BIRMINGHAM
A WALKABLE CITY

AGENDA
REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD
WEDNESDAY MAY 10, 2023 – 7:30 PM
151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

The City recommends members of the public wear a mask if they have been exposed to COVID-19 or have a respiratory illness. City staff, City Commission and all board and committee members must wear a mask if they have been exposed to COVID-19 or actively have a respiratory illness. The City continues to provide KN-95 respirators and triple layered masks for attendees.

A. Roll Call
B. Review and Approval of the Minutes of the Regular Meeting of **April 17, 2023**
C. Chairpersons' Comments
D. Review of the Agenda
E. Unfinished Business
F. Rezoning Applications
G. Study Session
1. **B1 Zoning District – Commercial Permitted Uses**

H. Community Impact Studies
1. **34952 Woodward & 690 E. Maple – Request for Community Impact Study Review for new 6-9 story mixed use development (Postponed from 4/17/23)**

I. Special Land Use Permits
J. Site Plan & Design Reviews
1. **34952 Woodward & 690 E. Maple – Request for Preliminary Site Plan Review for new 6-9 story mixed use development (Postponed from 4/17/23)**
2. **221 Hamilton Row – Greek Islands – Request for Final Site Plan and Design Review for a new outdoor dining platform and minor façade renovations.**

K. Miscellaneous Business and Communications:
1. Pre-Application Discussions
   i. **34244 Woodward – Bistro Joes**
   ii. **525 N. Old Woodward – Luxe**
2. Communications
   i. **Project Updates**
3. Administrative Approval Correspondence
   i. **April 14, 2023 – May 5, 2023**
4. Draft Agenda – **May 24, 2023**
5. Action List –**2023**
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**
Telephone Meeting Access: 877-853-5247 US Toll-Free
Meeting ID Code: 111656967

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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 dia 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).

City Of Birmingham
Special Meeting Of The Planning Board
Monday, April 17, 2023
City Commission Room
151 Martin Street, Birmingham, Michigan

Minutes of the special meeting of the City of Birmingham Planning Board held on April 17, 2023. Chair Clein convened the meeting at 7:30 p.m.

A. Roll Call

Present: Chair Scott Clein, Vice-Chair Bryan Williams; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck, Daniel Share, Janelle Whipple-Boyce; Alternate Board Member Jason Emerine (not voting); Student Representatives Asher Kaftan, Matthew Wiegand (arrived 7:45 p.m.)

Absent: Alternate Board Member Nasseem Ramin

Staff: Planning Director Dupuis; City Planner Leah Blizinski, Senior Planner Cowan, City Transcriptionist Eichenhorn

MKSK: Brad Strader

B. Approval Of The Minutes Of The Regular Planning Board Meeting of March 22, 2023

04-14-23

Motion by Mr. Williams
Seconded by Mr. Boyle to approve the minutes of the Regular Planning Board meeting of March 22, 2023 as submitted.

Motion carried, 7-0

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

C. Chair's Comments

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

D. Review Of The Agenda
E. Unfinished Business/Courtesy Review
F. Rezoning Applications
G. Study Session

1. **B1 Zoning District – Commercial Permitted Uses**

SP Cowan presented the item and answered informational questions from the Board.

Board members' discussion was as follows:

- Liberalizing the parking requirements to one parking space per 100 sq. ft. for a café use would likely be appropriate since it would be serving the neighborhood and nearby residents would be less likely to use their vehicles to visit;
- It might be appropriate to remove the parking for employees since a café use in this context would have minimal staffing requirements;
- Basing the parking calculation on just the dining area instead of the gross floor area was already allowing a café use a more liberal parking calculation, and moving to one parking space per 100 sq. ft. instead of one parking space per 75 sq. ft. may be not be appropriate;
- In order to reduce potential concern from nearby, single-family residences, it might be more appropriate to keep the same one parking space per 75 sq. ft. parking ratio as other establishments while basing the calculation only on the dining area since these are small establishments;
- A café use would be more appropriate in the B1 zone than a health club/studio use would be, because the latter use could generate an unpredictable amount of traffic during class departure and arrival times;
- A café use would also likely be more appropriate than a bank use because most banking tends to be done online and brick-and-mortar bank locations tend to be consolidations of many different bank employees and ancillary services;
- It might be possible to limit the definition of a bank in the B1 zone to being teller-based and transaction-focused in order to limit the traffic the use would be likely to generate;
- It would be necessary to clarify whether the Zoning ordinance defines banks and offices differently;
- The parking calculations for offices would eliminate the size of offices that could exist in the B1 areas;
- The definitions provided by Staff were well done;
- Some of the presently-allowed uses in B1 and other zones need to be revised, and the Board should begin to address that in the next one to two years;
- Clarifying the parking calculations for each type of use needs to be stated in the proposed ordinance changes;
- The parking calculations for an indoor dining accessory use needs to be stated in the proposed ordinance changes;
- It would be helpful to provide the parking calculation of a specific site as an example, demonstrating the present parking calculation and the parking difference if an indoor dining accessory use were added; and,
- Staff should consider any creative ways other municipalities have allowed a health club/studio use in a similar zoning context.

Michael Vogt, attorney, spoke on behalf of the applicant. He noted that the point of the B1 changes would be to encourage less parking-intensive uses. He said that the limited amount of parking available in most of the B1 areas would likely drive the size of the indoor dining areas. His client, for instance, would likely be limited by a one parking space per 75 sq. ft. parking ratio, even only based off the indoor dining area, to a 375 sq. ft. indoor dining area in the context of a 1900 sq. ft. space. He said that one parking space per 100 sq. ft. or more might be more practical. For a health/club studio, he suggested the Board consider allowing personal training limited to five people at a time, with other health/club studio uses to be reviewed through the SLUP process.

The Chair thanked SP Cowan for his work.

H. Community Impact Studies

1. **34952 Woodward & 690 E. Maple – Request for Community Impact Study Review for new 6- 9 story mixed use development**

CP Blizinski and Mr. Strader presented the item and answered informational questions from the Board.

Toby Veit, VP of Development with Ryan Companies, Brett Bunke, VP of Architecture with Ryan Companies, and Paul O'Meara with Rowe Professional Services spoke on behalf of the project. In reply to Board inquiry, members of the applicant team stated:

- They would ask Barr Engineering to provide the Board with the Phase Two Environmental Assessment from 2011;
- They would provide the Board with a copy of the 'perpetual parking agreement' referenced in the CIS;
- 'Ground improvements' means caissons or deep foundations;
- It was unclear what F&V meant in its memorandum when it said the model needed to be updated. All the proper procedures were followed. The queue numbers were based on available information;
- Keeping the ingress on Maple is important in order to allow visitors to find the public parking that will be available as part of the development;
- It would likely be appropriate to ban left turns onto Maple during certain times of the day; and,
- It was unclear how future bicycle and pedestrian trips should be estimated, and the applicant team would speak with F&V about how to clarify that information.

Board members' discussion was as follows:

- The development would require clear signage indicating that public parking was available;
- The plans for ingress and egress onto Maple should be clarified before final site plan review;
- There was interest in reviewing the Phase Two Environmental Assessment with respect to the chromium levels and the adequacy of the soil borings
- The CIS should explicitly state that caissons or deep foundations would be required;
- A no left turn sign onto westbound Maple would be challenging to enforce. Left turns onto westbound Maple should be prohibited;
- There was no concern about the ingress off of Maple;
- How trip generation would affect the access of the site needed to be resolved; and,
- It was essential that the applicant team resolve points one and two as described in F&V's memorandum.

<u>Public Comment</u>
In reply to Cheri Taunt, owner of 700 E. Maple, Mr. Veit confirmed the applicant team would take all necessary measures to ensure that Ms. Taunt's building would not be affected by the construction of 690 E. Maple.

DRAFT

04-15-23

Motion by Mr. Boyle
Seconded by Mr. Williams to postpone consideration of the acceptance of the Community Impact Study for 34952 Woodward & 690 E. Maple to May 10, 2023.

Motion carried, 7-0

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

04-16-23

Motion by Mr. Williams
Seconded by Mr. Boyle to amend the rules of procedure to allow both site plan and study sessions items at the May 10, 2023 Planning Board meeting.

Motion carried, 7-0

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

I. Special Land Use Permits and Site Plan & Design Reviews
J. Site Plan & Design Review

1. **34952 Woodward & 690 E. Maple – Request for Preliminary Site Plan Review for new 6-9 story mixed use development**

CP Blizinski presented the item and answered informational questions from the Board.

Board members' discussion was as follows:

- The eastern egress stairwell could be moved inside in order to allow pedestrians to walk around the building. Otherwise, it might be appropriate to gate at the sidewalk along Maple so pedestrians do not follow the path and reach a dead end;
- It seemed difficult to get from an entry point in the parking structure to the back side of the retail;
- From the back side of the retail the pedestrian access path should exit to Maple;
- There should be a usable entrance to the retail on Woodward;
- The sidewalks along Woodward should potentially be wider than seven feet;
- The ventilation for the garage and the potential louver should be integrated so as not to look like mechanicals;
- If traffic is prevented from making a left on westbound Maple, there would be some concerns about the condition of the alley and whether the width of the public alley can accommodate two-way traffic. Additionally, how idling delivery vehicles might impact traffic in the public alley should be considered, as should the location of a loading dock;

- At some point in the future the applicant should explain how traffic delivery would occur at the site;
- The drop-off lane may pose a problem;
- It might be beneficial to create a lane underneath the building where package dropoff and other deliveries could occur. Otherwise, dangerous conditions could occur with delivery drivers trying to figure out where to pause;
- Birmingham Place has a similar retail condition worth reviewing;
- Building amenities fronting on Maple would likely be requested by the Board in the future;
- It would be beneficial for future discussions to know which other adjacent buildings use the public alley;
- It might be appropriate to charge for the public parking to deter building residents and nearby employees or visitors to restaurants from monopolizing the parking;
- Detailed floor plans would be required for final site plan;
- Significant attention needs to be paid to the pedestrian experience on and around the site;
- The corner of Maple and Woodward should be enticing from the pedestrian level, and making improvements to the pedestrian experience at that level should be prioritized;
- A pedestrian plaza at the Woodward level would be appropriate. Three or four parking spaces on Woodward would have to be removed, but those spaces are likely to be removed regardless because they do not align with access management. Greenleaf Trust at 34977 Woodward has a potential example of such a plaza for reference;
- If the other parking is done well, it would be possible and preferable to remove the parking along Woodward. Doing so would help alleviate the pedestrian pinch points at the north and the south corners;
- The project overall is very well done and the site plan is close to being ready for approval by the Board; and,
- Other buildings nearby, including the Greenleaf Trust building and the Balmoral at 34901 Woodward Ave, can provide aesthetic references. It would be interesting to see something at the building front that is as beautiful as the building and connects to the other sites.

Matt Stevens, Project Designer with Ryan Companies, spoke on behalf of the project. In reply to Board comment, Mr. Stevens stated:

- The egress stair on the eastern edge of the property would serve the amenity deck on level three. It would not connect to the parking garage or be for the public;
- The main frontage on Woodward would be the appropriate location for retail, which prevents vehicular access off of Woodward. Adding vehicular access off Woodward would also make less sense than the public alley or Maple;
- Residential and loading traffic would be primarily directed into the public alley;
- The vehicular access off of Maple would be largely for those unfamiliar with the site and visitors to the retail who were unaware of the parking off the public alley;
- They would aim to make the sidewalk along Woodward a pleasant space;
- Entries to retail on Woodward would be a priority;
- To the north the applicant team was considering a passageway to allow pedestrians to enter and exit the parking garage. Pedestrian entry and exist into the parking garage would be made clear;
- The architectural aim is to create interest at the corner of Woodward and Maple via different aspects of the building being different heights and visible from different angles;

- The mechanicals for ventilating the garage would be integrated into a cohesive design;
- Larger trucks would be directed towards the loading dock. Smaller deliveries are likely to stop at the most convenient location, which is on Maple, and that is why the drop-off lane would be located there; and,
- The applicant team will advocate for the ability to enhance the pedestrian experience along Woodward. The City's support for doing so would likely help in discussions with MDOT.

04-17-23

Motion by Mr. Williams
Seconded by Mr. Jeffares to postpone consideration of the preliminary site plan review for 34952 Woodward & 690 E. Maple to May 10, 2023.

Motion carried, 7-0

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

K. Miscellaneous Business and Communications

The Board answered brief questions about the 34952 Woodward & 690 E. Maple site from SR Wiegand.

1. **Pre-Application Discussions**
2. **Communications**
3. **Administrative Approval Correspondence**
4. **Draft Agenda**
5. **Action List – 2023**
6. **Other Business**

L. Planning Division Action Items
a. Staff Report on Previous Requests
b. Additional Items from tonight's meeting

M. Adjournment

No further business being evident, the Chair adjourned the meeting at 10:18 p.m.

Nick Dupuis, Planning Director

Laura Eichenhorn, City Transcriptionist

DRAFT

MEMORANDUM

Planning Division

DATE: May 5th, 2023

TO: Planning Board Members

FROM: Brooks Cowan, Senior Planner

APPROVED: Nicholas Dupuis, Planning Director

SUBJECT: B1 Neighborhood Business Zoning Amendment Application – Study Session #4

The owner of 100 W. 14 Mile is applying to amend the Zoning Ordinance for the B1 Neighborhood Business District to enable additional uses. The additional uses being proposed include Health Club/ Studio, Specialty Food Store, Boutique, Bank, Food & Beverage, and Fast Casual / Cafe. The applicant is the owner of the space where Grapevine Market used to be. The reason for requesting the zoning amendment is to provide additional tenant options.

There are eight areas in the City of Birmingham with B1 Neighborhood Business designations. Photos and a map of these zones are attached following the memo. Such B1 locations with notable tenants include the following:

1. Maple & Cranbrook (DFCU)
2. Maple & Chesterfield (Mills Pharmacy, Holiday Market Select, etc)
3. 151 N. Eton (Canelle Patisserie, Jets Pizza, Eton Market, etc)
4. 256 S. Eton (Beauty Collective)
5. 1213 Forest Hills Ln (Forest Hills Swim Club)
6. Lincoln & Grant (MUCU, Ginger Ground for Hair, Ortiz Educare)
7. 14 Mile & Southfield (Market Square, Birmingham Oil Change Center)
8. 14 Mile & Pierce (Blue Canary Confections, former Grapevine Market)

Study Session 1 – February 8th, 2023 (Agenda – Minutes)

City staff began by summarizing the intent of the B1 Neighborhood Business District, Article 2, Section 2.27(A) which states the following:

> The B1 (Neighborhood Business) District is established for the convenience of shopping for persons residing in adjacent residential areas to permit only such uses as are necessary

to satisfy those limited basic shopping and/or service needs which by their very nature are not related to the shopping pattern of the general business district.

City staff then discussed the proposed uses in relation to the district intent of the B1 zone. It was brought up that bank was indirectly allowed through the definition of office, but adding it to the list of permitted uses would make it easier for users to understand the Zoning Ordinance. It was also discussed how staff had no concerns regarding specialty food store, or boutique.

Given the wide variety of health club/studios, there was some concern regarding parking and fitness classes that could draw a large number of patrons for an hour session. Staff also discussed a potential new definition for cafés that limited the amount of indoor seating space. Doing so could help resolve issues for the city in having to make distinguishments between bakeries, food and drink establishments, and specialty food stores.

The Planning Board requested maps of where each use is permitted, as well as comparisions of how other cities regulate such uses, particularly parking requirements for small restaurants and gyms.

Study Session 2 – March 8th, 2023 (Agenda – Minutes)
City staff began the second study session by reviewing maps of where each use is permitted in the City in comparison to the B1 zone. Staff then reviewed other ways cities have regulated parking for smaller restaurants and fitness studios.

There appeared to be general consensus from the Planning Board that they were amenable to allowing the proposed uses of bank, specialty food store, and boutique as permitted uses in the B1 zone.

Upon discussion of creating terminology to enable smaller eating and drinking establishments, there was general consensus that adding "indoor dining" as an accessory permitted use would be beneficial. There was also general consensus that a new definition for Café should be reviewed.

In regards to health club / studio, it was discussed how the dificulty in this use is distinguishing between a 5 person class vs a 40 person class. A SLUP could be useful in regulating the various uses in this category, however the application requirements are more cumbersome and could deter potential tennants from trying.

Study Session 3 – April 17th, 2023
City staff added "indoor dining*" to the list of accessory uses for the B1 District. A proposed amendment to Article 5, Section 5.09, Use Specific Standards was also included to limit the space of indoor dining assembly area to 750 square feet for places where indoor dining may occur. For comparable spaces, Holiday Market has approximately 375 square feet of indoor dining space, and Canelle Patisserie has 500 square feet of indoor dining space.

The applicant has proposed the addition of food and drink establishments to the B1 zone, however City staff is hesitant to include this use. There appeared to be a general consensus that this use incorporates a full service restaurant with a 1 parking space per 75 square feet parking requirement with a higher intensity of users.

City staff recommended that a lighter intensity food and drink category be created – this could be called a "café" which includes a small mix of carry-out and dine-in. Proposed regulations on the size of the indoor dining area would be associated with the café use. A parking amendment based on the size of the indoor dining area, and not the entire tenant space was proposed. Such changes to the Zoning Ordinance for Café use in the B1 zone were proposed as the following:

> Article 9, Section 9.02 Definitions:
> *Cafe: an eating or drinking establishment where the business to consumer operation is predominantly through counter service provided for a combination of dine-in and carry-out, and does not offer full table service through a wait staff.*
>
> Article 5, Section 5.09 Use Specific Standards for the B1 District:
> *Indoor dining: Indoor dining is permitted as an accessory use to a bakery, specialty food store, grocery store, and* ***café*** *provided that the space for tables, seats, and patron circulation does not exceed 750 square feet.*
>
> Article 4, Table A: Off-Street Parking Spaces
> *Eating eatablishment – café use: 1 space per 75 square feet of indoor dining assembly area, plus 2 spaces for employees.*

In regards to health club/studio use, city staff mentioned that they are amenable to a SLUP for this use due to the variety of uses the category encompasses. An alternative to a SLUP could be to cap the amount of patrons for a fitness class through Use Specific Standards of Article 5.09, however this would be dificult to enforce. The Planning Board appeared amenable to exploring ways to allow small classes while prohibiting larger ones.

Discussion from the Planning Board involved concern about banks in the B1 Zone and that the use of some banks appeared to be more like large offices. The Planning Board also discussed parking requirements for the proposed "café" as well as the new indoor dining accessory use. There was a discussion about 1 per 75 SF of assembly area + 2 spaces for employees vs. 1 per 100 SF for the assembly area. No general consensus was reached at that time. Questions about calculating total parking when there is indoor dining within another use such as a grocery store was also raised.

<u>Study Session 4 – May 10th, 2023</u>
In regards to adding "bank" to the list of commercial permitted uses, the purpose is to improve convenience for users reading the Zoning Ordinance due to the fact that banks are already allowed under the definition of Office. The Planning Division has not encountered issues with bank proposals in the B1 District. The applicant has indicated that if adding "bank" to the permitted uses is controversial then they are amenable to removing it in order to expedite the review process.

At the previous meeting, staff suggested adding health club/studio as a use requiring a Special Land Use Permit due to the variety of class sizes that the use entails. Creating a definition for personal training studio and potentially limiting the number of patrons was also discussed. Upon review of other cities, attempting to regulate health club/studios in the B1 neighborhood business district presents a number of challenges. Staff wants to allow and promote small fitness businesses, however studios with 40-50 people per class would not be appropriate for the district's

intent. The three possible avenues would be to either regulate the use with a SLUP, to regulate the size of the tenant space through use specific standards, or to regulate the number of patrons per session through use specific standards. A summary of each is below:

1. SLUP – Would require a lengthier and more cumbersome application process for the tenant, however the Planning Board and City Commission would be able to review applications on a case-by-case basis and include any special conditions of approval to help make the use appropriate with surrounding uses.

2. Regulate size – A number of cities allow "fitness studios" up to 1000 or 1500 SF to enable uses such as yoga and barre classes. Capping the size of the space limits the ability for a big box gym to move in. The issue is that placing a cap on the size of the studio does not prevent the tenant from hosting classes with a packed room of 40 or so people per hour.

3. Regulate number of patrons – City staff have explored the idea of creating a "personal training" use category and writing a definition for smaller fitness classes that could be accompanied with a limit on the number of patrons in the use specific standards. Staff foresees a number of gray area issues with doing so - the biggest issue being enforcement.

Upon review of alternative ways to allow health club/studio in the B1 District, and discussion with the applicant, staff recommends having the use within the SLUP requirement category. This would enable staff, the Planning Board, and City Commission to review applications on a case-by-case basis and include special conditions of approval. Doing so could help filter out classes for 5 clients vs. 40 clients.

In regards to parking calculations and the newly proposed "Café" use, the applicant has indicated a desire for a 1 per 100 SF of assembly space requirement. Meanwhile the City standard for eating establishments has historically been 1 per 75 SF of gross floor area. At the previous meeting, staff cited other cities using 1 per 75 SF of assembly area + 2 for staff. Staff has included the applicant's request of 1 per 100 SF in the proposed ordinance language.

Indoor dining as an accessory use has also been amended to consist of the assembly space for tables, seats, and patron circulation up to 50 percent of the tenant space, or 750 square feet, whichever is less. This way the indoor dining area is a function of the size of the space and cannot exceed one half of the tenant space, or 750 square feet, whichever is less.

Questions about calculating parking for grocery or specialty food store uses with indoor dining have come up. City staff recommends that the calculation be based off of the principle use, which in those cases would be 1 per 300 SF. "Indoor Dining" is listed as an accessory use and is limited in size in order to keep it accessory to the principle use, therefore staff does not recommend doubling indoor dining calculations with principle use calculations for parking calculations. It is of note that "Café" has it's own parking category proposed to align with its principle use, and would be calculated different than a grocery store or specialty food store with indoor seating.

Suggested Action:
City staff recommends that the Planning Board set a public hearing for the proposed Zoning Ordinance Amendments.

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 2, SECTION 2.27, B1 (NEIGHBORHOOD BUSINESS) DISTRICT INTENT, PERMITTED USES, AND SPECIAL USES, TO ADD BANK, BOUTIQUE, CAFÉ, AND SPECIALTY FOOD STORE TO COMMERCIAL PERMITTED USES, INDOOR DINING TO ACCESSORY PERMITTED USES, AND HEALTH CLUB STUDIO TO USES REQUIRING A SPECIAL LAND USE PERMIT.

A. **Permitted Uses**
   1. Institutional Permitted Uses
      a. community center
      b. government office
      c. government use
      d. religious institution
      e. school - private
      f. school - public
      g. social club
   2. Recreational Permitted Uses
      a. recreational club
      b. swimming pool – semiprivate
   3. Commercial Permitted Uses
      a. Bakery
      b. bank
      c. barber shop/beauty salon
      d. boutique
      e. café
      f. drugstore
      g. dry cleaning
      h. grocery store
      i. hardware store
      j. neighborhood convenience store
      k. office
      l. shoe store/shoe repair
      m. specialty Food Store
      n. tailor
   4. Other Permitted Uses
      a. utility substation

B. **Other Use Regulations**

1. Accessory Permitted Uses
    a. alcoholic beverage sales*
    b. indoor dining*
    c. kennel*
    d. laboratory - medical/dental*
    e. loading facility - off-street*
    f. outdoor cafe
    g. outdoor display*
    h. parking facility - off-street*
    i. sign
2. Uses Requiring a Special Land Use Permit
    a. alcoholic beverage sales (off-premise consumption)
    b. alcoholic beverage sales (on-premise consumption)
    c. child care center
    d. continued care retirement community
    e. health club/studio
    f. independent hospice facility
    g. drive-in facility*
    h. gasoline full service station*
    i. skilled nursing facility

* = Use Specific Standards in Section 5.09 Apply

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 5, SECTION 5.09, USE SPECIFIC STANDARDS, TO ADD LANGUAGE TO PERMIT INDOOR DINING AS AN ACCESSORY USE TO BAKERIES, SPECIALTY FOOD STORES, GROCERY STORES, AND CAFES.

ARTICLE 5: USE SPECIFIC STANDARDS
5.09 B1 District
This Use Specific Standards section applies to the following district:
B1
The following use specific standards apply:

A. Alcoholic Beverage Sales: Alcoholic beverage sales for consumption off the premises in conjunction with grocery stores and drugstores is permitted subject to special land use permit.
B. Drive-in Facility: A drive-in facility is permitted provided it is accessory to the permitted principal use.
C. Gasoline Full Service Station: A gasoline full service station is permitted provided any mechanized car wash systems shall be limited to 25 cars per hour.
D. Indoor Dining: Indoor dining is permitted as an accessory use to a bakery, specialty food store, grocery store, and café provided that the indoor dining area consisting of the assembly space for tables, seats, and patron circulation does not exceed 50 percent of the tenant space, or 750 square feet, whichever is less.
E. Kennel: A kennel is permitted in conjunction with veterinary clinics when completely enclosed within a building (see Sections 18-86, 18-87, 18-88 of the Birmingham City Code).
F. Laboratory: A laboratory is permitted when incidental to a medical or dental office located within the same building.
G. Loading Facility: A loading facility is permitted provided facilities are screened according to Section 4.54.
H. Parking Facility: A parking facility is permitted provide such facilities are screened according to Section 4.54.
I. Rooftop Use Standards:
    1. Rooftop amenities such as pergolas, trellises and other similar items are permitted on a rooftop, provided:
        i. They are set back at least 5 feet from the eave line.
        ii. They are of sufficient weight or anchored to the building to resist anticipated wind loads.
        iii. They do not have full enclosures.
        iv. They do not include eisenglass or similar enclosure materials.
    2. Rooftop structures and amenities may not contain habitable space.

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 9, SECTION 9.02, DEFINITIONS, TO CREATE A DEFINITION FOR A CAFÉ USE.

Cafe: an eating or drinking establishment where the business to consumer operation is predominantly through counter service provided for a combination of dine-in and carry-out, and does not offer full table service through a wait staff.

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

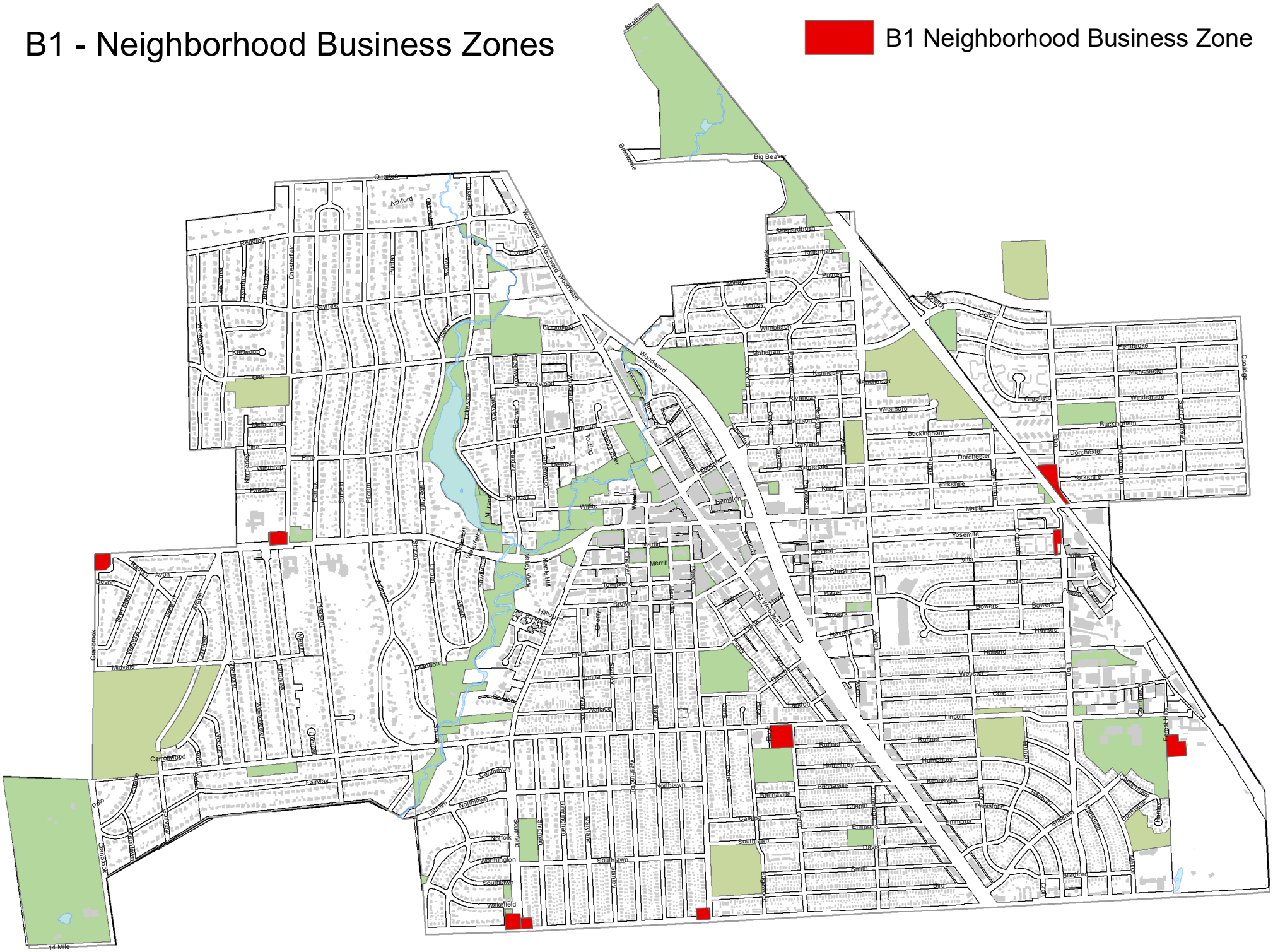
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 4, TABLE A, TO CREATE A PARKING RATIO REQUIREMENT FOR A CAFÉ USE.

Café: 1 space per 75 square feet of indoor dining area to be calculated from the area consisting of the designated assembly space for tables, seats, and patron circulation.

B1 - Neighborhood Business Zones

B1 Neighborhood Business Zone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Pallister
Pierce
Sunset
Pleasant
Oak
Keeler
Westwood
Melbourne
Kenwood
Paddock
Lakeshore
Old Woodward
Cranbrook
Polo
14 Mile
Coolidge
Dorchester
Yorkshire
Buckingham
Westboro
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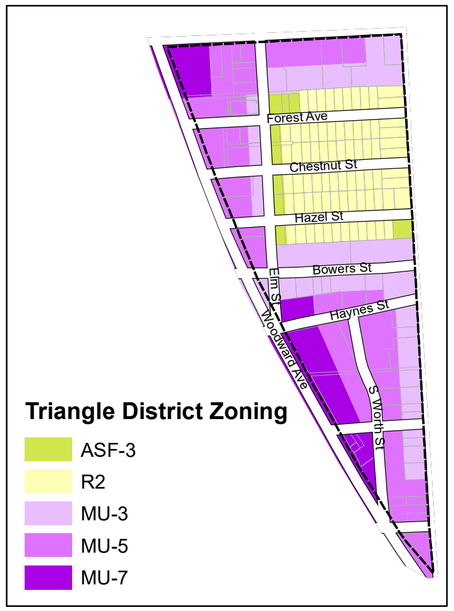

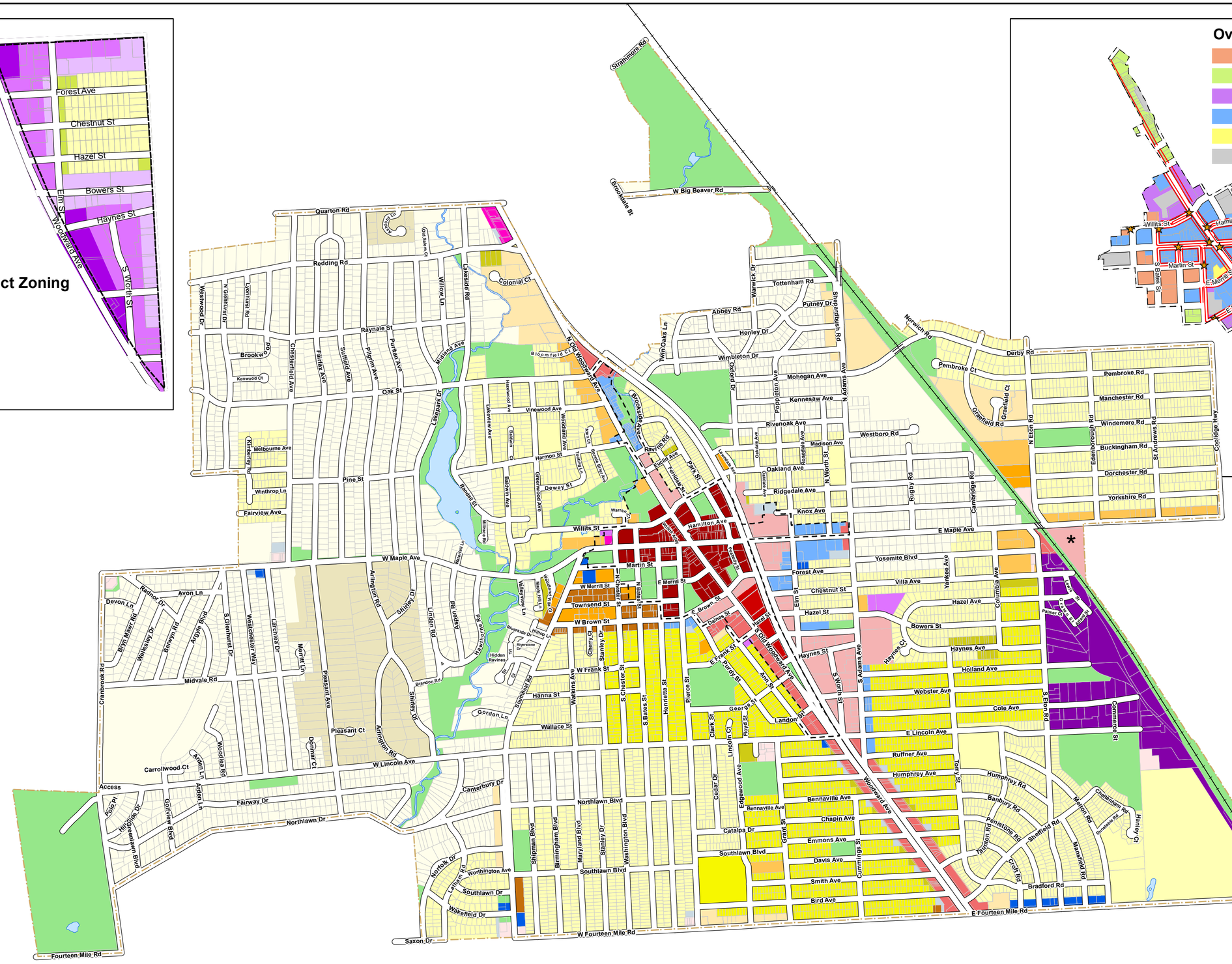
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Hamilton Ave
Martin St
W Maple Ave
E Maple Ave
Yosemite Blvd
Forest Ave
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Chesterfield St
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Riverstone Dr
Valleyview Ln
Woodland Ln
Maple Hill Ln
Hawthorne Rd
Lesner Rd
Arlington Rd
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Meldrum Ln
Matthews Rd
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Puritan Ave
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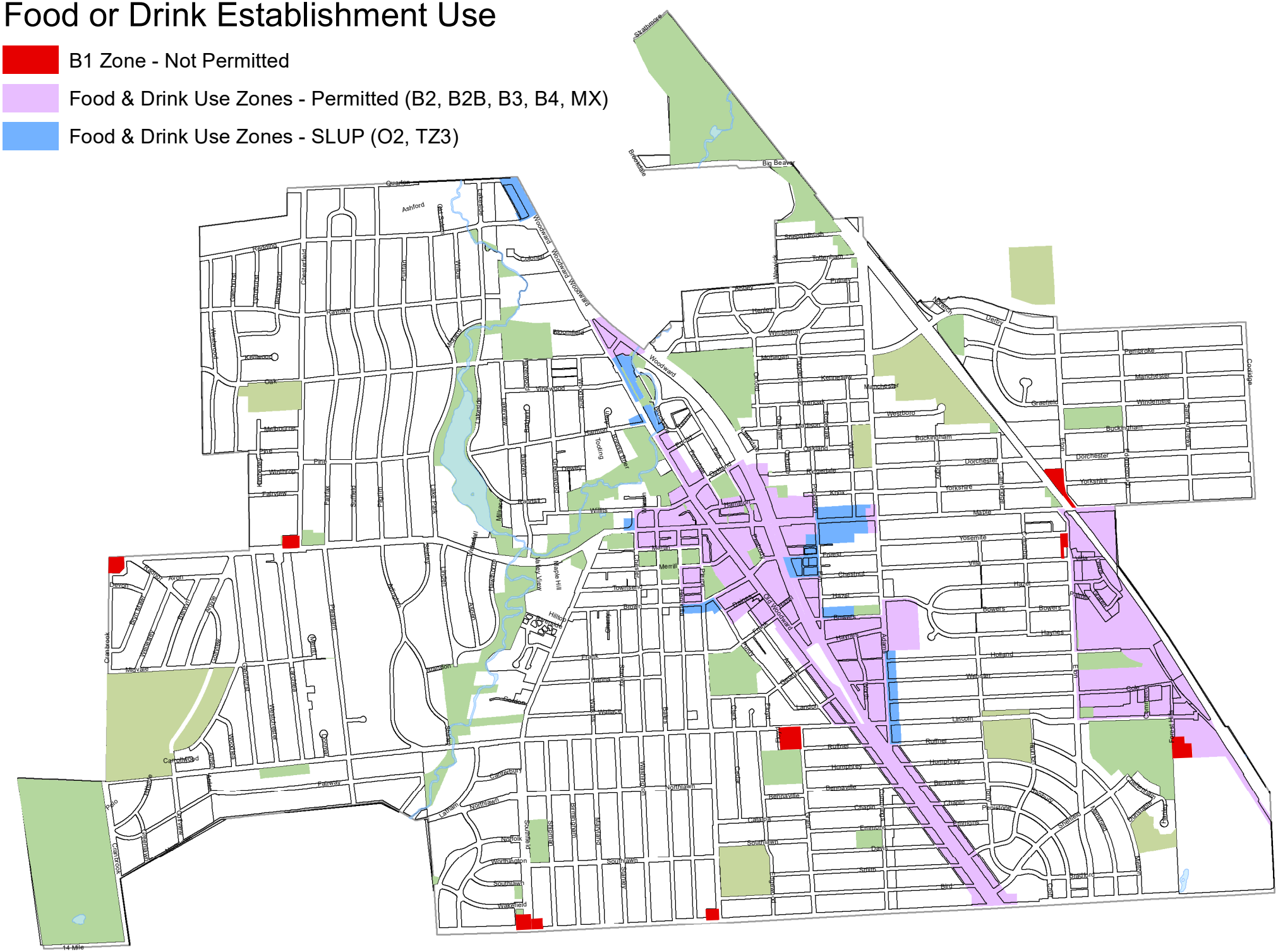
N Glenhurst Dr
Lyonhurst Rd
Westwood Dr
Kenwood Ct
Gus Salem Ct
Park Ct
Warren Ct
Bloomfield Ct
Hazelwood Ave
Baldwin Ct
Alex Ct
Special Birch Ave
Trading Ln
Oakland Ave
Lakeview Ave
Bosedale Ave
Madison Ave
Oakland Ave
Ridgedale Ave
Knox Ave

Food or Drink Establishment Use

B1 Zone - Not Permitted

Food & Drink Use Zones - Permitted (B2, B2B, B3, B4, MX)

Food & Drink Use Zones - SLUP (O2, TZ3)

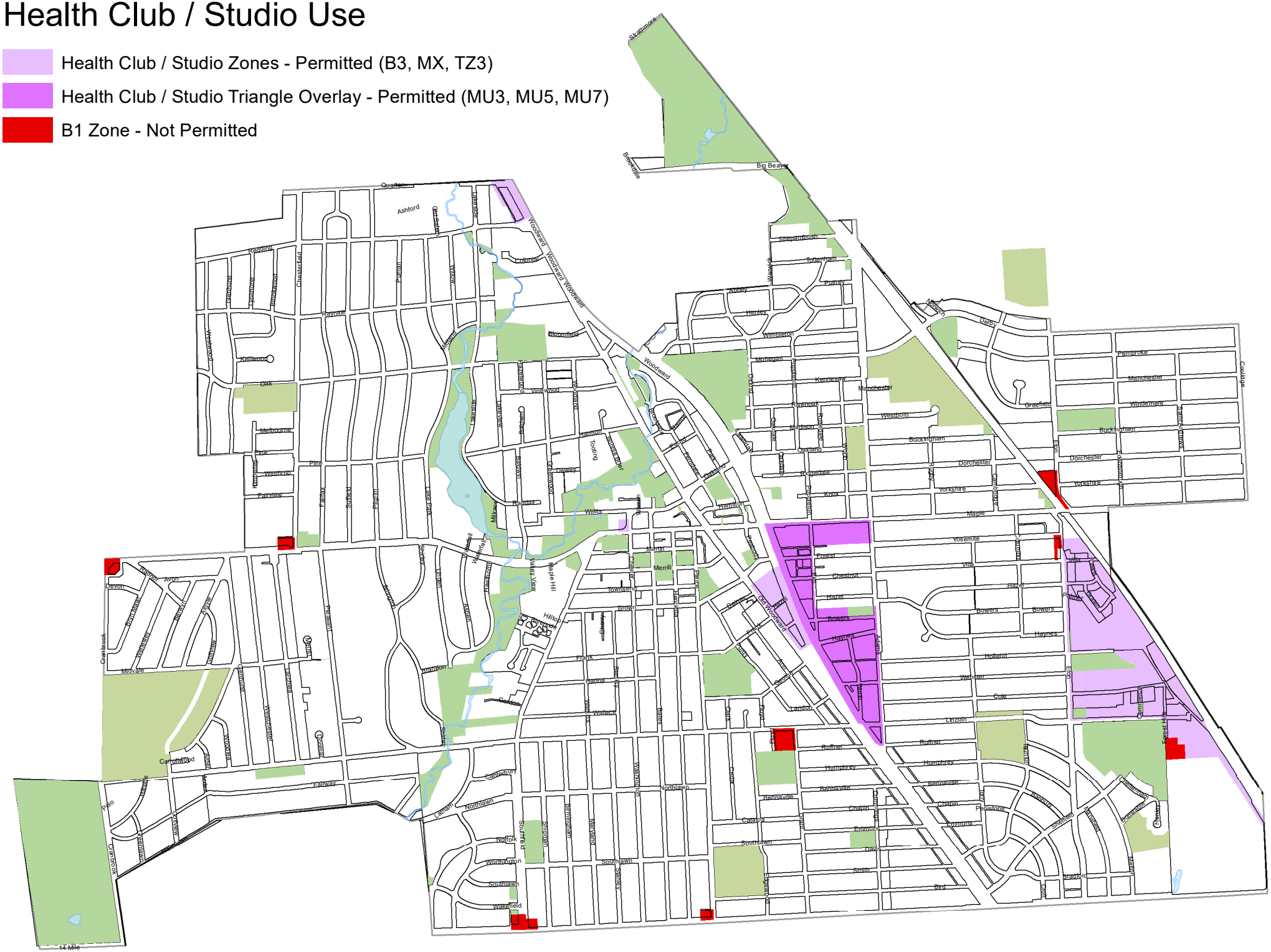


Health Club / Studio Use

Health Club / Studio Zones - Permitted (B3, MX, TZ3)

Health Club / Studio Triangle Overlay - Permitted (MU3, MU5, MU7)

B1 Zone - Not Permitted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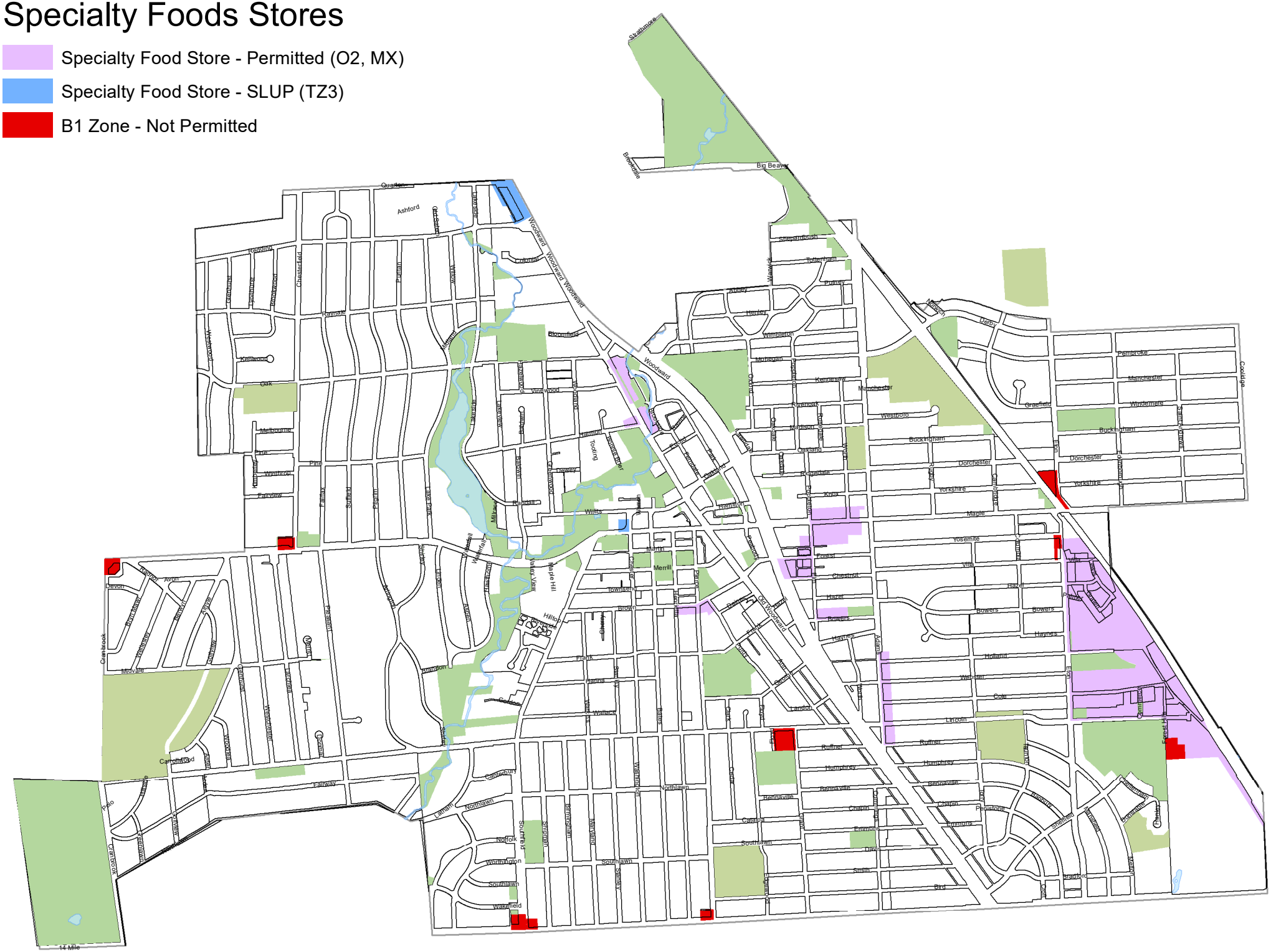
Grant

Specialty Foods Stores

Specialty Food Store - Permitted (O2, MX)

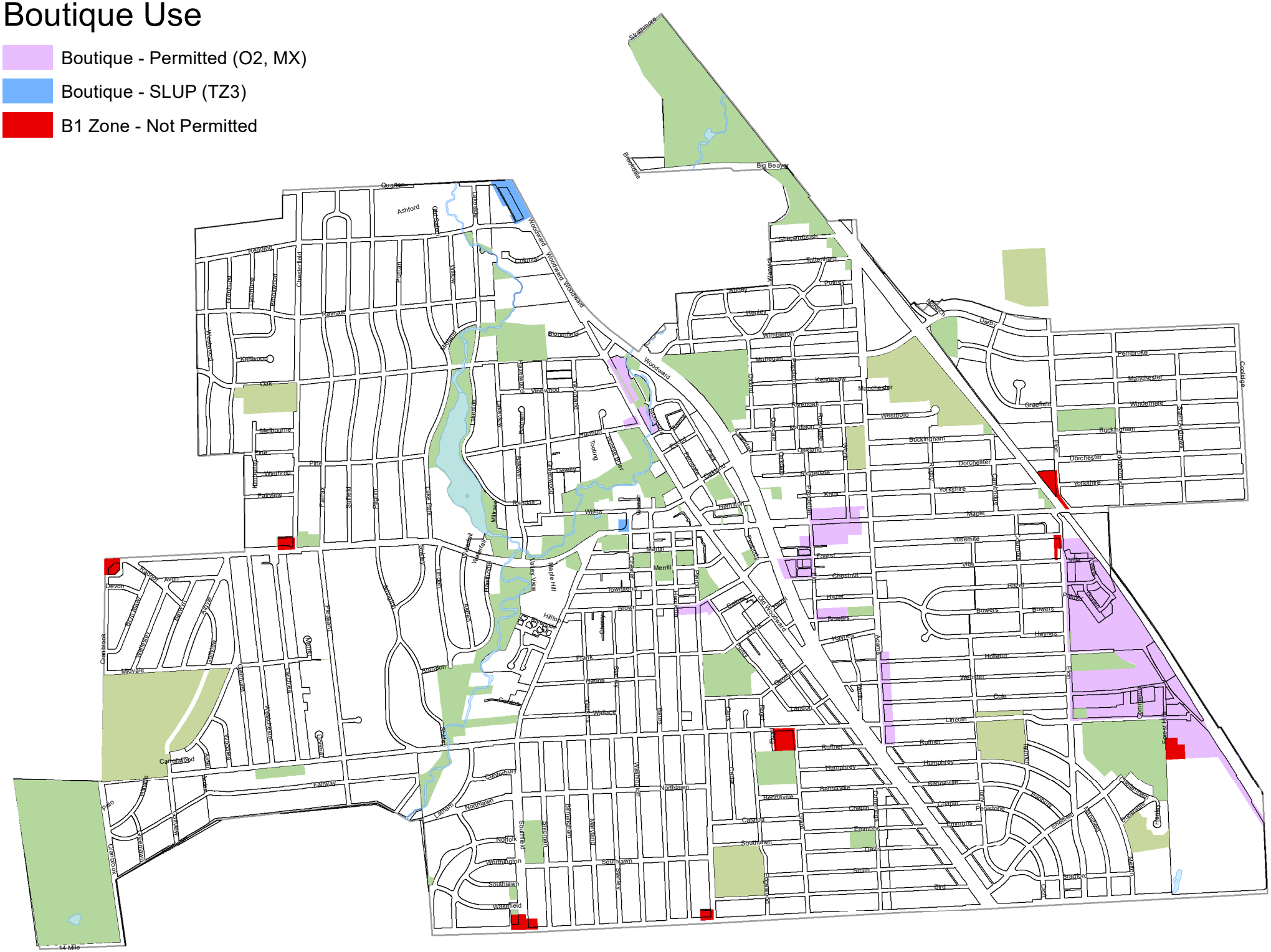
Specialty Food Store - SLUP (TZ3)

B1 Zone - Not Permitted



Boutique Use

- Boutique - Permitted (O2, MX)
- Boutique - SLUP (TZ3)
- B1 Zone - Not Permitted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Bradford
Forest Hill
Coolidge
Stanley
Whitehall
Graefield
Pembroke
Manchester
Derby
Kensington

Maple and Cranbrook

Maple & Chesterfield

151 N. Eton

256 S Eton

1213 Forest Hills Lane

Lincoln and Grant

14 Mile and Southfield

14 Mile and Southfield

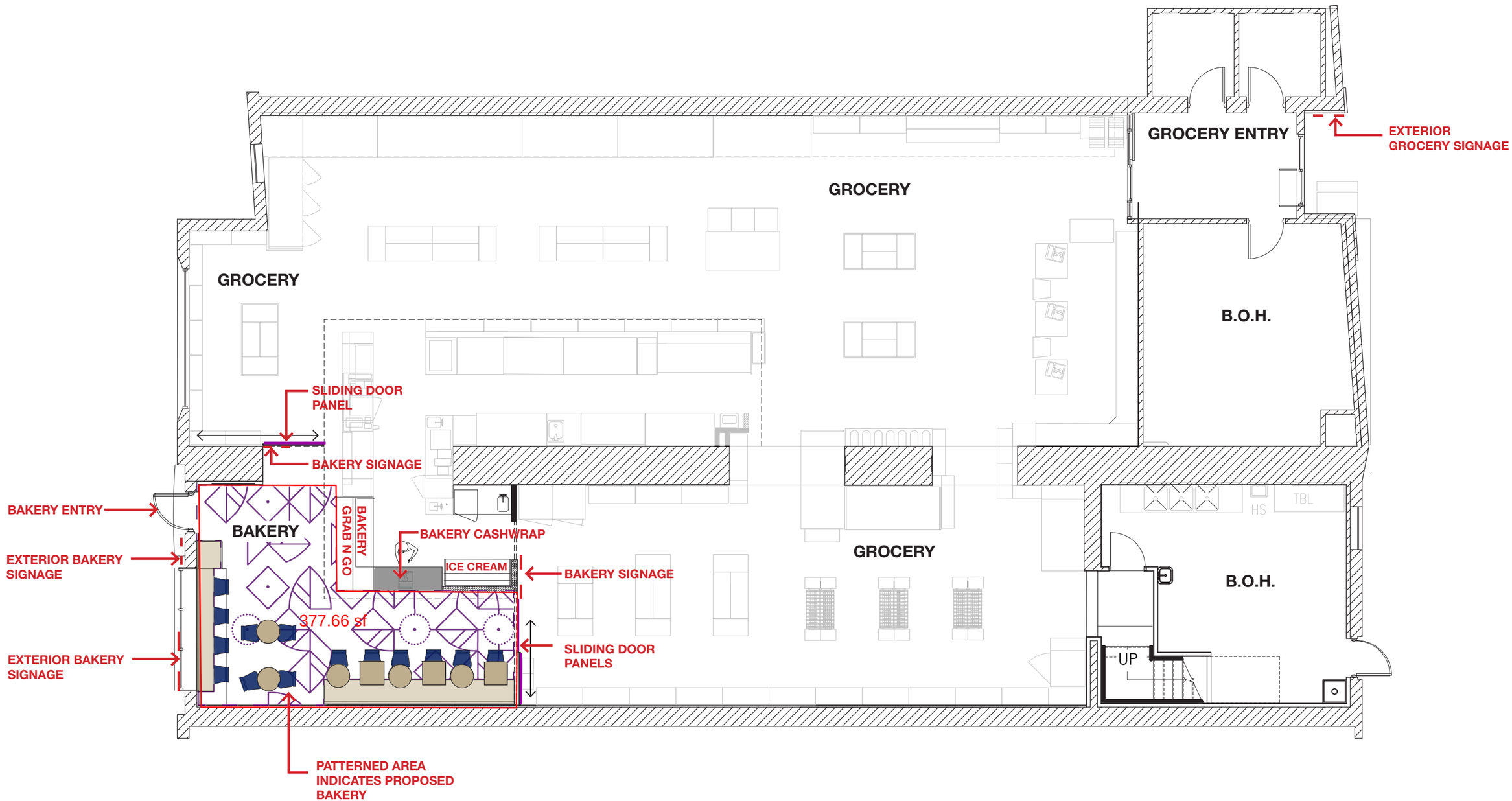
8. 14 Mile and Pierce

NOTE: EQUIPMENT SHOWN IS FOR DESIGN INTENT ONLY. COORDINATE ALL EQUIPMENT WITH ARCHITECT AND EQUIPMENT SUPPLIER. (TYP.)

NOTE: CEILING HEIGHTS ARE BASED ON AN ASSUMED 10'-6". DIMENSIONS TO BE VERIFIED. IF DIFFERENT CONTACT STUDIO H2G (TYP.)

NOTE: DIMENSIONS ARE FOR DESIGN PURPOSES ONLY (V.I.F.) SEE ARCHITECTURAL DRAWINGS. VERIFY EQUIP SIZES BEFORE STARTING ANY CONSTRUCTION

NOTE: DRAWINGS ARE FOR DESIGN PURPOSES ONLY. SEE ARCHITECT AND ENGINEERS DRAWINGS FOR NOTES DIMENSIONS AND DETAILS (TYP.)



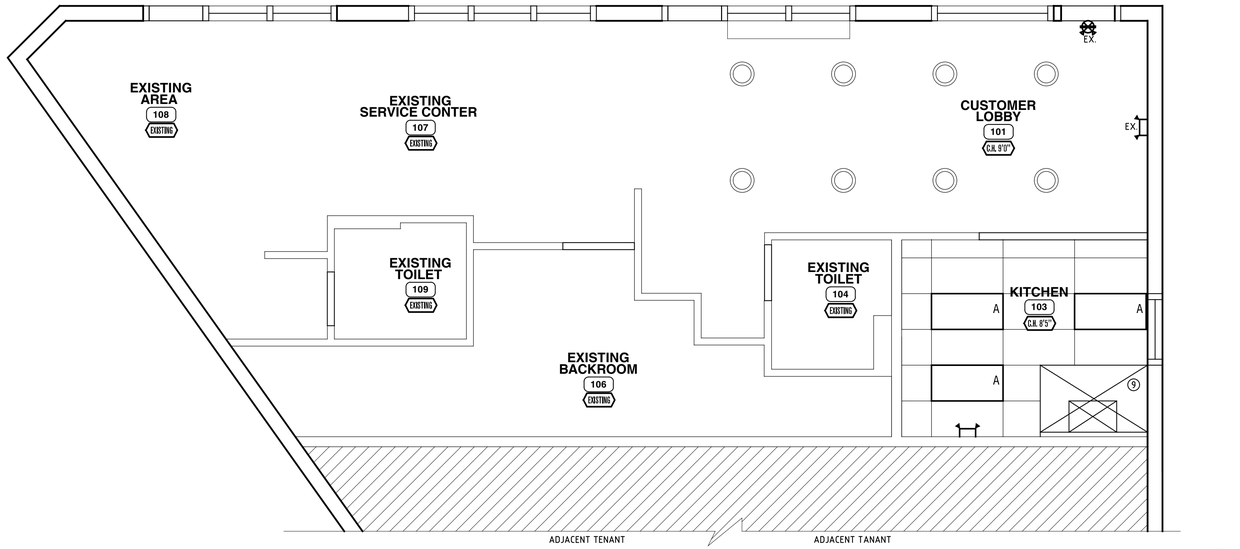
FLOOR PLAN
N.T.S. (NOT TO SCALE)

3

04/28/2021

studio H2G
headtogether, including gourmet.

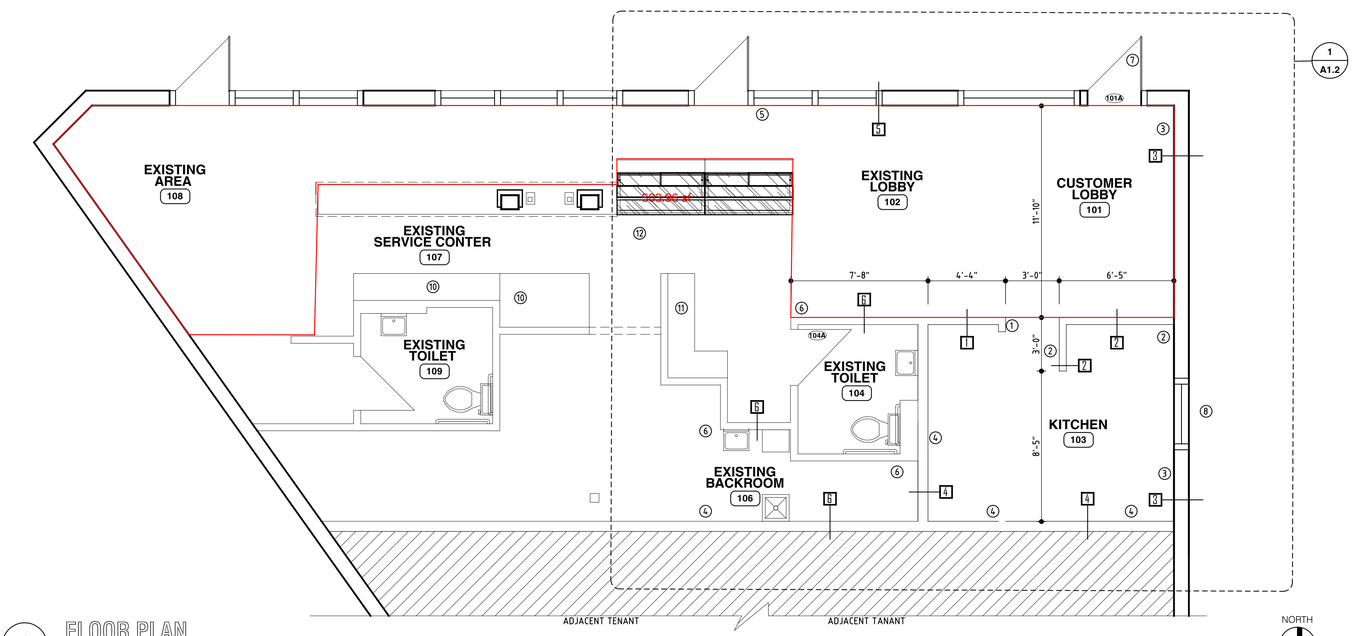
PRELIMINARY DESIGN (SEATING)



2 REFLECTED CEILING PLAN

SCALE: 1/4" = 1'

NORTH



1 FLOOR PLAN

SCALE: 1/4" = 1'

NORTH

DIMENSIONS

NEW INTERIOR PARTITIONS:
GYP. BD. TO GYP. BD.

EXISTING CMU & DEMISING WALLS:
FACE OF MASONRY / STUD

PLAN LEGEND

	EXISTING WALL - TO REMAIN SEE ASSEMBLY TYPES
	NEW WALL SEE ASSEMBLY TYPES
	EXISTING DOOR & FRAME - TO REMAIN SEE DOOR SCHEDULE
	NEW DOOR SEE DOOR SCHEDULE

CEILING LEGEND

	LAY-IN CEILING TILE SEE FINISH SCHEDULE
A	NEW 2x4 SUSPENDED CEILING GRID LAY-IN LIGHT FIXTURE
	WALL MOUNTED EMERGENCY LIGHT FIXTURE
	EXIT SIGN WITH EMERGENCY LIGHT
	PENDANT LIGHT TO MATCH EXISTING
	RECESSED CAN LIGHTS

ASSEMBLY TYPE

MARK	DESCRIPTION	DETAIL
1	TYP. INTERIOR PARITION W/ NEW FINISH GYP + 3-5/8" MTL STUD	1/A6.1
2	TYP. INTERIOR PARTITION W/ NEW FINISH WALL HEIGHT 5'-0"GYP + 3-5/8" MTL STUD	1/A6.1
3	EX. EXTERIOR WALL W/ NEW FINISH FIELD VERIFY + REBAR AS REQ'D	2/A6.1
4	EXIST. DEMISING W/ NEW FINISH FIELD VERIFY & REPAIR AS REQ'D	3/A6.1
5	EX. STORE FRONT GLAZING SYSTEM FIELD VERIFY & REPAIR AS REQ'D	4/A6.1
6	EX. INTERIOR PARTITION TO REMAIN FIELD VERIFY & REPAIR AS REQ'D	NO DETAIL
7	-	-

KEY NOTES

1. TYP. INTERIOR PARTITION W/ NEW FINISH SEE ASSEMBLY TYPES & FINISH SCHEDULE
2. TYP. 5'-0" INTERIOR PARTITION W/ NEW FINISH SEE ASSEMBLY TYPES & FINISH SCHEDULE
3. EXISTING EXTERIOR WALL W/ NEW FINISH SEE ASSEMBLY TYPES & FINISH SCHEDULE
4. EXISTING DEMISING WALL W/ NEW FINISH SEE ASSEMBLY TYPES & FINISH SCHEDULE
5. EXISTING STORE FRONT GLAZING SYSTEM SEE ASSEMBLY TYPES & FINISH SCHEDULE
6. EXISTING INTERIOR PARTITION TO REMAIN SEE ASSEMBLY TYPES & FINISH SCHEDULE
7. EXISTING STORE FRONT DOOR TO REMAIN
8. NEW 3'-0" X 5'-0" EXPO. WINDOW SEE ENLARGED ELEVATIONS
9. NEW HOOD VENT SEE EQUIPMENT PLAN & SCHEDULE
10. EXISTING BREAD & BAKED GOOD DISPLAY TO REMAIN
11. EXISTING ESPRESSO COUNTER
12. EXISTING REFRIGERATED PASTRY DISPLAY

1

REVISION #1:

PER BLDG DEPT. - REVIEW #1:
REVISED PLANS TO SHOW FULL LAYOUT OF EXISTING BAKERY. PER

DESIGNHAUS ARCHITECTURE
EST 1998
3300 AUBURN RD. SUITE 300
AUBURN HILLS, MI 48326
T:248.601.4422 F:248.453.5854
WWW.DESIGNHAUS.COM
INFO@DESIGNHAUS.COM

Revision/Issue	Date
Permits	08.20.21
Revision #1	10.20.21
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STATE OF MICHIGAN
PETER M. STUHLREYER
ARCHITECT
No. 1301014808
LICENSED ARCHITECT

Cannelle Bakery Addition

159 N. Eton St.
Birmingham, MI 48009

First Floor & Reflected Ceiling Plan

021103

A1.1

A1.1 First Floor & Reflected Ceiling Plan.dwg
10/20/2021
DH User 05

Michael R. Vogt
T (248) 530-6335
F (248) 530-9173
Email:MVogt@ClarkHill.com

Clark Hill PLC
151 S. Old Woodward Ave., Ste 200
Birmingham, MI 48009
T (248) 642-9692
F (248) 530-9173

February 3, 2023

VIA HAND DELIVERY

Birmingham City Commission
151 Martin St.
Birmingham, MI 48009

Re: **Application for Zoning Ordinance Change to Expand Permitted Uses Within B-1 Zoning District**

To Whom It May Concern:

Clark Hill PLC is legal counsel to Mura, LLC ("Mura"), who is the owner of the commercial development located at 100 W 14 Mile Rd., Birmingham, MI 48009. Mura is seeking to amend the City's Zoning Ordinance to expand the list of permitted uses in the B-1 (Neighborhood Business) Zoning District as stated in Section 2.27(B). On behalf of Mura, we respectfully ask that the enclosed Application be reviewed by the City's planning department and placed on the City Commission's agenda for consideration at the first available date.

Attached as **Exhibit A** to this letter is the proposed amendment to Section 2.27B(3), which would add the following low-intensity neighborhood uses to the list of permitted commercial uses in the B-1 district:

a. Health Club/Studio
b. Specialty Food Store
c. Boutique
d. Bank
e. Food or drink establishment
f. Fast casual/cafe

Each of these commercial uses would bring desired goods and services to Birmingham neighborhoods, furthering the stated intent of the B-1 zoning district to provide "convenience of shopping for residing in adjacent residential areas to

permit only such uses as are necessary to satisfy those limited basic shopping and/or service needs which by their very nature are not related to the shopping pattern of the general business district." Further, the addition of these similar commercial uses to Section 2.27(B)(3) will broaden the market for potential tenants at all B-1 properties, thereby increasing the variety of businesses that citizens have access to in their neighborhoods, and decreasing the risk that properties sit vacant for extended periods between tenancies.

The City's Zoning Map provides for only eight B-1 properties/areas in the City and those areas are relatively small in geographic footprint. Attached as **Exhibit B** is a list of the eight B-1 properties/areas on the Zoning Map and the businesses that currently operate thereon (according to Google). A review of Exhibit B reveals that the five proposed additional uses in Exhibit A are similar in nature and intensity to the businesses currently operating on B-1 properties. In fact, Exhibit B shows that two credit unions and a bank already operate harmoniously on B-1 property even though banks are neither permitted by right nor special land use approval in the B-1 district. There are also existing restaurants (Jet's Pizza) and businesses similar in use characteristics to health clubs/studios like dance studios and Forest Hills Swim Club. Accordingly, the addition of the proposed uses listed on Exhibit A will have no negative impact on properties adjacent to B-1 districts, but will provide a material benefit to B-1 property owners, and increase the convenience for the neighborhood residents who rely on these small businesses.

In conclusion, we respectfully request that the above analysis and the attached supporting materials be considered by the City Commission, and Mura's Application to modify the list of permitted commercial uses in Section 2.27(B)(3) be approved. On behalf of Mura, we thank you in advance for your timely attention to this Application and look forward to working with the City throughout the approval process.

Sincerely,

CLARK HILL PLC

/s/ Michael R. Vogt

Michael R. Vogt

EXHIBIT A

2.27 B1 (Neighborhood Business) District Intent, Permitted Uses, and Special Uses B1

A. **District Intent**

1. The B1 (Neighborhood Business) District is established for the convenience of shopping for persons residing in adjacent residential areas to permit only such uses as are necessary to satisfy those limited basic shopping and/or service needs which by their very nature are not related to the shopping pattern of the general business district.

B. **Permitted Uses**

1. Institutional Permitted Uses
   a. community center
   b. government office
   c. government use
   d. religious institution
   e. school - private
   f. school - public
   g. social club
2. Recreational Permitted Uses
   a. recreational club
   b. swimming pool – semiprivate
3. Commercial Permitted Uses
   a. bakery
   b. barber shop/beauty salon
   c. drugstore
   d. dry cleaning
   e. grocery store
   f. hardware store
   g. neighborhood convenience store
   h. office
   i. shoe store/shoe repair
   j. tailor
   k. Health Club/Studio
   l. Specialty Food Store
   m. Boutique
   ~~j.~~n. Bank
   o. Food or drink establishment
   p. Fast casual/café
4. Other Permitted Uses
   a. utility substation

C. **Other Use Regulations**

1. Accessory Permitted Uses

a. alcoholic beverage sales*
b. kennel*
c. laboratory - medical/dental*
d. loading facility - off-street*
e. outdoor cafe
f. outdoor display*
g. parking facility - off-street*
h. sign

2. Uses Requiring a Special Land Use Permit
   a. alcoholic beverage sales (off-premise consumption)
   b. alcoholic beverage sales (on-premise consumption)
   c. child care center
   d. continued care retirement community
   e. independent hospice facility
   f. drive-in facility*
   g. gasoline full service station*
   h. skilled nursing facility

* = Use Specific Standards in Section 5.09 Apply

( ) = Subject to Regulations of the Specified District

EXHIBIT B

B-1 Locations Per Zoning Map and Existing Business Per Google

1. **SE Corner of Maple and Cranbrook**
    a. DFCU Financial

2. **NW Corner of Maple and Chesterfield**
    a. Mills Pharmacy;
    b. Holiday Market;
    c. Detroit Barber Co.; and
    d. First Merchant's Bank

3. **151 N. Eton**
    a. Jet's Pizza;
    b. Cannelle Patisserie;
    c. Spa Mariana; and
    d. Zack's Alteration Shop

4. **256 S. Eton**
    a. Beauty Collective

5. **1213 Forest Hills Ln**
    a. Forest Hills Swim Club

6. **SE Corner of Lincoln and Gran**t
    a. MUCU;
    b. Ginger Group for Hair;
    c. STARZ Performing Arts;
    d. Kramm & Associates Dental Lab;
    e. Birmingham Laundromat

7. **NW and NE Corner of Southfield Rd. and 14 Mile Rd.**
    a. Market Square (NW Corner) and
    b. Birmingham Oil Change Center (NE Corner)

8. **NW Corner of 14 Mile Rd. and Pierce**
    a. Blue Canary Confections;
    b. Birmingham Dance Academy; and
    c. Beauty Collective Hair Salon.

MEMORANDUM

Planning Division

DATE: May 5th, 2023

TO: Planning Board Members

FROM: Leah Blizinski, City Planner

APPROVED: Nicholas Dupuis, Planning Director

SUBJECT: 34952 Woodward & 690 E. Maple – Community Impact Study & Preliminary Site Plan Review

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The subject properties are located at 34592 Woodward and 690 E. Maple. Both parcels are zoned B-2 (General Business) and both are in the Triangle Overlay District. 34952 Woodward is zoned MU-7 in the Triangle Overlay District while 690 E. Maple is zoned MU-5 in the Triangle Overlay District.

The applicant has submitted an application for Community Impact Study and Preliminary Site Plan Review for a new 6- 9-story mixed-use building. The proposed building spans approximately half a block, which is bound by Woodward (west), private property (east), Maple (north) and a public alley (south) and presently contains 2 separate parcels. The proposed development will combine the two parcels, which currently contain a vacant office building and surface parking (690 E. Maple) and vacant land and surface parking (34952 Woodward).

This application was reviewed at the Planning Board on April 17th, 2023 (Agenda) and a decision postponed to May 10th, 2023. The applicant has submitted supplemental documents and revised site plans as requested. Changes have been detailed in bold blue throughout this report.

Community Impact Study

Article 7, Section 7.27 (E) states that a Community Impact Study (CIS) shall be required for a new structure and/or building of 20,000 square feet of gross floor area or greater, to be prepared by the petitioner, for review by the Planning Board at the Preliminary Site Plan Review. As the proposed development is greater than 20,000 sq. ft. gross floor area, a CIS has been submitted. The Zoning Ordinance recognizes that buildings of a certain size may affect community services, the environment, and neighboring properties. The CIS acts as a foundation for discussion between the Planning Board and the applicant, beyond the normal scope of information addressed in the

preliminary site plan review application. The Planning Board "accepts" the CIS prior to taking action on a Preliminary Site Plan.

1.0 Planning & Zoning Issues

1.1 **Use:** The proposed use as a mixed-use building with retail along Woodward and Maple and **210** residential units is a permitted use in the B-2, MU5 and MU7 zoning districts.

1.2 **Triangle District Urban Design Plan:** Article 3, Section 3.05 of the Zoning Ordinance states that the purpose of the Triangle Overlay District is to:

1. Develop a fully integrated, mixed-use, pedestrian-oriented environment with buildings containing commercial, residential and office uses, similar to the downtown character west of Woodward Avenue.

2. Create a synergy of uses within the Triangle Overlay District to support economic development and redevelopment in accordance with the recommendations of the Triangle District Urban Design Plan.

3. Minimize traffic congestion, inefficient surface parking lots, infrastructure costs and environmental impacts by promoting a compact, mixed-use, pedestrian-friendly district.

4. Regulate building height to achieve appropriate scale along streetscapes to ensure proper transition to nearby residential neighborhoods.

5. Create a definable sense of place for the Triangle Overlay District with a pedestrian oriented, traditional urban form with bold innovations in architecture.

The proposed development appears to conform to the Triangle District Urban Design Plan (the "Plan") in a number of ways. In terms of bulk, placement, design and size, the proposed building will replace one existing building and surface lots/ vacant land that do not offer a vibrant presence at street level. The proposed building is designed with large windows, canopies, and a material variety that offers an enhanced pedestrian experience. These features are part of an overall design of the building that is a contemporary style, as is recommended by the Plan. Furthermore, the building's height is highest towards the center of the building and it maintains the "stepdown" effect from Woodward east along Maple at the start of the MU-5 District. The proposed development maximizes the permissible height of each applicable zoning district.

In terms of the mix of uses, the composition of the building is weighted heavily towards residential. The remaining area is dedicated to building service functions and 10,000 sq. ft. of ground floor retail along Maple and at the corner of Woodward and Maple. **The applicant has not yet provided total building square footage. Once the applicant provides the total building square footage,**

commercial square footage will be calculated as a percent of the building total and provided to the Planning Board.

As of April 14th, the applicant has provided an estimated gross square footage for the preliminary concept of 406,000 sq. ft. The applicant expects that number to change as design progresses and will update the Planning Division accordingly. At present, commercial space within the development represents approximately 4.5% of the total floor area, while residential uses account for approximately 95.5% of the total square footage of the proposed development.

The entry/lobby for the residential units is located mid-block on Maple at street-level as well as one of the amenity spaces for the residential units. The Plan describes a vision where "Woodward Avenue is a grand, tree-lined boulevard, lined with distinctive buildings and a streetscape that welcomes both vehicles and pedestrians." The plan also states that the area should become a self-sufficient neighborhood with mutually supportive residential and commercial uses and that commercial uses along Woodward could be more general, community services. Both the uses and the streetscape proposed along Woodward align with The Triangle District Plan recommendations as well as the mixed-use nature of the proposed building and residential which includes a diversity of unit sizes.

Perhaps one of the more prominent aspects of the proposed development that congeals well with the Plan is the removal of two large surface parking facilities in favor of a 3-level parking deck containing **320 (and 24 tandem/compact)** off-street parking spaces. This facility is located at the rear of the development along the alley, with access to the deck located on Maple as well as from the alley South of the project site. The parking deck does provide parking for the 10,000 sq. ft. retail space and residential lobby on the ground level of the deck. The ground level of the parking deck will be fully accessible to the public, while the upper and lower levels will have restricted access for residents only. A full review of the parking conditions proposed is provided in the Preliminary Site Plan Review below.

Finally, the Plan places emphasis on sustainable design to encourage optimal use of natural or existing features in architectural and site design such that a building's energy use is reduced, and the natural environment is thereby enhanced. The proposed development contains several sustainable elements including adherence to LEED design standards, electric vehicle charging, greenspace on amenity decks, and new trees on site. **The Planning Division will work with the applicant to encourage them to broaden their impact by considering other sustainable features to work into the site and/or building design.**

1.3 Land Development Issues

The applicant has submitted a 'draft' Phase 1 Environmental Site Assessment (ESA), as well as an initial soils investigation. Within the supplemental information provided by the applicant, the results of both studies indicate that there are no recognized environmental conditions (REC's) on either site.

In an 'Underground Update' memo provided to the City on April 27th, 2023, the applicant indicated that the geotechnical borings completed in January 2023 did encounter some environmentally impacted soil exhibiting a hydrocarbon odor at boring location B-2 which was located away from the boring locations from the 2011 Phase II. The impacted soil observed in boring B-2 was not environmentally tested. The applicant states that they will have to update the Phase 1 ESA for this project per the ASTM standard and to address the geotechnical preliminary report and the hydrocarbon odor that will need further investigation. The applicant states that until they can complete sampling around the area, this will be considered an REC for the future Phase 1 ESA update.

The applicant has indicated that a final Phase 1 Environmental Site Assessment will be produced and shared with the City prior to closing on the property. In addition, there are no steep slopes to consider, however, the CIS indicates that during construction of the development, care will be taken to prevent any sediment laden soils from leaving the site and to stabilize any steep slopes by employing soil erosion best management techniques. Finally, the applicant has indicated the site will be excavated to accommodate foundations immediately below grade only and that the approximate projected volume of excavated soils to be removed from the site is 33,000 cubic yards. A map has been provided for construction staging, but does not appear to show any haul routes. **The applicant should provide a map showing haul routes for excavation soils.**

As of April 27th, the applicant has provided a more detailed site logistics plan including ingress/egress routes to and from a material laydown/loading area. The applicant has indicated that the traffic path will be coordinated with the City of Birmingham to be on streets approved for truck traffic.

The 'draft' Phase 1 ESA submitted for 34952 Woodward and 690 E. Maple is dated February, 2023 and was prepared by Barr Engineering Co. The 'draft' ESA explores records dating back to 1937, which included a review of federal, state, county, and municipal information, a review of a database file search from EDR, review of information provided by DNRES and SHPO, a Walk-Over survey, review of documents furnished to Barr by Ryan; an interview with representatives of Ryan and site representative DeAndre Glenn, and a review of historical data including three previous Phase I ESAs and a Phase II ESA (2011). Barr Engineering Co. also performed an inspection of the subject property and provided observations for the surface lots and interior of the office building. Small amounts of residential-grade cleaning products were observed in the utility rooms in the vacant office building along with evidence of mold and suspected lead-based paint. No indications of hazardous substances or petroleum were observed. The Phase I ESA did not include a complete compliance analysis with local, state or federal environmental laws, rules or regulations.

In the executive summary, Barr noted the following deviations from ASTM Standard Practice E1527-13: they did not check the zoning/land-use "because in

Barr's past experiences, information from this source is not likely to be sufficiently useful in providing historical site information beyond those sources which were already checked by Barr." Additionally, a review of Recorded Land Title Records, other than Barr's review of the Title Commitment, "was deemed unnecessary as other, more relevant historical sources were available."

Based on Barr's assessment and a review of information obtained, no recognized environmental conditions (RECs), or historical RECs were identified for the Property. **As stated above, Barr was not privy to the Report of Preliminary Geotechnical Investigation by G2 at the time of the completion of their Draft Phase 1 Environmental Site Assessment.** Although not constituting RECs, the following items of environmental note described below were observed for the property.

The report notes that "by 1960, all residential buildings had been cleared and replaced by the Birmingham House Motel and a filling station" which "operated until the mid-1960's," however, "no information was available for the closure and/or removal of the filling station on the Property." Impacts from the filling station were not detected in soil and groundwater samples collected during a previous Phase II investigation (2011).

Additionally, historical use of nearby properties included a coal yard adjoining the Property to the west and several gasoline service stations adjoined the Property to the west and northwest. Nearby properties have reported leaking underground storage tank (LUST) sites, some of which are still open and a former dry cleaner adjoined the Property to the north from 1959-1998. Soil and groundwater data gathered during a previous Phase II investigation did not indicate any contamination from the nearby sites.

Based on the information collected for the Phase 1 ESA, Barr does not believe further environmental assessment of the Property is necessary at this time. **As stated above, the applicant has indicated that the Draft Phase I ESA will be updated to address the geotechnical preliminary report. The hydrocarbon odor will need further investigation and will be considered an REC for the future Phase I ESA update.**

As far as the soils investigation, a Report of Preliminary Geotechnical Investigation dated March 29, 2023 was submitted by G2 Consulting Group. The report described 2 soil test borings to a depth of 135 ft. below grade. Soil borings showed: gravel fill at surface, medium compact sand fill, stiff to hard silty clay fill and sandy clay fill with debris and organic matter. Native very stiff to hard silty clay underlies the fill. Then medium to stiff silty clay and clayey silt to an approximate depth of 52 ft. Groundwater was encountered at depths of 39 and 53 ft. **As stated above, the G2 report also noted that there was a hydrocarbon odor in one of the soil borings.**

G2 recommended that the static, long-term groundwater level be verified with piezometers prior to construction.

The existing medium to stiff silty clay anticipated at the foundation bearing elevation will not provide adequate support for conventional spread footings. As such deep foundations or ground improvement techniques will be required to support the proposed structure. The applicant has indicated in the CIS that they intend to utilize ground improvement techniques.

At the April 17th Planning Board meeting, additional information on the proposed ground improvement techniques was requested. The applicant has provided an 'Underground Update' memo with additional details on earth retention, geotechnical, foundations, environmental and earthworks/mass excavation.

Finally, the applicant has indicated that no hazards or nuisances will be created by the proposed development. Pedestrian and traffic control will be clearly marked and identified. The site will be secured with construction fencing and will be locked when not in use. Signage for street and pedestrian sidewalk closures will be clearly identified. Scaffolding and pedestrian protection will be used as needed. There is no indication in the CIS of a plan to mitigate other hazards such as dust, noise and other construction debris. **The applicant must submit details as to how they plan to mitigate noise, dust, debris, and other nuisances during the construction process.**

The applicant has indicated in their Site Logistics Plan that they will utilize water trucks during demo and earthwork operations to mitigate airborne dust. They have also indicated that they will comply with approved City of Birmingham working hours.

1.4 **Utilities, Noise & Air Issues**

The CIS indicated that the proposed development will utilize DTE Energy and Consumers for electric and natural gas. Presently, the site contains overhead lines and electrical poles that are proposed to be removed and relocated underground. Electrical service is proposed to be delivered at the southeast corner of the site, where a ground-mounted transformer is proposed. The existing poles running along the boundary of the site will be relocated or removed. The gas service is proposed to come from E. Maple Road. Gas meters are located along the east side of the northeast corner next to the parking garage. The CIS goes on to describe a fire suppression and water service line connection from Woodward Ave via the alley as well.

A Noise Impact Assessment dated January 29th, 2023 was prepared by Kolano and Saha Engineers, Inc. (K & S) for the proposed development, which concludes that the development can be designed to meet the noise limits and have reasonable protections to limit noise to the local residential community. The Noise Impact Assessment notes that HUD guidelines consider outdoor noise levels between 65dB and 75dB as "normally unacceptable" for residential land use. The results of on-site sound level measurements showed a measured sound level of DNL 69 dB and DNL 70dB currently at the two positions measured. K & S states that these sound levels are due to the high volume of traffic on Woodward Ave. and Maple Rd. K & S also identified 6 potential sources of proposed development

noise impact that must be addressed and designed to meet the City of Birmingham noise standards: parking structure, individual residential and building wide heating and cooling systems, exhaust fans emergency power generator, and loading dock/delivery vehicles. In general, K & S seemed to indicate that only the parking structure fans and ventilation equipment would require special design considerations to minimize the impact on both the residential use proposed on the site and also the adjacent community. Additionally, K & S concluded that the site is subject to significant noise from the Maple and Woodward roadways and that the building shell and fenestration should be constructed in such a way to minimize the impact of traffic noise on the proposed development.

The subject site is located within the Southeast Michigan Air Quality District, with monitoring stations in Pontiac, Rochester, Oak Park and Allen Park. The district has attained and surpassed the National Ambient Air Quality Standards for carbon monoxide, nitrogen dioxide, ozone, sulfur dioxide and particulate matter less than 10 microns. The air quality is expected to remain high and will not establish a trend which may lead to a violation of air quality standards. The CIS indicates that the development will not significantly impact air pollution levels; newer buildings are built with cleaner, more sustainable materials and equipment, which should mitigate some of these effects. The CIS states the building will be equipped with electric car charging stations to encourage the use of electric vehicles. The building will also be LEED certified.

1.5 **Environmental Design & Historic Values**

As noted above, the sites were previously developed and the buildings on the 34952 parcel were leveled and turned into a gravel parking lot, while the building and asphalt parking lot on 690 E. Maple are still standing. Thus, there are no concerns over the loss of natural areas on the property. In addition, it would be difficult to perform an adaptive reuse of the building on 690 E. Maple or include it in the new design to try and minimize material that is introduced to the landfill. However, the CIS does indicate that all of the existing streetscape will be removed and replaced, including the street trees. Although the City endeavors to prevent existing, healthy trees from being removed due to new construction, the Department of Public Services has stated (see comments below) they would allow for removal of the four existing street trees on Maple to allow for the proposed eight street trees on each right-of-way. The applicant states the proposed development will greatly enhance the built environment including landscaping and walks and that they will make the four trees available to the city to transplant if so desired.

The CIS acknowledges the proposed building is taller than contiguous buildings but is similar in size, mass, height and scale to properties in the City along Woodward Avenue. The size, mass, height and scale of the building is consistent with the existing zoning, master plan and overlay district. Design elements such as entrance patterns, materials, colors and styles will be subject to the City's development standards and will be consistent with the surrounding properties. The CIS continues to explain that the proposed building will create a continuous streetscape oriented toward Woodward and Maple, the primary streets. The project will change the skyline as a 6-9 story building that will replace an existing

parking lot and single-story office building. The CIS states the design will not introduce any elements that are out of character or scale with the existing physical environment, and that the development will not bring any visual pollution as all onsite parking will be enclosed with façade treatments and access to loading will be contained within the building. Trash receptacles will also be inside the building, hidden from view. The only surface parking on site will be the existing angled parking along the Woodward façade. There will be no interference with the ambient conditions necessary for the enjoyment of the physical environment.

The revised site plans show that the angled parking on Woodward has been removed in favor of 8 parallel parking spaces and streetscape improvements. The revised Woodward right-of-way design is reviewed in detail in the Preliminary Site Plan review report below.

Furthermore, the applicant has expressed that there are no historic elements on the site, and that the subject sites do not appear on the National Register of Historic Places. In addition, the applicant suggests that the buildings on site do not appear to be historic (or eligible for designation), and that there are no designated historic resources on the adjacent properties. The Planning Division is in agreement with the assertions provided.

Finally, the applicant has indicated that the development will be designed to achieve LEED certification.

1.6 **Refuse, Sewer & Water**

The CIS and site plans submitted indicate there will be a refuse area off the loading dock that will have adequate space for separation of recyclable materials. There will be trash/recycling enclosed chutes for the residents' use. There are no indications of the type or quantity of refuse containers noted in the plans. In terms of screening, the receptacles are all proposed inside the building envelope, thus fully screened by the building. The applicant has not indicated where or how trash/recycling would exit the building and be taken off site or how items would be sorted. The CIS states that waste generated from this development can be handled via standard practices by local waste management.

As stated above, the revised site plan includes an additional entrance to the BOH/Loading area directly, off of the public alley to the south of the property.

A public combined gravity sanitary sewer exists within the Woodward Ave right-of-way and E. Maple right-of-way along the frontage of the proposed development. The proposed development will plan to utilize the sewer within the Woodward right-of-way for wastewater discharge. It is anticipated that the existing sanitary sewer will have the capacity to adequately service the proposed development. The proposed development anticipates an 8-inch service lead for the building that will connect to the existing sewer main in the right-of-way. The planned sewer service flow basis of design capacity of the existing sewer will be reviewed and confirmed by the City Engineer prior to final site plan approval.

The applicant has made clear that the City Engineer will be engaged throughout the design and all proposals will be confirmed prior to site plan approvals. The applicant also indicated they may utilize low flow toilets and restricted flow faucets and/or shower heads. These elements reduce the amount of water used, and, in turn, discharged into the sewer system. The building design will also incorporate vegetation on amenities decks and/or terraces. The applicant intends to also connect the stormwater system from the development to discharge into the same combined sewer within the Woodward Ave right-of-way with a 12-inch lead from the building. **The Planning Division suggests that the applicant review any and all opportunities on site to provide stormwater detention in the form of green infrastructure.**

Finally, the CIS explains that it is anticipated that the existing water mains within the Woodward Avenue right-of-way and along the Maple Road right-of-way will have the capacity to adequately service the proposed development. The proposed development currently anticipates a proposed 4-inch domestic service line and a 6-inch fire suppression line for the building that will connect to the existing water main within the right-of-way. The planned water usage design and capacity of the existing water main will be reviewed and confirmed by the City Engineer prior to site plan approvals. Birmingham's annual water quality report indicates that the public water supply surpasses EPA and MDEQ water quality standards.

1.7 **Public Safety**

The CIS does not indicate that they expect to have any public safety concerns as a part of the proposed development. The CIS states the site has direct access for emergency personnel from points on three sides of the building (Woodward Ave, Maple Rd, public alley). Furthermore, the building will have a security system and the applicant has stated that the building will be fully suppressed, and will be designed to meet all applicable City and National fire codes. Fire access to both the proposed building and site will be provided via existing R.O.W.s surrounding the parcel. Access off of Maple St., Woodward Ave, & the public alley at the south side of the site. Existing fire hydrants are noted in the application. The proposed building will have multiple elevators at least one of which will accommodate a medical cart.

1.8 **Transportation Issues**

The applicant has submitted a completed Transportation Impact Study (TIS) as required by the City's transportation consultants. A review of the submission will be performed by the City's transportation consultants and furnished to the Planning Board prior to CIS and Preliminary Site Plan Review.

The review of the Transportation Impact Study (TIS) provided by the City's transportation consultant for the April 17th meeting outlined eight points for the application to address with revisions to their TIS and/or proposed site plans. The applicant's transportation consultant and the City's transportation consultant have had multiple meetings since the April 17th Planning Board meeting. The applicant has provided an updated TIS and the City's consultant has reviewed and provided a letter

(included in the packet) approving the updated TIS. A summary of the review is provided below:

The following mitigation measures are recommended for consideration by the City:

- **Prohibit egress left-turns at the proposed site driveway on Maple Road.**
- **Engage with the applicant and SMART to discuss the bus stop locations.**
- **Obtain all necessary permit approvals from MDOT for Woodward Ave. (M-1) access.**
- **Provide a parking garage exit alert system to warn pedestrians and remind drivers exiting the parking garage to yield to pedestrians and bicycles.**
- **Mitigation measures were recommended that included Leading Pedestrian Intervals (LPIs). Other considerations for increased pedestrian safety would include extended walk times and audible pedestrian crossings.**
- **Eliminate the pick-up/drop-off area on Maple Road and consider alternative options including the parking garage and the Woodward Ave. parking area.**

Aside from passenger vehicle transportation, the CIS indicates that several other modes of transportation are available close by as well. There are SMART bus stations in close proximity to the site, bicycle facilities, and complete pedestrian connections to existing sidewalks. There is one SMART bus stop within the building's frontage along Maple and one on Woodward close to the Maple/Woodward intersection. The applicant states that they are working with SMART on a potential relocation and upgrade to the existing SMART bus stop, but does not specify which one. The proposed site plans show only one bus stop. In addition, the proposed development provides **2 bike rack stations** in the public right-of-way. The CIS also states that the project will include a bike storage room with racks and adhere to all ADA requirements. **The applicant should provide documentation from SMART of permission to relocate the bus stop(s) at Final Site Plan review.**

In addition, the Triangle District Overlay requires all parking structures and parking lots for commercial uses, recreational uses and institutional uses to include sufficient bike racks to allow the parking of a minimum of one bike for every 10 automobiles or one bike for every 3,000 square feet of building floor area, whichever is greater. The applicant has not demonstrated the location or quantity of bike racks to meet this requirement. **The applicant must provide bike racks to meet the standards of Article 3, Section 3.12.**

The applicant has noted that they are providing 12 total bike racks, 6 at each station and therefore they meet the requirement of 1 bike rack per

10 automobile stalls or 1 per 3,000 sq. ft. of commercial space, whichever is greater.

1.9 **Parking Issues**

Based on a review of the site plans submitted, the applicant is proposing an off-street parking facility with **320 (and 24 tandem and compact)** parking spaces where 274 are required, leaving a surplus of **46 spaces**. As noted above, the ground level garage will have space available for public parking for the commercial use. A full review of the parking conditions proposed is provided in the Preliminary Site Plan Review below.

1.10 **Natural Features**

As noted in several places above, the site does not contain any natural features that will be lost as a result of this development. In addition, the gravel lot that exists does not provide any significant storm water detention properties. The development proposes 8 new street trees along each frontage for a total of 16 as well as some potential plantings in the amenity spaces and a small 'lawn area' at the southeast corner of the property.

1.11 **Departmental Reports**

1. **Engineering Division** – Please see attached Engineering Division comments dated 4/5/2023.

2. **Department of Public Services** – Please see attached Department of Public Services comments dated 4/11/23.

3. **Fire Department** – Please see the attached Fire Department comments from 4/4/23.

4. **Police Department** – The Police Department has no concerns at this time.

5. **Building Division** – Please see the attached Building Division comments dated 3/22/2023.

6. **Parking Manager** – The Parking Manager has no concerns at this time. The Parking Manager indicated that he was pleased to see that the site is proposing a good amount of parking.

1.12 **Summary of CIS**

The following is a list of outstanding or unresolved issues relating the CIS information provided:

1. The applicant must satisfy all recommendations of the CIS;
2. The applicant must provide documentation from SMART of permission to relocate and upgrade the bus stop(s) at Final Site Plan review.
3. The applicant must resolve all issues related to the Transportation Impact Study as requested by the City's traffic consultants;

4. The applicant must comply with the requests of all departments.

1.13 **Suggested Action**

Based on a review of the CIS documents provided and the standards outlined in Article 7, Section 7.27 of the Zoning Ordinance, the Planning Division recommends that the Planning Board **ACCEPT** the Community Impact Study as provided by the applicant for the proposed development at 34952 Woodward and 690 E. Maple with the following condition(s):

1. The applicant must satisfy all recommendations of the CIS;
2. The applicant must provide documentation from SMART of permission to relocate and upgrade the bus stop(s) at Final Site Plan review;
3. The applicant must resolve all issues related to the Transportation Impact Study as requested by the City's traffic consultants and MDOT;
4. The applicant must comply with the requests of all City Departments.

1.14 **Sample Motion Language**

Motion to **ACCEPT** the Community Impact Study as provided by the applicant for the proposed development at 34952 Woodward and 690 E. Maple with the following condition(s):

1. The applicant must satisfy all recommendations of the CIS;
2. The applicant must provide documentation from SMART of permission to relocate and upgrade the bus stop(s) at Final Site Plan review.
3. The applicant must resolve all issues related to the Transportation Impact Study as requested by the City's traffic consultants and MDOT;
4. The applicant must comply with the requests of all departments.

OR

Motion to **POSTPONE** the Community Impact Study as provided by the applicant for the proposed development at 34952 Woodward and 690 E. Maple pending receipt of the following:

1. _____
2. _____
3. _____

OR

Motion to **REJECT** the Community Impact Study as provided by the applicant for the proposed development at 34952 Woodward and 690 E. Maple for the following reason(s):

1. _____
2. _____
3. _____

Preliminary Site Plan Review

The applicant has submitted an application for Preliminary Site Plan review for the construction of a 6-9 story mixed-use building in the B2 (General Business) and MU5/MU7 Zoning Districts. The proposed development spans two parcels that are currently separate. The subject sites currently contain 2-story office/commercial buildings and surface parking. The proposed new building spans the better half of a block running from Woodward (west) to the public alley (south).

1.0 Land Use & Zoning

1.1 **Existing Land Use** – The existing land use is commercial, and currently contains a vacant office building and off-street surface parking facilities.

1.2 **Zoning** – The subject site exists within the B2 (General Business), MU5 (Mixed-Use 5), and MU7 (Mixed-Use 7) 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:

	North	South	East	West
Existing Land Use	Commercial/ Office	Commercial/ Office	Commercial/ Office	Commercial
Existing Zoning District	B2 (General Business)	B2 (General Business)	B2 (General Business)	B4 (General Business)
Overlay Zoning District	D2	MU5	MU5	D4

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 Triangle District.

In terms of the additional height permissions within Article 3, Section 3.08 (E) of the Zoning Ordinance, the applicant is required to provide 2 or more of the following with the proposed development:

1. Structured public parking, or a payment in lieu to the City for construction of a public parking structure at an offsite location.
2. Dedication of an improved public plaza.
3. Mixed use building with a minimum 50% residential use.
4. LEED building design accredited based upon the rating system of the United States Green Building Council.

5. Transfer of development rights for additional floor area that zoning would permit on a site containing an historic building or resource designated under Section 127 of the Birmingham Code.

The applicant is proposing bonus stories for each of the MU5 and MU7 Zoning Overlay Districts for a total of 6 stories and 9 stories respectively. The applicant meets the requirements for the bonus story by providing a mixed use, as well as proposing LEED building design. Both proposals meet the requirements of the Triangle District Overlay Standards, and no additional measures are required to receive the extra story. As has been discussed in previous projects, the completed LEED checklist/certification must be furnished to the City before and certificates of occupancy will be issued. The City will also request an update at the building permit stage to ensure that the applicant is making progress toward LEED accreditation.

3.0 Screening & Landscaping

3.1 Dumpster Screening – The applicant is proposing one trash room on the first floor, within the back-of-house (BOH)/loading area. The BOH/loading area (approximately 3,340 sq. ft.) is located on the southwest side of the building adjacent to the south end of the commercial space, within the first (ground) level of the parking deck. There are no indications of the type or quantity of refuse containers noted in the plans. In terms of screening, the receptacles are all proposed inside the building envelope, thus fully screened by the building.

Although the receptacles will all be fully screened, the site plans do not currently include access doors from the commercial space to BOH/loading or from the BOH/loading area to the alley. **The applicant should clarify how trash collection will happen; whether collection vehicles will need to enter the parking deck to access trash/recycling or whether and how receptacles will be brought out for collection.**

The revised site plans show that access to the loading area and trash inside the building is provided directly from the alley into the loading space.

3.2 Parking Lot Screening – The applicant is proposing a 3-level, **320 space (plus 24 tandem and compact spaces)** above ground parking facility. The facility is located one level underground, at ground level behind the retail and residential lobby/amenity uses on Woodward and Maple and on the majority of the second level with one row of residential units lining the second floor frontage along Maple. There is a vehicular entrance to the parking facility from Maple at the Northeast corner of the property, as well as a separate mid-block pedestrian entrance between the commercial space and the residential lobby. There is an additional vehicle ingress/egress off of the public alley to the south.

Article 3, Section 3.08 requires parking lots visible from a street to be screened by a 3 ft. tall screen wall located between the parking lot and the sidewalk, meeting the requirements of Section 4.50. In addition, parking structures shall only be permitted where there is usable building space for a portion of the ground level

along the street frontage. Where a parking structure is provided or parking is located on the ground level below the building, usable building space to a depth of at least 20 feet shall be provided in front of the parking for the minimum required building length. For a multi-level parking structure, the Planning Board may allow the parking structure above the first floor of the building to occupy the frontage; provided the façade of the parking structure is integrally designed with the architecture of the overall building, utilizes the same building materials and has wall openings that provide proportions, and rhythm that are compatible with building upper story fenestration.

Due to the proposed parking facilities location within the building envelope, the parking facility appears to be fully screened by the building and will require no additional screening at the ground level. The site plans submitted appear to show that the parking structure will be enclosed with façade treatments that meet the aforementioned requirements.

3.3 Mechanical Equipment Screening – The site plans proposed demonstrate that all rooftop mechanical appear to be screened from view. The proposed rooftop units (RTU's) are all centrally located (in terms of depth) on the roof in various locations. The applicant has indicated extensive screening enclosures on the elevation drawings, and has included the location of such on the roof plan. The applicant has not submitted specification sheets on the proposed RTU's, and has not provided explicit dimensions of the proposed RTU screening on the elevation drawings. **The applicant will be required to provide a clear dimension of the proposed screen wall and specification sheets for the RTU's to ensure full screening at Final Site Plan review.**

In terms of the ground-mounted mechanical units, Sheet P-2.0 of the PEA Civil Package 4.10 indicates that a ground-mounted transformer will be located at the southeast corner of the building along the public alley within a small 'lawn area.' The applicant has not indicated any screening for the mechanical unit. **The applicant must provide details for screening of the ground-mounted mechanical unit at Final Site Plan review.**

To clarify the ordinance requirements in Article 4, Section 4.54, ground mechanical unit screening is required to be placed in a manner which *obscures* the receptacle and equipment from public view. In addition, the screen wall is required to be a masonry screen wall with wood gates. The screen wall shall match the material of the principal building. However, flexibility in the materials, size, height and placement of walls is permitted in order to allow architectural harmony and usable open space and to accomplish a unified design. Due to the lack of greenspace and plantings on site, the Planning Division would suggest that arborvitae screening is appropriate and would be an improvement over masonry.

In summary, the applicant must provide dimensions and details for screening of all rooftop and ground-mounded mechanical, as well as specifications of the proposed units at Final Site Plan review.

3.4 Landscaping – The applicant is not proposing to install any significant landscaping on-site outside of potential amenity landscaping and a slim lawn area at the southeast corner of the building along the public alley. The applicant submitted a preliminary landscaping plan showing the placement of street trees, but it does not include species or details for any other plantings onsite. 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 must submit a landscaping plan to include species and locations of all proposed plant material at final site plan review.

The applicant has included a landscape plan with detailed planting instructions for trees and shrubs of different types. The species proposed for the street trees are: Armstrong Maple, Princeton Sentry Ginkgo, Slender Silhouette Sweetgum and Regal Prince Oak. Tree species will be reviewed by the City's Arborist ahead of Final Site Plan review to ensure the trees proposed match the approved tree list and the plans of the Department of Public Services.

3.5 Streetscape Elements – The applicant has provided 16 street trees, street lights, 4 benches, 4 trash receptacles, and 2 bike racks on the site plans submitted. In terms of street trees, Article 3, Section 3.12 (C) requires at least 1 canopy tree for each 40 feet of frontage planted within tree grates in the sidewalk. A breakdown of the required and proposed street trees is provided below:

Street	Linear Frontage (ft.)	Required	Provided
Maple	308	8	8
Woodward	297	7*	8
Total	**605**	**15**	**16**

*The applicant was encouraged to plant street trees along Woodward Ave. to improve the streetscape and meet the intent of the Triangle Plan. The proposed 8 trees along Woodward are located on private property, but remain a major enhancement of the streetscape along the Woodward frontage of this development. The Planning Board may wish to discuss the location of the trees in relation to the streetscape.

The applicant is expected to clarify the proposed species of street trees across the entire site plan submittal at Final Site Plan. The Planning Division recommends the applicant work with DPS to determine appropriate canopy tree species.

With the included Woodward right-of-way streetscape revisions, it appears that all street trees will be located within the right-of-way (City ROW on Maple and MDOT ROW on Woodward). As stated above, the proposed species have been provided and will be reviewed by the City's Arborist prior to Final Site Plan review.

As far as streetlights, the applicant appears to be proposing **7 street lights** along Woodward, 4 along Maple. Streetlights along Woodward appear to be spaced approximately **31 ft.** apart while streetlights along Woodward appear to be spaced **30 ft**. apart and set in between street trees. All streetlights proposed are expected to meet the streetscape standards for the Triangle District. Like street trees, street lights are not required along Woodward. However, **the applicant will be required to clarify the streetlight proposal and should work with the Planning Division to ensure that the placement and design meets City standards.**

The Triangle District Overlay District requires sidewalks in the Triangle District to be 12 ft. wide, with sidewalks along Woodward at 7 ft. wide. **The applicant must provide sidewalk dimensions at Final Site Plan to demonstrate compliance with the sidewalk requirements.**

The revised site plans appear to meet the standards for sidewalks listed above. The applicant must still provide those dimensions on the plans at Final Site Plan.

Finally, the applicant has proposed what appear to be **6 total** benches: **4 along** Woodward and 2 along Maple. There is 1 bike rack area proposed on Haynes and one on Woodward. **The Planning Board may wish to require the applicant to include additional benches, bike racks, or trash receptacles along each street frontage.**

There are no trash receptacles included in the revised site plans submitted. Article 3.12 of the Zoning Ordinance states that "benches and trash receptacles shall be provided by the developer in park and plaza areas and along adjoining sidewalks where the Planning Board determines that pedestrian activity will benefit from these facilities. The Planning Board should discuss this standard and may wish to require to recommend locations for trash receptacles to be included at Final Site Plan.

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
Retail	1 per 300 sq. ft.	10,000	33
Other Commercial	1 per 550 sq. ft.	1,754	3
2 or less room unit	1 space per unit	97	97
3 or more room unit	1.25 spaces per unit	113	141
Total Required	-	-	274
Total Proposed	-	-	**320**

In the above calculations, the "Other Commercial" area consists of the leasing lobby/concierge space on the north side of the building. The other areas within the building that are amenities strictly for the residents of the building such as storage rooms, workshare space, package area, fitness center and other areas were not considered as area requiring additional off-street parking spaces, as these areas will be used by residents only and thus the parking is already accounted for.

Based on the site plans submitted, which are color coded, the applicant appears to be proposing 113 three or more room units and 97 two or less room units. **The applicant will be expected to provide room layouts to confirm the parking requirements at Final Site Plan.**

Based on the calculations above, the applicant meets the parking requirements for the proposed development. As noted across this report, the underground level **(approximately 134 spaces)** and second floor level **(approximately 105 spaces)** of the parking facility are only available for the residential users of the building (access via gate system). The ground level of the parking facility (approximately 81 spaces) will be accessible and usable to the public for the commercial uses. However, the applicant has not indicated whether any portion of the ground level parking will be assigned to residential users. Additionally, the proposed development provides 24 EV charging parking spaces, some located on each level. **The applicant should clarify if the ground level EV charging spaces will be available for public use.**

4.2 Loading – Based on the commercial space within the proposed development (11,754 sq. ft.), 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 indicated that loading will take place in the BOH/loading room enclosed within the ground level parking facility on the site plans. However, the site plans do not have marked the loading area dimension on the plans, to ensure there is ample space within the 3,340 sq. ft. BOH/loading room on the southwest side of the building. Additionally, the elevation drawings do not indicate that the entrance to the loading and receiving room is 14 ft. high. **Thus, 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.**

The applicant has provided details in the revised plans to show that the loading space meets the ordinance as far as the minimum dimensional requirements above and that the loading space will be accessed by a door off the alley. The applicant should ensure that elevations at Final Site Plan include the minimum height requirement of 14 ft. for the access door off the alley.

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 north side of the building off of Maple that leads to the interior parking structure. The applicant has not yet provided measurements for the opening and has indicated that the ground level of the parking facility will not be gated. Vehicles will also be able to enter/exit

the site from an opening from the parking facility located on the public alley at the south end of the site.

4.4 Pedestrian Circulation & Access – Pedestrian access is varied with a main lobby entrance for the residential units located at the northeast corner of the building. A through passage to the parking facility for pedestrians from Maple is located towards the Northwest corner of the site (between the commercial space and the residential lobby). The commercial space appears to have pedestrian access only from the Woodward frontage and from within the parking facility, but not directly from the Maple street front. There is a building egress pathway from the residential units on the east side of the building. There does not appear to be any pedestrian access to the residential units from the Woodward Ave frontage or from the public alley. The site plans do not indicate that there will be pedestrian connectivity to the parking facility through either of the vehicular entrances. The building egress pathway at the east end of the site does not appear to connect through the site, only to Maple and does not appear to provide ingress to the building.

The applicant has clarified that the egress stair at the east of the building will be for emergency egress only, with no entry access and no pedestrian connection through the site on that elevation. Additionally, the revised site plans include a "potential pedestrian access point", to be studied, through the retail space(s) from the Woodward streetscape to access the parking facility.

5.0 Lighting

The applicant has indicated streetlights on a Preliminary Landscape Plan on Sheet L-1.0 of the PEA Civil Package and a specification sheet including streetlights on Sheet L-2.0. The CIS indicates that there will be illumination along walks and entries for safety and security. However, an exterior lighting design concept, specification sheets for proposed light fixtures and a photometric plan detailing the illuminance level across the property pursuant to Article 4, Section 4.21 (C) has not yet been submitted. The are no details for exterior lighting concepts of the building other than the streetlight details mentioned above. **The Planning Division will work with the applicant to provide a photometric plan and a full review of the lighting proposal at Final Site Plan review.**

6.0 Departmental Reports

6.1 Engineering Department – Please see the attached Engineering Division comments dated 4/5/2023.

6.2 Department of Public Services – Please see the attached Department of Public Services comments dated 4/11/23.

6.3 Fire Department – Please see the attached Fire Department comments dated 4/4/2023.

6.4 Police Department – The Police Department has no concerns at this time.

6.5 Building Department – Please see the attached Building Division comments dated 3/22/2023.

6.6 Parking Manager – The Parking Manager has no concerns at this time.

7.0 Design Review

The applicant has submitted elevation drawings with material notes, but has not yet submitted any detailed material specifications for the proposed building. Specification sheets and samples for all façade materials, windows & doors, railings, and other proposed materials are required at Final Site Plan to complete the Design Review. Additionally, the applicant has not yet submitted glazing calculations for the proposed building, a full review of which will be provided at Final Site Plan. **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.**

Article 3 Section 3.09 (A) (3) states that for buildings longer than 100 ft., there shall be a minimum of one usable entrance every full 50 ft. of frontage along the public sidewalk and shall provide architectural variation to visually break the building up. The plans submitted do not appear to meet the standard. Additionally, Article 3.09 (F) states "that buildings situated at a corner shall possess a level of architectural design that incorporates accents and details that accentuate its prominent location, particularly at intersections created by the angle of Woodward Avenue and the grid street network" – such as Maple and Woodward. The ordinance goes on to say that "this can be accomplished through height projections incorporated into a design feature such as a building peak, tower, or similar accent with the highest point located at the intersecting corner, which may be up to an additional 10 feet above the height limit. The building architecture can be designed to focus on accentuating the geometry of the corner location. Alternatively, a pedestrian plaza may be provided at the corner of the intersecting streets. A main entrance must be on a street-facing wall and either at the corner of within 25 feet of the corner." **The applicant will be required to provide revised site plans that meet all development standards of the Triangle Overlay District in Article 3.09 at Final Site Plan Review or to request the Planning Board approve deviations to the architectural requirements laid out in Article 3.09 by following the process outlined in Article 3.11**

Revisions to the Maple and Woodward corner streetscape constitute the bulk of the revisions included in the site plans. The applicant has provided a new "corner plaza" concept design to include hardscaping and landscaping improvements at this corner. The applicant has also provided several aerial renderings of this corner for Planning Board review and discussion of the proposed pedestrian experience at the corner of Woodward and Maple.

8.0 Required Attachments

(*see next page*)

	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 Preliminary Site Plan for 34952 Woodward and 690 E. Maple with the following conditions:

1. The applicant must provide full screening details for all proposed roof-top and ground-mounted mechanical units at Final Site Plan;
2. The applicant must submit lighting and material specifications, samples, photometric plan and all other required information for the proposed building to complete the Design Review at Final Site Plan; and
3. The applicant must comply with the requests of all City Departments.

11.0 Sample Motion Language

Motion to **APPROVE** the Preliminary Site Plan for 34952 Woodward and 690 E. Maple with the following conditions:

1. The applicant must provide full screening details for all proposed roof-top and ground-mounted mechanical units at Final Site Plan;
2. The applicant must submit lighting and material specifications, samples, photometric plan and all other required information for the proposed building to complete the Design Review at Final Site Plan; and
3. The applicant must comply with the requests of all City Departments.

OR

Motion to **POSTPONE** the Preliminary Site Plan for 34952 Woodward and 690 E. Maple pending receipt of the following:

1. _____
2. _____
3. _____

OR

Motion to **DENY** the Preliminary Site Plan for 34952 Woodward and 690 E. Maple for the following reasons:

1. _____
2. _____
3. _____

WE
BUILD
STORIES

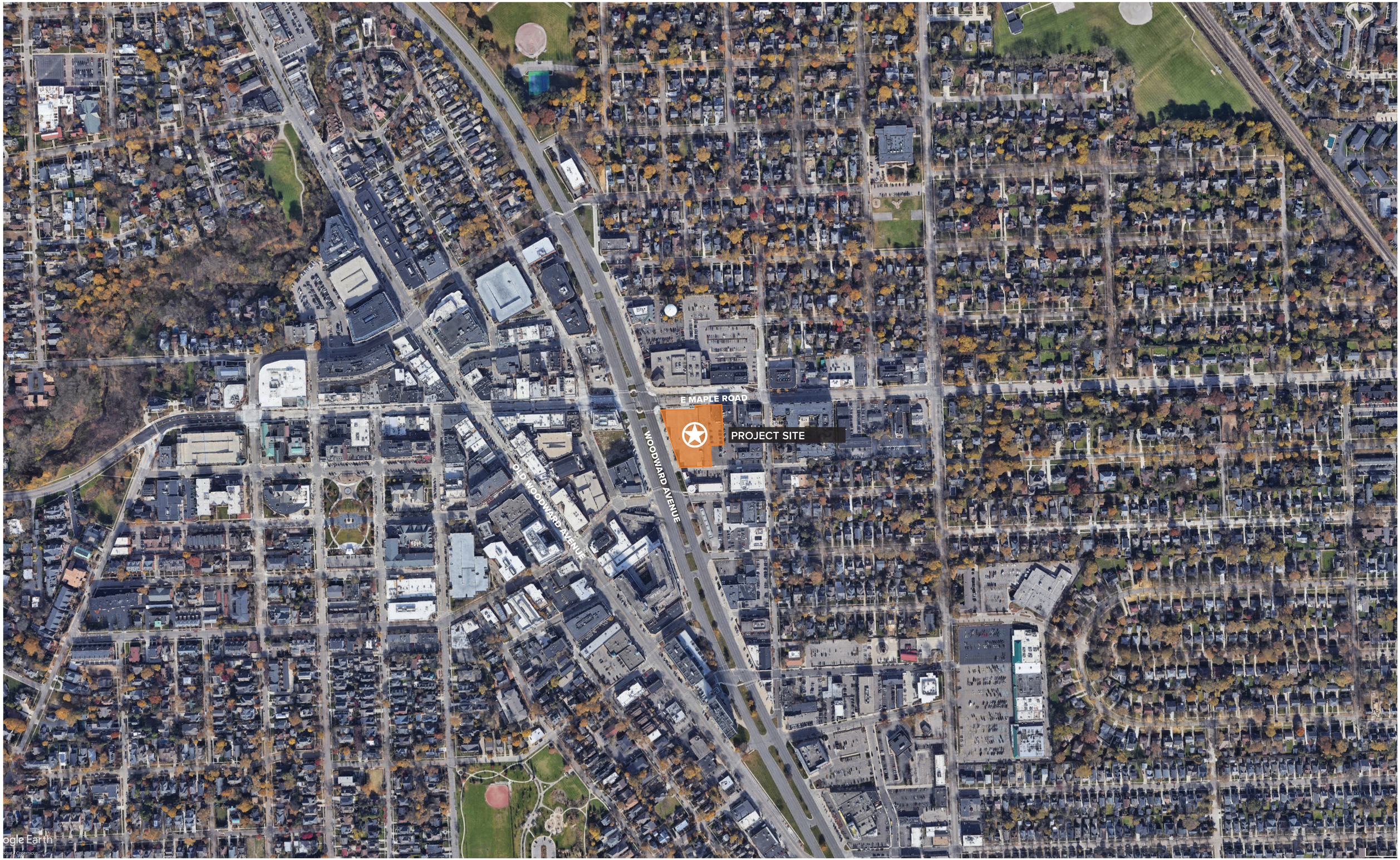
RYAN

PRELIMINARY SITE PLAN APPLICATION

BIRMINGHAM MIXED-USE DEVELOPMENT

WOODWARD AVENUE & MAPLE ROAD
BIRMINGHAM, MICHIGAN

FEBRUARY 5, 2023



Property Location

Birmingham Mixed-Use Development · Preliminary Site Plan · Woodward Avenue & Maple Road

NORTH

RYAN

PROPERTY LOCATION - DETAILED

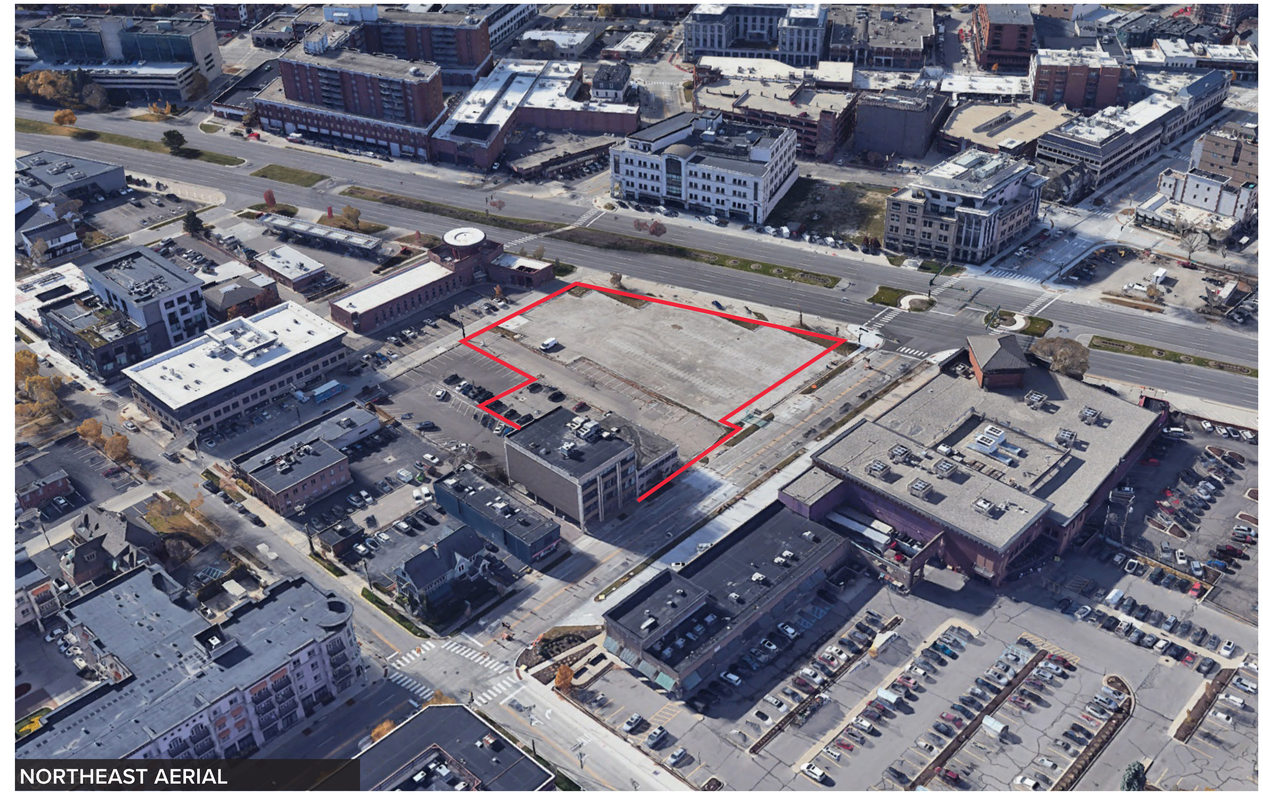
BIRMINGHAM MIXED-USE DEVELOPMENT · PRELIMINARY SITE PLAN · WOODWARD AVENUE & MAPLE ROAD

MAY 5, 2023

SCALE: 1"= 50' 50' 100'

NORTH

NORTHWEST AERIAL


NORTHEAST AERIAL

SOUTHWEST AERIAL

SOUTHEAST AERIAL

Existing Site Images

Birmingham Mixed-Use Development · Preliminary Site Plan · Woodward Avenue & Maple Road

NORTHWEST CORNER

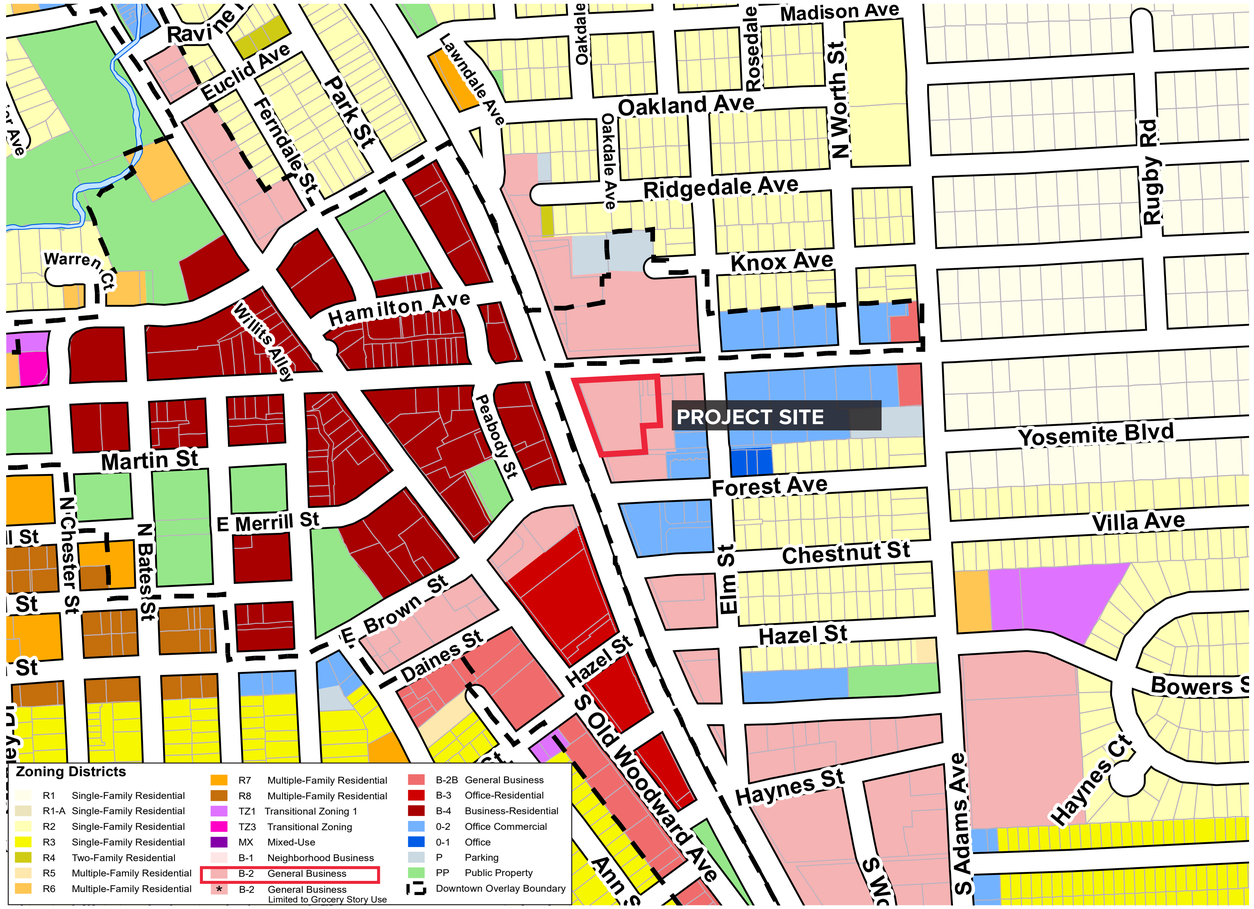
NORTHEAST CORNER

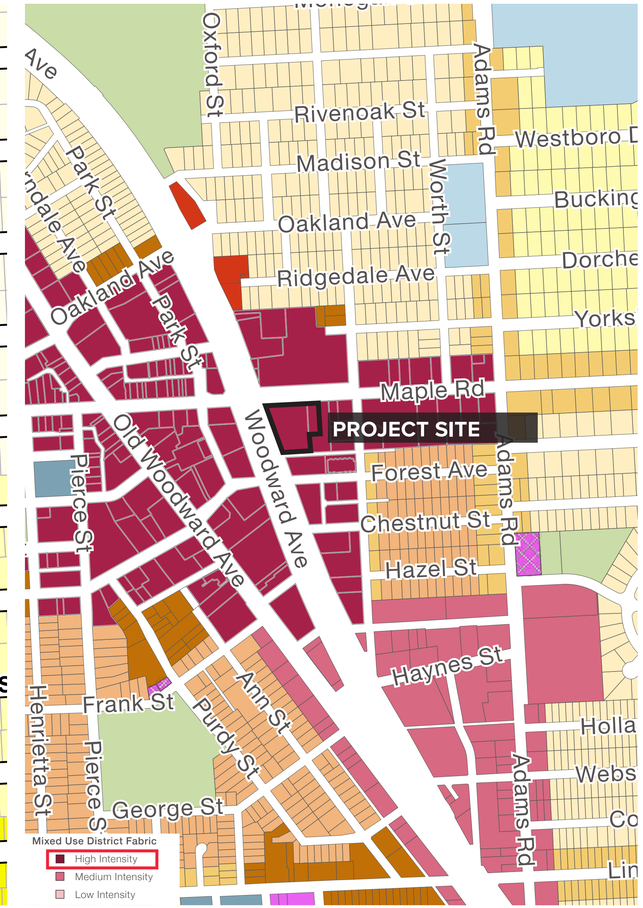
SOUTHWEST CORNER

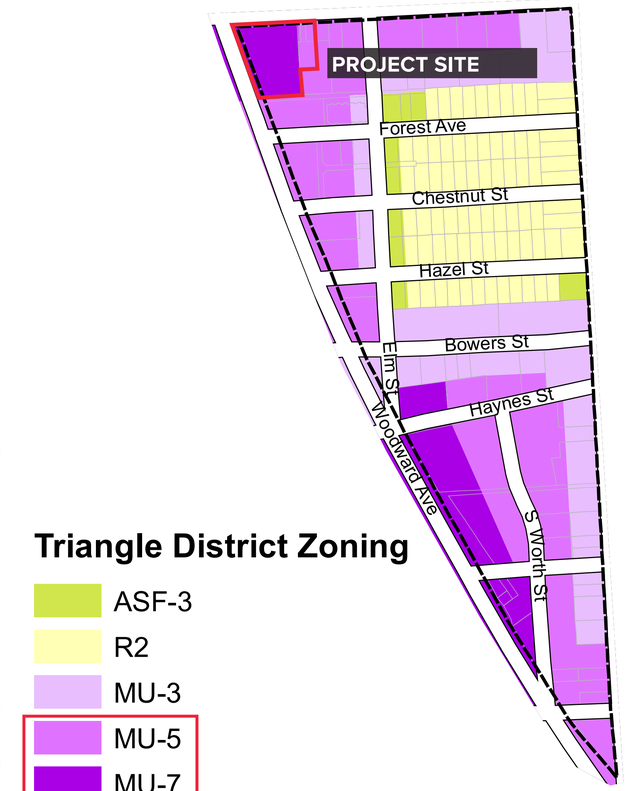
SOUTHEAST CORNER

Existing Site Images

Birmingham Mixed-Use Development · Preliminary Site Plan · Woodward Avenue & Maple Road







Triangle District Zoning

- ASF-3
- R2
- MU-3
- MU-5
- MU-7

ZONING INFORMATION

ZONED B-2, GENERAL BUSINESS

USES

DWELLING - MULTIPLE-FAMILY:	PERMITTED
GENERAL RETAIL:	PERMITTED
GARAGE - PUBLIC:	PERMITTED

DISTRICT DEVELOPMENT STANDARDS

MIN. LOT AREA	= 1,280 SF
MIN. OPEN SPACE	= N/A
MIN. LOT COVERAGE	= N/A
SETBACKS	
MIN. FRONT YARD	= ~~5'~~ **SEE TRIANGLE DISTRICT**
MIN. REAR YARD	= ~~10'~~ **SEE TRIANGLE DISTRICT**
MIN. SIDE YARD	= ~~0'~~ **SEE TRIANGLE DISTRICT**
MIN. FLOOR AREA PER UNIT	
EFFICIENCY, 1 BEDS	= 600 SF/UNIT
2 BEDS+	= 800 SF/UNIT
MAX TOTAL FLOOR AREA	= N/A FOR RESIDENTIAL/PARKING USES
MAX BUILDING HEIGHT	= ~~40', 3 STORIES~~ **SEE TRIANGLE DISTRICT**

PARKING REQUIREMENTS

2 OR LESS ROOM UNIT	= 1 STALL / UNIT
3 OR MORE ROOM UNIT	= 1.25 STALLS / UNIT
EATING ESTABLISHMENT *(INDOOR+OUTDOOR)*	= 1 STALL / 75 SF
RETAIL STORE	= 1 STALL / 300 SF

LOADING REQUIREMENTS (40' X 12' X 14'H)

COMMERCIAL *(5,0001 - 20,000SF)*	= 1 STALL

DESIGN REQUIREMENTS

STOREFRONT: NO LESS THAN 70% OF A STOREFRONT/GROUNDFLOOR FAÇADE BETWEEN 1 AND 8 FEET ABOVE GRADE SHALL BE CLEAR GLAZING. MIRRORED GLASS IS PROHIBITED. WINDOWS SHALL NOT BE BLOCKED WITH OPAQUE MATERIALS OR THE BACK OF SHELVING UNITS OR SIGNS.

BLANK WALLS: BLANK WALLS OF LONGER THAN 20 FEET ON THE GROUND FLOOR FAÇADE SHALL NOT FACE A PLAZA, PARK, PARKING AREA OR PUBLIC STREET.

UPPER STORY WINDOWS: OPENINGS ABOVE THE FIRST STORY SHALL BE A MAXIMUM OF 50% OF THE TOTAL FAÇADE AREA. UPPER STORY WINDOWS FACING A FRONTAGE LINE SHALL BE CLEAR GLAZING. WINDOWS SHALL BE VERTICAL IN PROPORTION. MIRRORED GLASS IS PROHIBITED.

BIRMINGHAM PLAN 2040

DRAFT 11/05/21

FUTURE LAND USE

MIXED-USE DISTRICT FABRIC - HIGH INTENSITY

CORRESPONDING ZONING DISTRICTS

- DOWNTOWN OVERLAY
- TRIANGLE OVERLAY
- MX: MIXEDUSE

MIXED-USE DISTRICT FABRIC

MAPLE AND WOODWARD IS A HIGH INTENSITY MIXED-USE DISTRICT WHICH INCLUDES ZONES AS DEFINED IN THE DOWNTOWN AND TRIANGLE DISTRICT OVERLAYS. ZONING MAY BE MODIFIED TO CREATE GREATER CONSISTENCY BETWEEN THESE OVERLAY DISTRICTS, BUT SHOULD GENERALLY RETAIN THE HEIGHTS AND USES AS DEFINED IN THOSE OVERLAYS. GROUND FLOOR COMMERCIAL USES ARE REQUIRED AS DEFINED BY THE RED LINE RETAIL STANDARDS.

TRIANGLE DISTRICT OVERLAY

ZONED MU-5 AND MU-7

3.06D: THE PROVISIONS OF THE TRIANGLE OVERLAY DISTRICT SHALL SPECIFICALLY SUPERSEDE THE FLOOR AREA RATIO, MAXIMUM HEIGHT, AND SETBACK REGULATIONS CONTAINED IN EACH TWO-PAGE LAYOUT IN ARTICLE 2 OF THE ZONING ORDINANCE

USES

DWELLING - MULTIPLE-FAMILY:	PERMITTED
RETAIL:	PERMITTED PER TABLE 3.07
PARKING - OFF-STREET:	ACCESSORY
FRONT YARD	= 0' MIN, 5' MAX
SIDE YARD	= 0' MIN, 10' MIN (WALLS W/ WINDOWS)
REAR YARD	= NA
FIRST FLOOR HEIGHT	= 14' MIN

MU-5

BUILDING HEIGHT	= 34' AND 3 STORIES MIN. = 66' AND 5 STORIES MAX.
ADDITIONAL HEIGHT	= 12' AND 1 STORY (MUST MEET 3.08E)

MU-7

BUILDING HEIGHT	= 34' AND 3 STORIES MIN. = 90' AND 7 STORIES MAX.
ADDITIONAL HEIGHT	= 24' AND 2 STORIES (MUST MEET 3.08E)

DESIGN REQUIREMENTS

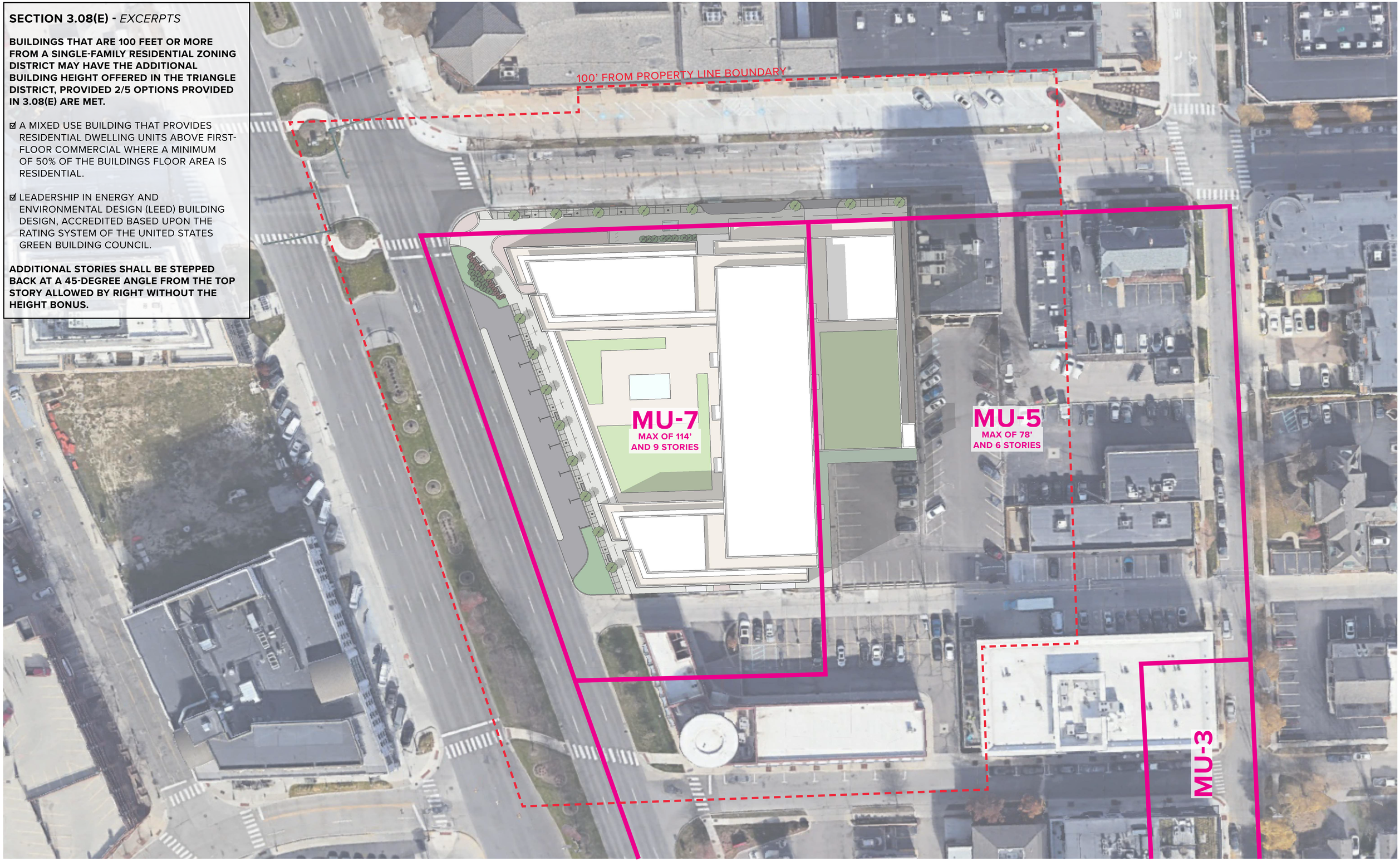
UPPER STORIES. OPENINGS ABOVE THE FIRST STORY SHALL BE A MAXIMUM OF 50% OF THE TOTAL FAÇADE AREA. WINDOWS SHALL BE VERTICAL IN PROPORTION. ALL WALLS EXPOSED TO PUBLIC VIEW FROM THE STREET, OR PARKING AREA SHALL BE CONSTRUCTED OF NOT LESS THAN 60% BRICK, STONE OR GLASS. PANEL BRICK AND TILT-UP BRICK TEXTURED PANELING SHALL NOT BE PERMITTED. THE REMAINING FAÇADE MAY INCLUDE WOOD SIDING OR FIBER CEMENT SIDING. EXTERIOR INSULATION FINISH SYSTEMS (EFIS) MAY BE USED FOR ARCHITECTURAL DETAILING ABOVE THE FIRST FLOOR.

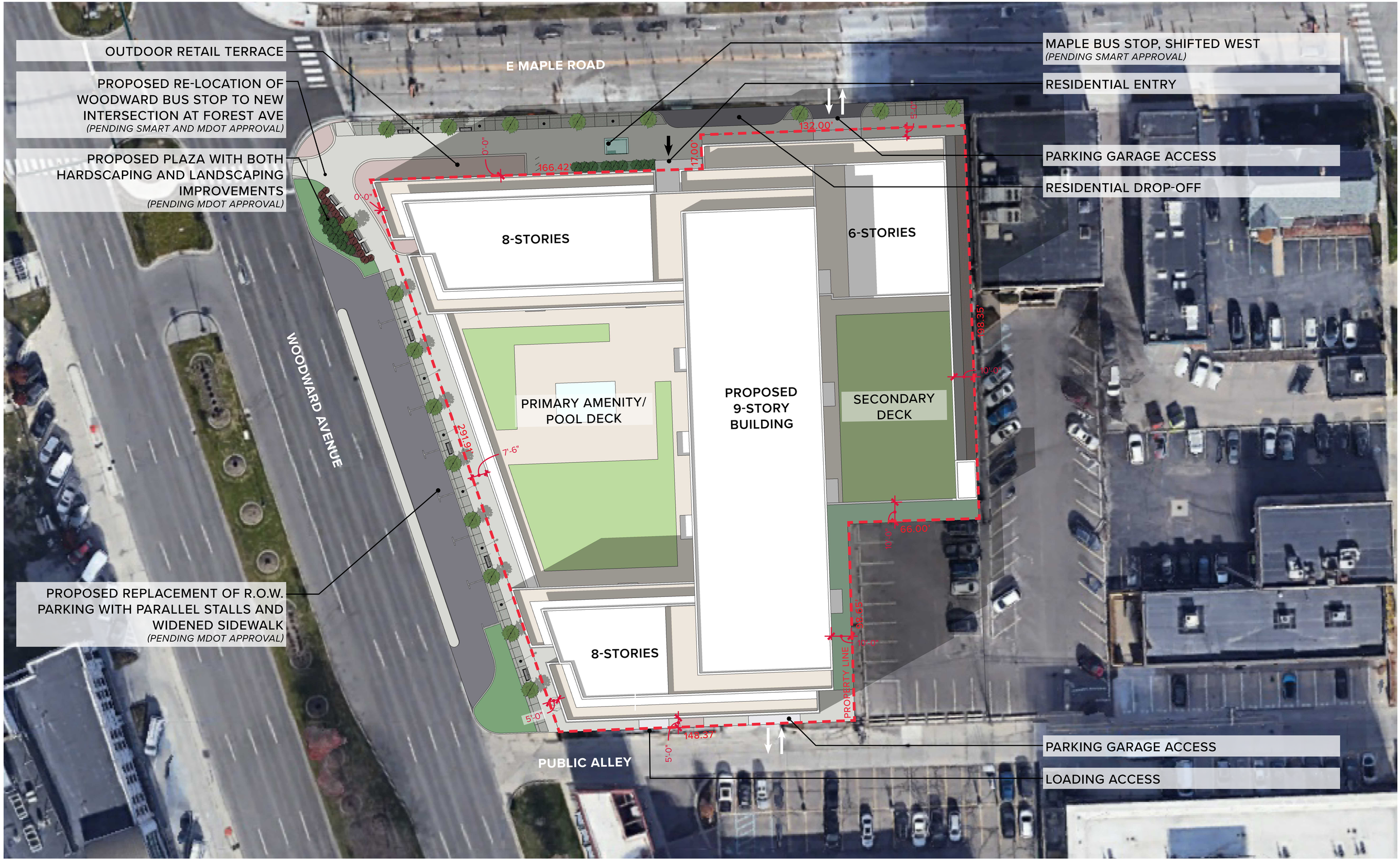
SECTION 3.08(E) - *EXCERPTS*

BUILDINGS THAT ARE 100 FEET OR MORE FROM A SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT MAY HAVE THE ADDITIONAL BUILDING HEIGHT OFFERED IN THE TRIANGLE DISTRICT, PROVIDED 2/5 OPTIONS PROVIDED IN 3.08(E) ARE MET.

- ☑ A MIXED USE BUILDING THAT PROVIDES RESIDENTIAL DWELLING UNITS ABOVE FIRST-FLOOR COMMERCIAL WHERE A MINIMUM OF 50% OF THE BUILDINGS FLOOR AREA IS RESIDENTIAL.
- ☑ LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) BUILDING DESIGN, ACCREDITED BASED UPON THE RATING SYSTEM OF THE UNITED STATES GREEN BUILDING COUNCIL.

ADDITIONAL STORIES SHALL BE STEPPED BACK AT A 45-DEGREE ANGLE FROM THE TOP STORY ALLOWED BY RIGHT WITHOUT THE HEIGHT BONUS.



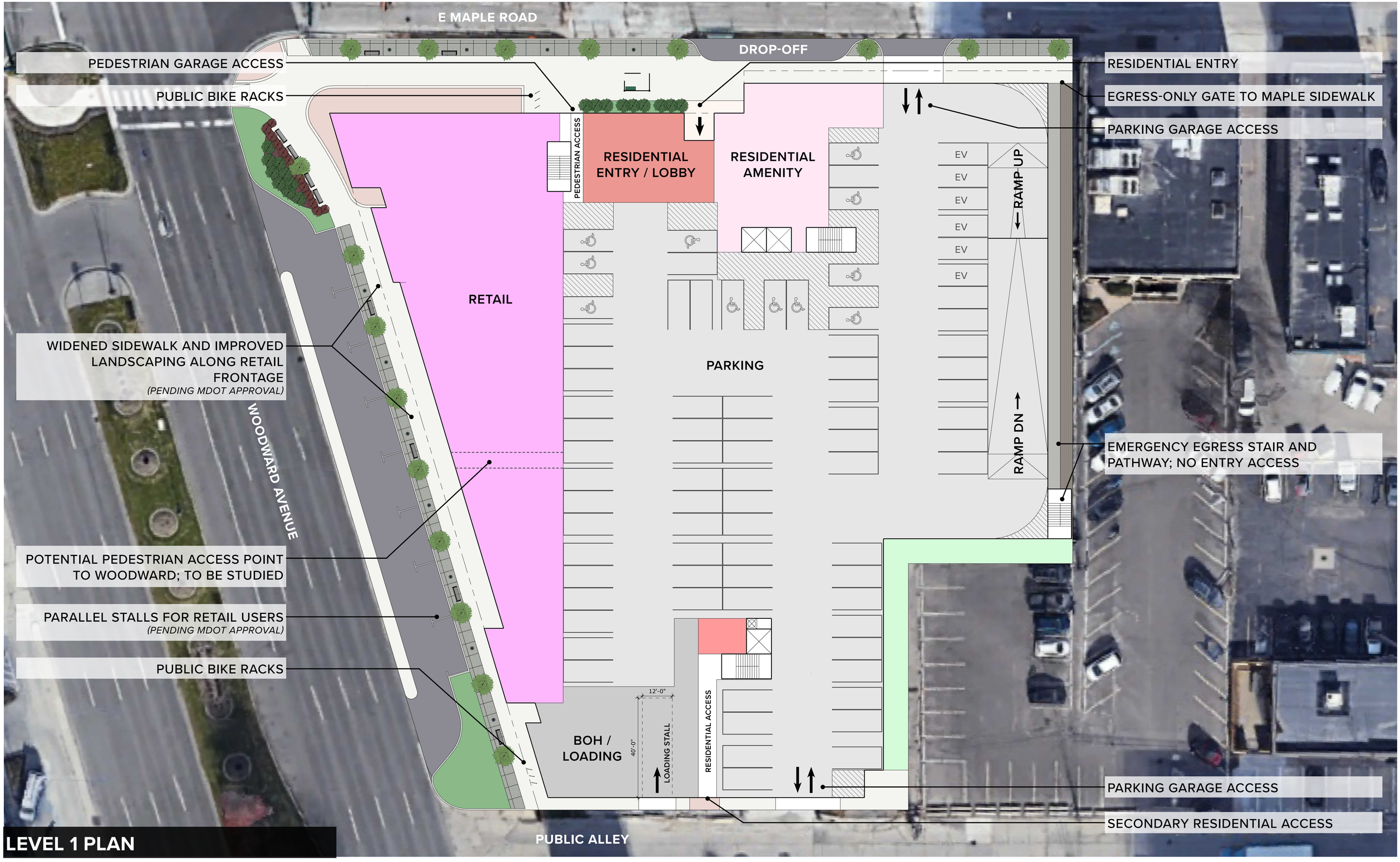


PRELIMINARY SITE PLAN

BIRMINGHAM MIXED-USE DEVELOPMENT • PRELIMINARY SITE PLAN • WOODWARD AVENUE & MAPLE ROAD

SCALE: 1"= 20' 20' 40' 60'

NORTH



LEVEL 1 PLAN

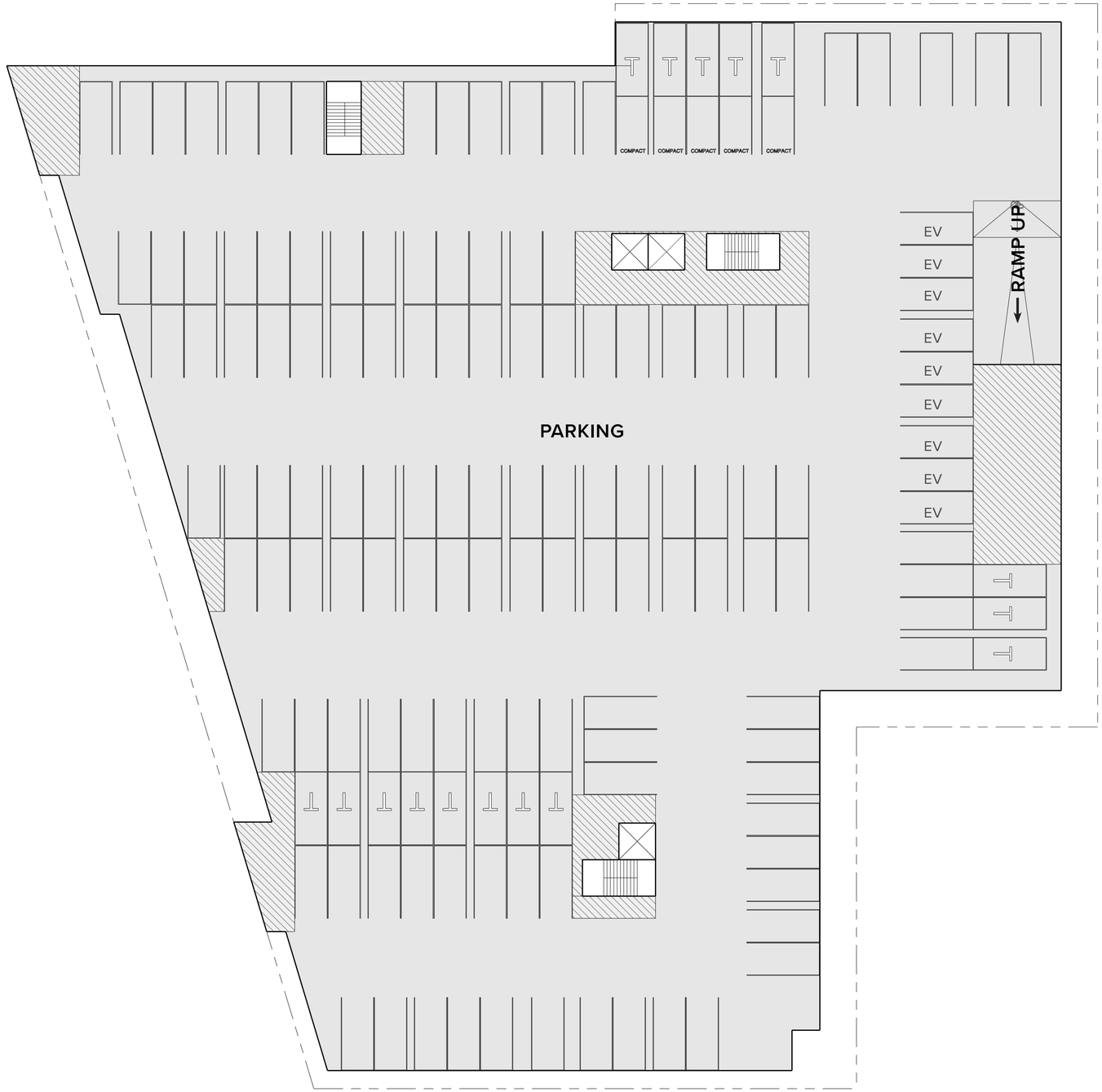
RYAN

Concept Floor Plans

Birmingham Mixed-Use Development · Preliminary Site Plan · Woodward Avenue & Maple Road

SCALE: 1/16"= 1'-0" 16' 32' 48'

NORTH



LOWER LEVEL PLAN

RYAN

Concept Floor Plans

Birmingham Mixed-Use Development · Preliminary Site Plan · Woodward Avenue & Maple Road

SCALE: 1/16"= 1'-0"
16' 32' 48'
NORTH

LEVEL 2 PLAN

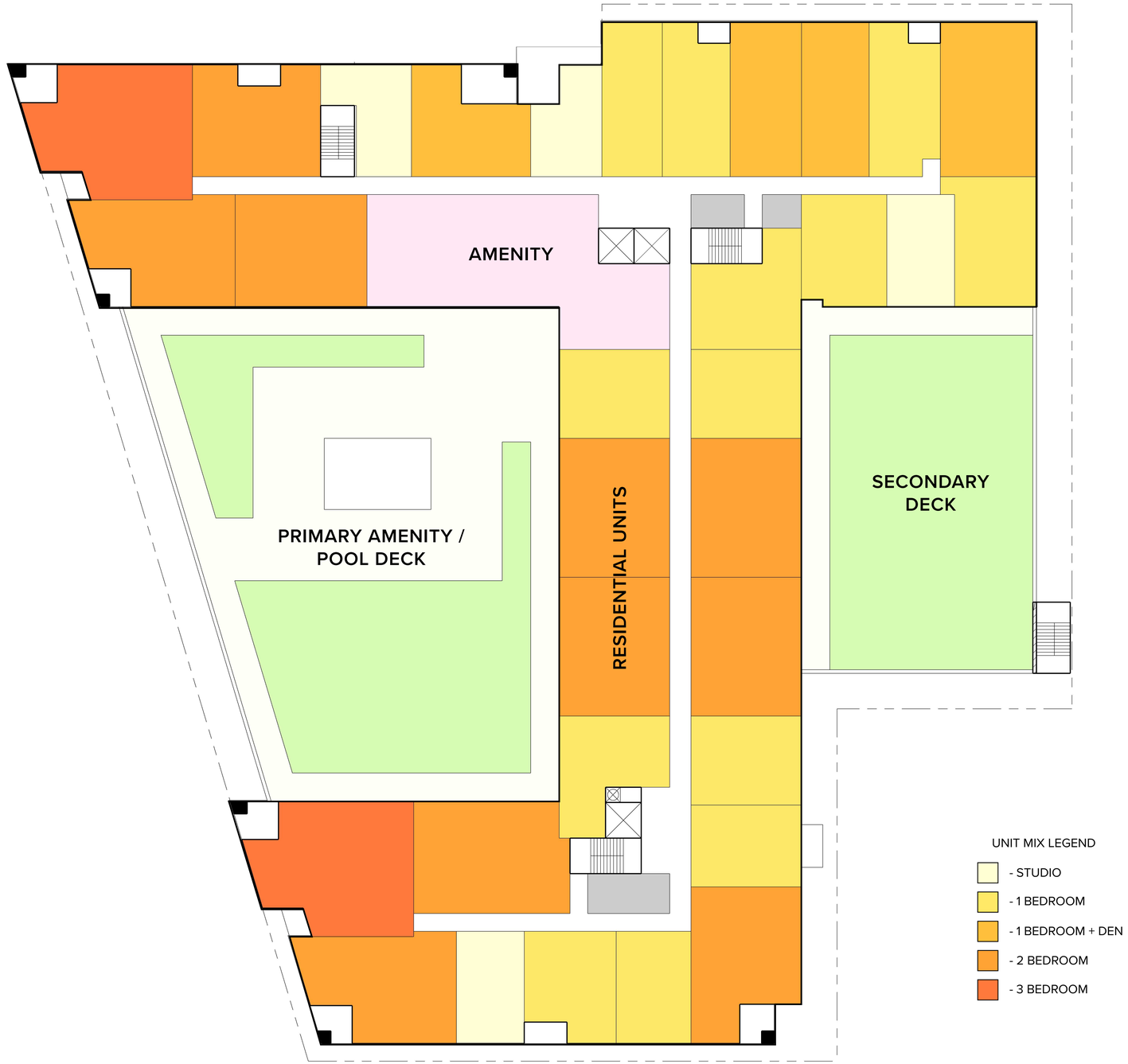
RYAN

Concept Floor Plans

Birmingham Mixed-Use Development · Preliminary Site Plan · Woodward Avenue & Maple Road

SCALE: 1/16"= 1'-0" 16' 32' 48'

NORTH



LEVEL 3 PLAN

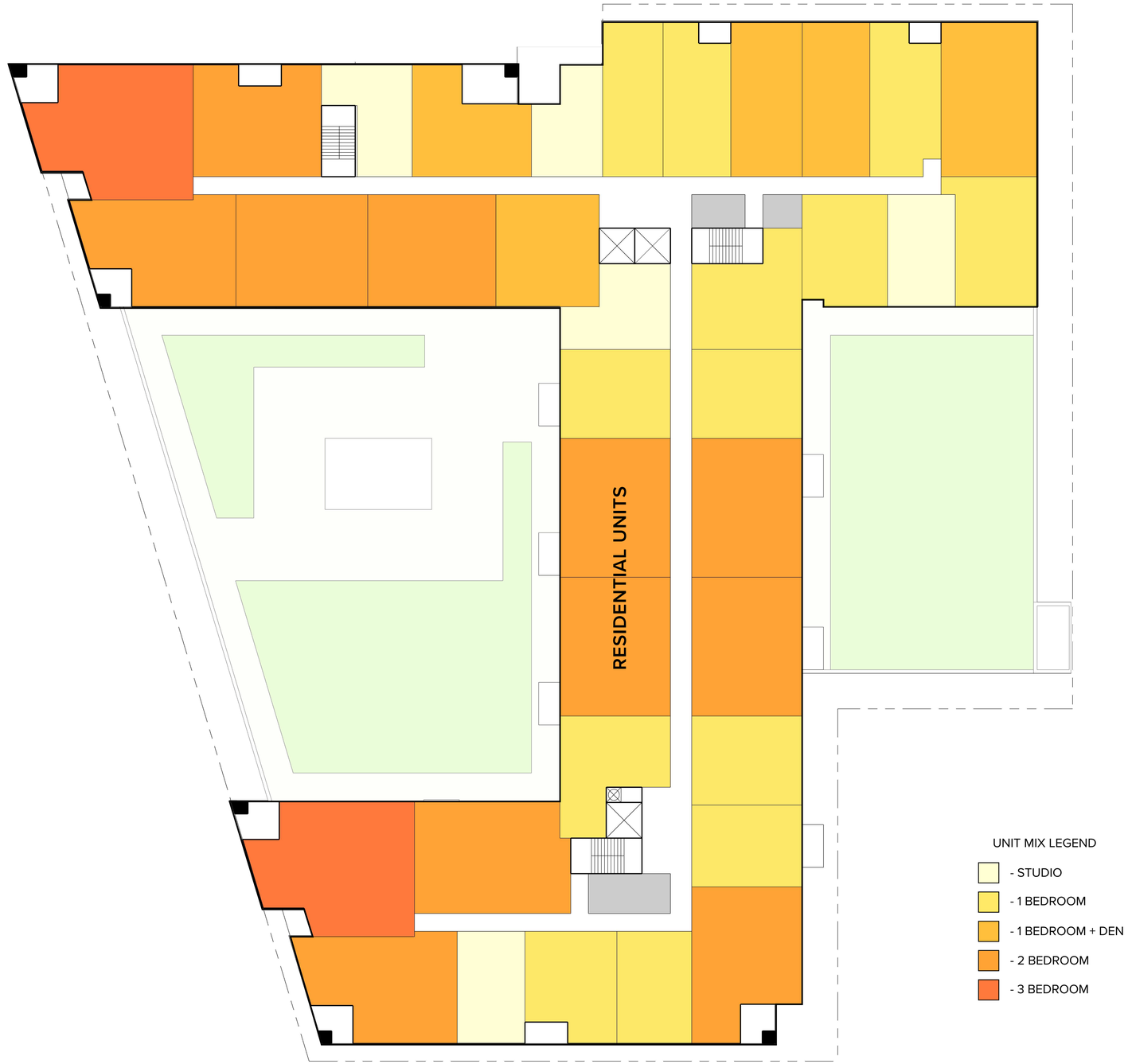
RYAN

CONCEPT FLOOR PLANS

BIRMINGHAM MIXED-USE DEVELOPMENT · PRELIMINARY SITE PLAN · WOODWARD AVENUE & MAPLE ROAD

SCALE: 1/16"= 1'-0" 16' 32' 48'

NORTH



LEVELS 4-5 PLAN

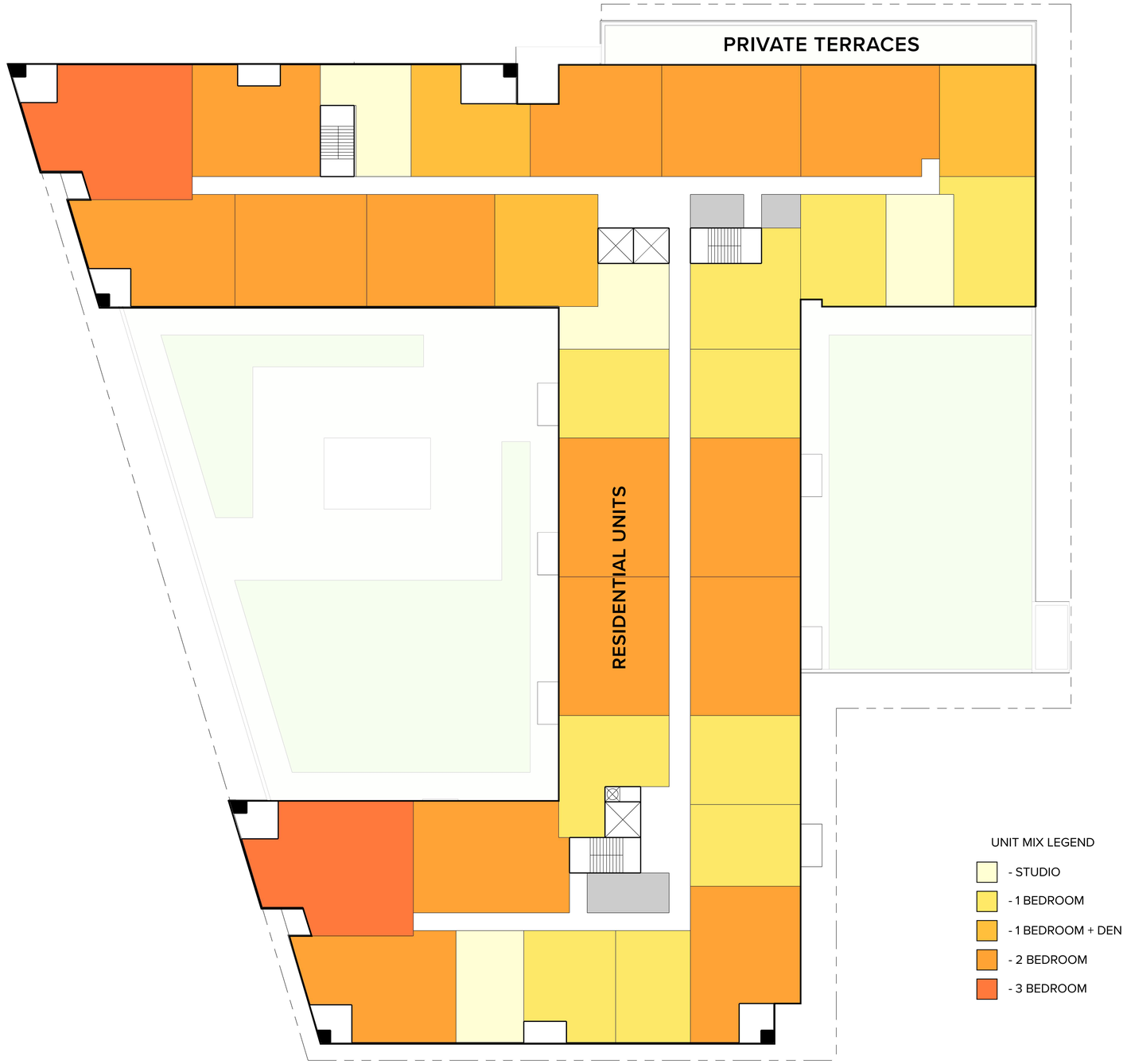
RYAN

CONCEPT FLOOR PLANS

BIRMINGHAM MIXED-USE DEVELOPMENT · PRELIMINARY SITE PLAN · WOODWARD AVENUE & MAPLE ROAD

SCALE: 1/16"= 1'-0" 16' 32' 48'

NORTH



LEVEL 6 PLAN

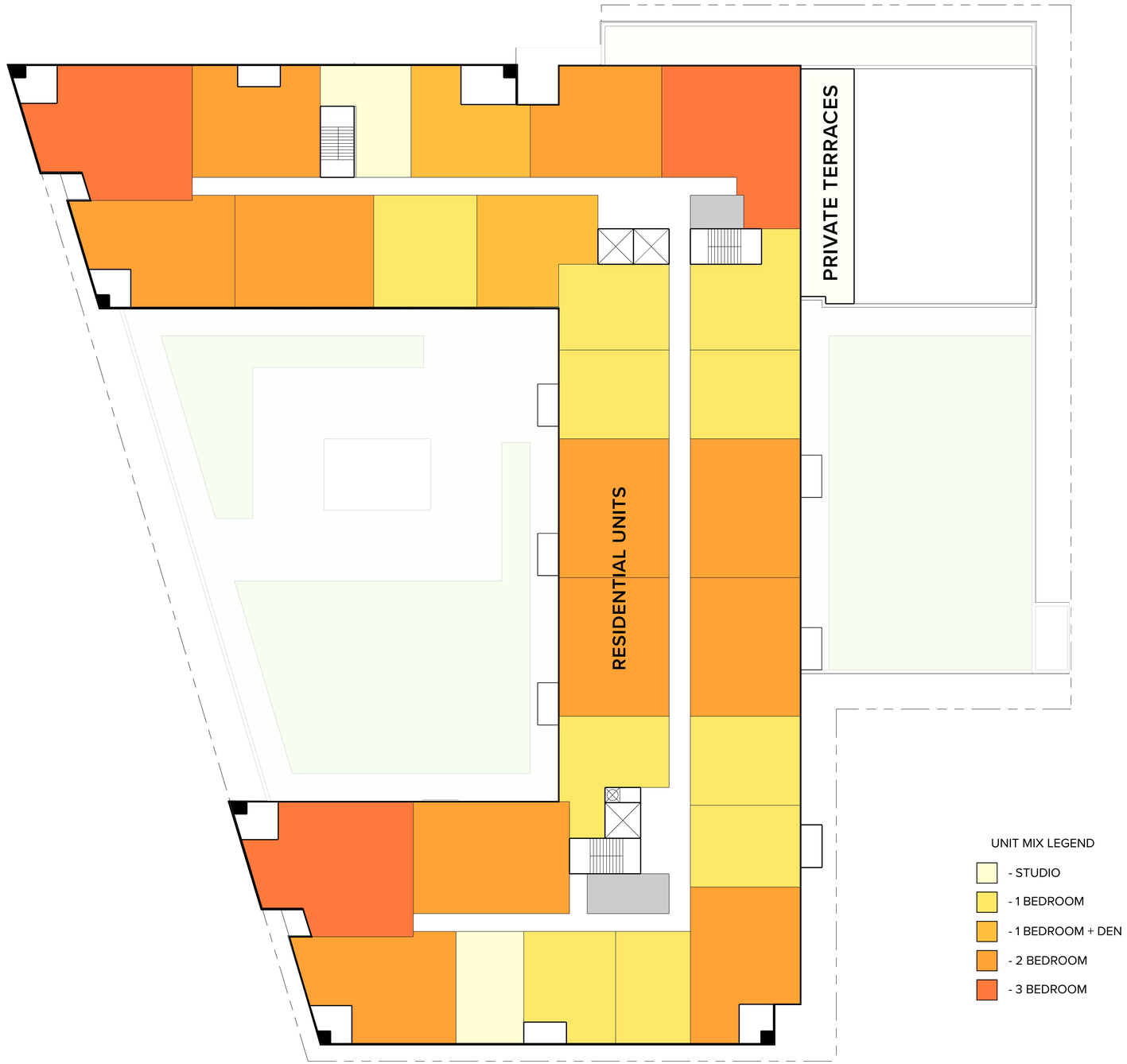
RYAN

CONCEPT FLOOR PLANS

BIRMINGHAM MIXED-USE DEVELOPMENT · PRELIMINARY SITE PLAN · WOODWARD AVENUE & MAPLE ROAD

SCALE: 1/16"= 1'-0" 16' 32' 48'

NORTH



LEVEL 7 PLAN

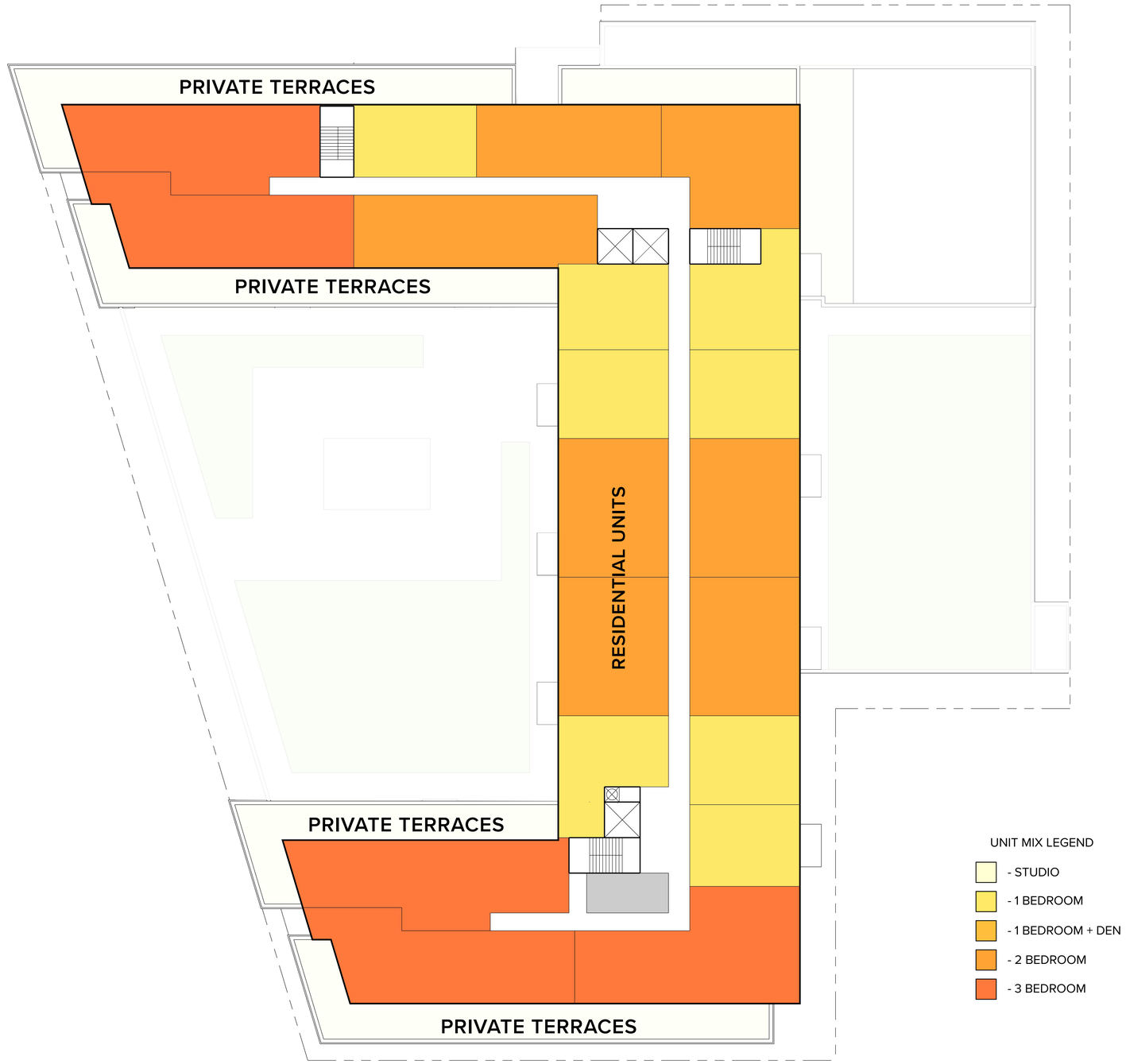
RYAN

CONCEPT FLOOR PLANS

BIRMINGHAM MIXED-USE DEVELOPMENT · PRELIMINARY SITE PLAN · WOODWARD AVENUE & MAPLE ROAD

SCALE: 1/16"= 1'-0" 16' 32' 48'

NORTH



LEVEL 8 PLAN

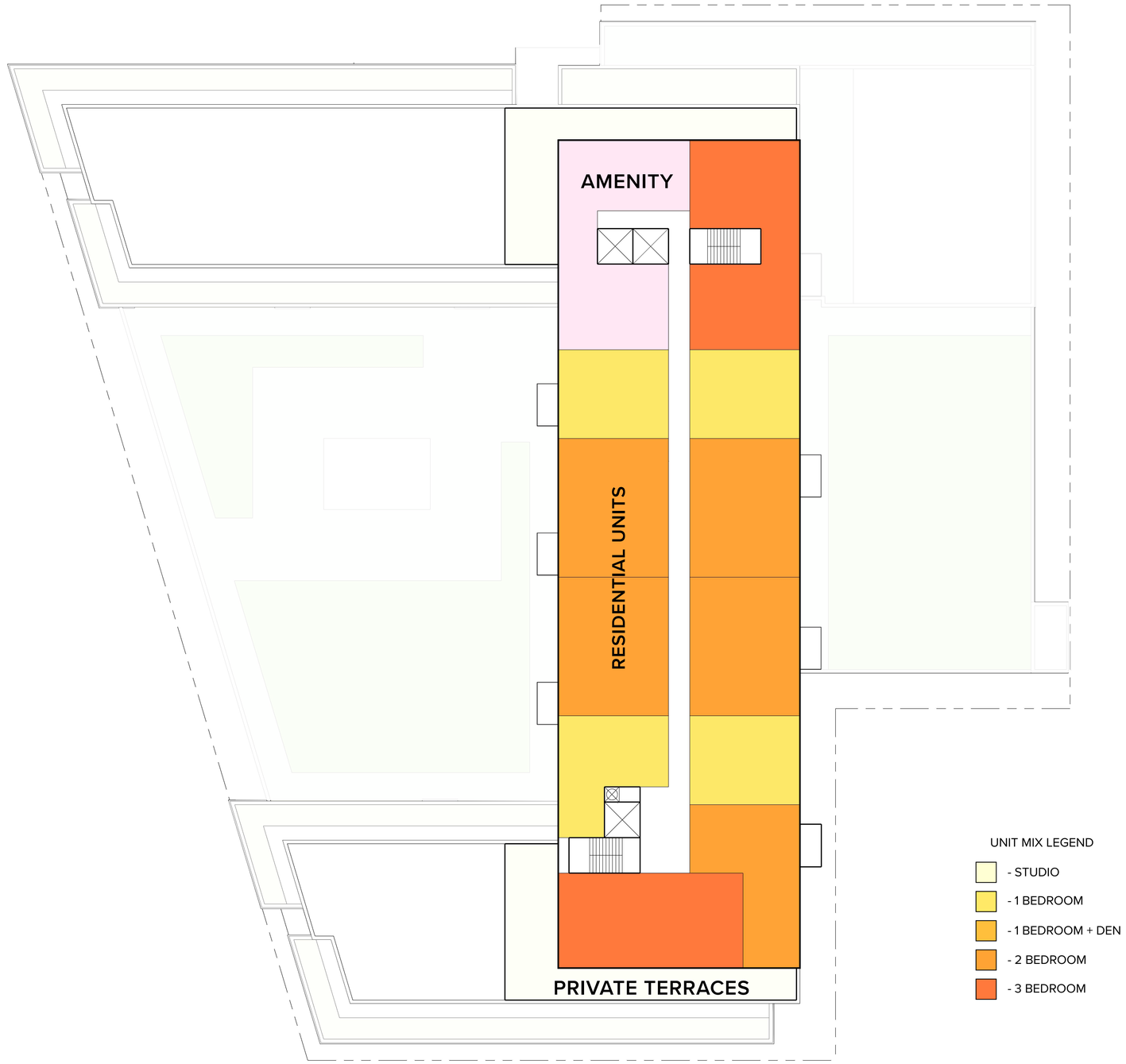
RYAN

Concept Floor Plans

Birmingham Mixed-Use Development · Preliminary Site Plan · Woodward Avenue & Maple Road

SCALE: 1/16"= 1'-0" 16' 32' 48'

NORTH



LEVEL 9 PLAN

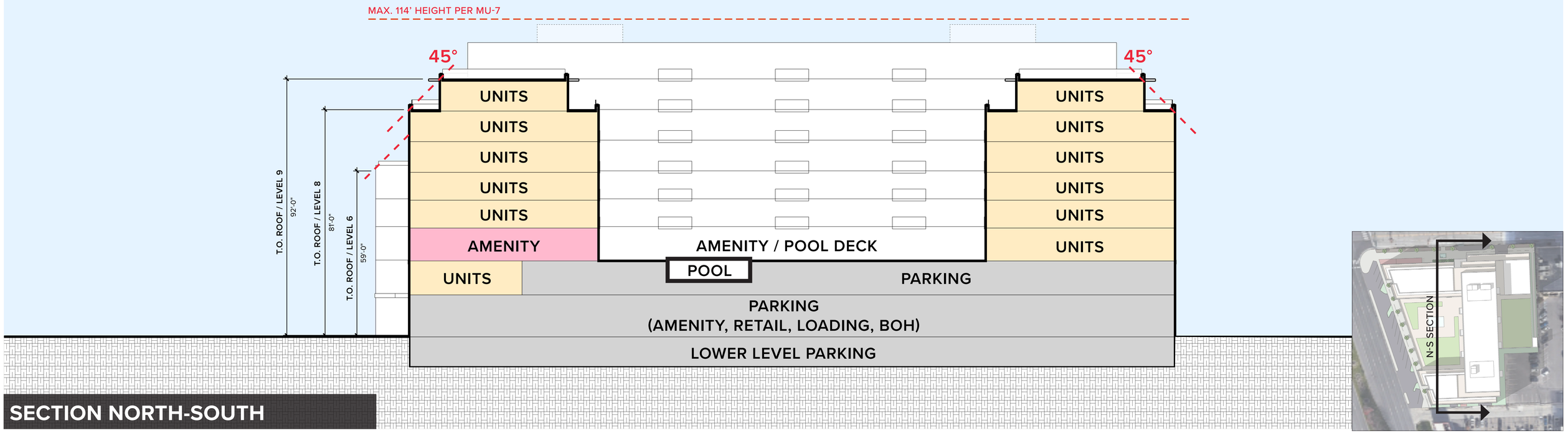
RYAN

CONCEPT FLOOR PLANS

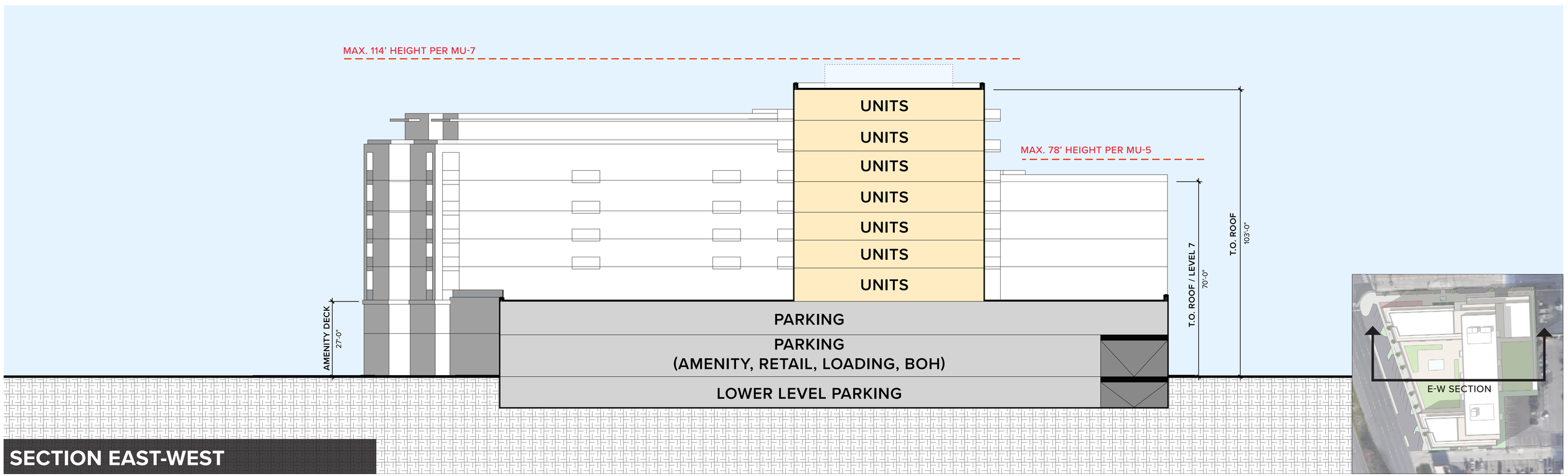
BIRMINGHAM MIXED-USE DEVELOPMENT · PRELIMINARY SITE PLAN · WOODWARD AVENUE & MAPLE ROAD

SCALE: 1/16"= 1'-0" 16' 32' 48'

NORTH



SECTION NORTH-SOUTH



SECTION EAST-WEST

RYAN

Concept Sections

Birmingham Mixed-Use Development · Preliminary Site Plan · Woodward Avenue & Maple Road

SCALE: 1/16"= 1'-0" 16' 32' 48'

Concept Aerial Perspective

B M -U D · P S P · W A &M R

LOOKING SOUTH ON WOODWARD AVE

LOOKING EAST ON MAPLE RD

LOOKING NORTH ON WOODWARD AVE

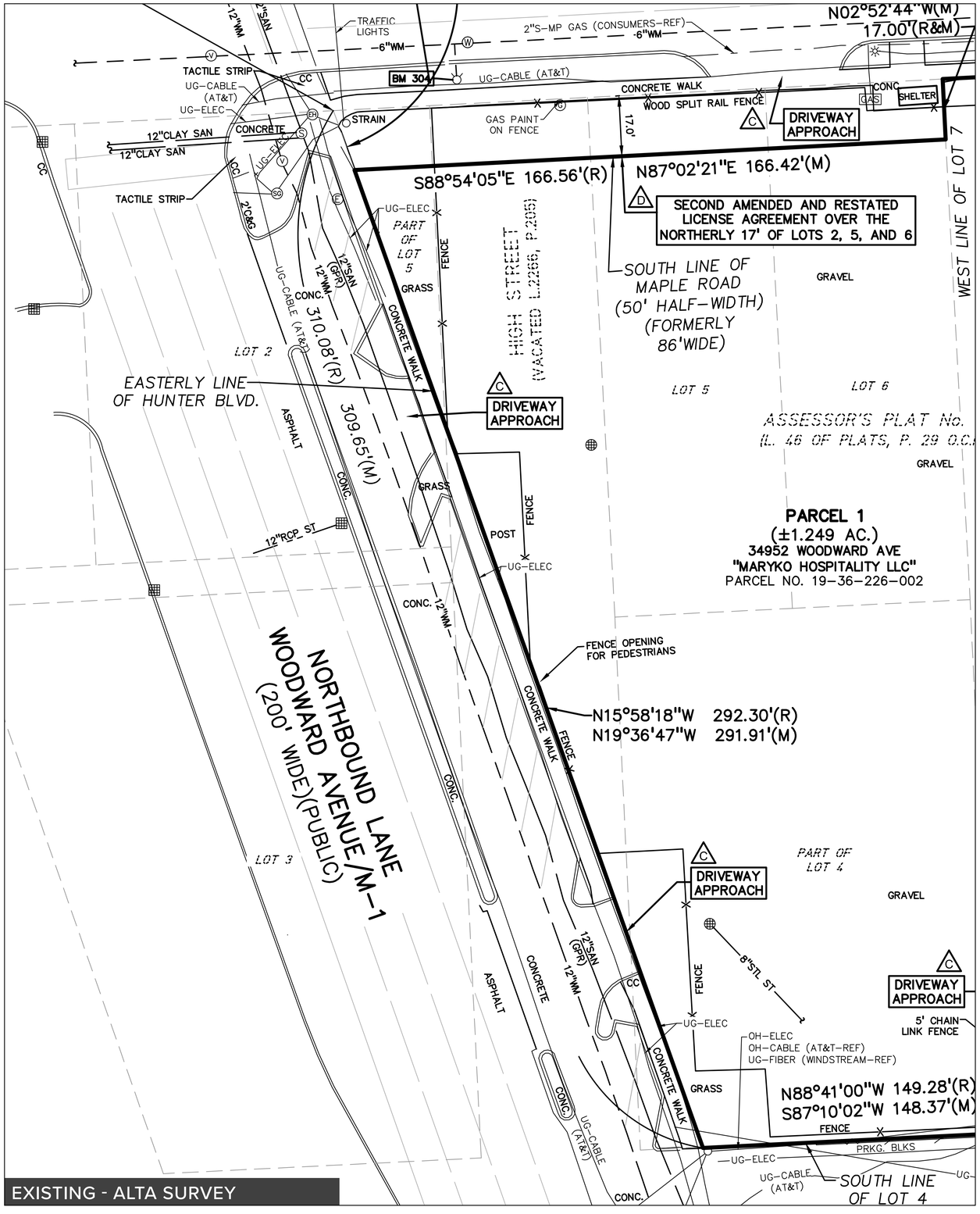
LOOKING WEST ON MAPLE RD

Exterior Concept

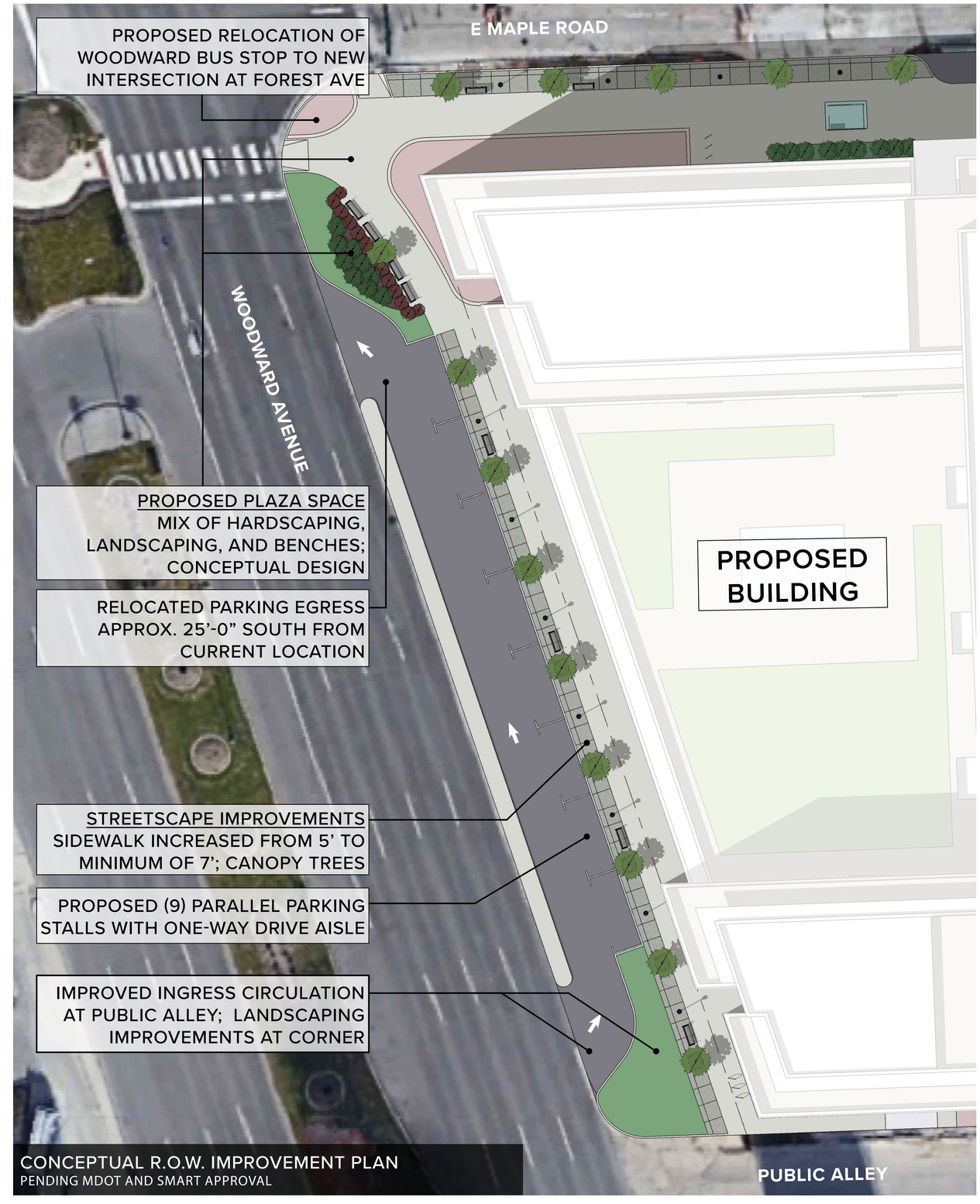
Birmingham Mixed-Use Development · Preliminary Site Plan · Woodward Avenue & Maple Road

Precedent Imagery

Birmingham Mixed-Use Development · Preliminary Site Plan · Woodward Avenue & Maple Road



EXISTING - ALTA SURVEY



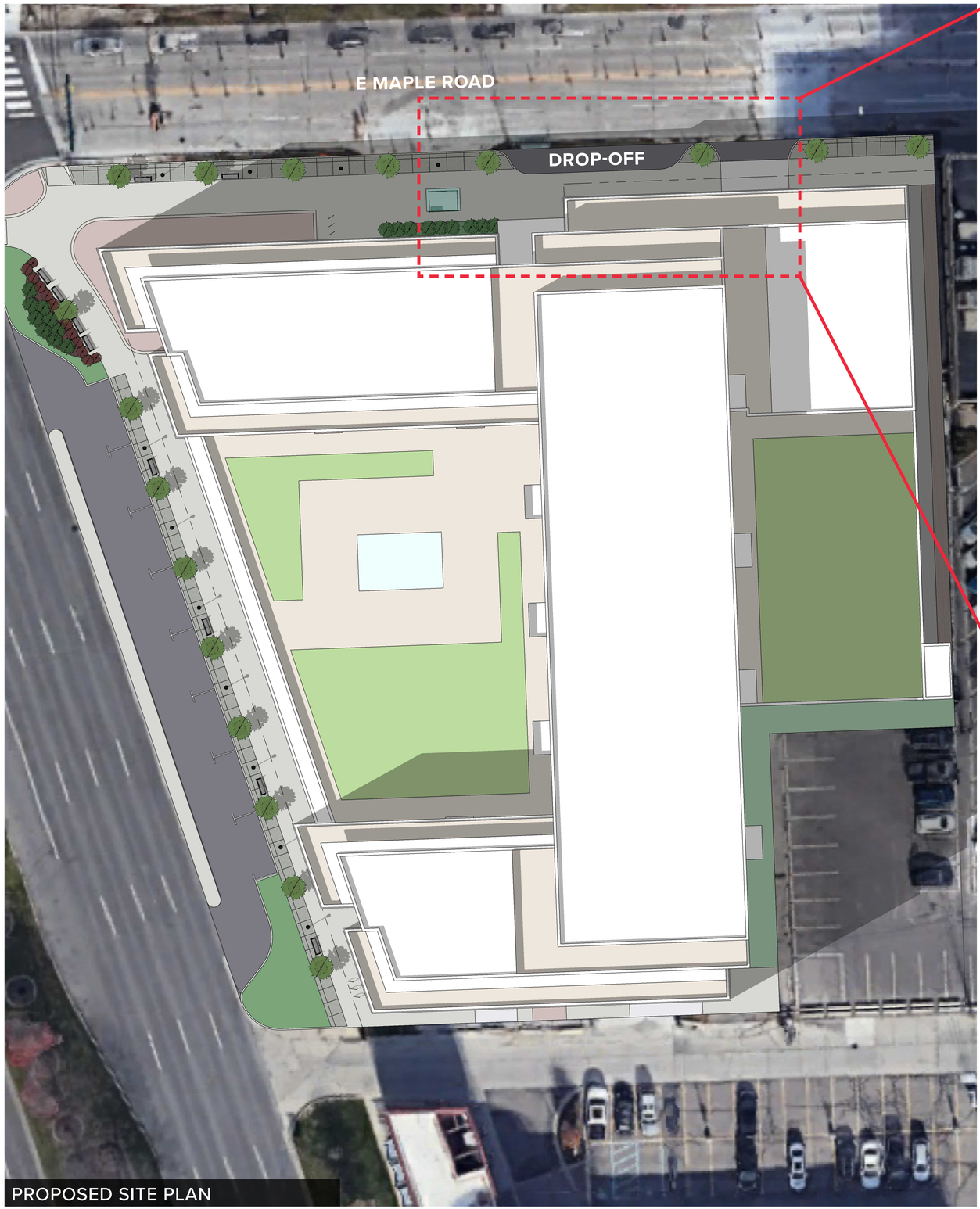
CONCEPTUAL R.O.W. IMPROVEMENT PLAN
PENDING MDOT AND SMART APPROVAL

RYAN

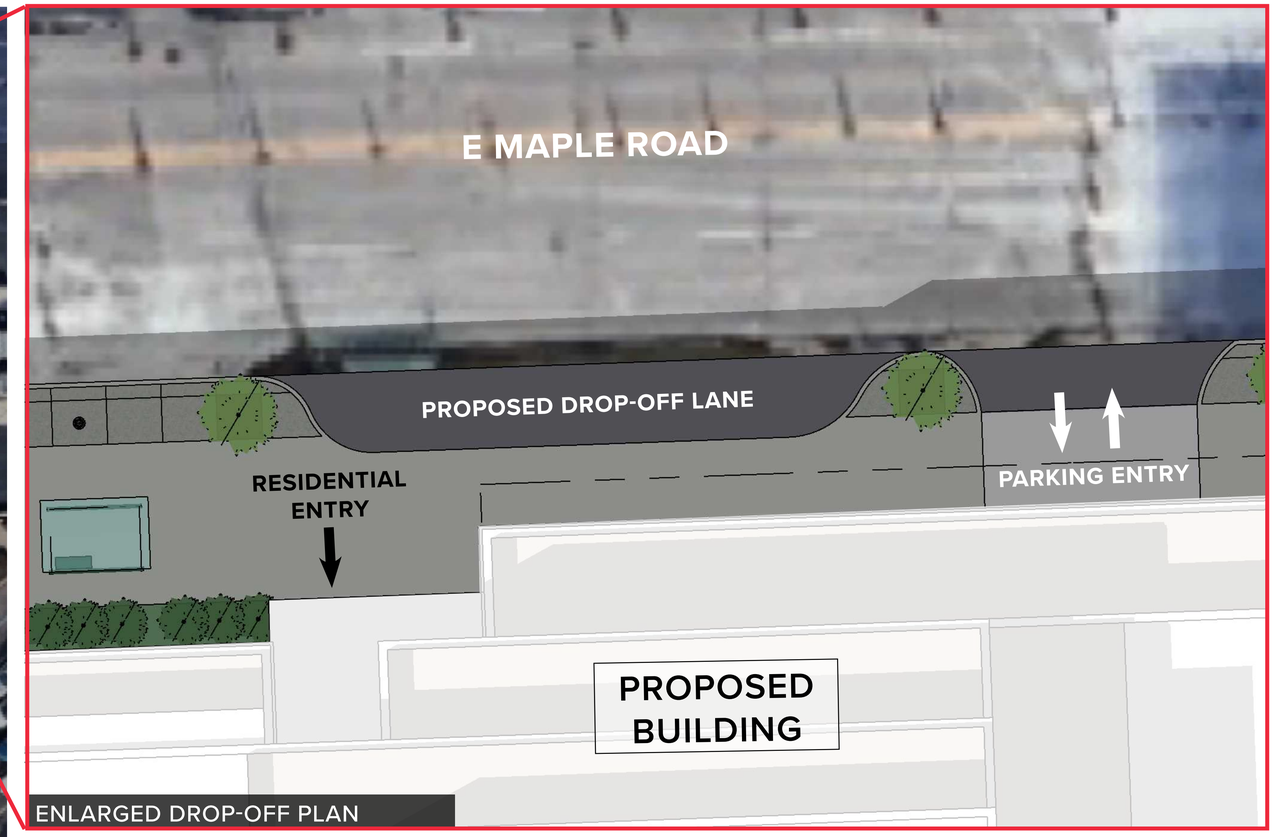
CONCEPT R.O.W. IMPROVEMENTS

BIRMINGHAM MIXED-USE DEVELOPMENT · PRELIMINARY SITE PLAN · WOODWARD AVENUE & MAPLE ROAD

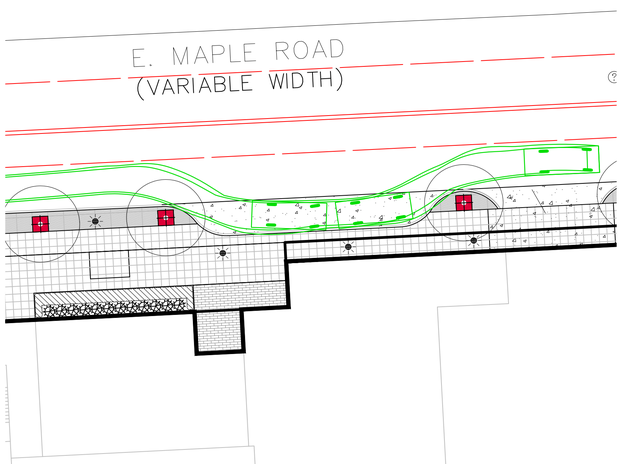
NORTH



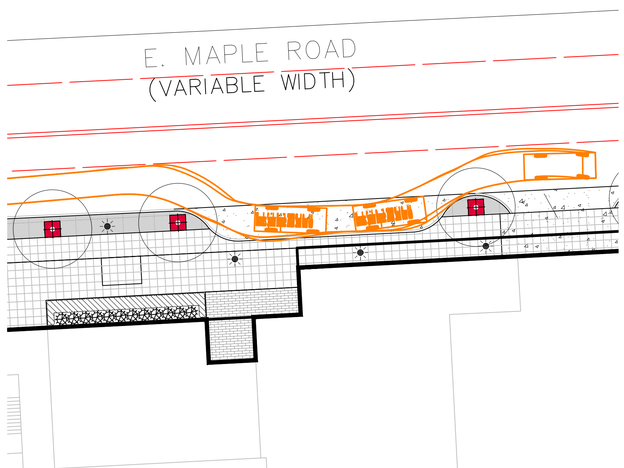
PROPOSED SITE PLAN



ENLARGED DROP-OFF PLAN



STANDARD CAR QUEUING
FOR GRAPHIC PURPOSES ONLY
FINAL DESIGN TO BE COORDINATED WITH SMART



STANDARD VAN QUEUING
FOR GRAPHIC PURPOSES ONLY
FINAL DESIGN TO BE COORDINATED WITH SMART

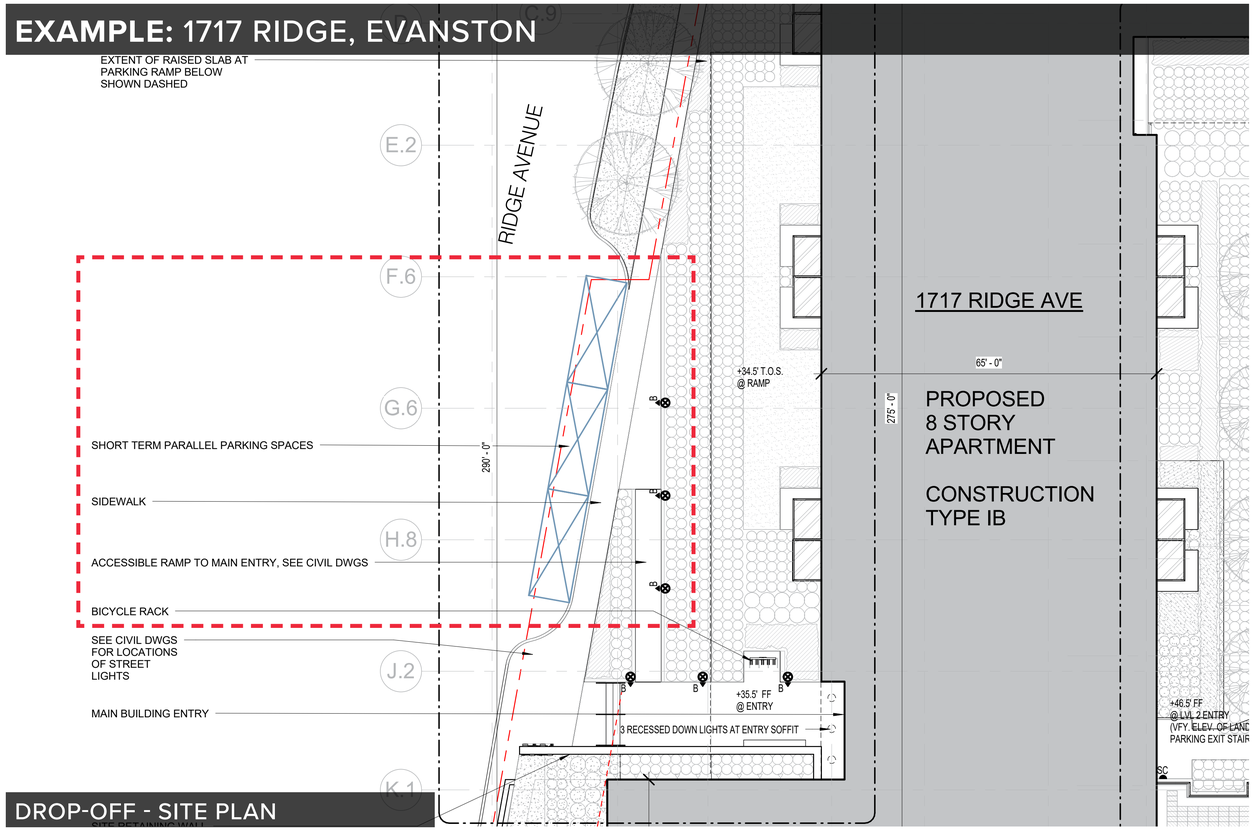
RYAN

RESIDENTIAL DROP-OFF

BIRMINGHAM MIXED-USE DEVELOPMENT · PRELIMINARY SITE PLAN · WOODWARD AVENUE & MAPLE ROAD

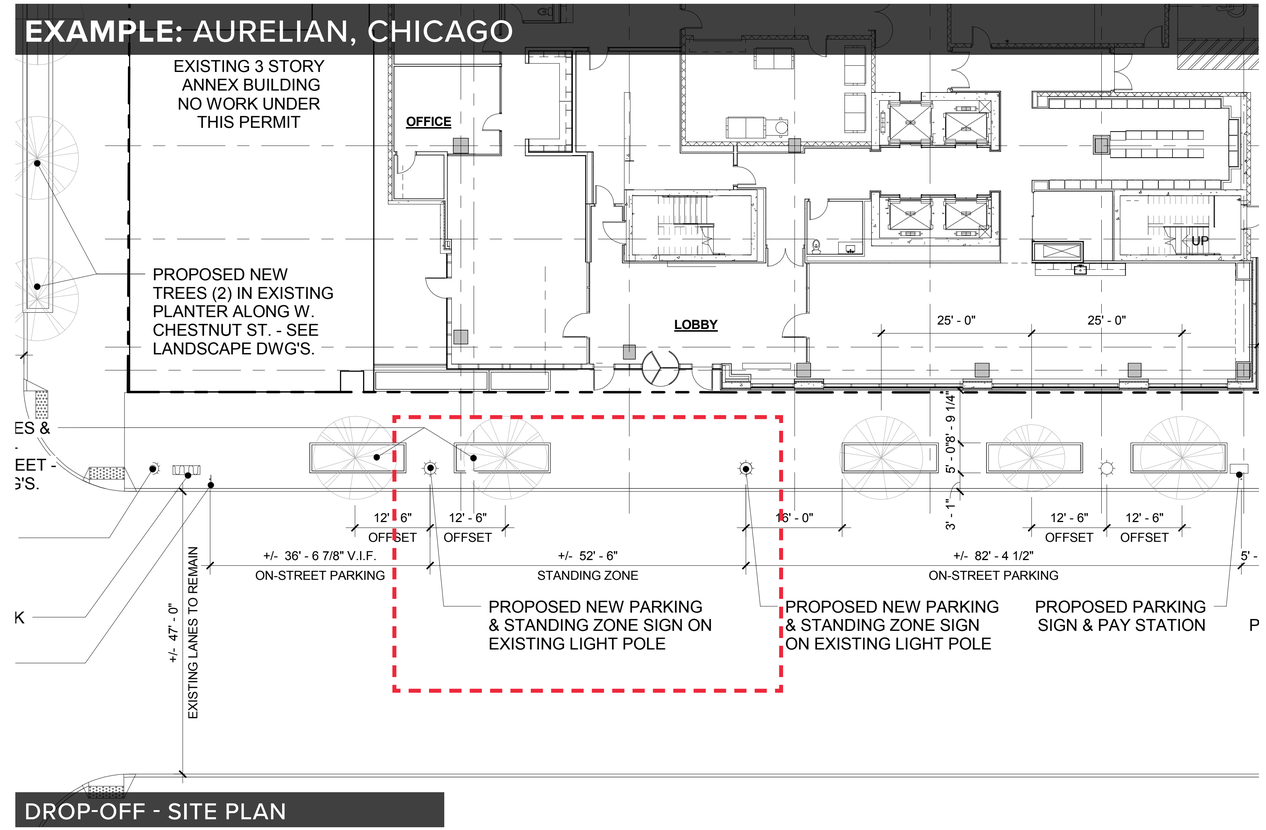
NORTH

EXAMPLE: 1717 RIDGE, EVANSTON



DROP-OFF - SITE PLAN

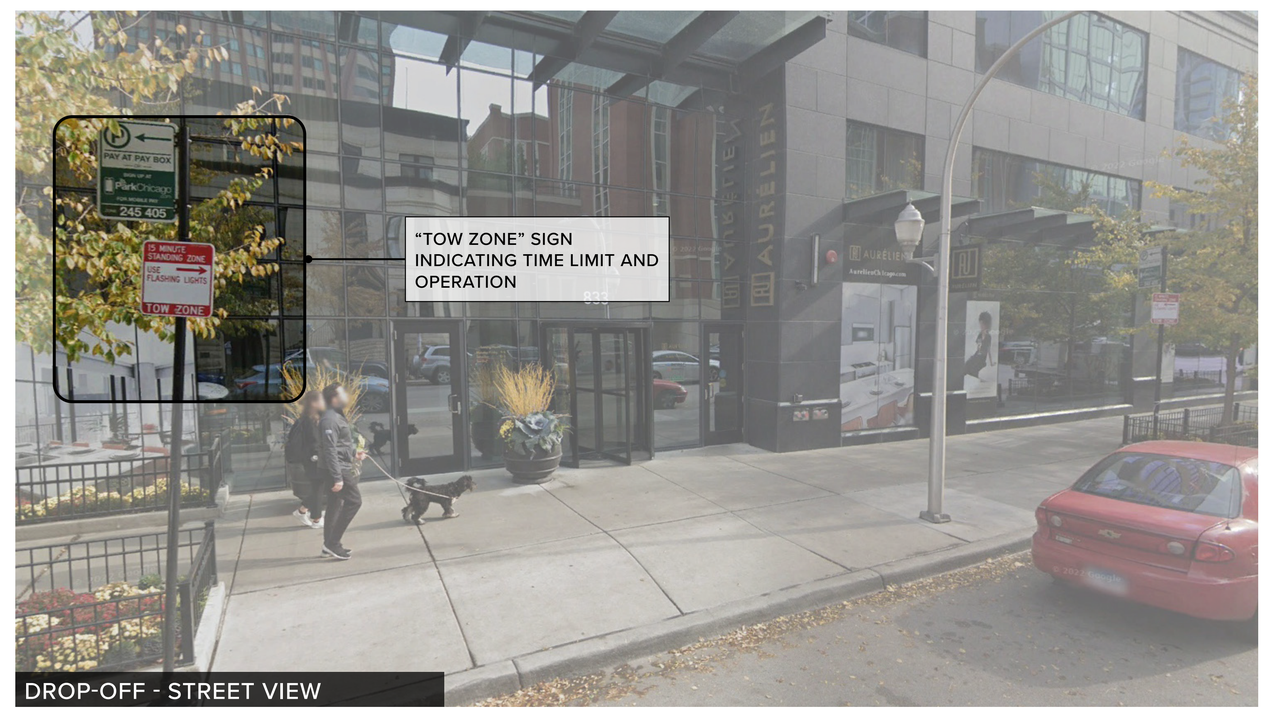
EXAMPLE: AURELIAN, CHICAGO



DROP-OFF - SITE PLAN

DROP-OFF - AERIAL

DROP-OFF - STREET VIEW

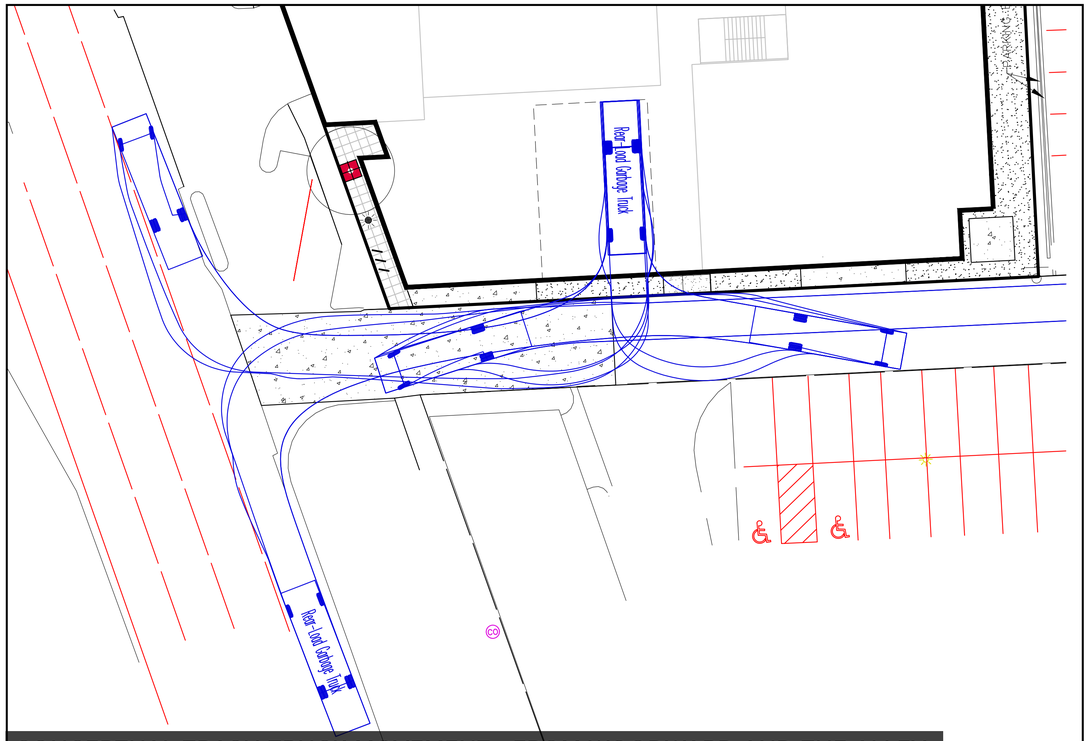


DROP-OFF - STREET VIEW

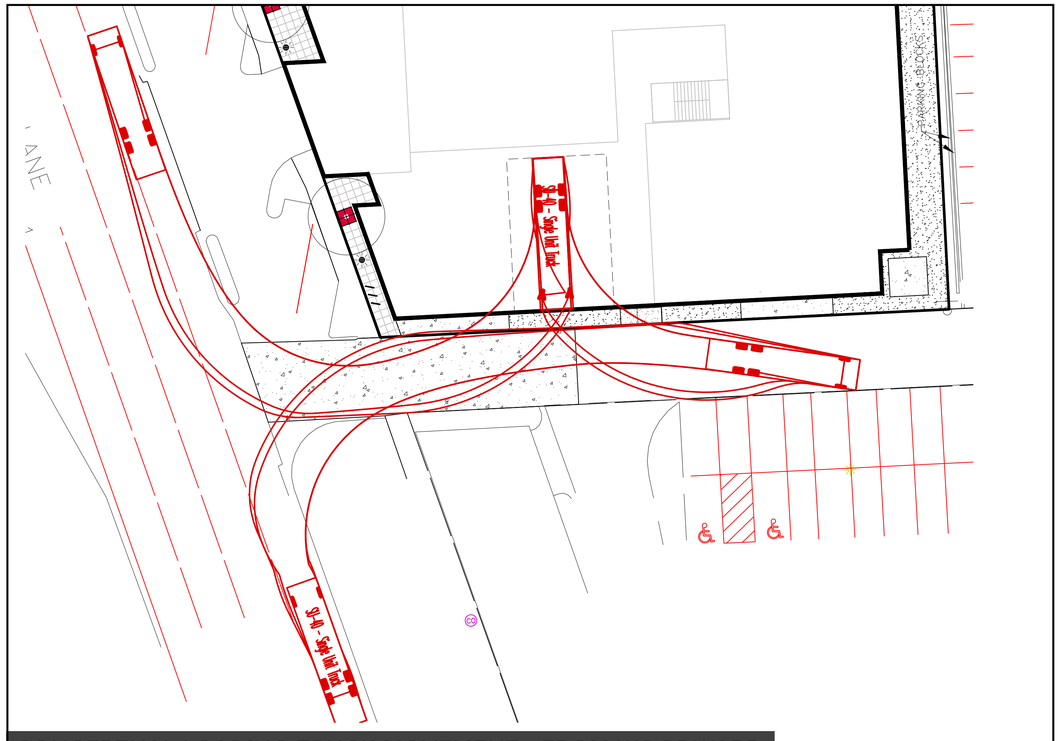
RYAN

RESIDENTIAL DROP-OFF

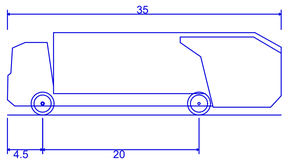
BIRMINGHAM MIXED-USE DEVELOPMENT · PRELIMINARY SITE PLAN · WOODWARD AVENUE & MAPLE ROAD



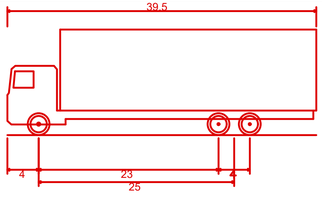
CONCEPTUAL TRASH TRUCK MOVEMENT - FROM WOODWARD AND THE ALLEY



CONCEPTUAL LOADING TRUCK MOVEMENT - FROM WOODWARD



Rear-Load Garbage Truck	
Overall Length	35.000ft
Overall Width	8.375ft
Overall Body Height	10.546ft
Min Body Ground Clearance	1.000ft
Track Width	8.375ft
Lock-to-lock time	6.00s
Curb to Curb Turning Radius	29.300ft



SU-40 - Single Unit Truck	
Overall Length	39.500ft
Overall Width	8.000ft
Overall Body Height	13.500ft
Min Body Ground Clearance	1.367ft
Track Width	8.000ft
Lock-to-lock time	5.00s
Max Steering Angle (Virtual)	31.80°

RYAN

LOADING / TRASH TRUCK DIAGRAMS

BIRMINGHAM MIXED-USE DEVELOPMENT · PRELIMINARY SITE PLAN · WOODWARD AVENUE & MAPLE ROAD

NORTH

VARIED PAVING STYLES TO BRING INTEREST AND COLOR

OPPORTUNITY FOR PUBLIC ART TO INTRODUCE LOCAL CULTURE

CURVED HARDSCAPE AND LANDSCAPE TO ACCENTUATE NATURAL PATHS OF TRAVEL

DIVERSE PLANTING TYPES TO BRING ASSORTED HEIGHTS AND COLORS TO THE CORNER

CONCEPTUAL CORNER PLAZA PLAN
PENDING MDOT AND SMART APPROVAL

RYAN

CONCEPT CORNER PLAZA

BIRMINGHAM MIXED-USE DEVELOPMENT · PRELIMINARY SITE PLAN · WOODWARD AVENUE & MAPLE ROAD

SCALE: 3/16"= 1'-0" 8' 16'

NORTH

GREENLEAF TRUST BUILDING PLAZA - EXAMPLE

CONCEPTUAL CORNER PLAZA AERIAL
PENDING MDOT AND SMART APPROVAL

RYAN

CONCEPT CORNER PLAZA

BIRMINGHAM MIXED-USE DEVELOPMENT · PRELIMINARY SITE PLAN · WOODWARD AVENUE & MAPLE ROAD

MAPLE PEDESTRIAN FRONTAGE - AERIAL

WOODWARD PEDESTRIAN FRONTAGE - AERIAL

CROSSING WOODWARD, HEADING EAST ON MAPLE

CROSSING MAPLE, HEADING SOUTH ON WOODWARD

PEDESTRIAN EXPERIENCE PERSPECTIVES

BIRMINGHAM MIXED-USE DEVELOPMENT · PRELIMINARY SITE PLAN · WOODWARD AVENUE & MAPLE ROAD

RYAN

LOOKING EAST DOWN MAPLE

LOOKING SOUTH DOWN WOODWARD

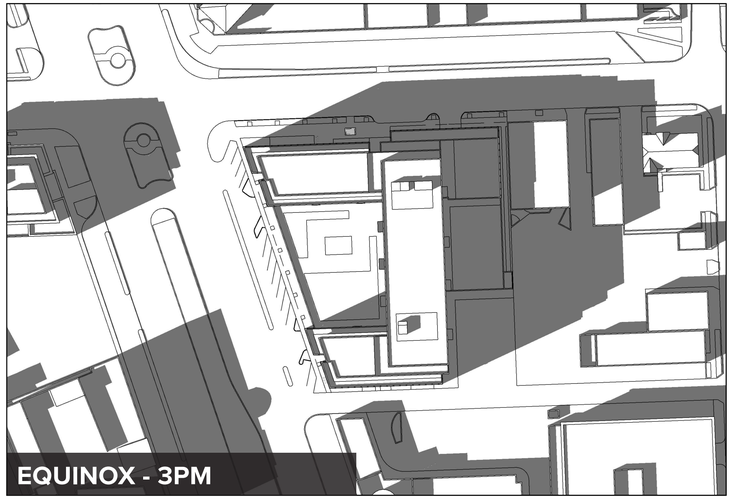
LOOKING WEST DOWN MAPLE

LOOKING NORTH DOWN WOODWARD

RYAN

PEDESTRIAN EXPERIENCE PERSPECTIVES

BIRMINGHAM MIXED-USE DEVELOPMENT · PRELIMINARY SITE PLAN · WOODWARD AVENUE & MAPLE ROAD



Sun Studies

Birmingham Mixed-Use Development · Preliminary Site Plan · Woodward Avenue & Maple Road

Preliminary Birmingham Multifamily Site Logistics Plan

As of 4/26/23

Ryan Companies US, Inc.

FLEIS&VANDENBRINK
DESIGN. BUILD. OPERATE.

MKSK
Planning
Urban Design
Landscape Architecture

May 4, 2023

VIA EMAIL ndupuis@bhamgov.org

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

RE: Birmingham Mixed Use Development-Maple & Woodward
34952 Woodward Ave. Birmingham, MI
Transportation Impact Study Review #2

Dear Mr. Dupuis:

Fleis & VandenBrink (F&V) and MKSK have completed our review of the Transportation Impact Study prepared by Rowe PSC dated April 2, 2023. Based on our review of the traffic study provided **we find that the Transportation Impact Study is approved.**

We offer the following key finding of the study for the City's consideration:

1. The proposed primary site access driveway is provided on Maple Road, with secondary access provided via the Alley on the south side of the building. The proposed new access driveway on Maple Road was evaluated to determine if the access will be blocked by westbound vehicle queues from the adjacent Woodward Ave. intersection. The analysis was reviewed and verified by F&V and shows that the driveway will be blocked during the following peak periods for the following durations:

   - AM Peak Hour: 11 Minutes
   - PM Peak Hour: 5 Minutes
   - Saturday Peak Hour: 3 Minutes

   While it is not anticipated that the driveway will be blocked for extended periods, the driveway location creates the potential for increased congestion and crashes.

   - **It is recommended to restrict egress traffic on Maple Road to right-out only.**

   Additional access for this movement is provided via the Alley provides safer access for vehicles exiting the site.

2. The applicant is working with MDOT and the City to provide a public parking area adjacent to Woodward Ave. that is consistent with City goals and MDOT requirements. The City reached out to MDOT and they provided preliminary comments on the proposed parking layout and access on Woodward Ave. MDOT tentatively supports changing the angled parking to parallel, and moving the exit driveway farther south, to reduce conflicts with the intersection. The exit into Woodward Ave. should be designed and signed for right turn only (to discourage motorists from trying to cross all the northbound lanes across Woodward Ave to make a U-Turn in the median crossover). The applicant will need to obtain permits from MDOT for any work in their ROW and meet MDOT requirements for permit application.

3. The applicant indicated that that have begun discussion with SMART regarding the bus stop locations. Neither the City or consultants have been part of these discussions. It is recommended that the

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Farmington Hills, MI 48334
P: 248.536.0080
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www.fveng.com

applicant engage with the both the City and SMART when evaluating the existing and proposed transit stop locations.

4. The crash analysis identified that the Woodward Ave. & Maple Road intersection is a high crash location. Mitigation measures were recommended that included Leading Pedestrian Intervals (LPIs). No other mitigation measures were offered for consideration. Other considerations for increased pedestrian safety would include extended walk times and audible pedestrian crossings.

5. There is a proposed pick-up/drop-off area on Maple Road. This area is between the bus stop location and the parking garage access. As previously noted, there are concerns about the congestion associated with the new site access on Maple Road. Adding a short-term parking area on Maple Road will further impact the safety of this access. Additionally, adding parking in this area will limit the sight distance for vehicles exiting the parking garage. It is recommended to eliminate this pick-up/drop-off area and consider alternative locations for this use, including dedicated spaces in the parking garage for short-term parking (15 min) and/or on Woodward Ave. in a dedicated loading area.

Summary
The following mitigation measures are recommended for consideration by the City:

- Prohibit egress left-turns at the proposed site driveway on Maple Road.
- Engage with the applicant and SMART to discuss the bus stop locations.
- Obtain all necessary permit approvals from MDOT for Woodward Ave. (M-1) access.
- Provide a parking garage exit alert system to warn pedestrians and remind drivers exiting the parking garage to yield to pedestrians and bicycles.
- Mitigation measures were recommended that included Leading Pedestrian Intervals (LPIs). Other considerations for increased pedestrian safety would include extended walk times and audible pedestrian crossings.
- Eliminate the pick-up/drop-off area on Maple Road and consider alternative options including the parking garage and the Woodward Ave. parking area.

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

Birmingham Multi Family

Underground Update

April 26, 2023

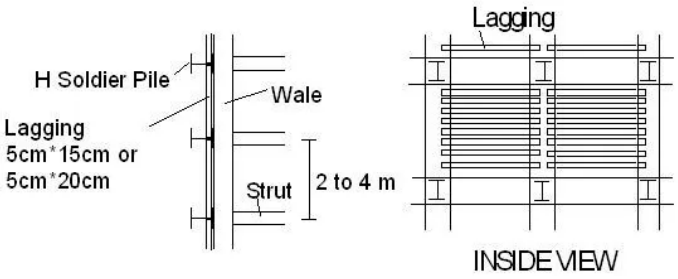
EARTH RETENTION

Two budgets were solicited and received for an earth retention system for the entire perimeter of the building footprint. The scope of work includes furnishing and installing approx. 1,025 wall linear feet of earth retention system including one hundred twenty-eight (128) 24”x 35’ deep drilled holes to house H shaped steel beams, set in place and grouted. Design is assumed to be cantilevered, with no tiebacks allowed. 3” of hardwood lagging will be placed between the flanges to a depth of 17’-0”. The excavator will pre excavate 3’-0” around the perimeter to accommodate the ER contractor. Then the excavator will excavate in 5’ lifts to facilitate the installation of the wood lagging installation. The earth retention contractor includes an OSHA approved handrail around the perimeter. All materials, except for the railing, remains in place permanently.

This will create a barrier around the perimeter of the site to allow of rigid inclusion installation and basement excavation.

We include 14 weeks for this system to be in place.

An example of what the earth retention will look like:



GEOTECHNICAL

G2 was hired to perform 10 soil borings along with a final report including recommendations for foundations. G2 performed 2 borings to a depth of +/- 120'. At that point, we felt that we had enough information in those borings, along with the report done for the previous developer 6 months prior, to bring in deep foundation and ground improvement contractors to budget the scope we provided. We put G2 on hold to avoid any more spending until the deep foundation system was decided upon.

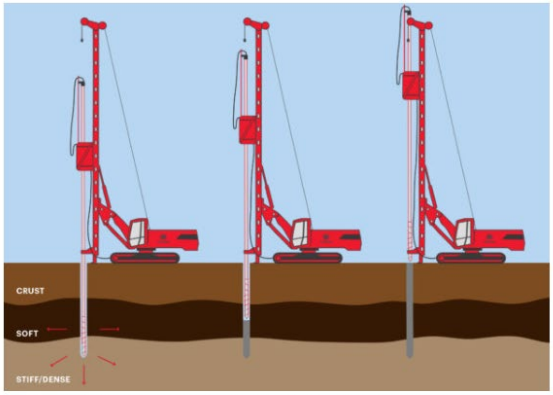
G2 provided a preliminary soils report based upon their 2 borings completed.

FOUNDATIONS

We provided three deep foundation contractors with a proposed column grid for the building, the Geotech report done for the previous developer 6 months ago, and the two soil borings to provide a budget for deep foundations. The contractors evaluated Auger Cast Piles (ACP) and Drilled Shaft deep foundations, with ACP yielding a cheaper option. Alternatively, we also provided the information to two national ground improvement contractors for options and pricing on ground improvement options. Ground improvement systems would improve the subgrade, while still allowing for conventional spread footing foundations, whereas a deep foundation system requires the structure to utilize pile caps and grade beams structurally connecting to the ACP/drilled shafts. The ground improvement contractors both proposed a rigid inclusion (RI) system (also known as a controlled modulus column - CMC system).

Based on cost and schedule, we propose the Rigid Inclusion system.

Our Rigid Inclusion system consists of one hundred twenty-eight (128), 16' diameter grouted columns to a depth of 50'-0" from basement grade. As shown in the example below, the auger displaces soils laterally and as the auger is extracted, cement-based grout is placed in the hole. This will also require crushed stone or lean mix layer below the footings to provide a load transfer platform (LTP). This system greatly reduces the cubic yards of spoil removal (Rigid Inclusion 950 cy of spoils vs. auger cast pile with 6,900 cy of spoils). Both deep foundation and ground improvement systems will require a 12-18" layer of crushed stone as a working platform to support the heavy cranes and construction equipment for installation.



Controlled Modulus Columns (CMC)® are grouted columns formed using specially-designed tooling that displaces soil laterally, producing very little spoil. As the auger is extracted, a column of cement-based grout is formed.

Advantages of CMCs Include:

- Effective in very soft soils
- Can be installed to extremely deep depths
- High load carrying capability
- Only minimal spoils generated during installation
- Does not provide a pathway for groundwater contamination migration

Download our CMC technique sheet:

DOWNLOAD PDF

We include 9 weeks for this system to be in place. This appears to be the most cost-effective system and is lower risk vs other foundation systems due to less spoil haul off, particularly if any isolated contaminated soils are encountered.

ENVIRONMENTAL

The seller provided a Phase I Environmental Site Assessment (ESA) from 2011 that identified several recognized environmental conditions (RECs) for the Property. A subsequent Phase II investigation was completed in 2011 and soil sample results indicated that no impacts above regulatory levels were present at the Property. A ground penetrating radar study was also performed at this time and found no indication of underground storage tanks.

Ryan Companies US, Inc. completed their own Phase I ESA in December 2022 and there were no recognized environmental conditions (RECs) noted in the report. However, the Geotech borings completed in January 2023 after the Phase I ESA was completed did encounter some environmentally impacted soil exhibiting a hydrocarbon odor at boring location B-2 which was located away from the boring locations from the 2011 Phase II. The impacted soil observed in boring B-2 was not environmentally tested.

We will have to update the Phase I ESA for this project per the ASTM standard, and we will have to address the Geotech preliminary report which states there is an unresolved matter of one of the borings which has a hydrocarbon odor that will need further investigation. Until we can complete sampling around the area, this will be considered a REC for the future Phase I ESA update. All spoils are tested before haul-off and any spoils that have contaminants would go to a special Subtitle D landfill.

EARTHWORK/MASS EXCAVATION

We went out to three earthwork contractors and have proposals that include all the requirements of the earth retention system and foundation system included in the budget.

Please let us know if you need additional information.

Thank you,

Sheila Sheridan

Josh Van Abel

Environmental
Risk Management

PM
ENVIRONMENTAL, INC.

ISO 9001 Registered

Phase II Environmental Site Assessment
Of the Vacant Hotel Property
Located at 34952 Woodward Avenue
Birmingham, Michigan

PM Environmental, Inc. Project No. 02-4659-1

Michigan

Alabama

Florida

Tennessee

North Carolina

800.485.0090
www.pmenv.com

February 15, 2011

Mr. Greg Stricker
TCF Bank
17440 College Parkway
Livonia, Michigan 48152

Re: Phase II Environmental Site Assessment of the Vacant Hotel Property Located at 34952 Woodward Avenue, Birmingham, Michigan PM Environmental, Inc. Project No. 02-4659-1

PM ENVIRONMENTAL, INC.
ISO 9001 Registered

Dear Mr. Stricker:

PM Environmental, Inc. (PME) has completed the Phase II Environmental Site Assessment (ESA) at the above referenced subject property.

THIS PHASE II ESA WAS PERFORMED FOR THE EXCLUSIVE USE OF TCF BANK AND HENRY STREET ADVISORS, LLC WHOM MAY RELY ON THE REPORT'S CONTENTS.

The purpose of the Phase II ESA was to assess potential contamination from Recognized Environmental Conditions (RECs) identified in the January 2011 Phase I ESA prepared for the subject property by PME. The following RECs were identified:

- Historical interior waste streams associated with the former service station operations from between 1952 and 1956 until between 1963 and 1967 would have consisted of general hazardous substances and/or petroleum products. This time period preceded major environmental regulations and current waste management and disposal procedures. The historical waste management practices associated with the former service operations are unknown and may be a source of subsurface contamination.

- The former service station most likely contained in-ground hydraulic hoists. In-ground hoists have an underground reservoir for hydraulic fluids, which can contain PCBs. The potential exists that a release occurred from the former hydraulic hoist system and/or underground reservoir.

- Review of previous site investigations indicates soil and/or groundwater samples were not collected from beneath the former pump islands or beneath the former building foot print. The potential exists residual contamination is present in these areas.

ALABAMA
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Phone 256.353.6222

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Florence, AL 35630
Phone 256.353.6222

FLORIDA
2131 Hollywood Blvd. • Unit No. 503
Hollywood, FL 33020
Phone 888.763.6835

MICHIGAN
3340 Ranger Road • Lansing, MI 48906
Phone 517.321.3331 • info@pmenv.com

4080 West 11 Mile Road • Berkley, MI 48072
Phone 248.336.9988

77 Monroe Center NW, Suite 602 • Grand Rapids, MI 49503
Phone 616.285.8857

NORTH CAROLINA
1930 Derita Road, Suite 109 • Concord, NC 28027
Phone 704.782.0555

TENNESSEE
535 Chestnut Street, Suite F-14
Chattanooga, TN 37402
Phone 423.468.1105

254 West Eastland Street • Gallatin, TN 37066
Phone 615.390.3776

1053 Oak Hill Drive • Cookeville, TN 38501
Phone 931.432.5552

- The subject property was historically occupied by a gasoline service station from the mid-1950s until the mid-1960s. However, PME was unable to determine the installation date, the location, and/or size of the USTs. Additionally, PME was unable to confirm the USTs associated with the historic gasoline service station have been removed. The potential exists for orphan USTs to be present on the property and/or for a release to have occurred.

The following adjoining and/or nearby RECs have been identified:

- The west adjoining property, currently Woodward Avenue, was occupied by a coal yard from between 1921 and 1926 until between 1931 and 1939. Typically, coal yards utilized various general hazardous substances and/or petroleum products. This time period preceded major environmental regulations and current waste management and disposal procedures. Based on the close proximity to the subject property, the potential exists that a release has occurred on this property and migrated onto the subject property.

- The north adjoining property was historically occupied by a dry cleaner from approximately 1959 until approximately 1998. Dry cleaning operations commonly involve the usage of general hazardous substances and/or petroleum products, which, if improperly managed and/or disposed of, can be a source of contamination. Based on the close proximity to the subject property and long term dry cleaning operations, the potential exists that a release has occurred on this property and migrated onto the subject property.

This Phase II ESA Report summarizes the Phase II ESA activities conducted, geology encountered at the subject property, and sample analytical results.

INTRODUCTION

The subject property consists of one (1) parcel consisting of approximately 1.25 acres and is located at the southeast corner of Woodward Avenue and East Maple Road in Birmingham, Michigan. The property is currently occupied by one (1) 5-story hotel building, two (2) 2-story hotel buildings, which are connected by a canopy, an additional two (2) story hotel building, and one (1) 1-story exercise facility and hotel suite building. The 2-story hotel buildings in the eastern and southern portions of the property were constructed between 1958 and 1960 and contain approximately 23,215 square feet. A basement, containing the laundry room and boiler room, is located in the central portion of the eastern building. The 5-story hotel building located in the northwestern portion of the subject property was constructed in 1968 and contains approximately 27,462 square feet. The western buildings were constructed in 1968 and contain approximately 3,377 square feet. The northern two (2) story western building contains a basement. Asphalt paved driveways and parking areas surround the subject buildings. The property is currently vacant.

Review of historical documentation indicates the first developed use of the subject property occurred prior to 1921, with the construction of three (3) residential dwellings. The dwellings were demolished between 1952 and 1956, and the property was redeveloped with a gasoline service station located in the northwestern portion of the property. The eastern, southern, and western hotel

buildings were constructed between 1958 and 1960. Additionally, a swimming pool was constructed in the southern portion of the property. The swimming pool was removed between 1974 and 1980. The gasoline service station was demolished between 1963 and 1967, and the hotel building in the northwestern portion of the property was constructed between 1967 and 1968. The property has been occupied by various motels and hotels since at least 1960.

Prior to the commencement of field activities, Miss Dig, a utility locating service, was contacted to locate utilities on or adjacent to the subject property. Utilities were marked by the respective utility companies where they entered or were located adjacent to the subject property.

PREVIOUS SITE INVESTIGATION

Eckland Consultants, Inc. (ECI) completed a Phase I ESA in 1998, when the subject property was occupied by a Holiday Inn hotel, with the current layout. The historical summary of the subject property provided by ECI is consistent with PME's historical summary, however, the conclusions provided by ECI are not consistent with PME's conclusions. ECI did not identify any RECs associated with the subject property, with the exception of asbestos containing materials (ACM) at the subject property. However, ACM is not considered a REC.

Applied Science & Technology, Inc. (ASTI) completed a Phase I ESA and Subsurface Investigation in 1997. ASTI identified the former gasoline dispensing station in the northwestern portion of the subject property as a REC. The Subsurface Investigation included the advancement of eight (8) soil borings in the northwestern portion of the subject property to assess the historic gas station operations. Geology at the property generally consists of a dry to slightly moist sand fill to between 3.0 and 4.0 feet below ground surface (bgs), underlain by a dense brown to gray native clay to a depth of 17.0 feet bgs, the maximum depth explored. ASTI collected soil samples from between 2.0 and 17.0 feet bgs, and the soil samples were collected from clay soils with the exception of samples collected from SB-3 and SB-6, which were collected from sand fill. Groundwater was encountered in one (1) soil boring (SB-1) at 10.0 feet bgs. Soil and groundwater samples were collected and analyzed for benzene, toluene, ethylbenzene, and xylenes (BTEX), polynuclear aromatic hydrocarbons (PNAs), and lead. Analytical results indicate BTEX, PNAs, and lead were non-detect for groundwater. Additionally, BTEX and PNAs were non-detect for soil, and lead was detected in SB-6 above the Michigan Department of Environmental Quality (MDEQ) Part 201 Statewide Default Background Levels. However, because lead was below MDEQ Part 201 Direct Contact Cleanup Criteria, no additional assessment was recommended.

The Phase I ESA completed by NTH in 1992 did not identify any RECs. However, NTH only reviewed historical sources dating back to 1968 and indicated aerial photographs prior to the construction of the current hotel buildings were not reviewed.

PHASE II ESA SITE INVESTIGATION

On January 4, 2011, PME completed a scope of work consisting of the completion of a ground penetrating radar (GPR) survey, the advancement of eight (8) soil borings (PSB-1 through PSB-8) to a maximum depth of 25.0 below ground surface (bgs), the installation of two (2) temporary monitoring wells (TMW-1 and TMW-3), and the collection of soil and groundwater samples to address the RECs identified in the January 2011 Phase I ESA completed by PME.

Eight (8) soil samples and two (2) groundwater samples were collected from the subject property and submitted to Brighton Analytical LLC, Brighton, Michigan for chemical analysis of volatile organic compounds (VOCs), polynuclear aromatic compounds (PNAs), polychlorinated biphenyls (PCBs) and metals (cadmium, chromium, lead), or some combination thereof. These are the MDEQ recommended parameters for petroleum products, used motor oils and solvents.

Specifically, the Phase II ESA activities were conducted on the following areas of the subject property:

Location (Total Depth feet bgs)	Sample Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)	Temporary Monitoring Well Screen (feet bgs)
PSB/TMW-1 (10.0)	2.0-3.0	VOCs, PNAs, and Lead	Assess the former pump islands	**Soil:** Due to the lack of PID readings or visual/olfactory evidence of contamination, a sample was collected at the approximate depth of the product lines **Groundwater:** Sampled	3.79-8.79
SB-2 (15.0)	3.0-4.0	VOCs, PNAs, and Lead	Assess the former pump islands	**Soil: :** Due to the lack of PID readings or visual/olfactory evidence of contamination, a soil sample was collected at the sand/clay interface/ approximate depth of the product line **Groundwater:** Not Encountered	Not Applicable

Location (Total Depth feet bgs)	Sample Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)	Temporary Monitoring Well Screen (feet bgs)
SB/TMW-3 (15.0)	14.0-15.0	VOCs, PNAs, PCBs and Metals	Assess the former service operations and hydraulic hoists	**Soil: :** Due to the lack of PID readings or visual/olfactory evidence of contamination, a soil sample was collected at the bottom of the boring within a dry clay below the perched water for vertical definition **Groundwater:** Sampled	3.89-8.89
SB-4 (15.0)	8.0-9.0	VOCs, PNAs, PCBs and Metals	Assess the former service operations and hydraulic hoists	**Soil: :** Due to the lack of PID readings or visual/olfactory evidence of contamination, a sample was collected at the depth of the hydraulic hoist **Groundwater:** Not Encountered	Not Applicable
SB-5 (20.0)	3.0-4.0	VOCs, PNAs, and lead	Assess the potential location of the former UST basin	**Soil: :** Due to the lack of PID readings or visual/olfactory evidence of contamination, a sample was collected at the sand/clay interface **Groundwater:** Not Encountered	Not Applicable
SB-6 (20.0)	1.0-2.0 and 19.0-20.0	VOCs, PNAs, and lead	Assess the potential location of the former UST basin	**Soil: :** Due to the lack of PID readings or visual/olfactory evidence of contamination, a sample was collected at the sand/clay interface **Groundwater:** Not Encountered	Not Applicable

Location (Total Depth feet bgs)	Sample Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)	Temporary Monitoring Well Screen (feet bgs)
SB-7 (20.0)	1.0-2.0	VOCs and PNAs	Assess the former offsite coal yard	**Soil: :** Due to the lack of PID readings or visual/olfactory evidence of contamination, a sample was collected at the sand/clay interface **Groundwater:** Not Encountered	Not Applicable
SB-8 (15.0)	1.0-2.0	VOCs	Assess the former offsite dry cleaners	**Soil: :** Due to the lack of PID readings or visual/olfactory evidence of contamination, a sample was collected at the sand/clay interface **Groundwater:** Not Encountered	Not Applicable

GROUND PENETRATING RADAR SURVEY

On January 4, 2011, PME completed a GPR survey at the subject property (Figure 2) to investigate the potential for orphan USTs and clear soil boring locations for private utilities. At the time of the survey, weather conditions were approximately 20° F and overcast. Approximately 2.0 inches of snow cover was present on the ground surface at the time of the survey; however, did not adversely affect the GPR survey. Photographs from the site survey are included as Appendix A. The GPR survey was completed using a GSSI® SIR-3000 radar control unit equipped with a 260 megahertz (MHz) antenna. The survey was completed utilizing 2-dimensional methods in a 2 foot surface grid pattern to an average maximum depth of 6.5 feet below ground surface (bgs).

PME did not encounter project specific conditions that limited its ability to assess the subject property, with the exception of various vehicles parked at the subject property during the survey. PME was unable to locate the owners of the parked cars. Refer to Figure 2 for the park car locations.

No anomalies consistent with orphan USTs were identified during the geophysical survey. Other anomalies not consistent with USTs (i.e., those consistent with subsurface utilities, rebar, etc.) may have been observed; however are not included within this report.

On February 9, 2011, PME rescanned a portion of the subject property to provide additional detailed information for the scanned area. Refer to Figure 2 for a map depicting specific GPR transect lines

and Appendix A for specific GPR profiles associated with the transect lines. The instrument settings during the GPR scan were as follows:

Channel(s) 1
Samples Per Scan 512
Bits Per Sample 16
Scans Per Second 120
Scans Per Meter 78.7402
Meters Per Mark 1.2192
Dielectric Constant 8.0
CHANNEL 1 400MHz
Position 0 nS
Range 110 nS
Range Gain (dB) -20.0 46.0 57.0
Position Correction 0.6 nS
Vert IIR LP N =1 F =800 MHz
Vert IIR HP N =1 F =100 MHz

Copies of the GPR back up files are included on the attached CD identified as Appendix D.

GEOLOGY/HYDROGEOLOGY

The description of the subsurface conditions provided below were derived from onsite observations of soil samples and cuttings collected from the nine (9) soil borings installed by PME. It appears that geology generally consists of sand ranging in thickness from 4.0 to 9.0 feet underlain by clay to 25.0 feet bgs, the maximum depth explored, which is consistent with historical assessment activities. Groundwater was encountered in two (2) soil borings at approximately 5.0 to 5.5, perched above the clay. Based on the discontinuous nature of the groundwater, the groundwater at the subject property would be classified as groundwater not in an aquifer. Appendix B contains the soil boring logs, which depict a site specific geologic profile, photo-ionization detector (PID) readings, and soil sample intervals.

ANALYTICAL RESULTS

No concentrations of VOCs, PNAs, and PCBs were detected in the soil samples analyzed from the subject property above laboratory method detection limits (MDLs).

No concentrations of metals were detected in the soil samples analyzed from the subject property above laboratory MDLs or Michigan Statewide Default background levels, except for total chromium at SB-3 and SB-4. However, the total chromium value detected at SB-3 (19,000 µg/Kg) and SB-4 (22,000 µg/Kg) were compared to the more conservative MDEQ chromium VI valence groundwater surface water interface (GSI) RBSLs. However, because the property is not known to historically been involved in metal plating operations, the MDEQ criterion for chromium III valence may be a more reasonable comparison. The concentrations detected at SB-3 and SB-4 are below the

MDEQ RBSLs for chromium III. In addition, commercial/industrial releases typically result in the significant release of multiple metals or other contaminants. This has not been demonstrated at this site, since no other contaminants including VOCs, PNAs, and PCBs were detected. Furthermore, based on the discontinuous nature of the groundwater and the clay geology, the GSI pathway is not a reasonable exposure scenario.

No concentrations of VOCs, PNAs, PCBs, cadmium, chromium, or lead were detected in the groundwater samples analyzed from the subject property above laboratory MDLs.

Figures 3 and 4 depict the soil boring/temporary monitoring well locations with analytical results. Appendix C contains the laboratory analytical report.

SUMMARY

In PME's opinion, the soil borings advanced, and the soil and groundwater samples analyzed from the subject property were adequate to address the RECs identified in the January 2011 Phase I ESA completed by PME, which assessed the most likely areas of impact based upon the historical uses of the subject property.

No anomalies consistent with orphan USTs were identified during the geophysical survey.

Based upon the conclusions of PME's Phase II investigation that indicates that no concentrations of VOCs, PNAs, PCBs and metals were detected in the soil or groundwater samples analyzed from the subject property above the most restrictive residential cleanup criteria or default background levels, the subject property would not be classified as a "facility," as defined by Part 201 of P.A. 451 of the Michigan Natural Resources Environmental Protection Act (NREPA), as amended, and the rules promulgated thereunder. No due care or continuing obligations are required at the subject property based on the current use of the property and no further investigation is warranted at this time.

If you have any questions related to this letter report please do not hesitate to contact our office at (248) 336-9988.

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Principal

TABLES

Table 1: Summary of Soil Analytical Results – Volatile Organic Compounds, Polynuclear Aromatic Compounds, Polychlorinated Biphenyls, and Metals (Cadmium, Chromium, and Lead)
Table 2: Summary of Groundwater Analytical Results – Volatile Organic Compounds, Polynuclear Aromatic Compounds, Polychlorinated Biphenyls, and Metals (Cadmium, Chromium, and Lead)

FIGURES

Figure 1: Property Vicinity Map
Figure 2: Generalized Diagram of the Subject Property and Adjoining Properties
Figure 3: Soil Boring/Temporary Monitoring Well Locations with Soil Analytical Results
Figure 4: Soil Boring/Temporary Monitoring Well Locations with Groundwater Analytical Results

APPENDICES

Appendix A: Ground Penetrating Radar Photographs and Cross Sections
Appendix B: Soil Boring Logs
Appendix C: Laboratory Analytical Results – Brighton Analytical, LLC, Brighton, Michigan
Appendix D: Ground Penetrating Radar Backup Files (CD)

Tables

TABLE 1 (1 OF 1)
SUMMARY OF SOIL ANALYTICAL RESULTS
VOLATILE ORGANIC COMPOUNDS, POLYNUCLEAR AROMATIC COMPOUNDS, POLYCHLORINATED BIPHENYLS, and METALS
34952 WOODWARD AVENUE, BIRMINGHAM, MICHIGAN
PME PROJECT # 02-4659-1

Volatile Organic Compounds (VOCs), Polynculear Aromatic Comounds (PNAs), Polychlorinated Biphenyls (PCBs), & Metals (Cadmium, Chromium, & Lead) (µg/Kg)			Volatile Organic Compounds	Polynuclear Aromatic Compounds	Polychlorinated Biphenyls	Cadmium	Chromium	Lead
								Total[1]
Chemical Abstract Service Number (CAS#)			Various	Various	1336363	7440439	16065831	7439921
Sample ID	**Sample Date**	**Sample Depth (bgs)**	**VOCs**	**PNAs**	**PCBs**	**Metals**		
PSB-1	01/04/11	2-3'	ND	ND	NA	NA	NA	4,100
PSB-2	01/04/11	3-4'	ND	ND	NA	NA	NA	5,900
PSB-3	01/04/11	14-15'	ND	ND	<330	110	19,000	8,800
PSB-4	01/04/11	8-9'	ND	ND	<330	160	22,000	10,000
PSB-5	01/04/11	4-5'	ND	ND	NA	NA	NA	5,900
PSB-6	01/04/11	4-5'	ND	ND	NA	NA	NA	11,000
PSB-7	01/04/11	1-2'	ND	ND	NA	NA	NA	NA
PSB-8	01/04/11	1-2'	ND	NA	NA	NA	NA	NA
Operational Memorandum No. 1 Part 201 Cleanup Criteria and Part 213 Risk-based Screening Levels (RBSLs), January 23, 2006 Attachment 1: Table 1. Groundwater: Residential and Industrial-Commercial Part 201 Generic Cleanup Criteria and Screening Levels; Part 213 Tier 1 RBSLs and in accordance with Section 20120a(1)								
Residential (µg/Kg)								
Statewide Default Background Levels			Various	Various	NA	1,200	18,000	21,000
Drinking Water Protection (Res DWP)			Various	Various	NLL	6,000	30,000	7.0E+5
Groundwater Surface Water Interface Protection (GSIP)			Various	Various	NLL	{G,X}	3,300	{G,M,X}
GSIP Human Drinking Water			Various	Various	NA	{G,X}	{G,X}	{G,X}
Groundwater Contact Protection (GCP)			Various	Various	NLL	2.3E+8	1.4E+8	ID
Soil Volatilization to Indoor Air Inhalation (Res SVII)			Various	Various	3.0E+6	NLV	NLV	NLV
Ambient Air Infinite Source Volatile Soil Inhalation (Res VSI)			Various	Various	2.4E+5	NLV	NLV	NLV
Ambient Air Finite VSI for 5 Meter Source Thickness			Various	Various	7.9E+6	NLV	NLV	NLV
Ambient Air Finite VSI for 2 Meter Source Thickness			Various	Various	7.9E+6	NLV	NLV	NLV
Ambient Air Particulate Soil Inhalation (Res PSI)			Various	Various	5.2E+6	1.7E+6	2.6E+5	
Direct Contact (Res DC)			Various	Various	{T}	5.5E+5	2.5E+6	4.0E+5
Nonresidential (µg/Kg)								
Drinking Water Protection (Nonres DWP)			Various	Various	NLL	6,000	30,000	7.0E+5
Soil Volatilization to Indoor Air Inhalation (Nonres SVII)			Various	Various	1.6E+7	NLV	NLV	NLV
Ambient Air Infinite Source Volatile Soil Inhalation (Nonres VSI)			Various	Various	8.1E+5	NLV	NLV	NLV
Ambient Air Finite VSI for 5 Meter Source Thickness			Various	Various	2.8E+7	NLV	NLV	NLV
Ambient Air Finite VSI for 2 Meter Source Thickness			Various	Various	2.8E+7	NLV	NLV	NLV
Ambient Air Particulate Soil Inhalation (Nonres PSI)			Various	Various	6.5E+6	2.2E+6	2.4E+5	
Direct Contact (Nonres DC)			Various	Various	{T}	2.1E+6	9.2E+6	9.0E+5 (DD)
Screening Levels (µg/Kg)								
Soil Saturation Concentration Screening Levels (Csat)			Various	Various	NA	NA	NA	NA

{T} Refer to the Toxic Substance Control Act (TSCA), 40 CFR 761, Subparts D and G, as amended, to determine the applicability of TSCA cleanup standards. Alternatives to compliance with the standards listed below are possible under Subpart D. New Releases may be subject to the standards identified in Subpart G. Use Part 213 soil direct contact criteria in the table below where TSCA standards are not applicable.

LAND USE CATEGORY	TSCA, Subpart D	Part 201
Residential & Commercial I	1,000 µg/Kg, or 10,000 µg/Kg if capped	4,000 µg/Kg
Industrial & Commercial II		16,000 µg/Kg
Commercial III		33,000 µg/Kg
Commercial IV		22,000 µg/Kg

bgs Below Grade Surface (feet)
1 Maximum of analyzed or calculated total lead value.

TABLE 2 (1 OF 1)
SUMMARY OF GROUNDWATER ANALYTICAL RESULTS
VOLATILE ORGANIC COMPOUNDS, POLYNUCLEAR AROMATIC COMPOUNDS, POLYCHLORINATED BIPHENYLS, and METALS
34952 WOODWARD AVENUE, BIRMINGHAM, MICHIGAN
PME PROJECT # 02-4659-1

Volatile Organic Compounds (VOCs), Polynuclear Aromatic Compounds (PNAs), Polychlorinated Biphenyls (PCBs), & Metals (Cadmium, Chromium, & Lead) (µg/L)				Volatile Organic Compounds	Polynuclear Aromatic Compounds	Polychlorinated Biphenyls	Cadmium	Chromium	Lead
Chemical Abstract Service Number (CAS#)				Various	Various	1336363	7440439	16065831	7439921
Sample ID	**Sample Date**	**Screen Depth (bgs)**	**Depth to Groundwater (bgs)**	**VOCs**	**PNAs**	**PCBs**	**Metals**		
TMW-1	1/4/2011	3.79-8.79	5.52	ND	ND	NA	NA	NA	<3
TMW-3	1/4/2011	3.89-8.89	5.02	ND	ND	<0.2	<0.2	<5	<3
Operational Memorandum No. 1 Part 201 Cleanup Criteria and Part 213 Risk-based Screening Levels (RBSLs), January 23, 2006 Attachment 1: Table 1. Groundwater: Residential and Industrial-Commercial Part 201 Generic Cleanup Criteria and Screening Levels; Part 213 Tier 1 RBSLs and in accordance with Section 20120a(1)									
Residential/Nonresidential (µg/L)									
Residential Drinking Water (Res DW)				Various	Various	0.5 {A}	5.0 {A}	100 {A}	4.0 {L}
Residential Health Based Drinking Water Values				Various	Various	NL	NL	NL	NL
Nonresidential Drinking Water (Nonres DW)				Various	Various	0.5 {A}	5.0 {A}	100 {A}	4.0 {L}
Nonresidential Health Based Drinking Water Values				Various	Various	NL	NL	NL	NL
Groundwater Surface Water Interface (GSI)				Various	Various	0.2 {M}	{G,X}	11	{G,X}
GSI Final Acute Values (FAV) [1]				Various	Various	ID	{G}	{G}	{G}
GSI Human Drinking Water				Various	Various	NA	2.5 {G,X}	120 {G,X}	14 {G,X}
Residential Groundwater Volatilization to Indoor Air Inhalation (Res GVII) [2]				Various	Various	45 {S}	NLV	NLV	NLV
Nonresidential Groundwater Volatilization to Indoor Air Inhalation (Nonres GVII) [2]				Various	Various	45 {S}	NLV	NLV	NLV
Groundwater Contact (GC)				Various	Various	3.3 {AA}	1.9E+5	4.6E+5	ID
Screening Levels (µg/L)									
Residential Groundwater Vapor Intrusion Screening Levels [3]				Various	Various	4.5	NLV	NLV	NLV
Non-Residential Groundwater Vapor Intrusion Screening Levels [3]				Various	Various	18	NLV	NLV	NLV
Water Solubility				Various	Various	44.7	NA	NA	NA
Flammability and Explosivity Screening Level				Various	Various	ID	ID	ID	ID
Acute Inhalation Screening Level				Various	Various	ID	ID	ID	ID

Applicable Criteria/RBSL Exceeded

BOLD Value Exceeds Applicable Criteria

bgs Below Grade Surface (feet)

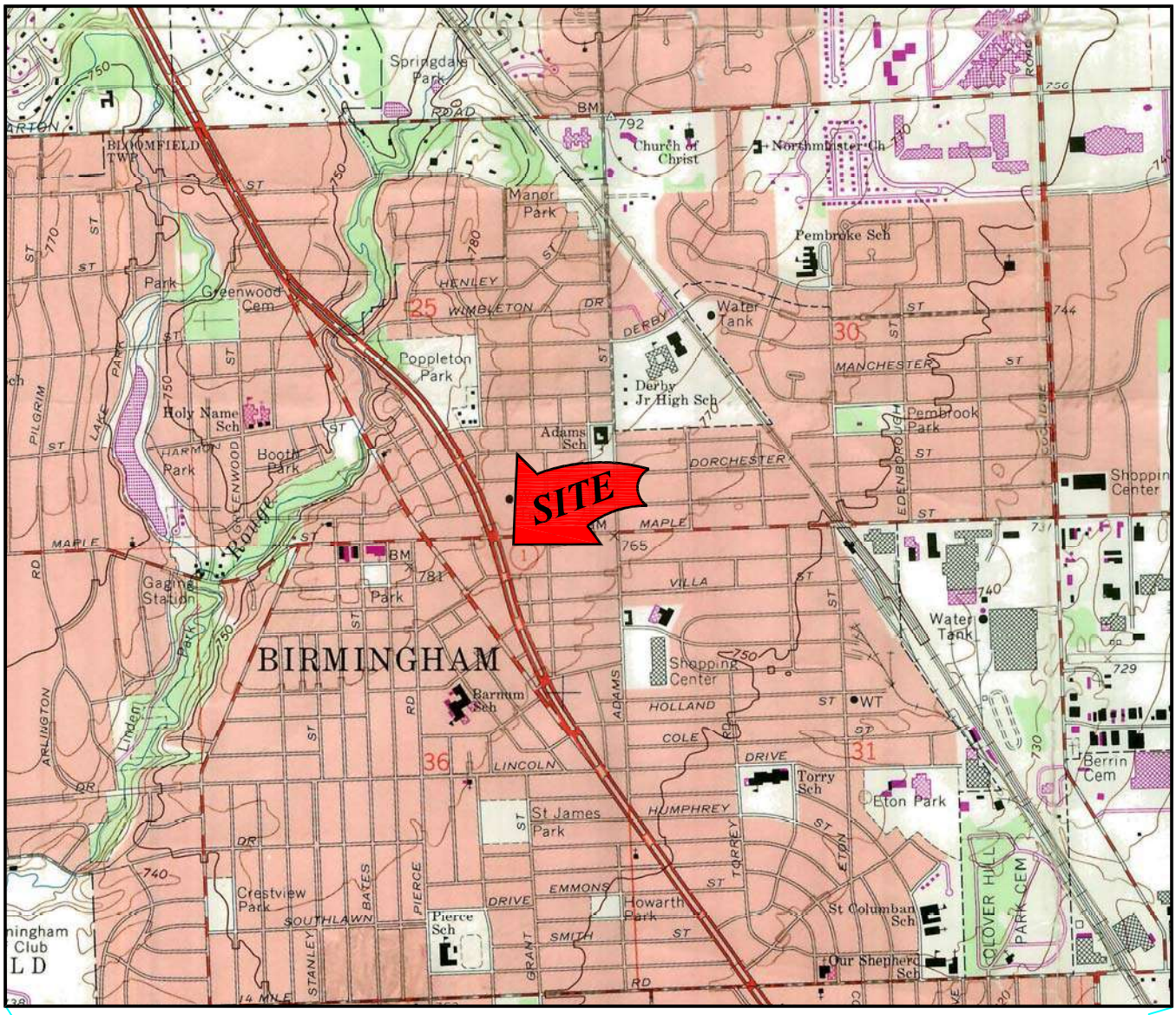
ND Not detected at levels above the laboratory Method Detection Limit (MDL) or Minimum Quantitative Level (MQL)

[1] Rule 323.1057 of Part 4 Water Quality Standards

[2] Tier 1 GVII Criteria based on 3 meter (or greater) groundwater depth

[3] (Program Redesign 2009 Draft) Screening Levels based on depth to groundwater less than 3 meters and not in contact with building foundation

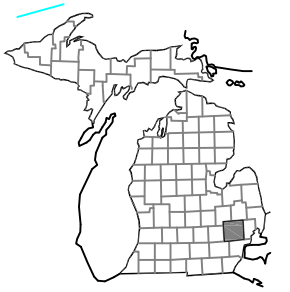
Figures



6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

T:2N R:10E Sec. 36

OAKLAND COUNTY



MICHIGAN QUADRANGLE LOCATION

SCALE 1:24,000

1 MILE 1/2 MILE 0 1 MILE

FIGURE 1

PROPERTY VICINITY MAP

USGS, 7.5 MINUTE SERIES

BIRMINGHAM, MI QUADRANGLE, 1968. PHOTO REVISED 1981.

PM ENVIRONMENTAL, INC.
CONSULTING ENGINEERS AND SCIENTISTS
Toll Free: (800) 485-0090
Web: www.pmenv.com
ISO 9001 REGISTERED

PROJ:
VACANT HOTEL PROPERTY
34952 WOODWARD AVENUE
BIRMINGHAM, MICHIGAN

THIS IS NOT A LEGAL SURVEY

VERIFY SCALE 0 1"

IF NOT 1" ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

DRN BY:	SS	DATE:	12/08/2010
CHKD BY:	KD	SCALE:	1" : 24,000'
FILE NAME:	02-4659-1F01R00		

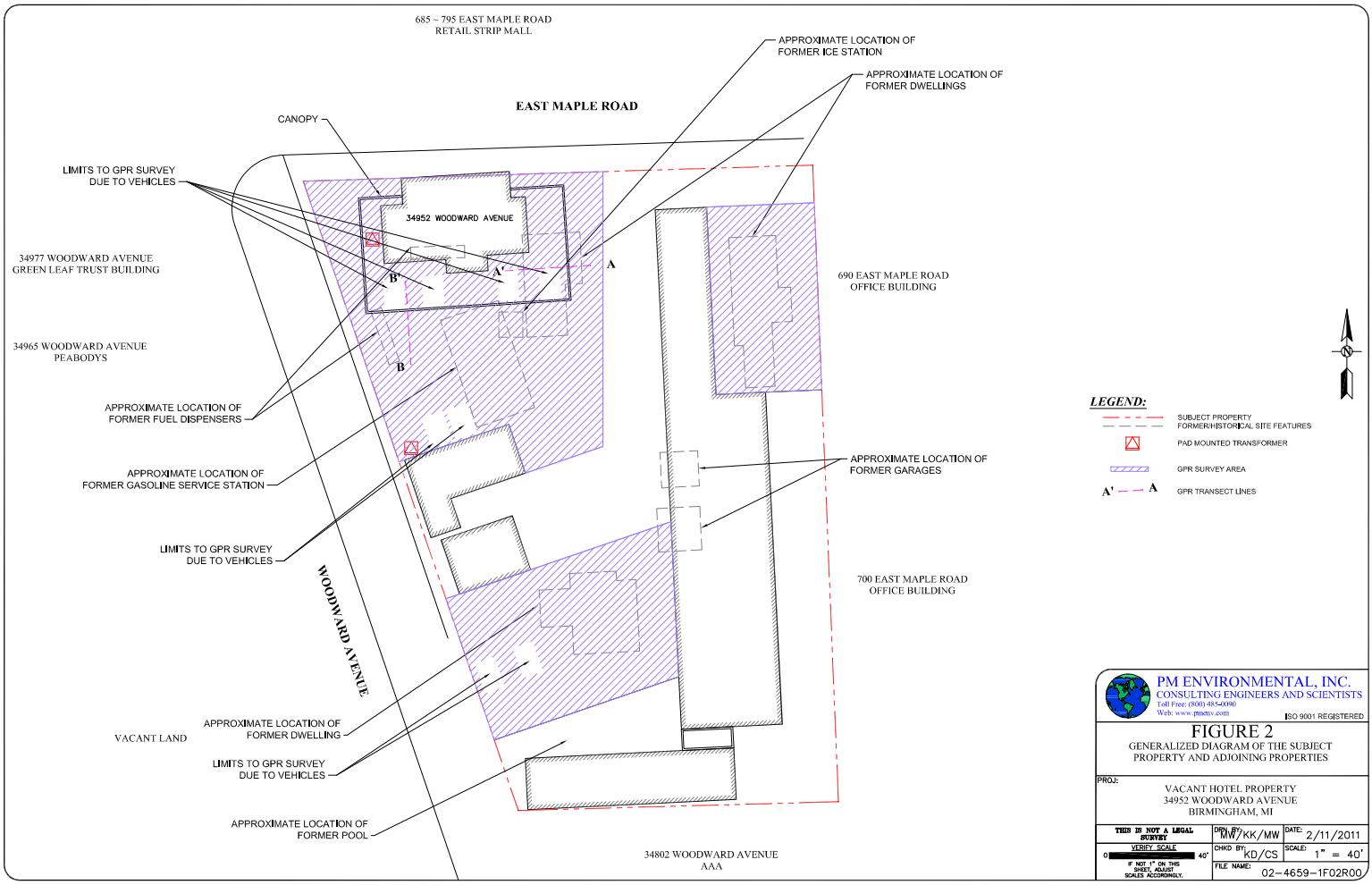


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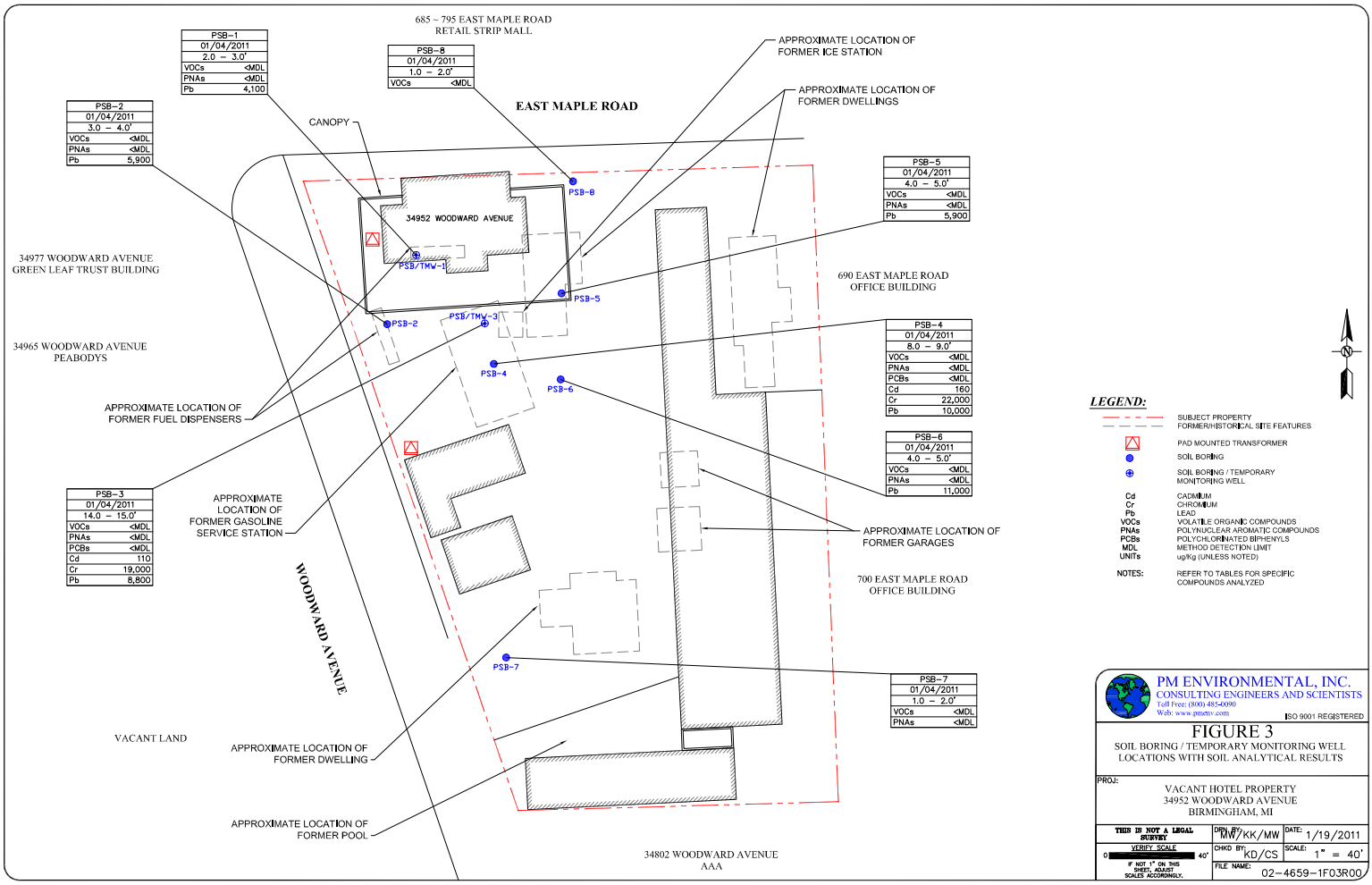
FIGURE 2

GENERALIZED DIAGRAM OF THE SUBJECT PROPERTY AND ADJOINING PROPERTIES

PROJ:
VACANT HOTEL PROPERTY
34952 WOODWARD AVENUE
BIRMINGHAM, MI

THIS IS NOT A LEGAL SURVEY	DRN BY: MW/KK/MW	DATE: 2/11/2011	
VERIFY SCALE 0 40' IF NOT 1" ON THIS SHEET, ADJUST SCALES ACCORDINGLY.	CHKD BY: KD/CS	SCALE: 1" = 40'	
	FILE NAME: 02-4659-1F02R00		



PSB-1	
01/04/2011	
2.0 – 3.0'	
VOCs	<MDL
PNAs	<MDL
Pb	4,100

PSB-8	
01/04/2011	
1.0 – 2.0'	
VOCs	<MDL

PSB-2	
01/04/2011	
3.0 – 4.0'	
VOCs	<MDL
PNAs	<MDL
Pb	5,900

PSB-5	
01/04/2011	
4.0 – 5.0'	
VOCs	<MDL
PNAs	<MDL
Pb	5,900

PSB-4	
01/04/2011	
8.0 – 9.0'	
VOCs	<MDL
PNAs	<MDL
PCBs	<MDL
Cd	160
Cr	22,000
Pb	10,000

PSB-6	
01/04/2011	
4.0 – 5.0'	
VOCs	<MDL
PNAs	<MDL
Pb	11,000

PSB-3	
01/04/2011	
14.0 – 15.0'	
VOCs	<MDL
PNAs	<MDL
PCBs	<MDL
Cd	110
Cr	19,000
Pb	8,800

PSB-7	
01/04/2011	
1.0 – 2.0'	
VOCs	<MDL
PNAs	<MDL

LEGEND:

- SUBJECT PROPERTY
- FORMER/HISTORICAL SITE FEATURES
- PAD MOUNTED TRANSFORMER
- SOIL BORING
- SOIL BORING / TEMPORARY MONITORING WELL

Cd	CADMIUM
Cr	CHROMIUM
Pb	LEAD
VOCs	VOLATILE ORGANIC COMPOUNDS
PNAs	POLYNUCLEAR AROMATIC COMPOUNDS
PCBs	POLYCHLORINATED BIPHENYLS
MDL	METHOD DETECTION LIMIT
UNITs	ug/Kg (UNLESS NOTED)

NOTES: REFER TO TABLES FOR SPECIFIC COMPOUNDS ANALYZED

PM ENVIRONMENTAL, INC.
CONSULTING ENGINEERS AND SCIENTISTS
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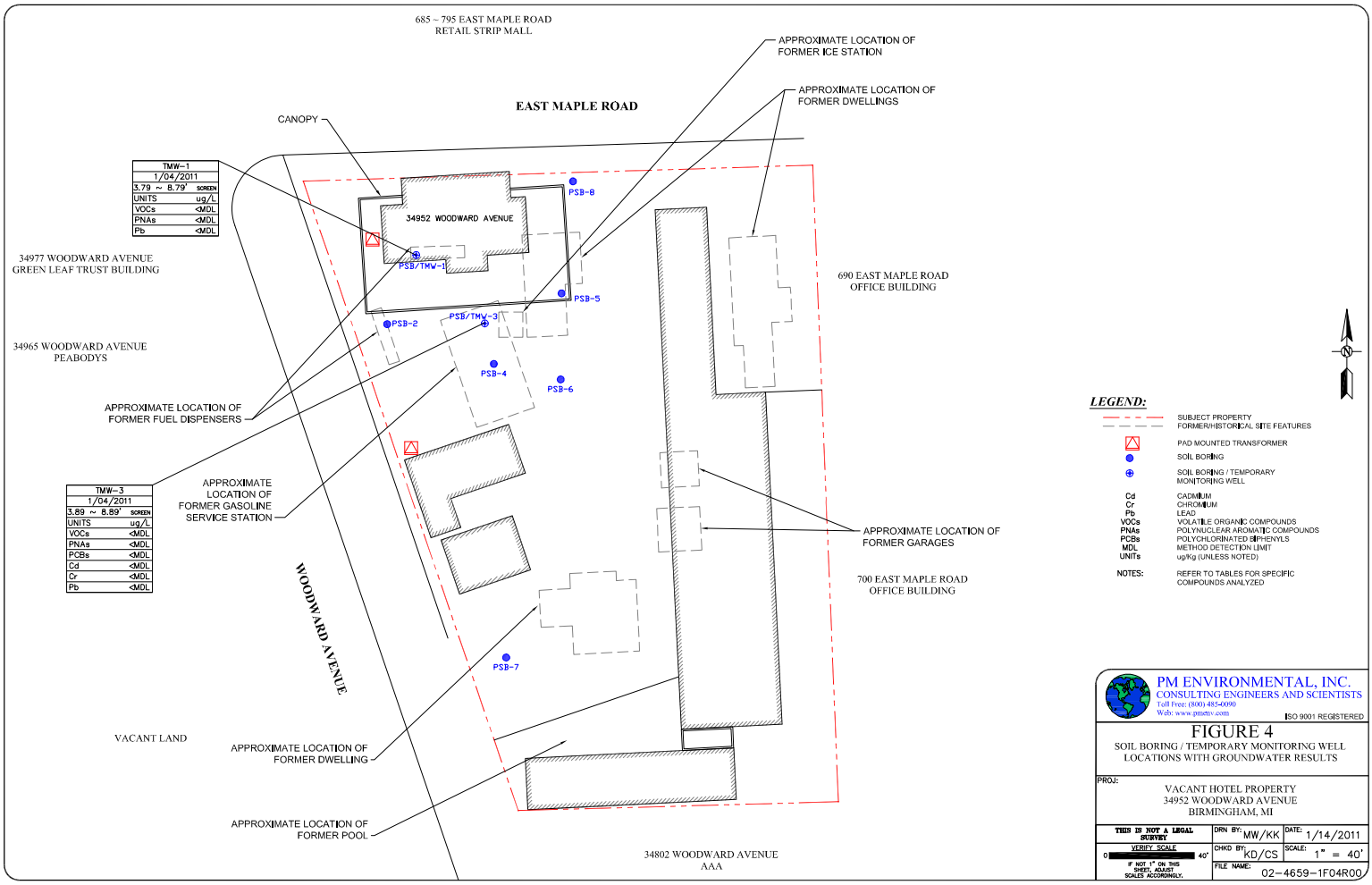
Web: www.pmenv.com
ISO 9001 REGISTERED

FIGURE 3

SOIL BORING / TEMPORARY MONITORING WELL LOCATIONS WITH SOIL ANALYTICAL RESULTS

PROJ: VACANT HOTEL PROPERTY
34952 WOODWARD AVENUE
BIRMINGHAM, MI

THIS IS NOT A LEGAL SURVEY	DRN BY: MW/KK/MW	DATE: 1/19/2011	
VERIFY SCALE 0 40' IF NOT 1" ON THIS SHEET, ADJUST SCALES ACCORDINGLY.	CHKD BY: KD/CS	SCALE: 1" = 40'	
	FILE NAME: 02-4659-1F03R00		


685 ~ 795 EAST MAPLE ROAD
RETAIL STRIP MALL
APPROXIMATE LOCATION OF
FORMER ICE STATION
APPROXIMATE LOCATION OF
FORMER DWELLINGS
EAST MAPLE ROAD
CANOPY
TMW-1
1/04/2011
3.79 ~ 8.79' SCREEN
UNITS ug/L
VOCs <MDL
PNAs <MDL
Pb <MDL
34952 WOODWARD AVENUE
PSB-8
PSB/TMW-1
PSB-5
PSB-2
PSB/TMW-3
PSB-4
PSB-6
34977 WOODWARD AVENUE
GREEN LEAF TRUST BUILDING
690 EAST MAPLE ROAD
OFFICE BUILDING
34965 WOODWARD AVENUE
PEABODYS
APPROXIMATE LOCATION OF
FORMER FUEL DISPENSERS
TMW-3
1/04/2011
3.89 ~ 8.89' SCREEN
UNITS ug/L
VOCs <MDL
PNAs <MDL
PCBs <MDL
Cd <MDL
Cr <MDL
Pb <MDL
APPROXIMATE
LOCATION OF
FORMER GASOLINE
SERVICE STATION
APPROXIMATE LOCATION OF
FORMER GARAGES
700 EAST MAPLE ROAD
OFFICE BUILDING
WOODWARD AVENUE
PSB-7
VACANT LAND
APPROXIMATE LOCATION OF
FORMER DWELLING
APPROXIMATE LOCATION OF
FORMER POOL
34802 WOODWARD AVENUE
AAA
N
LEGEND:
SUBJECT PROPERTY
FORMER/HISTORICAL SITE FEATURES
PAD MOUNTED TRANSFORMER
SOIL BORING
SOIL BORING / TEMPORARY
MONITORING WELL
Cd CADMIUM
Cr CHROMIUM
Pb LEAD
VOCs VOLATILE ORGANIC COMPOUNDS
PNAs POLYNUCLEAR AROMATIC COMPOUNDS
PCBs POLYCHLORINATED BIPHENYLS
MDL METHOD DETECTION LIMIT
UNITs ug/Kg (UNLESS NOTED)
NOTES: REFER TO TABLES FOR SPECIFIC
COMPOUNDS ANALYZED
PM ENVIRONMENTAL, INC.
CONSULTING ENGINEERS AND SCIENTISTS
Toll Free: (800) 485-0090
Web: www.pmenv.com
ISO 9001 REGISTERED
FIGURE 4
SOIL BORING / TEMPORARY MONITORING WELL
LOCATIONS WITH GROUNDWATER RESULTS
PROJ:
VACANT HOTEL PROPERTY
34952 WOODWARD AVENUE
BIRMINGHAM, MI
THIS IS NOT A LEGAL SURVEY
DRN BY: MW/KK
DATE: 1/14/2011
VERIFY SCALE
0 40'
IF NOT 1" ON THIS SHEET, ADJUST SCALES ACCORDINGLY.
CHKD BY: KD/CS
SCALE: 1" = 40'
FILE NAME: 02-4659-1F04R00

Appendix C

PME PROFESSIONAL RESUMES

PM Environmental, Inc. Professional Resume

Kristin Dawkins

Staff Consultant

Areas of expertise

- Staff researcher for Phase I Environmental Site Assessments.
- Data collection, site investigation, and preparation of Phase I Environmental Site Assessments.
- Collection and evaluation of data for Transaction Screens, Phase I Reports, and preparation of reports.
- Experience in implementation and completion of various site assessment standards and professional protocol and commercial lending requirements (ASTM E-1527).

Education

- Oakland University B.S. Enviromental Science
- Specialization: Environmental and Resource Management

Certifications

- OSHA 29 CFR 1910.120 8-hour Annual Refresher Safety Training
- Successfully completed EDR Environmental Due Diligence 101 Course

PM Environmental, Inc. Professional Resume

Michael T. Kulka, P.E., C.P.

Principal Engineer

Areas of expertise

- Principal and Senior Project Manager for Brownfield Redevelopment Projects.
- Principal and Senior Project manager for Phase II and Phase III Environmental Site Assessment Projects.
- Principal and Senior Project Manager for Baseline Environmental Assessments (BEA) Projects. Experienced in Categories N, D and S BEAs.
- Principal and Senior Project Manager for Phase I Environmental Site Assessments using ASTM Standards 1527.
- Principal and Senior Project Manager for Property Condition Assessments and Construction Loan Monitoring.
- Principal Engineer for Energy Audits and Building Evaluations for Energy Star, LEED and CMP Certification.
- Principal and Senior Project Manager for Environmental Regulatory Compliance Audits.
- Principal and Senior Project Manager for Leaking Underground Storage Tank (LUST) Projects, including removal and in-place closures, contaminant delineation, and remediation using RBCA procedures.
- Expert in Compliance with the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, Parts 201, 203, 211, 213, and 215 as well as Parts 111 and 115.
- Preparation and review of land use based remedial action plans.
- Expert in applying for land use based closures.
- Expert in applying for and accessing state and federal environmental cleanup funds.
- Preparation and review of feasibility studies for the remediation of soil and groundwater.
- Preparation and review of generic and site-specific risk assessments.
- Design of soil and groundwater remediation systems at contaminated sites.
- Review of National Pollution Discharge Elimination System (NPDES) groundwater and surface water discharge permit applications.
- Oversight of field and construction services division.
- Experience with building inspections for asbestos and lead based paint.
- Experience with indoor air quality (IAQ) assessments including mold inspections.
- Experience with storm water pollution prevention plans (SWPPP).
- Experience with SPCC plans and PIPPs.

Education

- Michigan State University B.S. Civil and Environmental Engineering
- Michigan State University Graduate Studies Environmental Engineering
- ASTM Risk Based Corrective Action

Registration

Professional Engineer
State of Michigan - No. 42073
State of Alabama - No. 22445
State of Georgia - No. 23834

Certified UST Professional
State of Michigan - No. 859

Certifications

- OSHA 1910.120 Hazardous Waste Training to Level B
- OSHA 1910.120 Hazardous Waste 8-hour Supervisor Training
- American Red Cross Standard First Aid and Adult CPR
- Certified Asbestos Building Inspector Accreditation No. A25217
- Meets the definition of Environmental Professional as defined in § 312.10 of 40 CFR 312

Professional Activities

- Environmental Bankers Association
- Michigan Association of Community Bankers
- Association for Corporate Growth
- Commonground Advisory Board
- Michigan Petroleum Association
- Michigan Bankers Association
- Visiting Professor at Michigan State University for Site Planning and Development
- Commonground Founding Member

BIRMINGHAM
A WALKABLE CITY

Nicholas Dupuis <ndupuis@bhamgov.org>

I watched the video… 04/17/23 Special Meeting

1 message

Scot Beaton <scotbeaton@gmail.com> Thu, Apr 27, 2023 at 4:51 PM
To: ndupuis@bhamgov.org

……..

Time Sensitive Please Post/Share letter three

Nicholas J. Dupuis, Planning Director

Leah Blizinski, City Planner

I watched the video… 04/17/23 Special Meeting… Nicholas thanks for the new link. Leah well done with the presentation, can be hard to keep all the info interesting. Well done by the planning board asking tough questions. And well done by your planning consultant.

Traffic is always an issue and my concerns are yours. As the discussion continues hopefully those issues will work themselves out.

Traffic flow first level public deck… will it be retail friendly without dead ends? Inside the garage how wide is the sidewalk between the retail and parking they are showing none. I also like linking pedestrian traffic from the garage to Woodward. Many great points brought up regarding loading… 220 apartments and retail; were are all the Uber, Lyft, Door Dash, Amazon, UPS, FedEx, 18 wheeler moving companies, 18 wheeler deliveries for retail, U-Haul trucks, refuse and recycling trucks, the residents guests for parties going to fit… WOW that is a big list; look forward to seeing a more conclusive sight plan. Will there be dedicated parking for retail employees? You may have to consider adding a 12 foot wide outdoor loading zone to the south public alley and a 5 foot wide sidewalk. Should the mailroom be near the alley and not Maple? How tall is the ceiling in the main floor garage? Can it handle delivery trucks? There are federal studies out there that guide developers on how many delivery trips these kinds of apartment buildings create. You could ask the applicant to show you those numbers.

MDOT Michigan department of transportation right-of-way… my only comment good luck, I do like the idea of engaging; proactive with them showing design ideas with them… parallel parking streetscape etc. Unfortunately we can't put anything to expensive out there; MDOT can tear it all up at any time and may not put back the investment your developer put in. note: great example MDOT rebuilt main street in Downtown Rochester MI, first they wanted to get rid of all parking on main street and the city had to negotiate to keep that parking so MDOT said OK and made the City of Rochester pay for that parking reconstruction.

Leah…not to paraphrase you, and I am not an expert in the details… the building massing, design may fit the principle of the Triangle District Urban Design Plan but not the ordinance. I am glad you read the ordinance to the board and developer, look forward to more review of is very important issue… thanks for bring it to the attention of the board and the developer. Will they break up the monotonous design of this very big building that will reflect the ordinance? Will the planning board push them to follow the ordinance? Or grant a variance to that ordnance? Will the building face the corner or just Woodward?

For this corner… personal taste… I do not support a 'modern building' ...only support a building that reflects… 'timeless architecture and individual character.' Please do not build more of the same. Modern vs modern… Modern with a cap M was a great design movement in the late 20th century… lower case modern today is just boring; many planners would agree also not a walkable street friendly building facade. I did like hearing the planning board say look at other great design buildings in the city. note: Only judging what we have seen so far; hopefully the final elevations, drawings will show a building with a street friendly memorable character. note: The applicant does have a portfolio of many 'pretty' buildings.

Quick questions: will Ladder Trucks reach the building on the east side on their property? If in the future if all the SUV's, Cars, Trucks are electric will this parking structure be able to handle the weight? Is the fire suppression

system up to putting out electric car fires? note: “Rosenbauer cites EV manufacturers as recommending as much as 8,000 gallons of water at a minimum over the course of several hours to properly stifle an EV fire.” We are being mandated a future; we are going to have to design and build for it.

'Green Building'… renewable timber frame construction… capture all storm/rain water, recycle use to irrigate street trees and gardens… solar panels on rooftops… just a few thoughts… also good selling points to environmental conscience renters.

Public input… I did hear the planning board did say reach out to the surrounding neighborhoods. Has the applicant done that? Would like to see the list of business and homeowners they have contacted or a map of the area they contacted. And what info did they send them? Now is the time for that conversation with the residents and business, not when the work is all done at final site plan approval. The single family homes to the southeast of this development put a lot of hours of their time into the Triangle District Urban Design Plan… have they been informed of this development proposal?

Always thanks for your time
Scot Beaton
https://www.linkedin.com/in/scot-beaton-474a7b51

note: Please share this open letter with friends, family and business associates, please share with the applicant way before the next meeting, please enter into the public record.
note: I do not know the protocol when it comes to the citizen comment portion of your meetings… (was the second letter entered into the public record at the second meeting?) …If at all possible I would like these two letters be entered into the public record for the May 10th meeting and be part of the packet before the meeting so they can be read online by all those interested.

Why We Should Revive Traditional Architecture & Urbanism https://www.youtube.com/watch?v=j0rH5ZiKV2U
A good watch.

……..

Time Sensitive Please Post/Share letter two

Nicholas J. Dupuis, Planning Director
Leah Blizinski, City Planner

Follow-up letter… this very important corner

AGENDA
SPECIAL MEETING OF THE BIRMINGHAM PLANNING BOARD MONDAY APRIL 17, 2023 – 7:30 PM
34952 Woodward & 690 E. Maple – Request for Community Impact Study Review for new 6- 9 story mixed use development

Follow-up to my open letter to the architect/developer, the planning board and the citizens of Birmingham MI.

I watched the video... Is the southeast corner of Maple and Woodward Avenue the center of the universe… for the residents of Birmingham you kinda could say yes. Many say Michigan is the center of the universe; ‘it’s in the shape of God’s hand’… All fun aside I sincerely thank the planning board for taking the time to read my email and referring to it during your discussion. Also thank you for entering the letter into the public record and attaching it to future meetings with other citizen comments regarding this very important corner. I also thank you passing my email on to the applicant. I did also emailed them directly.

‘As stunning as the Guardian Building’ is a really big ask… “The World’s Most Beautiful Art Deco Buildings From New York to Shanghai, By Elizabeth Stamp July 21, 2016 www.architecturaldigest.com. Number 4 The Guardian Building “The Art Deco skyscraper—nicknamed the Cathedral of Finance—was designed by architect Wirt C. Rowland and completed in 1929.” Now that I have reread my own letter this is way too big of an ask for this

corner… But I did learn this a long time ago “When you reach for the stars, you may not quite get them, but you won't come up with a handful of mud either.” — Leo Burnett

Your architect/developer does not hide the fact they are big, nor what they do. The Guardian Building was built to show off a headquarters for a financial institution… way different story at Maple and Woodward Avenue. Your applicant, they build rental apartments, retail… sell and move on and that's ok. They don’t hide that fact and with all the BS out there as of late we should sincerely thank them for their honesty. They have also shown they respect in principle Birmingham zoning codes and planning studies. Many out-of-town architect/developers ask for more… more density more profit; this is not them. This does not mean Birmingham has to settle for ‘more of the same.’

Let me make a few suggestions before they attend your next meeting. Birmingham has many buildings with ‘timeless architecture and individual character’ Suggest what you like. They build for profit with the least amount of resistance and move on. Suggest the kind of facade building design you like… I’m pretty sure they will accommodate your taste and appreciate your input. Guessing games cost money. PLEASE watch this video New York City's Great 1920s Revival https://www.youtube.com/watch?v=rfsuU8V40U0 … It’s really good!!! Encourage citizen input but please remind them that they are following in principle your zoning codes and planning studies. The podium that faces Woodward Avenue second floor parking above the retail could be a fake second floor of Architecture. Windows and Juliet balconies. Fake is OK if done well. The sidewalk, building street level setback… very few planners show sun studies… We do not know what kind of retail may find a home there… but sidewalk cafes that face warm sunsets in the summer sounds like a good idea, sitting down get something to eat and drink, then go upstairs. Was a good idea in ancient Roman apartments for over a thousand years… still a good idea today… your going to need a wider sidewalk along Woodward Avenue if you like outdoor cafes. Just a few initial thoughts.

Why does the massing of this structure not match in principle the good thoughts that went into the Triangle District Urban Design Plan. The citizens of Birmingham and planners envisioned a 9 story building that would face the corner… Both Maple and Woodward Avenue equal partners in the building design. What is been presented only favors Woodward Avenue, diminishing Maple to be just a side street. 34977 Woodward Ave is an outstanding looking building in many ways on the southwest corner the design faces the corner not just Woodward Avenue. They do present a case to bring more sunlight to the pool for the residents and less road noise. (How much less road noise I doubt very little.) Besides is this not the famous Woodward Avenue… all kinds of residents may love sitting on their balcony watching all the classic cars go by, not someone sitting by a seasonal outdoor pool. But because they have now pushed the massive 9 story building back from Woodward Avenue, that now will not match the massing of the westside of Woodward Avenue the building is forever going to through a lot of shade on their eastern neighbor diminishing their property value… is this a good idea? … What is the summer solstice shadow at 6:00 pm or 9:00 pm daylight savings time. Watching the video the applicant seems to gloss over this planning board commissioner concern.

Woodward Avenue is under a lot of public pressure to become a complete street* parkway not today's auto and truck highway. November 3rd, 1939 the car split Birmingham in half with an 8 lane boulevard highway. The Triangle District Urban Design Plan …hours of hard thoughtful work heals many historical east west wounds… most of Birmingham’s attention has been on the westside. One critique I personally do feel some of the facade illustrations lack individual character presented in the plan. Could be argued you get what you illustrate. Massing is an important conversation; and what you approve…? Will we still drive around Birmingham or through Birmingham. Will there be something of significance built there to connect the east to the west? Planning commissioner can be a thankless job, rarely if ever the auditorium is filled with residents telling you how great of a public service you are doing, more like the opposite. Let me say you are a great planning board, Birmingham is a beautiful and well planned city. Your dedication and service shows throughout the city. I wish you and your talented applicant all the very best in the decisions that will be made regarding this eastside corner.

Art Deco thin twin towers; takes me back to the Leo Burnett quote… No podium. No retail. No visible parking or loading. Goes beyond the Triangle District Urban Design Plan Study. For the architect/developer to turn a profit? Don’t know how tall they would have to be, I’m sure more than 9 stories, probably more like 20 each. Would be fun to ask how tall. Your applicant has the talent to build tall. Such a big idea like that would be historic for the city of Birmingham and still worth saving 150+ years from now. Birmingham is a bold artistic town with big shoulders… Suggestion, if you are also inspired by such a bold idea slowdown, give your architect/developer a 24 month property tax holiday, no tax for 24 months. Start with a clean slate. Use this gift to draw up bold ideas for this very important corner, share with the community what could go there. Design something memorable… then write the zoning code to match the development, not a development to match the zoning code. Suggestion,

work with the faculty and students 2 miles up the street; Cranbrook Academy of Art, what would they do? What would Albert Kahn or Eero Saarinen have built or the late Zaha Hadid?

Always thanks for your time
Scot Beaton
https://www.linkedin.com/in/scot-beaton-474a7b51

note: As of late I'm having second thoughts in general with all planning studies, they can stifle creativity.
note: Please share this open letter with friends, family and business associates, please share with the applicant way before the next meeting.

*complete street is an approach to planning, designing, building, operating, and maintaining streets that enables safe access for all people who need to use them, including pedestrians, bicyclists, motorists and transit riders of all ages and abilities.

……..

Time Sensitive Please Post/Share letter one

WEDNESDAY MARCH 22, 2023 – 7:30 PM
Miscellaneous Business and Communications:
Pre-Application Discussions
34952 Woodward & 690 E. Maple
preliminary site plan application
Birmingham Mixed-Use Development
Woodward Avenue & Maple Street Birmingham, Michigan

An open letter to the architect/developer, the planning board and the citizens of Birmingham MI

Let's all celebrate first there is an interest in the development of this very important corner. It has been vacant for years… It has been the focus of many planning studies… Triangle District Urban Design Plan | Birmingham MI etc. and the city of Birmingham has been quite generous in the density allowable at this corner. Up to 9 stories of mixed-use. All I can say is wow that's a tall building for Birmingham MI. So because this corner is of such great importance to the citizens of Birmingham we should take the time to do something even more inspiring then what is being presented to the planning board. My only complaint… does this corner deserve better than a mixed-use c-shape apartment building with a 'safe* building facade' a building that has already been done thousands of times all over America. Does this corner deserve better; even if more is spent upfront and in the long run a bigger profit for the developer. My answer and everyone in the room's answer should be YES!

Let's start with a hopeful 'given'… over time… hopefully sooner than later Woodward Avenue will become less of an 8 lane big truck and car highway. Woodward Avenue will become more of a linear park from Maple all the way to the Detroit river… less lanes for cars and trucks and more room for walking, biking, a streetcar transit infrastructure like you see on the streets in Europe. More room for green and trees. Woodward Avenue will become a place to live, work, shop and play without the need for car ownership; and as cars and big trucks become more electric, the air will be cleaner… less road noise etc. note: this concept could go all the way to Pontiac MI.

This 'given' makes the corner even more valuable and easier to connect to the beautiful walkable downtown Birmingham to the west. So why can't we think even more out of the box… more to what the future holds, than what is there today. Let's do something; may sound a bit old fashion; but let's put architecture there that is as stunning as the Guardian Building, as stunning as the Book Tower or the Fisher Building. Identical twin slender 9 story residential buildings, and not atop a retail and parking lot podium that covers the entire site. Let them stand free and tall in a sea of green and reflecting water. No surface parking, no retail, but maybe the first 3 floors could be an office use. Live and work in the same building. All parking and loading would be underground. The upper floors would be 360 degree view homes with the two most expensive penthouses in all of Michigan. 'The Pinnacles of Birmingham MI' would hold the title as the most prestigious high-rise residential address in the entire state. 'The Pinnacles' could have very few amenities, maybe just a concierge/security and valet parking.

Individual homes or apartments would have their own lap pools and exercise rooms etc… each building would have one hell of a lobby.

And why; I ask this question over and over again… why can't these twin towers be pretty? Why is architecture not pretty anymore? Birmingham actually has many very human scale pretty buildings, why is what is being presented by the architect/developer for this corner so nondescript; why safe* seen it, been done before? The new building on the southwest corner is absolutely beautiful. Why can't these twin towers beyond the 9 stories have a additional 30 foot steep copper roofline like the Fisher Building or the Book Tower? Why can't the penthouse have an open floor plan with 35 foot ceilings and windows overlooking straight down Woodward Avenue to the Detroit skyline and beyond? The price tag for this home could easily exceed $15,000,000… (real estate is only about location, location, location) If the architect/developer goal is to build only the very best at this location there will be a buyer, and probably there will be a bidding war for those two penthouses, if not all the units. And finally why can't the buildings reflect a true architectural style… build Art Deco or Art Nouveau… build in a way that they look like if they were built in the 1920's, they are not office buildings they are upscale residential buildings. Build a work of art!

Hate to see such a beautiful location in such a beautiful city be wasted on a mundane building that has been done so many times before. I'm an advertising creative director not an architect. When I design a unmemorable looking ad that's OK it will be gone in a year. Whatever we put at this corner will it be there for 150+ years…? Let's build architecture, not an unmemorable looking apartment building.

Always thanks for your time
Scot Beaton
https://www.linkedin.com/in/scot-beaton-474a7b51

note: Please share this open letter with friends, family and business associates.

*safe is code for really boring.

What Makes Buildings Beautiful (And Why Beauty Does Matter)
https://www.youtube.com/watch?v=C9pg2j2oGy0 a good watch on youtube… :)

MEMORANDUM

Planning Division

DATE: May 5th, 2023

TO: Planning Board Members

FROM: Broooks Cowan, Senior Planner

Approved: Nick Dupuis, Planning Director

SUBJECT: Greek Islands - 221 Hamilton Row – Final Site Plan & Design Review

The subject site is located on the north side of Hamilton Row at the intersection with Ferndale Street. The applicant is applying for the addition of an outdoor dining deck and seating on Hamilton Row. The applicant is also proposing changes to the front door and signage.

1.0 Land Use and Zoning

1.1 Existing Land Use – single story commercial building.

1.2 Zoning – B4 (Business-Residential) & D4 (Downtown Overlay)

1.3 Summary of Adjacent Land Use and Zoning –

	North	South	East	West
Existing Land Use	Parking	Commercial	Commercial	Commercial
Existing Zoning District	PP (Public Property)	B4 (Business Residential)	B4 (Business Residential)	B4 (Business Residential)
Overlay Zoning District	P	D4	D4	D4

2.0 Setback and Height Requirements

No changes are proposed to the footprint of the building.

3.0 Screening and Landscaping

3.1 Dumpster Screening – There are no changes proposed to the dumpster or screening on site.

3.2 Parking Lot Screening – There are no changes proposed to the parking lot or associated screening.

3.3 Mechanical Equipment Screening – There are no changes proposed to the mechanical equipment or screening on site.

3.4 Landscaping – There are no changes proposed to the landscaping on site.

3.5 Streetscape – An existing recycling bin will have to be relocated.

4.0 Parking, Loading and Circulation

4.1 Parking – There are no changes to the parking requirements on site.

4.2 Loading – There are no changes proposed to the loading requirements.

4.3 Vehicular Circulation and Access – The site plan proposes the loss of two parking spaces in front of the building during the outdoor dining season.

4.4 Pedestrian Circulation and Access – The outdoor dining deck is proposed to occupy the current amenity zone space which reduces pedestrian circulation space in favor of outdoor seating space.

5.0 Lighting

There are no new light fixtures or changes in lighting proposed that will significantly alter the light intensity on the site at this time.

6.0 Departmental Reports

6.1 Engineering Division – See attached for Engineering Department comments.

6.2 Department of Public Services – DPS recommends relocation of the existing City recycling can to outside of the proposed outdoor dining area to deter improper use by the establishment. 5' east of the easternmost tree well should be sufficient.

6.3 Fire Department – No patio heaters were mentioned in the plan. If LPG patio heaters are going to be used please refer to IFC 2021 regarding LPG use and storage requirements. No open flame devices on combustible structures (fire pits on wood, vinyl, composite platforms, etc.). A patio heater safety bulletin is available from the Fire Department upon request.

6.4 Police Department – The Police Department has no concerns.

6.5 Building Division – See attached for Building Division comments.

6.6 Parking Management – No comments or issues with the proposal.

6.7 Birmingham Shopping District – The BSD has no concerns.

7.0 Design Review

The new dining platform is subject to several design requirements found in Article 4, Section 4.44 of the Zoning Ordinance. In accordance with Article 4, Section 4.44 of the Zoning Ordinance, the following outdoor dining standards apply:

A. Outdoor Dining: Outdoor dining is permitted immediately next to the principal use, subject to Site Plan Review, and the following conditions:
   1. Outdoor dining areas shall provide and service refuse containers within the outdoor dining area and maintain the area in good order.
   2. All outdoor activity must cease at the close of business or as noted in subsection 3 below.
   3. When an outdoor dining area is immediately adjacent to any single-family or multiple-family residential district, all outdoor activity must cease at the close of business or 10:00 p.m., whichever is earlier.
   4. Outdoor dining may be permitted on the sidewalk throughout the year with a valid Outdoor Dining License, provided that all outdoor dining fixtures and furnishings must be stored indoors each night between November 16 and March 31 to allow for snow removal.
   5. All tables and chairs provided in the outdoor dining area shall be constructed primarily of metal, wood, or material of comparable quality.
   6. Table umbrellas shall be considered under Site Plan Review and shall not impede sight lines into a retail establishment, pedestrian flow in the outdoor dining area, or pedestrian or vehicular traffic flow outside the outdoor dining area.
   7. For outdoor dining located in the public right-of-way:

a. All such uses shall be subject to a license from the city, upon forms provided by the Community Development Department, contingent on compliance with all city codes, including any conditions required by the Planning Board in conjunction with Site Plan approval.
b. In order to safeguard the flow of pedestrians on the public sidewalk, such uses shall maintain an unobstructed sidewalk width as required by the Planning Board, but in no case less than 5 feet.
c. Outdoor dining is permitted to extend in the right-of-way in front of neighboring properties, with the written permission of the property owner(s) and with Planning Board approval, if such property is vacant or the first floor storefront(s) is/are vacant. Outdoor dining areas may extend up to 50% of the width of the neighboring lot(s) storefront(s), or up to 50% of the lot(s) frontage, if such lot is vacant.
d. City Commission approval is also required for outdoor dining extensions onto neighboring property if the establishment making such a request holds a bistro license.
e. An elevated, ADA compliant, enclosed platform may be erected on the street in front of an eating establishment to create an outdoor dining area from April 1 through November 15 only if the Engineering Department determines there is sufficient space available for this purpose given parking and traffic conditions.
f. No such facility shall erect or install permanent fixtures in the public right-of-way.

8. Outdoor dining is permitted in a B1 District at a rate of 4 seats for every 12 linear feet of store frontage, with no more than 12 seats total per building; no elevated enclosed platforms on the street are permitted in a B1 District.

Greek Islands is proposing to have 32 seats and 10 tables placed on an outdoor dining deck located on a public street and sidewalk amenity zone. The outdoor dining deck will occupy two on-street parking spaces. The deck will consist of brown composite decking. The chairs and tables will be shaded by 4 umbrellas which do not appear to extend into the pedestrian passageway, nor block the view of the interior restaurant. City staff has requested details on umbrella height and how the umbrellas are anchored down. The site plan indicates the provision of a trash receptacle in the center of the outdoor dining platform, as well as planters lining the southern ends of the dining space. The specification sheets indicate the tables and chairs will consist of powder coated metal colored black.

The site plan indicates 5’ of continuous sidewalk space for pedestrian passage between the building frontage and the outdoor dining furniture. The plans indicate a diamond plate transition strip from the dining deck to the sidewalk to eliminate tripping hazard. The dining deck does not cover any tree grates nor create major interferences for DPS to conduct street tree maintenance.

As the proposed platform is located in the public right-of-way, the applicant will be required to enter into a license agreement with the City, as well as an Outdoor Dining permit. The platform proposed by the applicant is proposed to cover 2 on-street parking spaces, therefore the applicant will be required to pay for the use of all parking spaces partially or fully obstructed by the dining platform.

Hamilton Row has two approved outdoor dining street platforms on the subject block with Commonwealth and Sushi Japan – Greek Islands' proposal would be the third. The two existing dining decks occupy two parking spaces each. Greek Islands' outdoor dining deck would occupy another two parking spaces. The Planning Division would like to note that the Park Street Parking structure is located behind the subject property.

The applicant is also proposing to convert its entrance from a single door to a new double door entry facing Hamilton Row. The Building Department has commented that the doors may not swing across the sidewalk.

Signage

The applicant is proposing new signage reading "Greek Islands Birmingham". The sign will be reverse channel lettering with halo lighting. **The applicant must provide the total square footage of the signage and the projection dimension from the wall to verify the size satisfies the Sign Ordinance.**

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:

(1) The location, size and height of the building, walls and fences shall be such that there is adequate landscaped open space so as to provide light, air and access to the persons occupying the structure.
(2) The location, size and height of the building, walls and fences shall be such that there will be no interference with adequate light, air and access to adjacent lands and buildings.
(3) The location, size and height of the building, walls and fences shall be such that they will not hinder the reasonable development of adjoining property nor diminish the value thereof.
(4) The site plan, and its relation to streets, driveways and sidewalks, shall be such as to not interfere with or be hazardous to vehicular and pedestrian traffic.
(5) The proposed development will be compatible with other uses and buildings in the neighborhood and will not be contrary to the spirit and purpose of this chapter.
(6) The location, shape and size of required landscaped open space is such as to provide adequate open space for the benefit of the inhabitants of the building and the surrounding neighborhood.

10.0 Recommendation

Based on a review of the site and design plans submitted, The Planning Division recommends that the Planning Board **APPROVE** the Final Site Plan & Design Review application for 221 Hamilton Row – Greek Islands with the following conditions:

1. The applicant provide details on how the umbrellas will be anchored;
2. The applicant provide the total square footage of the signage and the projection dimension from the wall to verify the size satisfies the Sign Ordinance.
3. The applicant maintain a valid outdoor dining permit;
4. The applicant comply with all requests of City departments.

11.0 Sample Motion Language

Motion to **APPROVE** the Final Site Plan & Design Review application for 221 Hamilton Row – Greek Islands - with the following conditions:

1. The applicant provide details on how the umbrellas will be anchored;
2. The applicant provide the total square footage of the signage and the projection dimension from the wall to verify the size satisfies the Sign Ordinance.
3. The applicant maintain a valid outdoor dining permit;
4. The applicant comply with all requests of City departments.

OR

Motion to **POSTPONE** the Final Site Plan & Design Review application for 221 Hamilton Row – Greek Islands – pending receipt of the following:

1. _____
2. _____
3. _____

OR

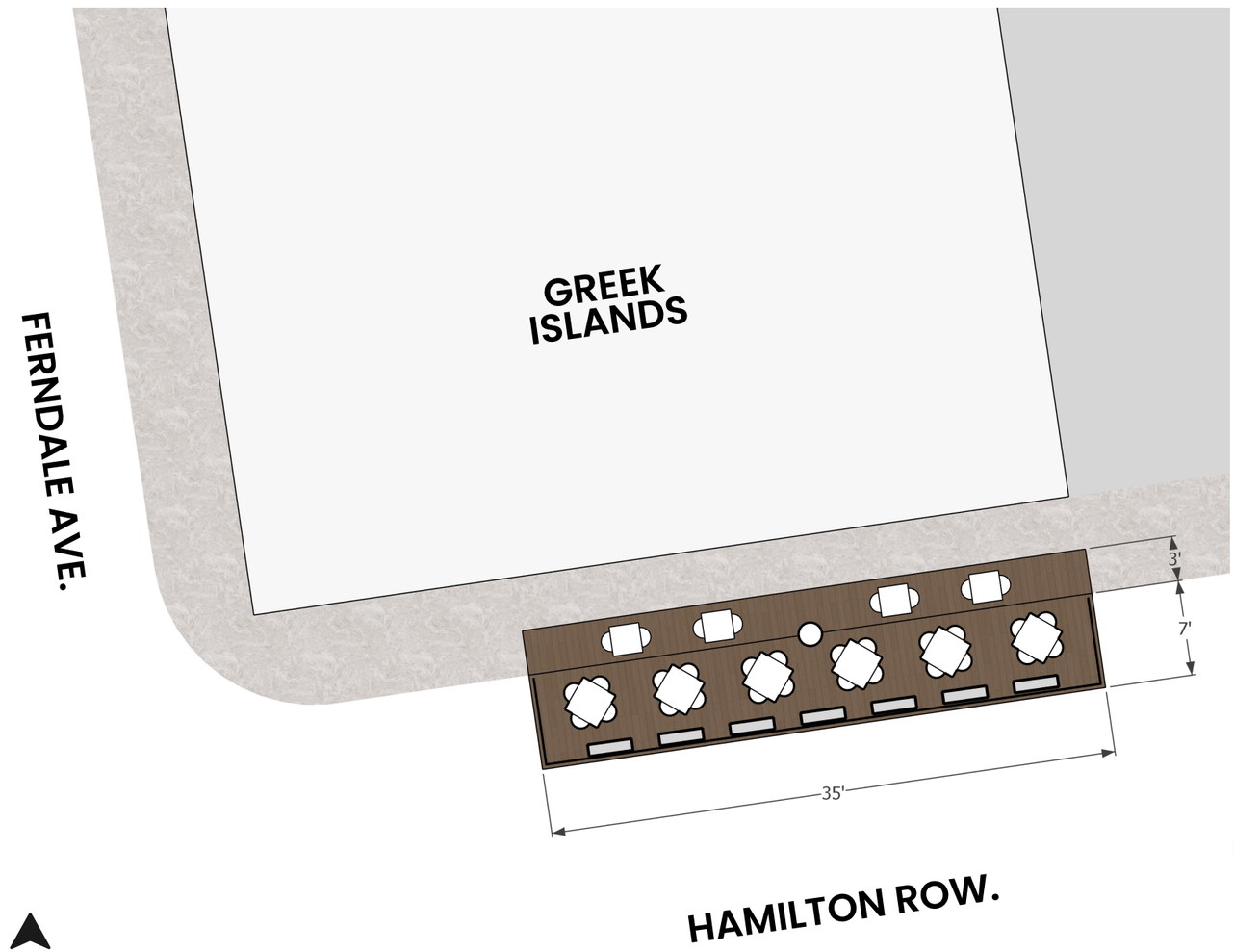
Motion to **DENY** the Final Site Plan & Design Review application for 221 Hamilton Row – Greek Islands – for the following reasons:

1. _____
2. _____
3. _____

Greek Islands

2221 HAMILTON ROW, BIRMINGHAM, MI 48009

PROPOSED PATIO



N

SCALE

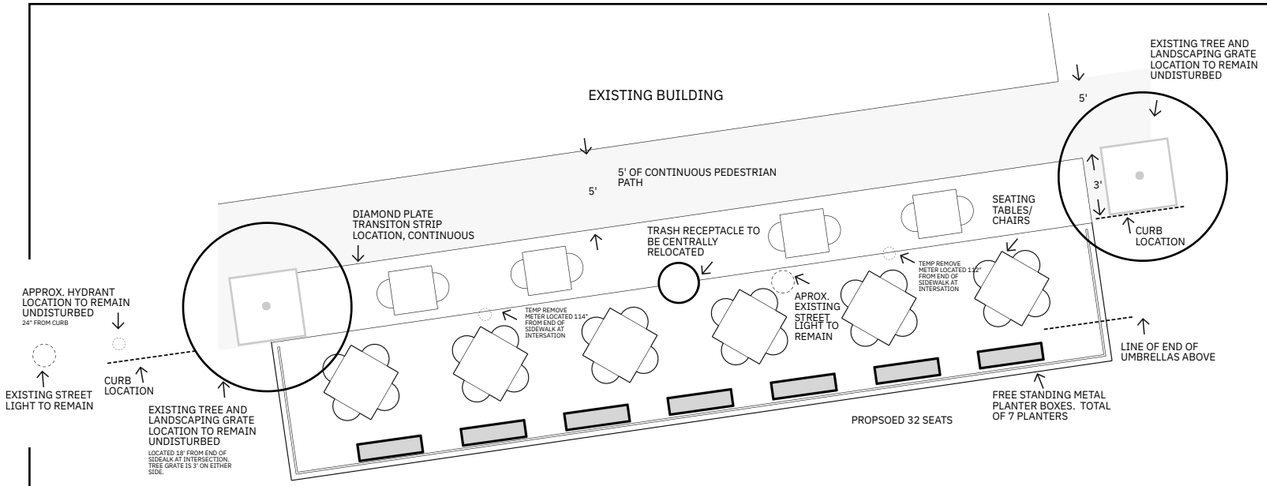
2' 4' 8'

LOCATION MAP

NUMBER OF SEATS: 32
PATIO FLOOR MATERIAL: COMPOSITE DECKING, BROWN
PATIO RAILING MATERIAL: POWDER COATED METAL, BLACK
PLANTERS: POWDER COATED METAL, BLACK
TABLE MATERIAL: POWDER COATED METAL, BLACK
CHAIR MATIERAL: POWDER COATED METAL BLACK
GUEST TRASH CAN: POWDER COATED METAL, BLACK

Greek Islands

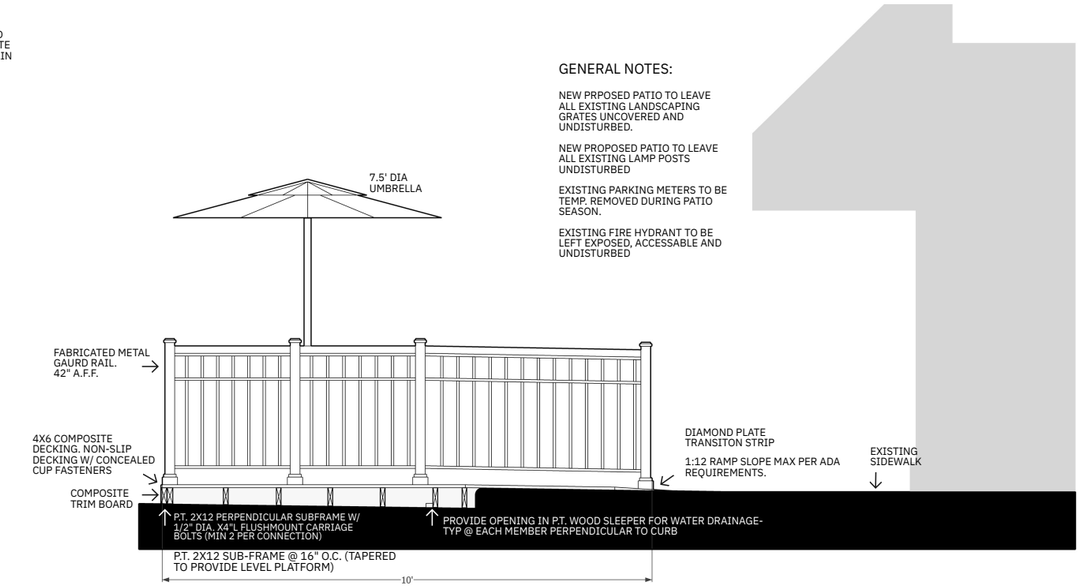
2221 HAMILTON ROW, BIRMINGHAM, MI 48009



N

OUTDOOR DINING

NOTE: PARKING SPACES SHOWN ON THE NEXT PAGE



GENERAL NOTES:

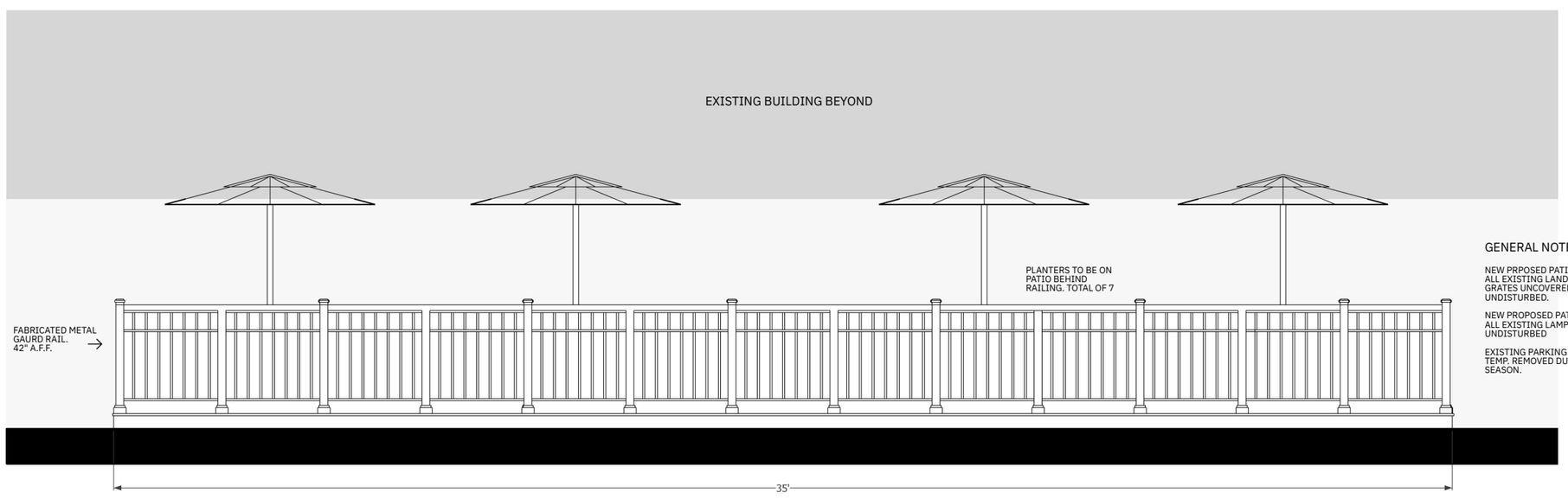
NEW PRPOSED PATIO TO LEAVE ALL EXISTING LANDSCAPING GRATES UNCOVERED AND UNDISTURBED.

NEW PROPOSED PATIO TO LEAVE ALL EXISTING LAMP POSTS UNDISTURBED

EXISTING PARKING METERS TO BE TEMP. REMOVED DURING PATIO SEASON.

EXISTING FIRE HYDRANT TO BE LEFT EXPOSED, ACCESSABLE AND UNDISTURBED.

OUTDOOR SEATING SECTION



GENERAL NOTES:

NEW PRPOSED PATIO TO LEAVE ALL EXISTING LANDSCAPING GRATES UNCOVERED AND UNDISTURBED.

NEW PROPOSED PATIO TO LEAVE ALL EXISTING LAMP POSTS UNDISTURBED

EXISTING PARKING METERS TO BE TEMP. REMOVED DURING PATIO SEASON.

FRONT ELEVATION (HAMILTON ROW)

Greek Islands

2221 HAMILTON ROW, BIRMINGHAM, MI 48009

SITE STREET VIEW

NEW PROPOSED PATIO WILL TEMP. ELIMINATE TWO STREET PARKING LOCATIONS ON HAMLIN ROW (SHOWN ABOVE). DIRECTLY LOCATED AT THE REAR OF THE BUILDING IS ADDITONAL METERED PARKING. THE NEIGHBORING BUILDING AT THE REAR IS A PARKING GARAGE WITH ADDITIONAL PARKING AS WELL.

Greek Islands

2221 HAMILTON ROW, BIRMINGHAM, MI 48009

PROPOSED NEW PATIO

EXISTING PATIOS

Greek Islands

2221 HAMILTON ROW, BIRMINGHAM, MI 48009

EXISTING STOREFRONT ENTRY

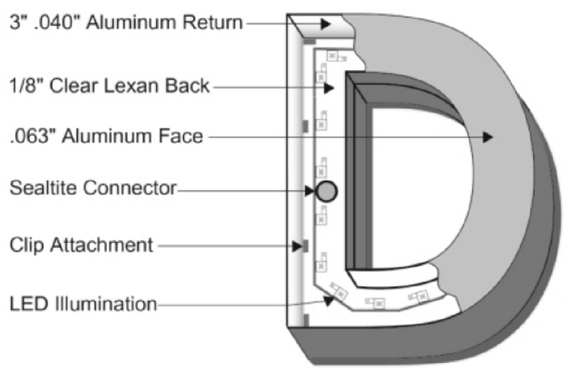
PROPOSED STOREFRONT ENTRY, DOUBLE DOORS

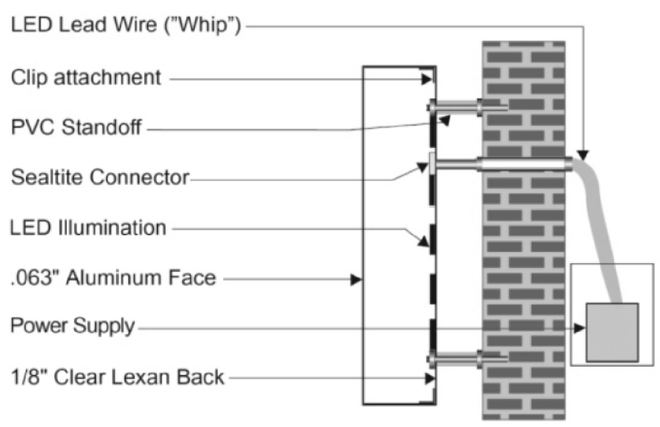
Greek Islands

2221 HAMILTON ROW, BIRMINGHAM, MI 48009

REVERSE CHANNEL LETTER DETAIL

NOTE: CHANNEL LETTER ILLUMINATION WILL MEET ALL BIRMINGHAM REQUIREMENTS. HALO COLOR PROPOSED IS WHITE.





PROPOSED STOREFRONT SIGNAGE

May 2, 2023

RE: Final Site Plan Review Comments
221 Hamilton, Greek Islands Patio

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. The existing entrance door on Hamilton is nonconforming as it swings over the City sidewalk in violation of Section 3202.2 of the building code. Adding a second door swinging over the sidewalk would not be permitted.

2. The plan needs to show the revised vestibule entrance to the restaurant.

BIRMINGHAM
A WALKABLE CITY

MEMORANDUM

Engineering Department

DATE: **May 4, 2023**

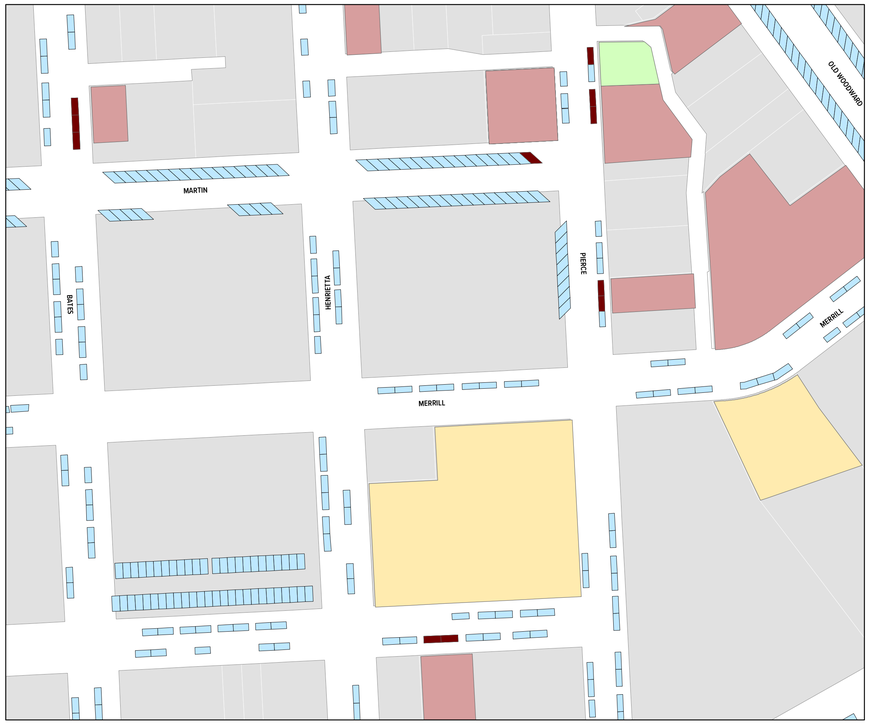
TO: **Brooks Cowan, Senior Planner**

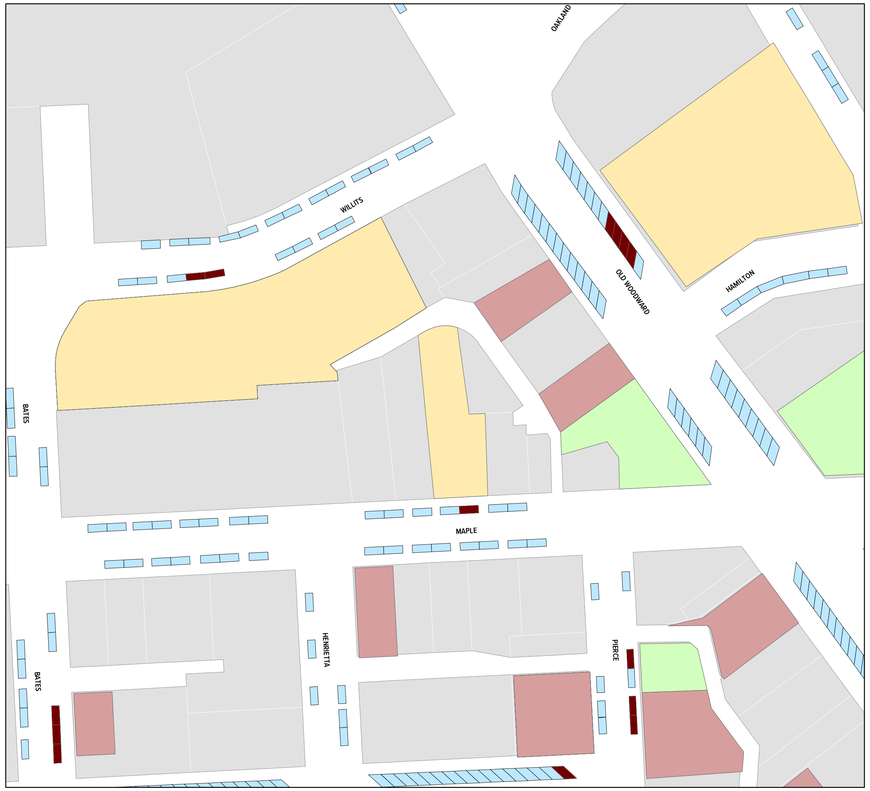
FROM: **Melissa A. Coatta, City Engineer**

SUBJECT: **2221 Hamilton Row – Patio**

The Engineering Department has completed a review of proposed patio at 2221 Hamilton Row and has the following comments:

- The proposed patio is located over an existing catch basin. The following needs to occur for the catch basin:
  - No 2X12 can be located over the existing catch basin casting.
  - The proposed opening in P.T. Wood Sleeper for Water Drainage needs be a total of 80 square inches on each side of the proposed patio to allow flow to continue to the catch basin casting.





Outdoor Dining

- Non-LL
- Class C LL
- Bistro LL
- Platforms
- Parking

ROW Spaces Downtown - 1270
Parking Spaces w/ Decks - 23

EXISTING CONCRETE CURB

EXISTING TEMPORARY CROSSWALK WITH STOP SIGN AT STEP UP ONTO PLATFORM

EXISTING TEMPORARY CROSSWALK WITH STOP SIGN AT STEP UP ONTO PLATFORM

EXISTING ONE-WAY VEHICULAR DRIVE

58'-0"

SERVICE

TRASH

TRASH

DECK PLATFORM IN PARKING LOT

16'-0"

ADA ACCESSIBLE RAMP ONTO PLATFORM

EXISTING TREE, TYPICAL

EXISTING MASONRY SITE WALL, PLANTING BED & CONCRETE SIDWALK

EXISTING M.D.O.T. PARKING SPACES ALONG WOODWARD AVE.

STATE OF MICHIGAN
ROMAN BONISLAWSKI
ARCHITECT
No. 1301037397
LICENSED ARCHITECT

OUTDOOR SEATING PLAN

scale: 1/8" = 1'-0"

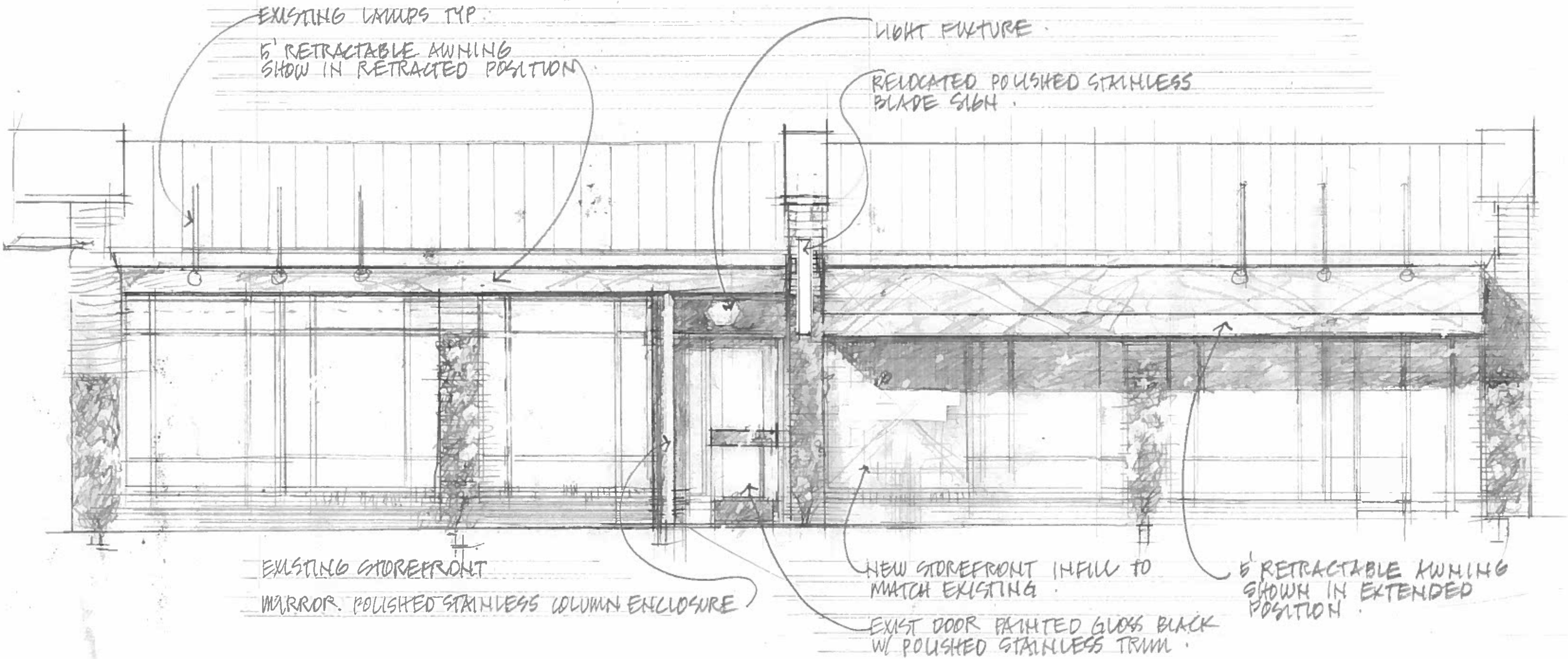
4/6/23

NORTH

PROPOSED PARKING LOT PATIO DECK

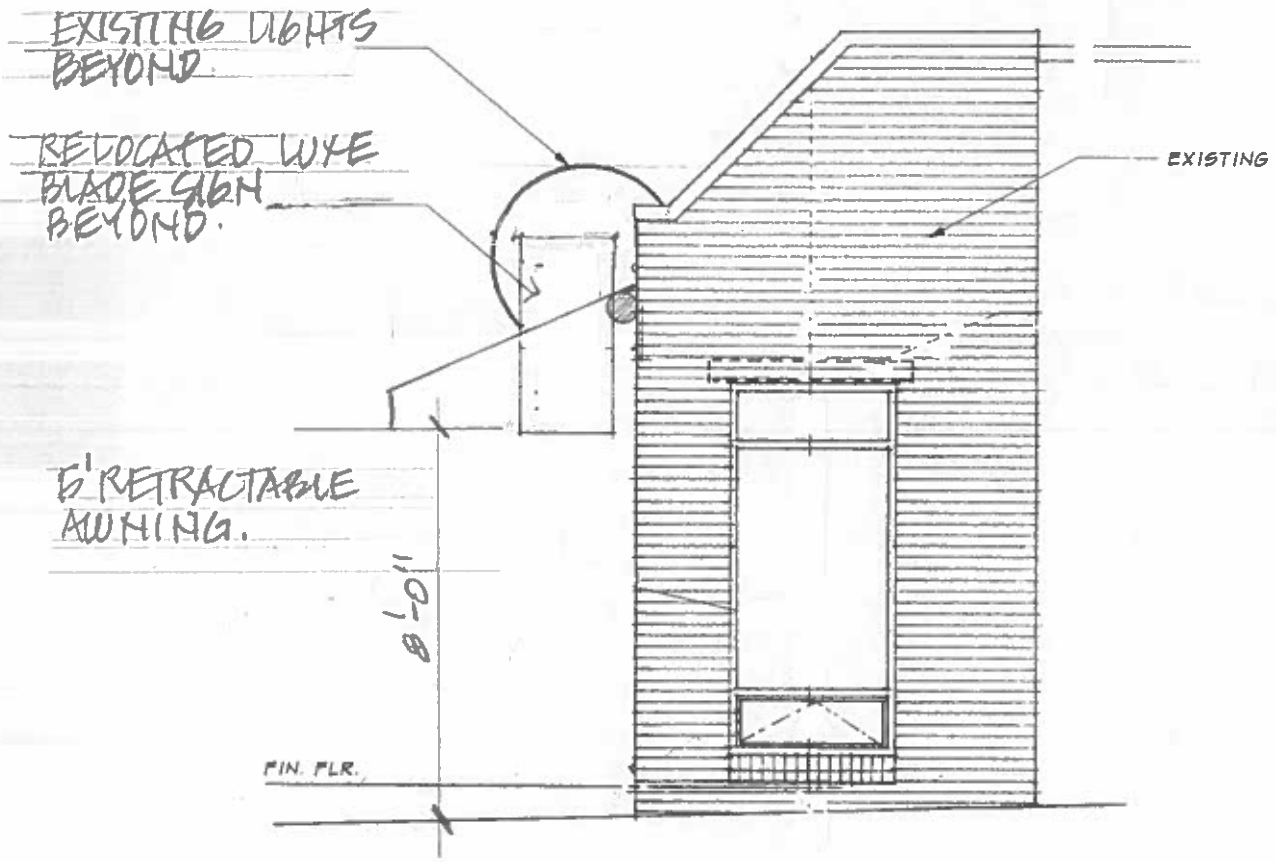
BISTRO JOE'S RESTAURANT AT PAPA JOE'S MARKET

34244 WOODWARD AVENUE
BIRMINGHAM, MI 48009



FRONT (EAST) ELEVATION @ LUXE.

1/4"=1'-0"



PARTIAL NORTH ELEVATION.
1/4" = 1'-0"

HOSTARIA
1954

MEMORANDUM

Planning Division

DATE: May 10, 2023

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Project Updates & Information

The following report contains updates on projects that have completed by the Planning Board and are on to the next steps of approval. In addition, other significant development-related projects that have been reviewed or embarked upon by boards/commissions such as the Historic District Commission, Design Review Board, Multi-Modal Transportation Board, or similar bodies have been included for reference as well. New information/updates provided in **bold blue text**.

Site Plan & Design Reviews

- 2159 E. Lincoln – Lincoln Yard – Under construction
- 34965 Woodward – Peabody Redevelopment – Permitting, numerous extensions requested.
- 35001 Woodward – Land lease executed by City Commission/Design development.
- 770 S. Adams – Permitting/Construction
- 2225 E. 14 Mile – Our Shepherd – Permitting/Construction
- 36877 Woodward – Gasow Veterinary Hospital – Permitting
- 588 S. Old Woodward – Phoenicia – Under Construction
- 243 Merrill – La Strada – Permitting
- 320 Martin – Birmingham Post Office – Design Development
- 185 N. Old Woodward – Bell Bistro – Permitting
- 460 N. Old Woodward – Wilders – Under construction
- 295 Elm St. – Forest Townhomes – Design Development
- 34350 Woodward – Fred Lavery Porsche – Public Hearing at the City Commission was tabled by the City Commission to afford the applicant and City Staff time to work out any issues. No new public hearing date set at this time.
- **479 S. Old Woodward – Birmingham Tower – Design Development/Variance request for parking spaces. The variance request is scheduled for May 9, 2023.**

Ordinance Amendments/Master Planning

- **Outdoor Dining Ordinance – The public hearing date has been postponed to May 22, 2023 to review the proposed amendments and the changes requested by the City Commission.**

Non-Planning Board Projects

- 148 Pierce – Telephone Exchange Building – New mural on rear of building.
- 135-139 S. Old Woodward – Stifel – Façade renovations on historic Briggs Building, permitting/construction.
- 220 Park St. – Façade renovations, permitting/construction.
- 34040 Woodward – Community Unity Bank – Façade renovations, in progress.
- **185 Oakland – Belfor – Façade renovations, design development & variance request. Variance request is scheduled for May 9, 2023.**
- 33680 Woodward – Petrucci Studio – Façade renovations, permitting.
- **188 N. Old Woodward – Comerica Bank – Façade renovations. Design requires a variance, the variance request is scheduled for May 9, 2023.**
- **163 W. Maple – Seven Daughters – Façade renovations, postponed to Historic District Commission meeting on May 17, 2023.**
- **245 S. Eton – Big Rock – Façade renovations (minor) were approved by the Historic District Commission on April 19, 2023. The applicant will be submitting a SLUP application to the Planning Board in the coming months.**
- Historic District Design Guidelines – On March 15, 2023, the Historic District Commission reviewed a 90% completed document and provided KDG with final feedback.
- **Citywide Wayfinding and Signage Design Program Update – Kickoff meeting at the Wayfinding and Gateway Signage Committee was held April 17, 2023. In addition, a public input session was held at City hall the same evening.**
- **Ad Hoc Environmental Sustainability Committee –First meeting is tentatively planned for May 15, 2023.**
- **Eton St. Bike Lane Study – After the bike lane pilot on Eton, MMTB is studying a new design as a part of a resurfacing project that is planned for 2023. Several input sessions have been held, and feedback has generally been very constructive.**

The Birmingham Plan 2040

- A public hearing has been set at the City Commission for May 22, 2023.

BIRMINGHAM
A WALKABLE CITY

AGENDA
REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD
WEDNESDAY MAY 24, 2023 – 7:30 PM
151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

The City recommends members of the public wear a mask if they have been exposed to COVID-19 or have a respiratory illness. City staff, City Commission and all board and committee members must wear a mask if they have been exposed to COVID-19 or actively have a respiratory illness. The City continues to provide KN-95 respirators and triple layered masks for attendees.

A. Roll Call
B. Review and Approval of the Minutes of the Regular Meeting of **May 10, 2023**
C. Chairpersons' Comments
D. Review of the Agenda
E. Unfinished Business
F. Rezoning Applications
G. Community Impact Studies
1. **380 S. Bates – Community House – Request for Community Impact Study review for a new 3-story addition to the existing building.**

H. Special Land Use Permits
I. Site Plan & Design Reviews
1. **380 S. Bates – Community House – Request for Preliminary Site Plan review for a new 3-story addition to the existing building.**

J. Study Session
K. Miscellaneous Business and Communications:
1. Pre-Application Discussions
2. Communications
   i. **Project Updates**
3. Administrative Approval Correspondence
   i. **May 5, 2023 – May 19, 2023**
4. Draft Agenda – **June 14, 2023**
5. Action List – **2023**
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
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 dia 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).

DRAFT

BIRMINGHAM
A WALKABLE CITY

AGENDA
REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD
WEDNESDAY JUNE 14, 2023 – 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 **May 24, 2023**
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. **B1 Zoning District – Commercial Permitted Uses**

K. Miscellaneous Business and Communications:
1. Pre-Application Discussions
2. Communications
   i. **Project Updates**
3. Administrative Approval Correspondence
   i. **May 19, 2023 – June 9, 2023**
4. Draft Agenda – **July 12, 2023**
5. Action List – **2023**
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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DRAFT

Updated 4/3/2023

Planning Board Action List – 2023

Topic	General Goals	City Commission Directive?	Quarter	Status	
				In Progress	Complete
2040 Master Plan	Adopt a new comprehensive master plan.	☒	Ongoing	☐	☒
B1 Neighborhood Business Uses	Consider adding additional commercial permitted uses in the B1 zone.	☐	1st (January-March)	☒	☐
Mixed Use Requirements	Consider changing the requirements for mixed use in the Triangle District.	☐	1st (January-March)	☐	☐
Impervious Surface Definition	Clarify definition to promote the infiltration of storm water.	☐	2nd (April-June)	☐	☐
Lighting Standards	Review lighting standards and study residential districts to reduce light pollution and nuisance.	☐	2nd (April-June)	☐	☐
Health Club/Studio Use	Consider allowing health/fitness type activities in more areas of the City.	☐	3rd (July-September)	☐	☐
Dumpster Enclosures	Expand the materials permitted/not permitted in dumpster enclosures.	☐	3rd (July-September)	☐	☐
Definitions	Revisit key definitions to address any challenges presented and clean up verbiage to aid Planning Staff.	☐	4th (October-December)	☐	☐

Next Up…

Topic	General Goals	City Commission Directive?	Quarter	Status	
				In Progress	Complete
Public Project Review	Place on joint meeting agenda to express concerns over the review process of public projects.	☐	-	☐	☐

APPROVED