND DESIGN REVIEW

100 – 450 Woodland Villa Court (formerly 219 – 375 Woodland Villa Court)

Multi-family residential development which includes a proposal for two single-family homes and a request for a screened-in-porch

One letter was received requesting that the board deny or postpone the petitioner's request.

Mr. Sabo explained to the board that the subject site was a 1.82 acre parcel that was split into four lots, and is located on the south side of W. Maple, adjacent to Martha Baldwin Park at the corner of W. Maple and Southfield. The parcel is zoned R-4 Two-Family Residential.

The applicant received Final Site Plan approval on June 23, 2004 for four two-family residential units at the site. The applicant proposes to create a single-family option on Lots 3 and 4 of the proposed development to allow potential property owners to choose a single-family residential home or a two-family condo-style unit. Further, the petitioner proposes to enclose the rear porch on Unit 2. The building footprint for Unit 2 will not change. However, there will be additional floor area as a result of the proposal. Finally, the petitioner proposes to add an enclosed courtyard area at the south elevation of Unit 2 as well. The proposed landscaping will be slightly altered to accommodate the courtyard.

The project meets most of the required bulk, height, area, and placement regulations. The R-4 Two-Family Residential Zoning District regulations apply for lots 1 and 2, and the R-3 Single-Family Residential regulations apply for lots 3 and 4 as single-family units are proposed. ***The petitioner will be required to comply with the provisions of the Zoning Ordinance for the following items, which are R-3 Single-Family standards:***

- ***Total side setback of 28.75 ft., presently 25.9 ft. for Lot 3;***
- ***65% required unpaved surface in front open space for Lots 3 and 4;***
- ***Garage must be set back 5 ft. from the front façade of residential house, in this case the garage is out in front of the house; and***
- ***Maximum height requirement of 30 ft. for Lots 3 and 4, presently 40 ft. for Lot 3 and 38.67 ft. for Lot 4;***

Or, obtain the requisite variances from the Board of Zoning Appeals.

Mr. Sabo advised that in the R-4 Zoning District roof height is measured to be mid-point between the eave and the peak. The original approved midpoint between eave and peak measurements in July was 28.8 ft. for Lot 3 and 32 ft. for Lot 4. That is how the two-family units were measured. Therefore, approved height to the ridge on Lot 3 was about 34 ft. and on Lot 4 it was approximately 37 ft. What they are proposing now is 40 ft. to the ridge on Lot 3 and 38.5 ft. on Lot 4. Therefore, Lot 3 is about 6 ft. taller than was approved last July and Lot 4 is about the same.

In the R-1 through the R-3 Zoning Districts the top of the ridge is the maximum height, and 30 ft. is allowed. Therefore, the R-4 Zoning District allows a taller building height,

while the R-3 keeps it down lower. The footprints for the R-3 Zoning District proposal are nearly identical to what was originally approved for R-4.

Mr. Zander Bogaerts from Alexander Bogaerts & Associates Architects was present with the owner of Woodland Villa, Mr. Ronald Hughes of Hughes Properties. Mr. Bogaerts began by discussing the proposed covered screened-in porch for Unit 2. The owner would prefer a screened porch as opposed to a pergola. Also, he would like to have 2 ft. x 2 ft. stone piers at the back rather than a column. The effect on the plantings is extremely minor.

Mr. Bogaerts pointed out that the adjacent property to the east is about 6 ft. up from their location and contains a four-story apartment building. They wonder why they must comply with the R-3 restrictions where there is an extremely tall building adjacent. Chairman Thal responded that Mr. Bogaerts does not compare their site to the buildings to the west which start at a much lower plane. Secondly, Chairman Thal noted they want to stay within the R-4 limitations, but the buildings are now 5 ft. higher than when they were originally approved in the summer. Mr. Bogaerts indicated they could go back and re-design the elevation. However, he said that according to his calculations they are actually lower than what has already been approved.

Mr. Hughes explained they are looking for the flexibility to use the R-4 Zoning District lots that have already been approved to downzone to R-3 if the market dictates it. They understand that the ordinance requires them to go back to R-3 regulations and that just doesn't work. They feel this plan is very complimentary to the site and density will be decreased.

Mr. Bogaerts went on to state that in his opinion the massing is very much the same as what has been approved and the styles are very comparable. The eaves will be exactly the same.

Chairman Thal asked for comments or questions from members of the public at 9:35 p.m.

One letter was received requesting that the board deny or postpone the petitioner's request.

Mr. Paul D. Borman, 719 Maple Hill Lane, said his property is below the grade of Lot 3. Lot 3 is about three or four feet above grade compared to where they are. When that is added on plus the extra 6 ft., it is a significant difference and it would block the air and light to his property. The notice that was sent out to the neighbors just speaks of a screened porch and two single-family homes. It does not mention the height variance requirement with regard to the Final Site Plan. Mr. Borman said he would like some time to meet with his consulting engineer to resolve several questions.

Mr. Richard McMains, 362 Southfield Road, said his property is immediately to the east and slightly above the site. Since construction started, there have been major vibrations and he has major damage to his property. He is very concerned about the soundness of his structure. He asked that the project be stopped until something has been done to make sure that his property is safe, that Piety Hill is safe, and until they put up a retaining wall as promised. They are not getting any response back after notifying the City and are very concerned about what is going on with this project.

Mr. Ron Fredrick, 731 Maple Hill Lane, the adjoining property, reiterated what Mr. Borman said. There should be some opportunity to consider the required variance in advance. He thought that was the purpose of sending out notices.

Mr. Steven Patler, 727 Maple Hill Lane, said he has similar concerns as to the height. He would not want anything higher than has already been approved. Otherwise, he welcomes the project because it is a major improvement to what is there. He confirmed with the architect there would be no additional impervious surface created with the single-family option.

Mr. Bogaerts responded to the comments from the public. With respect to rainwater, they have a 20 ft. easement with several catch basins. They will definitely make sure that the building height is exactly the same as what has been approved. Mr. Borman felt that the board's job would not be done unless they see final drawings of the proposal. Mr. Bogaerts pointed out that Lot 4 is exactly the same height as it was previously approved. Also, the level of architecture is consistent with the earlier approval.

Ms. Pat McKenna from the Tory Community Association asked that the Zoning Ordinances are adhered to, rather than using the ordinances from R-4 zoning on their R-3 Single-Family home. Chairman Thal explained the BZA would be making a judgment as to whether they find that acceptable.

Mr. Seth Chafetz recalled when the Commission approved this a couple of years ago they liked the idea there would be duplexes with proximity to Downtown. They thought that there should be greater density with more people living on this property. There was considerable discussion about how to engineer the lots so the surrounding properties to the east would not be put in jeopardy. He commented that generally for new construction there is no hardship involved. So, it may be difficult for the applicant to prove to the BZA that it is a hardship not to follow the current zoning requirements.

Mr. Sabo came up with the actual previously approved height for Lot 3 measured to the ridge, which was 42 ft. Tonight's proposal for Lot 3 is 40 ft. to the ridge. Therefore the proposal is 2 ft. lower. The approved ridge height for Lot 4 was 38.5 ft., and the proposal before the board tonight is 36.8 ft. The proposal for Lot 4 is 1.7 ft. lower.

Mr. Bogaerts commented that now the height issue is clarified they do not feel they should be postponed. The heights are very similar to what was approved before.

Mr. Hughes followed up further on comments from the audience. The retaining wall was approved by the City. Their engineers and the city engineers have worked in unison on the entire construction of the site. There has been vibration to the units to the east. They have met with the owners to determine whether there has been severe damage. They are addressing those concerns. He noted this is not an issue for the Planning Board and further noted that what they are doing is conventional construction and excavation. There is a soil stabilization problem within the condominium development that is having issues. Once the retaining wall is in place, then they will go back and re-address any damage that may have been caused by Woodland Villa and they will be fully responsible for those issues.

Mr. Borman observed the figures have changed since the beginning of the meeting. He maintained that he would like the opportunity to get a consulting engineer to determine whether or not the height has been increased. Therefore he asked that the case be delayed until the next meeting.

Mr. Hughes said assuming the board will grant their request there will be adequate time for Mr. Borman or any other neighbors to consult with an engineer before the BZA meets. The Planning Board does not decide the height issue. The BZA will hear all of the arguments with regards to height. Ms. Ecker informed the audience about the notice that was sent out. It meets the terms of the Zoning Ordinance in terms of the time it was sent out and its content. The notice gives every neighbor within 300 ft. notice in general terms that there are changes proposed to the site. The plans are a matter of public record so anyone can come in and review them. Mr. Sabo added that the notices that will go out for the BZA are very specific and will call out each of the variances and how much variance is requested.

Mr. Boyle spoke to say he is sympathetic about the dangers of delay. However, a measure of delay to satisfy the concerns of the neighbors will not prevent the process from going forward. Secondly, the board only has hand drawn plans for the potential single-family homes. Therefore his suggestion was to delay the process to allow the neighbors who are concerned to see detailed final drawings in order to be satisfied there will not be a major height issue.

Motion by Mr. Boyle

Seconded by Mr. Dilgard to postpone to March 9, 2005

There were no comments from the public relative to the motion at 10:15 p.m.

Motion carried, 4-0.

ROLL CALL VOTE

Yeas: Boyle, Dilgard, Nickita, Thal

Nays: None

Absent: Blaesing, Holland, Potts

**Planning Board Meeting Minutes
March 9, 2005**

FINAL SITE PLAN REVIEW

100-450 Woodland Villa Court (formerly 219-375 Woodland Villa Court)

Multi-family residential development which includes a proposal for two single-family homes and a request for a screened-in porch.

Mr. Sabo noted this item was considered at the last meeting of the Planning Board on February 23, 2005. The subject site was a 1.82 acre parcel that was split into four lots, and is located on the south side of W. Maple, adjacent to Martha Baldwin Park at the corner of W. Maple and Southfield. The parcel is zoned R-4 Two-Family Residential.

Mr. Sabo advised that the applicant received Final Site Plan approval on June 23, 2004 for four two-family residential units at the site. The applicant proposes to create a single-family option on Lots 3 and 4 of the proposed development to allow potential property owners to choose to purchase a single-family residential home or a two-family condo-style unit. Further, the petitioner proposes to enclose the rear porch on Unit 2. The building footprint for Unit 2 will not change. However, there will be additional floor area as a result of the proposal. Finally, the petitioner proposes to add an enclosed courtyard area at the south elevation of Unit 2 as well. The proposed landscaping will be slightly altered to accommodate the courtyard.

Mr. Sabo noted that at their February 9, 2005 meeting, the Planning Board moved to postpone action on 100-450 Woodland Villa Court to allow neighbors to see detailed final drawings in order to be satisfied there will be no major height issues as to whether or not what has been proposed as single-family residences would be higher or lower in absolute height from what was approved in June 2004. Because height is measured differently in the R-4 Zone District than in the R-1 Single-Family Zone Districts, there was confusion as to how the heights of the buildings compare to each other. The petitioner has submitted revised drawings and has adjusted the building height for the proposed single-family residential option buildings on Lots 3 and 4. The revised height matches the approved building height measured to the ridge for the two-family buildings reviewed on June 23, 2004. However, the proposed building heights still exceed the maximum allowable height for single-family residential buildings and a variance will be required.

Mr. Sabo said the single-family option would not affect the light and air to the properties to the west because the maximum height that is proposed is the same as the height proposed in June 2004. Additionally, the massing is approximately the same.

Mr. Xander Bogaerts with the architectural firm of Alexander Bogaerts & Associates was present with the owner of Woodland Villa, Mr. Ronald Hughes of Hughes Properties. Mr. Bogaerts used drawings to illustrate that the massing on Lot 3 for the single-family residence is almost identical to what has been approved. On Lot 4, the massing is in favor of the single-family option. He went on to note that the ridge heights for the single-family option are exactly the same as what was approved for the duplexes.

Mr. Dilgard noted this process has been on-going for a long time and the City Commission approved the lot split with the expectation that these would be two-family dwellings on all four lots.

In response to a question from Mr. Dilgard, Mr. Hughes explained the benefit to the City of his proposal is that there is only one unit vs. two units, but there isn't any diminished value tax wise. There would be less massing and all of the roof heights would be consistent, so there would be no aesthetic detriment to the City from what is currently approved. It gives his firm tremendous marketing flexibility as well to either offer a duplex product or a very high end single-family home which is permitted in the R-4 Zoning District.

Mr. Hughes indicated that the duplexes would be marketed in the \$2.5 million range and the single-family residences would sell for significantly higher than that.

Mr. Blaesing recalled that over the years the City Commission, this board, and a number of others have spent many, many hours in hearings and discussions and debate to try and arrive at a standard, single-family ordinance that would describe what is allowed under single-family zoning. Now this proposal has come along and after many more hours of discussion the Planning Board finally arrived at a solution that everyone agreed to. A year later, the applicants are back telling the board they want to build single-family at the same heights as the duplexes. He cannot go along with that. If they want to build single-family they need to comply with the ordinances that apply to single-family, and not come in and switch a duplex to a single-family and keep the same dimensions. He feels they should do one or the other.

Mr. Hughes maintained they are permitted to build single-family within the R-4 District. If they are permitted to build a single-family home, then they should not be penalized because now they are going to have heights that are not consistent within the same development and that would not look good. All they are asking for tonight is the ability to go to the BZA with ridge heights that are consistent. Chairman Thal responded that he noticed Lot 4 is approximately 31 ft. high and Lot 3 is almost 39 ft. Therefore, some height variation already exists. Mr. Hughes responded that the heights vary because there is a grade differential going down to Maple Road. Mr. Bogaerts added the units have different geometries and different floor plans.

Chairman Thal observed after looking at the drawings that Lot 4 is set back farther east and does not go as far west in the single-family house as compared to the duplex. Lot 3 is approximately the same for both.

Chairman Thal took the discussion to the public at 8:33 p.m.

Ms. Dorothy Conrad, 2252 Yorkshire, inquired if this is a return to the garage house. If it is, she would object. Mr. Hughes explained it is a side entry garage, which is much better than what is currently approved which is three garage doors on the front.

Mr. Paul Borman, 719 Maple Hill Lane, thanked the board for giving him an opportunity to bring in his engineer to meet with both Mr. Hughes and with the Planning Division. It turned out that the proposal at the last meeting was higher than the proposal approved last June. After the meeting, the applicants agreed to go back to the originally approved heights. The western side of the complex which overlooks the Maple Hill condominiums is up 6 ft. already and then they are going up. So, the impact on the light and air on the Maple Hill properties from Lot 3 would be much more significant with the single-family if

they are allowed to go above the single-family into the two-family height, taking it above 30 ft. to 38.8 ft.

Mr. Bogaerts pointed out that lowering the roof on the single-family unit would make it uglier. The shingle style is not about a low, flat roof. It won't match the other buildings. More importantly, they just want the option to build a single-family unit and it may never exist.

Mr. Boyle commented that there was a significant number of the neighbors who were here in June and they are not here tonight. That suggests that after meetings and discussions with the planning staff at least some of their concerns have been put aside. That is positive. He is sympathetic with what Mr. Blaesing has said. However, it would appear that the nature of the zoning allows the applicant to build either duplexes or single-family structures. This is a difficult site and the applicants are working hard to try and get decent properties into this site which is a high visibility area. Because he thinks the neighbors to a certain extent are satisfied, and because the applicants tried to make this fit, he would make the motion to approve.

Motion by Mr. Boyle

Seconded by Mr. Potts to approve the Final Site Plan for 100-450 Woodland Villa Court with the following conditions:

- 1) That the applicant comply with the recommendations of all City departments;**
- 2) The applicant amends the plans to conform to the provisions of the Zoning Ordinance for 126-466 Total Setbacks and Maximum Building Height; 126-99 Limitation on Paved Surface, and 126-101 Provisions for Single-Family Garages, or obtain variances from the BZA.**
- 3) This motion encompasses the proposal for Lot 1, Unit 2 to add a screened porch.**

Mr. Nickita felt the board should add multiple-family garage standards as a future agenda item.

Mr. Blaesing said what bothers him is that there are four issues dealing with single-family variances which require not a few inches, but several feet. The applicants are asking for too big of a change; too many variances; and too many items that need to be adjusted, and not by just a little bit. He does not know how the BZA would even deal with these. Further, he doesn't see any hardships at all; they are all self-imposed by changing the design of the house and thereby creating their own problem. Therefore, he will not support the motion.

Mr. Dilgard indicated he will not support the motion because the hardships are self-created. Further, the City Commission's expectation in granting the lot split was that there would be eight units on the site. Ms. Ecker advised that while that may have been the understanding, there was no condition attached to the lot split for a particular development or particular architectural types. The lot split was not conditioned on the construction of two-family residential houses.

Ms. Holland said after looking at a lot of houses she has concluded that steeply pitched roofs are not particularly intrusive, and a higher roof line with a steeply pitched roof may

sometimes have less impact than a lower flat roof. Ms. Ecker noted it is the BZA's job to determine whether or not a height variance should be granted based on whether or not there is a practical difficulty on the lot. It is this board's job to determine whether this is a good development.

No one from the public had a comment on the motion at 9:07 p.m.

Motion carried, 5-2.

ROLL CALL VOTE

Yeas: Boyle, Potts, Holland, Nickita, Thal

Nays: Blaesing, Dilgard

Absent: None

**Planning Board Meeting Minutes
September 27, 2006**

FINAL SITE PLAN REVIEW

100 – 450 Woodland Villa

Request for approval to install a gate across Woodland Villa Court

Ms. Ecker advised the board that the subject site is a 1.84 acre parcel that was split into four lots in 2003. The property is located on the south side of W. Maple, adjacent to Martha Baldwin Park at the corner of W. Maple Rd. and Southfield. The applicant is now proposing the addition of two stone piers and a mechanically operated gate to be located at the entrance of the development 21 ft. from the sidewalk and 49.8 ft. from W. Maple.

On July 14, 2003, the City Commission approved the lot split of the previously single platted lot commonly known as Woodland Villa Court. Four new lots were created. In addition, the City Commission approved the re-location of the prescriptive easement that existed prior to December 12, 1966.

The applicant received final site plan approval on June 23, 2004 for four two-family residential units on the site. Two of the four units have been completed, and two are in various stages of building.

On March 9, 2005, the applicant received approval from the Planning Board for a revised site plan. The applicant proposed creating a single-family option on Lots 3 and 4 of the development to allow potential property owners the choice of purchasing a single-family residential home or a two-family condo-style unit.

Ms. Ecker indicated the Fire Dept. is concerned about emergency access, and how the gate would operate in a power outage. Also, the Engineering Dept. has reported that masonry pier structures with footings are not allowed within a utility easement. The proposed westerly pier is only 3 ft. from the center of the public combined sewer system. That is too close to the sewers and might damage them, plus it would hamper future maintenance on the sewers. Therefore they recommend that the board does not approve the proposal.

Discussion disclosed that there are two existing gated communities in Birmingham: 1111 N. Old Woodward, north of Oak that is 35 years old; and Brookside, which is 25 years old.

Mr. Xander Bogaerts, Architect with Alexander Bogaerts & Associates, was present with Mr. Ronald Hughes, the owner of the development, and some residents. Mr. Xander Bogaerts explained the reason they are before the board is safety. Westbound cars traveling along Maple Rd. enter at great speed and use their turnaround to come back and hit Southfield, rather than waiting for the next green arrow. This a safety concern for the residents. Concerning the sewer, they are prepared to put something in the condo documents that, should service on the sewer ever become necessary, it would be the complete responsibility of the condominium association to do repairs.

Mr. Ronald Hughes said they will operate the security gate the same way that the City does. The Police and Fire Depts. will get in with no problem, no card, no codes. Mr. Alex

Bogaerts explained if a guest wished to enter, they could touch a call box that would ring at the house. Mr. Xander Bogaerts said their experience has been that signs would not be effective.

Mr. Ronald Hughes described there is a steady stream of cars coming into the complex within a one-hour period. So, they are very concerned about the safety. With respect to the easement, their deed restriction declares everything is private and anything at all that needs repair is the responsibility of the Association, not the City.

The chairman asked for public comment at 9:08 p.m.

Mr. Dan Sebolt said he lives at 101 Woodland Villa. The traffic in and out has been an ongoing problem since they moved in four months ago. It is awful. He urged the board to really consider allowing a gate.

Mr. Paul Borman, who lives on Maple Hill Lane, just west of this development, suggested a "No Left Turn" sign. He was concerned with cars being backed up onto Maple Rd. which would cause congestion going back down Maple. A gate could be placed further into the complex in order to eliminate queuing.

Mr. Alex Bogaerts, 100 Woodland Villa, described the very serious safety problem they have. Mr. Haberman inquired how many cars would be able to stack north of the fence. Mr. Alex Bogaerts replied there would not be a stacking problem, but there is room for two cars.

Ms. Ecker read two letters into the record opposing the installation of a mechanical gate across Woodland Villa.

Mr. Potts commented the case for a gate is responding to a condition that nobody anticipated. Originally the developer did not contemplate a gate, so if the reason for a gate is something other than safety, a gate would have been proposed at the time they originally came before the board. So, he would support the gate in the interest of safety.

Mr. Blaesing explained what the Oakland County Road Commission would do in this circumstance. They would put up a sign indicating that left turns are prohibited. Then they would park a police car there to hand out tickets for a week, and the problem would generally stop. He would not approve a gate across a private road in the City of Birmingham. He thinks the problem needs to be addressed in another manner and the Traffic and Safety Board may be able to come up with a proper solution.

Mr. Dilgard described how a similar situation was resolved in about a month through the use of signage **and police enforcement**.

Mr. Nickita noted that a gated community is a very negative connotation and the board has strongly steered away from that whenever it has come up. There are a variety of other alternatives that could be attempted prior to even having a discussion on a gated community: signs, no left turn, private road, and speed bumps may dramatically change the situation. Further, he doesn't think the gate would solve the problem. Ultimately the gate is 21 ft. away from the sidewalk and the apron is another 25 ft. from the street.

Basically it is nearly 50 ft. to the gate. If someone wants to turn in there, they still will and the pedestrians walking along Maple are still in danger with or without the gate.

Ms. Lazar pointed out that a "No Left Turn" sign precludes residents from turning in as well. She doesn't think signage will assist those who live there. With the pressure on the budget, Mr. Potts was not in favor of using police resources to monitor this. He felt that private initiative could solve the issue. He would not want to be responsible for any person or animal being hit by a car speeding in to make a turn. So, he will support the proposal.

Motion by Mr. Blaesing

Seconded by Mr. Nickita to deny the Revised Final Site Plan and Design Review for 100-450 Woodland Villa Court.

Chairman Boyle took discussion of the motion to the public at 9:25 p.m.

Mr. Dan Sebolt explained that a "No Left Turn" sign going into the complex would be a hardship for him. He would have to turn around in another development. Mr. Nickita said an easy solution would be to exclude residents from a no left turn requirement.

Mr. Haberman said that as part of the process the board can suggest this go before the Traffic and Safety Board for their analysis.

Motion to deny carried, 6-1.

ROLLCALL VOTE

Yeas: Blaesing, Nickita, Boyle, Dilgard, Haberman, Lazar

Nays: Potts

Absent: None

The board took a short recess at 9:30 p.m.

PLANNING BOARD MINUTES
June 22, 2016

FINAL SITE PLAN REVIEW

1. 100-450 Woodland Villa (existing duplexes)
Request for Final Site Plan Approval to add a gate across Woodland Villa south of W. Maple Rd.

Mr. Cowan explained the subject location is a 1.84 acre parcel that was split into four lots near the intersection of W. Maple Rd. and Southfield Rd. The parcel is zoned R-4 Two Family Residential. The site consists of four two-family dwelling unit buildings with a single-family dwelling option on Lots 3 & 4.

At this time, the applicant is requesting approval to place a gate across the entire width of Woodland Villa Ct. The proposed gate is sensor activated and opens for all cars. The applicant has stated the intent of the gate is to discourage cars from using Woodland Villa Ct. as a turnaround street.

On September 27, 2006, the applicant appeared before the Planning Board with a proposal for a gated entry into Woodland Villa Ct. Woodland Villa residents would have access through the gate, and visitors would have to call in to residents and be granted entry. The proposal was denied 6-1 by the Planning Board.

With the addition of a mechanically operated gate blocking off the street, access to Woodland Villa Ct. could be delayed, with the possibility to create a dangerous queuing situation onto W. Maple Rd. Thus the proposed gate's placement in the street can interfere with or be hazardous to vehicular traffic. Further, cars slowing down to activate the sensor and wait for the gate to open could create a queuing situation that blocks the flow of pedestrian traffic on the sidewalk.

Both the Fire Dept. and the Police Dept. have concerns about installation of the gate from a response standpoint.

Design Review

The applicant is proposing two 10 ft.-10 in. wood clad posts that will extend 6 ft. 4 in. above the ground. Each post has a wood clad mechanical gate attached. The top of each gate is 4 ft. 4 in. above grade, and they each extend 14 ft. 6 in. into the street. The bottom of the gate tapers from 4 ft. in length at the post to 2 ft. 10 in. in length at the center of the road.

Mr. Rick Rattner, 380 N. Old Woodward Ave., Attorney Woodland Villa, presented a PowerPoint that described their proposal. The site is not intended to be a gated community. There is not a masonry pier in the easement, but rather there is a pole. The gate opens automatically or in an emergency it could be crashed to enter.

Their request for a gate is because there is a dangerous traffic situation due to numerous cut-through attempts on the site. They tried many types of signs indicating there is no outlet, but they still have traffic coming in. The applicant commissioned a new traffic study that showed traffic intensity has been increased 25% because of the turn-arounds.

Mr. Rattner doubts the gate will interfere with pedestrian traffic. Further, he maintained the road through the site is a general common element for the condominiums that is privately owned, and it is not a street.

Mr. Koseck wanted to hear from the traffic engineer who might provide more insight as to what is happening. Mr. Williams asked Ms. Ecker whether or not the road into the complex is a street. She replied they could direct that question to the City Attorney for a final interpretation. However, she pointed out that when the lot split was approved in 2006 it was granted because the individual lots must have frontage on a street or they would not be legal. Further responding to Mr. Williams, Ms. Ecker advised this differs from some of the condominium associations which do not have access to a street because they are all one lot.

Mr. Boyle inquired how many times the police and emergency services have been called to deal with dangerous traffic conditions in this area. Cars simply turning in is one thing but when the petitioner suggests these are dangerous traffic conditions it should be supported by evidence and the board has none.

Mr. Williams did not like dealing with only one of the four potential turn-around areas. There are two streets and one driveway between the river and the junction under consideration. Only considering Woodland Villa Ct. just pushes traffic further west onto someone else. He would like the Planning Dept to come back after consulting with the Fire and Police Depts. and say if this is a street or driveway and whether there is a dangerous situation. Then, give thoughts on how to address the problem from the standpoint of all four streets and driveways.

Chairman Clein observed that the report submitted by Midwestern Consulting, LLC indicates there is one extra car per hour unauthorized vehicle occurrence. Mr. Jeffares thought he gets a lot more cut-through traffic than that on his street. Ms. Lazar didn't think it is a good time for the petitioners to make their application until the decision on transitioning permanently into three lanes on Maple Rd. has been made.

Chairman Clein said it sounds like the board needs more information to make an adequate decision. He would be interested in hearing from the applicant about how the traffic relates to Maple Rd. Mr. Koseck wanted to hear from the City's traffic engineer.

The chairman took comments from the audience at 8:20 p.m.

Mr. Paul Borman who lives on Maple Hill Lane noted his street would be the recipient of traffic that would not be going through because of the gate. Also, consider not just car traffic, but delivery truck traffic which is larger and may block the sidewalk. Finally, there is the question of what happens when the sensor goes dead on the gate.

Mr. Cy Weiner who lives at Woodland Villa commented that the condo association maintains the drive and DPS does not take care of it. In terms of public safety, people are headed out before the police can be called.

Ms. Ecker summarized information that the Planning Board wants:

- Information from the City Attorney as to whether this is a street;

- How many times have police, fire or other emergency services been called due to traffic and safety concerns;
- How did the other driveway gates on other sites get approved;
- Is one car/hour better or worse than a normal street;
- The applicant and the City to bring in a traffic consultant;
- Research from Police and Fire about dangerous conditions and addressing the situation on all four streets.

Motion by Mr. Williams

Seconded by Ms. Lazar to postpone consideration of 100 - 450 Woodland Villa until July 27.

There were no comments from the public on the motion at 8:30 p.m.

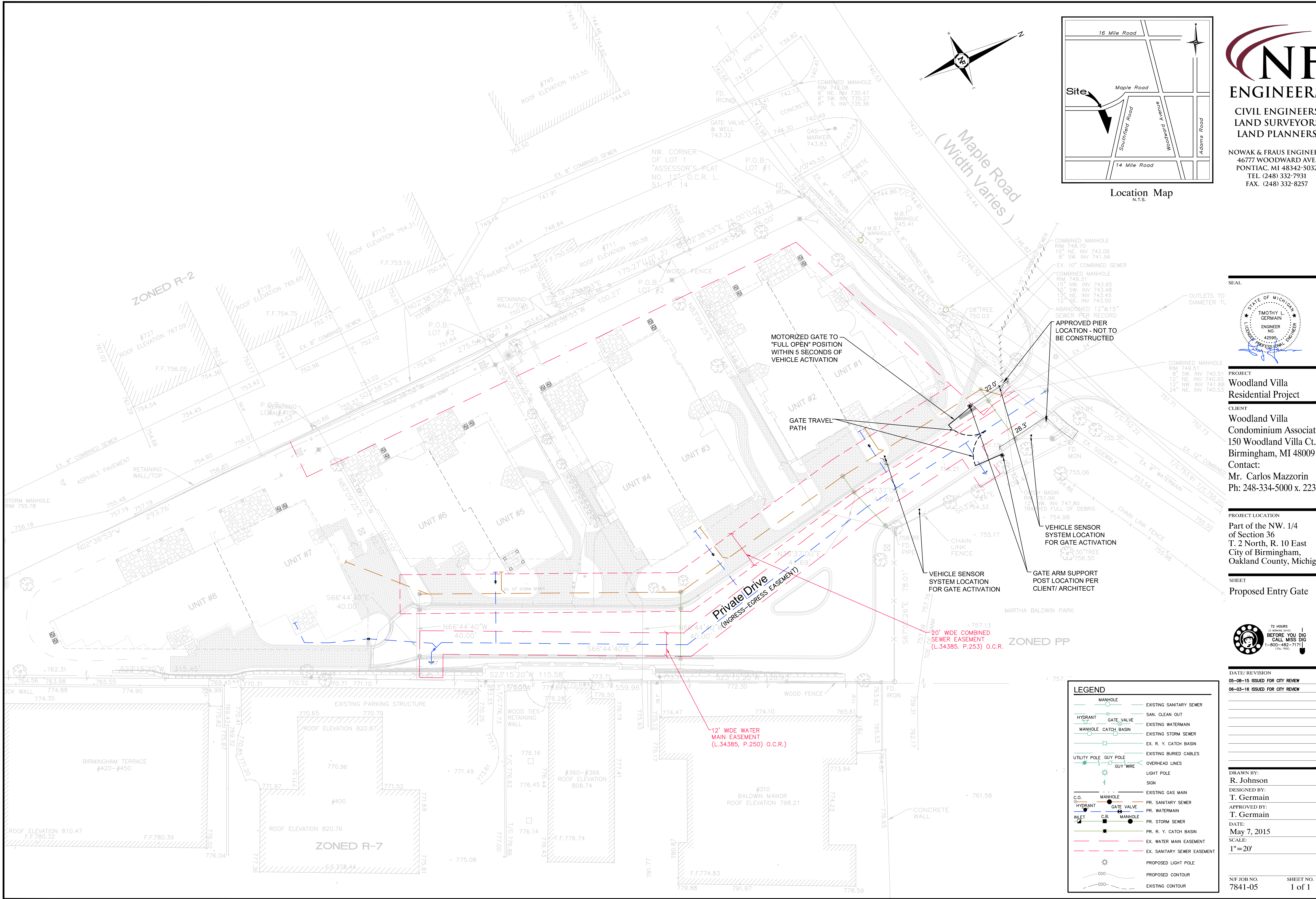
Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None





LANDSCAPE
ARCHITECTURE

MICHAEL J. DUL
& ASSOCIATES, INC

212 DAINES STREET
BIRMINGHAM
MICHIGAN 48009

P 248 644 3410
F 248 644 0819

www.mjdul.com
info@mjdul.com

Developer:
Villas at Woodland, L.L.C.
29755 Beck Road
Wixom, Michigan 48393
(248) 668-3100
(248) 798-7665 Craig Steinhaus

Units 5-8
Woodland Villa
300-450 Woodland Court
Birmingham, Michigan 48009

PROJECT

Landscape Development
Entry Gate

SHEET TITLE

1"= 20' -0"



SCALE

PROJECT NUMBER: 15130
DRAWN: T. Shoemaker
CHECKED: M. Dul
DATE: June 16, 2015
REVISIONS:



LANDSCAPE
ARCHITECTURE

MICHAEL J. DUL
& ASSOCIATES, INC



212 DAINES STREET
BIRMINGHAM
MICHIGAN 48009

P 248 644 3410
F 248 644 0819

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Units 5-8

Woodland Villa
300-450 Woodland Court
Birmingham, Michigan 48009

PROJECT

Landscape Development
Entry Gate

SHEET TITLE

1/8" = 1' -0"



SCALE

PROJECT NUMBER: 15130
DRAWN: T. Shoemaker
CHECKED: M. Dul
DATE: June 16, 2015
REVISIONS:



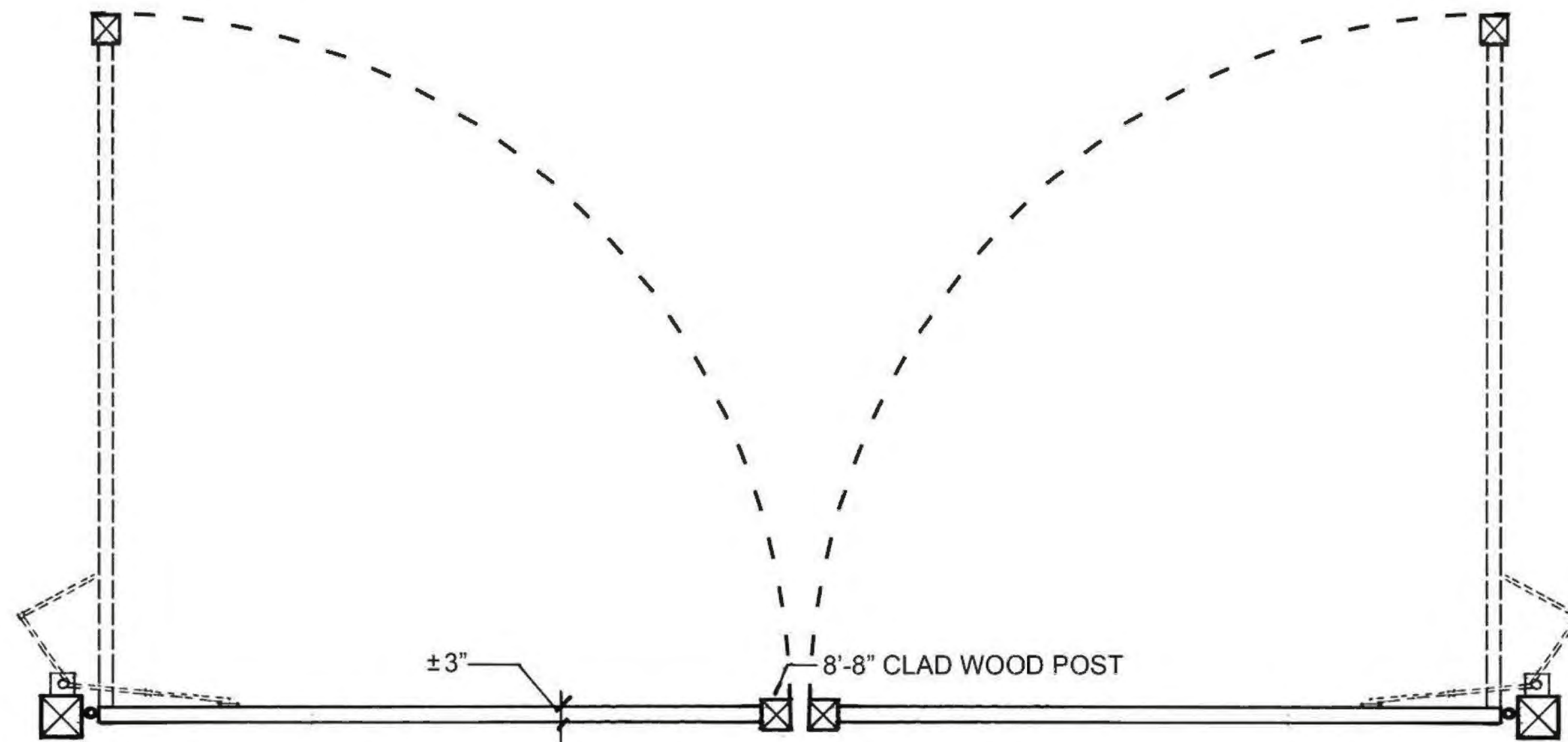
ELEVATION - MOTORIZED GATE

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

MATERIAL SAMPLES

WOOD FINISH

STAINLESS STEEL



PLAN - MOTORIZED GATE

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



WOODLAND
VILLA
BUILDER
ARCHITECT
LANDSCAPE ARCHITECT











Williams Williams Rattner & Plunkett, P.C.
Attorneys and Counselors

380 North Old Woodward Avenue
Suite 300

Birmingham, Michigan 48009

Tel: (248) 642-0333

Fax: (248) 642-0856

June 14, 2016

Richard D. Rattner
rdr@wwrplaw.com

HAND DELIVERED

City of Birmingham
Planning Board
151 Martin St.
Birmingham, MI 48012

***Re: Application for Proposed Motorized Traffic Control Gate ("Application")
100 - 450 Woodland Villa Court, Birmingham, MI ("Subject Property")***

Dear Members of the Planning Board:

This letter supplements the above referenced Application filed by Woodland Villa Association, a Michigan non-profit corporation ("Applicant") on June 3, 2016. The Application requests approval to construct a motorized traffic control gate to limit dangerous and unauthorized trespassing traffic using Woodland Villa Court for U-turns and generally as a turnaround area.

Application has been made to allow the installation of a motorized traffic control gate for the purpose of ensuring the safety, health and welfare of owners within the development as well as all other citizens visiting or traveling near the Subject Property. Note, the gate, though motorized, opens automatically when approached by vehicles. It is not locked! Due to its location – the South side of Maple Rd. approximately 450 feet West of Southfield Rd, and the first street West of Southfield Rd – the Subject Property experiences an inordinate amount of traffic unrelated to the Subject Property or its residents. Some eastbound drivers entering the Subject Property are attempting to "cut through" to Southfield Rd. in order to avoid traffic stored at the traffic control light. Of course this is impossible, but these motorists try anyway despite a "No Outlet" sign. Some are westbound drivers who have missed the left turn onto Southfield Rd. and use the Subject Property to turn around. Other eastbound drivers have missed other roads and turn around at the Subject Property in order to avoid the Southfield Rd. intersection.

Unfortunately, some of these drivers are either distracted or otherwise oblivious to the fact that they are driving on what is essentially a driveway and maneuver about the Subject Property at dangerous speeds or in reckless fashion. At a previous hearing before the Planning Board, Board Member David Potts, recognizing the generally poor driving of Michigan drivers,

observed, “Not just a safety issue for the people who live there, but the public who walk by, and *I have been driving on Michigan roads for a long time and never underestimate the venom, stupidity, or conduct of Michigan drivers.*” (Emphasis added)

Exhibit A, attached hereto and incorporated by reference, contains images of the proposed gate in both its closed and open elevations.

The Prior Request

In 2006, Applicant requested approval to install a traffic control gate. On September 27, 2006, the Planning Board conducted a hearing on Applicant’s application. At the time, there had been no traffic study performed. The Board voted 6-1 to reject the Revised Final Site Plan and Design Review. The Board suggested that the traffic problem could be remedied by the installation of signage that would limit turns or entry onto the Subject Property.

Applicant installed signs as recommended by the Planning Board. It installed a sign that forbade left hand turns onto Woodland Villa Ct. except for residents. It installed “No Outlet” signs. It installed a “Private” sign at the top of the street sign. None of these worked.

Applicant engaged Birchler Arroyo Associates, Inc. (“BAA”) to conduct a traffic study. In its report dated January 30, 2007 (the “2007 BAA Report”), see Exhibit B, BAA found the following:

- Woodland Villa Court had an average of 78 (one-way) daily trips, over four times the traffic to be expected for a condominium development with only two occupied units.
- Most non-project traffic comes from the east and returns to the east, apparently to bypass the left-turn lane from westbound Maple to southbound Southfield.
- The observed traffic pattern inconveniences residents of Woodland Villa and decreases safety for the general public, due to 1) the increased left turns (into Woodland Villa Court) at a location on Maple lacking a center left-turn lane; 2) the significant grade between Woodland Villa Court and Southfield; and 3) increased right turns and merging.
- These findings warrant serious consideration of measures for deterring the use of Woodland Villa Court by non-residents.

Applicant appealed the Planning Board’s denial to the Board of Zoning Appeals. A hearing was heard on March 14, 2007, whereat Applicant provided the 2007 BAA Report. Ultimately, Applicant withdrew the appeal and no motion was made by the BZA.

The Birmingham Police Department asked Tetra Tech, Inc. (“TTI”) to analyze Applicant’s gate request. On April 24, 2007, TTI provided its analysis (the “2007 TTI Analysis”), see Exhibit C, which can be summed up as follows, “We do not recommend any changes to the current traffic signal operations at these intersections at this time.”

On April 24, 2007, the Traffic and Safety Board conducted a hearing regarding the requested entrance gate. Though the Traffic and Safety Board was not receptive to Applicant’s request, Chief Patterson did offer that a traffic study should be completed after completion of the complex and that same should be brought to the board at that time.

The Current Request

Since April of 2007 the development has been completed and all 8 units are occupied. The Subject Property continues to experience an overwhelming amount of extraneous traffic as described above. Applicant retained Midwestern Consulting, LLC to perform an updated traffic study. Midwestern’s updated traffic study (the “Midwestern Report”), dated November 12, 2015, see Exhibit D, utilized digital cameras to observe traffic over an 18.5 hour period on September 9 and 10, 2015. Over that brief measurement period, 20 unauthorized vehicles made unauthorized turnarounds on the Subject property, for an average hourly frequency of 1.1. The Midwestern Report shows that even with the ameliorative effect of the Maple Rd. reconfiguration the Subject Property continues to experience significant amounts of dangerous and unauthorized trespassing traffic using Woodland Villa Court for U-turns and generally as a turnaround area. The Application is Applicant’s renewed requested for approval to install a motorized traffic control gate.


As the Planning Board is aware, there are a number of entrance gates located throughout the City. Some of these have been in existence for some time while many are of a more recent vintage. Exhibit E contains photos of entrance gates at 1119 Southfield Rd., 1111-1115 N Old Woodward, 511 – 541 Brookside, 373 Townsend, 834 Southfield Rd., 560 Southfield, 687 Southfield, and 1407 Southfield.

The requested approval to construct a motorized traffic control gate to limit extraneous traffic using Woodland Villa Court will be a clear benefit to the health, safety and welfare of the residents of Woodland Villa and all the citizens of Birmingham.

Applicant respectfully requests that the Planning Board grant it approval to install a motorized traffic control gate to limit extraneous traffic upon the Subject Property.

Respectfully submitted yours,

WILLIAMS, WILLIAMS, RATTNER & PLUNKETT, P.C.

By: 
Richard D. Rattner
Attorney for Applicant

RDR/
(01060219)

A





B

January 30, 2007

Bruce Sanders / Hughes Properties
Brucesanders@earthlink.net



**Subject: Extraneous Traffic Using Woodland Villa Court at
Maple Road, West of Southfield Road, City of Birmingham**

Dear Mr. Sanders:

As you requested, we have conducted traffic counts at the above driveway serving your upscale condominium development. These counts consisted of automated, bi-directional (hose) counts over two recent weekdays, plus manual (turning-movement) counts during three, two-hour periods of a representative weekday (7:00-9:00 a.m., 3:00-5:00 p.m., and 5:00-7:00 p.m.). The detailed count data are attached to this letter.

Key Findings

- ☐ Woodland Villa Court had an average of 78 (one-way) daily trips, over four times the traffic to be expected for a condominium development with only two occupied units.
- ☐ Most non-project traffic comes from the east and returns to the east, apparently to bypass the left-turn lane from westbound Maple to southbound Southfield.
- ☐ The observed traffic pattern inconveniences residents of Woodland Villa and decreases safety for the general public, due to 1) the increased left turns (into Woodland Villa Court) at a location on Maple lacking a center left-turn lane; 2) the significant grade between Woodland Villa Court and Southfield; and 3) increased right turns and merging.
- ☐ These findings warrant serious consideration of measures for deterring the use of Woodland Villa Court by non-residents.

Location

Figure 1 shows the site, surrounding land uses, and area street system. At the time of our traffic counts, only two of the subject condominium units were occupied. We observed a limited amount of visitation to a third unit; however, there did not appear to be any construction traffic, per se.

The nearby intersection of Maple and Southfield Roads is signalized, with the westbound left turn onto Southfield having its own lane but also frequently having to wait for a green arrow to proceed. The eastbound right turn onto Southfield, on the other hand, is allowed to bypass the signal via a separate turning roadway yielding to southbound traffic on Southfield. Maple west of Southfield has two through lanes for each direction of travel, but no center turn lane.

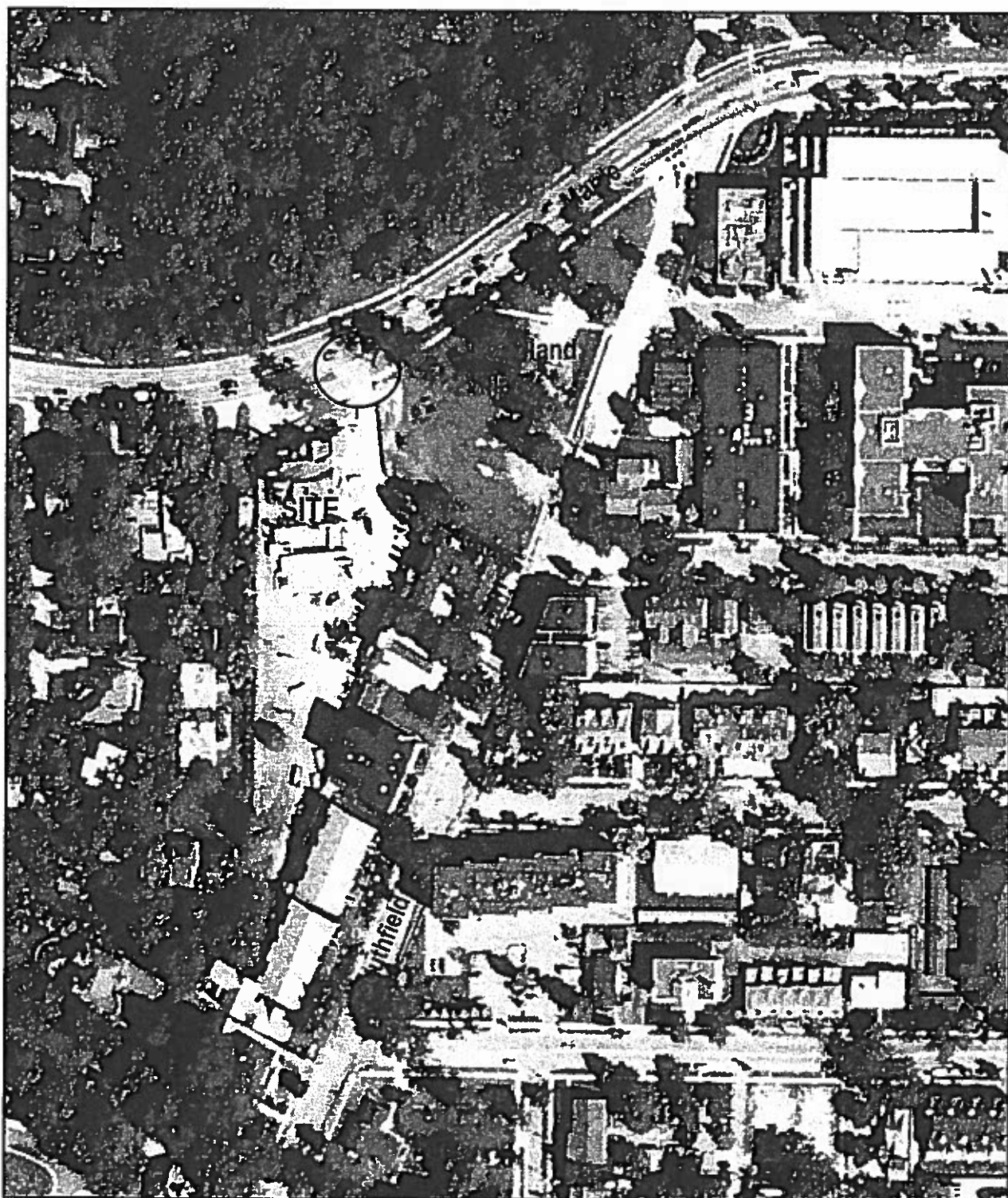


Figure 1. Site Aerial

Total Entering and Exiting Traffic Volumes

Our automated traffic counts found an average of 78 unidirectional driveway trips per day. The two busiest hours were 2:00-3:00 p.m. (12 trips) and 10:00-11:00 a.m. (11 trips), hours when there should have been very little if any residential traffic.

The observed daily driveway traffic volumes substantially exceed the levels to be expected for the two occupied dwelling units. Legitimate residential traffic alone for just two units would typically be only 1-2 unidirectional trips in the busiest hour, with perhaps ten times as many trips over 24 hours.

The directionality of the total entering and exiting volumes was determined manually for the above six weekday hours. The detailed total count data, attached, are summarized in Figure 2.

Turnaround Entering and Exiting Volumes

Each vehicle tallied entering the site in our manual counts was observed long enough to determine whether it had entered to:

- ☐ Visit one of the condominium units,
- ☐ Turn around and return to the direction from which it arrived, or to
- ☐ Simply stop briefly before continuing in the original direction (i.e., a pass-by trip).

Vehicles doing either one of the latter two things were recorded, specifically noting each vehicle's direction of approach as well as its direction of departure. The last three attached spreadsheets show the results of these special counts. All vehicles tallied on these sheets were also tallied on the earlier total count sheets.

Figure 3 illustrates the combined "turnaround" volumes for the three manually observed periods. Note that most turnaround traffic occurs in the afternoon hours and consists of drivers approaching from and returning to the east. This phenomenon may reflect an attempt by westbound drivers destined for southbound Southfield to use the westbound through lanes and longer through-traffic green time to reach the site, where they then turn around and access Southfield via the "free" right turn bypassing the signal. Such a strategy not only inconveniences the residents of Woodland Villa, it decreases traffic safety for the general public due to the lack of a center turn lane on Maple, the significant grade on Maple between Woodland Villa Court and Southfield, and the increased volume of total left and right turns generated.

We believe that the above findings and discussion warrant serious consideration of measures for deterring the use of Woodland Villa Court by non-residents having no legitimate visitation purpose.

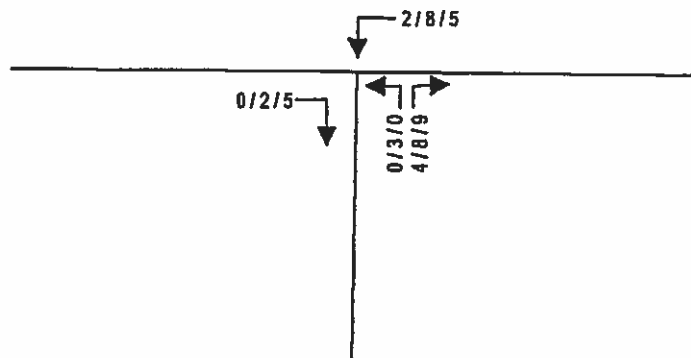
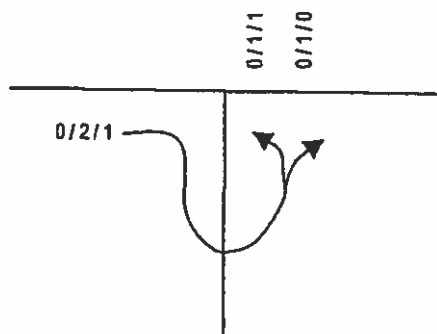


Figure 2. Total Entering and Exiting Traffic Volumes in Three Peak Periods

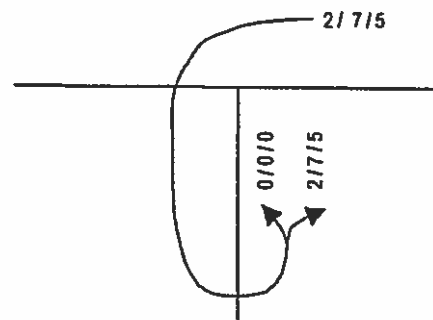


Legend

X/Y/Z, where
 X = 7:00 - 9:00 am,
 Y = 3:00 - 5:00 pm, &
 Z = 5:00 - 7:00 pm



Approaching from West



Approaching from East

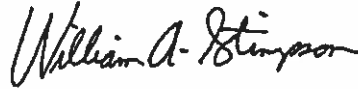
Figure 3. Turnaround Traffic Volumes in Three Peak Periods

Woodland Villa Court, page 5

Sincerely,
BIRCHLER ARROYO ASSOCIATES, INC.



Rodney L. Arroyo, AICP
Vice President



William A. Stimpson, P.E., PTOE
Director of Traffic Engineering

Attachments

C

original 1000 1224 11:00 AM 4/24/07



TETRA TECH, INC.

April 24, 2007

Deputy Chief Studt
Birmingham Police Department
151 Martin Street
PO Box 3001
Birmingham, MI 48012-3001

**Re: Woodland Villa's
Entrance Gate Analysis**

Dear Deputy Chief Studt:

At your request, Tetra Tech collected weekday AM peak hour (7:00 AM to 9:00 AM) and PM peak hour (4:00 PM to 6:00 PM) traffic counts at the intersections of Maple Road with Southfield Road and Chester Street in order to complete a traffic operations analysis using the Synchro analysis program. This analysis was used to determine if there is currently extensive queuing on Maple Road at Southfield Road. It has recently been suggested that there is an extensive queue for the left turn movement at the Southfield Road and Maple Road intersection causing vehicles to travel past the intersection and complete a U-turn movement on Woodland Villa Court. In addition, we observed the operation of the Southfield Road and Maple Road intersection and the Woodland Villa Court and Maple Road intersection for 60 minutes on the evening of April 18, 2007.

The Synchro analysis shows that the westbound left turn queue is currently 65 feet in the AM peak hour and 83 feet in the PM peak hour. The westbound left turn operates at a LOS B during both peak hours. The SimTraffic analysis shows that the maximum westbound left turn queue would be 187 feet during the AM peak hour and 190 feet during the PM peak hour. Two hundred thirty feet (230 feet) of storage is provided for the westbound left turn.

During our onsite observation, the left turn queue extended past the provided storage 2-3 times during the 60 minutes observed. The eastbound through queue on Maple Road at Southfield Road was observed to extend almost to Woodland Villa Court during the PM peak hour. This westbound queue would prohibit vehicles to easily make a right turn onto Southbound Southfield Road due to the short storage provided for the right turn movement (75 feet). Furthermore, no U-turn vehicles were observed on Woodland Villa Court while Tetra Tech was on site.

We do not recommend any changes to the current traffic signal operations at these intersections at this time.

We trust that this meets your current transportation engineering needs. Please feel free to contact our office if we can be of additional assistance.

Sincerely,

Michael J. Labadie, P.E.
Unit Vice President

Kelly K. Ferencz, P.E.
Project Engineer

:be

123P0044047T.05-02

P:\123P0044047\05\Woodland Villas Traffic Analysis 4-24-07.doc

123 Brighton Lake Road, Suite 203
Brighton, MI 48116
Tel 810.220.2112 Fax 810.220.0094

D



M I D W E S T E R N
C O N S U L T I N G

3815 Plaza Drive
Ann Arbor, Michigan 48108
734.995.0200

Land Development • Land Surveying • Municipal • Wireless Communications • Institutional • Transportation • Landfill Services

November 12, 2015

Woodland Villa Condominium Association
150 Woodland Villa Court
Birmingham, MI 48009

Attn: Mr. Carlos Mazzorin

Re: **Woodland Villa Unauthorized Vehicle Occurrences**

Dear Mr. Mazzorin:

Midwestern Consulting, LLC has completed our initial work examining the frequency of unauthorized vehicles entering the Woodland Villa development for the purpose of circumventing the traffic signal at Southfield Road and Maple Road. Our initial task was to place recording digital cameras with a view of the Woodland Villa access to Maple Road and record all traffic during a significant period of time. We recorded for a total of 18.5 hours on September 9th and 10th. We also recorded intersection turning movements at Southfield Road and Maple Road during the same time period.

In reviewing the Woodland Villa access, I counted the total number of vehicles entering the development and then exiting within a minute. The video was segmented into two-hour increments and revealed the results tabulated below:

Date/Time Interval	Number of Unauthorized Turnaround Vehicles	Hourly Frequency
Sept 9 th 7:00 am – 9:00 am	2	1
Sept 9 th 9:00 am – 11:00 am	1	0.5
Sept 9 th 11:00 am – 1:00 pm	2	1
Sept 9 th 1:00 pm – 3:00 pm	3	1.5
Sept 9 th 3:00 pm – 5:00 pm	3	1.5
Sept 9 th 5:00 pm – 7:00 pm	3	1.5
Sept 10 th 7:00 am – 9:00 am	1	0.5
Sept 10 th 9:00 am – 11:00 am	2	1
Sept 10 th 11:00 am – 1:00 pm	2	1
Sept 10 th 1:00 pm – 1:27 pm	1	0.5
Total Occurrences	20	1.1

Woodland Villa Condominium Association
November 12, 2015
Page 2

The individual occurrences tabulated above included vehicles primary entering the development from the east and exiting the development back to the east. These movements are assumed to be motorists circumventing the left-turn traffic signal queue at the Southfield Road traffic signal. There were some vehicles observed entering from the west and turning around to head back to the west. It is not very likely that these were also attempting to circumvent the traffic signal but may have just been vehicles that missed an intersection lying west of the development along Maple Road.

Additionally, the observed vehicles did not all physically enter the development: about ¼ used the access approach and stayed within public right of way to U-turn. The videos also revealed that there were more commercial pickup trucks and vans entering the development for maintenance activities that did not immediately leave. These vehicles belonged to landscaping companies and contractors working within the development.

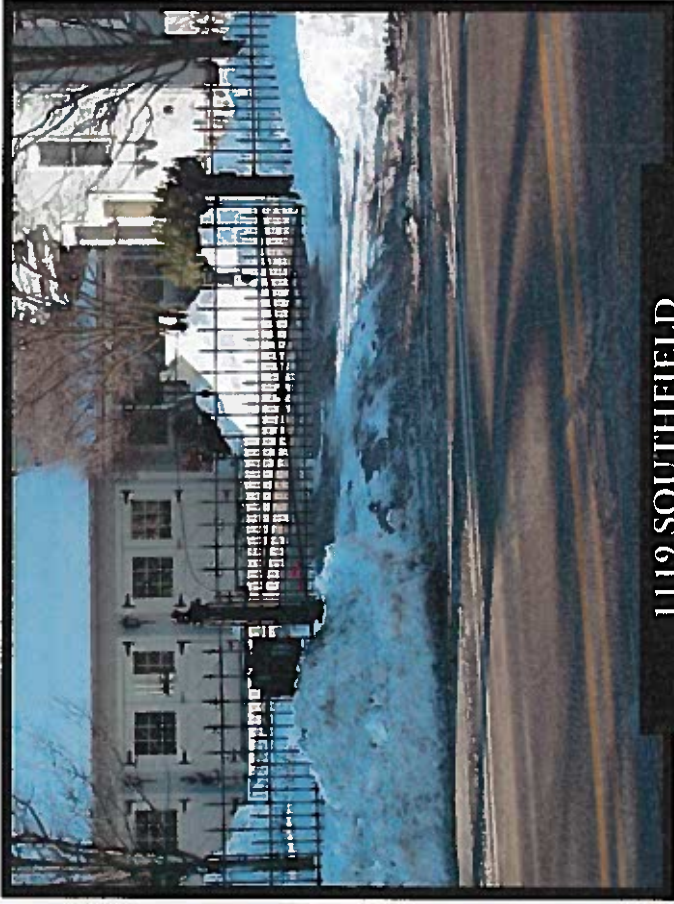
Very truly yours,

Midwestern Consulting, LLC

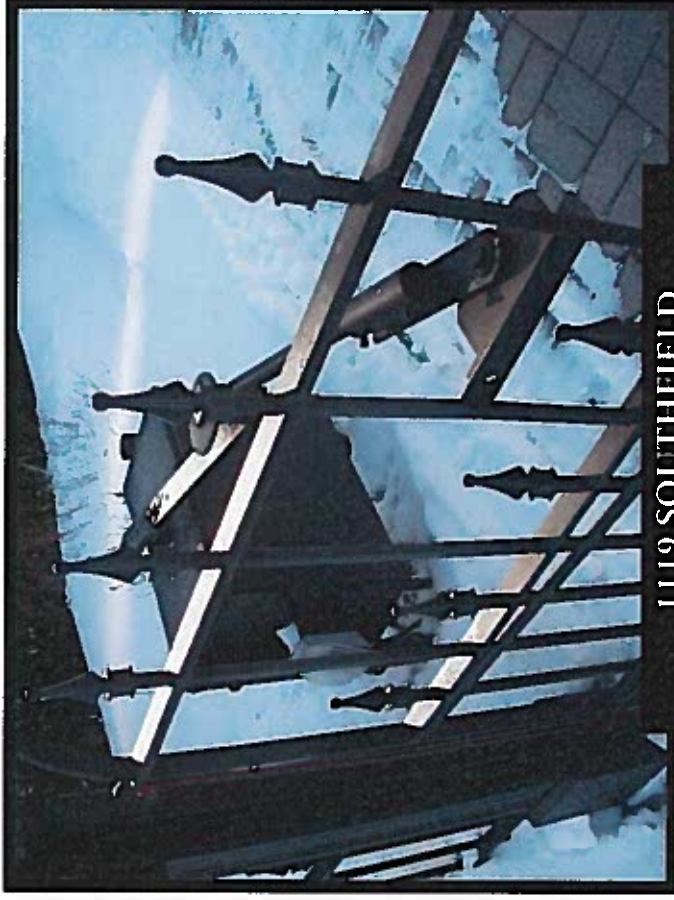
A handwritten signature in black ink, appearing to read 'J Valenta', with a stylized flourish at the end.

James J. Valenta, PE
Senior Traffic Engineer

E



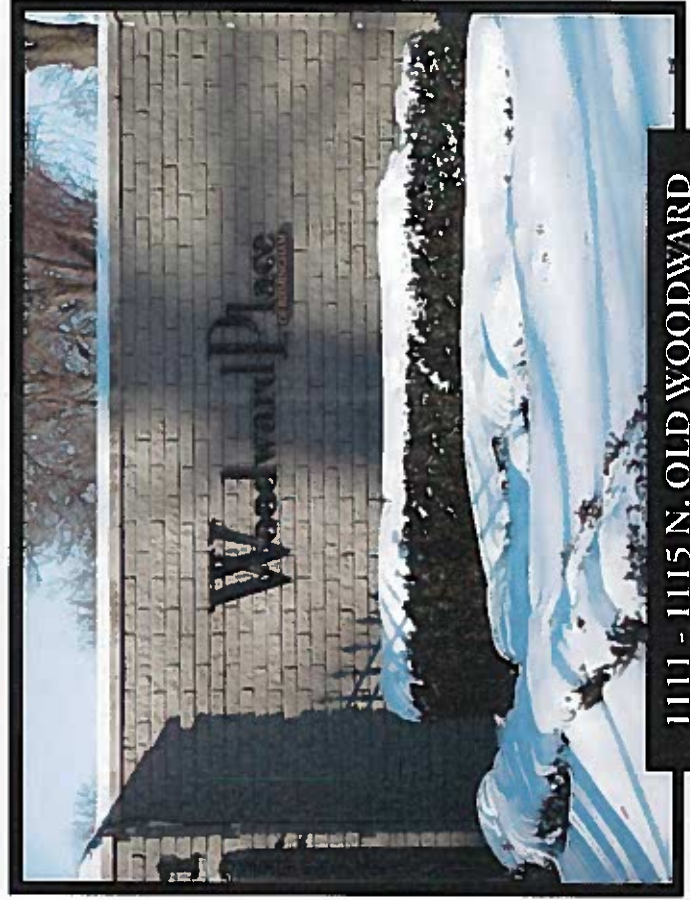
1119 SOUTHFIELD



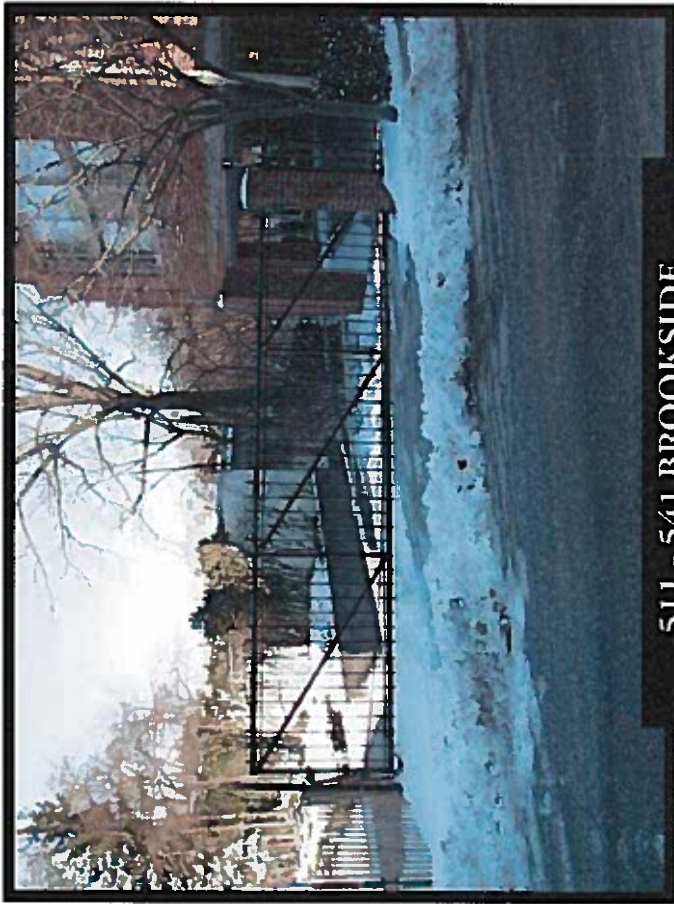
1119 SOUTHFIELD



1111 - 1115 N. OLD WOODWARD



1111 - 1115 N. OLD WOODWARD



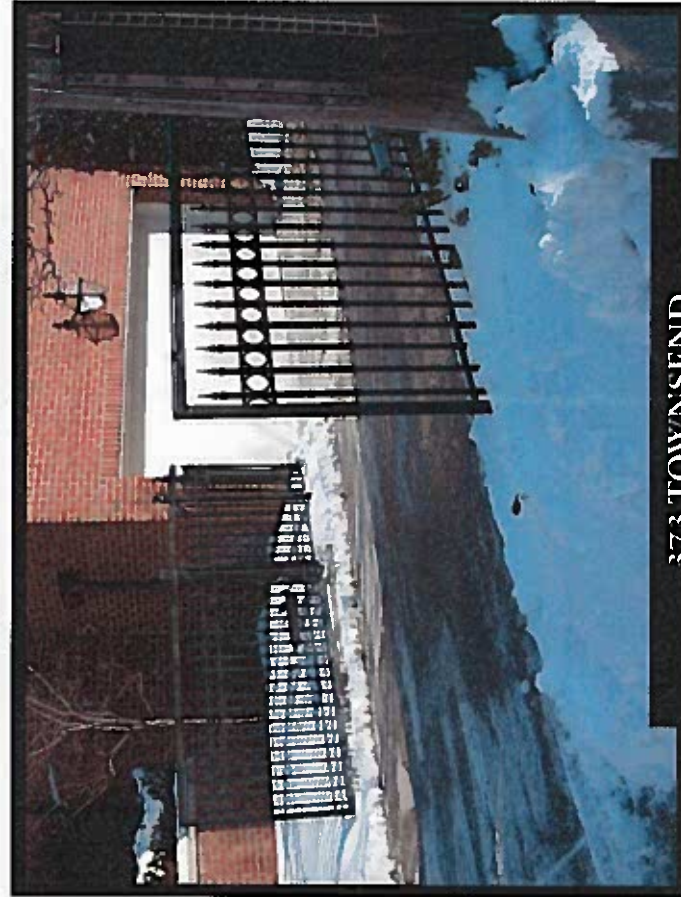
511 - 541 BROOKSIDE



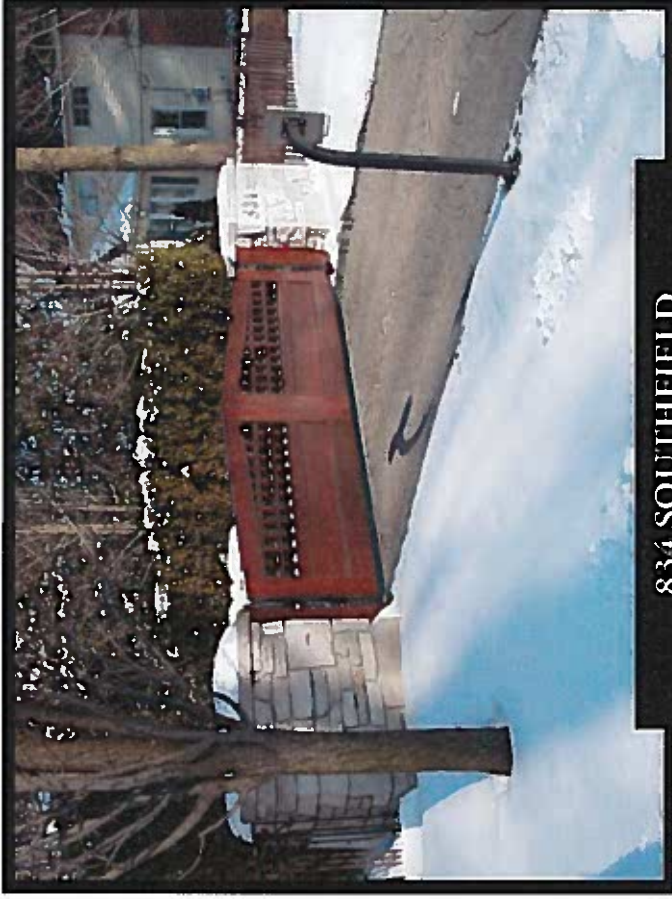
511 - 541 BROOKSIDE



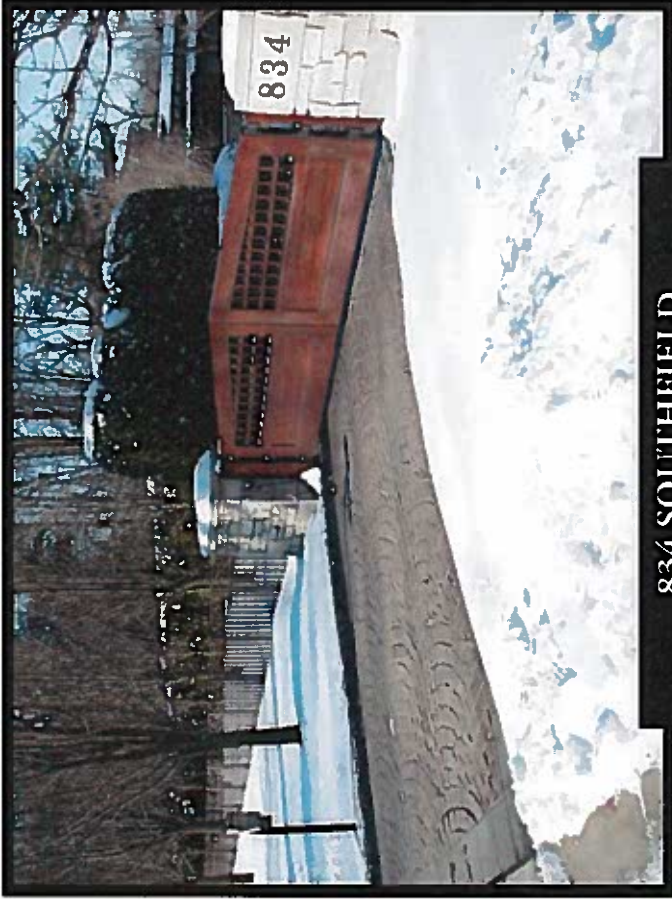
373 TOWNSEND



373 TOWNSEND



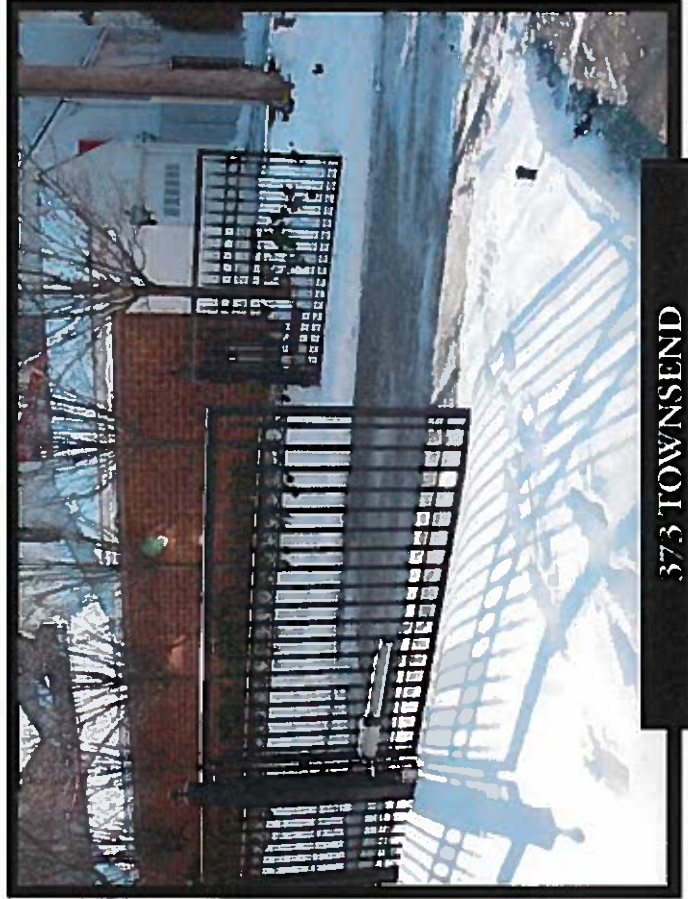
834 SOUTHFIELD



834 SOUTHFIELD



111 WILLITS ST.



373 TOWNSEND



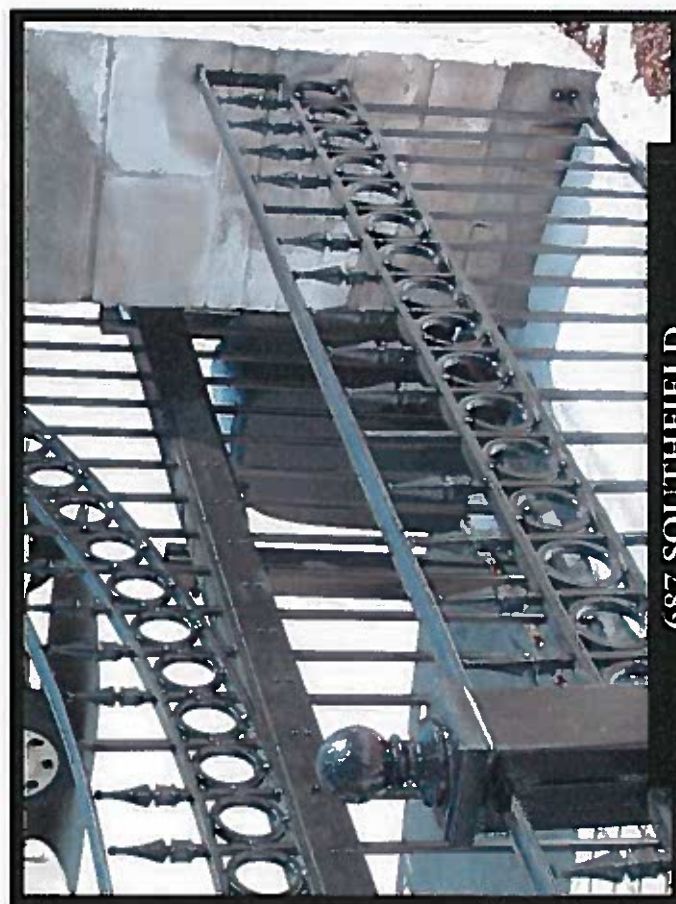
687 SOUTHFIELD



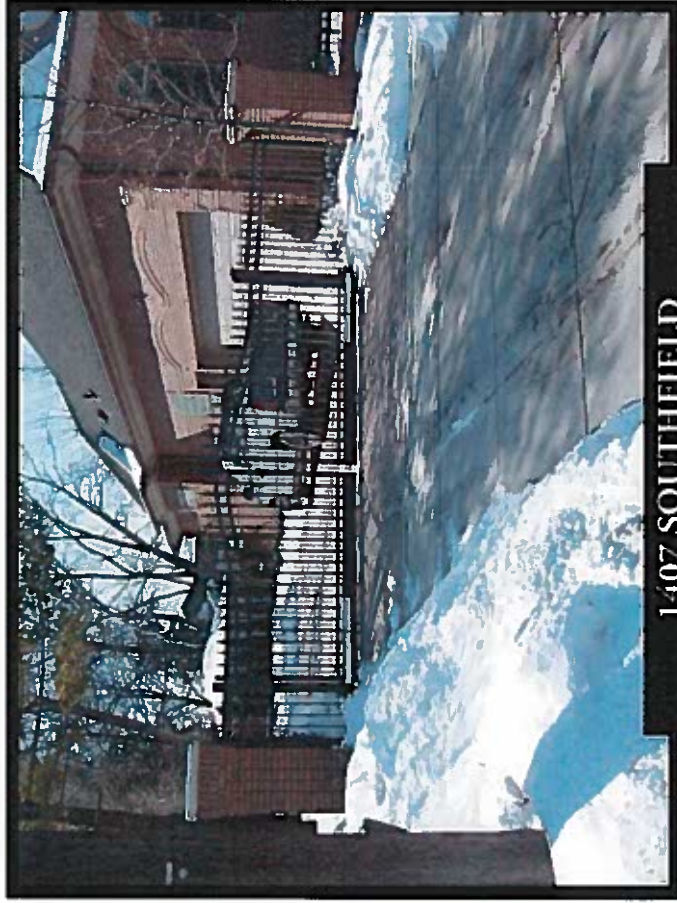
687 SOUTHFIELD



560 SOUTHFIELD



687 SOUTHFIELD



1407 SOUTHFIELD



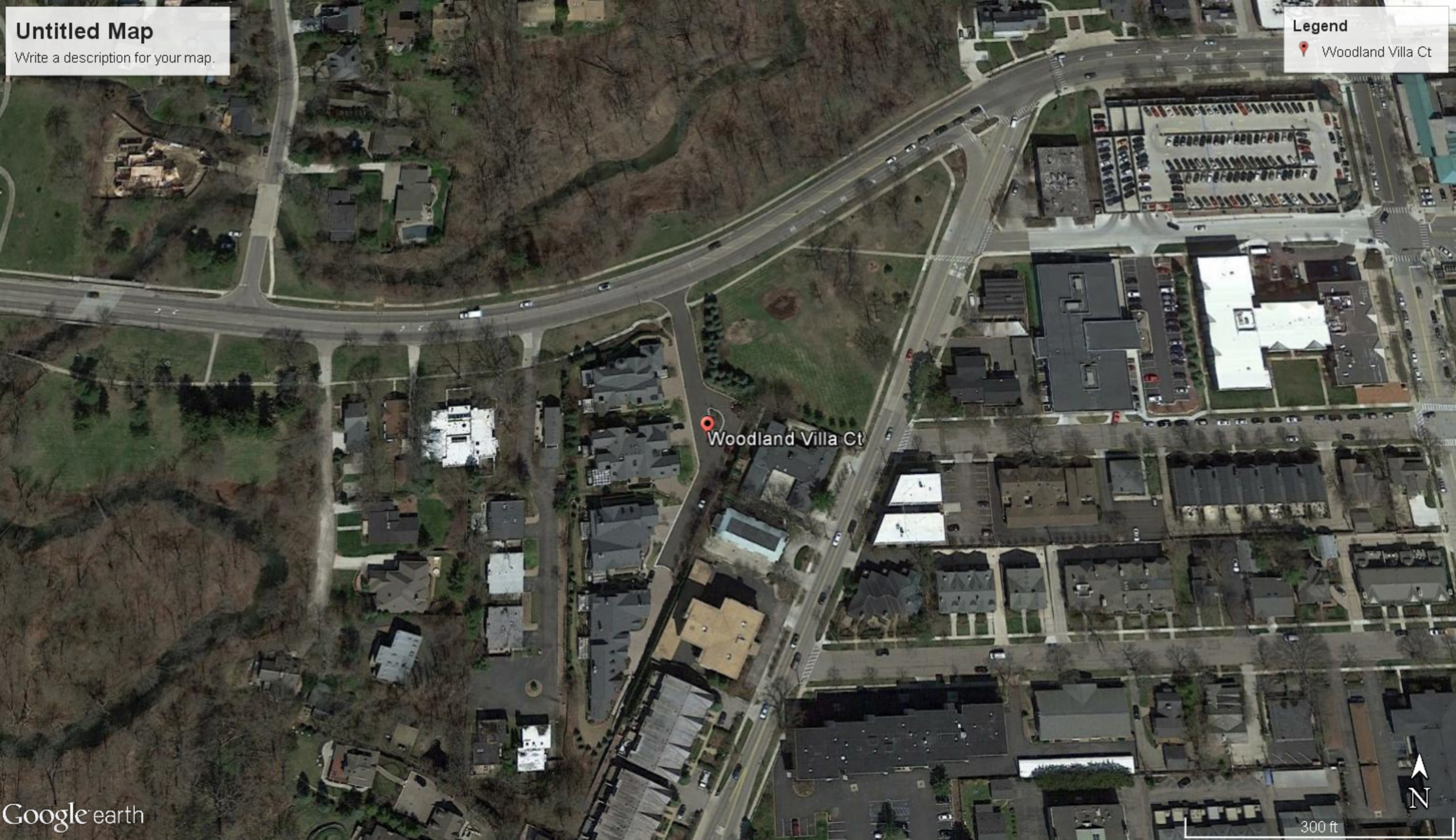
1407 SOUTHFIELD



1407 SOUTHFIELD



123 HAWTHORNE



Untitled Map

Write a description for your map.

Legend

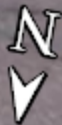
Woodland Villa Ct

Untitled Map

Write a description for your map.

Legend

📍 Woodland Villa Ct





MEMORANDUM

Police Department

DATE: July 20, 2016

TO: Mark Clemence, Chief of Police

FROM: Gwynn Duffey

SUBJECT: Crash Reports – Maple Road / Woodland Villa Court

Maple Road

@ Woodland Villa Court

2011	0
2012	1
2013	0
2014	0
2015	1
2016	2

Authority: 1949 PA 300 Sec 257 622
Compliance Required MSP UD-10E
Penalty: \$100 and/or 90 days (Rev 11/2005)

External # 00306192
Crash ID 306192

Page 1 of 1
Incident # 120016168 File Class 93001

STATE OF MICHIGAN TRAFFIC CRASH REPORT

ORI MI6325900		Department Name BIRMINGHAM PD		Incident Disposition CLOSED	
Crash Date 12/21/2012	Crash Time 07:39	No. of Units 2	Crash Type 10-OTHER/UNKNOWN	Special Circumstances <input type="checkbox"/> None <input type="checkbox"/> School Bus <input type="checkbox"/> Deer <input type="checkbox"/> Hit and Run <input type="checkbox"/> Fleeing Police	Special Checks <input type="checkbox"/> Fatal <input type="checkbox"/> Non-Traffic Area <input type="checkbox"/> ORV/Snowmobile
County 63 - OAKLAND	Traffic Control NONE OF THESE	Relation to Roadway ON ROAD	Special Study	Weather SNOW/BLOWING SN	Area 09-INTERSECTION RELATED-OTHER
City/Town 80 - BIRMINGHAM	Construction Zone (if applicable): Type	Lane Closed	Activity	Light DARK-LIGHTED	Road Condition WET
Total Lanes 4		Speed Limit 35	Posted YES		

Prefix W	Road Name MAPLE	Road Type RD	Suffix	Divided Roadway
Distance 5 FT E	Traffic Way 1-NOT PHYSICALLY DIVIDED		Access Control 1-NO ACCESS CONTROL	
Prefix	Intersecting Road WOODLAND VILLA	Road Type CT	Suffix	Divided Roadway

Unit Number 1	Unit Known Y	State MI	Driver License Number	Date of Birth (Age)	License Type <input type="checkbox"/> Operator <input type="checkbox"/> Chauffeur <input type="checkbox"/> Moped	Endorsements <input type="checkbox"/> Cycle <input type="checkbox"/> Farm <input type="checkbox"/> Recreation	Sex M	Total Occupants 1	Hazardous Action 09-IMPROPER TURN
Unit Type M	Driver Information				Injury O	Position 01	Restraint 4	Hospital NONE	
Driver Condition <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 99					Interlock NO	Ejected NO	Trapped NO	Airbag Deployed NO	Ambulance NONE
Alcohol <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused <input type="checkbox"/> Not offered <input type="checkbox"/> PBT <input type="checkbox"/> Breath <input type="checkbox"/> Blood <input type="checkbox"/> Urine					Test Results		Drugs <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Test Type <input type="checkbox"/> Blood <input type="checkbox"/> Urine	Citation Issued <input type="checkbox"/> Hazardous <input type="checkbox"/> Other	
Vehicle Registration MI	Insurance Policy #	Towed To By		Special Vehicle 0	Vehicle Type	Vehicle Defect			
VIN	Vehicle Description FORD	Make FORD	Model DRW SUPER DUTY	Color	Year 2011	Vehicle Type 03-PICKUP TRUCK			
Location of Greatest Damage 8	First Impact 8	Extent of Damage 1	Drivable YES	Vehicle Direction W	Vehicle Use 01-PRIVATE	Action Prior 02-TURNING LEFT			
Sequence of Events First * 17-MOTOR VEH IN TRANSPORT Second Third Fourth									

PASSENGERS	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed	Ejected	Trapped	Ambulance
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed	Ejected	Trapped	Ambulance
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed	Ejected	Trapped	Ambulance
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	

Carrier Information	Carrier Source	GVWR	ICCMC	USDOT	MPSC
Driver's CDL Type		Endorsements <input type="checkbox"/> H <input type="checkbox"/> P <input type="checkbox"/> T <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> X	CDL Exempt <input type="checkbox"/> Farm <input type="checkbox"/> Other	CDL Restrictions <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 35 <input type="checkbox"/> 36	
Interstate/Intrastate	Vehicle Type	Type & Axle Per Unit First Second Third Fourth	Cargo Body Type	Medical Card	Hazardous Material <input type="checkbox"/> Placard <input type="checkbox"/> Cargo Spill
ID #		Class #			

Owner Information	Owner Information
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Person Advised of Damaged Traffic Control	Damaged Property BRICK WALL	Public NO
Contact Name	Owner's Phone	
Contact Date		
Contact Time		

Unit Number 2	Unit Known Y	State MI	Driver License Number	Date of Birth (Age)	License Type <input type="checkbox"/> Operator <input type="checkbox"/> Chauffeur <input type="checkbox"/> Moped	Endorsements <input type="checkbox"/> Cycle <input type="checkbox"/> Farm <input type="checkbox"/> Recreation	Sex M	Total Occupants 1	Hazardous Action 00-NONE
Unit Type M	Driver Information				Injury O	Position 01	Restraint 4	Hospital NONE	
Driver Condition <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 99					Interlock NO	Ejected NO	Trapped NO	Airbag Deployed NO	Ambulance NONE
Alcohol <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused <input type="checkbox"/> Not offered Test Type <input type="checkbox"/> Field <input type="checkbox"/> PBT <input type="checkbox"/> Breath <input type="checkbox"/> Blood <input type="checkbox"/> Urine					Test Results			Citation Issued <input type="checkbox"/> Hazardous <input type="checkbox"/> Other	
Vehicle Registration State MI					Insurance / Policy #			Towed To By	
VIN					Vehicle Description Make DODGE Model RAM TRUCK Color			Year 2005	Vehicle Type 03-PICKUP TRUCK
Location of Greatest Damage 2		First Impact 2	Extent of Damage 1	Driveable YES	Vehicle Orientation W	Vehicle Use 01-PRIVATE		Action Prior 01-GOING STRAIGHT AHEAD	
Sequence of Events (* indicates MOST harmful event)									
First * 17-MOTOR VEH IN TRANSPORT				Second 03-RAN OFF ROADWAY-LEFT			Third 45-OTHER FIXED OBJECT		Fourth

PASSENGERS	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed	Ejected	Trapped	Ambulance
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed	Ejected	Trapped	Ambulance
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed	Ejected	Trapped	Ambulance
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	

Carrier Information		Carrier Source	GVWR	ICCMC	USDOT	MPSC
Driver's CDL Type		Endorsements <input type="checkbox"/> H <input type="checkbox"/> P <input type="checkbox"/> T <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> X	CDL Exempt <input type="checkbox"/> Farm <input type="checkbox"/> Other	CDL Restrictions <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 35 <input type="checkbox"/> 36		
Interstate/Intrastate	Vehicle Type	Type & Axle Per Unit First Second Third Fourth	Cargo Body Type	Medical Card	Hazardous Material <input type="checkbox"/> Placard <input type="checkbox"/> Cargo Spill	ID # Class #

Owner Information	Owner Information
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Witness Information	Witness Information
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Investigated at Scene YES	Reported Date (Time) 12/21/2012 (07:39)	1st Investigator Name (Badge) JEWELL (30)	2nd Investigator Name (Badge)	Photos By
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Narrative	Diagram
<p>DRIVER OF VEHICLE 2 STATED HE WAS GOING STRAIGHT AHEAD WHEN VEHICLE 1 TURNED LEFT IN FRONT OF HIM.</p> <p>DRIVER OF VEHICLE 1 STATED HE WAS GOING STRAIGHT AHEAD WHEN VEHICLE 2 ATTEMPTED TO PASS HIM WHILE HE WAS TURNING LEFT. DRIVER OF VEHICLE 1 STATED THE DRIVER OF VEHICLE 2 WAS SPEEDING. DRIVER OF VEHICLE 1 STATED HE MISSED HIS TURN AT SOUTHFIELD, AND WAS TURNING AROUND TO GO BACK UPTOWN.</p>	<p>10' TO SCALE</p>

Authority 1949 PA 300 Sec 257 622
Compliance Required MSP UD-10E
Penalty \$100 and/or 90 days (Rev 11/2006)

External # 00558336
Crash ID 558336

Page 1 of 2
Incident # 150006779 File Class 93001

STATE OF MICHIGAN TRAFFIC CRASH REPORT

ORI MI6325900		Department Name BIRMINGHAM PD		Incident Disposition CLOSED	
Crash Date 05/22/2015		Crash Time 16:02		No of Units 3	
County 63 - OAKLAND		Crash Type S-REAR END		Special Circumstances <input type="checkbox"/> None <input type="checkbox"/> School Bus <input type="checkbox"/> Hit and Run <input type="checkbox"/> Deer <input type="checkbox"/> Fleeing Police	
City/Town 80 - BIRMINGHAM		Traffic Control NONE OF THESE		Special Study	
Construction Zone (if applicable) Type		Relation to Roadway ON ROAD		Weather CLEAR	
Lane Closed		Activity		Light DAYLIGHT	
Road Condition DRY		Total Lanes 4		Speed Limit 35	
Posted YES		Area 10-NON-FRWY STRAIGHT ROADWAY			

Prefix W	Road Name MAPLE	Road Type RD	Suffix	Divided Roadway
Distance 100 FT W		Traffic Way 1-NOT PHYSICALLY DIVIDED		Access Control 1-NO ACCESS CONTROL
Prefix	Intersecting Road WOODLAND VILLA	Road Type CT	Suffix	Divided Roadway

Unit Number 1	Unit Known Y	State MI	Driver License Number	Date of Birth (Age)	License Type <input type="checkbox"/> Operator <input type="checkbox"/> Chauffeur <input type="checkbox"/> Moped	Endorsements <input type="checkbox"/> Cycle <input type="checkbox"/> Farm <input type="checkbox"/> Recreational	Sex F	Total Occupants 1	Hazardous Action 12-UNABLE TO STOP IN A
Unit Type M	Driver Information				Injury O	Position 01	Restraint 4	Hospital NONE	
Driver Condition <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 99				Interlock NO	Ejected NO	Trapped NO	Airbag Deployed NO	Ambulance NONE	
Alcohol <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused <input type="checkbox"/> Not offered <input type="checkbox"/> PBT <input type="checkbox"/> Breath <input type="checkbox"/> Blood <input type="checkbox"/> Urine				Test Results		Drugs <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Test Type <input type="checkbox"/> Blood <input type="checkbox"/> Urine		Test Results	
Citation Issued <input type="checkbox"/> Hazardous <input type="checkbox"/> Citations#				Citation#		Other			
Vehicle Registration MI		State MI		Insurance / Policy #		Towed To By N/A		Special Vehicles 0	Private Trailer Type
VIN		Vehicle Description		Make INFINITI	Model I30	Color GRAY	Year 1998	Vehicle Type 01-PASSENGER CAR	
Location of Greatest Damage 1		First Impact 1	Extent of Damage 2	Onweable YES	Vehicle Direction E	Vehicle Use 01-PRIVATE	Action Prior 01-GOING STRAIGHT AHEAD		
Sequence of Events (* indicates MOST harmful event)									
First * 17-MOTOR VEH IN TRANSPORT									
Second									
Third									
Fourth									

PASSENGERS	Passenger Information		Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury		Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information		Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury		Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information		Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury		Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information		Date of Birth (Age)	Sex	Position	Restraint	Hospital	
Injury		Airbag Deployed	Ejected	Trapped	Ambulance		
Passenger Information		Date of Birth (Age)	Sex	Position	Restraint	Hospital	
Injury		Airbag Deployed	Ejected	Trapped	Ambulance		
Passenger Information		Date of Birth (Age)	Sex	Position	Restraint	Hospital	
Injury		Airbag Deployed	Ejected	Trapped	Ambulance		

Carrier Information		Carrier Source	GVWR	ICCMC	USDOT	MPSC
Driver's CDL Type		Endorsements <input type="checkbox"/> H <input type="checkbox"/> P <input type="checkbox"/> T <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> X	CDL Exempt <input type="checkbox"/> Farm <input type="checkbox"/> Other	CDL Restrictions <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 35 <input type="checkbox"/> 36		
Interstate/Intrastate	Vehicle Type	Type & Axle Per Unit First Second Third Fourth	Cargo Body Type	Medical Card	Hazardous Material <input type="checkbox"/> Placard <input type="checkbox"/> Cargo Spill	ID #
Class #						

Owner Information		Owner Information	
Person Advised of Damaged Traffic Control		Damaged Property	
Contact Name		Owner & Phone	
Contact Date			
Contact Time			
Public			

Unit Number 2	Unit Known Y	State MI	Driver License Number	Date of Birth (MM/DD)	License Type <input checked="" type="checkbox"/> Operator <input type="checkbox"/> Chauffeur <input type="checkbox"/> Moped	Endorsements <input type="checkbox"/> Cycle <input type="checkbox"/> Farm <input type="checkbox"/> Recreation	Sex M	Total Occupants 1	Hazardous Action 00-NONE
Unit Type M	Driver Information				Injury O	Position 01	Restraint 4	Hospital NONE	
Driver Condition <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 99				Interlock NO	Ejected NO	Trapped NO	Airbag Deployed NO	Ambulance NONE	
Alcohol <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Refused <input type="checkbox"/> Not offered Test Type <input type="checkbox"/> Field <input type="checkbox"/> PBT <input type="checkbox"/> Breath <input type="checkbox"/> Blood <input type="checkbox"/> Urine				Test Results		Drugs <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Test Type <input type="checkbox"/> Blood <input type="checkbox"/> Urine		Test Results	
Vehicle Registration MI		Insurance / Policy #		Towed To/By N/A			Special Vehicles 0	Private Trailer Type	Vehicle Defect
VIN		Vehicle Description PONTIAC		Model 38454 A		Color RED		Year 2004	Vehicle Type 01-PASSENGER CAR
Location of Greatest Damage 10		First Impact 5	Extent of Damage 2	Driveable YES	Vehicle Direction E	Vehicle Use 01-PRIVATE		Action Prior 08-SLOWING/STOP ON ROADWAY	
Sequence of Events (^ indicates MOST harmful event)									
First * 17-MOTOR VEH IN TRANSPORT Second 17-MOTOR VEH IN TRANSPOR Third Fourth									

PASSENGERS	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed	Ejected	Trapped	Ambulance
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed	Ejected	Trapped	Ambulance
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed	Ejected	Trapped	Ambulance
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	

Carrier Information		Carrier Source	GVWR	ICCMC	USDOT	MPSC
Driver's CDL Type		Endorsements <input type="checkbox"/> H <input type="checkbox"/> P <input type="checkbox"/> T <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> X	CDL Exempt <input type="checkbox"/> Farm <input type="checkbox"/> Other	CDL Restrictions <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 35 <input type="checkbox"/> 38		
Interstate/Intrastate	Vehicle Type	Type & Axle Per Unit First Second Third Fourth	Cargo Body Type	Medical Card	Hazardous Material <input type="checkbox"/> Placard <input type="checkbox"/> Cargo Spill	ID # Class #

OWNER'S	Owner Information	Owner Information

WITNESS	Witness Information	Witness Information
	Age:	Age:

Investigated at Scene YES	Reported Date (Time) 05/22/2015 (16:02)	1st Investigator Name (Badge) ROMANOWSKI (00052)	2nd Investigator Name (Badge)	Photos By
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<p>Narrative</p> <p>UNIT 1 - DRIVER WAS E/B ON W MAPLE. DRIVER SAID UNIT 2 MOVED FORWARD AND SHE FOLLOWED. SHE SAID HER FOOT MAY HAVE SLIPPED OFF THE BRAKE, OR HIT THE GAS PEDAL. UNIT 1 COLLIDED INTO UNIT 2.</p> <p>UNIT 2 - DRIVER STOPPED ON THE ROADWAY DUE TO TRAFFIC. WHILE STOPPED, UNIT 1 COLLIDED INTO HIM. SUBSEQUENTLY UNIT 2 COLLIDED INTO UNIT 3.</p> <p>UNIT 3 - DRIVER WAS STOPPED ON THE ROADWAY. WHILE STOPPED, UNIT 2 COLLIDED INTO HIM. HE WAS TRANSPORTED TO BEAUMONT DUE TO NECK PAIN.</p> <p>AN OC-88 WAS FILLED OUT FOR UNIT 1 - DRIVER AND FAXED TO SOS.</p>	<p>Diagram</p>
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Authority 1949 PA 300 Sec 257 622
Compliance Required MSP UD-10E
Penalty \$100 and/or 90 days (Rev 11/2006)

External # 00558336
Crash ID 558336

Page 2 of 2
Incident # 150006779 File Class 93001

STATE OF MICHIGAN TRAFFIC CRASH REPORT

ORI MI6325900	Department Name BIRMINGHAM PD			Incident Disposition CLOSED		
Crash Date 05/22/2015	Crash Time 16:02	No. of Units 3	Crash Type 5-REAR END	Special Circumstances <input type="checkbox"/> None <input type="checkbox"/> School Bus <input type="checkbox"/> Hit and Run <input type="checkbox"/> Deer <input type="checkbox"/> Fleeing Police	Special Checks <input type="checkbox"/> Fatal <input type="checkbox"/> Non-Traffic Area <input type="checkbox"/> ORV/Snowmobile	Reviewer GREWE (00400)
County 63 - OAKLAND	Traffic Control NONE OF THESE	Relation to Roadway ON ROAD	Special Study	Weather CLEAR	Area 10-NON-FRWY STRAIGHT ROADWAY	
City/Twp 80 - BIRMINGHAM	Construction Zone (if applicable) Type	Lane Closed	Activity	Light DAYLIGHT	Road Condition DRY	Total Lanes 4 Speed Limit 35 Posted YES

Prefix W	Road Name MAPLE	Road Type RD	Suffix	Divided Roadway
Distance 100 FT W	Traffic Way 1-NOT PHYSICALLY DIVIDED		Access Control 1-NO ACCESS CONTROL	
Prefix	Intersecting Road WOODLAND VILLA	Road Type CT	Suffix	Divided Roadway

Unit Number 3	Unit Known Y	State MI	Driver License Number	Date of Birth (Age)	License Type <input checked="" type="checkbox"/> Operator <input type="checkbox"/> Chauffeur <input type="checkbox"/> Moped	Endorsements <input type="checkbox"/> Cycle <input type="checkbox"/> Farm <input type="checkbox"/> Recreation	Sex M	Total Occupants 1	Hazardous Action 00-NONE
Unit Type M	Driver Information				Injury B	Position 01	Restraint 4	Hospital 630030-WILLIAM BEAUMONT HOSPITAL	
Driver Condition <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 99				Interlock NO	Ejected NO	Trapped NO	Airbag Deployed NO	Ambulance 631003-BIRMINGHAM FIRE DEPT	
Alcohol <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Refused <input type="checkbox"/> Not offered <input type="checkbox"/> PBT <input type="checkbox"/> Breath <input type="checkbox"/> Blood <input type="checkbox"/> Urine				Test Results		Drugs <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Test Type <input type="checkbox"/> Blood <input type="checkbox"/> Urine		Citation Issued <input type="checkbox"/> Hazardous <input type="checkbox"/> Citations <input type="checkbox"/> Other	
Vehicle Registration	State MI	Insurance / Policy #		Towed To By N/A		Special Vehicles 0	Private Trailer Type	Vehicle Defect	
VIN	Vehicle Description	Make CHEVROLET	Model IMPALA	Color SILVER	Year 2014	Vehicle Type 01-PASSENGER CAR			
Location of Greatest Damage 5	First Impact 5	Extent of Damage 1	Driveside YES	Vehicle Direction E	Vehicle Use 01-PRIVATE	Action Prior 08-SLOWING/STOP ON ROADWAY			
Sequence of Events First * 17-MOTOR VEH IN TRANSPORT Second Third Fourth									

PASSENGERS	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
Injury	Airbag Deployed	Ejected	Trapped	Ambulance		
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
Injury	Airbag Deployed	Ejected	Trapped	Ambulance		
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
Injury	Airbag Deployed	Ejected	Trapped	Ambulance		

Carrier Information	Carrier Source	GVWR	ICCMC	USDOT	MPS		
Driver's CDL Type	Endorsements <input type="checkbox"/> H <input type="checkbox"/> P <input type="checkbox"/> T <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> X	CDL Exempt <input type="checkbox"/> Farm <input type="checkbox"/> Other	CDL Restrictions <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 35 <input type="checkbox"/> 36				
Interstate/Intrastate	Vehicle Type	Type & Axle Per Unit First Second Third Fourth	Cargo Body Type	Medical Card	Hazardous Material <input type="checkbox"/> Placard <input type="checkbox"/> Cargo Spill	ID #	Class #

Owner Information	Owner Information
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Person Advised of Damaged Traffic Control Contact Name Contact Date Contact Time	Damaged Property Owner's Phone Public
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Unit Number	Unit Known	State	Driver License Number	Date of Birth (Age)	License Type <input type="checkbox"/> Operator <input type="checkbox"/> Chauffeur <input type="checkbox"/> Moped	Endorsements <input type="checkbox"/> Cycle <input type="checkbox"/> Farm <input type="checkbox"/> Recreation	Sex	Total Occupants	Hazardous Action
Unit Type	Driver Information			Injury	Position	Restraint	Hospital		
Driver Condition <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 99				Interlock	Ejected	Trapped	Airbag Deployed	Ambulance	
Alcohol <input type="checkbox"/> Yes <input type="checkbox"/> No Test Type <input type="checkbox"/> Field <input type="checkbox"/> PBT <input type="checkbox"/> Breath <input type="checkbox"/> Blood <input type="checkbox"/> Urine				Test Results		Drugs <input type="checkbox"/> Yes <input type="checkbox"/> No Test Type <input type="checkbox"/> Blood <input type="checkbox"/> Urine		Citation Issued <input type="checkbox"/> Hazardous Citation# <input type="checkbox"/> Other	
Vehicle Registration	State	Insurance / Policy #			Towed To/By			Special Vehicles	Private Trailer Type
VIN		Vehicle Description	Make	Model	Color	Year	Vehicle Type		
Location of Greatest Damage	First Impact	Extent of Damage	Driveable	Vehicle Direction	Vehicle Use	Action Prior			
Sequence of Events (* indicates MOST harmful event)		First		Second		Third		Fourth	

PASSENGERS	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed	Ejected	Trapped	Ambulance
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed	Ejected	Trapped	Ambulance
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed	Ejected	Trapped	Ambulance
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	

TRUCK/BUS	Carrier Information				Carrier Source	GVWR	ICCMC	USDOT	MPSC
	Driver's CDL Type				Endorsements <input type="checkbox"/> H <input type="checkbox"/> P <input type="checkbox"/> T <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> X	CDL Exempt <input type="checkbox"/> Farm <input type="checkbox"/> Other	CDL Restrictions <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 35 <input type="checkbox"/> 36		
	Interstate/Intrastate	Vehicle Type	Type & Axle Per Unit First Second Third Fourth		Cargo Body Type	Medical Card	Hazardous Material <input type="checkbox"/> Placard <input type="checkbox"/> Cargo Spill		ID # Class #

OWNERS	Owner Information		Owner Information	

WITNESSES	Witness Information		Witness Information	
	Age		Age	

Investigated at Scene	Reported Date (Time)	1st Investigator Name (Badge)	2nd Investigator Name (Badge)	Photos By
YES	05/22/2015 (16:02)	ROMANOWSKI (00052)		

Narrative	Diagram
	<p>CRASH</p> <p>DIAGRAM</p> <p>DISPLAYED</p> <p>HERE</p>

STATE OF MICHIGAN TRAFFIC CRASH REPORT

ORI: MI6325900		Department Name BIRMINGHAM PD				Reviewer WALD (00016)	
Crash Date 05/13/2016	Crash Time 18:25	No. of Units 3	Crash Type 5-REAR END	Special Circumstances <input checked="" type="checkbox"/> None <input type="checkbox"/> Deer <input type="checkbox"/> School Bus <input type="checkbox"/> Hit and Run <input type="checkbox"/> Fleeing Police		Special Checks <input type="checkbox"/> Fatal <input type="checkbox"/> Non-Traffic Area <input type="checkbox"/> ORV/Innocmobile	
County 63 - OAKLAND	Traffic Control NONE OF THESE	Relation to Roadway ON ROAD		Special Study	Weather CLEAR	Area 10-NON-FRWY STRAIGHT ROADWAY	
City/Twp 80 - BIRMINGHAM	Construction Zone (if applicable) Type		Lane Closed	Activity	Light DAYLIGHT	Road Condition DRY	Total Lanes 4
							Speed Limit 35
							Posted YES

LOCATION	Prefix	Road Name	Road Type	Suffix	Divided Roadway
	W	MAPLE	RD		
	Distance	Traffic Way			Access Control
	30 FT W	1-NOT PHYSICALLY DIVIDED			1-NO ACCESS CONTROL
	Prefix	Intersecting Road	Road Type	Suffix	Divided Roadway
		WOODLAND VILLA	CT		

Unit Number 1	Unit Known Y	State MI	Driver License Number	Date of Birth (Age)	License Type <input type="checkbox"/> Operator <input type="checkbox"/> Chauffeur <input type="checkbox"/> Moped	Encorsements <input type="checkbox"/> Cycle <input type="checkbox"/> Farm <input type="checkbox"/> Recreation	Sex F	Total Occupants 1	Hazardous Action 12-UNABLE TO STOP IN A
Unit Type M	Driver Information			Injury O	Position 01	Restraint 4	Hospital NONE		
Driver Condition <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 99				Interlock NO	Ejected NO	Trapped NO	Airbag Deployed NO	Ambulance NONE	
Alcohol <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Refused <input type="checkbox"/> Not offered Test Type <input type="checkbox"/> Field <input type="checkbox"/> PBT <input type="checkbox"/> Breath <input type="checkbox"/> Blood <input type="checkbox"/> Urine				Test Results		Drugs <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Test Type <input type="checkbox"/> Blood <input type="checkbox"/> Urine		Test Results	
Vehicle Registration				State MI		Insurance Policy #		Citation Issued <input checked="" type="checkbox"/> Hazardous <input type="checkbox"/> Other Citation#	
Vehicle Description				Towed To/By				Special Vehicle 0	Vehicle Detect
Year 2005	Vehicle Description LEXUS		Model		Color SILVER		Year 2005	Vehicle Type 01-PASSENGER CAR	
Location of Greatest Damage 1	First Impact 1	Extent of Damage 1	Driveable YES	Vehicle Direction E	Vehicle Use 01-PRIVATE		Action Prior 08-SLOWING/STOP ON ROADWAY		
Sequence of Events (★ indicates MOST harmful event)			First * 17-MOTOR VEH IN TRANSPORT		Second		Third		Fourth

PASSENGERS	Passenger Information	Date of Birth (Age)		Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed		Ejected	Trapped	Ambulance
	Passenger Information	Date of Birth (Age)		Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed		Ejected	Trapped	Ambulance
	Passenger Information	Date of Birth (Age)		Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed		Ejected	Trapped	Ambulance
	Passenger Information	Date of Birth (Age)		Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed		Ejected	Trapped	Ambulance
	Passenger Information	Date of Birth (Age)		Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed		Ejected	Trapped	Ambulance

TRUCK/BUS	Carrier Information				Carrier Source	GWR	ICMC	USDOT	MPSC
					Driver's CDL Type	Endorsements		CDL Exempt	CDL Restrictions
					<input type="checkbox"/> H <input type="checkbox"/> N	<input type="checkbox"/> P <input type="checkbox"/> S	<input type="checkbox"/> T <input type="checkbox"/> X	<input type="checkbox"/> Farm <input type="checkbox"/> Other	<input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 35 <input type="checkbox"/> 36
Interstate/Intrastate	Vehicle Type	Type & Axle Per Unit			Cargo Body Type	Medical Card	Hazardous Material	ID #	Class #
		First	Second	Third	Fourth		<input type="checkbox"/> Placard <input type="checkbox"/> Cargo Spill		

OWNERS	Owner Information	Owner Information

Person Advised of Damaged Traffic Control	Damaged Property	Public
Contact Name		
Contact Date		
Contact Time	Owner & Phone	

Unit Number 2	Unit Known Y	State MI	Driver License Number	Date of Birth (Age)	License Type <input type="checkbox"/> Operator <input type="checkbox"/> Chauffeur <input type="checkbox"/> Moped	Endorsements <input type="checkbox"/> Cycle <input type="checkbox"/> Farm <input type="checkbox"/> Recreation	Sex M	Total Occupants 1	Hazardous Action 00-NONE
Unit Type M	Driver Information				Injury O	Position 01	Restraint 4	Hospital NONE	
Driver Condition <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 99				Interlock NO	Ejected NO	Trapped NO	Airbag Deployed NO	Ambulance NONE	
Alcohol <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused <input type="checkbox"/> Not offered Test Type <input type="checkbox"/> Field <input type="checkbox"/> PBT <input type="checkbox"/> Breath <input type="checkbox"/> Blood <input type="checkbox"/> Urine				Test Results		Drugs <input type="checkbox"/> Yes <input type="checkbox"/> No Test Type <input type="checkbox"/> Blood <input type="checkbox"/> Urine		Test Results	
Vehicle Registration MI		Insurance / Policy #		Towed To/By			Special Vehicles 0	Private Trailer Type	Vehicle Defect
VIN		Vehicle Description		Make CHRYSLER	Model	Color SILVER	Year 2003	Vehicle Type 01-PASSENGER CAR	
Location of Greatest Damage 5		First Impact 5	Extent of Damage 1	Driveable YES	Vehicle Direction E	Vehicle Use 01-PRIVATE	Action Prior 04-STOPPED ON ROADWAY		
Sequence of Events First * 17-MOTOR VEH IN TRANSPORT Second Third Fourth (* indicates MOST harmful event)									

PASSENGERS	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed	Ejected	Trapped	Ambulance
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed	Ejected	Trapped	Ambulance
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
		Injury	Airbag Deployed	Ejected	Trapped	Ambulance
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	

Carrier Information		Carrier Source	GVWR	ICCMC	USDOT	MPSC
Driver's CDL Type		Endorsements <input type="checkbox"/> H <input type="checkbox"/> P <input type="checkbox"/> T <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> X	CDL Exempt <input type="checkbox"/> Farm <input type="checkbox"/> Other	CDL Restrictions <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 35 <input type="checkbox"/> 36		
Interstate/Intrastate	Vehicle Type	Type & Axle Per Unit First Second Third Fourth	Cargo Body Type	Medical Card	Hazardous Material <input type="checkbox"/> Placard <input type="checkbox"/> Cargo Spill	ID # Class #

Owner Information	Owner Information
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Witness Information	Witness Information
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Investigated at Scene YES	Reported Date (Time) 05/13/2016 (18:25)	1st Investigator Name (Badge) JEWELL (30)	2nd Investigator Name (Badge)	Photos By
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<p>Narrative</p> <p>DRIVER OF VEHICLE 1 STATED SHE MISTOOK THE GAS FOR THE BRAKE PEDAL AND STRUCK VEHICLE 2, CAUSING IT TO STRIKE VEHICLE 3.</p> <p>NOT INJURED PASSENGER IN VEHICLE 3 DID NOT WISH TO BE LISTED ON THIS REPORT.</p>	<p>Diagram</p> <p>NOT TO SCALE</p>
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Authority 1949 PA 300 Sec 257 622
Compliance Required MSP UD-101E
Penalty \$100 and/or 90 days (Rev 11/2006)

External # 00656630
Crash ID 656630

Page 2 of 2
Incident # 160005373 File Class 93001

STATE OF MICHIGAN TRAFFIC CRASH REPORT

ORI MI6325900		Department Name BIRMINGHAM PD		Incident Disposition CLOSED	
Crash Date 05/13/2016	Crash Time 18:25	No. of Units 3	Crash Type 5-REAR END	Special Circumstances <input checked="" type="checkbox"/> None <input type="checkbox"/> School Bus <input type="checkbox"/> H.I. and Run <input type="checkbox"/> Deer <input type="checkbox"/> Fleeting Police	Special Checks <input type="checkbox"/> Fatal <input type="checkbox"/> Non-Traffic Area <input type="checkbox"/> DRV/Snowmobile
County 63 - OAKLAND	Traffic Control NONE OF THESE	Relation to Roadway ON ROAD	Special Study	Weather CLEAR	Area 10-NON-FRWY STRAIGHT ROADWAY
City/Twp 80 - BIRMINGHAM	Construction Zone (if applicable) Type	Lane Closed	Activity	Light DAYLIGHT	Road Condition DRY
Total Lanes 4		Speed Limit 35	Posted YES		

Prefix W	Road Name MAPLE	Road Type RD	Suffix	Divided Roadway
Distance 30 FT W	Traffic Way 1-NOT PHYSICALLY DIVIDED		Access Control 1-NO ACCESS CONTROL	
Prefix	Intersecting Road WOODLAND VILLA	Road Type CT	Suffix	Divided Roadway

Unit Number 3	Unit Known Y	State MI	Driver License Number	Date of Birth (Age)	License Type <input checked="" type="checkbox"/> Operator <input type="checkbox"/> Chauffeur <input type="checkbox"/> Moped	Endorsements <input type="checkbox"/> Cycle <input type="checkbox"/> Farm <input type="checkbox"/> Recreation	Sex M	Total Occupants 2	Hazardous Action 00-NONE
Unit Type M	Driver Information				Injury O	Position 01	Restraint 4	Hospital NONE	
Driver Condition <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 99				Interlock NO	Ejected NO	Trapped NO	Airbag Deployed NO	Ambulance NONE	
Alcohol <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Refused <input type="checkbox"/> Not offered <input type="checkbox"/> PBT <input type="checkbox"/> Breath <input type="checkbox"/> Blood <input type="checkbox"/> Urine				Test Results		Drugs <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Test Type <input type="checkbox"/> Blood <input type="checkbox"/> Urine		Citation Issued <input type="checkbox"/> Hazardous <input type="checkbox"/> Citation# <input type="checkbox"/> Other	
Vehicle Registration MI	State MI	Insurance Policy #	Towed To By		Special Vehicles 0	Private Trailer Type	Vehicle Defect		
VIN	3	Vehicle Description	Make AUDI	Model A5	Color	Year 2014	Vehicle Type 01-PASSENGER CAR		
Location of Greatest Damage 5	First Impact 5	Extent of Damage 1	On-vehicle YES	Vehicle Direction E	Vehicle Use 01-PRIVATE	Action Prior 04-STOPPED ON ROADWAY			
Sequence of Events First * 17-MOTOR VEH IN TRANSPORT (★ indicates MOST harmful event)									

PASSENGERS	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
Injury	Airbag Deployed	Ejected	Trapped	Ambulance		
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
Injury	Airbag Deployed	Ejected	Trapped	Ambulance		
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
Injury	Airbag Deployed	Ejected	Trapped	Ambulance		

Carrier Information	Carrier Source	GVWR	ICCMC	USDOT	MPSC
Driver's CDL Type	Endorsements <input type="checkbox"/> H <input type="checkbox"/> P <input type="checkbox"/> T <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> X	CDL Exempt <input type="checkbox"/> Farm <input type="checkbox"/> Other	CDL Restrictions <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 35 <input type="checkbox"/> 36		
Interstate/Intrastate	Vehicle Type	Type & Axle Per Unit First Second Third Fourth	Cargo Body Type	Medical Card	Hazardous Material <input type="checkbox"/> Placard <input type="checkbox"/> Cargo <input type="checkbox"/> Spill
ID #	Class #				

Owner Information	Owner Information
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Person Advised of Damaged Traffic Control	Damaged Property	Public
Contact Name	Owner & Phone	
Contact Date		
Contact Time		

PASSENGERS	Unit Number	Unit Known	State	Driver License Number	Date of Birth (Age)	License Type <input type="checkbox"/> Operator <input type="checkbox"/> Chauffeur <input type="checkbox"/> Moped	Endorsements <input type="checkbox"/> Cycle <input type="checkbox"/> Farm <input type="checkbox"/> Recreation	Sex	Total Occupants	Hazardous Action		
	Unit Type	Driver Information				Injury	Position	Restraint	Hospital			
	Driver Condition <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 99					Interlock	Ejected	Trapped	Airbag Deployed	Ambulance		
	Alcohol <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused <input type="checkbox"/> Not offered Test Type <input type="checkbox"/> Field <input type="checkbox"/> PBT <input type="checkbox"/> Breath <input type="checkbox"/> Blood <input type="checkbox"/> Urine					Test Results			Drugs <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused <input type="checkbox"/> Not offered Test Type <input type="checkbox"/> Blood <input type="checkbox"/> Urine			Citation Issued <input type="checkbox"/> Hazardous <input type="checkbox"/> Other
	Vehicle Registration	State	Insurance / Policy #			Towed To/By			Special Vehicles	Private Trailer Type	Vehicle Defect	
	VIN		Vehicle Description		Make	Model	Color	Year	Vehicle Type			
	Location of Greatest Damage	First Impact	Extent of Damage	Driveable	Vehicle Direction	Vehicle Use			Action Prior			
	Sequence of Events (* indicates MOST harmful event)		First		Second		Third		Fourth			
	Passenger Information					Date of Birth (Age)	Sex	Position	Restraint	Hospital		
						Injury	Airbag Deployed	Ejected	Trapped	Ambulance		
Passenger Information					Date of Birth (Age)	Sex	Position	Restraint	Hospital			
					Injury	Airbag Deployed	Ejected	Trapped	Ambulance			
Passenger Information					Date of Birth (Age)	Sex	Position	Restraint	Hospital			
					Injury	Airbag Deployed	Ejected	Trapped	Ambulance			
Passenger Information					Date of Birth (Age)	Sex	Position	Restraint	Hospital			
					Injury	Airbag Deployed	Ejected	Trapped	Ambulance			
Passenger Information					Date of Birth (Age)	Sex	Position	Restraint	Hospital			
					Injury	Airbag Deployed	Ejected	Trapped	Ambulance			
TRUCK/BUS	Carrier Information					Carrier Source	GVWR	ICCMC	USDOT	MPSC		
						Driver's CDL Type	Endorsements <input type="checkbox"/> H <input type="checkbox"/> P <input type="checkbox"/> T <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> X	CDL Exempt <input type="checkbox"/> Farm <input type="checkbox"/> Other	CDL Restrictions <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 35 <input type="checkbox"/> 36			
	Interstate/Intrastate	Vehicle Type	Type & Axle Per Unit First Second Third Fourth			Cargo Body Type	Medical Card	Hazardous Material <input type="checkbox"/> Placard <input type="checkbox"/> Cargo Spill		ID #	Class #	
OWNERS	Owner Information					Owner Information						
WITNESS	Witness Information					Witness Information						
	Age:					Age:						
Investigated at Scene	YES	Reported Date (Time)	05/13/2016 (18:25)		1st Investigator Name (Badge)		JEWELL (30)		2nd Investigator Name (Badge)		Photos By	
Narrative					Diagram							

CRASH

DIAGRAM

DISPLAYED

HERE

Authority: 1949 PA 300 Sec 257.622
Compliance Required MSP UD-10E
Penalty: \$100 and/or 90 days (Rev 11/2006)

External # 00666079
Crash ID 666079

Page 1 of 1
Incident # 180006817 File Class 93001

STATE OF MICHIGAN TRAFFIC CRASH REPORT

ORI: MI6325900		Department Name BIRMINGHAM PD		Incident Disposition CLOSED	
Crash Date 06/14/2016	Crash Time 06:56	No. of Units 1	Crash Type 1-SINGLE MOTOR VEHICLE	Special Circumstances <input type="checkbox"/> None <input type="checkbox"/> School Bus <input type="checkbox"/> Hit and Run <input type="checkbox"/> Deer <input type="checkbox"/> Fleeing Police	Special Checks <input type="checkbox"/> Fatal <input type="checkbox"/> Non-Traffic Area <input type="checkbox"/> ORV/Snowmobile
County 63 - OAKLAND	Traffic Control NONE OF THESE	Relation to Roadway ON ROAD	Special Study	Weather CLOUDY	Area 10-NON-FRWY STRAIGHT ROADWAY
City/Township 80 - BIRMINGHAM	Construction Zone (if applicable) Type	Lane Closed	Activity	Light DAYLIGHT	Road Condition DRY
Total Lanes 2		Speed Limit 35		Posted YES	

Prefix W	Road Name MAPLE	Road Type RD	Suffix	Divided Roadway
Distance 25 FT W		Traffic Way 1-NOT PHYSICALLY DIVIDED		Access Control 1-NO ACCESS CONTROL
Prefix	Intersecting Road WOODLAND VILLA	Road Type CT	Suffix	Divided Roadway

Unit Number 1	Unit Known Y	State MI	Driver License Number	Date of Birth (Age)	License Type <input type="checkbox"/> Operator <input type="checkbox"/> Chauffeur <input type="checkbox"/> Moped	Endorsements <input type="checkbox"/> Cycle <input type="checkbox"/> Farm <input type="checkbox"/> Recreation	Sex M	Total Occupants 1	Hazardous Action 16-CARELESS/NEGLIGEN
Unit Type M	Driver Information			Injury C	Position 01	Restraint 4	Hospital 630030-WILLIAM BEAUMONT HOSPITAL		
Driver Condition <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 99				Interlock NO	Ejected NO	Trapped NO	Airbag Deployed YES	Ambulance 631003-BIRMINGHAM FIRE DEPT	
Alcohol <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused <input type="checkbox"/> Not offered Test Type <input type="checkbox"/> Field <input type="checkbox"/> PBT <input type="checkbox"/> Breath <input type="checkbox"/> Blood <input type="checkbox"/> Urine				Test Results		Drugs <input type="checkbox"/> Yes <input type="checkbox"/> No Test Type <input type="checkbox"/> Blood <input type="checkbox"/> Urine		Citation Issued <input type="checkbox"/> Hazar <input type="checkbox"/> Other	
Vehicle Registration MI	Insurance / Policy #		Towed To By BOB ADAMS TOWING			Special Vehicles 0	Private (owner's use)	Vehicle Defect	
VIN	Vehicle Description FORD	Make	Model FUSION	Color GRAY	Year 2016	Vehicle Type 01-PASSENGER CAR			
Location of Greatest Damage 10	First Impact 2	Extent of Damage 4	Drivable NO	Vehicle Direction E	Vehicle Use 01-PRIVATE	Action Prior 01-GOING STRAIGHT AHEAD			
Sequence of Events First 04-RAN OFF ROADWAY-RIGHT Second * 31-UTILITY POLE Third Fourth									

PASSENGERS	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury	Airbag Deployed	Ejected	Trapped	Ambulance	
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
Injury	Airbag Deployed	Ejected	Trapped	Ambulance		
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
Injury	Airbag Deployed	Ejected	Trapped	Ambulance		
Passenger Information	Date of Birth (Age)	Sex	Position	Restraint	Hospital	
Injury	Airbag Deployed	Ejected	Trapped	Ambulance		

Carrier Information		Carrier Source	GVWR	HCCMC	USDOT	MPSC
Owner's CDL Type		Endorsements <input type="checkbox"/> H <input type="checkbox"/> P <input type="checkbox"/> T <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> X	CDL Exempt <input type="checkbox"/> Farm <input type="checkbox"/> Other	CDL Restrictions <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 35 <input type="checkbox"/> 36		
Interstate/Intrastate	Vehicle Type	Type & Axle Per Unit First Second Third Fourth	Cargo Body Type	Medical Card	Hazardous Material <input type="checkbox"/> Placard <input type="checkbox"/> Cargo Spill	ID # Class #

Owner Information	Owner Information
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Person Advised of Damaged Traffic Control Contact Name Contact Date Contact Time	Damaged Property Owner & Phone Public
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Unit Number	Unit Known	State	Driver License Number	Date of Birth (Age)	License Type <input type="checkbox"/> Operator <input type="checkbox"/> Chauffeur <input type="checkbox"/> Moped	Endorsements <input type="checkbox"/> Cycle <input type="checkbox"/> Farm <input type="checkbox"/> Recreation	Sex	Total Occupants	Hazardous Action
Unit Type	Driver Information			Injury	Position	Restraint	Hospital		
Driver Condition <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 99				Interlock	Ejected	Trapped	Airbag Deployed	Ambulance	
Alcohol <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Refused <input type="checkbox"/> Not offered Test Type <input type="checkbox"/> Field <input type="checkbox"/> PBT <input type="checkbox"/> Breath <input type="checkbox"/> Blood <input type="checkbox"/> Urine				Test Results		Drugs <input type="checkbox"/> Yes <input type="checkbox"/> No Test Type <input type="checkbox"/> Blood <input type="checkbox"/> Urine		Test Results	
Vehicle Registration		State	Insurance / Policy #	Towed To/By		Special Vehicles		Private Trailer Type	Vehicle Defect
VIN		Vehicle Description		Make	Model	Color	Year	Vehicle Type	
Location of Greatest Damage		First Impact	Extent of Damage	Driveable	Vehicle Direction	Vehicle Use		Action Prior	
Sequence of Events (* indicates MOST harmful event)		First		Second		Third		Fourth	

PASSENGERS	Passenger Information			Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury			Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information			Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury			Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information			Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury			Airbag Deployed	Ejected	Trapped	Ambulance	
PASSENGERS	Passenger Information			Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury			Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information			Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury			Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information			Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury			Airbag Deployed	Ejected	Trapped	Ambulance	
PASSENGERS	Passenger Information			Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury			Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information			Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury			Airbag Deployed	Ejected	Trapped	Ambulance	
	Passenger Information			Date of Birth (Age)	Sex	Position	Restraint	Hospital
	Injury			Airbag Deployed	Ejected	Trapped	Ambulance	

Carrier Information				Carrier Source	GVWR	ICCMC	USDOT	MPSC
Driver's CDL Type				Endorsements <input type="checkbox"/> H <input type="checkbox"/> P <input type="checkbox"/> T <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> X		CDL Exempt <input type="checkbox"/> Farm <input type="checkbox"/> Other	CDL Restrictions <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 35 <input type="checkbox"/> 36	
Interstate/Intrastate	Vehicle Type	Type & Axle Per Unit First Second Third Fourth		Cargo Body Type	Medical Card	Hazardous Material <input type="checkbox"/> Placard <input type="checkbox"/> Cargo Spill		ID # Class #

Owner Information	Owner Information
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Witness Information	Witness Information
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Investigated at Scene	Reported Date (Time)	1st Investigator Name (Badge)	2nd Investigator Name (Badge)	Photos By
YES	06/14/2016 (06:56)	MANZO (64)		

Narrative

UNIT 1 WAS TRAVELING E/B ON W. MAPLE.

UNIT 1 LEFT THE ROADWAY ON THE RIGHT AND STRUCK A UTILITY LIGHT POLE.

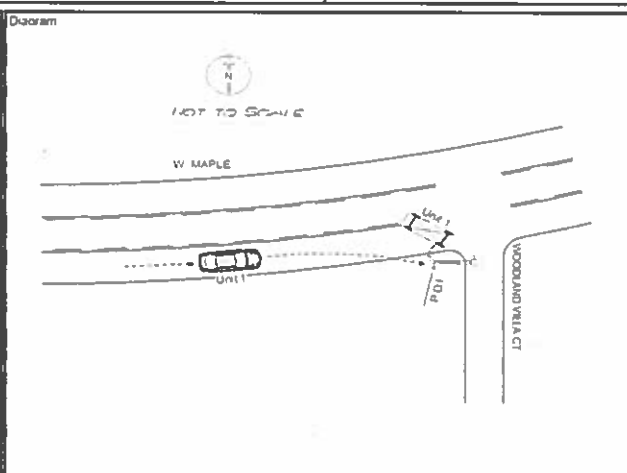
UNIT 1 STRUCK THE POLE AND ROLLED OVER.

UNIT 1 CAME TO A STOP ON IT'S ROOF ON W. MAPLE.

DRIVER OF UNIT 1 HAD MINOR INJURIES AND WAS TRANSPORTED BY BIFD TO ROYAL OAK BEAUMONT.

DRIVER OF UNIT 1 WAS CITED FOR CARELESS DRIVING.

BOB ADAMS TOWED THE VEHICLE.





MEMORANDUM

Fire Department

DATE: July 22, 2016
TO: Sean Cambell
FROM: John M. Connaughton, Fire Chief
SUBJECT: Emergency Response to Woodland Villa

A review of all dispatched emergency responses from the Birmingham Fire Department to Woodland Villa starting from January 1, 2015 to present has revealed two responses. This search excluded responses to residential property and focused on emergencies on the street.

Both responses were dispatched to W. Maple Road near or adjacent to Woodland Villa. Both runs were identified as "Vehicle Accident with Injuries" and were found to be on W. Maple Road not Woodland Villa. No other records in the mentioned time line found.

1/16/16

Laura M. Pierce
City Clerk

100-450 Woodland Villa Court

RECEIVED BY

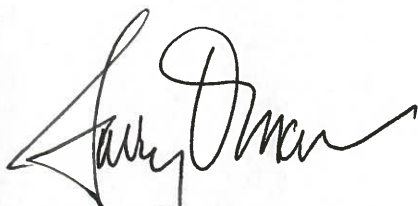
JUN 16 2016

CITY CLERK'S OFFICE
CITY OF BIRMINGHAM

I would like the council to consider the impact of the proposed project on Maple Hill Ln and Valley View Ln. Solving the turn around problem at Woodland Villas will increase the turnaround problem that already exists on our streets as traffic blocked from Woodland Villa Ct will be pushed to Maple Hill and Valley View. As a prime turnaround driveway on Valley View we have learned to accept this annoyance as part of living along Maple Road. While I sympathize with the residents of Woodland Villas it does not seem equitable to further inconvenience the other homeowners facing the same problem.

Another question. Would the council look favorably on a request by either Valley View or Maple Hill residents if they determined they needed a gate for their streets?

Thanks for considering my comments.

A handwritten signature in black ink, appearing to read 'Larry Oman', with a stylized, flowing script.

Larry Oman
255 Valley View Ln
Birmingham



MEMORANDUM

Planning Division

DATE: August 5, 2016

TO: Planning Board Members

FROM: Matthew Baka, Senior Planner

SUBJECT: Window Standards Update

At the July 25, 2016 City Commission meeting, a public hearing was held to consider proposed amendments to the current window standards in the Zoning Ordinance. The purpose of these amendments was to implement several minor changes to the standards contained in Article 04 of the Zoning Ordinance, as well as the elimination of additional standards in Article 07 that are in conflict with other areas of the Zoning Ordinance. The proposed changes would have added a requirement to have at least 30% glazing on rear elevations with a public entrance, increased the amount of glazing permitted on upper floors, prohibited blank walls longer than 20' on all elevations facing a park, plaza or parking lot, and would also have provided the reviewing board with the flexibility to allow adjustments to the amount of glazing under specific conditions. The City Commission decided to send the subject back to the Planning Board for further consideration.

During the public hearing, the City Commission identified two additional issues that they would like the Planning Board to consider. These issues were the clarification or elimination of the provision that allows window glazing to be "lightly tinted". Currently there is no definition for the term "lightly tinted", so there is no objective standard that applicants must meet in order to comply with this standard. Secondly, The City Commission would like the Planning Board to consider whether there should be a glazing requirement in alleys and passages that are subject to the Via Activation Overlay Zone. The following is an excerpt from the Via Activation Overlay District in the Zoning Ordinance that contains the current regulations that deal with windows:

H. Design Standards: All portions of buildings and sites directly adjoining a via must maintain a human scale and a fine grain building rhythm that provides architectural interest for pedestrians and other users, and provide windows and doors overlooking the via to provide solar access, visual interaction and surveillance of the via. To improve the aesthetic experience and to encourage pedestrians to explore vias, the following design standards apply for all properties with building facades adjoining a via:

1. Blank walls shall not face a via. Walls facing vias shall include windows and architectural features customarily found on the front facade of a building, such as awnings, cornice work, edge detailing or decorative finish materials. Awnings shall be straight sheds without side flaps, not cubed or curved, and must be at least 8 feet above the via at the lowest drip edge;

Please find attached the staff report presented to the Planning Board and City Commission, along with the proposed ordinance language and minutes from previous discussions on the topic. The Planning Board may wish to discuss the issues of window tinting and via glazing requirements and provide direction for a future study session.



MEMORANDUM

Planning Division

DATE: June 1, 2016

TO: Planning Board

FROM: Jana Ecker, Planning Director

SUBJECT: Public Hearing to consider amendments to Chapter 126, Zoning, Article 04, Section 4.90 WN-01 (WINDOW STANDARDS) and Article 07, section 7.05 (ARCHITECTURAL DESIGN REQUIREMENTS)

At the November 11, 2015 Planning Board meeting the Board held a public hearing to discuss proposed amendments to the current window standards in the Zoning Ordinance. The purpose of these amendments was to reduce the recurring need for applicants to seek variances from the Board of Zoning Appeals due to difficulty meeting those requirements. At that time it was acknowledged that additional changes needed to be made beyond what is currently proposed and it was determined that there needs to be further study on certain aspects of the standards before additional changes can be recommended. It was decided however, that the standard of measuring the percentage of glazing on a site should be consistently measured between 1 and 8 feet above grade. Accordingly, the Planning Board recommended approval of the proposed amendments to the City Commission, which were later adopted by the Commission. Since that time, the Planning Division has held several study sessions on the subject of window standards.

Background

Over the past several years the Planning Board has performed site plan reviews where the Planning Board expressed support for the proposed design but the applicant has been forced to pursue variances because they were not able to meet the window standards contained in the Zoning Ordinance. Accordingly, the Planning Board has been holding study sessions on this topic to explore ways that the ordinance requirements can be altered so that fewer variances are sought but the intent of the window standards remains in place. The intent of the glazing requirements has been to activate the streets and public spaces of Birmingham by creating an interactive relationship between the pedestrians and the buildings in commercial areas.

There are currently four sections of the Zoning Ordinance that regulate the amount of glazing, or windows, that are required in various commercial areas. Those sections are as follows:

Downtown Overlay

Article 03 section 3.04(E):

4. Storefronts shall be directly accessible from public sidewalks. Each storefront must have transparent areas, equal to 70% of its portion of the facade, between one and eight feet from

the ground. The wood or metal armature (structural elements to support canopies or signage) of such storefronts shall be painted, bronze, or powder-coated.

6. The glazed area of a facade above the first floor shall not exceed 35% of the total area, with each facade being calculated independently.

7. Glass shall be clear or lightly tinted only. Opaque applications shall not be applied to the glass surface.

Triangle Overlay District

Article 03 section 3.09:

B. Windows and Doors:

1. Storefront/Ground Floor. Ground floors shall be designed with storefronts that have windows, doorways and signage, which are integrally designed and painted. No less than 70% of the storefront/ground floor facade between 1 and 8 feet above grade shall be clear glass panels and doorway. Glass areas on storefronts shall be clear, or lightly tinted. Mirrored glass is prohibited. Required window areas shall be either windows that allow views into retail space, working areas or lobbies, pedestrian entrances, or display windows set into the wall. Windows shall not be blocked with opaque materials or the back of shelving units or signs. The bottom of the window must be no more than 3 feet above the adjacent exterior grade.

All other Commercial zones

Article 04 section 4.90:

The following window standards apply on the front facade and any facade facing a street, plaza, park or parking area:

A. Storefront/Ground Floor Windows: Ground floors shall be designed with storefronts that have windows, doorways and signage, which are integrally designed. The following standards apply:

1. No less than 70% of the storefront/ground floor facade between 1 and 8 feet above grade shall be clear glass panels and doorway.
2. Glass areas on storefronts shall be clear or lightly tinted in neutral colors. Mirrored glass is prohibited.
3. Required window areas shall be either pedestrian entrances, windows that allow views into retail space, working areas or lobbies. Display windows set into the wall may be approved by the Planning Board.
4. Windows shall not be blocked with opaque materials or furniture, products, signs, blank walls or the back of shelving units.
5. The bottom of the window shall be no more than 3 feet above the adjacent exterior grade.
6. Blank walls of longer than 20 feet shall not face a public street.

B. Upper Story Windows: Openings above the first story shall be a maximum of 50% of the total facade area. Windows shall be vertical in proportion.

In addition, there is an obscure section of the Zoning Ordinance that includes an additional provision that also regulates the amount of glazing required on commercial buildings. This section of the code only requires 50% clear glazing at street level.

Article 07 section 7.05, Architectural Design Review:

7.05 Requirements

- B. A minimum of 50% of that portion of the first floor facade of a building with a commercial use(s) on the first floor and that faces a public street, private street, public open space or permanently preserved open space shall contain clear glazing.

Potential changes

During recent site plan reviews where variances have been pursued, the subject properties have all been located outside of the overlay zones. Accordingly, the focus of the study sessions up to this point has been on the standards contained in Article 04 section 4.90, which affect all areas not within an overlay zone. The Board has discussed creating a waiver that is contingent on a set of criteria that would allow the Planning Board, Historic District Commission, or Design Review Board to alter the glazing requirements under certain circumstances. The Planning Board developed a list of criteria that must be met in order to qualify for the modification of the standards. The draft language of the waiver criteria is attached for your review.

Another potential change that was discussed at the previous Planning Board study session was combining the provisions of Article 04 and Article 07 into one set of standards that requires 70% glazing on the facades that face the street and then reducing the requirement to 50% on secondary facades that face parking areas and open space. At the last study session the Planning Board discussed an error that was discovered by staff in the Zoning Ordinance that has a significant effect on how the existing language is enforced. The definition of façade was inadvertently altered when the Zoning Ordinance was reformatted in 2005. The current definition of façade reads as follows:

Facade: The vertical exterior surface of a building that is set parallel to a **setback line**.

However, prior to the reformatting of the Zoning Ordinance the definition of facade read as follows:

Facade means the vertical exterior surface of a building that is set parallel to a **frontage line**.

The change from frontage line to setback line significantly alters what is considered a façade as a frontage line is defined as follows:

Frontage line: all lot lines that abut a public street, private street, or permanently preserved or dedicated public open space.

With this discovery the window standards would only be enforced on facades as defined in the Zoning Ordinance prior to the reformatting. As this is a clerical error, it will be corrected. This eliminates glazing required on non-street facing facades and will reduce the number of variance requests but will still provide glazing on elevations of buildings that face the street.

Accordingly, the Planning Division is of the opinion that this clerical error correction would bring the regulations back in line with the original intent of the window standards. This would eliminate the need for creating definitions for primary and secondary facades as discussed at previous study sessions. As a result of this discovery, the Planning Board decided to eliminate the draft language that delineated between facades that face a street and those that do not. However, the Board did determine that building elevations that have a public entrance should contain some element of glazing. Accordingly, the Board directed staff to draft a provision that requires 30% glazing on those elevations that have a public entrance but do not face a frontage line. In addition, the Planning Division recommends adding Article 4, section 4.90(C) to prevent blank walls in most situations, and would also recommend the removal of Article 7, Processes, Permits and Fees, section 7.05(B), Architectural Design Review, as it is out of place in this location, and would be best addressed in Article 4, Development Standards – Window Standards, as noted above.

On May 11, 2016, the Planning Board discussed the proposed amendments to the glazing standards, and voted unanimously to set a public hearing for June 8, 2016. No changes have been made to the proposed language since that time. Draft ordinance language is attached for your review, along with relevant meeting minutes.

Suggested Action:

To recommend to the City Commission approval of the proposed changes to Article 04, Section 4.90 WN-01 and Article 07, Section 7.05 of the Zoning Ordinance to amend the glazing standards.

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

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

TO AMEND ARTICLE 04 DEVELOPMENT STANDARDS, SECTION 4.90, WN-01 (WINDOW STANDARDS) TO ALTER THE REQUIRED GLAZING ON COMMERCIAL BUILDINGS.

Article 04, section 4.90 WN-01 shall be amended as follows:

4.90 WN-01

This Window Standards section applies to the following districts:

O1, O2, P, B1, B2, B2B, B2C, B3, B4, MX, TZ3

The following window standards apply ~~on the front façade and any façade facing a street, plaza, park or parking area:~~

- A. Storefront Windows: Ground floors shall be designed with storefronts that have windows, doorways and signage, which are integrally designed. The following standards apply:
 - 1. No less than 70% of a storefront/groundfloor façade between 1 and 8 feet above grade shall be clear glass panels and doorway.
 - 2. Glass areas on storefronts shall be clear, or lightly tinted in neutral colors. Mirrored glass is prohibited.
 - 3. Required window areas shall be either pedestrian entrances, windows that allow views into retail space, working areas or lobbies. Display windows set into the wall may be approved by the Planning Board.
 - 4. Windows shall not be blocked with opaque materials or furniture, products, signs, blank walls or the back of shelving units.
 - 5. The bottom of the window shall be no more than 3 feet above the adjacent exterior grade.
 - 6. ~~Blank walls of longer than 20 feet shall not face a public street.~~
- B. ~~Upper Story Windows: Openings above the first story shall be a maximum of 50% of the total façade area. Windows shall be vertical in proportion.~~ **Ground floor building elevations: Building elevations on the ground floor that do not face a frontage line but contain a public entrance shall be no less than 30% glazing between 1 and 8 feet above grade.**
- C. **Blank walls of longer than 20 feet on the ground floor shall not face a plaza, park, parking area or public street.**

- D. Upper Story Windows: Openings above the first story shall be a maximum of 50% of the total façade area. Windows shall be vertical in proportion.**
- E. To allow flexibility in design, these standards may be modified by a majority vote of the Planning Board, Design Review Board, and/or Historic District Commission 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.**

ORDAINED this _____ day of _____, 2016 to become effective 7 days after publication.

Rackeline J. Hoff, Mayor

Laura Pierce, City Clerk

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

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

TO AMEND ARTICLE 07 ARCHITECTURAL DESIGN REQUIREMENTS, SECTION 7.05, REQUIREMENTS.

Article 07, section 7.05 shall be amended as follows:

7.05 Requirements

(See architectural design checklist on Site Plan Review application).

A. Building materials shall possess durability and aesthetic appeal.

~~B. A minimum of 50% of that portion of the first floor facade of a building with a commercial use(s) on the first floor and that faces a public street, private street, public open space or permanently preserved open space shall contain clear glazing.~~

BE. The building design shall include architectural features on the building facade that provide texture, rhythm, and ornament to a wall.

CE. Colors shall be natural and neutral colors that are harmonious with both the natural and man-made environment. Stronger colors may be used as accents to provide visual interest to the facade.

DE. The building design shall provide an interesting form to a building through manipulation of the building massing. This can be achieved through certain roof types, roof lines, and massing elements such as towers, cupolas, and stepping of the building form.

EE. These architectural elements shall be arranged in a harmonious and balanced manner.

ORDAINED this _____ day of _____, 2016 to become effective 7 days after publication.

Rackeline J. Hoff, Mayor

Laura Pierce, City Clerk

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, OCTOBER 24, 2012
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held October 24, 2012. Chairman Robin Boyle convened the meeting at 6:30 p.m.

Present: Chairman Robin Boyle; Board Members Scott Clein, Carroll DeWeese, Bert Koseck, Gillian Lazar, Janelle Whipple-Boyce, Bryan Williams;

Absent: Student Representative Kate Leary

Administration: Matthew Baka, Planning Specialist
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

10-180-12

FINAL SITE PLAN REVIEW

995 S. ETON (postponed from the meeting of October 10, 2012)

Saretsky, Hart, Michaels & Gould Law Firm

Two-story addition to building in existing outdoor courtyard

Ms. Ecker highlighted the proposal. The site located at 995 S. Eton is a one-story building that currently houses a law office. The petitioner intends to build a two-story addition at the southeast corner of the building (facing Cole Ave.) at the location of an existing outdoor courtyard. The addition will add 1,043 sq. ft. for a total of 5,423 sq. ft. The existing parking lot will remain, though new plantings are proposed to buffer the addition from the parking lot. The applicant proposes an aluminum and glass façade with swinging window treatments for the addition. The applicant is also proposing the installation of a new rooftop mechanical unit on the existing roof with mechanical screening to match existing screens. The existing site is zoned MX, Mixed Use. The law office is a permitted use within this district.

The increase in square footage increases the applicant's parking requirement by three spaces. The applicant intends to convert one barrier-free parking spot to an unrestricted parking spot, and seeks to utilize two on-street parking spaces on Eton St. toward their parking requirement in exchange for making improvements in the right-of-way. ***In order to count these spaces, the applicant will be required to obtain approval from the City Commission. If approval is not granted, the applicant will be required to obtain a variance from the Board of Zoning Appeals ("BZA") or enter into a shared parking agreement that must be approved by the Planning Board.***

The second level of the south elevation on Cole St. does not meet the glazing requirements of the MX District. The applicant has agreed to reduce the amount of glazing on the second floor

of the addition to comply with the maximum 50 percent glazing requirement. *If the glazing requirement is not met, a variance will be required from the BZA.*

All exterior design changes to the existing building will also be reviewed by the Design Review Board.

Mr. Roman Bonaslowski from Ron & Roman Architects was present for the applicant. With regards to the parking along Eton, if the Engineering Dept. believes there is a problem with the tightness of Cole as it resolves itself on Eton, he suggested the opportunity exists to make modifications on the south side of Eton if they believe it is too tight of a condition. Secondly, if there is opportunity to find 50 percent glazing going up from the top of the existing parapet they would prefer to have the glass up there or have it continue behind the louvers. It seems reasonable to add an additional tree on Cole. He requested that lighting not be a street improvement along Eton until there is a determination of what is happening along the entire Eton Corridor, and an understanding on how that street lighting can work.

Mr. Miles Hart from the law firm said their employee base is not growing. They need more space to spread out and into offices in order to have better working conditions. They don't have an issue with parking.

Mr. Williams thought the glazing on the second floor adds interest to the building. Mr. DeWeese agreed. To him it looks better if the top and bottom windows are the same size and the second floor is defined as starting at the top of the existing building.

There were no comments from the public at 8:55 p.m.

Motion by Ms. Whipple-Boyce

Seconded by Mr. DeWeese to approve the Final Site Plan and Design Review for 995 S. Eton, Saretsky, Hart, Michaels & Gould Law Firm, with the following conditions:

- 1. Applicant obtain approval of the City Commission for the use of two parking spaces on S. Eton or obtain a parking variance from the BZA;**
- 2. Applicant submit details for administrative approval for all landscaping, plant material, the location of the Knox box, and a recalculated glazing requirement on the south and east elevations that incorporates calculating the second floor glazing from the line of the existing building's roofline. A tree will be added on Cole.**
- 3. Applicant replace non cut-off light fixtures with cut-off fixtures to bring the site into compliance with the current ordinance;**
- 4. Applicant obtain approval from the Design Review Board for the proposed addition.**

Members of the public had no final comments at 9 p.m.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None
Absent: None

10-183-12

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

- a. Communications (none)
- b. Administrative Approvals
 - 335 E. Maple Rd. – To slightly re-design the proposed storefront at grade level to include an additional entrance door for the office component of the building.
 - 953 S. Eton – Install five ton condenser on roof/"Lamsl" painted to match building. Height of unit: 33 in.; height of screening: 41 in.
- c. Draft Agenda for the Regular Planning Board Meeting on November 14, 2012
 - Park St. re-zoning application;
 - Max and Erma's space for Stoney Creek Steakhouse; and
 - 550 W. Merrill, School Administration Building, for office use.
- d. Other Business
 - 2013 Bistro Update – The City Commission has sent three bistros for the Planning Board to look at: What Crepe?, Birmingham Sushi, and Crush.
 - Mr. Baka thought it might be useful in the future to give this board the flexibility to vary from the glazing requirement. Board members also agreed that applicants should not be required to appear before two boards for their reviews.

**PLANNING BOARD MINUTES
FEBRUARY 27, 2013**

PUBLIC HEARING

1. TO AMEND CHAPTER 126, ZONING, OF THE CODE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 04 DEVELOPMENT STANDARDS, SECTION 4.83, WN-01 (WINDOW STANDARDS) TO ALLOW DESIGN FLEXIBILITY AS PERMITTED BY THE PLANNING BOARD, DESIGN REVIEW BOARD OR HISTORIC DISTRICT COMMISSION.

Chairman Boyle opened the public hearing at 7:38 p.m.

Mr. Baka recalled that on October 24, 2012 the Planning Board approved a two-story addition to the office building at 995 S. Eton. However, the applicant was forced to revise the architectural design of the addition in order to meet the window standards established in the Zoning ordinance. At that time, it was discussed whether the Ordinance could be amended to give the reviewing City board the authority to allow architects more creativity and flexibility when composing their designs by allowing variation from the window requirements.

On January 9, 2013 the Planning Board conducted a study session to discuss a draft ordinance amendment aimed at allowing the reviewing board the flexibility to modify the window standards. At that time, there was discussion regarding limiting the amendment to the upper stories of a building. Accordingly, the Planning Board set a public hearing for February 27, 2013 to review the draft ordinance.

Mr. Baka said that consideration of window standards normally would only go to one or two relevant boards. Mr. Koseck thought that requiring an applicant to appear before two boards adds confusion. The board's consensus was that either board could make the call.

No one from the public wished to speak on this matter at 7:45 p.m.

Motion by Mr. DeWeese

Seconded by Mr. Clein to recommend approval to the City Commission to amend Article 04, Section 4.83 Wn-01(Window Standards) to encourage flexibility in design. These standards may be waived by a majority vote of the Planning Board or Design Review Board and the Historic District Commission, when required, for architectural design considerations.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

Absent: None

**CITY COMMISSION MINUTES
MAY 6, 2013**

**05-148-13 PUBLIC HEARING – ZONING ORDINANCE
AMENDMENT WINDOW STANDARDS**

The Mayor opened the Public Hearing at 7:40 PM to consider an amendment to the Zoning Ordinance, Chapter 126, Article 04 Development Standards, Section 4.83, WN-01 (Window Standards).

Mr. Baka explained that the Planning Board requested a modification to the ordinance to allow some flexibility regarding window standards due to a recent site plan review. Mr. Currier recommended the Planning Board develop effective standards for when the second floor window requirements could be waived.

The Mayor closed the Public Hearing at 7:42 PM. The Commission took no action.

**PLANNING BOARD MINUTES
AUGUST 14, 2013**

**STUDY SESSION
Glazing Standards**

Ms. Ecker noted that on October 24, 2012 the Planning Board approved a two-story addition to the office building at 995 S. Eton. However, the applicant was forced to revise the architectural design of the addition in order to meet the window standards established in the Zoning Ordinance. At that time, several members of the Planning Board expressed support for the proposed design. It was discussed whether the Ordinance could be amended to authorize the reviewing City Board to give architects more creativity and flexibility when composing their designs by allowing variation from the window requirements.

On January 9, 2013 the Planning Board conducted a study session to discuss a draft ordinance amendment aimed at allowing the reviewing Board the flexibility to modify the window standards. At that time, there was discussion regarding limiting the amendment to the upper stories of a building. Accordingly, the Planning Board set a public hearing for February 27, 2013 to review the draft ordinance amendment.

On February 27, 2013 the Planning Board recommended approval to the City Commission.

On May 6, 2013 the City Commission reviewed the ordinance amendment and sent it back to the Planning Dept. The City Attorney asked for more specific requirements to be added that would allow the Planning Board to waive the glazing requirements on the upper levels.

The Planning Board reviewed the revised ordinance and changed the wording as follows:

" . . . To encourage flexibility in design these standards may be waived by a majority vote of the Planning Board and/or Historic District Commission for architectural design considerations. . . "

b. The scale, color, design and quality of materials of upper stories must be consistent with the building and site; and

c. The proposed development must not adversely affect other uses and buildings in the neighborhood.

Motion by Ms. Whipple-Boyce

Seconded by Mr. Clein to schedule a public hearing on Glazing Standards for September 11, 2013.

Motion carried, 5-0.

VOICE VOTE

Yeas: Whipple-Boyce, Clein, Boyle, DeWeese, Williams

Nays: None

Absent: Koseck, Lazar

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, SEPTEMBER 25, 2013
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held September 25, 2013. Chairman Robin Boyle convened the meeting at 7:32 p.m.

Present: Chairman Robin Boyle; Board Members Scott Clein, Carroll DeWeese, Bert Koseck (arrived at 7:35 p.m.), Gillian Lazar, Janelle Whipple-Boyce, Bryan Williams; Student Representative Arshon Afrakhteh

Absent: None

Administration: Matthew Baka, Sr. Planner
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

09-168-13

PUBLIC HEARING

Glazing Standards (rescheduled from September 11, 2013)

TO CONSIDER AN AMENDMENT TO CHAPTER 126, ZONING, ARTICLE 04, SECTION 4.83 WN-01 (WINDOW STANDARDS) TO ALLOW DESIGN FLEXIBILITY AS APPROVED BY THE PLANNING BOARD, DESIGN REVIEW BOARD AND/OR HISTORIC DISTRICT COMMISSION

Chairman Boyle opened the public hearing at 7:37 p.m.

Mr. Baka advised that the Planning Board has been discussing whether the ordinance could be amended to give the reviewing City Board the authority to give architects more creativity and flexibility when composing their designs by allowing variation from the window requirements.

After several meetings on this topic, the Planning Board, at their August 14, 2013 meeting, held a study session detailing ordinance changes to the Glazing Standards and requested staff to set a public hearing date to consider amendments to Chapter 126, Article 04, section 24.83 B.

Mr. Williams received confirmation that the City Attorney is happy with the suggested ordinance amendments. Ms. Ecker verified that if a proposal goes before two different City boards, the Planning Board and the Historic District Commission ("HDC"), the HDC determination would take priority.

Chairman Boyle observed this is an example of the City listening to applicants and developers.

At 7:43 p.m. there were no comments from members of the audience.

Motion by Mr. Williams

Seconded by Mr. DeWeese to recommend approval by the City Commission to amend Article 04, Section 4.83 WN-01 (Window Standards) to allow design flexibility as permitted by the Planning Board, Design Review Board, and/or Historic District Commission.

There were no final comments from the audience at 7:44 p.m.

Motion carried, 7-0.

ROLLCALL VOTE

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

Nays: None

Absent: None

The chairman formally closed the public hearing at 7:45 p.m.

BIRMINGHAM CITY COMMISSION MINUTES
JANUARY 27, 2014
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

**01-15-14 PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDMENT TO
CHAPTER 126, ARTICLE 04, SECTION 4.83 WN-01**

Mayor Pro Tem Sherman opened the Public Hearing to consider an ordinance amendment to Chapter 126, Article 04, Section 4.83 WN-01 at 8:44 PM.

Planner Ecker explained that the proposed ordinance amendment was the subject of a public hearing on September 25, 2013, after a request from the City Commission to add more specific criteria in order to waive the current 50% glazing requirement on upper level windows.

Planner Ecker explained that the Planning Board does not want to change the glazing standards for the first floor windows, which is 70% in the downtown area as well as in the triangle district; the change would apply to the upper levels only. There are no window glazing guidelines in the Rail District.

In response to Commission discussion regarding the amount of flexibility in the proposed ordinance, Planner Ecker noted that the Planning Board wanted to be able to respond to design changes in the marketplace and to prevent the glazing requirements from getting in the way of a good development.

Commissioner Nickita suggested the ordinance be more flexible in the rail district, less so in the triangle district, and more restrictive in the downtown district. Commissioner Dilgard suggested changing "to encourage flexibility", to "to allow flexibility".

Mayor Pro Tem Sherman closed the Public Hearing at 8:57 PM.

The commissioners took no action on the proposed ordinance amendment, and directed staff to review the discussion with the Planning Board.

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, APRIL 22, 2015
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on April 22, 2015. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Carroll DeWeese, Bert Koseck, Gillian Lazar, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Members Stuart Jeffares; Student Representative Andrea Laverty (left at 9:30 p.m.)

Absent: Board Member Robin Boyle, Alternate Board Member Daniel Share; Student Representative Scott Casperson

Administration: Matthew Baka, Senior Planner
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

04-80-15

**STUDY SESSION
Glazing Standards**

Mr. Baka explained that as a result of applicants having to revise their architectural designs in order to meet the window standards established in the Zoning Ordinance, members of the Planning Board have discussed whether the ordinance could be amended to give the reviewing City Board the authority to allow architects more creativity and flexibility when composing their designs by allowing variation from the window requirements.

After many prior meetings and review by the City Commission, the Planning Board at their March 11, 2015 meeting conducted a study session to continue discussion on improving the window standards. There was consensus that the 70% glazing requirement should be limited to between 1 and 8 ft. above grade in all zones and districts. It was also agreed that the current requirements of section 4.83 WN are problematic as they have required excessive glazing on several recent projects which has resulted in multiple variance requests to the Board of Zoning Appeals.

Although no specific modification standards were recommended over others, the Planning Board clearly indicated that the intent of the ordinance was to engage pedestrians in commercial zones. The board directed the Planning Dept. to review the various ways of accomplishing that intent. Accordingly, revised draft ordinance language is presented for the consideration of the Planning Board.

In order to provide consistency throughout the ordinance, the Planning Staff recommends amending the first floor standards in the Triangle District and Section 4.83 to require 70% glazing between 1 and 8 ft. above grade.

Mr. Baka advised that the window standards apply on the front façade and any façade that includes the primary entrance where the façade faces a street, plaza, park or parking area. Blank walls are not permitted on elevations with public entrances.

It was concluded that a definition of "blank wall" is needed. Ms. Whipple-Boyce thought that some flexibility should be written into the ordinance. Say that blank walls are not permitted on elevations, period. Mr. Koseck thought this matter needs another layer of study so they don't end up with a bunch of windowless buildings or uninterrupted walls that don't make for good architecture. Mr. Baka clarified that what is being discussed does not apply in the Downtown or the Triangle. It only applies in areas that are more likely to have a stand-alone building. Ms. Lazar thought the board needs definite parameters to work with.

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, OCTOBER 14, 2015
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on October 14, 2015. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle, Carroll DeWeese, Bert Koseck, Gillian Lazar, Janelle Whipple-Boyce; Alternate Board Member Stuart Jeffares

Absent: Board Member Bryan Williams; Alternate Board Member Daniel Share; Student Representatives Scott Casperson, Andrea Laverty

Administration: Matthew Baka, Senior Planner
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

10-201-15

STUDY SESSION

1. Window Glazing Standards

Mr. Baka recalled that on October 24, 2012 several members of the Planning Board discussed whether the ordinance could be amended to permit the reviewing City board the authority to give architects more creativity and flexibility when composing their designs by allowing variation from the window requirements. Since that time several study sessions and public hearings have been held to examine this topic.

At their meeting on January 27, 2014 the City Commission suggested that the ordinance amendment recommended by the Planning Board be modified to allow the proposed flexibility in the MX District but to have more restrictive requirements in the Downtown and Triangle District.

The first-floor glazing standards are inconsistent throughout the zones. The result of this difference is that outside of the Downtown Overlay a significantly larger amount of glazing is needed to satisfy the requirement. Therefore, the Planning Division recommends as a starting point amending the first-floor window standards in all districts in section 4.83, the General Standards, to require 70% glazing between 1 and 8 ft. above grade on any facade facing a street, plaza, park, or parking area. Blank walls of longer than 20 ft. shall not face a public street. It is believed that the addition of these provisions to these two areas of the City will significantly decrease the frequency of variance applications while still achieving the intent of the standards. Also, the Planning Division recommends amendments to Article 3, section 3.09(b)(1) to make the glazing standards consistent in the Triangle Overlay District.

The board discussed that unique circumstances might allow flexibility in design to modify the standards. They decided to come back to that later after a little more thought.

Board members concluded that consideration of the Downtown Overlay would be a separate issue.

The consensus was to amend Article 04, section 4.83 WN-01 A and B and strike C. Further, amend Article 03, Section 3.09 b (1) Commercial/Mixed Use Architectural Requirements in the MX District as presented.

Motion by Mr. Boyle

Seconded by Mr. DeWeese to send this matter to a public hearing on November 11, 2015.

Motion carried, 7-0.

VOICE VOTE

Yeas: Boyle, DeWeese, Clein, Jeffares, Koseck, Lazar, Whipple-Boyce

Nays: None

Absent: Williams

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, NOVEMBER 11, 2015
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on November 11, 2015. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle, Bert Koseck, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Members Stuart Jeffares, Daniel Share

Absent: Board Member Gillian Lazar; Student Representatives Scott Casperson, Andrea Lavery

Administration: Matthew Baka, Senior Planner
Sean Campbell, Asst. Planner
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

11-220-15

PUBLIC HEARINGS

1. TO AMEND ARTICLE 03 SECTION 3.09 (B) (1) TO REQUIRE GLAZING IN THE TRIANGLE DISTRICT BETWEEN 1 FT. AND 8 FT. ABOVE GRADE ON THE GROUND FLOOR;

AND

TO AMEND ARTICLE 04, SECTION 4.83 WN-01 (WINDOW STANDARDS) TO SPECIFY THAT THE REQUIRED 70% GLAZING IS BETWEEN 1 AND 9 FT. ABOVE GRADE ON THE GROUND FLOOR IN ALL ZONE DISTRICTS

Chairman Clein opened the public hearing at 7:34 p.m.

Mr. Baka recalled that at the October 14, 2015 Planning Board meeting the board discussed the issues related to the current window standards and the recurring need for applicants to seek variances from the Board of Zoning Appeals ("BZA"). Although it was acknowledged that additional changes need to be made beyond what is currently proposed, it was determined that there should be further study on certain aspects of the standards before additional changes can be recommended. It was decided however, that the standard of measuring the percentage of glazing on a site should be consistently measured between 1 and 8 ft. above grade. Accordingly, the Planning Board set a public hearing for November 11, 2015 to consider amendments to the window standards contained in the Zoning Ordinance.

The first floor glazing standards are inconsistent throughout the zones. In the Downtown Overlay the 70% requirement is only applied between 1 and 8 ft. above grade. In the

Triangle District and window standards of section 4.83, the 70% requirement is applied to the entire first floor. The result of this difference is that outside of the Downtown Overlay it requires a significantly larger amount of glazing to satisfy the requirement. A lot of developments are having a hard time meeting this standard. In order to provide consistency throughout the ordinance and still achieve the pedestrian and public interaction intended by the standards, the Planning Division recommends amending the first floor standards in the Triangle District and Section 4.83 to require 70% glazing between 1 and 8 ft. above grade. Staff believes that the addition of this provision to these two sections will significantly decrease the frequency of variance applications, while still achieving the intent of the standards.

The other proposed standard to be added to section 4.83 is that blank walls of longer than 20 ft. shall not face a public street.

There were no comments from the public at 7:36 p.m.

Motion by Mr. Boyle

Seconded by Mr. Williams to accept the amendments to the Zoning Ordinance as follows:

Article 04, section 4.83 WN-01

- A. Storefront/Ground Floor Windows:** Ground floors shall be designed with storefronts that have windows, doorways and signage, which are integrally designed. The following standards apply:
- 1. No less than 70% of the storefront/ground floor facade between 1 and 8 ft. above grade shall be clear glass panels and doorway.**
 - 6. Blank walls of longer than 20 ft. shall not face a public street.**

Article 03, section 3.09 (b) (1)

B. Windows and Doors

- 1, Storefront/Ground Floor, Ground floors shall be designed with storefronts that have windows, doorways and signage, which are integrally designed and painted. No less than 70% of the storefront/ground floor facade between 1 and 8 ft. above grade shall be clear glass panels and doorway.**

No one from the audience wished to comment at 7:37 p.m.

Motion carried, 7-0.

VOICE VOTE

Yeas: Boyle, Williams, Clein, Jeffares, Koseck, Share, Whipple-Boyce

Nays: None

Absent: Lazar

The chairman closed the public hearing at 7:38 p.m.

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, MARCH 9, 2016
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on March 9, 2016. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Member Lisa Prasad; Student Representative Colin Cusimano

Absent: Board Members Bert Koseck, Gillian Lazar; Alternate Board Member Daniel Share

Administration: Matthew Baka, Senior Planner
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

03-39-16

3. Glazing

Mr. Baka advised that over the past several years the Planning Board has performed site plan reviews where the board expressed support for the proposed design but the applicant has been forced to pursue variances because they were not able to meet the window standards contained in the Zoning Ordinance. Accordingly, the Planning Board has been holding study sessions on this topic to explore ways that the ordinance requirements can be altered so that fewer variances are sought but the objective of the window standards remains in place. The intent has been stated as the activation of the streets and public spaces of Birmingham by creating an interactive relationship between pedestrians and the users of the buildings in commercial areas.

During the study sessions held previously, the Board has discussed creating a waiver that is contingent on a set of criteria that would allow the Planning Board to waive the glazing requirements under certain circumstances. The City Commission has been hesitant to embrace this approach due to the subjective nature of such criteria. Accordingly, in previous study sessions the Planning Board developed a list of requirements that must be met in order to qualify for the exemption.

Another potential change that staff would like the Planning Board to discuss is combining the provisions of Article 04 and Article 07 into one set of standards that requires 70% glazing on the facades that face the street and then reducing the requirement to 50% on secondary facades that face parking areas and open space.

Mr. Baka recalled the Planning Board has been talking about glazing for quite a long time. The origination of the glazing requirements came from the Downtown Overlay Zone and/or the 2016

Plan where 70% glazing is required between 1 ft. and 8 ft. above grade. In the downtown that is just along the storefronts. When the Triangle Plan was created in 2006, glazing standards were also added. Then there were additions made to Article 4, the Development Standards which would apply to all commercial properties outside of the two Overlays. Last fall, an amendment was completed to make the three criteria consistent in that they were all being measured between 1 ft. and 8 ft. The Triangle and the General Commercial areas did not have that, so staff was forced to measure glazing for the whole facade which made it difficult for people to comply.

Right now section 4.90 dealing with all other commercial zones states that window standards requiring 70% glazing apply on the front facade and any facade facing a street, plaza, park, or parking area. The board has been talking about altering the language so that the requirements are not quite as difficult to meet. Staff has come up with a way to give this body the authority to waive those requirements if they see fit and has developed a list of requirements that must be met in order to qualify for the exemption:

To allow flexibility in design, these standards may be modified by a majority vote of the Planning Board, Design Review Board, and/or Historic District Commission 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 of upper stories 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.

Ms. Whipple-Boyce along with other members suggested adding the following:

- d. No less than 50% glazing between 1 ft. and 8 ft. above grade on the secondary facades that don't face a public or private street. Note that the primary facade faces the street and contains the address.

Mr. Baka advised that current standards for upper story windows say that openings above the first story shall be a maximum of 50% of the total facade area. Windows shall be vertical in proportion. It was discussed that current office design calls for expansive use of glazing on the upper floors. Board members considered allowing no more than 70% glazing on the upper floors. Chairman Clein suggested coming back next time with the language that was discussed for the first floor along with language that says that the second story can have no more than 70% glazing.

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, APRIL 13, 2016
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on April 13, 2016. Chairman Scott Clein convened the meeting at 7:30 p.m.

Present: Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Gillian Lazar, Janelle Whipple-Boyce, Bryan Williams

Absent: Alternate Board Members Lisa Prasad, Daniel Share; Student Representative Colin Cusimano

Administration: Matthew Baka, Senior Planner
Sean Campbell, Asst. Planner
Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

04-61-16

STUDY SESSION

Glazing

Mr. Baka recalled that the Planning Board has been holding study sessions on this topic to explore ways that the ordinance requirements can be altered so that fewer variances are sought but the intent of the window standards remains in place. The intent of the glazing requirements has been to activate the streets and public spaces of Birmingham by creating an interactive relationship between the pedestrians and the buildings in commercial areas.

Since the last study session an error was discovered in the Zoning Ordinance that has a significant effect on how the existing language is enforced. However, the Planning Division is of the opinion that this clerical error correction would bring the regulations back in line with the original intent of the window standards. This would eliminate the need for creating definitions for primary and secondary facades as discussed at the last study session. It will reduce the amount of glazing required on non-street facing facades and will reduce the number of variance requests, but will still provide glazing on elevations of buildings that face the street. The question is whether the board wants to add more requirements for non-street facing facades.

Board members decided to strike 4.90 WN-01 (C) (e) that states glazing on the ground floor facade shall not be reduced to less than 50% between 1 and 8 ft. above grade.

Discussion considered whether glazing should be required on buildings where a public entrance not on the frontage line is in the back. It was thought there must be a minimum of 30% glazing between 1 and 8 ft. above grade.

Mr. Baka agreed to write out the changes for the board to see one more time before this topic goes to a public hearing.

**CITY OF BIRMINGHAM
REGULAR MEETING OF THE PLANNING BOARD
WEDNESDAY, MAY 11, 2016
City Commission Room
151 Martin Street, Birmingham, Michigan**

Minutes of the regular meeting of the City of Birmingham Planning Board held on May 11, 2016. Vice-Chairperson Gillian Lazar convened the meeting at 7:30 p.m.

Present: Board Members Stuart Jeffares, Bert Koseck, Gillian Lazar, Daniel Share, Janelle Whipple-Boyce, Bryan Williams; Student Representative Colin Cusimano

Absent: Chairman Scott Clein; Board Member Robin Boyle.

Administration: Jana Ecker, Planning Director
Carole Salutes, Recording Secretary

05-84-16

STUDY SESSION ITEMS

1. Glazing

Ms. Ecker recalled the only changes from the last meeting were:

(1) That the board determined they would like minimum glazing required on any façade that has a public entrance, even if it is not in the front. That alteration was made to Article 4.90 WN-01 (B) Ground floor building elevations that now states "Building elevations on the ground floor that do not face a frontage line but contain a public entrance shall be no less than 30% glazing between 1 and 8 feet above grade." However, if the façade is on a frontage line and faces the street, 70% glazing is required.

(2) Also (C) Blank walls of longer than 20 ft. on the ground floor shall not face a plaza, park, parking area or public street.

For Chairperson Lazar, Ms. Ecker explained that Article 4.90 WN-01 (B) (5) means the bottom part of the window has to be in the pedestrian zone, which is no more than 3 ft. above the adjacent exterior grade.

Motion by Mr. Williams

Seconded by Ms. Whipple-Boyce to set a public hearing for June 8, 2016 to consider the proposed changes to Article 04, Section 4.90 WN -01 and Article 07, Section 7.05 of the Zoning Ordinance to amend the glazing standards.

At 7:40 p.m. there was no public to comment on the motion.

Motion carried, 7-0.

ROLLCALL VOTE

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

Nays: None

Absent: Boyle, Clein

Planning Board Minutes
June 8, 2016

PUBLIC HEARING

1. To consider amendments to Article 04, section 4.90 WN-01 and Article 07, section 7.05 of the Zoning Ordinance to amend the glazing standards

Chairman Clein opened the public hearing at 7:40 p.m.

Mr. Baka recalled that the Planning Board has been holding study sessions on this topic to explore ways that the ordinance requirements can be altered so that fewer variances are sought but the intent of the window standards remains in place. The intent of the glazing requirements has been to activate the streets and public spaces of Birmingham by creating an interactive relationship between the pedestrians and the buildings in commercial areas. The Planning Board decided that the standard of measuring the percentage of glazing on a site should be consistently measured between 1 and 8 ft. above grade in all zoning districts. Accordingly, the board recommended approval of the proposed amendments to the City Commission, which were later adopted by the Commission. Since that time, the Planning Division has held several study sessions on the subject of window standards.

At the last study session the Planning Board discussed an error in the Zoning Ordinance that was discovered by staff and that has a significant effect on how the existing language is enforced. The definition of facade was inadvertently altered when the Zoning Ordinance was reformatted in 2005. The reformatting changed the definition of facade to the vertical exterior surface of a building that is set parallel to a setback line which is all four sides of the parcel; rather than a frontage line which is elevations that front on a public street. The change from frontage line to setback line significantly alters what is considered a facade.

This discovery eliminated a lot of the need to make drastic changes to the window standards. However, the board did determine that building elevations that have a public entrance should contain some element of glazing on elevations that are not on a frontage line. Accordingly, the board directed staff to draft a provision that requires 30% glazing between 1 and 8 ft. on those elevations. In addition, the Planning Division recommends adding Article 4, section 4.90 (C) to prevent blank walls longer than 20 ft. in most situations, and would also recommend the removal of Article 7, Processes, Permits and Fees, section 7.05 (B), Architectural Design Review, as it is out of place in this location, and would be best addressed in Article 4, Development Standards – Window Standards.

Also a section has been added to allow flexibility in architectural design considerations. These standards may be modified by a majority vote of the Planning Board, Design Review Board, and/or Historic District Commission provided certain conditions are met.

Discussion brought out that the ordinance dictates which board an applicant will appear before.

On May 11, 2016, the Planning Board discussed the proposed amendments to the glazing standards, and voted unanimously to set a public hearing for June 8, 2016. No changes have been made to the proposed language since that time.

There were no comments from the public on the proposed amendments at 7:52 p.m.

Motion by Ms. Whipple-Boyce

Seconded by Mr. Share to recommend to the City Commission approval of the proposed changes to Article 04, section 4.90 WN-01 and Article 07, section 7.05 of the Zoning Ordinance to amend the glazing standards.

No one from the audience wished to discuss the motion at 7:53 p.m.

Motion carried, 6-0.

VOICE VOTE

Yeas: Whipple-Boyce, Share, Klein, Jeffares, Koseck, Lazar

Nays: None

Absent: Boyle, Williams

The chairman closed the public hearing at 7:53 p.m.

BIRMINGHAM CITY COMMISSION MINUTES
JULY 25, 2016
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

II. ROLL CALL

ROLL CALL:	Present,	Mayor Hoff Commissioner Bordman Commissioner Boutros Commissioner DeWeese Commissioner Harris Mayor Pro Tem Nickita Commissioner Sherman
	Absent,	None

Administration: City Manager Valentine, City Attorney Currier, Clerk Pierce, Assistant to the Manager Haines, DPS Director Wood, BPS Director Heiney, City Planners Ecker & Baka, Fire Chief Connaughton, Deputy Fire Marshal Campbell, Finance Director Gerber, Deputy Treasurer Klobucar, Police Chief Clemence

**07-241-16 PUBLIC HEARING TO CONSIDER ORDINANCE AMENDMENT
REGARDING GLAZING STANDARDS**

Mayor Hoff opened the Public Hearing to consider amendments to Zoning Ordinance – Glazing Standards at 9:54 PM.

Planner Baka explained that there are three sets of standards that govern how window standards are applied in the City – for the downtown overlay, the triangle district, and for all other commercial properties in the City which includes the rail district. He explained that as the Planning Board was reviewing projects, they started seeing projects that were forced to obtain variances to accomplish the design or had to alter the design of the façade in order to gain approval without a variance.

Mr. Baka explained the recommendation to add a provision that would require glazing on not just the frontage lines, but also on any side of the building where there is a public entrance. In certain situations, specifically along Woodward where there are only two sides to the building and there are rear entrances, a lot of stores need storage rooms and back of house type of situations. The recommendation includes a minimum requirement of 30% on secondary entrances, which is half of what is required on the front. The other recommendation is that no blank walls longer than twenty feet that face a plaza, park, parking area or street.

Mayor Pro Tem Nickita stated that the ability to provide glass on a passageway is one of the fundamental goals that is trying to be achieved and should be included as well. He commented

that it is identified in the 2016 Plan and is promoted throughout the retail is that glass must be clear. The City needs language that is enforceable and "lightly tinted" is not legally binding.

The Commission agreed to direct this back to the Planning Board to consider the changes as discussed.

The Mayor closed the Public Hearing at 10:16 PM.



MEMORANDUM

Planning Division

DATE: August 3, 2016

TO: Planning Board

FROM: Jana L. Ecker, Planning Director

SUBJECT: City Commission Directives on Current Planning Issues

At the July 25, 2016 City Commission meeting, the commission discussed each of the current planning issues outlined at the June 20, 2016 joint meeting of the City Commission and the Planning Board. Please find attached a copy of the report that was sent to the City Commission based on the discussion that took place at the joint meeting. Each of the current issues contained in the memo were discussed and the City Commission gave the following direction to the Planning Board:

- 1) **Transitional Zoning:** To direct staff to work with the Planning Board to prepare a narrative on the recent study of transitional zoning including the following:
 - (i) What initiated the transitional zoning study;
 - (ii) What options have been considered to date; and
 - (iii) A comparison of existing O1 and O2 uses in relation to the proposed TZ2 uses.

And further, to direct the Planning Board to review the number and type of uses proposed to be permitted in TZ2, outline the next steps planned, and to conduct a public hearing with sufficient public notice to gather input on the proposed changes and develop a recommendation based on input received that can be forwarded to the City Commission;

- 2) **Commercial Development Parking Requirements:** To direct the Planning Board to review the parking requirements for private developments, including but not limited to, considering the possible reduction of parking standards for residential units, and considering the impacts of multi-modal transportation options on the required number of parking spaces; and further to direct staff to include a discussion on parking requirements in the City-wide master plan update;
- 3) **Existing Commercial Non-Conforming Buildings:** To review the non-conformance provisions pertaining to commercial buildings to provide specific requirements considering creating a new zoning category or categories to allow for changes to non-conforming buildings for the maintenance and renovation of existing buildings consistent with those permitted for residential buildings and structures;

4) **Definition of Retail:** To direct the Planning Board to study the following:

- To evaluate the success of the red line retail district in Downtown Birmingham to determine if the intended objectives are being met;
- To study the existing definition of retail in the Zoning Ordinance and recommend any needed amendments to the definition; and
- To review all retail-related requirements contained in the Zoning Ordinance and recommend any needed amendments;

5) **Dormer Considerations:**

To direct the Planning Board to review the dormer and habitable attic regulations in the Zoning Ordinance as they relate to current dormer construction trends in residential zoned districts. Specifically, to conduct a detailed public input and review process to:

- Clarify the types of dormers permissible that project from second story roofs enclosing habitable attics;
- Provide recommended width limitations for dormers projecting from second story roofs; and
- Refine the maximum area regulations for habitable attics that would not count as a story; and

6) **Planning Board Action List:** To direct the Planning Board to revise their 2016-2017 Planning Board Action List to reflect the City Commission's recent and pending directives.

In addition to providing the above direction to the Planning Board directly, on July 25, 2016, the City Commission also approved an ordinance amendment to regulate new lot consolidation requests, and to establish a review process similar to the lot split review process currently in place. It is also anticipated that further discussion regarding a City-wide master plan update will be discussed again at the September joint meeting of the City Commission and Planning Board.

DRAFT City Commission Minutes
July 25, 2016

V. UNFINISHED BUSINESS

07-240-16 CURRENT PLANNING ISSUES DISCUSSION

City Planner Ecker explained that the Commission discussed the current planning issues at the joint workshop. This report is to get the Commission's formal direction to the Planning Board on each item.

(1) Transitional Zoning (TZ2 District)

The Commission discussed transitional zoning. Commissioner Sherman noted that the purpose of this agenda item is to solidify the Commission's direction on this topic to the Planning Board, not to re-discuss the issues. He stated that the question is whether the suggested resolution accurately reflects what the Commission wants the Planning Board to study.

MOTION: Motion by DeWeese, seconded by Sherman:

To direct staff to work with the Planning Board to prepare a narrative on the recent study of transitional zoning including the following:

- (i) What initiated the transitional zoning study;
- (ii) What options have been considered to date; and
- (iii) A comparison of existing O1 and O2 uses in relation to the proposed TZ2 uses.

And further, to direct the Planning Board to review the number and type of uses proposed to be permitted in TZ2, outline the next steps planned, and to conduct a public hearing with sufficient public notice to gather input on the proposed changes and develop a recommendation based on input received that can be forwarded to the City Commission.

VOTE: Yeas, 7
 Nays, None
 Absent, None

(2) Commercial Development Parking Requirements

City Planner Ecker explained that the Planning Board is looking for direction as to whether or not the Planning Board should review the parking requirements for private developments and potentially consider the possible reduction of parking standards for residential units and consider the multi-modal transportation projects that are going on in the region and whether those should affect the private parking standards and to direct staff to include a discussion on parking in the City-wide master plan.

MOTION: Motion by Nickita, seconded by DeWeese:

To direct the Planning Board to review the parking requirements for private developments, including but not limited to, considering the possible reduction of parking standards for residential units, and considering the impacts of multi-modal transportation options on the required number of parking spaces; and further to direct staff to include a discussion on parking requirements in the City-wide master plan update.

Clinton Baller, resident, suggested the Commission consider the provision of parking as something that is discussed in the master plan and in the context of a possible D5 new zone

and how the City can get more public parking out of new developments. He stated that the concept is that density bonuses be offered.

VOTE: Yeas, 7
 Nays, None
 Absent, None

(3) Existing Commercial Non-Conforming Buildings

City Planner Ecker explained that if a review of all the buildings in town was done, one would find something slightly non-conforming on many of the buildings that were built, especially if they were built prior to the sixty's when the zoning ordinance came into effect. She noted specifically buildings such as the Merrillwood Building, Birmingham Place, and the 555 building in regards to the height and bulk of the buildings. She explained that the discussion at the workshop was that there should be some regulation in the zoning ordinance that allows for some maintenance or renovation to those types of buildings when they are already non-conforming. The City does have that for residential non-conforming now.

Mayor Hoff questioned whether renovation includes expansion as expansion is another issue. Ms. Ecker explained that it would be something for the Board to discuss.

Commissioner DeWeese noted that there are two elements – general language about what anyone could do for non-conformance and language that specifically applied to non-conforming and tell them what limits they can go to. That will give developers an opportunity to not always have to get exceptions.

Mayor Pro Tem Nickita commented that this is an issue that the Commission wants to address. He questioned if the City is looking at identifying a district or a series of buildings throughout the City. Ms. Ecker explained that this is to establish a procedure where if there was a non-conforming building in the City and whichever way it is non-conforming, it would give the owner a way to make changes to modernize that building.

MOTION: Motion by DeWeese, seconded by Bordman:

To review the non-conformance provisions pertaining to commercial buildings to provide specific requirements, considering a new zoning category or categories, that allow for changes to non-conforming buildings for the maintenance and renovation of existing buildings consistent with those permitted for residential buildings and structures.

Jerry Reinhart, representing the 555 Building, suggested this item be moved to the top of the priority list.

VOTE: Yeas, 7
 Nays, None
 Absent, None

(4) Definition of Retail

City Planner Ecker explained that another topic frequently discussed is whether the definition of retail should be clarified to make it more specific to the types of things that one consider as traditional retail or leave it wider open so there are no vacancy issues.

In response to a question from Mayor Pro Tem Nickita, Ms. Ecker explained that the original discussion of retail downtown gives a basis for the Board to start from. She explained that the discussion would include where we wanted to go, did we accomplish it and where do we want to go from here. Commissioner DeWeese suggested that there be a measure of primary use versus secondary use as well.

MOTION: Motion by DeWeese, seconded by Boutros:

To direct the Planning Board to study the following:

- (i) To evaluate the success of the red line retail district in Downtown Birmingham to determine if the intended objectives are being met;
- (ii) To study the existing definition of retail in the Zoning Ordinance and recommend any needed amendments to the definition; and
- (iii) To review all retail-related requirements contained in the Zoning Ordinance and recommend any needed amendments.

VOTE: Yeas, 7
Nays, None
Absent, None

(5) Dormer Considerations

City Planner Ecker explained that the dormer issue is primarily on the residential side mostly with the habitable attic space. She explained the Building Department is looking for some guidelines that make the dormer guidelines very clear for residential and the definition for habitable attic.

MOTION: Motion by Nickita, seconded by Boutros:

To direct the Planning Board to review the dormer and habitable attic regulations in the Zoning Ordinance as they relate to current dormer construction trends in residential zoned districts. Specifically, to conduct a detailed public input and review process to:

- (1) Clarify the types of dormers permissible that project from second story roofs enclosing habitable attics;
- (2) Provide recommended width limitations for dormers projecting from second story roofs; and
- (3) Refine the maximum area regulations for habitable attics that would not count as a story.

VOTE: Yeas, 7
Nays, None
Absent, None

(6) Planning Board Action List

City Planner Ecker explained that given the direction tonight and the outcome of the joint meeting, the Planning Board wanted to know if the Commission would like the Action List tweaked in terms of the order of priorities.

The Commission discussed the items to be prioritized and agreed to the following priority order:

- 1. Dormers

2. TZ2
3. Non-Conforming Buildings
4. Commercial Development Parking Requirements

Move item #9 after item #11 and keep the outdoor storage and glazing on the list.

MOTION: Motion by Sherman, seconded by Nickita:

To direct the Planning Board to revise their 2016-2017 Planning Board Action List to reflect the City Commission's recent and pending directives as of July 11, 2016.

VOTE: Yeas, 7
Nays, None
Absent, None



MEMORANDUM

Planning Division

DATE: July 5, 2016

TO: Joseph A. Valentine, City Manager

FROM: Jana L. Ecker, Planning Director
Bruce R. Johnson, Building Official

SUBJECT: Current Planning Issues for Discussion

On June 20, 2016, the City Commission and the Planning Board conducted a joint meeting to discuss current planning issues. The joint meeting was a workshop format, and as such, no formal direction was provided at the meeting. Based on the discussion conducted at the joint meeting, the City Commission may wish to provide direction on each of the following topics. Please note that both an updated lot consolidation process and an updated public project review process are currently being prepared, and will be presented under separate cover when complete.

(1) Transitional Zoning (TZ2 District)

Background:

In September 2015, the City Commission held a continued public hearing on the transitional zoning proposals for many properties that had been identified as transitional properties given their location on major streets, and their proximity to both commercial and single family uses. After much discussion and public input, the City Commission took action to create the TZ-1 and TZ-3 zoning classifications, and rezoned several properties into each of these zone districts. However, the City Commission referred the portion of the ordinance related to TZ-2 back to the Planning Board, along with those properties that had been recommended for rezoning to the new TZ-2 zone district.

The Planning Board has since conducted further study on the proposed TZ-2 zone district intent, development standards and permitted uses. The Planning Board remains committed to their previous recommendations on the intent and development standards for the proposed TZ-2 district, but conducted a further review of the permitted uses recommended in TZ-2. The Planning Board also evaluated each use proposed for TZ2 in relation to the uses permitted in TZ1 and TZ3 to ensure a graduated use system was proposed. Consensus at the Planning Board level was reached on which uses should be permitted in each of the transitional zoning district.

Suggested Action:

To direct staff to work with the Planning Board to prepare a narrative on the recent study of transitional zoning including the following:

- (i) What initiated the transitional zoning study;
- (ii) What options have been considered to date; and
- (iii) A comparison of existing O1 and O2 uses in relation to the proposed TZ2 uses.

And further, to direct the Planning Board to review the number and type of uses proposed to be permitted in TZ2, outline the next steps planned, and to conduct a public hearing with sufficient public notice to gather input on the proposed changes and develop a recommendation based on input received that can be forwarded to the City Commission.

(2) Commercial Development Parking Requirements**Background:**

Currently, parking is required to be provided for all commercial uses on properties that are not located within a Parking Assessment District ("PAD"). Many commercial uses fall under the office or retail classification, which requires one parking space / 300 sq.ft. of building space. Other common commercial uses include medical office space, which requires one parking space / 150 sq.ft. of floor area, restaurants, which require one parking space / 75 sq.ft., and barber shops, beauty salons and tanning salons which require two off-street parking spaces per service chair, booth or bed, or 1 off-street parking space per 300 sq.ft. of floor area, whichever is greater.

The availability of parking is an ongoing concern, particularly in the downtown area where demand is high. The need to increase the parking requirements has been raised to alleviate parking concerns. However, increasing the parking requirements for commercial uses may resolve parking issues in some areas of the City, but will not alleviate parking problems in the downtown area as most of the CBD is within the Parking Assessment District. All properties located within the PAD are not required to provide any off-street parking on site, regardless of use as they have paid into the public parking system.

At the same time, a desire to reduce or eliminate parking standards has also been raised in order to reduce the cost of development, thus reducing the amount charged for the sale or lease of building space. The Planning Board has discussed this issue several times over the past 10 years, and has reduced the parking requirements for senior living options, and removed the parking requirement for outdoor dining areas. Both of these decisions were made to encourage senior living developments and outdoor dining options in the City, and this strategy has successfully attracted both as desired.

Suggested Action:

To direct the Planning Board to review the parking requirements for private developments, including but not limited to, considering the possible reduction of parking standards for residential units, and considering the impacts of multi-modal transportation options on the

required number of parking spaces; and further to direct staff to include a discussion on parking requirements in the City-wide master plan update.

(3) Existing Commercial Non-Conforming Buildings

Background:

Currently, the City has several legal, non-conforming commercial buildings throughout the downtown. Concerns often arise with regards to the non-conforming height and bulk of these buildings, and the desire to make improvements or changes to these buildings. Recently, the owners of 555 S. Old Woodward expressed a desire to renovate and potentially expand the existing building, by replacing the exterior building curtain wall system, adding new residential units along S. Old Woodward, as well as adding an addition to the south of the existing residential tower for new retail space and residential units. It was determined that many of the proposed renovations and additions were not permitted as the building was legal non-conforming, and non-conformities could not be increased without seeking numerous variances from the Board of Zoning Appeals. The Planning Board began discussions regarding options to render the existing building at 555 S. Old Woodward as a legal, conforming building that could then be renovated and expanded. Planning Board members discussed addressing other non-conforming buildings with ordinance amendments and to review proposed ordinance amendments within the spirit, vision and context of the entire downtown, and not to create a new zoning classification around a specific building.

In addition to the 555 S. Old Woodward building, the Merrillwood Building and Birmingham Place are also legal non-conforming buildings with regards to their height and bulk. The Planning Board and the City Commission discussed ordinance amendments that would allow the renovation or expansion of non-conforming buildings such as these to ensure their relevance and viability in the future.

Suggested Action:

To review the non-conformance provisions pertaining to commercial buildings to provide specific requirements that allow for changes to non-conforming buildings for the maintenance and renovation of existing buildings consistent with those permitted for residential buildings and structures.

(4) Definition of Retail

Over the past decade, there has been an ongoing desire by City Boards and Commissions to review the current definition of retail to ensure that we are encouraging true retail downtown, and not allowing office and other service uses to dominate.

One of the key issues exists around the definition of "Retail Use" in the Zoning Ordinance. Many people would like the Retail Use definition to be more specific in terms of what types of businesses are permitted, while others believe the current definition is sufficient and already allows the right mix of uses to occur organically downtown. The existing definition for Retail Use and the related definitions are stated in Article 9, section 9.02 of the Zoning Ordinance as follows:

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

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

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

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

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

As defined in Article 9, retail uses include the direct sale of products from the premises, but also include restaurants, entertainment and personal services. Both the Planning Board and the Birmingham Shopping District Board have expressed concern with this definition, and have considered alternative definitions for retail to tighten the definition of retail to include only shops which sell products, not financial, real estate or other such services. On the other hand, many property owners have concerns about tightening up the definitions as they desire the flexibility to lease space to a wider range of users to avoid vacancy.

Suggested Action:

To direct the Planning Board to study the following:

- (i) To evaluate the success of the red line retail district in Downtown Birmingham to determine if the intended objectives are being met;
- (ii) To study the existing definition of retail in the Zoning Ordinance and recommend any needed amendments to the definition; and
- (iii) To review all retail-related requirements contained in the Zoning Ordinance and recommend any needed amendments.

(5) Dormer Considerations

Background:

Over the past couple of years, residents have questioned the number of stories within recently constructed homes. The concern is that some of the homes appear to be three stories in height when the Zoning Ordinance allows only two. The ordinance does limit the number of stories in all single-family districts to two, but also allows a portion of the attic to be habitable. Habitable

attics are typically located behind dormers projecting from the roof of the home. Dormers are utilized to provide windows and additional ceiling height within the habitable attic. Article 9, section 9.02 of the Zoning Ordinance defines dormer and habitable attic as follows:

Dormer: A subunit of a main structure interrupting a roof slope of the main roof structure with its own walls and roof, and characterized by the roof shape of the dormer including but not limited to: flat, deck, hipped, shed, gabled, inset, arched, segmental, and eyebrow style roofs.

Habitable Attic: An attic which has a stairway as a means of access and egress and in which the ceiling area at a height of 7 feet, 4 inches above the attic floor is not more than one-third of the area of the next floor below.

The Zoning Ordinance does not regulate the maximum width of dormers on single-family homes. The Building Department has been applying the regulations of the detached garage limits (50% of the elevation) to regulate dormer size, but there is no language in the ordinance to limit dormers on houses. The increased width of these dormers on smaller lots began when the Building Code lowered the minimum ceiling height from 7.5 feet to 7 feet about fifteen years ago. That change lowered the minimum code ceiling height to less than the 7 feet, 4 inch limitation in the ordinance definition and effectually increased the allowable area for habitable attics. In theory, a habitable attic with a ceiling height between 7 feet and 7 feet, 4 inches is not limited in area. The Building Department has been strongly encouraging the living space of the habitable attic be limited to 1/3 of the second floor to follow the intent of the Zoning Ordinance.

Suggested Action:

To direct the Planning Board to review the dormer and habitable attic regulations in the Zoning Ordinance as they relate to current dormer construction trends in residential zoned districts. Specifically, to conduct a detailed public input and review process to:

- (1) Clarify the types of dormers permissible that project from second story roofs enclosing habitable attics;
- (2) Provide recommended width limitations for dormers projecting from second story roofs; and
- (3) Refine the maximum area regulations for habitable attics that would not count as a story.

(6) Planning Board Action List

Background:

In March of each year the Planning Division prepares an Annual Report to the City Commission outlining the activities of several boards and commissions over the previous year, as well as an action list of identified priority items for consideration over the coming year. In addition, the action lists outline the actions taken to date on each item. From this list, the Planning Board as well as the City Commission has the opportunity to evaluate the Planning Board's goals and objectives, and make any needed amendments based on current priorities.

Suggested Action:

To direct the Planning Board to revise their 2016-2017 Planning Board Action List to reflect the City Commission's recent and pending directives as of July 11, 2016.

	TOPIC	STUDY SESSION	PUBLIC HEARING	STATUS	NOTES
1	Review dormer and habitable attic regulations in SF zones				As directed by the City Commission on 7-11-2016
2	Consider outdoor storage and display standards	4/10/13 4/24/13 6/12/13 8/14/13 8/28/13 1/22/14	7/13/16 PB	In Progress	Develop standards for outdoor storage and displays
3	Glazing Standards	8/28/2013, 3/11/2015, 4/22/2015, 10/14/2015	9/11/13, 9/25/13, 1/27/14, 11/11/2015 PB, 11/23/15 CC	In Progress	CC approved changes to the Triangle Overlay and Article 04 of the Z. O. on 11.23.15 to be consistent with the DB Overlay by measuring Glazing between 1 and 8 feet above grade. Further changes to be considered at future study sessions.
4	Height in MX district	6/22/2016	7/27/2016		Allow 10' height for rooftop mechanical equipment
5	Zoning Transition Overlay (TZ2)	2/27/13, 4/10/13 4/24/13, 5/8/13 5/22/13, 6/12/13 7/24/13, 8/28/13 9/11/13, 11/13/13 1/8/14, 3/12/14 10/8/14, 2/25/15 4/08/15, 5/15/15	10/9/13 2/26/14 4/9/14 4/23/14 6/24/15 PB 08/24/15 CC	In Progress	CC approved rezoning of parcels to the TZ1 and TZ3 zoning classification on 8.24.15. TZ2 sent back to the Planning Board for further study of permitted uses.
6	Parking Requirements				As directed by the City Commission on 7-11-2016
7	Definition of Retail				As directed by the City Commission on 7-11-2016
8	Address allowable changes for commercial non-conforming buildings				As directed by the City Commission on 7-11-2016
9	Consider looking at principal uses allowed and add flexibility("and other similar uses")				
10	Potential residential zoning changes: MF & MX garage doors, garage house standards, dormers	1/22/2014, 11/14/14, 1/28/15, 2/11/15	3/11/2015	In Progress	Ordinance Amendment recommended for approval to City Commission at PH
11	S. Woodward Avenue Gateway Plan (Woodward Corridor Lincoln to 14 Mile Road)	2/27/08 9/24/08 10/20/08 (PB/CC) 2/10/09 (LRP) 10/17/2011 (Joint with CC) 1/22/2012 (LRP) 4/24/13 5/8/13		In Progress	LSL/Hamilton Anderson contracted to lead master plan process - Subcommittee formed to guide master plan process in 2013 - Charette held in May of 2013 Draft plan received from LSL early in 2014 - Project postponed in summer of 2014 due to staff shortage and pending projects
12	Sustainable Urbanism – Green building standards, impervious surface, solar and wind ordinances, deconstruction, geothermal, native plants, low impact development etc.	2/09/2005 7/11/2007 8/08/2007 9/12/2007 1/9/2008 9/10/08 1/14/09 1/28/09 2/10/09 (LRP) 5/13/09 8/12/09 11/11/09 1/23/10 (LRP) 5/12/2010 6/9/10	2/25/09 (PB - Solar) 1/13/10 (PB-Wind) 2/10/10 (PB-Wind) 6/14/2010 (CC-Wind)	Solar ordinance completed; Wind ordinance completed	Incentive option in Triangle District Guest speakers in LEED Certification, Pervious Concrete, LED Lighting, Wind Power, Deconstruction Sustainability website & Awards Native plant brochure
13	Regional Planning Projects	6/12/13 10/9/13 11/13/13 2/1/14 (LRP)		Ongoing	Woodward Complete Streets and Woodward Alternatives Analysis

14	Wayfinding			On Hold	Implement way finding plan
15	Southern Downtown Overlay Gateway	5/13/2015, 6/10/2015, 7/08/2015, 9/09/2015, 9/30/2015		In Progress	Consideration of a new D5 overlay zone requested by the owners of the 555 Building
16	Medical Marijuana	2/25/2015		On Hold	

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

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

II. ROLL CALL

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

Absent, None

ROLL CALL OF PLANNING BOARD:

Present, Mr. Clein, Chairperson
Ms. Boyce
Mr. Boyle
Mr. Jeffares
Mr. Koseck
Ms. Lazar
Ms. Prasad, alternate member (arrived at 7:32 PM)
Mr. Share, alternate member
Mr. Williams

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

III. ITEMS FOR DISCUSSION

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

Public participation will be included as each item is concluded.

A short presentation outlining each item will be made by staff.

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

A. City-wide Master Plan Update

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mayor Hoff asked for public comments.

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

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

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

B. Transitional Zoning (TZ2 District)

Ms. Ecker summarized the transitional zoning issues already adopted. She noted the Planning Board has been studying TZ2 district properties. The board is looking for some direction from the City Commission as to what they would like to see and also share what the board has done so far. She said the uses are always the biggest issue. The board has come up with a new proposal and would like the commission to weigh in.

Some uses in TZ2 have been eliminated, shifted around as to which are allowed as of right, and which are allowed as a special land use permit only, and looking at them clearly in relation to TZ1, TZ2 and TZ3. There was some concern that maybe there was a big jump from TZ1 to TZ2 and not a graduated system that would make it a seamless transition from TZ1 to TZ2 to TZ3 so there was a clear differentiation and it moved the most uses to TZ3. If adopted, TZ1 and TZ3 zones which were already adopted, may need to be adjusted.

Mr. Jeffares added that parking requirements were considered carefully. Ms. Ecker said the main focus has been with uses.

Mayor Hoff said traditionally the special land uses are the ones that we want to control the most. She noticed that quite a few special land uses especially in TZ2 have been eliminated and she asked where they have been moved. Ms. Ecker confirmed that some have been moved to other categories. Originally, the board made all of the food-related uses in a special land use permit category. Since then, the board decided the better demarcation would be parking and traffic and the impact to the neighborhood.

Mayor Hoff asked if the food uses have been moved to commercial permitted uses. Ms. Ecker noted that food uses have been moved there in some cases, but not all. Bank or credit union with a drive-thru have been removed due to the traffic and circulation issue for the neighborhood.

Ms. Boyce said they realized that other ordinances are in place that define noise, smell, and dumpsters, so there are other controls over those uses. Parking is more challenging. It was felt that controls are in place already to be able to put something like a bakery as a permitted use in TZ2 rather than as a special land use.

Commissioner DeWeese said part of the issue here is a different vision of the residents among themselves. Some like a more urban vision, while others that do not want them close to their homes. He has not heard complaints about the layout and structure, but has heard people complain about the uses. He thinks it would be better to have fewer permissible uses in the beginning. He said the basic notion is that it is a buffer for residential areas. He is leery about special land uses, and feels the public does not trust the special land use process. The cost burden of a special land use permit is high in both time and money to a small business owner. We want to find the uses that are acceptable, minimize the use of special land use permits and begin with fewer uses and add more in the future, if appropriate.

Commissioner Harris asked whether TZ2 should just apply in certain areas or be available generally for applicants. Ms. Ecker said there was some discussion about that and they are looking for some input from the commission in that regard. The biggest problems fall into the TZ2 category.

Mayor Hoff noted that the commission did designate specific properties for TZ1 and TZ3. Ms. Ecker agreed, and said that was the original proposal for TZ2 as well, so the board is looking for specific feedback from the commission: should they continue to study the specific properties and determine if TZ2 is a good fit, or present the TZ2 ordinance and let the commission decide to create the district and let people apply individually to come in. The Planning Board has not had a public hearing on it yet, so it is still in the draft stage.

Commissioner Sherman noted that the comments received at the commission's TZ2 public hearing were concerns about uses in the TZ2 area. The idea was to restrict the uses more than they were, and move things to areas where we could control them or add them in later. This draft expands the uses in the area, and reduces the controls rather than increases them. He does not think this has met the objective of what was suggested by the commission. If these areas are designed to protect the neighborhoods, then they need to be looked at from neighborhood side. He suggested fewer uses with more controls that can be relaxed as time goes on if appropriate. He expected to see more under SLUPs, far fewer uses and far less intense uses.

Mr. Boyle asked Commissioner Sherman for specifics. Commissioner Sherman used a delicatessen or specialty food shop as an example. Look at the definition and how is the food prepared or is it packaged. The dry cleaner was originally a special land use and now it is a permitted use. He said things that were agreed to at the time were fine as a special land use and wanted to look at the things that were there that could be done without special land use. Instead, things have been taken out of special land use and made them permitted uses. From

a neighborhood standpoint, we are trying to create a buffer and calm the area between downtown and the neighborhood.

Mr. Williams said they also took things that were in the special land use permit designation and eliminated them entirely, and there are more of those than were added. Of those things that have been eliminated, does the commission agree that some of these should be brought back in. The previous commission was generally unspecific.

Ms. Boyce said it is helpful to go back and look at what is permitted in O1 and O2. When she compares the list side by side, the new one has a lot less permitted uses.

Mr. Clein requested more specific direction. Mayor Hoff agreed with him, and the new commission has not discussed each of the new uses.

Commissioner Nickita said it is important to recognize why it was done in the first place. The fundamental issue is to recognize there was a lot of inconsistencies, edge conditions with no controls, inappropriate uses in the perimeter transitional zone. The effort so far has organized and recognized the gaps and issues and inconsistencies and pulled it all together. Now it is a matter of refining it. When we talk about this, we want to make sure we are up to speed on the accomplishment and value of what has been done. He encouraged the commission to have a dialog on that level. The land use is only one discussion.

Commissioner Harris agreed that the new commission would be helped by seeing the comparisons to O1 and O2, and in that way the degree of change can be assessed.

Commissioner DeWeese would like the board to consider there may be some areas where some of the uses are acceptable because they are not right next to residences. He said we still need to do the follow-up.

Commissioner Boutros said we agree we need to move forward and identify first if we need TZ2. If we do, we have identified lots in the area and we need to determine whether these are the final lots, or are we going to open it to even more. We need to determine the reasons why a use should not be there.

Commissioner DeWeese suggested a study session to discuss the reasons as to why this is being done, and what is being done. Then the commission can provide a policy direction, and have the board come back with the details.

Mayor Hoff stated we already approved TZ1 and TZ3. We just have to fine tune TZ2. We already have the reasons for the transition zones. She is hearing that the questions are about the uses, and perhaps we need to have the comparison discussions.

Commissioner Bordman asked is the plan to review the uses.

Mr. Valentine suggested the commission wants to look at the direction this is headed, so that when it goes back to the board, it can continue to do the work that the commission is expecting the board to do.

Commissioner Bordman has listened to the board comments and their thought process about the impact on the neighborhoods of parking and have eliminated the negative impact of

parking. The board carefully thought about what the residents would like to have that would not have a negative impact on the neighborhood. She is highly satisfied with the work done on these uses. She thinks they are compatible with a buffer zone transition area. We ought to concentrate whether we want the document as it is and apply it to specific places, or if we want this document as it is and let the owner apply for this zoning. She thinks that is the commission's decision.

Mr. Valentine said in terms of process, the commission can draft the ordinance, but that's not the role of the commission. The function is to provide the input that the planning board is looking for so they can provide the recommendation to the commission in vetting this all out. As opposed to putting specifically what you want, you could bypass the Planning Board, but that is not the intent. The intent is to give the Planning Board the direction so they can finish the work they have started with the clarity and expectation that you are expecting.

City Attorney Studt stated that the political decision is the commission's. The Planning Board is the body of experts to guide the commission to where the commission wants to go.

Mayor Hoff hears a difference of opinion here. Commissioner Sherman expressed an opinion that is different. She thinks the commission needs to discuss and decide where we go. Mr. Valentine agreed, and said the commission would review it and then provide direction to Planning Board to work out the final details so the commission can then approve it based on a recommendation.

Ms. Lazar asked would a public hearing yield more information to assist the commission. We are considering the importance of the public opinion, and then it can be furnished to the commission. It is an impact on the neighborhoods and we are trying to be sensitive to needs.

Mr. Williams commented that what is missing is the history of the review of O1 and O2 and the types of uses that began years ago. He suggested a narrative to combine with the charts for the public hearing.

Ms. Boyce would like the commission to dive into this more. General direction has not worked so far.

Mr. Koseck thinks most of the issues can be agreed on, if properly presented along with O1 and O2 discussion.

Mayor Hoff requested clarity on agreement where the public hearing should be held.

Commissioner Sherman agrees that it would be good for new commissioners to have the history of this and the comments summarized as part of the narrative for review. The Planning Board and Commission can each have their discussion before a public hearing and get some consensus. The Commission can send some additional direction based on that to the Planning Board so they can finish their work. Ms. Ecker could update her narrative to include what the public comments were and the Commission discussion before presenting it.

Mr. Williams suggested including what the properties are now and what is permitted now and what they would be. Mayor Hoff stated that was presented previously to the Commission.

Commissioner Boutros suggested what people want to know is what might be there. He said not everyone is going to agree. He is unsure that more information is what is needed.

Mayor Hoff suggested that the packet of materials should be some of the information and would be part of the narrative.

Commissioner Bordman thinks it would be an exhaustive waste of time. The board has spent a huge amount of time on this with considerations that she would apply. She does not see anything on the list of uses that is highly burdensome. She does not want to argue with fellow commissioners about the individual uses. We would be spending hours as the Planning Board did debating with each other about the uses. She suggested to have a public hearing so we can get public input, come back to the Commission to decide if we want to apply this to specific property or leave it as an option for property owners.

Mr. Share said the board should have a public hearing, after which the board will make a recommendation to the Commission. The commission can make its decision.

Commissioner DeWeese thinks it would be useful for commission to get the packet as well to become familiar.

Paul Reagan, 997 Purdy, commented that the history is important and neighborhoods have pushed back hard. The concern is intensive uses with cars, and property values. It's about keeping the encroachment of intensive commercial properties from moving into the neighborhoods.

C. Private Development Parking Requirements

Mr. Valentine stated the intent of these items is not to debate them in general but to have the conversation whether or not these issues should be coming back for further discussion.

Ms. Ecker said two different concerns have been heard over the years. Parking standards for all commercial uses of properties that are not located within a Parking Assessment District (PAD) are in the ordinance. The two central issues for discussion are: 1. Should we have minimum standards and if so, should we change the minimum standards, and 2. Should we have a maximum standard and state that we do not want more parking lots like Adams Square. As for the PAD, on-site parking is not required, except for residential uses. Do we want to provide more public parking throughout the city or not. A different kind of development happens when inside the PAD.

Ms. Ecker commented that those in the PAD have already paid in through special assessment when the parking deck was built.

Mr. Boyle suggested that parking is a feature of the city, and of land use and would like it included in the master plan.

Mr. Williams said we hear all the time there is not enough parking. He agrees city wide, parking has to be dealt with in the master plan.

Ms. Boyce said we should be focusing on the requirement on parking in residential development which drives the price of the residential units, so we are ending up with fabulous million dollar properties in town, but they are not available to everyone who would like to be in the

downtown. One dictates the other and needs to be included in the master plan and discuss where we want the city to be.

Commissioner Nickita said the city has done better than most cities in terms of how we have dealt with parking and how it has driven development. Now there are changes in how people use parking. Because of parking and the parking standards, we cannot get what we want to do in the city core. At the same time, we advocate for significant amount of walkability, increased mobility in terms of non-motorized transportation, and mass transit. There are all kinds of drivers and changes, and we should try to get on top of this as opposed to letting it just happen. He suggested taking an aggressive move of examining the current circumstances in parking and seeing how we can incorporate those as much as possible. He does not think we can do it in the master plan. He thinks that this takes a higher level of involvement, and we may want to consider incorporating some level of dialogue with a parking consultant that understands these complexities and include that into the discussion to drive the way we address our other plans and incorporate that into our master plan. There are many aspects, including future recognition of how things are going to evolve.

Mr. Boyle feels parking standards should be included in the master plan. Discussion continued.

Mark Johnson, non-resident, said the biggest problem is lack of multi modal transportation and suggested the city study alternate ways to move around the city. Currently, everyone must use their car. Study ways to move around the city at the same time the parking issues are discussed.

D. Existing commercial non-conforming buildings

Ms. Ecker described the issue as being several properties that are non-conforming with regards to height, bulk and mass. She provided some history of the buildings in question.

After discussion regarding maintenance and renovations that might be permitted, the number of variances that would be required, it was agreed that the discussion should be continued at the Planning Board level, with direction from the Commission.

There were no public comments.

E. Definition of retail

Ms. Ecker described the issue as the city's definition of retail in the ordinance, and people who would like the definition to be more specific. She said this comes up at the shopping district level. The retailers downtown want to see more retail. For the most part, the general public wants to see an active retail type use whether it is retail or restaurant. There is some debate on what percentage of each. The building owners have a different view.

Commissioner Nickita thinks this is long overdue for discussion. He feels it needs to be re-examined and cleaned up.

The consensus is to continue discussion on the definition of retail.

There were no public comments.

F. Dormer considerations

Building Director Johnson provided background on this issue. Recently, some houses appear to be three stories tall. The ordinance allows two stories in height for single family residential. It also allows a habitable attic. Dormers are utilized to give some additional height in the living space in the attic. Changes in the code over the years permitted an attic that realistically could be 100% habitable space and meet the requirements of the zoning ordinance and the residential code. Most complaints come from the neighborhoods with smaller size lots.

Commissioner DeWeese said feedback he has received indicates there is no consensus on this from the public. He prefers waiting until we go through the master plan process with residents.

Commissioner Nickita said the Building Department is having trouble legislating this. He said the department needs us to intervene soon and not wait for the master plan process to act.

Commissioner Bordman said it bothers her that the department is put in a bad position because the director does not have direction from the city to manage these requests. We need to have something developed so that the department can be consistent from project to project.

Ms. Boyce thinks the Planning Board can clean it up so there are no questions.

Mr. Boyle thinks we need the discussion with the public as well, and not just regulate this without their input.

Mr. Koseck said this is not a master plan issue, and the department needs some direction. This helps people who design as well.

Mr. Williams suggested bringing some representatives from the neighborhoods also.

Mayor Hoff said this issue will be placed on the Planning Board action list.

There were no public comments.

G. Lot consolidation process

Mr. Johnson provided background on the issue. He indicated that the city code and zoning ordinance lack regulations for lot combinations. There has been an increase in non-typical combination inquiries, which have been denied because they are inconsistent with how the block was intended to develop based on its layout and standard zoning principles for front, rear and side open spaces. Some have been approved by the BZA after being denied.

Commissioner Nickita said this goes to the master plan, and is being driven by the development community. He thinks it is an inappropriate way of city building. In the meantime, we should have a stopgap circumstance that allows the city control. At the very least, he suggested we immediately take a look at the possibility of incorporating some type of review as done in lot splits, and apply it to lot combinations in a similar manner. Then follow up with the discussion in the master plan.

The consensus was that it has to be dealt with now, and will come back to the Commission.

H. Planning Board Action List Review

It was agreed that the Action List be amended following City Commission review and discussion.

I. Public Facilities Review Process

Ms. Ecker said there was a lot of discussion when the fire station went through the public review process. In the past, a courtesy review was done because all of the city properties are zone PP (Public Property) and are not required to follow the same standards that other properties owned privately. Concerns were raised about noticing, public hearings, the process, who had input, what type of standards we would apply. She has offered a review process for discussion purposes.

Ms. Ecker said the Library (Phases 2 and 3) may be renovated potentially. Mr. Valentine said this public facility review process would be more for external type changes, not interior renovations.

Mayor Hoff said she does not think this has the immediacy of the other issues, but does think it is a good idea.

Mr. Jeffares said he does not want to lose track and wait too long to discuss this process.

Mayor Hoff said maybe this is something that staff can do and then go to the Commission, and not to Planning Board.

Mr. Valentine said we have a solid framework for a process that we created going through the fire station project.

There were no public comments.

V. ADJOURN

The meeting adjourned at 10:17 PM

/ca



MEMORANDUM

Planning Division

DATE: August 3, 2016

TO: Planning Board

FROM: Jana L. Ecker, Planning Director

SUBJECT: Planning Board's Action List

At the July 25, 2016 City Commission meeting, the commission discussed each of the current planning issues outlined at the June 20, 2016 joint meeting of the City Commission and the Planning Board. At the end of their discussion of each issue, the City Commission also discussed the prioritization of each of the current issues.

The Planning Board most recently approved the 2016 – 2017 Action List in March, and submitted the list in the Community Development Department's Annual Report. Based on the direction and feedback received from the City Commission on July 25, 2016, please find attached a revised draft of the Planning Board's Action List for 2016 – 2017.

DRAFT City Commission Minutes
July 25, 2016

V. UNFINISHED BUSINESS

07-240-16 CURRENT PLANNING ISSUES DISCUSSION

City Planner Ecker explained that the Commission discussed the current planning issues at the joint workshop. This report is to get the Commission's formal direction to the Planning Board on each item.

(1) Transitional Zoning (TZ2 District)

The Commission discussed transitional zoning. Commissioner Sherman noted that the purpose of this agenda item is to solidify the Commission's direction on this topic to the Planning Board, not to re-discuss the issues. He stated that the question is whether the suggested resolution accurately reflects what the Commission wants the Planning Board to study.

MOTION: Motion by DeWeese, seconded by Sherman:

To direct staff to work with the Planning Board to prepare a narrative on the recent study of transitional zoning including the following:

- (i) What initiated the transitional zoning study;
- (ii) What options have been considered to date; and
- (iii) A comparison of existing O1 and O2 uses in relation to the proposed TZ2 uses.

And further, to direct the Planning Board to review the number and type of uses proposed to be permitted in TZ2, outline the next steps planned, and to conduct a public hearing with sufficient public notice to gather input on the proposed changes and develop a recommendation based on input received that can be forwarded to the City Commission.

VOTE: Yeas, 7
 Nays, None
 Absent, None

(2) Commercial Development Parking Requirements

City Planner Ecker explained that the Planning Board is looking for direction as to whether or not the Planning Board should review the parking requirements for private developments and potentially consider the possible reduction of parking standards for residential units and consider the multi-modal transportation projects that are going on in the region and whether those should affect the private parking standards and to direct staff to include a discussion on parking in the City-wide master plan.

MOTION: Motion by Nickita, seconded by DeWeese:

To direct the Planning Board to review the parking requirements for private developments, including but not limited to, considering the possible reduction of parking standards for residential units, and considering the impacts of multi-modal transportation options on the required number of parking spaces; and further to direct staff to include a discussion on parking requirements in the City-wide master plan update.

Clinton Baller, resident, suggested the Commission consider the provision of parking as something that is discussed in the master plan and in the context of a possible D5 new zone

and how the City can get more public parking out of new developments. He stated that the concept is that density bonuses be offered.

VOTE: Yeas, 7
 Nays, None
 Absent, None

(3) Existing Commercial Non-Conforming Buildings

City Planner Ecker explained that if a review of all the buildings in town was done, one would find something slightly non-conforming on many of the buildings that were built, especially if they were built prior to the sixty's when the zoning ordinance came into effect. She noted specifically buildings such as the Merrillwood Building, Birmingham Place, and the 555 building in regards to the height and bulk of the buildings. She explained that the discussion at the workshop was that there should be some regulation in the zoning ordinance that allows for some maintenance or renovation to those types of buildings when they are already non-conforming. The City does have that for residential non-conforming now.

Mayor Hoff questioned whether renovation includes expansion as expansion is another issue. Ms. Ecker explained that it would be something for the Board to discuss.

Commissioner DeWeese noted that there are two elements – general language about what anyone could do for non-conformance and language that specifically applied to non-conforming and tell them what limits they can go to. That will give developers an opportunity to not always have to get exceptions.

Mayor Pro Tem Nickita commented that this is an issue that the Commission wants to address. He questioned if the City is looking at identifying a district or a series of buildings throughout the City. Ms. Ecker explained that this is to establish a procedure where if there was a non-conforming building in the City and whichever way it is non-conforming, it would give the owner a way to make changes to modernize that building.

MOTION: Motion by DeWeese, seconded by Bordman:

To review the non-conformance provisions pertaining to commercial buildings to provide specific requirements, considering a new zoning category or categories, that allow for changes to non-conforming buildings for the maintenance and renovation of existing buildings consistent with those permitted for residential buildings and structures.

Jerry Reinhart, representing the 555 Building, suggested this item be moved to the top of the priority list.

VOTE: Yeas, 7
 Nays, None
 Absent, None

(4) Definition of Retail

City Planner Ecker explained that another topic frequently discussed is whether the definition of retail should be clarified to make it more specific to the types of things that one consider as traditional retail or leave it wider open so there are no vacancy issues.

In response to a question from Mayor Pro Tem Nickita, Ms. Ecker explained that the original discussion of retail downtown gives a basis for the Board to start from. She explained that the discussion would include where we wanted to go, did we accomplish it and where do we want to go from here. Commissioner DeWeese suggested that there be a measure of primary use versus secondary use as well.

MOTION: Motion by DeWeese, seconded by Boutros:

To direct the Planning Board to study the following:

- (i) To evaluate the success of the red line retail district in Downtown Birmingham to determine if the intended objectives are being met;
- (ii) To study the existing definition of retail in the Zoning Ordinance and recommend any needed amendments to the definition; and
- (iii) To review all retail-related requirements contained in the Zoning Ordinance and recommend any needed amendments.

VOTE: Yeas, 7
Nays, None
Absent, None

(5) Dormer Considerations

City Planner Ecker explained that the dormer issue is primarily on the residential side mostly with the habitable attic space. She explained the Building Department is looking for some guidelines that make the dormer guidelines very clear for residential and the definition for habitable attic.

MOTION: Motion by Nickita, seconded by Boutros:

To direct the Planning Board to review the dormer and habitable attic regulations in the Zoning Ordinance as they relate to current dormer construction trends in residential zoned districts. Specifically, to conduct a detailed public input and review process to:

- (1) Clarify the types of dormers permissible that project from second story roofs enclosing habitable attics;
- (2) Provide recommended width limitations for dormers projecting from second story roofs; and
- (3) Refine the maximum area regulations for habitable attics that would not count as a story.

VOTE: Yeas, 7
Nays, None
Absent, None

(6) Planning Board Action List

City Planner Ecker explained that given the direction tonight and the outcome of the joint meeting, the Planning Board wanted to know if the Commission would like the Action List tweaked in terms of the order of priorities.

The Commission discussed the items to be prioritized and agreed to the following priority order:

1. Dormers

2. TZ2
3. Non-Conforming Buildings
4. Commercial Development Parking Requirements

Move item #9 after item #11 and keep the outdoor storage and glazing on the list.

MOTION: Motion by Sherman, seconded by Nickita:

To direct the Planning Board to revise their 2016-2017 Planning Board Action List to reflect the City Commission's recent and pending directives as of July 11, 2016.

VOTE: Yeas, 7
Nays, None
Absent, None

Action Items 2014-2015					
	Topic	Study Session	Public Hearing	Status	Notes
1	S. Woodward Avenue Gateway Plan (Woodward Corridor Lincoln to 14 Mile Road)(To be done in conjunction with number 7 on this list)	2/27/08 9/24/08 10/20/08 (PB/CC) 2/10/09 (LRP) 10/17/2011 (Joint with CC) 1/22/2012 (LRP)		In Progress	Develop Gateway Plan Woodward/Lincoln intersection improvements for 2012 Study current impediments to redevelopment along this corridor (parking) LSL/Hamilton Anderson contracted to lead master plan process Subcommittee formed to guide master plan process in 2013 - Charette held in May of 2013 Draft plan expected from LSL early in 2014
2	Zoning Transition Overlay	2/27/2013		In Progress	Directed by CC to review and make recommendations for appropriate zoning - LSL Planning was contracted to develop a subarea plan - Incorporated into Transition zoning overlay
4	Review Regulated Uses	8/22/2012	5/20/13(CC)	Completed	Directed by CC to review regulated uses and make recommendation for any possible changes

	Topic	Study Session	Public Hearing	Status	Notes
6	Prepare and/or recommend a proposal for consideration by the City Commission to undertake a new comprehensive master plan for the City of Birmingham	10/28/2013		On Hold	Mentioned at LRP (1/21/2012) - Discussed at LRP 2013 Discussed in conjunction with a review of the 2016 Plan
9	Triangle District Implementation (Parking, Streetscape, Road Improvements, Corridor Improvement Authority, Branding)	9/12/2007 11/14/2007 1/23/2008 2/27/08 3/12/08 6/9/08 (CC) 7/7/08 (CC) 7/14/08 8/25/08 (CC) 9/8/08 (CC) 9/10/08 10/13/08 (CC) 12/15/08 (CC) 1/14/09 1/20/09 (CIA) 2/10/09 (LRP) 7/8/096/2/09(CIA) 9/22/09(CIA) 1/23/10(LRP) 8/22/2011 (CC)	8/25/08 (CC-CIA)	On Going	Met with MDOT to discuss improvements Selected streetscape elements Formed CIA to address need for public parking in Triangle District Need to determine future plan for the east side of Adams LSL hired to study potential parking lot locations

	Topic	Study Session	Public Hearing	Status	Notes
10	Rail District Implementation (Public Spaces, Eton St. crossings, Cole St. sidewalks)	3/12/08 6/11/08 1/14/08 3/12/08 1/14/09 2/10/09 (LRP) 2/23/09 (CC) 2/25/09 5/11/2011 8/22/2011 (CC)	9/14/09 (CC – Cole Street Sidewalks) 12/20/2010 (Phase I Cole St. CC) 1/10/2011 (Cole St. Sidewalks CC)	On Going	Formed Rail District Sub-committee to address area needs Created logo w/input from Rail District committee Streetscape Standards Selected Phase I of Sidewalk Plan implemented (Eton) Phase II of Sidewalk Plan implemented (Cole and Lincoln) Cole St. sidewalks - Phase I
12	Consider outdoor storage and display	4/10/13 4/24/13 8/28/13		On Going	Develop standards for Outdoor storage
13	Review fence standards in all districts				
14	Consider looking at principal uses allowed and add flexibility("and other similar uses")				
15	Review parking standards throughout town				
17	Sustainable Urbanism – Green building standards, impervious surface, solar and wind ordinances, deconstruction, geothermal, native plants, low impact development etc.	2/09/2005 7/11/2007 8/08/2007 9/12/2007 1/9/2008 9/10/08 1/14/09 1/28/09 2/10/09 (LRP) 5/13/09 8/12/09 11/11/09 1/23/10 (LRP) 5/12/2010 6/9/10	2/25/09 (PB - Solar) 1/13/10 (PB-Wind) 2/10/10 (PB-Wind) 6/14/2010 (CC-Wind)	Solar ordinance completed; Wind ordinance completed	Incentive option in Triangle District Guest speakers in LEED Certification, Pervious Concrete, LED Lighting, Wind Power, Deconstruction Sustainability website & Awards Native plant brochure
18	2016 Implementation: min eave height downtown, parking space striping, entrance on frontage line conflicts with Code	2/9/05 4/13/2005 6/08/2005 7/13/2005 8/8/2007 9/12/2007 10/10/2007 2/10/09(LRP) 1/23/10(LRP) 5/12/2010 6/21/10	1/11/2010 (CC)	Minimum Eave Height to Public Hearing 8/22/2005 Mandatory Downtown Overlay completed	Lower priority on Action List; part of 2016 Plan

	Topic	Study Session	Public Hearing	Status	Notes
19	Alleys and Passages (Pedestrian & Aesthetic Improvements & Wayfinding); Vendors	8/8/07 9/12/07 10/10/07 8/13/08 4/8/09 1/23/10 (LRP) 4/14/2010 (PB) 1/22/2011 (LRP) 2/9/2011 (PB) 9/21/2011 9/21/11 2/8/12		Completed	Conceptual Plans Developed Studied conditions of existing alleys and passageways in City Sub-committee created March 2009 - Ordinance Amendment adopted 11.12.2012
20	Noise Ordinance Review	1/13/2010 (PB)			Discussed during Broadcast media device study
21	Wayfinding			On Hold	Implement way finding plan
22	Potential residential zoning changes: max. front setback, hot tub proximity, R-8 side setbacks, MF & MX garage doors, garage house standards			No Action Taken	
23	Miscellaneous:				
	(a) Consider altering the definition of impervious surface to include ribbon driveways			No Action Taken	
	(b) Consider adding architectural standards for single family residential structures (including side wall articulation)			No Action Taken	

Action Items 2011-2012

	Topic	Study Session	Public Hearing	Status	Notes
1	Annual Review of Need (Catering, Liquor Licensing, Bistro)	5/10/2006 6/14/2006 10/11/2006 12/13/2006 1/10/2007 2/14/2007 6/13/2007 12/21/09 (CC) 1/13/10 (PB) 1/27/10 (PB) 2/10/10 (PB)	3/14/2007 (PB) 4/16/2007 (CC)	Ongoing	
2	Complete Streets:Identify gaps in pedestrian network; create implementation plan for CS process, create more comfortable ped/bike conditions along targeted thoroughfares; accessibility; crosswalks,M1 Crossings	10/13/2010 (PB) 1/23/2011 (LRP)		In Progress	
3	O1 and O2 Zoning Amendments (Clarify mixed use is permitted & ID dev standards for mixed use)	2/25/08 (CC) 3/12/08 6/11/08 9/8/08 (CC) 7/8/09 8/12/09 9/9/09 10/14/09 4/14/2010 5/12/2010 6/9/10	2/13/08 (PB) 8/13/08 (PB) 10/20/08 (CC) 4/8/09 (PB) 6/14/2010 (CC)	On Going	City Commission directed Planning Board to inventory all O1 and O2 properties and reconsider Survey of O1/O2 properties Sub-committee created May 2010
4	Consider outdoor storage and display				
5	Change ordinance to require submittal of floor plans with application				

6	Consider looking at principal uses allowed and add flexibility("and other similar uses")				
6	Review fence standards in all districts				
7	Re-examine a workable model for higher buildings especially on Woodward Ave.				
8	Review parking standards throughout town				
9	Transit Center District & Joint Planning with Troy	9/10/08 9/22/08 (JWT) 10/29/08 (JWT) 12/2/08 (JWT) 12/15/08 (CC) 1/14/09 2/10/09 (LRP) 2/23/09 (CC) 2/25/09 4/16/09 (JWT) 7/14/09 (JWT) 8/26/09 (JWT) 1/27/10(JWT) 4/24/2010 (PB) 6/23/10 (PB) 7/14/2010 (PB/CC) 7/14/2010 (JWT) 9/8/2010 (JWT)		In Progress	Design and Funding of Transit Center Hired Clark Hill to assist with funding Joint planning with Troy Charrette held June 2009 Creation of Transit Center District HRC hired to complete construction drawings Funding awarded \$1.3 million federal funding \$8.5 million grant award
10	Alleys and Passages (Pedestrian & Aesthetic Improvements & Wayfinding); Vendors	8/8/07 9/12/07 10/10/07 8/13/08 4/8/09 1/23/10 (LRP) 4/14/2010 (PB)		In Progress	Studied conditions of existing alleys and passageways in City Approval of outdoor café in passageway Sub-committee created March 2009

11	Woodward Avenue (Lincoln to 14 Mile Road)	2/27/08 9/24/08 10/20/08 (PB/CC) 2/10/09 (LRP)		In Progress	Study current impediments to redevelopment along this corridor (parking) Streetscape Elements Planning directed by CC to prepare maintenance ordinance for MDOT ROW
12	Sustainable Urbanism – Green building standards, impervious surface, solar and wind ordinances, deconstruction, geothermal, native plants, low impact development etc.	2/09/2005 7/11/2007 8/08/2007 9/12/2007 1/9/2008 9/10/08 1/14/09 1/28/09 2/10/09 (LRP) 5/13/09 8/12/09 11/11/09 1/23/10 (LRP) 5/12/2010 6/9/10	2/25/09 (PB - Solar) 1/13/10 (PB-Wind) 2/10/10 (PB-Wind) 6/14/2010 (CC-Wind)	Solar ordinance completed; Wind ordinance completed	Incentive option in Triangle District Guest speakers in LEED Certification, Pervious Concrete, LED Lighting, Wind Power, Deconstruction Sustainability website & Awards Native plant brochure
13	Triangle District Implementation (Parking, Streetscape, Road Improvements, Adams Square, Corridor Improvement Authority, Branding)	9/12/2007 11/14/2007 1/23/2008 2/27/08 3/12/08 6/9/08 (CC) 7/7/08 (CC) 7/14/08 8/25/08 (CC) 9/8/08 (CC) 9/10/08 10/13/08 (CC) 12/15/08 (CC) 1/14/09 1/20/09 (CIA) 2/10/09 (LRP) 7/8/096/2/09(CIA) 9/22/09(CIA) 1/23/10(LRP)	8/25/08 (CC-CIA)	On Going	Met with MDOT to discuss improvements Selected streetscape elements Formed CIA to address need for public parking in Triangle District Need to determine future plan for the east side of Adams LSL hired to study potential parking lot locations
14	2016 Implementation: min eave height downtown, parking space striping, entrance on frontage line conflicts with Code, mandatory Overlay	2/9/05 4/13/2005 6/08/2005 7/13/2005 8/8/2007 9/12/2007 10/10/2007 2/10/09(LRP) 1/23/10(LRP) 5/12/2010 6/21/10	1/11/2010 (CC)	Minimum Eave Height to Public Hearing 8/22/2005 Mandatory Downtown Overlay completed	Lower priority on Action List; part of 2016 Plan

15	Rail District Implementation (Public Spaces)	3/12/08 6/11/08 1/14/08 3/12/08 1/14/09 2/10/09 (LRP) 2/23/09 (CC) 2/25/09	9/14/09 (CC – Cole Street Sidewalks) 12/20/2010 (Phase I Cole St. - CC)	On Going	Formed Rail District Sub-committee to address needs of area Created logo w/input from Rail District committee Streetscape Standards Selected Phase I of Sidewalk Plan implemented (Eton St.) Phase II of Sidewalk Plan implemented (Cole St. and Lincoln St.) Cole St. sidewalks - Phase I
16	Noise Ordinance Review	1/13/2010 (PB)			Discussed during Broadcast media device study
17	Wayfinding			On Hold	Implement way finding plan
18	Potential residential zoning changes: max. front setback, hot tub proximity, R-8 side setbacks, MF & MX garage doors, garage house standards			No Action Taken	
19	Prepare and/or recommend a proposal for consideration by the City Commission to undertake a new comprehensive master plan for the City of Birmingham			On Hold	

20	Miscellaneous: (a) Consider altering the definition of impervious surface to include ribbon driveways (b) Consider adding architectural standards for single family residential structures (including side wall articulation)			No Action Taken No Action Taken	
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Completed Action Items 2010-2011

	Topic	Study Session	Public Hearing	Status	Notes
1	Liquor Licensing –Economic Development Option	5/10/2006 6/14/2006 10/11/2006 12/13/2006 1/10/2007 2/14/2007 6/13/2007 12/21/09 (CC) 1/13/10 (PB) 1/27/10 (PB) 2/10/10 (PB) 2/24/2010 (PB) 4/14/2010 (PB)	3/14/2007 (PB) 4/16/2007 (CC) 3/24/2010 (PB) 5/10/2010 (CC)	Completed	Approved by City Commission on 5/10/2010
2	Aging in Place: Senior Living Options	5/13/09 7/8/09 9/9/09 10/14/09 11/11/09 12/9/09 1/23/10 (LRP) 3/10/2010 (PB)	3/10/2010 (CC)	Completed	Approved by City Commission on 5/10/2010
3	Bistros in MX	8/11/2010 6/14/2010 (CC-PB) 7/14/2010 (PB)	9/8/2010 (PB)	Completed	Approved by City Commission on 10/11/2011

4	Wind Ordinance	2/09/2005 7/11/2007 8/08/2007 9/12/2007 1/9/2008 9/10/08 1/14/09 1/28/09 2/10/09 (LRP) 5/13/09 8/12/09 11/11/09 1/23/10 (LRP)	2/25/09 (PB - Solar) 1/13/10 (PB-Wind) 2/10/10 (PB-Wind) 3/10/2010 (PB-Wind) 4/18/2010 (PB-Wind) 6/14/2010 (CC-Wind)	Completed	Approved by City Commission on 6/14/2011 (Wind)
5	Triangle District Implementation (Parking, Streetscape, Branding)	9/12/2007 11/14/2007 1/23/2008 2/27/08 3/12/08 6/9/08 (CC) 7/7/08 (CC) 7/14/08 8/25/08 (CC) 9/8/08 (CC) 9/10/08 10/13/08 (CC) 12/15/08 (CC) 1/14/09 1/20/09 (CIA) 2/10/09 (LRP) 7/8/096/2/09(CIA) 9/22/09(CIA) 1/23/10(LRP)	8/25/08 (CC-CIA)	Completed	
6	Rail District Implementation (Sidewalk Plan – Phase II , Streetscape, Branding)	3/12/08 6/11/08 1/14/08 3/12/08 1/14/09 2/10/09 (LRP) 2/23/09 (CC) 2/25/09 10/19/2010 (Sidewalk Plan)	9/14/09 (CC – Cole Street Sidewalks) 12/10/2010 (CC - Cole St. sidewalks Phase I)	Completed	Approved by City Commission on 4/20/2009 (Streetscape)10/25/10 Approved by City Commission on (Sidewalk Plan)
7	Assess Ring Road system	6/08/2005 9/27/2006 12/13/2006 2/28/2007 1/9/2008 5/13/09 7/8/09 1/23/10(LRP)		Completed	Discussed during Hilton Hotel Site Plan & LaSalle Bank Site Plan Reviewed Willits / Chester intersection Removed signage

8	Draft a lighting standards ordinance to create and address site lighting within the City	2003 3/10/2004 4/14/2004 3/09/2005 4/13/2005 5/11/2005 6/08/2005 7/13/2005 8/10/2005 11/9/2005 7/12/2006 4/11/2007 5/9/2007 6/13/2007 11/14/2007 1/9/2008 2/25/08(CC) 11/11/09(PB)	12/14/05 (PB) 8/6/2007 (CC) 9/24/2007 (CC) 2/13/08 (PB) 3/17/08(CC) 1/13/10(PB) 2/22/10(CC)	Completed	Approved Joint review of proposed ordinance by PB and DRB City Commission approved new lighting ordinance Lighting amendment proposed for variation ratio.
9	Update of Zoning Map	10/10/2007 11/14/2007 1/28/08 (CC) 2/25/08 (CC) 3/12/08 6/9/08 (CC)	12/12/07 (PB) 2/13/08 (PB) 4/9/08 (PB) 5/14/08 (PB) 7/14/08 (CC)	Completed	Approved Worked jointly with GIS Division Updated overlay districts, corrected inconsistencies between official maps - now one official Zoning Map with Downtown and Triangle Overlays
10	Sign Standards in the Overlay	4/8/2009	2/13/08 (PB) 8/13/08 (PB) 12/10/08 (PB) 2/23/09 (CC)	Completed	City Commission approved 2/23/09
11	Strengthening Retail – Phase 1 (First floor retail and vacant spaces) & Phase 2 (Lower levels and second floor space & City Demographics)	3/1/2007 (PSD)		Completed	Worked jointly with the Principal Shopping District and GIS Division Won an IMAGIN award for Phase 1 of Market Analysis Mapping
12	Mandatory Downtown Overlay	7/8/09 8/12/09 9/9/09 11/11/09	10/14/09 12/9/09	Completed	
13	Review of Historic Districts in SLUPs	4/8/2009	8/13/08 (PB) 12/10/08 (PB) 2/23/09 (CC)	Completed	City Commission approved 2/23/09

14	Solar ordinance amendment	1/14/09(PB)	2/25/09(PB) 3/23/09(CC)	Completed	City Commission approved 3/23/09
15	Triangle streetscape & Logo	2/27/08(PB) 3/12/08(PB) 5/1/08 (JWPSD) 5/19/08 (CC) 6/16/08(JWCC)		Completed	Approved by the City Commission 9/08/08
16	Rail District streetscape & Logo	2/25/09(PB)		Completed	

	TOPIC	STUDY SESSION	PUBLIC HEARING	STATUS	NOTES
1	Review dormer and habitable attic regulations in SF zones				As directed by the City Commission on 7-25-2016
2	Consider outdoor storage and display standards	4/10/13 4/24/13 6/12/13 8/14/13 8/28/13 1/22/14	7/13/16 PB	In Progress	Develop standards for outdoor storage and displays
3	Glazing Standards	8/28/2013, 3/11/2015, 4/22/2015, 10/14/2015	9/11/13, 9/25/13, 1/27/14, 11/11/2015 PB, 11/23/15 CC	In Progress	CC approved changes to the Triangle Overlay and Article 04 of the Z. O. on 11.23.15 to be consistent with the DB Overlay by measuring Glazing between 1 and 8 feet above grade. Further changes to be considered at future study sessions.
4	Height in MX district	6/22/2016	7/27/2016		Allow 10' height for rooftop mechanical equipment
5	Zoning Transition Overlay (TZ2)	2/27/13, 4/10/13 4/24/13, 5/8/13 5/22/13, 6/12/13 7/24/13, 8/28/13 9/11/13, 11/13/13 1/8/14, 3/12/14 10/8/14, 2/25/15 4/08/15, 5/15/15	10/9/13 2/26/14 4/9/14 4/23/14 6/24/15 PB 08/24/15 CC	In Progress	CC approved rezoning of parcels to the TZ1 and TZ3 zoning classification on 8.24.15. TZ2 sent back to the Planning Board for further study of permitted uses.
6	Address allowable changes for commercial non-conforming buildings & Southern Downtown Overlay Gateway				Consideration of a new D5 overlay zone requested by the owners of the 555 Building, and as directed by the City Commission on 7-25-16
6	Parking Requirements				As directed by the City Commission on 7-25-2016
7	Definition of Retail				As directed by the City Commission on 7-25-2016
8	Potential residential zoning changes: MF & MX garage doors, garage house standards, dormers	1/22/2014, 11/14/14, 1/28/15, 2/11/15	3/11/2015	In Progress	Ordinance Amendment recommended for approval to City Commission at PH
9	S. Woodward Avenue Gateway Plan (Woodward Corridor Lincoln to 14 Mile Road)	2/27/08 9/24/08 10/20/08 (PB/CC) 2/10/09 (LRP) 10/17/2011 (Joint with CC) 1/22/2012 (LRP) 4/24/13 5/8/13		In Progress	LSL/Hamilton Anderson contracted to lead master plan process - Subcommittee formed to guide master plan process in 2013 - Charette held in May of 2013 Draft plan received from LSL early in 2014 - Project postponed in summer of 2014 due to staff shortage and pending projects
10	Consider looking at principal uses allowed and add flexibility("and other similar uses")				
11	Sustainable Urbanism – Green building standards, impervious surface, solar and wind ordinances, deconstruction, geothermal, native plants, low impact development etc.	2/09/2005 7/11/2007 8/08/2007 9/12/2007 1/9/2008 9/10/08 1/14/09 1/28/09 2/10/09 (LRP) 5/13/09 8/12/09 11/11/09 1/23/10 (LRP) 5/12/2010 6/9/10	2/25/09 (PB - Solar) 1/13/10 (PB-Wind) 2/10/10 (PB-Wind) 6/14/2010 (CC-Wind)	Solar ordinance completed; Wind ordinance completed	Incentive option in Triangle District Guest speakers in LEED Certification, Pervious Concrete, LED Lighting, Wind Power, Deconstruction Sustainability website & Awards Native plant brochure

12	Regional Planning Projects	6/12/13 10/9/13 11/13/13 2/1/14 (LRP)		Ongoing	Woodward Complete Streets and Woodward Alternatives Analysis
13	Wayfinding			On Hold	Implement way finding plan
14	Southern Downtown Overlay Gateway	5/13/2015, 6/10/2015, 7/08/2015, 9/09/2015, 9/30/2015		In Progress	
15	Medical Marijuana	2/25/2015		On Hold	



MEMORANDUM

City Manager's Office

DATE: July 22, 2016

TO: Joseph A. Valentine, City Manager

FROM: Joellen Haines, Assistant to the City Manager

SUBJECT: Request to create an Ad Hoc Birmingham Brand Development Committee (BBDC) and issue RFP for Brand Development

At the City Commission meeting of May 11, 2015, it was suggested the City review its branding and image in regards to updating its graphics and logo. The Commission agreed. During the January 16, 2016 Long-Range Planning Meeting, the City Commission was in support of rebranding the City logo, and Mayor Hoff suggested this initiative move forward once the Commission completed its goal setting, which was done on February 8, 2016.

The process proposed to move this initiative forward is to issue a Request for Proposal (RFP) for Birmingham Brand Development, where a firm will be selected to gather input from various stakeholder groups from the community, work closely with a committee formed by the City, and then present the firm's branding recommendations to the committee. The process further requires the creation of an Ad Hoc Birmingham Brand Development Committee (BBDC).

The BBDC would be comprised of: one member from the Parks and Recreation Board, one member from the Birmingham Shopping District (BSD), one member from the Planning Board, two City Commissioners, and two at-large members drawn from different neighborhoods. The seven-person Committee would work with the branding firm to filter information and ideas gathered during the stakeholder groups branding discovery meetings to make their final recommendations to the City Commission for a new City logo.

Consistent with City Commission Goals to encourage citizen involvement for the common good, input will be gathered from branding discovery meetings with three core stakeholder groups; one group from the business community, another representing the residential and neighborhood community, and a final drawing from existing boards and committee members. The RFP specifies that the firm will conduct at least three branding discovery meetings with stakeholders designated by the City.

The goal of the rebranding initiative is to establish a new brand (logo) that communicates Birmingham's image in a positive, evolving and refreshing way.

SUGGESTED RESOLUTION:

To authorize a Request for Proposal (RFP) be issued for Birmingham Brand Development;

AND,

To approve the creation of an Ad Hoc Birmingham Brand Development Committee (BBDC) for the purpose of reviewing and making a recommendation to the City Commission for the rebranding of the City logo; and further, to include 1 member of the Parks and Recreation Board, 1 member from the Birmingham Shopping District, 1 member from the Planning Board, (to be appointed by their respective boards), two members at large in the City, and City Commissioners _____ and _____.



**REQUEST FOR PROPOSALS
For BIRMINGHAM BRAND DEVELOPMENT SERVICES**

Sealed proposals endorsed “**BIRMINGHAM BRAND DEVELOPMENT SERVICES**”, will be received at the Office of the City Clerk, 151 Martin Street, PO Box 3001, Birmingham, Michigan, 48012; **until August 19, 2016 at 4 p.m.**, after which time bids will be publicly opened and read.

The City of Birmingham, Michigan is accepting sealed bid proposals from qualified professional firms to update and refresh the current Birmingham brand logo. This work must be performed as specified accordance with the specifications contained in the Request For Proposals (RFP).

The RFP, including the Specifications, may be obtained online from the Michigan Inter-governmental Trade Network at <http://www.mitn.info> or at the City of Birmingham, 151 Martin St., Birmingham, Michigan, ATTENTION: Marianne Gamboa, Public Relations Specialist.

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

Submitted to MITN:	July 27, 2016
Deadline for Submissions:	August 19, 2016
Contact Person:	Marianne Gamboa, Public Relations Specialist P.O. Box 3001, 151 Martin Street Birmingham, MI 48012-3001 Phone: (248) 530-1812 Email: mgamboa@bhamgov.org



REQUEST FOR PROPOSALS For BIRMINGHAM BRAND DEVELOPMENT SERVICES

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INTRODUCTION

For purposes of this request for proposals the City of Birmingham will hereby be referred to as “City” and the private firm will hereby be referred to as “Contractor.”

The City of Birmingham, Michigan is accepting sealed bid proposals from qualified professional firms to create a design concept to update and refresh the Birmingham brand logo for all its media needs. This would include creating vector-based graphics of the new logo that can be integrated with all City communication avenues, including official letterhead, memorandum, email communication, business cards, community newsletters, press releases, flags, banners, and signage. The Contractor will create Website header/footer graphics incorporating the newly designed logo and integration into online ads and social media networks such as Facebook, Twitter, LinkedIn, etc. The Contractor will also create a Style Guide that shows how the brand identity should be used in different contexts and communication avenues.

The City of Birmingham strives to cultivate a safe, healthy and dynamic city which promotes an environment for people of all ages to live, work, shop and play in the community. The approximately 5 square mile City is home to more than 20,000 people and is located approximately 20 miles north of downtown Detroit in the southeastern portion of Oakland County. The City of Birmingham has a historic downtown nestled inside a thriving retail shopping district, all surrounded by beautiful golf courses, quaint parks and convenient parking structures. Birmingham offers a variety of experiences from sports facilities to entertainment and fine dining. The City boasts pedestrian-friendly shopping and an innovative Farmer’s Market available during the summer months. Additionally, Birmingham hosts numerous art fairs, bike races, park concert series, and year-round events to draw in visitors from all over the country.

The scope of work for the Contractor will include participation in at least three branding discovery meetings with Birmingham stakeholder groups designated by the City. The Contractor will create three design concepts for a new City logo to incorporate ideas representing the different aspects and personality of the City, and then present these designs for review and discussion by a committee designated by the City for Birmingham brand development.

This work must be performed as specified accordance with the specifications outlined by the Scope of Work contained in this Request For Proposals (RFP).

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

It is anticipated the selection of a firm will be completed by November 30, 2016. An Agreement for services will be required with the selected Contractor. A copy of the Agreement is contained herein for reference. Contract services will commence upon execution of the service agreement by the City.

REQUEST FOR PROPOSALS (RFP)

The purpose of this RFP is to request sealed bid proposals from qualified parties presenting their qualifications, capabilities and costs to provide a design concept to update and refresh the Birmingham brand logo for all its communication and media needs. This would include creating vector-based graphics of the new logo that can be integrated with all City communication avenues and social media,

INVITATION TO SUBMIT A PROPOSAL

Proposals shall be submitted no later than August 19, 2016 at 4 p.m. to:

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

One (1) original and seven (7) copies of the proposal shall be submitted. The proposal should be firmly sealed in an envelope, which shall be clearly marked on the outside, **“BIRMINGHAM BRAND DEVELOPMENT SERVICES”**. Any proposal received after the due date cannot be accepted and will be rejected and returned, unopened, to the proposer. Proposer may submit more than one proposal provided each proposal meets the functional requirements.

INSTRUCTIONS TO BIDDERS

1. Any and all forms requesting information from the bidder must be completed on the attached forms contained herein (see Contractor's Responsibilities). If more than one bid is submitted, a separate bid proposal form must be used for each.
2. Any request for clarification of this RFP shall be made in writing and delivered to: Marianne Gamboa, Public Relations Specialist, City of Birmingham, 151 Martin Street, Birmingham, Michigan, 48009, or to mgamboa@bhamgov.org. Such request for clarification shall be delivered, in writing, no later than 2 days prior to the deadline for submissions.
3. All proposals must be submitted following the RFP format as stated in this document and shall be subject to all requirements of this document including the instruction to respondents and general information sections. All proposals must be regular in every respect and no interlineations, excisions, or special conditions shall be made or included in the RFP format by the respondent.

4. The contract will be awarded by the City of Birmingham to the most responsive and responsible bidder with the lowest price and the contract will require the completion of the work pursuant to these documents.
5. Each respondent shall include in his or her proposal, in the format requested, the cost of performing the work. Municipalities are exempt from Michigan State Sales and Federal Excise taxes. Do not include such taxes in the proposal figure. The City will furnish the successful company with tax exemption information when requested.
6. Each respondent shall include in their proposal the following information: Firm name, address, city, state, zip code, telephone number, and email. The company shall also provide the name, address, telephone number and e-mail address of an individual in their organization to whom notices and inquiries by the City should be directed as part of their proposal.
7. All work completed by vendor shall be original, and shall not violate any copyright laws.
8. All ownership rights to original art files and design concepts shall be transferred to the City of Birmingham upon completion of project.
9. During the evaluation process, the City of Birmingham reserves the right where it may serve the City of Birmingham's best interest to request additional information or clarification, or to allow corrections of errors or omissions. At the discretion of the City of Birmingham, firms submitting proposals may be requested to make oral presentations as part of the evaluation.

EVALUATION PROCEDURE AND CRITERIA

The evaluation panel will consist of City staff and any other person(s) designated by the City who will evaluate the proposals based on, but not limited to, the following criteria:

1. Ability to provide services as outlined.
2. Related experience and creative approach with similar projects; include contractor background. Provide a brief history of your organization.
3. Quality and completeness of proposal.
4. Qualifications of personnel assigned to the project.
5. References
6. Overall Costs

TERMS AND CONDITIONS

1. The City reserves the right to reject any or all proposals received, waive informalities, or accept any proposal, in whole or in part, it deems best. The City reserves the right to award the contract to the next most qualified Contractor if the successful Contractor does not execute a contract within ten (10) days after the award of the proposal.
2. The City reserves the right to request clarification of information submitted and to request additional information of one or more Contractors.
3. The City reserves the right to terminate the contract at its discretion should it be determined that the services provided do not meet the specifications contained herein. The City may terminate this Agreement at any point in the process upon notice to Contractor sufficient to indicate the City's desire to do so. In the case of such a stoppage, the City agrees to pay Contractor for services rendered to the time of notice, subject to the contract maximum amount.
4. Any proposal may be withdrawn up until the date and time set above for the opening of the proposals. Any proposals not so withdrawn shall constitute an irrevocable offer, for a period of ninety (90) days, to provide the services set forth in the proposal.
5. The cost of preparing and submitting a proposal is the responsibility of the Contractor and shall not be chargeable in any manner to the City of Birmingham.
6. Payment will be made within thirty (30) days after invoice is received and accepted by the City. Acceptance by the City is defined as authorization by the designated City representative to this project that all the criteria requested under the Scope of Work contained herein have been provided. Invoices are to be rendered each month following the date of execution of an Agreement with the City.

7. The Contractor will not exceed the timelines established for the completion of this project.
8. The successful bidder shall enter into and will execute the contract as set forth and attached as Attachment A.

CONTRACTOR'S RESPONSIBILITIES

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

1. Complete and sign all forms requested for completion within this RFP.
 - a. Bidder's Agreement (Attachment B - p. 17)
 - b. Cost Proposal (Attachment C - p. 18)
 - c. Iran Sanctions Act Vendor Certification Form (Attachment D - p. 19)
 - d. Agreement (p. 11 – **only if selected by the City**).
2. Provide a description of completed projects that demonstrate the firm's ability to complete projects of similar scope, size, and purpose, and in a timely manner, and within budget.
3. Provide a written plan detailing the anticipated timeline for completion of the tasks set forth in the Scope of Work (p. 10).
4. The Contractor will be responsible for any changes necessary for the project to be approved by the City of Birmingham.
5. Provide a description of the firm, including resumes and professional qualifications of the principals involved in administering the project.
6. Provide a list of sub-contractors and their qualifications, if applicable.
7. Provide three (3) client references from past projects, include current phone numbers. At least two (2) of the client references should be for projects for similar services.
8. Provide a project timeline addressing each section within the Scope of Work and a description of the overall project approach. Include a statement that the Contractor will be available according to the proposed timeline.

CITY RESPONSIBILITY

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

2. The City will provide access to the City of Birmingham during regular business hours or during nights and weekends as approved by the City's designated representative.

SETTLEMENT OF DISPUTES

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

INSURANCE

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

CONTINUATION OF COVERAGE

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

EXECUTION OF CONTRACT

The bidder whose proposal is accepted shall be required to execute the contract and to furnish all insurance coverages as specified within ten (10) days after receiving notice of such acceptance. Any contract awarded pursuant to any bid shall not be binding upon the City until a written contract has been executed by both parties. Failure or refusal to execute the contract shall be considered an abandoned all rights and interest in the award and the contract may be awarded to another. The successful bidder agrees to enter into and will execute the contract as set forth and attached as Attachment A.

INDEMNIFICATION

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

CONFLICT OF INTEREST

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

EXAMINATION OF PROPOSAL MATERIALS

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

PROJECT TIMELINE

August 19, 2016 - 4:00 p.m.	Proposals due to City Clerk's Office, Birmingham
September 12, 2016	Contract awarded
November 30, 2016	Project completion

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

SCOPE OF WORK

The Contractor shall perform the following services in accordance with the requirements as defined and noted herein:

1. The Contractor will create a design concept for a new logo and use the existing color scheme, to produce a new logo which encompasses the character of the City based on input from three different stakeholder groups determined by the City.
2. The Contractor will conduct at least three branding discovery sessions with designated stakeholder groups determined by the City of Birmingham to seek input for the new logo design.
3. The Contractor will draw conclusions from the discovery sessions to develop a brand identity that captures Birmingham's character. The design should represent the community's diverse atmosphere to establish an identity that will effectively communicate Birmingham's brand to the public in a positive, evolving and refreshing way.
4. The Contractor will develop at least three branding themes, and provide accompanying materials for review by Birmingham committee members and city officials. The contractor will create sample templates of primary communication tools incorporating the use of the new logo.
5. The Contractor will present the three branding themes to the Ad Hoc Birmingham Brand Development Committee (BBDC) for review and feedback, and make modifications based on their comments and input. The Contractor will make a final presentation to the City Commission following direction from the BBDC.

6. To summarize, the Contractor should expect to conduct at least 3 branding discovery sessions, 1-2 presentations to the BBDC, and 1 presentation to the City Commission for final approval.
7. Once the design is approved, the Contractor will develop specific brand standards for use on various media, including print and online web use, and deliver an electronic and printed Birmingham Logo Style Guide, for standardized use by the City.
8. The Birmingham Logo Style Guide will outline specific uses, both in print and in web applications, and will be a reference for all city staff on use of the logo. The guide will identify fonts, colors, logos (b&w, color, etc.), positioning of elements in various media, image/asset recommendations, and how to use the logo in existing media outlets.
9. The design concept for the logo will be high resolution, sector-based and easily integrated for use in all City of Birmingham communication avenues, to include but not limited to such items as letterhead, envelopes, memorandum, email communication, business cards, community newsletters, signage, press releases, as well as online or social media communication avenues such as Facebook, Twitter, YouTube, etc.

In addition, the Contractor shall adhere to the following guidelines:

1. All work completed by vendor shall be original, and shall not violate any copyright laws.
2. All ownership rights to original art files and design concepts shall be transferred to the City of Birmingham upon completion of project.
3. During the evaluation process, the City of Birmingham reserves the right where it may serve the City of Birmingham's best interest to request additional information or clarification, or to allow corrections of errors or omissions. At the discretion of the City of Birmingham, firms submitting proposals may be requested to make oral presentations as part of the evaluation.
4. This section and referenced documents shall constitute the Scope of Work for this project and as such all requirements must be met.

ATTACHMENT A - AGREEMENT
For BIRMINGHAM BRAND DEVELOPMENT SERVICES

This AGREEMENT, made this _____ day of _____, 2016, by and between CITY OF BIRMINGHAM, having its principal municipal office at 151 Martin Street, Birmingham, MI (hereinafter sometimes called "City"), and _____, Inc., having its principal office at _____ (hereinafter called "Contractor"), provides as follows:

WITNESSETH:

WHEREAS, the City of Birmingham, through its City Manager's Office, is desirous of having Contractor provide a design concept to update and refresh the Birmingham brand logo for all its communication and media needs.

WHEREAS, the City has heretofore advertised for bids for the procurement and performance of services required to provide a design concept to update and refresh the Birmingham brand logo for all its communication and media needs, and in connection therewith has prepared a request for sealed proposals ("RFP"), which includes certain instructions to bidders, specifications, terms and conditions.

WHEREAS, the Contractor has professional qualifications that meet the project requirements and has made a bid in accordance with such request for cost proposals to provide a design concept to update and refresh the Birmingham brand logo for all its communication and media needs.

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

1. It is mutually agreed by and between the parties that the documents consisting of the Request for Proposal to provide a design concept to update and refresh the Birmingham brand logo for all its communication and media needs. and the Contractor's cost proposal dated _____, 2016 shall be incorporated herein by reference and shall become a part of this Agreement, and shall be binding upon both parties hereto. If any of the documents are in conflict with one another, this Agreement shall take precedence, then the RFP.
2. The City shall pay the Contractor for the performance of this Agreement in an amount not to exceed _____, as set forth in the Contractor's _____, 2016 cost proposal.
3. This Agreement shall commence upon execution by both parties, unless the City exercises its option to terminate the Agreement in accordance with the Request for Proposals.
4. The Contractor shall employ personnel of good moral character and fitness in performing all services under this Agreement.

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

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

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

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

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

10. The Contractor agrees that neither it nor its subcontractors will discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight or

marital status. The Contractor shall inform the City of all claims or suits asserted against it by the Contractor's employees who work pursuant to this Agreement. The Contractor shall provide the City with periodic status reports concerning all such claims or suits, at intervals established by the City.

11. The Contractor shall not commence work under this Agreement until it has, at its sole expense, obtained the insurance required under this paragraph. All coverages shall be with insurance companies licensed and admitted to do business in the State of Michigan. All coverages shall be with carriers acceptable to the City of Birmingham.

12. The Contractor shall maintain during the life of this Agreement the types of insurance coverage and minimum limits as set forth below:

- A. Workers' Compensation Insurance: Contractor shall procure and maintain during the life of this Agreement, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.
- B. Commercial General Liability Insurance: Contractor shall procure and maintain during the life of this Agreement, Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than **\$1,000,000** per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.
- C. Motor Vehicle Liability: Contractor shall procure and maintain during the life of this Agreement Motor Vehicle Liability Insurance, including all applicable no-fault coverages, with limits of liability of not less than \$1,000,000 per occurrence combined single limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
- D. Additional Insured: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following shall be *Additional Insureds*: The City of Birmingham, including all elected and appointed officials, all employee and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof. This coverage shall be primary to any other coverage that may be available to the additional insured, whether any other available coverage by primary, contributing or excess.
- E. Cancellation Notice: Workers' Compensation Insurance, Commercial General Liability Insurance and Motor Vehicle Liability Insurance (and Professional Liability Insurance, if applicable), as described above, shall include an endorsement stating the following: "Thirty (30) days Advance Written Notice of

Cancellation or Non-Renewal, shall be sent to: Finance Director, City of Birmingham, PO Box 3001, 151 Martin Street, Birmingham, MI 48012-3001.

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

- 1) Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance;
- 2) Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;
- 3) Two (2) copies of Certificate of Insurance for Vehicle Liability Insurance;
- 4) Two (2) copies of Certificate of Insurance for Professional Liability Insurance;
- 5) If so requested, Certified Copies of all policies mentioned above will be furnished.

G. Coverage Expiration: If any of the above coverages expire during the term of this Agreement, Contractor shall deliver renewal certificates and/or policies to the City of Birmingham at least (10) days prior to the expiration date.

H. Maintaining Insurance: Upon failure of the Contractor to obtain or maintain such insurance coverage for the term of the Agreement, the City of Birmingham may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the Agreement amount. In obtaining such coverage, the City of Birmingham shall have no obligation to procure the most cost-effective coverage but may contract with any insurer for such coverage.

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

14. If, after the effective date of this Agreement, any official of the City, or spouse, child, parent or in-law of such official or employee shall become directly or indirectly interested in this Agreement or the affairs of the Contractor, the City shall have the right

to terminate this Agreement without further liability to the Contractor if the disqualification has not been removed within thirty (30) days after the City has given the Contractor notice of the disqualifying interest. Ownership of less than one percent (1%) of the stock or other equity interest in a corporation or partnership shall not be a disqualifying interest. Employment shall be a disqualifying interest.

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

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

City of Birmingham
Attn: Joellen Haines
City Manager's Office
151 Martin Street
Birmingham, MI 48009
(248) 530-1807

CONTRACTOR

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

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

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

WITNESSES:

CONTRACTOR

By:_____

Its:

CITY OF BIRMINGHAM

By:_____

Rackeline J. Hoff
Its: Mayor

By:_____

Laura Pierce
Its: City Clerk

Approved:

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

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

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

Joellen L. Haines, Assistant to the City
Manager (Approved as to substance)

ATTACHMENT B - BIDDER'S AGREEMENT
For BIRMINGHAM BRAND DEVELOPMENT SERVICES

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

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

PREPARED BY
(Print Name)

DATE

TITLE

DATE

AUTHORIZED SIGNATURE

E-MAIL ADDRESS

COMPANY

ADDRESS

PHONE

NAME OF PARENT COMPANY

PHONE

ADDRESS

ATTACHMENT C - COST PROPOSAL
For BIRMINGHAM BRAND DEVELOPMENT SERVICES

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

COST PROPOSAL	
TOTAL BID AMOUNT	\$

Firm Name_____

Authorized signature_____ Date_____

ATTACHMENT D - IRAN SANCTIONS ACT VENDOR CERTIFICATION FORM
For BIRMINGHAM BRAND DEVELOPMENT SERVICES

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

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

PREPARED BY
(Print Name)

DATE

TITLE

DATE

AUTHORIZED SIGNATURE

E-MAIL ADDRESS

COMPANY

ADDRESS

PHONE

NAME OF PARENT COMPANY

PHONE

ADDRESS

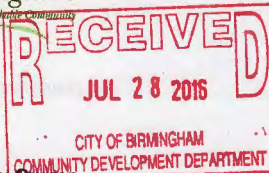
TAXPAYER I.D.#

Agenda



Administrative Approval Application Planning Division

Form will not be processed until it is completely filled out



1. Applicant

Name: 7greens
Address: 344 Hamilton Row
Phone Number: 798-4618 (248)
Fax Number: _____
Email: kelly@7greens.com

Property Owner

Name: Hamilton Row, LLC
Address: 344 Hamilton Row
Phone Number: _____
Fax Number: _____
Email: _____

2. Applicant's Attorney/Contact Person

Name: _____
Address: _____
Phone Number: _____
Fax Number: _____
Email: _____

Project Designer

Name: _____
Address: _____
Phone Number: _____
Fax Number: _____
Email: _____

3. Project Information

Address/Location of Property: 344 Hamilton Row
Name of Development: _____
Parcel ID #: _____
Current Use: _____
Area in Acres: _____
Current Zoning: _____

Name of Historic District site is in, if any: _____
Date of HDC Approval, if any: _____
Date of Application for Preliminary Site Plan: _____
Date of Preliminary Site Plan Approval: _____
Date of Application for Final Site Plan: _____
Date of Final Site Plan Approval: _____
Date of Revised Final Site Plan Approval: _____

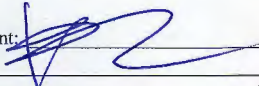
4. Attachments

- Warranty Deed with legal description of property
- Authorization from Owner(s) (if applicant is not owner)
- Completed Checklist
- Six (6) folded copies of plans including an itemized list of all changes for which administrative approval is requested, with the changes marked in color on all elevations

5. Details of the Request for Administrative Approval

Roof Top Guttering

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 to the approved site plan.

Signature of Applicant: 

Date: 7/28/16
APPROVED

Office Use Only

Application #: 16-0094 Date Received: 7/28/16 Fee: \$100
Date of Approval: 7/28/16 Date of Denial: _____ Reviewed by: M. B. H.

ADMINISTRATIVE APPROVAL APPLICATION CHECKLIST – PLANNING DIVISION

Applicant: _____ Date: _____

Address: _____ Project: _____

All site plans and elevation drawings prepared for administrative 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.

Administrative Approval of Design Changes

- _____ 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. A separate location map;
- _____ 5. Legend and notes, including a graphic scale, north point, and date;
- _____ 6. A list of all requested design changes;
- _____ 7. Elevation drawings with all requested design changes marked in color;
- _____ 9. A list of all new materials to be used, including size specifications, color and the name of the manufacturer.

Administrative Approval of Site Plan Changes

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

- _____ 1. Name and address of applicant and proof of ownership;
- _____ 2. Name of Development (if applicable);
- _____ 3. Address of site and legal description of the real estate;
- _____ 4. Name and address of the land surveyor;
- _____ 5. Legend and notes, including a graphic scale, north point, and date;
- _____ 6. A separate location map;
- _____ 7. A map showing the boundary lines of adjacent land and the existing zoning of the area proposed to be developed as well as the adjacent land;
- _____ 8. A list of all requested changes to the site plan;
- _____ 9. All changes requested marked in color on the site plan and on all elevations of any building(s);
- _____ 10. A chart indicating the dates of approval of the Preliminary Site Plan, Final Site Plan; Revised Final Site Plans, and any dates of approval by the Historic District Committee ("HDC");
- _____ 11. Existing and proposed layout of streets, open space and other basic elements of the plan;
- _____ 12. Existing and proposed easements and their purpose;

- _____ 13. Location of natural streams, regulated drains, 100-year flood plains, floodway, water courses, marshes, wooded areas, isolated preservable trees, wetlands, historic features, existing structures, dry wells, utility lines, fire hydrants and any other significant feature(s) that may influence the design of the development;
- _____ 14. General description of, location of, and types of structures on the site;
- _____ 15. Details of existing or proposed lighting, signage, landscaping, and other pertinent development features;
- _____ 16. Any other information requested in writing by the Planning Division, the Planning Board, or the Building Official deemed important to the development.

PLEASE NOTE: All requests for administrative approval must comply with Ordinance No. _____, which outlines the terms and conditions under which administrative approval may be granted.

Fee Schedule

Administrative Approval	\$100.00
Board of Zoning Appeals	
• Single Family Residential	\$310
• All Others	\$510
Community Impact Study Review	\$2,000 / plus postage
Design Review	\$300 / plus postage
Lot Division	\$200 / parcel affected
Historic District Review	
• Single Family Residential District	No charge
• All other zone districts	\$300 / plus postage
Public Notice Sign	\$50 / refundable deposit \$50 fee
Site Plan Review	
• R4 through R8 zone district	\$800 / plus postage plus \$50 per dwelling unit
• Nonresidential districts	\$1000 / plus postage plus \$50 per acre or portion of acre
Special Land Use Permit	\$750 / plus postage
• Plus Site Plan Review	\$750
• Plus Design Review	\$300 (Total fee: \$1800 / plus postage)
Special Land Use Permit Annual Renewal Fee	\$200.00
Zoning Compliance Letter	\$50
Zoning Ordinance Amendment Hearing (Rezoning)	\$1500

The fees for design review, site plan review, historic district review and special land use permits shall be double the listed amounts in the even 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)



CONSENT OF PROPERTY OWNER

I, Anthony J. Cupisz, OF THE STATE OF Mich AND COUNTY OF
(Name of property owner)

Oakland STATE THE FOLLOWING:

1. That I am the owner of real estate located at 344 Hamilton Row, Birmingham, Mt
(Address of affected property)
2. That I have read and examined the Application for Administrative Approval made to the City of Birmingham by:
(Name of applicant)
3. That I have no objections to, and consent to the request(s) described in the Application made to the City of Birmingham.

Dated: 7-25-16

Anthony J. Cupisz
Owner's Name (Please Print)

Anty J.
Owner's Signature

City of Birmingham

151 Martin Street

Birmingham, MI 48012-3001

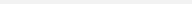
Ph: (248) 530-1850

Fax: (248) 530-1290

7 GREENS



\$ 100.00

Pay to Invoice Code	Type	Record No	Invoice No	Address	Amount Due
	Permit	PAA16-0084	00130531	344 HAMILTON ROW	\$ 100.00
Effective Date:		07/28/2016	Amount Cost: \$100.00		
TOTAL AMOUNT DUE					\$ 100.00

CITY OF BIRMINGHAM
Date 07/28/2016 10:46:57 AM
Ref 00130531
Receipt 324650
Amount \$100.00

GENERAL PROJECT MECHANICAL NOTES:

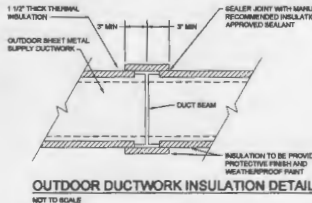
1. CONTRACTORS SHALL COMPLY WITH ALL LAWS, LOCAL ORDINANCES AND CODES OF THE STATE OF MICHIGAN, FEDERAL AGENCIES AND MUNICIPALITY. CONTRACTORS SHALL SECURE AND PAY FOR ALL NECESSARY FEES AND PERMITS REQUIRED IN THE PERFORMANCE OF HIS WORK. ALL CUTTING AND PATCHING FOR NEW WORK SHALL BE DONE BY THIS CONTRACTOR WITH THE APPROVAL OF THE OWNER'S REPRESENTATIVE.
2. CONTRACTOR SHALL VISIT THE SITE AND CHECK THE EXISTING CONDITIONS BEFORE SUBMISSION OF BID. NO MONETARY ALLOWANCE SHALL BE MADE DUE TO THE FAILURE TO MAKE SUCH AN EXAMINATION.
3. ANY CLAIM FOR ADDITIONAL SERVICES BASED UPON UNDERSTANDING OF THE SYSTEM WILL NOT BE ALLOWED. CONTRACT DRAWINGS ARE DIAGNOSTIC AND INTENDED TO CONVEY THE SCOPE OF WORK AND GENERAL ARRANGEMENT OF EQUIPMENT. DO NOT SCALE DRAWINGS.
4. CASE NO. FOR EQUIPMENT IS TO BE UNITS SCHEDULED. PROVIDE USING ALTERNATE ACCEPTED AND LISTED MANUFACTURERS SHALL STATE ALTERNATE MANUFACTURER AND MODEL NUMBER AS PART OF BID. VOLUNTARY ALTERNATES FOR EQUIPMENT NOT LISTED SHALL BE WITH WRITTEN ACCEPTANCE OF THE OWNER'S REPRESENTATIVE PRIOR TO BIDDING. VOLUNTARY ALTERNATES WILL NOT BE REVIEWED FOR ACCEPTANCE BY THE ENGINEER DURING THE 7 DAYS PRIOR TO BID DATE.
5. CONTRACTOR SHALL PROVIDE A COMPLETED OPERABLE SYSTEM AS HEREIN DESCRIBED. IF THE DOCUMENTATION IS UNCLEAR OR INCOMPLETE TO THE CONTRACTOR, THERE SHALL BE NO STATE IN WRITING TO THE OWNER'S REPRESENTATIVE AND REQUEST CLARIFICATION ON THOSE ITEMS REQUIRED. CLARIFICATION, IF NO SUCH EXISTENCE IS MADE IT SHALL BE PRESUMED THAT THE CONTRACTOR FULLY UNDERSTANDS THE INTENT OF A FUNCTION OF THE SYSTEM DESCRIBED.
6. CONTRACTOR SHALL COORDINATE HIS WORK WITH ALL OTHER TRADES. CONTRACTOR SHALL SECURE FINAL OCCUPANCY INSPECTION AND SUBMIT CERTIFICATES TO THE OWNER'S REPRESENTATIVE. CONTRACTOR SHALL FURNISH THE OWNER WITH A WRITTEN GUARANTEE TO CORRECT ALL DEFICIENCIES IN MATERIALS AND WORKMANSHIP WHICH MAY DEVELOP IN THE SYSTEMS INSTALLED AND AVOID NORMAL USE FOR A PERIOD OF ONE YEAR AFTER FINAL ACCEPTANCE BY THE OWNER.
7. CONTRACTOR SHALL PROVIDE SUBMITTALS TO THE OWNER'S REPRESENTATIVE FOR ALL EQUIPMENT AND MATERIALS FOR REVIEW PRIOR TO PURCHASE.
8. CONTRACTOR SHALL SUBMIT 1/4" SCALE DRAWINGS TO OWNER'S REPRESENTATIVE FOR COORDINATION WITH ALL OTHER TRADES. DRAWINGS SHALL INCLUDE EQUIPMENT LOCATION, DUCTWORK ROUTING, SIZE, DIMENSIONS, ELEVATIONS BOTTOM OF DUCT, ETC., ETC.
9. CONTRACTOR SHALL PROVIDE, STORE, PLACE AND INSTALL ALL NECESSARY EQUIPMENT REQUIRED. ALL EQUIPMENT SHALL BE INSTALLED FOR THE MANUFACTURER'S RECOMMENDATIONS AND IN SUCH A MANNER AS TO FUNCTION IN ITS INTENDED USE.
10. AFTER INSTALLATION IS COMPLETE, CONTRACTOR SHALL BE RESPONSIBLE FOR STARTUP, INSPECTOR APPROVAL AND FINAL CLEAN UP.

GENERAL MECHANICAL NOTES:

1. PROVIDE AND INSTALL ALL LISTED DYNAMIC FIRE DAMPERS WITH BLADES OUT OF STREAMLINE WHERE DUCTS PENETRATE INTO EXISTING STRUCTURE. ALL DUCTS PENETRATING WALLS (SMALL BARRIERS) SHALL HAVE COMBINATION FIRE/SMOKE DAMPERS. ACTIVATION OF DAMPERS SHALL BE SIGNAL TO FIRE ALARM PANEL.
2. THIS CONTRACTOR SHALL COORDINATE ALL RATED OR SMOKE BARRIER CONTRACTED WALLS OR DAMPERS WITH THE ARCHITECT AND FINAL DAMPER REQUIREMENTS WITH FIRE PROTECTION AND ALARM CONTRACTOR AND ELECTRICAL CONTRACTOR.
3. MECHANICAL CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CUTTING, CORING AND PATCHING REQUIRED FOR PROPER INSTALLATION OF THE SYSTEM.
4. THE ENTIRE CONSTRUCTION SHALL CONFORM TO THE LATEST ADOPTED EDITION OF ASHRAE 90.1 STANDARD, AS WELL AS ALL APPLICABLE LOCAL ORDINANCES, THE MICHIGAN MECHANICAL CODE, LOCAL ORDINANCE, AND AUTHORITIES HAVING JURISDICTION.
5. MECHANICAL CONTRACTOR SHALL COORDINATE ALL MECHANICAL EQUIPMENT ELECTRICAL REQUIREMENTS WITH ELECTRICAL CONTRACTOR PRIOR TO ANY EQUIPMENT PURCHASE.
6. TEMPERATURE CONTROLS: SPLIT AIR CONDITIONING UNITS SHALL HAVE INDIVIDUAL CONTROLS FROM EQUIPMENT MANUFACTURER. CONTROLS SHALL CONTROL EQUIPMENT TO OPERATE PROPERLY. FURNACES SHALL OPERATE FROM INDIVIDUAL THERMOSTATS (7-DAY PROGRAMMABLE WITH NIGHT SET BACK).
7. TESTING & BALANCING: ENGAGE THE SERVICES OF AN INDEPENDENT CERTIFIED TEST AND BALANCE AGENCY THAT SPECIALIZES IN HVAC SYSTEMS AND WORKING SYSTEMS. THE AGENCY SELECTED SHALL BE CERTIFIED BY ASSOCIATED AIR BALANCE COUNCIL, AGENCY SHALL SUBMIT A COMPLETE REPORT BASED ON BALANCE, BALANCE AND AGENCY REPORT. THE HVAC SYSTEM SHALL BE TESTED AND BALANCED TO COMBUSTION RATE THAT SPECIFIED CAPACITY AND PROPER CONTROL FUNCTIONING HAS BEEN ATTAINED.
8. START-UP FOR ALL EQUIPMENT SHALL BE CONDUCTED BY EACH MANUFACTURER'S START-UP REPRESENTATIVE. INCLUDE FINAL REPORT AND CERTIFICATE. PROVIDE OWNERS MANUAL AND TRAINING FOR MAINTENANCE PERSONNEL FOR EACH TYPE OF EQUIPMENT.
9. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL EQUIPMENT SUPPORTS INCLUDING ROOF MOUNTED EQUIPMENT. COORDINATE ANY STRUCTURAL REQUIREMENTS WITH ARCHITECT, AS REQUIRED, FOR PROPER EQUIPMENT MOUNTING AND SUPPORT.
10. INSULATE REFRIGERANT PIPING WITH 3/8" THICK "ANALUX" INSULATION.

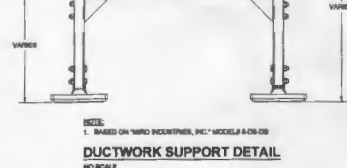
GENERAL CONTROLS NOTE:

EXHAUST FAN AND MAKE UP UNIT SHALL BE INTERLOCKED TO OPERATE AT SAME TIME. CONTROLS CONTRACTOR SHALL SUBMIT CONTROL WIRING SYSTEM COMPONENTS, COMPONENT MANUFACTURER AND APPLIED SEQUENCE OF CONTROL FOR ALL SYSTEMS FOR THE OWNER'S REPRESENTATIVE REVIEW BEFORE PURCHASING ANY EQUIPMENT OR PERFORMING AIR INSTALLATION.



TEMPERATURE CONTROLS NOTE:

THE MECHANICAL CONTRACTOR MUST PROVIDE COMPLETE SHOP DRAWINGS INDICATE THE CONTROL WIRING SYSTEM COMPONENTS, COMPONENT MANUFACTURER AND APPLIED SEQUENCE OF CONTROL FOR ALL SYSTEMS FOR THE OWNER'S REPRESENTATIVE REVIEW BEFORE PURCHASING ANY EQUIPMENT OR PERFORMING AIR INSTALLATION.



GENERAL SHEET METAL NOTES:

1. THESE DRAWINGS ARE DIAGNOSTIC AND INDICATE THE GENERAL INTENT OF THE WORK. PROVIDE SHEET METAL SYSTEMS COMPLETE AND FOR APPLICABLE CODES INCLUDING ALL NECESSARY OFFSETS, FITTINGS, SPECIAL RADIUS OR LATERED EDGES WHICH ARE REQUIRED DUE TO SPACE CONSTRAINTS OR OTHER FIELD CONDITIONS.
2. CONTRACTOR SHALL COORDINATE HIS WORK WITH ALL OTHER TRADES AND VERIFY ALL CLEARANCES AND LIMITATIONS PRIOR TO THE FABRICATION OF ANY WORK.
3. DUCTWORK SHALL NOT BE LOCATED OVER ANY ELECTRICAL EQUIPMENT PANELS. PROVIDE REQUIRED 6" E.C. CLEARANCE IN FRONT OF ELECTRICAL EQUIPMENT. DUCTWORK SHALL NOT INTERFERE WITH ELECTRICAL EQUIPMENT CLEARANCES.
4. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY SUPPORTING STEEL, ETC. FOR THE PROPER INSTALLATION OF ALL MECHANICAL SYSTEMS.
5. THE CONTRACTOR SHALL PROVIDE RETURN AIR TRANSPORT DUCTWORK FOR ALL ROOMS WITH WALLS FROM FINISHED FLOOR TO BOTTOM OF DECK. COORDINATE WALL LOCATIONS WITH ARCHITECTURAL TRACES. NOTES TO LEAD AND TRANSFER DUCT DETAIL FOR RETURN AIR TRANSPORT DUCTWORK FABRICATION.
6. ALL EXPOSED DUCTWORK OUTDOORS SHALL BE INSULATED AND WEATHER PROTECTED. DUCTWORK SHALL ALSO BE PROPERLY SUPPORTED ON ROOF PENETRATIONS THROUGH ROOF SHALL BE DUCT CLIMS AND PLACED PROPERLY COORDINATE ALL WORK WITH OTHER TRADES TO AVOID INTERFERENCE.
7. ALL SUPPLY AND RETURN AIR DUCTWORK SHALL BE INSULATED ACCORDING TO THE ASHRAE 90.1 ENERGY STANDARDS. GENERAL REQUIREMENTS FOR INSULATION SHALL BE 2 INCH SUPPLY AND RETURN DUCTS IN UNOCCUPIED SPACE OR 1.5 INCH OUTSIDE THE BUILDING. A 1/2 INCH INSULATION INSTALLED BETWEEN SUPPLY AND RETURN DUCTS AND BUILDING EXTERIOR WHEN DUCTS ARE PART OF THE BUILDING ASSEMBLY.
8. ALL SHEET METAL DUCT SEALS SHOWN ARE CLEAR INSIDE DIMENSIONS.



MECHANICAL HVAC PLAN

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

MECHANICAL KEYED NOTES:

(MECHANICAL KEYED NOTES APPLY TO THIS SHEET ONLY)

1. EXISTING FURNACE, EX-1 (1800 CFM). REFRESH UNIT TO OPERATE AS NEW EXHAUST FAN EXHAUST CLEAN UNIT. OWNER FILTERS, RE-CHARGE REFRIGERANT, CHECK AND REPAIR LEAKS, ETC.). ROUTE NEW 12" OUTSIDE AIR DUCT TO ROOF ON ROOF. PROVIDE SMOKE/CHIMNEY DAMPER IN OUTSIDE AIR DUCTWORK. SET AT 275 CFM.
2. EXISTING FURNACE, EX-2 (1800 CFM). REFRESH UNIT TO OPERATE AS NEW EXHAUST FAN EXHAUST CLEAN UNIT. OWNER FILTERS, RE-CHARGE REFRIGERANT, CHECK AND REPAIR LEAKS, ETC.). ROUTE NEW 12" OUTSIDE AIR DUCT TO ROOF ON ROOF. PROVIDE SMOKE/CHIMNEY DAMPER IN OUTSIDE AIR DUCTWORK. SET AT 275 CFM.
3. 12" OUTSIDE AIR DUCTWORK UP TO ROOF. COORDINATE DUCTWORK REPAIRS WITH 2ND FLOOR SPACE WITH ARCHITECTURAL AND STRUCTURAL TRADES.
4. MAKE-UP AIR DUCT, EXHAUST FAN, AND/OR EXHAUST FAN SUPPLIED BY EXISTING EQUIPMENT TRACES.
5. 34" EXHAUST AIR DUCTWORK UP TO KITCHEN HOOD EXHAUST FAN, REF-1, ON ROOF. REPAIR KITCHEN HOOD EXHAUST FAN, SEE NOTE #1. COORDINATE LOCATION AND ROOF CLIMB SIGHTING WITH ARCHITECTURAL AND STRUCTURAL TRADES.
6. 34" MAKE-UP AIR DUCTWORK. ROUTE DUCTWORK UP EXTERIOR WALL TO MAKE-UP AIR DUCTWORK. COORDINATE LOCATION AND ROOF CLIMB SIGHTING WITH ARCHITECTURAL AND STRUCTURAL TRADES.
7. COORDINATE LOCATION OF ROOF TOP EQUIPMENT WITH ARCHITECTURAL AND STRUCTURAL TRADES.
8. 34" EXHAUST AIR DUCTWORK (275 CFM) DOWN TO KITCHEN HOOD.

NOTES:

1. MECHANICAL CONTRACTOR SHALL INSTALL GREASE DUCT FROM KITCHEN HOOD TO KITCHEN HOOD EXHAUST FAN. GREASE DUCT SHALL COMPLY WITH NFPA 96 AND BE ALL LISTED APPROVED OR APPROVED EQUIPMENT. GREASE DUCTS, INSTALLATION TO INCLUDE ALL REQUIRED CLEAN OUTS AND ACCESS DOORS.

MECHANICAL SYMBOL LEGEND:

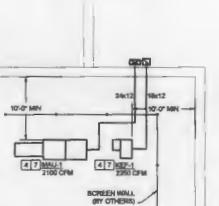
NOTE: THE FOLLOWING SYMBOLS SHALL BE AS INDICATED, UNLESS NOTED OTHERWISE ON PLANS.

- 1. 34" EXHAUST AIR DUCTWORK
- 2. 34" MAKE-UP AIR DUCTWORK
- 3. 34" EXHAUST AIR DUCTWORK
- 4. 34" MAKE-UP AIR DUCTWORK
- 5. 34" EXHAUST AIR DUCTWORK
- 6. 34" MAKE-UP AIR DUCTWORK
- 7. 34" EXHAUST AIR DUCTWORK
- 8. 34" MAKE-UP AIR DUCTWORK



MECHANICAL HVAC ROOF PLAN

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



RED

ENGINEERING, INC.

Consulting Engineers
5608 N. Chartersworth St.
Dearborn, MI, Michigan 48127
Tel: (313) 985-5680
email: derek@redengineering.com

ARCHITECT:

DS Architects, Inc.
7500 Dale Hwy
Suite 600
Clarkston, MI
Tel: (248) 605-2030
email: derek@dsarchitects.com

PROJECT:

7 Greens
344 Hamilton Row
Birmingham, MI

REVISIONS	DATE
TENANT REVIEW	03/19/16
PERMITS	03/19/16
UPDATE	03/19/16

SHEET TITLE:

**MECHANICAL HVAC
FLOOR PLANS**

(DO NOT SCALE DRAWINGS)	03/17/16
DATE	03/17/16
APPROVED BY	E. CABELLO
CHECKED BY	E. CABELLO
DESIGNED BY	
DRAWN BY	
ANCHOR SEAL	



PROJECT NUMBER:

16009

SHEET NUMBER:

M-1

APPROVED
M. B. L. 7/28/16
16-0084 PB

Administrative Approval Application Planning Division

Form will not be processed until it is completely filled out

1. Applicant

Name: T-Mobile
Address: 28505 Schoolcraft Rd, Bldg. 6
Livonia, MI 48150
Phone Number: 517-862-2254
Fax Number: _____
Email: efinger@pyramids.com

Property Owner

Name: The New 555 Residential, LLC
Address: 555 S. Old Woodward Ave
Birmingham, MI 48009
Phone Number: 248-645-1191
Fax Number: 248-645-1540
Email: leasing@555luxuryapts.com

2. Applicant's Attorney/Contact Person

Name: Eric Finger
Address: 2905 Crestwood Dr.
E. Lansing, MI 48923
Phone Number: 517-862-2254
Fax Number: _____
Email: efinger@pyramids.com

Project Designer

Name: Landtech
Address: 1225 McGregor Way, Gresham, MI 49637
Phone Number: 231-443-0050
Fax Number: _____
Email: Chad1@landtechps.com

3. Project Information

Address/Location of Property: 555 S. Old Woodward
Name of Development: 555 Billing - APN Project
Parcel ID #: 08-19-36-210-002
Current Use: _____
Area in Acres: _____
Current Zoning: _____

Name of Historic District site is in, if any: N/A
Date of HDC Approval, if any: _____
Date of Application for Preliminary Site Plan: _____
Date of Preliminary Site Plan Approval: _____
Date of Application for Final Site Plan: _____
Date of Final Site Plan Approval: _____
Date of Revised Final Site Plan Approval: _____

4. Attachments

- Warranty Deed with legal description of property
- Authorization from Owner(s) (if applicant is not owner)
- Completed Checklist
- Six (6) folded copies of plans including an itemized list of all changes for which administrative approval is requested, with the changes marked in color on all elevations

5. Details of the Request for Administrative Approval

T-Mobile proposing to install natural gas generator on existing steel platform.

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 to the approved site plan.

Signature of Applicant: E Finger Date: 7/10/16

Application #: <u>16-0025</u>	Office Use Only		Fee: <u>\$100</u>
	Date Received: <u>7/22/16</u>		
Date of Approval: <u>7/28/16</u>	Date of Denial: _____	Reviewed by: <u>M.R/L</u>	



CONSENT OF PROPERTY OWNER

I, Sohn J. Reinhart OF THE STATE OF Michigan AND COUNTY OF
(Name of property owner)

Oakland STATE THE FOLLOWING:

1. That I am the owner of real estate located at 555 S. Old Woodward;
(Address of affected property)
2. That I have read and examined the Application for Administrative Approval made to the City of Birmingham by:
Eric King c/o T-Mobile;
(Name of applicant)

3. That I have no objections to, and consent to the request(s) described in the Application made to the City of Birmingham.

Dated: 7-19-16

THE NEW 555 RESIDENTIAL, LLC
By TAREM ENTERPRISES, LLC IS Manager
Owner's Name (Please Print)

Sohn J. Reinhart, Manager
Owner's Signature



T-Mobile

28505 SCHOOLCRAFT RD, BLDG#6
LIVONIA, MICHIGAN 48150
Phone: 734.367.7200
Fax: 734.367.7242
CONTACT: KEN KALOUSEK
(734) 444-0181

LANDTECH PROJECT NUMBER: 15323285APU

REV	DATE	DESCRIPTION	BY
A	06/20/16	PRELIMINARY DRAWINGS	C.J.

APU DC GENERATOR CONSTRUCTION DRAWINGS

NOTE: THESE DRAWINGS ARE TO SCALE
WHEN PLOTTED ON 11"x17" SHEETS. REFER
TO GRAPHIC SCALES ON REPRODUCTIONS.



SITE #: DE01038B

SITE NAME:

555 BUILDING

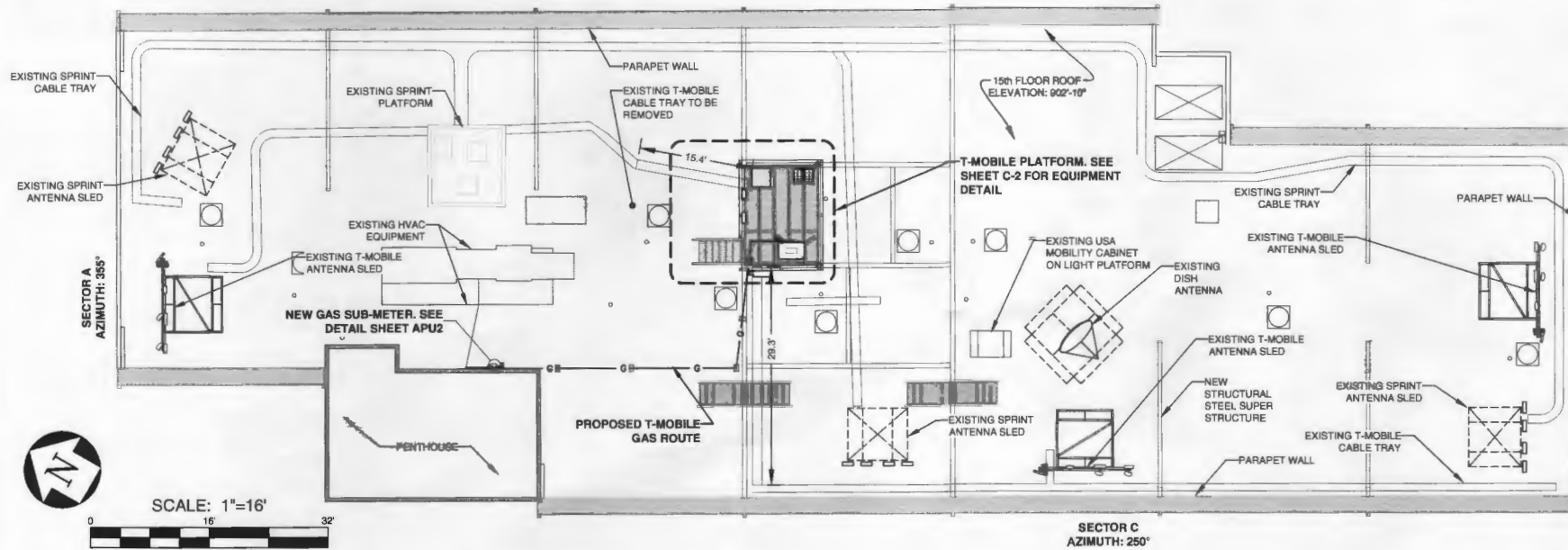
SITE ADDRESS:
555 S. OLD WOODWARD AVE.,
BIRMINGHAM, MI 48009

Sheet Title:

**ROOF
PLAN**

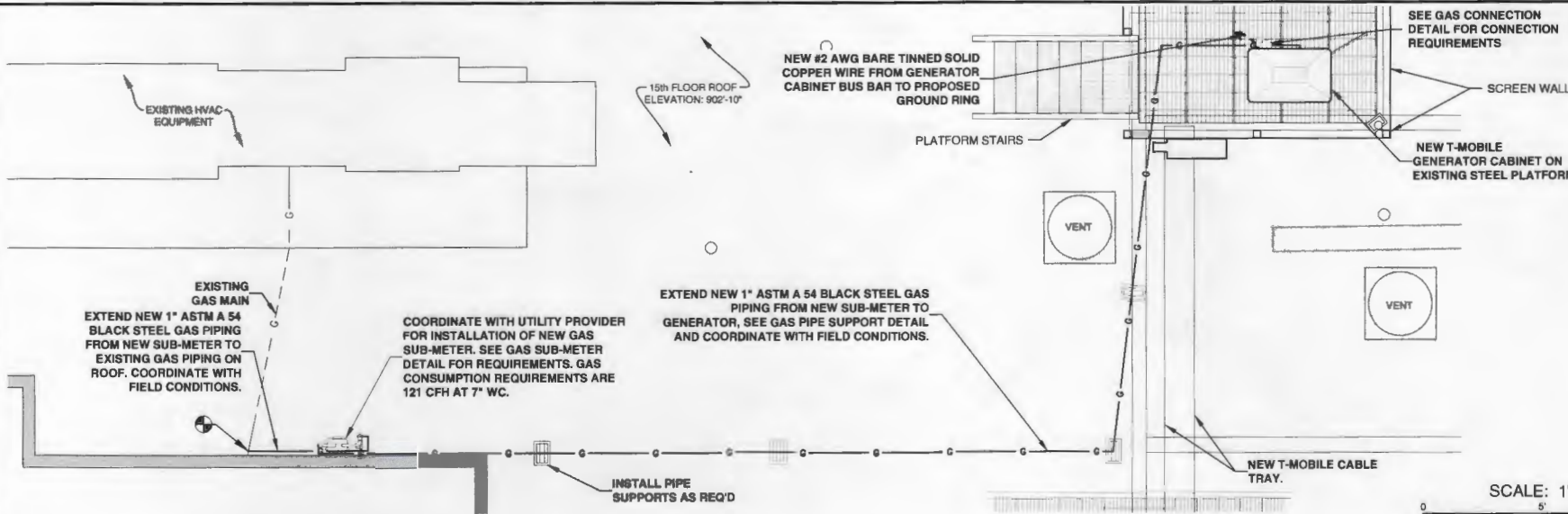
Sheet Number:

C-1



ROOF PLAN 1"=16'

2



CONDUIT PLAN 1"=5'

1

REV.	DATE	DESCRIPTION	BY
A	05/20/16	PRELIMINARY DRAWINGS	C.A.

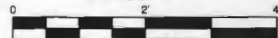
NOTE: THESE DRAWINGS ARE TO SCALE
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TO GRAPHIC SCALES ON REPRODUCTIONS.



SITE ADDRESS:
555 S. OLD WOODWARD AVE.,
BIRMINGHAM, MI 48009

ENLARGED PLATFORM PLAN

C-2



ENLARGED T-MOBILE PLATFORM DETAIL 1"=2'

GENERAL

1. THIS FACILITY IS AN UNMANNED CELLULAR TELEPHONE EQUIPMENT FACILITY.
2. THIS FACILITY IS EXEMPT FROM HANDICAP REQUIREMENTS PER 2012 MICHIGAN BUILDING CODE: THIS FACILITY IS NON-OCCUPABLE SPACE AND ENTERED ONLY BY SERVICE PERSONNEL. THIS SPACE IS NOT FOR HUMAN OCCUPANCY.
3. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS PRIOR TO SUBMITTING HIS BID. ANY DISCREPANCIES, CONFLICTS OR OMISSIONS SHALL BE REPORTED TO THE ENGINEER PRIOR TO SUBMITTING BIDS, AND PROCEEDING WITH ANY WORK.
4. THE CONTRACTOR SHALL NOTIFY ARCHITECT/ENGINEER OF ANY ERRORS, OMISSIONS, OR DISCREPANCIES AS THEY MAY BE DISCOVERED IN THE PLANS, SPECIFICATIONS, & NOTES PRIOR TO STARTING CONSTRUCTION, INCLUDING BUT NOT LIMITED BY DEMOLITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTING ANY ERRORS, OMISSION, OR INCONSISTENCY AFTER THE START OF CONSTRUCTION WHICH HAVE NOT BEEN BRING TO THE ATTENTION OF THE ARCHITECT/ENGINEER AND SHALL INCUR ANY EXPENSES TO RECTIFY THE SITUATION. THE METHOD OF CORRECTION SHALL BE APPROVED BY THE ARCHITECT/ENGINEER RESPONSIBLE OF THE PROJECT.
5. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR HAS THE RESPONSIBILITY TO LOCATE ALL EXISTING UTILITIES WHETHER OR NOT SHOWN ON THE PLANS, AND TO PROTECT THEM FROM DAMAGE. THE CONTRACTOR OR SUBCONTRACTOR SHALL BEAR THE EXPENSE OF REPAIRING OR REPLACING ANY DAMAGE TO THE UTILITIES CAUSED DURING THE EXECUTION OF THE WORK. CONTACT UTILITY LOCATE SERVICE @ 811.
6. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL PROTECT ALL AREAS FROM DAMAGE WHICH MAY OCCUR DURING CONSTRUCTION. ANY DAMAGE TO NEW OR EXISTING SURFACES, STRUCTURES OR EQUIPMENT SHALL BE IMMEDIATELY REPAIRED OR REPLACED TO THE SATISFACTION OF THE PROPERTY OWNER. THE CONTRACTOR SHALL BEAR THE EXPENSE OF REPAIRING OR REPLACING ANY DAMAGED AREAS.
7. A COPY OF THE APPROVED PLANS SHALL BE KEPT IN A PLACE SPECIFIED BY THE GOVERNING AGENCY, AND BY BE AVAILABLE FOR INSPECTION AT ALL TIMES. IT IS THE CONTRACTORS RESPONSIBILITY TO ENSURE ALL CONTRACTOR SETS REFLECT THE SAME INFORMATION AS THE APPROVED PLANS. THE CONTRACTOR SHALL ALSO MAINTAIN ONE SET OF PLANS AT THE SITE FOR THE PURPOSE OF DOCUMENTING ALL AS-BUILT CHANGES, REVISIONS, ADDENDA, OR CHANGE ORDERS. THE CONTRACTOR SHALL FORWARD THE AS-BUILT DRAWINGS TO THE ARCHITECT OR THE ENGINEER RESPONSIBLE OF THE PROJECT AT THE CONCLUSION OF THE PROJECT.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLETE SECURITY OF THE SITE WHILE THE WORK IS IN PROGRESS UNTIL THE JOB IS COMPLETE AND ACCEPTED BY THE PROJECT OWNER.
9. THE CONTRACTOR IS RESPONSIBLE TO PROVIDE TEMPORARY POWER, WATER, AND TOILET FACILITIES AS REQUIRED BY THE PROPERTY OWNER OR GOVERNING AGENCY.
10. ALL CONSTRUCTION THROUGH THE PROJECT SHALL CONFORM TO THE LATEST BUILDING CODE AND ALL OTHER GOVERNING CODES. WHERE DISCREPANCIES ARISE THE MOST RESTRICTIVE CODE SHALL GOVERN.
11. THE CONTRACTOR AND SUBCONTRACTOR SHALL COMPLY WITH ALL LOCAL AND STATE REGULATIONS INCLUDING ALL OSHA REQUIREMENTS.
12. STORED MATERIALS SHALL BE EVENLY DISTRIBUTED OVER THE FLOOR OR ROOF SO AS NOT TO EXCEED THE DESIGNED LIVE LOADS FOR THE STRUCTURE. TEMPORARY SHORING OR BRACING SHALL BE PROVIDED WHERE THE STRUCTURE OR SOIL HAS NOT ATTAINED THE DESIGN STRENGTH FOR THE CONDITIONS PRESENT.
13. THE CONTRACTOR SHALL SUPERVISE AND COORDINATE ALL WORK, USING HIS PROFESSIONAL KNOWLEDGE AND SKILLS. HE IS SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, AND TECHNIQUES, PROCEDURES AND SEQUENCING AND COORDINATING ALL PORTIONS OF THE WORK UNDER THE PROJECT.
14. THE CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN AND PAY FOR ALL PERMITS, LICENSES AND INSPECTIONS WITH RESPECT TO THE WORK TO COMPLETE THE PROJECT. BUILDING PERMIT APPLICATIONS SHALL BE FILED BY THE OWNER OR AUTHORIZED AGENT. CONTRACTOR SHALL OBTAIN THE PERMIT AND MAKE FINAL PAYMENT OF SAID DOCUMENT.
15. ALL DIMENSIONS TAKE PRECEDENCE OVER SCALE. DRAWINGS ARE NOT TO BE SCALED.
16. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY BLOCKING, BACKING, FRAMING, HANGERS OR SUPPORTS FOR INSTALLATION OF ITEMS INDICATED ON THE DRAWINGS.

17. THE CONTRACTOR SHALL PROVIDE THE FIRE MARSHALL OR U.L. APPROVED MATERIALS TO FILL/SEAL PENETRATIONS THROUGH FIRE RATED ASSEMBLIES.
18. NEW CONSTRUCTION ADDED TO EXISTING CONSTRUCTION SHALL BE MATCHED IN FORM, TEXTURE, MATERIAL AND PAINT COLOR EXCEPT AS NOTED IN THE PLANS.
19. THE CONTRACTOR SHALL PROVIDE PORTABLE FIRE EXTINGUISHERS HAVING A MINIMUM 2A-10-B-C RATING WITHIN 75FT. OF TRAVEL TO ALL PORTIONS OF THE CONSTRUCTION AREA.
20. MATERIALS TESTING SHALL BE IN ACCORDANCE WITH THE LATEST STANDARDS AVAILABLE AS REQUIRED BY THE LOCAL GOVERNING AGENCY RESPONSIBLE FOR APPROVING THE RESULTS.
21. ALL GENERAL NOTES AND STANDARD DETAILS ARE THE MINIMUM REQUIREMENTS TO BE USED IN CONDITIONS WHICH ARE NOT SPECIFICALLY SHOWN OTHERWISE.
22. ALL DEBRIS AND REFUSE IS TO BE REMOVED FROM THE PROJECT. PREMISES SHALL BE LEFT IN A CLEAN BROOM FINISHED CONDITION AT ALL TIMES.
23. BUILDING INSPECTORS AND/OR OTHER BUILDING OFFICIALS ARE TO BE NOTIFIED PRIOR TO ANY CONSTRUCTION EFFORT AS REQUIRED BY THE GOVERNING AGENCY.
24. ALL SYMBOLS AND ABBREVIATIONS ARE CONSIDERED CONSTRUCTION INDUSTRY STANDARDS. IF A CONTRACTOR HAS A QUESTION REGARDING THEIR EXACT MEANING THE ARCHITECT OR THE ENGINEER RESPONSIBLE OF THE PROJECT BE NOTIFIED FOR CLARIFICATIONS.

SITE WORK

1. THE PREPARATION OF THE SITE FOR CONSTRUCTION SHALL INCLUDE THE REMOVAL OF ALL BROKEN CONCRETE, TREE TRUNKS AND ANY OTHER DEBRIS THAT WOULD BE DAMAGING TO THE FOOTINGS OF THE NEW STRUCTURE.
2. BACKFILLING AT NEW TRENCHES SHALL BE OF CLEAN MEETING THE REQUIREMENTS OF (ASHTO NO. 89) GRAKULAR MATERIAL SOIL. BACKFILLING SHALL BE DONE IN 8 INCH LAYERS, MOISTURE CONDITIONED AND PROPERLY COMPACTED TO SPECIFIED COMPACTION PERCENTAGE PER ASTM D1557 (90% MIN.). ADEQUATE DRAINAGE SHALL BE PROVIDED SUCH THAT NO PONDING OCCURS AFTER.
3. ALL FOUNDATION FOOTINGS SHALL EXTEND INTO AND BEAR AGAINST NATURAL UNDISTURBED SOIL OR APPROVED COMPACTED FILL. FOOTINGS SHALL EXTEND INTO SOIL DEPTH INDICATED ON DETAILS.
4. SHOULD ANY LOOSE FILL, EXPANSIVE SOIL, GROUND WATER OR ANY OTHER DANGEROUS CONDITIONS BE ENCOUNTERED DURING THE EXCAVATION FOR THE NEW FOUNDATION, THE CONTRACTOR SHALL NOTIFY THE PROJECT MANAGER OR OWNER'S REPRESENTATIVE AND ALL FOUNDATION WORK SHALL CEASE IMMEDIATELY.

ELECTRICAL

1. REFER TO DRAWINGS FOR SITE SPECIFIC INFORMATION
2. ALL ELECTRIC WORK TO COMPLY WITH THE CURRENT EDITION OF THE NATIONAL ELECTRICAL CODE. (REFER TO THE COVER SHEET)
3. ALL INTERIOR SEISMIC UNISTRUT SHALL BE GROUNDED WITH #6 STRANDED COPPER WITH GREEN JACKET. ALL CONNECTIONS TO BE DOUBLE LUG.
4. BEFORE STARTING TRENCHING, THE CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL EXISTING LINES AFFECTED BY THE CONTRACT AND IMMEDIATELY NOTIFY THE PROJECT MANAGER IF ANY REROUTING OF EXISTING LINES IS NECESSARY.
5. ALL ELECTRICAL AND GROUNDING AT THE CELL SITE SHALL COMPLY WITH THE NATIONAL ELECTRICAL CODE (NEC), NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70 (LATEST EDITION), AND MANUFACTURER SPECIFICATION.
6. IF THE AC PANEL IN THE POWER CABINET IS WIRED AS SERVICE ENTRANCE, THE AC SERVICE GROUND CONDUCTOR SHALL BE CONNECTED TO GROUND ELECTRODE SYSTEM. WHEN THE AC PANEL IN THE POWER CABINET IS CONSIDERED A SUB-PANEL, THE GROUND WIRE SHALL BE INSTALLED IN THE AC POWER CONDUIT. THE INSTALLATION SHALL BE PER LOCAL CODE AND NATIONAL ELECTRIC CODE (NFPA70).

7. EXOTHERMIC WELDING IS RECOMMENDED FOR GROUNDING CONNECTION WHERE PRACTICAL. OTHERWISE THE CONNECTION SHALL BE MADE USING COMPRESSION TYPE-2 HOLES. LONG BARREL LUGS OR DOUBLE CRIMP (CLAMP "C" CLAMP. THE COPPER CABLES SHALL BE COATED WITH ANTIOXIDANT (COPPER SHIELD) BEFORE MAKING THE CONNECTIONS. THE MANUFACTURER'S TORQUING RECOMMENDATIONS ON THE BOLT ASSEMBLY TO SECURE CONNECTIONS SHALL BE FOLLOWED.
8. THE ANTENNA CABLES SHALL BE GROUNDED AT THE TOP AND BOTTOM OF THE VERTICAL RUN FOR LIGHTING PROTECTION. THE ANTENNA CABLE SHIELD SHALL BE BONDED TO A COPPER GROUND BUSS AT THE LOWER MOST POINT OF A VERTICAL RUN JUST BEFORE IT BEGINS TO BEND TOWARD THE HORIZONTAL PLANE. WIRE RUNS TO GROUND SHALL BE KEPT AS STRAIGHT AND SHORT AS POSSIBLE. ANTENNA CABLE SHIELD SHALL BE GROUNDED JUST BEFORE ENTERING THE CELL CABINET. ANY ANTENNA CABLES OVER 200 FEET IN LENGTH SHALL ALSO BE EQUIPPED WITH ADDITIONAL GROUNDING AT MID-POINT.
9. ALL GROUNDING CONDUCTORS INSIDE THE BUILDING SHALL BE RUN IN CONDUIT RACEWAY SYSTEM, AND SHALL BE INSTALLED AS STRAIGHT AS PRACTICAL WITH MINOR BENDS TO AVOID OBSTRUCTIONS. THE BENDING RADIUS OF ANY #2 GROUNDING CONDUCTOR IS 6". PVC RACEWAY MAY BE FLEXIBLE OR RIGID PER THE FIELD CONDITIONS. GROUNDING CONDUCTORS SHALL NOT MAKE CONTACT WITH ANY METALLIC CONDUITS, SURFACES OR EQUIPMENT.
10. PROVIDE PVC SLEEVES WHERE GROUNDING CONDUCTORS PASS THROUGH THE BUILDING WALLS AND/OR CEILINGS.
11. INSTALL GROUND BUSHINGS ON ALL METALLIC CONDUITS AND BOND TO THE EQUIPMENT GROUND BUSS IN THE PANEL BOARD.
12. GROUND ANTENNA BASES, FRAMES, CABLE RACKS AND OTHER METALLIC COMPONENTS WITH #2 GROUNDING CONDUCTORS AND CONNECT TO INSULATED SURFACE MOUNTED GROUND BARS. CONNECTION DETAILS SHALL FOLLOW MANUFACTURERS SPECIFICATIONS FOR GROUNDING.
13. ALL PROPOSED GROUNDING CONDUCTORS SHALL BE ROUTED AND CONNECTED TO THE MAIN GROUND BAR OR EXISTING GROUND RING.

CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

NOTES 1-6 BELOW REPRESENT KEY MINIMUM REQUIREMENTS FOR CONSTRUCTION BEST MANAGEMENT PRACTICES (BMPs)

1. SUFFICIENT BMP'S MUST BE IMPLEMENTED TO PREVENT SILT, MUD, OR OTHER CONTRACTOR DEBRIS FROM BEING TRACKED INTO THE ADJACENT STREET(S) OR STORM WATER CONVEYANCE SYSTEM DUE TO CONSTRUCTION VEHICLES OR ANY OTHER CONTRACTOR ACTIVITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANING ANY SUCH DEBRIS THAT MAY BE IN THE STREET AT THE END OF EACH WORK DAY OR AFTER A STORM EVENT THAT CAUSES A BREACH IN THE INSTALLED CONTRACTOR BMP's.
2. A CONCRETE WASHOUT SHALL BE PROVIDED ON ALL PROJECTS WHICH PROPOSE THE CONSTRUCTION OF ANY CONCRETE IMPROVEMENTS THAT ARE TO BE POURED INTO PLACE ON THE SITE.
3. ALL EROSION/SEDIMENT CONTROL DEVICES SHALL BE MAINTAINED IN WORKING ORDER AT ALL TIMES.
4. ALL SLOPES THAT ARE CREATED OR DISTURBED BY CONTRACTOR ACTIVITY MUST BE PROTECTED AGAINST EROSION AND SEDIMENT TRANSPORT AT ALL TIMES.
5. THE STORAGE OF ALL CONSTRUCTION MATERIALS AND EQUIPMENT MUST BE PROTECTED AGAINST ANY POTENTIAL RELEASE OF POLLUTANTS INTO THE ENVIRONMENT.



TYPE GT



TYPE VBC



TYPE VS



TYPE HS



TYPE YA-2



TYPE SS



TYPE VS



TYPE YA-2



TYPE YGHC



TYPE PT

CADWELD CONNECTION TYPES

NOT TO SCALE

NATURAL GAS PIPING

1. ALL WORK SHALL COMPLY WITH MICHIGAN MECHANICAL CODE, NFPA 54, "NATIONAL FUEL GAS CODE," AND APPLICABLE PARTS OF NFPA 58, "LIQUEFIED PETROLEUM GAS CODE," AND NFPA 70, "NATIONAL ELECTRICAL CODE," FOR ELECTRICAL CONNECTIONS BETWEEN WIRING AND ELECTRICALLY OPERATED CONTROL DEVICES.
2. ABOVE-GROUND PIPE SHALL BE ASTM A 54 STEEL PIPE; TYPE E, ELECTRIC-RESISTANCE WELDED OR TYPE S, SEAMLESS; GRADE B. SCHEDULE 40, BLACK.
3. FITTINGS SHALL BE MALLEABLE-IRON THREADED FITTINGS, ASME B16.3, CLASS 150, STANDARD PATTERN, WITH THREADED ENDS CONFORMING TO ASME B1.20.1.
4. UNDERGROUND PIPING SHALL BE SDR 11 POLYETHYLENE PLASTIC PIPE, TUBING, AND FITTINGS IN CONFORMANCE WITH THE 2008 EDITION OF ASTM D 2513.
5. JOINT COMPOUND AND TAPE SHALL BE SUITABLE FOR NATURAL GAS.
6. VALVES SHALL BE ASME B16.33, 150 PSIG WOG, BRONZE BODY, BRONZE PLUG, SQUARE HEAD, TAPERED-PLUG TYPE, WITH THREADED ENDS CONFORMING TO ASME B1.20.1.
7. CLOSE EQUIPMENT SHUTOFF VALVES BEFORE TURNING OFF GAS TO PREMISES OR SECTION OF PIPING. PERFORM LEAKAGE TESTING TO DETERMINE THAT ALL EQUIPMENT IS TURNED OFF IN THE AFFECTED PIPING SECTION.
8. INSTALL SHUTOFF VALVE, DOWNSTREAM FROM GAS METER, OUTSIDE BUILDING AT GAS SERVICE ENTRANCE.
9. PIPING INSTALLATIONS
CONCEALED LOCATIONS: EXCEPT AS SPECIFIED BELOW, INSTALL CONCEALED GAS PIPING IN AIRTIGHT CONDUIT CONSTRUCTED OF SCHEDULE 40, SEAMLESS, BLACK STEEL PIPE OR SCHEDULE 40, PVC DWV PIPE WITH WELDED JOINTS. VENT CONDUIT TO OUTSIDE AND TERMINATE WITH SCREENED VENT CAP. INSTALL AS SHOWN ON DRAWINGS.
ABOVE-CEILING LOCATIONS: GAS PIPING MAY BE INSTALLED IN ACCESSIBLE SPACES, SUBJECT TO APPROVAL OF AUTHORITIES HAVING JURISDICTION, WITH OR NOT SUCH SPACES ARE USED AS PLENUMS. DO NOT LOCATE VALVES IN SUCH SPACES.
IN WALLS: GAS PIPING WITH WELDED JOINTS AND PROTECTIVE WRAPPING MAY BE INSTALLED IN MASONRY WALLS, SUBJECT TO APPROVAL OF AUTHORITIES HAVING JURISDICTION.
IN VERTICAL PIPE CHASES: CHASES SHALL NOT CONTINUE ABOVE CEILINGS.
PROHIBITED LOCATIONS: DO NOT INSTALL GAS PIPING IN WALLS OR UNDER FLOORS, EXCEPT IN ACCESSIBLE ABOVE CEILING SPACES AS SPECIFIED ABOVE, TURNING PASSING THROUGH PARTITIONS OR WALLS; AND IN VENTED SLEEVES AS INDICATED ABOVE AND ON THE DRAWINGS.
10. DRIPS AND SEDIMENT TRAPS: INSTALL DRIPS AT POINTS WHERE CONDENSATE MAY COLLECT. INCLUDE OUTLETS OF GAS METERS. LOCATE WHERE READILY ACCESSIBLE TO PERMIT CLEANING AND EMPTYING. DO NOT INSTALL WHERE CONDENSATE WOULD BE SUBJECT TO FREEZING.
11. CONSTRUCT DRIPS AND SEDIMENT TRAPS USING TEE FITTING WITH BOTTOM OUTLET PLUGGED OR CAPPED. USE MINIMUM-LENGTH NIPPLE OF 3 PIPE DIAMETERS, BUT NOT LESS THAN 6 INCHES LONG, AND SAME SIZE AS CONNECTED PIPE. INSTALL WITH ENOUGH CLEARANCE BETWEEN THE BOTTOM OF DRIP AND FLOOR TO ALLOW FOR REMOVAL OF PLUG OR CAP.
12. INSTALL GAS PIPING AT UNIFORM GRADE OF 0.1 PERCENT SLOPE UPWARD TOWARD RISERS.
13. USE ECCENTRIC REDUCER FITTINGS TO MAKE REDUCTIONS IN PIPE SIZES. INSTALL FITTINGS WITH LEVEL SIDE DOWN.
14. CONNECT BRANCH PIPING FROM TOP OR SIDE OF HORIZONTAL PIPING.
15. INSTALL UNIONS IN PIPES 2-INCH NPS (DN50) AND SMALLER, ADJACENT TO EACH VALVE, AT FINAL CONNECTION TO EACH PIECE OF EQUIPMENT, AND ELSEWHERE AS INDICATED. UNIONS ARE NOT REQUIRED ON FLANGED DEVICES.
16. ANCHOR PIPING TO ENSURE PROPER DIRECTION OF PIPING EXPANSION AND CONTRACTION. INSTALL EXPANSION JOINTS, EXPANSION LOOPS, AND PIPE GUIDES AS INDICATED.
17. INSTALL VENT PIPING FOR GAS PRESSURE REGULATORS AND GAS TRAINS, EXTEND OUTSIDE BUILDING, AND VENT TO ATMOSPHERE. TERMINATE VENTS WITH TURNED-DOWN, REDUCING-ELBOW FITTINGS WITH CORROSION RESISTANT INSECT SCREENS IN LARGE END.
18. INSTALL VALVES IN ACCESSIBLE LOCATIONS, PROTECTED FROM DAMAGE. TAG VALVES WITH METAL TAG INDICATED PIPING SUPPLIED. ATTACH TAG TO VALVE WITH METAL CHAIN.
19. INSTALL GAS VALVE UPSTREAM FROM EACH GAS PRESSURE REGULATOR.
20. INSTALL PRESSURE RELIEF OR PRESSURE-LIMITING DEVICES SO THEY CAN BE READILY OPERATED TO DETERMINE IF VALVE IS FREE; TEST TO DETERMINE PRESSURE AT WHICH THEY WILL OPERATE; AND EXAMINE FOR LEAKAGE WHEN IN CLOSED POSITION.
21. INSTALL HANGERS FOR HORIZONTAL STEEL PIPING WITH 3/8-INCH MINIMUM ROD SIZE, WITH THE FOLLOWING MAXIMUM SPAN:
1/2-INCH NPS: MAXIMUM SPAN, 72 INCHES
3/4- AND 1-INCH NPS: MAXIMUM SPAN, 96 INCHES
1-1/4, 1-1/2, AND 2-INCH NPS: MAXIMUM SPAN, 108 INCHES
22. CONNECT GAS PIPING TO EQUIPMENT AND APPLIANCES USING GAS WITH SHUTOFF VALVES AND UNIONS. INSTALL GAS VALVE UPSTREAM FROM AND WITHIN 72 INCHES OF EACH APPLIANCE USING GAS. INSTALL UNION DOWNSTREAM FROM VALVE. INCLUDE FLEXIBLE CONNECTORS WHERE INDICATED.
23. SEDIMENT TRAPS: INSTALL TEE FITTING WITH CAPPED NIPPLE IN BOTTOM FORMING DRIP, AS CLOSE AS PRACTICAL TO INLET FOR APPLIANCE USING GAS.
24. INSPECT, TEST, AND PURGE PIPING ACCORDING TO NFPA 54, PART 4 "GAS PIPING INSPECTION, TESTING, AND PURGING" AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.
25. REPAIR LEAKS AND DEFECTS WITH NEW MATERIALS AND RETEST SYSTEM UNTIL SATISFACTORY RESULTS ARE OBTAINED.
26. VERIFY CAPACITIES AND PRESSURE RATINGS OF GAS METERS, REGULATORS, VALVES, AND SPECIALTIES; VERIFY CORRECT PRESSURE SETTINGS FOR PRESSURE REGULATORS, AND THAT SPECIFIED PIPING TEST ARE COMPLETE.

NOTE:
CADWELD "TYPES" SHOWN ARE EXAMPLES.
CONSULT WITH CONSTRUCTION MANAGER FOR SPECIFIC TYPES OF CADWELDS TO BE USED FOR THIS PROJECT.

T-Mobile

28505 SCHOOLCRAFT RD, BLDG#6
LIVONIA, MICHIGAN 48150
Phone: 734.367.7200
Fax: 734.367.7242
CONTACT: KEN KALOUSEK
(734) 444-0181

LANDTECH PROJECT NUMBER: 15323285APU			
REV	DATE	DESCRIPTION	BY
A	05/20/16	PRELIMINARY DRAWINGS	CUL

APU DC GENERATOR
CONSTRUCTION DRAWINGS

NOTE: THESE DRAWINGS ARE TO SCALE
WHEN PLOTTED ON 11"x17" SHEETS. REFER
TO GRAPHIC SCALES ON PRODUCTIONS.



SITE #: DE01038B
SITE NAME:

555 BUILDING
SITE ADDRESS:
555 S. OLD WOODWARD AVE.,
BIRMINGHAM, MI 48009

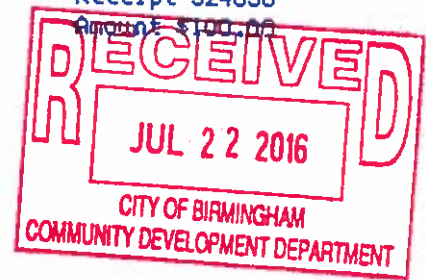
Sheet Title:

GENERAL NOTES &
GROUNDING DETAILS

Sheet Number:

APU-1

APU-2



Temporary Use Permit Application Planning Division

1. Applicant

Name: Lawrence C. Lechner
Address: 1275 SUFFIELD
BIRMINGHAM, AL 35209
Phone Number: 248-568-9102
Fax Number: _____

Property Owner

Name: Birmingham Group Inc.
Address: 770 S. Adams Suite 100
BIRMINGHAM, AL 35209
Phone Number: 248-568-9102
Fax Number: _____

2. Project Information

Address/Location of Property: 770 S. Adams
Name of Development: BIRMINGHAM PLAZA
Parcel ID #: _____
Current Use: OFFICE PLAZA
Area in Acres: _____
Current Zoning: BUSINESS

Name of Historic District site is in, if any: Triangle District
Date of HDC Approval, if any: _____
Date of Application for Preliminary Site Plan: _____
Date of Preliminary Site Plan Approval: _____
Date of Application for Final Site Plan: N/A
Date of Final Site Plan Approval: _____
Date of Revised Final Site Plan Approval: _____

4. Attachments

- Three (3) folded copies of site plan including location and type of temporary use and other site amenities (buildings, accessory structures, parking spaces, right-of-way, property lines, etc.)
- Authorization from Owner(s) (if applicant is not owner)
- Letter detailing temporary use

5. Details of the Request for Temporary Use Permit

3 (TEMP) GENERATORS TO SUPPLY TEMP.
A.C. UNITS - BLDG. COMPRESSION DEMO.

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 to the approved site plan.

Signature of Applicant: Lawrence C. Lechner

Date: 7-22-16

Application #: TU16-003

Office Use Only

Date Received: 6/22/16

Fee: \$100

Date of Approval: 7/22/16

Date of Denial: _____

Reviewed by: M. B. L.

130540



CONSENT OF PROPERTY OWNER

I, Birmingham Group Inc., OF THE STATE OF MI AND COUNTY OF Oakland
(Name of property owner)

STATE THE FOLLOWING:

1. That I am the owner of real estate located at 770 S. Adams;
(Address of affected property)
2. That I have read and examined the Application for Administrative Approval made to the City of Birmingham by:
LAURENCE C. LENCHMAN
(Name of applicant)
3. That I have no objections to, and consent to the request(s) described in the Application made to the City of Birmingham.

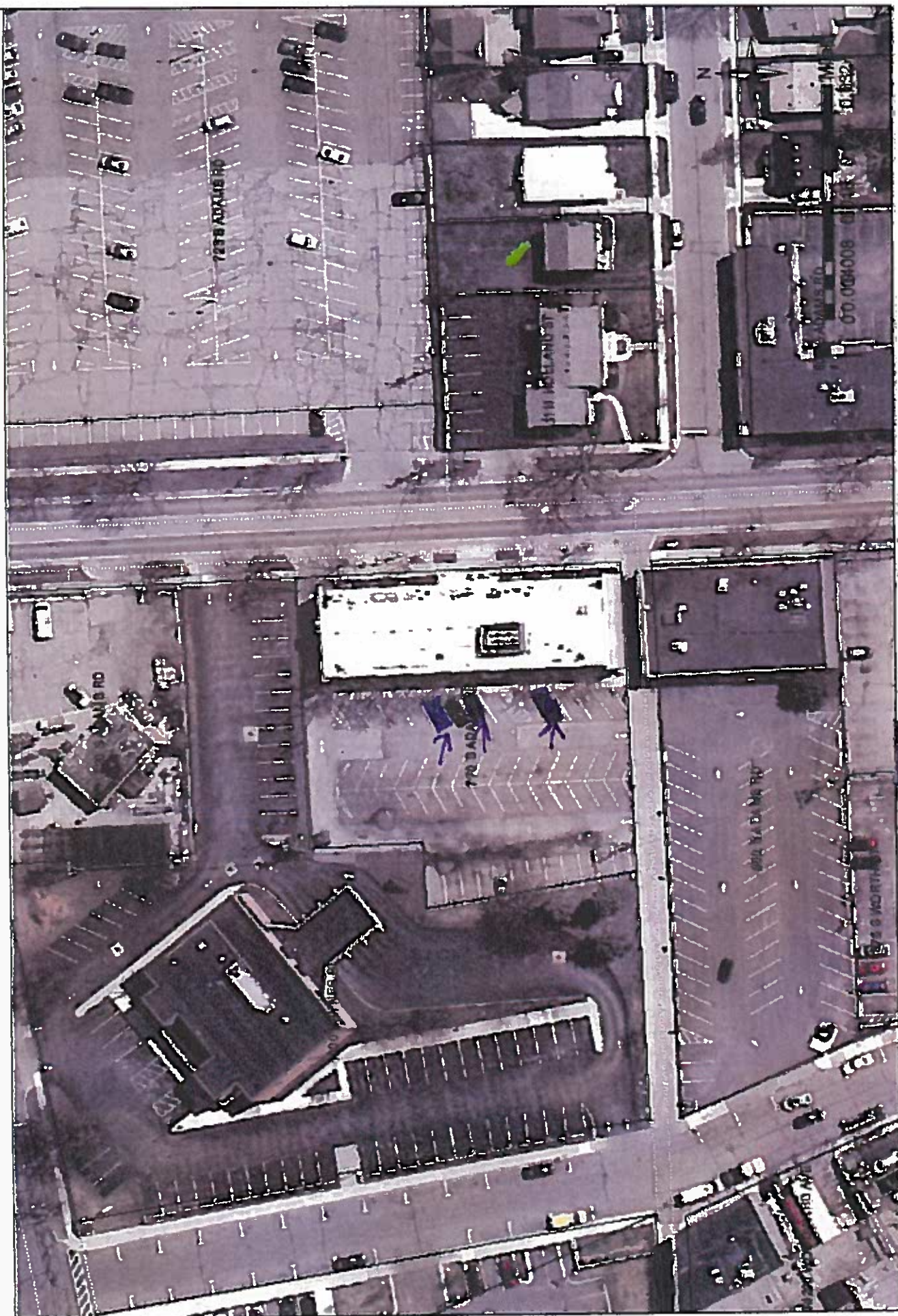
Dated: 7-22-16

Laurence C. Lenchman
Owner's Name (Please Print)

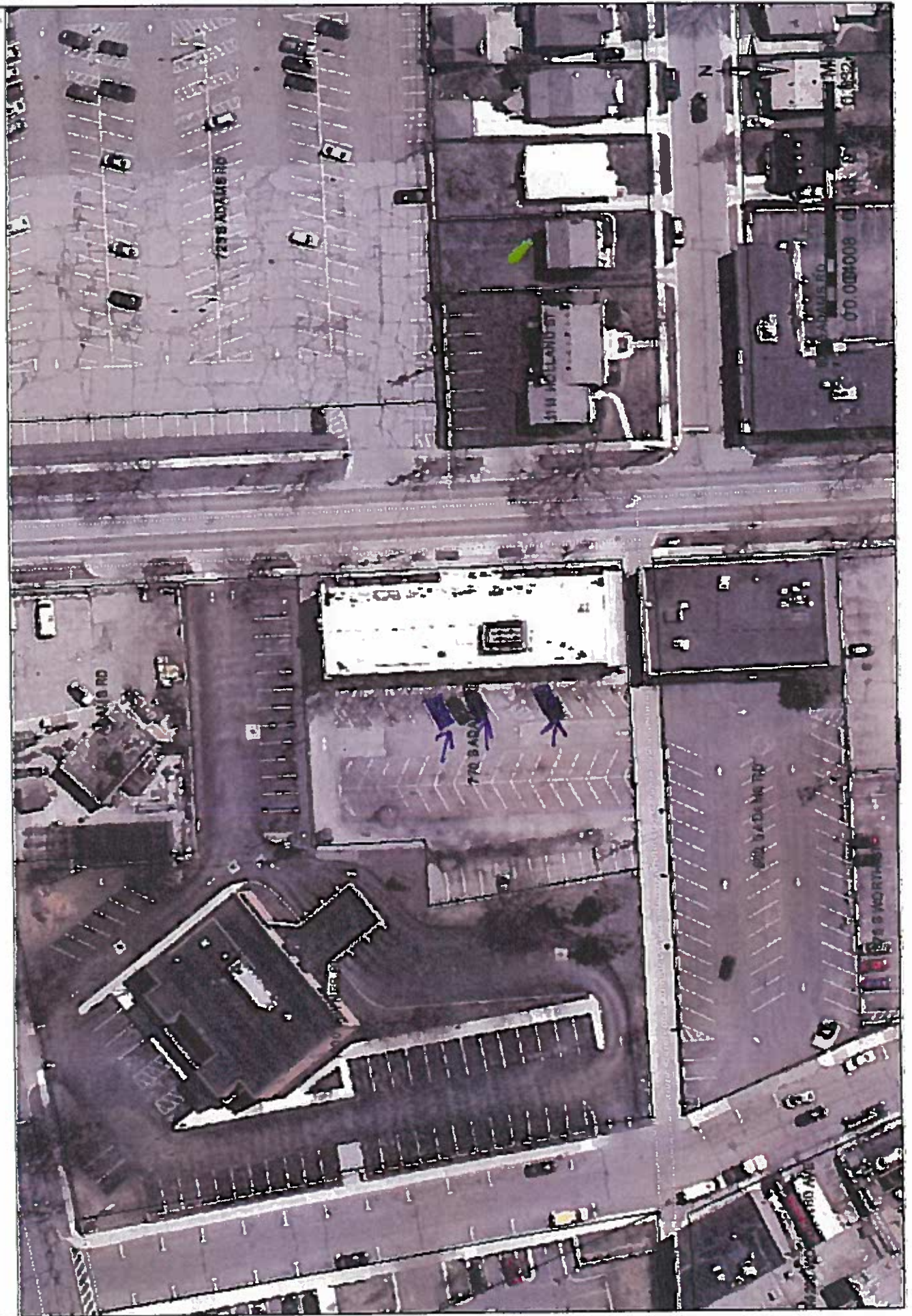
[Signature]
Owner's Signature

M.B. 16-003
7/22/16 PB

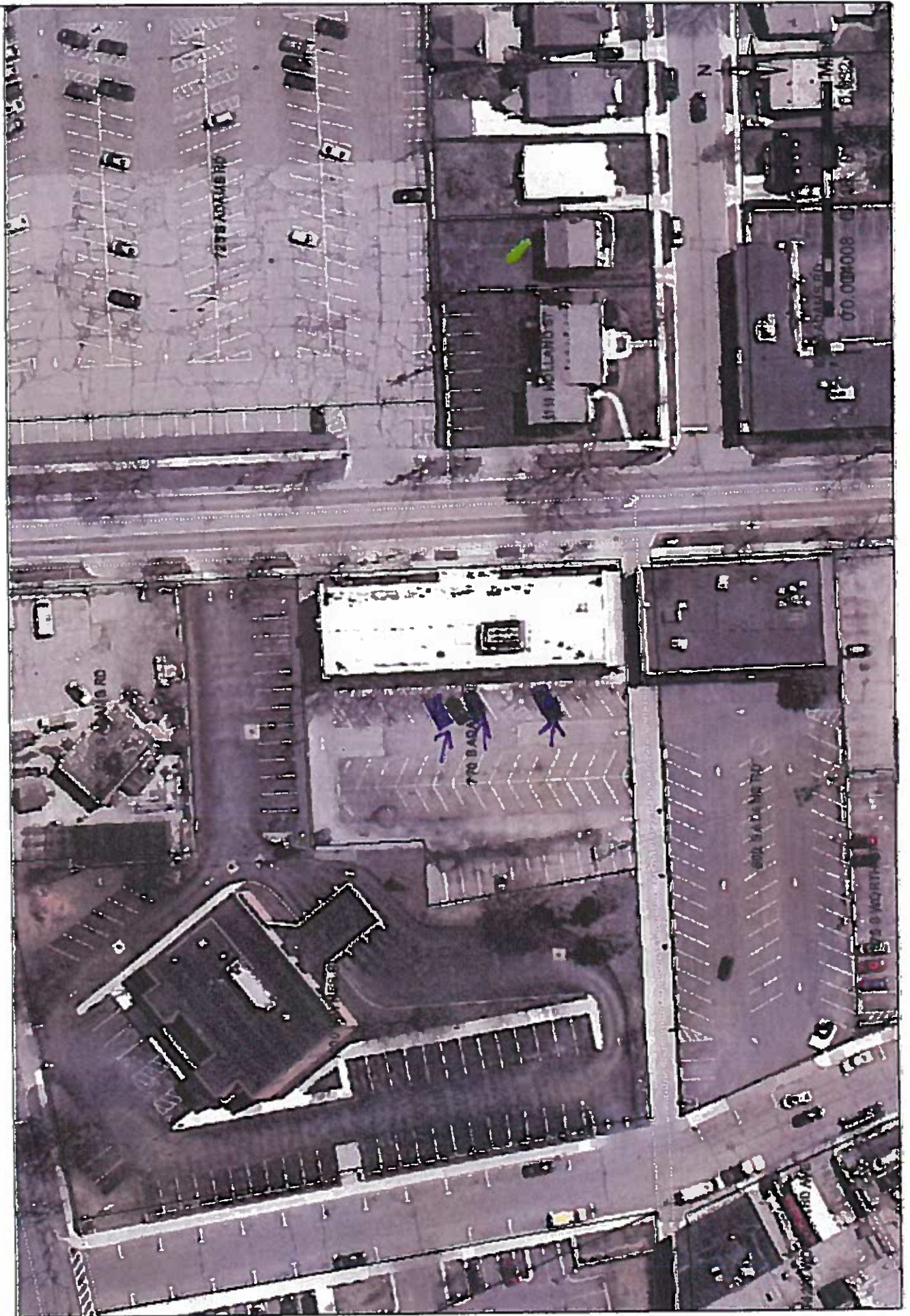
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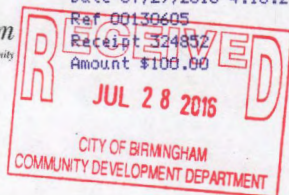


Temp. Generator Location



Temp. Generator Location





Administrative Approval Application Planning Division

Form will not be processed until it is completely filled out

1. Applicant

Name: SYSTEMATIC HEATING & COOLING, INC.

Address: 8075 BIG LAKE RD.

CLARKSTON, MI 48348

Phone Number: 248-6251420

Fax Number: 248-6258770

Email: _____

Property Owner

Name: MERCEDES BENZ

Address: _____

Phone Number: _____

Fax Number: _____

Email: _____

2. Applicant's Attorney/Contact Person

Name: JASON ZILKA

Address: SAME AS ABOVE

Phone Number: _____

Fax Number: _____

Email: _____

Project Designer

Name: _____

Address: _____

Phone Number: _____

Fax Number: _____

Email: _____

3. Project Information

Address/Location of Property: 2200 HOLLAND, BIRMINGHAM, MI

Name of Development: _____

Parcel ID #: _____

Current Use: _____

Area in Acres: _____

Current Zoning: _____

Name of Historic District site is in, if any: _____

Date of HDC Approval, if any: _____

Date of Application for Preliminary Site Plan: _____

Date of Preliminary Site Plan Approval: _____

Date of Application for Final Site Plan: _____

Date of Final Site Plan Approval: _____

Date of Revised Final Site Plan Approval: _____

4. Attachments

- Warranty Deed with legal description of property
- Authorization from Owner(s) (if applicant is not owner)
- Completed Checklist

- Six (6) folded copies of plans including an itemized list of all changes for which administrative approval is requested, with the changes marked in color on all elevations

5. Details of the Request for Administrative Approval

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 to the approved site plan.

Signature of Applicant: Wayne J Zilk

Date: _____

Application #: <u>16-0086</u>	Date Received: <u>7/28/16</u>	Fee: <u>\$100</u>
Date of Approval: <u>7/28/16</u>	Date of Denial: _____	Reviewed by: <u>m.B/L</u>

130605

CONSENT OF PROPERTY OWNER

I, _____, OF THE STATE OF MICHIGAN AND COUNTY OF
(Name of property owner)

OAKLAND STATE THE FOLLOWING:

1. That I am the owner of real estate located at 2200 HOLLAND, BIRMINGHAM, MI;
(Address of affected property)
2. That I have read and examined the Application for Administrative Approval made to the City of Birmingham by:
SYSTEMATIC HEATING & COOLING, INC.;
(Name of applicant)
3. That I have no objections to, and consent to the request(s) described in the Application made to the City of Birmingham.

Dated: 7-28-16

C J GHESQUIERE JR
Owner's Name (Please Print)

CJ Ghesquiere Jr
Owner's Signature

-071-

(<http://www.keystonecrossroads.org>)

Ideas worth stealing: Parking benefit districts



Sometimes the deal for new parking meters can be sweetened with the promise of local revenue for projects. (Photo by Mike Linksvayer via Flickr)



BY JON GEETING

Parking congestion is a constant source of frustration in many growing urban neighborhoods and downtowns, but the best-known cure — charging a price for curb parking — is about as unpopular as the affliction.

When commercial corridors begin attracting more customers, or neighborhoods see an influx of new infill housing, residents who once had an easy time parking for free or for cheap on the curb increasingly find those spaces occupied by visitors or new residents.

But pro-turnover policies that turn free parking into paid parking, or raise existing parking prices, still tend to be unpopular for two main reasons: People don't like to pay for what they're used to getting for free, and the revenue typically doesn't fund any immediately tangible benefits.

As Alan Durning, director of the sustainability think tank Sightline Institute (<http://www.sightline.org/>), put it in a 2013 blog post, "parking revenue going to the general fund might as well be going to Mars (<http://www.sightline.org/2013/10/04/curb-appeal/>). It has virtually no political salience for most voters."

But it turns out that there is another powerful, countervailing force that, if cultivated correctly, can be harnessed to blunt the strength of territorial parking politics: Greed.

Enter the Parking Benefit District

As UCLA professor Donald Shoup explained in his cult parking economics tome "The High Cost of Free Parking," some cities and downtown business associations have discovered that it's much easier, politically speaking, to introduce new parking meters or permits when the impacted areas are allowed to keep some of the revenue generated within the neighborhood to pay for extra public improvements and services.

The prospect of a dedicated, ongoing local revenue stream for neighborhood projects becomes enticing enough to residents and businesses, and they become a countervailing force in support of parking meters.

Those public improvements in turn attract even more visitors, which generates more parking revenue in a virtuous cycle of redevelopment.

In different cities, Parking Benefit Districts (PBDs) come in different shapes and sizes, but what they all have in common is that they fund visible local public improvements in the places where the revenue is raised.

As Pittsburgh looks toward establishing its first PBD, examples from Portland, Austin, and Old Pasadena can provide some context on creative ways cities are building public support for better parking management.

Pittsburgh

Mayor Peduto's administration in Pittsburgh is planning to fund public safety improvements on the city's South Side — a nightlife magnet that endures more than its share of wear and tear — with revenue from extended parking meter hours.

"People come in from all over the region to the South Side on a weekly basis to patronize our businesses, and that kind of traffic has an impact on the neighborhood," says the mayor's deputy chief of staff John Fournier, who's been developing the framework for a parking benefit district for the neighborhood.

Without much wiggle room in the city's general fund, officials began exploring the idea of extending parking meter hours and dedicating the additional revenue to services in the district — think more cops on the street, pedestrian improvements, wayfinding signage — which presumably would be paid mostly by evening revelers from outside the neighborhood. Think of it as a hyper-local commuter tax.

Fournier explained that a parking benefit district isn't just a revenue-raiser, but smart transportation management as well, since parking demand is still higher than usual on the South Side past 6pm.

"Specific details, like the list of projects to be funded and the boundaries of the district, will be shaped by conversations with the community, Fournier said.

Unlike some other types of Parking Benefit Districts that have direct control over the use of revenue, the funds for Pittsburgh's South Side will stay in a separate account and won't be granted out to third party organizations and non-profits.

Portland

In Portland, Oregon, a stakeholder committee (<https://www.portlandoregon.gov/transportation/67483>) formed to overhaul the city's parking permit policy unanimously endorsed a framework that would give neighbors an option to keep more revenue in the neighborhood.

If adopted, the new framework would allow neighborhoods to opt in to permit parking, but also set aside some of the proceeds for neighborhood projects, which wouldn't necessarily be restricted to a specific spending priority like public safety and pedestrian improvements as in Pittsburgh.

The committee also recommended that the city sell only a limited number of parking permits in each neighborhood—as many permits as there are on-street spaces, or less. Whether the permits would be distributed by auction or some other process is still up in the air. The committee recommended tying each permit to a specific vehicle or set of vehicles, to prevent a side market in parking permits from developing.

"The recommendation wasn't specific in how much to cap," recalls Sunnyside Neighbors Association president Tony Jordan, who served on the stakeholder committee, "We talked about 80-85 percent, because you want to allow for some employee and visitor parking near commercial corridors."

These kinds of decisions would be made by an Area Parking Committee chosen by neighborhoods who've opted in to permit parking.

Area Parking Committees would also decide on the price of the permits, with the flexibility to add a neighborhood fee onto the base price, to fund neighborhood projects.

Each participating neighborhood would choose from menu of projects like sidewalk repair, lighting, and pedestrian and bike safety improvements not currently on the shortlist for public funding, and dedicate the parking revenue to the local favorites.

As in Pittsburgh, the revenue would remain in an account managed by the city, rather than transferred to third-party groups like business improvement districts, CDCs, or neighborhood civic associations.

"Neighborhood organizations, even if they are official non-profits, aren't usually democratic enough to manage the money," said Jordan, "We get elected by a few dozen people out of a neighborhood of 7,000 or so. The neighborhood associations can bring people together to straw poll projects. Even if it's not completely democratic, that's at least an okay way to decide which small projects get done in a neighborhood."

Austin

Parking Benefit Districts in Austin, Texas are distinct from these other examples in two ways.

First, about half the revenue goes to the city's general fund. After city expenses are covered, 51 percent of the proceeds are set aside for the district, and 49 percent becomes general revenue for the city. The minimum size for a district is 96 spaces, and there's a thorough process for the neighborhood and the city to vet proposed districts.

Second, city law also requires (<https://austintexas.gov/sites/default/files/files/Transportation/pbd-ordinance.pdf>) that the revenue be used to "promote walking, cycling, and public transit and public transit use within the district." It can also be used in conjunction with other city funds for larger projects.

Austin began experimenting with Parking Benefit Districts in 2011 in response to West Campus neighbors near the University of Texas who reached out to the city seeking relief from students stashing their cars long-term on residential streets.

"They had students parking literally for semesters, and they'd get no turnover because it was all free parking," recalls Steven Grassfield, the city's Parking Enterprise Manager, who helped craft Austin's parking benefit district policy.

After a thorough community outreach and City Council vetting process, the West Campus district went into effect in January of 2012, and has raised on average around \$140,000 annually for neighborhood improvements.

At the time the district was created, West Campus neighbors gave the city five projects they wanted to finance, and the city sets the money aside in a separate fund. Neighbors get a monthly financial statement, and every year they meet with the city to revisit the project list.

"As you know, cities are always changing, so they're allowed to adjust the projects being funded depending on the needs of their area," Grassfield said.

So far, residents have chosen to invest parking revenue in wider 18-foot sidewalks on Rio Grande, a busy commercial street running through the neighborhood, as well as benches, lighting, and street trees.

Old Pasadena

Old Pasadena's Parking Benefit District, called the Parking Meter Zone, is the archetype of the concept, profiled in Donald Shoup's paper "Turning Small Change Into Big Changes."

(<http://shoup.bol.ucla.edu/SmallChange.pdf>) It's a good example of how much more radical these programs can get, depending on the local appetite for them.

Shoup offers some background on what Pasadena's downtown was like prior to the creation of the Parking Meter Zone (PMZ) in 1993.

"Old Pasadena became the city's Skid Row, and by the 1970s much of it was slated for redevelopment. Pasadena's Redevelopment Agency demolished three historic blocks on Colorado Boulevard to make way for Plaza Pasadena, an enclosed mall with ample free parking whose construction the city assisted with \$41 million in public subsidies. New buildings clad in then-fashionable black glass replaced other historic properties. The resulting "Corporate Pasadena" horrified many citizens, so the city reconsidered its plans for the area. The Plan for Old Pasadena, published in 1978, asserted "if the area can be revitalized, building on its special character, it will be unique to the region." In 1983, Old Pasadena was listed in the National Register of Historic Places. However, despite these planning efforts, commercial revival was slow to come, in part because lack of public investment and the parking shortage were intractable obstacles.

For years city planners had been urging elected officials to introduce paid parking in the downtown to create more turnover, but the idea was a political non-starter.

In the late 1980's, the City Manager at the time championed a plan to build a large downtown parking garage to address the parking crunch. It was built, but by the early 90's it had become clear that the garage was a money-loser, costing the city around \$1 million a year.

With curb parking unpriced, motorists had little financial incentive to choose garage parking.

Mayor Rick Cole, now the City Manager in Santa Monica, decided the city could no longer avoid installing paid street parking, but when he broached the topic at a meeting with downtown merchants, they went "absolutely berserk," he recalls.

That is, until he suggested spending the meter revenue in the district.

"I said, what if we took 100 percent of the revenue from the parking meters, but instead of using it to plug our million dollar hole in the budget, we devote it to three things: police foot patrols and horse patrols, daily street sweeping, and monthly steam cleaning of the sidewalks," Cole said.

If there was any money left over, he offered, Old Pasadena could use it to plant trees, fix sidewalks, install lighting and benches, and more. To top it off, business owners would be put in charge of allocating the money. Cole estimated that between parking fines, more garage parking, and additional business activity, the city would close the \$1 million deficit.

A deal was struck, and the city installed parking meters in 1993, creating a committee of business owners within the Old Pasadena BID to allocate the revenue. They floated a \$5 million bond to finance the "Old Pasadena Streetscape and Alleyways Project," and dedicated the meter revenue to repay the debt.

The bond proceeds funded street furniture, trees and tree grates, decorative lighting, and alley restoration. To build support for the meters, the city launched a marketing campaign showcasing the improvements visitors were funding, complete with meter signage reminding motorists "your meter money makes a difference."

"On the parking meters we had a little sticker that explained your money would fund local services," Cole said, "That helped us enormously because everybody who was pissed off about money going to City Hall, we could look them in the face and say 'every nickel you put in these parking meters is going toward making the downtown nicer, cleaner, and safer.'"

In the five years after the Parking Meter Zone was established, property tax revenue tripled, and sales tax revenues quadrupled over the same period, according to Cole.

"When I stepped down as Mayor," Cole recalled, "I said my three big achievements were getting the city's General Plan through, getting parking meters in Old Pasadena, and not getting recalled for putting parking meters in Old Pasadena."

"...everybody who was pissed off about money going to City Hall, we could look them in the face and say 'every nickel you put in these parking meters is going toward making the downtown nicer, cleaner, and safer.'"



Keystone

Crossroads

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Four public media newsrooms are collaborating to report in depth on the root causes of our state's urban crisis — and on possible solutions. Keystone Crossroads offers reports on radio, Web, social media, television and newspapers, and through public events.

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The end of sprawl

By Christopher B. Leinberger and Michael Rodriguez July 29

Christopher B. Leinberger, a professor at George Washington University School of Business, is president of LOCUS, a real estate developer program of Smart Growth America. Michael Rodriguez is research director at GWSB and at SGA.

Walkable urban market share gains are similar to the drivable market share gains of the 1980s, only in the opposite direction. Sprawl may be over.

The metropolitan Washington area ranked second in our [Foot Traffic Ahead 2016](#) survey of walkable urban trends in the nation's 30 largest cities. We found that walkable metro areas come at a premium price: Walkable urban office, retail and apartment rents are 66 percent higher here than in business parks, strip malls and isolated apartments.

What's more, walkable urban space has captured 91 percent of all new occupied office and apartment space for the past six years in the area. This demand will take years, if not decades, to satisfy.

So, will gentrification be a constant source of social inequality? Our research says no. Surprisingly, our findings show that walkable urban metro areas in the country are the most socially equitable. How could this be, given huge rental premiums?

George Washington University looked at the spending of moderate-income households making 80 percent of the median household income of the metro area — \$73,404 here. We focused on housing and transportation spending; both are part of social equity. Housing and transportation are the two highest household spending categories, and they are related.

Moderate-income households in the most walkable urban metros, such as Washington and San Francisco, spend more on housing than moderate-income households in the most drivable metro areas, such as Las Vegas and Tampa. But the difference is less than 1 percent of income for housing (41.5 percent in walkable metros vs. 40.9 percent in drivable metros). Housing costs in the Washington area are 36 percent of household budgets.

But the rent is still too high; housing costs should be 30 percent.

However, moderate-income households in this area spend substantially less on transportation than those in drivable metros. Moderate-income households in drivable metros spend 29 percent of income on transportation, because of the high cost of car ownership. In metro Washington, moderate-income households only spend 17 percent of income on transportation, primarily because of our transit system.

We also add another factor to the mix: accessibility to employment. Accessibility to jobs here is two times that of drivable metro areas.

In addition, walkable urban metros such as Washington have dramatically higher income per capita than drivable metros. The Washington area's is 50 percent higher than that of drivable metros. That gap in income per capita is the same as the gap between Germany and Croatia and Latvia.

Overall, walkable urban places are the most socially equitable. But the rent is still too damn high.

Opinions newsletter

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There is a crucial need to create more attainable housing, especially close to job locations, such as [Tysons](#), [Reston Town Center](#) and downtown D.C. One recommendation is for business improvement districts, Main Street programs and others to expand their scope from clean and safe areas and economic development to include developing more attainable housing.

We must also redouble our regional commitment to transit, especially [Metro](#). It will keep transportation costs low for all of us, and particularly the poor, while giving the market the walkable urban places it wants.

What funding sources could pay for regional transit improvement? Los Angeles has a half-cent sales tax for its transit system expansion, and that may increase by another half-cent after a ballot measure this fall. We estimate a 1-cent regional sales tax would raise amounts similar to the existing \$845 million per year that regional governments haphazardly provide through subsidies. [A dedicated funding source](#) would enable the Washington Metropolitan Area Transit Authority to take advantage of new low-cost federal transit financing.

Another funding source could be capturing a portion of the benefit Metrorail provides to the private real estate industry. Those rent premiums shown above are because of public transit investment. Increased property taxes near rail stations have worked in many Asian cities.

The trend toward more walkable urbanism, in the District and the suburbs, is a major opportunity to build a more socially equitable region. Doing so will decrease transportation costs, increase job accessibility and boost incomes — which benefit all Americans, especially low-income Americans.

Read more about this issue:

[Stewart Schwartz: Stop saying no to development in your neighborhood](#)

[Oramenta Newsom and Michael Rubinger: The H Street revival is community development](#)

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