



AGENDA
REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD
WEDNESDAY JULY 27, 2022 – 7:30 PM
151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

The City continues to recommend the public wear masks while attending City meetings per CDC guidelines. The cases of COVID-19 are increasing in the area. All City employees, commissioners, and board members must wear a mask while indoors when 6-feet of social distancing cannot be maintained. This is to ensure the continuity of government is not affected by an exposure to COVID-19 that can be prevented by wearing a mask. The City continues to provide KN-95 respirators and triple-layered masks for all in-person meeting attendees.

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- A.** Roll Call
- B.** Review and Approval of the Minutes of the Regular Meeting of **July 13, 2022**
- C.** Chairpersons' Comments
- D.** Review of the Agenda
- E.** Unfinished Business/Courtesy Review
- F.** Rezoning Applications
- G.** Community Impact Studies
- H.** Special Land Use Permits
- I.** Site Plan & Design Reviews
 - 1. **35106 Woodward – Whole Dental Wellness (Postponed from June 22, 2022) – Final Site Plan and Design Review request for new addition to rear of building. (*REQUEST TO POSTPONE*)**
 - 2. **320 Martin St. – Birmingham Post Office – Final Site Plan and Design Review request for new 5-story addition to rear of existing building.**
- J.** Study Session
 - 1. **D4 Parking Standards – Ordinance Amendment Request**
- K.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - 2. Communications
 - 3. Administrative Approval Correspondence
 - i. **460 N. Old Woodward – Rooftop Use**
 - ii. **33366 Woodward – House of Reem**
 - iii. **135 Pierce**
 - 4. Draft Agenda – **August 10, 2022**
 - 5. Action List - 2022
 - 6. Other Business
- L.** Planning Division Action Items
 - 1. Staff Report on Previous Requests
 - 2. Additional Items from Tonight's Meeting
- M.** Adjournment

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

Link to Access Virtual Meeting: [**https://zoom.us/j/111656967**](https://zoom.us/j/111656967)
Telephone Meeting Access: 877-853-5247 US Toll-Free
Meeting ID Code: 111656967

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City Of Birmingham
Regular Meeting Of The Planning Board
Wednesday, July 13, 2022
City Commission Room
151 Martin Street, Birmingham, Michigan

Minutes of the regular meeting of the City of Birmingham Planning Board held on July 13, 2022.
Chair Scott Clein convened the meeting at 7:30 p.m.

A. Roll Call

Present: Chair Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Daniel Share, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Member Jason Emerine; Student Representative MacKinzie Clein

Absent: Alternate Board Member Nasseem Ramin; Student Representative Andrew Fuller

Administration:

Nick Dupuis, Planning Director
Laura Eichenhorn, City Transcriptionist

B. Approval Of The Minutes Of The Regular Planning Board Meeting of June 22, 2022

Mr. Williams asked that the fourth bullet point after 'Mr. Williams said' on page four be edited to say 'The neighbors' original stance was relevant to the question of rezoning and was relevant to the current acerbic tone of some of the neighbors' recent comments'.

On page six, second paragraph from the bottom, Mr. Share recommended that 'on S. Old Woodward' be added after 'in the early morning'.

07-136-22

Motion by Mr. Williams

Seconded by Mr. Share to approve the minutes of the Regular Planning Board meeting of June 22, 2022 as amended.

Motion carried, 7-0

VOICE VOTE

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

Nays: None

C. Chair's Comments

Chair Scott Clein welcomed everyone to the meeting and reviewed the meeting's procedures.

D. Review Of The Agenda

F. Rezoning Applications

G. Special Land Use Permits (SLUPs) and Site Plan and Design Reviews

1. 460 N. Old Woodward – Wilders – Request for new bistro and associated exterior renovations.

The Chair recused himself from Item G1 at 7:35 p.m. citing a business relationship with the owner of the building. Vice-Chair Williams assumed facilitation of the meeting at 7:35 p.m. Mr. Emerine participated as a voting member for this item.

PD Dupuis presented the item.

Victor Saroki, architect, and Samy Eid, owner, spoke on behalf of the project.

In reply to Board comment, Mr. Saroki stated Mr. Eid could have his deliveries come early in the morning, and delivery drivers could park to the north or south of the outdoor dining deck.

Public Comment

In reply to Joe Bongiovanni, owner of EM Bistro, Mr. Saroki reiterated the information about deliveries and Mr. Eid said he was uncertain whether he would be pursuing valet parking for the restaurant.

Zharko Palushaj, owner of La Strada, spoke in favor of the project.

Seeing no further public comment, Vice-Chair Williams returned the discussion to the Board.

Mr. Jeffares said delivery trucks parking in the street for a few minutes during their deliveries is part of living in a City, and that deliveries to Wilders did not concern him.

Mr. Boyle spoke in favor of the project having an outdoor dining platform instead of locating its outdoor dining on the sidewalk, since it gives more room for pedestrians. He said he was very glad that Mr. Eid changed the proposal to locate the outdoor dining in the street to maintain the area's walkability.

07-137-22

Motion by Ms. Whipple-Boyce

Seconded by Mr. Boyle to recommend approval to the City Commission of the Special Land Use Permit for 460 N. Old Woodward – Wilders – subject to the following conditions:

- 1. The applicant must submit revised sign plans that meet the requirements of the Sign Ordinance; and,**
- 2. The applicant must comply with the requests of all City Departments.**

Motion carried, 7-0

VOICE VOTE

Yeas: Share, Emerine, Jeffares, Boyle, Whipple-Boyce, Williams, Koseck
Nays: None

07-138-22

Motion by Ms. Whipple-Boyce

Seconded by Mr. Boyle to recommend approval to the City Commission of the Final Site Plan and Design Review for 460 N. Old Woodward – Wilders – subject to the following conditions:

- 1. The applicant must submit revised sign plans that meet the requirements of the Sign Ordinance; and,**
- 2. The applicant must comply with the requests of all City Departments.**

Mr. Koseck said he was glad the Board asked the project to return, and said this proposal for the outdoor dining was much improved than the initial proposal. He spoke favorably of the design, layout, and materials.

Vice-Chair Williams said he was glad that no parking spots would be lost as a result of the plans.

Motion carried, 7-0

VOICE VOTE

Yeas: Share, Emerine, Jeffares, Boyle, Whipple-Boyce, Williams, Koseck
Nays: None

H. Site Plan & Design Reviews

I. Study Session

The Chair returned at 8:04 p.m. and resumed facilitation of the meeting.

1. Side Yard A/C Units

PD Dupuis introduced the item.

Public Comment

Patrick Hillberg reviewed his email to the Board.

07-139-22

Motion by Mr. Share

Seconded by Mr. Williams to set a public hearing date of August 10, 2022 to consider amendments to Article 4, Section 4.03, of the Zoning Ordinance to add language to permit air conditioning units in the side yard under certain conditions as indicated in the draft language contained on pages 77, 78, and 79 of the meeting's agenda packet.

Motion carried, 7-0

VOICE VOTE

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

Nays: None

2. Outdoor Dining

PD Dupuis presented the item.

Board member comments were as follows:

- The Board should have the discretion to locate outdoor dining either next to the building or in the furnishing zone;
- Applicants should be required to provide aerial views of the outdoor dining of other establishments within 300 feet;
- The definition of the furnishing zone needs to be expanded for areas that do not have the described streetscape amenities included in the proposed definition. Describing the furnishing zone as a certain number of inches from the curb may suffice;
- The ordinance could include graphics to help readers understand the furnishing zone;
- The City Attorney will need to review the definition of the furnishing zone;
- The Board should consider allowing outdoor dining in both the furnishing zone and next to the building, perhaps contingent on being able to provide more than a five foot clear path in between;
- Article 4, Section 4.44(C)(5) could be amended to 'Outdoor dining not permitted in both the furnishing zone and against the building. Exceptions may be made where the Planning Board determines that there is significant open space to permit pedestrian movement', or something to that effect; and,
- It may be worth raising the width for the pedestrian clear path in certain areas of the City or under certain streetscape circumstances.

In response to the Chair's request for initial reactions, PD Dupuis said preliminarily that it would be his preference to prohibit outdoor dining both adjacent to the building and in the furnishing zone. He said he was more amenable to outdoor dining next to the building and on a platform. He said that while a site plan can make it seem like there is enough space for the former condition, in reality outdoor dining furniture moves and can come to impede the pedestrian clear path. He continued that changing the pedestrian clear path according to district might make less sense since sidewalk widths vary widely within districts. He said he was supportive of diagrams in the ordinance.

Board member comments continued:

- Awnings and canopies need to be defined - awnings are attached to buildings and canopies are freestanding and could be on a deck;
- The heights of canopies and umbrellas should be regulated in part because they can block the sign band of other establishments;
- Other cities have limited the height of any freestanding vertical elements in outdoor dining to nine or ten feet;
- The scale, massing, and materials of canopies need to be appropriate for the context;

- Many communities regulate the amount of clear space underneath umbrellas;
- The Board may also want to regulate the pitch of canopies;
- Canopies should be allowed in outdoor dining platforms in the street but not on public sidewalks;
- Wind can knock over or otherwise move umbrellas far from their initial locations and umbrella bases are sometimes used to weigh open doors or perform other non-climate related tasks;
- The Board tends to regulate the material and appearance of canopies more than it does umbrellas;
- When a height is indicated it needs to be made clear where the measurement begins, whether grade, sidewalk, or other potential options;
- Windbreaks should perhaps be more limited in height, more limited to certain times of year, or possibly prohibited entirely;
- Any language regarding legal non-conformities should not include the temporary Covid-19 outdoor dining allowances the City made; and,
- The ordinance should assign a date at which point legal non-conformities must come into compliance.

The Chair asked PD Dupuis to consider whether valet plans, aerial showings of other outdoor dining layouts, and similar items are more ordinance requirements or application requirements.

Public Comment

John Henke spoke against a sunset date for the legal non-conformities. It would require a number of establishments to re-open their SLUPs, which would take a number of months each and cost each operator more in fees. He advocated for the Board giving itself more flexibility in terms of locating outdoor dining, using awnings, the massing, scale, and material requirements for canopies, and windbreaks/eisinglass. He said that including too many restrictions makes the process more onerous for the Board, Staff, and operators. He noted that the intent of revising the ordinance was to expand access outdoor dining and recommended the Board adhere to that.

Mr. Bongiovanni noted that the Board conversation took over an hour before public comment was solicited. Outdoor dining is very popular even in inclement weather. The success of outdoor dining has increased the walkability of the City as much as any other aspect has.

Mr. Eid said he would have been against bistros earlier in his career, but now sees them as one of the best decisions the City has made. He said he understood that some of the concerns are in reaction to the relaxation of outdoor dining standards that occurred during the beginning of the Covid-19 pandemic, but he asked the Board not to swing too far in the other direction.

Jim Hayosh, owner of Commonwealth Cafe, expressed some confusion and concerns about the implications of potential ordinance changes. He also expressed appreciation that the Board had clearly integrated prior feedback. He advocated for flexibility which would allow operators to show their creativity.

Mr. Williams thanked Mr. Hayosh for coming and participating.

Bill Roberts, owner of Streetside Seafood, said the City has done a terrific job of activating its dining scene. He encouraged the Board to pursue more feedback from operators because they experienced a lot of hardship during the initial phase of the Covid-19 pandemic. He thanked the Board for their work.

PD Dupuis said he was sure that the restaurateurs' attorneys advised them of tonight's meeting and advised them to attend, and noted that the meeting still had very few attendees. He said he believed the City had done all it could to solicit feedback. He continued that these ordinance would expand outdoor dining allowances in a number of ways. He concluded by saying that he was concerned about the possible enforcement of things like awning pitch and heights and said it would not be a great idea.

Ms. Whipple-Boyce asked operators to look specifically at page 163 and after of the agenda packet and to provide feedback on whether something like that would be useful. She said a guide like that would likely help clarify a lot for operators.

3. Window Standards

PD Dupuis introduced the item.

Board consensus was to eliminate 'Window treatments shall be limited and utilized only when necessary to provide relief from harsh sunlight.'

The Board then recommended that PD Dupuis add a preamble explaining that the purpose of this section is to support street activity, pedestrian experience, visual connectivity between inside and outside, and any other relevant points in order to have some enforcement ability in extreme cases.

Ms. Whipple-Boyce raised the topic of semi-translucent window decals for establishments where back-of-house areas face windows.

After discussion, Mr. Share noted that liquor license renewals could help the Commission address those problem areas if they so chose.

The Chair and PD Dupuis said that particular issue was also broadly covered this section of the ordinance.

07-140-22

Motion by Mr. Share

Seconded by Mr. Jeffares to set a public hearing date of August 10, 2022 to consider amendments to Article 3, Section 3.03, Article 4, Section 4.90 and Article 9 of the Zoning Ordinance to revise the window standards.

Motion carried, 7-0

VOICE VOTE

Yeas: Share, Clein, Jeffares, Boyle, Whipple-Boyce, Williams, Koseck
Nays: None

J. Miscellaneous Business and Communications

- 1. Pre-Application Discussions**
- 2. Communications**
- 3. Administrative Approval Correspondence**
 - i. 117 Willits – Shift/Sidecar/Slice**

The Board said the platform could not be approved administratively and that the furniture could be approved administratively.

ii. 555 S. Old Woodward

The Board said that if all required, ordinance-compliant screening was provided it could be done administratively; otherwise, it should be submitted for Board review.

iii. 2030 Hazel/Crosswinds Development

The Board said the decks could be administratively approved.

- 4. Draft Agenda**
- 5. Action List - 2022**
- 6. Other Business**

K. Planning Division Action Items

- a. Staff Report on Previous Requests**
- b. Additional Items from tonight's meeting**

The Chair said the Board may want to review the projection ordinance especially vis-a-vis awnings at a later date.

L. Adjournment

No further business being evident, the Chair adjourned the meeting at 10:21 p.m.



Nick Dupuis
Planning Director



Laura Eichenhorn
City Transcriptionist



MEMORANDUM

Planning Division

DATE: July 27, 2022

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

SUBJECT: 320 Martin St. – Birmingham Post Office – Final Site Plan & Design Review

The applicant has submitted an application for Final Site Plan and Design Review for the construction of a 5-story mixed-use building addition in the B4 (Business-Residential) and D4 (Downtown Overlay) zoning districts. The proposed addition is located at the rear (north side) of the historic Birmingham Post Office building along Maple. The subject site currently contains the existing historic office/commercial building, street trees and landscaping, and associated parking and site improvements. The proposed new addition encompasses the entire rear of the property where the off-street parking facility currently exists.

On [March 16, 2022](#), the Historic District Commission approved a Design Review application for 320 Martin St. – Birmingham Post Office Building based on the Secretary of the Interior Standards for Rehabilitation numbers 1-5 and 10.

On [May 25, 2022](#), the Planning Board accepted the Community Impact Study for 320 Martin St. – Birmingham Post Office – with the following conditions:

1. The applicant submit an updated Phase 1 ESA limited to an updated records review for changes since 2013 and an updated visual inspection. The applicant does not need to do a full ESA on Phase 1;
2. The applicant must submit a soils investigation;
3. The applicant must submit details as to how they plan to mitigate noise, dust, debris, and other nuisances during the construction process; and,
4. The applicant must clarify the location of the trash rooms and how trash will be handled across floors.

In regards to the updated Phase 1 ESA, the applicant contracted ASTI Environmental to perform a new investigation, which resulted in ASTI finding no significant data gaps, De Minimis conditions, or any recognized environmental conditions on the site.

Furthermore, the applicant has submitted a response letter and revised Transportation Impact Study documents to the City's transportation consultants, which have been accepted.

Finally, the applicant has also submitted information demonstrating that a soils investigation has been performed, but has not submitted a final report. The available soils information is attached for your review. A full report is expected and will be reviewed by the Final Site Plan review hearing.

Also on [May 25, 2022](#), the Planning Board approved the Preliminary Site Plan review application for 320 Martin St. – Birmingham Post Office – with the following conditions:

1. The applicant must submit revised plans demonstrating the correct locations of the trash rooms in the interior floor plans;
2. The applicant will be required to provide a clear dimension of the proposed screen wall to ensure the requirements of Section 4.54 are met;
3. The applicant must provide 11 street trees and all additional recommended streetscape elements in accordance with Article 4, Section 4.20 of the Zoning Ordinance and comply with the direction of the Department of Public Services and the Planning Department;
4. The applicant must ensure that there is appropriate street lighting on Bates;
5. The applicant must submit revised site plans demonstrating a minimum of 9 off-street parking spaces at 180 sq. ft. minimum, or obtain a variance from the Board of Zoning Appeals;
6. The applicant must submit revised plans showing a loading space that meets the requirements of Article 4, Section 4.24 (C) of the Zoning Ordinance;
7. The applicant must submit material specifications, samples and all other required information for the proposed building to complete the Design Review at Final Site Plan; and,
8. The applicant must comply with the requests of all City Departments.

At this time, the applicant has complied with the conditions of approval from the Planning Board from Community Impact Study and Preliminary Site Plan Review.

1.0 Land Use & Zoning

- 1.1 **Existing Land Use** – The existing land use is commercial, and currently contains a 2-story office building and associated off-street parking facility.
- 1.2 **Zoning** – The subject site exists within the B4 (Business-Residential), D4 (Downtown Overlay) and C (Community) Zoning Districts.
- 1.3 **Summary of Adjacent Land Use & Zoning** – The following chart summarizes existing land use and zoning classifications of the adjacent and/or nearby properties:

(Please see next page)

	North	South	East	West
Existing Land Use	Commercial/Office	Public Property	Commercial/Office/Residential	Institutional
Existing Zoning District	B4 (Business-Residential)	PP (Public Property)	B4 (Business-Residential)	B4 (Business-Residential)
Overlay Zoning District	D4	PP	D4	C

2.0 Setback & Height Requirements

The attached zoning compliance summary analysis provides the required and proposed bulk, area, and placement regulations for the proposed project. The applicant appears to meet the bulk, area and placement requirements of the Downtown Overlay District.

3.0 Screening & Landscaping

3.1 Dumpster Screening – The applicant is proposing an interior recycling/waste area on the first floor, which will collect from the existing commercial building, as well as the new retail/office floors of the proposed addition. In addition to the main collection area, there is another small interior waste area that collects from the residential floors through a trash chute. Both facilities are concealed with gates, but are also completely screened by the building envelope.

3.2 Parking Lot Screening – The applicant is proposing a 2-level, 50 space below ground parking facility and an additional 2 spaces on the first level behind the retail space. The facility entrance is located at the east side of the property along Bates, while the vehicle lift is located further within the building. The proposed below ground parking facility is an automated system involving a lift and shuttle. Due to the proposed parking facilities location within the building envelope, the parking facility is fully screened by the building and will require no additional screening at the ground level.

3.3 Mechanical Equipment Screening – The site plans proposed show a number of rooftop and mechanical units that will require screening. There do not appear to be any ground-mounted mechanical units proposed at this time.

The proposed rooftop units (RTU's) are all centrally located (in terms of depth) on the roof. The applicant has indicated screening enclosures on the elevation drawings, and has included the location of such on the roof plan. The applicant has also submitted specification sheets on the proposed RTU's. The proposed metal panel screening measures the maximum of 10 ft. in height. The RTU specification provided indicate a heating/cooling unit measuring 6 ¾ ft. in height (not including any curbs).

3.4 Landscaping – The applicant is not proposing to install any significant landscaping on-site outside of the community thread park along the west side of the property

and a garden area along Bates. [Article 4, Section 4.20](#) of the Zoning Ordinance does not require the applicant to provide landscaping on-site due to its location in a commercial zoning district.

The applicant has submitted a landscape plan for the site which includes the following plantings:

Planting Type	Qty.	Location
Firelight Tidbid Hydrangea	57	Thread park, Bates garden
Hicksii Yew Hedge	60	Thread park, Bates garden
Korean Spice Viburnum	4	Thread park, Bates garden
Japanese Forest Grass	-	Thread park
Creeping Lilyturf Groundcover	136	Thread park seating area
Goldspire Gingko	11	Thread park
Autumn Brilliance Serviceberry	1	Thread park seating area
Arnold Promise Witch Hazel	1	Thread park seating area
Eastern Redbud	1	Bates garden

None of the plantings are present on the prohibited species list contained in [Article 4, Section 4.20](#) of the Zoning Ordinance.

- 3.5 Streetscape Elements – The applicant is proposing additional streetscape elements as a result of the discussion during Preliminary Site Plan. There are currently no benches on any of the street frontages, there is one trash receptacle along Martin and one along Bates, and there are two bike racks at the corner of Martin and Bates. Additionally, the site contains two pedestrian scale streetlights along Martin and two along Maple, there are no streetlights on Bates.

The applicant has provided two new benches on Martin, and has provided 4 new street lights on Bates. The existing streetlights on Martin are proposed to be relocated to resolve a spacing issue, and the recently reconstructed W. Maple streetscape is proposed to remain.

Finally, the applicant is required to provide street trees pursuant to [Article 4, Section 4.20 \(G\)](#). The following table outlines the requirements per frontage:

Street Frontage	Linear Feet	Required	Provided
Martin	120	3	2
Bates	206	5	5
Maple	120	3	3 (existing)
TOTAL	-	11	10

The plan for the street trees includes the removal of several existing trees, and the relocation of tree boxes to provide for a more consistent rhythm along both Martin and Bates. The tree species proposed are Goldspire Maidenhair Gingko and DBH Hackberry trees. The applicant met on-site with the Parks and Forestry Foreman to review the conditions of the site, as well as the tree species preferred

by the City. Ultimately, a waiver was granted to the applicant for one street tree along Martin. In return, the applicant will be required to plant larger trees along Martin. In addition, the spacing was chosen specifically to allow both the view of the historic Birmingham Post Office and the Baldwin Public Library from the community thread park to remain uninhibited.

4.0 Parking, Loading & Circulation

- 4.1 Parking – [Article 4, Section 4.46](#) of the Zoning Ordinance requires the applicant to provide the following off-street parking for the uses proposed in the site plans submitted:

Proposed Use	Requirements	Area or Units	Spaces
3 or more room unit	1.25 spaces per unit	6	9
Total Required	-	-	9
Total Proposed	-	-	52

As noted above, the parking system proposed is an automated system that utilizes a lift and shuttle to place cars in the lower level parking facilities without the need for a person to park cars or control the system. 50 of the off-street spaces provided are within the underground facility, while 2 additional spaces are proposed at the first level behind the retail space.

In addition to meeting the minimum parking requirements for the site, the plans have also been revised to contain 30 spaces that are 180 sq. ft. in area, meeting the area requirements for the required parking.

- 4.2 Loading – Based on the commercial space within the proposed development (2,450 sq. ft. retail, 19,000 sq. ft. office), the applicant is required to provide one off-street loading space with the following minimum dimensions: 40 feet long, 12 feet wide and 14 feet high. The applicant has marked the loading area on the plans within the first level at 40 ft. x 12 ft. x 14 ft., meeting the requirements of [Article 4, Section 4.24 \(C\)](#) of the Zoning Ordinance.
- 4.3 Vehicle Circulation & Access – The site plans submitted indicate that the main vehicle access to the site will be through an opening on the east side of the building that leads to the vehicle lift and underground parking facility. The curb cut measures 25 ft. wide and contains two separate openings for vehicle entry/exit with tempered glass overhead doors. The current surface parking facility has a curb cut in the same general area. The current curb cut along Maple is proposed to be eliminated. The southern door will be used for entry, while the northern door will be used to exit. The applicant has also indicated that cars may queue on Bates if the building experiences high demand for the lift.
- 4.4 Pedestrian Circulation & Access – Pedestrian access is varied with 2 access doors to the retail space, and 4 access doors to various lobbies located in the addition. Pedestrians will also be able to utilize the west side of the property in the proposed

plans, as the community thread park runs from Maple to the north to Martin to the south.

5.0 Lighting

The applicant has submitted an exterior lighting design plan, specifications for the proposed light fixtures, and a photometric plan detailing the illuminance level across the property pursuant to [Article 4, Section 4.21 \(C\)](#). The lighting concepts consists of bollard lighting along the walkways and community thread park, and linear LED lighting and light finials across each elevation of the addition. A review of the light fixtures proposed suggests that they are fully cutoff as defined by Section 9.02, placed in a manner that is consistent and coordinated, and positioned away from abutting properties where appropriate.

In addition, the light intensity at the property lines is minimal to none. The applicant is adjacent to commercially zoned property at all sides, which permits a maximum of 1.5 maintained foot-candles at the property lines. The highest figure observed at any property line is 1.4 maintained foot-candles.

6.0 Departmental Reports

- 6.1 Engineering Department – Please see attached Engineering Department comments dated July 21, 2022.
- 6.2 Department of Public Services – The Department of Public Services has no additional comments at this time.
- 6.3 Fire Department – The Fire Department has no additional comments at this time.
- 6.4 Police Department – The Police Department has no comments at this time.
- 6.5 Building Department – Please see the attached Building Division comments dated July 20, 2022.
- 6.6 Parking Manager – The Parking Manager has no comments at this time.

7.0 Design Review

The applicant has submitted detailed elevation drawings and material specifications for the proposed development. Due to the proposed developments location within the Downtown Overlay District, there are specific architectural standards that the development must meet as outlined in [Article 3, Section 3.04 \(E\)](#) of the Zoning Ordinance. These standards contain requirements for façade material, windows and doors, storefronts, building materials, awnings. The proposed building design appears to meet all of the requirements of the Downtown District Overlay architectural standards. Additional details are provided below.

Façade Materials

The elevation drawings submitted contain detailed material notes that indicate high quality materials such as brick, glass and limestone with additional metal detailing. The Downtown Overlay Standards require at least 90% of the façade to be comprised of the following materials: glass, brick, cut stone, cast stone, coarsely textured stucco, or wood. Dryvit or E.F.I.S materials are prohibited. The color palate is compatible with adjacent buildings, as well as the Shain Park Historic District in which it is located. Finally, there are no blank walls facing a street, and the building facades facing a street contain architectural features that provide a visual interest and character. The following materials are proposed:

Material	Location	Color
Endicott Architectural Brick	Horizontal sections at floor lines	Executive Ironspot
Endicott Architectural Brick	Horizontal and vertical massing	Manganese Ironspot
Smooth Indiana Limestone	Vertical piers	Natural
Nero Flamed Granite	Building base, vertical elements	Basalt
Glass	Building glazing	Clear
Anodized Aluminum	Fames, mullions, light enclosures	Metallic/Natural
Metal Panel	Canopies	Anthra-Zinc
Reynobond Metal Panel	Roof screening, window frames	Zinc Patina

Other materials on the building include aluminum railings on balconies and the rooftop use, aluminum pergola, and metal caps on roof parapets. The applicant meets the façade material requirements of the Downtown Overlay.

Signage

[Article 1, Section 1.04 \(A\)](#) of the Sign Ordinance requires all newly constructed or exterior renovated buildings to provide an overall building sign design plan to be approved by the appropriate reviewing body, in accordance with Section 2.02: Sign Review. The applicant has submitted a concept sign design plan for the proposed building that includes retail signage above the canopies, as well as a large address sign on the 4th floor façade. At this preliminary stage, the Planning Division has no concerns with the signage concept proposed.

Glazing

The applicant has also submitted glazing calculations for the proposed development. The Downtown Overlay requires each storefront to have transparent areas, equal to 70% of its portion of the facade, between one and eight feet from the ground. The glazed area of a facade above the first floor shall not exceed 35% of the total area, with each facade being calculated independently. Clear glazing is required on the first floor. Lightly tinted glazing is permitted on upper floors only. [Article 9, Section 9.02](#) provides the following definitions

Storefront: The portion of the building at the first story of a frontage line.

Frontage Line, Overlay: All lot lines that abut a public street. A corner lot or a through lot has 2 or more front- age lines.

Clear Glazing: Glass and other transparent elements of building facades with a minimum visible light transmittance of 80%.

Lightly Tinted Glazing: Glass and other transparent elements of building facades with a minimum visible light transmittance of 70%.

In addition to the Downtown Overlay Standards, the Window Standards in [Article 4, Section 4.90](#) of the Zoning Ordinance provide additional requirements for glazing. Firstly, building elevations on the ground floor that do not face a frontage line but contain a public entrance shall be no less than 30% clear glazing between 1 and 8 feet above grade. Secondly, blank walls of longer than 20 feet on the ground floor façade shall not face a plaza, park, parking area or Public Street.

The glazing calculations for each façade is provided below:

Facade	Required	Proposed
South (Ground Floor)	N/A	27.5%
South (Upper)	35% Maximum	28.5%
East (Ground Floor)	70% Minimum	67%
East (Upper)	35% Maximum	34.8%
North (Ground Floor)	70% Minimum	52.1%
North (Upper)	35% Maximum	34.7%
West (Ground Floor)	30% Minimum	52.3%
West (Upper)	35% Maximum	34.8%

Based on the information above, the applicant meets the majority of the requirements with the exception of the glazing percentages on the North and East ground floor facades. In addition, the applicant has not submitted specification sheets demonstrating compliance with the clarity requirements for the proposed glazing. Thus, **the applicant must submit revised glazing calculations and specification standards that comply with Article 3, Section 3.04 (E) of the Zoning Ordinance.**

Projections into the Right-of-Way

The site plans submitted details on the proposed canopy that demonstrates a 2 ft. projection into the W. Maple and Bates right-of ways. [Article 4, Section 4.74 \(D\)\(4\)\(c\)\(i\)](#) states that removable architectural elements such as awnings, canopies, and marquees may be approved by the Planning Board to project into the right of way provided that they are constructed to support applicable loads without any ground mounted supports on public property. Encroachments with less than 15 ft. of clearance above the sidewalk shall not extend into or occupy more than two-thirds of the width of the sidewalk or 5 ft., whichever is less, and must not interfere with any existing or planned streetscape elements or infrastructure.

The applicant has not provided dimensions of the City sidewalk on W. Maple or Bates. However, using the scale provided, the W. Maple sidewalk measures 6 ft., while the sidewalk on Bates measures 7.5 ft. In either condition, the proposed 2 ft. canopy projection is within the minimum requirements outlined above. **The Planning Board**

should consider approving the projection into the W. Maple and Bates right-of-ways.

Rooftop Use

The applicant is proposing a modest rooftop use that contains a two pergolas, lounge chairs, a grill, and other various furniture elements. Rooftop amenities such as pergolas, trellises and other similar items are permitted on a rooftop provided they do not contain habitable space, as well as the following:

1. They are set back at least 5 feet from the eave line.
2. They are of sufficient weight or anchored to the building to resist anticipated wind loads.
3. They do not have full enclosures.
4. They do not include eisenglass or similar enclosure materials.

The applicant has not provided explicit dimensions of the setback for the rooftop use amenities. However, using the scale provided, a minimum of 5 ft. is provided from the eave line to all applicable amenities.

8.0 Required Attachments

	Submitted	Not Submitted	Not Required
Existing Conditions Plan	☒	☐	☐
Detailed and Scaled Site Plan	☒	☐	☐
Certified Land Survey	☒	☐	☐
Interior Floor Plans	☒	☐	☐
Landscape Plan	☒	☐	☐
Photometric Plan	☒	☐	☐
Colored Elevations	☒	☐	☐
Material Specification Sheets	☒	☐	☐
Material Samples	☒	☐	☐
Site & Aerial Photographs	☒	☐	☐

9.0 Approval Criteria

In accordance with [Article 7, section 7.27](#) of the Zoning Ordinance, the proposed plans for development must meet the following conditions

- 9.1 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.
- 9.2 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.

- 9.3 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 and not diminish the value thereof.
- 9.4 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.
- 9.5 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.
- 9.6 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 a review of the site plans submitted and the requirements outlined in Article 7, Section 7.27 of the Zoning Ordinance, the Planning Division recommends that the Planning Board **APPROVE** the Final Site Plan and Design Review application for 320 Martin St. with the following conditions:

1. The applicant must submit revised glazing calculations and specification standards that comply with Article 3, Section 3.04 (E) of the Zoning Ordinance;
2. The Planning Board approves the canopy projection of 2 ft. into the W. Maple and Bates right-of-ways; and
3. The applicant comply with the requests of all City Departments.

11.0 Sample Motion Language

Motion to **APPROVE** the Final Site Plan and Design Review application for 320 Martin St. with the following conditions:

1. The applicant must submit revised glazing calculations and specification standards that comply with Article 3, Section 3.04 (E) of the Zoning Ordinance;
2. The Planning Board approves the canopy projection of 2 ft. into the W. Maple and Bates right-of-ways; and
3. The applicant comply with the requests of all City Departments.

OR

Motion to **POSTPONE** the Final Site Plan and Design Review application for 320 Martin St. pending receipt of the following:

1. _____
2. _____
3. _____

OR

Motion to **DENY** the Final Site Plan and Design Review application for 320 Martin St. for the following reasons:

1. _____
2. _____
3. _____

**Zoning Compliance Summary Sheet
Final Site Plan Review
320 Martin**

Existing Site: 2 story office building and parking

Zoning: B4 (Business-Residential), D4 (Downtown Overlay) & C (Community)

Land Use: Commercial/Office

Existing Land Use and Zoning of Adjacent Properties:

	North	South	East	West
Existing Land Use	Commercial/Office	Public Property	Commercial/Office/Residential	Institutional
Existing Zoning District	B4 (Business-Residential)	PP (Public Property)	B4 (Business-Residential)	B4 (Business-Residential)
Overlay Zoning District	D4	PP	D4	C

Land Area:	Existing:	0.57 ac
	Proposed:	0.57 ac
Dwelling Units:	Existing:	0 units
	Proposed:	6 units
Minimum Lot Area/Unit:	Required:	N/A
	Proposed:	N/A
Min. Floor Area /Unit:	Required:	600 sq. ft. (efficiency and one bedroom) 800 sq. ft. (two bedroom) 1,000 sq. ft. (three or more bedroom)
	Proposed:	1,830-2,500 (two or more bedroom) 3,100 (three or more bedroom)
Max. Total Floor Area:	Required:	100% for commercial/office uses 100% for offices except in parking assessment districts 100% in parking assessment district not applicable for residential and parking uses
	Proposed:	< 100%

Min. Open Space:	Required:	N/A
	Proposed:	N/A
Max. Lot Coverage:	Required:	N/A
	Proposed:	N/A
Front Setback:	Required:	0 ft.
	Proposed:	0 ft.
Side Setbacks	Required:	0 ft.
	Proposed:	0 ft.
Rear Setback:	Required:	Equal to that of an adjacent, preexisting building
	Proposed:	Equal to that of an adjacent, preexisting building
Min. Front+Rear Setback	Required:	N/A
	Proposed:	N/A
Max. Bldg. Height:	Permitted:	80 ft., 5 stories
	Proposed:	80 ft., 5 stories
Min. Eave Height:	Required:	20 ft.
	Proposed:	57 ft.
Floor-Celing Height:	Required:	10 ft. minimum
	Proposed:	14 ft.
Front Entry:	Required:	On frontage line
	Proposed:	On frontage line
Absence of Bldg. Façade:	Required:	N/A
	Proposed:	N/A
Opening Width:	Required:	N/A
	Proposed:	N/A
Parking:	Required:	9 off-street spaces
	Proposed:	52 off-street spaces
Min. Parking Space Size:	Required:	180 sq. ft.
	Proposed:	180 sq. ft.
Parking in Frontage:	Required:	N/A
	Proposed:	N/A

Loading Area:	Required:	1 off-street loading space 40 ft. x 12 ft. x 14 ft.
	Proposed:	1 off-street loading spaces 40 ft. x 12 ft. x 14 ft.

Screening:

<u>Parking:</u>	Required:	6 ft. masonry screen wall
	Proposed:	Screened by building facade
<u>Loading:</u>	Required:	Screened from view
	Proposed:	Interior loading area screened by building
<u>Rooftop Mechanical:</u>	Required:	Screened from view
	Proposed:	10 ft. screen wall
<u>Elect. Transformer:</u>	Required:	Obscured from public view
	Proposed:	N/A
<u>Dumpster:</u>	Required:	Masonry screen wall with wood gates
	Proposed:	Fully interior trash room fully screened by building facade



MEMORANDUM

Engineering

DATE: July 21, 2022

TO: Nicholas Dupuis, Planning Director

FROM: Scott Zielinski, Assistant City Engineer

SUBJECT: Final Site Plan Review for Planning Board – 320 Martin – 5 Story Mixed Use

The Engineering Department has completed a review of the Final Site Plan for Planning Board approval dated 6/28/2022, with respect to conformance with City ordinances and engineering standards, and has the following comments:

Note the Engineering Department has no additional comments to provide from our initial review at this time as no changes have been made to the engineering site plan pages

GENERAL:

- Site Plans will be required to show changes in planned grade elevations.

SEWER:

- An existing 8" combined sewer exists along Maple Rd, and a 10" Combined sewer exists along Martin Street.
 - Plans currently indicate a 6" Sanitary connection to the 8" combined on Maple. No indication to storm water flow plans at this time.
 - The 8" sewer on Maple may not be suitable to handle more intense flows than it currently takes on, design should direct flow of sanitary to the 10" combined sewer.
- Separate connections for both Storm Sewer and Sanitary Sewer will be required, see below additional comments related to storm water work.
- Plans do not indicate how roof drainage will be handled. Note that City Ordinance prohibits downspouts from being directly connected to the sewer system.

STORM WATER RUNOFF:

- For the proposed site development, the Engineering Department has made the determination that the proposed construction site is the "affected area" with respect to

City's Storm Water Runoff Ordinance (Chapter 114, Article III, Division 4, Sec 114-271 to 114-274). Therefore, the allowable runoff from the site for a 10-year storm event is 1.0 cfs/acre, or 0.2 cfs, whichever is greater.

- Provide calculations for required storm water detention, and show how the excess storm water will be detained and released at the allowable discharge rate
- There is a 21" combine sewer in the Bates Martin intersection that storm water flow should be directed to.
 - The development will need to construct a public storm sewer north along Bates to transport this flow. The northern third or so (approx 0.22 ac) of this site where the new addition is proposed is considered the affected area with respect to storm water runoff, and appropriate flow controls and storage must be provided so the runoff for a 10-year storm does not exceed 1 cfs per acre.

WATER SYSTEM:

- There is an existing 12" water main on Maple and an 8" water main on Martin. The City encourages connection to Martin Street if possible and an evaluation of the existing water service to the existing building to determine if modification to the existing 6" service off of Martin (increased connection size) would be sufficient.
 - Based on recent work during the construction of Maple Road, its noted that there is what appears to be a 6" connection for fire suppression off of Martin, and a 1.5" Domestic water connection off of Maple rd.
 - The City acknowledges that connection to the 12" on Maple may be the best plan, please note that due to the area of the Road the City would require full panel replacements, with dowels for concrete.
 - The City requires 3rd party testing on backfill and concrete.
- Existing site connections to water mains must be evaluated and properly abandoned as needed to complete the work.
- Show sizes of the proposed water service for domestic supply and fire suppression on the plans.

PERMITS FOR CONSTRUCTION:

- Right-of-Way Permit for any excavations or work in road right-of-way.
- Street Obstruction Permit for any temporary traffic interference on any surrounding road, or for pedestrian traffic interference on public sidewalks.
- Sidewalk/Drive Approach Permit for any pavement installed in the public right-of-way.

GENERAL CONSTRUCTION:

- Inspections will be required for planned Streetscape work, including sidewalk preparation and concrete placement.
- Power System plans for building must be shown on final plans (we do not anticipate the use of City ROW space for power)

Please note these are our initial comments and the City should be provided an opportunity to review engineered drawings prior to final submission. Engineering comments could impact design requirements.

CITY OF BIRMINGHAM
Community Development – Building Department
151 Martin Street, Birmingham, MI 48009

July 20, 2022

RE: Final Site Plan Review Comments
320 Martin, 5- Story Addition

As requested, the Building Department has examined the plans for the proposed project referenced above. The plans were provided to the Planning Department for site plan review purposes only and present conceptual elevations and floor plans. Although the plans lack sufficient detail to perform a code review, the following comments are offered for Planning Design Review purposes and applicant consideration:

Applicable Building Codes:

- **2015 Michigan Building Code.** Applies to all buildings other than those regulated by the *Michigan Residential Code*.
- **2015 Michigan Mechanical Code.** (Residential requirements for mechanical construction in all detached one and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures are contained in the Michigan Residential Code)
- **2018 Michigan Plumbing Code.** (Residential requirements for plumbing construction in all detached one and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures are contained in the Michigan Residential Code)
- **2017 National Electrical Code along with the Michigan Part 8 Rules.** (Residential requirements for electrical construction in all detached one and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures are contained in the Michigan Residential Code)

Review Comments:

1. Preliminary review comments have been addressed. No further building code concerns are noted at this time. A complete code review will be completed when full construction plans are developed.



MEMORANDUM

(Department of Public Services)

DATE: 7-22-22

TO: Nicholas Dupuis, Planning Director

FROM: Brendan McGaughey, Parks and Forestry Foreman

SUBJECT: Waiver to be granted for 320 Martin St

In lieu of installing a third tree on Martin Street to meet street tree requirements, a waiver shall be granted to the developer, who will instead plant two larger DBH trees than our minimum requirements (4-4.5" DBH). Species are to be Hackberry with ~55' spacing (the existing two tree wells are 68' apart).

This will also preserve the views of this historical building and the view of the library from the proposed community thread park at this development.

Site/Design Plans

PROPOSED ADDITION FOR:

320 Martin Street - ADDITION

biddison |
architecture + design

CONDITIONS OF WORK

CONSTRUCTION COORDINATION:

1. ALL CONTRACTORS SHALL REVIEW ALL DRAWINGS & ARE RESPONSIBLE FOR A COMPLETE REVIEW & SITE VISIT. ITEMS AFFECTING ALL TRADES ARE PLACED THROUGHOUT SET & NO "EXTRAS" FOR MISSED ITEMS IN OTHER SECTIONS WILL BE PERMITTED. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY ARCHITECT OF ANY AMBIGUITY, INCONSISTENCY OR ERRORS WHICH THEY DISCOVER UPON EXAMINATION OF DOCUMENTS, THE SITE OR LOCAL CONDITIONS.
2. ANY CONTRACTOR OR SUBCONTRACTOR BY SUBMITTING A BID WARRANTS THAT HE HAS VISITED THE SITE AND IS AWARE OF ANY AND ALL SITE CONDITIONS AFFECTING HIS BID.
3. THE CONTRACTOR BY COMMENCING WORK ACCEPTS THE CONDITIONS OF THE SITE & THE COMPLETENESS OF CONTRACT DOCUMENTS.
4. FIELD VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT. DO NOT SCALE DRAWINGS USE FIGURED DIMENSIONS ONLY.
5. ANY MATERIAL OR LABOR NEITHER SHOWN ON THE DRAWINGS NOR SPECIFIED, BUT WHICH IS OBVIOUSLY NECESSARY TO COMPLETE THE WORK IN A WORKMANLIKE MANNER SHALL BE FURNISHED WITHOUT COST TO THE OWNER.
6. ALL MATERIALS FURNISHED AND INSTALLED BY THE GENERAL CONTRACTOR SHALL BE FREE FROM DEFECTS. ALL WORK SHALL BE GUARANTEED FOR A PERIOD OF (1) YEAR FROM DATE OF ACCEPTANCE OF WORK. DURING THIS PERIOD THE GENERAL CONTRACTOR SHALL CORRECT ANY PROBLEMS DUE TO DEFECTIVE MATERIALS OR FAULTY WORKMANSHIP AT NO COST TO THE OWNER. ANY PROBLEM THAT OCCURS DURING CONSTRUCTION SHALL IMMEDIATELY BE CORRECTED TO THE SATISFACTION OF THE OWNER.
7. NO SUBSTITUTIONS OF SPECIFIED MATERIAL OR EQUIPMENT WILL BE ACCEPTED UNLESS WRITTEN REQUEST FOR APPROVAL HAS BEEN RECEIVED BY THE ARCHITECT AND CONTRACTOR HAS RECEIVED WRITTEN APPROVAL FROM ARCHITECT.
8. DURING AND AT THE COMPLETION OF THE CONTRACTOR'S DAILY WORK, CONTRACTOR IS RESPONSIBLE FOR THE CLEANING UP AND REMOVAL OF ALL RUBBISH AND DEBRIS BEFORE LEAVING THE PROJECT JOB SITE.

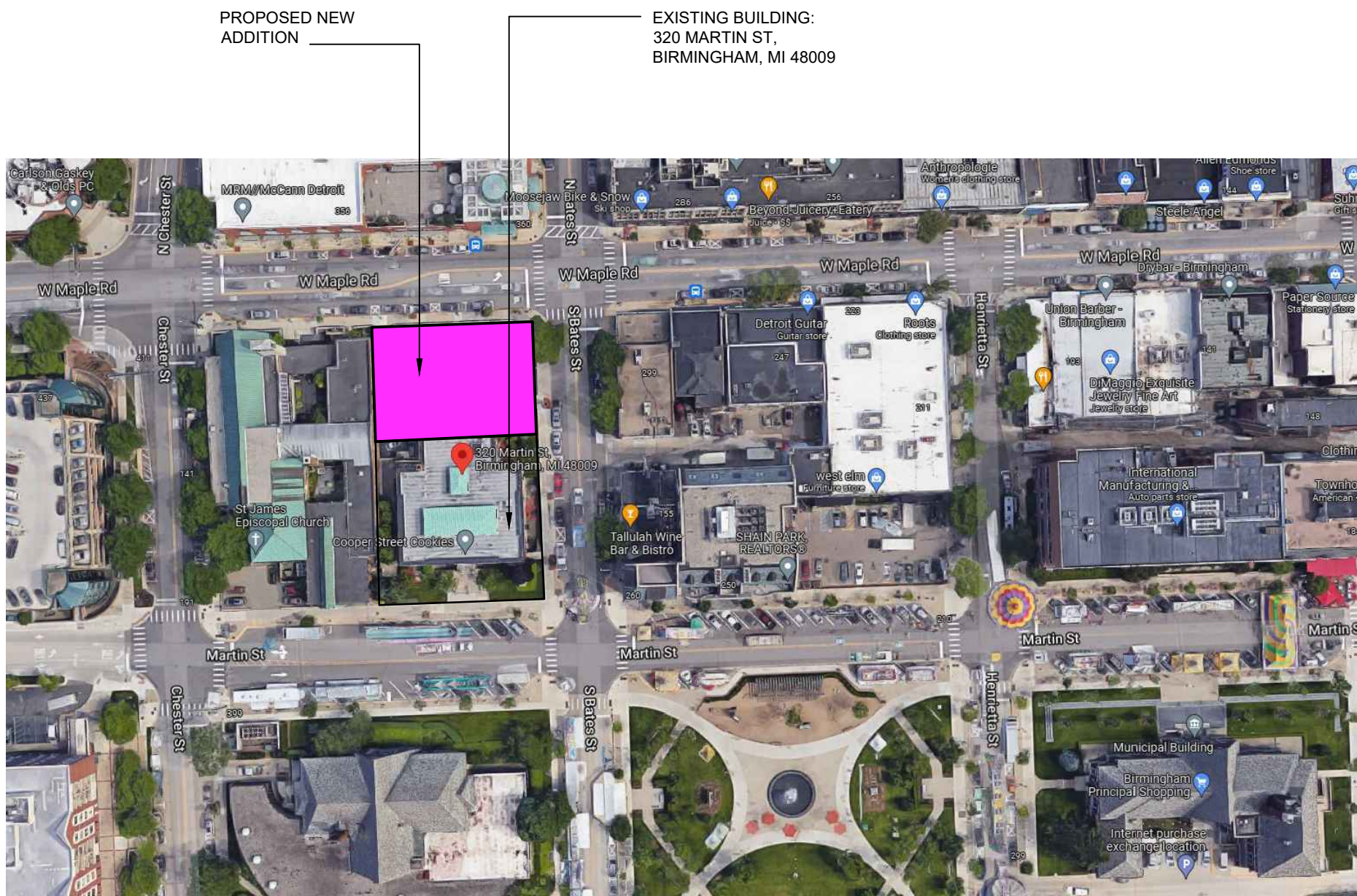
PERMITS & SAFETY:

1. GENERAL CONTRACTOR SHALL APPLY & SUBMIT FOR BUILDING PERMIT.
2. GENERAL CONTRACTOR SHALL OBTAIN "ALL RISK" INSURANCE AND ALL CUSTOMARY STATUTORY INSURANCE FOR COMPREHENSIVE GENERAL LIABILITY, ETC. AS REQUIRED BY OWNER/LANDLORD.
3. GENERAL CONTRACTOR SHALL PROVIDE ADEQUATE PROTECTION OF WORK, MATERIALS, FIXTURES, ETC. IN LEASED SPACE FROM LOSS OR DAMAGE FROM FIRE, THEFT OR VANDALISM.
4. ALL WORK SHALL BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA). THE FOLLOWING ARE STRICTLY PROHIBITED WORK PRACTICES.
 - A. ANY COMBUSTIBLE MATERIALS ABOVE FINISHED CEILING OR IN ANY NON-SPRINKLED LOCATIONS.
 - B. IMPOSING ANY STRUCTURAL LOAD, TEMPORARY OR PERMANENT ON ANY PART OF THE LANDLORD'S WORK OR STRUCTURE WITHOUT PRIOR WRITTEN APPROVAL.
 - C. CUTTING ANY HOLES IN LANDLORD'S EXISTING FLOOR SLABS, WALLS OR ROOF WITHOUT PROPER APPROVAL'S PROPER APPROVALS FROM LANDLORD. BEFORE STARTING ANY UNDERSLAB WORK CONTRACTORS MUST CHECK WITH THE LANDLORD OR SUPERINTENDENT OF THE LANDLORD'S GENERAL CONTRACTOR TO DETERMINE IF ANY COMMON UTILITY OR OTHER TENANT UTILITY LINES EXIST WITHIN THE SPACE.

CODE COMPLIANCE:

1. WORK INDICATED IS TO BE EXECUTED IN ACCORDANCE WITH THE LATEST EDITIONS OF ALL APPLICABLE CODES.
2. FIRE EXTINGUISHERS SHALL BE PROVIDED BY G.C. AND INSTALLED PER THE FIRE MARSHALL'S INSTRUCTIONS.
3. ALL WALL FINISHES TO MEET CLASS III FLAME SPREAD RATINGS IN ACCORDANCE WITH MBC-2015 CHAPTER 8.
4. INTERIOR FINISHES IN EXIT ACCESS CORRIDORS, OTHER EXIT WAYS, ROOMS, AND ENCLOSED SPACES IN USE GROUPS "B" AND "S" IN SPRINKLED BUILDINGS ARE REQUIRED TO HAVE AT LEAST A CLASS C. FLAME SPREAD 76-200; SMOKE DEVELOPED 0-450; RATING AS LISTED IN THE 2015 MICHIGAN BUILDING CODE.
5. SAFETY GLAZING MUST HAVE PERMANENT IDENTIFICATION IN ACCORDANCE WITH THE 2015 MICHIGAN BUILDING CODE.
6. ALL REQUIREMENTS OF THE MICHIGAN BARRIER FREE ACT & THE AMERICAN'S WITH DISABILITIES ACT SHALL BE MAINTAINED TO COMPLY WITH ICC/A117.1-2009.
7. ALL OFFICE FURNITURE & EQUIPMENT TO BE PROVIDED BY TENANT- SHOWN FOR LAYOUT PURPOSES ONLY. TO COMPLY WITH ADA- ICC/A117.1-2009 (TYP.) REQUIREMENTS, A MINIMUM OF 5%, BUT NOT LESS THAN (1) OF THE LUNCHROOM TABLES AND EMPLOYEE WORKSTATIONS (CUBICLES) SHALL BE ACCESSIBLE. ACCESSIBLE TABLE AND WORKSTATION TOPS SHALL BE 28" MIN. TO 34" MAX. A.F.F. KNEE AND TOE CLEARANCES AS FOLLOWS SHALL ALSO APPLY- TOE: 4" MIN. HIGH, 17" MIN. TO 25" MAX. DEPTH, AND 30" MIN. WIDE. KNEE: 27" MIN. HIGH, 11" DEEP @ 9" HIGH TO 8" DEEP @ 27" HIGH, AND 30" MIN. WIDE.
8. ALL ENTRANCE AND EXIT DOORS SHALL HAVE BARRIER FREE ACCESSIBILITY TO COMPLY WITH ICC/A117.1-2009.
9. TO COMPLY WITH ADA - ICC/A117.1-2009 (TYP.) REQUIREMENTS, CHANGES IN LEVEL GREATER THAN 1/2" SHALL BE RAMPED AND CHANGES IN LEVEL BETWEEN 1/4" AND 1/2" SHALL BE BEVELED A MAXIMUM OF 1:2.
10. ALL LUNCHROOM APPLIANCES TO BE PROVIDED BY TENANT. TO COMPLY WITH ADA-ICC/A117.1-2009 (TYP.) REQUIREMENTS, DISHWASHERS MUST FIT UNDER A 34" HIGH (32 1/4" CLEAR UNDER) COUNTERTOP, THE REFRIGERATOR MUST BE A SIDE-BY-SIDE OR BOTTOM FREEZER UNIT, AND ALL MICROWAVE CONTROLS TO BE NO HIGHER THAN 46" A.F.F. TO MEET OBSTRUCTED HIGH SIDE REACH REQUIREMENTS.
11. SIGNAGE INDICATING ACCESSIBILITY PROVISIONS SHALL BE PROVIDED AT EACH DOOR TO AN EXIT DISCHARGE. A TACTILE SIGN STATING EXIT AND COMPLYING WITH ICC/ANSI A117.1-2009 SHALL BE PLACED ADJACENT TO THE DOOR. PLEASE REFER TO SHEET A. 601 FOR ADDITIONAL INFORMATION AND LOCATION.

THE BUILDING IS PROVIDED WITH A FULL AUTOMATIC FIRE PROTECTION SPRINKLER SYSTEM (FIRE SUPPRESSION SYSTEM) WHICH WILL BE DESIGNED TO MEET M.B.C. REQUIREMENTS AND CITY OF BIRMINGHAM INSPECTION AND PERMIT APPROVAL. SPRINKLER CONTRACTOR SHALL BE FULLY LICENSED AND BE RESPONSIBLE FOR PREPARATION OF ENGINEERING DRAWING, SUBMISSION OF DRAWINGS TO ALL LOCAL AND STATE AGENCIES FOR APPROVAL, AND FOR COORDINATION OF REQUIREMENTS WITH OWNERS AND TENANTS INSURANCE CARRIER.



NORTH
LOCATION PLAN

0 50 150
10
GRAPHIC SCALE- FEET

PROJECT ADDRESS

320 Martin Street
Birmingham, Michigan 48009

Zoned: B-4 Business Residential

APPLICANT INFORMATION

320 Investments LLC
320 Martin St, Suite 100
Birmingham, MI 48009
e. Sam@Surnow.com
p. 248.877.4000

SHEET INDEX

T.101	TITLE SHEET
SP1	BOUNDARY TOPO
SP2	ENGINEERING SITE PLAN
SP.100	EXISTING CONDITIONS & SITE SURROUNDINGS
SP.101	SITE PLAN
SP.102	PROPOSED PHOTOMETRIC STUDY
SP.401	SITE DETAILS
LS.101	LANDSCAPE PLAN
LS.601	LANDSCAPE SCHEDULE
A.101	1st and Lower Level FLOOR PLANS
A.102	2nd and 3rd FLOOR PLANS
A.103	4th and 5th FLOOR PLANS
A.104	ROOF PLAN
A.201	ELEVATIONS
A.202	ELEVATIONS
A.301	3D PERSPECTIVE IMAGE
A.302	3D PERSPECTIVE IMAGE
A.303	3D PERSPECTIVE IMAGE
A.304	3D PERSPECTIVE IMAGE
A.305	3D PERSPECTIVE IMAGE
A.306	3D PERSPECTIVE IMAGE
A.307	3D PERSPECTIVE IMAGE
A.308	3D PERSPECTIVE IMAGE
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A.312	3D PERSPECTIVE IMAGE
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A.314	3D PERSPECTIVE IMAGE
A.315	3D PERSPECTIVE IMAGE
A.316	3D PERSPECTIVE IMAGE

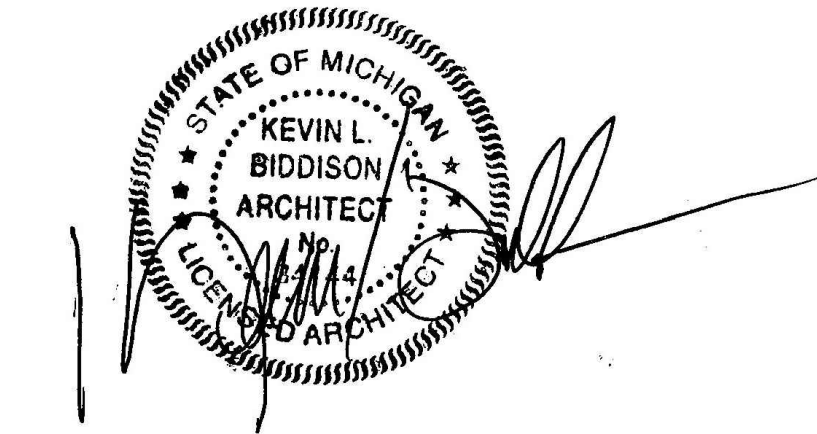
320 Martin Street Suite 10
Birmingham, MI 48009
t:248.554.9500
Contact Person: Kevin Biddison
e.mail: kb@biddison-ad.com

Consultants

Project data

GOVERNING CODES:	2015 MICHIGAN BUILDING CODE 2018 MICHIGAN PLUMBING CODE 2015 MICHIGAN MECHANICAL CODE 2015 MICHIGAN REHABILITATION CODE 2015 INTERNATIONAL FUEL GAS CODE MICHIGAN ELECTRICAL CODE, 2017 N.E.C. W/ PART 8 STATE AMENDMENTS ICC/ANSI A117.1-2015 AND MICHIGAN BARRIER FREE DESIGN LAW OF PUBLIC ACT 1 OF 1966 AS AMENDED. MICHIGAN UNIFORM ENERGY CODE RULES PART 10 WITH ANSI/ASHRAE/IESNA STANDARD 90.1-2015 2015 INTERNATIONAL FIRE CODE NFPA 13 - 2010 NFPA 72 - 2010
BUILDING USE GROUP(S):	GENERAL BUSINESS & RESIDENTIAL
TYPE OF CONSTRUCTION:	2015 MBC: 2B (UN-PROTECTED) NFPA 220: TYPE II-000 NFPA 13: 2010 NFPA 72: 2010
UNDERGROUND GARAGE AREA:	8,058 SQFT
FIRST FLOOR AREA:	9,248 SQFT
SECOND FLOOR AREA:	9,000 SQFT
THIRD FLOOR AREA:	10,200 SQFT
FOURTH FLOOR AREA:	10,200 SQFT
FIFTH FLOOR AREA:	6,200 SQFT
TOTAL ADDITION AREA:	52,906 SQFT

Issued for	
HISTORIC DESIGN BOARD REVIEW	01.24.2022
HISTORIC DESIGN BOARD REVIEW	03.09.2022
CIS - COMMUNITY IMPACT STUDY	05.06.2022
FINAL SITE PLAN APPROVAL	06.28.2022



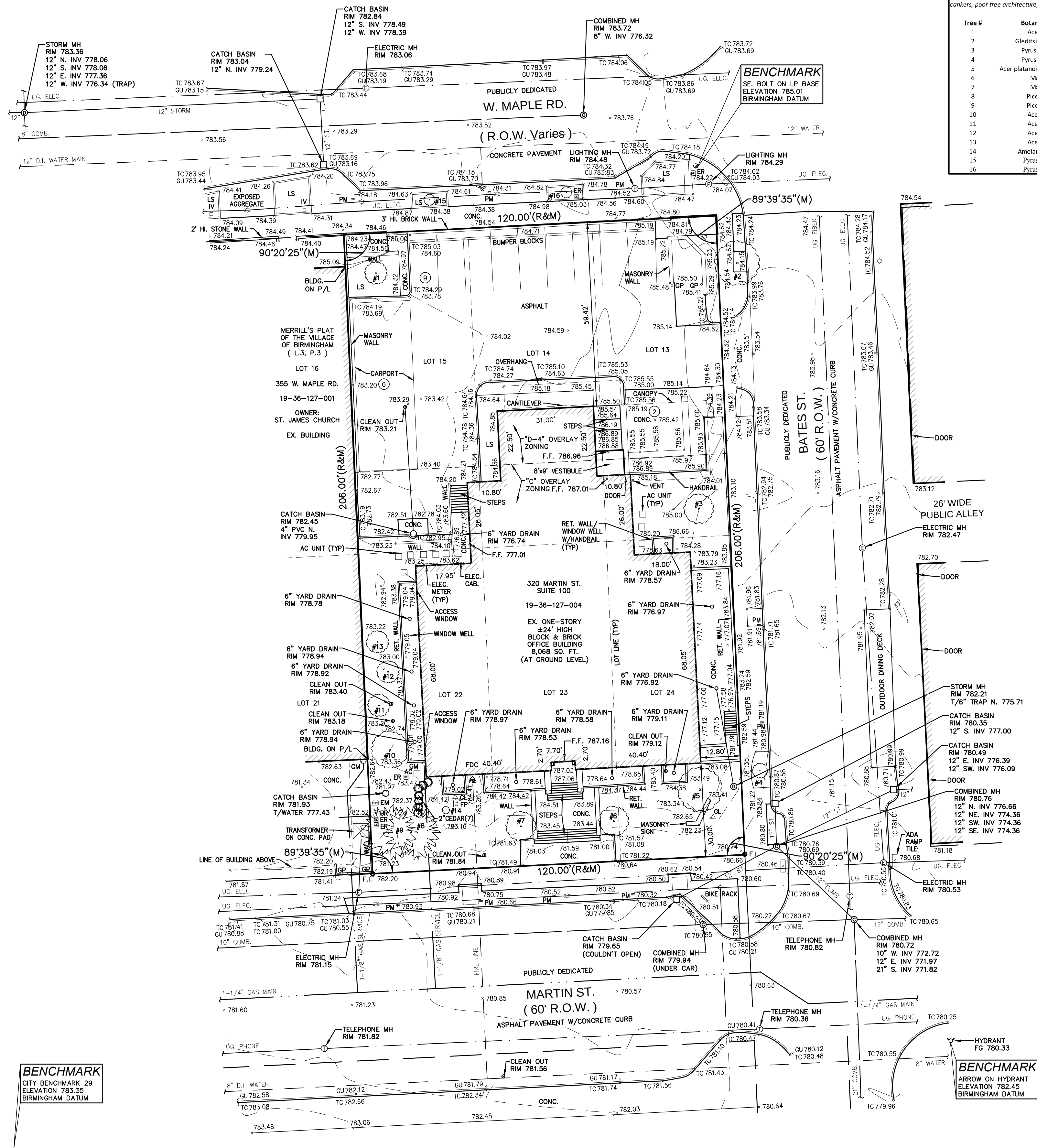
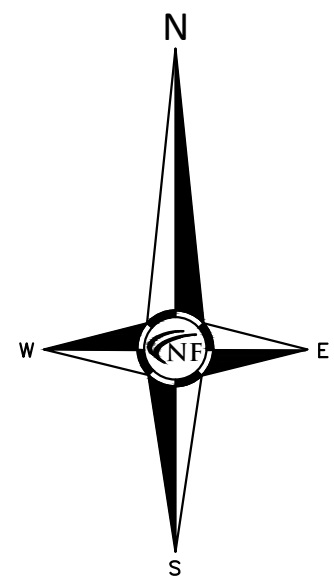
Project no.

320 Martin - ADDITION

2075-21

Sheet no.

T.101



Tree Inventory List						
Job Number: H723-02						
Job Location: 320 Martin, Birmingham						
Date: August 6, 2021						
Performed By: George A. Ostrowski, Jr., RLA						
Condition Description Notes:						
"Good" - no observed structural defects*						
Fair" - minor structural defects, marginal form, some insect activity noted						
Poor" - major structural defects, poor form, insect infested						
*Structural defects may include decayed wood, cracks, root problems, weak branch unions						
cankers, poor tree architecture, dead/failed branches due to various causes.						
Tree #	Botanical Name	Common Name	Dia.	Type	Other Dia.	Condition Comments
1	Acer rubrum	Red Maple	6"	Good		
2	Gleditsia triacanthos	Honey Locust	12"	Good		
3	Pinus caryinata	Bradford Pear	8"	Good		
4	Pinus caryinata	Bradford Pear	4"	Fair		Trunk damage, minor crown dieback
5	Acer platanoides 'Crimson King'	Crimson King Norway Maple	12"	Good		
6	Malus spp.	Crabapple	8"	Good		
7	Malus spp.	Crabapple	8"	Good		
8	Picea glauca	White Spruce	12"	Good		
9	Picea glauca	White Spruce	12"	Good		
10	Acer rubrum	Red Maple	10"	Good		
11	Acer rubrum	Red Maple	6"	Good		
12	Acer rubrum	Red Maple	6"	Good		
13	Acer rubrum	Red Maple	6"	Good		
14	Amelanchier laevis	Allegheny Serviceberry	2"	multi-stem		Good
15	Pinus caryinata	Bradford Pear	3"	Good		
16	Pinus caryinata	Bradford Pear	3"	Good		

LEGAL DESCRIPTION - PER TITLE COMMITMENT

LAND SITUATED IN THE COUNTY OF OAKLAND, CITY OF BIRMINGHAM, STATE OF MICHIGAN, IS DESCRIBED AS FOLLOWS:

LOTS 13, 14, 15, 22, 23, AND 24 OF MERRILL'S PLAT OF THE VILLAGE (NOW CITY) OF BIRMINGHAM, BEING A PART OF THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDE ITEMS 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 11(a), 13, 14, 16, 17, 18 AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 22, 2021.

320 MARTIN STREET
TAX ID: 19-36-127-004

TITLE REPORT NOTES

SUBJECT TO:

RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS.

EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS.

1. TERMS AND CONDITIONS CONTAINED IN AGREEMENT FOR LOAN OF ARTWORK FROM THE POSTAL FINE ARTS COLLECTION BY THE UNITED STATES POSTAL SERVICE TO 320 INVESTMENTS, LLC AND CITY OF BIRMINGHAM HISTORIC COMMISSION AS DISCLOSED BY INSTRUMENT RECORDED IN LIBER 42129, PAGE 691. [SAID DOCUMENT DOES NOT DESCRIBE ANY PLOTTABLE EASEMENTS OR RESTRICTIONS].

2. TERMS AND CONDITIONS CONTAINED IN SPECIAL WARRANTY DEED AS DISCLOSED BY INSTRUMENT RECORDED IN LIBER 42139, PAGE 295. [SAID DOCUMENT DOES NOT DESCRIBE ANY PLOTTABLE EASEMENTS OR RESTRICTIONS].

ALL EXCEPTIONS SHOWN OR NOTED ON THIS SURVEY WERE OBTAINED FROM TITLE COMMITMENT NO. 643934, WITH AN EFFECTIVE DATE OF 09-06-2013, PRINTED ON 10-01-2013, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY.

DATUM NOTE

ALL ELEVATIONS SHOWN HEREON ARE ON THE CITY OF BIRMINGHAM'S VERTICAL DATUM, REFERENCED HEREON, IS ONE (1,000) FOOT HIGHER THAN THE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 88).

ALTA SURVEY NOTES

THERE IS NO VISIBLE EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.

THERE IS NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES AND THERE IS NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIR.

THERE IS NO VISIBLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

THERE IS NO VISIBLE EVIDENCE OF ANY WETLAND AREAS.

THERE WAS NO OBSERVABLE EVIDENCE OF CEMETERIES OR BURIAL GROUNDS WITHIN THE SUBJECT PROPERTY.

LOCATION OF UTILITIES EXISTING ON OR SERVING THE PROPERTY AS DETERMINED BY: OBSERVED EVIDENCE OR EVIDENCE FROM PLANS REQUESTED BY THE SURVEYOR AND OBTAINED FROM UTILITY COMPANIES.

THE SUBJECT PROPERTY HAS ACCESS TO MARTIN STREET, BATES STREET AND W. MAPLE ROAD, ALL BEING PUBLICLY DEDICATED ROADS.

FLOOD HAZARD NOTE

THE PROPERTY DESCRIBED ON THIS SURVEY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE PROPERTY LIES WITHIN ZONE X OF THE FLOOD INSURANCE RATE MAP IDENTIFIED AS MAP NO. 26125C0537F BEARING AN EFFECTIVE DATE OF 09-29-2008.

MISS DIG / UTILITY DISCLAIMER NOTE

A MISS DIG TICKET NUMBER A011960126, PURSUANT TO MICHIGAN PUBLIC ACT 174 WAS ENTERED FOR THE SURVEYED PROPERTY. DUE TO THE EXTENDED REPORTING PERIOD FOR UNDERGROUND FACILITY OWNERS TO PROVIDE THEIR RECORDS, THE SURVEY MAY NOT REFLECT ALL THE UTILITIES AT THE TIME THE SURVEY WAS ISSUED ON AUGUST 6, 2021. THE SURVEY ONLY REFLECTS THOSE UTILITIES WHICH COULD BE OBSERVED BY THE SURVEYOR IN THE FIELD OR AS DEPICTED BY THE UTILITY COMPANY RECORDS FURNISH PRIOR TO THE DATE THIS SURVEY WAS ISSUED. THE CLIENT AND/OR THEIR AUTHORIZED AGENT SHALL VERIFY WITH THE FACILITY OWNERS AND/OR THEIR AUTHORIZED AGENTS, THE COMPLETENESS AND EXACTNESS OF THE UTILITIES LOCATION.

TOPOGRAPHIC SURVEY NOTES

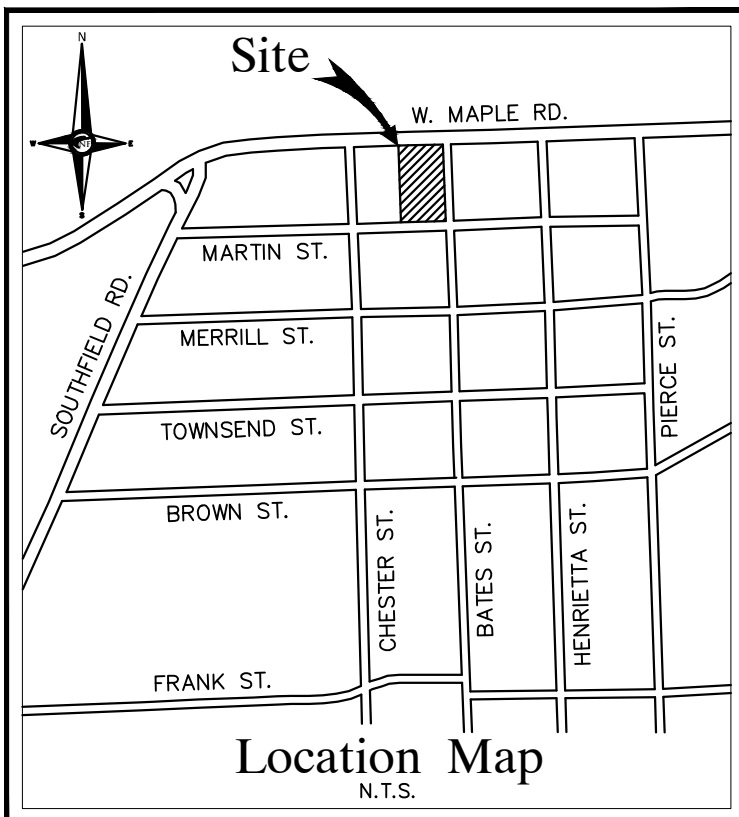
ALL ELEVATIONS ARE EXISTING ELEVATIONS, UNLESS OTHERWISE NOTED.

UTILITY LOCATIONS WERE OBTAINED FROM MUNICIPAL OFFICIALS AND RECORDS OF UTILITY COMPANIES, AND NO GUARANTEE CAN BE MADE TO THE COMPLETENESS, OR EXACTNESS OF LOCATION.

THIS SURVEY MAY NOT SHOW ALL EASEMENTS OF RECORD UNLESS AN UPDATED TITLE POLICY IS FURNISHED TO THE SURVEYOR BY THE OWNER.

DTE DISCLAIMER NOTE

PLEASE NOTE THAT DTE HAS NEW REGULATIONS THAT MAY IMPACT DEVELOPMENT OUTSIDE THEIR EASEMENT OR THE PUBLIC RIGHT OF WAY. CLIENT SHALL CONTACT DTE TO DETERMINE THE "NEW STRUCTURES AND POWER LINE" REQUIREMENTS AS THEY MAY APPLY TO ANY FUTURE BUILDING OR RENOVATION OF A STRUCTURE. DTE ENERGY CAN BE CONTACTED AT 800-477-4747



CERTIFICATE OF SURVEY

CERTIFIED TO:

-320 INVESTMENTS, LLC, A MICHIGAN LIMITED LIABILITY COMPANY
-UNITED FARM FAMILY LIFE INSURANCE COMPANY
-UNITED FARM FAMILY MUTUAL INSURANCE COMPANY
-AMROCK INC.
-FIDELITY NATIONAL TITLE INSURANCE COMPANY
-BINGHAM GREENEBAUM DOLL LLP

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDE ITEMS 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 11(a), 13, 14, 16, 17, 18 AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 22, 2021.

KEVIN NAVAROLI, P.S. NO. 4001053503
DATE 8-6-2021

SURVEY DATA

GROSS LAND AREA: 24,720 SQUARE FEET OR 0.567 ACRES.
ZONED: B-4 (BUSINESS-RESIDENTIAL DISTRICT) WITH OVERLAY ZONING DISTRICTS:
C (TERMINATING VISTAS) & D-4 (DOWNTOWN FOUR-STORY)

BUILDING SETBACKS:
B-4
FRONT= 0'
SIDES= 0'

RESIDENTIAL STORIES WITH WALLS FACING SIDE LOT LINES WHICH DO NOT CONTAIN WINDOWS OR FRONT ON A STREET
10' WHEN ANY WALL IN RESIDENTIAL STORIES WHICH CONTAIN WINDOWS AND WHEN SIDE LOT LINES ABUT A STREET

REAR= 10' WHEN THE REAR OPEN SPACE ABUTS A P. B1, B2, B2C, B3, B4, C3, 14, 16, 17, 18 AND 19 OF TABLE A THEREOF.
20' WHEN ADJACENT TO A RESIDENTIAL ZONING DISTRICT
D-4 & C:
FRONT: BUILDING FACADES AT THE FIRST STORY SHALL BE LOCATED AT THE FRONTAGE LINE, EXCEPT THE PLANNING BOARD MAY ADJUST THE REQUIRED FRONT YARD TO THE AVERAGE FRONT SETBACK OF ANY BUILDING

REAR: A MINIMUM OF 10' SHALL BE PROVIDED FROM THE MIDPOINT OF THE ALLEY, EXCEPT THAT THE PLANNING BOARD MAY ALLOW THIS SETBACK TO BE REDUCED OR ELIMINATED. IN THE ABSENCE OF AN ALLEY, THE REAR SETBACK SHALL BE EQUAL TO THAT OF AN ADJACENT, PREEXISTING BUILDING MAX. BUILDING HEIGHT PERMITTED:
B-4: 4 STORIES/48'
D-4: 5 STORIES/60'

BUILDING HEIGHT SHALL COMPLY WITH THE UNDERLYING HEIGHT RESTRICTIONS LISTED IN EACH TWO-PAGE LAYOUT IN ART. 2 OF THE ZONING ORDINANCE, BUT MAY BE NEGOTIATED BY THE PLANNING BOARD

TOTAL STRIPED PARKING: 17 SPACES INCLUDING 0 BARRIER FREE SPACES.

THE ABOVE SETBACK & HEIGHT REQUIREMENTS WERE OBTAINED FROM THE CITY OF BIRMINGHAM ZONING ORDINANCE. NOTE: THE BUILDING SETBACK LINES ARE NOT PLOTTED HEREON. THE SURVEYOR CANNOT MAKE A CERTIFICATION BASED ON AN INTERPRETATION OF THE BIRMINGHAM ZONING ORDINANCE. A ZONING ENDORSEMENT LETTER SHOULD BE OBTAINED FROM THE CITY OF BIRMINGHAM TO INSURE CONFORMITY.

LEGEND	
MANHOLE(MH)	EXISTING SANITARY SEWER
CO	EXISTING SAN. CLEAN OUT
HYDRANT(HYD)	EXISTING SAN. VALVE(GW)
MANHOLE(MH)	EXISTING WATER MAIN
CATCH BASIN(CB)	EXISTING STORM SEWER
CB	EX. BEEHIVE CATCH BASIN
EX. UNDERGROUND (UG) CABLE	OVERHEAD (OH.) LINES
UTILITY POLE	LIGHT POLE
GUY WIRE	SIGN
ASPH.	EXISTING GAS MAIN
CONC.	ASPHALT
FD. / FND.	CONCRETE
RET. WALL	FOUND
R.O.W.	RETAINING WALL
SPK	RIGHT-OF-WAY
(TYP)	SET PK NAIL
(R)	TYPICAL
(M)	RECORD
C/L	MEASURED
P/L	CENTERLINE
QM	PROPERTY LINE
EM	GAS METER
LS	ELECTRIC METER
DS	LANDSCAPE
ER	DOWNSPOUT
FP	ELECTRIC RISER
GL	FLAG POLE
PM	GROUND LIGHT
PR	PARKING METER
IV	PHONE RISER
	IRRIGATION VALVE

NF
ENGINEERS
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257
WWW.NOWAKFRAUS.COM

SEAL



PROJECT

320 Martin Street
Birmingham, MI 48009

CLIENT

320 Investments, LLC
c/o The Surnow Company
320 Martin Street, Suite 100
Birmingham, MI 48009

Contact: Sam Surnow

Phone: 248.877.4400

Email: sam@surnow.com

PROJECT LOCATION

Part of the NW 1/4
of Section 36
T.2N., R.10E.,
City of Birmingham,
Oakland County, Michigan

SHEET

ALTA/NSPS Land Title /
Topographic / Tree Survey

811
Know what's below
Call before you dig.

DATE ISSUED/REVISED

08-06-21 SURVEY ISSUED

05-04-22 REVISED PER ARCHITECT

DRAWN BY:

M. Carnaghi

DESIGNED BY:

APPROVED BY:

K. Navaroli

DATE:

August 6, 2021

SCALE: 1" = 20'

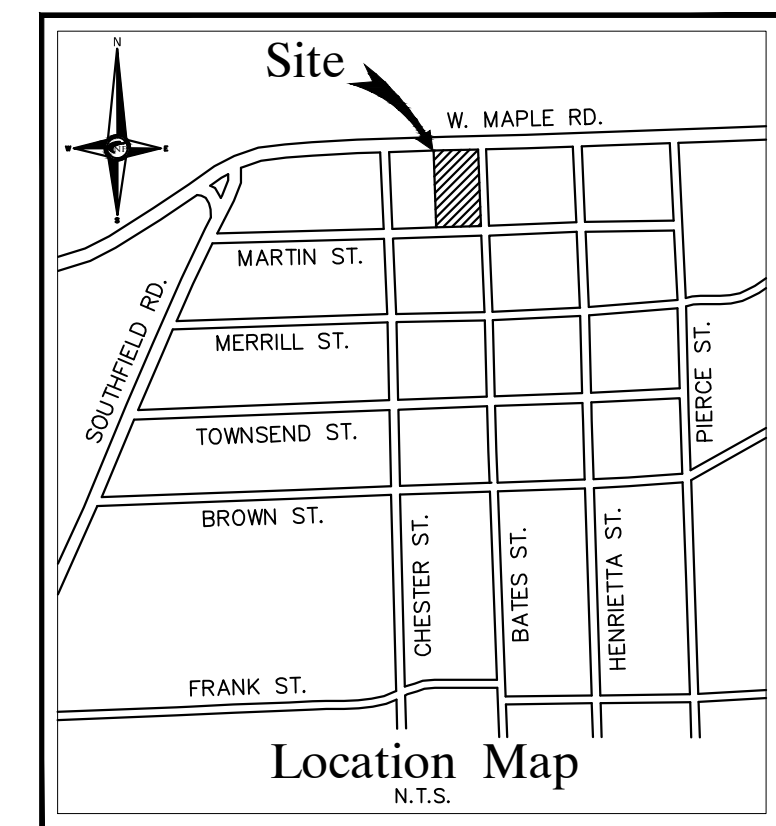
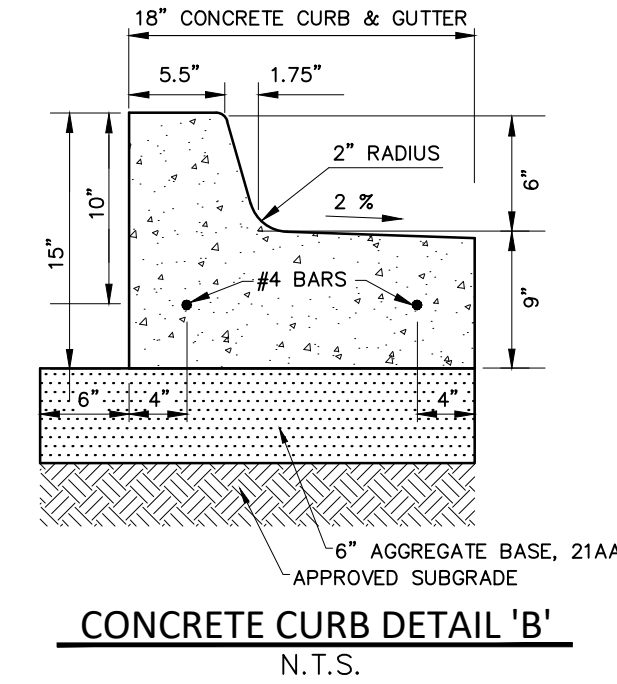
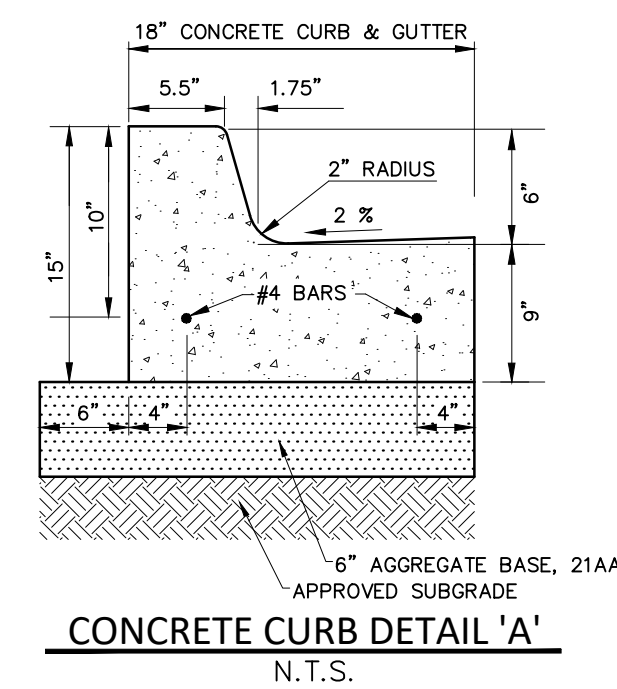
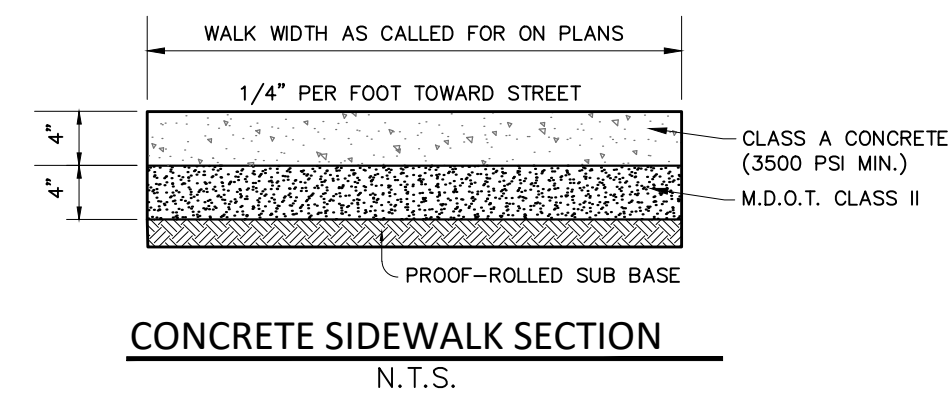
20 10 0 10 20 30

NFE JOB NO.

H723-02

SHEET NO.

SP1

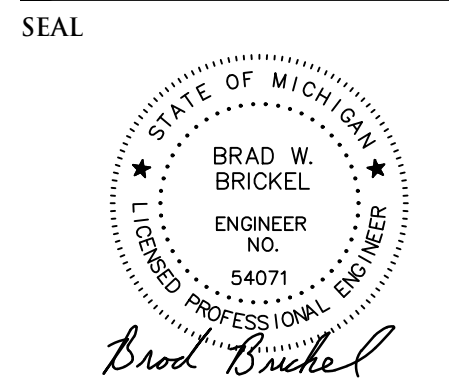


NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257
WWW.NOWAKFRAUS.COM

LAND SITUATED IN THE COUNTY OF OAKLAND, CITY OF BIRMINGHAM,
STATE OF MICHIGAN, IS DESCRIBED AS FOLLOWS:

LOTS 13, 14, 15, 22, 23, AND 24 OF MERRILL'S PLAT OF THE VILLAGE (NOW CITY) OF BIRMINGHAM, BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, T2N, R10E, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN LIBER 3 OF PLATS, PAGE 3, OAKLAND COUNTY RECORDS.

320 MARTIN STREET
TAX ID: 19-36-127-004



PROJECT
320 Martin Street
Birmingham, MI 48009

CLIENT
320 Investments, LLC
c/o The Surnow Company
320 Martin Street, Suite 100
Birmingham, MI 48009

Contact: Sam Surnow
Phone: 248.877.4000
Email: sam@surnow.com

PROJECT LOCATION
Part of the NW 1/4
of Section 36
T.2N., R.10E.,
City of Birmingham,
Oakland County, Michigan

SHEET
Engineering Site Plan



**Know what's below
Call before you dig.**

DATE	ISSUED/REVISED
08-06-21	SURVEY ISSUED
05-04-22	REVISED PER ARCHITECT

DRAWN BY:
R. Johnson

DESIGNED BY:
B. Brickel

APPROVED BY:
B. Brickel

DATE:
August 6, 2021

SCALE: 1" = 20'

NFE JOB NO.

H723-02 SP2

PAVEMENT SHALL BE OF THE TYPE, THICKNESS AND CROSS SECTION AS INDICATED ON THE PLANS AND AS FOLLOWS:

CONCRETE: PORTLAND CEMENT TYPE 1A (AIR-ENTRAINED) WITH A MINIMUM CEMENT CONTENT OF SIX SACKS PER CUBIC YARD, MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 3,500 PSI AND A SLUMP OF 1 1/2 TO 3 INCHES.

ASPHALT: BASE COURSE - MDOT BITUMINOUS MIXTURE NO. 1100L, 20AA; SURFACE COURSE - MDOT BITUMINOUS MIXTURE NO. 1100T, 20AA; ASPHALT CEMENT PENETRATION GRADE 85-100, BOND COAT - MDOT SS-1H EMULSION AT 0.10 GALLON PER SQUARE YARD; MAXIMUM 2 INCH LIFT.

PAVEMENT BASE SHALL BE COMPACTED TO 95% OF THE MAXIMUM DENSITY (MODIFIED PROCTOR) PRIOR TO PLACEMENT OF PROPOSED PAVEMENT. EXISTING SUB-BASE SHALL BE PROOF-ROLLED IN THE PRESENCE OF THE ENGINEER TO DETERMINE STABILITY.

ALL CONCRETE PAVEMENT, DRIVEWAYS, CURB & GUTTER, ETC., SHALL BE SPRAY CURED WITH WHITE MEMBRANE CURING COMPOUND IMMEDIATELY FOLLOWING FINISHING OPERATION.

ALL CONCRETE PAVEMENT JOINTS SHALL BE FILLED WITH HOT FUSED ROBBENTZ'S ASPHALT JOINT SEALING COMPOUND IMMEDIATELY AFTER SAWCUT OPERATION. FEDERAL SPECIFICATION SS-S164.

ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY AND THE MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION, CURRENT EDITION.

ALL TOP OF CURB ELEVATIONS, AS SHOWN ON THE PLANS, ARE CALCULATED FOR A 6" CONCRETE CURB UNLESS OTHERWISE NOTED.

ALL SIDEWALK RAMPS, CONFORMING TO PUBLIC ACT NO. 8, 1993, SHALL BE INSTALLED AS INDICATED ON THE PLANS.

CONSTRUCTION OF A NEW OR RECONSTRUCTED DRIVE APPROACH CONNECTING TO AN EXISTING STATE OR COUNTY ROADWAY SHALL BE ALLOWED ONLY AFTER AN APPROVED PERMIT HAS BEEN SECURED FROM THE AGENCY HAVING JURISDICTION OVER SAID ROADWAY.

FOR ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY, THE CONTRACTOR SHALL PAY FOR AND SECURE ALL NECESSARY PERMITS AND LIKewise ARRANGE FOR ALL INSPECTION.

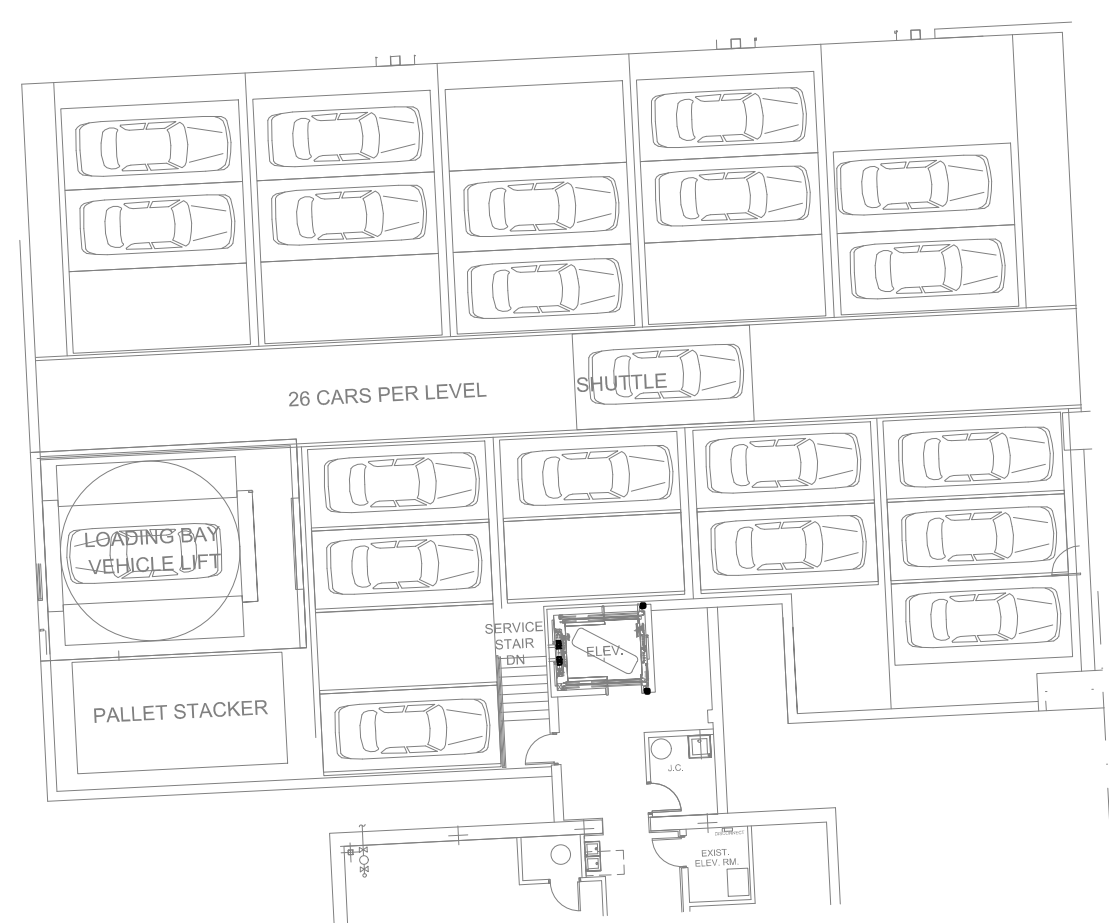
EXISTING TOPSOIL, VEGETATION AND ORGANIC MATERIALS SHALL BE STRIPPED AND REMOVED FROM PROPOSED PAVEMENT AREA PRIOR TO PLACEMENT OF BASE MATERIALS.

EXPANSION JOINTS SHOULD BE INSTALLED AT THE END OF ALL INTERSECTION RADII.

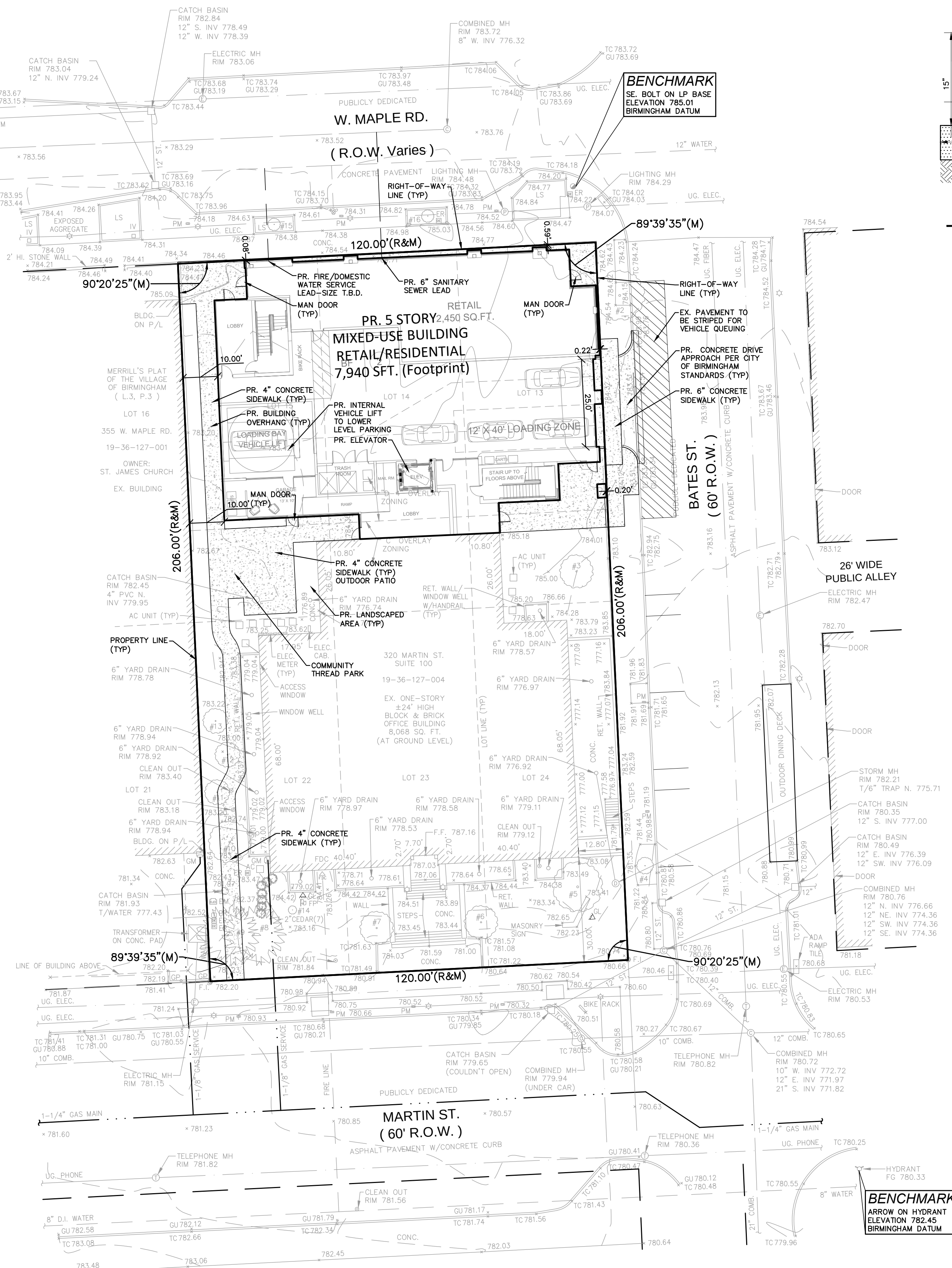
SIDEWALK RAMPS, CONFORMING TO PUBLIC ACT NO. 8, 1973, SHALL BE INSTALLED AS SHOWN AT ALL STREET INTERSECTIONS AND AT ALL BARRIER FREE PARKING AREAS AS INDICATED ON THE PLANS.

ALL PAVEMENT AREAS SHALL BE PROOF-ROLLED UNDER THE SUPERVISION OF A GEOTECHNICAL ENGINEER PRIOR TO THE PLACEMENT OF BASE MATERIALS AND PAVING MATERIALS.

FILL AREAS SHALL BE MACHINE COMPACTED IN UNIFORM LIFTS NOT EXCEEDING 9 INCHES THICK TO 98% OF THE MAXIMUM DENSITY (MODIFIED PROCTOR) PRIOR TO PLACEMENT OF PROPOSED PAVEMENT.



BELOW GROUND PARKING DETAIL
(REFER TO ARCHITECTURAL DRAWINGS)
SCALE 1" = 20'





ORIGINAL SITE CONDITIONS - IMAGES
NO SCALE

EXIST. SITE CONDITIONS - IMAGES
NO SCALE



EXIST. SITE SURROUNDINGS - IMAGES
NO SCALE



PREPARED BY:
GASSER BUSH ASSOCIATES
WWW.GASSERBUSH.COM

Designer

BD/DS/KB

Date

4/18/2022

rev. 4/29/2022

rev. 5/24/2022

Scale

Not to Scale

Drawing No.

#22-74638 V3

PROPOSED PROJECT FOR:

320 Martin - Addition

320 Martin St
Birmingham, MI 48009

CIS 05.06.22
MEETING 05.25.22
SITE PLAN APPROVAL 06.28.22

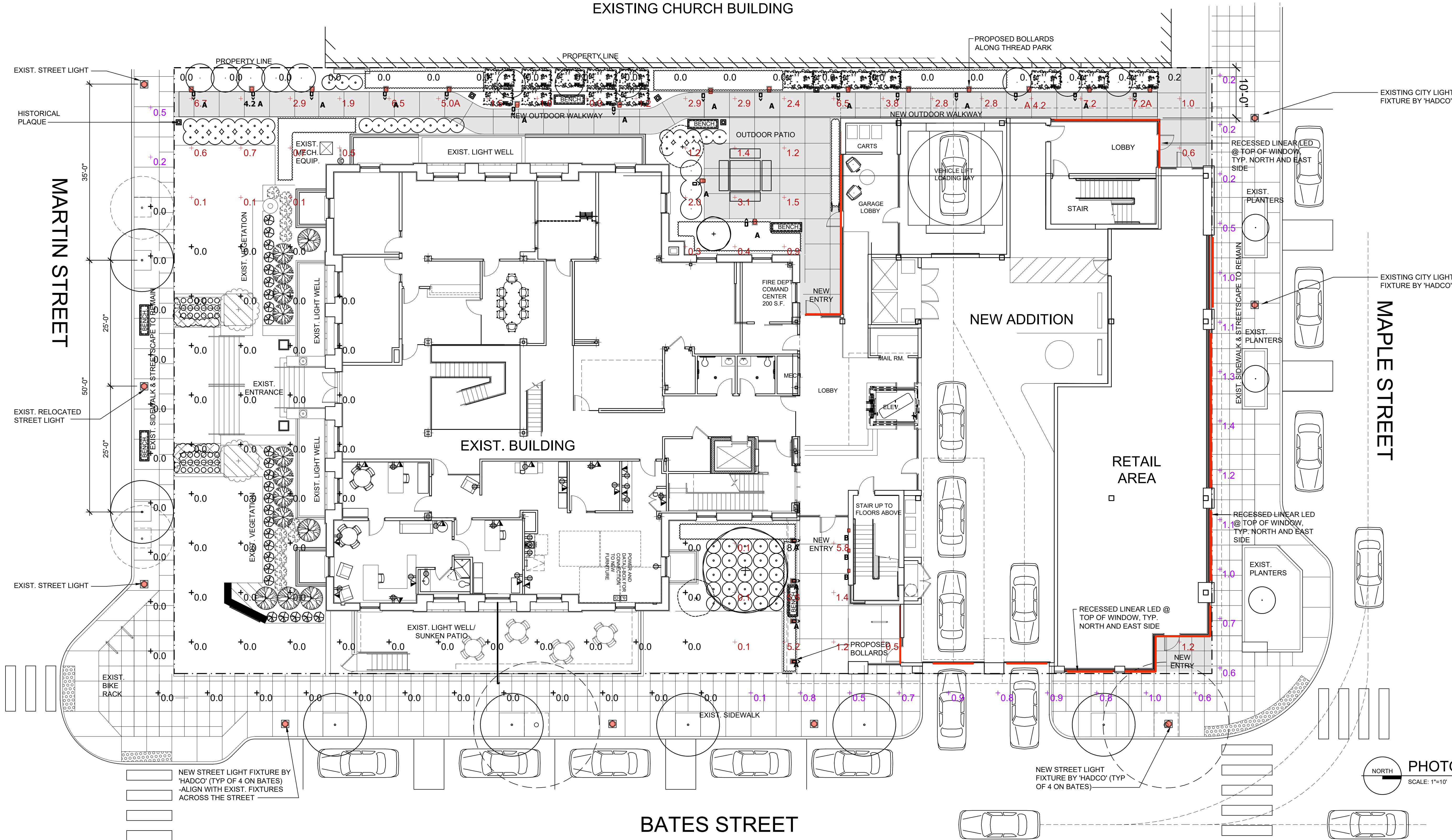
PROPOSED
PHOTOMETRIC
STUDY



2075.21

SP.102

EXISTING CHURCH BUILDING



General Note

1. SEE DRAWING FOR LUMINAIRE MOUNTING HEIGHT.
2. CALCULATIONS ARE SHOWN IN FOOTCANDLES AT: 6' - 0"
3. LIGHTING ALTERNATES REQUIRE NEW PHOTOMETRIC CALCULATION AND RESUBMISSION TO CITY FOR APPROVAL.

THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING / FUTURE FIELD CONDITIONS. THIS LIGHTING LAYOUT REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER VARIABLE FIELD CONDITIONS. MOUNTING HEIGHTS INDICATED ARE FROM GRADE AND/OR FLOOR UP.

THESE LIGHTING CALCULATIONS ARE NOT A SUBSTITUTE FOR INDEPENDENT ENGINEERING ANALYSIS OF LIGHTING SYSTEM SUITABILITY AND SAFETY. THE ENGINEER AND/OR ARCHITECT IS RESPONSIBLE TO REVIEW FOR MICHIGAN ENERGY CODE AND LIGHTING QUALITY COMPLIANCE.

UNLESS EXEMPT, PROJECT MUST COMPLY WITH LIGHTING CONTROLS REQUIRMENTS DEFINED IN ASHRAE 90.1 2013. FOR SPECIFIC INFORMATION CONTACT GBA CONTROLS GROUP AT ASG@GASSERBUSH.COM OR 734-266-6705.

FOR ORDERING INQUIRIES CONTACT GASSER BUSH AT QUOTES@GASSERBUSH.COM OR 734-266-6705.

THIS DRAWING WAS GENERATED FROM AN ELECTRONIC IMAGE FOR ESTIMATION PURPOSE ONLY. LAYOUT TO BE VERIFIED IN FIELD BY OTHERS.

MOUNTING HEIGHT IS MEASURED FROM GRADE TO FACE OF FIXTURE. POLE HEIGHT SHOULD BE CALCULATED AS THE MOUNTING HEIGHT LESS BASE HEIGHT.

Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min	Avg/Max
Grade @ 6' AFG	+	1.3 fc	8.7 fc	0.0 fc	N/A	N/A	0.1:1
Property Line + 5' @ 6' AFG	+	0.4 fc	1.4 fc	0.0 fc	N/A	N/A	0.3:1
WESTERN PROPERTY LINE @ 6' AFG	+	0.1 fc	0.4 fc	0.0 fc	N/A	N/A	0.3:1

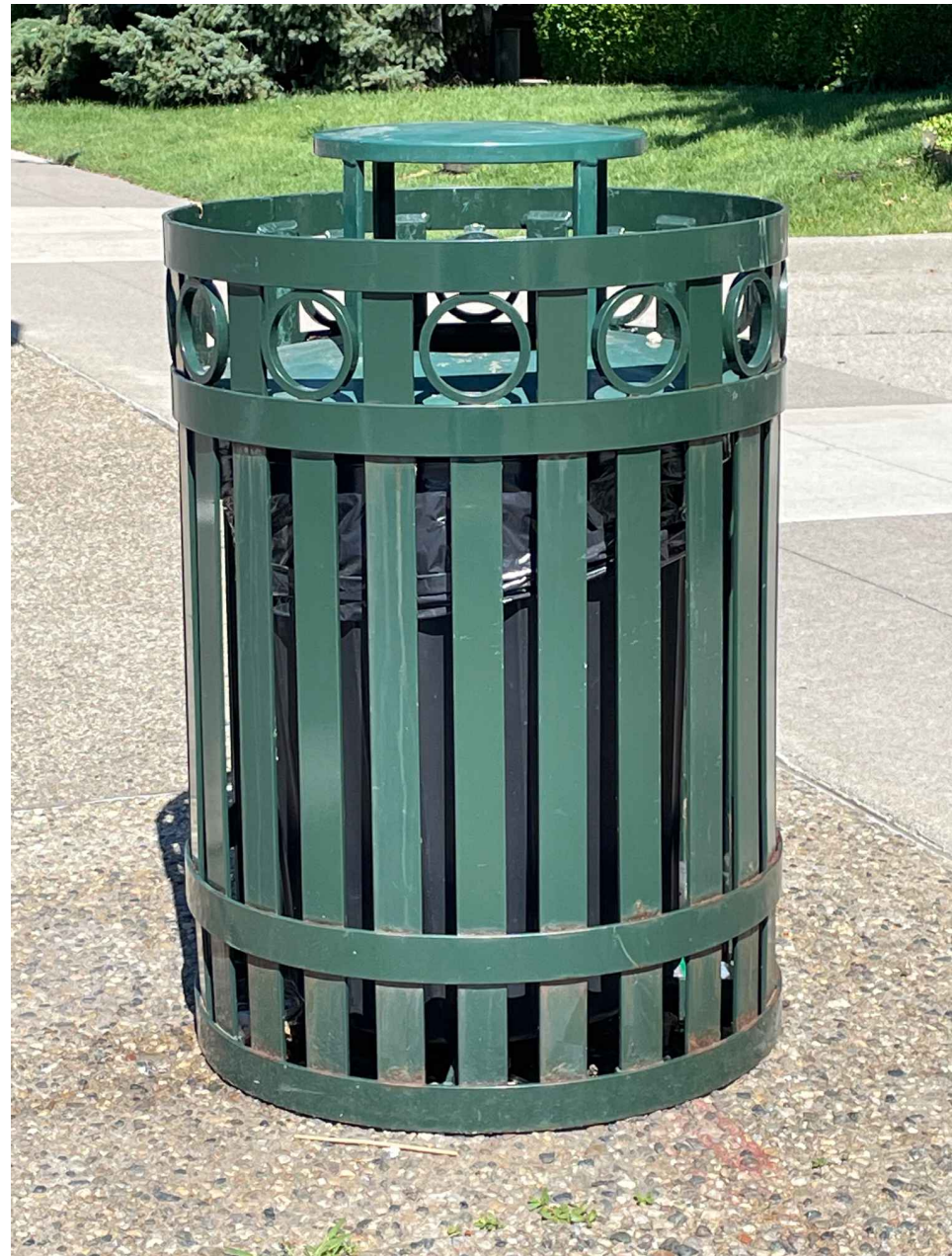
Schedule

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Lumens Per Lamp	Wattage	Mounting Height
^	A	21	HessAmerica	Linea S 900/760/600	Linea S Bollard - 350mA - 4000K	LED	514	10.06	3'-0"
—	B	3	BEGA Converted by LUMCat V 01.03.2017 / H.R.	24204K4	24204K4	LED	1145	15	3'-0"
	C	199	Q-Tran	LL3SW-1.5-30-ENC-STD-TL-ST	LL3SW-1.5-30-ENC-STD-TL-ST	LED	64	1.68	12'-0"



TYP. BENCH (PER CITY)

SCALE: N.T.S.



TYP. TRASH (PER CITY)

SCALE: N.T.S.



TYP. BOLLARD LIGHT FIXTURE

SCALE: N.T.S.



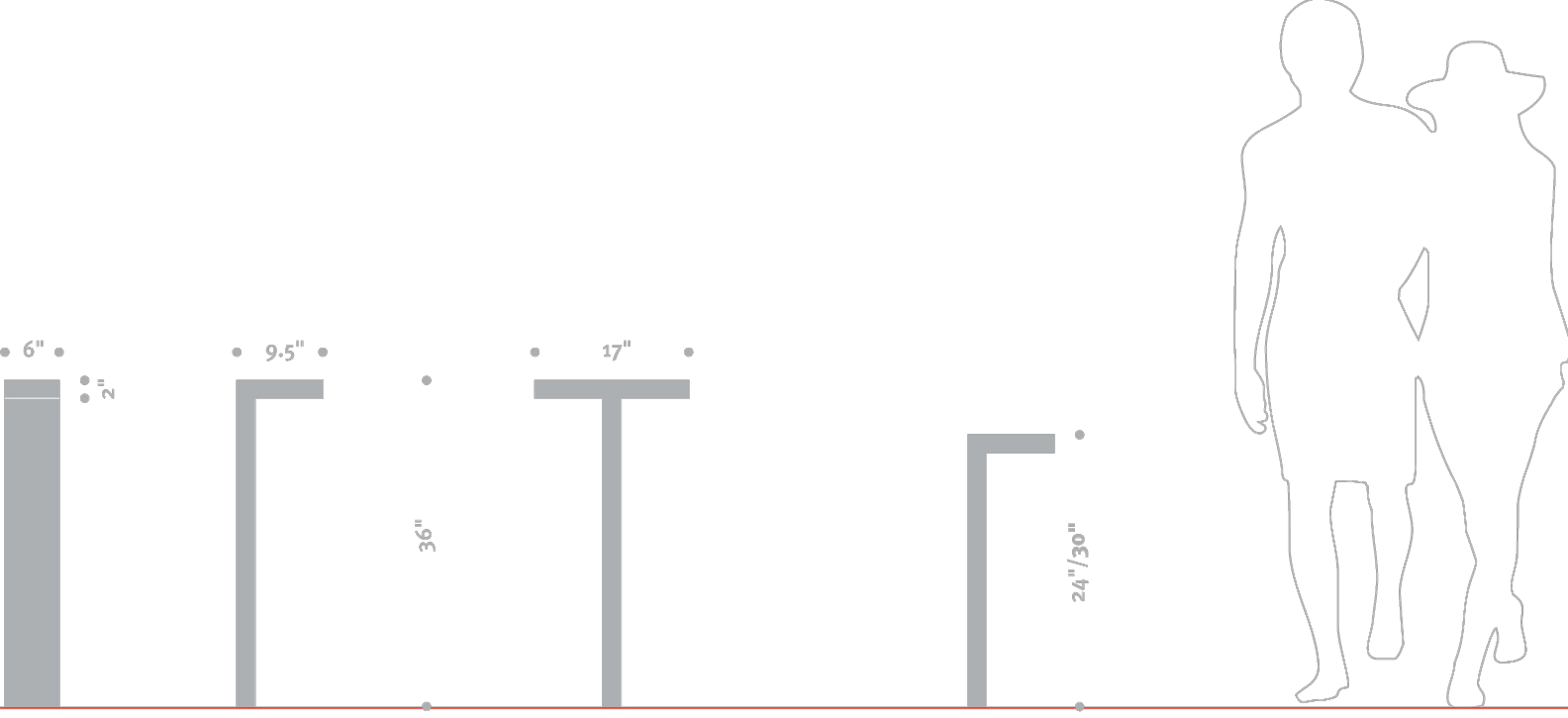
LINEA S

www.hessamerica.com

LINEA S , Illuminating Bollard

The slender profile of LINEA complements contemporary architecture with well proportioned styling and a minimalist form. The fabricated aluminum bollard is available as a single or twin mount luminaire in three different heights to meet varying scale requirements. The fully shielded luminaire emits zero uplight and is Dark Sky compliant. Concealed mounting minimizes the footprint. All hardware is stainless steel. Standard colors; matte silver grey metallic, dark grey, or graphite grey. Special colors available.

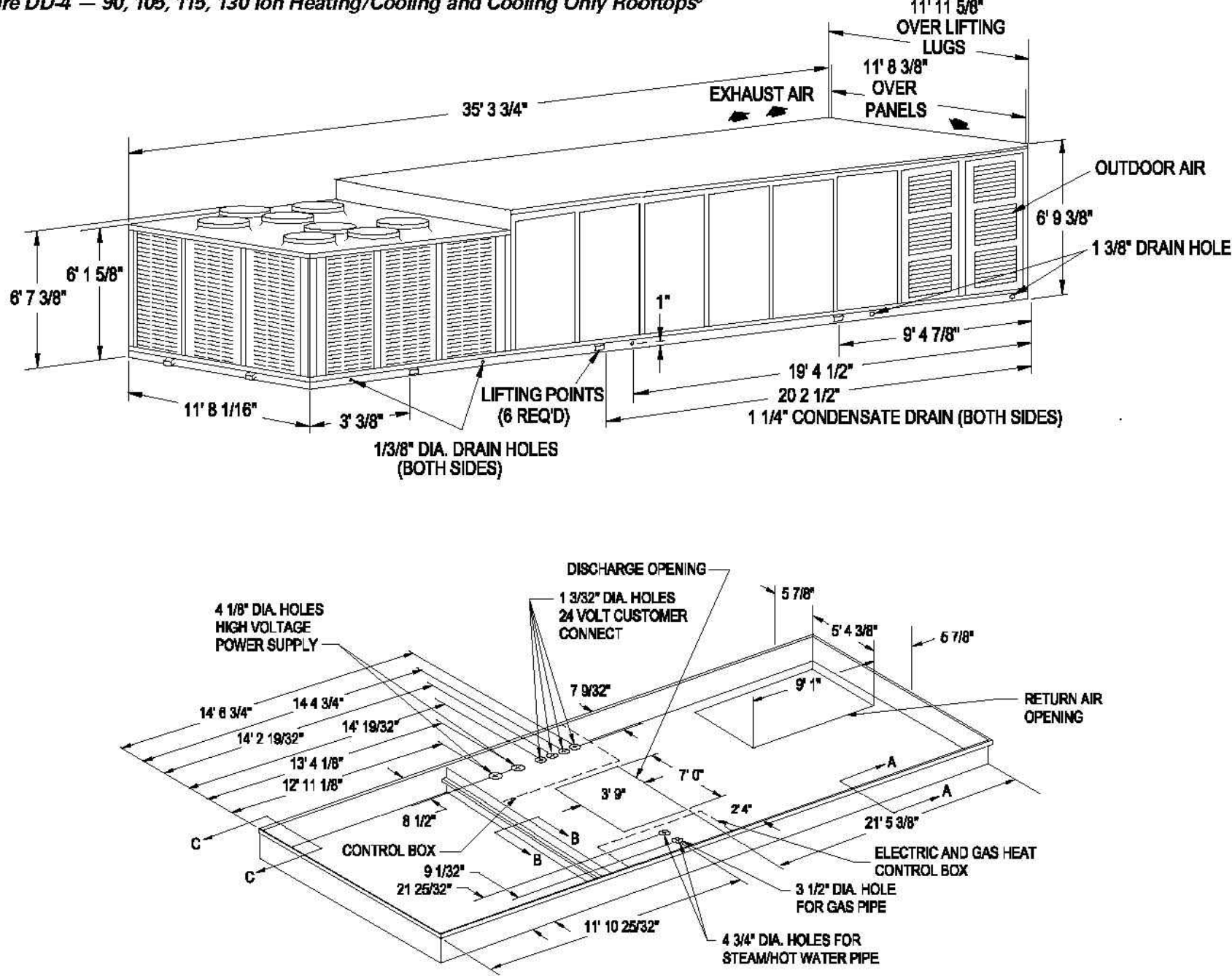
Model	Height	Mounting	Lamp
LN900S	36"	Single / Twin	LED
LN760S	30"	Single / Twin	LED
LN610S	24"	Single / Twin	LED



TYP. BOLLARD LIGHT FIXTURE-CUTSHEET

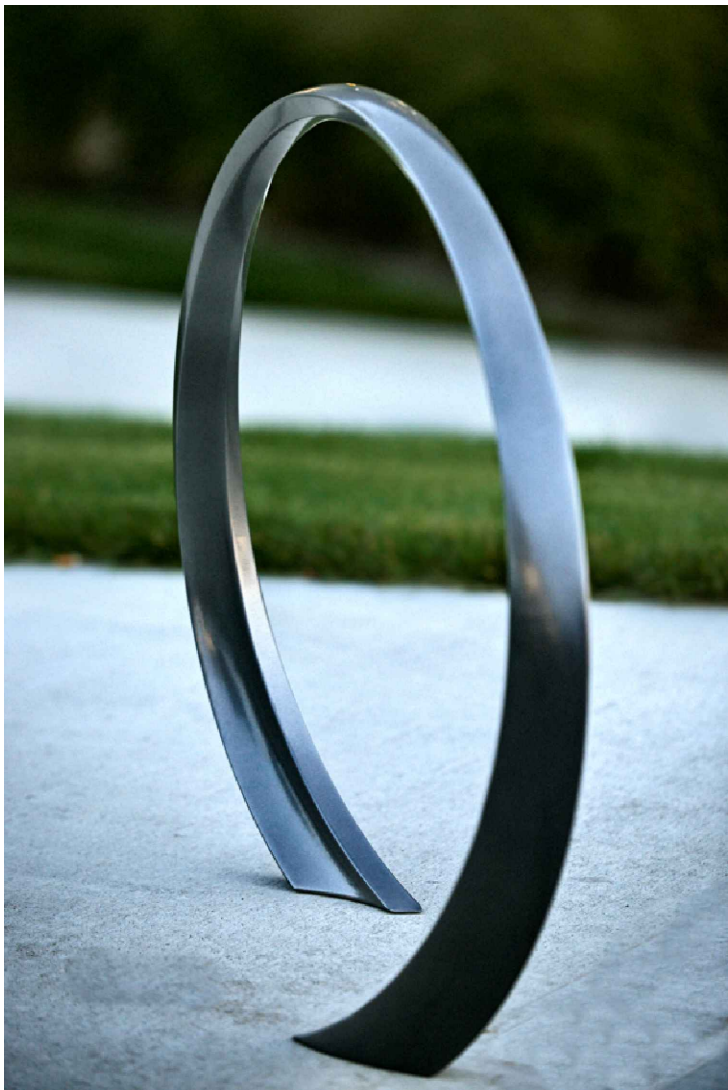
SCALE: N.T.S.

Figure DD-4 — 90, 105, 115, 130 Ton Heating/Cooling and Cooling Only Rooftops⁸



RTU CUTSHEET

N.T.S.



BIKE RACK DETAIL

SCALE: N.T.S.



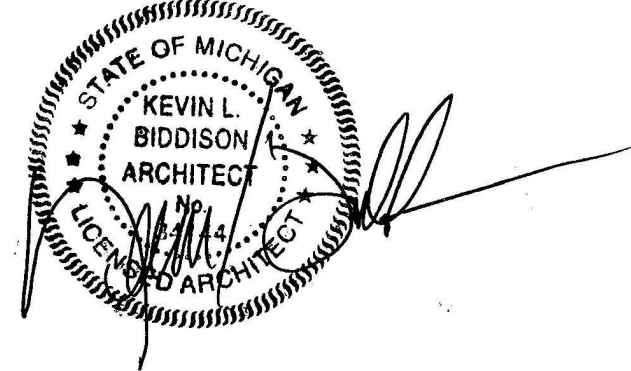
TYP. LIGHT-FIN DETAIL-DAY

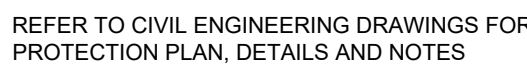
SCALE: N.T.S.



TYP. LIGHT-FIN DETAIL-NIGHT

SCALE: N.T.S.





1. ALL PLANT MATERIALS SHALL CONFORM TO "AMERICAN STANDARDS FOR NURSERY STOCK," LATEST EDITION.
2. ALL TREES SHALL BE GUYED AND STAKED.
3. ALL PLANT MATERIALS SHALL BE GUARANTEED FOR A PERIOD OF TWO (1) YEAR FROM DATE OF INSTALLATION.
4. ALL PLANTING AREAS SHALL HAVE A DEPTH OF 12" TO 18" OF BLENDED EXISTING TOPSOIL MATERIALS AND SHALL BE GROWN TO A HEIGHT OF 6" ABOVE ADJACENT CURBS, WALKS, AND GRADES WITH 4" TO 6" OF TOP SOIL.
5. AREAS OF EXISTING PAVEMENT OR GRAVEL TO BE CONVERTED TO LANDSCAPE AREAS SHALL BE EXCAVATED TO REMOVE ALL PAVEMENT, GRAVEL, AND COMPACTED EARTH. REPLACE EXCAVATED MATERIAL WITH CLEAN FILL TO CROWN 2" MIN. ABOVE ADJOINING GRADE. ADD 4" TO 6" OF TOP SOIL.
6. ALL PLANTING BEDS SHALL RECEIVE A MIN. OF 3"4" SHREDDED BARK MULCH. (KEEP MULCH AWAY FROM VERTICAL STEMS OF TREES AND SHRUBS)
7. ALL PLANTING BEDS NOT BORDERED BY WALKS, WALLS, OR PAVING SHALL BE SPADE COVERED.
8. TOP SOIL SHALL BE STRIPPED AND TOPSOIL PILED ON SITE FOR USE IN LANDSCAPE AREAS WITH EXCESS TOP SOIL TO BE REMOVED FROM THE SITE.
9. THE WORK SHALL CONSIST OF PROVIDING ALL NECESSARY MATERIALS, LABOR, EQUIPMENT, TOOLS, AND SUPERVISION REQUIRED FOR THE COMPLETION AS SHOWN ON THESE DRAWINGS.
10. THE PLANT MATERIALS SHALL BE NURSERY GROWN AND INSPECTED BY THE OWNERS REPRESENTATIVE BEFORE PLANTING. THE OWNERS REP. RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL AT ANY TIME.
11. PLANTS DESIGNATED "B&B" SHALL BE BALLED AND BURLAPPED, WITH FIRM BALLS OF EARTH.
12. THE CONTRACTOR IS RESPONSIBLE FOR PLANTING THE MATERIALS AT THE CORRECT GRADES AND SPACING. THE PLANTS SHALL BE ORIENTED TO GIVE THE BEST APPEARANCE.
13. WHEN THE PLANT HAS BEEN PROPERLY SET, THE PIT SHALL BE BACK FILLED WITH A BLENDED MIXTURE OF EXISTING SITE MATERIAL TOPSOIL MIXTURE, GRADUALLY FILLING, PATTING AND SETTLING WITH WATER.
14. TOPSOIL SHALL BE FRIABLE, FERTILE TOPSOIL OF CLAY LOAM CHARACTER CONTAIN. AT LEAST 5% BUT NOT MORE THAN 20% BY WEIGHT OF ORGANIC MATTER. SOIL SHALL BE FREE FROM CLAY LUMPS, COARSE SAND, PLANT ROOTS, STICKS, AND OTHER FOREIGN MATERIALS.

Project title _____

320 Martin Street
Birmingham, Mi



NOTE:

REMOVE BURLAP AND WIRE CAGE FROM ROOT BALL

TREE SHALL BEAR SAME RELATIONSHIP TO FINISH GRADE AS BEFORE TRANSPLANTING.

REMOVE ALL DEAD & INJURED TWIGS AND BRANCHES (PAINT ALL CUTS $\frac{3}{4}$ " DIA. +

FERTILIZE WITH 10-6-1 @ 2 LB. PER INCH OF CALIPER

THOROUGHLY SOAK WITH WATER AFTER PLANTING.



CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

LANDSCAPE SCHEDULE



Sheet no. _____

LS.601

KEY	QUANT.	BOTANICAL NAME	COMMON NAME	ROOT	SIZE	REMARKS
-----	--------	----------------	-------------	------	------	---------

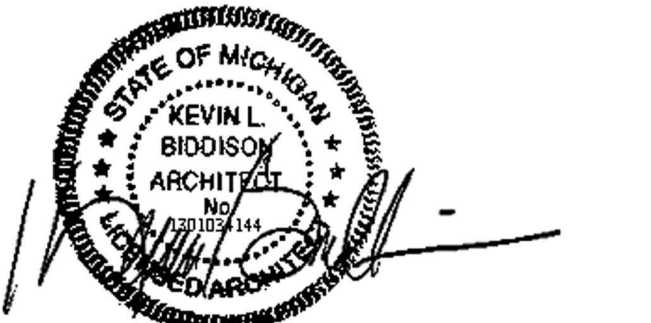
LANDSCAPE TREE SCHEDULE

PROPOSED BUILDING ADDITION FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

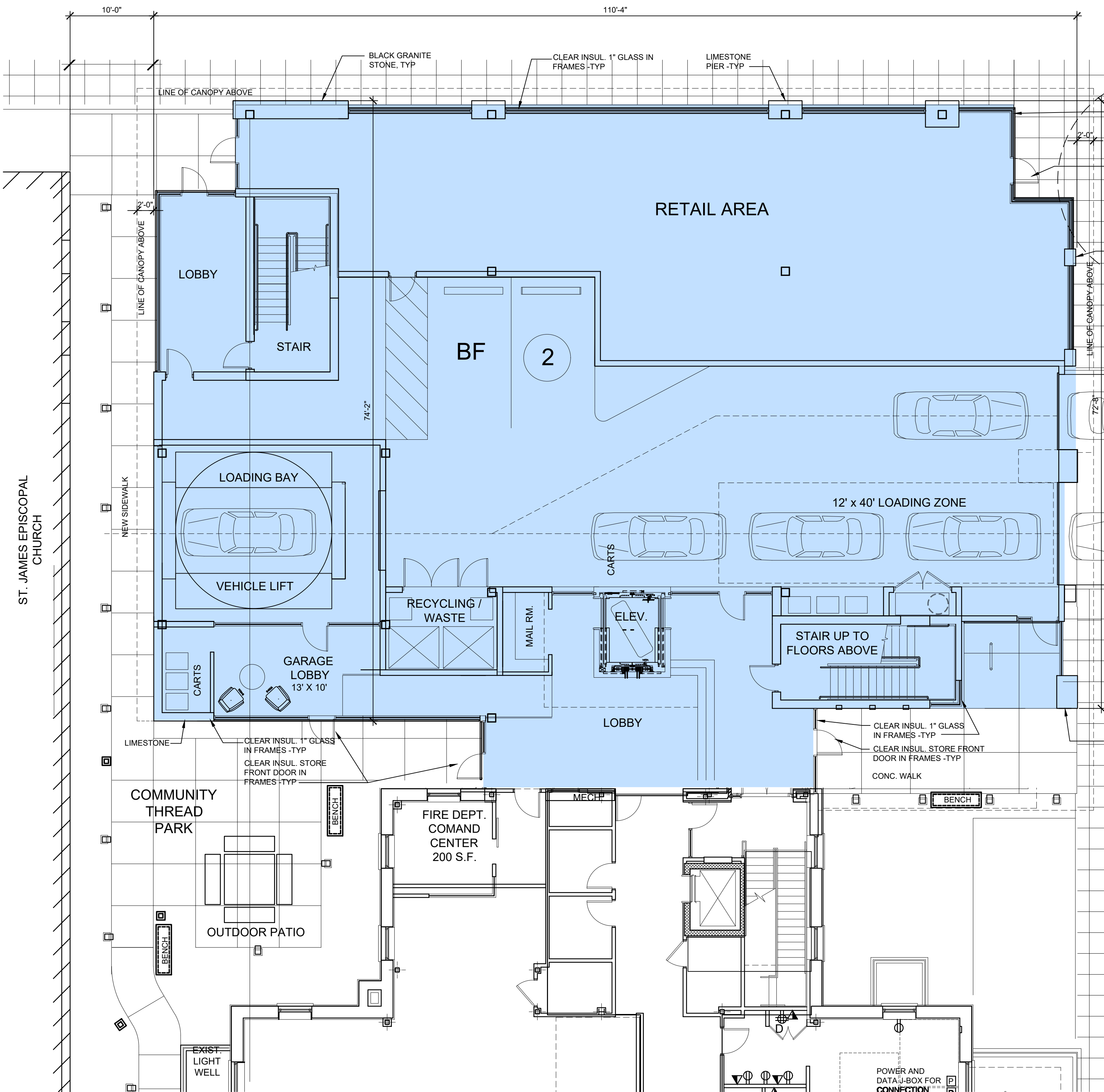
HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
MEETING	05.25.22
SITE PLAN APPROVAL	06.28.22

**PROPOSED
FLOOR PLANS**

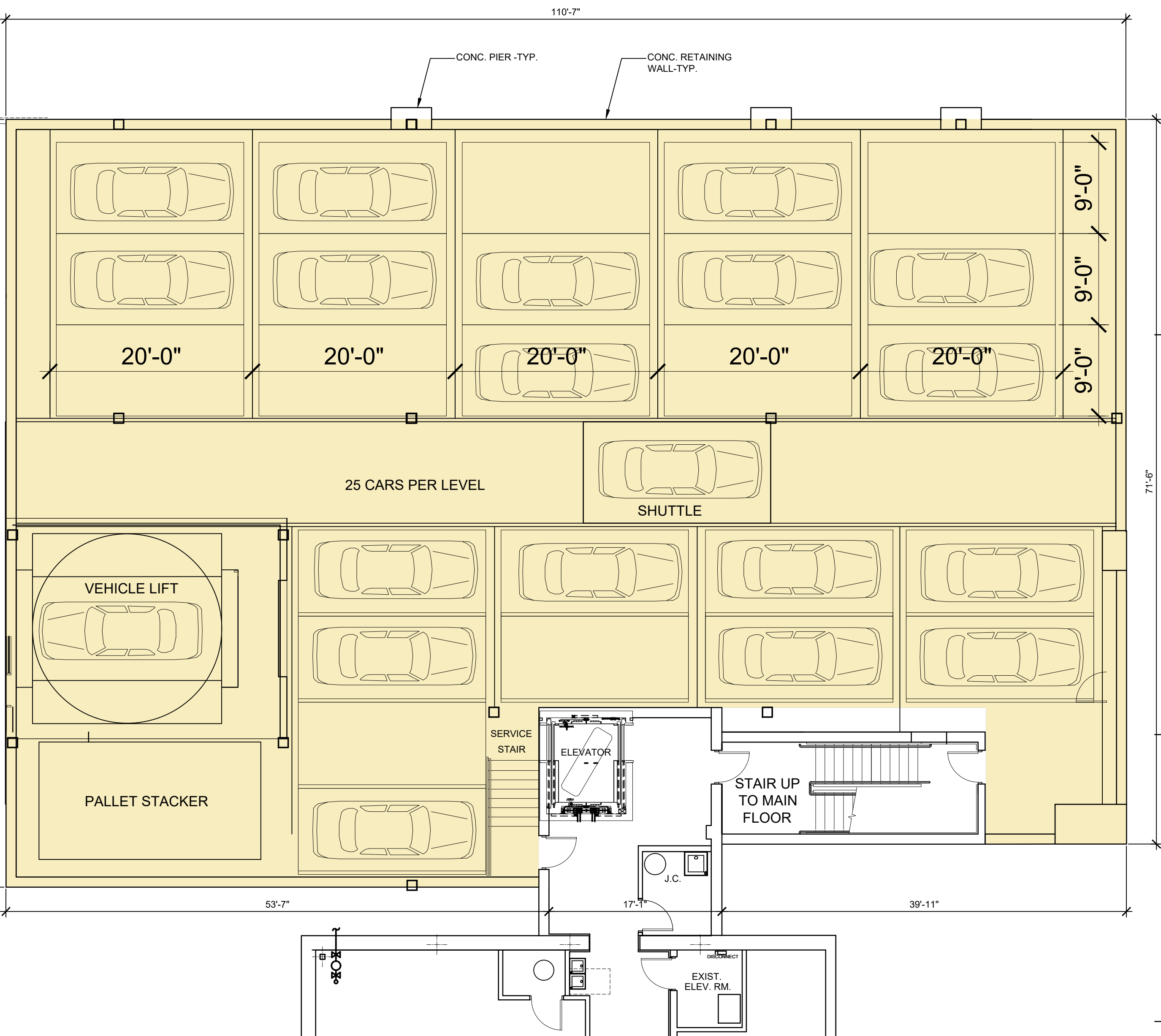


2075.21

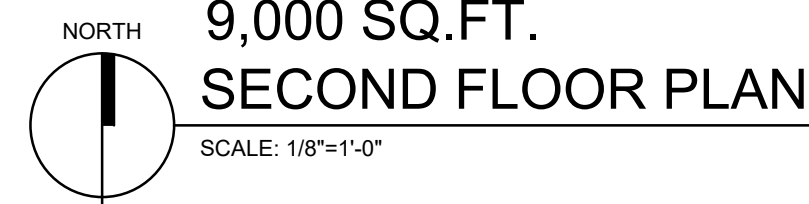
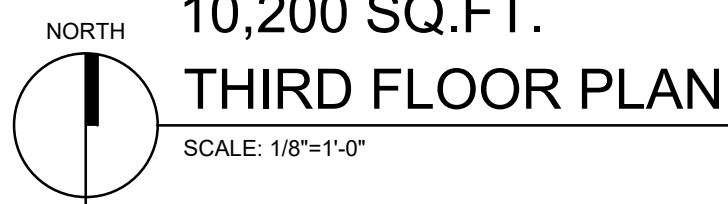
A.101



**8,710 S.F.
FIRST FLOOR PLAN**
SCALE: 1/8"=1'-0"



**8,058 SQFT
LOWER LEVEL FLOOR PLAN**
SCALE: 1/8"=1'-0"



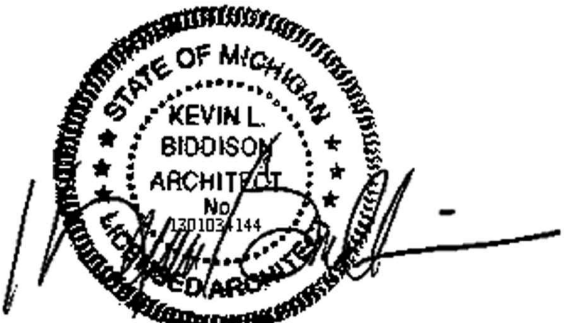
320 Martin St
Birmingham, MI 48009

Issued dr/ch

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
MEETING	05.25.22
SITE PLAN APPROVAL	06.28.22

Sheet title

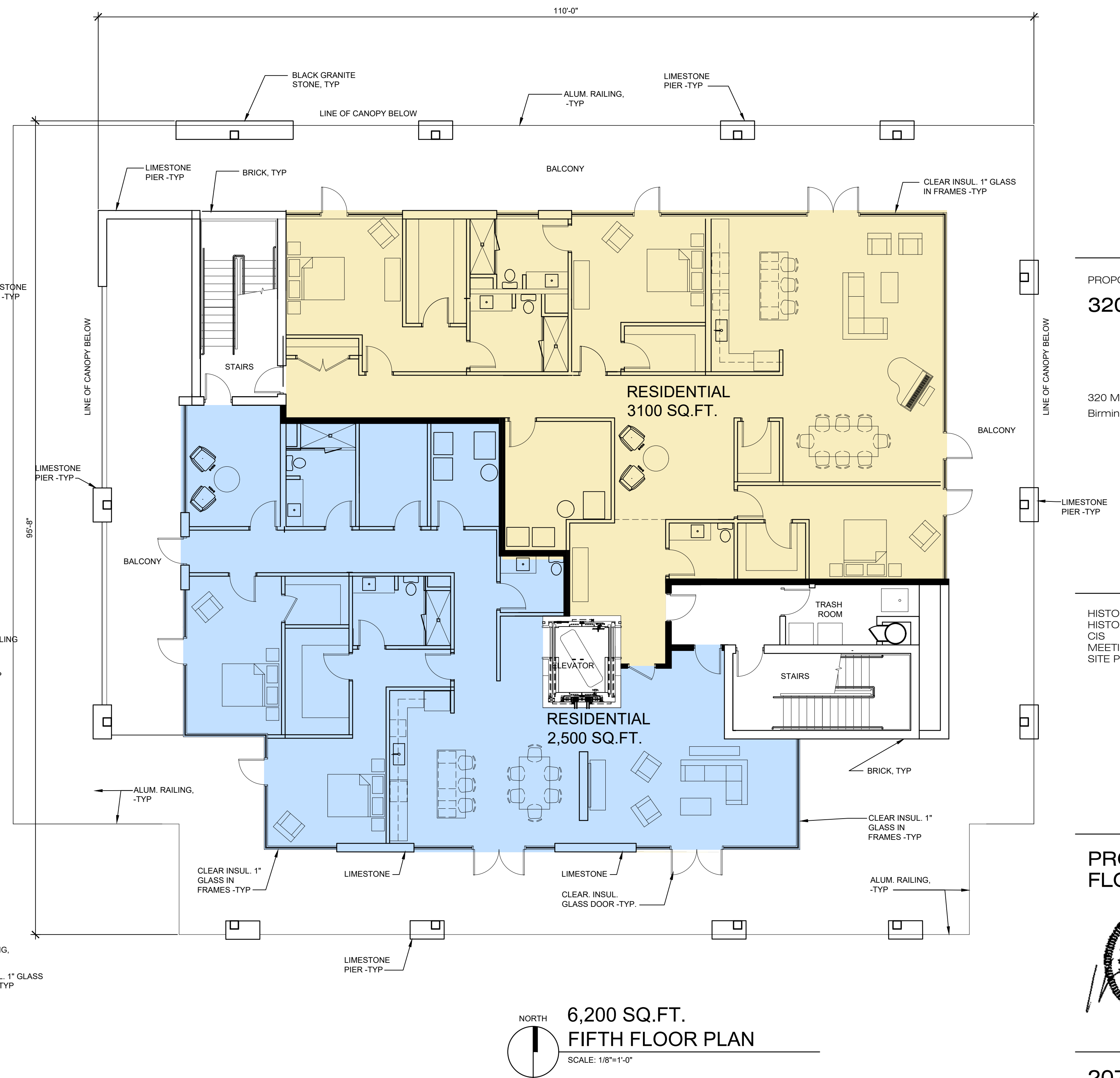
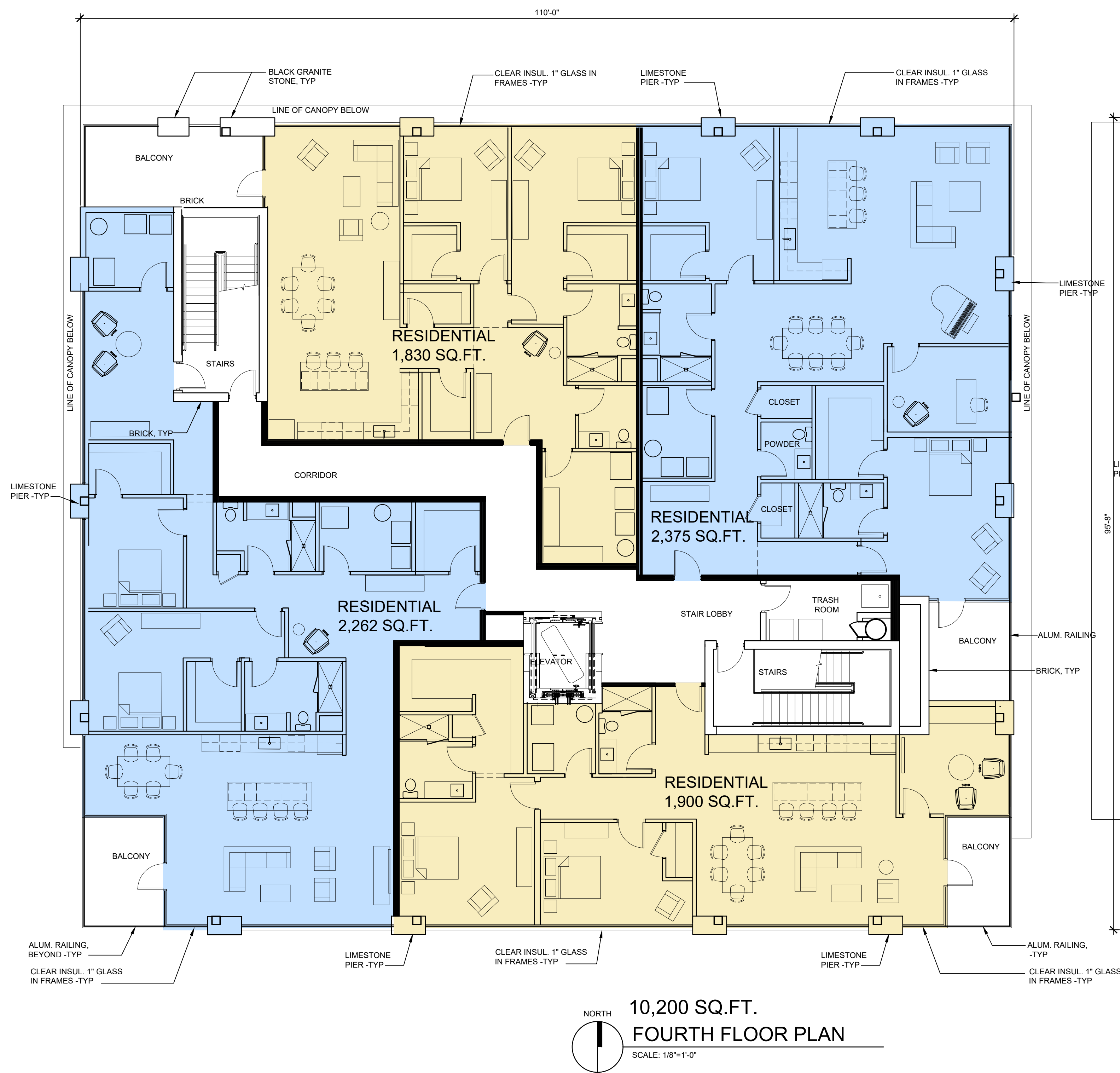
PROPOSED FLOOR PLANS

Project no.

2075.21

Sheet no. _____

A.103



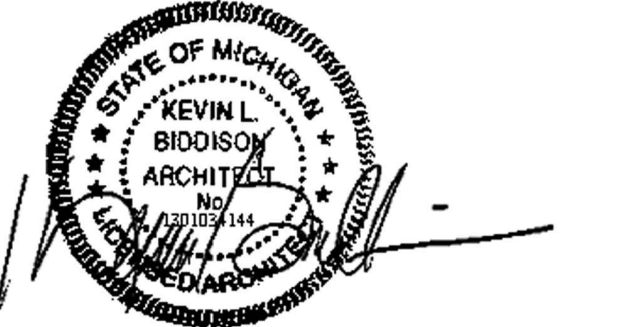


PROPOSED PROJECT FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

CIS 05.06.22
SITE PLAN APPROVAL 06.28.22

**PROPOSED
ROOF PLAN**



2075.21

A.104

ELEVATION	MATERIAL AREA (SQ. FT.)	
	SOLID	GLASS
NORTH (1'-0" TO 8'-0")	468	515
% OF TOTAL	39.9%	52.1%
REQUIRED %	30% MAX	70% MIN

ELEVATION	MATERIAL AREA (SQ. FT.)	
	SOLID	GLASS
SOUTH (1'-0" TO 8'-0")	656	250
% OF TOTAL	72.5%	27.5%
REQUIRED %	30% MAX	70% MIN

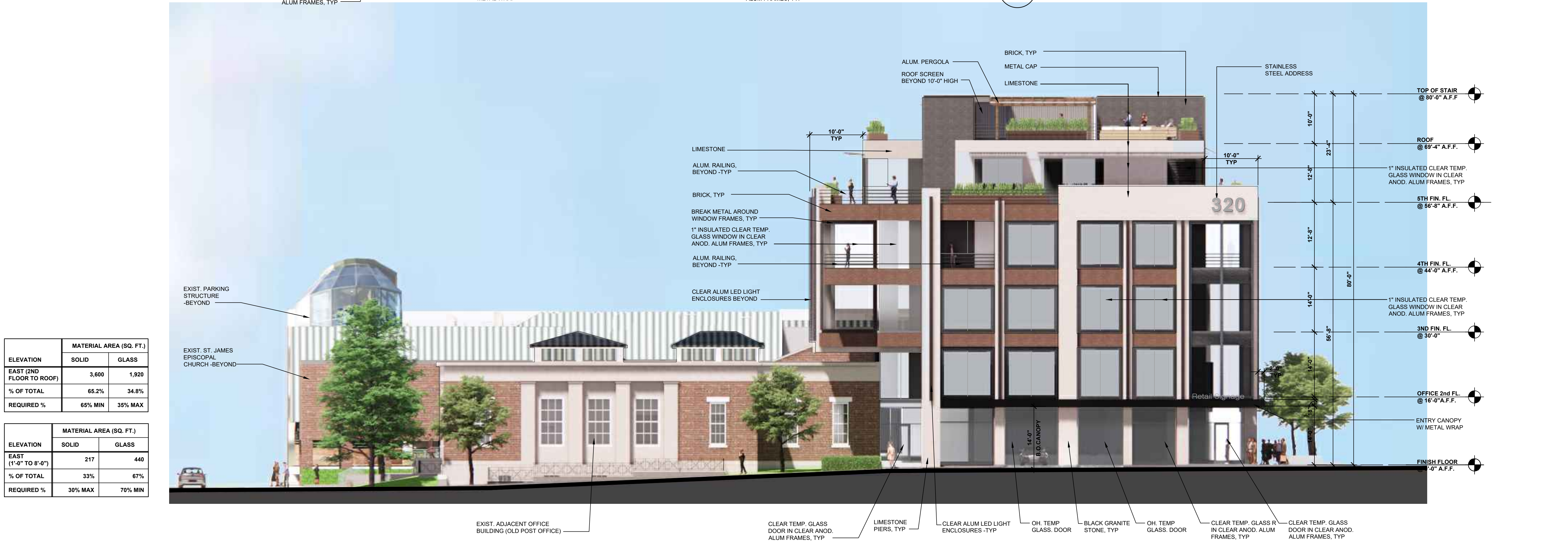


ELEVATION	MATERIAL AREA (SQ. FT.)	
	SOLID	GLASS
WEST (2ND FLOOR TO ROOF)	3,566	1,190
% OF TOTAL	65.2%	34.8%
REQUIRED %	65% MIN	35% MAX

ELEVATION	MATERIAL AREA (SQ. FT.)	
	SOLID	GLASS
WEST (1'-0" TO 8'-0")	324 S.F.	341 S.F.
% OF TOTAL	47.7%	52.3%
REQUIRED %	30% MAX	70% MIN

ELEVATION	MATERIAL AREA (SQ. FT.)	
	SOLID	GLASS
EAST (2ND FLOOR TO ROOF)	3,600	1,920
% OF TOTAL	65.2%	34.8%
REQUIRED %	65% MIN	35% MAX

ELEVATION	MATERIAL AREA (SQ. FT.)	
	SOLID	GLASS
EAST (1'-0" TO 8'-0")	217	440
% OF TOTAL	33%	67%
REQUIRED %	30% MAX	70% MIN





PROPOSED PROJECT FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

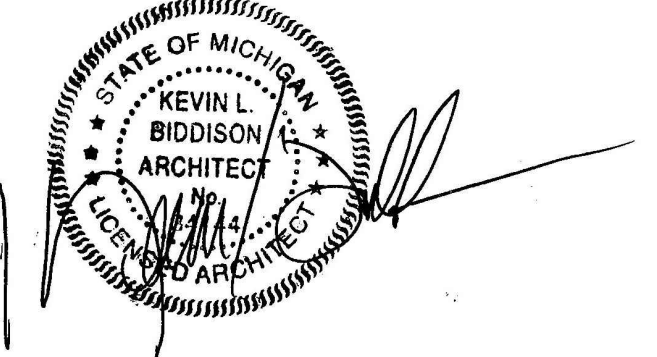
PROPOSED
3D IMAGES



2075.21

A.301

320 Martin St
Birmingham, MI 48009



PROPOSED 3D IMAGE - EAST SIDE OF BATES

NO SCALE

PROPOSED PROJECT FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

PROPOSED
3D IMAGES



2075.21

A.303



SE CORNER BATES & MARTIN

NO SCALE

PROPOSED PROJECT FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

PROPOSED
3D IMAGES



2075.21

A.304



PROPOSED PROJECT FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

PROPOSED
3D IMAGES



2075.21

A.305



EAST ENTRY BATES STREET

NO SCALE

PROPOSED PROJECT FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

PROPOSED
3D IMAGES



2075.21

A.306





PROPOSED PROJECT FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

PROPOSED
3D IMAGES



2075.21

A.307

PROPOSED PROJECT FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

PROPOSED
3D IMAGES



2075.21

A.308



PROPOSED PROJECT FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

PROPOSED
3D IMAGES



2075.21

A.309



WEST BUILDING ENTRY - COMMUNITY THREAD PARK
NO SCALE

PROPOSED PROJECT FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

PROPOSED
3D IMAGES



2075.21

A.310



COMMUNITY THREAD PARK LIBRARY IN VIEW
NO SCALE



PROPOSED PROJECT FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

PROPOSED
3D IMAGES



2075.21

A.311



PROPOSED PROJECT FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

**PROPOSED
3D IMAGES**



2075.21

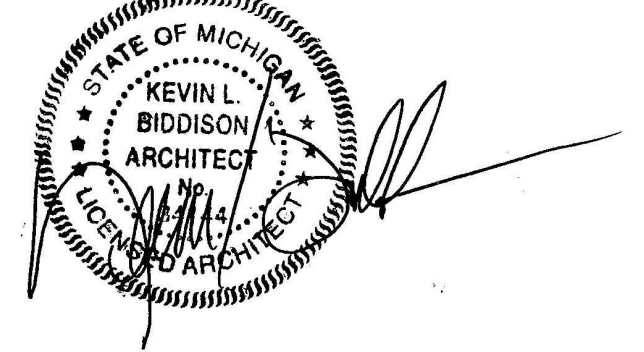
A.312

PROPOSED PROJECT FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

PROPOSED
3D IMAGES



2075.21

A.313



PROPOSED PROJECT FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

PROPOSED
3D IMAGES



2075.21

A.314



ROOFTOP VIEW
NO SCALE



VIEW FROM LIBRARY - MARTIN STREET

NO SCALE

PROPOSED PROJECT FOR:

320 Martin - Addition

320 Martin St
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

PROPOSED
3D IMAGES



2075.21

A.315



PROPOSED PROJECT FOR:
320 Martin - Addition

320 Martin St.
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
SITE PLAN APPROVAL	06.28.22

**PROPOSED
3D IMAGES**



2075.21

A.316

CIS Document Updates

- Phase 1 ESA Update
 - Final TIS Letter
- Soil Boring Documents

Phase I Environmental Site Assessment
320 Martin Street
Birmingham, Michigan

Surnow Company

July 14, 2022

ASTI ENVIRONMENTAL



Phase I Environmental Site Assessment
320 Martin Street
Birmingham, Michigan

July 14, 2022

Report Prepared For:

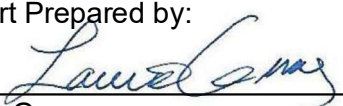
Surnow Company
320 Martin Street
Birmingham, MI 48009

Report Prepared By:

ASTI Environmental
10448 Citation Drive, Suite 100
Brighton, Michigan 48116
1-800-395-ASTI

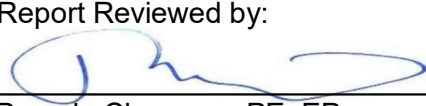
ASTI Project No. 1-8554

Report Prepared by:



Laura Gray
Environmental Technician

Report Reviewed by:



Pamela Chapman, PE, EP
Phase I Group Leader



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1.	Phase I Environmental Site Assessment, 320 Martin Street Birmingham, Michigan. October 14, 2013	

1.0 EXECUTIVE SUMMARY

ASTI Environmental (ASTI) was retained by Surnow Company to conduct a Phase I Environmental Site Assessment (ESA) of 320 Martin Street in Birmingham, Oakland County, Michigan (Subject Property). The Phase I ESA was conducted in accordance with the United States Environmental Protection Agency (US EPA) Standards and Practices for All Appropriate Inquiries (AAI) and American Society for Testing and Materials (ASTM) Practice E1527-13 and ASTM Practice E1527-21. The information and opinions rendered in this report are exclusively for reliance by Surnow Company.

Subject Property Overview	
Address/Location	320 Martin Street, Birmingham, Oakland County, Michigan
Parcels and Acreage	19-36-127-004; ~0.57 acre
Current Use	Office building with various tenants

The Phase I ESA included (1) a site inspection on June 30, 2022, (2) interviews with knowledgeable site contacts, (3) review of pertinent Michigan Department of Environment, Great Lakes, and Energy (EGLE), Department of Licensing and Regulatory Affairs (LARA), Birmingham, and Oakland County records, (4) acquisition and review of a federal and state database search, and (5) review of historical aerial photographs, Sanborn maps, topographic maps, prior environmental investigations, and city directories.

Below is a summary of our opinion representing the findings of this Phase I ESA. Affirmative answers are discussed following the summary table.

Condition as defined in ASTM E1527 and/or AAI	Identified through a search of <i>Reasonably Ascertainable</i> records
<i>Significant Data Gap</i>	No
<i>De Minimis Condition</i>	No
<i>Historic Recognized Environmental Condition (HREC)</i>	No
<i>Controlled Recognized Environmental Condition (CREC)</i>	No
<i>Recognized Environmental Condition (REC)</i>	No

Below is a summary of the findings of this Phase I ESA.

The Subject Property was developed as a residential dwelling from at least 1910 until 1921 when the building was redeveloped as a YMCA community building on the northeast property of the property. The Subject Property also contained part of a residential building on its northwestern portion. In 1939, aerial photographs show that the previous buildings were removed, and a new commercial building was constructed to be used as a Post Office until 2010 when the subject building was renovated for office use.

The north adjoining property was developed as residential dwellings from at least 1910 to at least 1926, after which a gasoline filling station was constructed north of the Subject Property across W. Maple Road. The gasoline filling station and two residential dwellings to the west existed until at least 1949, after which a commercial/retail building was constructed. The retail building was occupied by Jacobson's clothing until at least 2010, after which it was converted to an office building. Due to the inferred downgradient location, lithology present in the area generally lacking groundwater in an aquifer in upper soils, and at least two redevelopments of the site, the former north adjoining gas station is considered to represent minimal environmental risk.

Based on the site inspection, interviews, regulatory and municipal records review, and review of historical documentation, it is ASTI's professional opinion that no de minimis conditions, significant data gaps, HRECs, CRECs, or RECs were identified in connection with the Subject Property.

Recognized Environmental Conditions (RECs)

We have performed a Phase I ESA in conformance with the scope and limitations of ASTM Practice E1527-13 and ASTM Practice E1527-21 of 320 Martin Street in Birmingham, Oakland County, Michigan, referred to as the "Subject Property". Any exceptions to, or deletions from, this practice are described in Section 2.4 of this report. This assessment has revealed no recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs), or significant data gaps in connection with the Subject Property.

2.0 INTRODUCTION

ASTI Environmental (ASTI) was retained by Surnow Company to conduct a Phase I Environmental Site Assessment (ESA) of 320 Martin Street in Birmingham, Oakland County, Michigan (Subject Property). The Phase I ESA was conducted in accordance with the American Society for Testing and Materials (ASTM) *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (E1527-13 and E1527-21) and 40 Code of Federal Regulations (CFR) Part 312: Standards and Practice for All Appropriate Inquiries; Final Rule (AAI).

2.1 Purpose

The assessment was conducted to identify *recognized environmental conditions*, (RECs), *historical recognized environmental conditions* (HRECs), and *controlled recognized environmental conditions* (CRECs) associated with the historical uses of the Subject Property, current site operations, and the condition of surrounding properties. This Phase I ESA can be used by Surnow Company to qualify for one of three landowner liability protections (contiguous property owner, innocent landowner, or bona fide prospective purchaser) available under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 as amended. This ESA may also be used to qualify for State of Michigan liability defenses and exemption that may be available under Part 201 of the Natural Resources and Environmental Protection Act.

2.2 Detailed Scope of Services

Information required to complete the Phase I ESA was obtained from personal interviews and review of *practically reviewable* and *reasonably ascertainable* records. Informational sources include the following:

Section	Item	Adequate	Inadequate/ Data Gap	Source
7.0	Interviews	x		Owner Questionnaire
4.0	User-Provided Information	x		Questionnaire
4.1/4.2	AUL/Liens Search	x		User
5.2.3	Assessing Documents	x		Birmingham
5.2.4	Building Permits		x	Birmingham

Section	Item	Adequate	Inadequate/ Data Gap	Source
5.2.5	Zoning Documents		x	Birmingham
5.2.2	Fire Department Records		x	Birmingham
5.2.1	Health Department Records	x		Oakland County
5.3.1	Aerial Photographs	x		EDR
5.3.2	Sanborn Map Search	x		EDR
5.3.3	City Directories	x		EDR
5.3.4	Topographic Maps	x		EDR
5.1	Regulatory Database Review	x		EDR
5.3.5	Prior Phase I ESA	x		User

2.3 Significant Assumptions

Information obtained during this assessment, to the extent it was relied on to form our opinion, was assumed to be complete and accurate. ASTI cannot be held responsible for the quality or content of information obtained from interviews and standard sources. Since ASTI cannot warrant or guarantee that the information provided by interviews and standard sources is accurate or complete, the intention of this Phase I ESA is to reduce, but not eliminate, uncertainty for the potential for RECs, HRECs, and CRECs on the Subject Property.

2.4 Deviations, Exceptions, and Limitations

The information and opinions included in this report were given in response to a limited scope of work being a Phase I ESA per ASTM Practice E1527-13, ASTM Practice E1527-21, and AAI, and should be considered and implemented only in light of that particular scope of work. The services provided by ASTI in completing this assessment have been provided in a manner consistent with the normal standards of the profession. No other warranties, expressed or implied, are made.

Non-scope issues are considered by ASTM Practice E1527-13 and ASTM Practice E1527-21 as beyond the scope of a Phase I ESA. These issues may affect *business environmental risk* at the Subject Property. These non-scope issues may warrant assessment based on the type of Subject Property transaction. Non-scope issues such as

those described in ASTM E1527-13 Appendix X5 and ASTM E1527-21 Appendix X6 were not investigated.

No deviations to E1527-13, E1527-21, or AAI have occurred during this assessment.

No testing or sampling of materials (i.e., soil, water, and air) was included in this assessment. No limiting conditions were identified during the site reconnaissance, except for those described in Section 6.1.

Review of standard historical sources at less than approximate five-year intervals is not required by ASTM E1527-13 or ASTM E1527-21. Past uses of the Subject Property at less than approximate five-year intervals may not have been uncovered.

Responses received from regulatory agencies or other secondary sources of information after the issuance of this report may alter the facts, findings, conclusions, or recommendations to this ESA.

2.5 Special Terms and Conditions

The Phase I ESA was performed in conformance with the scope and limitations of ASTM Practice E1527-13, ASTM Practice E1527-21, and AAI. No special terms and conditions outside ASTM Practice E1527-13, ASTM Practice E1527-21, and AAI have been addressed. Under the AAI Rule, ASTM Practice E1527-13, and ASTM Practice E1527-21, All Appropriate Inquiries must be conducted within one year prior to the date of transaction of the Subject Property. However, certain components of the all appropriate inquiries (interviews, liens searches, records review, and visual inspections) must be conducted or updated within 180 days prior to the date of the Subject Property transaction.

2.6 User Reliance

The Phase I ESA was performed for the benefit of Surnow Company, and ASTI acknowledges that said party may rely on the contents and conclusions presented in this report. This effort was performed per authorization of Surnow Company on June 3, 2022. The information and opinions rendered in this report are exclusively for use by Surnow

Company, and ASTI will not distribute or publish this report without the consent of Surnow Company, except as required by law or court order.

Any use a third party makes of this report, or any reliance upon it, or any decisions based on it, is the sole responsibility of the third party. A third party is not afforded the status of a third party beneficiary unless ASTI expressly agrees to such status in writing. ASTI has no responsibility for any damages that may be suffered by a third party as a result of any decision made, or action taken by a third party, based on this report.

3.0 SITE DESCRIPTION

3.1 Location, Legal Description, Vicinity Characteristics

General Location	A Site Location Map is provided in Appendix A.
Legal Description	A copy of the assessment record with the legal description is included in Appendix D.
Quarter Section & Township and Range	NW ¼ of Section 36; T2N R10E
City/Township, County, State Zip Code	City of Birmingham, Oakland County, Michigan 48009
Parcel Number(s) & Acreage	19-36-127-004 / ±0.57 acres
Subject Property Zoning	General Business
Local Development Utilization	Commercial

A Site Features Map is included in Appendix A. Photographs of the Subject Property and adjoining properties were taken during the site inspection and are provided as Appendix B.

3.2 Current Use of the Subject Property

The Subject Property is occupied by a leasable office building.

Subject Property Occupancy		
Tenant Name	Location	Operations
Biddison Architecture	Suite LL10	Office
INVNT	Suite LL30	Office
Doyle & Associates	Suite LL60	Office
Pure Education LLC	Suite LL90	Office
Dynamic Metals/Dynamic Industrial Group	Suite 110	Office
Surnow Co./Sierra Mgmt/ Cooper Street Cookies	Suite 100	Office / Commercial
Poppleton Financial	Suite 120	Office
Poppleton Partners	Suite 130	Office
iZi Ventures/ iZi Mobile/ Everdays	Suite 140	Office

Commercial Financial Management	Suite 200	Office
REM Management	Suite 210	Office
Stanislaw Consulting	Suite 220 / LL80	Office
Prosperity Wealth Strategies	Suite 240	Office

3.3 Descriptions of Structures, Roads, Other Improvements on the Site

Below is summary of the Subject Property improvements obtained through the site reconnaissance and review of agency records.

Building Descriptions						
#	Building Type	Primary Use	Functional Spaces	# Present	Built Date	Stories
1	Office	Office	Offices, lobby, break room, bathrooms, mechanical/electric rooms	1	1939	3

Building Construction			
Building #	Square Footage	Primary Construction	Interior Finishes
1 - Office	~18,951	Poured concrete foundation, concrete and steel framing, brick and limestone masonry	Wood trim, carpet, drywall, wood paneling

Roads and Other Improvements	
Access	Access drive via South Bates Street
Paved Areas	Parking areas north and northwest of the subject building
Maintained Lawn	Southern and eastern portions of the Subject Property
Landscaped Areas	Limited areas around the perimeter of the subject building
Surface Water	None
Additional Improvements	None

Municipal Services and Utilities			
Service or Utility	Present	Provider	Comments
Potable Water Source	Yes	City Birmingham	

Municipal Services and Utilities			
Service or Utility	Present	Provider	Comments
Irrigation Well	No		
Sewage	Yes	City Birmingham	
Storm Sewer	Yes	City Birmingham	
Electrical	Yes	DTE Energy	
Natural Gas	Yes	Consumers Energy	
Solid Waste Disposal	Yes		
Heating & Cooling	Yes	N/A	Forced Air System

There was no indication or evidence of the former presence of potable wells or septic systems on the Subject Property. A current or prior heating source other than natural gas has not been identified through a review of reasonably ascertainable records.

3.4 Current Uses of Adjoining Properties

ASTI observed adjoining properties during the site inspection to evaluate the potential risk these properties may pose to the Subject Property. Observations were made from the Subject Property and public access areas, as appropriate. Each is described as follows.

Adjoining Property Use			
Direction	Occupant & Address	Use	Potential Concerns Observed During Site Reconnaissance
North	McCann Detroit 336 W Maple Rd	Corporate Office	None
Northeast	Boji Group 299 W Maple Rd	Real Estate Development	None
Southwest	Tallulah Wine Bar & Bistro 155 S Bate St	Restaurant	None
Southwest	Kevin Cristbrook 250 Martin St	Real Estate	None
South	Public Library 300 W Merrill St	Library	None
West	St. James Church and Preschool 355 W Maple Rd	Church, Preschool	None

3.5 Physical Setting Sources

A Physical Setting Sources Map, which includes an overlay of the United States Geological Survey (USGS) topographic map (7.5-minute series) for the Birmingham, Michigan,

quadrangle, which includes the Subject Property, is provided in the EDR report in Appendix D. The USGS map is also the basis of the Site Location Map in Appendix A.

Average Elevation (feet above mean sea level)	784
Local Gradient	Northwest
Regional Gradient	Northwest
Nearest Surface Water Body	River Rouge; approximately 900 feet northwest
Groundwater Depth	Based on ASTI's knowledge of the lithology of this area through prior assessments, saturated soils commonly known as perched areas of groundwater are present within upper soils and are not considered to be groundwater in an aquifer.
Groundwater Flow Direction	Potentially to northwest

Soil composition information for the Subject Property is included in the EDR report (Appendix D). The soil component for the Subject Property is described as follows.

Soil Component	Soil Texture	Infiltration Rate	Drainage	Hydric
Urban land	Not reported	Not reported	Not reported	Unknown

According to the EGLE GeoWebFace website, quaternary geology on the Subject Property consists of clay and silt from a lacustrine depositional environment.

4.0 USER PROVIDED INFORMATION

In order to qualify for one of the landowner liability protections offered by the Small Business Liability Relief and Brownfield's Revitalization Act of 2002, the User, defined by ASTM as *the party seeking to use Practice E1527 to complete an environmental site assessment of the property*, has specific obligations for completing a successful application of this practice as outlined in Section 6 of ASTM E1527-13 and ASTM E1527-21. Failure to provide information regarding the obligations outlined to the Environmental Professional may result in a determination that AAI is not complete.

Mr. Steve Kwapis, director of construction on behalf of 320 Investments, LLC, completed a User Questionnaire on June 7, 2022. The following responses were provided by the User (Appendix C).

Question		Response
1	Did a search of recorded land title records identify any environmental liens filed or recorded against the Subject Property under federal, tribal, state, or local law?	No
2	Did a search of recorded land title records identify and Activity Use Limitations such as engineering controls, land use restrictions, or institutional controls that are in place at the Subject Property and/or have been filed or recorded against the Subject Property under federal, tribal, state, or local law?	Yes, building is designated as historical by the city.
3	Do you have any specialized knowledge or experience related to the Subject Property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the Subject Property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?	Yes, I currently work in the building on a daily basis.

Question		Response
4	Is the purchase price significantly lower than the fair market value? If you conclude there is a difference, have you considered whether a lower price is due to contamination known or believed to be present at the Subject Property?	No, not applicable.

Question		Response
5	Are you aware of commonly known or reasonably ascertainable information about the Subject Property that would help the environmental professional to identify conditions indicative of releases or threatened releases?	No
5a	Do you know past uses of the Subject Property?	Yes, previously a branch post office and currently office building
5b	Do you know of specific chemicals that are present or once were present at the Subject Property?	No
5c	Do you know of spills or other chemical releases that have taken place at the Subject Property?	No
5d	Do you know of any environmental cleanups that have taken place at the Subject Property?	No
5e	Are there any obvious indicators that point to the presence of contamination at the property?	No
6	Are you aware of any prior environmental investigation reports that may be available for review?	Yes, 2013 Phase I by ASTI

4.1 Environmental Liens and Activity Use Limitations (AULs)

As indicated on the User questionnaire, the User did not identify AULs or environmental liens.

4.2 Search of Recorded Land Title Records

The User did not provide recorded land title records for the Subject Property.

4.3 Additional Records Provided by the User

The User did not provide any additional records.

5.0 RECORDS REVIEW

5.1 Standard Environmental Record Sources

ASTI ordered a government records search for the Subject Property from Environmental Data Resources, Inc. (EDR) in Shelton, Connecticut. A copy of The EDR Radius Map Report with GeoCheck®, dated June 6, 2022, is included in Appendix D. A description of the databases, search distances, and results are presented in the EDR report.

ASTM-Required Databases			
Database List (ASTM Required Search Distance)	Subject Property Listing	Adjoining Property Listing	Total Applicable ASTM Listings
Federal NPL/State Hazardous Waste Site (1 mile)	No	No	0
Delisted NPL (0.5 mile)	No	No	0
Federal/State/Tribal Equivalent SEMS (0.5 mile)	No	No	0
Federal SEMS Archive (0.5 mile)	No	No	0
Federal RCRA CORRACTS (1 mile)	No	No	0
Federal TSD Facility (0.5 mile)	No	No	0
Federal RCRA Generator (Subject Property/Adjoining)	No	No	0
Federal Inst./Eng. Controls (Subject Property only)	No	No	0
Federal ERNS (Subject Property Only)	No	N/A	0
State/Tribal Landfill or Solid Waste Facility (0.5 mile)	No	No	0
State/Tribal LUST (0.5 mile)	No	No	11
State/Tribal Registered UST (Subject Property/Adjoining Properties)	No	Yes	1
State/Tribal Inst./Eng. Controls (Subject Property only)	No	N/A	0
State/Tribal Voluntary Cleanup Sites (0.5 mile)	No	No	0
State/Tribal Brownfield Sites (0.5 mile)	No	No	2

Refer to the EDR report Executive Summary for abbreviation descriptions.

Supplemental Databases Selected by EP			
Supplemental Database List Name (ASTI Search Distance)	Subject Property Listing	Adjoining Property Listing	Additional Listings in Search Distance
State/Tribal - Part 201 (1 mile)	No	No	0
Michigan Baseline Environmental Assessment (BEA) Sites ($\frac{1}{10}$ mile)	No	No	1
Historical Auto Stations ($\frac{1}{10}$ mile)	No	No	0
Dry Cleaners/Historical Cleaners ($\frac{1}{10}$ mile)	No	No	1
Additional Non-ASTM Databases (Subject Property or Adjoining Property)	No	No	N/A
Orphans	No	No	0

5.1.1 Discussion of Subject Property Listings

There are no Subject Property listings.

The EGLE RRD maintains a listing of environmental liens on properties in the State. No environmental liens were listed for the Subject Property while reviewing the online list. The Subject Property was not listed in the search of institutional control and engineering control registries.

5.1.2 Discussion of Sites of Potential Environmental Concern

Adjoining property listings are discussed below. For the remaining listings, ASTI considers select criteria to determine which listings represent an environmental concern to the Subject Property. The criteria include but are not limited to the following.

- Database type
- Topography relative to the Subject Property
- Direction and distance
- Soil profile identified in available sources
- Known or inferred groundwater depth and flow direction
- Status of applicable investigation
- Surface and subsurface conditions including but not limited to buildings, pavement, utility corridors, and surface water features
- Potable water source (well or municipal)

An evaluation of these criteria is completed to determine the level of risk associated with

each listing. Listings with likely releases that are found to have the potential to represent an elevated or high risk are requested through FOIA to applicable agencies.

Using the referenced criteria and based upon the information contained within the EDR report, ASTI did identify additional listings beyond adjoining properties that were considered to represent the potential to be an elevated or high risk to the Subject Property. Adjoining listings and these sites are discussed below.

Site Name	Wabeek Assoc Gen Partnership
Databases Listing(s)	UST
Location	280 W. Maple
Distance and Direction	Adjoining across intersection to northeast
Documentation Requested	• RRD: Remediation and Redevelopment Division of the EGLE • LARA: Department of Licensing and Regulatory Affairs
Summary of Findings	A fuel oil UST installed around 1928 was removed in 1993. Based on its distance across the intersection, location inferred to be cross gradient, and general lithology known to this area, this listing is considered to represent minimal environmental risk

Site Name	Proposed Baldwin House Site
Databases Listing(s)	LUST, UST, Inventory, WDS, RCRA-VSQQ
Location	200 Chester St
Distance and Direction	±267 ft southwest
Documentation Requested	• RRD: Remediation and Redevelopment Division of the EGLE
Summary of Findings	One UST with an unknow installation date was removed in 1969. A heating oil release was reported in 1993 and closed on 1995. "Closed" UST facilities have low probabilities of contaminating neighboring sites. No RCRA-related violations were reported for this listing. This listing is considered to represent minimal environmental risk

5.1.3 Discussion of Orphan Sites

There were no orphan sites listed in the EDR Radius Map Report.

5.2 Additional Agency/Regulatory Sources

5.2.1 Local Health Department

ASTI requested information for the Subject Property from the Oakland County Health Division. A response was received on June 29, 2022, indicating that no records were found (Appendix D).

5.2.2 Local Fire Department

ASTI requested information for the Subject Property from the Birmingham Fire Department. No response was received during the completion of this report, however, from the previous report, no evidence of environmental concerns in association with the Subject Property was identified.

5.2.3 Subject Property Assessor/Tax Files

ASTI requested information for the Subject Property from the Oakland County Assessing Department. A current assessing record is provided in Appendix D.

5.2.4 Building Permit/Inspections

ASTI requested information for the Subject Property from the Birmingham Building Department. No response was received during the completion of this report, however, from the previous report, files included general construction permits and inspection sheets.

5.2.5 Zoning/Land Use Records

ASTI requested information for the Subject Property from the Birmingham Zoning Department. No response was received during the completion of this report. The FOIA request submitted can be found as (Appendix D).

5.2.6 Oil and Gas Wells

Based on a review of the EGLE GeoWebFace search system and EDR report, no oil or gas wells were identified on or adjoining to the Subject Property.

5.3 Historical Use Information

Reasonably ascertainable standard historical sources as found in Section 8.3.4 of ASTM Practice E1527-13 and ASTM Practice E1527-21 were used to determine the previous use of the Subject Property and surrounding area. A chronological summary of the sources used may include, but is not limited to aerial photographs, Sanborn maps, city directories, agency records, and prior environmental assessments. ASTI made a *good faith* effort to identify the obvious uses of the Subject Property from the present back to the Subject Property's first developed use, or back to 1940, whichever is earlier. *Data Failures* were encountered as part this assessment and are discussed as data gaps in Section 9.0.

5.3.1 Aerial Photographs

ASTI reviewed available aerial photographs of the Subject Property provided by EDR as summarized below. Copies of the aerial photos are provided in Appendix E.

Year	Observations
1940, 1949,	The Subject Property is improved with the current subject building. Residential dwellings are observed on the northern and eastern adjoining properties. The library and park to the south and southeast appear in their current configuration, respectively. A commercial building is observed on the northeastern portion of the property. A church exists on the northern portion of the western adjoining property.
1957	Maple Road, north of the Subject Property, is widened. A commercial building is constructed on the northern adjoining property. The church on the western adjoining property has expanded. No other significant changes are observed.
1961	Commercial buildings are observed on the eastern adjoining property. The northern adjoining commercial building has expanded westward. The church to the west of the Subject Property has expanded to its current configuration. No other significant changes are observed.
1967, 1972, 1980, 1993	The northern adjoining commercial building has expanded northward. No other significant changes are observed.
1999, 2005, 2009, 2010, 2012	The Subject Property and adjoining properties are observed in their current configurations.

5.3.2 Sanborn Maps

ASTI reviewed available Sanborn maps of the Subject Property provided by EDR and are summarized below. Copies of the Sanborn maps are provided in Appendix E.

Year	Observations
1893 1900	The area is not depicted
1910	General area: Dwellings, roads, and commercial buildings are depicted.
	Subject Property: Dwellings are depicted to the north; the south portion is covered by a key and not observable.
	North adjoining: Dwellings and outbuildings are depicted.
	East adjoining: Dwellings are depicted.
	South adjoining: Dwellings and outbuildings are depicted.
	West adjoining: Dwellings and a church are depicted.
1915	No significant change is evident, except for the key description on Subject Property is no longer observed and vacant parcels are depicted.
1921	No significant change is evident.
1926	No significant change is evident, except for a community warehouse on Subject Property.
1931	Subject Property: A commercial building is depicted to the east boundary. The building is labeled as Y.M.C.A.
	North adjoining: A filling station is depicted to the northeast, three underground storage tanks are also depicted.
	South adjoining: The Baldwin Public Library is now depicted.
	Other adjoining: No significant change is evident.
1949	Subject Property: A new commercial building is depicted, the building is labeled as a Post Office.
	East adjoining: The north building is now labeled as a store. The south building remains as a dwelling.
	West adjoining: The current church and school are now depicted
	Other adjoining: No significant change is evident.
1960	North adjoining: The underground storage tanks are no longer depicted. The building is labeled as a store.
	East adjoining: Three store buildings are depicted.
	Other adjoining: No significant change is evident.

5.3.3 City Directories

City directory research was conducted by EDR (Appendix E). Findings are incorporated into Sections 5.3.6 and 5.3.7. The table below summarizes non-residential use information about the Subject Property.

Year	Observations
1937-1949	No listings
1954-1987	Birmingham Post Office
1992 1995 2000	No listings
2005	United States Postal Service
2010	No listings
2014	Commercial Financial Management, Egs Birmingham, Institute for Applied Creativity LLC, Sherman Law Group PC, Stanislaw Consulting
2017	Biddison Architecture, Commercial Financial Management, Company Surnow, Cookies Cooper Street, Egs Birmingham, Izi Mobile LLC, Izi Ventures LLC, Ronnisch Construction, Siefman Jay PLC, Stanislaw Consulting

5.3.4 Topographic Maps

ASTI reviewed available United States Geological Survey (USGS) topographic maps of the Subject Property and adjoining properties provided by EDR as summarized below. Copies of the USGS topographic maps are provided in Appendix E.

Year	Observations
1908	Subject Property: A building to the northeast corner is evident. North adjoining: One building is evident. East adjoining: Two buildings are evident. South adjoining: Six buildings are evident. West adjoining: Two buildings are evident.
1936	No significant change is evident, except for the library is evident to the south adjoining property.
1945	No significant change is evident.
1952	Subject Property: One large commercial building is evident. North adjoining: The buildings are not included in map. East adjoining: One building is evident. West adjoining: The church building is evident.
1968	No significant change is evident, except for the south adjoining library is not included in map.
1973 1981	No significant change is evident.
2014	No significant change is evident, except for buildings to the north, east, and south and Subject Property are not included on the map.
2017 2019	No significant change is evident.

5.3.5 Previous Environmental Reports

A previous Phase I Environmental Site Assessment (ESA) was completed on the Subject Property on October 14, 2013 by ASTI Environmental (Adobe's Attachment Panel/Side Bar). The previous Phase I ESA concluded the following: *"This assessment has revealed no evidence of recognized environmental conditions (RECs) in connection with the Property"*

5.3.6 Historical Use Summary of the Subject Property

Based on review of the obtained historical sources, the historic use(s) of the Subject Property is summarized as follows.

Year(s)	Improvements/Use
1910-1921	The Subject Property contains a residential dwelling on its northeastern portion and part of a residential dwelling on its northwestern portion.
1921-1939	The Subject Property contains a YMCA community building on its northeastern portion and part of a residential dwelling on its northwestern portion.
1939-2013	The subject building was constructed in approximately 1939 for use as a Post Office. The building was historically used as a Post Office public and administration building until 2010, when the subject building was renovated for office use.

5.3.7 Historical Use Summary of the Adjoining Properties

Based on review of the obtained historical sources, the historic uses of adjoining properties are summarized as follows.

Direction	Historical Use Summary	Environmental Concerns Identified
North	Residential dwellings from at least 1910 to at least 1926, after which a gasoline filling station was constructed north of the Subject Property across W. Maple Avenue. The gasoline filling station and two residential dwellings to the west existed until at least 1949, after which a commercial/retail building was constructed. The retail building was occupied by Jacobson's clothing until at least 2010, after which it was converted to an office building.	Former filling station
Northeast	Residential until at least 1926, after which a commercial building was constructed. The commercial building has expanded and former tenants include beauty salons, dentists, architects, a pharmacy, and a music store.	None

Direction	Historical Use Summary	Environmental Concerns Identified
East	Residential until at least 1949, after which commercial development began. Various commercial and office tenants have occupied the eastern adjoining property including a laundry, a church annex, and a watch shop.	None
South	Residential until at least 1926, after which the current library building was constructed. The southeastern portion of the property contained a Township Hall from at least 1910 until at least 1915.	None
Southeast	Residential until at least 1931, after which the property was improved with Shain Park.	None
West	A church existed on the northern portion of the property with residential dwellings on the southern and northeastern portions of the property from at least 1910 to at least 1931, after which the church expanded to its current configuration.	None

Based on its distance across West Maple Road, location inferred to be downgradient, lithology present in the area generally lacking groundwater in an aquifer in upper soils, and at least two redevelopments of the site, the former north adjoining gas station is considered to represent minimal environmental risk.

6.0 SITE RECONNAISSANCE

6.1 Methodology and Limiting Conditions

Assessor Name and Title	Mr. Anthony Spencer, Site Assessor
Date of Inspection	June 30, 2022
Weather Conditions	85 ° F and sunny
Methodology	Inspected the Subject Property in a meander and search pattern, including all property boundaries, and adjoining properties from Subject Property and public access areas.
Access Limitations	Landscaping, most offices locked, storage, parked autos
Adverse Subject Property Conditions	None

6.2 Exterior Observations

The following table summarizes the site exterior observations. Items observed are discussed further following the table.

Category	Item	Item Observed
Above Ground Hazardous Substance/Petroleum Product Storage	Drums, barrels or containers ≥5 gallons in connection with identified uses	No
	Drums, barrels or containers ≥5 gallons not in connection with identified uses	No
	Unidentified Substance Containers	No
	ASTs	No
Underground Hazardous Substance/Petroleum Product Storage	USTs (fill ports and/or vent pipes)	No
	Fuel dispensers	No
	Natural gas or petroleum pipelines/wells	No
Basic & Specialized Systems	Pole-mounted or pad-mounted transformers	Yes
	Hydraulic equipment	No
Indications of Releases or Potential Releases	Stained soil or pavement	No
	Stressed vegetation	No
	Pools of liquid	No
	Strong or pungent odors	No
	Filled Land/Soil Piles/Mounding	No
	Unregulated/Unauthorized Waste Disposal	No
	Dumpsters with Staining	No
	Monitor wells	No

Category	Item	Item Observed
Drainage & Waste Collection Systems	Pits	No
	Ponds	No
	Lagoons	No
	Sumps/Oil-Water Separators	No
	Storm water collection basins	Yes
	Dry wells/crocks/cisterns	No

Items noted as not observed do not fully warrant that these items are not present on the Subject Property as some items may not have been readily observable.

Basic and Specialized Systems - Transformers

One DTE-owned pad-mounted transformer is located on southwestern Subject Property boundary. The transformer is in good condition. Even though not all DTE-owned transformers have been tested, according to DTE Personnel, their transformers are not “PCB transformers” as defined by the United States Environmental Protection Agency (US EPA). In the unlikely event of a spill or leak from any DTE-owned equipment, the Subject Property will be properly cleaned and, as nearly as possible, returned to its condition before the spill by DTE.

6.3 Interior Observations

The following table summarizes the site interior observations. Items observed are discussed further following the table.

Category	Item	Item Observed
Above Ground Hazardous Substance/Petroleum Product Storage	Drums, barrels or containers ≥5 gallons in connection with identified uses	No
	Drums, barrels or containers ≥5 gallons not in connection with identified uses	No
	Unidentified Substance Containers	No
	ASTs	No
Underground Hazardous Substance/Petroleum Product Storage	USTs (fill ports and/or vent pipes)	No
	Dispensing Systems	No
Basic & Specialized Systems	Transformers	No
	Elevators	Yes
	Compressors	No
	Compactors	No
	Hydraulic Hoists/Lifts	No

Category	Item	Item Observed
	Hydraulic Equipment other than those above	No
	Emergency generators	No
Indications of Releases or Potential Releases	Staining	No
	Pools of liquid	No
	Strong or pungent odors	No
	Monitor wells	No
Drainage & Waste Collection Systems	Pits	No
	Standard floor drains	Yes
	Sumps/manhole covers/oil-water separators	Yes
	Trench drains	No
	Dry wells/crocks	No

Items noted as not observed do not warrant that these items are not present on the Subject Property as some items may not have been readily observable.

Hazardous Substances & Petroleum Products

Drums			
Content	Container Type/Quantity	Location	Condition/Containment
Paint	< 55 gal total	Sump closet	Good
Oil	< 55 gal total	Elevator motor	Good

Standard floor drains were located in the bathrooms. All appeared to be in working condition with no signs of spills or staining in the vicinity. A sump was observed in the lower level. Paint cans were stored in the sump closet. There were no signs of spills or staining in the vicinity.

One hydraulic elevator was located in the building. No signs of leaks or staining were noted.

7.0 INTERVIEWS

7.1 Interview with Owner

Mr. Steve Kwapis, Director of construction, is not aware of the presence or likely presence of contamination at the Subject Property. An Owner Questionnaire is provided in Appendix C.

7.2 Interview with Site Manager

Refer to Section 7.1.

7.3 Interview with Occupants

No others were interviewed as part of this assessment.

7.4 Interviews with Local Government Officials

Conversations with local government officials were limited to requesting department records.

7.5 Interviews with Others

No others were interviewed as part of this assessment.

8.0 DISCUSSION REGARDING POTENTIAL VAPOR MIGRATION/ENCROACHMENT

The purpose of Tier 1 Non-Invasive screening is to conduct an initial screen to determine if a vapor migration/encroachment condition (VEC) exists, likely exists, cannot be ruled out, or can be ruled out at the Subject Property.

No onsite or offsite VEC concerns were identified.

The screening process concludes that a VEC can be ruled out because a VEC does not or is not likely to exist.

9.0 DATA FAILURE AND DATA GAPS

Data gaps occur when the EP is unable to obtain information required despite a *good faith* effort.

Data failure is one type of data gap. According to ASTM Practice E1527-13 and ASTM Practice E1527-21, data failure occurs when all of the standard historical sources that are *reasonably ascertainable* and likely to be useful have been reviewed and yet the objectives have not been met. Historical sources are required to document property use back to the Subject Property's first developed use or back to 1940, whichever is earlier. A data failure is considered to have occurred and is described below.

Data Gap	Inability to determine the first date of development.
Is this a significant data gap?	No
Rationale	Earliest records from the early 1900s indicate only residential use.

No additional data gaps were encountered during this investigation, except for those listed below.

Data Gap	Inability to review city records
Is this a significant data gap?	No
Rationale	Information from previous Phase I ESA, provided sufficient information regarding past use and there was no indication of any environmental concerns.

Data Gap	ASTI was unable to verify past fuel sources of the former onsite buildings or to determine fuel sources prior to the building's connection to natural gas.
Is this a significant data gap?	No
Rationale	Historical fuel sources may include wood, coal, electric, and fuel oil. Although no evidence (i.e., fill ports, vent pipes, or pressure gages, etc.) or information regarding the use of heating oil was found during the assessment, there is a potential that heating oil was used as a fuel source prior to natural gas. If a buried heating oil fuel tank is found during any redevelopment activities, the tank should be properly decommissioned with verification sampling conducted.

Data Gap	The foundations of previous buildings may include basements. Fill material could have been required to return to grade any potentially resulting cavities.	
Is this a significant data gap?	No	
Rationale	If fill materials are encountered during redevelopment activities, the material should be properly characterized and managed in accordance with applicable regulations.	

10.0 FINDINGS AND OPINION

Below is a summary of the findings of this Phase I ESA.

The Subject Property was developed as a residential dwelling from at least 1910 until 1921 when the building was redeveloped as a YMCA community building on the northeast property of the property. The Subject Property also contained part of a residential building on its northwestern portion. In 1939, aerial photographs show that the previous buildings were removed, and a new commercial building was constructed to be used as a Post Office until 2010 when the subject building was renovated for office use.

The north adjoining property was developed as residential dwellings from at least 1910 to at least 1926, after which a gasoline filling station was constructed north of the Subject Property across W. Maple Road. The gasoline filling station and two residential dwellings to the west existed until at least 1949, after which a commercial/retail building was constructed. The retail building was occupied by Jacobson's clothing until at least 2010, after which it was converted to an office building. Due to the inferred downgradient location, lithology present in the area generally lacking groundwater in an aquifer in upper soils, and at least two redevelopments of the site, the former north adjoining gas station is considered to represent minimal environmental risk.

Based on the site inspection, interviews, regulatory and municipal records review, and review of historical documentation, it is ASTI's professional opinion that no de minimis conditions, significant data gaps, HRECs, CRECs, or RECs were identified in connection with the Subject Property.

11.0 CONCLUSIONS

We have performed a Phase I ESA in conformance with the scope and limitations of ASTM Practice E1527-13 and ASTM Practice E1527-21 of 320 Martin Street in Birmingham, Oakland County, Michigan, referred to as the "Subject Property". Any exceptions to, or deletions from, this practice are described in Section 2.4 of this report. This assessment has revealed no recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs), or significant data gaps in connection with the Subject Property.

12.0 ADDITIONAL SERVICES

Non-Scope Considerations under Appendix X5 of ASTM E1527-13 and Appendix X6 of ASTM E1527-21 were not addressed in this investigation.

13.0 REFERENCES

The following references were used in preparing this Phase I ESA.

- Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process E1527-13
- Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process E1527-21
- 40 CFR Part 312: Standards and Practice for All Appropriate Inquiries; Final Rule (AAI), November 1, 2005
- EDR Radius Map Report with GeoCheck
- EDR Aerial Photo Decade Package
- EDR Certified Sanborn Map Report
- EDR-City Directory Image Report
- EDR Historical Topo Map Report
- User Questionnaire
- Owner Questionnaire
- Assessing Department
- Building Department
- Fire Department
- Zoning Department
- Health Department
- EGLE
- EGLE RRD Perfected Environmental Liens List
<https://www.michigan.gov/egle/about/organization/remediation-and-redevelopment/rrd-enforcement-perfected-lien-list>
- LARA
- Previous Environmental Reports
- <http://www.deq.state.mi.us/GeoWebFace/>

14.0 SIGNATURE(S) OF ENVIRONMENTAL PROFESSIONAL(S)

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in 312.10 of 40 CFR 312.

I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



Pamela Chapman, PE, EP

Phase I Group Leader

Date: July 14, 2022

STONEFIELD

June 23, 2022

Nicholas Dupuis
Planning Director
City of Birmingham
151 Martin Street
Birmingham, MI 48012

**RE: Transportation Impact Study Review
Proposed Mixed-Use Development
Parcel ID: 1936127004
320 Martin Street
City of Birmingham, Oakland County, Michigan**

Mr. Dupuis:

Our office is submitting documents on behalf of the Applicant to address the outstanding conditions of the Transportation Impact Study Review including comments contained within the latest review letter. Please find the following items enclosed:

The following is an itemized response to the comments contained within the Fleis & Vandenbrink Transportation Impact Study Review Letter dated May 20, 2022.

1. Potential mitigation measures should be noted that might address the poor LOS at the study intersections with Maple Road. These may include intersection operations or geometry.

Stonefield Response: Our office has reviewed the intersection timing, phasing, and geometry for potential traffic capacity improvements. The signal can be retimed to decrease the amount of green time that the northbound and southbound approaches of Bates Street receive, which would improve the overall vehicle delay at the intersection. It is our understanding that pedestrian safety is paramount in this area, and that the intersection was reconstructed in 2020 to include traffic calming and pedestrian features, including but not limited to, pedestrian bump-outs, new crosswalk striping, and pedestrian signal heads with countdown timers. The extended northbound and southbound green time gives pedestrians an ample and safe opportunity to cross Maple Road. It is noted that the site-generated traffic will not have a significant impact on the signal operations as the Level of Service and delay at the intersection are generally consistent with the findings in the No-Build condition (less than a 1% increase in delay). As such, it is recommended to leave the existing intersection timing, phasing, and geometry as-is.

2. A map should be provided that illustrates anticipated pedestrian and bicycle travel to and from the site including existing sidewalks, crosswalks or expected crossing locations, bike lanes, bicycle parking, and the closest SMART bus stops.

Stonefield Response: An aerial markup of the site and surrounding has been included as part of this submission.

3. Identify the impacts to on-street parking spaces including an evaluation of the sight distance at the parking garage egress and if applicable, changes to meet standards.

Stonefield Response: The proposed driveway would not have an impact on the existing on-street parking. Five (5) parking spaces are currently provided along the westerly side of Bates Street and five (5) spaces are proposed. Based on AASHTO standards the sight distance provided along Bates

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607 SHELBY STREET, SUITE 200, DETROIT, MI 48226 248.247.1115 T. 201.340.4472 F.

Street would be sufficient. It is also noted that the sight distance is consistent with the existing conditions.

4. The proposed entrance to the parking garage shows a pedestrian crossing, existing sidewalk grade should be maintained, consistent with other parking garage access driveways in the city.

Stonefield Response: The existing sidewalk grade will be maintained across the pedestrian crossing.

5. The crash analysis performed should be expanded to include all study intersections. The crash analysis should include an evaluation in accordance with the most recent version of the SEMCOG Crash Analysis Process as outlined in the SEMCOG Traffic Safety Manual. The intersection crash summary shall be compared for each intersection to determine if the intersections are high-crash locations as compared to similar intersections by type and location and identify any significant crash patterns.

Stonefield Response: A crash analysis was conducted utilizing the Crash Analysis Process as outlined in the SEMCOG Traffic Safety Manual. It was found that the intersection of Maple Road and Bates Street is NOT considered to be a high crash area. The crash analysis conducted has been included as part of this submission.

6. The proposed development plan includes the addition of one bike rack that can accommodate up to two (2) bikes. Additional data should be provided to support that the bike parking is adequate to accommodate the projected bike parking demand for residents, visitors, and employees of the proposed development.

Stonefield Response: Two (2) bicycle racks will be provided on-site, providing storage for four (4) bicycles. An additional two (2) bicycle racks will be provided at the corner of Maple Street and Bates Street providing additional storage for four (4) more bicycles. The proposed development would generate seven (7) entering and seven (7) exiting daily bicycle trips. The proposed bicycle storage of eight (8) spaces would be sufficient to accommodate the seven (7) daily bicycles.

7. Provide information regarding the circulation for vehicles that will commonly operate on the site and illustrate with appropriate turning radii (delivery vehicles, semi-trucks, access to waste receptables, etc.)

Stonefield Response: Trash collection currently occurs once a week and under the proposed development plan, would not occur more than twice a week. Trash will be collected within the trash room on the ground floor of the proposed newly constructed portion of the development and would be delivered to the Bates Street frontage to be collected. No daily or weekly delivery vehicles or semi-truck deliveries are scheduled.

Should you have any questions regarding the submission items or responses above please do not hesitate to contact our office.

Regards,



John R. Corak, PE
Stonefield Engineering and Design, LLC

320 Martin Street
City of Birmingham, Oakland County, Michigan



STONEFIELD

SEMCOG Crash Analysis Process

City of Birmingham, Oakland County, Michigan

Date Prepared: 6/14/2022

	Street 1	Street 2
Street Name	Maple Road	Bates Street
Area Type	Urban	Urban
Functional Class	Arterial	Local
# of Thru Lanes	1	1
Traffic Control	Signalized	Signalized

Study Years: 2016-2021 (5 Years)

Average Annual Daily Traffic Volume: 11,600

Segment Length: 1

*(for intersection L=1)

Motor Vehicle Collision Summary

Fatal (F)	0
A-Level (A)	0
B-Level (B)	0
C-Level (C)	1
Property Damage Only (PDO)	10
Total Collisions	11

* Tables I.1-I.4 appended

STONEFIELD

SEMOG Crash Analysis Process

City of Birmingham, Oakland County, Michigan

Crash Frequency Method

Step 1: Calculate spot critical crash frequency (ASCCFreq)

Spot Critical Crash Frequency (ASCCFreq) = Total crashes / years evaluated

Crashes = 11

Years Evaluated = 5

ASCCFreq = 11 / 5

ASCCFreq = 2.2 crashes/year

Step 2: Calculate average regional critical crash frequency (ARCCFreq)

Average Regional Critical Crash Frequency (ARCCFreq) = Avg Crash Frequency + STDEV Crash Frequency

Table 1.1 (Urban) = 7.14 crashes/year

Table 1.2 (Arterial) = 7.28 crashes/year

Table 1.3 (1 Thru Lane) = 2.51 crashes/year

Table 1.4 (Signalized) = 8.48 crashes/year

Step 3: Calculate Average ARCC Using Results From Tables 1.1-1.4

ARCCFreq Average = (Table 1.1 + Table 1.2 + Table 1.3 + Table 1.4) / 4

ARCCFreq Average = 6.35 crashes/year

Step 4: Assign Penalty Points

If ASCCFreq > ARCCFreq, assign 5 penalty points

If ASCCFreq < ARCCFreq, assign 0 penalty points

ASCCFreq < ARCCFreq, therefore 0 penalty points assigned

STONEFIELD

SEMCOG Crash Analysis Process

City of Birmingham, Oakland County, Michigan

Crash Rate Method

Step 1: Calculate spot crash rate (SC)

$$\text{Spot Crash Rate (SC)} = (1000000 \times \text{ASCCFreq}) / (365 \times \text{AADT} \times Y \times L)$$

$$\text{AADT} = 11,600$$

$$\text{Years} = 5$$

$$\text{Segment Length} = 1$$

$$\text{ASCCFreq} = 2.2 \text{ crashes/year}$$

*(From Crash Frequency Method)

$$\text{SC} = (1000000 \times 2.2) / (365 \times 11,600 \times 5 \times 1)$$

$$\text{SC} = 0.10$$

Step 2: Calculate spot critical crash rate (SCC)

$$\text{Spot Critical Crash Rate} = (\text{Average Crash Rate}) + \left((K) \sqrt{\frac{\text{Average Crash Rate}}{365 \times Y \times [\text{AADT}] \times [L]}} \right) \left(\frac{1}{2[365 \times Y \times (\text{AADT}) \times (L)]} \right)$$

$$\text{Average Crash Rate (Table 1.1)} = 0.69$$

$$\text{Average Crash Rate (Table 1.2)} = 0.71$$

$$\text{Average Crash Rate (Table 1.3)} = 0.30$$

$$\text{Average Crash Rate (Table 1.4)} = 0.87$$

$$K = 1.645$$

$$\text{Table 1.1 (Urban)} = 1.01$$

$$\text{Table 1.2 (Arterial)} = 1.03$$

$$\text{Table 1.3 (1 Thru Lane)} = 0.52$$

$$\text{Table 1.4 (Signalized)} = 1.23$$

Step 3: Compare SC to Each SCC

$$\text{Table 1.1 (Urban)} \quad 0.10 < 1.01$$

$$\text{Table 1.2 (Arterial)} \quad 0.10 < 1.03$$

$$\text{Table 1.3 (1 Thru Lane)} \quad 0.10 < 0.52$$

$$\text{Table 1.4 (Signalized)} \quad 0.10 < 1.23$$

Step 4: Assign penalty points

If SC > either SCC, assign 5 penalty points

If SC < either SCC, assign 0 penalty points

SC < SCC, therefore 0 penalty points assigned

STONEFIELD

SEMCOG Crash Analysis Process

City of Birmingham, Oakland County, Michigan

Casualty Ratio Method

Step 1: Calculate spot critical crash ratio (ASCCRatio)

Spot Critical Crash Ratio (ASCCRatio) = $(F + A + B + C) / (F + A + B + C + PDO)$

Fatal = 0

A-Level = 0

B-Level = 0

C-Level = 1

Property Damage Only = 10

ASCCRatio = $(0 + 0 + 0 + 1) / (0 + 0 + 0 + 1 + 10)$

ASCCRatio = 0.09

Step 2: Calculate average critical crash ratio (ARCCRatio)

Average Critical Crash Ratio (ARCCRatio) = avg casualty ratio + STDEV casualty ratio

Table 1.1 (Urban) = 0.43

Table 1.2 (Arterial) = 0.44

Table 1.3 (1 Thru Lane) = 0.32

Table 1.4 (Signalized) = 0.41

Step 3: Calculate Average ARCC Using Results From Tables 1.1-1.4

ARCCRatio Average = $(\text{Table 1.1} + \text{Table 1.2} + \text{Table 1.3} + \text{Table 1.4}) / 4$

ARCCRatio Average = 0.40

Step 4: Assign penalty points

If ASCCRatio > ARCCRatio, assign 0 penalty points

If ASCCRatio < ARCCRatio, assign 10 penalty points

ASCCRatio < ARCCRatio, therefore 0 penalty points assigned

STONEFIELD

SEMOG Crash Analysis Process

City of Birmingham, Oakland County, Michigan

Crash Probabilty Index Method (CPI)

CPI = Total penalty points

Method	Penalty Points
Crash Frequency	0
Crash Rate	0
Casualty Ratio	0
Overall CPI	0

CPI = 0, therefore the study intersection is NOT considered "high crash"

Appendix A

Table: 1.1

Regional Critical Intersection Crash Rates, Frequencies and Casualty Ratios: By Area Type

Average Daily Traffic Volume Entering Intersection	Average Crash Rate	Average Crash Frequency	Critical Crash Frequency	Average Casualty Ratio	Critical Casualty Ratio	Number of Intersections Sampled
Urban²						
1 - 10,000	1.19	1.82	3.87	0.22	0.49	2,041
10,001 - 20,000	0.69	3.68	7.14	0.22	0.43	1,960
20,001 - 30,000	0.76	6.9	13.14	0.22	0.4	1,467
30,001 - 40,000	0.78	9.82	19.46	0.22	0.38	921
40,001 - 50,000	0.85	13.83	25.15	0.21	0.34	419
50,001 - 60,000	1.05	20.8	37.12	0.22	0.33	193
60,001 - 70,000	0.96	22.3	42.65	0.21	0.33	94
70,001 - 80,000	0.9	24	46.8	0.23	0.35	24
over 80,000	0.69	21.07	42.8	0.23	0.34	10
Rural²						
1 - 10,000	1.2	1.15	2.09	0.2	0.48	536
10,001 - 20,000	0.56	2.81	5.39	0.24	0.51	115
over 20,000	0.29	2.72	6.59	0.2	0.44	78

¹ Size of sample taken from SEMCOG crash data for Southeast Michigan, 2012 - 2014.

² Values on this line are volume-independent. Rates are in crashes per million vehicles and frequencies are annual averages.

Table: 1.2

Regional Critical Intersection Crash Rates, Frequencies and Casualty Ratios: By Higher Functional Class of Roadway

Average Daily Traffic Volume Entering Intersection	Average Crash Rate	Average Crash Frequency	Critical Crash Frequency	Average Casualty Ratio	Critical Casualty Ratio	Number of Intersections Sampled
Arterial²						
1 - 10,000	0.95	1.98	4.07	0.22	0.49	1,175
10,001 - 20,000	0.71	3.78	7.28	0.23	0.44	1,834
20,001 - 30,000	0.78	7.06	13.28	0.22	0.39	1,387
30,001 - 40,000	0.83	10.44	20.26	0.23	0.38	839
40,001 - 50,000	1	16.25	27.35	0.21	0.32	341
50,001 - 60,000	1.25	24.78	40.29	0.22	0.29	156
60,001 - 70,000	1.26	29.04	48.73	0.21	0.28	69
70,001 - 80,000	1.22	32.65	54.41	0.19	0.23	17
over 80,000	1.06	32.67	53.73	0.26	0.34	6
Major Collector²						
1 - 10,000	1.37	1.42	3.04	0.2	0.48	1,212
10,001 - 20,000	0.65	3.04	5.89	0.2	0.39	104
20,001 - 30,000	0.4	3.47	5.5	0.14	0.24	5
over 30,000	0.2	2.6	5.5	0.18	0.38	5
Collector or Local²						
1 - 10,000	3.44	0.56	0.88	0.25	0.64	45

¹ Size of sample taken from SEMCOG crash data for Southeast Michigan, 2012-2014.

² Values on this line are volume-independent. Rates are in crashes per million vehicles and frequencies are annual averages.

Table: 1.3

Regional Critical Intersection Rates, Frequencies and Casualty Ratios: By No. of Through Lanes on Widest Approach

Average Daily Traffic Volume Entering Intersection	Average Crash Rate	Average Crash Frequency	Critical Crash Frequency	Average Casualty Ratio	Critical Casualty Ratio	Number of Intersections Sampled
One Lane²						
1 - 10,000	2.49	1.2	2.5	0.24	0.59	41
10,001 - 20,000	0.3	1.56	2.51	0.12	0.32	6
over 20,000	0.02	0.33	0.33	0	0	1
Two Lanes²						
1 - 10,000	1.2	1.59	3.19	0.21	0.48	1,171
10,001 - 20,000	0.62	3.14	5.94	0.21	0.42	599
20,001 - 30,000	0.65	5.73	11.27	0.21	0.4	283
30,001 - 40,000	0.52	6.43	14.13	0.22	0.42	139
40,001 - 50,000	0.55	8.67	18.04	0.19	0.35	64
50,001 - 60,000	0.39	7.45	17.35	0.17	0.33	17
over 60,000	0.28	6.89	15.6	0.25	0.44	18
Three, Four and Five or More Lanes on Next Page						

¹ Size of sample taken from SEMCOG crash data for Southeast Michigan, 2012-2014.

² Values on this line are volume-independent. Rates are in crashes per million vehicles and frequencies are annual averages.

Table: 1.3

Regional Critical Intersection Rates, Frequencies and Casualty Ratios: By No. of Through Lanes on Widest Approach

Three Lanes²						
1 - 10,000	1.33	1.82	4.12	0.2	0.47	523
10,001 - 20,000	0.69	3.67	7.41	0.23	0.45	499
20,001 - 30,000	0.72	6.59	13.08	0.22	0.41	294
30,001 - 40,000	0.74	9.35	19.39	0.21	0.36	187
40,001 - 50,000	0.6	9.9	21.01	0.24	0.42	68
50,001 - 60,000	0.73	14.38	29.53	0.24	0.43	32
60,001 - 70,000	0.43	9.81	19.27	0.16	0.28	12
over 70,000	0.69	18.25	33.17	0.26	0.36	4
Four or More Lanes²						
1 - 10,000	1.1	1.75	3.62	0.22	0.51	510
10,001 - 20,000	0.72	3.86	7.26	0.23	0.43	549
20,001 - 30,000	0.71	6.46	12.27	0.22	0.4	428
30,001 - 40,000	0.55	6.88	14.21	0.23	0.41	256
40,001 - 50,000	0.71	11.47	21.71	0.21	0.33	107
50,001 - 60,000	0.77	15.03	26.7	0.23	0.33	35
60,001 - 70,000	0.49	11.35	21.78	0.24	0.38	20
over 70,000	0.51	14.17	26.6	0.17	0.25	4

¹ Size of sample taken from SEMCOG crash data for Southeast Michigan, 2012-2014.

² Values on this line are volume-independent. Rates are in crashes per million vehicles and frequencies are annual averages.

Table 1.4

Regional Critical Intersection Crash Rates, Frequencies and Casualty Ratios: By Presence or Absence of Signalization

Average Daily Traffic Volume Entering Intersection	Average Crash Rate	Average Crash Frequency	Critical Crash Frequency	Average Casualty Ratio	Critical Casualty Ratio	Number of Intersections Sampled
Signalized²						
1 - 10,000	1.55	2.57	5.2	0.23	0.49	721
10,001 - 20,000	0.87	4.69	8.48	0.23	0.41	1,132
20,001 - 30,000	0.96	8.77	15.05	0.23	0.36	962
30,001 - 40,000	1.07	13.51	23.48	0.23	0.35	580
40,001 - 50,000	1.14	18.45	28.99	0.22	0.3	281
50,001 - 60,000	1.35	26.72	41.64	0.22	0.29	139
60,001 - 70,000	1.36	31.48	50.35	0.21	0.27	63
70,001 - 80,000	1.22	32.65	54.41	0.19	0.23	17
over 80,000	1.06	32.67	53.73	0.26	0.34	6
Unsignalized on the Next Page						

¹ Size of sample taken from SEMCOG crash data for Southeast Michigan, 2012-2014.

² Values on this line are volume-independent. Rates are in crashes per million vehicles and frequencies are annual averages.

Table 1.4

Regional Critical Intersection Crash Rates, Frequencies and Casualty Ratios: By Presence or Absence of Signalization (cont'd)

Unsignalized						
1 - 10,000	1.05	1.33	2.71	0.21	0.49	1,856
10,001 - 20,000	0.46	2.36	4.71	0.22	0.46	943
20,001 - 30,000	0.37	3.32	7.65	0.21	0.45	561
30,001 - 40,000	0.27	3.44	7.73	0.21	0.42	362
40,001 - 50,000	0.28	4.41	9.94	0.19	0.39	139
50,001 - 60,000	0.28	5.55	13.08	0.22	0.41	54
over 60,000	0.14	3.56	6.59	0.23	0.41	42

¹ Size of sample taken from SEMCOG crash data for Southeast Michigan, 2012-2014.

² Values on this line are volume-independent. Rates are in crashes per million vehicles and frequencies are annual averages.



MKSK

Planning
Urban Design
Landscape Architecture

July 19, 2022

VIA EMAIL ndupuis@bhamgov.org

Mr. Nicholas Dupuis
Planning Director
City of Birmingham
151 Martin Street, P.O. Box 3001
Birmingham, MI 48012

**RE: Martin Street Addition
320 Martin Street, Birmingham, MI
Transportation Impact Study Review**

Dear Mr. Dupuis:

Fleis & VandenBrink (F&V) and MKSK have completed our review of the Transportation Impact Study prepared by Stonefield, dated March 5, 2022 and the additional information provided May 11, 2022 and June 23, 2022. Based on our review of the traffic study provided by Stonefield **we find that the Transportation Impact Study is substantially complete, and no further information or revisions are required.**

We hope that this report addresses the City's needs regarding this project. If you have any questions, please do not hesitate to contact us at your convenience.

Sincerely,

FLEIS & VANDENBRINK ENGINEERING, INC.

Julie M. Kroll, PE, PTOE
Traffic Services Manager

MKSK

Brad Strader, AICP, PTP
Principal, Transportation Planning Studio Leader

27725 Stansbury Boulevard, Suite 195
Farmington Hills, MI 48334

P: 248.536.0080

F: 248.536.0079

www.fveng.com

7/18/22 1:51:07 PM



DRAFT

BORING B 1

PAGE 1 OF 1

BORING DEPTH: 30 FEET

PROJECT NAME: 320 Martin Building Addition

PROJECT NUMBER: 089714.00

CLIENT: 320 Investments, LLC

PROJECT LOCATION: Birmingham, Michigan

DATE STARTED: 7/9/22

COMPLETED: 7/9/22

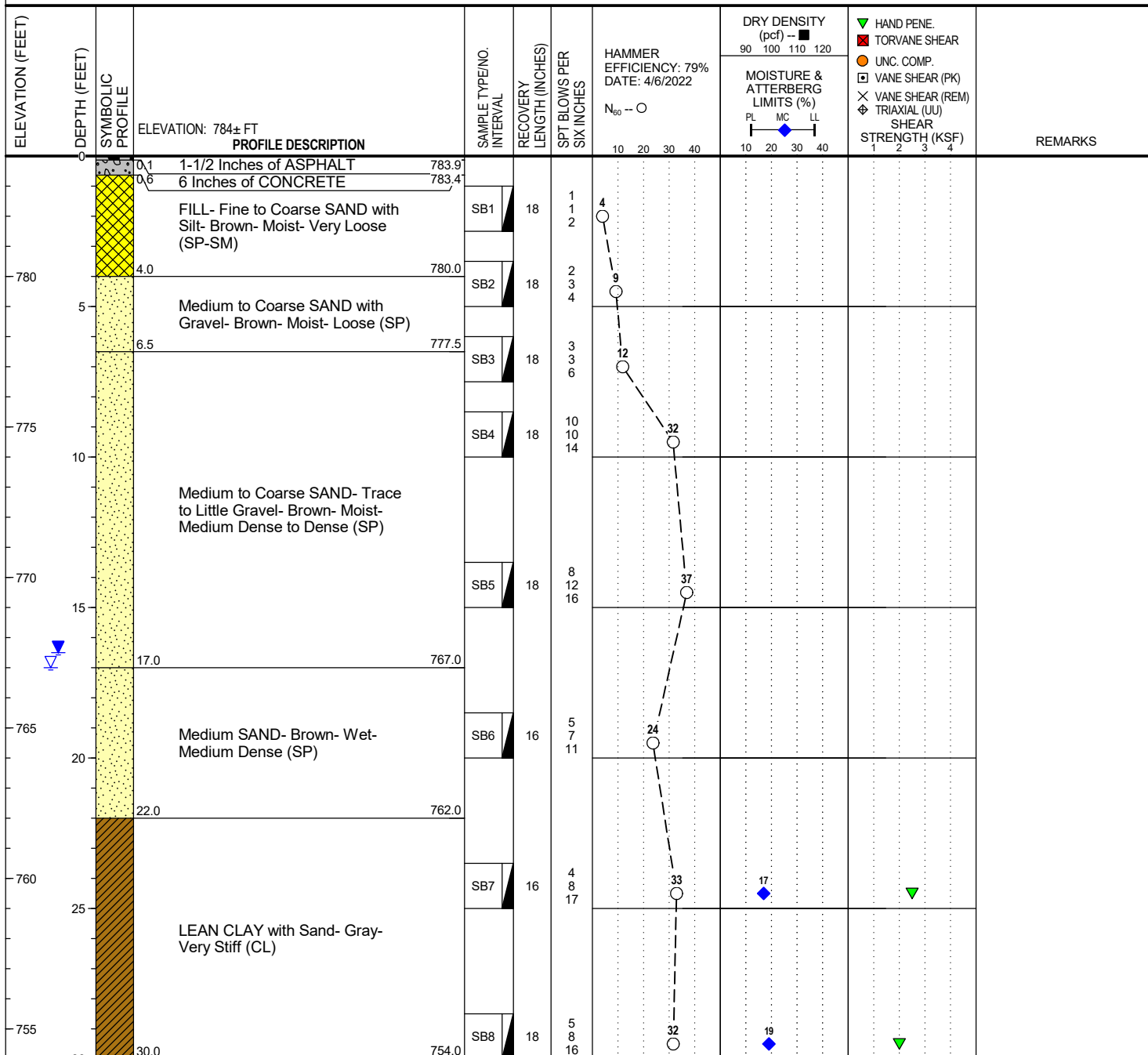
BORING METHOD: Hollow-stem Augers

DRILLER: BS (Strata Drilling)

RIG NO.: Strata (CME 45)

LOGGED BY: JSW

CHECKED BY: JWR



END OF BORING AT 30.0 FEET.

GROUNDWATER & BACKFILL INFORMATION

	DEPTH (FT)	ELEV (FT)
▽ DURING BORING:	17.0	767.0
▽ AT END OF BORING:	16.5	767.5
CAVE-IN OF BOREHOLE AT:	16.5	767.5
BACKFILL METHOD:	Auger Cuttings & Asphalt Cold Patch	

NOTES: 1. The indicated stratification lines are approximate. The in-situ transitions between materials may be gradual.
 2. The colors depicted on the symbolic profile are solely for visualization purposes and do not necessarily represent the in-situ colors encountered.

7/18/22 1:51:09 PM



DRAFT

BORING B 2

PAGE 1 OF 2

BORING DEPTH: 60 FEET

PROJECT NAME: 320 Martin Building Addition

PROJECT NUMBER: 089714.00

CLIENT: 320 Investments, LLC

PROJECT LOCATION: Birmingham, Michigan

DATE STARTED: 7/9/22

COMPLETED: 7/9/22

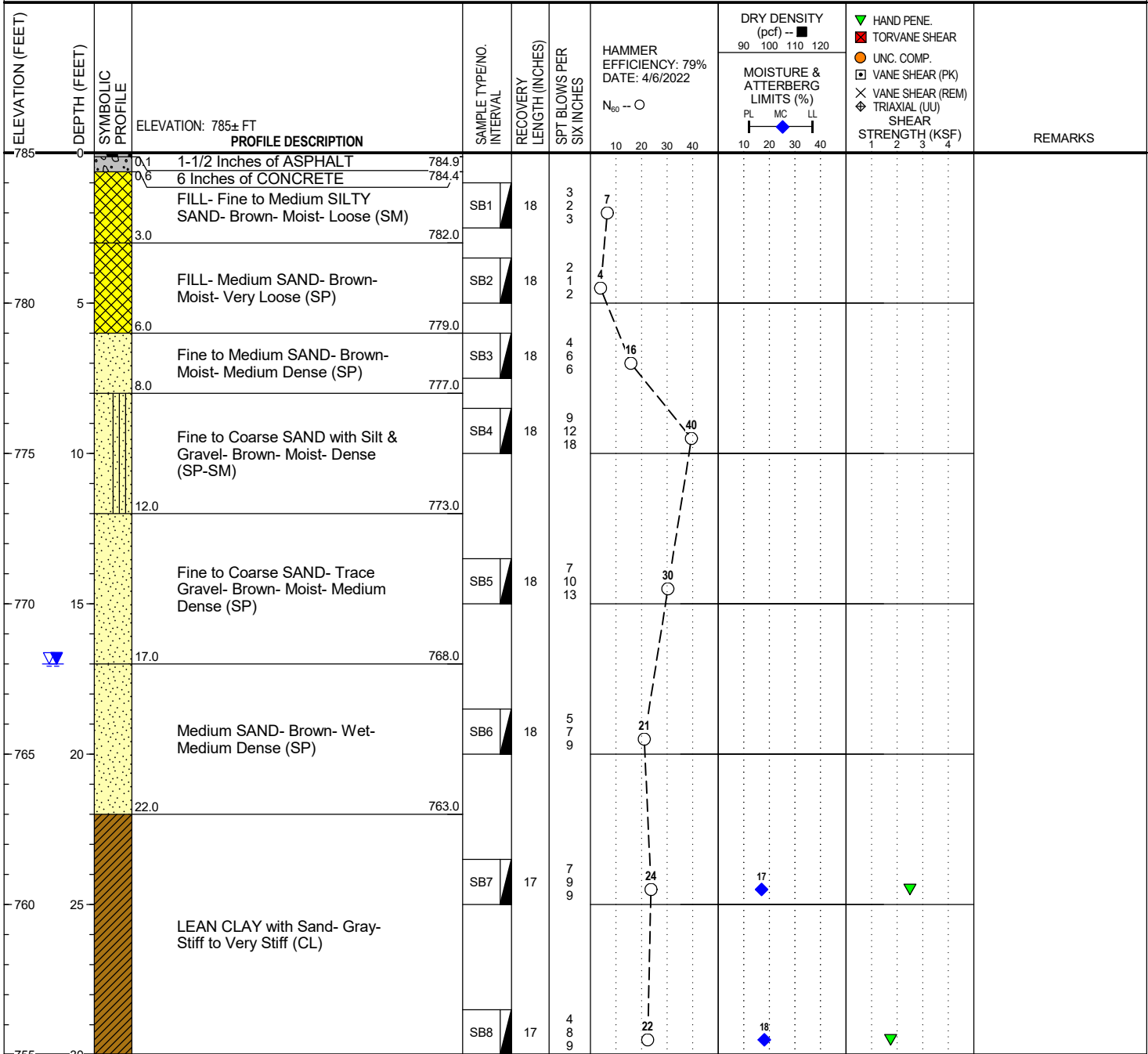
BORING METHOD: Hollow-stem Augers

DRILLER: BS (Strata Drilling)

RIG NO.: Strata (CME 45)

LOGGED BY: JSW

CHECKED BY: JWR



GROUNDWATER & BACKFILL INFORMATION

	DEPTH (FT)	ELEV (FT)
▽ DURING BORING:	17.0	768.0
▽ AT END OF BORING:	17.0	768.0
CAVE-IN OF BOREHOLE AT:	17.0	768.0
BACKFILL METHOD:	Auger Cuttings & Asphalt Cold Patch	

NOTES: 1. The indicated stratification lines are approximate. The in-situ transitions between materials may be gradual.
 2. The colors depicted on the symbolic profile are solely for visualization purposes and do not necessarily represent the in-situ colors encountered.

(Continued Next Page)



DRAFT

BORING B 2

PAGE 2 OF 2

BORING DEPTH: 60 FEET

PROJECT NAME: 320 Martin Building Addition

PROJECT NUMBER: 089714.00

CLIENT: 320 Investments, LLC

PROJECT LOCATION: Birmingham, Michigan

[illegible]

7/18/22 1:51:11 PM



DRAFT

BORING B 3

PAGE 1 OF 1

BORING DEPTH: 30 FEET

PROJECT NAME: 320 Martin Building Addition

PROJECT NUMBER: 089714.00

CLIENT: 320 Investments, LLC

PROJECT LOCATION: Birmingham, Michigan

DATE STARTED: 7/9/22

COMPLETED: 7/9/22

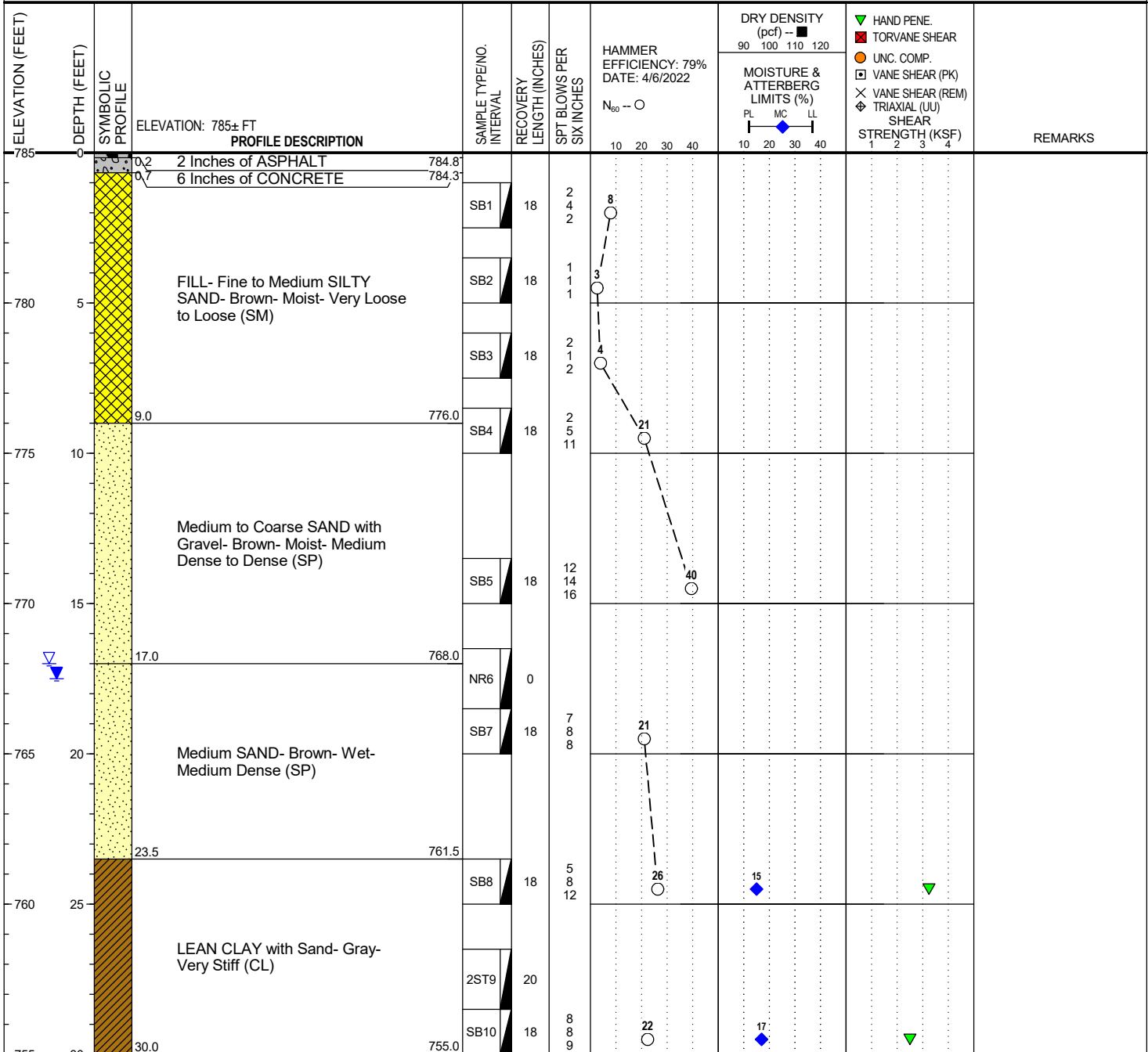
BORING METHOD: Hollow-stem Augers

DRILLER: BS (Strata Drilling)

RIG NO.: Strata (CME 45)

LOGGED BY: JSW

CHECKED BY: JWR



GROUNDWATER & BACKFILL INFORMATION

DEPTH (FT) ELEV (FT)

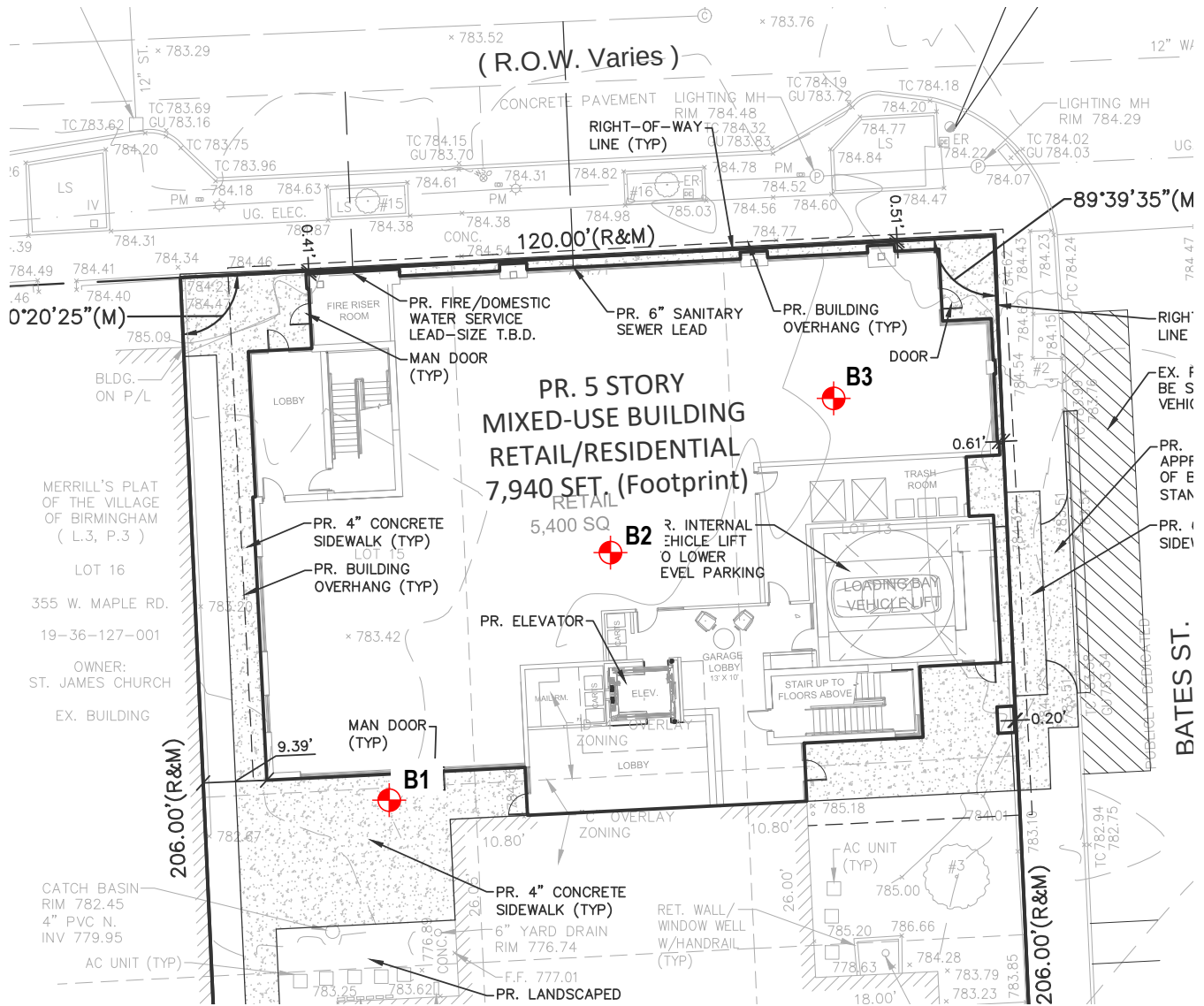
▽ DURING BORING: 17.0 768.0

▽ AT END OF BORING: 17.5 767.5

CAVE-IN OF BOREHOLE AT: 17.5 767.5

BACKFILL METHOD: Auger Cuttings & Asphalt Cold Patch

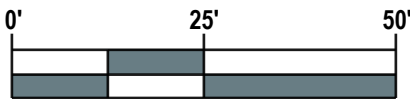
NOTES: 1. The indicated stratification lines are approximate. The in-situ transitions between materials may be gradual.
2. The colors depicted on the symbolic profile are solely for visualization purposes and do not necessarily represent the in-situ colors encountered.



LEGEND



APPROXIMATE BORING LOCATION



GRAPHIC SCALE: 1" = 25'



NOTE:
DRAWING INFORMATION TAKEN FROM A DRAWING TITLED,
"ENGINEERED SITE PLAN," (SHEET SP2), LATEST ISSUE
DATE OF 08-06-2021, PREPARED BY NF ENGINEERS, INC.



LOCATION MAP

NOT TO SCALE



No.	Revision Date	Date	07-18-22
		Drawn By	JSW
		Designed By	JSW
		Scale	1" = 25'
		Project	089714.00

BORING LOCATION PLAN
320 MARTIN BUILDING ADDITION
320 MARTIN STREET
BLOOMFIELD HILLS, MICHIGAN



www.sme-usa.com

Figure No. 1

Application/Supporting Docs.



Final Site Plan & Design Review Application Planning Division

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

1. Applicant

Name: SAM SURNOW
Address: 320 MARTIN ST
BIRMINGHAM MI 48009
Phone Number: 248.877.4000
Fax Number: _____
Email address: SAM@SURNOW@COM

2. Property Owner

Name: 320 INVESTMENT
Address: 320 MARTIN ST
BIRMINGHAM MI 48009
Phone Number: 248.877.4000
Fax Number: _____
Email address: SAM@SURNOW@COM

3. Applicant's Attorney/Contact Person

Name: SAME AS ABOVE
Address: _____

Phone Number: _____
Fax Number: _____
Email address: _____

4. Project Designer/Developer

Name: BIDDISON ARCHITECTURE
Address: 320 MARTIN ST
BIRMINGHAM MI 48009
Phone Number: 248.554.9500
Fax Number: N/A
Email address: KB@BIDDISON-AD.COM

5. Required Attachments

- I. Two (2) paper copies and one (1) digital copy of all project plans including:
 - i. A detailed Existing Conditions Plan including the subject site in its entirety, including all property lines, buildings, structures, curb cuts, sidewalks, drives, ramps and all parking on site and on the street(s) adjacent to the site, and must show the same detail for all adjacent properties within 200 ft. of the subject sites property lines;
 - ii. A detailed and scaled Site Plan depicting accurately and in detail the proposed construction, alteration or repair;
 - iii. A certified Land Survey;
 - iv. Interior floor plans;
 - v. A Landscape Plan;
 - vi. A Photometric Plan;
 - vii. Colored elevation drawings for each building elevation;
- II. Specification sheets for all proposed materials, light fixtures and mechanical equipment;
- III. Samples of all proposed materials;
- IV. Photographs of existing conditions on the site including all structures, parking areas, landscaping and adjacent structures;
- V. Current aerial photographs of the site and surrounding properties;
- VI. Warranty Deed, or Consent of Property Owner if applicant is not the owner;
- VII. Any other data requested by the Planning Board, Planning Department, or other City Departments.

6. Project Information

Address/Location of the property: 320 MARTIN ST
BIRMINGHAM MI 48009
Name of development: _____
Sidwell #: 19-36-127-004
Current Use: PARKING LOT
Proposed Use: _____
Area of Site in Acres: _____
Current zoning: B-4 BUSINESS RESIDENTIAL
Is the property located in the floodplain? _____
Name of Historic District Site is Located in: _____
Date of Historic District Commission Approval: _____

Date of Application for Preliminary Site Plan: CIS/PRE:05.06.2022
Date of Preliminary Site Plan Approval: 05.25.2022
Date of Application for Final Site Plan: 06.28.2022
Date of Final Site Plan Approval: _____
Date of Application for Revised Final Site Plan: _____
Date of Revised Final Site Plan Approval: HDC/HRB: 03.16.2022
Date of Design Review Board Approval: HDC/HRB:03.09.2022
Will proposed project require the division of platted lots? NO
Will proposed project require the combination of platted lots? NO

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

5 STORY MIXED USE 52,908 S.F. ADDITIONAL (TOTAL)

2 LEVEL UNDERGROUND PARKING

8. Buildings and Structures

Number of Buildings on Site: 1

Height of Buildings & # of Stories: 5

Use of Buildings: RETAIL, OFFICE & RESIDENTIAL

Height of Rooftop Mechanical Equipment: 10'-6"

9. Floor Use and Area (in Square Feet)

Proposed Commercial Structures:

Total basement floor area: 8,058 S.F. UNDERGROUND PARKING AREA

Number of square feet per upper floor: 44,848 S.F.

Total floor area: 52,908 S.F.

Floor area ratio (total floor area ÷ total land area): 2.1

52,908 / 0.57 ACRES = 2.1

Open space: 1,160

Percent of open space: 1ST FL. OPEN SPACE: 1,160/9,780 x100 = 11.9%

Office Space: 19,200

Retail Space: 5,400

Industrial Space: N/A

Assembly Space: N/A

Seating Capacity: N/A

Maximum Occupancy Load: N/A

Proposed Residential Structures:

Total number of units: 1TH FLOOR: =4 UNITS; 5TH FLOOR: = 2 UNITS

Number of one bedroom units: 0

Number of two bedroom units: 6

Number of three bedroom units: 0

Open space: N/A

Percent of open space: N/A

Rental units or condominiums? APARTMENT

Size of one bedroom units: N/A

Size of two bedroom units: 1,900-2,500 S.F.

Size of three bedroom units: N/A

Seating Capacity: N/A

Maximum Occupancy Load: N/A

Proposed Additions:

Total basement floor area, if any, of addition: N/A (PARKING)

Number of floors to be added: 5

Square footage added per floor: SEE FLOOR PLANS

Total building floor area (including addition): 52,908

Floor area ratio (total floor area ÷ total land area): 2.1

Open Space: 1,160

Percent of open space: 1ST FL. OPEN SPACE: 1,160/9,780 x100 = 11.9%

Use of addition: RETAIL, OFFICE & RESIDENTIAL

Height of addition: 56'8" EAVE LINE

Office space in addition: 19,200

Retail space in addition: 5,400

Industrial space in addition: N/A

Assembly space in addition: N/A

Maximum building occupancy load (including addition): N/A

10. Required and Proposed Setbacks

Required front setback: 0

Required rear setback: 0

Required total side setback: 0

Side setback: 0

Proposed front setback: 0

Proposed rear setback: 0

Proposed total side setback: 0

Second side setback: 0

11. Required and Proposed Parking

Required number of parking spaces: 9 RESIDENTIAL

Typical angle of parking spaces: N/A

Typical width of maneuvering lanes: N/A

Location of parking on site: N/A

Location of parking off site: N/A

Number of light standards in parking area: N/A

Screenwall material: N/A

Proposed number of parking spaces: 52 UNDERGROUND AUTOMATED

Typical size of parking spaces: PARKING 2 LEVELS

Number of spaces <180 sq. ft.: N/A

Number of handicap spaces: N/A

Shared parking agreement? N/A

Height of light standards in parking area: N/A

Height of screenwall: N/A

12. Landscaping

Location of landscape areas: SIDE YARD: NEW THREAD PARK

Proposed landscape material: SHRUBS, TREES, GRASS, WALKWAY

13. Streetscape

Sidewalk width: EXISTING

Number of benches:

Number of planters:

Number of existing street trees:

Number of proposed street trees:

Streetscape Plan submitted?

Description of benches or planters: EXISTING

Species of existing trees: EXISTING

Species of proposed trees: EXISTING

14. Loading

Required number of loading spaces: 1

Typical angle of loading spaces:

Screenwall material:

Location of loading spaces on site: INTERIOR/ PARKING

Proposed number of loading spaces: 2

Typical size of loading spaces: TYP.

Height of screenwall: INTERIOR ENCLOSED ROOM

Typical time loading spaces are used: AFTER BUSSINES HOURS

15. Exterior Waste Receptacles

Required number of waste receptacles: 1

Location of waste receptacles: INTERIOR/ ENCLOSED ROOM

Screenwall material: N/A

Proposed number of waste receptacles: 2

Size of waste receptacles: TYP.

Height of screenwall: INTERIOR/ ENCLOSED ROOM

16. Mechanical Equipment

Utilities and Transformers:

Number of ground mounted transformers:

Size of transformers (L•W•H):

Number of utility easements:

Screenwall material:

Location of all utilities & easements: N/A

Height of screenwall: N/A

Ground Mounted Mechanical Equipment:

Number of ground mounted units: N/A

Size of ground mounted units (L•W•H):

Screenwall material:

Location of all ground mounted units: N/A

Height of screenwall:

Rooftop Mechanical Equipment:

Number of rooftop units: 1+ CONDENSING UNITS

Type of rooftop units: GAS FIRED TRU

Screenwall material: METAL

Location of screenwall: ROOFTOP-REFER TO PLANS

Location of all rooftop units: INSIDE SCREEN

Size of rooftop units (L•W•H): TBD. -VARIES (MAX 8' FT. HT. + 2' CURB)

Percentage of rooftop covered by mechanical units: 20%

Height of screenwall: 10'-6"

Distance from rooftop units to all screenwalls: 36" MIN

17. Accessory Buildings

Number of accessory buildings: N/A

Location of accessory buildings: N/A

Size of accessory buildings: N/A

Height of accessory buildings: N/A

18. Building Lighting

Number of light standards on building: -SEE ATTACHED

Size of light fixtures (L•W•H): T.B.D

Type of light standards on building: -SEE ATTACHED

Height from grade:

Maximum wattage per fixture: _____
Light level at each property line: _____

19. Site Lighting

Number of light fixtures: BOLLARD AT COMMUNITY THREAD PARK
Size of light fixtures (L•W•H): T.B.D.
Maximum wattage per fixture: T.B.D.
Light level at each property line: _____

20. Adjacent Properties

Number of properties within 200 ft.: 6 TOTAL

Property #1

Number of buildings on site: 1
Zoning district: B-4
Use type: CHURCH
Square footage of principal building: N/A
Square footage of accessory buildings: N/A
Number of parking spaces: N/A

Property #2

Number of buildings on site: 1
Zoning district: B-4
Use type: RETAIL/OFFICE
Square footage of principal building: N/A
Square footage of accessory buildings: N/A
Number of parking spaces: N/A

Property #3

Number of buildings on site: B-4
Zoning district: B-4
Use type: RETAIL
Square footage of principal building: N/A
Square footage of accessory buildings: N/A
Number of parking spaces: N/A

Property #4

Number of buildings on site: 1
Zoning district: PP
Use type: _____
Square footage of principal building: _____
Square footage of accessory buildings: N/A
Number of parking spaces: _____

Property #5

Number of buildings on site: 1
Zoning district: B-4
Use type: MIXED USE
Square footage of principal building: N/A
Square footage of accessory buildings: N/A
Number of parking spaces: N/A

Property #6

Number of buildings on site: 1
Zoning district: PP
Use type: LIBRARY
Square footage of principal building: _____
Square footage of accessory buildings: _____
Number of parking spaces: _____

Proposed wattage per fixture: _____

Type of light fixtures: BOLLARD AT COMMUNITY THREAD PARK
Height from grade: 42" GRADE
Proposed wattage per fixture: T.B.D.
Holiday tree lighting receptacles: T.B.D.

Property Description: 355 W. MAPLE
ST. JAMES EPISCOPAL CHURCH

North, south, east or west of property? WEST

Property Description: 180 W. MAPLE
3 STORY, RETAIL & OFFICE

North, south, east or west of property? NORTH

Property Description: 247 MAPLE
CURRENT SINGLE STORY RETAIL (5 STORY POSSIBLE)

North, south, east or west of property? EAST

Property Description: SHAIN PARK

North, south, east or west of property? _____

Property Description: 250 MARTIN ST.
5 STORY MIXED USE, RETAIL & RESIDENTIAL

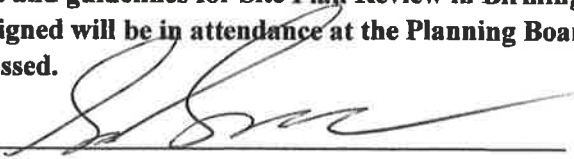
North, south, east or west of property? EAST

Property Description: 300 W. MERRILL
BALDWIN PUBLIC LIBRARY

North, south, east or west of property? SOUTH

The undersigned states the above information is true and correct, and understands that it is the responsibility of the applicant to advise the Planning Division and / or Building Division of any additional changes made to an approved site plan. The undersigned further states that they have reviewed the procedures and guidelines for Site Plan Review in Birmingham, and have complied with same. The undersigned will be in attendance at the Planning Board meeting when this application will be discussed.

Signature of Owner:



Date:

6/27/22

Print Name:

Sam Surace

Signature of Applicant:



Date:

6/27/22

Print Name:

Signature of Architect:



Date:

6/27/22

Print Name:

Kevin Biddison

Office Use Only

Application #:

PTSP22-0604

Date Received:

6/27/22

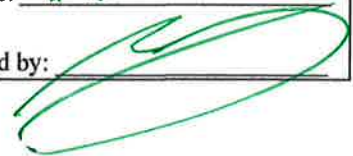
Fee:

\$1,450.00

Date of Approval:

Date of Denial:

Accepted by:





MEMORANDUM

Planning Division

DATE: July 22nd, 2022

TO: Planning Board Members

FROM: Brooks Cowan, Senior Planner

APPROVED: Nick Dupuis, Planning Director

SUBJECT: Proposed Zoning Ordinance Amendment to Article 3, Section 3.04(D)(3)
Downtown Overlay Parking Requirements

The applicant and owner of 479 S. Old Woodward is applying for a zoning amendment that enables properties zoned D4 in the Downtown Overlay zone to request a waiver of the Zoning Ordinance Article 4 parking requirements from the City Commission.

At this time, 479 S. Old Woodward is the only D4 Zone property in the Downtown Overlay that is not within the parking assessment district. The remaining properties in the D4 Zone are within the parking assessment district and are not required to provide on-site parking for nonresidential (commercial) uses. Properties in the Downtown Overlay District that are not within the parking assessment district are subject to all off-street parking requirements (commercial and residential) of Article 4 of the Zoning Ordinance. Please see attachments for a map of the Downtown Overlay zoning and the boundary of the parking assessment district.

Relevant Zoning Ordinance parking requirements related to the applicant's amendment request include the following:

Article 4, Section 4.45(G)(5) Methods of Providing Parking Facilities:

By payment of a special assessment levied against the entire building site where the special assessment district has been created for the purpose of constructing a municipal parking facility.

Article 4, Section 4.46(A) Off Street Parking Spaces Required:

Off-street parking spaces are required based on land use or land uses for the site. The number of spaces required per land use is detailed in Table A (see table A: Required Off-Street Parking Spaces)

Article 3, Section 3.04(D)(1) Parking Requirements (Downtown Overlay):

For all nonresidential uses located within the parking assessment district, parking on site shall not be required, provided such site is in full compliance with the requirements of the parking assessment district.

Article 3, Section 3.04(D)(3) Parking Requirements (Downtown Overlay):

For all sites located outside of the parking assessment district, off-street parking must be provided in accordance with the requirements of Article 4 for parking, loading and screening.

To summarize, properties who have paid a special assessment for the purpose of constructing a municipal parking facility are not required to provide on-site parking for commercial (nonresidential) uses. Such properties may county the municipal lots and structures for their parking provisions. The majority of properties who have paid a special assessment for a municipal parking facility are located within Birmingham's downtown area. Properties who have not paid a special assessment for a parking facility are required to provide all parking on-site as calculated by the provisions of the Table A Parking Requirements in Article 4 of the Zoning Ordinance.

The applicant has applied to amend Article 3, Section 3.04 (D)(3) of the Zoning Ordinance to read as follows **(proposed amendment in bold)**:

Article 3, Section 3.04(D)(3) Parking Requirements (Downtown Overlay):

For all sites located outside of the parking assessment district, off-street parking must be provided in accordance with the requirements of Article 4 for parking, loading and screening. **Notwithstanding the foregoing, properties located in the D4 Zone may request a waiver of the parking requirements of Article 4 from the City Commission.**

The Planning Division has a number of issues with the proposed Zoning Ordinance amendment which are addressed as follows.

The Planning Division has concerns related to the proposed process of approval. In regards to requesting a waiver of the parking requirements of Article 4 of the Zoning Ordinance from the City Commission, there is no other precedent where the City Commission may waive requirements of the Zoning Ordinance.

Short of changing the Zoning Ordinance, the City of Birmingham already has a process in place for requesting modifications and/or waivers of the Zoning Ordinance requirements when the strict or literal application of the ordinance would cause a practical difficulty. Such a request is made through the Board of Zoning Appeals (BZA) for a variance. The proposed amendment appears to bypass the purpose of the BZA by redirecting the request for a modification of the Zoning Ordinance requirements to the City Commission.

The Planning Divisions has concerns related to what standards of approval that the City Commission would use to grant or deny a proposed "waiver of parking requirements". The BZA, the Planning Board, and the City Commission all have standards for approval for applications requiring a vote related to zoning matters. Article 7 of the Zoning Ordinance provides approval requirements for applications involving rezoning (7.02), site plan

changes (7.27), and special land uses (7.36) to guide decision making by staff, boards, and the City Commission.

The BZA has standards of approval which by state statute requires existence of practical difficulty. The Birmingham ordinance requires a demonstration of each of the following in order to obtain a variance from the BZA:

- Special or unique conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings in the same district.
- A literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance, and that the variance is the minimum necessary.
- The special conditions and circumstances do not result from the actions of the applicant.
- The granting of the variance will be in harmony with the general purpose and intent of the ordinance.
- The variance will not be injurious to the neighborhood or otherwise detrimental to the general welfare.
- The spirit of the ordinance shall be observed, public safety secured, and substantial justice done.

If the City Commission were able to grant a waiver of the Zoning Ordinance requirements, their decision would not be subject to the same legal standards of approval as the Board of Zoning Appeals in reviewing a request to modify Zoning Ordinance requirements (eg, a variance for parking requirements).

The proposed ordinance language appears to enable an applicant to bypass the BZA and go straight to the City Commission to request a waiver of Zoning Ordinance requirements. At this time, the City Commission does not have standard policy guidelines for approval or denial of such requests. Guidelines for approval are important in public policy in order to prevent arbitrary and capricious decisions by boards and commissions.

The bypassing of the Board of Zoning Appeals process and the lack of City Commission standards for approval leads the Planning Division to not be in support of the proposed Ordinance amendment.

The applicant has claimed that there is a parking disparity in the Zoning Ordinance in order to justify the need for the proposed parking waiver amendment. As mentioned previously, the parking disparity claim is that every D4 zoned property in the Downtown Overlay is included in the parking assessment district with the exception of 479 S. Old Woodward. This statement is technically true, however it does not take into account the historical facts of how the other currently zoned D4 zoned properties were included in the parking assessment district. This claim has only been true for the past 4 years.

In regards to zoning, the D4 zone was created in 1996 which included the Birmingham Place at 411 S. Old Woodward, 469-479 S. Old Woodward, and 555 S. Old Woodward. The establishment of the D4 Zone and the Downtown Overlay had four properties zoned D4 that were not in the

parking assessment district. The D4 zone had the greatest provision of building height with a maximum 5 stories at the time. The underlying zone of B3 (Office- Residential) for 469-479 S. Old Woodward, prior to the D4 zoning designation, also allows up to 5 stories as a multiple family or mixed use building.

In 2017, 411 and 555 S. Old Woodward were rezoned to D5 in the Downtown Overlay to accommodate for their non-conforming height, leaving 469 & 479 S. Old Woodward as the only remaining D4 zoned properties outside of the parking assessment district. In 2021, 469-479 S. Old Woodward obtained approval for a lot combination, merging the two properties into what is now considered 479 S. Old Woodward.

In 2019, the owner of 469 & 479 S. Old Woodward applied to have the properties included in the D5 zone to construct a 9 story building. In 2020, the rezoning application was denied by the City Commission.

In regards to the parking assessment district, the current boundary is a collection of multiple parking assessments that have occurred since 1955 and have been pieced together. Current Parking structures such as Peabody, N. Old Woodward, Park St, and Pierce were built on what used to be surface parking lots. The surface parking lots were partially financed by assessments charged to surrounding properties in somewhat close proximity to the surface lots. Commercial parking exemptions for properties who paid an assessment for the purpose of constructing a municipal parking lot first appeared in the Zoning Ordinance in 1957.

The multiple assessment districts for the surface lots were then pieced together into one large district in the 1960s when the City began charging assessments to finance the construction of parking structures on top of the existing surface lots. The City amended the methods of providing parking in the Zoning Ordinance to read "by payment of a special assessment for the purpose of constructing a municipal parking *facility*" to accommodate for the planned conversion of surface lots to structures. Hence, the boundary of the parking assesment district referenced in the current Zoning Ordinance was predominantly determined in the 1960s when the City determined an assessment and payment system for the N. Old Woodward, Pierce, and future parking structures. Much of the parking assessment boundary was a function of the smaller assessments charged for the various surface lots.

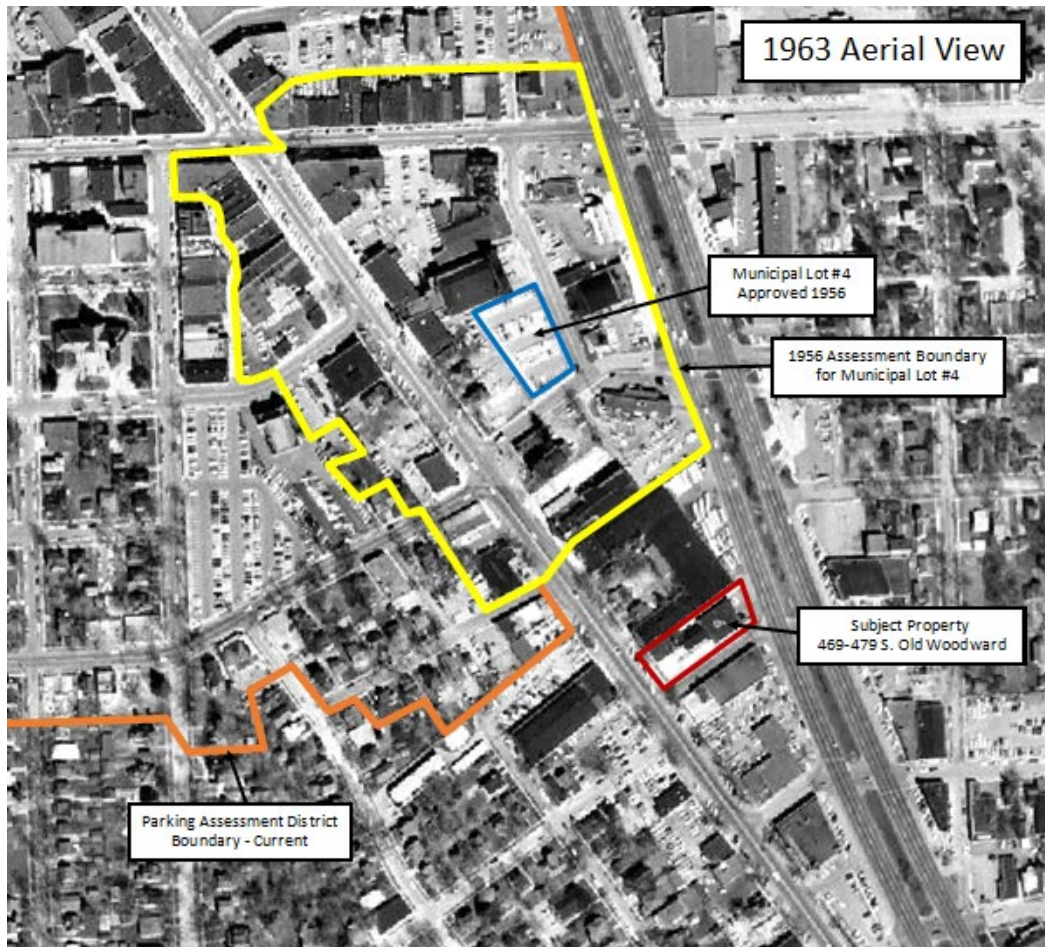
469 & 479 S. Old Woodward were left out of the Municipal Lot 4 parking assessment roll in 1956. Municipal Lot 4 was a surface parking lot located where the Peabody Parking Structure is now located. Nearby properties on Peabody, Brown, Maple, Merrill, and S. Old Woodward were included in the assessment for Municipal Lot 4, but the boundary of the assessment did not extend south of what is now 355 S. Old Woodward.

During the time of the original parking assessments in the 1950s and 60s, the subject property was zoned B-3 Community Business which was the same zoning classification as most other properties in the downtown area that were included in parking assessments. A 1964 Zoning Map is included in the attachments for reference. **There appeared to be other non-zoning classification factors that were considered in determining parking assessment boundaries.**

When the Municipal Parking Lot 4 assessment roll was created, there appeared to be a large bus station between 469-479 S. Old Woodward and the proposed parking lot. It could be speculated

that in 1956, a bus station did not want to pay an assessment for a vehicular parking lot, possibly due to the competing use of vehicular parking as well as the size of its property that would be subject to an assessment. There are no examples of a parking assessment boundary lacking contiguity, hence the assessment boundary ended at what is now 355. S Old Woodward.

The image below is the most available aerial image from 1963 to highlight conditions around the time of when the special assessment for Municipal Lot 4 was created (1956). The yellow line highlights the boundary of properties that were charged a special assessment for Municipal Lot 4. As the image shows, there is a large property and structure between 479 S. Old Woodward and the district of properties charged an assessment for Municipal Lot 4.



AS previously mentioned, when the City began constructing parking structures in the mid 1960s, parking assessments were charged to **all** properties in the merged parking assessment district that now encompassed most of Birmingham's downtown. The special assessment for the Peabody Parking structure occurred in 1983 which is the closest parking structure to the subject property. In 1983, 469 and 479 S. Old Woodward were once again not included in the special assessment for a public parking facility.

The City's last parking assessment was created in 1989 for the construction of the Chester Street Parking Structure. 469 and 479 S. Old Woodward was left out of that special assessment at that time as well. **All special assessments for Birmingham's parking facilities were created**

before 1996 when the Downtown Overlay and the D4 zone was created. Therefore, the D4 zoning classification was never a consideration for the properties who were charged a special assessment for the purpose of constructing a municipal parking facility.

Special Assessments are guided by [Chapter X](#) of the Birmingham City Charter and [Chapter 94](#) of the Birmingham Municipal Code. [Chapter 94, Section 94-17](#) of the Municipal Code has a 20 year time limitation on special assessments for off-street parking, stating "No deferred off-street parking assessment shall be confirmed by the city commission unless such confirmation takes place within 20 years from the date on which the original roll was confirmed." The special assessment for the Peabody Parking Structure, closest to the subject property, occurred from 1983 to 2003. Meanwhile the most recent parking assessment to date was for the Chester Street Parking Structure which occurred from 1989 to 2009. As per Chapter 94, Section 94-17 of the Birmingham Municipal Code, no more payments can be "assessed" for the construction of the aforementioned parking structures.

State law governs that special assessments cannot be used for general revenue. Special assessments must be roughly proportional to the cost of the project where properties being assessed are receiving a special benefit. In the case for the Peabody Parking Structure, as well as all other parking structures, the revenue bonds have been paid off and the special assessment term has expired. Because the revenue bonds which the assessments are proportional to have been paid off, neither City code nor state law would allow the applicant to pay a retroactive special assessment to incorporate themselves into the parking assessment district.

The Planning Division finds that the subject property being the only property zoned D4 outside of the old parking assessment district is less of a Zoning Ordinance parking disparity and more of a circumstance subject to city and state laws for special assessments. The special assessments for financing off-street parking facilities in Birmingham's downtown were created between 1955 and 1989. The properties of 469 and 479 S. Old Woodward were never selected to be included in any parking assessment roll, even when it shared the same B3 Community Business Zone designation as the surrounding downtown when a number of parking assessments were designated. **The D4 Zone in the Downtown Overlay did not exist until 1996 and was never considered as a factor for the boundary of properties included in an assessment for off-street parking.**

The Planning Division does not recommend supporting an Ordinance amendment that allows 479 S. Old Woodward to enjoy the same benefits of properties who have paid assessments for the construction of municipal parking facilities when 479 S. Old Woodward has not paid an off-street parking assessment itself.

Recommendation:

The Planning Division recommends that the Planning Board move to recommend DENIAL to the City Commission of the proposed Ordinance amendment for Article 3, Section 3.04(D)(3) parking requirements for the Downtown Overlay to allow properties located in the D4 Zone to request a waiver of parking requirements of Article 4 from the City Commission.

The Planning Division recommends denial of the proposed amendment due the the attempt to bypass the Board of Zoning Appeals for obtaining a variance from demonstrated Zoning Ordinance hardships, the lack of City Commission approval guidelines for approving or denying a parking waiver request, and the fact that the D4 Zone was never considered in any assessment charged to properties for the purpose of constructing a municipal parking facility.

Suggested Action:

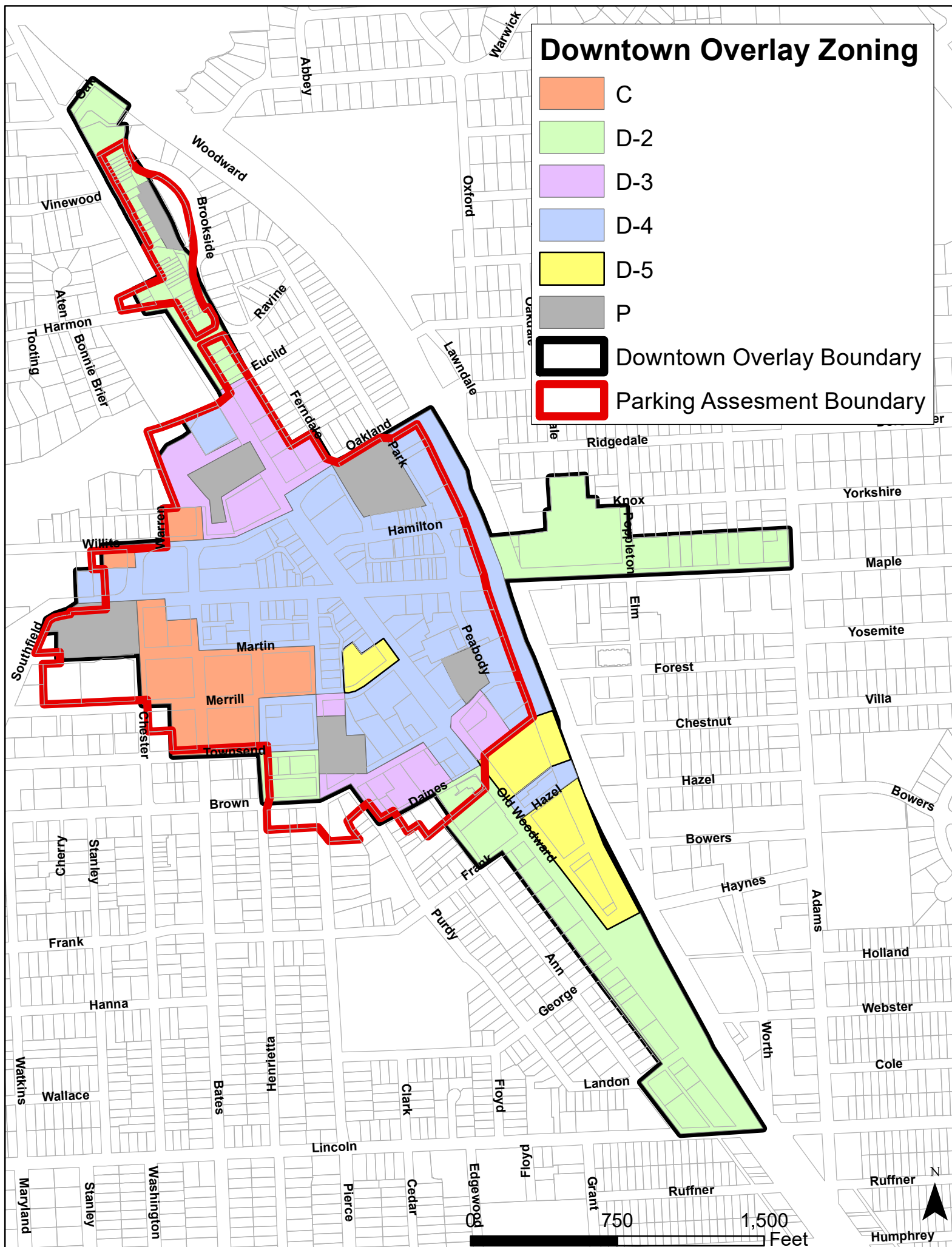
Motion to recommend DENIAL to the City Commission of the proposed Ordinance amendment for Article 3, Section 3.04(D)(3) parking requirements for the Downtown Overlay;

OR

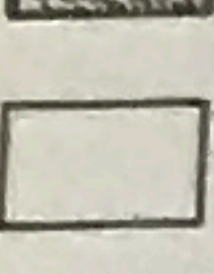
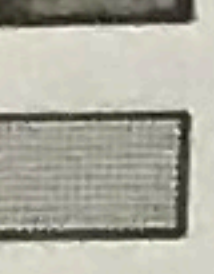
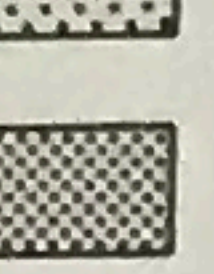
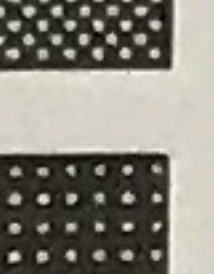
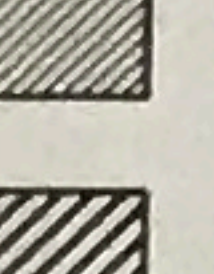
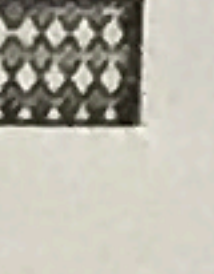
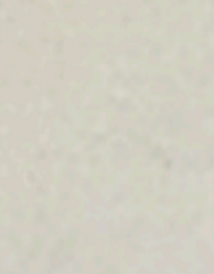
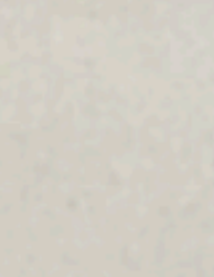
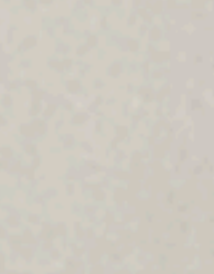
Motion to POSTPONE the proposed Ordinance amendment for Article 3, Section 3.04(D)(3) parking requirements for the Downtown Overlay;

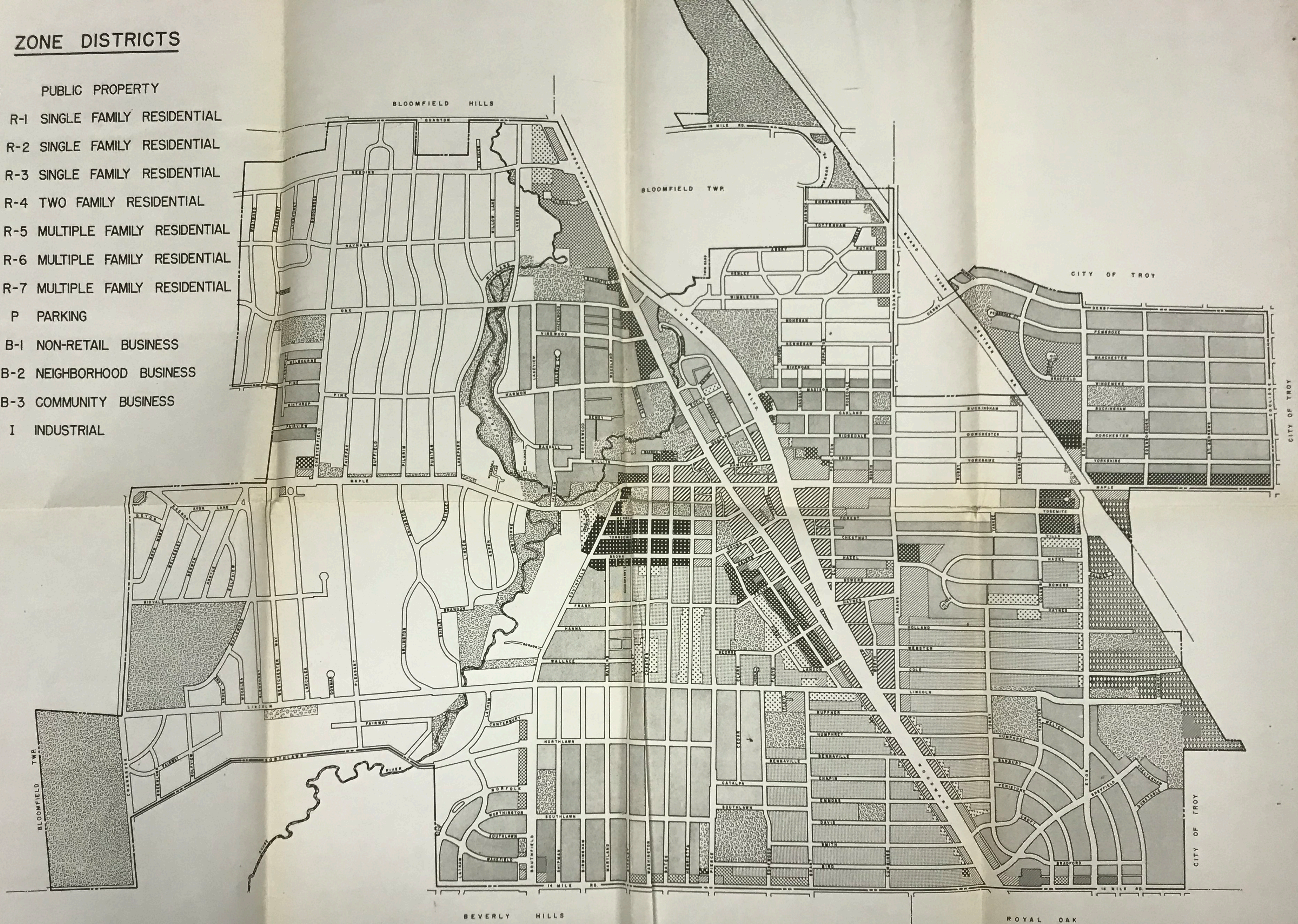
OR

Motion to recommend APPROVAL to the City Commission of the proposed Ordinance amendment for Article 3, Section 3.04(D)(3) parking requirements for the Downtown Overlay;



ZONE DISTRICTS

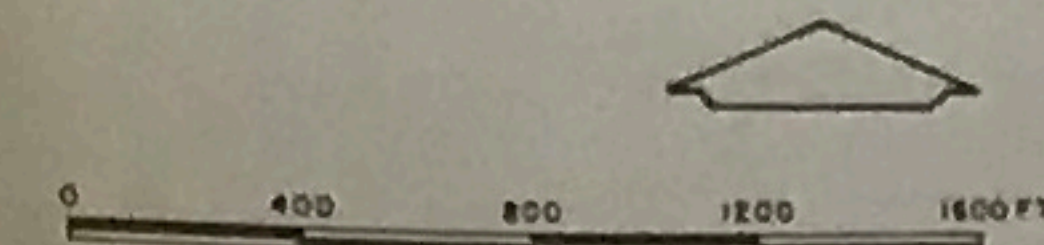
- | | |
|--|---------------------------------|
|  | PUBLIC PROPERTY |
|  | R-1 SINGLE FAMILY RESIDENTIAL |
|  | R-2 SINGLE FAMILY RESIDENTIAL |
|  | R-3 SINGLE FAMILY RESIDENTIAL |
|  | R-4 TWO FAMILY RESIDENTIAL |
|  | R-5 MULTIPLE FAMILY RESIDENTIAL |
|  | R-6 MULTIPLE FAMILY RESIDENTIAL |
|  | R-7 MULTIPLE FAMILY RESIDENTIAL |
|  | P PARKING |
|  | B-1 NON-RETAIL BUSINESS |
|  | B-2 NEIGHBORHOOD BUSINESS |
|  | B-3 COMMUNITY BUSINESS |
|  | I INDUSTRIAL |



ZONING MAP

THE CITY OF BIRMINGHAM MICHIGAN

birmingham planning board





Dykema Gossett PLLC
39577 Woodward Avenue
Suite 300
Bloomfield Hills, MI 48304
WWW.DYKEMA.COM
Tel: (248) 203-0700
Fax: (248) 203-0763
Stephen R. Estey
Direct Dial: (248) 203-0538
Direct Fax: (855) 232-1793
Email: SEstey@dykema.com

June 20, 2022

VIA EMAIL

City of Birmingham
Planning Department
ATTN: Nicholas Dupuis, Planning Director
151 Martin Street
Birmingham, MI 48009

Re: *Proposed Ordinance Text Amendment – Section 3.04(D)(3)*

Dear Mr. Dupuis,

We represent the owner of the combined lots of 469-479 S. Old Woodward Avenue, now known as 479 S. Old Woodward Avenue (the “Property”).

I. The Property

The physical practicalities of the Property create unique problems for development under the City’s current zoning ordinance, given the manner in which parking is treated for parcels included in the former Parking Assessment District vs. all others. The overall lot size is 0.423 acres. The lot is long and narrow, and it is situated on two corners with frontage on three streets, S. Old Woodward, Hazel and M-1. Because of the size and narrow corner configuration of the Property, it cannot support street-level retail, commercial use, residential use, *and* the required parking for those uses as discussed herein.

The off-street parking requirements for this Property make the engineering and design of a mixed-use, D4-allowable building challenging – if not impossible. Even with a significant amount of the ground floor area and an underground garage dedicated to parking, there simply is not enough onsite parking to support street-level-activating retail uses, such as a café or coffee shop, at the S. Old Woodward frontage. The owner can only plan to house a leasing office in the S. Old Woodward frontage, which fails to optimize retail for a pedestrian streetscape or to make the development economically viable.

Our client currently has an opportunity for a national retailer to occupy the space (on both the entire first floor and mezzanine), which would serve as an anchor tenant for the site and is more

compatible with the intended use and vision of the Downtown Development District.

Today, every D4 property in the City *is included in the former PAD, with the exception of our Client's Property*. Indeed, most of the downtown area is included in the D4 Overlay Zone, *and all those properties have the parking benefits of the PAD except our client's Property*. As such, our client cannot compete with other similarly situated D4 parcels and is uniquely impacted by the existing requirement to meet all onsite parking.

II. The Zoning Ordinance & Parking Disparity

Article 3, Section 3.04(D) provides in pertinent part:

D. Parking requirements.

1. For all nonresidential uses located within the parking assessment district, parking on the site shall not be required, provided such site is in full compliance with the requirements of the parking assessment district.
2. For all residential uses located within the parking assessment district, the on-site parking requirements contained in Section 4.46, Section 4.49, Section 4.50 and Section 4.51 may be complied with through leasing the required spaces from an off-site parking area, provided the requirements of Section 4.45(G) are met and all parking is supplied on site or within 300 feet of the residential lobby entrance of the building
3. **For all sites located outside of the parking assessment district, off-street parking must be provided in accordance with the requirements of Article 4 for parking, loading and screening.**
4. Notwithstanding the above regulations, residential dwelling units within the existing second and third floors of landmark buildings, as defined in Section 62-87 of the Birmingham City Code, located within the central business historic district are exempt from required off-street parking requirements.
5. Off-street parking contained in the first story shall not be permitted within 20 feet of any building facade on a frontage line or between the building facade and the frontage line.
6. The placement of two abutting off-street parking lots with continuous street frontages shall not be permitted.

The proposed minor text amendment attached hereto, will simply bring the only remaining D4 parcel, which is not included in the former PAD, into compliance with the parking standards of all other D4 properties in the City and allow discretion to the City Commission to review same.

III. Conclusion

In conclusion, the proposed minor text amendment will provide the flexibility to the City to allow the Property to be developed in the same manner and pursuant to the same rules as all other D4 properties in the Downtown Overlay District, as well as provide greater flexibility in the retail uses at the corner of S. Old Woodward and Hazel, which will benefit the City and its citizens.

Regards,

DYKEMA GOSSETT PLLC

A handwritten signature in black ink, appearing to read "Stephen R. Estey", with a long horizontal line extending to the right.

Stephen R. Estey

APPLICATION FOR ZONING MAP OR ORDINANCE CHANGE
Birmingham, Michigan

TO THE CITY COMMISSION:

The undersigned hereby makes application to the City Commission to:

1. ~~Zoning Map~~ Change: **Text Amendment**

Change premises described as: **Birmingham Tower Partners, LLC**

479 S. Old Woodward Ave, Birmingham, MI

No. Street

Legal Description

_____ from its present zoning
classification of _____ to _____.

A sealed land survey showing location, size of lot and placement of building (if any) on the lot to scale must be attached. **n/a**

Statements and reason for request or other data have a direct bearing on the request.

2. ~~Change premises described as:~~

(See attached Letter)

No. Street

Legal Description

_____ from its present zoning
classification of _____ to _____

A sealed land survey showing location, size of lot and placement of building (if any) on the lot to scale must be attached. **n/a**

Statements and reasons for request or other data have a direct bearing on the request.

Signature of Applicant: _____

Print Name: **Stephen Estey, Esq., C/O**

Name of Owner: **Birmingham Tower Partners, LLC**

Address and Telephone Number: **39577 Woodward Ave.**

Suite 300, Bloomfield Hills, MI 48304

APPLICATION FOR ZONING MAP OR ORDINANCE CHANGE
Birmingham, Michigan

A letter of authority, or power of attorney, shall be attached in case the appeal is made by a person other than the actual owner of the property.

Date Received: _____ Received By: _____

Resolution No. _____ Approved/Denied _____

Application Fee: \$1,500.00 Receipt Number _____

The petitioner shall be responsible for any costs incurred by consultant, including but not limited to traffic and environmental, contracted by the city to review the proposed site plan and/or community impact study as determined by the city planner.

ZONING MAP OR ORDINANCE AMENDMENT PROCEDURE

Procedure to be followed on all applications for Zoning Map or Ordinance amendments.

1. Preliminary discussion with the Community Development Director or City Planner.
2. Formal application to City Commission with the following information:
 - a) Change requested
 - b) Signature and name of persons requesting change
 - c) Reasons for requested change
3. City Commission will refer request to the Planning Board for recommendation and final report.
4. Planning Board will hold a public hearing prior to which a notice will be published in an official paper or a paper of general circulation not less than fifteen (15) days prior to the hearing.
5. At the conclusion of a public hearing, the Planning Board will forward a recommendation of the Zoning Map or Ordinance amendment request. The City Commission may, by ordinance, change the Zoning Map or Ordinance only after the Planning Board had held at least one (1) public hearing regarding the proposed amendment and has reported to the City Commission thereon. The City Commission may hold additional public hearings as it deems necessary.
6. Upon the presentation of protest petition meeting the requirements listed below, an amendment to the Zoning Map or Ordinance which is the object of the petition shall be passed only by a three-fourths (3/4) vote of the City Commission. The protest petition shall be presented to the City Commission before final action on the amendment, and shall be signed by one (1) of the following:
 - a) The owners of at least twenty percent (20%) of the area of land included in the proposed change.
 - b) The owners of at least twenty percent (20%) of the area of the land included within an area extending outward one hundred (100) feet from any point on the boundary of the land included in the proposed change.

For the purpose of calculating the twenty percent (20%) requirement, publicly-owned land shall be excluded.
7. The City Commission will then take action on the application upon review of the Planning Board's recommendation and approved minutes of the Public Hearing.
8. Following adoption of a Zoning Map or Ordinance change by the City Commission, one (1) notice of adoption shall be published in the newspaper of general circulation in the City within fifteen (15) days after adoption.

ORDINANCE NO. _____
CITY OF BIRMINGHAM

AMENDMENT TO CITY OF BIRMINGHAM ZONING ORDINANCE

AN ORDINANCE AMENDING THE CITY OF BIRMINGHAM ZONING ORDINANCE,
ARTICLE 3 – OVERLAY DISTRICTS, SECTION 3.04(D)(3)

THE CITY OF BIRMINGHAM ORDAINS:

SECTION 3.04(D)(3) Parking requirements is amended as follows:

3. For all sites located outside of the former parking assessment district, off-street parking must be provided in accordance with the requirements of Article 4 for parking, loading and screening. Notwithstanding the foregoing, properties located in the D4 Zone may request a waiver of the parking requirements of Article 4 from the City Commission.

ADOPTED, APPROVED, AND PASSED by the City Commission of Birmingham, Michigan this ____ day of ____, 2022.

Mayor

City Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the City Commission of the City of Birmingham at a regular City Commission Meeting held _____ on 2022.

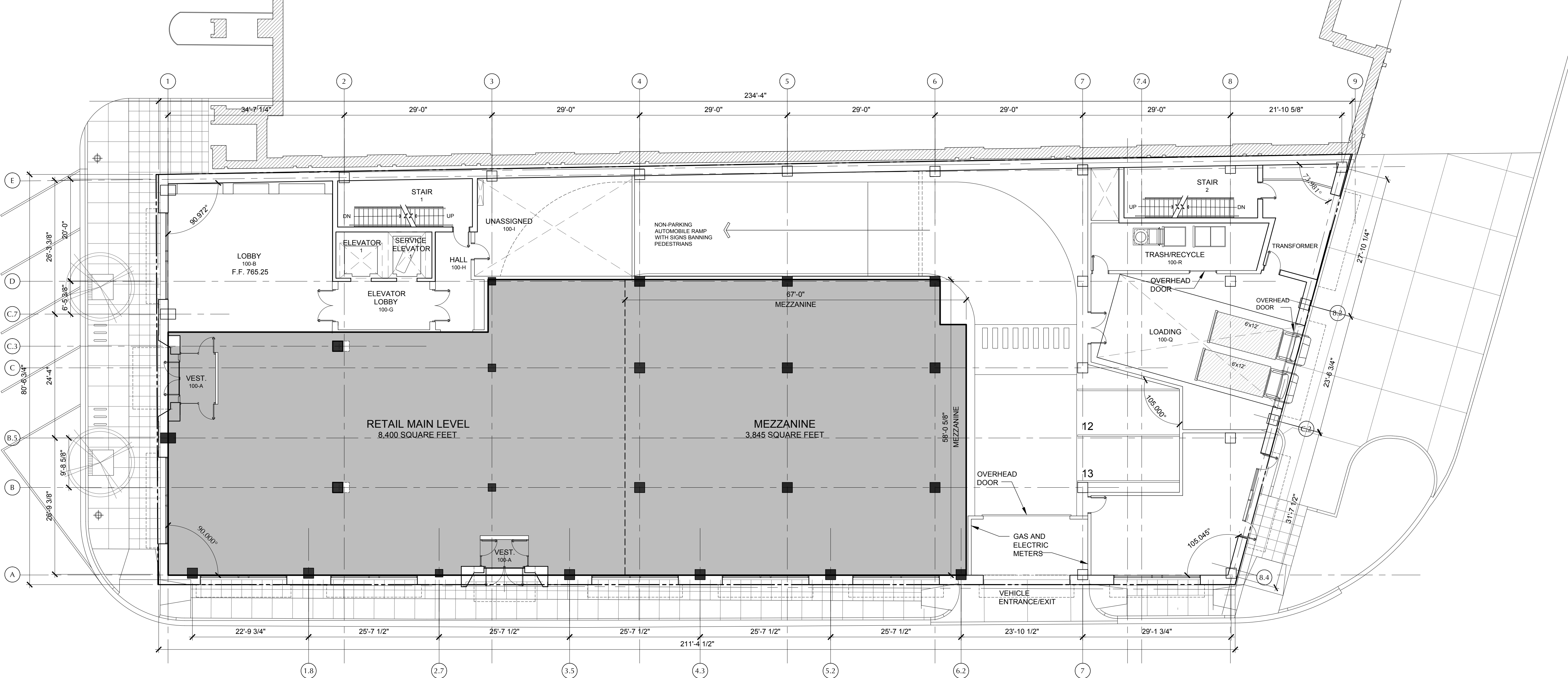
City Clerk

I further certify that the foregoing was published in _____, a newspaper of general circulation in City of Birmingham, on the ____ day of ____ 2022.

City Clerk

Introduced:
Adopted:
Published/Effective:

479 Old Woodward
Birmingham
Michigan 48009

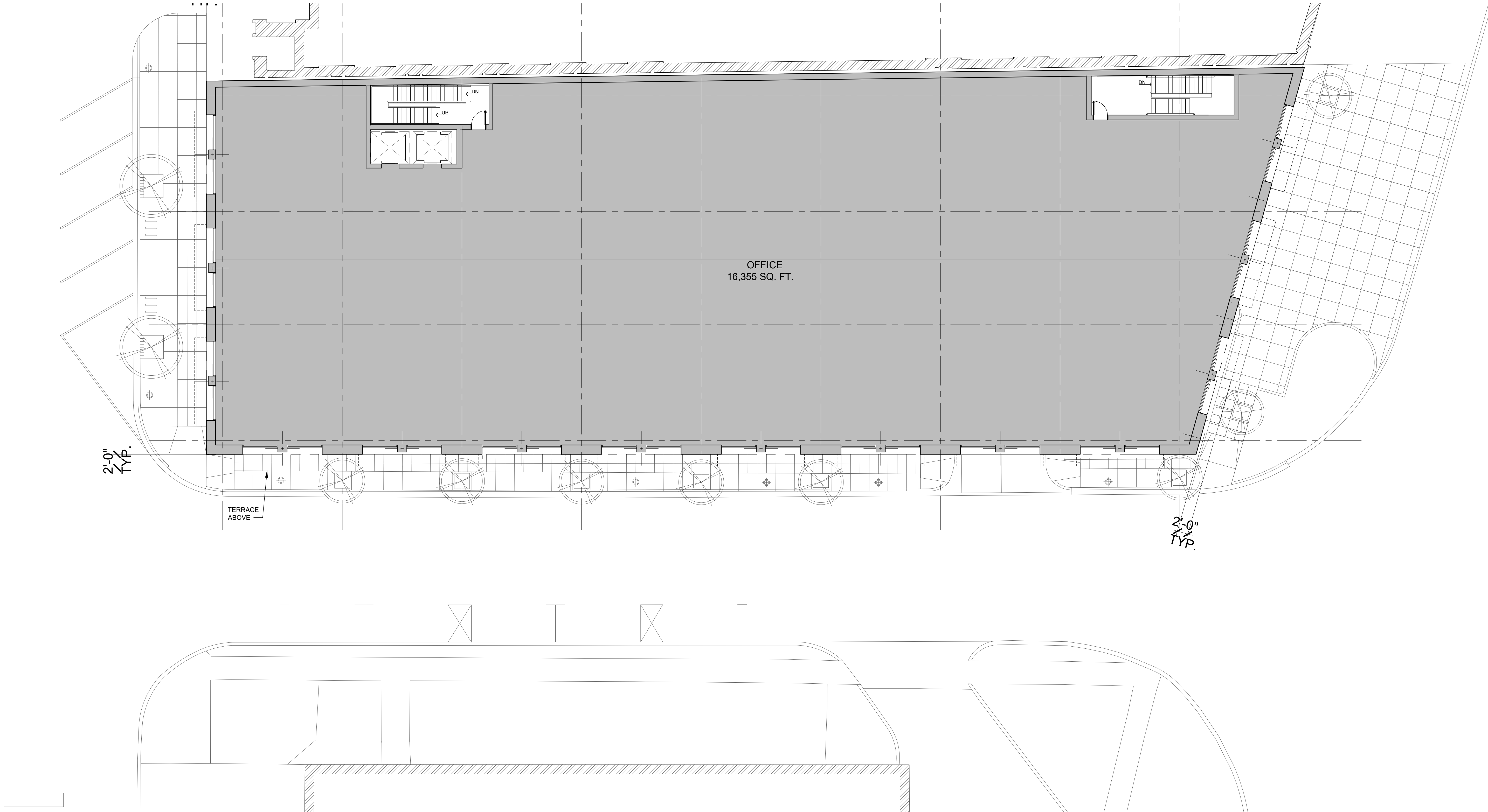


MAIN LEVEL	8,400 SQUARE FEET
MEZZANINE (OPTIONAL)	3,845 SQUARE FEET
	12,245 SQUARE FEET

FIRST FLOOR PLAN

0' 2' 4' 8' 16'

479 Old Woodward
Birmingham
Michigan 48009



SECOND FLOOR PLAN

0' 2' 4' 8' 16'



NOT FOR
CONSTRUCTION

Christopher J. Lange AIA, Architect No. 31781

DRAWN BY: E. KING, E. RODRIGUEZ

CHECKED BY: C. LONGE

Sheet Title

SECOND LEVEL
FLOOR PLAN

Sheet

A-203
Project No. 1702

Project No. 1702





AGENDA
REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD
WEDNESDAY AUGUST 10, 2022 – 7:30 PM
151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

The City continues to recommend the public wear masks while attending City meetings per CDC guidelines. The cases of COVID-19 are increasing in the area. All City employees, commissioners, and board members must wear a mask while indoors when 6-feet of social distancing cannot be maintained. This is to ensure the continuity of government is not affected by an exposure to COVID-19 that can be prevented by wearing a mask. The City continues to provide KN-95 respirators and triple-layered masks for all in-person meeting attendees.

- A.** Roll Call
- B.** Review and Approval of the Minutes of the Regular Meeting of **July 27, 2022**
- C.** Chairpersons' Comments
- D.** Review of the Agenda
- E.** Unfinished Business
- F.** Rezoning Applications
- G.** Community Impact Studies
- H.** Special Land Use Permits
- I.** Site Plan & Design Reviews
- J.** Study Session
 - 1. **Side Yard A/C Units – Public Hearing**
 - 2. **Window Standards – Public Hearing**
 - 3. **Outdoor Dining**
 - 4. **Food Trucks**
- K.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - 2. Communications
 - 3. Administrative Approval Correspondence
 - 4. Draft Agenda – **August 24, 2022**
 - 5. Action List - 2022
 - 6. Other Business
- L.** Planning Division Action Items
 - 1. Staff Report on Previous Requests
 - 2. Additional Items from Tonight's Meeting
- M.** Adjournment

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

Link to Access Virtual Meeting: [**https://zoom.us/j/111656967**](https://zoom.us/j/111656967)

Telephone Meeting Access: 877-853-5247 US Toll-Free

Meeting ID Code: 111656967

NOTICE: Due to Building Security, public entrance during non-business hours is through the Police Department—Pierce St. Entrance only. Individuals with disabilities requiring assistance to enter the building should request aid via the intercom system at the parking lot entrance gate on Henrietta St.

Persons with disabilities that may require assistance for effective participation in this public meeting should contact the City Clerk's Office at the number (248) 530-1880, or (248) 644-5115 (for the hearing impaired) at least one day before the meeting to request help in mobility, visual, hearing, or other assistance.

Las personas con incapacidad que requieren algún tipo de ayuda para la participación en esta sesión pública deben ponerse en contacto con la oficina del escribano de la ciudad en el número (248) 530-1800 o al (248) 644-5115 (para las personas con incapacidad auditiva) por lo menos un día antes de la reunión para solicitar ayuda a la movilidad, visual, auditiva, o de otras asistencias. (Title VI of the Civil Rights Act of 1964).



AGENDA
REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD
WEDNESDAY AUGUST 24, 2022 – 7:30 PM
151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

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- A.** Roll Call
- B.** Review and Approval of the Minutes of the Regular Meeting of **August 10, 2022**
- C.** Chairpersons' Comments
- D.** Review of the Agenda
- E.** Unfinished Business
- F.** Rezoning Applications
- G.** Community Impact Studies
- H.** Special Land Use Permits
- I.** Site Plan & Design Reviews
 - 1. **35106 Woodward – Whole Dental Wellness (Postponed from July 27, 2022) – Final Site Plan and Design Review request for new addition to rear of building.**
- J.** Study Session
- K.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - 2. Communications
 - 3. Administrative Approval Correspondence
 - 4. Draft Agenda – **September 14, 2022**
 - 5. Action List - 2022
 - 6. Other Business
- L.** Planning Division Action Items
 - 1. Staff Report on Previous Requests
 - 2. Additional Items from Tonight's Meeting
- M.** Adjournment

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Planning Board Action List – 2022 (Approved)

Topic	General Goals	City Commission Directive?	Quarter	Status	
				In Progress	Complete
2040 Master Plan	Adopt a new comprehensive master plan.	☒	Ongoing	☒	☐
Outdoor Dining	Study the Outdoor Dining Ordinance re: enclosures, expansions, etc.	☒	1 st (January-March)	☒	☐
Window Standards (Glazing)	Update window standards to help support building renovation and the Energy Code requirements.	☐	1 st (January-March)	☒	☐
Barrier-Free Ramps	Reduce unintentional restrictions on handicap ramps in the front setbacks.	☐	2 nd (April-June)	☒	☐
Side Yard A/C	Update the ordinance to address issues with side yard a/c units.	☐	2 nd (April-June)	☒	☐
Front Setback Rules	Consider revisions to the setback ordinances in R1-R3 to address 200 ft. calculations rule.	☐	3 rd (July-September)	☒	☐
Lighting Standards	Remove conflicting regulations regarding photometric plans.	☐	3 rd (July-September)	☐	☐
Impervious Surface Definition	Clarify definition to promote the infiltration of storm water.	☐	4 th (October-December)	☐	☐
Health Club/Studio Use	Consider allowing health/fitness type activities in more areas of the City.	☐	4 th (October-December)	☐	☐

Next Up...

Topic	General Goals	City Commission Directive?	Quarter	Status	
				In Progress	Complete
Dumpster Enclosures	Expand the materials permitted/not permitted in dumpster enclosures.	☐	-	☐	☐
Balcony/Terrace Enclosures	Clarify and add regulations for the enclosure of outdoor living space.	☐	-	☐	☐
Lot Combination Process	Review the process for lot combinations to add clarity to approval standards.	☐	-	☐	☐
Mixed Use Requirements	Consider changing the requirements for the stacking of mixed uses.	☐	-	☐	☐
Review Processes for Public Projects	Clarify review process for projects on public property.	☐	-	☐	☐
SLUP Application Process	Clarify the SLUP process in terms of the order of board/commission review.	☐	-	☐	☐
Retail Definition	Revisit the retail definition to address any concerns about first floor uses.	☐	-	☐	☐
Medical Marijuana & CBD	Update the Zoning Ordinance to help regulate Medical Marijuana and CBD through ordinance language.	☐	-	☐	☐
Sustainability Initiatives	Prepare a sustainability agenda to increase Birmingham's resilience.	☐	-	☐	☐
Lighting Standards	Review lighting standards for residential districts to reduce light pollution and nuisance.	☐	-	☐	☐
Landscaping Standards	Consider amendments to permit synthetic planting materials.	☐	-	☐	☐
Social Districts	Study the state regulations and the City to help draw district boundaries.	☒	-	☐	☐
Food Trucks	Study the application of food trucks in the City in terms of locations, restrictions, etc.	☒	-	☐	☐
Leaf Blowers	Study the potential to restrict leaf blowers in regards to noise/pollution	☒	-	☐	☐

Mixed-Use Requirements for Bonus-Stories in the Triangle District	Define the mixed-use requirements in the Triangle District to receive bonus-stories.	☐	-	☐	☐
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