



AGENDA

REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD

WEDNESDAY JANUARY 22, 2025 – 7:30 PM

151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

-
- A.** Roll Call
 - B.** Review and Approval of the Minutes of the Regular Meeting of **December 11, 2024**
 - C.** Chairpersons' Comments
 - D.** Review of the Agenda
 - E.** Meeting Open to the Public for Items Not on the Printed Agenda
 - F.** Unfinished Business
 - G.** Rezoning Applications
 - H.** Community Impact Studies
 - I.** Special Land Use Permits
 - 1. **225 E. Maple – Social Kitchen & Bar – Request for Special Land Use Permit Amendment for the Renovation of an Existing Outdoor Dining Facility**
 - J.** Site Plan & Design Reviews
 - 1. **225 E. Maple – Social Kitchen & Bar – Request for Special Land Use Permit Amendment for the Renovation of an Existing Outdoor Dining Facility**
 - 2. **34350 Woodward – Lavery Porsche – Request for 1-Year Extension of Approved Final Site Plans for New 3-Story Auto Sales Agency**
 - 3. **320 Martin St. – Request for Re-Approval of Expired Final Site Plans for new 5-Story Addition to Existing Commercial Building**
 - 4. **185 Oakland – Request for Final Site Plan & Design Review for New Whole-Building Generator at Rear of Property**
 - K.** Study Session
 - 1. **Generator Ordinance – Study Session (Reset Public Hearing)**
 - L.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - i. **180 S. Chester – Chester St. Parking Deck Update**
 - 2. Communications
 - i. **Project Updates**
 - 3. Administrative Approval Correspondence
 - i. **December 6, 2024 – January 17, 2025**
 - 4. Draft Agenda – **February 12, 2025**
 - 5. Action List – **2024/2025**
 - 6. Other Business
 - M.** Planning Division Action Items
 - 1. Staff Report on Previous Requests
 - 2. Additional Items from Tonight's Meeting
 - N.** 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 248-644-3405 (TDD) at least one day before the meeting to request help in mobility, visual, hearing, or other assistance.

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

City Of Birmingham
Regular Meeting Of The Planning Board
December 11, 2024
City Commission Room
151 Martin Street, Birmingham, Michigan

Minutes of the regular meeting of the City of Birmingham Planning Board held on December 11, 2024. The meeting was convened 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 (non-voting)

Absent: Alternate Board Member Nasseem Ramin

Staff: Planning Director Dupuis; Planning Intern Aldred-Arens, City Transcriptionist Eichenhorn, Building Official Johnson (left 8:45 p.m.), Fire Marshal Scaife (left 8:27 p.m.)

B. Approval Of The Minutes Of The Regular Planning Board Meeting of November 13, 2024

12-45-24

Motion by Share

Seconded by Emerine to move the adoption of the minutes of November 13, 2024 as corrected.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

C. Chair's Comments

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

D. Review Of The Agenda

12-46-24

Motion by Williams

Seconded by Share to revise the agenda with three changes:

- **Item L would now be Item K;**
- **former Item K would now be L;**
- **Flip two and three.**

So 400 E. Lincoln would be number three under new L, and impervious surface would be number two under L.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

E. Meeting Open to the Public for Items Not on the Printed Agenda

F. Unfinished Business

G. Rezoning Applications

H. Community Impact Study and Site Plan Review

I. Special Land Use Permits

J. Site Plan & Design Reviews

K. Miscellaneous Business and Communications (Part I)

1. Pre-Application Discussions

i. 180 S. Chester – Chester St. Parking Deck

Kevin Biddison, architect, spoke on behalf of the project.

Board consensus was that the proposal was interesting, and a further submission would need to return with support from City administration and more detail on a number of matters such as structural soundness, traffic circulation, impact on nearby residences, and parking demand in the area.

L. Study Session

1. Generator Ordinance – Study Session

FM Scaife, PD Dupuis, and BO Johnson presented the item and answered informational questions from the Board.

Board member comments were as follows:

- 'Current Michigan residential code' should be changed to something like 'then current or residential code in effect at the date of the application'.
- A superfluous 'are' should be removed from the final paragraph of the proposed ordinance.
- While not all lots in the City are rectangular, non-rectangular lots in the City tend to be larger. In those cases, while the application of the ordinance may require slightly more discernment, it is likely those circumstances will also tend to pose less of a generator-positioning challenge.

12-47-24

Motion by Share

Seconded by Williams to set a public hearing for January 8, 2025, to review amendments to Article 4, Accessory Structure § 4.03 to add provisions for standby generators in accordance with the amendments presented today as corrected.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

2. Impervious Surface – Study Session

PD Dupuis presented the item. Staff answered informational questions from the Board.

Board members raised the following points during discussion:

- Staff's proposed language diverged from low impact design best practices and from the Board's previous recommendations.
- The Board's recommendations would reduce stormwater impacts on residents by encouraging infiltration of water back into aquifers.
- The proposed language diverges from SEMCOG's Low Impact Development Manual for Michigan and from other low impact design manuals.
- This would be inappropriate to recommend to the Commission, given the City's and the Commission's explicit commitment to environmental sustainability.
- Concerns about excess gravel or stone in the open space in the ordinance could be addressed within the open space section of the ordinance.

3. 400 E. Lincoln Property – Public Project Review Guidelines

PD Dupuis presented the item and answered informational questions from the Board.

Board members raised the following points during discussion:

- Residents would likely want to keep parking out of the neighborhoods. If that means a small portion of the park would need to be ceded to parking, that should be considered.
- Deciding on the parking before the project architect designs the building might excessively limit the architect's options given the site's other constraints. It might be most appropriate to allow a traffic engineer and the City determine parking during the Community Impact Study.
- The building's size will likely exceed the red rectangle shown in the aerial view in the agenda packet.
- A loading area could be appropriate, and requiring that the front entrance be located along the street frontage may be excessively restrictive. A majority of feedback has been that it would be inappropriate to locate a door along Lincoln.
- Saying that these standards are 'suggested' for this project may be more appropriate than 'required'.
- Alternatively, the City should hold itself to the same standards it would a private developer, in the spirit of fairness.
- The parking could be postponed for determination at site plan review.
- The explanation of these guidelines should clarify that these are criteria to begin a review and discussion of this project.
- It would be ideal if the project could align as closely as possible with these guidelines. If the project's site plan diverges from aspects of these guidelines, it would merit further discussion.

- In making this a process-type document, the Board should endeavor to select development guidelines and should avoid designing and planning the site.

12-48-24

Motion by Share

Seconded by Whipple-Boyce to recommend to the City Commission that the public property development guidelines for 400 E. Lincoln – Senior/Recreation/Community Center, consisting of five pages including the narrative, with revisions to the narrative as discussed today, with the parking modified to say to be determined, the front entryway to be modified to say to be determined, and the loading area to be modified to say to be determined, that those guidelines be generally applied to the proposed development.

Motion carried, 7-0.

VOICE VOTE

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

Nays: None

4. Proposed Childcare Ordinance Amendments

PDI Aldred-Arens presented the item and answered informational questions from the Board.

Board members raised the following points during discussion:

- The next Board study of this item should include a formal opinion from the City Attorney regarding Birmingham's specific legal requirements vis-a-vis the proposed changes.
- There would be some concern about permitting child care homes in every residential area in Birmingham.
- The definitions of "family day care home" and "group child care home" should include requiring state licensure.
- Questions regarding signage, traffic, applicable state statutes and regulations, space for children to play, how SLUPs may be applied in these cases, appropriate locations, and other issues remain.
- Extending the use of a residence to accommodate up to 14 children should be considered very carefully.
- The City should endeavor to make childcare more accessible in a considered way.
- Some residents might feel passionately about this issue.

K. Miscellaneous Business and Communications (Part II)

- 2. Communications**
- 3. Administrative Approval Correspondence**
- 4. Draft Agenda**
- 5. Action List**
- 6. Other Business**

M. Planning Division Action Items

- a. Staff Report on Previous Requests**

b. Additional Items from tonight's meeting

N. Adjournment

No further business being evident, the meeting was adjourned at 9:51 p.m.

A blue ink signature, appearing to read "Nick Dupuis", written in a cursive style.

Nick Dupuis, Planning Director

A black ink signature, appearing to read "Laura Eichenhorn", written in a cursive style.

Laura Eichenhorn, City Transcriptionist

DRAFT



MEMORANDUM

Planning Division

DATE: January 22, 2025

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

SUBJECT: 225 E. Maple – Social Kitchen & Bar – Special Land Use Permit Amendment (SLUP), Final Site Plan & Design Review – Public Hearing

The subject site, 225 E. Maple, is located in Downtown Birmingham in the B4 (Business-Residential) and D4 (Downtown Overlay) zoning districts. Social Kitchen and Bar has inhabited this site since 2011, and was one of the City's first bistro establishments. In 2017/2018, the restaurant amended their Special Land Use Permit (SLUP) to renovate the interior and exterior of the space. The original 2011 approval contained 64 indoor dining seats and 86 outdoor dining seats (56 in via and 30 on rooftop). The 2017/2018 SLUP amendment did not change the seat counts.

At this time, the applicant has submitted a Special Land Use Permit Amendment, Final Site Plan and Design Review application to replace the current outdoor dining patio on the via (east) side of the building. The current outdoor dining patio is constructed of predominantly vinyl panels with a metal frame. The new proposal is a fixed aluminum pergola with roof and glass transom.

Article 7, Section 7.43 states that Site Plan and Design Review for special land uses shall be considered and acted upon by the City Commission. Prior to its consideration of a special land use application for an initial permit or an amendment to a permit, the City Commission shall refer the Site Plan and the design to the Planning Board for its review and recommendation.

In addition, as required by Article 7, Section 7.37 of the Zoning Ordinance, once a permit for a special land use has been granted as to any parcel of land, no change in that use may be made nor may any addition to or change in the building or improvements on the parcel of land take place until a new request for approval has been filed with the City Commission and the City Commission has approved the request for change.

1.0 Land Use and Zoning

1.1 Existing Land Use – The existing site is a 1-story commercial building.

- 1.2 Existing Zoning – B4 (Business-Residential) & D4 (Downtown Overlay)
- 1.3 Summary of Adjacent Land Use and Zoning – The following chart summarizes the existing land use and zoning adjacent to and/or in the vicinity of the subject site.

	North	South	East	West
Existing Land Use	Commercial	Commercial	Commercial	Commercial
Existing Zoning District	B4 (Business-Residential)	B4 (Business-Residential)	B4 (Business-Residential)	B4 (Business-Residential)
Overlay Zoning District	D4	D4	D4	D4

2.0 Setback and Height Requirements

There are **no changes** to the bulk, area or placement of the existing building or the outdoor dining facility being reviewed. The existing outdoor dining facility is on public property, which will require a lease with the City of Birmingham.

3.0 Screening and Landscaping

- 3.1 Dumpster Screening – There are **no changes** proposed to the existing dumpster enclosure as a part of the Special Land Use Permit, Final Site Plan and Design Review application submitted.
- 3.2 Parking Lot Screening – There are **no changes** proposed to parking facilities as a part of the Special Land Use Permit, Final Site Plan and Design Review application submitted.
- 3.3 Mechanical Equipment Screening – There are **no changes** proposed to the mechanical screening as a part of the Special Land Use Permit, Final Site Plan and Design Review application submitted.
- 3.4 Landscaping – There are **no changes** proposed to the landscaping on site as a part of the Special Land Use Permit, Final Site Plan and Design Review application submitted.
- 3.5 Streetscape – There are **no changes** proposed to the streetscape as a part of the Special Land Use Permit, Final Site Plan and Design Review application submitted.

4.0 Parking, Loading and Circulation

- 4.1 Parking – There are **no changes** proposed to the building that require any additional parking or a parking analysis as a part of the Special Land Use Permit, Final Site Plan and Design Review application submitted.
- 4.2 Loading – There are **no changes** proposed to the loading conditions as a part of the Special Land Use Permit, Final Site Plan and Design Review application submitted.
- 4.3 Vehicular Circulation and Access – There are **no changes** proposed to the vehicular circulation and access to the site.
- 4.4 Pedestrian Circulation and Access – There are **no changes** proposed to pedestrian circulation and access of the site. The site will retain the existing pedestrian walkways and main pedestrian entrance.

5.0 Lighting

There are **no changes** to the lighting on site as a part of the Special Land Use Permit, Final Site Plan and Design Review application submitted.

6.0 Design Review

As noted above, the renovation proposed consists of the total replacement of the existing structure that covers the 56-seat outdoor dining facility located in the via to the east of the building. The structure is 42.5 ft. by 12 ft. and contains 48 outdoor dining seats within the pergola space and 8 seats to the north of the structure. Although the seating counts are the same, this proposal would bring slightly more seats within the enclosure than previous approved plans. The original approval, which carried over through the 2018 amendment, had 18 of the 56 seats extend north beyond the enclosure and were covered by an umbrella. The 30 seats on the rooftop will remain as-is. Total, the restaurant contains 86 approved outdoor dining seats.

Currently, the definition of Bistro in the Zoning Ordinance is “a restaurant with a full service kitchen with interior seating for no more than 65 people and additional seating for *outdoor dining of no more than 65 people.*” Similar to the 2018 amendment, the 86 existing seats at Social Kitchen & Bar may be considered pre-existing legal nonconforming and this proposal is not proposing to expand that pre-existing legal nonconformity.

The design of the existing enclosure is a thin metal frame wrapped in a vinyl fabric with vinyl “eisenglass” walls that can be rolled up or down. The proposal is to remove the entire existing system and replace it with a new aluminum pergola that will contain a

glass transom, polycarbonate roof, and vinyl "Strataglass" roll down panels. The panels would roll down into a half wall that surrounds the pergola. This new pergola structure would continue the enclosure capabilities of the outdoor dining facility and enable the bistro to utilize the outdoor dining facility year-round, save some of the colder days of the year.

Article 4, Section 4.44 (C)(3) of the Zoning Ordinance states that outdoor dining facilities shall not contain enclosures as defined in Article 9, Section 9.02 of the Zoning Ordinance:

Enclosure (outdoor dining): A vertical wall, panel, or other material that extends above 42 in. in height which provides extended relief from weather and impedes physical and/or visual access to the outdoor dining space. For the purposes of this definition, enclosure does not include exterior building walls.

The current proposal meets the criteria for an enclosure and thus is not permitted by the Zoning Ordinance. Thus, **the applicant must submit revised plans that do not contain enclosures or obtain a variance from the Board of Zoning Appeals.**

7.0 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	☒	☐	☐

8.0 Departmental Reports

- 8.1 Engineering Department – The Engineering Department reiterated the need for detailed and strong agreements between the City and the applicant due to the outdoor dining facilities location on Public Property.
- 8.2 Department of Public Services – The Department of Public Services will be requiring tree protection on the Oak trees in the via while construction is occurring.

- 8.3 Fire Department – The Fire Department will be requiring a fire suppression system within the new enclosure.
- 8.4 Police Department – The Police Department has no concerns at this time.
- 8.5 Building Department – The Building Department has stated that the plans show a new exit door from the enclosure that will swing into the pedestrian passageway to the east. In accordance with Section 3202.2 of the Building Code, doors are not permitted to project into the public right-of-way. This door will need to be recessed into the enclosure.

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.*
 - The proposed renovation of the existing outdoor dining facility is not changing the footprint of the facility, and the proposed pergola provides for significant light access for its patrons with opportunities for air and access through the manipulation of the proposed roll down panels.
- (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.*
 - The existing outdoor dining facility is located within a 20 ft. via between two commercial buildings. The current footprint, which is not changing, maintains a roughly 6-foot walking path through the via, which also permits access to a door that exists on the west wall of the adjacent building. No other windows or doors are present on the adjacent façade.
- (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.*
 - The renovations proposed do not appear to hinder the reasonable development of adjoining property nor diminish the value thereof. The facility

is located on the public property that separates the adjacent properties and provides a reasonable separation between the two.

(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.*

- The site plan will maintain the current pedestrian traffic patterns through the existing via, which is the only mode of traffic experienced by this area of the site. In terms of the alley in the rear of the building that experiences vehicular traffic, it will remain unchanged. In addition, should the comments from the Building Department be addressed adequately, the egress door will not pose an issue to pedestrian traffic through the via.

(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.*

- As noted above, Social Kitchen & Bar is considered a bistro, which is a type of food and drink establishment with sales of alcoholic beverages for on premise consumption. This type of use is permitted in Downtown Birmingham, and this establishment has been here since 2011. Prior to Social Kitchen & Bar, this building consisted of two separate tenant spaces, one of which was also a food and drink establishment. This development, along with the proposed renovations, will remain 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.*

- This property is not required to provide landscaped open space.

In addition, Article 7, Section 7.36 requires applications for a Special Land Use Permit to meet the following criteria:

(1) *The use is consistent with and will promote the intent and purpose of this Zoning Ordinance.*

- The use as a bistro/food and drink establishment is consistent with and will promote the intent and purpose of this Zoning Ordinance.

(2) *The use will be compatible with adjacent uses of land, the natural environment, and the capabilities of public services and facilities affected by the land use.*

- Generally, this use will remain compatible with adjacent uses of land, the natural environment, and the capabilities of public services and facilities affected by the land use. As a food and drink establishment, there may be issues related the capabilities of public infrastructure and affects to the natural environment through its connections to utilities, such as the presence of grease and increased water usage. However, these establishments are regularly inspected and are required to provide documentation on the handling of grease and other potentially harmful substances. Social Kitchen & Bar consistently passes their annual inspections.

(3) *The use is consistent with the public health, safety and welfare of the city.*

- This use is consistent with the public health, safety and welfare of the city. Similar to the previous standard, establishments engaged in the sale of alcoholic beverages for on premise consumption have the potential to place a burden on police and emergency services if consumption is not carefully monitored by the establishment. This issue is also reviewed annually by the City of Birmingham and Social Kitchen & Bar remains in good standing.

(4) *The use is in compliance with all other requirements of this Zoning Ordinance.*

- One design element of the outdoor dining facility in the proposed renovations do not meet the design requirements of Article 4, Section 4.44 (C)(3) of the Zoning Ordinance. Outdoor dining facilities are not permitted to contain enclosures, and the proposed roll down panels will create an enclosure.

(5) *The use will not be injurious to the surrounding neighborhood.*

- The existing use and renovated outdoor dining facility is not expected to be injurious to the surrounding neighborhood. The City has various codes/ordinances that would prevent certain types of nuisances that could emanate from a food and drink establishment from becoming injurious, such as site maintenance codes and noise ordinances.

(6) *The use is in compliance with state and federal statutes.*

- Top the best of our knowledge, the use is in compliance with state and federal statutes.

10.0 Recommendation

Based on a review of the site plan submitted and the approval criteria of Article 7, Sections 7.36 and 7.27, the Planning Department recommends that the Planning Board recommend **APPROVAL** of the Special Land Use Permit, Final Site Plan/Design Review application for 225 E. Maple – Social Kitchen & Bar – subject to the following conditions:

- 1. The applicant must resubmit plans that do not contain enclosures as defined in Article 9, Section 9.02 of the Zoning Ordinance, or obtain a variance from the Board of Zoning Appeals;
- 2. The applicant must comply with the requests of all City Departments; and
- 3. The applicant understands that site plan approval shall be valid for a period of one year from the date it is granted. Upon request, the appropriate reviewing body may grant an extension of not in excess of one year to the applicant prior to the expiration date in accordance with Article 7, Section 7.28 of the Zoning Ordinance.

11.0 Sample Motion Language (*Special Land Use Permit Amendment*)

Motion to adopt the findings of the Planning Department in the report dated January 22, 2025 related to the approval criteria outlined in Article 7, Section 7.36 of the Zoning Ordinance and recommend **APPROVAL** to the City Commission the Special Land Use Permit application for 225 E. Maple – Social Kitchen & Bar – subject to the following conditions:

- 1. The applicant must resubmit plans that do not contain enclosures as defined in Article 9, Section 9.02 of the Zoning Ordinance, or obtain a variance from the Board of Zoning Appeals;
- 2. The applicant must comply with the requests of all City Departments; and
- 3. The applicant understands that site plan approval shall be valid for a period of one year from the date it is granted. Upon request, the appropriate reviewing body may grant an extension of not in excess of one year to the applicant prior to the expiration date in accordance with Article 7, Section 7.28 of the Zoning Ordinance.

OR

Motion to **POSTPONE** the Special Land Use Permit for 225 E. Maple – Social Kitchen & Bar – pending receipt of the following:

- 1. _____
- 2. _____
- 3. _____

OR

Motion to recommend for **DENIAL** to the City Commission the Special Land Use Permit for 225 E. Maple – Social Kitchen & Bar – for the following reasons:

1. _____
2. _____
3. _____

12.0 Sample Motion Language (*Final Site Plan & Design Review*)

Motion to adopt the findings of the Planning Department in the report dated January 22, 2025 related to the approval criteria outlined in Article 7, Section 7.27 of the Zoning Ordinance and recommend **APPROVAL** to the City Commission the Final Site Plan & Design Review application for 225 E. Maple – Social Kitchen & Bar – subject to the following conditions:

1. The applicant must resubmit plans that do not contain enclosures as defined in Article 9, Section 9.02 of the Zoning Ordinance, or obtain a variance from the Board of Zoning Appeals;
2. The applicant must comply with the requests of all City Departments; and
3. The applicant understands that site plan approval shall be valid for a period of one year from the date it is granted. Upon request, the appropriate reviewing body may grant an extension of not in excess of one year to the applicant prior to the expiration date in accordance with Article 7, Section 7.28 of the Zoning Ordinance.

OR

Motion to **POSTPONE** the Final Site Plan & Design Review 225 E. Maple – Social Kitchen & Bar – pending receipt of the following:

1. _____
2. _____
3. _____

OR

Motion to recommend for **DENIAL** to the City Commission the Final Site Plan & Design Review for 225 E. Maple – Social Kitchen & Bar – for the following reasons:

1. _____

2. _____
3. _____











December 10, 2024

date issued

225 E. Maple Road

address

- A 101 Cover Page
- A 102 Top View
- A 103 Seating Plan
- A 104 Section A-A/Elevation
- A 105 Section B-B
- A 106 Corner Detail
- A 107 Footer Detail
- A 108 Post Detail
- A 109 Wall Attach

table of contents

241210

project #

01

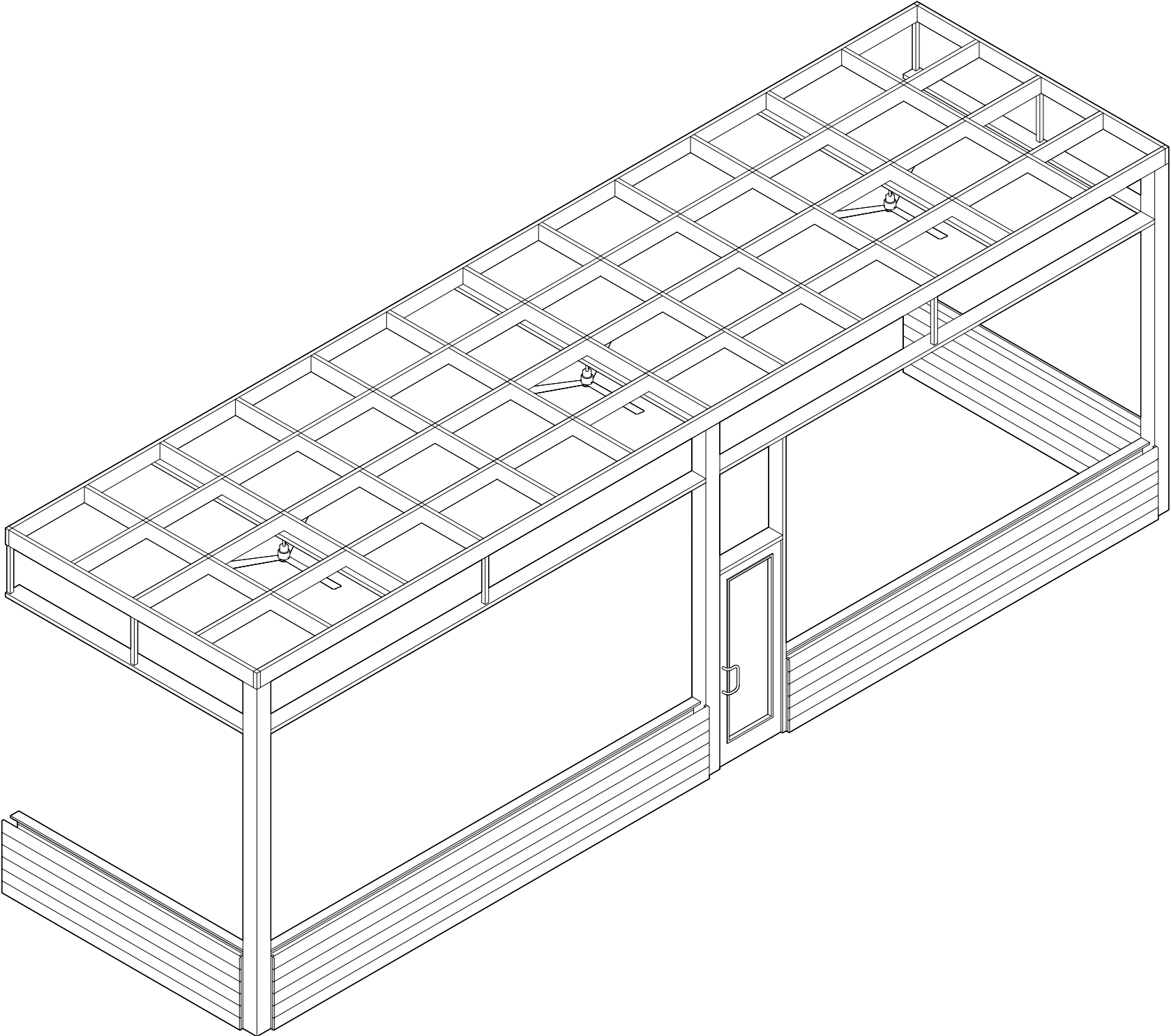
drawing #

Cover Page

page name

A101

page #



Social Birmingham



2605 Oakley Park Rd,
cCommerce Charter Twp, MI 48390
presented by

December 10, 2024
date issued

225 E Maple Rd.
address

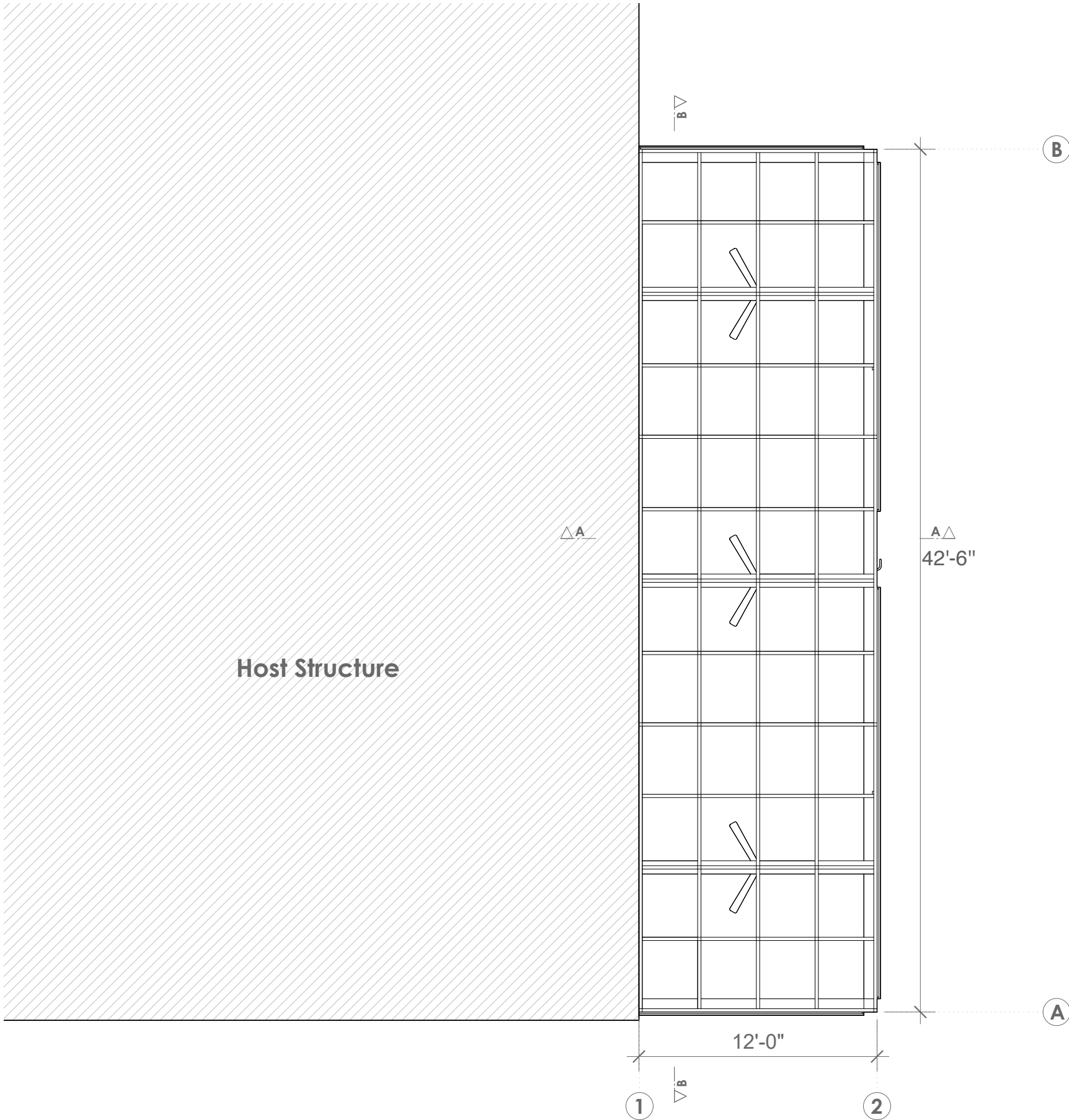
241210
project #

02
drawing #

Top View
page name

A102
page #

Louvers 6063-T5
All others components 6063-T6
aluminium type



Top View
Scale: 1" = 6' 0"

Social Birmingham

SKYVIEW
DETROIT
2605 Oakley Park Rd,
cCommerce Charter Twp, MI 48390
presented by

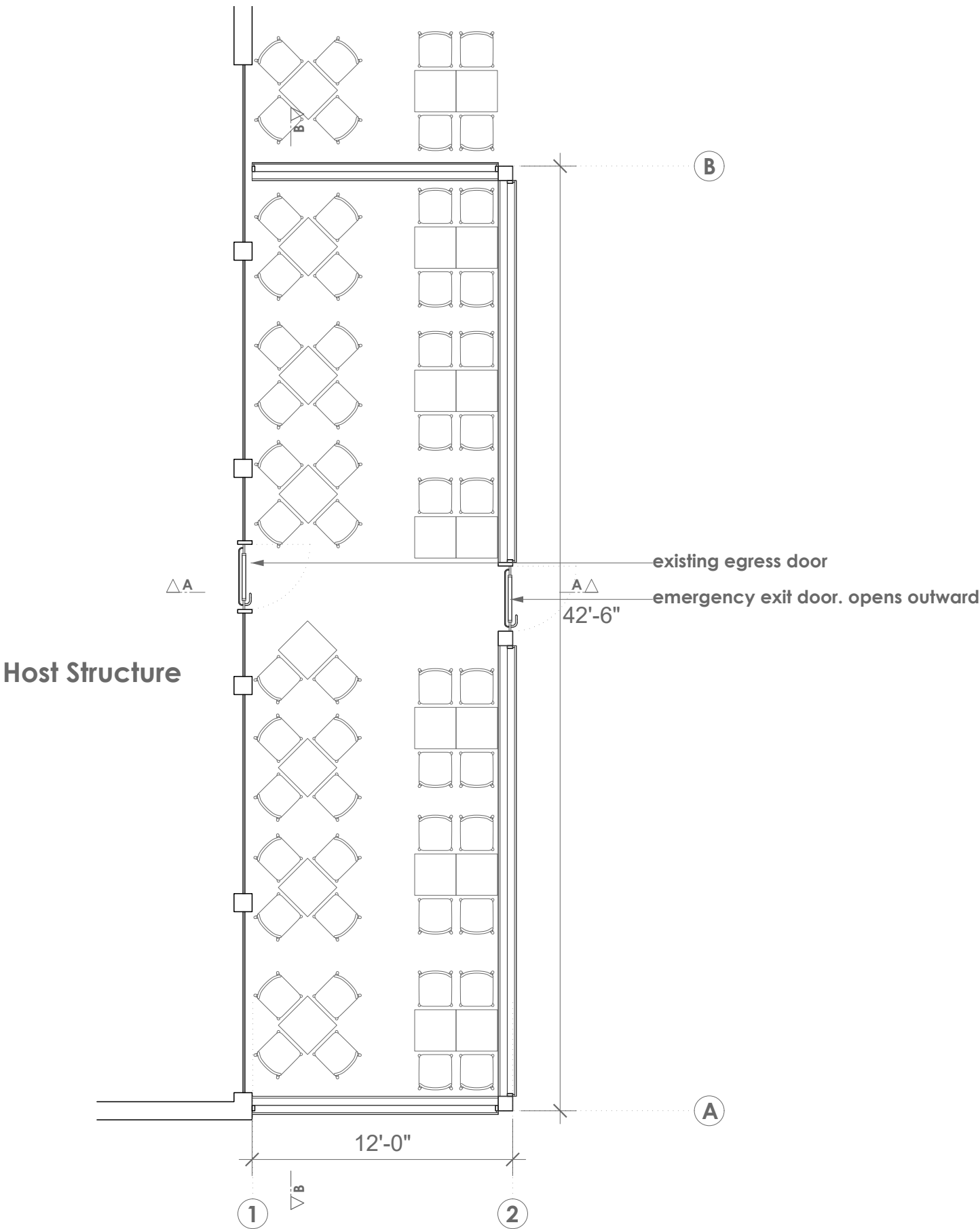
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date issued

225 E Maple Rd.
address

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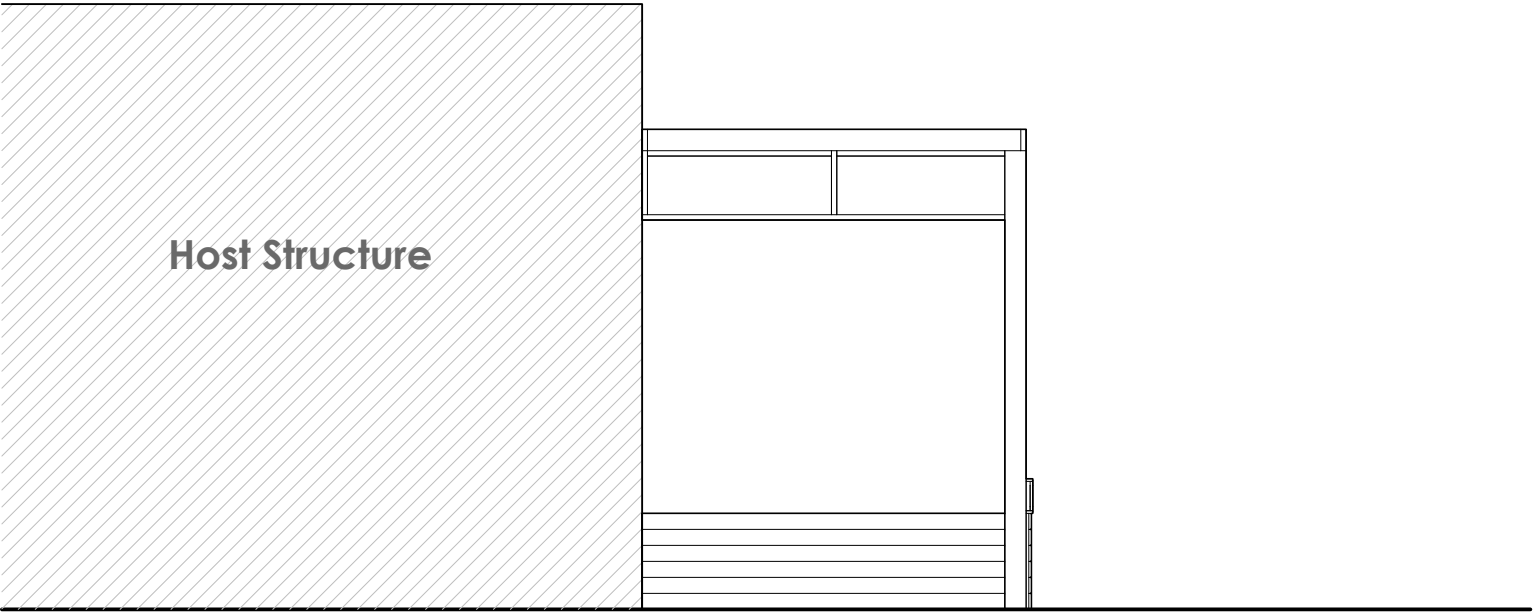
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page name page #

Louvers 6063-T5
All others components 6063-T6
aluminium type

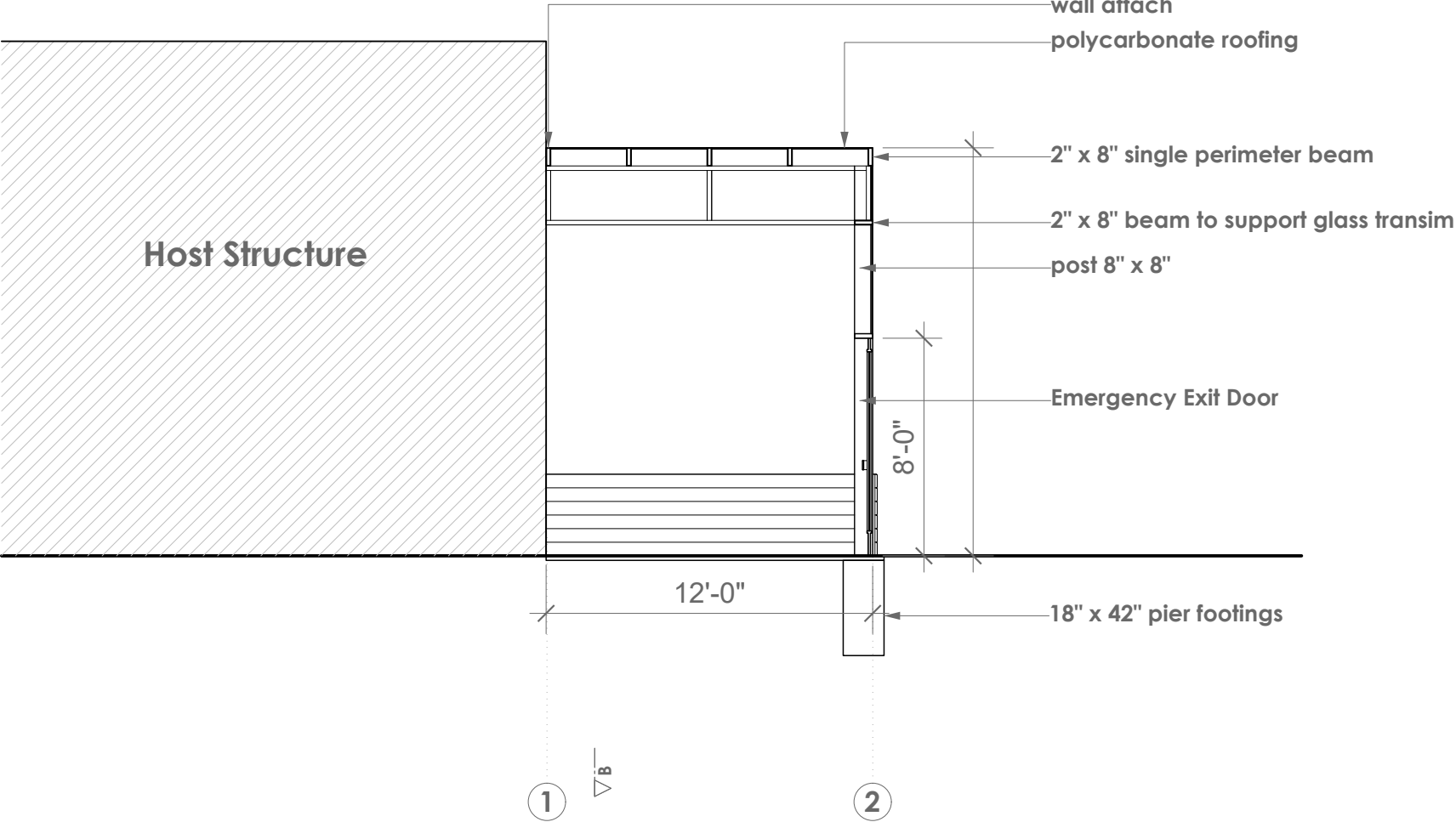


Seating Plan
Scale: 1" = 6' 0"

Social Birmingham



South Elevation
Scale: 1" = 6' 0"



Section A-A
Scale: 1" = 6' 0"

**SKYVIEW**
DETROIT

2605 Oakley Park Rd,
cCommerce Charter Twp, MI 48390
presented by

December 10, 2024
date issued

225 E Maple Rd.
address

241210
project #

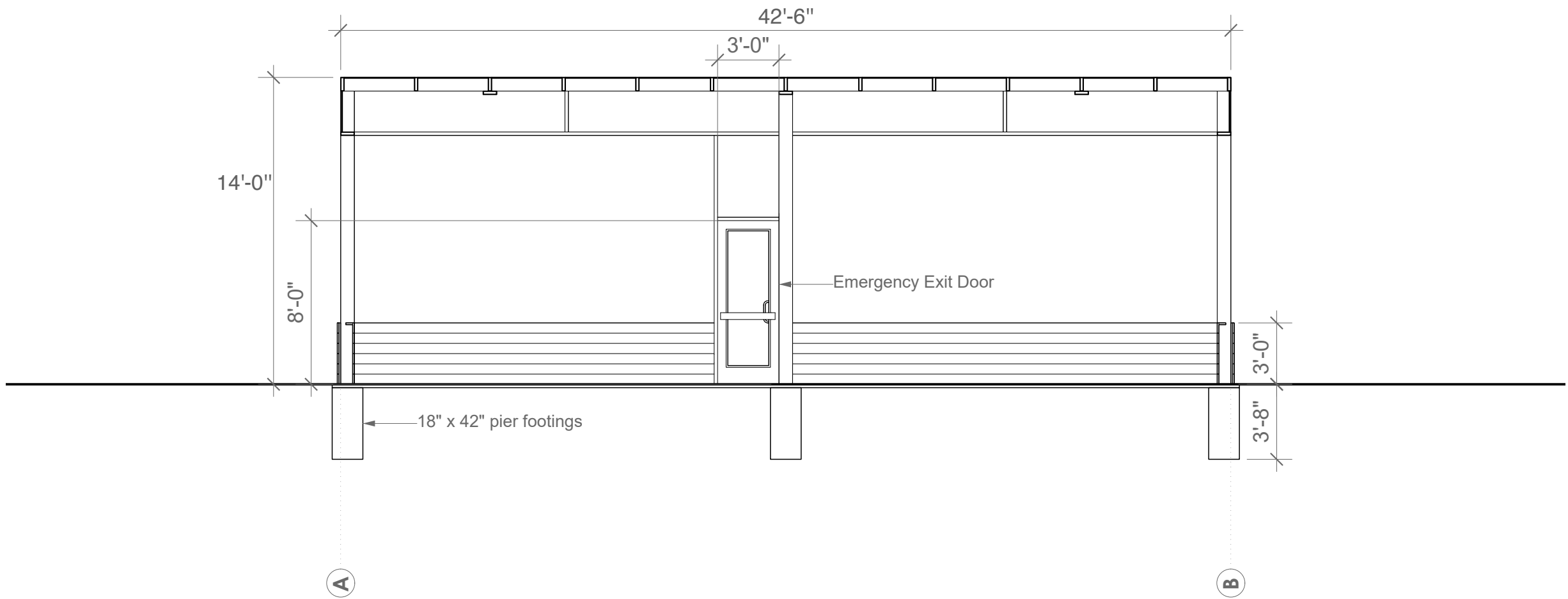
04
drawing #

Section A-A
page name

A104
page #

Louvers 6063-T5
All others components 6063-T6
aluminium type

Social Birmingham



2605 Oakley Park Rd,
cCommerce Charter Twp, MI 48390
presented by

December 10, 2024
date issued

225 E Maple Rd.
address

241210
project #

05
drawing #

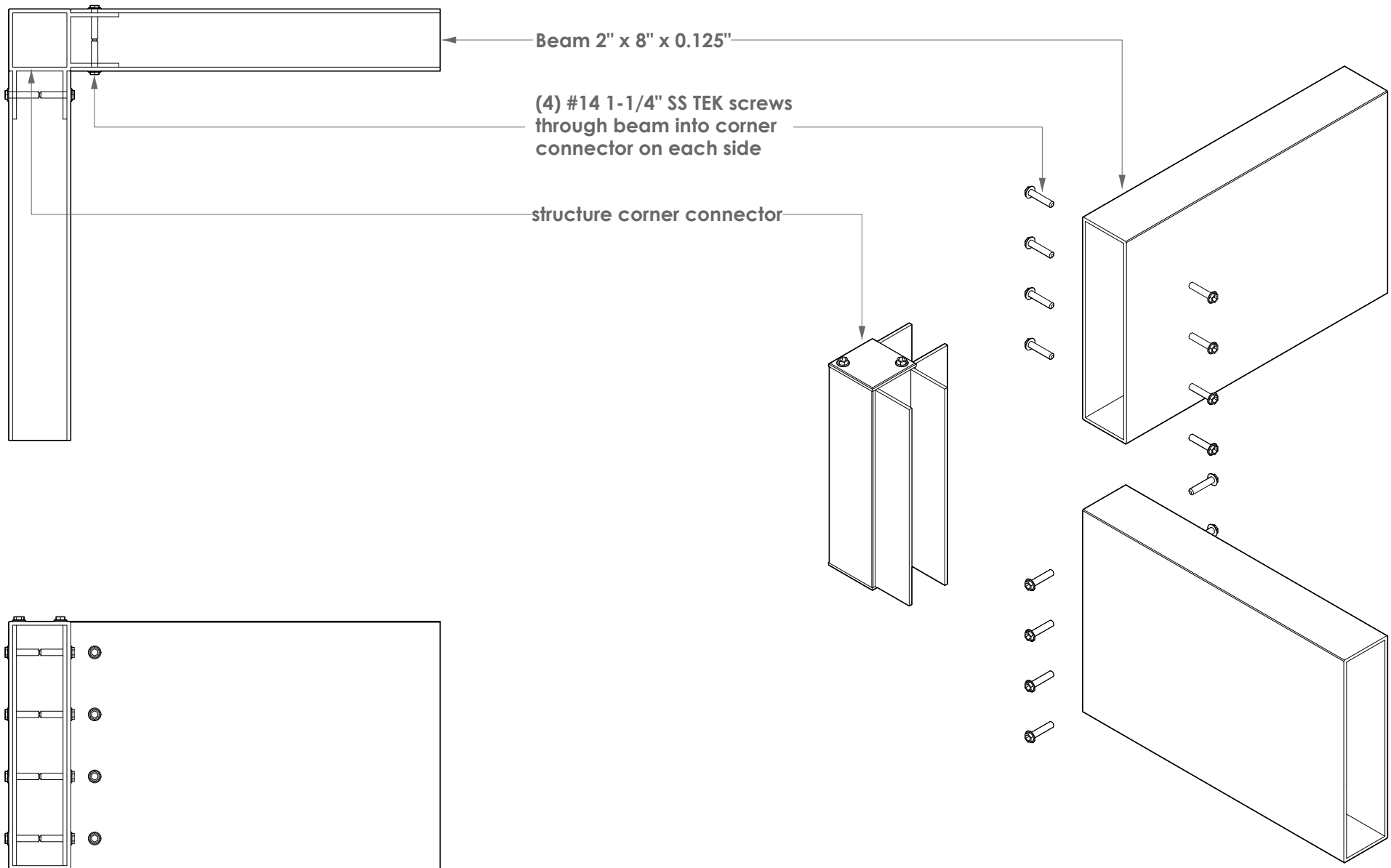
Section B-B
page name

A105
page #

Louvers 6063-T5
All others components 6063-T6
aluminium type

Section B-B
Scale: 1" = 6' 0"

Social Birmingham



SKYVIEW
DETROIT
2605 Commercial Park Rd,
Commerce Charter Twp, MI 48390
presented by,

December 10, 2024
date issued

225 E Maple Rd.
address

241210
project #

06
drawing #

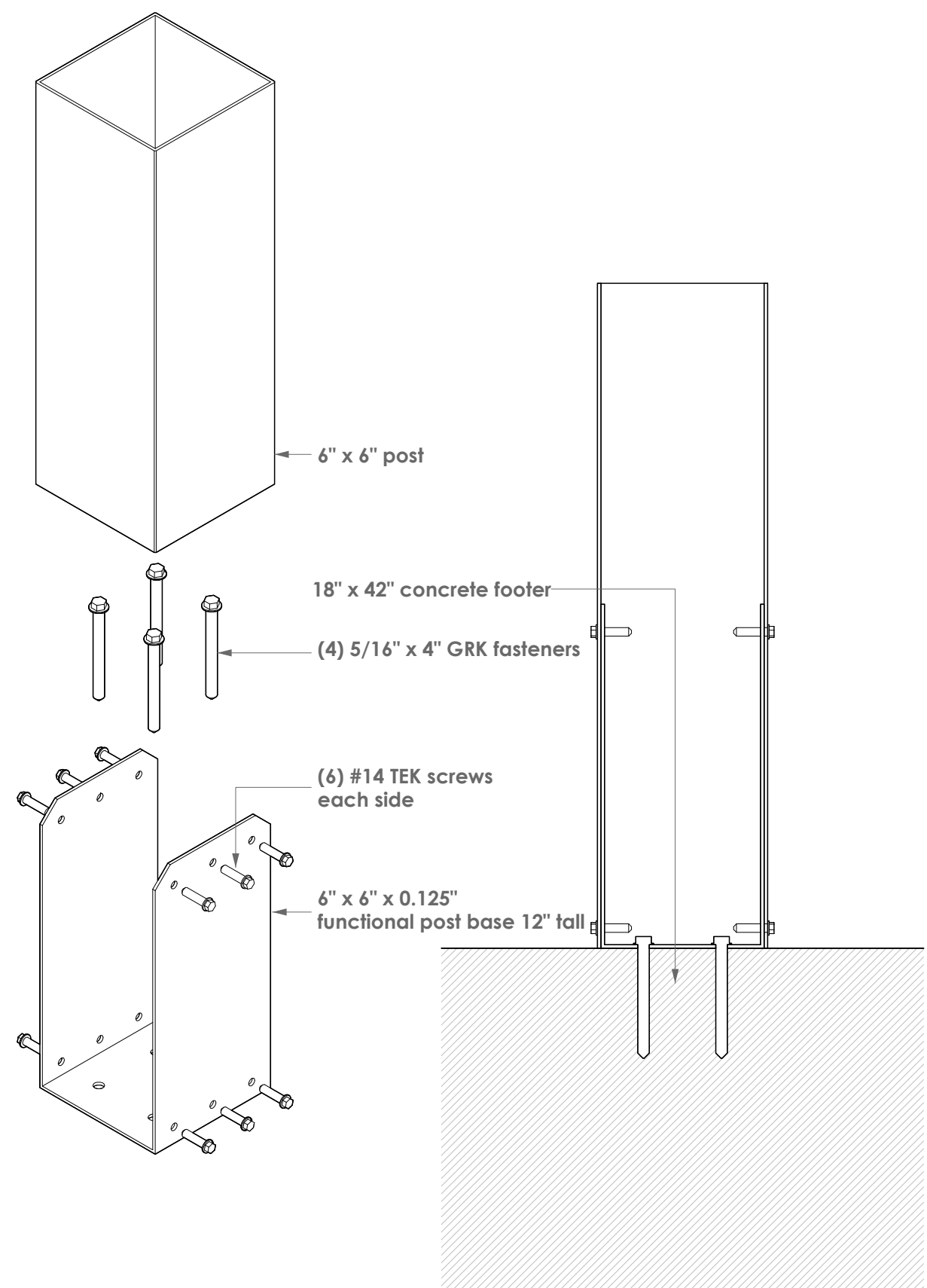
Corner Detail
page name

A106
page #

Louvers 6063-T5
All others components 6063-T6
aluminium type

○ **Corner Detail**

Social Birmingham



SKYVIEW
DETROIT

2605 Oakley Park Rd,
cCommerce Charter Twp, MI 48390
presented by

December 10, 2024
date issued

225 E Maple Rd.
address

241210
project #

07
drawing #

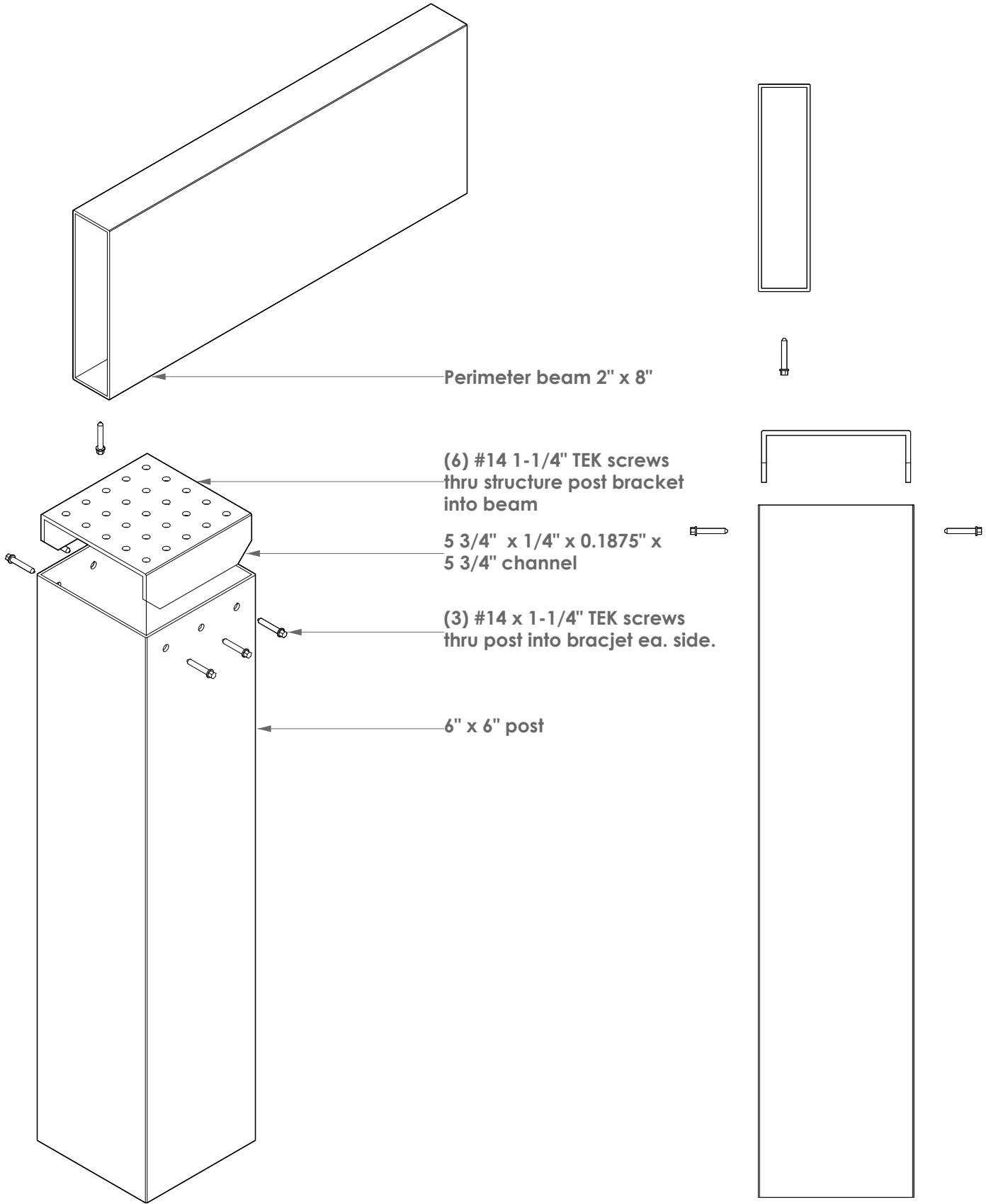
Footer Detail
page name

A107
page #

Louvers 6063-T5
All others components 6063-T6
aluminium type

Footer Detail

Social Birmingham



2605 Oakley Park Rd,
cCommerce Charter Twp, MI 48390
presented by

December 10, 2024
date issued

225 E Maple Rd.
address

241210
project #

08
drawing #

Post Detail
page name

A108
page #

Louvers 6063-T5
All others components 6063-T6
aluminium type

Post Detail

Social Birmingham

For concret attachment:

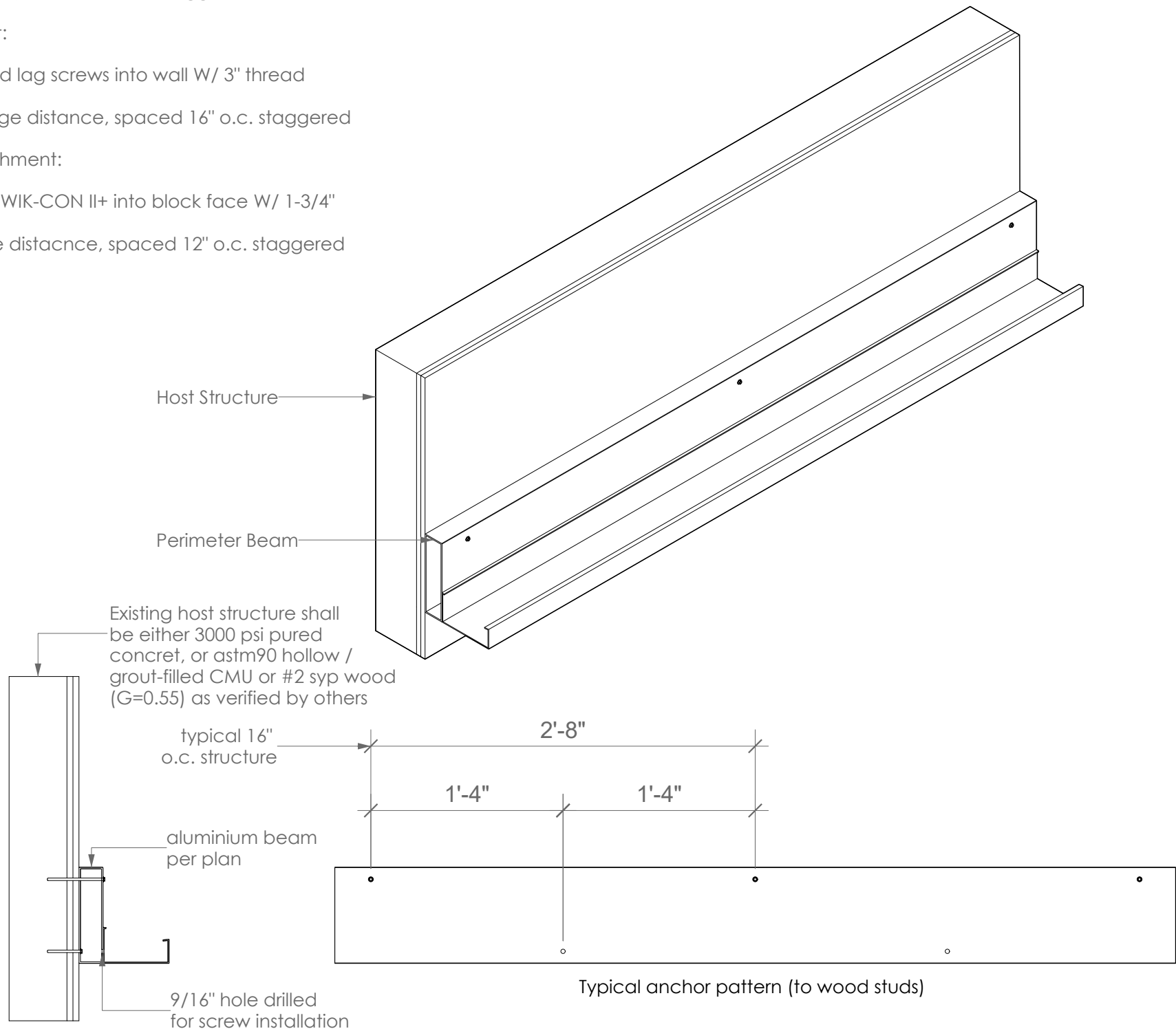
(2) 1/4" diam. ITW stainless steel tapcon into wall W/ 3" embedment
and 3" Edge distance, spaced 12" O.C. staggered

For wood attachment:

(2) 1/4" diam. s.s. wood lag screws into wall W/ 3" thread
engagement
and 3/4" minimum edge distance, spaced 16" o.c. staggered

For hollow CMU attachment:

(2) 1/4" diam s.s. Hilti KWIK-CON II+ into block face W/ 1-3/4"
embedment
and 3" minimum edge distance, spaced 12" o.c. staggered



2605 Oakley Park Rd,
cCommerce Charter Twp, MI 48390
presented by

December 10, 2024

date issued

225 E Maple Rd.

address

241210
project #

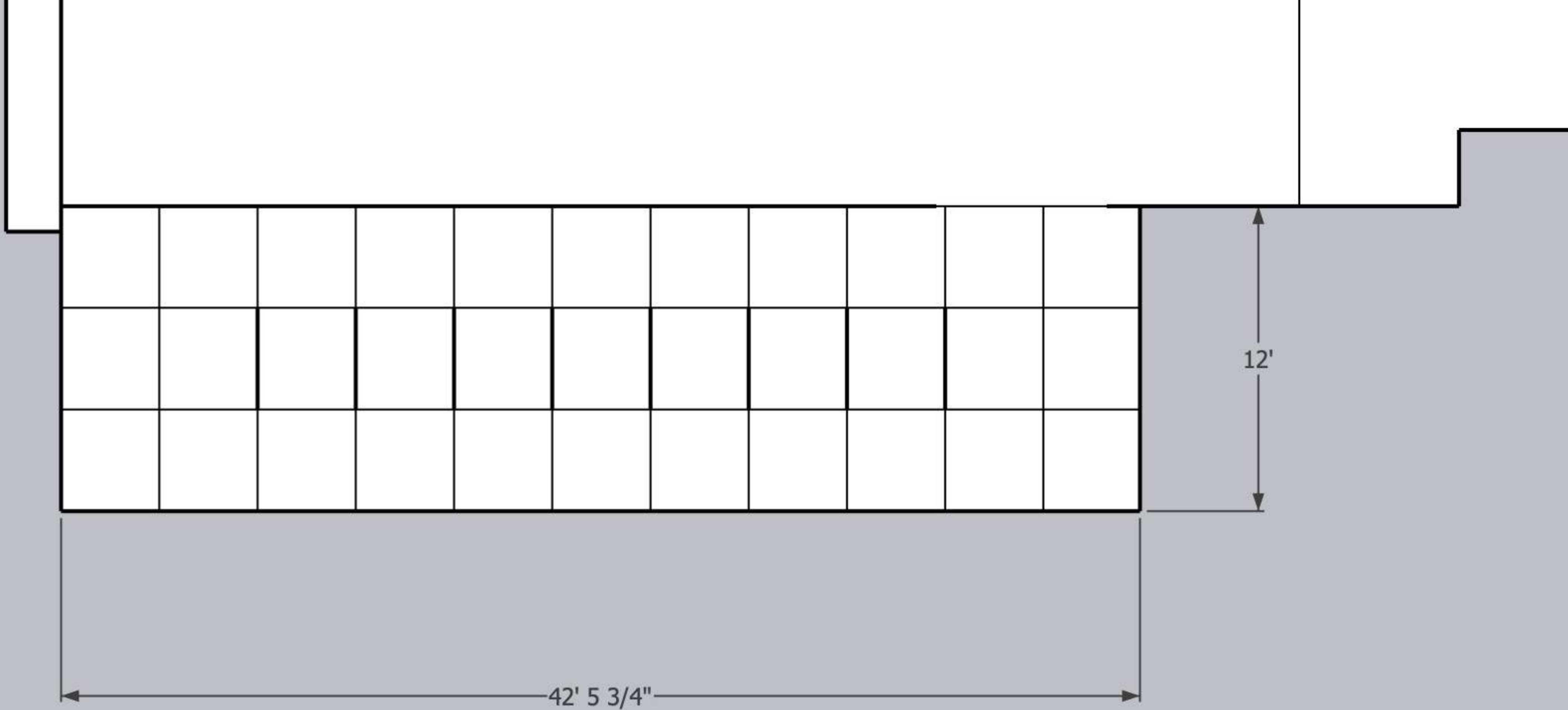
09
drawing #

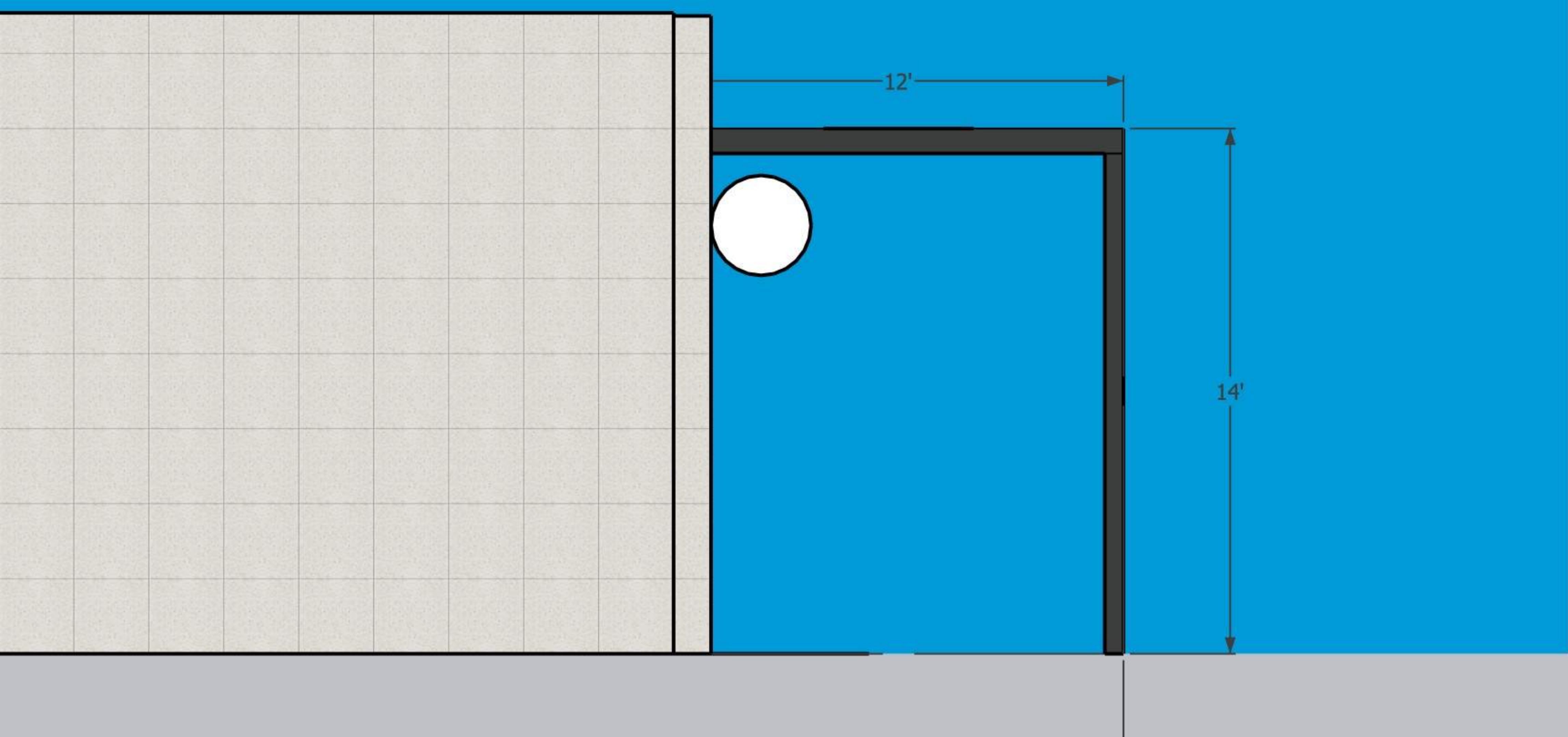
Wall Attach
page name

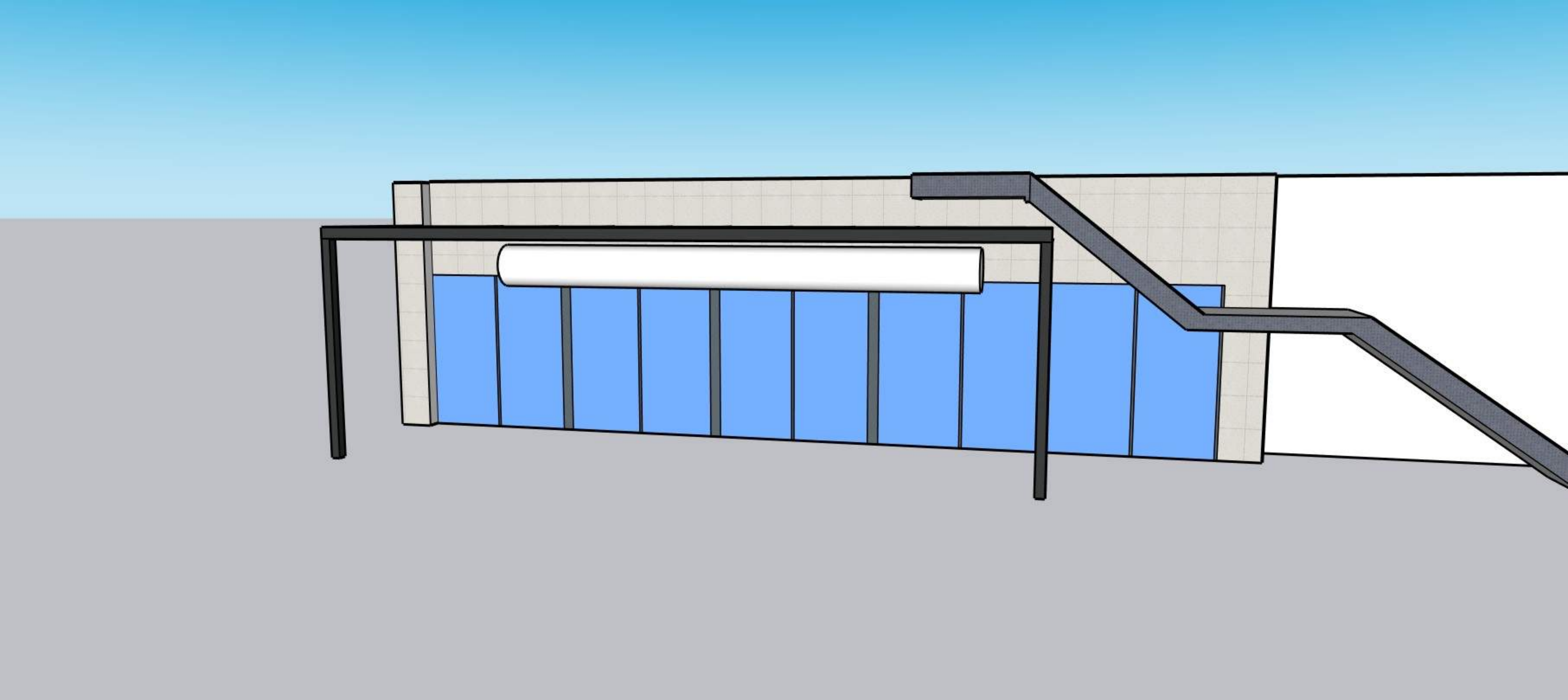
A109
page #

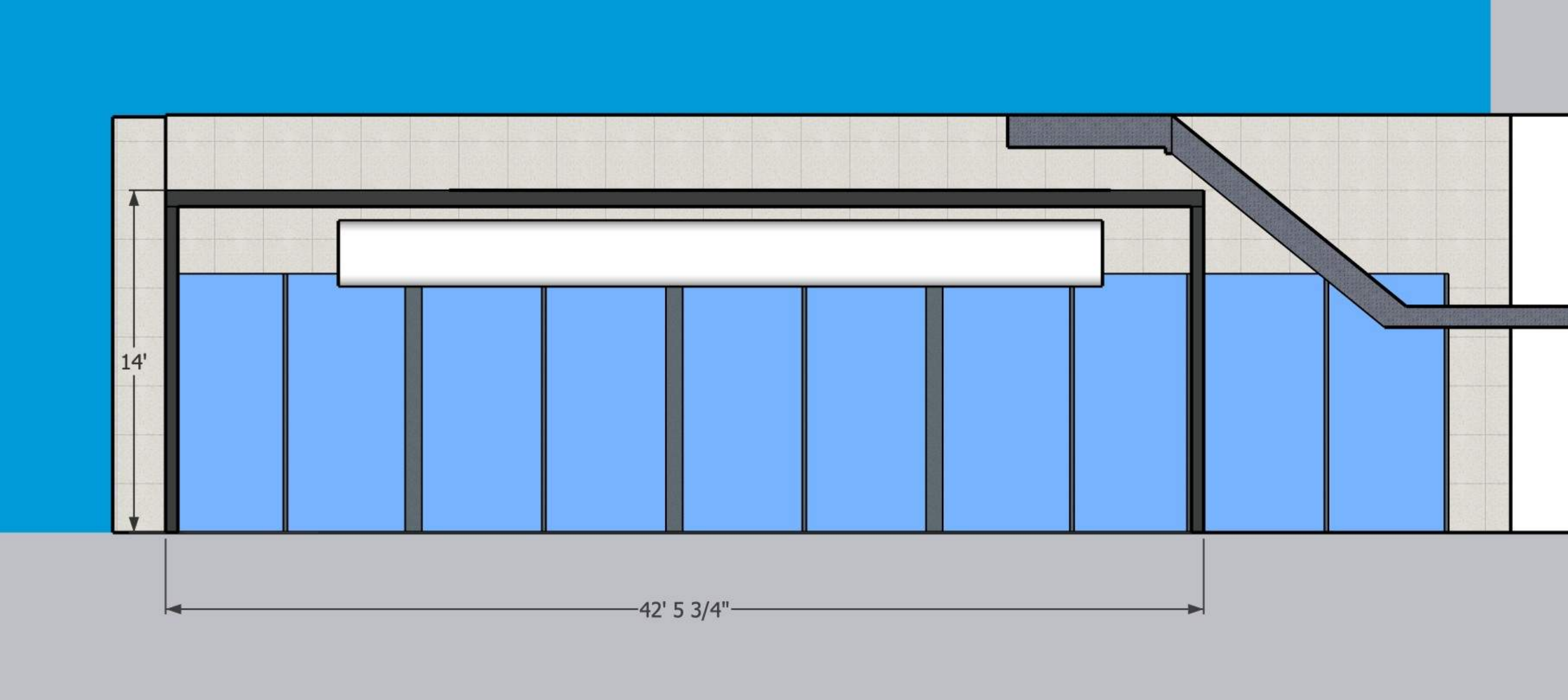
Louvers 6063-T5
All others components 6063-T6
aluminium type

Wall Attach Detail









DIVISION: 08 00 00 – OPENINGS

(Subject to Renew January 1, 2024 or next code cycle)

Technical Evaluation Report

THIS DOCUMENT CONTAINS (4) PAGES. THIS DESIGN EVALUATION TO BE PREPARED & SUBMITTED ALONGSIDE A CORRESPONDING, SEALED, SITE-SPECIFIC DOCUMENT BY A DESIGN PROFESSIONAL. ENGINEER'S DIGITAL OR ORIGINAL HAND SEAL REQUIRED FOR USE. UNCERTIFIED COPIES NOT VALID FOR PERMIT.

EVALUATION SUBJECT: MAGNATRACK ROLLING SCREEN WIND ABATEMENT SYSTEM**TER-22-52902****REPORT HOLDER:**

Progressive Screens

7839 Fruitville Rd

Sarasota, FL 34240

(941) 360-0037 | PROGRESSIVESCREENS.COM

MAGNATRACK
U S P A T E N T 9 7 1 9 2 9 2

Florida Building Code Seventh Edition (2020)

International Building Code (2015 & 2018)

SCOPE OF EVALUATION (compliance with the following codes):

THIS IS A STRUCTURAL (WIND) PERFORMANCE EVALUATION ONLY. NO ENERGY / UV / FIRE RATINGS OR CERTIFICATIONS ARE OFFERED OR IMPLIED HEREIN.

This Product Evaluation Report is being issued in accordance with the requirements of the **Florida Building Code Seventh Edition (2020)** per ASCE 7, FBC Building Ch. 16, FBC Building Sections 104.11 & 1622.2.1, & FBC Residential Sections AH103.1 & R301.2.1.1.1.1. This report is also in accordance with the **International Building Code (2012, 2015, & 2018)**. The product noted on this report has been tested and/or evaluated as summarized herein.

IN ACCORDANCE WITH THESE CODES EACH OF THESE REPORTS MUST BEAR THE ORIGINAL SIGNATURE & RAISED SEAL OR DIGITAL SEAL OF THE EVALUATING ENGINEER.

SUBSTANTIATING DATA:**• Product Evaluation Documents**

Substantiating documentation has been submitted to provide this TER and is summarized in the sections below.

• Structural Engineering Calculations

Structural engineering calculations have been prepared which evaluate the product based on comparative and/or rational analysis to qualify the following design criteria:

- Max. allowable system wind pressure integrity

Calculation summary is included in this TER and appears herein. NOTE: No 33% increase in allowable stress has been used in the design of this product.

Calculations supported by Magnatrack FSA FL# 30798, signed & sealed by Hermes F Norero, P.E. & testing reports listed on Page 4 of this TER

HURRICANE WARNING REQUIREMENT:

Screen system is not designed to withstand named storm wind events and is not rated for impact resistance of any kind. Screen only design. Therefore, screen shall be retracted during any named storm (75 mph sustained winds) to preserve system integrity.

LIMITATIONS & CONDITIONS OF USE:

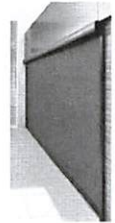
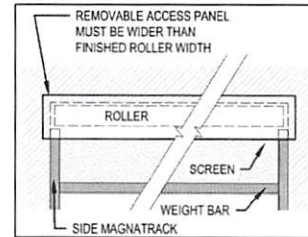
Use of the product(s) listed herein shall be in strict accordance with this TER as noted herein. The host structure shall be designed to resist all superimposed loads as determined by others on a site-specific basis as may be required by the Authority Having Jurisdiction. Host structure conditions which are not accounted for in this product's respective anchor schedule shall be designed on a site-specific basis by a registered professional engineer. No evaluation is offered for the supporting structure by use of this document. Adjustment factors noted herein and the applicable codes must be considered, where applicable. This evaluation does not offer any evaluation to meet large/small missile impact debris requirements or named storm resistance rating.

OPTIONS:

This evaluation is valid for recessed or surface installation of Magnatrack Rolling Screen Wind / Sun / Insect abatement System using a 4" or 5.5" roller with appropriate fabric detailed herein, at (1) project address. Maximum installed dimensions are not to exceed 30 ft width x 12 ft height as detailed in the design schedules herein. Any structural changes outside of the design as described herein would void this certification.

SYSTEM MATERIALS:

U-channel made of aluminum 6063-T6, Magnatrack Side Track aluminum 6063-T5, Side Track Clip aluminum 6063-T5, Roller aluminum 6063-T6, #6x 1/2" TEK screw (Robertson/ square drive) 1018 Steel and js500 coating (or Equiv.) between side track and clip. Materials not noted to be 6063-T6 aluminum min.



NOTE: THE GRAPHICAL DEPICTIONS IN THIS REPORT ARE FOR ILLUSTRATIVE PURPOSES ONLY AND MAY DIFFER IN APPEARANCE.

FINISH: Powder-coated, optional wet coat.

STRUCTURAL PERFORMANCE:

Models referenced herein are subject to the following design limitations:
(See schedule table herein for sizes and allowable pressures):

Rated For Wind Speeds *Not Exceeding* 75 MPH
ASCE-7 / Exposure D / Installation Elevation Up To (60 ft)
System to be Fully Retracted When Sustained Wind Speeds Exceed 40 MPH to Avoid Damage To Screen Material. Rips or Tears in Screen Material Shall Void Certifications Provided Herein & May Void Manufacturer Warranty.

- Required design wind pressures shall be determined on a site-specific basis in accordance with ASCE 7 and applicable sections of the building code(s) being referenced in accordance with ASD methodology.
- Required design pressures shall be less than or equal to the allowable design pressure capacity values listed herein for any assembly as shown.
- Valid for installation inside and outside the High-Velocity Hurricane Zone (HVHZ). No Wind Resistance or Impact rating is offered by this product.
- Site-specific design analysis may produce alternate limitations provided maximum rated wind pressures stated herein are not exceeded.

VISIT [ECALC.IO/52902](https://ecalculator.io/52902)

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ORIGINAL SIGNATURE AND RAISED SEAL
OR DIGITAL SEAL REQUIRED TO BE VALID PER CODE:

ATTENTION
Scanned copies not to be used to obtain permit

July 19, 2022

Frank Bennardo, P.E., SECB
ENGINEERING EXPRESS®☐ If Checked, Certifying
Engineer and PE #

FL PE #0046549

FLCA #9885

Appear Above

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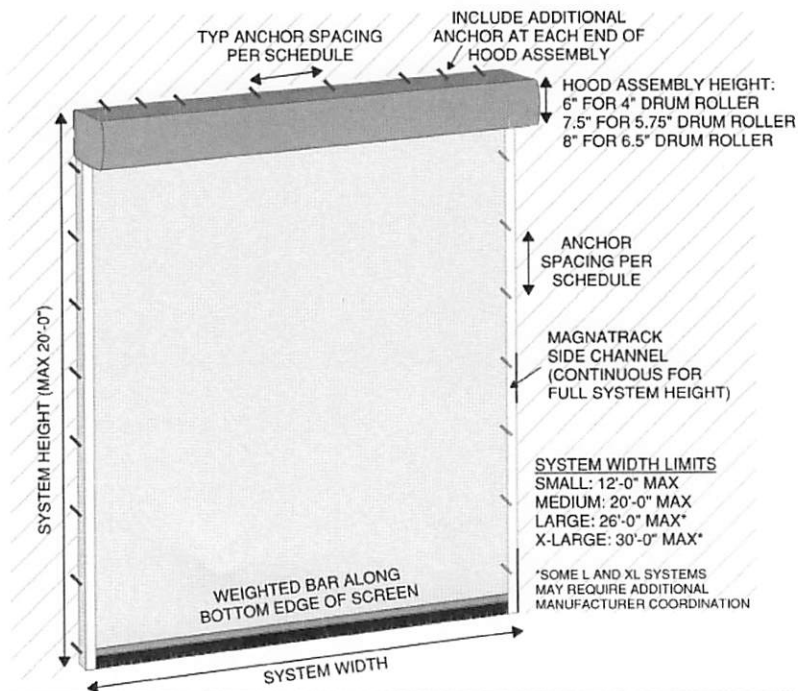
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PRODUCT INSTALLATION

INSTALLATION:

The product(s) listed in this report shall be installed in strict compliance with this TER & manufacturer-provided model specifications. The product components shall be of the material(s) specified in the manufacturer-provided product specifications. All anchors must be installed in accordance with the applicable provisions & anchor manufacturer's published installation instructions.



Allowable Screen Fabrics:

Bug Screen:	SuperScreen 17/14 Fiberglass Mesh. Porosity ~50% To 80%
	SuperScreen 20/20 No-See-Um Mesh Screen. Porosity ~70% To 80%
Sun Shade:	Textiline Nano 95 Sun Screen. Porosity ~95%
	Textiline Nano 97 Sun Screen. Porosity ~97%
Solid:	Solid Screen Material Utilized May Vary. Porosity = 100% (Fully Solid)

Magnatrack Side Track Anchor Spacing Requirement Schedule

Maximum Allowable Wind Speed = **75 MPH** (Sustained Winds); Design Loading not to Exceed **±10 PSF (ASCE 7, ASD)**

Screens are to be fully retracted during wind events exceeding the design criteria above.

For Build-Out Conditions, Refer appropriate Flush or Recessed Spacing for host connection.

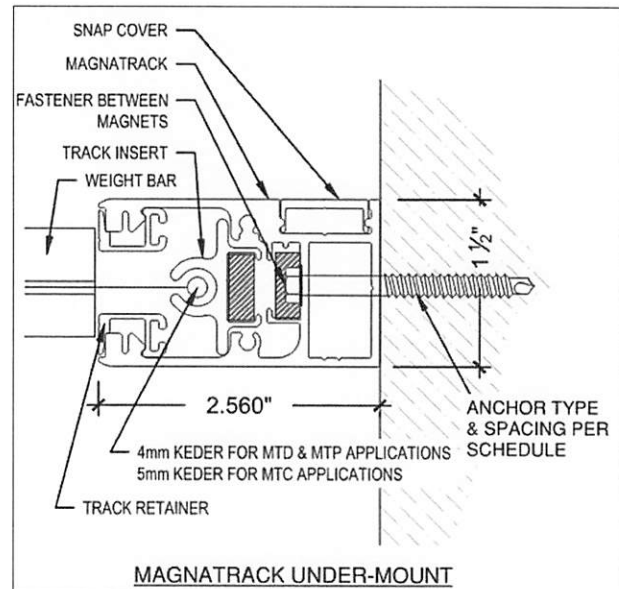
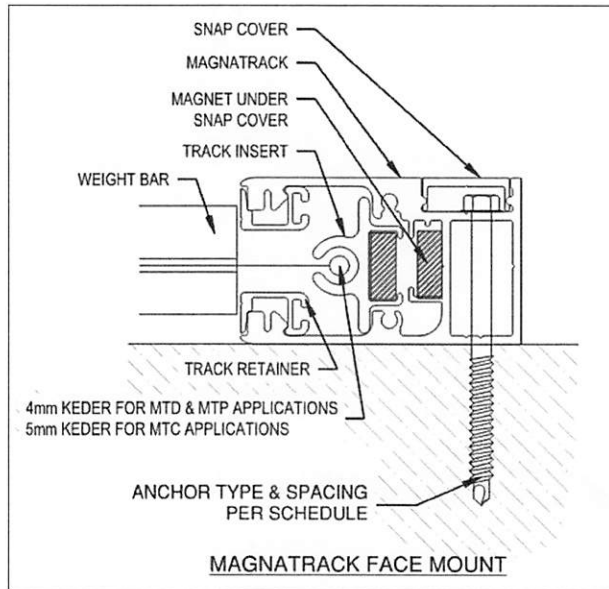
Screen Fabric Style	System Size	Roller Size	To Concrete Use Anchor A		To Wood Use Anchor B or C		To Filled CMU Use Anchor D	
			O.C. Spacing Per Mount Orientation		O.C. Spacing Per Mount Orientation		O.C. Spacing Per Mount Orientation	
			Face	Under	Face	Under	Face	Under
Bug Screen	S	4"	24"	24"	24"	24"	24"	24"
	M	Drum	24"	24"	18"	15"	24"	24"
	L	5.75"	24"	24"	12"	12"	18"	18"
	XL	Drum	24"	24"	12"	12"	18"	18"
Sun Shade	S	4"	24"	24"	24"	21"	24"	24"
	M	Drum	24"	24"	15"	15"	21"	21"
	L	5.75"	24"	24"	12"	12"	18"	18"
	XL	6.5"	24"	24"	12"	9"	15"	15"
Solid Vinyl Screen	S	4"	24"	24"	24"	21"	24"	24"
	M	Drum	24"	24"	15"	15"	21"	21"
	L	5.75"	24"	24"	12"	12"	18"	18"
	XL	6.5"	24"	24"	12"	9"	15"	15"

IN ALL CONDITIONS IT IS THE RESPONSIBILITY OF THE PERMIT HOLDER TO ENSURE THE HOST STRUCTURE IS CAPABLE OF WITHSTANDING THE RATED GRAVITY, LATERAL, AND UPLIFT FORCES BY SITE-SPECIFIC DESIGN. NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED, IS OFFERED BY ENGINEERING EXPRESS AS TO THE INTEGRITY OF THE HOST STRUCTURE TO CARRY DESIGN FORCE LOADS INCURRED BY THIS UNIT.

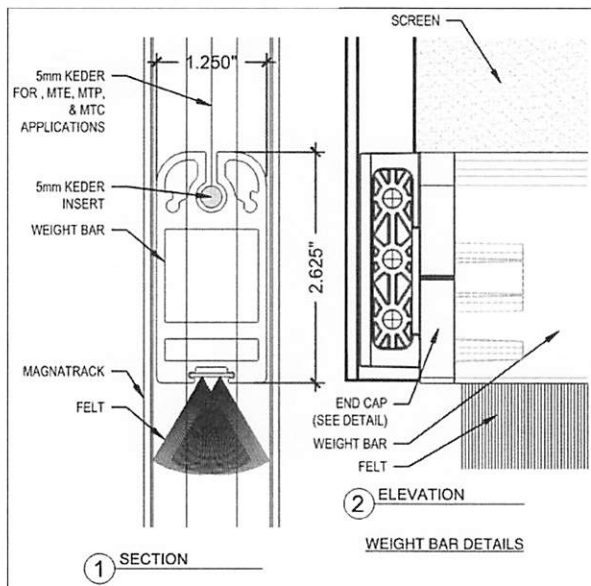
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MAGNATRACK MOUNTING ORIENTATIONS & ASSEMBLIES



WEIGHT BAR ASSEMBLY



PRODUCT TESTING INFORMATION

Per testing information provided by the client

1. Product Testing Performed by Blackwater Testing Inc (FBC Organization #TST10394)
Report # BT-PGS-19-001 Date: 10/16/2019
Signed & Sealed by Constantin Bortes, P.E. FL# 77915
Report # BT-PGS-20-001 Date: 12/02/2020
Signed & Sealed by Michael Caldwell, P.E. FL# 49979

Additional testing information for this product per test reports referenced on FSA FL# 30798

Proj. #	Remarks	By	Checked	Date
22-52902	Initial Issue	CCB	FLB	6/29/22

Anchor to Host Structure Details

(Anchor Spacing As Listed In Schedule)

- 1/4" ITW Redhead Tapcon embedded 1 3/4" into 3,000 psi. 2 1/2" from edges minimum.
- 1/4" ITW Redhead Tapcon embedded 2 1/4" into SG= 0.55 wood. 2" from edge minimum.
- #16 or 1/4" Wood screw Gr 2. Min. 2.4" min penetration into main member (SG= 0.55) edge distance 1.5" min
- 1/4" Redhead Trubolt Wedge Anchor embedded 2" into Grout filled masonry (f'm= 1500 psi) minimum. With edge distance of 3.75" minimum.

System Notes:

- Design considers minimum wind & loading conditions (75 MPH / 10 PSF) & fabric porosity as required. System to be fully retracted during named wind events & conditions exceeding those listed herein
- Design pressures are STATIC UNIFORM LOAD only. Cyclical forces have not been considered in this evaluation.
- In no case has the product been tested or approved for any missile level (B, C, D, or E) per ASTM 1886/1996
- The product(s) listed in this report shall be installed in strict compliance with this TER & manufacturer-provided model specifications.
- Use reinforced clip with additional manufacturer specified screw to increase capacity as an option, if required. Equivalent anchors are permitted as long as they have proven capacity.
- Fabric seam and zipper welds are outside the scope of this engineering.

HURRICANE WARNING REQUIREMENT:

Screen system is not designed to withstand named storm wind events, and is not rated for impact resistance of any kind. Therefore, screen shall be retracted during any named storm (75 mph sustained winds) to preserve system integrity.

Social Birmingham Specification Sheet

StruXure Frame

Material: Fully extruded aluminum made from 6063-T6 and 6061-T6 aluminum with an AAMA 2604 Powder Coat finish.

Performance:

- Designed to withstand hurricane conditions in Miami-Dade County.
- Heat resistance up to 1500 degrees Fahrenheit, ensuring top-tier durability.

Roof

Material: 25mm Triple-wall polycarbonate.

Features:

- Thermal Insulation: Enhanced thermal properties with a U-Value of 0.34, ideal for energy-efficient applications such as greenhouses, patios, and sunrooms.
- Light Transmission: High light transmission capabilities that allow natural light while maintaining privacy.
- UV Protection: Dual-sided UV protection prevents yellowing and extends the product lifespan.

MagnaTrack Screens

Innovative Design: Features a patented self-tensioning system with magnets embedded in the tracks for smooth operation and minimal maintenance.

Durability: Engineered to withstand high winds, including hurricane conditions, with superior resistance to mold, scratches, and environmental wear.

Materials: Constructed with high-quality extruded aluminum frames and premium screen fabrics, including solar and Strataglass vinyl options.

Customization: Available in various sizes, colors, and fabrics, and integrates seamlessly with smart home systems for automated operation.

For more details, contact Skyview Detroit at 2605 Oakley Park Rd, Commerce Charter TWP, MI 48390.

Subcategory: 6000 Series Aluminum Alloy; Aluminum Alloy; Metal; Nonferrous Metal

Composition Notes:

Aluminum content reported is calculated as remainder.
Composition information provided by the Aluminum Association.

Key Words: UNS A96063; ISO AlMg0.5Si; Aluminium 6063-T6; AA6063-T6

Component	Wt. %	Component	Wt. %	Component	Wt. %
Al	Max 97.5	Mg	0.45 - 0.9	Si	0.2 - 0.6
Cr	Max 0.1	Mn	Max 0.1	Ti	Max 0.1
Cu	Max 0.1	Other, each	Max 0.05	Zn	Max 0.1
Fe	Max 0.35	Other, total	Max 0.15		

Material Notes:
Data points with the AA note have been provided by the Aluminum Association, Inc..

Physical Properties	Metric	English	Comments
Density	2.7 g/cc	0.0975 lb/in³	AA; Typical

Mechanical Properties

Hardness, Brinell	73	73	AA; Typical; 500 g load; 10 mm ball.
Hardness, Knoop	96	96	Converted from Brinell Hardness Value.
Hardness, Vickers	83	83	Converted from Brinell Hardness Value.
Ultimate Tensile Strength	241 MPa	35000 psi	AA; Typical.
Tensile Yield Strength	214 MPa	31000 psi	AA; Typical.
Elongation at Break	12 %	12 %	AA; Typical; 1/16 in. (1.6 mm) Thickness.
Modulus of Elasticity	68.9 GPa	10000 ksi	AA; Typical; Average of tension and compression. Compression modulus is about 2% greater than tensile modulus.
Ultimate Bearing Strength	434 MPa	62900 psi	Edge distance/pin diameter = 2.0.
Bearing Yield Strength	276 MPa	40000 psi	Edge distance/pin diameter = 2.0.
Poisson's Ratio	0.33	0.33	
Fatigue Strength	68.9 MPa	10000 psi	AA; 500,000,000 cycles completely reversed stress; RR Moore machine/specimen.
Machinability	50 %	50 %	0-100 Scale of Aluminum Alloys.
Shear Modulus	25.8 GPa	3740 ksi	
Shear Strength	152 MPa	22000 psi	AA; Typical.

Electrical Properties

Electrical Resistivity	3.32e-006 ohm-cm	3.32e-006 ohm-cm	AA; Typical at 68°F
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Thermal Properties

CTE, linear 68°F	23.4 µm/m-°C	13 µin/in-°F	AA; Typical; Average over 68-212°F range.
CTE, linear 250°C	25.6 µm/m-°C	14.2 µin/in-°F	Average over the range 20-300°C.
Specific Heat Capacity	0.9 J/g-°C	0.215 BTU/lb-°F	
Thermal Conductivity	200 W/m-K	1390 BTU-in/hr-ft²-°F	AA; Typical at 77°F.
Melting Point	616 - 654 °C	1140 - 1210 °F	AA; Typical range based on typical composition for wrought products 1/4 inch thickness or greater.
Solidus	616 °C	1140 °F	AA; Typical.
Liquidus	654 °C	1210 °F	AA; Typical.

Processing Properties

Annealing Temperature	413 °C	775 °F	hold at temperature for 2 to 3 hr; cool at 50°F per hour from 775 to 500°F.
Solution Temperature	521 °C	970 °F	
Aging Temperature	177 °C	350 °F	hold at temperature for 8 hrs.



MEMORANDUM

Planning Department

DATE: January 22, 2025

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

SUBJECT: 34350 Woodward – Lavery Porsche – Site Plan Extension Request

The development team for the new 3-story auto sales agency in the current Triangle District of Birmingham has submitted a request to extend the approval of their site plan for one year. The original site plan was approved on January 22, 2024.

Article 7, Section 7.28 of the Zoning Ordinances states that upon request, the appropriate reviewing body may grant an extension of not in excess of one year to the applicant prior to the expiration date. Any application for extension of Site Plan approval must be filed on or before the expiration of the original Site Plan approval. An extension may be granted upon compliance with all applicable zoning requirements that are in effect at the time of filing of the application for the extension. All plans must show any revisions that are a result of Zoning Ordinance amendments at the time of filing. The Building Official shall not issue a permit for such work unless a valid final Site Plan and design plan are in effect.

The applicant is not proposing any changes to the approved plans at this time.

Sample Motion Language

I move that the Planning Board grant an extension of _____ for the approved site plans for 34350 Woodward – Lavery Porsche.



January 13, 2025

City of Birmingham
Nicholas J Dupuis, Planning Director
151 Martin St.
Birmingham MI 48009

RE: Fred Lavery Porsch Site Plan Approval Extension

Dear Mr. Dupuis,

As a representative of the Fred Lavery Company I would like to formally request an extension of the Site Plan Approval granted by the Birmingham City Commission on 1/22/24 for the Fred Lavery Porsche project at 34350 Woodward Avenue for a period of one year. We are currently making very good progress on the design and hope to have our final CD's done by 3/1/25. Our current plan is to close the current operation on that same date and commence demolition shortly thereafter with foundations beginning in early May. The plans have fully incorporated all elements of the SLUP agreement. The current schedules have the total construction duration at about 14 months, so we are looking at an opening around 6/1/26.

Regards,


Timothy McCafferty, VP Development
REDICO
One Towne Square, #1600
Birmingham, MI 48076


Frederick Lavery, Owner
Fred Lavery Company
34350 Woodward Ave.
Birmingham, MI 48009



MEMORANDUM

Planning Department

DATE: January 22, 2025

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

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

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

This application is a near exact resubmittal of an existing approved site plan that has expired. The Planning Board approved the original site plan on July 27, 2022 ([Agenda](#) – [Minutes](#)) with the following conditions:

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

At this time, all of the conditions of approval have been met. The Planning Department has been advised that this project is nearing the completion of construction drawings to be submitted to the Building Department for permits. In preparing to do so, it was discovered that the site plan approval had expired. As stated in Article 7, Section 7.28 of the Zoning Ordinance, site Plan approval is valid for a period of one year from the date it is granted.

At this time, the Planning Department is aware of and observes only one change to the site plans from the original 2022 approval. This change was administratively approved in 2023 after thorough review and consultation with the Planning Board Chairperson. The change removed the automated parking system which used a lift and a shuttle to park 52 cars underground. The new

design exists within the same footprint, but will be manually operated by a dedicated valet employed by the applicant. The applicant still exceeds the required parking on-site for the residential uses proposed:

Proposed Use	Requirements	Area or Units	Spaces
3 or more room unit	1.25 spaces per unit	6	9
Total Required	-	-	9
Total Proposed	-	-	18

For the remaining [unchanged] detail of the proposed development, the Planning Department has provided the original, unaltered staff report from 2022 in this package. Please review the report for any details required to make an informed decision regarding the consideration for re-approval of this project.

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.*

This particular project provides unique benefits to the persons occupying the structure, as well as patrons utilizing the site. The proposed thread park offers increased separation between the adjacent buildings and increased landscaping to be used as a place of respite, or a pathway between Maple Rd. and Martin St. In addition, this building is an addition to an existing building that has landscaped open space at the front and rear that will remain unchanged.

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.*

This building addition is 5-stories, which will be taller than the adjacent St. James Church. However, the building is set back from the property line which will aid in providing light to windows located on the church's east wall. It can be assumed that with the additional height, there will be some effect on sunlight, but it is expected to be minimal.

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.*

The proposed addition is on a property that spans an entire block from north to south, and is adjacent to only one other property. With the placement of the addition and the original building remaining unchanged, this development is not expected to hinder the reasonable development of adjoining property and not diminish the value thereof.

4. *The site plan, and its relation to streets, driveways and sidewalks, shall be such as to not interfere with or be hazardous to vehicular and pedestrian traffic.*

The site plan proposed is not expected to interfere with or be hazardous to vehicular and pedestrian traffic. The only existing curb cut, which is located on S. Bates, is expected to remain in the same general location with no new curb cuts or vehicular access points added. This conflict area has good visibility to pedestrians and the site offers many safe pedestrian paths.

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.*

This proposed development is generally compatible with other uses and buildings in the neighborhood and will not be contrary to the spirit and purpose of this chapter. In addition, this project was fully vetted by the Historic District Commission.

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.*

As noted above, the existing landscaped open space and proposed thread park provide adequate open space for the benefit of the inhabitants of the building and the surrounding neighborhood.

Recommendation

Based on a review of the site plans submitted and the approval criteria of Article 7, Section 7.27 of the Zoning Ordinance, the Planning Department recommends that the Planning Board recommend **APPROVAL** of the Final Site Plan & Design Review application for 320 Martin St. subject to the following conditions:

1. The applicant must comply with the requests of all City Departments; and
2. The applicant understands that site plan approval shall be valid for a period of one year from the date it is granted. Upon request, the appropriate reviewing body may grant an extension of not in excess of one year to the applicant prior to the expiration date in accordance with Article 7, Section 7.28 of the Zoning Ordinance.

Sample Motion Language

Motion to adopt the findings of the Planning Department in the report dated January 22, 2025 related to the approval criteria outlined in Article 7, Section 7.27 of the Zoning Ordinance and **APPROVE** the Final Site Plan & Design Review application for 320 Martin St. subject to the following conditions:

1. The applicant must comply with the requests of all City Departments; and

2. The applicant understands that site plan approval shall be valid for a period of one year from the date it is granted. Upon request, the appropriate reviewing body may grant an extension of not in excess of one year to the applicant prior to the expiration date in accordance with Article 7, Section 7.28 of the Zoning Ordinance.

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

1. _____
2. _____
3. _____

OR

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

1. _____
2. _____
3. _____



MEMORANDUM

Planning Division

DATE: July 27, 2022

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

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

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

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

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

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

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

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

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

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

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

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

1.0 Land Use & Zoning

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

(Please see next page)

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

2.0 Setback & Height Requirements

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

3.0 Screening & Landscaping

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4.0 Parking, Loading & Circulation

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

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

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

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

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

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

5.0 Lighting

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

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

6.0 Departmental Reports

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

7.0 Design Review

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

Façade Materials

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

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

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

Signage

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

Glazing

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

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

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

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

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

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

The glazing calculations for each façade is provided below:

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

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

Projections into the Right-of-Way

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

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

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

Rooftop Use

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

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

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

8.0 Required Attachments

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

9.0 Approval Criteria

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

- 9.1 The location, size and height of the building, walls and fences shall be such that there is adequate landscaped open space so as to provide light, air and access to the persons occupying the structure.
- 9.2 The location, size and height of the building, walls and fences shall be such that there will be no interference with adequate light, air and access to adjacent lands and buildings.

- 9.3 The location, size and height of the building, walls and fences shall be such that they will not hinder the reasonable development of adjoining property and not diminish the value thereof.
- 9.4 The site plan, and its relation to streets, driveways and sidewalks, shall be such as to not interfere with or be hazardous to vehicular and pedestrian traffic.
- 9.5 The proposed development will be compatible with other uses and buildings in the neighborhood and will not be contrary to the spirit and purpose of this chapter.
- 9.6 The location, shape and size of required landscaped open space is such as to provide adequate open space for the benefit of the inhabitants of the building and the surrounding neighborhood.

10.0 Recommendation

Based on a review of the site plans submitted and the requirements outlined in Article 7, Section 7.27 of the Zoning Ordinance, the Planning Division recommends that the Planning Board **APPROVE** the Final Site Plan and Design Review application for 320 Martin St. with the following conditions:

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

11.0 Sample Motion Language

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

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

OR

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

- 1. _____
- 2. _____
- 3. _____

OR

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

1. _____
2. _____
3. _____

PROPOSED ADDITION FOR:

320 Martin Street - ADDITION

biddison |
architecture + design

CONDITIONS OF WORK

CONSTRUCTION COORDINATION:

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

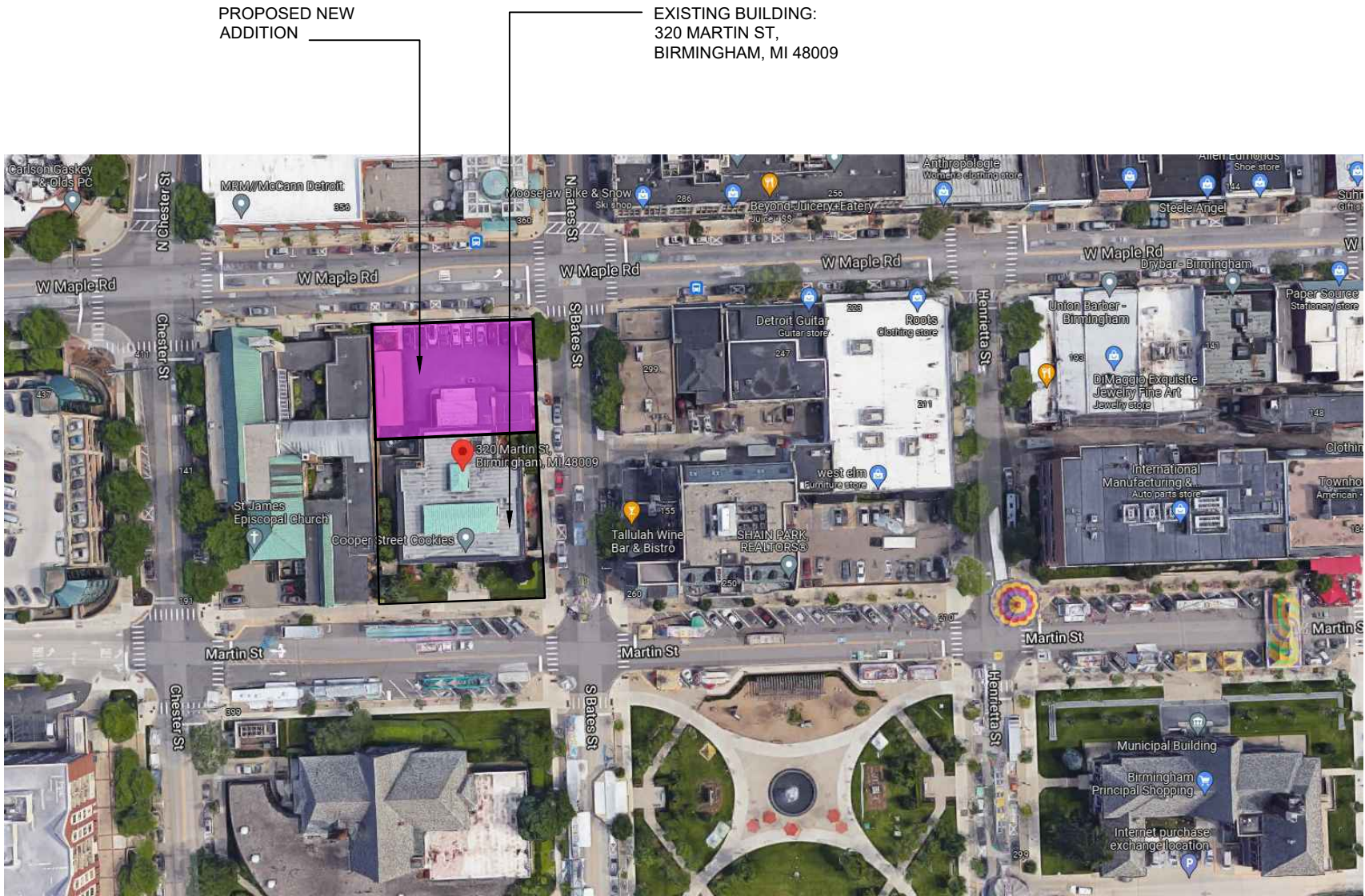
PERMITS & SAFETY:

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

CODE COMPLIANCE:

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

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



LOCATION PLAN



PROJECT ADDRESS

320 Martin Street
Birmingham, Michigan 48009

Zoned: B-4 Business Residential

APPLICANT INFORMATION

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

SHEET INDEX

T.101	TITLE SHEET
SP.101	SITE PLAN
A.101	LOWER LEVEL AND FIRST FLOOR PLANS
DO.5	TYPICAL UNDERGROUND PARKING
D1	FIRST FLOOR PLAN
D2	SECOND FLOOR PLAN
D3	THIRD FLOOR PLAN
D4	FOURTH FLOOR PLAN
D5	FIFTH FLOOR PLAN
D6	ROOF PLAN
A.201	ELEVATIONS
A.202	ELEVATIONS
A.301	3D PERSPECTIVE IMAGE
A.302	3D PERSPECTIVE IMAGE

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

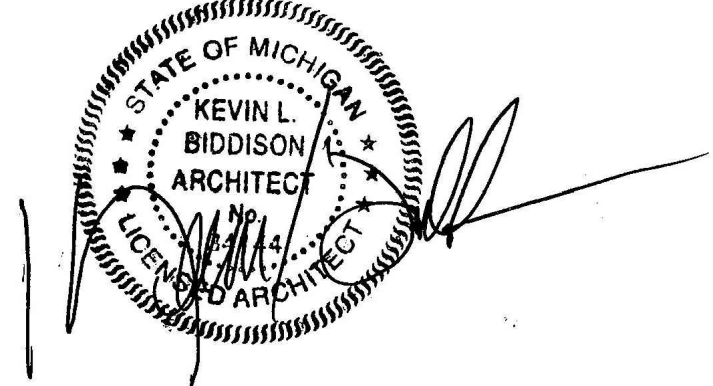
Consultants

Project data

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

Issued for

HISTORIC DESIGN BOARD REVIEW	01.24.2022
HISTORIC DESIGN BOARD REVIEW	03.09.2022
CIS - COMMUNITY IMPACT STUDY	05.06.2022
FINAL SITE PLAN APPROVAL	06.28.2022
PLANNING COMMISSION FOR ADMINISTRATIVE APPROVAL	07.07.2023
FINAL SITE PLAN APPROVAL	01.06.2025



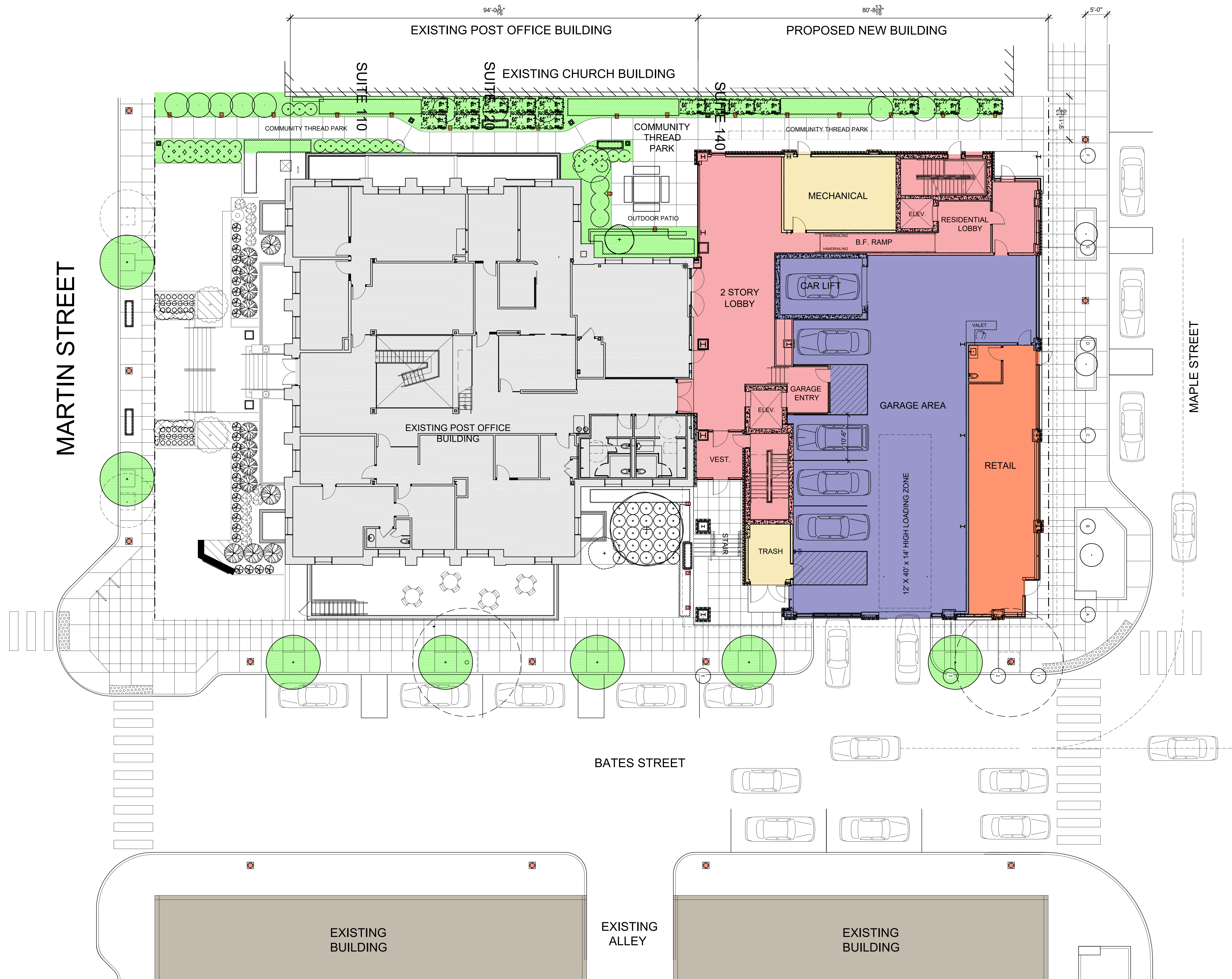
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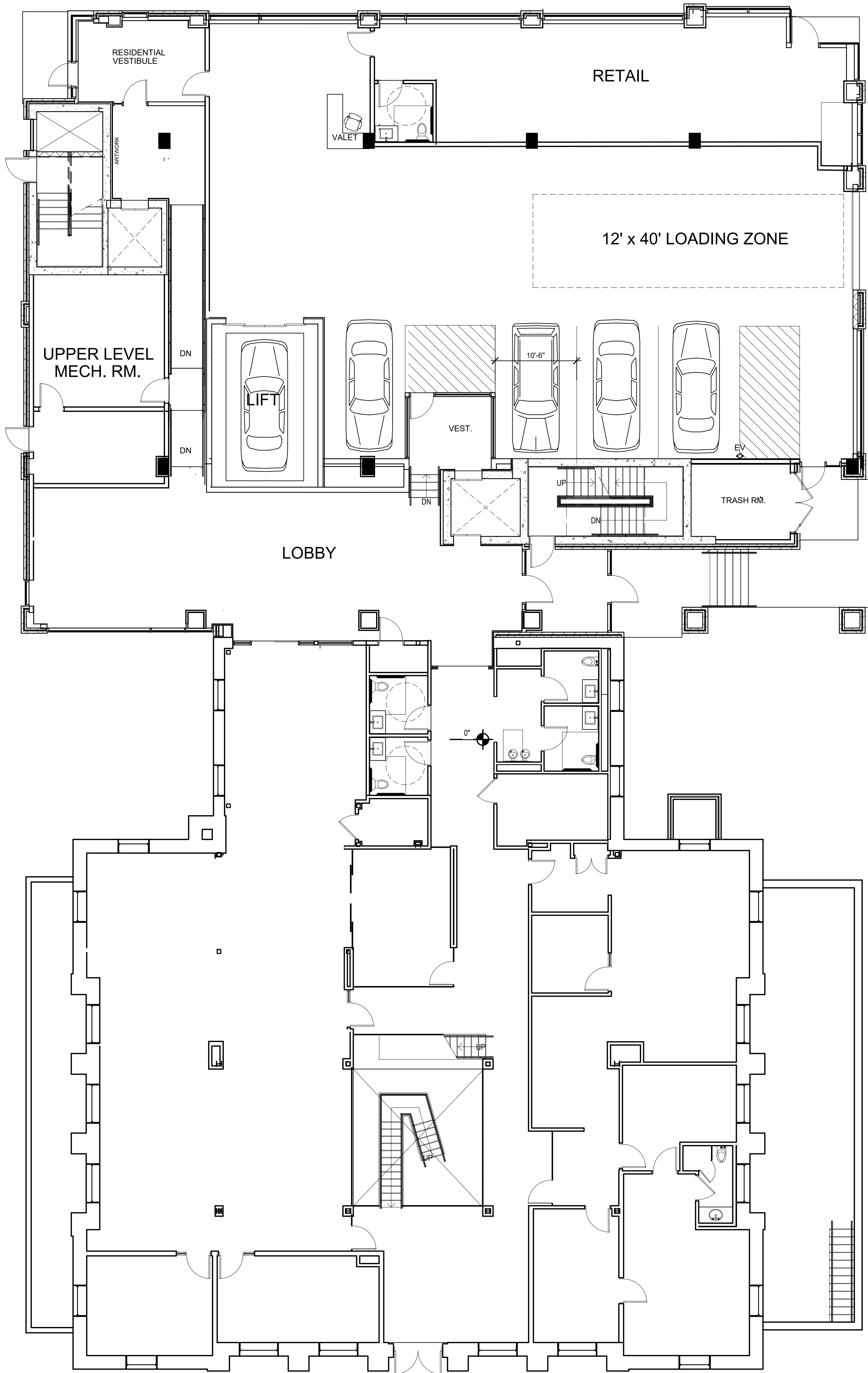
320 Martin - ADDITION

2075-21

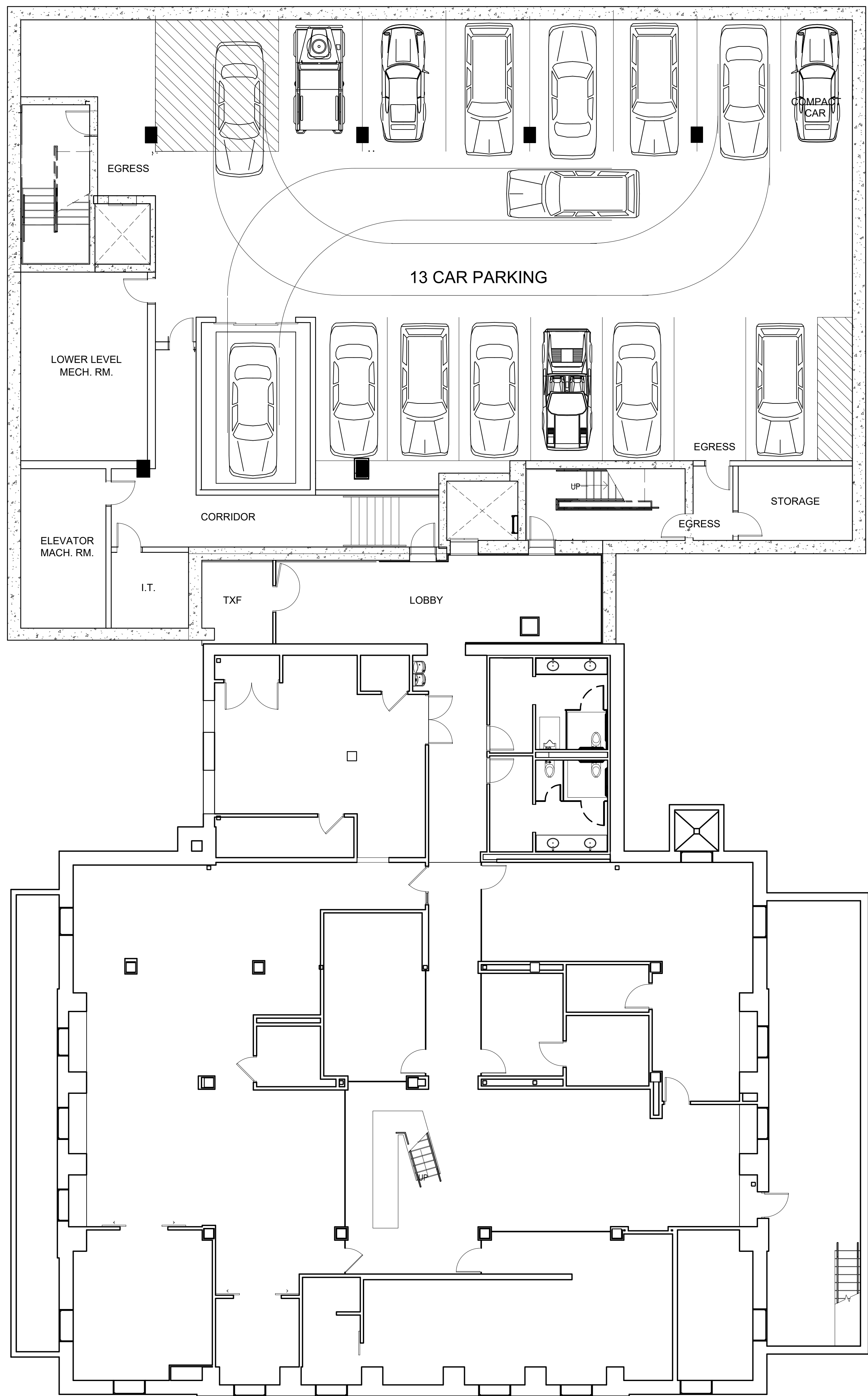
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T.101

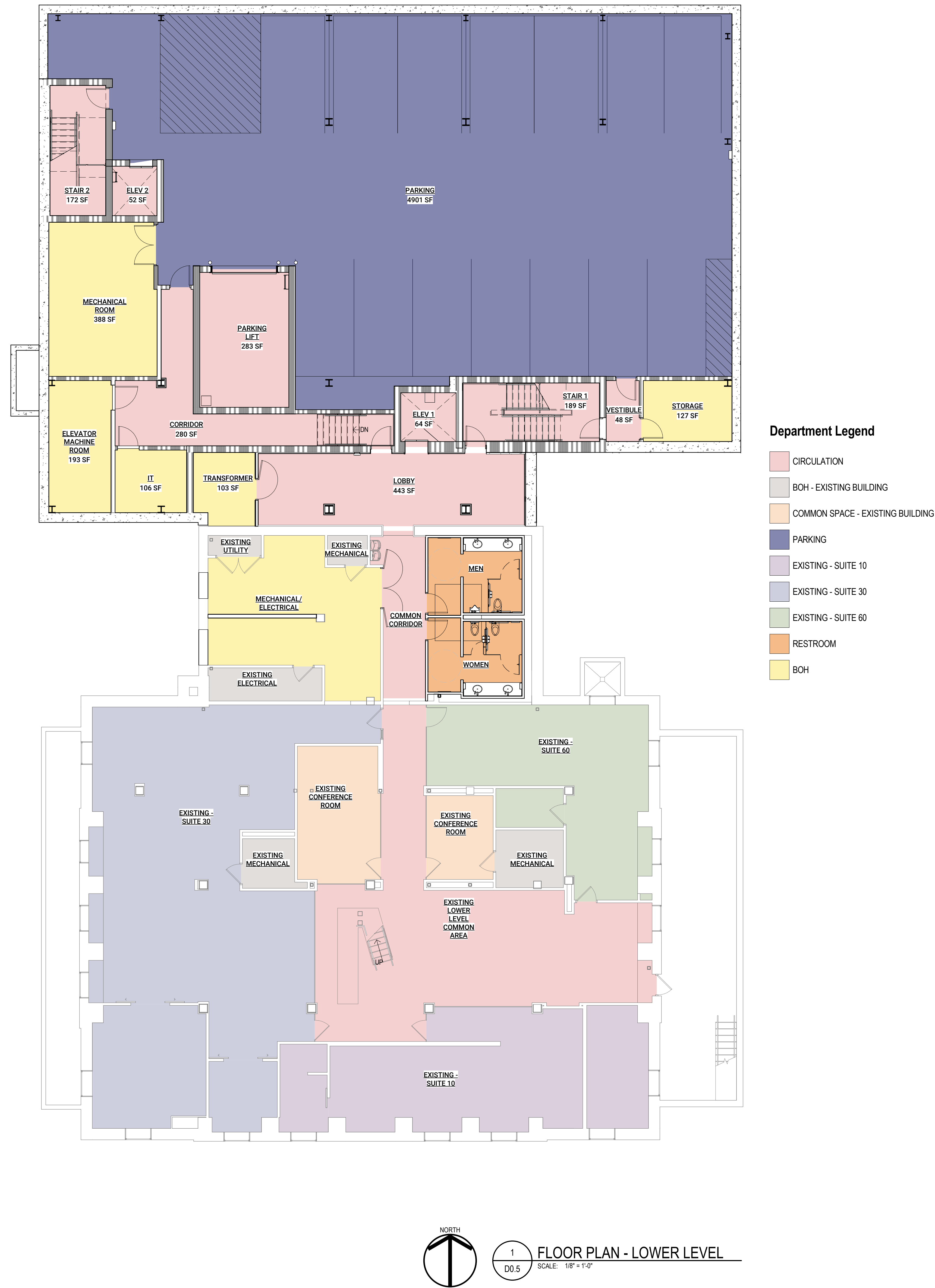




NORTH
FIRST FLOOR PLAN



NORTH
LOWER LEVEL FLOOR PLAN



ISSUED FOR REFERENCE ONLY



Revisions

7.3.2023 DESIGN PLANS

Drawn ☐ Preliminary
SSB ☒ Construction
Checked ☐ Record
PRB
Approved ☐ Do not scale
JLS Use figured dimensions only
Bidpak Number

Job Number
2022041
Title
FIRST FLOOR DESIGN PLANS

Sheet
D1

ISSUED FOR REFERENCE ONLY



Revisions

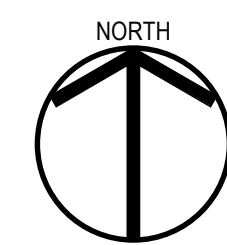
7.3.2023 DESIGN PLANS

Drawn **MGS** Preliminary
Checked **SSB** Construction
Approved **JS** Record
Bidpak Number Use figured dimensions only

Job Number
2022041
Title
**SECOND FLOOR
DESIGN PLANS**

Sheet
D2

ISSUED FOR REFERENCE ONLY



1
D2

FLOOR PLAN - LEVEL 2

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



Revisions

7.3.2023 DESIGN PLANS

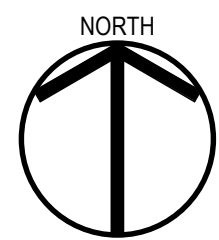
Drawn	SSB	☒ Preliminary
Checked	SSB	☐ Construction
Approved	JS	☐ Record
Bidpak Number		
		Do not scale Use figured dimensions only

Job Number
2022041

Title
THIRD FLOOR DESIGN
PLANS

Sheet
D3

ISSUED FOR REFERENCE ONLY



1
D3

FLOOR PLAN - LEVEL 3

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

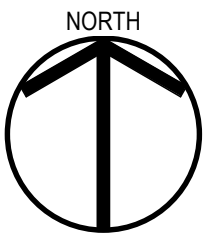
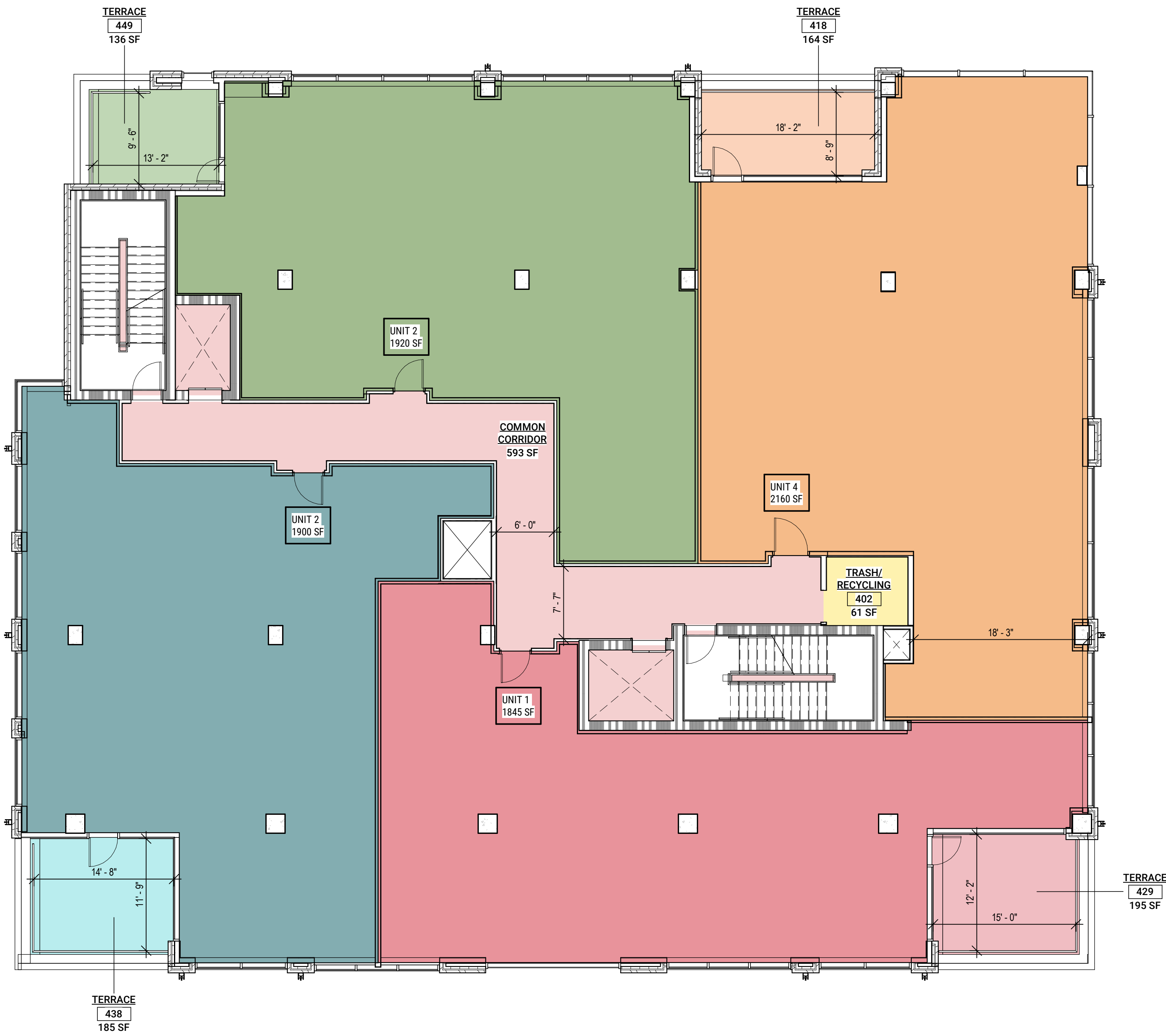


320 Martin Development

320 Martin
Birmingham, Michigan

Department Legend

- CIRCULATION
- BOH
- UNIT 1 TERRACE
- UNIT 2 TERRACE
- UNIT 3 TERRACE
- UNIT 4 TERRACE



1
D4

FLOOR PLAN - LEVEL 4

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

Revisions

7.3.2023 DESIGN PLANS

Drawn **SSB** Preliminary
Checked **SSB** Construction
SSB Record
Approved **JS** Do not scale
Bidpak Number Use figured dimensions only

Job Number
2022041

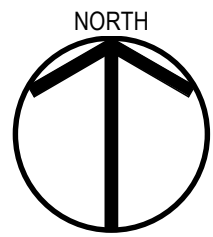
Title
FOURTH FLOOR
DESIGN PLANS

Sheet
D4

ISSUED FOR REFERENCE ONLY

Department Legend

- CIRCULATION
- BOH
- UNIT 5 TERRACE
- UNIT 6 TERRACE



1
D5

FLOOR PLAN - LEVEL 5

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

Revisions

7.3.2023 DESIGN PLANS

Drawn
SSB
Checked
SSB
Approved
JS
Bidpak Number

Preliminary

Construction

Record

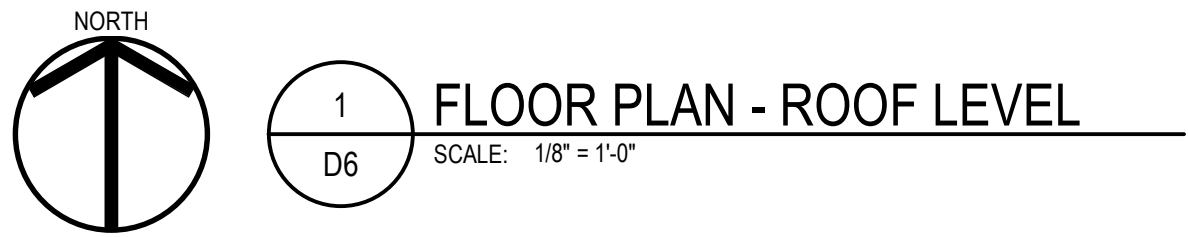
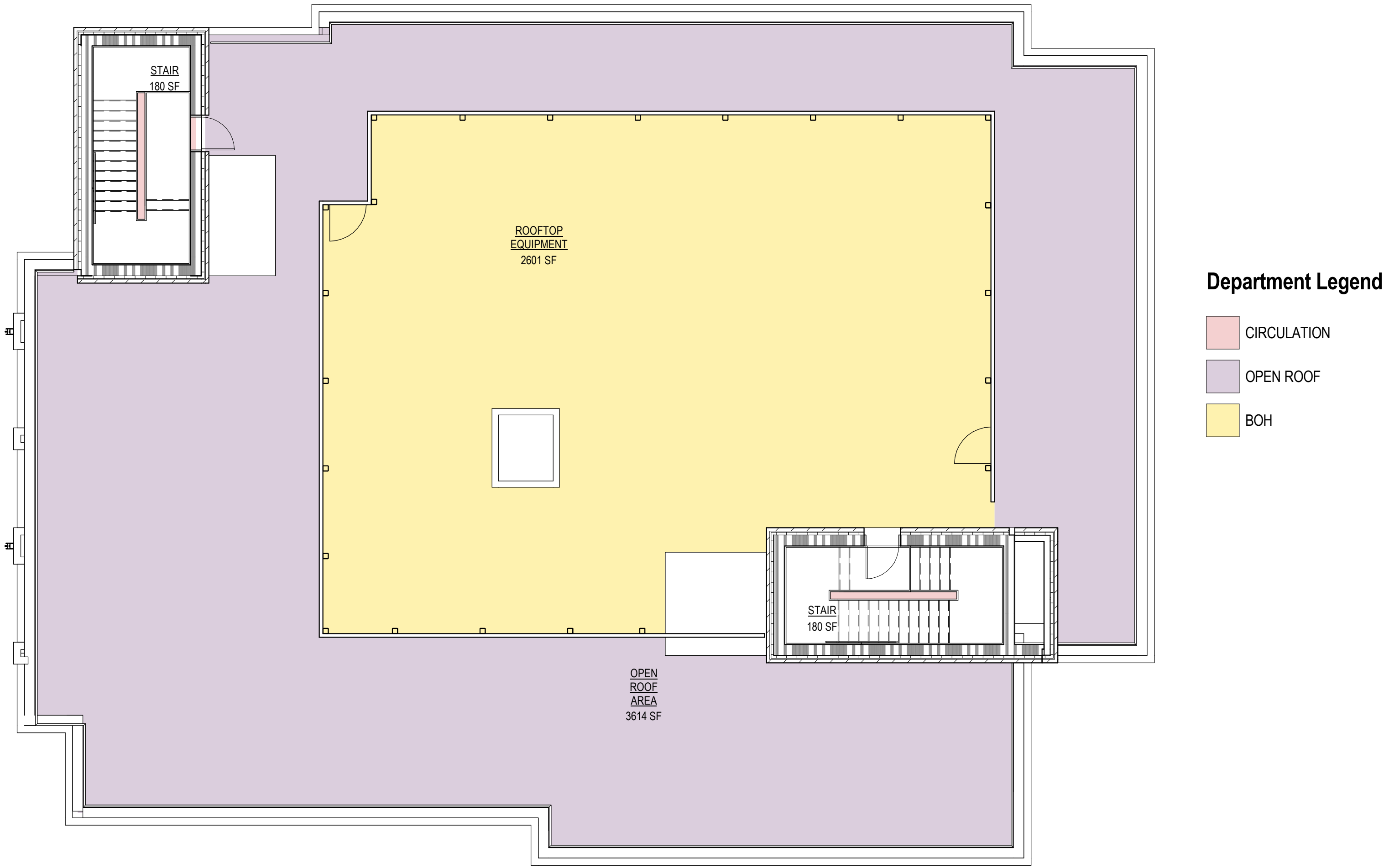
Do not scale
Use figured
dimensions only

Job Number
2022041

Title
**FIFTH FLOOR DESIGN
PLANS**

Sheet
D5

ISSUED FOR REFERENCE ONLY



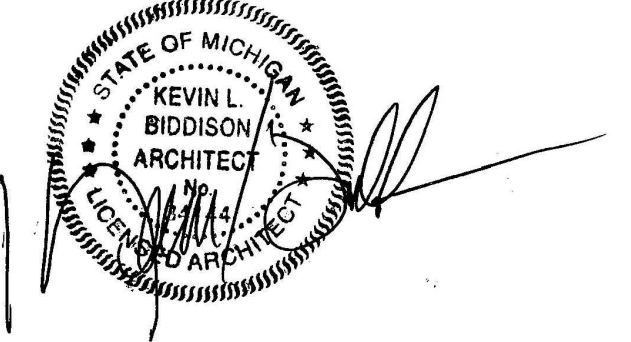
Revisions

PROPOSED BUILDING ADDITION FOR:
320 Martin - Addition

320 Martin St
Birmingham, MI 48009

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
DIM. REVISIONS	05.25.22
SITE PLAN APPROVAL	06.28.22
GLAZING CORRECTIONS	07.25.22
HISTORIC REVIEW	12.02.22
PLANNING COMMISSION	
ADMINISTRATIVE REVIEW	07.07.23
FINAL	
SITE PLAN PPROVAL	01.06.25

PROPOSED
ELEVATIONS



2075.21

A.201

ELEVATION	MATERIAL AREA (SQ. FT.)	
	SOLID	GLASS
NORTH (2ND FLOOR TO ROOF)	4,372	2,323
% OF TOTAL	65.3%	34.7%
REQUIRED %	65% MIN	35% MAX

ELEVATION	MATERIAL AREA (SQ. FT.)	
	SOLID	GLASS
NORTH (1'-0" TO 8'-0")	220	540
% OF TOTAL	39%	71%
REQUIRED %	30% MAX	70% MIN



201.02 NORTH ELEVATION
A.202 SCALE: 3/32"=1'-0"

ELEVATION	MATERIAL AREA (SQ. FT.)	
	SOLID	GLASS
SOUTH (2ND FLOOR TO ROOF)	4,852	1,938
% OF TOTAL	71.5%	28.5%
REQUIRED %	65% MIN	35% MAX

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



EXIST. ST. JAMES
EPISCOPAL
CHURCH -BEYOND

COMMUNITY
THREAD PARK

201.02 SOUTH ELEVATION
A.201 SCALE: 3/32"=1'-0"

Consultants

Project title

PROPOSED BUILDING ADDITION FOR:
320 Martin -Addition

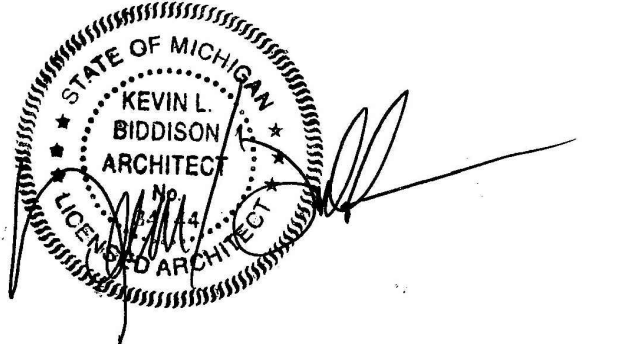
320 Martin St
Birmingham, MI 48009

Issued dr/ch

HISTORIC REVIEW	01.24.22
HISTORIC REVIEW	03.09.22
CIS	05.06.22
DIM. REVISIONS	05.25.22
SITE PLAN APPROVAL	06.28.22
GLAZING CORRECTIONS	07.25.22
HISTORIC REVIEW	12.02.22
PLANNING COMMISSION	
ADMINISTRATIVE REVIEW	07.07.23
FINAL	
SITE PLAN APPROVAL	01.06.25

Sheet title

PROPOSED
ELEVATIONS



Project no.

2075.21

Sheet no.

A.202



202.01 WEST ELEVATION
A.202 SCALE: 3/32"=1'-0"



202.01 EAST ELEVATION
A.202 SCALE: 3/32"=1'-0"

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

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

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

ELEVATION	MATERIAL AREA (SQ. FT.)	
	SOLID	GLASS
EAST (1'-0" TO 8'-0")	128	440
% OF TOTAL	22.5%	77.5%
REQUIRED %	30% MAX	70% MIN



SOUTHWEST VIEW



NORTHWEST VIEW



VIEW FROM LOBBY



THREAD PARK





SOUTHEAST VIEW



NORTHEAST STREET VIEW



BATES STREET ENTRY



NORTHEAST VIEW





MEMORANDUM

Planning Department

DATE: January 22, 2025

TO: Planning Board Members

FROM: Summer Aldred, Planning Intern

APPROVED: Nick Dupuis, Planning Director

SUBJECT: 185 Oakland Ave – Belfor Property Restoration – Final Site Plan and Design Review

The applicant has submitted an application for Final Site Plan and Design Review for the addition of a whole building standby generator at 185 Oakland Ave. The generator would serve as an auxiliary power source, with the intention of ensuring uninterrupted operations during power outages.

The subject site is located on the north side of Oakland in between Ferndale St. and N. Old Woodward. The existing office use, Belfor Property Restoration, is a commercial permitted use in the B2 (General Business) Zoning District with no special use permits required.

1.0 Land Use & Zoning

- 1.1 **Existing Land Use** – The existing land use on the site is commercial.
- 1.2 **Zoning** – The subject site is zoned B2 (General Business) with D-3 (Downtown Three or Four Stories) Overlay.
- 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:

(This space intentionally left blank)

	North	South	East	West
Existing Land Use	Residential	Commercial	Residential	Commercial
Existing Zoning District	R2 (Single-Family Residential)	B4 (Business-Residential)	R2 (Single-Family Residential)	B2 (General Business)
Overlay Zoning District	N/A	D-3 (Downtown Three or Four Stories)	N/A	D-3 (Downtown Three or Four Stories)

2.0 Setback & Height Requirements

The applicant appears to meet the bulk, area and placement requirements of the B2 and D3 zones. There is no change being proposed for the principle structure on the site.

3.0 Screening & Landscaping

- 3.1 Mechanical Equipment Screening – The applicant indicated the standby generator unit being proposed would be a KOHLER generator with a 48-Hour State above ground diesel tank. The specification sheets submitted for the unit demonstrates that the unit and tank assembly will be approximately 21.9 feet long, 11.3 feet high, and 8.5 feet wide. The site plans submitted do not include traditional screening of the mechanical unit, however, there is landscaping proposed to provide screening through arborvitae and other plantings. The landscaping renderings submitted to not provide details on the species or their proposed planting and mature heights to ensure that the unit will be adequately screened. **The applicant must submit details on the proposed type, location, and heights of planting materials to ensure that the proposed generator will be adequately screened.**
- 3.2 Landscaping – The applicant is proposing to maintain some of the existing landscaping, including large evergreen trees on the east property line. There are two different proposals for landscaping along Ferndale Ave, with the difference in design being the installation of a low wall along the sidewalk. The landscaping plan appears to include the planting of arborvitae along the length of the lot on the east, as well as along the north portion of the lot between Ferndale Ave and the parking lot. There appear to be the proposed planting of four additional deciduous trees, along with decorative landscaping. There does not appear to be any planting along the west side of the lot by the parking area. It also appears that the applicant is proposing to remove at least four large trees from the east border of the lot along Ferndale Ave. **Applicant must confirm the status of the removal of the trees along Ferndale Ave, submit a planting list, and provide adequate screening of the unit along the west side of the unit.**
- 3.3 Streetscape Elements – There are **no changes** proposed to the streetscape.

4.0 Parking, Loading & Circulation

- 4.1 Parking – **No change** to the existing parking plan.
- 4.2 Loading – **No change** to the current loading plan.
- 4.3 Vehicle Circulation & Access – **No change** to vehicular circulation.
- 4.4 Pedestrian Circulation & Access – **No change** to pedestrian circulation or access.

5.0 Departmental Reports

- 5.1 Engineering Department – The Engineering Department has no concerns at this time.
- 5.2 Department of Public Services – Any comments received from the Department of Public Services will be furnished to the Planning Board upon receipt.
- 5.3 Fire Department – The Fire Department has no concerns at this time.
- 5.4 Police Department – The Police Department has no concerns at this time.
- 5.5 Building Department – Please see attached Building Department comments dated January 17, 2025.
- 5.6 Parking Manager – The Parking Manager has no concerns at this time.

	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	☒	☐	☐

7.0 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.*

- There will be no persons occupying the structure of the generator, but it does not appear that the generator will impede upon the light, air and access for the persons occupying the adjoining building.

(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.*

- The plans do not appear to change the amount of interference with the light, air, or access to adjacent properties. The height of all proposed landscaping changes does not appear to exceed the previous height or coverage.

(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.*

- The renovations proposed do not appear to hinder the reasonable development of adjoining property nor diminish the value thereof. The proposed generator appears to be screened as to not affect the value of surrounding properties.

(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.*

- The site plan does not appear to impact pedestrian or vehicular traffic as there is no proposed changes to streets, driveways and sidewalks.

(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.*

- The overall use of the site is not contrary in spirit or purpose, as it appears to be within the use of the district.

(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.*

- This property is not required to provide landscaped open space.

8.0 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 **POSTPONE** the Final Site Plan and Design Review for 185 Oakland Ave – BELFOR Property Restoration – pending receipt of the following:

1. The applicant must update their landscape and screening plan to ensure adequate screening; and
2. The applicant must submit correct specifications of the unit being installed.

12.0 Sample Motion Language

Motion to **POSTPONE** the Final Site Plan and Design Review for 185 Oakland Ave – BELFOR Property Restoration – pending receipt of the following:

1. The applicant must update their landscape and screening plan to ensure adequate screening; and
2. The applicant must submit correct specifications of the unit being installed.

OR

Motion to adopt the findings of the Planning Department in the report dated January 22, 2025 related to the approval criteria outlined in Article 7, Section 7.27 of the Zoning Ordinance and **APPROVE** the Final Site Plan & Design Review application for 185 Oakland – Belfor Property Restoration – subject to the following conditions:

1. The applicant must update their landscape and screening plan to ensure adequate screening;
2. The applicant must submit correct specifications of the unit being installed;
3. The applicant must comply with the requests of all City Departments; and
4. The applicant understands that site plan approval shall be valid for a period of one year from the date it is granted. Upon request, the appropriate reviewing body may grant an extension of not in excess of one year to the applicant prior to the expiration date in accordance with Article 7, Section 7.28 of the Zoning Ordinance.

OR

Motion to recommend to the City Commission **DENIAL** of the Final Site Plan and Design Review 185 Oakland Ave – BELFOR Property Restoration – for the following reasons:

1. _____
2. _____
3. _____

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

January 17, 2025

RE: Final Site Plan Review Comments
185 Oakland Ave,
Building Generator

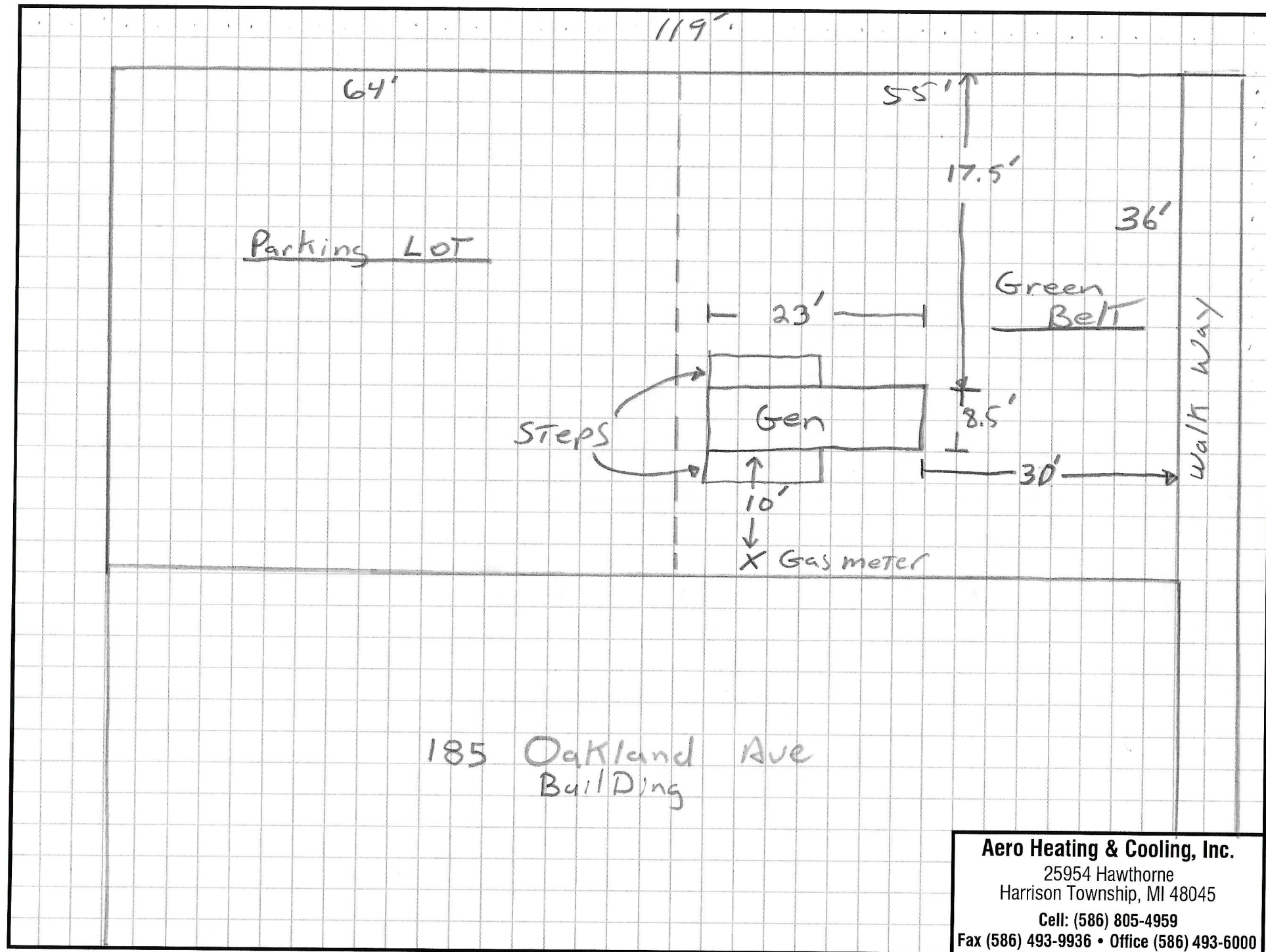
As requested, the Building Department has examined the plans for the proposed project referenced above. The plans were provided to the Planning Department for site plan review purposes only and present conceptual elevations and floor plans. Although the plans lack sufficient detail to perform a code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

Applicable Building Codes:

- **2015 Michigan Building Code.**
- **2021 Michigan Mechanical Code.**
- **2021 Michigan Plumbing Code.**
- **2023 National Electrical Code *along with the Michigan Part 8 Rules.***

Review Comments:

1. The decibel levels need to be compliant at the property line per the City ordinance, Section 50-73
2. Provide supporting information on the foundation required for the proposed unit, not information was provided.
3. Screening informing has not been provided regarding height, location and clearances around the proposed unit.
4. Confirm the fuel source capacity on the storage tank and identify spill protection.
5. Impact protection will be required on each end of the unit.
6. The Kolher plan sheet (4 of 12) provided is one of 12, lacking information and details.

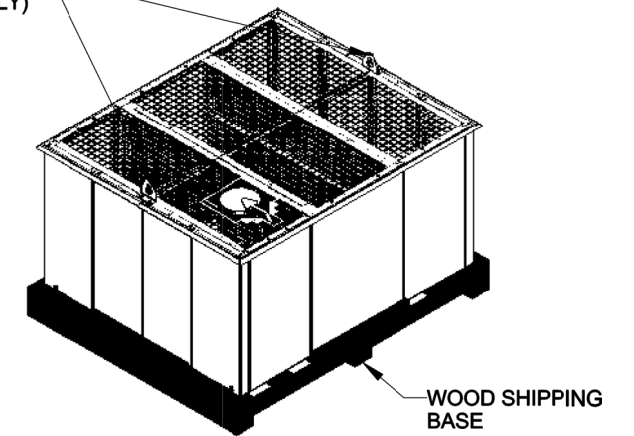
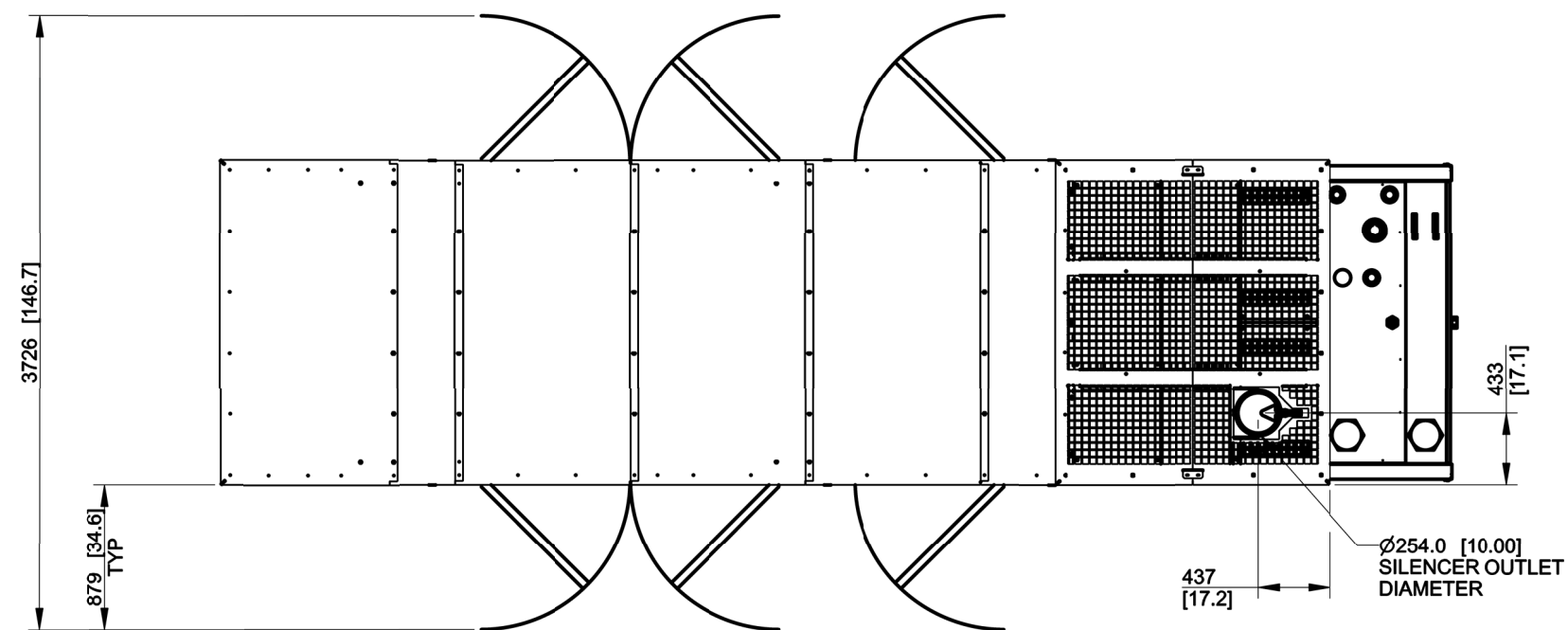


Aero Heating & Cooling, Inc.

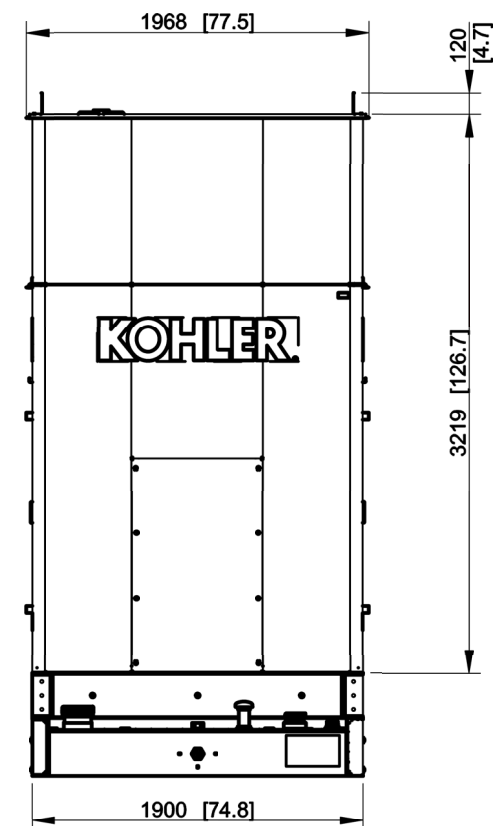
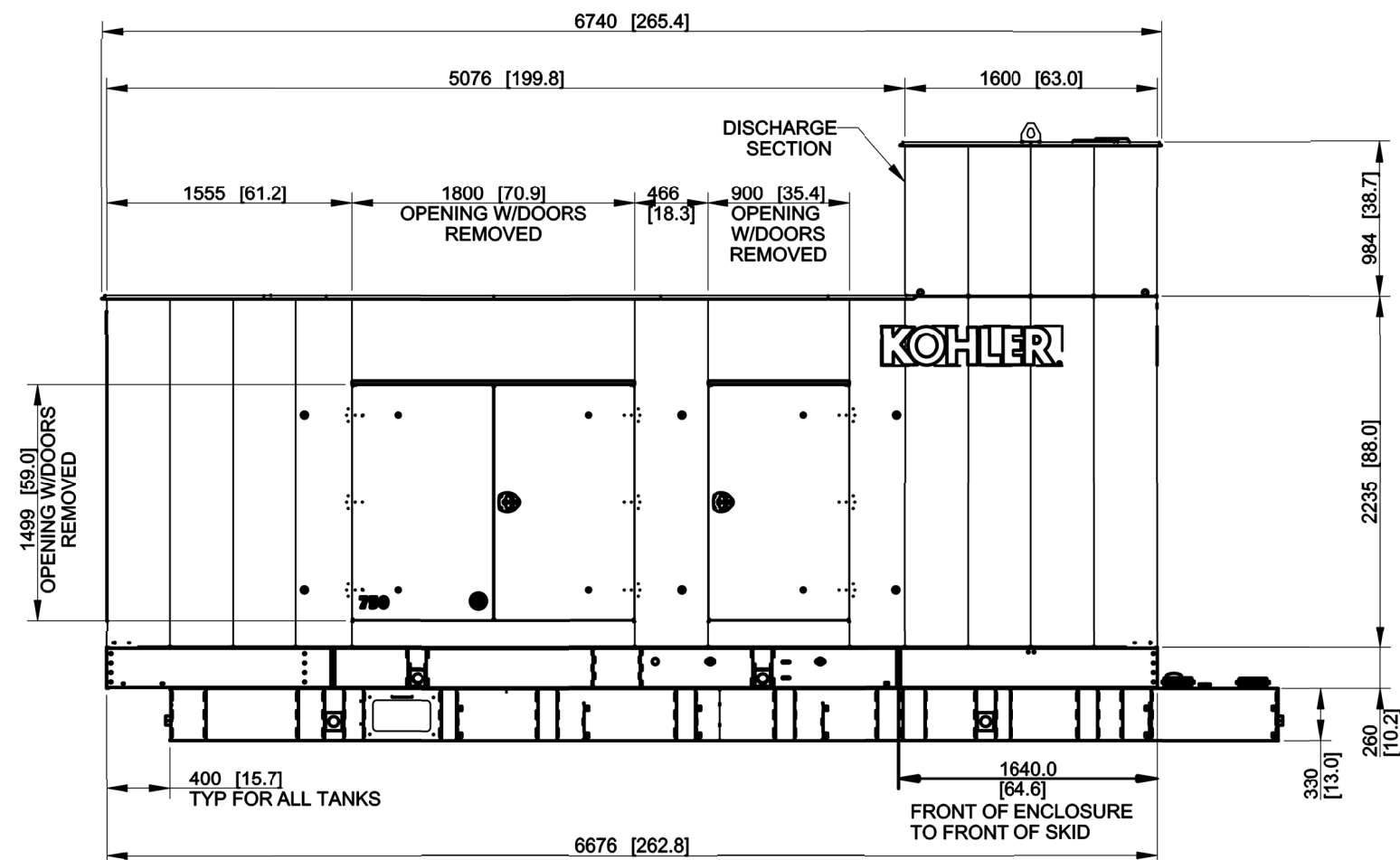
25954 Hawthorne
Harrison Township, MI 48045

Cell: (586) 805-4959

Fax (586) 493-9936 • Office (586) 493-6000



DISCHARGE SECTION SHIP LOOSE



ENCLOSURE INFORMATION	
KD 700-750	kg [LBS]
ALUM. SOUND L3 DISCHARGE SECTION	150 [331]
ALUM. SOUND L3 ENCLOSURE WEIGHT W/DISCHARGE SECTION	1810 [3990]
ALUM. SOUND L3 ENCLOSURE WEIGHT W/O DISCHARGE SECTION	1660 [3660]

NOTE:

**TANK WEIGHT + ENCLOSURE WEIGHT + GENERATOR SET WEIGHT
(REFERENCE FROM GENERATOR SET ADV) = TOTAL WEIGHT**

**KD700-750
SL3 ALUMINIUM
WITH DISCHARGE SECTION**

REV	DATE	CHANGE NUMBER	ON COMPOSITE DWGS, SEE PART NO. FOR REVISION LEVEL □ INDICATES PART NUMBERS AFFECTED BY LATEST DRAWING REVISION	B
A	04AUG2022	CT221497	NEW DRAWING	PA
B	28FEB2023	CT225762	SEE SHEET 9,10 & 11	AF
C	14MAR2024	CT234393	(A-5) 1640.0 ADDED; SEE SHEET 1, 3 & 4	AS
D	02JUL2024	CT237087	SEE SHEET 8, 10, 11, AND 12	JG

THIRD ANGLE PROJECTION



MAJOR  = 0
CRITICAL  = 0
CHARACTERISTICS COMPLY WITH
KPS-80022

DRAWN BY	PAR	DATE:
APPROVED BY	AJW	04AUG2022

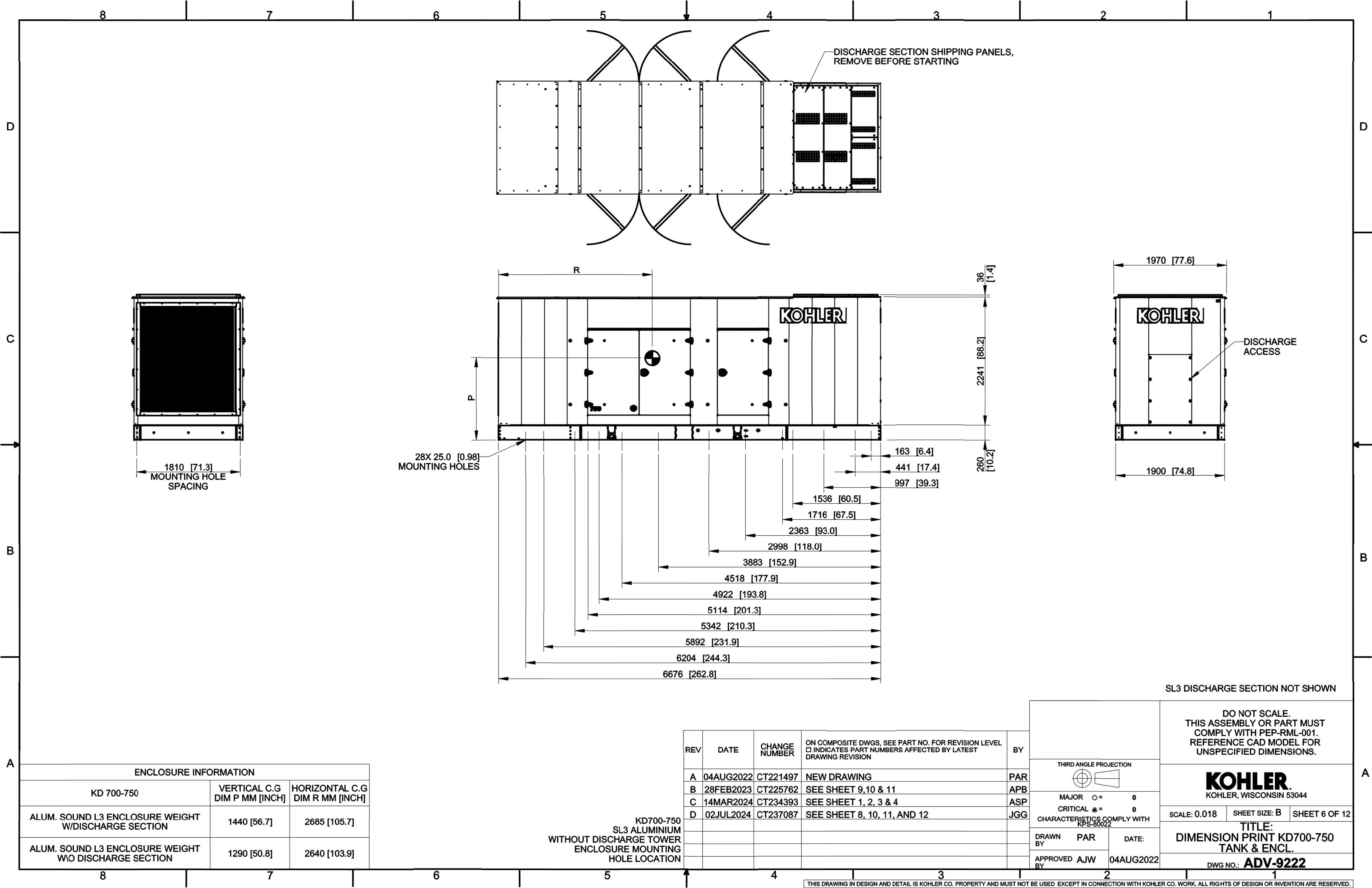
DO NOT SCALE.
THIS ASSEMBLY OR PART MUST
COMPLY WITH PEP-RML-001.
REFERENCE CAD MODEL FOR
UNSPECIFIED DIMENSIONS.

KOHLER.
KOHLER, WISCONSIN 53044

SCALE: 0.023	SHEET SIZE: B	SHEET 2 OF 12
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TITLE:
DIMENSION PRINT KD700-750
TANK & ENCL.

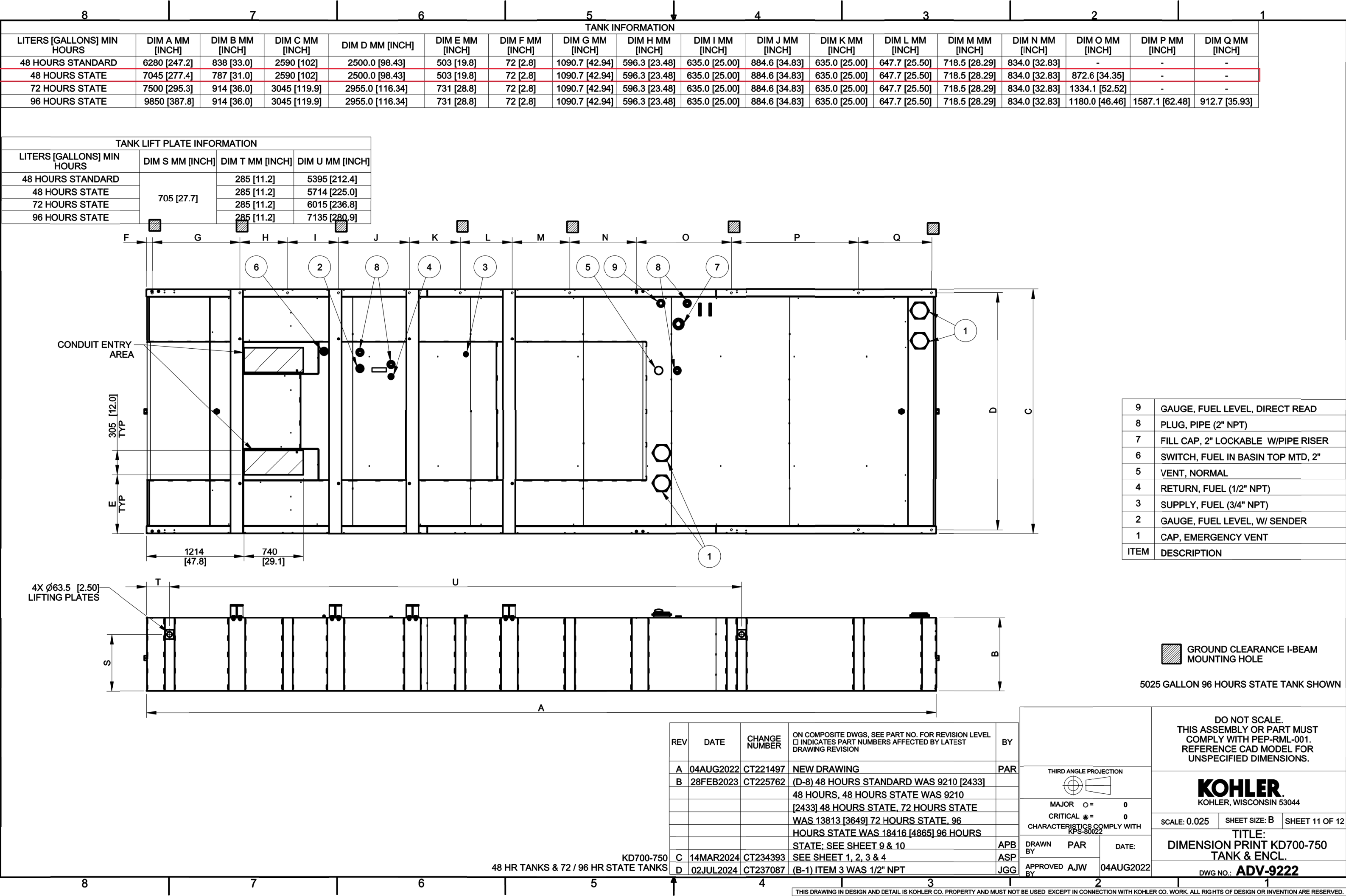
DWG NO.: **ADV-9222**



ENCLOSURE INFORMATION		
KD 700-750	VERTICAL C.G DIM P MM [INCH]	HORIZONTAL C.G DIM R MM [INCH]
ALUM. SOUND L3 ENCLOSURE WEIGHT W/DISCHARGE SECTION	1440 [56.7]	2685 [105.7]
ALUM. SOUND L3 ENCLOSURE WEIGHT WO DISCHARGE SECTION	1290 [50.8]	2640 [103.9]

REV	DATE	CHANGE NUMBER	ON COMPOSITE DWGS, SEE PART NO. FOR REVISION LEVEL □ INDICATES PART NUMBERS AFFECTED BY LATEST DRAWING REVISION	BY
A	04AUG2022	CT221497	NEW DRAWING	PAR
B	28FEB2023	CT225762	SEE SHEET 9,10 & 11	APB
C	14MAR2024	CT234393	SEE SHEET 1, 2, 3 & 4	ASP
D	02JUL2024	CT237087	SEE SHEET 8, 10, 11, AND 12	JGG

THIRD ANGLE PROJECTION MAJOR $\phi = 0$ CRITICAL $\phi = 0$ CHARACTERISTICS COMPLY WITH KPS-80022			DO NOT SCALE. THIS ASSEMBLY OR PART MUST COMPLY WITH PEP-RML-001. REFERENCE CAD MODEL FOR UNSPECIFIED DIMENSIONS.		
			KOHLER KOHLER, WISCONSIN 53044		
SCALE: 0.018		SHEET SIZE: B	SHEET 6 OF 12		
DRAWN BY: PAR			DATE: 04AUG2022		
APPROVED BY: AJW			TITLE: DIMENSION PRINT KD700-750 TANK & ENCL.		
			DWG NO.: ADV-9222		

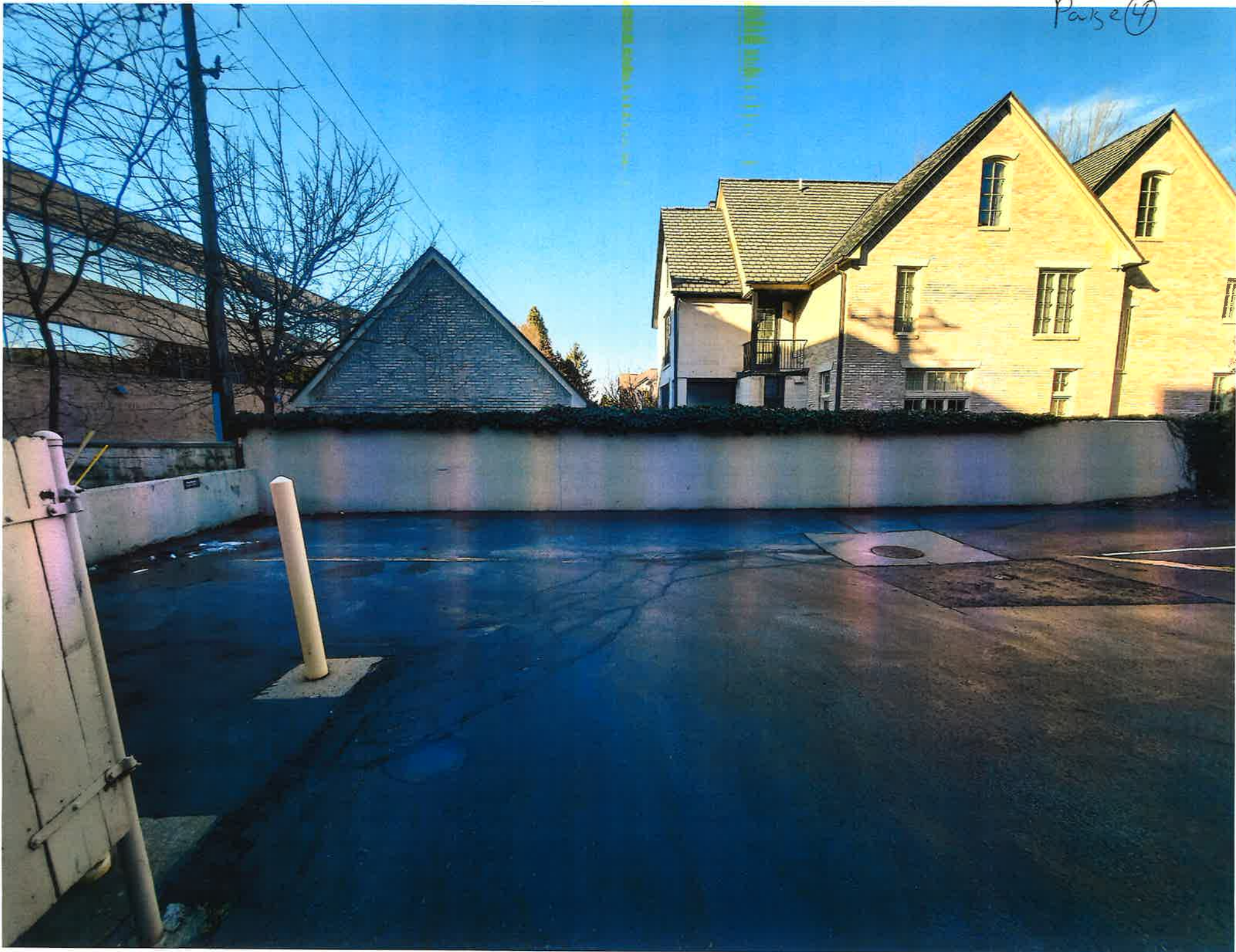


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MEMORANDUM

Planning Division

DATE: January 22, 2025

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director
Paul A. Wells, Fire Chief
Bruce Johnson, Building Official
Jeff Scaife, Fire Marshal

SUBJECT: Emergency Standby Generators in Single-Family Zoned Districts

Home whole-house generators produce large amounts of carbon monoxide (CO); a silent killer that is a colorless, odorless, and toxic gas produced when carbon-containing materials are incompletely combusted. Over the last three years, the Fire Department has responded to more than a dozen CO incidents involving these generators. Typically, the calls originate during heavy storms where power outages occur, causing a strain on the Fire Department response due to multitudes of emergency calls for downed wires, downed trees, and occasionally structure fires. On June 19, 2024 an extremely strong storm came through our area and generated over 300 calls to Birmingham's dispatch center during the first hour. During this period the Fire Department responded to 3 homes with deadly levels of CO from whole house generators.

Additionally, these home generators produce a sizable amount of noise while operating, resulting in citizen complaints that have been filed with the Building Department and the City Commission. There have been 39 generator permits filed with the City through July of this year. The previous year saw over 100. With an unstable electrical grid/infrastructure, permit numbers will likely rise with time due to the increase in powerful storms.

Substantial storm cells have been increasing steadily over the past few years. These storms bring with them numerous occasions where electrical power has been halted by downed power lines or blown transformers. Three years ago the Fire Department and the Building Department began tracking and investigating home generators that produced CO inside residential homes. Year-to-

date both departments have investigated over a dozen homes that were found to have very high levels of CO. These readings ranged from 30 parts per million (ppm) to over 100 ppm with four-gas meters used by responding fire crews. Several times the levels peaked over 100 ppm and fire crews had to don their self-contained breathing apparatus (SCBA) to safely enter the dwelling. The World Health Organization recognizes the following CO levels and exposure times for residential homes:

- 9–10 parts per million (ppm): For no more than 8 hours
- 25–35 ppm: For no more than 1 hour
- 90–100 ppm: For no more than 15 minutes

Some home generators are placed in the side yard approximately 18 inches from the structure and 5 feet from window/door openings. This installation is according to manufacturer recommendations. However, in the environment of Birmingham with tight side yards and buildings within several feet of each other, this is not always proving to be safe. This placement has resulted in a dense concentration of CO where there is limited air movement on the side of the structure allowing the CO to seep into cracks, crevasses, and soffit vents, among other areas. Furthermore, with these units being placed between homes there is an additional concern where home 'A' could be on generator backup, and the neighboring home 'B' does not have a generator and elected to open their windows in the summer months allowing CO to enter into home 'B' through open windows. The Fire Department has responded multiple times to this exact type of incident.

Carbon monoxide has not been the only concern; noise pollution has been a topic of complaint recently received at both the Building Department and City Commission levels. The complaints received almost always involve generators installed in side yards between two houses.

At this time, the Planning Department has worked with the Fire and Building Departments to draft new ordinance language that aims to address the life safety concerns that are detailed above while also being sensitive to other requirements of the Zoning Ordinance. Please see the attached proposed amendments to Article 4, Section 4.03 of the Zoning Ordinance.

Sample Motion Language

I move that the Planning Board set a public hearing date of February 12, 2025 to review amendments to Article 4, Accessory Structure Standards, Section 4.03, to add provisions for standby generators.

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, ACCESSORY STRUCTURE STANDARDS, SECTION 4.03, TO ADD PROVISIONS FOR STANDBY GENERATORS

4.03 AS-02

This Accessory Structure Standards section applies to the following districts:

R1 R1A R2 R3 R4 R5 R6 R7 R8 TZ1

The following accessory structure standards apply:

- A. Front and Side Open Space Limitations: No accessory buildings or structures shall be erected in the required front open space or side open space, except as may otherwise be provided in this section.
- B. Rear Open Space Limitations: Accessory buildings or structures may occupy a portion of the rear open space. They shall be at least 3 feet from any lot line, except as otherwise provided in this Article. If a lot has frontage on 2 streets so that the rear lot line abuts the street, accessory buildings or structures shall be set back from the rear lot line the same distance required in each two-page layout in Article 2, as a front setback for lots fronting on the street. An accessory building is not permitted closer to a principal building on an adjoining lot than the sum of the minimum required side setbacks as determined in Section 4.74(C).
- C. Corner Lots: On corner lots where a rear open space abuts a front or side open space, accessory buildings or structures on a corner lot shall have a minimum setback of 5 feet from the rear lot line.

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M. Air Conditioning Units: All new and existing air conditioning units shall not count against lot coverage calculations. Non-conforming air conditioning units located within required side yard setbacks may be continued, maintained and replaced provided:

1. The area occupied or devoted to such use is of similar size and location;
2. The nonconforming unit(s) must be screened from street view and the abutting property by privacy fence, landscaping or landscape fence.

N. Standby Generators: All new and replacement standby generators are subject to the following requirements:

1. The placement of standby generators shall be limited to the rear open space only at a location that is not less than 5 feet from any principal building or accessory building with habitable space as defined in the Michigan Residential Code in effect at the date of the application including any overhang or projection and subject to the requirements of the open space limitations of subsections A and B of this section.
2. Standby generator exhaust outlets:
 - a. Shall be directed into the rear open space; and
 - b. Shall not directed towards any principal building or accessory building with habitable space as defined in the current Michigan Residential Code located within 20 feet.
3. Standby generators shall be used only when the normal power source of the residence has been disrupted. As soon as normal power has been restored, the owner must cease operation of the generator.
4. A permit must be obtained for the installation of any standby generator on such forms as required by the Community Development Department.
5. All standby generators shall be maintained in good working order. Property owners are responsible for maintaining and operating the standby generator and complying with all applicable code requirements. Automatic maintenance exercise testing is limited to not more than fifteen (15) minutes once a week, Monday-Friday, between the hours of 7:00 a.m. to 5:00 p.m.
6. Non-conforming standby generators may be continued and maintained provided:
 - a. The non-conforming standby generator shall meet the requirements of subsection 5 of this section;

b. In the event a generator is deemed to be unsafe by the Fire Department due to carbon monoxide readings measured in a dwelling as a result of the operation of the generator, the Fire Department may issue a cease and desist order for the usage of the generator unit and issue an order for the generator to be relocated to the rear yard in accordance with the standards in this section.

ORDAINED this _____ day of _____, 2025 to become effective 7 days after publication.

Therese Longe, Mayor

Alex Bingham, City Clerk



MEMORANDUM

Planning Department

DATE: January 22, 2025

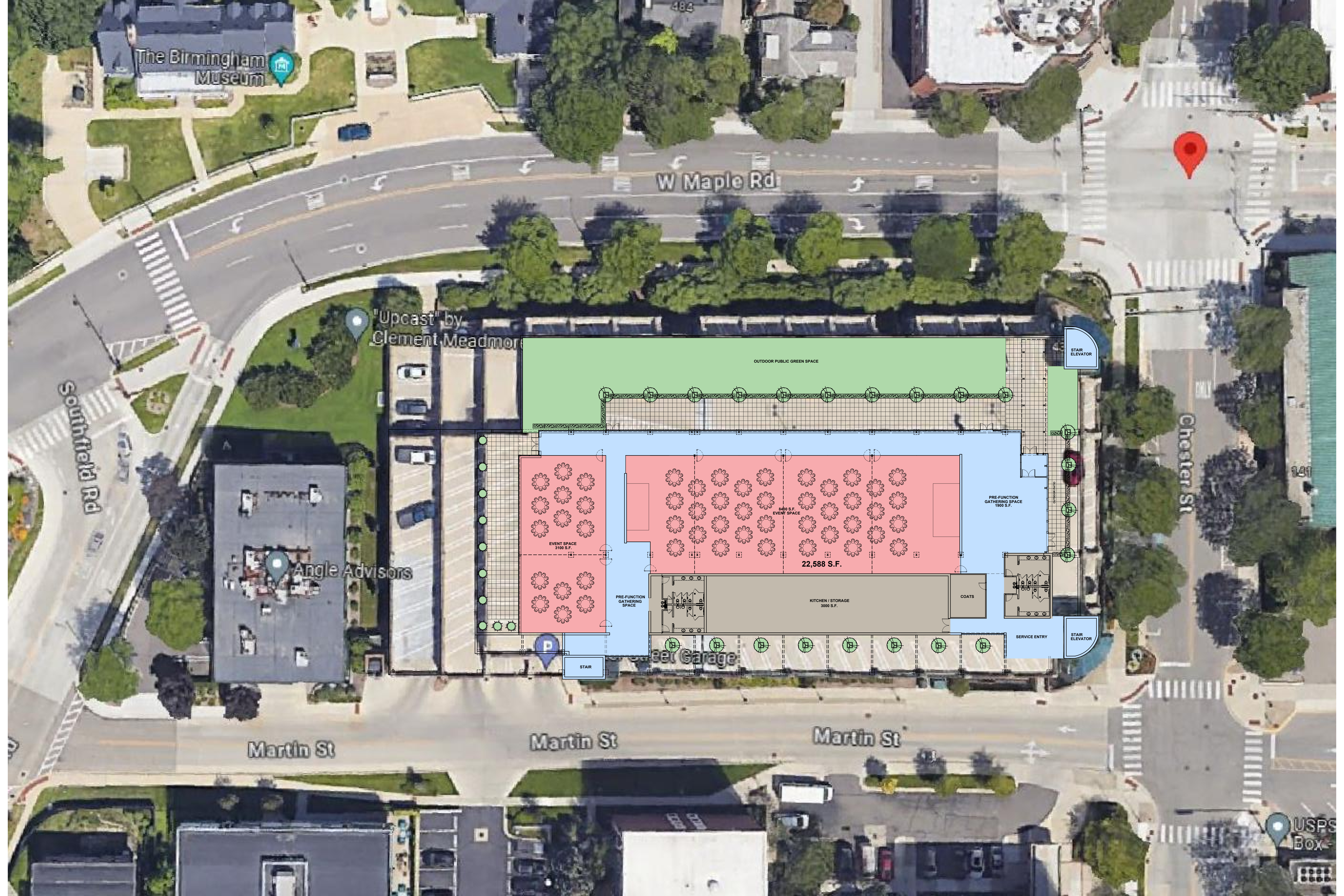
TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

SUBJECT: 180 Chester – Chester St. Parking Deck – Update

On December 11, 2024 ([Agenda](#)), the Planning Board reviewed a pre-application discussion for a unique proposal to add an event center type use to the top of the existing Chester Street Parking Structure. The Planning Board provided some positive feedback to the prospective development team, although they acknowledged many of the challenges it would face and their lack of authority over many of the key issues that this project will have to overcome.

On January 13, 2025 ([Agenda](#)), City Staff presented a Staff Report to the City Commission reviewing high-level plans and issues related to the proposal. Feedback from the Commission was critical at this stage of the project, as the bulk of the decision making would happen at that level. Overall, the City Commission did not show any interest in pursuing the project at this time due to concerns with liability, logistics, infrastructure, loss of parking, and other concerns.



The Birmingham Museum

W Maple Rd

"Upcast" by Clement Meadmore

Southfield Rd

Angle Advisors

Chester St

Martin St

Martin St

Martin St

USPS Box

OUTDOOR PUBLIC GREEN SPACE

STAIR ELEVATOR

EVENT SPACE 3100 S.F.

8400 S.F. EVENT SPACE

22,588 S.F.

PRE-FUNCTION GATHERING SPACE 1900 S.F.

PRE-FUNCTION GATHERING SPACE

KITCHEN / STORAGE 3000 S.F.

COATS

SERVICE ENTRY

STAIR ELEVATOR

STAIR

Steel Garage









MEMORANDUM

Planning Department

DATE: December 11, 2024

TO: Planning Board Members

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Project Updates & Information

The following report contains the most recent 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.

Site Plan & Design Reviews

- 2159 E. Lincoln – Lincoln Yard – Temporary Certificate of Occupancy has been issued
- 35001 Woodward – Land lease executed by City Commission/Design development, site plan extension granted on November 13, 2024
- 239 N Old Woodward – Bloom Bistro – Under Construction
- 707 S. Worth – Under construction
- 36877 Woodward – Gasow Veterinary Hospital – Temporary Certificate of Occupancy issued
- 243 Merrill – La Strada – Final inspections
- 320 Martin – Birmingham Post Office – Design Development
- 185 N. Old Woodward – Bell Bistro – **COMPLETE**
- 460 N. Old Woodward – Wilders – **COMPLETE**
- 295 Elm St. – Forest Townhomes – Building permits under review
- 34350 Woodward – Fred Lavery Porsche – Design Development
- 479 S. Old Woodward – Birmingham Tower – Under construction
- 245 S. Eton – Big Rock – Under construction
- 33866 Woodward – Polestar – Permitting/Design development
- 370 E. Brown – Under construction
- 33816 Woodward – Auto Europe – Design development

City Commission

- 2211 & 2243 Cole – Dobi – **APPROVED** on November 18, 2024.
- 33278 Woodward – Ducati Detroit – Set Public Hearing on December 16, 2024
- Triangle District Phase 1 Ordinance Amendments – **APPROVED** on November 25, 2024

Ordinance Amendments/Master Planning

- -

Non-Planning Board Projects

- 185 Oakland – Belfor – Façade renovations, permitting
- 33680 Woodward – Petrucci Studio – Under construction
- 163 W. Maple – The Last Bean – **COMPLETE**
- 138 W. Maple – Blakeslee Building – Façade renovations, permitting
- 172 N. Old Woodward – National Bank Building – **COMPLETE**
- 151 N. Eton – Façade and screening improvements, final inspections
- 34500 Woodward – Golling Fiat – Façade renovations, design development
- 106 S. Old Woodward – O’Neal Building – Façade renovations, design development

- Historic Preservation Master Plan – In progress.

Sustainability & Climate Action Plan/Greenhouse Gas Emissions Inventory

- Greenhouse Gas Emissions inventory – COMPLETE
- Sustainability and Climate Action Plan – COMPLETE

ADMIN APPROVAL - PB

App Date	Case #	Scope of Work	Property Address	Status
12/05/2024	PAA24-0112	Interior renovation mainly first and second floor	274 W BROWN ST	COMPLETED - APPROVED
12/10/2024	PAA24-0114	Install RTU roof screening per the construction documents	300 E MAPLE RD	COMPLETED - APPROVED
12/12/2024	PAA24-0115	Change trex screening enclosures to wood screening enclosures - same design/footprint	163 W MAPLE RD	COMPLETED - APPROVED
01/07/2025	PAA25-0004	New 4 ft. fence around playground.	1669 W MAPLE RD	COMPLETED - APPROVED

Total Processes For Type: 4



AGENDA
REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD
WEDNESDAY FEBRUARY 12, 2025 – 7:30 PM
151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

- A.** Roll Call
- B.** Review and Approval of the Minutes of the Regular Meeting of **January 22, 2025**
- C.** Chairpersons' Comments
- D.** Review of the Agenda
- E.** Meeting Open to the Public for Items Not on the Printed Agenda
- F.** Unfinished Business
- G.** Rezoning Applications
- H.** Community Impact Studies
- I.** Special Land Use Permits
- J.** Site Plan & Design Reviews
- K.** Study Session
 - 1. **Generator Ordinance – Public Hearing**
 - 2. **Triangle District Bonus Height Requirements Phase 2 – Study Session**
- L.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - 2. Communications
 - i. **Project Updates**
 - 3. Administrative Approval Correspondence
 - i. **January 17, 2025 – February 7, 2025**
 - 4. Draft Agenda – **February 26, 2025**
 - 5. Action List – **2025**
 - 6. Other Business
- M.** Planning Division Action Items
 - 1. Staff Report on Previous Requests
 - 2. Additional Items from Tonight's Meeting
- N.** 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 248-644-3405 (TDD) at least one day before the meeting to request help in mobility, visual, hearing, or other assistance.

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



AGENDA
REGULAR MEETING OF THE BIRMINGHAM PLANNING BOARD
WEDNESDAY FEBRUARY 26, 2025 – 7:30 PM
151 MARTIN ST., CITY COMMISSION ROOM 205, BIRMINGHAM MI*

- A.** Roll Call
- B.** Review and Approval of the Minutes of the Regular Meeting of **February 12, 2025**
- C.** Chairpersons' Comments
- D.** Review of the Agenda
- E.** Meeting Open to the Public for Items Not on the Printed Agenda
- F.** Unfinished Business
- G.** Rezoning Applications
- H.** Special Land Use Permits
- I.** Community Impact Studies
- J.** Site Plan & Design Reviews
- K.** Study Session
 - 1. **Triangle District Bonus Height Requirements Phase 2 – Study Session**
 - 2. **Childcare Ordinance – Study Session**
 - 3. **Impervious Surface/Open Space – Study Session**
- L.** Miscellaneous Business and Communications:
 - 1. Pre-Application Discussions
 - 2. Communications
 - i. **Project Updates**
 - 3. Administrative Approval Correspondence
 - i. **February 7, 2025 – February 21, 2025**
 - 4. Draft Agenda – **March 12, 2025**
 - 5. Action List – **2025**
 - 6. Other Business
- M.** Planning Division Action Items
 - 1. Staff Report on Previous Requests
 - 2. Additional Items from Tonight's Meeting
- N.** Adjournment

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Planning Board Action List – 2024

Topic	General Goals	City Commission Directive?	2040 Plan	Quarter	Status	
					In Progress	Complete
Comprehensive Zoning Ordinance Update	Update the Zoning Ordinance based on recommendations of the 2040 Plan.	☐	☒	Ongoing	☐	☐
Mixed Use Requirements	Consider changing the requirements for mixed use in the Triangle District.	☐	☐	1 st (January-March)	☒	☐
“Encourage renovations to expand existing houses rather than the construction of new houses.”	Support neighborhoods.	☐	☒	2 nd (April-June)	☐	☐
“Create a Woodward Safety and Beautification Plan.”	Begin to bridge the Woodward divide.	☐	☒	3 rd (July-September)	☐	☐
Ordinance Enforcement	Maintain a vibrant community.	☐	☐	4 th (October-December)	☒	☐

Planning Board Action List – 2025

Topic	General Goals	City Commission Directive?	2040 Plan	Quarter	Status	
					In Progress	Complete
Comprehensive Zoning Ordinance Update	Update the Zoning Ordinance based on recommendations of the 2040 Plan.	☐	☒	Ongoing	☐	☐
Mixed Use Requirements	Create a new list of bonus height provisions for the Triangle District	☐	☐	1 st (January-March)	☒	☐
Public Project Review Process	Develop a comprehensive set of guidelines for the review of public development projects	☐	☐	2 nd (April-June)	☐	☐
“Create a Woodward Safety and Beautification Plan.”	Begin to bridge the Woodward divide.	☐	☒	3 rd (July-September)	☐	☐
Ordinance Enforcement	Maintain a vibrant community.	☐	☐	4 th (October-December)	☐	☐